

The Weather

Maximum yesterday.....50
Minimum today.....24

MEDFORD MAIL TRIBUNE

MEDFORD, OREGON, MONDAY, MARCH 10, 1919

Predictions

Tonight and Tomorrow
Rain.

CONVICTION OF DEBS UPHELD IN HIGHEST COURT

Socialist Leader Loses Appeal and Must Serve Sentence for Disloyal Speeches Attempting to Interfere With Draft Law—Court Unanimous in Opinion.

WASHINGTON, Mar. 10.—The supreme court today sustained the conviction of Eugene V. Debs, socialist leader, found guilty of violating the espionage act thru statements made in a speech at Canton, Ohio, last June, and sentenced to ten years' imprisonment.

In deciding the case, the court in effect upheld the constitutionality of the so-called enlistment section of the espionage act of 1917.

The opinion of the court was unanimous.

As in the case of the espionage cases decided last Monday, the supreme court in its opinion again today made no specific ruling upon the constitutionality of the espionage act. The court based its opinion largely upon that part of the indictment charging obstruction of recruiting service which was unanimously affirmed.

This part of the act is the most drastic in the measure.

Sketch of Debs' Career

Debs, four times a candidate for president of the United States, began his industrial life as a locomotive fireman on the Terre Haute and Indianapolis railroad. He was born in Terre Haute, Ind., 64 years ago. For years he was prominent in the firemen's brotherhood, playing an active part in several big strikes. In 1885 he was a member of the Indiana legislature. In 1900 he ran for president on the socialist-democratic ticket and he was the candidate of the socialist party in 1904, 1908 and 1912.

The indictment on which Debs was convicted charged him with attempting to incite "insubordination, disloyalty, mutiny and refusal of duty in the military and naval forces," attempting to obstruct recruiting and enlistments and with uttering and publishing language intended to provoke and encourage resistance to the United States as well as to promote the enemy's cause. The indictment contained ten counts, but conviction was only on three.

Called No Witnesses

When placed on trial, Debs called no witnesses in defense and made the only argument in his own behalf. In appealing to the supreme court, he attacked the admission in evidence by the lower court of the St. Louis socialist platform, which he had endorsed, and records from the trial of Rose Pastor Stokes and alleged he had been tried on his "state of mind." Validity of the espionage act was also attacked by Debs, who alleged it violated the right of free speech.

In opposing the appeal in the supreme court the government denied the act was unconstitutional, but admitted that it was not convinced that the facts charged in the indictment alleged the utterance of language designed to encourage resistance to the United States and to promote the enemy's cause were sufficient to warrant conviction on that count. For that reason, the government made no further contentions relative to that charge.

Congress, in enacting the espionage act, the government further contended, intended to cover all willful interference with the process of raising an army and argued that constitutional guarantees of free speech do not include intentional incitement to violations of law.

MISSING METEOR FOUND IN RESERVOIR

TOWANDA, Pa., Mar. 10.—A search for a missing meteor, conducted by the United States geological survey, has ended in the reservoir of the Towanda Water company. Incidentally it has enabled the company to account for the sudden disappearance of its ice crop on the night of January 23.

On the afternoon of the meteor's flight local officials visited the reservoir and decided to cut the eight-inch crop of ice the next morning. During the night the meteor landed in the reservoir. When workmen went to harvest the ice, it had dwindled to a scant three inches, due, it is asserted to the heat of the meteor warming the water in the reservoir.

The reservoir will be drained in an effort to find the meteor.

AIRSHIP DIVE SPOILS PLANS FOR MID-AIR JAZZ BAND CONCERT

ELIZABETH, N. J., March 10.—Plans for a mid air "Jazz" concert over Madison Square Garden, scene of the aeronautical show in New York, were disrupted today when an army airplane which was to have hovered above the exposition place carrying a piano and a pianist, dived into the mud of the Standard aircraft field here.

The machine, with seven army officers aboard, had started for Philadelphia to pick up a piano, when engine trouble developed and Captain Carlin, the pilot, was forced to descend from a height of 2,000 feet. He made a good landing, but the wheels stuck in the mud and the craft tipped upon its nose. None of the passengers was injured.

