

GERMANY TO PAY, BAVARIA BE DISARMED

Allied Terms Likely Accepted, But Berlin Wary of England and Fears France Will Inade Ruhr Without Cause—Want Poles Out of Silesia.

BERLIN, May 10.—(By Associated Press.) Acceptance of the allied ultimatum relative to reparations was expected in the reichstag today when that body convened. The centrists and the majority socialists, as a result of their conference yesterday were believed to have definitely aligned themselves in favor of yielding to the entente demands. It seemed yesterday that there was competition among the various parties for first place in the assenting column.

The majority socialists adopted a resolution yesterday, pledging their support to every sincere effort to carry out the terms presented at London, in view of the military coercion and violence with which Germany is threatened.

The resolution declared acceptance of the ultimatum would fail of its real purpose if Bavaria did not make an unequivocal declaration that she was prepared to disarm and disband her civilian guards by June 30.

Leading democratic deputies declared yesterday that acceptance of the ultimatum would be the most effective way of counteracting French aspirations and contended that a sincere effort on the part of Germany to carry out the conditions of the ultimatum would strengthen her case in the United States and England.

There is a probability that the retiring Fehrenbach cabinet, which is at present functioning only as an acting ministry, may accept officially the London ultimatum for Germany.

"If the Poles steal Upper Silesia and the French invade the Ruhr district, Germany will be so completely weakened that she will be unable to carry out the reparations conditions," declared Theodore Wolff, editor of the Tageblatt yesterday in an editorial.

"We are only too familiar with the vacillating soul of Lloyd George," said Dr. Wolff in discussing the British prime minister's speech at Maidstone, England, Saturday, "and are quite aware that rhetorical commonplaces do not always definitely bind him. We must admit, however that if Germany balks in the present situation, none of the allies will raise a hand in her behalf in Upper Silesia."

Dr. Wolff demanded tangible guarantees that Germany's acceptance of the ultimatum would not be followed by arbitrary invasion of the Ruhr region by the French at some later date and on some flimsy pretext.

BRITISH GOLD TO PAY WAR LOANS

NEW YORK, May 10.—A \$5,000,000 gold shipment said to be the first of a series to be made by the government of Great Britain to aid in the retirement of its 5 1/2 per cent bonds has arrived here. Consigned to the J. P. Morgan and company, fiscal agents here for the English government, the gold came yesterday aboard the steamship Mauretania.

In addition to the Morgan consignment the Mauretania brought a \$3,000,000 gold shipment to another banking house.

The flow of gold into the United States during the last month approximated \$50,000,000, making the total since the first of the year in excess of \$311,000,000.

ITALY WROTH O'ER POLISH ATTACKS

ROME, May 10.—Expressions of indignation over the Italian fatalities during the fighting in Upper Silesia are continuing to appear in the Italian press.

"The best outcome of this strange fiction of mounting guards by the inter-allied authorities will be to have the practice hereafter placed definitely outside the pale," says the Tribune.

World War Hero Blows Out Brains In Boston Garage

BOSTON, May 10.—Captain Paton McGilvary, hero of several notable bombing raids as an American flyer with Italian forces in the world war, was found dead in the rear of a garage in the Hack Bay district today. He had been shot over the left eye. An automatic pistol lay nearby. The medical examination indicated suicide. The body bore only the forehead wound although at least two shots were fired. This fact, together with the disturbed condition of the ground nearby led to a more thorough investigation than usual.

Captain McGilvary who was born in Berkeley, Cal., 34 years ago, and who had been decorated with the Italian war cross for bravery, entered the commercial aviation field in New England after the war. His venture was said to have resulted in financial losses. His health was impaired and he went to the woods for a rest.

NEW SIBERIA ASKS MEASLY LOAN OF 250 U. S. MILLIONS

TOKIO, April 12.—(Delayed.) The Far Eastern republic of Siberia needs a loan of \$250,000,000 innocently Koshentzoff, vice minister for foreign affairs recently told newspaper men at Vladivostok, in referring to the projected visit of an economic mission from the Chita government to the United States.

He declared only a small part of the above loan need be in cash, the remainder taking the form of agricultural machinery and railroad supplies. Siberia's supreme need was farming implements and naturally these supplies would be purchased from the country furnishing the needed credit, he said.

