

WEATHER:
Fair tonight and probably Tuesday; warmer in west Wednesday.
Year—No. 349

ORIGINAL REQUEST MADE FOR RAIL WAGE CUTS POLICE RESCUE KIDNAPED CALIFORNIA WOMAN

Abductors Trapped Through Cleverness Of Telephone Girl

Two Cousins Fall Into Clutches of Law After Mrs. Witherell Is Found Prisoner in Shack on California Sheep Ranch

LOS ANGELES, Cal., Jan. 31.—Mrs. Gladys Witherell, who disappeared from her home here last Tuesday, was found early this morning, a prisoner in a small house on a sheep ranch eight miles east of Corona, in Riverside county, about 70 miles southeast of Los Angeles, according to telephone messages to the Associated Press.

Mrs. Witherell was unharmed. Two men, who gave their names as A. J. and Floyd Carr, cousins, were arrested.

COUSINS CONFESS.

The discovery of Mrs. Witherell and the arrest of the two Carr men were effected by Los Angeles police and deputy sheriffs, who started for Los Angeles with the woman and the two arrested men.

The officers said the Carrs confessed they had lured toward the woman's father-in-law, A. J. Witherell, because of a transaction involving a loan; and that they kidnaped Mrs. Witherell to obtain revenue and ransom money, of which it was said, they had demanded \$20,000.

GIRL EFFECTS CAPTURE.

A telephone operator's quick wits led to the discovery of Mrs. Witherell and the Carrs' arrest. The operator, who had been called to the residence of O. S. Witherell and had denied making the call until the police had been sent to the pay station where they arrested A. J. Carr just as he was concluding a delayed conversation which he had promised relatives in a letter sent them Saturday.

CHLOROFORM FOUND.

The police said they found chloroform and other articles in his automobile which he had used in his attempt to kidnap the woman from home.

At the police station, Carr, it was said, confessed that he had spent Saturday night outside of Los Angeles, afraid to communicate with the Witherells as he had agreed by letter. Floyd Carr, according to the confession of his cousin, was the leader in the kidnapping.

WOMAN KIDNAPED.

The police said A. J. Carr told them that Floyd Carr went to the Witherell home last Tuesday night and told Mrs. Witherell a friend had been injured in an automobile accident and was calling for her.

Floyd Carr, according to the police, escorted her to an automobile, where A. J. Carr was waiting. When she refused to get into the car, she was chloroformed. They took her to a small house on a sheep ranch and put her in a room with only a cot and two blankets.

Mrs. Witherell told the men who rescued her the men bought her candy and treated her "with every respect."

DOORS SMASHED IN.

The police and Mrs. Witherell's husband and father started for the kidnaped house at 2 o'clock today prepared for any emergency. The officers surrounded the house and after closing on it, smashed the door and windows. A man said to be Floyd Carr, was caught off his guard and handcuffed.

Mrs. Witherell and her husband rushed into each other's arms. She sobbed and called him "Lambie, Lambie" over and over again.

The scene between Mrs. Witherell and her father, John C. Kratz, was as affecting.

Mrs. Witherell was rescued shortly after 5 o'clock and soon after the entire party started for Los Angeles. The Carrs were said by the police to have implicated others in the alleged kidnapping.

The number varied from five to seven. They were also said to have directed the relatives of the woman to deposit the ransom of \$20,000 on a lonely designated spot, promising to release Mrs. Witherell if the ransom was paid.

DEATHS IN CASE.

Rewards totaling \$3,500 were offered for information as to Mrs. Witherell's whereabouts. Witherell's former business partner and former stenographer, Charles Beverley, and Mrs. Elveda Westrom Tenney, were killed early Saturday in an automobile accident while they were following them in Los Angeles from a suburb. Why they were followed was unexplained.

CHIES FOR BABY.

"I want my baby, I want my baby," Mrs. Witherell cried over and over again on the two-hour drive from the cabin on a sheep ranch, where she was found.

