

ALDERMAN HAS NO CHANCE IN RULING

District Attorney Sustains the School Board in Its Recent Decision.

REMOVAL ACTION IS LEGAL

City Superintendent Declines to Comment on Edict Putting Him at Head of War Work of City Schools.

An opinion rendered late yesterday afternoon by the District Attorney's office to the School Board, sustains the recent action of three directors in the removal of City Superintendent Alderman, an administrative head of the city schools, to the newly-created office of superintendent of war work.

Prepared by Deputy District Attorney Pierce, and approved by District Attorney Evans, the opinion declares that certain state legislation gives the School Board the power to appoint and dismiss its employees at will, making no exceptions in cases such as that in which Superintendent Alderman is involved.

The action removing Mr. Alderman to another sphere of work, against which he has been vigorously contesting, was taken by the board at its meeting July 5, when Directors Sommer, Orton and Thomas, as a majority, voted to oust Mr. Alderman. Declining to abide by the order of removal, Mr. Alderman declared his intention to retain the office by virtue of the contract he has with the board at which does not expire until July, 1919.

Claim for Salary May Be Made. In commenting on the opinion last night, Deputy District Attorney Pierce said that while there is no doubt of the board's authority to remove Mr. Alderman upon the interpretation of the substitute duties offered him rests his claim for salary for the unexpired term of the contract.

Mr. Pierce admitted that, even though Mr. Alderman should be removed from office completely, by his refusal to accept the substitute position, he may still be able to press successfully a claim for salary in full until July, 1919.

Opinion Is Lengthy. The opinion, which was handed to School Clerk Thomas yesterday afternoon, is lengthy in its review of the case and summing of argument. Excerpts of particular interest are as follows:

"We find it necessary to secure an understanding of the duties of the superintendent of war work, and the duties of the superintendent of schools. The resolution is not explicit as to the duties of the superintendent of war work, further than to designate them as war activities, but on the other hand, the duties of the superintendent of schools are clearly defined in chapter six of the rules and regulations of the school district No. 1, Multnomah County, Oregon, as published in pamphlet form by the district. These rules and regulations require that the city superintendent shall be the administrative officer of the district on all educational matters and shall devote his whole time to the interests of that district in the district; that he shall have general supervision of the schools; shall advise with the principals; hold grade meetings of the teachers; shall supervise the teachers and control the programmes of his assistants and supervisors.

"With these definitions in view we are of the opinion that the resolution has adequately expressed the board's intention in these particulars, at least, namely, that Superintendent Alderman is heretofore the superintendent supervising war work and that Mr. Grout is to perform the duties of superintendent of schools.

Place In "One-Man" Job. "It is not expressly stated that Mr. Alderman is to have no share in the work of supervising the schools, but we are of the opinion that the assignment of Mr. Grout to the duties of superintendent of schools is intended to place Mr. Alderman in a position of superintending of schools, as outlined by the rules and regulations of the school district, and the declaration made that the board has unrestricted control over the positions it distributes, and may disregard the nature and the terms of any contract entered into with discharged employes may recover salary in full." The paragraph asserts:

"It follows that the resolution of this unlimited control over its officers and employees, the board has the power to dispense with the services of Mr. Alderman whenever it sees fit, irrespective of the nature and terms of the contract which he holds. Such action, perhaps, cannot deprive him of his salary as fixed by the contract, but the right to the office and the exercise of its duties and authority terminated when the board assigned it to another."

Mr. Alderman read the opinion last night, shortly after it was received in the office of the school clerk, but declined to make any comment upon it at that time.

W. T. Newcomb's Funeral Held. TILLAMOOK, Or., July 22.—(Special.)—The funeral of Willard T. Newcomb, who died here Saturday after an illness of more than two weeks, this afternoon under the auspices of the Masonic lodge. Mr. Newcomb was born in the Willamette Valley September 4, 1847. His parents came to this county when he was 3 years of age. In 1905 he was married to Bertha Penwell, who survives him. He is also survived by his mother and two sisters. He was a member of the Masonic and Oddfellows lodges.

Convict Trusty Walks Aways. SALEM, Or., July 22.—(Special.)—Wyllis Winter, trusty at the penitentiary, walked away tonight. He was committed from Multnomah a year ago for larceny of an automobile. He had served one term in the prison previous to and also a term in the State Training School.