As a guarantee the Chita government would offer the government-owned share of the royalties on concessions in timber, gold, iron, fisheries and other natural resources.

The vice minister added: "The primary object of the visit is to explain to the American people through such channels as the American government decides on, the present conditions and future possibilities in Siberia. That accomplished it is prepared to discuss with corporations and individuals credits and conditions of mutual advantage."

EFFORT FAILS IN MARINE STRIKE

WASHINGTON, May 10.—Representatives of the marine workers organizations left Washington today as a result of the announcement of Secretary Davis that his efforts to arrange a settlement of the wage dispute between the workers and the ship owners had been "unavailing," and that no further conferences would be held at this time.

Officials of the Marine Engineers Beneficial association declared that no concessions would be made beyond those presented to Mr. Davis and Admiral Benson of the shipping board yesterday. These proposals, based on a vote taken among local at all ports, were not made public. Chairman Benson is understood to have reiterated his stand for a flat 15 per cent wage reduction.

HARDING DONATES TO FLOWER DRIVE

INDIANAPOLIS, May 10.—"For those sons of the republic who gave their lives in the world war," President Harding has contributed \$25 to the American Legion's fund for the decoration of American graves in Europe on Memorial Day, May 30, national headquarters of the legion announced today.

"It is only a small bit," the president wrote, "but there comes with it my sincere sympathy and my earnest desire for a notable success of the efforts on the part of the American Legion to make this ceremony a becoming expression of American remembrance."

BAR TRUCKS OFF HIGHWAYS PLEA OF RAIL CHIEF

Competes With Railroads As Common Carrier and Suggested by Kruttschnitt As One of Five Remedies—Propaganda Against Rates.

WASHINGTON, May 10.—The trouble with the railroads is excessive operating expenses, "an abnormal amount" of which is the cost of labor, Julius Kruttschnitt, chairman of the board of the Southern Pacific railroad declared today before the senate interstate commerce committee. He was the first witness at the opening of the congressional investigation into the whole transportation situation.

Mr. Kruttschnitt suggested five "remedies" which he said were "easily applied and productive of great economies."

They are: "Stop the use for common carrier purposes of highways built with public moneys, without adequate tolls and proper regulations."

"Make inland waterways built or improved at public expense carry themselves as to interest on cost and maintenance by regulating the common carrier traffic on them and by imposing adequate tolls."

"Keep the United States government out of the business of operating steamships and stop the lavish expenditure of public money to provide coast to coast ocean transportation in competition with trans-continental railroads."

"Tolls for use of the Panama canal should be sufficient to pay interest on its cost, operating expenses and maintenance."

"Do not deprive trans-continental carriers of coast to coast traffic by inflexibly enforcing a strict long and short haul clause."

Mr. Kruttschnitt read a prepared statement which opened with the assertion that the freight rates were not responsible for business depression.

"Widespread propaganda is being carried on to arouse public sentiment against present freight rates," the statement said. "The fact is that even since the rates have been advanced the cost of transporting commodities is far less than the toll taken by the commission merchant and the retailer."

The witness told the committee that the general deflation and the fall of prices had caused stagnation of business. To support his argument that railroad rates were not responsible he said that notwithstanding the lowest ocean tonnage rates in history millions of tons of shipping here and abroad were rusting in idleness because there was such a small demand for goods.

"The percentage of freight charges to the average value of commodities shipping in the early part of 1921," he added, "is only two-tenths of one per cent greater than in 1914."

"The trouble with our railroads has been intensified by the results of 26 months of an experiment in government ownership and operation. The word 'ownership' is used advisedly as the federal railroad administration treated the railroads as though they were absolutely owned by the government and turned them back to their owners helpless, bound in improvident agreements in the making of which they themselves had no voice."

"The government has strangled the railroads into something like bankruptcy," he concluded, "at last removed its hands and permitted a sudden increase in rates that should have been gradual and started at least 12 years ago. We should bear in mind and circulate widely the president's epigram 'more business in government and less government in business.'"