SEATTLE STRIKERS RETURN TO WORK UNDER OLD SCALE

SEATTLE, March 10.—Seattle's big shipyards, idle since January 21, when approximately 25,000 workmen struck for higher pay, will reopen tomorrow, the men having voted to return to work for the same wages received before the walk-out. Tacoma and Aberdeen yards, also closed by a strike of about 15,000, resume operations tomorrow.

Announcement that the yards would re-open tomorrow was made by seven shipbuilding corporations. They said the men would be taken on as rapidly as consistent with opening of the plants and accomplishing the necessary organization due to the long period of idleness.

Last week the strikers voted on the question of returning to work pending the announcement of findings of a federal wage commission meeting to be held at Washington, D. C. Out of 46 striking unions in Seattle, Aberdeen and Tacoma, only four voted to continue the strike.

Seattle shipyard strikers, and others who were forced out of work by the walkout, lost nearly \$8,500,000 in wages during the six weeks of idleness according to unofficial estimates compiled here today. The weekly wage loss approximated \$1,400,000 it was said.

Union officials today emphasized that the return to work tomorrow of the strikers will not constitute a waiver of any of the strike demands or an acceptance of the federal May board wage scale, against which the strike primarily was waged. The strikers, it was pointed out, voted to return to work until April 1, when the May award expires. In the meantime a wage conference is to be held between shipyard owners and employers in Washington, D. C.

WANT NAMES OF DISABLED SOLDIERS

WASHINGTON, Mar. 10.—Some thirteen thousand disabled soldiers were discharged from the army before the federal board for vocational education was permitted to establish contact with them in order to deal with their cases. The board now desires to get in touch with these men so as to acquaint them with the benefits which congress has provided for them. The board in a statement today asked persons knowing of any such disabled soldiers to send their names and addresses to its headquarters in Washington.

MEXICO PUTS BAN ON JOHNSON FIGHT

MEXICO CITY, Mar. 10.—The announcement that Jack Johnson was scheduled for five bouts in Mexico City was met today by an announcement that the government had requested the municipal authorities to refuse licenses for boxing matches because previous contests have been of such an unsatisfactory nature as to cause disorder. It is expected that the municipality will accede to the request of federal authorities.

BRITISH CHANGE ATTITUDE UPON HUN WARSHIPS

England Willing to Permit France and Italy to Keep Some of the Ships but Will Sink Her Own Allotment. Thus Relieving America of Great Naval Program.

PARIS, March 10.—A change in the attitude of the British government regarding the plan to sink interned warships has been noticed since the return of Premier Lloyd George to Paris. "It now appears probable that Great Britain will be willing to permit France and Italy to keep some of the ships, but will sink her own allotment."

In this way, it is said, Great Britain would relieve the United States of the necessity of carrying out her projected great naval building program which it is understood was based on the intention to prevent any one nation from having such a predominant navy as would give her control of the seas against the power of the League of Nations.

The addition of a limited number of German warships to the French and Italian navies would not sensibly disturb the present balance of naval power, excluding Austria and Germany.

The desire of American naval experts that the German ships be eliminated completely, it is said, is based on considerations of economy as they hold that if the German ships are given to Great Britain in the proportion proposed, the United States would be compelled to spend one billion dollars to maintain her place in the naval lists.

BERLIN, March 9.—(By the Associated Press.)—Preliminary peace negotiations may begin at Versailles about March 20, according to reports in circulation here today. Count Von Brockdorff-Rantzau, foreign minister, is arranging for a small party of prominent business men to accompany the German commissioners as experts.

UNFILLED STEEL ORDERS DECREASED

NEW YORK, March 10.—Unfilled orders of the United States Steel corporation on February 28 were 6,010,787 tons, according to the corporation's monthly statement issued today. This is a decrease of 673,481 tons compared with the orders on January 31, and is the fourth successive monthly decrease since October.

