

MEDFORD MAIL TRIBUNE

MEDFORD, OREGON, THURSDAY, DECEMBER 29, 1921

NO. 239

The Weather

Maximum yesterday.....42
Minimum today.....31 1/2
Precipitation.....Trace

Predictions

Rain.

LIMIT USES NOT NUMBER OF AIRCRAFTS

U-Boat Warfare Under Civilized Methods Put Up to Arms Meet—Attitude of France Menaces Entire Plan Says London Press—Root Resolution Debated.

WASHINGTON, Dec. 29.—(By the Associated Press.)—Unlimited construction of aircraft, but sharp limitation of their use in war time are understood to be embodied in recommendations decided upon by the sub-committee on aviation of the armament conference. The report of the sub-committee was said to be ready for presentation to the meeting of the land armaments committee called for 3 p. m. today.

WASHINGTON, Dec. 29.—(By the Associated Press.)—A direct issue as to whether future submarine warfare shall be conducted under civilized rules was raised today by the American delegates before the arms conference naval committee.

The American delegates urged adoption of the Root resolution and won the support of Great Britain, but the French, Japanese and Italian delegates urged reference of the matter to a commission of experts.

The Root resolution, which would regulate use of submarines against merchant craft were the subject of spirited debate at the morning session. Action on them was postponed until further discussion could be had at an afternoon session.

LONDON, Dec. 29.—(By Associated Press.)—News of France's action before the Washington armament conference in refusing to accept an allotment of submarines of less than 90,000 tons was printed in the London newspapers today under captions indicating disappointment. Editorial comment, however, was scanty.

"President Harding is not likely to accept this rebuff and admit himself beaten by one European dissentient," says the Gazette, referring to the report that Mr. Harding may seek another conference: "In this he will have the cordial support of Great Britain and we believe ultimately of the great majority of European governments."

Says the Daily Chronicle: "It is useless to try to find pretty names for the plain, ugly fact that by the French action the great part of the world's hope for limiting naval expenditures and the dangers of competitive rivalry is defeated."

WASHINGTON, Dec. 29.—(By Associated Press.)—Its horizon clouded by many elements of uncertainty, the arms conference today entered a phase of its negotiations which will determine whether it is to be successful in imposing limitations on any class of war craft except capital ships.

The immediate proposal before the naval committee when it resumed its session was a plan of the American government to limit the tonnage of airplane carriers. On this proposition and on proposals to restrict the use of submarines and the size of individual warships of the auxiliary classes, the American delegation now pins its hope of amplifying the capital ship agreement but to which France yesterday attached a reservation as to replacements. Much attention centered about the proposals of Elihu Root, of the American delegation for limiting submarine operations, although it was indicated that no agreement on that feature was in sight.

The delegations all have indicated that they desire further instructions from their governments on the point, especially in view of Mr. Root's suggestion that use of under-water craft against merchant vessels be prohibited entirely and that submarine commanders who violate humane rules of warfare be liable to trial as pirates.

It was privately conceded in all quarters that the negotiations on remaining issues of the conference had not been made easier by yesterday's pointed exchanges in the committee session which heard France's final refusal to lay aside her submarine program.

The open declarations of Arthur J. Balfour of the British group and Albert Sarraut of France regarding future Anglo-French relations were talked of as forming an unusual chapter of diplomatic history and as bringing to the surface of the conference at least the embarrassments that have complicated relations between London and Paris ever since the armistice.

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Burch Resents Claim He Is Egotist, Flip, Is Closely Guarded

LOS ANGELES, Dec. 29.—Just before noon adjournment of the trial of Arthur C. Burch for the murder of J. Belton Kennedy here today, Burch grew first grave and then surly as the second witness called by the defense called him "conceited, flippant and self-centered."

Thus adding new terms to the first doctor's statement that he was "frivolous." Both said his conduct indicated insanity. Burch showed such marked unrest that for the first time since the trial started the bailiff who has him in charge took a place directly beside him.

FOOL BILLS OF SPECIAL SESSION GET VETO AXE

Gov. Olcott Declares That None of Them Warranted Even Consideration—Five House and Two Senate Measures Killed.

SALEM, Ore., Dec. 29.—Declaring them to be of such character as not to warrant their consideration at the special session of the legislature which closed last week, Governor Ben W. Olcott yesterday vetoed five house bills and two senate bills.

