

# FEDERAL FARM LOAN ACT IS UPHELD

## \$50,000,000 IS RELEASED FOR FARMS

### Decision Pending Since May, 1920 Finally Delivered in Favor of Government — Congress Has Right to Name Banks Fiscal Agents — Other Decisions Made.

WASHINGTON, Feb. 28.—The federal farm loan act was held constitutional today by the supreme court. This is the act under which land banks were established to extend loans to farmers.

Fifty millions of dollars in loans to farmers have been held up pending a decision of the court in this case, which was brought by Charles W. Smith, a stockholder in the Kansas City Title and Trust company, who sought an injunction to restrain that institution from investing its funds in bonds issued by the farm loan banks.

The act was attacked on the ground that congress was without constitutional authority to establish farm loan banks and to exempt their bonds from taxation.

Justice Day, who rendered the opinion for the court, said the power of congress to establish banks had in a broad sense been upheld by the supreme court in the days of Chief Justice Marshall.

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## Tex Ricard States Dempsey Fight Will Take Place July 2

NEW YORK, Feb. 28.—Tex Ricard, boxing promoter, today took over the interests of William A. Brady and Charles H. Cockran, in the match between Jack Dempsey and Georges Carpentier.

At the same time that Ricard handed to Brady, Cockran's New York representative a check for \$66,666.66, he announced officially that the match would be held Saturday, July 2.

HULL, Quebec, Feb. 28.—In imposing light fines today on thirty-six spectators of a cock fight taken in a raid yesterday, Recorder Desjardins said:

"In view of the fact that Hull has been engaged in endeavoring to secure the Dempsey-Carpentier fight here, I do not see how I could treat this cock fight as a serious offense. It is sport just the same as the other fight."

## HAYWOOD CASE TO BE REVIEWED BY SUPREME COURT

WASHINGTON, Feb. 28.—The legal battle for the freedom of William D. Haywood and 78 other members of the Industrial Workers of the World, who were convicted in Chicago in 1918 of conspiracy to obstruct the war draft act, entered its final phase today with the filing of a petition asking the supreme court to review the trials.

The petition was based on the contention that the search warrants used by the federal agents in obtaining most of the evidence against the defendants were invalid and that therefore the evidence was not legally available to the government.

The contention was made that neither the warrants nor the supporting affidavits "adequately described either the places to be raided, nor did they recite any facts showing probable cause for the issuance of the said warrants."

The places raided included all the offices of the I. W. W. and several private residences, more than sixty seized weighed thousands of pounds and will be sent to Washington. Those interested in the appeal said the bulk of the evidence to be submitted would set a new record in supreme court procedure.

Washington, Feb. 28.—The supreme court affirmed today lower court decrees restraining the alien property custodian from selling 14,500 shares of stock of the Botany Worsted Mills of Passaic, N. J., which had been seized under the trading with the enemy act.

The decision had the effect of sustaining the government in its claims of authority to seize property of enemy subjects which had been transferred to naturalized Americans as trustees for the enemy owners.

Constitutionality as "applicable to this case," of the trading with the enemy act was upheld by the court.

Washington, Feb. 28.—The property of a friendly state or which is its own property can be libeled in its own parts the supreme court ruled today.

The opinion of the court was given in the cases of the Italian ships *Pesaro* and *Carlo Poma* which had been libeled by issuers for damages resulting from losses to cargoes. Decrees of the district court at New York dismissing the libel attachments were overruled.

San Francisco Upheld. Authority of the board of public works of San Francisco to prevent maintenance of wooden structures within the city fire limits was sustained today by the supreme court. Lower courts were upheld in their refusal to grant C. S. and Michael Maguire an injunction restraining the board from demolishing a wooden building owned by them.

Washington, Feb. 28.—Conviction in New York of Felix Gouled for conspiracy to defraud the government in connection with contracts for army clothing and equipment was, in effect, set aside today by the supreme court.

## 42 KILLED, TRAIN WRECK IN INDIANA

### N. Y. Central and Michigan Central Fliers Crash at Railroad Crossing Porter, Ind., —Failure by Engine Crew to Obey Block Signal Is Cause.

