

LAATEST IRISH NOTE OPENS WAY FOR CONFERENCE IMPOUNDING FLOOD WATER OF DISPUTED STREAMS IS FEASIBLE, SAY ENGINEERS

AN HONORABLE PEACE, DESIRE OF BOTH SIDES

Favorable Construction Placed Upon Republican Leaders' Note.

Lloyd George Re-states His Position Regarding Parley.

Dublin, Sept. 17.—Eamonn de Valera's telegram, sent Friday to Prime Minister Lloyd George, was Saturday declared by the Freeman's Journal to make it more evident that the prime minister had been "too hasty in his conclusion that the Sinn Fein letter conveying details of the Irish acceptance of his invitation to a conference implied a demand for recognition in advance of the Irish republic."

BELIEVE SITUATION NOT SO CRITICAL

Gairloch, Scotland, Sept. 17.—(By the Associated Press.) The receipt by Prime Minister Lloyd George of Eamonn de Valera's telegram Friday, in which the Irish leader expressed the view that the peace negotiators should meet untrammelled by any conditions except those imposed by the facts as they know them, is considered to have brought about a change in the situation.

FEELING BETTER

Mr. Lloyd George passed a good night at his vacation home here and was very much better Saturday morning, the dentist called to Gairloch having lanced the abscess which caused his indisposition.

PREMIER RESTATES HIS STAND ON CONFERENCE

London, Sept. 17.—Prime Minister Lloyd George, replying Saturday to the communication of Eamonn de Valera on Friday, says that to receive the Sinn Fein delegates to the proposed conference as representatives of an independent and sovereign state would "constitute formal and official recognition of Ireland's severance from the king's dominions."

CONTINUANCE GRANTED

The continuance was granted on the motion of District Attorney Brady who asked the court to grant a continuance of the trial of the man charged with the murder of Miss Zeh Prevoost, one of the principal witnesses against Arbutuckle, to till the jury the alleged facts that she detailed to the jury in her testimony.

ANGRY CROWD BURNS PICTURE OF COMEDIAN

Thermopsis, Wyo., Sept. 17.—A mob of about 150 men and boys, many of them cowboys, entered the Maverick theater here Friday night, where a picture of the comedian, F. C. Buzzetti, was being shown and shot up the screen and set the film, taking it into the streets and burning part of it. F. C. Buzzetti, manager of the theater, said that he had not seen the picture and did not know where it should be shown.

RAID GAMBLERS

Los Angeles, Sept. 17.—Approximately 350 persons were arrested in a series of raids conducted by the police upon alleged gambling resorts in the down town business section Saturday.

MISSING WITNESS IN ARBUCKLE CASE LOCATED IN NEVADA; WYOMING THEATER CROWD SHOOTS UP PICTURE OF COMEDIAN

Hotel Physician's Testimony Is Expected to Throw Light on Condition of Miss Rappe Following Alleged Attack of Film Star; Hotel Employes Questioned About Source of Booze.

San Francisco, Sept. 17.—A missing witness in the Roscoe C. ("Fatty") Arbutuckle case, Dr. Arthur Beardlee, hotel St. Francis physician who treated Miss Virginia Rappe before her death, was located Saturday in a telegram received from the sheriff of Douglas county, Nevada, at Minden.

His testimony is expected to throw light on the condition of Miss Rappe the first day after the Labor day party in Arbutuckle's suite at the St. Francis hotel, from which her death resulted.

Arbutuckle's brief appearance in the superior court to obtain a continuance on the manslaughter charge pending against him completed his present schedule of trips outside the city prison until next Thursday, when his preliminary examination begins before Police Judge Sylvain J. Lazarus on the murder complaint sworn to by Mrs. Babina Maude Delmont, a member of the party in Arbutuckle's rooms.

Mrs. Mae Taube, another member of the party was questioned by District Attorney Matthew F. Brady who said she had persisted in her original statement that she was the person who called Assistant Manager Harry J. Boyle of the hotel on the telephone Saturday night. At the inquest Mrs. Delmont said she did the telephoning. Brady said some important items of information were learned from her and her statements might lead to taking up certain new phases of the case before the grand jury Monday night.

