

5000 TROOPS WILL BE SENT TO CUBA

Army Will Be Used to Aid in Restoring Quiet in Disorderly Provinces.

FORCES ARE DESIGNATED

Fifth, Twenty-Fifth, Twenty-Ninth, Seventy-Seventh Infantries and Eleventh Cavalry and Battery Are to Be Dispatched.

WASHINGTON, June 7.—Preparatory orders were issued today by the general staff of the Army for the dispatch of 5000 troops to Cuba.

Orders to be restored. At the War Department it was emphatically asserted that if the expeditionary forces did go to Cuba it would not be with any thought of present interference in the affairs of the island or the government.

The principal object would be to aid Cuba in restoring order. It was said the troops probably would be dispatched to the eastern end of the island and would not go near Havana.

The military exponents of the proposed expedition will be the Fifth Infantry, Plattsburg Barracks, New York; Twenty-Ninth Infantry, at Fort Porter, Jay and Niagara, New York; the Seventy-Seventh Infantry, at Fort McPherson; the Eleventh Cavalry at Fort Oglethorpe and battalion F, of the Fourth Field Artillery, a mounted battery, at Fort D. A. Russell, Wyo.

Outrages Are Decried.

A statement by General Estenoz, the insurgents' chief, denying that the fighting was a race war or that the insurgents had been guilty of wanton outrages was made public at the State Department. It came from Estenoz through George Collier, the American ranch-owner who was reported captured.

Estenoz says that the negro in Cuba has been deprived of his constitutional rights. Estenoz asserts that he has learned that American mining companies have armed their laborers and that he has warned them that if the laborers are permitted to fight the insurgents, "we shall retaliate by killing every gallego on whom we can lay our hands."

RUSHLIGHT WILL ASK WHY

(Continued From First Page.) them, but will insist upon their compliance with the law. Just when the next meeting of the Police Commission will be held to continue the hearing of testimony the Mayor could not say last night. He will call the meeting as soon as the evidence already at hand is in shape to present. The testimony of the policemen, given Thursday, was taken by a stenographer and will be extended and ready for reading when the meeting is held.

Questioning Causes Still.

The Mayor's unexpected action in calling former members of a grand jury before him and demanding to know where they got their information for framing a charge against the Chief of Police Siverio created a profound impression yesterday. Much interest attaches to the forthcoming meeting, when Judge Taxwell and District Attorney Cameron are scheduled to be the star witnesses.

Chief of Police Siverio said yesterday that he is earnestly endeavoring to work in harmony with Judge Taxwell and that he hoped the letter of the grand jury to himself and the subsequent investigation of the same by the Mayor and Police Commission would result in good. He especially approves the proposal for a night Municipal Court and additional prosecutors, which requires a charter amendment.

"There is one other thing," said the Chief, "which I think should be continually kept before the people until it is settled, and that is the appeal in cases tried in Municipal Court. The law now provides that an appeal may be taken in case of a fine of \$20. That is too small a sum for anything like \$100 instead of \$20. My reason for making this statement is that too many cases are appealed to the Circuit Court, after which our witnesses, weary of waiting for trial in the higher court, disappear and our cases thereby go to pieces. It really defeats justice. It is hard enough to convict offenders without the law playing into their hands."

Up to Mayor, Says Cameron.

District Attorney Cameron, in defending his office against the charges made by policemen at the Mayor's hearing Thursday, said that moral conditions in the city are for the Mayor and the police to regulate; that it is not for him to go out and enforce the laws in regard to these things, and that, in case of laxity, the police and, in this instance, the Mayor, are to blame. His office, he said, is ready at all times to prosecute to the fullest extent all cases brought in by the police or Sheriff.

In Connection with the Municipal Court, It is Easily Probable that Mayor Rushlight himself will be enabled to appoint a man of his own choice to that bench January 1, 1913.

Judge Taxwell is the Republican nominee for Judge of the Circuit Court, and if he is elected at the November election he will take office January 1, 1913. In that event, should nothing occur to change conditions, such as a new charter, resulting in a new Mayor being installed, Mayor Rushlight would have to name Judge Taxwell's successor as Municipal Judge. This would place the court in the Mayor's control to a very large extent.

Judge Taxwell Reply.

Judge Taxwell issued the following formal statement in reply to charges: I regret to be compelled to again seek the columns of the Oregonian in defense of myself and the record that is accomplished in the Municipal Court.