The house bills which fell under the ax included Carter's No. 16, increasing the exemption of taxation on inheritances; Hindman's No. 8, affecting terms of office; Belknap's No. 15, validating divorces and re-marriages of persons in counties other than that in which they live; Gordon's No. 12, providing for change in the charter of lodges that received their charters while Oregon was a territory, affecting principally the Masonic lodge of Eugene; Fletcher's No. 11, relating to voting by absent voters.

Eberhard's senate bill No. 16, to amend the budget act of 1921 validating certain special additional taxes, and Vinton's bill No. 16 relating to inheritance taxes, were also vetoed.

TROTZKY TELLS THE WORLD SOVIET IN MOOD TO FIGHT

MOSCOW, Dec. 29.—(By the Associated Press.)—The soviet army and navy now totalling 1,595,000 men, must not be reduced, but on the contrary must increase training and be prepared for war next summer in the event that outside foes carry out their plans to attack soviet Russia, declared Soviet Minister of War Trotsky in a fiery speech before the ninth all-Russian congress today.

Enthusiastic applause greeted Trotsky when he said the Japanese were aiding the white guard aggression in the Far East and added: "The impudent imperialistic beasts of prey must know that besides the four powers which have just concluded an agreement among themselves there is still a fifth, soviet Russia and the red army."

DETERMINE SEX OF BABE BY X RAY

NEW HAVEN, Conn., Dec. 29.—It is possible to determine the sex of an unborn infant by observation of the stage of the development of its bones by means of the X-ray, Dr. J. W. Pryor, of the University of Kentucky, told the American Association of Anatomists here today. He explained that the bones of the female ossify quicker than those of the male.

SEATTLE, Dec. 29.—Evidence has been discovered by federal agents here showing that thousands of gallons of alcohol have been obtained fraudulently on permits issued by the federal prohibition office in Seattle, Roy C. Lyle, prohibition director for Washington announced today.

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GOV. SMALL GOES ON TRIAL JAN. 9 COURT DECIDES

Nine of 13 Indictments Sustained—Allege Fraud With State Money—Sangamon County Clerk Arraigned for Altered Records Admissions

WAUKEGAN, Ill., Dec. 29.—The state this afternoon dismissed the charge of embezzlement against Governor Len Small.

Attorney Lefors for the defense objected and demanded the governor be given a trial. Judge Edwards nolleed the indictment and the only charge remaining against the governor is that of conspiracy to defraud the state.

WAUKEGAN, Ill., Dec. 29.—(By Associated Press.) Judge Claire C. Edwards of the circuit court of Lake county today upheld an indictment charging Governor Len Small with embezzlement of \$500,000 of state funds and nine of the thirteen counts of an indictment charging the governor, Lieutenant Governor Fred E. Sterling and Vernon Curtis, a banker of Grant Park, Ill., with conspiracy and operating a confidence game involving \$250,000 in state money.

The court ordered the governor to trial January 9 on the embezzlement charge.

Judge Edwards sustained the attorneys for the governor and Mr. Curtis in part by quashing an indictment charging them, together, with Mr. Sterling, with embezzlement of \$700,000, and quashed three counts charging conspiracy and the one charging confidence game in the other joint indictment. As a result Mr. Curtis will face trial only on the nine remaining counts of the conspiracy charge.

Although Mr. Sterling is not a party to the proceedings here, on a change of venue from Springfield, where the indictments were returned July 20, 1921, Judge Edwards' action will automatically kill the embezzlement charge against Mr. Sterling.

The court's decision, a 5000 word document which goes at length into the arguments of C. C. Lefors and other attorneys for the defendants in support of their motions to quash, was read in court this afternoon in the presence of Governor Small and Mr. Curtis.

The decision was marked by a scathing arraignment of Charles W. Byers, county clerk of Sangamon county, who admitted on the stand that he records of his office containing the minutes of the county board which selected the grand jurors who subsequently indicted the governor and his fellow defendants, had been altered.

"He was a willing witness," Judge Edwards said, "willing to commit perjury to face even the charge of falsifying the records of his office, in a word he showed a willingness to do whatever was necessary to be done to sustain these indictments."

