

5000 CIRCULATION
(25,000 READERS DAILY)
Only Circulation in Salem Guaranteed by the Audit Bureau of Circulations
FULL LEASED WIRE
DISPATCHES
SPECIAL WILLAMETTE VALLEY NEWS SERVICE

The Daily Capital Journal

Weather Report
Oregon: Tonight and Saturday fair, probably rain west portion; moderate southerly winds.

FORTY-SECOND YEAR NO. 38.

SALEM, OREGON, FRIDAY, FEBRUARY 21, 1919.

PRICE TWO CENTS

ON TRAINS AND NEWS STANDS—FIVE CENTS

SHERMAN DOESN'T WANT PRESIDENT TO MENTION LEAGUE IN BOSTON TALK

Recognizes Resolution Introduced By Illinois Senator To Be Retaliation For Wilson's Request That Congress Refrain From Discussing Society Of Nations Until After White House Dinner.—Borah Decries Popular Vote On Big Peace Question.

Washington, Feb. 21.—A resolution requesting President Wilson not to discuss the league of nations at Boston was introduced in the senate today by Senator Sherman, republican, Illinois.

The resolution sets forth that "it is the belief of the senate that public discussion by the president of the draft of the league of nations constitution before consulting the foreign relations committees of the house and senate and communicating to them all material facts in his possession, is unwise, undiplomatic and calculated to promote discord and misunderstanding between the treaty-making powers."

The president "is requested not to discuss the treaty until he has talked to the committees and to congress."

The preamble of the measure says the senate is as much a part of the treaty making power as the president and that it is not to be taken into his confidence respecting the league.

Sherman intends to speak on his resolution later. It was generally regarded in the senate as retaliation for the president's request that congress refrain from discussing the league until after the white house dinner.

Borah Asks People's Vote

Senator Borah today demanded that the American people be given a vote on the league of nations constitution before the government binds itself under the compact.

In a speech to the senate Borah warned that if the people are not now afforded this opportunity to express their unclouded opinion, "they will make the opportunity later to speak their mind."

"This plan involves in my opinion, a change in our constitution. That kind of question should be submitted directly to the people. We, their agents have no authority to decide it for them. If we do decide it, we will assume a greater responsibility than we ought."

A referendum involves difficulties, he knew, but they are not insurmountable and by no means comparable with the importance of being right and in harmony with the people. The league cannot succeed unless it has behind it the intelligent and sustained public opinion of the people of this nation.

"I concede the right of the people to make such changes as they see fit, upon full information as to the facts. But when a radical departure from established policy is proposed, I am sure even the advocates of this plan will agree that the people's voice should be heard."

ROAD BONDING BILL GETS PAST SENATE

As Soon As Government Signs Measure, Big Building Program Will Begin.

With only four votes against it, the senate yesterday afternoon passed the big \$10,000,000 road bonding bill, with the emergency clause attached. As soon as the governor signs the bill, the measure will be in effect and the highway commission may proceed with the biggest road building program ever projected in the state. The four senators who voted against the bill were Dimick, LaFollette, Pierce and Strayer.

An effort was made by Senator Thomas and some of his followers to take the bill into committee of the whole and strike out the words, "having regard to strength, durability and resistance to wear," which are of the same nature as the four famous words which caused the big fight over senate bill 97. Senator Thomas also stated he wanted to have the emergency clause removed.

The principal debate on the bill was made over his motion, which was lost by a vote of 6 to 24. After this motion was lost, several senators spoke for the bill and Senators Dimick and Pierce spoke against it, before the final vote was taken.

Personalities were omitted from the debate, except on two occasions, once when Senator Orton said that Senator Smith of Ohio was always engaging front on important questions, and again when Senator Thomas through the medium of a story called Orton a jackass. Various senators defended Senator Smith from the accusation, de-

(Continued on page eight)

PAVING PATENT OF WARREN COMPANY IS DECLARED INVALID

Attorney General George M. Brown Gives This Opinion To Legislature.