In an interview in your issue of June 6, Mayor Rushlight is reported as saying: "The sentences given in court in these cases (vagrancy) are in many instances too lenient to a man who lives from the earnings of fallen women, what he needs is at least one year on the rockpile. He needs to be set at work and made to keep at it for a long time." The Mayor's statement is in part put up on the money for payment; he gets off lightly. I would like to see heavier fines imposed, and a reclusive sentence given in cases of conviction of these men." In all of which I heartily agree.

But the Mayor shows his ignorance of the law or he would not be criticizing the sentences imposed by the Municipal Court in this class of cases. The greatest sentence that can be imposed under the city ordinance for vagrancy (and parasites come under this class) is the \$100 fine and imprisonment for 90 days. In every case in the Municipal Court where a man has been charged with being a parasite and there has been the least evidence to sustain the charge, he has been convicted and the maximum sentence imposed. No small fine, or indeed any fine, is served out. Nearly all of the cases in which convictions have been had have been appealed to the Circuit Court and in many instances the judgment of the lower court has been reversed. While there have been a vast number of vagrancy charges filed—probably as many as the Mayor says—very few have been prosecuted. The vast majority of these charges brought against men who are temporarily out of work, or happen to spend considerable of their time in saloons and poolrooms. They are not vagrants within the strict meaning of that word.

Release Are Explained.

The Mayor says he will gladly provide ample room for parasites if the courts would send them to the rockpile. Last Winter the city authorities were unable to take care of the prisoners convicted and I was compelled to release many men who otherwise would have served some time in the city jail. I am not at all in favor of releasing men in all likelihood prevail again during the coming Winter, as the city is now well prepared now to take care of its prisoners as last year.

I had intended not to take any notice of the reported interview of the Mayor but since on last Thursday he submitted to members of the Mayor's grand jury and also several police officers to tell what they knew of the immoral conditions of the city, I am forced irrefutably to the conclusion that he is seeking to shift the blame for existing conditions from himself to someone else and that someone to someone else and that someone to someone else. I am not adverse to hearing my part of the burden but I object to shifting some one else's.

Several months ago the Mayor stated that he would be responsible for the moral condition of the city and the Chief of Police told the grand jury a short time since that he took his orders daily from the Mayor. Since then the Mayor alone is responsible for the moral conditions of the city and he says in your issue of June 7 that he has been trying to clean up the city all the time. I wish to ask him why it is that the police officers have orders not to molest houses of prostitution or to arrest prostitutes if the latter are not soliciting from windows or on the streets? Officers have sworn to this fact recently in the Municipal Court.

Statements Not Believed.

Coming now to the statements alleged to have been made by the Mayor, I must confess that I am loath to believe that the officers made the statements attributed to them. But until they are sent to jail I shall take them as being true. Of course, as to their alleged experiences with the Deputy District Attorney I have nothing to do. I have to set upon charges as filed in the court. If the evidence does not support the charge the complaint is dismissed. Very often, however, I suggest to the officers that they file another charge which their evidence will sustain. If they fail to carry out my suggestion, then, of course, they should not be heard to complain. Take Officer Lillis' statement that "he had all kinds of trouble with Judge Taxwell and Deputy District Attorney Hennessey in court cases." Lillis is a good officer and rarely comes into court. The facts of the case are as follows: Two men and two women were arrested by him charged technically with an "indecent and immoral act." Upon the trial there was not a scintilla of evidence to sustain the charge. I suggested that he file a charge of vagrancy against all defendants which he did. The defendants were convicted of this charge and each one sentenced to pay a fine of \$100 and to imprisonment for 90 days. Why he should complain I cannot understand. As to whether his witnesses were tampered with I know nothing, nor did I hear any connection in the courtroom.

Gamblers Not Identified.

Officer Long says he suffered defeat in gambling cases where he saw the men gambling and money on the table. "That the cases were dismissed for lack of evidence," Long must have reference to a case tried in the court last Wednesday. He had arrested nine Chinamen, one of whom he charged with "conducting a gambling game" and the eight others with "gambling." On the witness stand he swore he saw three or four only of the men gambling and one conducting the game. When asked by the City Attorney why he had eight men charged with gambling, he said that he had made a blunder in making his complaint. Asked further if he knew the man who was gambling, he said he did not. On his statements, there were about one-half of the men gambling and the others were not. Long did not know and of course it was impossible for the court to determine who were gambling. As the judge of the court reads the charges against the eight men had to be dismissed and the other man whose identity was established was sent to jail.