Regarding the changing of the minute book the judge said "the court is of the opinion, however, that this effort was unnecessary."

After disposing of the defense motions and detailing his decision on each indictment Judge Edwards said in conclusion: "This is an important case from three standpoints: "First—From the legal principles involved, which have been so ably presented.

"Second—Important to the defendants to have an immediate trial, and; "Third—All important to the people of the state of Illinois, that their governor be either convicted if guilty of this offense, or if not that he be acquitted and permitted to give his attention to the duties of the high office which he now holds.

"Accordingly, believing that speedy justice is as much to be desired as exact justice; and without consulting the wishes of counsel on either side, the court of its own motion, hereby sets the first of these cases for trial on Monday, January 9, 1922, at 9:30 o'clock, a. m."

The charges against the governor and lieutenant governor and Mr. Curtis centered around alleged illegal practices during the term of Governor Small as state treasurer, 1917-1919; and the term of Lieutenant Governor Sterling as state treasurer, 1919-1921. The alleged illegal operations, according to a "special report" returned by the grand jury and made public by Judge E. S. Smith of Sangamon county consisted of the deposit in the "Grant Park bank" at Grant Park, a town of about 600 population in Kankakee county, a few miles from Governor Small's home, of sums of state money aggregating \$10,000,000 which was then loaned to Swift and company and Armour and company, Chicago pack-

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LIVING COSTS TO BE LOWERED BY PRICE PUBLICITY

Daugherty to Publish List of Costs and Up to State Attorneys to Adjust Conditions—Lowest Sugar Since War in New York.

WASHINGTON, Dec. 29.—Aid of the attorneys general of the various states will be relied upon by the justice department in an effort to readjust retail prices of the necessities of life Attorney General Daugherty said today.

While the department's investigation of retail prices has been completed Mr. Daugherty said, it was expected that the local authorities in the different states would take the necessary steps to remedy local situations while the department would act in cases where there were violations of the federal law.

Mr. Daugherty said that he expected to publish a table of the cost of necessities—food, fuel, shoes and clothing—to the consumer in different localities as compared with the production costs of these commodities. Publication of retail prices was expected to have a salutary effect upon prices he said.

NEW YORK, Dec. 29.—Prices for refined sugar declined to another new low record today when a local refiner reduced the list quotation ten cents to the basis of 4.06 for fine granulated.

SAN FRANCISCO, Dec. 29.—Refined cane sugar at the refineries here dropped from \$5.49 to \$5.39 today following reduced quotations in the New York market. This was said to be the lowest price in seven years.

STRICT OBSERVANCE OF VOLSTEAD ACT

CHICAGO, Dec. 29.—The annual report of the municipal courts of Chicago submitted today by James A. Kearns, clerk of the court, showed drunkenness had increased here last year. The report showed that 51,300 persons were arraigned for intoxication in 1921, as against 32,305 in 1920.

The report followed the action by the city council yesterday in declaring by a vote of 52 to 6 that prohibition had failed to prohibit and demanded that congress and the state legislature authorize the manufacture, sale and distribution of "wholesome beers and light wines."

31 DIE IN YEAR PORTLAND STREETS

PORTLAND, Ore., Dec. 29.—Thirty-one persons were killed in traffic accidents on the streets of Portland in the past fiscal year, according to the annual report of Captain Lewis of the police traffic bureau.

The Daily Bank Robbery

PEARL RIVER, N. Y., Dec. 29.—Four bandits shot and killed the assistant cashier and a clerk of the First National bank here today and escaped in an automobile after wounding a railroad guard. It was not known whether they obtained any loot.

HAWARDEN, Iowa, Dec. 29.—An attempt by a lone bandit to hold up passengers of a northbound Chicago, Milwaukee and St. Paul train here, was balked by Alec Porter, a brakeman, who grappled with the robber as the latter was searching Porter's pockets for valuables. The would-be holdup made his escape after forcing a passenger to pull the bell cord and stop the train.

STOCKTON, Ca., Dec. 29.—The Lockeford branch of the Stockton Union Savings bank at Lockeford, near here, was robbed today by an unmasked bandit, who forced the cashier into a vault and departed with a roll of one dollar bills.

The sum taken was nominal, bank officials said.

