

The Weather

Maximum yesterday 46
Minimum today 30 1/2
Precipitation .35 of an inch

MEDFORD MAIL TRIBUNE

Predictions

Fair.

Daily—Sixteenth Year.
Weekly—Fifty-First Year.

MEDFORD, OREGON, MONDAY, MAY 2, 1921

NO. 35

NEWBERRY DECISION REVERSED

Supreme Court Sets Aside Conviction Michigan Senatorial Fight—Statutes Are "Grossly Misconstrued" Decision Says—Divided Verdict Is Filed.

WASHINGTON, May 2.—Conviction of United States Senator Truman H. Newberry in federal courts in Michigan for conspiracy to violate the federal corrupt practices act was set aside today by the supreme court.

The conviction of sixteen other defendants also was set aside. The court held that congress was without power to regulate primaries.

Justice McReynolds read the opinion to which Justice McKenna dissented as to the power of congress, but agreed as to the decision.

Chief Justice White also dissented from the decision that congress did not have power to control all elections, but agreed that the statute had been "grossly misconstrued."

Justice McReynolds said that the lower court erred in dismissing the demurrer of the defendants.

"Obviously the corrupt practices act covers also the primaries and other preliminary acts preceding an election," the court said. "The one question here is whether congress may limit expenditures of a candidate. The source of such power is in section four, article one, of the constitution. This gives congress the power of regulating the manner of holding elections, and not of elections."

Chief Justice White in his dissenting opinion traced in detail the growth of the election system to show that congress was given the power under the constitution to regulate senatorial elections.

"It is essentially a federal matter, not existing before the constitution," said he.

The direct election amendment to the constitution has not changed the provisions of section four, article one of that document, the court held.

Chief Justice White predicted that legislation would come which would set aside today's decision as to the power of congress over primaries for otherwise "government cannot live."

Upon learning of the court's decision, Chairman Dillingham of the senate elections committee which has charge of the Ford-Newberry contest, said the committee would meet in a few days to consider the effect of the court's decision on future senate action.

Senator Dillingham said it appeared that with the corrupt practice law held void the committee would be without further jurisdiction.

Associate Justice Pitney also read an opinion dissenting in part from the court's decision and announced that Associate Justices Brandeis and Clarke had concurred in the opinion he filed.

Chief Justice White said he concurred in the reversal of the conviction, but that a new trial should be held.

Senator Spencer, chairman of the senate sub-committee, considering the Ford-Newberry case, said his committee would proceed with the investigation irrespective of the decision of the supreme court. The broad question of who was elected and the question of the alleged fraud charged by Mr. Ford will be considered, said Senator Spencer.

M'GRAW EXONERATED ON BOOZE CHARGE

NEW YORK, May 2.—John J. McGraw, manager of the New York National league baseball club, today was exonerated on two charges of violation of the Volstead act. Illegal purchasing and possession of liquor at the Lambs club were charged.

CHICAGO, May 2.—A strike of the Livestock Handlers' union at Stockyards, called Saturday night may tie up other branches of the packing industry here before nightfall. Patrick J. Griffin, president of the union said today.

WASHINGTON, May 2.—Unless Panama acts voluntarily within a reasonable time the United States will take measures to compel her to transfer jurisdiction of the disputed Coto territory to Costa Rica, Secretary Hughes says in a recent note to the Panama government. The text of the document was made public today at the state department.

PORTLAND BUILDING UNIONS ACCEPT CUT

PORTLAND, Ore., May 2.—With the exception of the painters and sheet metal workers union the organizations affiliated with the Portland building trades council accepted the 10 per cent wage cut placed in effect today. The acceptance was temporary, however, said union leaders, depending on steps by the contractors toward formulation of an agreement for a working basis as recommended by the board of arbitration. The building construction association has not yet notified the Building Trades council whether an agreement will be made. Charles Schumann, business agent for the sheet metal workers union said this morning 20 members of the union had refused to go to work at places where the cut was in effect. Very few painters reported for work today, according to Frank McLean, their agent.

