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COURT ENDORSES EQUALITY OF WIFE

Ruling Shows Progress That Woman Has Recently Made—No Longer a Slave or Chattel, but a Partner of Her Husband—Awards Child to Wife and Sets Aside Precedent.

"But the world has moved since 1842," said Justice Clarence J. Shearn of the United States supreme court the other day.

He held that a woman may marry and still remain on a parity with her husband, for, as the court says, she is no longer a slave or a chattel.

The Rev. Burton Lee, formerly chaplain at Sing Sing prison, refused to surrender the custody of his four and a half year old son to his wife after they separated, although there was an agreement that he should have their eight-year-old son and Mrs. Lee the younger boy.

Mrs. Lee swore out a writ of habeas corpus, and Justice Shearn upheld the claim of the wife to the custody of the child, dismissing the heretofore accepted theory that the father has a paramount claim to the children of a marriage.

"It is claimed that a father has the paramount right to the custody of a child," said the court. This was the theory on which Mr. Lee refused to carry out the terms of the agreement with his wife.

"Emerging From Dark Ages."

"Once this was the law," he continued, "but we have emerged from the dark ages during which married women had the status of slaves and chattels. The only basis for the father's alleged superior right today is his obligation to support his children. This basis disappears when one considers what the mother gives to her children in suffering, self sacrifice and devotion. On any admeasurement of rights determined by service rendered, the right of a mother to the custody of her children is at least equal to that of the father. The real test should be the welfare of the child."

Mr. Lee, in refusing to live up to the terms of the agreement with his wife, argued that the covenant was not valid and not binding on him, basing his contention on the case of the People ex rel. Barry against Mercien, wherein it was held that the father could not by agreement alienate to his wife the custody of their children.

"That was sound law when the Mercien case was decided in 1842," said Justice Shearn. "In determining whether the Mercien case has any binding force today we must have regard for the changed status of a wife in the eyes of the law today as compared with 1842."

Quotes Old Decision.

The justice quoted from the Mercien case decision: "The very being and legal existence of the woman is suspended during the marriage, or at least is separated and consolidated into that of the husband." Their relative power over the person of the child follows in consequence. A man cannot grant anything to his wife or enter into a covenant with her, for the grant would be to suppose her separate existence, and to covenant with her would be only to covenant with himself.

Continuing his 1916 opinion on the court decision of 1842, Justice Shearn said: "But the world has moved since 1842. It is not to be believed that today any enlightened court would subscribe to the statement that 'the very being or legal existence of the woman is suspended during the marriage, or at least is separated and consolidated into that of the husband.' By the permission of the legislature the wife can at least contract with her husband the same as if unmarried, except that she cannot alter or dissolve the marriage and she cannot release him from his obligation to support her."

Justice Shearn sustained the claim of Mrs. Lee for the custody of her child under the agreement with her husband, which also provided that Mr. Lee is to have the boy with him for week ends, which right is given Mrs. Lee in regard to the older son, who is in the custody of the clergyman. Mrs. Lee accepted \$12 a week alimony.

MONKEY ROUTS TWO MEN.

Saloon Pat Greets Owners With a Shower of Whisky Bottles.

William Egner of Brazil, Ind., went to the saloon of which he is part owner to feed a monkey. The monkey had become irritated by a crowing rooster, which was also used as an attraction in the place.

EVENING STAR HAS GOOD PROGRAM

Evening Star Grange met at the usual hour on Saturday, March 4. The attendance was good and all seemed to be glad to get back after the storms. Four candidates were given the first and second degrees.

The afternoon program, in charge of the Lecturer, A. L. Keenan, opened by the singing of America by the audience. Helen Smith then gave a song and responded to an encore. Mr. A. L. Barber, city auditor, gave a very interesting talk on "Why Our Taxes are High." The modern ways of living and thinking demand many more things now than formerly, and these all cost money, and this money is mostly raised by taxation. He also advised a pay-as-you-go method of doing business, as bonds, interest, etc., all cost more than cash, and the taxpayer has the bills to foot.