The bithulitic paving patent issued June 4, 1901 to F. J. Warren has expired and any one may use the patented process in building roads. This is the patent of the Warren Construction company which it is estimated has cost the state of Oregon \$2,000 a mile.

Attorney General George M. Brown, in giving his opinion to the legislature as to the present validity of the paving trust patent noted that it was issued June 4, 1901 and that patents expire in 17 years.

In answer to the request made the attorney general by the legislature as to whether the patent rights of the Warren people had expired and also as to whether the state highway commission could lay the Warren pavement without infringing on any rights granted under the patent, he said:

"Any patent runs continuously only 17 years. This provision has received consideration by the United States Supreme court in several decisions. It is self evident that more than 17 years have elapsed since the issuance of this patent and we cannot escape the conclusion that it has expired."

The attorney general then refers to several decisions on the point, one being that of the Singer Sewing Machine company against the Jane Manufacturing company in which the Supreme court holds: "It is evident that of the expiration of a patent, the monopoly created by it ceases to exist, and the right to make the thing formerly covered by the patent becomes public property. It is upon this condition that the patent is granted. It follows as a matter of course that on the termination of the patent, there passes to the public the right to make the machine in the form it was constructed during the patent."

Attorney General Brown adds: "As said by the court in the language quoted, the conclusion there expressed is self evident and would require the judgment of the highest judicial tribunal in the land to declare the same. But since it has been called upon and has done so, no other conclusion is possible."

The opinion of the attorney general gives the Highway Commission a chance to use the Warren patent. The Commission may do this without fear of involving itself in law suits as the legislature passed a bill providing that in case the Highway Commission should use the patented process, after the patent had been declared invalid, that the state would stand behind it in any civil action.

Hence, it may be expected that in all paving contracts hereafter, the question of royalty will not enter. It was upon the royalty to the Warren people that brought out the fiercest debates in the house and finally caused the house to pass a bill requiring that in letting contracts, the royalty was to be specified, and contracts let on materials and labor.

When the legislature convened, there was insistent rumors that the paving trust patent had expired. Finally these rumors became known to members of the house who were fighting the paving trust and the resolution was finally passed, asking the attorney general to give his opinion on the validity of the patents.

BREST IS ANYTHING BUT "PEST HOLE" STATES A CAMP INVESTIGATOR

Boys Are Billeted In Dry Tents Or Barracks—Don't Have To Wait For Mess.

By Lowell Mallett
(United Press staff correspondent)
(Copyright, 1919, by the United Press)

Brest, Feb. 21.—The mothers of America who are waiting for their boys to come home may rest assured that Brest is not a "pest hole" despite reports to the contrary. This assertion is based on official figures showing the sick and death rate here to be lower than in any other camp in France and on the results of a personal investigation by the correspondent.

Brest was selected as the chief port for the arrival of American troops in France primarily because it is the closest to the United States and the dangers of the submarines and mines were lessened in consequence. Its strategic and geographical advantage outweighed its climatic drawbacks. The city seems to fall overwhelmingly in Brest. The soft ground is unsuited to a mass of mud. But when rain and mud are mentioned, the worst is told.

A trainload of soldiers, arriving at Camp Pontanezon from the city, find Red Cross nurses waiting on the platform to serve them with hot chocolate before their hike to their billets, if it is in the daytime. If it is at night the soldiers are given a big supper at a kitchen capable of feeding 7000.

When they arrive at the camp proper they are billeted either in tents or barracks. These tents are floored, have stoves and are equipped with bunks securely fastened in the side walls. They hold six men, each receiving more air space than the regulations provide. When given their choice many newcomers prefer the tents to the barracks. The same is true of a part of the permanent garrison. There is no question of their warmth. The correspondent visited several on one of the coldest nights Brest has experienced this winter. This describes the condition the average trainload of soldiers find, but occasionally the failure of transport to arrive on time, resulting in crowding, causing emergency utilization of unfloored tents. In such cases the permanent troops turn out and collect duckboards from storehouses with which temporary floors are made. Before the big dock kitchen was completed the kitchen crews also used to turn out and get up meals for the newcomers, no matter what the hour.

