

Maximum yesterday 46  
Minimum today 32

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

Fair.

MEDFORD, OREGON, FRIDAY, NOVEMBER 18, 1921

NO. 206

## BEER FOR SICK RULING KILLED IN SENATE

### MEASURE NOW UP TO PRESIDENT

Action Sets Aside Opinion of Palmer—Right to Search Homes for Booze Without Warrants Ditched—Wine for Sacraments Upheld.

WASHINGTON, Nov. 18.—The final legislative step for the outlawing of beer and of wine for other than sacramental purposes was taken today by the senate.

By a vote of 56 to 22 the senate adopted the conference report on the so-called anti-beer bill and the measure now goes to the president, the house having acted some time ago.

Twelve republicans and ten democrats voted against the conference report.

The republican opponents were Senators Brandegee, Dupont, Edge, Johnson, La Follette, Lodge, McLean, Penrose, Philippe, Shortridge, Wadsworth and Weller.

The democrats were Senators Broussard, Gerry, King, Pomerene, Ransdell, Shields, Stanley, Underwood, Walsh (Massachusetts) and Watson (Georgia).

Two others, Senators Reed, democrat, Missouri, and Moses, republican, New Hampshire, were paired against the bill.

Thirty-three republicans and twenty-three democrats supported the measure. The bill will set aside the ruling by former Attorney General Palmer, two days before he retired, advised the prohibition enforcement officials that there was nothing in the Volstead act, to prohibit the prescription of beer and light wines for medicinal purposes.

The legislation has been before congress since last June. The house accepted the compromise reached by the conferees in August, but there followed a bitter controversy in the senate waged by a small but determined group who contended that the bill struck a fatal blow at personal rights because it permitted search and seizure without warrants. The first draft of the measure provided for the search of private homes without warrants, but this feature was eliminated in conference.

The bill limits physicians to one hundred prescriptions for liquor each three months and specifies that not more than a quart of spirituous or vinous liquors, containing in the aggregate not more than one-half percent of alcohol may be prescribed for one person in ten days.

It also gives the courts of Hawaii and the Virgin Islands jurisdiction in the enforcement of the national prohibition act as well as the bill passed today.

WASHINGTON, Nov. 18.—Congressional action on legislation to prohibit the medical prescription of beer and other malt liquors was completed today through adoption by the senate, 56 to 22, of the conference report.

The legislation which would also put additional "teeth" in the nation's prohibition enforcement code, now goes to the president, the house having acted last August.

### CONGRESS WILL NOT ACT IN ARMS CUT TILL PACT FRAMED

WASHINGTON, Nov. 18.—(By Associated Press.) Congress would not be called upon to act on any armament reduction program in the view of the administration, unless the agreement reached was put into effect in the form of a treaty.

The warships to be scrapped, administration officials declared, could be disposed of without congressional action under the existing law that a vessel no longer useful may be disposed of.

So far as the questions of the Far East are concerned, it was indicated clearly the administration believed an "understanding" of policy would result rather than a formal treaty.

CHICAGO, Nov. 18.—Roger Conti, champion of France, defeated Edward Heremans, champion of Europe 490 to 165, in five minutes in the world's 18.2 ball line billiard championship tournament this afternoon.

### Friendship Plead As Reason for Help Given in Mail Fraud

PORTLAND, Nov. 18.—C. Roger Arundell, special federal attorney, testified today in the trial of John W. Todd, on a charge of using the mails to defraud that Todd told him he had never received anything, and never expected to receive anything for his efforts in inducing a long list of Salem people to turn over \$500 each to Carlos L. Byron, alleged timber locator, as partial payments for timber claims.

"Todd said that it was his friendship for Byron that induced him to his activity," Arundell testified.

### JAPAN CAUTIOUS WANTS BEST OF NAVY SCRAPPING

Public Looked to 'Moral Balance of Power'—Chance for Amicable Adjustment—Concessions On Fortifications of Pacific.

