The Weather
Rain today and probably tomorrow. Details on page 5.

The Washington Herald

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NO. 5521 WASHINGTON, D. C., SATURDAY, DECEMBER 17, 1921.—TWENTY PAGES * ONE CENT.

PROBE BERLIN'S ABILITY TO PAY, FRANCE INSISTS

Germany's Omission to Specify Definite Delay Surprise.

EXERT PRESSURE, PAPERS DEMAND

Use of "Material Means Of Constraint, Not Force," Advised.

PARIS, Dec. 16.—The greatest surprise in French official circles over Germany's attitude in defaulting her January payment is that the note from Berlin omits to specify any definite delay required by the republic, and that it also neglects to state under what article of the Versailles treaty she intends to act, or to give any reasons for the delay.

"Had Germany indicated the extent of the delay asked," says the Temps, "that might have been an indication of when Germany expects to be solvent again. The reparation commission should investigate why Germany, whose industry is reported running full blast, and whose exports are approaching considerable proportions, is unable to meet the forthcoming payments and is preparingg a claim for further postponements."

The Journal des Debates declares that the allies should use material means of constraint and not operations of "force," which only heightens the expenses. "The day when the Germans see themselves menaced with ruin, they will surrender, as Ludendorff did in 1918," it concludes.

Commission Is Puzzled.

The Journal des Debates' comment is typical of the remainder of press comment.

It is reported from authoritative sources that the members of the reparations commission are somewhat nonplussed in the face of Germany's refusal to pay. They admit that there are only two ways by which Germany could meet the forthcoming installment, first by persuading Germans at home and abroad that they must contribute foreign specie—entirely a matter of propaganda and good will—and, second, by taking it from the gold deposit in the Reichsbank, now over 1,000,000,000 marks. The latter course without question would depreciate the mark tremendously, although in theory it should not have that effect.

Complaining over "spilt milk," the reparations commissioners say that if Germany had begun to move about a year ago she could now make her payments. During their investigation in Berlin the commission decided that Germany could pay only with difficulty, but that she could pay.

The text of the commission's reply to Chancellor Wirth will be made public at noon tomorrow.

Stress British Belief

BERLIN, Dec. 16.—With complete unanimity the Berlin press, as though by concerte thought, emphasizes in news the fact that it was first discovered that the present system of reparations was impossible by British officials and economists, and that it was this British attitude which encouraged Chancellor Wirth to ask for a postponement.

Although the nationalist newspapers scold Wirth to some extent, blaming the present "calamity" on his financial and foreign policies, the Democratic and Socialist papers declare that the chancellor's course was the only one possible, and that it has demonstrated completely the absurdity of the present system.

Germany, they declare, has done her utmost to fulfill the terms until the entente itself—especially Great Britain, with her own grave unemployment problem—saw the impossibility of the situation.

Liquid Air Will Christen Roma

Miss Wainwright to Use New Solution on Big Dirigible.

The last word in christening solutions is to be smashed over the nose of the dirigible Roma this morning, when Florence Wainright, daughter of the Assistant Secretary of War, swings a bottle of liquid air against the bobbing hull.

Standing in the basket of a captive balloon, Miss Wainright is to christen the giant airship as she tugs at her anchorage. Rolando Ricci, the Italian Ambassador, will present the aerial cruiser with a "battle flag," and then the Roma will circle the city with several high government officials and foreign delegates to the arms conference on board.

The Roma, which was made in Italy and bought by this government upon completion, is 400 feet long and equipped with six 400-horse-power motors.

CHICAGO WARNED OF DRY LAW DRIVE

CHICAGO, Dec. 16.—Saloonkeepers here have been given twenty-four hours in which to get rid of their stocks of hard liquor. After that, according to police orders, prohibition is going into effect.

Police Chief Fitzmorris gave 5,000 subordinates notice that hereafter when any saloon was found selling liquor on his beat the patrolman was automatically out of a job.

The chief recently charged that 50 per cent of his force were involved in illicit liquor trade.

Wreck of Tokyo Cabinet Aim in House of Peers

More Aggressive Leaders Sought to Restore Japanese Prestige.

TOKYO, Dec. 16.—A new group is being formed in the house of peers for the purpose of wrecking the present ministry, it being felt that the outcome of the Washington conference with the retention of the superdreadnaught Mutsu makes it impossible for Premier Takahashi to be defeated in the lower house. The peers' group has nearly the required thirty-eight votes necessary to defeat the budget, and it is determined to drive out the present cabinet and to form one more aggressive, feeling that Japan has suffered too much loss of prestige in its efforts to curtail expenditures.

