

GOV. OLCOTT HOLDS JOB SAYS COURT

Supreme Court Holds Oregon Governor Retains Office Throughout Entire Unexpired Term of Governor Withycombe—Now Expected Governor Will Resign Position as Secretary of State—Three Supreme Judges Dissent From Opinion.

SALEM, Ore., Jan. 13.—The state supreme court in a decision handed down here today held that Governor Ben W. Olcott retains his office throughout the entire unexpired term of the late Governor James Withycombe. Olcott became governor upon the death of Governor Withycombe a year ago. He was secretary of state and refused to resign from the latter office to which he was elected for four years, until the right to retain the office of Governor Withycombe's term was settled. Action upon which today's decision is based, was taken several weeks ago, when mandamus proceedings were brought by Attorney G. M. Roberts of Medford for the purpose of deciding whether Governor Olcott must contest for election at the general election next fall. Three judges dissent.

The prevailing opinion was written by Justice Johns and with him Justices Bennett and Bean and Chief Justice McBride concurred. Bennett writing a special concurring opinion. Dissenting justices were Harris, Benson and Burnett. The case was taken into the supreme court directly in the form of a mandamus to compel Olcott as secretary of state to include the office of governor in the list of offices certified to county clerks of the state to be filled by election this year. Governor Olcott, it was said here today, now that his status has been determined, will soon resign from the office of secretary of state so that he may devote all of his time to the governorship. The appointment of Sam A. Kozler to the post of secretary of state is expected. Kozler is now deputy secretary of state and a candidate for secretary this year.

STRANGE DISEASE SOUTHWEST U. S. PUZZLES DOCTORS

KANSAS CITY, Mo., Jan. 13.—Whether a mysterious intestinal ailment which has appeared in Kansas and Oklahoma exists in other communities in the southwest was a matter for much speculation here today. Meantime, officials were making efforts to identify the disease and discover means for checking its spread. Topeka, Kas., and Muskogee, Okla., apparently are the worst sufferers. At Topeka, advices here say, 200 cases have been reported and unofficial estimates placed the number at 1,000. Many school children are among those ill there. At Muskogee it is said, there are about 300 cases. No fatalities were known to have occurred at either place and the death list from the malady remained at four, all at Skiatook, the little Oklahoma town where it was first noticed. The situation at Skiatook is said to be under control.

State health department inspectors sent to Skiatook to investigate were expected to furnish information today that would assist the authorities in classifying the epidemic. Tests also were being made at the Oklahoma state emergency hospital.

Some physicians express the belief that the malady is a form of dysentery, while others were of the opinion it is a gastric form of influenza.

GOVERNOR COOLIDGE THROWS HAT IN RING

WASHINGTON, Jan. 13.—Former Representative Miller, the new secretary of the republican national committee, took charge of national headquarters here today and at the same time James P. Reynolds, the retiring secretary, opened national headquarters for Governor Coolidge of Massachusetts.

WOULD MAKE YANKEE DRY ON HIS TRAVELS IN FOREIGN CLIMES

WASHINGTON, Jan. 13.—Senator McNary, republican, Oregon, today introduced by request a bill which would extend the provisions of the national prohibition constitutional amendment to American citizens living in consular districts in China and other countries where the amendment does not conflict with treaties already existing between those countries and the United States. It was referred to the judiciary committee.

LEGION AFTER DEMPSEY FOR SHIP SERVICE

Two Legion Posts Condemn War Record Heavyweight Champion—Declare Him Unfit to Represent America Against France—No Action Legion as Whole.

FORT WAYNE, Ind., Jan. 13.—Condemning Jack Dempsey as an unfit representative of American athletics, the Fort Wayne post of the American Legion unanimously passed a resolution last night declaring opposition to his defending the championship title for America. The resolution is the result of recent agitation against Dempsey for his war record due to the fact that his service during the war was confined to work in the ship yards.

CLEVELAND, Ohio, Jan. 13.—Condemnation of the war record of Jack Dempsey, world's champion heavyweight, was voiced in a resolution unanimously adopted by the Meuse-Rhine post of the American Legion here. The resolution contains an appreciation of the war record of Georges Carpentier.