PORTER, Ind., Feb. 28.—(By Associated Press.) At 1:45 p. m. after the forty-first body had been taken to the Chesterton morgue, P. E. Pfeiffer, division superintendent of the Michigan Central railroad said he thought the Central had probably been found. There are two bodies at Michigan City.

There was a possibility, however, he said, that several more bodies might be found under the engine, the only part of the wreck remaining to be cleared away.

PORTER, Ind., Feb. 28.—The death list of last night's railroad wreck here was today fixed by H. O. Seipel, coroner of Porter county, at forty-two. The morgue at Chesterton contained 36 bodies, some of them only fragmentary, four were known to be still under the wreckage, fifteen hours after the accident, and two were at a hospital in Michigan City. Only sixteen had been positively identified by relatives or friends.

Among those were: Gordon Campbell, Revelstoke, B. C.; Justin Collins, London, Ontario; Peter Cain, Regina, Sask. Unidentified dead were: four bodies under wreckage; twenty-three bodies at Chesterton morgue.

N. Y. Central Had Right Way. A statement by Towerman J. C. Cook on duty at the wreck, declared the block two miles away was set against the Michigan Central train, while the train was left clear for the New York Central train. Railroad officials at the scene of the wreck said Engineer W. F. Long of Jackson, Mich., who escaped unhurt, declared he had received a clear signal and had checked it with his fireman. He left today for his home.

Among the dead were Gordon Campbell, Revelstoke, B. C. All except the two baggage and mail cars of the New York Central train remained upright although bits of the wood of the wooden coaches of the Michigan Central train were scattered for fifty yards. Passengers in the four coaches of the Michigan Central train behind the two death cars were unhurt except for the cars were unhurt except for his on the New York Central escaped.

Many Decapitated. For no reason that railroad officials could assign, almost all of the dead taken to the little morgue at Chesterton, across the tracks from Porter, received their fatal wounds in the head. Some were decapitated, accounting for the failure to identify nine of the 25 which had been taken there up to nine o'clock.

The first group of three critically injured was rushed in an ambulance to Michigan City, Ind., and two of them died on the way. Railroad officials expressed the belief that all of the others injured would recover. Hospitals and private homes at Michigan City and Gary received the injured, according to the character of the injuries.

Records of the Michigan Central train disclosed a large number of railroad employes, traveling on passes believed to have been on the wrecked train but they could not be found. The speed of the New York Central express, while fatal to the victims in the death cars, was believed to have saved other passengers from serious or fatal injuries.

The engine of the New York Central train burst through the wooden coaches with such force that it whirled half around and started a blaze in the wreckage. Porter citizens dragged out a hose and quickly extinguished the fire.

Within a short time lights in the upright coaches of both trains were turned on again from an emergency connection and any semblance of panic among the uninjured was allayed, while the unhurt ministered to those hurled from their seats, but still living.

Eugene Crew Dead. Bodies of Engineer Claude Johnson of Elkhart, Ind., and Fireman George Deland of Elkhart, engine crew on the New York Central train, were recovered from beneath their smashed locomotive.

Engineer W. F. Long and Fireman (Continued on Page Six)

## Canadian Radicals Step From Jail to Seats in Legislature

WINNIPEG, Man., Feb. 28.—P. William Ivens, John Queen and George Armstrong, who were released today from the provincial jail after serving one year sentences on charges of making seditious utterances in connection with the Winnipeg strike in 1919, will take their seats tonight as members of the Manitoba legislature here.

Ivens, Queen and Armstrong were elected to the legislature last fall while they were in jail.

## 5 DEFENDANTS PLEAD GUILTY 1 NOT GUILTY

Carol, Slade, Morin, Friel and Robins All Throw Themselves on Mercy of Court—W. F. DeWitt to Stand Trial—Evans' Trial Started.

Pleas of guilty were entered in the circuit court this morning by five men, indicted by the grand jury, and one plea of not guilty was entered. All the former expressed a desire to have sentence passed immediately and the court announced that same would be forthcoming this afternoon.