Mooney in Respite From San Quentin Prison as Witness

SAN FRANCISCO, May 2.—Thomas J. Mooney was brought to San Francisco today from the San Quentin state penitentiary where he is serving a life term for the murder of a Preparedness day bomb explosion victim here in 1916 and appeared in court to testify in an action intended to prove that his conviction was brought about by fraud. At the request of Mooney's attorney the matter was postponed until May 23 and the prisoner was ordered returned to the penitentiary today.

The delay was asked, the attorney explained, because witnesses from the east have not arrived. Mooney will be brought here again on the twenty-third. In talking to newspapermen Mooney said he was being well treated at San Quentin but was certain that his imprisonment was undermining the faith of the people in the American court system.

Mooney posed for newspaper photographers while here. To a suggestion that he cover his handcuffs while posing he replied in the negative and declared the cuffs in fact represented a "badge of honor."

QUIET MAY DAY SHOWS COUNTRY BACK TO NORMAL

Attorney General Says "More Working and Less Watching Needed"—Red Program Fails—President's Plea Is Answered.

COLUMBUS, Ohio, May 2.—Quiet observation of May day throughout the United States, despite attempts to agitate demonstrations through the distribution of literature, has "given assurance of the return to normal conditions in America," said a statement issued here today by Attorney Harry M. Daugherty.

Yesterday had been a typical "American Sunday," the attorney general said.

Mr. Daugherty's statement said he had been urged to issue a general public warning against announced demonstrations as had been customary with the department of justice the last several years, but that he had refused to do so.

"My idea was," the statement said, "that if a general warning were given it would invite, rather than prevent demonstrations. The country is settling down to a patriotic program. I think we need less watching and more working in this country."

"I would not say that it is perfectly safe to leave the smokehouse door open, but we are back to normal, almost, as the president of the United States would say, and we have reason to be proud of ourselves."

IRELAND ADDRESS TO BE OFFICIAL COPY

WASHINGTON, May 2.—Senator Borah, republican, Idaho, presented today in the senate a copy of "an address to the American congress by the parliament of Ireland. Without objection, Senator Borah's request that it be referred to the foreign relations committee and printed as a public document was granted.

Copies had been sent previously to all newspapers in the United States by agents of the provisional Irish government.

PANAMA TO ACT OR BE SHOWN PLACE

WASHINGTON, May 2.—Unless Panama acts voluntarily within a reasonable time the United States will take measures to compel her to transfer jurisdiction of the disputed Coto territory to Costa Rica, Secretary Hughes says in a recent note to the Panama government. The text of the document was made public today at the state department.

MEXICO VOTES RELIEF TO OWN IN TEXAS

PORT WORTH, Texas, May 2.—The Mexican government has appropriated \$2,000 for relief of destitute Mexicans in north Texas, according to a message received by Mayor Cookrell from Mexico City today.

MARINE STRIKE CHIEFS PREDICT SHIPPING TIE UP

Washington Reports Few Vessels Tied Up As Result of Walkout—Both Coasts and Gulf Ports Affected—125,000 Men Quit Posts.

NEW YORK, May 2.—Union leaders predicted today that the walkout of marine workers called yesterday as a protest against fifteen per cent wage reductions would result in 24 hours in a complete tie-up of American shipping.

News of the walkout decision was wireless to all ships flying the American flag yesterday after the International Seamen's union, the marine firemen, others and water tenders union and the marine engineers' union had voted to resign their jobs rather than accept the cut.

It is estimated that about 125,000 workers are affected by the walkout. The fifteen per cent reduction suggested by Chairman Benson of the shipping board and placed in effect at midnight Sunday means a virtual reduction of from 40 to 50 per cent when certain new working conditions are considered, workers declared.

Of the 125,000 workers affected by the walkout, 30,000 to 40,000 are in this port. The number of ships affected is said to be about 2,000 of which between 200 and 300 are in this port. The total tonnage involved is more than 12,000,000, of which 7,500,000 is owned by the United States shipping board.

It is believed by leaders of the marine workers that the walkout call will be heeded generally today in all ports on the Atlantic, Gulf and Pacific coasts. They said they received messages from the west coast last night indicating that workers there were in full sympathy with the movement.