WASHINGTON, Nov. 18.—(By the Associated Press.)—Evidences were given in high official quarters today that the American delegation to the armament conference regarded the relative strength of navies as fixed in the American reduction proposal as a fundamental principle, the alteration of which might seriously affect the whole negotiations.

Although declining to comment on Japan's request that her relative strength be increased, American officials pointed out that the ratio was a national result of applying the principle that the present strength of navies should be preserved in any reductions agreement.

TOKIO, Nov. 18.—(By the Associated Press.)—After the first enthusiasm over the anticipated relief of armament burdens, a spirit of caution has developed in Japan, with the inclination to look for a possible advantage to the United States in its proposal for a ten year naval holiday and limitation of navies. Expositions favoring a moral equal balance of power have become the conspicuous public note concerning the scheme, with the probable disturbance of labor conditions as a secondary consideration.

The sacrifice of warships aggregating 450,000 tons by Japan would be equal to the scrapping of 1,500,000 tons by the United States, Japanese analysts declare, on the ground that in an emergency the United States could replace her lost tonnage within a third, or even a fifth of the time required by Japan.

It is pointed out that the American proposals would leave the United States five capital ships constructed between 1914 and 1916, while with the exception of the Nagato, Japan's would all be of the period prior to 1913.

It is admitted that the Japanese navy would be superior to the American in speed through the elimination of cruisers, but the experts declare that in all else the plan would favor the United States. Some members of the admiralty are credited with expressing the belief that the Japanese fleet should aggregate 60 per cent of the American total. Naval writers, expressing the opinion that the United States will not take the position that its proposals are not subject to amendment, see a fair prospect for an amicable adjustment.

Concessions by the United States in regard to the Pacific fortifications as an offset to what is generally coming to be regarded as the unfair ratio of naval strength are suggested by Baron Toshiatsu Sakamoto, an influential member of the house of peers, in an article in the Asahi Shinbun.

He declares that the ratio should be twelve battleships for Japan to eighteen for the United States instead of ten to eighteen. He says further that under the Hughes plan, with Japan retaining only one of the super-dreadnaught type, the Nagato, against

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### CHINA WANTS TO RULE SELF AND NEEDS FINANCES

President Changs Tells Lord Northcliffe of Nation's Hope—Commercial Interests Put First—War Cut Off, Markets and Money Cripples.

PEKING, Nov. 17.—(By the Associated Press.)—China's desire to manage her own affairs without interference from other countries was voiced in interviews granted today to Lord Northcliffe, noted British publicist by President Hsu Shih-Chang and Premier Chin Yun-Peng. Both emphasized their nation's need of money and both likewise asserted that China was solvent and able to win her way through if given the opportunity.

Premier Chin declared that China was looking for the Washington conference to give her tariff autonomy.

The president, who received Lord Northcliffe at his palace, said: "The opening of the Washington conference has been marked by many suggestions advocating foreign control in China, but such procedure would only cause further difficulties and trouble. The Chinese people should be allowed to solve their own internal problems. China's present troubles should be regarded by foreigners not only as peculiar to China, but as the natural step in the evolution of the government established when the monarchy was overthrown, after having been endured for centuries. Similar difficulties were experienced in France after the revolution and England and the United States also had long periods of acrimonious unsettlement before stable administrations were completed."

China would like foreign nations to regard the development now proceeding with understanding and sympathy. The interest of foreign powers in China is chiefly commercial and helpful criticism of China and a determination on the part of the powers to give her fair play would aid materially in her commercial expansion and create business opportunities of importance.

China's present financial difficulties are aggravated by the conditions which have obtained since the termination of the war. During the war foreign buyers operated largely in the China market and were large purchasers of Chinese products. Since the war these purchases have materially diminished and China has not yet been able to make up the deficiency. She has not contracted any foreign loans during the last three years of any considerable amount. Also there has been no particular investment here of foreign capital, and this, coupled with the decrease in trade of such staples as silk, tea, and the like, is responsible for little capital coming into the country.

"China is in financial difficulties, but they are not insurmountable, and steps are now being taken by the government which will enable the country to return to its normal state within a reasonable time despite the troubles between the north and south. These are expected to be adjusted in due course."