However, the action of the peers can have no effect on the outcome of the Washington agreements since these have been assured of full support by the privy council. Roughly, this group is comparable to the irreconcilables in the American Senate, but the Japanese protesters lack the power to disturb the treaties signed at Washington.

The new group can scarcely be called militaristic and it is only slightly bureaucratic, but still, if successful, it is likely to form a government which would be more aggressive than the present, although realizing that it would be compelled to live up to the terms signed at Washington.

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NURSE'S 13 WORDS MAY CONDEMN HER, BUT AID EASTLAKE

Witness Says Miss Knox Asked Him Safe Way To Commit Murder.

By J. HAROLD KEEN.

MONTROSE, Va., Dec. 16.—"Do you know of any way to kill a person and escape detection."

In these thirteen words may be the open sesame which will give Roger D. Eastlake freedom, and at the same time condemn Miss Sarah E. Knox, who is jointly accused of killing Mrs. Eastlake, to death in the electric chair.

These thirteen words, according to A. R. Crowthers, of Ocean City, N. J., seventh witness for the defense, during the trial here today, were spoken by Miss Sarah Knox three weeks before the murder of Mrs. Eastlake.

The statement was made when she brought a hatchet to the business place conducted by Crowthers with the instruction that "she wanted a keen edge ground on it," the witness testified.

At the same time, the witness declared, Miss Knox wanted a knife sharpened "to a razor edge." This, however, he refused to do, although he did sharpen the hatchet. Upon being shown the hatchet with which it is alleged Mrs. Eastlake was slain, Crowthers identified it as the one he had sharpened, and expressed dehp sorrow that he had ever done so.

HEARD CHILDREN SCREAM

Accompanying this revelation was one which threw a dark cloud about the accused man, made by Mrs. W. V. Caruthers, a resident of Colonial Beech, who resides near the Eastlake home.

On the morning of the fatal attack on Mrs. Eastlake, Mrs. Caruthers declares she heard children screaming frantically in the Eastlake home shortly after she had prepared breakfast for her brother-in-law, Franklin Caruthers, about 5:30 o'clock.

Later she was notified that Mrs. Eastlake had been murdered, and upon seeing Eastlake as he returned from the boat in which he was preparing to go to work, she spoke to him of the murder and received no answer.

Her brother-in-law also testified to hearing the children scream, but he set the time as nearer 5:45 o'clock. Giving as his reason for not investigating the cries, he said he had to hurry to work, and supposed that the children in the Eastlake home were being chastised.

Talked to Eastlake.

Upon arriving at the boat landing he saw Eastlake, and informed him that he had heard screams and a noise which sounded like something falling to the floor when he passed the Eastlake home. To this Eastlike is said to have replied, "So did I; I stopped and listened."

Nothing more was mentioned of the occurrence until Eastlake was notified by neighbors that his wife had been slain. His only comment at that time was, "Is that woman up there?" it was testified.

When Mrs. Caruthers encountered Eastlake she asked him, "What time did you leave your wife this morning?" Eastlake is said to have answered, "About 5:30, I guess; the usual time."

Provided this testimony is borne out by additional facts, and it is established that Eastlake did not leave the house until the time that he mentioned to Mrs. Caruthers on numerous occasions since the murder, the prosecution believes it has established the link that will result in his conviction.

Today's session of the court which is trying Eastlake was replete with surprises.

Pathos was added when the names of the two small children of Eastlake were officially brought before the jury.

Judge Examines Children.

Shortly after the noon recess Judge Chinn announced that he, in company with Attorney William W. Butzner, attorney for the defense, and Commonwealth Attorney Watt T. Mayo, of the prosecution, would examine the children to ascertain whether they were capable of testifying.

After an hour they returned and Judge Chinn announced that the little girl, Margaret, 5 years old, would not be used owing to her tender age, but that the boy,

Continued on Page Two.

FIGHT ON IRISH PACT CRUSHED IN PARLIAMENT

"Die Hard" Amendment Of Censure Overwhelmingly Defeated.

ACTUAL RATIFYING EXPECTED MONDAY

Emphasis Is Laid on Feeling in America Toward Question.