When she again had her arms clasped about her eighteen-month-old son Jack, she regarded her captives.

Police Captain Alfred T. Slayton, of Los Angeles, led the officers who rescued Mrs. Witherell. He was the first to break into the house.

"Don't hurt anyone," she cried. "I haven't done anything. I am Mrs. Witherell and I want my baby. Please take me away from here if you are a friend."

RUSH STOPPED.

Slayton said he heard a noise behind him. He turned and searched the room with his flashlight. A man with a revolver in his hand was emerging from a closet.

"Throw up your hands," Slayton called, covering the man with his own revolver.

The answer was a rush. Before Slayton could shoot, his flashlight was knocked from his hand. A struggle followed. Other officers dashed into the room and the man was overpowered. He gave his name as Floyd Carr. Extra guards were placed about the city jail where the Carrs were held here.

'NO,' WILSON SAYS WHEN ASKED TO LIBERATE DEBS

Attorney General Palmer's Request for Commutation Is Turned Down Quickly

WASHINGTON, Jan. 31.—President Wilson refused today to commute the ten year sentence imposed upon Eugene V. Debs for violation of the espionage act.

The president disapproved a recommendation of the department of justice that Debs be sentenced to be committed to expire on next February 12.

WASHINGTON, Jan. 31.—Commutation of the sentence of Eugene V. Debs, effective next February 12, has been recommended to President Wilson by the department of justice, it was learned today at the White House.

Mr. Palmer's recommendation was placed before the president this morning and it was reported at first that the executive had acted upon it favorably. This latter was found to be erroneous, however, and White House officials said they had no information as to when action would be taken or what the president would do.

Debs, many times Socialist party candidate for president, entered the penitentiary at Atlanta, Ga., on June 15, 1919, to serve a ten years' sentence imposed following conviction by a federal jury at Cleveland, O., September 12, 1918, for violation of the espionage act.

SOUTH AMERICANS GREET FLEET WITH ENTHUSIASM

CALLAO, Peru, Jan. 31.—Three United States destroyers under command of Captain Kenneth Bennett, arrived here yesterday afternoon, forming the advance guard of the United States Atlantic fleet, which will pay a visit to the twin waters.

The American ships were given an enthusiastic reception, the docks crowded with people, who commented on the splendid impression made by the line as they entered.

The official program arranged for the entertainment of the officers and crews of the American ships will begin tomorrow with the arrival of the battleship squadron of the fleet. Admiral Henry E. Wilson, commander in chief, will go to Lima for the purpose of paying a visit to President Leguia, the foreign minister of marine. A four-day holiday, beginning tomorrow and ending February 3 has been declared by the president.

SANTA ELENA, Ecuador, Jan. 30.

A Chilean fleet, commanded by Admiral Gomez Cerezo, passed this port today and exchanged wireless salutations with government officials here. It went northward to meet the American Pacific fleet which is on its way to Valparaiso. Radio messages were exchanged by the fleets during the day.

MEXICANS MUST EXPLAIN OIL POLICY TO AMERICA

MEXICO CITY, Jan. 31.—Careful study is being given the latest United States government note regarding oil properties in Mexico and the Mexican government will probably answer it during the present week.

WILSON TO VISIT CAPITOL AFTER 2-YEAR ABSENCE

WASHINGTON, Jan. 31.—President Wilson was represented today as having decided to go to the executive mansion on the morning of March 4 to sign bills passed in the closing hours of this session and which could not become law unless approved before adjournment of the congress. It will be his first visit to the capitol in nearly two years.

JOHNSON WANTS REPORT ON JAP TREATY PUBLIC

West Entitled to Know Now What Document Contains, He Says

CALIFORNIA SENATOR THINKS COLBY WRONG

Future of Agricultural Land At Stake, Lawmaker Declares in Statement

WASHINGTON, Jan. 31.—People of western states are entitled to know and know now, what disposition of the Japanese settlement problem is made in the tentative Shidehara-Morris treaty, Senator Johnson, Republican, California, declared today in a formal statement. He reiterated that the treaty in effect repealed the California alien land laws.