From some ports came information, leaders said, that owners in a few instances were taking on men at the old rates of pay rather than suffer losses through tying up of the ships.

WASHINGTON, May 2.—Shipping board officials said today that few vessels had been tied up as a result of the refusal of the seamen to accept the wage cut ordered by the board Friday. In the cases reported the vessels were held in port because the men refused to sign articles at the reduced rate of pay.

IRISH INDIFFERENT TO COMING OF NEW HOME RULE

DUBLIN, May 2.—A new chapter in Irish history will be recorded this week with the inauguration of the new home rule parliament act. This will mark the end of the act of the union, under which Ireland has been governed from Westminster for 120 years. The week will also witness the inauguration of Lord Talbot, the new lord lieutenant, who is the first catholic to hold that office in recent times.

Despite the importance of these developments the Irish people appeared today to await them with the utmost indifference.

Lord Talbot will be sworn in tomorrow with the usual ceremonies, although he will not make the traditional state entry into Dublin castle with the old time pageantry. Later he will issue a proclamation summoning parliaments for north and south Ireland.

JEW AND ARABS AT JAFFA SUNDAY

JERUSALEM, May 2.—(By the Associated Press)—Twenty persons were killed and 150 wounded in a clash between Jews and Arabs at Jaffa Sunday. Troops succeeded in restoring order without being compelled to fire on the fighting crowds.

BASEBALL SCORES

Table with columns: National, American, Coast Standings. Rows include Pittsburgh, Chicago, Philadelphia, Brooklyn, Boston, New York, Washington, Philadelphia, Seattle, Vernon, Salt Lake, Portland.

KINGS OF SWAT IN NIP AND TUCK RACE FOR HOMER HONORS

NEW YORK, May 2.—George Kelly of the New York Giants hit his seventh home run of the season today in the first inning of the game with Boston.

BOSTON, May 2.—Babe Ruth of the New York Yankees knocked off his sixth home run of the season in the ninth inning of the game with the Boston Red Sox today.

FRENCH MOBILIZE FOR RUHR MARCH, ROILS COMMUNISTS

PARIS, May 2.—(By Associated Press.) The French government is proceeding with the preliminaries necessary to the occupation of the Ruhr valley, should that step be ordered.

A brigade of cavalry was entraining today at Meaux to join a large detachment of infantry already on the way from Lyons, in addition to artillery from Vincennes and other garrisons, now on the move.

Orders for the mobilization of the class of 1919 were expected to be issued today.

Negroes are not expected to be included in the forces sent into the Ruhr.

Newspapers as a whole expressed themselves today as being in favor of the mobilization, the only discordant note being struck by Humanite, which in large headlines attacked the order, calling the men to the colors. It also carried on its first page an advertisement by the communist committee of action, beginning with the words: "Down with war; down with mobilization."

BROTHERS PERISH IN \$300,000 BLAZE

GREAT FALLS, Mont., May 2.—Fire believed to have started in the Frisco hotel at Nelhart, Mont., early today resulted in property loss estimated at \$300,000, the death of George Roehl, aged 83, proprietor of the hotel, and the serious injury of his brother Charles, aged 80.

The hotel, the mill and concentrator of the Cascade Mines and Mill company and three residences were destroyed. Insurance was placed at \$75,000. Charles Roehl was badly burned in an effort to remove his brother from a cottage near the hotel in which they resided. The hotel and the mill had been closed.

MINE ASSESSMENT WORK BILL PASSED SETTLERS BENEFIT

WASHINGTON, May 2.—The senate passed a bill to create an additional federal judgeship in the district of Arizona. The measure to make the annual period during which miners are required to perform a certain amount of work on their claims correspond with the fiscal year instead of the calendar year, also passed.

These measures now go to the house.

Bills passed by the house included: To authorize the interior department to furnish irrigation water to settlers on western reclamation projects even in cases where they are in arrears with the government in payment of installments due on construction costs.

To authorize the construction of a \$150,000 dam across the Big Horn river on the Crow Indian reservation in Montana. This bill now goes to the president.