Manager Thomas J. Coleman of the hotel St. Francis and other executives and employees were called before Robert H. McCormack, assistant United States attorney in charge of liquor prosecutions for questioning regarding the origin of the 20 quarts of liquor seized in the case consumed at Arbutuckle's party.

Saturday's trip from the city prison down the hall of justice elevator to the court room of Judge Harold Louderback was an uneventful one as police kept the crowd off the court room floor.

The county grand jury at its meeting Monday will consider evidence on certain witnesses were tampered with in the case, Harry M. Kelly, secretary of the district attorney, said.

The jury also expects to clear up doubtful points in the medical attention given Miss Rappe," Kelly said. "The testimony of the doctors who attended her may be heard."

The witness tampering investigation is fixed upon the failure of Miss Zeh Prevoost, one of the principal witnesses against Arbutuckle, to till the jury the alleged facts that she detailed to the jury in her testimony.

As a result of her failure to testify the jury was compelled to postpone for 24 hours a decision to indict Arbutuckle, the district attorney said.

Dr. Arthur Beardlee, house physician at the St. Francis hotel, where the party took place, in which Arbutuckle was killed, is still being sought by the district attorney and the police. Dr. Beardlee attended Miss Rappe at the hotel, his testimony is expected before the grand jury. He is said to be on a hunting trip.

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Arbutuckle was led into the court room through a side door and escorted to a seat at the attorney's table. The bailiff stated that the reason Arbutuckle was not handcuffed and placed in the prisoners' box was because he is not a prisoner of the sheriff and the police, who are now holding him, sometimes bring prisoners into the court without handcuffs.

A crowd of several hundred gathered in the hall to see Arbutuckle but most of them were turned away from the second floor, the floor below the court room. Among those in the court room were members of the women's vigilance committee which does the work of club women personally co-operating with the authorities in the prosecution of crimes.

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FISHER'S CASE STUMPS STATE SCHOOL BOARD Whether to Retain Professor Who Criticized Draft, or Not, Puzzles.

Dixon Would Drop Matter, Freeman Urges He Be Ousted.

Special to The Tribune. Helena, Sept. 17.—While the members of the state board of education at their meeting Saturday afternoon seemed to be generally of the mind that Arthur Fisher, professor of law at the University of Montana, was not the proper man to be teaching law to the boys and girls of the university, the majority of the members did not think it wise summarily to discharge him but felt that he should be retained until the close of his contract, September, 1922.

J. W. Freeman, of Great Falls, was strongly opposed to Mr. Fisher and wanted him dismissed, while the attorney general, who has the matter in his hands, inclined to the view that he should first be given a public hearing under the rules of the board.

Governor Joseph M. Dixon was in favor of retaining him and expressed the belief that to discharge him would result in tearing up the institution.

Will Ponder It Sunday. Various motions and resolutions were proposed during the long afternoon wrangle over the disposition of the educator, against whom the American legion had preferred charges at the meeting in July, but no action was taken and the board finally adjourned to meet again Sunday forenoon to further consider the matter.

When the Fisher matter was brought up at the afternoon session, a lengthy report prepared by Chancellor Elliott was presented. This consisted of a sort of transcript of the charges brought by the legion, the reply of Prof. Fisher, various letters, opinions and the report of Dean C. W. Leapheart, of the law school, and President C. H. Clapp, of the university.

In the latter, Dean Leapheart and President Clapp disagreed with Prof. Fisher as to his attitude towards the draft and his teachings, but he expressed his belief that he could not be called upon to resign from the faculty upon those grounds.

Elliott For Forging Off Paper. Chancellor Elliott proposed a resolution to the effect that Fisher be retained until the close of his contract, but he was reprimanded and required to sever his connection with the New Northwest, the community daily paper now being published at Missoula. Governor Dixon prepared a resolution similar to the Elliott resolution, but it eliminated the reference to the New Northwest and required Fisher to cease his activities outside of his regular university work.