Mr. H. A. Lewis of Russellville gave a practical demonstration as to now trees should be pruned. He had a number of trees with him—apple, cherry, peach, also rose bushes and grape vines. He told how and why to trim them to produce best results.

Mrs. O. E. Good, accompanied by Miss Polling, rendered two fine solos.

C. O. Windle, fruit inspector, advised people to spray now and to spray thoroughly to get rid of fruit pests.

FRANKLIN HIGH STARTS LOAN FUND

A movement has been started at the Franklin High school to provide a fund from which assistance may be given deserving poor students who desire to take up college or university work. The plan has been adopted by the Franklin High School Parent-Teacher Association.

Lents School Notes

Last Friday Miss Full's room had a series of talks by the little folks on various subjects. Linwood McCord talked four minutes on "Inlaying of Wood." Dorothy Farley gave a five minute talk on "Light." Linwood McCord brought several samples of wood inlay, among them were a tray and violin of his father's construction. Master Linwood made a fine little speech. Visitors present were, Mesdames Thayer, Farley, Hess, Hathaway, Allen, Full, and Miss Full's sister.

Little Goethals Brady brought the skin of a banana eater to school Wednesday. This bird is quite large, measuring about two feet from beak to tail. The feathers are mostly black with yellow on throat, and red feathers at the base of the tail. The beak somewhat resembles a parrot's and is about four inches long. The bird is quite destructive to other things other than bananas. Goethals said four of them carried off a cake his mother had baked and put outside to cool.

Miss Train's room gave a Luther Burbank program on Tuesday afternoon. Following is the program: "Burbank's Message to Oregon Children," by Prof. Hershner; Reading, Hazel Willis; Song, "Farmer Boy" by boys; Poem, Helen Colgen—Memories of L. Burbank; Poverty, Orrie Smith; The Cactus, Edmund Butler; The Prune Orchard, Marvin Peck; The Shasti Daisy, Lewis Rice and Elfrida Miller; Amaryllis, Joy Emery; Incident, Orrie Smith; Song, "The Children's Hour, Ragna Jackson; Pippa Passes, Bessie Hanson; Original Fairy Story, Genevieve Johnson; Story of the Roses, Marjory Weddell; Recitation, Agnes Campbell; Song, "Mary is a Baking"; The Alaska Robin, Lillian Cunningham; Recitation, Irene Meyer; Bird Story, Rose Pusey; Recitation, Grant Hadley; Song, Mildred Turner; Memory Gem, Lester Cox; The Wind, Raymond Kemery; Flower Song, Girls of 6 A class carrying beautiful little baskets of flowers. This was an especially nice feature. During the singing of old familiar songs the register was passed to the visitors with the request to sign. Among those present were, Mesdames Wood, Emery, Johnson, Winter, Hadley, Bell, Smith, Seely, Noel, Retherford, H. V. Smith, Pusey, Butler, Mills. This program was given in connection with their every day work, thus making it especially interesting to the children, as not much extra work is required outside of the general routine and yet there is just enough of a variety to please the pupils.

Mrs. Darnall has been confined to her home all of this week, suffering from ill effects of the gripe. Mrs. D. Stretch fills her place in Room 2.

WHO'LL BE THE RIDER WHEN THEY'RE SADDLED?



—St. Paul Pioneer Press.

OREGON NEWS NOTES OF GENERAL INTEREST

Important Occurrences of Past Week Briefly Compiled for Our Readers.

Albany will hold a spring style show on March 23, 24 and 25.

The Polk County Fruitgrowers' association held its annual meeting at Dallas.

Frank J. Humphrey was appointed farmer at the state penitentiary to succeed T. E. Cornelius.

Work on a proposed new \$5000 Catholic church building will be started in Roseburg next week.