LONDON, Dec. 16.—Defeating by an overwhelming majority the "die hard" amendment to Parliament's reply to the King's speech, which would have censured the Irish peace treaty, and having passed the original motion upholding the treaty, both houses of Parliament have progressed a step further towards actual ratification of the agreement which probably will occur Monday.

To all intents the act has passed through Parliament, in spite of the bitter opposition of Unionists and Ulsterites. It awaits only formal ratification—provided it is accepted by the Dail Eireann—to become a law, and the vote of commons and Lords today is sufficient guarantee that England will accept it.

The address to the King, which now stands as Parliament's expression of faith in the treaty, recites that "we are now ready to confirm and ratify these articles in order that they may be established forever by mutual consent of the peoples of Great Britain-Ireland."

Lloyd George's Denial.

The debate in both houses toword the close of the session was colorless in the main except for the unhappy experience of Austen Chamberlain in commons when he was forced to defend the treaty against the bitter enders of his own party.

The other feature of the day was Lord Birkenhead's speech to the house of lords, which is considered by many the greatest of his career.

Lloyd George's sole contribution to the debate was his denial that he had said that if Sinn Fein should win a majority in the counties of Tyrone and Fermanagh, then they would receive the entire counties.

Explaining the clause under which a commission will be appointed to delimit the boundaries of Ulster, in the probable event the north refuses to join the free State, Winston Churchill declared that a revision of the territory was planned both from economic and geographical standpoints, so that some territory now excluded from the north could enter Ulster, while those who wished to separate from Ulster would have that opportunity.

Stresses America's Views.

"There is much in the treaty which might have assumed a different form of expression if I and my colleagues had been able to impress our views upon those with whom we negotiated," Lord Birkenhead admitted in his speech to the lords.

Speaking before the American Luncheon Club, both Lord Birkenhead and Winston Churchill laid great stress upon the fact that Ireland is now the only point of dissension between Great Britain and the United States.

"I know of no cause of a quarrel between us that can be discerned at this time save one," said Lord Birkenhead. "I do know that there is the specter of the Irish quarrel which for decades has clouded our relationship, and even at this moment I do not know whether we have laid this specter. The road is still obscure and dark, but we have done more to banish it from the last trench of misunderstanding than any of our predecessors in the past 200 years."

Churchill, speaking of the Washington conference, declared that a notable event had been British and American co-operation, and that all danger of naval competition or of war in the Pacific had been removed, while the Anglo-Japanese alliance had been done away with.

Foresees New Era.

"There is, therefore, only one question dividing the English-speaking peoples," he said, "and that is the formidable question of Ireland. I do not know what the future has in store, but if our hopes for Ireland are materialized, then there will be a new Anglo-American era."

Continuing his fight for the treaty in the house of lords, Birkenhead told the members that the government either had to carry out the policy of coercion and repression in Ireland, or take the conrse it had adopted.

"Our difficulties lie in attempting to convince the mediaevalists among us that the world has really undergone considerable modifications in the past four years," he said. "And with adequate protection for Ulster we have given a population which is overwhelmingly homogeneous an opportunity to take its place by the side of the other communities of the British Empire."

Adjournment was taken until Monday in view of the uncertainty in the Dublin situation and in order to await the formal action of the Dail Eireann. Final ratification probably will be withheld until late Monday in order that the King need not sign the act until it has formally passed both legislatures. There will be no more formal debate, according to present indications.

AIR MAIL LINE LINKS CAIRO AND BAGDAD

LONDON, Dec. 16.—Air mail service between Cairo and Bagdad has been inaugurated by the British royal air force. The length of the airline is 840 miles, the route from Cairo being via Ramleh, Amman and Ramadie to Bagdad.

A saving of ten to fourteen days will be effected by this service.

Ship Crashes Into Destroyer After Nightfall

One Man Injured When Panama Line Boat Rams Graham.

NEW YORK, Dec. 16.—The United State torpedo boat destroyer Graham and the Panama of the Panama Steamship Line, were in collision five miles west of Sea Girt this evening.

Wireless reports received at the Brooklyn Navy Yard and the naval communication office in Manhattan reported that one man was injured on the Graham. Neither boat is in danger of sinking.

The coast guards Seneca and Gresham were dispatched from their moorings at Tompkinsville to the scene.

Wireless calls for assistance were sent out by both ships.

The Panama rammed the Graham in the port side shortly after nightfall. The Graham was reported shipping water in one compartment.

The Panama was bound from Panama to New York.