Referring to his own statement of last week and Secretary Colby's comment upon it, Senator Johnson said: "SOMEbody IS WRONG."

"The secretary of state says that my comment upon the tentative agreement made by Ambassador Shidehara and Morris is based upon an 'erroneous assumption,' and that the dangers which I suggest do not present themselves in these agreements. My comment was induced by press reports purporting to emanate from authentic sources. From these I stated a treaty had been tentatively agreed upon which in effect repealed the California alien land laws. The secretary of state says in substance this is not so. Either the press reports are erroneous or Mr. Colby is misinformed. I am constrained to believe that Mr. Colby is in error."

CONTROVERSY BESIDE MARK

"But a controversy between the secretary of state and myself as to what is contained in the report of Ambassador Morris is of no consequence all important. Mr. Colby has the report. The people of the west to whom this subject is of paramount importance are entitled to know what that report contains. Yesterday it was discussed at length in Japan. Our people should not have to await its arrival through Japanese news channels."

"It is not sufficient that the representatives from California or the foreign relations committee, under the secretary of state, should finally know what disposition is intended to be made of the agricultural lands of California and other western states. The people of these western states are entitled to know it now."

WEST SHOULD BE TOLD

"The grave question here is not whether I am right in saying that a treaty has been tentatively agreed in effect repeals our alien land laws or whether Mr. Colby is right in saying that no such draft of a treaty has been presented. The matter is far beyond personal controversy. The question is what has been done on the subject in which the west is most interested and which most intimately concerns the west's future. And the west should be told forthwith."

ENGLISH PAPER DERIDES TERMS HANDED GERMANS

LONDON, Jan. 31.—Allied reparations terms decided upon by the supreme council in Paris last week were derided as "folly" by the Manchester Guardian today. The newspaper said "we may be thankful the terms can never be executed."

In the opinion of this journal, Germany will be able to pay indemnities only by exported goods.

"If she exported every year an additional \$300,000,000 worth of goods to France, England and Belgium," the newspaper said, "the outcry raised by competing manufacturers of those countries would be heart-rending. It is already audible."

M'ADDOO SEEKS RETURN OF MEXICAN R. R. LINES

MEXICO CITY, Jan. 31.—William G. McAdoo, former secretary of the United States treasury, was not coming to Mexico on a mission, a political character, a high official of the foreign relations department said last night. He stated further that Mr. McAdoo was a representative of American stockholders of the National Railway company and would take part in the negotiations with the Mexican government regarding their return of the National lines to their owners.

PAPER IN DIFFICULTIES.

The Milwaukee Leader in the meantime was sharing the troubles of its editor. Barred from the mails under an order of Postmaster Burleson, the paper sought a mandamus in the federal courts to have its privileges restored. The writ was refused and the case was carried by successive stages to the supreme court. During the course of the litigation, Berger offered to change the entire policy of his paper if the postoffice department would withdraw its order, explaining that he owed this sacrifice to those who had invested their money in the publication at his behest.

ANNUAL REVIEW OF OGDEN'S PROGRESS

The Ogden Standard-Examiner's Annual Review of Ogden industrial, financial and building progress will be issued on Wednesday evening, February 2. Persons desiring extra copies of this issue containing twenty-six pages, devoted to this review, should place their orders at once.

VICTOR BERGER WINS OUT IN SUPREME COURT

Conviction of Socialist Editor in Judge Landis' Court Is Reversed

CHICAGO JURIST IN ERROR, OPINION HOLDS

Case of Ousted Congressman Second to That of Debs in Interest

WASHINGTON, Jan. 31.—Conviction of Victor L. Berger and four others, members of the Socialist party, for violation of the espionage act, was reversed today by the supreme court on the ground that Judge Landis should have heard the suit after his eligibility had been attacked.

