

TAX LEVY DECLARED

City Council Makes It Eleven Mills.

MAYOR'S ANNUAL MESSAGE

Portland's Financial Affairs Are Reported On at Brief Session, the First Held Under the New Charter.

The Council, acting under the new charter, yesterday levied a tax of 11 mills for city purposes, 2 1/2 mills for the payment of the bonded indebtedness, and 5 1/2 mills for the construction of a fireboat. This means a tax of 11 mills and omitting the fireboat levy, the total amount to be raised will be \$417,563.19.

The session of the Council was very short. The first order of business was a communication from the mayor, which was in part as follows:

"In pursuance of section 152 of the charter, I hereby communicate to you the objects for which this special session has been called, to be as follows:

"To submit to your honorable body a statement of the financial condition of the city, and the estimate of its resources for the ensuing year, and a budget of the probable expenses, based upon the estimates of the various departments, which have been filed with the City Auditor."

"The levy of a tax to provide for the general expenses of the city and the payment of interest upon its bonded indebtedness, as provided by section 14 of the charter."

"The levy of a special tax for the purpose of acquiring a fireboat for the City of Portland."

"The levying of a special tax to pay the annual installments and the unpaid installments under the bonding act of 1928."

The Mayor then presented his annual message, and it was as follows:

PORTLAND, Or., Jan. 28, 1933.

Gentlemen:—In accordance with the provisions of the city charter, I submit herewith a statement showing the condition of the financial affairs of the municipal corporation at the close of business on the 31st day of December, 1932, and also an estimate of the current expenses and probable income of the city during the present fiscal year:

Balance in general fund	\$ 32,071.84	
Deduct outstanding warrants and claims	14,975.33	\$ 17,096.51
Balance in Fire Department fund	\$ 3,277.70	
Deduct outstanding warrants and claims	8,294.03	63.67
Balance in Police Department fund	\$ 8,692.91	
Deduct outstanding warrants and claims	8,572.49	2,794.42
Balance in bonded indebtedness interest fund	\$ 36,415.32	
Deduct outstanding coupons and interest due January 1, 1933	36,156.75	258.57
Balance in light fund	\$ 6,182.34	
Deduct claim for December, 1932	4,453.96	1,728.38
Balance in street repair fund	\$ 2,554.56	
Deduct outstanding warrants and claims	1,618.71	935.85
Balance in park fund	\$ 9,449.58	
Deduct outstanding warrants and claims	944.52	8,505.06
Total	\$ 28,899.77	

The following statement shows the expenditures for the year 1932, the estimated expenditures for the year 1933, and the probable receipts for the year 1933 of those funds derived from direct taxation, providing that the full levy authorized by the charter is made and that the delinquent taxes at the end of the year shall not exceed 5 per cent:

Fund	Expenditures, 1932	Estimated receipts, 1933	Estimated expenditures, 1933
Lighting fund	\$ 32,071.84	\$ 1,754.28	\$ 62,888.94
Fire Department fund	108,037.21	63.67	24,323.31
Police Department fund	57,038.24	2,794.42	15,500.00
Street repair fund	23,224.06	935.85	21,444.47
Public Library fund	14,496.72	5,005.06	25,000.00
Park fund	123,529.50	233.58	104,514.50
Bonded indebtedness interest fund	36,415.32		36,415.32
Total	\$ 320,792.89	\$ 11,786.86	\$ 205,082.54

The deficiencies in the Fire Department fund and the Police Department fund must be provided by transfer from the general fund should your honorable body conclude to allow to those departments the amounts estimated as necessary for their proper maintenance during the year.

The receipts of the street repair fund will be increased by the licenses received for vehicles, which is estimated in the general fund. Any additional deficiency in this fund must be provided by transfer from the general fund.

The difference between the estimated receipts from the levy of taxes for the bonded indebtedness interest fund and the interest to be paid from this fund during the fiscal year is provided for by the payment from the Water Department of the interest on the East Portland water bonds.

GENERAL FUND.

Available balance January 1, 1933	\$ 17,096.51
Estimated receipts—	
Franchises	\$ 5,500.00
General licenses	180,000.00
Dog licenses	5,000.00
Engineering and advertising	2,500.00
Rents, City Hall	1,171.60
Costs, delinquent assessments	500.00
City fees	25,000.00
Municipal Court	6,000.00
Premium on bonds	3,000.00
Miscellaneous sources	1,000.00
Total	\$ 227,068.11

Transfers to other funds and expenditures by warrants from the general fund during the year 1932, and estimated expenditures during the year 1933:

Transferred during 1932:

To lighting fund	\$ 2,103.00
To Fire Department fund (net)	23,852.40
To Police Department fund	15,500.00
To street repair fund	9,300.00
To bonded indebtedness interest fund	25,000.00
To improvement bond interest fund	2,500.00
To street and sewer interest fund	2,385.80
To sundry street and sewer funds	3,625.74
Total	\$ 84,122.14

Expenditures for the several departments during the year 1932, and estimated expenditures during 1933.