SCENE AT KANNING KITCHEN WHERE 115 BOXES OF CHERRIES WERE PUT UP YESTERDAY.



PORTLAND WOMEN BUSY PREPARING FRUIT TO BE USED AT MILITARY HOSPITALS NEXT WINTER.

GROCERS TO FROLIC

Portland Housewives Urged to Purchase Supplies Today

MAYOR BAKER WILL SPEAK

Baseball Game Between Grocers and Butchers Stated by Committee in Charge—Big Dinner Is Noon Feature.

Uncle Sam's money will be no good in Escanada Park tomorrow. All day long the grocers and butchers of Portland will frolic, and they have decided that the only money that goes there will be the "Joy Money" issued by the association.

The grocers' picnic is the annual event and is anxiously awaited by every employe of the grocery or butcher shop in Portland. And housewives should know that since all of these merchants and employes are going to the picnic, they had better buy their supplies today, or they will be turning out their pockets of all loose change and have it transmuted into joy money, which only grocers and butchers know how to make.

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The programme of events for the day follows: Salemen's race, 100 yards, free-for-all; first prize, one box New Bachelor cigars, second prize, one box of soap, third prize, one box of soap, fourth prize, one box of soap. King & Cakes Soap Co. Second prize, one box of soap, third prize, one box of soap, fourth prize, one box of soap. The program of events for the day follows:

Boys' race, 75 yards, 12 years and under; first prize, one box of soap, second prize, one box of soap, third prize, one box of soap. Ladies' race, 75 yards, for ladies over 12 years of age; first prize, one box of soap, second prize, one box of soap, third prize, one box of soap. The program of events for the day follows:

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DAY'S WORK RECORD

Rare Performance Reported at Kanning Kitchen.

CHERRIES GALORE PUT UP

Workers in Course of Day Pack 115 Apple Boxes of Fruit in Quart Jars for Sick Soldiers in Hospitals Next Winter.

All records were broken yesterday and regular working hours were stretched away into the evening when the workers in the Kanning Kitchen put up in long rows of quart jars 115 apple boxes full of cherries.

The kitchen, which is conducted by the National League for Women's Service, has made some splendid records this year, but yesterday the donations of cherries were so many and so large that an unusual effort was necessary and more workers were added. A call for volunteer workers was sent out yesterday and last night women and girls responded by hundreds. More than 100 had to be turned away, but the committee openly expressed thanks for the good response. More than 800 jars of fruit were put up when the work was finished at 10 o'clock.

The workers all Summer have been canning and making preserves, and the clubs and societies have been most devoted to the cause, which represents fruit for the sick soldier boys in the hospitals next winter. The donations of fruit were so numerous that the workers who place them in the jars are called "fruit pickers" and are well paid for their services.

The Sugar Loaf on the Highway Sunday took in more than \$100. This money is used to buy sugar.

HATCHERYMEN TO MEET

PACIFIC COAST ASSOCIATION TO CONVENE IN AUGUST. Programme Will Include Business Sessions, Trip to State Hatchery and Entertainment Features.

Hatcherymen from Oregon, Washington, California and Alaska will gather in Portland August 12 and 13, when the second annual meeting of the Pacific Coast Hatchery Association will convene.

While many matters vital to the interests of hatcherymen of the West will be discussed, it is not the intention of the officers to arrange any formal programme. The discussions will be limited to set papers prepared on specific topics. Under general titles, topics of wide interest to the hatcherymen will be discussed in an informal manner, so that everyone will have opportunity to express himself.

COST OF APPLE BOXES UP

Hood River Growers Are Assured Adequate Supply.

HOOD RIVER, Or., July 22.—While Northwestern fruitgrowers have been warned that a box shoox shortage is possible, local growers are fully protected, officials of fruitshipping concerns report. The Apple Growers' Association will make delivery of carload shipments of shooxs at Odell and Van Horn, Mount Hood line stations, this week.

BENSON CHIEF IN DRAFT

MANAGER BERNEGGER GETS WISH AND WILL ENTER ARMY.

Previous Efforts to Get Into U. S. Service Were Discouraged at All Points.

E. H. Bernegger, manager of the Benson Hotel, has got his wish to be a regular soldier and carry a bayonet for Uncle Sam, and it wasn't his fault that it wasn't granted sooner.

A long time ago Mr. Bernegger decided to go into the aviation service, but an examining officer who got a glimpse of his horn rim spectacles persuaded him to abandon the idea. He claimed that Mr. Bernegger could not see well enough to pick off a Hun from a birds-eye view of things.