IMPORT DUTY ON CRUDE OILS IS BEFORE SENATE

Seek to Prevent Dumping of Foreign Products On American Markets—Fear Gasoline Price Raised—Western Railways Oppose Duty.

WASHINGTON, Dec. 29.—The fight for an import duty on crude oil, lost in the house, was renewed today before the senate finance committee but with proponents not agreed as to the rate desired.

Senator Herrell, republican, Oklahoma, opposed the rates proposed by Senator Curtis, republican, Kansas, 25 cents a barrel on crude and 25 cents on fuel oil. Harry H. Smith, of Tulsa, Okla., speaking for the Mid-Continent Oil and Gas association urged a rate of \$1 a barrel on crude and W. H. Gray of Tulsa, speaking for the National Association of Independent Oil Producers, urged that American producers be put on equal footing with those in Mexico, Colombia and Venezuela.

Mr. Gray said there should be a provision in the tariff law that "the duty on oil should equal the combined import and export taxes placed on petroleum by the countries exporting same to the United States."

Senator Smoot republican, Utah, indicated his opposition to a tariff that would shut Mexican oils out of the American market. Mr. Smith replied it was not the purpose to prohibit imports, but to prevent dumping of oil into the United States. He denied that the purpose of the tariff was to increase the prices to domestic consumers and said also that a duty ought not to increase the price of gasoline.

Mr. Gray in the course of his testimony said "the industry in the mid-continent field has from 70 per cent and 75 per cent shut down this year."

WHITE RUSSIANS TAKE Khaborask

WASHINGTON, Dec. 29.—Military forces of the "White" Russian government of Vladivostok have taken Khaborask, according to dispatches received at the state department today.

The dispatches, which came by way of Tokyo, stated that troops of the Chita government who had been holding Khaborask evacuated the town December 22.

The so-called "White" soldiers, who now are at grips with the forces of the Chita government were estimated to number not more than 3,000 and military experts profess the belief that they will be unable to maintain an extended line of communication such as the capture of Khaborask would necessitate.

AUSTRALIAN BUTTER FOR ATLANTIC COAST

SAN FRANCISCO, Dec. 29.—A freight train of 13 cars, loaded with 403,088 pounds of Australian and New Zealand butter recently received here, which left today for New York, Philadelphia and other eastern points, carried the largest shipment of butter ever sent by rail out of San Francisco, according to local dealers.

Of the total shipments of butter received a few days ago from the Antipodes, 700,000 pounds still remain temporarily in storage here.

Local butter prices on the dairy produce exchange still are falling under the pressure of the imported article, extra choice being quoted today at forty cents a pound as compared with 47 1/2 cents a little more than a week ago.

BUTTE MINES OPEN ON WAGE CUT

BUTTE, Mont., Dec. 29.—Mines and reduction plants in the Butte, Great Falls and Anaconda districts will resume the morning of January 16, it was announced today by all the local mining companies. Starting January 18 a horizontal wage decrease of 50 cents a shift will go into effect.

How to Keep River From Freezing Over Recited By Engineer

TORONTO, Dec. 29.—It is possible to prevent a river from freezing over by supplying a small amount of heat, the American Association for the Advancement of Science was told today by John Murphy, engineer of the Canadian department of railways and canals.

The Rock river in Illinois, a navigable stream, has been kept from freezing for five winters over 13 miles of its length by spilling tepid water into it at the rate of two barrels a second, he said.

Mr. Murphy explained that ice would not form when water was 1-1000 of a degree above 32 Fahrenheit.

FALL WHEAT SOWN 500,000 A. LESS THAN 1920 CROP

Kansas Is Heaviest Grower Below Average—Condition Not Normal—Rye Acreage and Condition Shows Increase—Revised Report.

WASHINGTON, Dec. 29.—Winter wheat was sown this fall on a smaller area by half a million acres than a year ago, the department of agriculture's report today showed. The condition of the crop on December 1 also was considerably below what it was a year ago and below the ten-year average condition by 13 points.

The area sown to rye is one-fifth larger this year than a year ago and the condition of the crop better than on December 1 last year and also better than the ten-year average.

Kansas, largest grower of winter wheat, with one-fourth the country's total area, has 190,000 acres less than a year ago, while the condition of the crop in that state is only 54 per cent of a normal compared with a condition of 88 per cent a year ago.