BIRD RESERVATION AT MALHEUR LAKE IS CAUSE OF A WRANGLE

Dogs May Have To Wear Muzzles As Provision Has Passed Senate And House.

Malheur lake over in Harney county occupied almost the entire time of the Thursday evening session of the house and although a bill was passed in which it is proposed to make the lake a federal bird reservation, the chances are that it will be recalled and the bill defeated as it passed last night by a majority of only two.

It seems that the Swift people of Chicago have bought a tract of land near the lake and are preparing to drain and sell 80 acre farms to settlers.

It is also true that the lake, which is really mostly a swamp or marsh, is the great breeding grounds for birds in the northwest and especially those flying from Canada to California.

All the forces of the eastern Oregon representatives were lined up against turning the lake over to the federal authorities to make it a national game preserve and also those who were opposed to permitting the federal government to control additional Oregon lands.

To investigate the cost of milk production and diseases of dairy cattle, the house passed a bill appropriating \$5000. The money is to be handled by the state agricultural station with the Oregon Agricultural college. It is a well known fact that during the past year or so the dairy interests of the state have been losing out. But few have been making money and it is estimated that 50,000 head of cows have been sold to the stock market within the past two years, all from Oregon.

Dogs are likely to play in hard luck in Oregon, as the house concerned in the senate amendment on its dog bill and now the fate of the dog is in the hands of the governor. The bill provides that the question of dogs running at large without muzzles may be decided by a majority vote. In a county, 100 must sign a petition for an election. In an incorporated town, 20 can call the election and in a precinct, a petition signed by 15 is enough.

The bill provides that it shall be unlawful for dogs to run at large off the premises of its owner without a muzzle sufficiently strong to keep said dog from injuring any person, sheep, goat or other domestic animal.

There is also a provision that every dog in the state of Oregon must have a license tag to cost \$2 a year. The sheep interests of the state were active in having the bill passed. Muzzles will probably soon be in demand for dogs.

The bill providing that school teachers shall not enter into two contracts at the same time to teach with drawn in the house. Another bill however was passed some time ago providing that the teacher cannot take another school within 60 days of the time the contracted school is to begin.

To investigate crop pests, plant diseases and horticultural problems, a bill passed the house appropriating \$30,000. The experimental station of the O. A. C. will handle the money. There has been no appropriation for the work during the past four years.

A fish hatchery will be established on the Santiam either in Marion or Linn counties and another on the Willamette in Lane county, if the house bill passed yesterday gets through. For

General Disorders In Germany Are On Increase Recently

Communist Coal Miners Resolve Not To Return To Work Until Present German Government Is Overthrown.—Teuton Troops, Authorized By Marshal Foch Have Recaptured From Spartacans All Public Buildings In Eberfeld, According To Late Reports.

Basle, Feb. 21.—The general strike and attendant disorders in Germany are increasing, it was indicated in dispatches received here today.

After Spartacans had cut the railway from Eberfeld to Spa, government troops arrived at Eberfeld and defeated the revolutionaries, killing 17 and wounding 38. Spartacans occupied Bayreuth and forced the burgo-master to resign. Government forces are being concentrated south of Lippe and east of Bochum.

miners in the Ruhr district have resolved not to resume work until present German government is overthrown, according to the Frankfurter Zeitung. The strikers now total 150,000.

Recapture Spartacans

Basle, Feb. 21.—German government troops, operating with Marshal Foch's permission, have recaptured from the Spartacans all the public buildings in Eberfeld according to dispatches received here today. The fighting continued until noon yesterday, when, in agreement with the allies, the troops withdrew until this morning, leaving a guard to maintain order.

(Eberfeld is within the neutral zone, east of the Rhine.)

Spartacans were reported to have seized all the bullion reserves in the reichsbank of Muehheim.

Clashes in Berlin

Berlin, Feb. 21.—Mutinous sailors and government troops clashed in Munich when 60 sailors, armed with hand grenades attacked the building in which the Bavarian council was sitting, according to dispatches. The sailors retreated after two of them were wounded.