1932	1933
Mayor's office	\$ 5,756.42
Salary of Councilmen	3,900.00
Auditor's department	13,180.66
City Treasurer's department	4,151.90
City Attorney's department (including litigation expenses)	9,326.20
City Engineer's department (general)	2,118.72
Repairs to sewers	4,449.24
Purchasing and operating road rollers	4,676.88
Inspector of plumbing and drainage	2,182.50
Pound department	2,828.25
Harbor department (general)	15,000.00
Harbor Police and Harbor Master	4,741.96
City Hall	1,225.00
Street cleaning and sprinkling	45,304.43
Insurance	536.41
Museum	1,000.00
Printing municipal reports	40.14
Advertising	9,263.56
Salaries of sundry persons	1,500.00
Pay of viewers	225.00
Improvement of streets, city property	1,432.72
Purchase of property	233.78
License tags	1,006.61
Charter board	600.00
Working prisoners	651.05
Miscellaneous	1,000.00
Total	\$161,716.72

"It is probable that many of the estimates set forth are in excess of the actual requirements of the several departments and I most earnestly desire that the same be carefully scrutinized by your honorable body before any appropriations therefor are made and that appropriations be limited to the strictest economy consistent with the judicious management of the public affairs. In fact the appropriations must be less than the estimates submitted, for the tax levy is made from the general fund, and in addition thereto a transfer of about \$5,000 must be made to the improvement bond interest fund to meet the deficiency therein caused by certain bonded assessments not bearing interest. I would also call your attention to the fact that the clerical work formerly done in the Police, Fire, Water and Park Departments has been transferred to the Auditor's Department and that the estimates for those several departments, especially the Fire and Police, include the pay for such service."

"I would also recommend to your honorable body that taxes be levied to the

committee meetings may be all right, but it is hardly space to the limit to call it. I should be appointed to a committee meeting regularly, however, I should feel obliged to accept it."

Two changes, if any should be made, will be announced by the Mayor at the regular meeting of the Council next Wednesday.

Deep Snow Paralyzes Ogden.

OGDEN, Utah, Jan. 27.—The heavy snow of six inches, which commenced here at dusk last evening and continued all night, has broken nearly all the electric light, telephone and electric wires. The electric power has been off most of the day. Trains from all directions are delayed.

If Baby Is Cutting Teeth.

Be sure you have the best of the tried remedy, Mrs. Winslow's Soothing Syrup, for children's teething. It soothes the child, softens the gums, allays all pain, cures colic and diarrhoea.

The cures a medicine makes are the proof of its merit. And Hood's Sarsaparilla makes the most.

PUBLICITY WAS PAINFUL

MISS DEVEREAUX DECIDES NOT TO SUE FORMER LOVER.

Her Attorney Says That He Desires to Investigate the Letters Which His Client Claims Were Forged.

The Devereaux-Nicholson breach-of-promise suit came to a sudden termination yesterday morning. Judge J. H. Woodward, attorney for Miss Devereaux, moved for a voluntary nonsuit, which was granted.

Judge Woodward said that certain unlooked-for developments had arisen since the trial was begun, he proposed to pause and ask for a nonsuit for the purpose of leaving the case unprejudiced until he could institute a thorough investigation of certain matters. Counsel referred to certain letters of Miss Devereaux which had been introduced, some of which and parts of others she denounced as forgeries. He wanted time to examine them, and asked the court not to allow the exhibit letters to be withdrawn by defendant.

Attorney Pipes, for the defense, said he would make application to the court for an order to withdraw the defendant's letters, and Judge Woodward said before that was done he desired to be heard in the matter. The court said it was the rule, when a request is made for exhibits to be returned to the defendant, to grant it.

Judge Woodward said he particularly desired the letters admitted in evidence to remain in the custody of the court. Counsel also said that unexpected publicity to such an extent that it proved embarrassing had affected the young couple, and a grant of the request had been given to the matter, which was not pleasant. This statement alluded to portions of letters published and evidence in the case.

Counsel for the defense said there would have been some surprises, had the trial continued.

The voluntary nonsuit permits Miss Devereaux to sue again, if she desires to.