The effect of the court's decision is to remain the cases to the appellate division which will issue orders for a retrial and a new trial before some other federal judge.

Those convicted with Berger in the federal court at Chicago were Adolph Germer, national secretary of the party; William F. Cruse, editor of the Young Socialist magazine; J. Louis Engdahl and Irwin J. St. John-Tucker. Berger and the other four men were convicted under the section prohibiting attempts to cause insubordination and disloyalty in the naval and military forces, and sentences from one to twenty years were imposed.

The appeal was brought to the supreme court on the ground that Judge Kenesaw Mountain Landis, who presided at the trial, had shown "personal bias and prejudice" against the defendants because of their nationality.

The court divided 6 to 2. Justice Day, Pitney and McReynolds dissenting.

Mr. Reynolds added to the dissenting opinion a strong approbation of Judge Landis' conviction of Berger showing his detestation of the "Hunish warfare which was being backed by patriots in America," under our too indulgent laws.

The majority opinion, filed by Berger against Judge Landis was sufficient to have caused his withdrawal from the case and that Judge Landis himself was not justified in passing upon the affidavits.

Justice Day who filed a dissenting opinion, held, however, that the mere filing of an affidavit should not be accepted as sufficient evidence of the unfairness of the judge. "The 'face value,' he said, because 'the facts, information and belief' and no attempt was made to substantiate them."

CHARGES MANY.

The five defendants were charged specifically with having conspired to obstruct recruiting and interfere with the delivery of speeches and the circulation of articles intended to cause "insubordination, disloyalty and refusal of duty" among naval and military forces of the United States. Numerous articles written by Berger for the Leader were presented as evidence against them.

BERGER TWICE BARRED.

A movement to bar Berger from the seat in congress to which he had just been elected from a Milwaukee district, was at once started. Representative Mann, former Republican leader being one of the few influential members of the house who came out in behalf of the Socialist editor. A new election having been ordered, Berger was again returned and again the house voted to bar him. 328 to 6, within an hour after he had presented himself to be sworn in.

KING ALBERT AND QUEEN LEAVE TO VISIT MADRID

BRUSSELS, Jan. 31.—King Albert and Queen Elizabeth left yesterday for a week's visit to Madrid.

LABOR BOARD ASKED TO CANCEL AGREEMENT MADE WITH EMPLOYES

CHICAGO, Jan. 31.—Bankruptcy threatens the railroads of the United States unless they are assured immediate means for a reduction in operating expenses, the railroad labor board was told today by the Association of Railway Executives. W. W. Atterbury, chairman of the labor committee of the railway executives' organization, made the prediction.

BABE BORN AFTER MOTHER IS KILLED IN MOTOR CRASH

MILWAUKEE, Wis., Jan. 31.—A child was born early today by a Caesarian operation performed in a Racine hospital a few minutes after the mother had died of injuries received when a train struck an automobile. Five others were seriously injured. The child will live, physicians said. The woman was the mother of six other children.

DAY'S NEWS OF CRIME MARKED BY VIOLENCE

CLEVELAND, O., Jan. 31.—Miss Grechen Brandt, 37, was found beaten and stabbed to death this morning in her room at the home of her brother-in-law, Dr. Lester Stiemens, with whom she made her home. The head was crushed and there were numerous knife wounds on the body. Robbery was believed to have been the motive for the crime, \$300 worth of jewelry being missing.

ALABAMA GUARDSMAN ON TRIAL FOR LYNCHING

HAMILTON, Ala., Jan. 31.—Sergeant Robert L. Lancaster, one of nine members of Company M, Alabama national guard, was to go on trial today in connection with the slaying of William Hays, a miner, for whose death nine guardsmen were indicted. The prosecution decided to give the men separate trials.