WASHINGTON, May 10.—The first public exhibition of the Joseph Pennell collection of the works of James McNeill Whistler will be opened May 19 in the library of congress. The exhibit comprises about 600 items, including some of the most famous originals from the pen and brush of the painter who Mr. Pennell characterized as "not only the greatest American artist but the greatest artist of modern times."

The collection represents the work of thirty years on the part of Mr. Pennell, himself an artist of international reputation and of his wife, Elizabeth Robins Pennell. They have donated it to the United States government to be preserved as a permanent record.

Church May Change If Human, if Divine "Hands Off," Claim

SPRINGFIELD, Ill., May 10.—Insistence upon creeds as a basis of Christian unity is a misapprehension of the very nature of Christianity, the Rev. O. F. Jordan, pastor of the Evanston, Ill., Christian church told the annual congress of the Disciples of Christ here today. He said to keep the church unchanged was to violate the very law of life.

Holding the other view, the Rev. J. B. Brinsley of Crestwood, Kentucky, told the congress that "if the church is a human institution men may change it in any way and at any time to suit their notions of expediency. But if it is a divine institution, then hands off."

POLISH REBELS CAPTURE KOSEL, ROUT GERMANS

German Cross Oder and Capture Poles—Italian Troops Handle Rioters Roughly—Teuton Citizens Told to Defend Selves in Silesia.

OPPEL, Upper Silesia, May 10.—(By the Associated Press.)—Insurgent Polish forces have crossed the Oder and captured the town of Kosel after hard fighting. The population is fleeing in panic.

The French colonial officer took refuge in the Kosel barracks and the Poles opened fire on him there, according to inter-allied commission reports.

Numerous casualties are reported to have occurred at the Krandzin railway station when the Poles drove out the Germans after three days of continuous fighting.

RATIBOR, Upper Silesia, May 10.—German patrols crossed the Oder river into Upper Silesia just before daylight yesterday and captured several Poles, one of whom was suspected of killing a number of Germans.

The leader of the patrol, a German civilian, 23 years old, said the Poles had admitted the killing. When asked what he was going to do about it, the patrol leader said:

"He was taken ten paces away and two men were detailed to attend to him,—he disappeared, but probably could be found floating down the Oder."

Italian troops here declare that they have lost severely in the fighting with Polish insurgents and appear to be greatly incensed. They are declared to be showing unkindness toward Polish prisoners who are handed over to the Italians by their German captors.

Ammunition has been received from Breslau and from Oppeln and German citizens are being armed and told to defend themselves.

BASEBALL SCORES

American	
DETROIT, May 10.—Babe Ruth hit home run number nine in the first inning today, one runner being on base at the time.	R. H. E.
Boston.....	1 6 2
Chicago.....	4 10 0
Batteries: Bush, Russell and Ruel; Faber and Schalk.	
R. H. E.	
New York.....	3 7 0
Detroit.....	1 5 0
Batteries: Mays and Schanz; Middleton, Holling and Bassler.	
R. H. E.	
Washington.....	9 14 1
Cleveland.....	7 12 2
Batteries: Shaw, Acosta and Ghartry; Hagby, Caldwell, Odenwald, Uhle and O'Neill, Nunamaker.	
R. H. E.	
Chicago.....	6 8 0
Philadelphia.....	2 7 3
Batteries: Alexander, Freeman and O'Farrell; Baumgartner, Keenan, Weintert and Peters.	
National League	
R. H. E.	
Cincinnati.....	2 8 2
Brooklyn.....	6 11 1
Luque, Napier and Hargrave; Reuther and Miller.	
R. H. E.	
Pittsburgh.....	5 9 1
Boston.....	2 9 0
Cooper and Schmidt; Oeschger, Scott and O'Neill.	
R. H. E.	
St. Louis.....	7 15 2
New York.....	6 14 3
Pertica, odwin, North and Dillehoefer; Nehf, Sallee, Ryan and Smith.	

M'NAMARA FREE, CENTRAL FIGURE IN "TIMES" CASE

Good Behavior Shortens Term—No Comment at Liberty—Brother Serving Life for the Same Crime—Review of Events That Stirred Nation.