Fire damaged the electric plant of the Oregon Power company at North Bend to the extent of about \$5000.

A proposition to bond Wallowa county for highway improvement is meeting with favor throughout the county.

Carlton K. Logan, an Albany young man, has been appointed cadet at the United States Naval academy at Annapolis.

Three men arrested and 64 quarts of liquor confiscated was the result of raids on two soft drink parlors at Whitney.

Road and school districts of Linn county will cooperate this year in "Good Roads day" events for volunteer road work.

Residents of Wedderburn were terrorized when the hillsides on which the town is located began sliding into Rogue river.

At a special election at Bend the proposed issue of \$30,000 in bonds to aid the Strahorn Central Oregon railroad carried.

Approximately \$75,000 will be expended by Multnomah county this year in the construction of concrete bridges and viaducts.

Of the 28 members of the graduating class of Klamath high school this year, only one has decided not to attend college after graduation.

Portland has been awarded the Pacific coast handicap shoot. The tournament will be held this spring, the exact date to be fixed later.

The steam rigged schooner Fifield from San Francisco was wrecked on the south jetty of the Bandon bar at the mouth of the Coquille river.

The idea of the farmers of a neighborhood banding together for organized rodent extermination work has proved popular in Klamath county.

A pruning school was held at Dayton March 3, and at Turner March 4, under the direction of the extension department of the Oregon agricultural college.

During the month of February, 27 vessels carrying 21,175,323 feet of lumber and 67 tons of box shooks loaded at the mills in the lower Columbia river district.

A "Pass-It-On" convention, which in many ways is similar to the Laymen's missionary convention held in Portland three weeks ago, was held at Roseburg.

Work is now beginning on the elec-

trification of the Southern Pacific's west side line from Whiteson to Corvallis. The cost of this work will exceed \$800,000.

State Engineer Lewis has issued to the Warren Construction company of Portland a permit for the development of 273 horsepower with the waters of Mill creek at Turner.

The population of all the state institutions, save the soldiers' home at Roseburg, has increased since the first of the year, according to the reports of the superintendents.

The executive committee of the Union County Good Roads association decided to start a petition for a \$420,000 bond issue for the construction of hard surface roads in Union county.

One of the 191 accidents reported to the state industrial accident commission during the week ending March 2 was fatal. The fatal case was Fred McCordie, who was killed in Portland.

Mining operations all over the state are beginning to take on new life. Copper, gold, silver, tungsten, clinnabar and oil are being developed, both in eastern Oregon and southern Oregon.

Indictments will probably be returned by the grand jury at Portland against the various mail-order liquor houses which are flooding Oregon with price lists, in violation of the prohibition law.

Lawrence L. Darlington of Baker, committed to the state prison October 13, 1911, to serve a term of from three to 20 years and paroled May 6, 1913, was given a full pardon by Governor Withycombe.

The Helmer C. & C. company of Baker has announced contracting for over half a million pounds of wool at 20 to 21 cents. The lambing season is well along, and shearing is expected to start soon.

The building of the railroad to the Illinois valley, the beginning of the construction of a \$600,000 beet sugar factory and the sales of several of the larger copper mines in the district, have caused real estate in the vicinity of Grants Pass to show much activity.

More than 30 distinct branches of work were followed during the past year by the 12 county agriculturists of Oregon, according to a report compiled by Paul V. Maris.

Malheur county is ready to cooperate with Grant county in establishing a highway that will connect Malheur county with the Columbia river highway, the road passing through the John Day valley.

February was an exceptionally wet month in Astoria. According to the records the precipitation was 20.2 inches, or 10.84 inches in excess of the average of the corresponding month of previous years.

Because the Indians of the Umatilla reservation seek to block a move to place the Mission-McKay road under the jurisdiction of the Umatilla county court the matter will be taken up with the bureau of Indian affairs.