INDIANAPOLIS, Jan. 13.—Various posts of the American Legion are acting independently of the national organization in condemning Jack Dempsey, heavyweight boxing champion, on his war record, according to information given out here today.

The national officers of the legion have not considered taking any official action along such lines, according to G. H. Rennie, assistant adjutant general. Dempsey was not in the service.

Mr. Rennie said it was his belief that no action would be taken by the national organization.

SUGAR TO SOAR SOON IN OREGON

PORTLAND, Ore., Jan. 13.—What are said to be the highest sugar prices in the history of the country will be effective here upon the arrival of sugar now on the way here, it was announced today in advices from San Francisco. The announcement came from the California and Hawaiian Sugar refinery and placed the wholesale price of the new crop of cane sugar at 16 cents a pound wholesale in Portland. The price in San Francisco was fixed at 15 cents, the advices state.

BERNARD DALY FUND IS LEFT FOR EDUCATION

LAKEVIEW, Ore., Jan. 13.—Creation of the Bernard Daly educational fund, income from which is to assist young men and women of Lake county in obtaining college education, is provided for in the will of the late Dr. Bernard Daly, which was filed for probate yesterday. Directors of the Bank of Lakeview and presidents of Oregon Agricultural college and the University of Oregon to have charge of the fund, to which is bequeathed all property of the \$1,000,000 estate not otherwise disposed of.

COAL MINERS REPEAT FULL WAGE SCALE

President Lewis Presents Same Scale to Wilson Commission—Operators Agree to Accept Findings of Commission With One Reservation. No Price Fixing Beyond Period of Effectiveness of Lever Law—Progress Is Made.

WASHINGTON, Jan. 13.—Miners' representatives put before the commission their full demands as originally made and refused by the operators before the calling of the coal strike last November. Acting President Lewis reiterated demands for an increase of 60 per cent in wages, the six hour work day and five day week, for the abolition of double shifts and for the consideration by districts of internal differences and defended each of them.

The efficiency and health of mine workers, he declared, required shorter hours, and he added that the miners would endeavor to show the commission that the average bituminous coal miner did not work more than 30 hours a week in any case.

One Reservation
WASHINGTON, Jan. 13.—Mine operators in the central competitive field today told the commission named to settle the bituminous coal strike that they would accept with a single reservation any award the commission might make.

The operators said they would not be a party to the fixing of coal prices beyond the period of effectiveness of the Lever law, the war time measure under which the government has controlled food and fuel prices. Ralph Crews, counsel for the central operators, explained that without making this reservation, the operators could not legally join any price fixing agreement. He also said the operators would not make their acceptance of the commission's award contingent upon the character of answers to a series of questions which the operators yesterday asked the commission.

In accepting the commission's decision, the operators, Mr. Crews said, understood that the commission's award should "of itself" constitute a final contract between the miners and operators for the period of time fixed by the commission.

Operators Yield
President Robinson reminded him that President Wilson's letter creating the commission authorized it only to make an award which might be used as a "basis for a wage contract." He asked if the operators would not modify the language in their acceptance accordingly and Mr. Crews finally agreed that the commission should determine that point.

"The mine workers understand that the award shall be a basis of a new wage agreement, and not of itself an agreement," said John L. Lewis, acting president of the mine workers.

"I trust the record is not being made here which can be used subsequently as a basis for a refusal by the operators to write into a wage agreement the commission's award."

President Robinson said Mr. Crews' stipulation that the commission should have power to determine what the procedure should be, had cleared up this point.

MOST OF EUROPE CAN FEED HERSELF DECLARES HOOVER

WASHINGTON, Jan. 13.—Because of the "enormously improved" conditions overseas, the task of feeding Europe until the next harvest on October 1 will not be the burden of the American government that it was last year, the house ways and means committee was told today by Herbert Hoover.