Those pleading guilty were Arnold R. Carol, indicted for defrauding the Medford Auto company out of a Buick auto, Fay B. Slade, indicted for larceny by bailee from the Endera store at Ashland, William Morin, indicted for forgery on two counts, and Earl Friel indicted for forgery. Carol and Slade filed the same pleas Saturday. George Robins, charged with forgery plead guilty. Robins passed checks for \$40 on Jens Jensen and the Model Clothing store, Saturday night, February 13, and was caught after a chase by Sam Richardson and Wilbur Ashpole. Attorney Herbert K. Hanna, for Friel, informed the court that his client was under age, and subject to the juvenile court law. The court intimated that he would take this under consideration when passing sentence.

W. F. DeWitt, an Ashland jitney driver, indicted for manslaughter by Pacific highway near Talent last a result of an auto accident on the Christmas Eve, entered a plea of not guilty, and the court said the date for his trial would be set for near the close of the present docket. DeWitt was represented in court by former Prosecutor George M. Roberts. Ball was left at 1:00 p. m. A coroner's jury held DeWitt negligent and caused in an auto accident that resulted in the death of Mrs. Nona Jennings of this city.

A grand jury to convene May 16, 1921, was drawn this morning by the circuit court from the February jury panel as follows: P. C. Bigham, Medford; E. W. Carlton, Central Point; Lloyd Cole, Phoenix, J. W. Elden, Central Point; A. C. Joy, Ashland; E. L. Lane, Central Point and Clarence A. Meeker, Medford.

Demurrers Asked. Demurrers were filed in the circuit court today by Attorney Herbert K. Hanna to the four new indictments returned last week by the grand jury against R. D. Hines, former vice-president of the defunct Bank of Jacksonville, alleging the making of a false statement to the bank examiners. The court ruled that arguments would be heard on the indictments at a later date. The demurrers were sought on the grounds that the indictments fail to conform with Chapter VII, Title XVIII, Oregon Laws, and do not sufficient evidence to constitute a crime.

The four new indictments make a total of seven indictments against Hines. The seven indictments make a total of seven indictments against Hines.

Evans Trial Starts. With Judge Kuykendall of Klamath county on the bench the work of securing a jury to try Lark Evans, charged with assault and robbery was begun in circuit court this morning and the taking of evidence in the case is not expected to be under way until late this afternoon. The court ordered a special venire of 12 jurors to be drawn, to report forthwith. The trial is expected to last three or four days.

The indictment against Evans charges that on September 13, 1919, he hired W. G. White a Grants Pass jitney driver to bring him and his supposed wife to this city, and that when near Savage Rapids, close to

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## LEVER FOOD CONTROL ACT THROWN OUT

### U. S. Supreme Court Declares Profiteering Measure Is Unconstitutional — Hundreds of Cases in Campaign to Reduce H. C. L. Effected—Portland Dealers Escape.

WASHINGTON, Feb. 29.—Sections of the Lever food control act under which the department of justice has brought many actions for alleged profiteering in necessities were declared unconstitutional today by the supreme court. Chief Justice White read the court's opinion.

The conviction of the L. Cohen Grocery company of St. Louis in having charged an unreasonable profit on sales of sugar was set aside by the court.

In taking this action the court sustained decrees of lower courts which had sustained a demurrer to the indictment of the grocery concern.

The specific charge was that the defendants charged \$10.70 for 50 pounds of sugar, or at the rate of more than 20 cents a pound.

The conviction of the firm of Woods, Inc., of Binghamton, N. Y., also was set aside. Chief Justice White said the statute was "as broad as human imagination."

Brandeis and Pitney Dissent. Justices Brandeis and Pitney concurred in the opinion, but dissenting from "the reasoning by which it was reached."

Hundreds of cases growing out of the government campaign to reduce the cost of living are affected by the opinion.

The court sustained lower courts in granting to thirteen retail merchants of Denver an injunction restraining the federal authorities from enforcing provisions of the Lever act.