Want Uprising

Berne, Feb. 21.—The communist coal

Japan Plans To Compete For Freight Carrying Supremacy With More Ships.

Tokio, Feb. 6.—(By mail.)—Japan's plans to compete for trans-Pacific freight carrying supremacy were advanced greatly today in the announcement of perfected details for a company which will be Japan's biggest freight steamship concern.

T. Inada, managing director of the Ocean Transport company will probably be named managing director and auditor of the new corporation, which will be called the Taiyo Kaikan Kaisha of the Ocean Steamship company and will deal exclusively with freight.

The new firm, which will have its head office at Kobe, will have a capital of 20,000,000 yen. It has the backing of the Kaishu Steamship company and the Ocean Transport company, both large concerns with head offices in Kobe. It will put eight freighters in the trans-Pacific trade, six of 10,000 deadweight tons each and two of 5000 each. This fleet which will aggregate some 70,000 tons will be completed for the most part this year at a cost of something like 42,000,000 yen.

Keen Rivalry

"The indication," said Inada today, "pointed to the keenest rivalry ever waged between steamship companies and we must be in a position to compete on an equal footing with any of the other competitors in the trans-Pacific business. We are not unaware of the number of steamships in England, America and other nations that are gradually resuming their former oriental service. Nevertheless, it is our belief that shipping on the Pacific, as well as on the Atlantic, will be as prosperous in the future as it was before the war and probably more so."

Looking forward, therefore, I believe in the future of trans-Pacific trade. First of all, we must not overlook the growth of these various enterprises which sprang up in different parts of the Pacific coast of America in recent years, especially since the war. They are now importing a great amount of raw materials from China, India and the Pacific Islands. Siberia will be one of the centers for international economic strife, in which Americans will play an important part. In the coming peaceful war of commerce and industry, in fact, Siberia will be another, though perhaps, far greater, Alaska."

FOCH TO U. S. IN MAY

Phoenix, Ariz., Feb. 21.—Marshall Ferdinand Foch, allied generalissimo, will visit the United States in May, James A. Flaherty, supreme grand knight of the Knights of Columbus declared here today.

Flaherty is in Arizona visiting Knights of Columbus lodges.

WILSON TO RETURN TO FRANCE ABOUT MARCH 5

More Than Fifty Thousand Have Applied For Tickets To Hear Boston Speech.

Washington, Feb. 21.—The presidential ship George Washington will arrive in Boston by noon Monday, Secretary of the Navy Daniels announced this morning. The president plans to return to France, sailing about March 5, Daniels added.

The navy plans an aerial demonstration when the president arrives off the New England coast. Aircraft, probably including seaplanes and dirigibles, will be sent out from the Chatham, Mass. station to greet him. At least three destroyers will also go out to join the convoy.

Wireless messages from the president indicated that he will probably arrive in Boston Monday morning and stated that he desires to leave for Washington early Monday night so as to have a full day for transaction of executive business here Tuesday.

The president requested that ceremony in his honor be brief at Boston on account of the necessity of his early return to Washington. Some time Monday he will attend a reception in his honor given by the Massachusetts legislature. The president is expected to speak extemporaneously on the general subject of the league of nations. Wireless messages from him received today are badly garbled, due no doubt to the Atlantic gale. All that could be made out of one message was the words "anxiously awaiting."