J. W. Freeman insisted that it would be an outrage to retain upon the faculty a man of Fisher's calibre, basing it upon Fisher's own statement that he would teach his pupils to follow their own inclinations in the event of their being again called upon to take part in a war in which their country was involved. He moved a resolution that Fisher be discharged, but failed to obtain a second.

Governor Dixon expressed the belief that things should be permitted to take their own course, but Rankin and Freeman held that action should at once be taken rather than to delay.

Newspaper Fight Involved. Governor Dixon held that this was a newspaper fight, but Mr. Freeman said that he did not care who the fight was between, as he was more interested in the facts that the fight had brought to light.

John Dietrich was inclined to the position that Fisher should be retained and Frank Elle was at first of the same opinion but later on became less positive in his stand.

Tom Busha, state commander of the American Legion, was asked by the board if the Legion would drop the matter providing the board decided to ignore it, but he replied that the Legion would not drop the case.

It was suggested that Fisher be discharged and given his year's pay or else that he be given a year's leave of absence. None of these resolutions, however, were acted upon.

In addition to Governor Dixon and Attorney General Rankin, the members of the board in attendance are Miss May Trumper, superintendent of public instruction; J. W. Freeman, Great Falls; Frank Elle, Dillon; A. J. Violette, Missoula; John Dietrich, Helena; R. J. Linn, Columbia; W. Spain, Bozeman; and C. H. Foose, Kalispell.

U. S. SHIPPING BOARD IS GETTING ON FEET DECLARES LASKER

Predict Next Year's Cost Will Be Cut in Two; Will Soon Be Self-supporting.

Washington, Sept. 17.—The shipping board which President Harding recently stated had entailed expenditures from the treasury of approximately three and a half billion dollars, "is getting in sight of the end of the need for asking additional estimates amounting to \$26,500,000," he said today. The board chairman made his announcement in connection with his submission to Director of Budget Dawes of additional estimates amounting to \$26,500,000, which he said would be needed by the board to continue operations this fiscal year. Next year, however, the chairman added, board operations should not cost the government more than \$50,000,000, one half of the amount estimated as necessary this year.

The appropriations for the two years totaling \$150,000,000, Chairman Lasker said, should, if construction were left out of consideration, tide the board over until world trade conditions improve and provisions of the merchant marine act come fully into effect.

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AMERICA PAYS LAST TRIBUTE TO AIR VICTIMS

Sec. Denby Represents President and Cabinet at Naval Ceremonies.

New York, Sept. 17.—(By the Associated Press.)—The nation Saturday paid its tribute to the memory of 16 American officers and men of the ill-fated dirigible ZR-2, whose disastrous plunge into the river Humber put two nations in mourning.

Around the caskets of 15—one has been buried in British soil—gathered in the New York navy yard Saturday afternoon a great host of mourners, coming from all ranks of American society. With them in reverent sympathy, stood guards of honor from three foreign nations—Great Britain, France and Brazil—which landed parties from warships now in port.

Secretary of the Navy Denby, representing the president and cabinet, attended the memorial service and placed on each casket a bouquet of flowers. When he had finished his sad task his hands were trembling and his eyes moist.

As promptly as the navy runs the service for his hero dead. Because of rain which became a downpour at 2 o'clock the hour of the adjournment of the service was held in the yard mess hall instead of outdoors.

At one end of the whitewashed hall was the speaker's platform and in front of it, in a long as they passed the dead. Each coffin was shrouded in the American flag, covered with flowers, and bore a simple card bearing the name and rank of the deceased.

First to file into the mess hall were the American guards of honor—picked seamen and men from the marine corps. They were followed by the United States army, British and French naval officers, and men prominent in varied walks of life.

But even nearer the casket were private and army officers who passed the auditorium and out were men without collars, who stood for hours in the rain, until their clothes were soaked, to pay tribute to the men who had faced death and suffering for their country.

The sound of muffled drums outside the hall—the strains of the Star Spangled Banner with it and the service had started.

Women in black, closest relatives of the dead, who had pressed their handskerchiefs to their eyes as they passed the caskets on entering the hall, stood a little straighter, held their heads a little more proudly when they heard the anthem of a country for which their sons, brothers and husbands had lived and died.