"Some foreign newspapers have pointed out that the differences between the north and south are not differences between the people of those sections, but between persons desiring to serve their own ends, and this view is correct. The people of China are sound."

Following his audience with the president, Lord Northcliffe interviewed the premier.

### BANK ROBBER ON WAY TO TRIAL

BUTTE, Mont., Nov. 18.—Clay Perkins, arrested here yesterday on a charge of being implicated in the robbery of the State Bank of Roy, near Tacoma, will be taken back tomorrow. The warrant for his arrest was received by the sheriff today and he has waived extradition. The warrant charges robbery of \$2,800. Mrs. Perkins will go back at the same time.

MEXICO CITY, Nov. 18.—Newspapers here cite as evidence of President Obregon's democracy his recent attendance at the annual dinner of the local waiters' union at which he made an extended address. Several members of the president's cabinet also attended.

### 5 WOMEN LEFT ON JURY THAT WILL TRY FATTY

Alternate Juror Chosen—Court Adourns Till Two When Prosecution Will Make Their Opening Statement—Witnesses Assembled.

SAN FRANCISCO, Nov. 18.—A jury was selected today after four and one-half days of questioning, to try Roscoe C. (Fatty) Arbuckle for manslaughter in connection with the death of Miss Virginia Rappe, motion picture actress in this city September 9. The district attorney said he would make his opening statement at two p. m.

Five women and seven men were named on the jury. Gavin McNab, chief defense counsel, said that he had tried throughout the questioning to have it "six and six" or six women and six men, but that he had "slipped up" at one stage of the questioning, with the result that the men were given a margin of one. An alternate juror also was selected.

Percy Henderson, auditor of the board of public health, has been summoned as the first witness. He is expected to take the stand at the cessation of the prosecution's opening statement today. He will introduce physicians' reports made to the board regarding the nature of the injuries which caused Miss Rappe's death. According to the prosecution he will be followed on the stand by Dr. Shelby P. Strange, city autopsy surgeon, who performed the official autopsy on Miss Rappe and by Dr. William Ophuis who attended Miss Rappe in the period of her fatal illness.

All sides seemed to be satisfied with the jury, the defense and his wife, Mrs. Minnie Durfee Arbuckle expressing particular satisfaction. The possibility of its final selection, however, aroused no new general interest toward the case.

A motion for recess was granted after the jury selection to allow photographers to snap them but the jurors declined to have their pictures taken. Arbuckle seemed visibly relieved at the conclusion of the selection of jurors. He smiled widely several times and chatted with those about him in a carefree manner.

Miss Lizette Ryan, matron of the county jail was sworn in to take charge of the woman jurors.

SAN FRANCISCO, Nov. 18.—The jury in the manslaughter case of Roscoe C. (Fatty) Arbuckle was finally selected at 10:15 and sworn by the clerk.

The names of the jurors and their occupation are as follows: August E. Fritze, cotton goods merchant.

John J. H. Dierks, confectioner. Henry J. Reef, expert accountant. Mrs. Helen M. Hubbard, housewife. Mrs. Kitty L. MacDonald, housewife. William H. Torpey, retired livery stable proprietor.

Mrs. Dorothy B. O'Dea, housewife. Miss Louise E. Winterburn, no occupation. Arthur H. Crane, explosive expert. Clarence C. Syre, contractor. Mrs. Adelaide M. Nelson, housewife. Thomas Kilkenny, candy dealer.

The court called for the selection of an alternate juror. Andrew S. Milnovich, restaurant keeper, was called for examination. Milnovich, the first prospective juror called, was excused for having an opinion. Stephen A. Hopkins, a paper merchant, was called in his place. Hopkins was accepted as the alternate and finally sworn. A recess of ten minutes was obtained.

The court excused all prospective jurors not called. More than ten left the courtroom. The bailiff was sworn to take charge of the jury. Court then recessed until two p. m., at which time Leo Friedman, assistant district attorney is expected to make the opening statement for the prosecution. The jury refused to be photographed.