ABE MARTIN



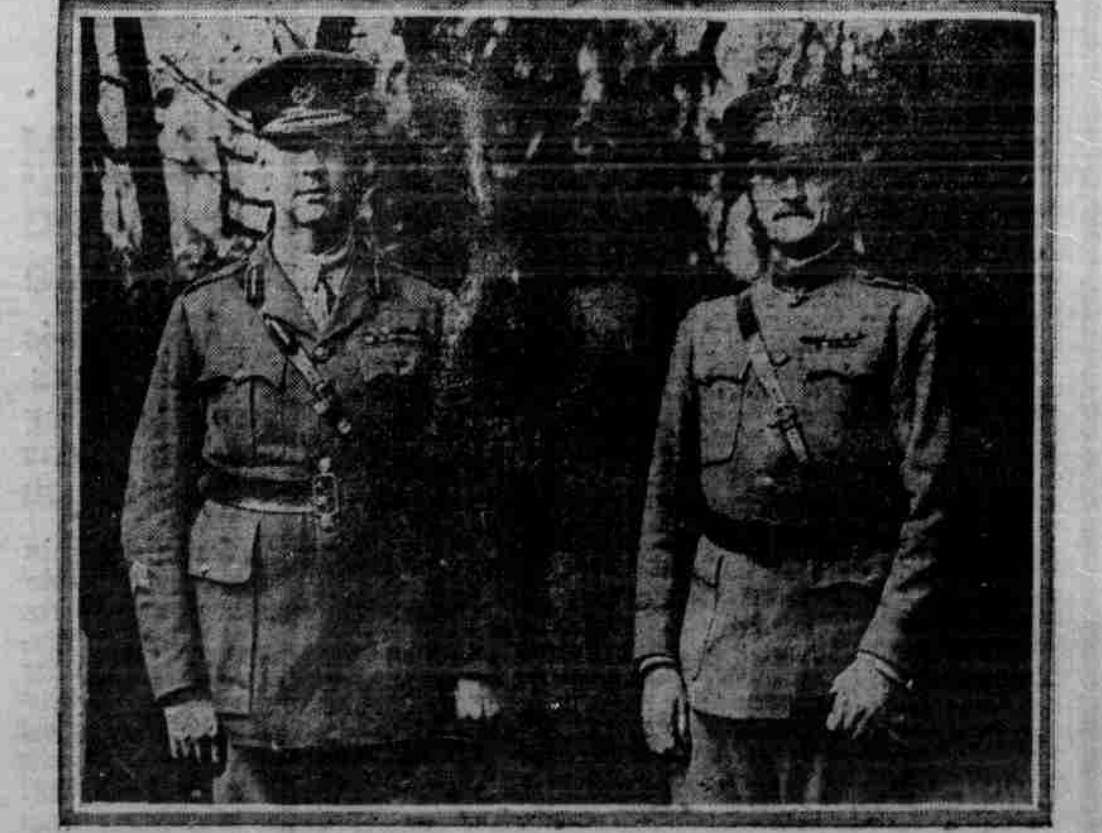
Wireless messages from the president indicated that he will probably arrive in Boston Monday morning and stated that he desires to leave for Washington early Monday night so as to have a full day for transaction of executive business here Tuesday.

The president requested that ceremony in his honor be brief at Boston on account of the necessity of his early return to Washington. Some time Monday he will attend a reception in his honor given by the Massachusetts legislature. The president is expected to speak extemporaneously on the general subject of the league of nations. Wireless messages from him received today are badly garbled, due no doubt to the Atlantic gale. All that could be made out of one message was the words "anxiously awaiting."

Many Want Tickets

Boston, Mass., Feb. 21.—More than 50,000 applications for admission to Mechanics Hall, where President Wilson will speak Monday, had been received at Mayor Peters' office today. The hall has seats for only 7500 at the most.

Tickets for the president's address will be distributed by a lottery, which will begin after five o'clock this afternoon.



TWO GREAT AMERICANS—Lieut. Gen. Sir Arthur Currie, of the Canadian Army, and our own General Pershing.

"PACKED IN OREGON" SHOULD BE ON CANS SAYS HOUSE MEMBERS

Also Propose Several Changes In Game Laws Now In Effect In Oregon.

Favorable action was taken by the house this morning on the bill introduced by Martin providing that canners shall label their goods showing that all canned fruits and vegetables packed in Oregon were Oregon grown.

Firms with headquarters in Oregon are to designate on the label the local address of the cannery or their main office address in Oregon. In the discussion it was stated that canneries in Salem label their finest peaches "Del Monte" and such, which is just a trifle too suggestive of California. Should the bill pass the senate and receive the executive approval, the canneries will have to add to the Del Monte label, "packed in Oregon." Then the eastern buyers and consumers cannot be fooled into thinking that Oregon's choicest fruits are grown in California.