Lieutenant Commander F. E. Moyer, navy chaplain, conducted the final ritual—the last rites of the faith.

Then Secretary Denby stepped forward. Behind him were three American seamen, bearing bouquets from the president and cabinet, and the other placed one on each coffin. Sir Hugh Trenchard and the command of the Dauntless then laid on wreaths from the British embassy, British air ministry and the crew of the British cruiser which had served as funeral ship. On the casket of Commander Louis H. Maxfield who was to have had charge of the ZR-2 on her trans-Atlantic flight, was a representative of the airship in English violets with a card inscribed:

"A remembrance from your shipmates, veterans of the Netherlands, Belgium, Bulgaria, Spain, Finland, Alsace-Lorraine, Hungary, Greece, India, Japan, Algeria, Morocco and Tunisia is given as 1,945,444,000 bushels, or 37.9 per cent of last year's production, in a radiogram received from the international institute from agriculture at Rome, the bureau of markets and crop estimates announced Saturday night.

Washington, Sept. 17.—Salaries of guards and watchmen at the various government bonded warehouses throughout the country where liquor is stored were ordered cut Saturday night by Commissioner Haynes to permit the employment of additional prohibition agents.

By reducing the salaries of the 300 warehouse agents from \$1,500 to \$1,200 a year, Mr. Haynes said, an annual saving of \$108,000 would be effected. This would make possible the addition of sixty prohibition agents to a bureau staff of one thousand.

HUNGER STRIKE GAINS PROBE FOR PRISONER AFTER 42 DAYS FAST

Lethbridge, Alta., Sept. 17.—Captain E. L. Janney, formerly an officer in the Royal air forces, who started a hunger strike in the Lethbridge jail 42 days ago as a protest against alleged "illegal and inhuman treatment" accorded him by jail officials, broke his strike Saturday morning by eating some dry toast and drinking a beverage.

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IMPOUNDING FLOOD WATER OF DISPUTED STREAMS IS FEASIBLE, SAY ENGINEERS

Hearing at Lethbridge Evolves No Other Scheme and Chief Dominion Commissioner Says Failure to Find Way Out Implies Sending Treaty Back to Governments to Interpret.

Special to The Tribune. Lethbridge, Alta., Sept. 17.—Governor Dixon's plan for solving the division of the St. Mary and Milk river waters between Alberta and Montana by one or more vast flood impounding reservoirs loomed at the second international commission hearing, which was held here Saturday, as the possible solution of the 20-year controversy in which the application of irrigation on both sides of the boundary line is involved.

Engineers, both Canadian and American, expressed the opinion that this plan is feasible and an investigation is expected to be ordered by the commission to determine whether it can be put into effect.

The proposal of the Montana governor was put before the joint commission at the Chinook hearing Thursday. He suggested that "instead of trying to divide the normal flow of the two rivers, the two countries should get together, impound the waste waters of the early spring in reservoirs on both sides of the international boundary and then make the equal division provided in article six of the treaty on the basis of the impounded water, instead of on the basis of stream flow."

A reservoir as outlined by Governor Dixon would provide water for and benefit more than 250,000 acres in each country.

Private Session Also Held. As if summarizing the hearings of the commission, Charles A. Magrath, chairman of the Canadian section and presiding officer at Saturday's sitting, said:

"I think we have reached a point in our deliberations where, if we could arrive at a satisfactory solution very soon, we will have to send the treaty to the governments which wrote it, for their interpretation."

There were the concluding words of the chairman before the adjournment of the session in the court house here, and showed that the commissioners were earnestly endeavoring to arrive at a decision on section six of the treaty of 1908.

The session of the commissioners was held later in the afternoon to consider the evidence. It is thought that this will expedite the writing of a decision on the division of the waters of the two streams under discussion.