Mrs. E. E. Slater, widow of J. H. Slater, former United States senator from Oregon, and mother of W. T. Slater, ex-judge of the state supreme court, a pioneer of 1852, died at the age of 81 years at La Grande.

REPUBLICAN CLUB OPENING RALLY

The opening meeting of the Republican Club will be held at the Public Library Thursday night at 8 o'clock. Past Senator Chas. E. Fulton will make the leading address. All Republicans are invited to attend, particularly members of the Club.

To the Good People of Lents

It's time for spring planting soon and the boys at Pisgah Heights are busy with their work. While the Colony is situated in a place of great natural beauty and the surrounding scenery is grand, we feel that a few rose bushes or lilacs planted along the walks would add much to the hominess of the buildings. The boys have felt and seen so much of the hard, seamy side of life that we want this to be the bright, clean spot to which they can turn in time of need, and whose memory will be as sweet as home in times of plenty.

We would also be very thankful for donations of berry bushes of any kind. Perhaps your patch needs thinning out. Phone Tabor 8719, and a man will come to dig and haul away the surplus. We thank the people of Lents and vicinity for their many acts of kindness to us in the past—Pisgah Home Colony.

Lincoln Memorial Church

Wednesday evening, March 1, at the Lincoln Memorial Church, 52d and Lincoln streets, the general superintendent of the Wesleyan Methodist Church in the state of Sierra Leone, Africa, Dr. E. D. L. Thompson, lectured on "A Hundred and Twenty-five Years in West Africa." Special music was furnished by the Amphibian Male Chorus.

Dr. Thompson is a negro, born and educated in Sierra Leone, and also a graduate of Oxford University. Dr. Thompson's splendid command of English makes his lecture a pleasure to lovers of good diction, to say nothing of the fund of information which he gives.

On Wednesday evening, March 15, he will continue his lecture at the Lincoln Memorial Church, speaking on "The Customs of the African People."

Eggiman-Bristow Wedding

As predicted the butcher got married. It occurred at the home of the bride, Miss Erma Bristow, on south 92d street, Lents, Sunday morning at 9:30. Rev. Lienekemper conducting the ceremony which united Mr. Arnold Eggiman and Miss Bristow. After the wedding dinner the bride and groom left on a short visit with relatives in Silverton, Oregon. They will be at home in Mr. Eggiman's house on 58th avenue after this week. Lents acquaintances congratulate them and wish them lots of prosperity.

Rob Car, Go to Pen

Charles Burchett, one of three who robbed the conductor of a Mt. Scott car at Lents Junction in January was sentenced to 3 to 15 years in Judge Kavanagh's court Saturday. Burchett plead guilty. Ed Simmons, one of the trio, has been released. The other one, Arthur Hall, is still under indictment.

The men caught the conductor in the telephone booth at the Junction and having robbed him escaped before any one knew it.

Kansas Society Will Meet the 31st

The next regular meeting of the Portland Kansas Society will be held at 129 Fourth street on Friday evening of the 31st of this month. Matters of interest will be discussed, besides an entertaining program will be given. More than the usual interest is being shown and all Kansans are invited.

Lents Grange Meets

The regular monthly meeting of Lents Grange will be held Saturday. There will be some business, initiation, and the usual lecture program.

The Masters and Lecturers, also Overseers Association will meet with Lents Grange on Saturday, March 11, at 1 o'clock p. m. A good attendance of all present and past officers is desired.

Mr. and Mrs. Aspaas Lose Child

The infant daughter, Evelyn, of Mr. and Mrs. Samuel Aspaas of 9923, 65th avenue, died March 5th, aged eight months, three days. The funeral was held Tuesday at two o'clock at Kenworthy's, Rev. Nelson officiating. The burial was at Mt. Scott.

Cheese making will be started again by the Monmouth creamery.

POOR BURDENED BY OUR TAX SYSTEM

Leaders of Both Parties Seeking Means of Making the Fabulously Rich Pay in Proportion to the Men Who Have Only Moderate Incomes—Some Interesting Figures.