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### BUSINESS MENDS BY CRITICAL ERA, SAYS E. H. GARY

Steel Head Belittles Claim That Arms Limit Will Hurt Industry—Would Mean Prosperity—High Costs Delay Economic Restriction.

NEW YORK, Nov. 18.—Negotiation of a treaty which would prevent future wars was urged, in conjunction with an agreement to limit navies, by Elbert H. Gary, chairman of the board of the United States Steel corporation, in an address today before the American Iron and Steel Institute, of which he is president. He also belittled the suggestion that armament limitation would reduce the manufacture of steel, saying the thought was unworthy of even a passing notice. Business was improving, he said, but there must be further adjustments.

"With an agreement for the limitation of capital ships," he said, "it would not seem to be practical to stop with less than a final treaty which will prevent future wars. In addition to what is contemplated by the limitation of armament, there should with other things, be an understanding that if any international differences arose no resort to military force should be permitted until after the full discussion of all nations now participating in the deliberations at Washington."

"President Harding and the four selected, able and experienced representatives of this country, will energetically and persistently strive for an agreement. The benefits which would be derived by reason of all nations living under peaceful conditions as compared with military conflicts, are beyond calculation," he said. "If means for the firm establishment and maintenance of peace can be found and generally assented to, it will mark an epoch of the greatest business prosperity, as well as the largest measure of happiness that the world has ever witnessed. We should be thankful that this conference has been called."

Failure of the conference, he said, was unthinkable. An adverse outcome would be intolerable and those responsible for it would be repudiated and everlastingly condemned. Mr. Gary said it seemed to be generally conceded that business conditions throughout the country for the last six months had been steadily, if slowly, growing better. The volume of business in the steel industry had more than doubled in the last ninety days, he said, though profits had been little or nothing, due to high costs and low prices. Of the country's business outlook he said:

"Even though we now have past the most critical period in our recovery, I still think we would not be warranted in concluding we have arrived at the point where we can with certainty predict the exact time when there will be a return to a normal financial, commercial and industrial basis for the world's economic structure has been terribly shaken by adverse winds during the last few years. There must be further adjustments."

"The delay in complete restoration of a sound and satisfactory economic condition and activity in this country is largely due to costs—high costs of living, high costs of production and transportation and high costs of owning and earning money or is equivalent."

### POPE BENEDICT IN MESSAGE OF HOPE

WASHINGTON, Nov. 18.—(By the Associated Press.)—Pope Benedict in a cablegram to President Harding has expressed the hope that Almighty God may "grant a happy issue to the initiative taken by the chief magistrate of the great American republic to tranquillize the trepidation of humanity."

Dresel Confirmed. WASHINGTON, Nov. 18.—The nomination of Ellis B. Dresel to be American charge d'affaires at Berlin was confirmed today by the senate.

### Arkansas Cyclone Is Death Angel to Aged Lady, Children Hurt

HOT SPRINGS, Ark., Nov. 18.—Two deaths are reported in a tornado which swept the rural sections twenty miles east of Hot Springs last night. Mrs. Jennie Walls, aged 70 and a justice of the peace of Hot Springs county by the name of Lawrence, were killed when the twister struck near Magnet Cove and Lonsdale. Several children of Ed Walls, son of the woman killed, were injured.

### OREGON FAVORED TO BEAT O. A. C. GRIDIRON CLASH

Fight to Be Hard With Unexpected Vital Factor—Eugene Strong at End, After Poor Start—Twenty-Fifth Annual Game.

PORTLAND, Ore., Nov. 18.—Dopsters trying to figure out how the Oregon Aggies and University of Oregon teams will perform in their annual battle at Eugene tomorrow have raked up gridiron history and have referred to this year's record of the ancient rivals only to come to the conclusion that the fight will be a hard one with the chances unexpected may upset calculations. What edge there is either way seems to rest with Oregon, said one commentator but he admitted it was no use trying to prophesy.