BALFOUR TO RETURN AFTER PEACE MADE

LONDON, March 10.—Arthur J. Balfour, the secretary for foreign affairs in the Lloyd George ministry, will retire at the close of the peace conference, the Evening Standard today says it understands. Secretary Balfour, adds the newspaper, will be succeeded by Earl Curzon, president of the council and government leader in the house of lords.

SUPREME COURT TO PASS ON BURLERSON

WASHINGTON, March 10.—Steps to have the supreme court determine whether Postmaster General Burlerison has authority to fix telephone rates within the state were taken today with the filing of a motion by the state of Kansas, asking permission to institute original proceedings in the court against the postmaster general.

NEW YORK SCARED OF GERMAN OPERA

NEW YORK, March 10.—At the instance of Mayor Hylan and Police Commissioner Thrigh, who declared that the projected performances might provoke disorder, the management of the Lexington theater today cancelled arrangements for a season of German operas, the first of which was to be presented tonight.

WORK SUSPENDED ON BATTLE CRUISERS ORDERED FOR NAVY

WASHINGTON, March 10.—Secretary Daniels today directed suspension of work on the six great battle cruisers authorized in 1916 until he and the American naval experts have decided on the future type of American capital ships in the light of information they will obtain on their projected trip to Great Britain, France and Italy. Work on the big ships is now only on the first stage as their construction was held up during the war so that destroyers might be built.

DOCTOR USED MAILS TO SECURE MORE PATIENTS

WASHINGTON, Mar. 10.—Conviction of Gideon M. Freeman, a Los Angeles physician, on charges of using the mails to defraud, was in effect sustained today by the supreme court, which refused to consider the case.

DR. ANGELES, Cal., Mar. 10.—Dr. Gideon Freeman, in whose case the supreme court of the United States has refused to interfere, was convicted here more than two years ago on a charge of using the mails to defraud and was fined \$1500.

Dr. Freeman was convicted of using the mails to influence persons to employ him professionally. The testimony at the trial developed that test letters had been sent by persons who were perfectly well and the defendant had told them they required treatment. He has continued in practice pending the final decision of his case.

WASHINGTON, Mar. 10.—Conviction under the espionage act of Jacob Frohwerk of Kansas City, because of articles appearing in the Missouri Staats Zeitung, of which he was editor, criticizing America's participation in the war, was upheld by the supreme court in deciding appeals brought from federal court judgments sentencing him to ten years' imprisonment.

LOSS OF PAY FOR OVERTIME MAKES STRIKE SENTIMENT

PORTLAND, March 10.—No word from headquarters of the International Brotherhood of Telegraphers, with headquarters at Chicago as to the date of the proposed nation-wide strike of telegraphers and telephone operators to force recognition from Postmaster General Burlerison and an increased wage scale, had been received here today, union officials said.

C. H. Preston, secretary of the Commercial Telegraphers' Union here, explained that the proposed telegraphers' strike, unlike that which may be ordered by the electricians, will be effective throughout the United States, if called. The two strikes will be called together if arrangements can be made, for action in unity, he said, but the electricians' strike would affect only five states—Oregon, Washington, Idaho, California and Nevada.

PHONE EARNINGS INCREASE 5 MILLIONS

NEW YORK, March 10.—The net earnings of the American Telephone and Telegraph company for the year 1918 were \$54,393,016, according to the annual report issued today. Deduction of interest charges left a balance of \$43,901,321 available for dividends which was an increase of \$5,430,215 over the previous year. The surplus for 1918 was \$3,671,622.

Reporting to stockholders on the subject of "combination and regulation," Theodore N. Vail, president of the company, says: "It will be extremely unfortunate if with a very pronounced public sentiment in favor of it, a wire system with nation-wide, universal, comprehensive service and complete utilization of all the facilities cannot be evolved from the existing conditions."

RADICALS UNITE FOR OVERTHROW OF GOVERNMENT

Lamar Declares I. W. W. Anarchists. Socialists and Others Perfecting Amalgamation to Establish by Bloody Revolution a Bolshevist Republic in United States.

WASHINGTON, March 10.—Solicitor General Lamar of the postoffice department submitted a memorandum to the senate propaganda committee today stating that the Industrial Workers of the World, anarchists, Socialists and others were "perfecting an amalgamation with one object—the overthrow of the government of the United States by means of a bloody revolution and the establishment of a Bolshevist republic."