PORTLAND, Ore., Feb. 28.—Sugar dealers indicted here by the federal grand jury for alleged violation of the Lever act will escape prosecution as a result of the opinion handed down by the United States supreme court, according to federal attorneys here.

These will include Mason, Ehrman and company of Portland; Claude Starr, the Starr Fruit Products company, Richard Adams and Parrott company.

Mine Case Settled. WASHINGTON, Feb. 28.—The supreme court sustained today the decision of the circuit court of appeals in Utah awarding \$570,000 damages to the Conkling Mining company for ore removed secretly from its claim by the Silver King Coal Mine company.

The case was one that had become historic in mining circles. Instituted in 1908, it was based on the charge by the Conkling owners that the neighboring company had surreptitiously removed \$1,000,000 worth of ore from a narrow strip which interested both properties and which was claimed by both companies. Collateral questions involving scores of vital legal points peculiar to the mining industry were raised during the twelve years fight.

WASHINGTON, Feb. 28.—Chief Justice White of the supreme court today ordered re-argument of the appeal of the American Hardware association from lower court decrees granting an injunction sought by the government to restrain members of the association from continuing co-operative selling methods and interchange of price lists.

## BOY 11 KILLS HIS 9 YEAR OLD BROTHER

PONTIAC, Mich., Feb. 28.—Warren Branfield, 11 years old, was detained by the police here today, pending investigation into the killing yesterday of his nine year old brother. The older boy shot and killed his brother "to put him out of his misery," he said, after accidentally wounding him. He said he fired the first shot "to see how close he could come to his brother without hitting him."

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## Inmates Girl School California Mutiny, Sheriff's Posse Busy

VENTURA, Cal., Feb. 28.—Twenty-five inmates of the California state school for girls here were in the Ventura county jail today as a result of a mutiny at the institution last night; six of nine who escaped were believed to be wandering in the hills back of the city, and about 100 more were confined in the "silence" room at the "lost privilege" cottage at the school.

The trouble began shortly after dark and stopped only when the sheriff and sixteen deputies were called to the aid of the staff of teachers, who found themselves powerless to quiet the girls.

Diamond of a woman physician popular with the girls is believed by school officials to be responsible for the outbreak.

## COLLISION SINKS U. S. DESTROYER, 16 SAILORS LOST

WASHINGTON, Feb. 28.—A naval court of inquiry into the sinking of the United States destroyer, Woolsey by the steamer *Steel* inventor of Panama Saturday has been ordered by Admiral Hugh Rodman, commander in chief of the Pacific fleet. The court will sit at Balboa, Panama, dispatches said, and will investigate every phase of the collision that resulted in the loss of the naval vessel the death of one enlisted man and the injury of several others. About fifteen members of the crew of the Woolsey still were reported as missing.

Secretary Daniels has telegraphed Admiral Rodman for a more complete report of the accident.

PANAMA, Feb. 28.—United States naval authorities here have asked A. C. Hindman, United States district attorney for the canal zone to bring a libel action against the steamer *Steel* inventor, which collided with the United States destroyer Woolsey off Colón island Saturday morning. The Woolsey sank almost immediately after the collision and sixteen sailors are believed to have drowned or killed.

Captain W. G. Turner of the *Steel* inventor asserts the destroyer collided with his ship, striking her on the port side of her bow.

The *Steel* inventor, Captain Panama said he would recommend to the United States destroyer Woolsey company of New York owners of the ship, that a libel action be brought against the government.

## COSTA RICA WAR IS CALLED OFF

WASHINGTON, Feb. 28.—Threatened war between Panama and Costa Rica was averted today with the surrender of the Costa Rican army in Coto, according to word received here by the charge d'affaires of the Panama legation.

BEND, Ore., Feb. 28.—P. C. Burt, a Deschutes county rancher, today was waiting further word concerning his wife, whom he has learned was captured in December by a party of Turkish nationalists while on her way from Armenia to take passage to America.