WOMAN PUZZLED HIM.

Attorney Says No One Knows What Female Stockholder Will Do.

"Ordinarily a stockholder will work in the interest of the stock, but you can't tell what a woman stockholder will do, especially if she is jealous existing between her and another woman."

This statement was made by Judge Woodward yesterday in the case of the Spencer Company, a shirt-waist manufacturing concern, against the I. Parker, which consists of two tracts, one of the stock of the company, a shareholder of the company. The plaintiff's attorney stated that Miss Parker is driving customers and employees away, and is trying to break up the business. He said that a preliminary injunction restraining these acts, granted some time ago, be continued.

George S. Shepherd, attorney for Miss Parker, said the case was not a proper one for an equity court. He said there was no trust involved, nor was fraud alleged. He said the plaintiff can bring a damage suit against Miss Parker, if the facts alleged in the complaint are true. Plaintiff's attorney insisted that an equity suit is proper in case of a trespass of this kind. The court took the matter under advisement.

WANTS HIS COMMISSION.

Sale Didn't Go Through, but George Good Blames Others.

Judge George took testimony yesterday in the suit of George Good against W. K. Smith, to recover \$1000 commission for finding a purchaser for the Smith mill and Multnomah box factory property about a year ago. The price for the property, which consists of two tracts, was \$65,000, and the Western Lumber Company was to have been the purchaser. W. K. Smith owns all of one tract and an undivided one-half interest in the other tract. He was to have received \$48,000 of the purchase money, and Walter V. Smith and Susie W. Smith the remainder in equal shares. There was some dispute in the testimony as to whether or not George Good should have made his man make a deposit, when he was not. S. B. Lintcomb and J. C. Flanders appeared as attorneys for Mr. Good, and Wirt Minor for the defendant.

COUNT NOTES.

The Northwest Electric Engineering Company filed suit against W. H. McMonies & Co. in the State Circuit Court to recover \$175 on account of an electric motor sold and for repairs to a motor.

A petition in bankruptcy was filed in the United States District Court yesterday by Oliver P. Graham, a boatbuilder of Warrenton. The petition sets the liabilities of the bankrupt at \$512, and his assets at \$200.

R. J. Rozier, a young man charged with stealing goods from the store of the Honeyman Hardware Company, pleaded guilty yesterday, and was sentenced by Judge Sears to eight months in the County Jail.

The case of the United States against Benjamin D. Boswell was dismissed by Judge Bellinger yesterday, on motion of the United States District Attorney. Boswell was accused of having forged a signature to a money order, and the dismissal is due to the lack of evidence to warrant a trial.

Thomas McNamee, charged with shoplifting, was pleaded by the District Attorney to plead guilty to simple larceny, and was sentenced by Judge Sears to 90 days in the County Jail. He stole a lady's hat in the store of C. W. Worland & King, and is believed to have committed like offenses in other stores.

Joseph B. Benway yesterday filed an answer to the suit for a divorce filed by his wife, Margaret Bonway. He denies her charges of cruel treatment, and alleges that she has been unfaithful to her marriage vows. Benway states that Mrs. Bonway left their home at Spokane on June 25, 1931, taking with her a large amount of money belonging to him. He says he is able to provide a comfortable home for her and the children, and that she went away contrary to his wishes. W. C. Humman is named as co-respondent.

Elizabeth Killow, in a complaint for a divorce filed by her in the State Circuit Court yesterday against William Killow, charges him with drunkenness and cruel treatment. She alleges that he frequently struck her. On July 4, 1931, at San Francisco, Mrs. Killow avers, her husband and she were in the city, where he threw a large pan of water over her head on an occasion when he was severely annoyed by the face and head with his fists. She says she was compelled to leave him. The litigation was set for trial at 10 o'clock on Jan. 1933. They have two children, and the plaintiff asks the court to decree that the defendant contribute \$10 per month for their support.

HIS UNMAILED FIST.

Defendant in Assault Case Denies Using Any Other Weapons.

"Guilty," said E. Sensel. "I did assault and beat James Country, but he drove me to it."

"Did you strike the first blow?"

"Yes."

"How did he drive you to it?"

"He shook the table and laughed at me when I was trying to play pool."

"He threw a ball at me," interrupted the prosecuting witness. "If it had hit me in the head it might have killed me. The defendant nodded assent."

"He hit me with a billiard cue," here

the defendant waved his clenched fist proudly in the air.

"There, Judge," said he, "that's what hit him."

"That may be a serious charge," said the Judge. "I will have to call more witnesses."

"But," interrupted the prosecuting witness, "I'm a workman, and I want to get through this challenge, and the officer only smiled to himself."