Who pays the expenses of the national government?

This is the question on which congress will need considerable light in enacting legislation to provide revenue for the normal cost of the federal government and for the increased outlay upon the army and navy called for by the program of strengthening the national defense.

That the poor man pays more in proportion to his income than does the rich man toward the support of the government is admitted by nearly all authorities on economics in and out of congress. That the administration should propose and congress enact legislation that will shift this burden of taxation from the poor to the rich also is admitted.

President Wilson and Secretary of the Treasury McAdoo propose to retain the tariff on sugar.

Exempting Great Fortunes.

They propose an extension of the income tax to married persons with \$3,000 and unmarried persons with \$2,000 income and suggest an increase of the rate on all incomes.

It is possible to show from what sources every dollar of government revenue is derived. Seventy-nine cents of every dollar of tax raised by the government in the last fiscal year, for example, was contributed as follows:

Whisky, wine and other distilled liquors	21
Tobacco, cigars, cigarettes	14
Beer and other fermented liquors	21
Sugar and molasses	57
Corporation profits	66
Cotton clothing and fabrics	63
Documentary stamps	63
Incomes between \$3,000 and \$50,000	62
Bankers, brokers, etc.	62
Silks	62
Thread and yarns	62
Woolen clothing and fabrics	61
Incomes over \$50,000 each	61
Medicines, drugs and chemicals	61
China and earthenware	61
Incomes between \$100,000 and \$250,000	61
Incomes between \$250,000 and \$500,000	61
Incomes between \$50,000 and \$100,000	61

The other 21 cents of the dollar came from a multitude of sources, each of which contributed less than 1 cent.

It will be observed that the consumers of liquor and tobacco pay nearly half the income of the government. Probably the poor man pays more in proportion to his income than does the rich man for liquor and tobacco and gets an inferior grade of the article into the bargain. Nobody can arouse much indignation over this particular state of affairs, however, for liquor and tobacco are not necessities of life, and consumers who pay the tax thereon are generally deemed not entitled to much sympathy.

While incomes between \$3,000 and \$20,000 contribute twice as much as do incomes over \$50,000, those between \$250,000 and \$500,000 render only one-half cent of the dollar, those between \$75,000 and \$100,000 one-fifth of a cent and those between \$20,000 and \$50,000 three-tenths of a cent.

The treasury department has done its best to conceal the exact amount of tax that the incomes of various proportions pay toward the upkeep of the government. About \$41,000,000 was derived in the last fiscal year from all incomes. The department publishes only the total amounts derived from the normal tax of 1 per cent and from each grade of super-tax.

Some Income Tax Figures.

But it is disclosed that the income tax revenue last year was contributed approximately as follows:

174 incomes averaging \$1,118.750	\$ 9,355,410	
346 incomes averaging \$26,899 paid	8,823,224	
1,828 incomes averaging \$138,625	255,140	
paid	5,560,140	
1,501 incomes averaging \$28,566	paid	1,781,687
6,689 incomes averaging \$7,350	paid	2,358,229
23,348 incomes averaging \$27,900	paid	5,580,172
285,658 incomes averaging \$7,500	paid	11,622,373

That the men of large incomes would not be unjustly burdened if compelled to pay twice as much to the government as they do now is the contention of many analysts of the income tax statistics.

The reader may judge the soundness of this argument for himself when informed that the millionaire with an income of \$1,118,750 paid to the government last year \$7,215; the man whose income was \$316,680 paid \$11,044; the man with an income of \$138,625 paid \$3,255; the man with an income of \$28,566 paid \$1,187; the man with an income of \$7,350 paid \$617, and the man with an income of \$27,900 paid \$600.

Tillamook cheese factories are prospering. The total output for 1915 amounted to \$620,503.23.

A Portland man claims to have discovered the secret of hardening copper.

The Rainier mill will re-open with a full crew.