SAN QUENTIN, Cal., May 10.—John J. McNamara was released from the state penitentiary here today after serving a term of nine years and five months for the dynamiting of the Llewellyn Iron works in Los Angeles in 1910. He was sentenced to serve fifteen years, but earned the maximum reduction of sentence by good conduct.

Two men friends came to meet McNamara as he left the prison at 7 o'clock. Prison officials said he made no comment when he was freed.

John J. McNamara, former secretary of the International Association of Bridge and Structural Iron Workers, was sentenced to fifteen years imprisonment in San Quentin penitentiary, October 5, 1910.

James B. McNamara, brother of John, who was being tried jointly with the latter, pleaded guilty to murder and was sentenced to life imprisonment. The state alleged the McNamaras conspired with others to blow up the Times building and that the plot was being a dynamite bomb in the rear of the structure. Twenty employees of the Times were killed in the destruction of the building.

It was alleged the motive for the crime was that the Times had taken the side of the Llewellyn Iron Works during a strike of structural iron workers there, and that the accused was also concerned in an attempt to blow up the Llewellyn plant.

The McNamaras were arrested in the east after Otto E. McManigal, an alleged accomplice, made a confession. McManigal was the principal witness of the trial, which came to a dramatic end when the accused men offered to make pleas of guilty if assured they would escape the death penalty.

Twenty other alleged accomplices were arrested and received prison sentences in California. Thirty-nine other persons who had been associated with the McNamaras in Indiana, were convicted of conspiring to transport dynamite, in the federal court at Indianapolis. These cases followed statements by McManigal to the effect that there had been a country-wide dynamiting of bridges and other structures on which non-union workers had been employed.

The remaining indictments against John McNamara in Los Angeles have been outlawed, but it was said here he might possibly have to face charges in Indianapolis upon his release.

GIRLS, 4 SOLDIERS HELD FOR SLAYING TAXICAB DRIVER

TACOMA, May 10.—Two young women, Lorraine Spencer, 19, and Nellie Killman, 23, were arrested by the police here today in the belief that they can disclose the identity of two men, believed to be deserters from Camp Lewis, who killed Karl Timbs, 23, a taxi driver, six miles north of Seattle Sunday night.

The body of Timbs was found yesterday afternoon and the slayers are believed to have fled to Canada in their victim's enclosed car.

The two girls, the police say, were recently passengers in Timbs' car with the soldiers.

SEATTLE, May 10.—Four alleged army deserters from Camp Lewis, Wash., wanted in connection with the slaying of Karl A. Timbs, Tacoma, Wash. taxicab driver, were arrested at Snoqualmie Pass in the Cascade mountains east of Seattle this morning, according to a message received at the sheriff's office here. The men were driving Timbs' automobile in which they were alleged to have fled after the killing.

The men, James Pack, Ed E. Filson, George W. Sharp and another whose name was not given, are being brought to Seattle by deputy sheriffs.

Wisconsin Bob Opens Fire Upon Harding's Policy in Europe

WASHINGTON, May 10.—A resolution condemning President Harding's action in the appointment of American representatives to the allied councils in Europe was introduced in the senate today by Senator LaFollette, republican, Wisconsin.

Senator LaFollette's resolution, the first open outbreak of republican dissatisfaction with the American policy, proposed a declaration by the senate "that it is contrary to American ideals and traditions for the government of the United States to participate in any manner" in the allied councils.

The Wisconsin senator introduced his resolution after assurance had been given to President Harding today that there was little criticism among republican senators over the appointments and that the opposition of a small number of republican senators was not serious.

LABOR RECOGNITION OF SOVIET RULE REFUTED BY DATA

CINCINNATI, May 10.—The executive council of the American Federation of Labor in session here today was preparing information and data to be placed before the federation's annual convention in Denver to show that organized labor of this country cannot afford to support any movement to recognize the Russian soviet government.

President Samuel Gompers presented a large amount of information on this subject including a letter from Secretary of State Hughes regarding the attitude of the department toward Russia. He also presented data purporting to show that the soviet government was persecuting trade unions. These communications will be included in the council's report to the delegates with recommendations.

The council will also take up the discussion of plans for a new drive against industrial courts and anti-labor legislation pending in congress and in several states.