In the Jack Dunn case the statements of Sergeant Price and Siverio were false. The evidence showed that Dunn did not take \$5 or any amount of money nightly from the woman, and the statement that I helped Dunn in the case is silly. It is true that Dunn was renting a cigar stand to the woman and she was paying him for it from her rental for that stand. If at any time officers have any witnesses that the prostitute is making her complaint, it is an easy matter for them to suggest that fact to the court and they will be given the opportunity to present their case. The judge cannot know the witnesses they may have.

"Case Properly Dismissed."

I do not recall the case Officer Hutchings complains about, but I do remember a case occurring between him and myself in the Municipal Court. The case was very properly dismissed, as the evidence did not sustain the charge.

Officer Black, it seems, was "terribly disappointed" in the result of the case against him. But I trust he has not suffered much loss of sleep by reason thereof. If his testimony in the case in question was no stronger than in another arrest made by him of a young man of 22 years tried the day before (his name was not recalled) in visiting pool rooms too much to suit the officer, then the officer should have a right to be disappointed. It is my duty to give the circumstances of making an arrest in his case. If my duty is to make a man right, this same officer arrested a poor prostitute on Washington street last Winter for no reason that I can see upon the streets of the city. At the time of the arrest her conduct was above reproach.

One of the reasons that the charges against Dunn were dismissed on Thursday morning was that the evidence was not sufficient. The judge cannot know the witnesses they may have.

Another Prosecutor Needed.

Mention was made at the meeting in the Mayor's office of the need of another prosecutor in the Police Court. That need cannot be emphasized too strongly. Mr. Sullivan, the present Deputy City Attorney, is an able, conscientious and painstaking prosecutor, but no one can discharge the duties of that office with any degree of satisfaction.

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FRANKLIN HAS NO FEAR OF PRISON

Darrow's Accuser Dramatic in Telling His Reasons for Pleading Guilty.

WIFE'S LOYALTY RECITED

Day Given Over Chiefly to Tactics of Obstruction, Prosecution and Defense Alternately Presenting Objections.

LOS ANGELES, June 7.—Today's proceedings in the trial of Clarence S. Darrow on the charge of bribery consisted principally of obstructive tactics, with defense and prosecution alternating in the blocking of the opposing counsel's attempts to elicit new facts from Bert H. Franklin, who was on the stand the entire day. The proceedings were enlivened by frequent verbal encounters between Assistant District Attorney Ford and Attorney H. H. Appel, who conducted the examinations for opposing sides.

Franklin, under cross-examination, after repeated questions as to his reason for pleading guilty to the charge of bribery against him, made a long and somewhat dramatic statement of how he succumbed to the pressure brought to bear.

Promise of Immunity Denied.

He denied repeatedly, however, that he received any promise by the prosecution of immunity or anything else for giving testimony against Darrow.

The witness told how he had been informed by Attorney Leopoldo Davis that it had been arranged for him to get a sentence of two years in the penitentiary if he would plead guilty to bribing the witness, Clarence S. Darrow.

"I went home and told my wife," said Franklin, "that the time had come for me to make up my mind what to do, but that I thought the proper thing was to bear the burden myself and protect that man sitting beside you."

Prison Term Not Feared.

"My wife told me that it was the right thing to do," continued Franklin, "that she would take the children out of school and work her fingers off if necessary to keep things going until I got out. Then Mrs. Adams, who was my friend and attorney, to see what arrangements could be made about my case."

Prison Term Not Feared.

"No you were not afraid of going to the Penitentiary?" asked Appel. "I never was afraid to serve time in the Penitentiary and I am not afraid now," retorted Franklin.

The defense sought to draw from the witness the substance of his conversations with Assistant District Attorney Ford, Edwin Dingle, the Deputy United States Marshal and others with whom he had talked regarding his turning state's evidence. These efforts met with little success, the objections of the prosecution having been sustained in most instances.

Health Is Recovered

W. W. Cotton Returns From Five Months' Trip.

A five months' tour of America, Europe and parts of Africa, ending with his return to Portland last night, effected the complete restoration to health of W. W. Cotton, the general attorney for the O. W. R. & N. Co., but did not diminish his love and devotion to Oregon and the great Northwest.