DECLARES SCHOOLS SHOULD BE MODELS FOR ENTIRE NATION

Pennsylvania Educator Outlines Plan for Congress Committee.

Free text-books and school supplies.

A definite building program for the public schools.

A school board appointed by the President to serve without compensation.

Larger school buildings containing between twenty-four and thirty rooms, having adequate playgrounds and recreations rooms, and the necessity to proceed immediately with the building program, regardless of the price of building materials.

These were the outstanding features of the recommendations given the Joint Congressional Committee on Public Schools yesterday by Dr. Frank W. Finnegan, of Harrisburg, Pa., superintendent of instruction for the State of Pennsylvania.

Should Be Nation's Model.

Senator King explained the local school situation to Dr. Finnegan, emphasizing the imperfections and inadequate housing facilities. Dr. Finnegan then told the committee that in the event it carried out its plan to make Washington an educational center, it would be an advantage to the entire nation. Leading laymen and educators would come from all sections of the United States to get examples and such a movement would have the support of the entire country.

First of all, according to Dr. Finnegan, there must be a sound plan of administration, and to do this the school board must have sufficient authority and be charged with full responsibility. The board could either be elected or appointed, and owing to the unique situation existing here it might be necessary to have the board appointed by the President. This Dr. Finnegan thought might lend a certain dignity to the office.

Senator King then asked if it were not true that certain cities were involved in school troubles owing to the fact that the school boards were clothed with too much authority.

Spur to Efficiency.

Dr. Finnegan replied that no matter whether the school board acted independently on under the supervision of officials, there would always be charges of extravagance. An independent school board is the most efficient, he insisted.

A business manager, to have charge of the administrative details, under the supervision of the superintendent, was advocated by Dr. Finnegan, who explained that the duties of the superintendent were too voluminous to permit of his giving attention to the detail matters.

In the matter of awarding contracts the school board alone should have jurisdiction, and at this point the doctor took occasion to state that a compensated Board of Education that holds determining power, especially as to the appointment of teachers, is a vicious plan.

Representative Walters, Pennsylvania, brought up the question of surveying the schools and asked who, in the opinion of the doctor, should conduct these surveys.

Scorns Usual Surveys.

"I am not in sympathy with the average survey of schools," Dr. Finnegan declared. "I think they do more harm than good, especially when conducted by outsiders. The professional staff should be able to give information, and it might be a good thing for the men who hold the purse strings to look over the schools occasionally." He added that he would rather sit down with men of horse sense than depend on technicians.

"That is a very sensible remark," Senator King declared.

Schools should be built with the idea of adding to them if the necessity arose, and the original structures should be reasonably large in the first place, containing not less than twenty-four rooms, Dr. Finnegan told the committee.

Senator King concurred in the large unit idea, and asked if it would not be possible to give a building program for twenty-five years.

Dr. Finnegan said he would estimate the population for a period of ten years or twenty years. This would be possible, he pointed out, by requesting the help of the telephone and traction companies, who compile statistics of this kind in order to anticipate their future needs and expenditures.

At the request of Senator Capper, Dr. Finnegan agreed to furnish the committee with figures showing the amount of room that should be pro-

Continued on Page Five.

AGREEMENT ON NAVAL PROPOSALS MEETS CHECK WHEN FRENCH ASK CAPITAL SHIPS OF 370,000 TONNAGE, ALLOTMENT EXCEEDING THAT OF JAPAN

KATO SEES ACCORD

Baron Declares Japan Has Disproved Warlike Attitude.

DENIES TOKYO SOUGHT BARGAIN

Expresses Deep Interest In Future Security Of China.

Japan is in complete accord with everything that has been accomplished to date by the armament conference, Admiral Baron Kato, one of the chief delegates, so declared in an official statement issued last night. Japan, by her attitude in the conference, has, in the opinion of the Baron, completely disproved the allegation that she is a bellicose nation, dangerous to the peace of the Pacific. In accepting the four-power pact the Japanese nation considers that it has unquestionable evidence that she need have no fears of hostile designs that may menace her security from the United States.

Admiral Kato also took occasion to express Japan's deep interest in having the security of China guaranteed by the present conference. This is of vital concern to Japan as to no other country except China herself, he said.

Says Japan Will Rejoice.

The statement in full, was as follows:

"The agreements which the several nations have reached will meet with opposition in only a few unimportant quarters in Japan. Japan as a whole will rejoice in them as completely, if not actually more fully, than any other country in the world.