WASHINGTON, May 2.—The Dial bill requiring federal judges to devote their entire time to the duties of their offices was reported favorably today by the senate judiciary committee.

CROW INDIAN TRIBE WINS GRAZING SUIT

SAN FRANCISCO, May 2.—A federal court judgment in Montana for \$31,356 in favor of the Crow Indian tribe against George B. Kirby and Charles McDaniels over a grazing lease on some of the Indian lands was upheld today by the United States circuit court of appeals. The suit was over compensation for the number of cattle grazed on the land in excess of a maximum of 11,000 head specified in the lease.

FARM BUREAU TO ASSUME CHARGE OF COUNTY FAIR

Special Election to Be Called for Voting Half Mill Levy for Improvements—Farmers' Back Movement—Ask That Officials Donate Services.

The Jackson County Farm Bureau has assumed the responsibility of making the county fair grounds as one of the best in the state of Oregon by adopting the building and improvement plan as a Farm Bureau project.

The plan contemplates the expenditure of some thirty thousand dollars for seven permanent buildings and other improvements such as fencing, roadways, walks, sewer and water system.

To cover the cost of these improvements a committee has been appointed to place a measure on the ballot whereby the money will be raised by a half mill tax for a two year period. There will be a special election necessary and the judges and tellers of the various election boards are to be asked to donate their services in order that the expense of an election may be saved to the county.

A half mill tax will produce \$13,750 or a total of \$27,500 which together with some \$1000 now in the possession of the Fair association will provide sufficient funds to cover the cost of the building and improvement program.

The executive board of the Farm Bureau has taken this action, because in their opinion the county fair is a purely farmers proposition and exclusively for the farmers' benefit.

In adopting this project, the Farm Bureau did so knowing that the grounds had been landscaped and locations for buildings selected by Prof. A. L. Peck of the O. A. C. and that committees have given the building and financial plan thorough consideration.

If the voters adopt the plan, the buildings will be constructed this summer and be ready for the fair for which the dates of September 14th to 17th have been selected.

YAKIMA FARMER IS HELD FOR MURDER IN VIRGINIA POKER GAME

YAKIMA, Wash., May 2.—After living a blameless life here for two years, William Palmer, Tietoz, farmer, was on Sunday arrested just as he was putting his horse in the barn and is now in the county jail awaiting transportation to his former home at Gate City, W. Va., to answer to the charge of murdering Orban Chapman there in 1915. Palmer has a wife and five children. He was traced through having, about a year ago, signed a deed conveying some Virginia property to one of his relatives.

Palmer, a quiet looking man who has been much respected by his neighbors here, concedes that he is a "regular wildcat" when aroused. Jailer C. A. Davis states that Palmer admitted the killing to him, and began talking about it before he had been told what the officers wanted him for.

Chapman, the prisoner says, was shot in an argument over a poker game.

JOB PRINTERS AND ALLIED CRAFTS ON 44 HR. WK. STRIKE

CHICAGO, May 2.—Acceptance by employers in many of the larger cities of the 44-hour week in the printing industry today appeared to have averted a nation-wide strike in book and job printing shops. Local officials of the International Typographical Union were instructed by international headquarters to call strikers wherever employers refused the 44-hour week.

In several cities strike votes also were being taken by pressmen and other unions allied in the printing industry. About 250 locals throughout the country had signed 44-hour week contracts with employers including some of the job printing shops in New York, Chicago, Cincinnati, Milwaukee and Indianapolis, according to union statements, but in several cities of the west and south strikes were expected today.

The strike also spread to Canada, job printers in Halifax and newspaper printers in St. John, N. F., voting a strike. Newspaper offices in Cambridge, Lancaster and Butler, Pennsylvania, and Glens Falls, N. Y., were tied up by strikes of printers but one paper in Lancaster used electrotypes made from typewritten copy for Monday's issue.

NEW YORK, May 2.—The 44-hour week has been granted the 15,000 printers employed in the book and job printing plants in New York City, the Employing Printers' league announced today. The shorter week becomes effective the first full fiscal week after May 1.

