

Hawley Divorce Suit Is Dismissed

SUPREME COURT REVERSES DECISION OF JUDGE BAGLEY, LEAVING PLAINTIFF AND DEFENDANT MARRIED

SALEM, Oregon, July 30.—Reversing the decision of the lower courts in the case of Marjorie Hawley, versus Willard P. Hawley, Jr., the supreme court Saturday dismissed the suit, leaving Mr. and Mrs. Hawley married.

The decision, reversing that of Judge George R. Bagley, came as a complete surprise in one of the most sensational divorce cases.

The decision, handed down by the supreme court reads: This is a suit for divorce by Marjorie Hawley against Willard Hawley, Jr. The original complaint was filed November 21, 1919, charging the defendant with many acts of cruel and inhuman treatment.

The hearing was begun on February 16, 1920, and continued each judicial day thereafter until and including February 27, 1920. Fifty-one witnesses were examined, whose testimony comprised 1443 pages.

Based upon the findings of fact and conclusions of law, the court, on March 1, 1920, decreed that defendant was entitled to a divorce and to the custody of Eva Odele Hawley, the Mrs. Hawley Sr., were originally opposed to the marriage, but finally acquiesced.

The testimony shows that at the time of her marriage, plaintiff was a popular, vivacious girl, of pure character, with a pleasant and sociable disposition; that the young people of her set were among the best in Oregon City and were very fond of her.

BROWN, J. Willard Hawley, Jr., and Marjorie Fraker were married at Trinity Church in Portland, Oregon, March 11, 1916, in the presence of their immediate families.

Finally, during the month of November, 1915, a difficulty arose that was not condoned, and a few days thereafter plaintiff filed a complaint for divorce. Defendant denied and countercharged. There was criminal and recrimination by the parties.

ALBERT G. MANGERS, LOCAL SALESMAN, IS KILLED IN ACCIDENT

Truck Hit By Train While Crossing S. P. Track At Dallas, Oregon

Albert G. Mangers, of Salem, who for the past few months has been in the employ of the Oregon City Auto Company as a truck salesman, and who was injured at Dallas, Or., Tuesday morning in a collision with a Southern Pacific locomotive, died at 11:30 a. m. Wednesday in the Dallas hospital, according to word received by relatives.

Mr. Mangers and a nephew, named Roth, had just started the truck across the Southern Pacific tracks on Church street, when the engine hit the machine. Mr. Roth apparently saw the approaching locomotive as he leaped from the truck before the engine struck it and escaped uninjured.

Mr. Mangers was the son of the late Dr. W. B. and Mary J. Mangers, and a brother of the late Judge J. E. Mangers. He is survived by two young daughters, Helen and Mary, three sisters, Miss Minetta Mangers and Mrs. W. F. Thompson of Portland, and Mrs. Sarah Woodington of Salem, and a brother, James Mangers, of Dallas.

MRS. HAWLEY DID NOT WIN SAYS LAWYERS

That Marjorie Hawley was the vanquished and Willard Hawley the real victor, notwithstanding the decision of the Supreme Court setting aside the divorce granted the young husband by Judge George R. Bagley, is the summary of the result as contained in an interview had Monday with Harrison Allen, senior counsel for Mr. Hawley in the strenuous litigation which has engaged the attention of the courts and the intense interest of the public since November, 1919.

"The decision in the Hawley case, has been characterized as a victory for Marjorie Hawley. It is quite to the contrary. She left her husband absolutely against his will and in spite of the earnest solicitation of his parents and himself that she remain with Marjorie Hawley, and not Willard, who brought the suit for divorce, alleging various acts of cruelty on his part. She asked \$5000 temporary alimony, \$1500 suit money, \$15,000 attorneys' fees, a division of her husband's property, or \$132,000 in cash instead, the custody of the minor child and \$250 per month for his support.

"Willard Hawley's position was one of self-defense, born of necessity, and the divorce finally granted to him, and to which I think he was clearly entitled, but which the supreme court set aside, was largely on account of testimony given by her at the trial. Her case was dismissed. What has she gained? Nothing that she asked. What has she accomplished? The breaking up of a beautiful home, a complete and everlasting estrangement from the love and association of her estimable young husband and from the affection and tender solicitude of Mr. and Mrs. Hawley Sr., who were at all times eager and willing to shower upon the young couple and the winsome granddaughter all that the heart might wish for and all that their great wealth could buy."