After this rebuff the hotel manager offered the government the use of his large French, German and Spanish vocabulary. Reinforced with recommendations from leading men of Portland, his application for a job as army interpreter journeyed to Washington and returned some weeks later enshrouded in red tape with the information that men of draft age were not wanted for that service.

At this juncture Mr. Bernegger joined the Multnomah Guards and learned the posture of a soldier and how to do squads right. Yesterday when his summons to go to the National Cantonment arrived he was ready for the Army, and tickled to death to go.

To commemorate Mr. Bernegger's success, the hotel managers of Portland will give a farewell dinner in his honor tomorrow night in the Tyrolean room of the Benson Hotel. He will leave for Camp Lewis on Thursday.

Mr. Bernegger has had seven years' experience in Portland hotels. He was one of the first members of the staff at the Multnomah when it first opened several years ago. Later he was manager of the Cornhusk, room clerk at the Imperial, and room clerk, head clerk, assistant manager and finally manager of the Benson.

Bend Honors Draft Men.

BEND, Or., July 22.—(Special.)—A public reception followed by a dance was given the 31 drafted men who will leave here tomorrow morning for Camp Lewis. The parade at the Bend Amateur Athletic Club building was headed by the two companies of State Militia under Major Salzman.

RIVAL CANDIDATES FOR OFFICES BUSY

Several Are Willing to Preside Over Two Branches of State Legislature.

TWO SEEK SENATE PLACE

Conrad P. Olson and W. T. Vinton Aspire to Presidency of Upper House—Many Now in Line for the Speakership.

Midsummer weather in Oregon must become many degrees more tedious to curb political activities with a biennial session of the Legislature approaching.

This is self-evident from the fact that attention to the legislature will not meet for nearly six months, rival candidates for presiding officers of both the Senate and the House are already showing considerable activity. An all this notwithstanding that the personnel of the two houses will not be positively determined until the results of the November election are known.

For President of the Senate two candidates are actively in the field. Conrad P. Olson, holder of the Senate seat from Multnomah County, was the first to let it be definitely known that he aspired to the Presidency of the upper house at the 1919 session. Senator Olson is authority for the statement that he has ten votes positively committed to his candidacy.

Candidacy Is Not Pressed. Having been prominently associated as manager with the campaign of Governor Withycombe for re-election, Senator Olson said yesterday it was not his intention to press his own candidacy for President of the Senate until after the November election. He takes this position in view of the fact that 15 of the 39 members of the next Senate will not be determined positively until the November election has been held. Besides, he does not want to be placed in the position of embarrassing in any way the candidacy of Governor Withycombe by unduly pressing his own claims.

Most formidable among other aspirants for President of the Senate at this time apparently is W. T. Vinton, who is recognized as the strongest candidate. Senator Vinton's friends affirm that he has nine votes actually pledged to him for the place.

Moser Not Seeking Gavel. Of the Multnomah delegation, Gus C. Moser, holder of Senate seat and President at the 1917 session, has said he will not seek the gavel at the coming session. It is understood that Senator Moser, also Senator A. W. Orton, another holder from this county, are supporting the candidacy of Senator Vinton. Senator S. B. Huston, also a Multnomah County holder, is a receptive candidate for the Presidency.

Robert S. Farrell, another holder from this county, is more than a receptive candidate for the honor. He is diligently looking for support and expects to visit other Senators Olson and Vinton, can muster the necessary 18 votes, that he will prove acceptable as a candidate.

Senator E. L. Eddy, holder of Senate seat from Douglas County, covets the honor of presiding over the Senate sessions next winter, but he has announced in a newspaper interview that he will not resort to trafficking in committee chairmanships in order to win the place.

Thomas Would Not Refuse. C. M. Thomas, who expects to be elected State Senator from Jackson County next November, has let it be known that he would not turn down the Presidency if a majority of the members of the Senate should conclude that he is the proper man to select.

For Speaker of the House, Multnomah County is to the fore with the candidacy of Charles E. Kates. Kates, who is a member of the House, and D. C. Lewis are the aspirants. Of the four, Kubli, Gordon and Coffey are also in the race.

Seymour Jones, of Marion County, has been nursing his candidacy for Speaker ever since the last Legislature. Jones is a member of the House and is a member of the House. He is a member of the House and is a member of the House.