Mr. Cotton was accompanied by Mrs. Cotton. They were joined in Europe by Mrs. S. R. Johnston, also of Portland, who, together with Mrs. William Collinswood, of Pittsburg, Mrs. Cotton's mother returned with them to home here. Mr. and Mrs. Cotton were met at the Union Depot by a large party of their friends and members of their family. It was a welcome return to Portland.

"We traveled leisurely over Europe," said Mr. Cotton, "and saw about the things that everyone else has seen and enjoyed them about the same as everyone else has enjoyed them."

Mr. Cotton's trip was taken primarily for the benefit of his health. He suffered an attack of appendicitis last Fall, and, following an operation, his physicians advised a journey abroad. He returned to Portland last Fall, and, following an operation, his physicians advised a journey abroad.

ST. MARY'S GRADUATES 22

Diplomas and Honors Conferred by Archbishop Christie.

Packed to overflowing, was the Christendom Hall last night on the occasion of the commencement exercises of St. Mary's Academy and College. Previous to conferring of degrees, diplomas and honors by Archbishop Christie a musical programme was presented.

There were two addresses, one by Rev. J. Gallagher, president of Columbian University, the other by Archbishop Christie.

The list of members receiving honors is as follows: Ethel Marsh, college department, received the degree of bachelor of arts. Agnes Aloysia Alberts, Adel Margaret Barmickel, Mary Theresa Clancy, Mary Ellen Condon, Katherine Dooling, Daphne Henderson, Helen Patricia Hogan, Helen Henrietta Hughes, Matilda Dorothy Jennings, Claire Marie Kremer, Miriam Lenora McDonnell, Elina Augusta Partridge, Helen Patricia Hogan, Isabel Margaret Smith, Edina Henrietta Venator, Irene Louise Whelgate, all of Portland; Gladys Rea Cohn, Heppner, Or.; Marion Grant, Colville, Wash.; Grace Margaret Hirschbuhl, Vancouver, Wash.; Rose Mary McCarthy, Portsmouth, Or.; Mary Agnes Murphy, St. Paul, Or.; Mabel Alma Wilson, Gardiner, Or., received diplomas and medals of graduation on completion of course.

Grand Army Indorses Judge.

PULLMAN, Wash., June 7.—Delegates to the annual encampment of the Grand Army of the Republic for the Department of Washington and Alaska adopted resolutions today indorsing the record of Judge Hanford.

HANFORD IS ACCUSED

Impeachment Proceedings Are Presented to House.

MANY ACCUSATIONS MADE

Series of Decisions Cited and Habitual Drunkenness Alleged by Socialist Member—Judge to Make Vigorous Defense.

OREGONIAN NEWS BUREAU, Washington, June 7.—Representative Berger, of Wisconsin, today began proceedings of impeachment against Judge Hanford, on the Federal bench at Seattle, who recently revoked the citizenship of Leonard Olson, of that city, on the ground that at the time he was admitted as a citizen he was not as a matter of fact willing to uphold the Constitution of the United States, as the law requires.

Representative Berger charged Judge Hanford with "high crimes and misdemeanors," citing a long series of decisions which he characterizes as unlawful, and also alleges that the judge is an habitual drunkard. The House adopted Berger's resolution directing the judiciary committee to make an investigation.

Immediate Action Improbable. Representative Berger said after presenting his resolution that he did not believe the judiciary committee would take up the charges until next session, though he stood ready, he said, to present his evidence whenever the committee was willing to hear him.

Berger intimated that among his papers was an interesting series of photographs of Judge Hanford, which he regarded as strong evidence against the judge. Upon them he will probably rely to sustain that part of the accusation of Hanford's alleged personal unfitness to sit upon the Federal bench.

Berger asserts that President Taft and Attorney-General Wickham were co-operating with him and supplying him all information and papers in the Government files which have any bearing on charges now of record.

Berger Predicts Resignation. According to his statement today, Berger is confident he will be able to make out a case against Judge Hanford whenever he is allowed to appear before the judiciary committee, and he predicts that the judiciary committee would prepare articles of impeachment against the Seattle judge after the case had been heard.

Berger personally will present the case to the committee. He today expressed the opinion that Judge Hanford would not remain on the bench long enough for the charges to be investigated, but would resign to escape further humiliation.

VIGOROUS DEFENSE PLANNED

Judge Hanford Says Charges Will Not Go Unchallenged.

SEATTLE, Wash., June 7.—(Special.) Judge Hanford today declared that the charges filed by Representative I. Berger, providing the House judiciary committee regarded them as worthy of investigation would be answered and fought with all the power at his command. It is understood that ex-United States Attorney Todd, who is thorough-

DIET HEAD TARGET

Hungarian Socialist Misses Mark and Shoots Self.