"From the signing of the armistice until last July 1, the provisioning of Europe cost two and one-half billion dollars," he said. "That was a burden on our government and the taxpayers. In one form or another, the United States treasury advanced \$2,250,000,000 to feed Europe. But this year Europe will be largely able to feed itself by the exchange of goods, and credits of \$150,000,000 to \$200,000,000 from the United States. In all, the situation is that of fronting the echo of the situation we had to front last year."

NO MORE GUN PLAY IN MOVIES. IF OREGON SENATOR CAN HELP IT

SALEM, Ore., Jan. 13.—The first bill introduced in the senate today was offered by Senator Colon R. Eberhard of La Grande, and is entitled "an act making it unlawful to exhibit or cause to be exhibited motion picture scenes of any act, scene or episode depicting a felony under the laws of Oregon, prescribing a penalty for violation of this act, and declaring an emergency." The bill, if passed, will make it unlawful to show an act, scene, or episode, which if actually performed in real life would amount to a felony under the laws of Oregon.

Violation of the act would be a misdemeanor punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for not more than one year, or by both fine and imprisonment.

ENGLAND-FRANCE QUICKLY RESUME BERLIN RELATIONS

LONDON, Jan. 12.—Lord Kilmarnock left London today to act as British diplomatic representative in Berlin.

His departure marks an important step in the re-establishment of the diplomatic relations between Great Britain and Germany which will be effected almost immediately. Consultations general will be appointed shortly by the two governments. Germany will be first represented here by a charge d'affaires, but it is believed the rank will soon be raised to that of minister, instead of ambassador as formerly.

PARIS, Jan. 12.—The Spanish ambassador at Berlin, who has been representing the interests of France at the German capital, notified the German government yesterday that France had taken action for the resumption of diplomatic relations with Germany. France's charge d'affaires will probably leave Paris for Berlin on January 18.

Germany has not yet given notice of the nomination of Baron Kurt von Lersner, head of the German mission in Paris, as the German charge at the French capital nor the nomination of anyone else. Meanwhile, Baron von Lersner remains as the provisional charge. It was said in German delegation circles today that Germany might refrain for the present from nominating a charge.

HE WOULD DEPORT MEMBERS HARVARD LIBERAL SOCIETY

BOSTON, Jan. 13.—At the same time that a protest against the "prevaling propaganda of fear and hysteria" in connection with anti-radical activities was being voiced last night by Judge George W. Anderson of the United States court before the Harvard liberal club, Henry J. Skeffington, immigration commissioner at this port, was telling the Massachusetts Press association that he would "take pleasure in 'getting' some of these Harvard liberal club radicals."

Commissioner Skeffington said: "Heretofore we have been able to deal only with aliens, as all citizens have been exempt from our efforts, but last Friday the senate passed a bill to include everyone—citizens and aliens—and I see that the house has made the bill even stronger. Some of the Harvard liberal club radicals have been raising so much Cain around here that if I have a warrant in my pocket I'll take pleasure in getting them."

"Real democracy now seems unsafe in America," said Judge Anderson, speaking as a guest of the Harvard liberal club. He asserted that the present agitation concerning the limiting of free speech had been "exercised without much regard to constitutional or even proper legal limitations." Most of the fear out of which "perhaps dangerous limitations of this precious right of free speech" are being advocated is, in his opinion, groundless.

The speaker continued, adding that "many of the same persons that for two years were taking pro-German plots now are promoting the red terror."

NO CHANCE RATIFICATION THIS WEEK

Possibility of Final Senate Action Vanishes When Democrats Decide to Wait for Party Caucus on Thursday—New Reservation to Article 10 Is Drafted by Senator Gore of Oklahoma—Lodge Confers With Smith.

WASHINGTON, Jan. 13.—Possibility of final senate action on the peace treaty by January 16, when the League of Nations council will assemble in Paris, vanished today, according to republican and democratic leaders. Not before next week, spokesmen of both the parties predicted, was any action probable. Democrats declared they would be satisfied if ratification was effected this month.

While negotiations toward adjustment of differences over reservations gained new impetus today, it was said some democrats were disposed to defer action until after the caucus Thursday when a minority leader will be elected.