Both Grant B. Dimick and Harrison Allen declined to inform the Enterprise as to the future plans of their client, or what, in their opinion, the final outcome of the case may be. The local public awaits with unabated interest the next move in the matter.

Woolen Mills Have Capacity Orders

Chicago, Aug. 2.—Woolen mills in the Mid-West have a fair amount of orders on hand and may be expected to run at capacity on these orders for two months. Wages in woolen manufacturing are fairly satisfactory but it is expected further reduction will follow further cuts in living costs. The prices for light weight fabrics for next spring will be on about the same level as at the present, with some possible reductions in cloths made from the finer grades of wool.

Los Angeles, Aug. 2.—A new \$650,000 woolen textile mill to replace a plant destroyed by fire will be erected here by the Golden State Woolen Mill company.

LOW COSTS INDICATED BY REPORT

That the costs of material and labor are actually on the decline, and that the decrease is appreciable rather than purely theoretical, is the indication of the semi-annual reports of the county clerk and county treasurer, which have just been completed.

With an increase in the actual volume of road work probably over 100 percent, the increase in the cost has been almost negligible. During the six months ending July 1, 1921, the county expended on roads and highways \$265,496.12, an increase of but \$14,505.57 over the corresponding period for 1920.

This proportionate decrease according to County Clerk Fred Miller, is due to the decline in the cost of material which the county is using, and the lower wages that are being paid. In 1920, the average wage was from \$4 to \$5, in cases running as high as \$7.

Labor Pay Is Less The average wage paid for common labor today is \$3, and for special help running seldom higher than \$4.50. The volume of the work has materially increased, an index of the activity being contained in the number of warrants issued for road work during a month's period. At the pay day in July, the office issued 2540 road warrants. Last year 1400 warrants was considered an exceptionally heavy month.

Administration expenses for the county show an intrinsic decrease over a similar period last year. During the first six months of 1921 salaries and general expenses of the entire county totaled \$60,233.28, against \$62,582.40 for this period in 1920.

Road Expenditures Heavy Road work has called for one of the heaviest expenditures in the county. Of the total of \$265,496.12, the disbursements were divided as follows: general road fund \$96,629.39, market road fund, \$13,200, special road fund, \$67,216.70 and district road fund, \$90,449.34.

The general county fund, according to the report of the clerk, contained at the end of the period, \$77,236.24 voted for use on general expenses which is unexpended by the county. A similar surplus, above expenditures and outstanding warrants exists in the special road fund, totaling \$123,584.71. A surplus, voted for market roads, and on hand as an unexpended amount totals \$66,806.75. These funds have been voted for special purposes and cannot be applied to expenses or roads other than those for which they were originally intended.

SCHOOL COSTS HIGH

According to the treasurer's report the total expenditures in the school funds for this period were \$278,559.92. This figure includes the special school funds, and city and county funds. The treasurer's report shows a total balance on hand of \$481,043.39. This includes the available assets in 19 different special and general funds.

Clackamas County Bridge Contract Let

Contracts for the bridges on Tryon and Sucker creeks, with paving on the bridge floors were awarded to the Warren Construction company by the highway commission Thursday. The contract price is \$5558.

Paving on Island Hill Road Finished

The Island Hill road, at Milwaukie, which has been undergoing improvement, was opened to traffic Saturday. This paved stretch, completed with one exception, the hard surface highway from Portland to Salem. The Canby-Aurora piece is the only one which is not yet paved.

Local Man's Father Dies in Nebraska

Word of the death of William Klebo formerly of the Highland district and more recently of Ulica, Neb., has been received by his father, Albert Klebo, of J. Q. Adams St. The deceased died of complicated stomach trouble Sunday evening at eight o'clock at his home in Ulica.

He is survived by his widow, four children and two sisters, all of Nebraska, and sisters, Mrs. Ferdinand Kraxberger of Mackburg; Mrs. W. R. Kraxberger, Mrs. Henry Welk, Mrs. Emma Fryer, all of Oregon City, and Mrs. Henry Moehle of Highland and one brother Albert Piele of Beaver Creek.

