

The Weather
Maximum yesterday.....53
Minimum today.....35
Precipitation......11

MEDFORD MAIL TRIBUNE

Predictions
Tonight and Tomorrow
Rain.

Forty-eighth Year. Daily—Thirteenth Year. MEDFORD, OREGON, SATURDAY, MARCH 15, 1919 NO. 302

TEST VALIDITY OF WAR TIME PROHIBITION ACT

Preliminary Action Taken in Application for Injunction Filed By Elihu Root—Claim Proclamation of Armistice Removed War Emergency and Obliterated Necessity.

NEW YORK, Mar. 15.—Preliminary action toward testing the constitutionality of the war-time prohibition act was taken in the filing here today of a stockholders' suit in the federal court against the James Everard's breweries. The complainant, Joseph Everard, asked the court for an order restraining the defendant from suspending its manufacturing activities May 1 next and its sales July 1 as required by the federal statute.

The complaint, drawn with Elihu Root as chief counsel, alleged that when President Wilson proclaimed the armistice declaring "the war thus comes to an end" directed cessation of inductions into the army under the selective service act and announced plans for restoration of normal peace conditions, there was no emergency, military or otherwise, calling for prohibition of the use of grains, cereals, fruits or other food products in the manufacture of beer or wine; or forbidding the sale of such products in order to conserve the nation's manpower and carry on the war. The prohibitions, it is charged, were unnecessary and arbitrary and wholly without any power conferred on congress by the constitution.

The suit also attacks the regulations of the internal revenue department restricting the manufacture of near-beer prior to May 1, to products not exceeding 2 1/2 percent in alcoholic content, with a reduction to one-half of one percent when the commodity is offered for sale and consumption; limiting the alcoholic content of all brewed beverages after May 1 to 1/2 percent. It is claimed that beer containing 2 1/2 percent alcohol is not intoxicating, and that congress gave no authority for the 1/2 percent limitation.

Sentence Of Death For Cottin

PARIS, Mar. 15.—It took less than six hours today for a court martial to try Emile Cottin for his attempt on Premier Clemenceau's life to sentence him to death. The trial began after noon and ended at 7:25 o'clock this evening when Colonel Hyverard announced the verdict which was unanimous.

Cottin listened calmly to the president of the court as he read the sentence and then said:

"I am glad to die for the cause of the proletariat. If my death will bring relief to the downtrodden workman I will not have died in vain."

PERSHING VIEWS AMERICAN ARMY OF OCCUPATION

Commander Has First Sight of Yanks in Combat Formation on German Soil—Inspects Second Division and Awards more Than 80 Decorations for Gallantry in Action.

COBLENZ, Mar. 14.—(By Associated Press.)—General John J. Pershing had his first sight of American troops in combat formation on German soil. On a six-hundred acre plateau on the east bank of the Rhine, overlooking Coblenz and the winding river, he inspected the Second division and presented more than 80 decorations.

Mounted on a dappled gray cavalry horse, which was presented Brigadier General John L. Hines, commander of the Third Army corps, by the British mission, General Pershing inspected the supply trains, ammunition units and motorized artillery and then passed on to the infantry.

Questions Soldiers

The commander-in-chief walked along the lines of soldiers, questioning company commanders in reference to conditions generally. He talked to scores of doughboys who wore wound stripes, inquiring if they had fully recovered, and asking others if they wanted to go home. Without exception, they were eager to return to America as soon as possible for family and business reasons, but all were perfectly willing, they said, to serve as long as it is necessary for the United States to keep an army in Europe.

At the head of the line of those receiving decorations and for the moment outranking two generals, was Sergeant Louis Van Israel of Newark, N. J., whose mother is living in Holland. He was given the Congressional Medal of Honor. During the battle of the Argonne he crossed the Meuse, fell into a German trap, escaped and again crossed the river with valuable information as to the enemy's forces.

Medals Awarded

Major General John A. LeJeune, commander of the Second division, was given the distinguished Service Medal and received the insignia of commander of the French Legion of Honor. Brigadier General W. C. Neville, commander of the Marine brigade at Belleau Wood, was decorated with the Distinguished Service Medal. Seventy-eight soldiers received Distinguished Service Crosses.

The plateau where the review took place was used for years by the Eighth German army corps for the same purpose.

This afternoon General Pershing inspected and reviewed the First division which he helped to organize in Washington for service in France. He presented a number of decorations, among them being a Distinguished Service Medal for Brigadier General A. J. McClachlin, commander of the division.

GERMANY ACCEPTS TERMS OF ALLIES TO TURN OVER FLEET TO SECURE FOOD

LEAGUE PART OF PEACE TREATY

PARIS, March 15.—President Wilson authorizes the statement that there has been no change in the original plan for linking together the league of nations and the peace treaty. The plan was enunciated by the peace conference itself at the first plenary session, and it is added there has been no departure thus far from the order then laid down.