Conferences in the compromise negotiations of the democrats today centered about a new reservation on affecting article ten of the league covenant drafted by Senator Gore, democrat, Oklahoma, and other draft by Senator Simmons, democrat, North Carolina. The former was submitted and discussed also with other republican leaders, but without definite results. Senator Simmons' draft was said to be favored by many democrats and with the McKeellar-Kendrick draft was the subject of further conferences today between Republican Leader Lodge and Senator Smith, democrat, Georgia.

20,000,000 Want Action
WASHINGTON, Jan. 13.—With the announced purpose of seeking ways and means for the early ratification of peace, a conference which delegates said represented 20,000,000 Americans began here today.

Oscar Straus, former secretary of commerce and labor in the cabinet of President Roosevelt, presided as chairman. National organizations represented included the American Federation of Labor, the League to Enforce Peace, National Advertising Clubs of America, Farmers' Alliance, Women's Christian Temperance Union, and World Peace Foundation.

Beginning with a joint conference, the meeting is expected to develop into a select committee of five which would present the decisions reached to democratic and republican leaders in the senate. The committee also would call at the White House for the same purpose.

EVERYTHING READY FOR ROME-TOKIO AIRPLANE FLIGHT

ROME, Jan. 12.—Everything is in readiness for the proposed Rome-Tokio airplane flight, and with or without the participation of Gabriele d'Annunzio it should be completely under way not later than January 20, it is declared by Colonel Berlieri, the director general of aeronautics, in an interview in the Tribune today. A delay beyond the date named, Colonel Berlieri points out, would carry the effort into the monsoon season. It would not be advisable, either, to postpone the flight until next fall, he said, as the Aero club of America was organizing a round-the-world flight, which would overshadow the Rome-Tokio plan.

DEFENDER OF KUT QUITS THE ARMY

LONDON, Jan. 12.—Major General Charles V. F. Townshend, the defender of Kut-el-Amara, who tendered his resignation to the war office, General Townshend was imprisoned by the Turks when he and his garrison at Kut, south of Baghdad, were hemmed in by the Turks in 1916 and forced to surrender.

SENATOR POINDEXTER CHALLENGES GENERAL WOOD TO S. D. DEBATE

PIERRE, S. D., Jan. 13.—Senator Miles Poindexter of Washington, the first independent republican to file his petition as a presidential candidate in South Dakota, has issued his challenge to get Leonard Wood, as the republican majority proposal candidate, for a joint debate in this state under the provisions of the Richards primary law. If Wood refuses his name will not go on the ballot according to the Richards law.

TEDDY JR. ASKS A SQUARE DEAL FOR SOCIALISTS

Assemblyman Theodore Roosevelt in Maiden Speech Declares Expulsion of Socialists a "Grave Matter"—Wants Complete Copies of Evidence—Hughes Is Criticized.

ALBANY, N. Y., Jan. 13.—Discussion of the procedure to be followed in the hearing on the eligibility of the five socialist members who have been suspended from the assembly took up the greater part of the session in the lower house today. Hearings are to be public. An effort to have the assembly as a whole act as a trial court instead of the judiciary committee failed.

Assemblyman Theodore Roosevelt, in his maiden speech, declared that the assembly had embarked upon a grave matter and he considered it the duty of every assemblyman to be informed absolutely on every detail of the hearing in order that a square deal be given to the suspended members. He then introduced a resolution that stenographic copies of the evidence be furnished all members. It was adopted.

Charles E. Hughes was sharply criticized by Assemblyman Martin McCue for the attitude he had taken on the assembly's action. He declared that Mr. Hughes and the other members of the Bar association which had framed a resolution attacking the assembly should withhold "abusive statements" until the evidence is all in.

WILLAMETTE 'U' FOR LEAGUE OF NATIONS

SALEM, Jan. 13.—In a vote of the student assembly on the League of Nations covenant and peace treaty, Willamette university students have gone on record as favoring the covenant with any compromise which would make early ratification possible.