Mr. Lamar said his conclusion was based upon information contained in seized mail matter.

Accompanying the memorandum were several hundred excerpts from the mail matter. Mr. Lamar said this propaganda was being conducted with "such regularity that its magnitude can be measured by the bold and outspoken statements contained in these publications and the efforts made therein to inaugurate a nation wide reign of terror and overthrow the government."

Mr. Lamar said it was significant that this was the first time "in the history of the so-called radical movement in the United States that these radical elements have found a common cause (Bolshevism) in which they can all unite." He referred particularly to the dissatisfied foreign elements as being active in the propaganda.

"The I. W. W.," said Mr. Lamar, "is perhaps most actively engaged in spreading this propaganda and has at its command a large field force known as recruiting agents, subscription agents, etc., who work incessantly in the furtherance of the cause."

GATHER DATA FOR FOREST HIGHWAYS

PORTLAND, Mar. 10.—The state highway commission is assembling data relating to forest and post roads in Oregon, with a view to mapping out a comprehensive program for such construction during this year. It was learned here today. Plans probably will be announced at the April meeting of the board.

The federal government cooperates with the state in construction of all forest and post roads and among the important projects contemplated is a link of the Dalles-California highway in Klamath county. Much of this runs thru a forest reserve and assurance has been received that the forestry service will cooperate to the extent of paying half the cost. Part of it runs thru an Indian reservation and the commission hopes to procure aid from the Indian department.

ICE SHIPPERS GRANTED THRU SHIPPING RATES

WASHINGTON, Mar. 10.—Relief from the long and short haul clause was granted ice shippers in western trunk line territory today by the interstate commerce commission thru a ruling which provides that the lowest rate applicable by any route shall be applied to all other routes.

Increased proportional or re-shipping freight rates in grain, grain products and by-products from western gateways to eastern destinations were approved for filing today by the interstate commerce commission.

GUBA RE-ESTABLISHES MEXICAN RELATIONS

MEXICO CITY, Mar. 10.—According to unofficial reports the department of foreign relations has been notified by the Cuban government that Dr. Ezequiel Garcia Ensenat, recently named Cuban minister to Mexico would arrive at Vera Cruz on March 15. This will re-establish diplomatic relations between the two governments, which were interrupted in April, 1918.

500 TO 600 OREGONIANS ACCUSED OF VIOLATING SELECTIVE DRAFT LAW

PORTLAND, Mar. 10.—The names of between 500 and 600 Oregon men will be certified to the United States attorney here as delinquent, in connection with the selective draft, when the draft and medical boards throughout the state are disbanded, March 31, Captain J. E. Cullison, state draft executive announced today. Orders to disband the boards were received today from Washington. The cases of those reported delinquent will be investigated by the federal attorney and prosecuted, where there is believed to be ground for such action, it was stated.

COMPOSITE SHIP LIKELY TO REPLACE DREADNAUGHTS

WASHINGTON, March 10.—Secretary Daniels and his chief technical advisers, Rear Admirals Taylor, Griffin and Earl, will confer with officers of the naval general board before they sail next Saturday on the transport Levathan for Europe to study questions of warship design. Mr. Daniels said today that while the chief purpose of the trip was to prepare a report for congress on advisability of abandoning construction of dreadnaughts and battle cruisers in favor of a new type of composite ship, every other lesson of the war that applies to naval development would be reviewed. He expects to return early in May at the latest.

The secretary said Admirals Benson, Sims, Mavor, Rodman and Pratt and virtually all the officers who have served overseas during the war and with whom he has talked, favored the composite ship idea. Such a vessel, he said, would be a very fast battleship with a speed approaching 30 knots, but with the protection of a ship of the line and the main batteries of the present day dreadnaught as near as possible.

Officers of the general board do favor the change in the light of their present information and it is essential, the secretary said that every aspect of the debate should be reviewed.