Yesterday Nelson and Bert LaBarge appeared before Judge Hogue, and there was no remembrance of the outcome of the case. Instead of two bold bandits were two weeping boys pleading with tears in their eyes that the Judge should not send them to the Reform School. As Officer Hogue, the Boys' and Girls' Aid Society, stated that the society was not able to control the boys, they were sentenced to serve a term in the Reform School. Two older boys, McFarland and Smith, escaped from the custody of the society at the same time, and have not been found yet. They have been heard of, however, and it is probable that they will soon meet their claims in Second Street.

THE BANDITS WEPT.

Boys Who Escaped From Aid Society Whimper in Court.

"I'm Jesse James, and I'm a hot tamer! Catch me if you can!" was the greeting of W. T. Gardner, of the Boys' and Girls' Aid Society, received Monday when he took down the receiver of his telephone in response to a call. It was the youthful voice of Guy Nelson, aged 13, that made this daring challenge, and the officer only smiled to himself.

Yesterday Nelson and Bert LaBarge appeared before Judge Hogue, and there was no remembrance of the outcome of the case. Instead of two bold bandits were two weeping boys pleading with tears in their eyes that the Judge should not send them to the Reform School. As Officer Hogue, the Boys' and Girls' Aid Society, stated that the society was not able to control the boys, they were sentenced to serve a term in the Reform School. Two older boys, McFarland and Smith, escaped from the custody of the society at the same time, and have not been found yet. They have been heard of, however, and it is probable that they will soon meet their claims in Second Street.

The escape was carefully planned, and required some sensational work on the part of the youthful criminals. Young Nelson is a nice-appearing boy, and had made the officers believe that he intended to be good the rest of his life. Accordingly he was regarded as a trusty and allowed to attend to chores for Mr. Gardner. Last Friday he found out that Mr. Gardner was away from home all day, and broke the news gently to his companions. A raid was planned, and when it came time for him to go as usual and split the wood, he took Bert LaBarge and another boy along. They entered through a window and took whatever they thought might be needed after they escaped. Two revolvers, some money and other articles were missing from the house when Mr. Gardner came home.

Now that they were armed and prepared to meet the world, the boys laid plans for the escape. A large chute leading from the top floor into a basement is so small that the big boys can't go through it, but the smaller ones found that it would just make a tight fit for them. From the floor where the boys are confined at night to the bottom of the chute the distance is fully 50 feet. It looked like a daring drop, but Nelson was game and made the descent. He was able to press against the sides with his feet and hands to keep from going too fast, and landed at the bottom unharmed.

Armed with guns and the small amount of money in their pockets, they thought they were the boldest set of desperadoes that ever struck the county.

"Where were you when you called up Mr. Gardner and told him you were Jesse James?" the Judge asked Nelson.

"At the Y. M. C. A.," replied the boy.

"You were brought here a few days ago," said Judge Hogue. "Isn't one less convenient for you?"

The youthful burglar and desperado was overcome with the prospects before him, and burst into tears.

The big boys begged me to do it," he whispered. "I'll be good from now on." But the Judge looked stern and told them they would have to go to the Reform School.

To Move Justice Court.

The East Side Justice Court will be moved to quarters on the second floor of the building on the northeast corner of East Morrison street and Grand avenue February 1. Justice Seton will have a converted court room, and the court one he has been occupying on East Morrison street, but large enough. Besides, there is room for the office of Clerk Craib and Constable Keenan. There is also a small jury room.

DAILY METEOROLOGICAL REPORT.

PORTLAND, Jan. 27.—8 P. M.—Maximum temperature, 44; minimum temperature, 23; river stage, 11 A. M., 18.4 feet; change in 24 hours, 1.9 feet; total precipitation, 5 P. M. to 5 P. M., 0.25 inch; total precipitation since Sept. 1, 1932, 28.02 inches; normal precipitation since Sept. 1, 1932, 25.52 inches; excess, 2.50 inches; total sunshine Jan. 26, 9.09; possible sunshine Jan. 26, 9.30; barometer (reduced to sea level) at 5 P. M., 29.65.

PACIFIC COAST WEATHER.