"Unless the spirit of Japan were entirely in accord with that of the other great nations that will participate in the naval treaty, this agreement could not have been reached. It has been reached in substantially the form in which it was proposed by the United States, and after less than five weeks of discussion.

"These extraordinary circumstances show how unsound was any pessimism that prevailed before Mr. Hughes made his historic speech of November 12; and how unfair was the charge of delay, in view of the fact that his drastic proposals came as a complete surprise to all of the other nations.

Denies Any Bargaining.

"I may say that from the day the proposals were made, the Japanese delegation, supported by its government and the Japanese people, were determined that their country should not be the one to prevent an agreement, or even to delay it beyond the barest necessity of time for adequate consideration. As I have said before, we have never bargained. We presented our case to the delegates of the powers concerned, and at all times received, as we strived in our turn to give, fair consideration.

"Our attitude at this conference will, we hope, make futile hereafter any effort such as has been made in the past to present Japan to you in the aspect of a bellicose nation, dangerous to the peace of the Pacific Ocean; and for our part I am glod to say we have obtained unquestionable evidence that Japan need have no fear of hostile designs that may menace her security from the West. This will be a most gratifying relief to us.

"The ample promise which this conference gives of future co-operation among the powers interested in the preservation of the integrity, independence and administrative autonomy of China will not only gratify Japan but will incalculably benefit China. The past blight of political controversy and conflict among the greater powers in China has not been the cause of her present unfortunate condition, but it has done good neither to the powers themselves nor to China. China is now assured that she may proceed toward unification and reconstruction unhampered by any of the nations that have associated themselves in support of the Root principles; and the security of China is of vital concern to Japan as to no other country except China herself.

"We are confident that we have come to a new era which could not have been made possible without the leadership of the United States. Her remote position, power and prestige gave her this splendid opportunity, and her desire for justice enabled her to assume that leadership. Only those who did not know Japan could have thought thot she would fail to follow."

RECOVERY OF MARK EXCITES BUSINESS

Turmoil has been produced in German business and manufacturing as a result of the present recovery of the German mark, according to information reaching the Department of Commerce.

The decline of the mark, the department is adyised, was caused to a considerable extent by psychological reasons. Its recovery is thought to result from the prospects of changed indemnity arrangements.

Zero Weather in Rockies.

DENVER, Colo., Dec. 16. — The Rocky Mountain region is experiencing zero weather, with heavy snow in Montana and Wyoming. More than a foot of snow has fallen in Montana, according to reports.

JAPAN LOSES BY NEW PACT, DECLARES ENVOY HANIHARA

Resents Suggestion of Gain in Trading Anglo-Japanese Alliance.

Japan resents the suggestion that in sacrificing the Anglo-Japanese treaty and substituting for it the four-powered pact she traded and gained materially thereby. The contrary is the case, according to an authorized statement of Mr. Hanihara, of the Japanese delegation.

The four-powered pact, it was authoritatively stated, is a substitute for the Anglo-Japanese alliance. The Japanese delegation has so informed the Japanese people officially, Mr. Hanihara said last night. He flatly denied published reports that Japan's integrity as a nation is guaranteed by the new treaty. He said:

"I do not know where such an impression was obtained. Certainly not from the Japanese diplomats in Washington. The text of the two documents—the Anglo-Japanese treaty and the four-powered—are unlike each other.

"As a matter of fact we have been materially affected by American prohibition. We have substituted water for whisky, but have done so to be in accord."

Japanese Agree to Return Shantung Railway to China

Payment of 53,000,000 Gold Marks Provided in Compromise and Compensation for Improvements—Mine Problems Not Settled

Complete settlement of all of the moot problems growing out of Shantung seemed possible last night. After fourteen meetings between the Japanese and Chinese delegations it was stated that an agreement was in sight on the Tsingtao-Tsinanfu Railway. Under the terms of this agreement Japan will transfer to China all of her rights obtained through the victory over Germany and under the treaty of Versailles. In return China has agreed fully to compensate Japan.

There still are details to be worked out. The agreement, of course, still has to receive the approval of the Tokyo government to which it has been transmitted by the Japanese delegation here. But there is very little doubt that it will be approved. Japan realizes that if this concession is made it will effectively clear the Far Eastern skies and make possible practically complete triumph of the conference so far as dealing with the Chinese problem is concerned.