League officials pointed out that the question of wage cuts still was pending. The wage arbitration board, which has been considering the wage question is unofficially reported to have agreed upon recommending a 12 per cent wage reduction.

BOSTON, May 2.—About 1800 paper workers in New England were idle today as a result of their refusal to accept wage reductions ranging from 20 to 30 per cent.

The International Paper company's plants at Livermore Falls, Chisholm and Rumford, Maine, employing 1500 persons, suspended operations, and a 20 per cent reduction announced at Franklin, N. H., was rejected by the union there.

PITTSBURGH, May 2.—Approximately 1000 printers in 121 job printing shops struck here today to enforce their demand for a 44-hour week. Bookbinders, it was stated, were voting on the question of joining the strike.

SAN FRANCISCO, May 2.—Executives of the Typographical union said that approximately 250 printers or 60 per cent in the commercial shops who demand a 44 hour week, went on strike today.

LOS ANGELES—May 2.—Sixty-five job printers were on strike here today according to Seth Brown, president of the local union.

SACRAMENTO, Cal., May 2.—About 40 printers in all job printing shops of Sacramento were on strike today. The strike did not affect the newspaper offices.

ALLIES GIVE BERLIN 12 DAYS GRACE

Yes or No Answer to Terms Demanded, or Suffer Naval and Military Blockade and Invasion—France Wins a Point—Hopes "We Shall Not March Alone."

LONDON, May 2.—(By Associated Press.) Germany must give within twelve days a categorical answer—Yes or no—to the allied reparations demands, or suffer the infliction of military or naval penalties, according to the terms of an ultimatum drawn up by the allied foreign ministers today and submitted to the supreme council for its approval.

The interval provided for in the ultimatum to Germany will not be for the purpose of negotiation, it was stated, but to give the German government time to reflect, negotiations being considered at an end.

Since Germany made her latest "peace gesture" through Washington, it was considered possible the allies would choose the United States as their intermediary in sending any ultimatum to Germany.

LONDON, May 2.—(By Associated Press.) M. Jusserand, the French ambassador in Washington has called here the outline of a conversation he has had with Secretary Hughes. The American government the ambassador reported, desires to take no attitude on the reparations question that would irritate governments. Secretary Hughes said that the state department has no further communication to make to Germany, the message added.

Secretary Hughes indicated a preference that Germany should settle without the occupation of the Ruhr valley, as such occupation suggested a kind of war, Mr. Jusserand's cable said.

The conversation, the ambassador stated, was entirely informal and sympathetic.

LONDON, May 2.—(By the Associated Press)—Great Britain will make a naval demonstration if Germany refuses to yield to the allies' conditions in the reparations issue, it was stated today. The demonstration which will not take the form of a blockade, will probably occur in the North sea, it was added.

The reparations commission will advise Germany of the allies' conditions within six days after the decision upon them has been reached by the supreme council. Germany then will have six days in which to give an answer, which is required to be a direct yes or no, without conditions.

LONDON, May 2.—(By the Associated Press)—The allied supreme council, after receiving the report of the council of foreign ministers today, agreed in principle to the plan of foreign Minister Jasspar of Belgium, providing for an ultimatum to be presented to Germany and for military measures to be used in case Germany should default.

Premier Briand said this morning it would take twelve days to complete French military preparations for occupation of the Ruhr district.

"If at the end of that time Germany has not fully yielded to the allies," he declared, "the French troops will march."

"I hope we shall not march alone," he added.

PORTLAND BUILDING UNIONS ACCEPT CUT

PORTLAND, Ore., May 2.—With the exception of the painters and sheet metal workers union the organizations affiliated with the Portland building trades council accepted the 10 per cent wage cut placed in effect today. The acceptance was temporary, however, said union leaders, depending on steps by the contractors toward formulation of an agreement for a working basis as recommended by the board of arbitration. The building construction association has not yet notified the Building Trades council whether an agreement will be made. Charles Schumann, business agent for the sheet metal workers union said this morning 20 members of the union had refused to go to work at places where the cut was in effect. Very few painters reported for work today, according to Frank McLean, their agent.