Not So Demonstrative. Voicing further the feelings of the commission, Chairman Magrath went on to say during the hearing:

"We are trying very hard and have been for a long time to arrive at a conclusion. We realize that if this commission is to continue to carry out the purposes for which it was created, we must arrive at a satisfactory solution of the problems brought before it, and with that realization in mind we are doing our very best in this case, which has developed some knotty problems."

The hearing in this city, although not so demonstrative perhaps as the one at Chinook, was none the less sincere and valuable. The courtroom was crowded. No new evidence was introduced, but the commissioners heard the human aspect of the case presented by G. B. Marnoch, chairman of the Southern Alberta Development association.

Sums Up for Alberta Farmers. Mr. Marnoch did not speak for any government, but rather the people—the men who were able to best speak of the progress Alberta had made in irrigation—the passage of the irrigation act, the subsequent announcement of the government policy to guarantee the water, the difficulties by the districts, and the actual construction that is now going on. He also referred to other extensive reclamation works being held up pending a settlement of the water difficulty. Concluding his appeal for speedy action, Mr. Marnoch said:

"If ways and means can be suggested for a better and fuller use of the waters that are now, to the shame of two great nations, being allowed to run to waste, we, the people of this side of the boundary, are very ready and willing to receive such proposals as were suggested on Thursday that would lead to a fuller and more profitable use of the available waters by both countries and we would be very glad indeed to learn of any such proposals, carefully considered by the governments."

Impressed by Montana Spirit. "We were very much impressed, the one of us who were able to best speak of the progress Alberta had made in irrigation—the passage of the irrigation act, the subsequent announcement of the government policy to guarantee the water, the difficulties by the districts, and the actual construction that is now going on. He also referred to other extensive reclamation works being held up pending a settlement of the water difficulty. Concluding his appeal for speedy action, Mr. Marnoch said:

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Wife Aids Comedian Mrs. Roscoe Arbutuckle, wife of the accused comedian, known on the stage as Mintz Durfee, will stand by her husband in his present trouble. She is now on way to coast to help the indicted man.

FAIR ADMISSIONS SHOW DROP OF 9000 AS BIG SHOW ENDS

Weather Cast Fall Over Best Exhibition, Probably, Ever Held by State.

Special to The Tribune. Helena, Sept. 17.—With the most ideal of weather conditions—the nearest approach to the real fair days—and with an attendance slightly in excess of that of the previous day, the nineteenth annual Montana state fair closed Saturday afternoon.

The 1921 fair was very similar to those of the preceding days of the fair, with the exception that, in addition to the auto races, two running races were held and the race of the Fort Keogh cavalrymen were additions to the usual program for days when the autos were on the track.

The fact that no accidents occurred on the grounds and that not a performer in any one of the great number of events sustained an injury of even the slightest character.

Monday, 262; Tuesday, 1,092; Wednesday, 5,031; Friday, 2,776; Saturday, 2,892; total, 15,570. The total attendance of the 1920 fair was 24,132.

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ROADS MUST SHOW JUST CAUSE WHEN DISCHARGING MEN

Labor Board Establishes a Precedent; Conflicts With Supreme Court Ruling.

Chicago, Sept. 17.—The United States Railroad Labor board Saturday established a precedent that railroads do not have the right to discharge employees without just cause in a decision ruling that the Butler county railroad, a 41 mile line in southern Missouri, must re-instate two men released because they belonged to the same union, as the men working under them. The decision said that the board was fully aware its ruling was contrary to United States supreme court decisions on the matter but that it construed its duty to decide every question justly and reasonably regardless of the legal rights of either side.

The board is fully aware of the supreme court decisions (that a corporation has the right to discharge its men as it sees fit) and has no disposition in any way to question the soundness or justness of these decisions, said the board's ruling.

The ruling pointed out that one might take the view that the board was to decide its cases according to the legal angles and that a court would uphold and enforce them or that it would decide "in a just and reasonable manner" which would be as far as possible for all concerned.

Women in black, closest relatives of the dead, who had pressed their handskerchiefs to their eyes as they passed the caskets on entering the hall, stood a little straighter, held their heads a little more proudly when they heard the anthem of a country for which their sons, brothers and husbands had lived and died.

Lieutenant Commander F. E. M