MEXICO PLANS ARMY OF 80,000 BY CONSCRIPTION

MEXICO CITY, Jan. 31.—Organization of the Mexican army totaling 80,000 men would be provided under plans drawn by Enrique Estrada, minister of war, and member of the general staff of the army. Compulsory military service would be authorized. Youths between the ages of 18 and 20 would be enrolled. The proposal will be submitted to President Obregon to be laid before congress if he approves of it.

FORDHAM BASEBALL STAR RESIGNS TEXAS LEAGUE

NEW YORK, Jan. 31.—Al De Fevre, former Fordham university baseball star, who was released by the New York Nationals to the San Antonio club of the Texas league last fall, today sent his unsigned contract to the Texas league club. He announced he intended to give all his time to business.

MAINE GOVERNOR DIES OF DYSPHERIC INFECTION

ANGESTA, Maine, Jan. 31.—Fredrick H. Parkhurst, governor of Maine, died today. He failed to recover from the effects of a dysphtheric infection under the tongue with which he was attacked three weeks ago. Apparently he was improving until late last night when he took chills and became unconscious. Death followed at 9:15 today.

REPORTS FROM AMERICA HELD BY ARGENTINA

American Merchants Refuse to Accept and Pay for Shipments

BUENOS AIRES, Jan. 31.—Advances in Argentine rates and decreasing exchange rates, have resulted in a dispute over the payment of \$10,000,000 and \$45,000,000 for Argentine merchandise, which is held up in the Argentine customs house on its way to this country.

This statement was made by Horacio S. Varla, a prominent commercial lawyer, who last night addressed the annual banquet of the United Chamber of Commerce here.

BOTH FACE LOSSES.

Varla discussed the possibility of ending the conflict between American exporters and Argentine buyers by acceptance of this merchandise and payment without loss.

He declared that no general measure such as government intervention could cure the situation. He believed the solution was to be found only in private agreements between the interested parties, each accepting necessary losses to save all its property.

The United States loses its advantageous position in the trade through the lack of an international policy was dwelt upon by J. M. R. director of La Nacion, after the end of the banquet.

He referring to the fact that the United States broke from internationalism during the war and active assistance to foreign relations, Secretary of State's letter declared.

AMERICANS UNDERSTANDING.

Americans have in their favor, an ungrudging desire to see the principle of Pan-Americanism put into effect in commercial relations.

These relations commercial losses much of its force and being to the life of nations. It is really regrettable that, with the exception of the Argentine, the United States selfishness should cause the United States to give up the advantage which it has conquered.

It is held aloof, disappointing our hopes of the future on the national stage.

Mrs. Miller praised the work done in the chamber in bringing pressure upon the United States government for the purpose of preventing the resumption of the Argentine relations with the United States consular officials.

SEVEN TRAPPED ON ROOF FALL INTO RUINS

CHICAGO, R. I., Jan. 31.—Seven men were killed and eight seriously injured when a wall building at 88 Mathewson street collapsed during a fire early today. The injured are expected to recover.

Property damage was estimated at \$100,000.

The fire started on the roof when flames from the front wall, a building of four stories, was blown by the Lederer Realty company.

STATUE GRACES NEW ST. JOAN CHURCH

NEW YORK, Jan. 31.—A statue of St. Joan, founder of the order of the Holy Cross, was dedicated in the new St. Joan church in the East 42nd street district, the first in the city named in honor of the saint.

CRUDE OIL CUT AGAIN BY REFINERIES

PITTSBURGH, Pa., Jan. 31.—The oil companies have agreed to further reduce the amount of crude oil refined in Pennsylvania, bringing the total to 187,000 barrels a day. The reduction of 25 cents a barrel is expected to be in effect by the end of the month.

ARCTIC EXPLORER PREDICTS MILD WINTER

NEW YORK, Jan. 31.—Sir Ernest Shackleton, Arctic explorer who arrived in the Aquitania, predicted that the winter would be mild. He said, "I have never seen anything like this in my life. I am sure that the winter will be mild. I have never seen anything like this in my life. I am sure that the winter will be mild."