## CONSULS OF FRANCE, PERU, MEXICO ARRESTED FOR DISORDERLY CONDUCT

SEATTLE, Feb. 28.—Consuls of France, Peru and Mexico, and the under-secretary of the Mexican consulate here, were to appear in public court today to answer to charges of disorderly conduct preferred following their arrest at an apartment house last night. Police said they found wine in the apartment and broken bottles scattered about the floor and that persons passing outside had been struck by silverware and other articles flung from the windows.

The four arrested were: J. M. De Maceo, Peruvian consul; Ricardo Campos, Mexican consul, and Lizardo F. Medina, under-secretary of the Mexican consulate.

Indignation was expressed by the consuls, who said the action of the police in arresting them and taking them to the police station in a patrol wagon would be reported to their embassies in Washington, D. C.

Mayor Hugh M. Caldwell, in a formal statement today expressed regret at the incident and said that he had ordered the police court charge against the consuls dismissed.

## NO QUARTER TO IRELAND BY PREMIER

### Lloyd George Tells Parliament Chief Secy. for Ireland Will Be Allowed to Carry on Present Policies—Six Irish Republicans Executed at Cork—Action Arouses Irish

DUBLIN, Feb. 28.—News of the execution of the six Irish republicans at Cork today made a profound impression upon the population of the capital. It had been generally expected the death sentences would be commuted.

LONDON, Feb. 28.—(By Associated Press.) The British government does not intend to alter its policy for maintaining order in Ireland, Lloyd George, the prime minister, announced in the house of commons today. The chief secretary for Ireland, he said, would be allowed to carry his administration to a successful conclusion.

CORK, Feb. 28.—(By Associated Press.) Despite the appeal for clemency made recently by the Cork corporation, the six Irishmen in jail here, whose deaths were fixed for today on charges of levying war against the crown forces, were executed by the military this morning. The men were shot in batches of two each at intervals of fifteen minutes.

The men executed were Timothy McCarthy, Thomas O'Brien, Patrick Mahoney, John Lyons, Daniel Callaghan and John Allen.

The first five were condemned for an attack upon the crown forces at Dripsey, county Cork in January. Allen whose home was in Tipperary, was sentenced for possessing a revolver and ammunition. It was his sentence which the king's bench confirmed February 24 in deciding that a state of war existed in Ireland, giving the military full power to act without interference by the civil courts.

The clemency appeal was adopted by the corporation Saturday and a copy sent to General Sir Nevill Macready, commander of the troops in Ireland.

In all the catholic churches in Cork yesterday the prayers were said for the condemned men.

## REPORT SOVIETS ARE OVERTHROWN

RIGA, Feb. 28.—Rumors that the soviet authorities in Petrograd have been overthrown are in circulation in Misco, says a report from the Russian capital received here today.

PORTLAND, Ore., Feb. 28.—Announcement was made by officials of the Oregon-Washington Railroad and Navigation company that effective tomorrow the force of the shops here would be reduced two thirds by the indefinite lay-off of 891 men. Between 500 and 600 will be retained.

Oregon Short Line and Union Pacific forces also will be cut. The Spokane, Portland and Seattle Railway will lay off 89 men at the shops at Vancouver, Wash., tomorrow.

## GREECE PREPARED FOR SACRIFICE IN BLOOD AGAINST DECREE OF ALLIES

LONDON, Feb. 28.—Greece has refused to accept the proposal that an investigation of conditions be made in Thrace and Smyrna preparatory to making alterations in the Sevres treaty, according to a telegram received today from Athens.

The Greek refusal was not taken seriously, it was said in allied circles. The Greek legation in London received a message yesterday that more meetings had been held in Athens. Pireas and Smyrna at which were passed resolutions declaring Greece was "prepared for any sacrifice of blood in defense of her sacred rights, as embodied in the Sevres treaty."

Muslim members of the council and state legislative assembly of Delhi have asked the secretary of state for India to suggest to the Near East conference the restoration of Thrace and Smyrna to the Turks. Counter charges that cruelties have been inflicted by the Greeks upon Turkish subjects in the Greek region have been filed by Turks.