ASSAILANT MAY NOT LIVE

Attack Is Outgrowth of Agitation Since May 22 in Which Count Tizsa Leads Opposition to Universal Suffrage.

BUDA PEST, Hungary, June 7.—Count Tizsa, President of the Lower House, had a narrow escape from assassination in the Diet this morning. He was fired upon three times by Deputy Julius Kovacs, who then shot himself, probably with fatal effect.

Count Tizsa was unscathed. Kovacs was one of the most militant members of the opposition, and was among those who were ejected from the chamber Wednesday because of disorderly conduct. He was suspended for several sittings, but when the chamber reconvened this morning he managed to evade the police and found his way into the press gallery.

Kovacs Shoots Self. Soon after the proceedings opened Kovacs moved to the front of the gallery and shouting "Front of the opposition members of the Chamber," drew a revolver and emptied three chambers in the direction of the president. The bullet missed him, but his bid marksmanship, he put two bullets into his own body.

The attack upon the Count is a direct outcome of the agitation which has been persisted in since his election as speaker on May 22. Tizsa is an opponent of universal suffrage, and on this issue his election was contested with a bitterness that culminated in violence in the chamber and bloodshed in the streets. Free fights occurred around the voting urn and finally the whole opposition party left the chamber and Tizsa was elected by the Government party.

That same night the Socialist union decided to proclaim a strike of all unionist workmen in Budapest, with the exception of municipal employees.

GOOD-BYE SAID BY PUPILS

Lincoln High Scholars Hold Last Meeting in Old Building.

The last assembly of the students that will ever be held in the old Lincoln High School building met yesterday. It was a good-bye meeting for the old schoolhouse and after the services the pupils attended a ball game in which Lincoln lost to Columbia University.

The new Lincoln high building will be completed in time for the opening of the Fall term in September.

Miss McConnell, one of the teachers who has been at the school since its early days, spoke of the school as it was 30 years ago. T. T. Davis, principal, also spoke of the history of the school and of its achievements.

Miss Barnes and Miss Rounds, teachers, also made brief addresses, while Clifton Irwin, Frank eBach and Andrew Loney, students, spoke about the athletics of the school.

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THE W. G. McPHERSON COMPANY

19th & Wilson Sts.

FOR DYSPEPSIA

You Risk No Money if You Try This Remedy.

We want every one troubled with indigestion and dyspepsia to come to our store and obtain a box of Rexall Dyspepsia Tablets. They contain Bismuth-Subnitrate and Pepsin carefully combined so as to develop their greatest power to overcome digestive disturbance.

Rexall Dyspepsia Tablets are very pleasant to take. They tend to soothe the irritable, weak stomach, to strengthen and invigorate the digestive organs, to relieve nausea and flatulency, thus promoting nutrition and bringing about a feeling of comfort.

If you give Rexall Dyspepsia Tablets a reasonable trial we will return your money if you are not satisfied with the result. Three sizes, 25 cents, 50 cents and \$1.00. Sold only by The Owl Drug Co. stores in Portland, Astoria, Spokane, San Francisco, Oakland, Los Angeles and Sacramento.

SOLID CAKE—NO WASTE

SAPOLIO

Cleans when others fail and requires less effort

NO DIRT CAN RESIST IT.

Notice To Ice Cream Sellers

Our price for Pure Cream Ice Cream—and that's the only kind we make—is One (\$1) Dollar per gallon in lots of 2 gallons or more. You can buy ice cream for less money, but you can't buy the kind of Pure Cream Ice Cream we make, for less money than \$1 per gallon.

Washington Creamery Co.

169 Fourth—Phones Main 764, A 2276

Now then—this is the question you have got to solve: Will it pay you better to sell Pure Cream Ice Cream and satisfy your customers or to give them the cheap stuff and lose their business?

Pure Cream Ice Cream is exactly what the name implies. It is made of pure cream, sugar and flavoring. These three ingredients and nothing more. Investigate and find out what the cheap ice cream is made of.

Our auto service brings Pure Cream Ice Cream to you a few minutes after you order. Our customers who use 2 gallons or more are furnished with cabinets and we keep them iced. Dealers, Drugstores, Stands, Lodges, Picnic Parties, etc., etc., we are ready to serve you with the finest ice cream in the city of Portland.

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