ENRICO CARUSO, NOTED OPERA SINGER, DIES AT NAPLES; WAS ILL LONG

Acute Peritonitis is Fatal to Tenor; Operation Fails to Save His Life

Naples, Aug. 2.—The golden voice of Enrico Caruso is stilled forever. The gallant and spectacular fight which the world-famous tenor has waged against disease ended this morning, when Caruso died here from acute peritonitis. Mrs. Caruso was at the bedside. Caruso's death was not unexpected. The attending specialists had announced last night that the patient was sinking rapidly, and that he would barely survive another 24 hours, even if he held out that long.

At midnight it was announced that Caruso was dying. His strength was ebbing swiftly and already the death count was hovering over him. The physicians were in constant attendance and continuously administered restoratives, but the battle was ended.

Caruso became ill last week and was brought from Sorrento to this city, where the facilities for medical treatment were better. Four specialists were retained. Upon diagnosis it was found that the singer was suffering from an abscess between the liver and the diaphragm. Caruso was very weak and his lungs had suffered from the strain of previous illness, but an operation was decided upon as the only means of saving his life.

Acute peritonitis followed the operation and Caruso's condition grew steadily worse over Sunday and Monday. He knew that death was near, but maintained his old-time cheerfulness.

Mrs. Caruso and the singer's brother were constantly at the bedside, giving such comfort as they could. By Monday night Caruso's heart was fluttering so feebly that camphor was administered. It was reported at so that oxygen was administered.

BONUS COMMISSION NEEDS MORE FUNDS

SALEM, Or., Aug. 2.—Approximately 50,000 forms of application upon which the Oregon bonus can be paid are being printed as a result of a meeting of the state bonus commission held here today. These forms, when printed, are to be distributed among the ex-service men before the actual cash receipts from the bond issues are at hand. It was said by Adjutant-General White that this procedure would result in avoiding unnecessary delays.

The commission had no announcement to make of the method of distribution, but said that its policy of eliminating every preventable delay would be followed in the distribution method, as in all other matters.

LOCAL BOY DISAPPEARS COMPLETELY

Dunward Carl Clark, 13 year old son of Mr. and Mrs. Ward R. Clark, Route 3, Oregon City, disappeared Tuesday, July 26. No trace of the lad has been found despite the search instituted by both his parents and the authorities.

Boy Wore Overalls

Dunward, who will be 14 this August, was dressed when he left the house, in blue overalls, a blue shirt, and khaki cap. The wheel which he was riding was equipped with different kind of tires on front and rear wheel, and a squaky horn instead of a bell.

Lad is Hit by Auto; Not Seriously Hurt

Harry Roberts, young son of Mrs. Edith Roberts, South Oregon City, was slightly injured at 3:50 o'clock Tuesday afternoon when he was struck by a Ford machine owned by W. A. Jones, 1141 E. 25th street N., Portland.

The lad was playing in front of Huntley's drug store, and ran out into the street in front of the oncoming car. He was taken to Dr. Mount's office, where it was found that his injuries were not serious.

Pay Day Here, But Four Get No Check

COUNTY MAY HAVE TO GIVE SALARIES TO TWO SPEED COPS; LEGAL ACTION TO COLLECT HAS NOT BEEN STARTED YET

Monday, August 1, was pay day for county employees. But pay checks were not issued for the county health officer and traffic cop. And the question "Who gets the money?" still continues to be an enigma.

When the county court ordered the pay of these officers held up, in order to attempt to force a settlement of the contest, over the two positions, it was generally believed that the court would subsequently order the officials which it had appointed paid.

But the judge and commissioners had not taken any official action yesterday evening.

Suit to collect from the county will probably be issued in the case of the traffic officer, C. J. Long, who under the appointment as a deputy sheriff has been working for practically a year, conducted his duties last month despite the squabble over the position due to the appointment of R. E. Wagby by Judge Cross.

The county court, furthermore, will be responsible for the payment of Wagby's salary. Wagby, operating under a state commission, will receive no compensation from the governor's office. The appointment, made by the governor in order to give Wagby police power denied by the sheriff, was with the express understanding that the county was to assume all liability for Wagby's compensation as well as for his operations.