ASTORIA.....42 to 52 S.W. Cloudy
BACON.....40 to 50 S.W. Snow
BIRMINGHAM.....40 to 50 S.W. Snowing
BOLE.....36 to 46 N.W. Clear
BOSTON.....36 to 46 N.W. Clear
KAMPOOPE, B. C.....38 to 48 N.W. Clear
North Head.....40 to 50 S.W. Cloudy
Portland.....44 to 54 S.W. Cloudy
Roosevelt.....44 to 54 S.W. Cloudy
Sacramento.....50 to 60 W. Rainy
San Francisco.....50 to 60 W. Rainy
Seattle.....40 to 50 W. Cloudy
Spokane.....40 to 50 W. Cloudy
Tacoma.....40 to 50 W. Rainy
Vancouver.....40 to 50 W. Rainy
Walla Walla.....38 to 48 N.W. Clear

WEATHER CONDITIONS.

Heavy rains have fallen in Northern California.

EMBALMS THE FOOD.

A California Physician's Idea About Coffee.

A well-known California physician, John M. Read, of Redwood City, maintains that coffee, when taken with the meals, has a tendency to "embalm" or "preserve" the food so that it will not rot. With this knowledge he has made many complex cures of indigestion, stomach troubles and nervous diseases by taking away the coffee and giving his patients Postum Cereal Coffee, which helps digestion.

Dr. Read's theory is spoken of in a letter from a gentleman of Oak P. O., Cal., who says: "Twelve years of indigestion has made me so nervous and thin that I could scarcely work. I had noticed in newspaper articles about Postum Coffee, but didn't think seriously of the matter. Finally, however, they impressed me and I went to my family physician, Dr. John M. Read, of Redwood, and asked him about Postum."

"He immediately recommended it, having used it in his own and other cases for exactly the same purpose. Dr. Read is well known throughout Northern California, and he surprised me by the following statement: 'Coffee acts in many cases like a large dose of alcohol taken after meals; it preserves the food so it cannot be digested.'"

"I have great faith in Dr. Read, and immediately commenced Postum with the result that at the end of one month I was greatly improved and now, at the end of three months, I am a well man, nervous steady and digestion O. K. Am gaining steadily in weight and can do a hard

"My brother, who suffered from palpitation of the heart when drinking coffee, claims that his heart does not trouble him in the least when drinking Postum. Name furnished by Postum Co., Battle Creek, Mich."

With Confidence We Direct

You to the Never-Failing

Health Builder.

Paine's Celery Compound

Quickly Elevates the Constitutional Condition of All Run-down and Sick People.

In the Winter season, when many people, especially women and children, are confined in close and stuffy apartments which lack proper ventilating facilities, the blood becomes watery, pale, sluggish and impure; the nervous system is impeded, the brain is tired, insomnia befalls its terrible work, and a general collapse of the whole system ensues.

Our object at this time is to suggest the true means of succor and help for pale, languid, nervous, irritable, and weakened women and children. Thousands of such nervous and frail victims will soon be cut down if help is delayed and time lost.

Paine's Celery Compound is the life-line—the sure and tried anchor of hope that all may lay hold of with a certainty of new life and vigorous health. Paine's Celery Compound is doing the same Heaven-blessed work today for sufferers that it has so well done in the past. It quickly furnishes that new, pure and fresh blood which is the foundation of true health; it promotes cell-growth, builds up flesh, bone, and tissue, and elevates the constitutional condition of every sick person, and defends them from germ and bacterial dangers. Try Paine's Celery Compound, dear reader, and your efforts will be fully and happily rewarded.

Do not throw away old clothes. Make them look like new with DIAMOND DYES.

Direction book and 45 dyed samples. DIAMOND DYES, Burlington, Vt.

nia during the last 24 hours, and light rain, mixed with snow, has occurred generally in Western Oregon and Western Washington, while snow is reported in Idaho and in the Eastern portions of Oregon and Washington.

The temperature west of the Rocky Mountains is seasonable.

The indications are for light rain or snow in this district Wednesday.

The following river stages were reported at 5 P. M.: Portland, 18.4 feet, rise last 12 hours 0.6 foot; Salem, 26.6 feet, fall last 12 hours 0.6 foot; Albany, 24.5 feet, fall last 12 hours 0.5 foot; Eugene, 9.6 feet, fall last 12 hours 0.6 foot. The river at Portland will come to a stand Wednesday at a stage of about 19 feet, after which it will fall rapidly.

WEATHER FORECASTS.

Forecasts made at Portland for the 28 hours ending at midnight Wednesday, January 28:

Portland and vicinity—Light rain or snow; south to west winds.

Oregon and Washington—Light rain or snow; southerly winds.

Idaho—Snow; colder in southeast portion.

EDWARD A. BEALS, Forecast Official.

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AUCTION SALES TODAY.

By the Ford-Wilson Auction Co., at 182 1/2 St., at 10 A. M. Wilson & Ford, auctioneers.

MEETING NOTICES.