NEW YORK, March 15.—Joseph P. Tumulty, secretary to President Wilson, announced here today that he was in receipt of a cablegram from the president stating that "the plenary council has positively decided that the league of nations is to be part of the peace treaty."

This cablegram was sent in response to one sent by Mr. Tumulty inquiring whether there was any truth in a certain newspaper story that the league was not to be incorporated in the peace treaty.

"I cabled direct to the president in Paris asking if there was any truth in these reports," said Mr. Tumulty, "and I am this morning in receipt of a cablegram from the president stating that the plenary council has positively decided that the league of nations is to be part of the peace treaty; that there is absolutely no truth in any report to the contrary."

Conditions Imposed Accepted—Monthly Ration of 370,000 Tons of Foodstuffs—Peace Treaty Rushed

BRUSSELS, March 14.—The German delegates to the conference here regarding the taking over by the allies of the German mercantile fleet and the provisioning of Germany today definitely accepted the conditions imposed by the allies.

A board of control for German exports will be established, under the terms of the agreement. This board probably will have its headquarters at Rotterdam.

The Germans will be permitted to buy fish from Norway and resume their own fishing in the North Sea.

The German representatives asked for a modification of the blockade, and while no promises were given them in this connection, steps in that direction, as a matter of fact, have already been taken.

A monthly ration for Germany of 370,000 tons of foodstuffs was fixed today by the allied commission which is here conferring with a German delegation as to the turning over of German merchant shipping and German owned securities in payment for food shipments.

Neutrals to Participate

PARIS, March 15.—The invitation sent by the peace conference to neutral states to participate in a discussion of the league of nations has brought responses from Switzerland, Holland, Denmark, Norway and Sweden. These countries have forwarded statements on their views to the secretary of the conference.

Speedy completion of the preliminary peace treaty is understood to be the main endeavor of Premier Lloyd George when the peace conference resumes full swing. The British premier is said to be firm in the conviction that the finishing of a preliminary pact should be the first consideration of the conference.

In Three Weeks' Time

British conference circles incline to the belief that the document will be ready for signatures within about three weeks.

This preliminary compact would not include any proposition for a league of nations, which would be left for consideration with the final treaty. The British program is understood to contemplate the signing of separate preliminary treaties with the central allies as soon as possible after Germany is disposed of. Next would come the consideration of any amendments to the present constitution of the league of nations, and then the league would be whipped into permanent shape. The final peace treaty would follow and would include the league of Nations plan.

The leading thought among the British at the present moment seems to be to strip the preliminary peace terms of all unnecessary imembrance and secure the signature of that document so that the world can begin to settle back to normal.

Remove Cause of Quarrel

The British attitude is that the matter of first importance is to remove the cause of quarrel between the belligerents and let the detailed settlement follow. For instance, all that is necessary to specify in a preliminary pact regarding the German colonies is that Germany shall not get them back. There is a disposition that such questions should not be allowed to enumber the initial compact, but should come under the league of nations covenant and the final treaty.

One of the first questions to be considered by the council of 10, with President Wilson participating in the discussion, will be the boundary between Poland and Germany. The Polish boundary commission as well as the general territorial commissions, has virtually agreed unanimously on this boundary.

While no official announcement has been made it is known that Danzig is included in Poland and that the commissions have agreed upon a boundary which would give Poland strategic points which should make her an effective barrier between Bolshevism and western Europe.

The ethical point of view largely influenced the decisions of the commission concerning the boundaries. This view did not govern exclusively however, because of an effort to preserve historical boundaries and afford better defensive positions. Economic considerations and the establishment of possible lines of communication also had weight with the decisions of the commission.

NEUTRALIZATION OF AUSTRIA FAVORED

PARIS, March 15.—Unofficial discussion of the neutralization of Austria continues. The plan apparently has strong support among the Austrian conservative forces, especially the church and Christian socialists. The movement for the neutralization of the Austrian Tyrol is a more definite one than that for the remainder of Austria because of the protection such neutralization would afford Italy. It is suggested that the Austrian canton of Vorarlberg be annexed to Switzerland.

The Swiss are uneasy over the possibility of a union between Germany and German-Austria and unofficially have advised the peace delegates that the virtual envelopment of Switzerland by the Germans under such a plan would threaten Switzerland's future.

FIGHTING CONTINUES ON POLISH FRONT

WARSAW, March 13.—The following official statement was issued by the Polish general staff today:

"Bolshevik troops have attacked Slonim, in the Grodno district, and succeeded in entering the town, but were eventually driven out.