WASHINGTON, Dec. 26.—The area sown to winter wheat this fall is 44,298,000 acres which is 1.2 per cent less than the revised estimated area sown in the fall of 1920 which was 44,847,000 acres, the department of agriculture announced today. The condition of winter wheat on December 1 was 76.0 per cent of a normal compared with 87.9 a year ago and was 85.2 two years ago and 89.0 the ten-year average.

The area sown to rye is 5,184,000 acres, which is 22.6 per cent more than the revised estimated area sown in the fall of 1920 which was 4,228,000 acres.

The condition of rye on December 1 was 92.2 per cent of a normal compared with 90.5 a year ago, 89.8 two years ago and 90.3 the ten-year average.

PERU WANTS ROW WITH CHILE PUT UP TO PRESIDENT

LIMA, Peru, Dec. 29.—(By the Associated Press.)—Peru in a new note to Chile proposes that the president of the United States be asked to act as final arbitrator of all differences between the two countries, no appeal being allowed from his decision. The note is in reply to Chile's communication accepting the principle of arbitration and the plan that each country name a plenipotentiary to meet in Washington to establish the "basis and purpose" of arbitration.

The Peruvian reply proposes that each nation, before naming a plenipotentiary, cable to Secretary Hughes, soliciting the consent of the United States for holding the negotiations in Washington and also asking President Harding to act as arbitrator.

ROME, Dec. 29.—(By Associated Press.)—The Banco di Sconto closed its doors this morning following the announcement by the government of a modified moratorium permitting the suspension of payments on the obligations of certain corporations through court decree. The bank, profiting by the announcement, suspended payments pending court proceedings.

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WORLD FAIR UP TO STATE SAYS MEIER

1925 Exposition Head Says No Action Unless State Helps—No Legal Action—Test Legality Before Going Upon Primary Ballot for Decision of People.

PORTLAND, Ore., Dec. 29.—The 1925 exposition committee is awaiting developments as to the fate of the bills passed by the special session of the legislature before determining any future step, Chairman Julius L. Meier announced today. He indicated that no legal action will be taken to compel either the president of the senate or the speaker of the house to sign the bills, but that court action may be taken later to test the legality of the measures. If they are upheld they will go on the ballot to be voted on by the people at the May primary election.

"It is certain," he said, "that the exposition will not be held without a portion of the funds being raised by tax either on gasoline or some other source outside the city of Portland."

Mr. Meier announced that the Oregon 1925 State-wide executive committee would be convened as soon as something develops which should be placed before it for consideration.

MAN SOUGHT FOR ATLANTA MURDER WRITES TO PAPER

ATLANTA, Ga., Dec. 29.—Belief of Atlanta police that J. B. Satterfield of Seattle, Wash., wanted in connection with the killing here Tuesday of his brother-in-law, Robert H. Hart, formerly of Albuquerque, N. M., is still in this vicinity, was strengthened today, when a letter purporting to have been written by Satterfield was received by an Atlanta newspaper. The letter was left at the newspaper office by an unidentified person last night, it was stated.

In it the writer declares he came from Seattle to Atlanta not to commit a crime but to compel Hart, who acted as administrator of the estate of Mrs. Satterfield, Hart's sister, to turn over \$2500 each of Satterfield's two daughters, now living with an agent in New Mexico. Threats also are made "if a full settlement is not made."

Members of the Hart family, according to the police, identified the handwriting in the letter as that of Satterfield, who formerly was employed in a Seattle shipyard.

PROSPECTS IRISH PEACE INCREASE

LONDON, Dec. 29.—(By the Associated Press.)—The majority of English newspaper correspondents in Ireland see in the growing volume of sentiment for the peace treaty an indication that ratification will go through any soon after the Dail Eireann reconvenes next Tuesday. Some predict that a vote will be taken as early as Thursday, January 5.

LISBON REDS BLOWN UP BY OWN BOMBS

LISBON, Dec. 29.—(By the Associated Press.)—Two persons were killed and five others wounded today through the explosion of bombs which it is alleged were being manufactured in a building belonging to the Lisbon general confederation of labor. Some arrests followed. The government is maintaining order and the elements from which violence was feared by the authorities are under surveillance.