In any event, with six months intervening until the Legislature meets, there is every prospect that the contests for President of the Senate and Speaker of the House will assume interesting proportions before the choices are finally made.

George T. Baldwin, holder of State Senator from the district embracing Crook, Jefferson, Klamath and Lake counties, is adjourning in Southern California for the benefit of his health.

Mr. Baldwin's condition is not serious, but is the result of a too close application to his business interests in Klamath County, where he has been located for 25 years.

F. C. Harley, Mayor of Astoria and candidate for the Republican nomination for Governor in the recent primaries, has become an independent candidate for State Senator from Clatsop County. In the November election he will oppose A. W. Norblad, the regular Republican nominee for that office.

George R. Wilbur, holder of State Senator from Hood River and Wasco counties, who was in Portland a few days ago, said that if he decided to remain in the military service, he would resign as State Senator in time for his constituents to elect another successor in the November election. Senator Wilbur is stationed at Fort Stevens as Captain in the Coast Artillery.

BRIDGE TRAFFIC IS HEAVY

Net Profits From Interstate Structure for June Total \$25,933.76.

June was a busy month for traffic across the Interstate bridge, and the net profits from the structure amounted to \$25,933.76, according to the monthly report filed yesterday with the bridge commission. The total net profits, Multnomah County received \$15,550.25, Clatsop County, Wash., \$10,373.50. The total collected during the month in tolls was \$28,859.59, while the total cost of operation and maintenance was \$27,553.33.

Since the bridge was completed in February, 1917, it has paid a total of \$18,074.82 in net profits, of which Multnomah County received three-fifths and Clatsop County, two-fifths.

NO FOOD SOLD ON WEDNESDAY

Retail Groceries and Meat Markets Will Be Generally Closed in Portland ALL DAY WEDNESDAY, July 24. The public is asked to get on Tuesday everything wanted for Wednesday. Once a year these retailers take a holiday for their annual Grocers' Picnic.

Grocers' Picnic

We cordially invite our customers—which means the whole public—to come with us to Escanada on Wednesday and enjoy a thorough "good time."

Mayor Baker will honor the occasion with a patriotic address. The retail grocers' baseball nine will play against the retail butchers.

Wholesale grocers and manufacturers of food products with their accustomed liberality have donated a wealth of prizes, which will be awarded to the swift, the handsome and otherwise remarkable—and even the children will win prizes.

Dancing all day—refreshment stand on the grounds—and a real wholesome "good time."

Adult Tickets—ONE DOLLAR. Including transportation an admission. P. F. L. & P. special trains leave East Water and East Morrison streets 7:30 & 9:30 A. M.

Children's Tickets—FIFTY CENTS. PORTLAND GROCERS AND MERCHANTS' ASSOCIATION. W. W. HILL, President. D. R. NORTON, Secretary.

ADMIRAL IS NAMED

Chauncey Thomas Assigned to Washington University.

OFFICERS TO BE TRAINED. Rear-Admiral Commissioned as Ensign in 1872 and Master in 1875—Rise in Naval Circles Rapid.

SEATTLE, Wash., July 22.—(Special.)—Coincident with the visit to Seattle of Captain Thomas R. Senn, assistant chief of the bureau of navigation and the big man in the Naval Department, came the appointment today from Rear-Admiral R. E. Conz, commander of the Thirteenth Naval District, of the assignment to the University of Washington of Rear-Admiral Chauncey Thomas, who will be a member of the faculty as professor of naval science and director of the newly-established course for the training of prospective reserve officers for the Navy.

The assignment of Rear-Admiral Thomas to the University of Washington puts this institution in the rank of favored American universities as far as naval work is concerned. Aside from the University of Washington there are but four great American institutions of learning which have a Rear-Admiral of the Navy assigned to them. These institutions are Harvard, Yale, Princeton and Brown.

College Course to Expand. Beginning with the Fall term any student who has completed a college course may fit himself to become an officer of the Naval Reserve if he so desires. Students who desire to take this course are required to enlist in the Naval Reserve. They are furnished by the Government with the uniform of an ensign of the Navy, with four courses are required to enter in the Naval Reserve. They are furnished by the Government with the uniform of an ensign of the Navy, with four courses are required to enter in the Naval Reserve.