"Our troops have repulsed all attacks by Ukrainians against Lemberg, Grodek and Jazgelnica, inflicting serious losses upon the enemy. The fighting continues and our troops have occupied Jaksmaniec, Siedeska and Bydowh.

"German attacks on the Posen front have been repulsed near Moeberg. The Germans fired on peasants who were working in the fields."

1,419,386 MEN DEMOBILIZED TO DATE BY ARMY

WASHINGTON, March 15.—Officers and men demobilized number 1,419,386, the war department announced today. 83,774 being in the commissioned grades. Discharge has been ordered for a total of 1,078,500. Officers applying for reserve commissions total 20,798.

Units announced today by the war department as assigned to early convey included:

The 13th regiment of engineers; base hospitals Numbers 14, 44, 46, 50, 72, 94 and 116; army ambulance service sections numbers 517, 523, 530, 551, 558, 592, 593, 628, 630 and 641; 409th telegraph battalion; convalescent camps numbers 1, 5 and 6; aero 1105; 114th field signal battalion; bakery companies numbers 305, 327 and 394 and field hospital number 42.

LOCAL CO-OPERATION FOR SOLDIERS ASKED

SALEM, Mar. 15.—Governor Olcott received today a telegram from Grosvenor B. Clarkson, director of the United States council of national defense, calling attention to the necessity of taking action to provide employment for returned soldiers and sailors, in place of the federal employment service which virtually has been disbanded, the message said.

The governor was urged to lay the matter before commercial organizations and the few remaining federal employment offices, with a view to continuing the employment service. The number of government employment offices has been cut from 740 to 56, it was pointed out.

SECRETARY DANIELS SAILS ON LEVIATHAN

WASHINGTON, March 15.—Secretary Daniels sailed from New York today on the transport Leviathan for France. He will study during his visit abroad the developments being made by France, Great Britain and Italy in aircraft. Upon his return to the United States about May 1, the secretary expects to begin preparation of the outline of experimental work in aircraft for submission to congress with a request for an appropriation to carry it out.

VILLA CAPTURES MORMON BISHOP

JUAREZ, Mex., March 15.—An unofficial report was received here today that Bishop Joseph C. Bentley, president of the Mormon state of California Juarez, together with Joseph Spencer, Joseph Williams and two other Mormon missionaries, were being held by Francisco Villa and Felipe Angeles somewhere south of El Valle, Chihuahua. Neither the Mormon church officials here nor the American Consul Dow have received any information about the reported capture of the Mormon bishop and the four missionaries.

TRAINMEN OF ENGLAND SEEK SHARE IN PROFITS

LONDON, March 15.—A serious situation has arisen with regard to the difference between the railway men and the companies as to pay and working conditions, it was said by J. H. Thomas, general secretary of National Union of Railwaymen after the adjournment of a meeting of the organization last night. Mr. Thomas said, however, that he was still working to reach a settlement and that the meeting held today had been adjourned until Thursday next with a decision to be reached meanwhile as to the next steps to be taken.

The national program demanded by the railway men includes the making permanent of all increases in wages granted during the war, fixed hours of employment, a fortnight's holiday annually with pay and equal representation of the union in the management of all the railroads.

The railway companies are understood to recognize the necessity of an increase of pay to meet the higher cost of living, and a scheme is suggested under which the men would receive a permanent advance varying from 30 to 50 per cent above the pre-war rates, the scheme being largely based that prices will fall in two years to a level equivalent to 20 per cent above pre-war prices.

NAVY ALMOST READY FOR FLIGHT ACROSS ATLANTIC

NEW YORK, Mar. 15.—Rear Admiral D. W. Taylor, chief of the naval bureau of construction and repairs, announced today that the navy would be ready to attempt the flight by heavier-than-air craft across the Atlantic ocean within a month.

"I do not believe that Great Britain will beat us across," he said, "if the attempt is made with heavier-than-air craft."

"We are under the impression in Washington, however," he continued, "that a dirigible trip will be undertaken by England, and possibly during the coming week. The navy has four flying boats of the N. C.-1 type and work on these is almost completed. It has not yet been decided whether all four will be sent over at the same time, but I believe that more than one will start. This will insure against total failure should one or two break down."

Admiral Taylor said that he was not certain whether a non-stop trip would be attempted.

"We may break it into two hops," he said, "and this will entail the use of airplane mother ships, vessels equipped with oil, gasoline and food."

"Thru their wireless apparatus," he added, "mother ships can keep in touch with the flying boats. Although the flying boat may alight only once at sea it is possible that more than one mother ship could be used."

ACUTE UNREST PREVAILS IN WESTPHALIAN REGION

LONDON, March 15.—Acute unrest prevails in the whole Westphalian industrial region and it probably will be necessary to enlarge the British bridgehead in that direction, says a dispatch to the Mail from its correspondent with the British army.