The plan provides for the return of the entire railway system to China within nine months. China will pay the amount fixed by the reparations commission in the Versailles treaty amounting to 53,000,000 gold marks. In addition Japan will be reimbursed for all moneys expended in improvements and the like. China was willing to pay cash for the road as the Chinese bankers had made arrangements for a loan, but Japan opposed this believing that acceptance would upset her own internal financial arrangements.

A compromise was reached whereby the loan will be distributed over a term of three years. The purchase also will include a good portion of the properties in the Kaio Chau Bay and district which Japan took over from Germany.

There still is to be settled the question of the mines and certain raw materials. But officials of both the Chinese and Japanese delegations said last night they believed the spirit of compromise will be continued throughout and that when the settlement is completed it will be received with pleasure by the peoples of the two nations.

Other Problems Delayed.

While the Shantung negotiations are proceeding, all other problems regarding China will remain in status quo until the naval armament ratio is disposed of. Delegation leaders welcome this delay. There is no question that the questions of spheres of influence in China has been complicated by the demand of the Chinese that under that head the conference consider the Japanese twenty-one demands and the direct declaration of the Japanese delegation that, in their opinion, this is not properly a subject the conference has the right to take up.

In the opinion of certain of the delegates there is a great deal in the Japanese contention, and it is believed that the leaders would welcome a way to sidestep this question.

Official Statements Issued.

The following official statements were issued:

By the Chinese and the Japanese delegations:

"The fourteenth meeting of the Chinese and Japanese delegates relative to the question of Shantung was held in the Pan American Union Building this afternoon at 2:30 o'clock. The discussion on the question of Tsingtao-Tsinanfu Railway was continued. The meeting adjourned at 5 o'clock until 3 o'clock tomorrow afternoon.

"Conference on limitation of armament: The subcommittee on naval limitation met this morning, December 16, 1921, at 11 o'clock in the Pan American Union Building. The committee, after the consideration of the question of naval limitation, adjourned until tomorrow, December 17, at 11 a. m."

Briand Is Victor in Biggest Crisis

Sustained by Senate, 174 to 129 in Renewing Relations With Vatican.

PARIS, Dec. 16.—The Briand ministry, by gaining support of the Snate in its policy toward the Vatican, has surmounted the greatest crisis it has faced.

The Senate, by a vote of 174 to 129, expressed confidence in Briand and sustained resumption of diplomatic relations with the Vatican.

The crisis was precipitated when the senate discussed the premier's nomination of an ambassador to the Vatican. It was pointed out that Brand had acted without consent of the Senate.

Forty senators, led by M. Doumergue, presented a motion which read:

"Considering that the resumption of diplomatic relations with the Vatican, which in wartime never favored the cause of right and liberty, now disturbs the internal peace of France and prevents application of church association laws, the senate refuses to assent to the re-establishment of the French embassy to the Vatican."

Briand declared an embassy at Rome was necessary in view of the disturbed condition of the world and that France needed observers everywhere.

Only One Hangs While 43 Escape

Odds Largely in Favor of Murderers in Cook County.

CHICAGO, Dec. 16.—Murder odds in Cook County are now 43 to 1, in favor of the murderer. One may kill another and the chance of hanging is only one in forty-three, and these odds are improving. Since September 15 only one murderer in four has been indicted. If a murderer is captured and he must be red-handed to be classed as a murderer, his chances of gaining freedom are four to one.

Figures published by the Chicago Crime Commission show that out of 217 defendants in murder cases in the first eleven months of 1921, only six were sentenced to death. One of these, "Terrible Tommy" O'Connor, walked out of jail four days before he was to be hanged. Eighty-six other defendants are now awaiting trial, but only thirty-six of them are in jail. Of the others, six have not been captured and forty-four are at liberty on trifling bonds.

JAPAN GENERALLY PLEASED WITH PACT

TOKYO, Dec. 16.—The majority of government officials and the greater part of the Toyko press are highly pleased with the 5-5-3 naval settlement. The minority, however, is clamorous against the naval holiday pact, and some newspapers are declaring editorially that Japan has "disgracefully submitted to American dictation."

SHOCK TO POWERS

Request Would Nullify Original Plan, Is Balfour's Protest.

HUGHES OPPOSES ATTITUDE OF PARIS

British Reaffirm Stand on Move to Outlaw Submarine Craft.

France has usurped Japan's position as the apparent stumbling block of the naval armament conference.