"It is a signal honor for the University of Washington to have such a distinguished naval officer as Admiral Thomas assigned to it," said Admiral Conz in making the announcement today. "There are few men in the American Navy who have had such varied experience as the Admiral and probably no selection could have been made which would have accorded more distinction to this institution."

Admiral's Rise Rapid. The Navy Department henceforth will not be found short of material for the promotion of officers. Officers are fitted to step into the service on short notice. Hereafter the great universities of America will give a part of their regular curriculum training to men who desire it which will fit these men to receive, with distinction, the degree of a commission as an officer of the Naval Reserve force. Then, during the remainder of their active life, they will be available for the sea forces of the Nation. From time to time they will undoubtedly be called in active service for brief periods in order that they may always be kept fit for the duties to which, in a time of emergency, they will be called.

Admiral Thomas, who has been selected to direct the course in naval training at the University of Washington, is one of the best-known men in the Navy. Appointed to Annapolis Bay 1867 from Pennsylvania, he was commissioned as an ensign in 1872 and as a master in 1875.

His background as a Lieutenant in March, 1882, a Lieutenant-Commander in 1899, a Commander in 1901, a Captain in 1906 and a Rear-Admiral March 10, 1910.

DAUGHTER OF PIONERS DIES

Mrs. Henrietta J. Hathaway Will Be Buried in Old Family Plot.

OREGON CITY, Or., July 22.—(Special.)—Mrs. Henrietta J. Hathaway, daughter of the late Charles F. Beattie and Nancy J. Beattie, Oregon pioneers, died of dropsy at the Summer home of her sister, Mrs. E. P. Carter, at Bar View, Or., Sunday. Mrs. Hathaway arrived in Oregon City from Los Angeles two months ago, and about a month ago left for Bar View.

Mrs. Hathaway was a native of

Clackamas County. She was born at the Beattie farm at Beaver Creek 53 years ago and lived most of her life in Beaver Creek and Oregon City. Before going to California she was an instructor in the schools of Clackamas County.

Mrs. Hathaway is survived by four children. Three sons are in the National service, Joseph A. Alvin and Irving; Mary Hathaway is a daughter. She also is survived by the following sisters and brothers: Mrs. David Caulfield, Oregon City; Mrs. Joseph Myers, Coquille; Mrs. J. J. Cooke, Oregon City; Mrs. E. F. Carter, Bar View; Mrs. L. T. Harris, of Salem; Robert Beattie, of Beaver Creek, and Dr. A. L. Beattie, of Oregon City.

The body was brought to Oregon City this afternoon, and the funeral service will be conducted tomorrow afternoon at 2 o'clock from the funeral parlors of Holman & Faxon by the Christian Science Church. Burial will be at Beaver Creek in the family lot adjoining the old Beattie homestead, where parents and two brothers of Mrs. Hathaway are interred.

PAPERS GIVEN PATRIOT

CHARLES MAYHEAD NOT IN TOUCH WITH FEDERAL HEADS. Applicant Says United States Has Two Parties, Radicals and Liberalists. Ministers Rule Nation.

He didn't know there was such a thing as a Republican party in this country, and he called United States Senators and Congressmen, Ministers, but he proved to be every inch a patriot, and that is why full citizenship papers were granted yesterday to Charles Neaman Mayhead, a subject of Great Britain.

Mr. Mayhead was one of a class of applicants appearing yesterday before Presiding Judge Tucker for citizenship papers, and his answers relative to the constitution and form of government were in every way unique.

"We are governed by a body of ministers, of which President Wilson is the head," he replied in answer to a question. "We have two political parties, the Liberalists and Radicals. Let's see the Radicals are called Democrats, but I can't for the life of me remember the name of the other party."

Further questioning disclosed the fact that the 63-year-old applicant has one son with the American forces in France, two sons with the British forces in France, and a fourth son with the British forces in Egypt. Because of his loyalty to the allied cause, Judge Tucker held that he was thoroughly qualified for full citizenship papers, even though he appeared a little "rusty" on American constitutional questions.



Have You

ever stopped to think that you can have only one pair of eyes, and if you lose them, you do without vision?

Shouldn't You

take the best care of your eyes now?

If You

have headache, eyecache or a dull feeling over the eyes, on top of the head or at the base of the brain, it is probably caused from defective vision which glasses will relieve. Wear my Perfect Fitting Glasses. Dr. Wheat. Eyesight Specialist. 207 Morgan Building. Washington St. at Broadway.