With less than 50 per cent of the student body voting, the results were: For any compromise on reservations, which would make ratification possible, 68. For adoption of the League of Nations covenant and treaty with the senate reservations, 65. For ratification of the League of Nations covenant and treaty without reservations, 57.

Against adoption of the League of Nations covenant in any form, 15.

ARBITRATION BOARD REFUSES 8-HR. DAY

OAKLAND, Cal., Jan. 13.—The arbitration board which considered the demands of the employees of the San Francisco-Oakland Terminal Railway for higher wages, shorter hours and changes in the conditions of employment, rendered its report today, increasing the pay of platform men in the traction and key divisions by six cents an hour, an approximate increase of \$290 a year a man. The demand for an eight hour day is refused on the ground that the company cannot afford the change and would be thrown into bankruptcy if it were made. The arbiters refused to make the higher wage scale retroactive to October 1, the date on which the platform men of the company went out on a ten day strike.

SAYS MARCH WORSE THAN DER KAISER

Congressman Gallivan, Democrat of Massachusetts Declares U. S. Chief of Staff Refused to Consider God, Only "Me"—Vigorous Attack On Army Decorations Made—Lodge Lizards and Messenger Boys Get Bulk of D. S. M.'s.

WASHINGTON, Jan. 13.—After spirited debate, the house today by a vote of 182 to 123 adopted a resolution by Representative Gallivan, democrat, Massachusetts, calling on the war department for the names of all officers and others who were awarded the distinguished service medal for their services during the war. Most of the democrats voted against the resolution.

WASHINGTON, Jan. 13.—Urging congressional investigation of the award of army decorations for services during the war, Representative Gallivan, democrat, Massachusetts, declared in the house today that more distinguished service medals in proportion were awarded to army officers who never got nearer the front than Washington than to those who saw service overseas.

"It is common talk in the army," said Mr. Gallivan, "that our present chief of staff and one of his assistants, a colonel, whose duty it was to escort and dine foreign missions here in Washington, have no space left between their belts and their collars to display the medals that have been given them as a result of this service."

Congress should investigate all awards of medals and crosses, Mr. Gallivan said, so as to determine why some recommendations were acted upon favorably and others disregarded.

D. S. M. Cheapened
The distinguished service medal has been cheapened and certainly ridiculed by the bold and brazen manner in which it has been passed out to those who belong to the elect," said Mr. Gallivan.

"It has even been used to placate those who have been removed to make way for someone else. The reading of the citations in awarding the distinguished service medal to several chief officers of the general staff who never left Washington during the war, if believed, would certainly impress one that the war was fought with red ink at mahogany desks."

"Surely the 'lounge lizards' of the 'second army of the Potomac' can have no quarrel with their comrades, the 'lobby lancers' of the capitol as to the number of D. S. M.'s these two valiant units received for heroic service in this war."

The Lobby Lancers
As for France, wherever the commander in chief sent a 'commissioned messenger boy' on an errand the D. S. M. was sure to be the reward.

"In Washington we had four different chiefs of staff during the war and everyone who knows anything at all about the workings of the war department knows that the precedents of the present high priest of Prussianism, General Peyton C. March, were considered unequal to the task. Thru one pretense or another, they were removed."

"Ordinarily when a man has failed in the performance of any specific task he is removed without reward. These men have on the other hand been rewarded in the name of the president of the United States by the bestowal upon them of the D. S. M."

Worse Than Kaiser
"The Kaiser," continued Mr. Gallivan, "with some spark of appreciation for consistency yet alive, said: 'Me and Gott.' Not so your chief of staff, U. S. A., Peyton C. March, who sees no reason for including 'Gott.' It is simply 'Me,' with him."

"In France there was a board of awards of medals that sat in Chaumont and looked with easy favor on giving awards to their friends and with blind eyes and deaf ears to recommendations of those without the pale."

The failure to send Major General Leonard Wood overseas in command of troops was a "case of international notoriety," Mr. Gallivan said, adding that General Wood "was never given an important active command during the war," but "to placate public opinion something must be done."

A Jew Clothes Medal
"The bestowal of the D. S. M. on General Wood," he continued, "is heartily approved by the entire military."

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