When the Aggies meet Oregon on Hayward field tomorrow it will be their 25th game in 27 years. Oregon has won 15 of the 24 games so far played, to only four for the Aggies. Five others have been ties, including last year's sensational game when the Aggies came within one foot of slipping over a touchdown on Oregon in the last few minutes of play.

The Aggies this year got away to a great start and then luck failed in two games. Oregon made a poor start and then played a remarkable 7-7 tie against Washington State, which the following Saturday beat the Aggies 7 to 3.

### MARSHAL FOCH TO PASS THRU CITY ON DECEMBER 3

SAN FRANCISCO, Nov. 18.—Marshal Foch will arrive in San Francisco from Portland, December 4 on his tour of the United States, the Southern Pacific company announced here today.

The marshal, in his special train of six cars, will leave Portland for the south December 2. He will remain here until the evening of December 4 and then leave for Los Angeles, arriving December 5.

General Diaz, the company also announced, will arrive here in his private car, from the east November 24. He will travel by way of Ogden.

### CHICAGO PRINTERS QUIT THEIR JOBS

CHICAGO, Nov. 18.—Five hundred typesetters working in trade composition plants in Chicago struck this afternoon shortly before Judge Torriani in circuit court was to hear an application for an injunction to restrain the Franklin association—the employing printers—from signing an agreement with the typographical union prohibiting subletting work to non-union shops. The injunction is asked by the trade composition association of Chicago.

### OPEN DOOR FOR CHINA FAVORED

Conference Adjourns Till Monday for Plenary Session—Committee Meetings Occupy Delegates—Japan Accepts Basis of Principles of China.

WASHINGTON, Nov. 18.—(By the Associated Press.)—China is opposed to the renewal of the Anglo-Japanese alliance and also desires the nullification of the Lansing-Ishih agreement. It was said authoritatively today at the headquarters of the Chinese delegation to the Washington conference. The question will be among those to be treated under the third of the ten Chinese points, it was said.

WASHINGTON, Nov. 18.—(By the Associated Press.)—The armament conference was called by Chairman Hughes today to meet at 11 a. m., next Monday for its third plenary session.

WASHINGTON, Nov. 18.—(By the Associated Press.)—With the arms conference in adjournment, the various national groups further developed in consultation among themselves today, the policies they will follow with respect to the Far Eastern questions and the limitation of national armament.

The British, following the lead of the French, let it be known that as a cardinal principle their attitude toward the Far Eastern situation they stood ready to perpetuate the "open door" in China, give up extra-territorial rights there as soon as China's development will warrant, and in general aid the Chinese people to assume a place of economic influence in the world. It was fully expected that Italy, whose interest is more remote, would take much the same position.

The Japanese having already declared their willingness to accept the Chinese declaration of principles "as a basis of discussion" were at work framing a more detailed statement of their position after communication with Tokio. There were indications that the extra-territorial phase of the situation would occupy a prominent place in such a statement. Japan taking the position that the powers cannot give up extra-territorial rights until the Chinese court system has been substantially expanded and reconstructed.

For the United States no one would speak authoritatively, officials only referring inquirers to the record of this government's past attitude toward China. The particular way in which these general principles are to be applied to the present situation probably will remain unrevealed until the negotiations have gone much further, although it is taken for granted that maintenance of the "open door" will remain a basic consideration in any American plan of procedure.

WASHINGTON, Nov. 18.—(By the Associated Press.)—Committee sessions of the conference delegates stood at adjournment today to give opportunity for preparation by Japan's delegation of a general presentation of that country's views in China's proposals of principles for settlement of Far Eastern questions at a committee meeting of all the delegations tomorrow.

Meanwhile committees of the British delegation pushed their work today of formulating in detail their position on both the American armament proposals and the Chinese Far Eastern program. Although preparations of the British point on the armament question, it is stated, will require two or three days yet for completion, the committee of naval officers of the five powers is carrying forward its consideration of the American proposal and is reported already to have made some progress. The committee also must take up modifications to be proposed by Japan permitting her to maintain a "general tonnage slightly greater" than the proposed present per cent ratio.

WASHINGTON, Nov. 18.—(By the Associated Press.)—

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