Her delegation yesterday successfully checked progress in the newly formed committee of fifteen. They flatly demanded that her allotment of capital ships be fixed with a total tonnage of 370,000. This would compare with the 313,000 tons accepted by Japan.

This position shocked the other delegates. They had taken the declaration of Premier Briand and other members of the French delegation at its face value, when they stated early in the conference that all France desired was a navy strong enough to guard her coastal lines.

Now, with the Japanese opposition smoothed away, and everything pointing to speedy settlement of the naval ratio proposition, to have a demand made by a major power for naval strength which would, if agreed to, disrupt the agreement and result in retaining by all powers of all existing warships, was a distinctly unpleasant surprise. From 11 o'clock to 1:45 yesterday the committee discussed the French demand without result, and again heard Arthur J. Balfour, for the British, declare that the submarine was not a weapon suited either for offensive or defensive warfare, and that the world would acclaim action by the conference in outlawing it.

Sarrault Launches Surprise.

When the committee on naval armament met, M. Sarrault, now chairman of the French conference delegation, took the floor and, after reviewing the naval position of France, explaining that during the war she was compelled to subordinate her navy because of the necessity of maintaining every possible soldier in the field, said that now it was necessary for her to modernize in every way. He said certain capital ships now in commission under the French flag have outlived their usefulness and must be replaced. Then, in sitting down, he launched a veritable bombshell by announcing that in the opinion of the French naval experts, fully concurred in by the French government, the capital ship strength of their navy should be fixed at 370,000 tons.

There was a shocked silence in the committee. Then Balfour declared that to consider seriously the demand of the French delegation would be to assume that the original plan of naval disarmament, outlined in calling the conference, was nullified. To grant France the right to construct a large number of new modern Pre-Jutlands, superdreadnaughts and battle cruisers would defeat entirely the Hughes plan. He declared, with extreme emphasis, that even to consider seriously the French demand would mean that there must be taken up a complete revision of the numerical allotment of capital ships assigned to Great Britain, the United States and Japan. They would, of course, adhere to the 5—5—3 plan which was accepted between themselves as a proper basis.

Hughes Defends Plan.

In the opinion of Mr. Balfour, which opinion was fuly indorsed by the British naval experts present, acceptance of the French proposal simply would mean that the "Big Three" powers will be compelled to retain in commission all of the units now built and building, together with the two vessels of the Royal Sovereign type that were authorized for England in yesterday's agreement. Mr. Balfour's criticism was direct and forceful although couched in the friendliest of language. He argued that the original plan proposed by the American and British experts, that the final ratio might be about 5—5—3—2—2, was a fair one.

Mr. Balfour was followed by Secretary of State Hughes. The chairman did not hesitate to clearly define the position of the American delegation. He is understood to have stressed that the ratio arrived at by the "Big Taree," dealing with the three leading powers, was the one that ought to be applied still further as a yardstick to the navies of the remaining members of the "Big Five."

Friendly But Firm.

Mr. Hughes, like Mr. Balfour, let it be known that in his opinion granting of any such ratio as France was demanding absolutely nullified the progress already made by the three delegations. It was explained that, so far as the American delegation was concerned, there could be no acceptance of the French viewpoint. To do so would mean that there would be neither progress in naval disarmament nor on the proposed naval holiday. As in the case of Mr. Balfour the statements of Mr. Hughes were strong and clear as well as extremely frank, although there was no unwarranted criticism of the French attitude. The discussion was friendly in tone and manner, but there was a very distinct air of finality in the conclusions drawn by both Mr. Hughes and the previous speaker.

Senator Schanzer, for Italy, said

Continued on Page Two.

RULES SOVIET HAS NO RIGHT TO SUE

NEW YORK, Dec. 16.—Decision by Justice John V. McAvoy that the Russian government has a right to sue in the New York courts has been unanimously reversed by the appellate division of the Supreme Court, which decided that the Soviet has no standing in law because it has not been recognized by the United States government and, therefore, "has no existence."

Representatives of the Soviet had sought to recover a fund of more than $1,000,000, alleged to have been misappropriated by Jacques Roberto Bibrario, who was intrusted with the money for propaganda purposes.

MOONSHINERS GET STRONG IMPETUS

Prohibition Director R. A. Kohloss, of North Carolina, has reported to officials here existence of widespread moonshining in that State.

Operations, according to reports, are controlled by two large syndicates, the "big men" of which are concealed by others whom they finance.

Kohloss said forty stills were destroyed in sixty days, but that the men behind the operations had not been reached.