FOREIGN EXCHANGE PRICES STIFFEN

NEW YORK, May 10.—Cables received today by international bankers from London and Paris indicating that Germany would accept the reparations ultimatum of the allies stiffened the local foreign exchange market perceptibly.

Active trading was reported in British bills, demand sterling selling as high as \$2.98 3/4 for small amounts, a record since April of last year when demand bills on London sold at \$4.07.

There was a moderate inquiry for Paris demand bills at \$8.41—a new high level since the loss of the war.

The German mark was quoted at 10.56, a gain of 1 1/2 points over yesterday's final price.

MISSING AUTO MAN FORFEITS HIS BAIL

PORTLAND, Ore., May 10.—Order forfeiting \$5000 bail for August Jung, former manager of the local office of an automobile truck company, was issued in circuit court today when Jung's attorney, E. V. Littlefield, said the defendant was in Mexico City. Trial of Jung, who was accused of obtaining money under false pretenses in double financing an automobile deal more than a year ago, had been repeatedly postponed. Littlefield said he had sent for Jung and that he expected him to return.

LOS ANGELES—Ted Thye, Portland, Ore., middleweight wrestling champion and Walter Miller of Los Angeles, former middleweight champion wrestled to a draw last night after 59 minutes and 23 seconds.

COLUMBUS—Stanislaus Zbyszko, world's champion heavyweight wrestler, has been matched with George Kotsanos, local Greek heavyweight, for a wrestling bout here next Wednesday night, it was announced today.

NORTHWEST FRUITMEN IN SESSION

Interstate Commerce Is Told Lower Rates Necessary, or Fruit Industry Will Perish—Rail Heads Ask Questions—Fear Decline in Value.

YAKIMA, May 10.—Ten witnesses were this morning before Henry J. Ford, representing the interstate commerce commission in the hearing about the fruit freight rates for the northwest. The fruit men mapped their campaign out carefully and are endeavoring to prove the existence of a financial crisis among the orchardists of the northwest. They contended that unless the rates for transporting fruit are materially lowered, there not only will not be any further development in the fruit industry, but the industry as it already exists will be gradually destroyed.

H. M. Adams, vice-president of the Union Pacific is questioning the witnesses on behalf of the railways. He is endeavoring to show that production costs during the last year or two are not normal production costs, and that they should not be taken as a basis in figuring future developments.

Witnesses heard this morning reported on the actual cost of producing fruit and on the investment which the average orchardist has. J. Curtis Robinson, Seattle, was the first witness called, and was followed by W. J. Urquhart, Yakima, manager of the traffic and credit association and Fred E. Wagner of Chicago. They deal with apples by the thousands of cars, and agree that the present status of the fruitmen is a critical one and that unless the growers have a profitable season in 1921 the big fruit industry of the northwest will begin to decline.

Fully 300 orchardists from the Yakima district are following the testimony, which is being presented in the Commercial club auditorium, with great interest.

HOPES U. S. AIDS IN GERMAN PAYING

NEW YORK, May 10.—Hope that the United States would stand fast with England in backing France in its determination to secure full reparations from Germany was expressed by Premier John Storey of New South Wales, who arrived yesterday aboard the steamship Cedric, enroute home from England.

The government of New South Wales, the premier added, has planned the building of a bridge across Sydney harbor, a three million pounds project, and the construction of a subway system for railway, tramway and vehicular traffic to cost six million pounds.

American contractors will be asked for bids on the latter project he said.

WAR PROFITEERING ORDERED PROBED

WASHINGTON, May 10.—President Harding has asked Attorney General Daugherty to investigate charges of profiteering in contracts and purchases made by the war department during the war.

Evidence developed by the house committee on expenditures in the war department, officials said today, has been referred to the department for inquiry.

A special investigation as a result of the president's request probably will be begun shortly.

ABE ATTELL NABBED BLACK SOX MESS

NEW YORK, May 10.—Abe Atteff former New York and San Francisco pugilist, indicted in connection with the Chicago baseball scandal was arrested today on a charge of being a fugitive from justice. He was held without bail.

Following arraignment in police court, counsel for Atteff served Detective James J. Coy, who made the arrest, with a writ of habeas corpus, requiring him to produce Atteff forthwith before Justice McAvoy.