The bill had the endorsement of the Salem Fruit Union and the state horticultural society.

A game code for Oregon is sought to be established in the game bill introduced and passed by the house this morning. Among the changes in hunting proposed are the following:

Open season for deer with horns in all counties west of the Cascade mountains, September 1 to October 31; game birds, such as ducks, geese, rails and coots, October 16 to February 15; big limit, 25 of such birds in any one day and not to exceed 30 in any seven consecutive days.

The present law provides that no female Chinese pheasant may be killed at any time. The bill of this morning in the house provides that three may be killed in any seven consecutive days. The bill is now up to the senate and executive approval before becoming a law.

The bill to correct certain social evils, especially in cities of the size of Portland was indefinitely postponed, thereby killing the bill. It was urged by the war department on training camp activities.

Portland may have a chance of a planning commission, that will have much to do in the future building of the city. Three bills introduced by the Portland delegation received favorable consideration.

John Almeter, who lost about \$12,000 in the building of the medical college in Portland, a branch of the University of Oregon, was allowed \$7,440.63. He took the contract just as the war broke out and he had difficulty in getting men as his regular workers went into the ship yards.

Any bull found running at large, which happens to be of the kind that is not registered, pure bred or of a recognized breed, may be taken up as an "stray" and sold according to law, according to a bill that unanimously passed the house today. It is also unlawful to turn such an animal on the commons of a county.

A probation officer may be appointed by a county judge in the provision of a house bill passed today. The same officer may be an authorized county

TRANS-PACIFIC TRADE EXPERIENCING BOOM SAYS FRISCO SHIPPER

Japan Plans To Compete For Freight Carrying Supremacy With More Ships.

Tokio, Feb. 6.—(By mail.)—Japan's plans to compete for trans-Pacific freight carrying supremacy were advanced greatly today in the announcement of perfected details for a company which will be Japan's biggest freight steamship concern.

T. Inada, managing director of the Ocean Transport company will probably be named managing director and auditor of the new corporation, which will be called the Taiyo Kaikan Kaisha of the Ocean Steamship company and will deal exclusively with freight.

The new firm, which will have its head office at Kobe, will have a capital of 20,000,000 yen. It has the backing of the Kaishu Steamship company and the Ocean Transport company, both large concerns with head offices in Kobe. It will put eight freighters in the trans-Pacific trade, six of 10,000 deadweight tons each and two of 5000 each. This fleet which will aggregate some 70,000 tons will be completed for the most part this year at a cost of something like 42,000,000 yen.

Keen Rivalry

"The indication," said Inada today, "pointed to the keenest rivalry ever waged between steamship companies and we must be in a position to compete on an equal footing with any of the other competitors in the trans-Pacific business. We are not unaware of the number of steamships in England, America and other nations that are gradually resuming their former oriental service. Nevertheless, it is our belief that shipping on the Pacific, as well as on the Atlantic, will be as prosperous in the future as it was before the war and probably more so."

Looking forward, therefore, I believe in the future of trans-Pacific trade. First of all, we must not overlook the growth of these various enterprises which sprang up in different parts of the Pacific coast of America in recent years, especially since the war. They are now importing a great amount of raw materials from China, India and the Pacific Islands. Siberia will be one of the centers for international economic strife, in which Americans will play an important part. In the coming peaceful war of commerce and industry, in fact, Siberia will be another, though perhaps, far greater, Alaska."

High Freight Rates Now

San Francisco, Feb. 21.—Trans-Pacific shipping is experiencing a boom, due to high freight rates, according to Stanley Dollar of the Robert Dollar company.

Freight rates are going down, Dollar told the United Press today and a lot of shipping concerns with big plans for additional freight ships are going to drop out of sight.

"Everything that goes up has to go down," said Dollar.

He said he had seen the Tokio story quoting a shipping man there to the effect that Japan's biggest freight steamship concern is about to be formed.

(Continued on page two)

(Continued on page three)

(Continued on page eight)

(Continued on page three)