MANY COMMUNITIES ASK BOOTH TO STAY

SALEM, Ore., Mar. 15.—Resolutions addressed to State Highway Commissioner R. A. Booth and to Governor Ben W. Olcott, urging that Mr. Booth remain on the highway commission, were adopted by representatives of 26 farm and commercial organizations of Deschutes county, at a recent meeting at Redmond and have been received here, the governor's state. Many other endorsements are being received daily, some of them from localities that have other candidates for the position, the governor said.

MUTINOUS SOLDIERS GIVEN TRANSPORTATION

NEW YORK, March 15.—Americans and British residing in the United States discharged from the British army who made trouble aboard the transport Toloa because they were not put ashore and set to their homes from Halifax, arrived here today on the vessel.

Three officers and 348 men made up the contingent and they will be dispatched to their homes with transportation furnished by the British consul in New York.

PROTEST FORMATION OF RHINE REPUBLIC

COBLENZ, March 14.—(By the Associated Press.)—Editorials and protests against petitions which urge the formation of a West German republic were printed in today's issue of the Coblenz Gazette. The Coblenz branch of the German people's party resents efforts being made here and at Mayence and Wiesbaden to establish the republic.

A recent meeting held at Cologne in favor of the republic was accepted by the people as the signal for a plebiscite.

BRITISH DECIDE ON TAXATION OF FOOD

LONDON, March 15.—The British government has decided to tax food. The Nation asserts, and it proposes to give preferences on articles which now pay customs duties, provided they are either produced or manufactured in British possessions. The government means to tax foreign sugar, coffee, cocoa, raisins and dried fruits.

NINE SAILORS DROWN WHEN SHIP HITS MINE

LONDON, March 15.—Nine sailors are reported drowned in the sinking of the American naval transport Yselhaven, which struck a mine at 1:35 o'clock Friday morning, according to a report to Lloyds. The Yselhaven was bound from Baltimore to Copenhagen.

Thirty-five survivors have been landed at Hartlepool by a British steamer.

ARGENTINE TO JOIN LEAGUE OF NATIONS

BUENOS AIRES, March 14.—The foreign minister held a long conference with ministers of neutral powers today.

The neutral ministers were informed that Argentina will answer the invitation from Paris to join the league of nations, which Foreign Minister Puevredon said was accepted in principle by this country. He said, however, that some changes would be suggested.

ARMY TO PROBE MYSTERY VEILING DEATH OF NURSE

SAN FRANCISCO, Mar. 15.—Army authorities immediately will turn over to the civil courts for trial any persons in the military establishment connected with the mysterious death of Miss Inez Elizabeth Reed, San Francisco and Fort Riley, Kas., army nurse, whose body was found in a ravine near here after she had been criminally operated upon. Major General John F. Morrison, commanding the western department of the army, made this announcement today.

All investigators today were attempting to clear the mystery surrounding the alleged receipt by Miss Reed before her death of a telegraphic order of \$75 for a "Major Charles H. Browne." Newspapers quoted Major Charles H. Browne, fourth battalion, 323rd infantry, Camp Funston, Kas., to the effect that he had never sent money to Miss Reed and had no acquaintance of any kind with her.

Investigation by army authorities centered today in the identity of two men whose photographs are in the possession of the department. The photographs showed the men dressed in lieutenant's uniforms, but investigation showed they were not officers, it was said.

The funeral of the girl took place today from an Oakland funeral establishment.

PROSECUTIONS FOR WAR RESPONSIBILITY HELD ANOMALOUS

PARIS, March 14.—A sub-committee of the commission on responsibility for the war reported today that strictly and technically, prosecutions of those who brought about the struggle were "anomalous and unnecessary," according to an official communique issued this evening. The report added, however, that the peace conference "might adopt special measures and even create special machinery to deal with those who planned the war."

The sub-committee received evidence which clearly analyzed the facts relative to the origin of the conflict, it was said.

Another sub-committee which has dealt with violations of laws and customs of warfare, has also submitted its report and proposed that the powers should establish a high tribunal which "should not, in the exercise of its criminal jurisdiction, be blocked by considerations of rank."

The commission, it was announced, is considering these reports.

THREE GENERALS GIVEN HONORABLE DISCHARGES

WASHINGTON, March 15.—The honorable discharge of Major General John F. O'Ryan and Brigadier Generals Charles I. Debevoise and George A. Wingate was announced today by the war department.

NEBRASKA CYCLONE KILLS 1, INJURES MAN

LINCOLN, Neb., March 15.—Wire communication in parts of Nebraska was still demoralized today as a result of a tornado which visited a section of Saunders county, 45 miles north of Lincoln late yesterday. One person was killed and three injured by the cyclone. Considerable property damage was done in the limited area thru which the tornado swept.