BROKERS BARRED FROM CALIFORNIA

SAN FRANCISCO, Mar. 10.—An order barring from California for alleged objectionable practices the stock brokerage firm of Andrews and company, said to have offices in forty cities thruout the country, was issued by the state corporation commission here today.

According to its representations, the company has offices in San Francisco, Los Angeles, New York, Chicago, Pittsburg, Boston, Cleveland, Philadelphia and Seattle. According to charges against the firm, its members claimed they were "investment bankers ranking second only to Morgan and company."

HIGHEST AWARDS TO FIVE AMERICANS

WASHINGTON, March 10.—Awards of congressional medals of honor to four enlisted men and one officer for gallantry in action were announced today by the war department. The awards were to Captain L. Wardlaw Miles, Princeton, N. J.; Corporals Sidney E. Mannin, Flomaton, Ala.; Jake Alex, Chicago; Thomas A. Pope, Chicago, and Private John L. Barkley, Blairston, Mo.

FOUR MORE RUSSIAN GRAND DUKES EXECUTED

COPENHAGEN, March 9.—Four more Russian grand dukes have been executed at Petrograd by Bolsheviki during the last fortnight on the charge of being involved in a monarchist plot, according to advices to the Berlingske Tidende.

WORK RESUMED IN BERLIN; STRIKE IS CALLED OFF

Ebert Back in Capital Where Martial Law Still Reigns — Spartacans Hoist Kaiser's Flag Over Palace, but It Is Removed by Government Troops—Many Killed at Halle.

COPENHAGEN, Mar. 10.—Work was resumed today thruout the greater part of Berlin, following the calling off of the strike, messages from the German capital announced.

President Ebert and Secretary Landsberg have arrived in Berlin from Weimar.

AMSTERDAM, Mar. 10.—The Berlin workmen's council has decided to issue an order officially calling off the general strike in the German capital, says a Berlin message, presumably filed Sunday night, which says the decision was taken "late today."

Richard Mueller, strike leader, declared workmen must now return to work "and await a suitable time for renewing action."

"We shall learn from our experiences," he added.

Hoisted Kaiser's Flag
COPENHAGEN, Mar. 10.—On Saturday night Spartacans hoisted the imperial standard over the palace at Berlin, according to advices received here from the German capital. The flag was immediately removed by government troops. Martial law continues at Berlin and has been proclaimed at Dusseldorf.

LONDON, Sunday, Mar. 9.—Many were killed and wounded in serious fighting which occurred at Halle, Germany, on Saturday, according to a Copenhagen dispatch to the Central News agency. Spartacans are said to have drowned many students and officers in the river there and it is reported that there was a general pillage in the parts of the city where the fighting took place. Government troops eventually gained the mastery it is said.

OCCUPY LICHTENBERG

AMSTERDAM, Mar. 10.—Spartan forces Sunday occupied the Berlin suburb of Lichtenberg and murdered sixty officers and soldiers in the police station there, according to the Zeitung am Mittag. The Lichtenberg police station had withstood Spartan attacks since Tuesday.

GAMBLERS LOSSES FREE FROM TAXES

WASHINGTON, March 10.—Business losses of gamblers, moonshiners, bootleggers and other participants in illegal practices are deductible from gross incomes in determining net income subject to tax. The internal revenue bureau decided to the question today in passing upon inquiries from professional gamblers and from a lone query of a southern ex-moonshiner.

The bureau's attitude is that income even from an illegal business is taxable and that losses in connection with business are deductible but not to an extent exceeding earnings from the business. Tax collectors will regard as confidential any disclosures of any illegal source of income.

COLORED PORTER GETS \$250 AND 6 MONTHS

PORTLAND, Mar. 10.—J. A. Nichols, a colored porter, who pleaded guilty to bringing fifteen suit cases filled with liquor from San Francisco to Portland was sentenced today to pay a fine of \$250 and to serve six months' imprisonment.

POPE BENEDICT HOLDS SECRET CONSISTORY

ROME, March 9.—Pope Benedict will hold a secret consistory Monday. The purpose is to appoint new bishops, but it is understood that the pontiff will also deliver an allocution in which, after reexamining what the Holy See did during the war, he will touch on the problems of the present moment.