Long has been paid out of the sheriff's budget fund, and this money cannot be appropriated except over the signature of the sheriff. The traffic officer who preceded Long was paid out of the road fund, over which the county court has jurisdiction. But in spite of its desire to hold up the traffic officer's salary,

no appropriation for Wagby's compensation has been made, either from the road fund, or any other fund. The official records do not show that Long was appointed a traffic officer, but name him officially as a deputy sheriff. In this capacity, to serve with pay, he was appointed by the sheriff and confirmed by the county court.

This leaves mooted the question of whether or not the court has the right to name a traffic officer, and whether the administration of traffic regulations comes under the head of the court's province or not. Up until July 1, however, Long was tacitly conceded as traffic officer, and has been officially performing the duties of the sheriff, and draying the pay of the officer under the budget o. k'd by the commissioners at the beginning of the year.

Two Checks Imminent Under these circumstances, the county may be forced to pay two salaries. If Long takes the matter into court, and can show official title to the position of deputy sheriff, at a specified salary, and at the same time the county is forced, under agreement of the court, to pay Wagby, the community coffers may cough up twice instead of once.

The court remains taciturn. Judge Cross stated last week that he understood the state of affairs, but refused to give public information. And the court so far has declined to take official action.

The health officer's case does not present an immediate difficulty due to the state law provision that the officer shall be paid at least quarterly. No action can be started legally to collect the health officer's salary until the culmination of that time which is this September.

RECALL OF BOND ISSUE IS HELD UP

The initiative petition, instituted by Clackamas County Pomona Grange to recall the unpaid portion of the \$1,700,000 road bond issue voted by the county last year, cannot be filed by the county clerk. This was the legal opinion handed down Thursday by District Attorney Livy Stipp.

The petition is signed only by the five members of the grange committee, and Attorney Stipp holds that this is irregular, as the law calls for initiative measures being signed by 25 percent of the voters of the affected district.

The signatures on the petitions are furthermore not attested.

Large Sum Unsold

Under the authorized bond issue, \$250,000 in bonds have been ordered issued, leaving \$1,450,000 of the amount ordered issued, but \$73,506 have been sold.

Members of the grange who are interested in annulling the bond issue say that the defects will be remedied and the petition presented again in proper form.

The members of the committee are C. E. Spence, master of the state grange, E. C. Glover, of Boring, A. F. Soper, Oregon City Route No. 3, Henry Thlassen, Milwaukie and H. B. Davis, Estacada.

ROAD IS CLOSED

The road over the Baker bridge has been closed, due to an accident on the bridge. A truck went through the plankings, and traffic has been detoured pending the repair. The bridge will be opened next week.

GAME IS SCHEDULED

The West Linn fire company team, which last Sunday defeated Wilsonville 4-to-7, has scheduled a game with Stafford. The game will be played on the West Linn High School grounds at 10 o'clock Sunday morning.

LOCAL BOY DISAPPEARS COMPLETELY

Dunward Carl Clark, 13 year old son of Mr. and Mrs. Ward R. Clark, Route 3, Oregon City, disappeared Tuesday, July 26. No trace of the lad has been found despite the search instituted by both his parents and the authorities.

The boy took his wheel and started out to get the mail, from the family box on the main road, a mile from the house. Becoming worried, by 4:30 o'clock, his mother went out to look for him, and found no trace of the lad. The mail was still in the box. Neighbors said they had seen nothing of the boy, and no trace of him has been found in the vicinity of his home.

No Reason to Leave

The boy, according to his parents, had never showed any intentions of leaving the house. He had never left the home before, and there had been no trouble of any nature. His young brother, however, recalls some remarks that Dunward made, to the effect that he would see him "if he did come back." These however, were of the sort that most lads would make from time to time when the idea of leaving home appeals momentarily. There are a number of relatives of the family in the county, but these have neither heard nor seen of him. His disappearance remains a complete mystery. No trace has been found of the wheel which he was riding.

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LICENSE IS ISSUED

A marriage license was issued by the county clerk Friday to John W. Pittman, 39 and Minnie Prealun, 33, both of Portland.