

**STATE UPHELD IN ACTION OVER LANDS**

**Supreme Court Opinion Given in Livestock Co. Case.**

**ORIGINAL SUIT DISMISSED**

**Harney Circuit Judge's Decision Is Approved; Attorney-General to Proceed With Action.**

SALEM, Or., July 22.—(Special.)—Judge Fulton Biggs of the Harney county circuit court acted within his rights when he granted a motion for the dismissal of the complaint filed by the Attorney-General Crawford, to recover approximately 26,000 acres of lands from the Pacific Livestock company, according to an opinion rendered by the Oregon supreme court today.

Dismissal of the original suit against the livestock company was urged by Attorney-General Brown, who charged that his complaint was defective in that it attempted to show that the lands were acquired through dummy entries and conspiracy, when in fact forgeries should have been the basis of the suit. Under the ruling of the supreme court, Attorney-General Brown may now proceed with the prosecution on a complaint filed by him following the dismissal of the original proceedings.

**Case Dates Back to 1914.**

The principal question involved, according to the opinion, was whether or not plaintiff may take voluntary non-suit under the provisions of a law made applicable to a suit in equity after a demurrer had been denied. The case originated in April, 1914, when ex-Attorney-General Crawford, acting at the request of the Pacific Livestock company, filed a suit to recover the lands held by the livestock company in Harney and Grant counties. The lands were classified as school lands, school indemnity lands and swamp lands. The swamp lands were originally applied for by H. W. Knowlton, known as the "swamp land angel." In most instances, the lands had been transferred by the state to W. B. Toddhunter and John Devine.

**Appeal Made to Legislature.**

F. A. Hyde, operating in San Francisco and famous because of his incrimination in subsequent land fraud cases, transacted business for Toddhunter, Mr. Devine, Henry Miller and a man by the name of Lux. Mr. Miller died recently and his estate is now principal owner of the Pacific Livestock company.

When Attorney-General Brown came into office he had evidence to proceed with the prosecution of the case on the complaint filed by Mr. Crawford and appealed to the 1917 legislature for an appropriation to pay the costs necessary in starting a new action. This was denied, whereupon the state land board came to the assistance of the attorney-general and an investigation was authorized.

This investigation convinced the attorney-general that many of the applications and deeds of assignment were forged and that a new complaint would be necessary in the event the state was to make the best of its case.

**Suit Dismissed Then Sought.**

The attorney-general then filed a motion in the Harney county circuit court asking that the suit brought by Mr. Crawford be dismissed. In the meantime the livestock company urged trial on the original complaint.

Judge Biggs upheld Mr. Brown's contention and dismissed the complaint, whereupon the livestock company moved to have the order set aside. This was refused and the livestock company later appealed to the supreme court. Theodore Kytka, government hand-writing expert, who played an important part in gathering evidence for the state, died recently.

**WOMEN BARBERS FREED**

**JUDGE ROSSMAN HOLDS GIFT CANNOT BE LARCENY.**

**Policeman Who Sought Evidence Fails to Make Case, Though Defendants Are Scored.**

Acceptance of a present given under false pretenses is not larceny, according to a decision by Municipal Judge Rossman yesterday in the trial of Mary Kelly, 21 years old, alias Ruth Applegate, and Jennie Lee, barbers on a charge of stealing \$5.30 from Patrolman Zwieler. The judge announced that if the victim had been anyone but a policeman in quest of evidence against the women, he would have decided differently.

Patrolman Zwieler visited the barber shop where the women work, 30 1/2 North Sixth street, and got a shave, a haircut and a face massage, for which they charged him \$2. He testified, "The barbers overruled that I had charged him only \$1.25, and that the extra 75 cents had been a tip."

When the policeman, who represented himself to be a logger just in from camp, asked Mrs. Kelly to spend the evening with him, she accepted the invitation on condition that he buy her a bottle of perfume. He paid \$5 for the bottle and 25 cents war tax. She testified that she gave him the phone number, which later proved fictitious.

Louis Johnson, a truck driver, testified that during the Rose Festival one of the women had charged him \$1 for a shave. The trial was enlivened by sharp tittle between Mrs. Kelly and Deputy District Attorney Delich, who prosecuted the case. Judge Rossman scored the women in making his decision, saying he was surprised that they were more thieves than barbers.

**Portland Y.M.C.A. Man Overseas**

BREST, France.—At the 8th infantry and 9th cavalry, 400 men. This is a fine unit, managed by Lieutenant Martin DeMuth, formerly of Portland. DeMuth is a clean-cut young fellow and might his words were very inspiring. He was delighted to have an opportunity to talk of home. We had a fine long chat, during which he asked to be remembered to Professor Davis and Miss Larrabee and other friends at the Lincoln High school. He is a graduate of Lincoln and was attending the University of California before he entered the army. There were several other northwest men in the crowd, but owing to the rest of the programme of the evening, which directly followed my talk, I was unable to meet any of them. Not far from Brest is located a large camp at Pontzenet. The Pontzenet barracks have held hundreds of thou-

sands of American soldiers who have spent their first and last nights in France there. It is quite an important place, as is shown also by the fact that there are 20 huts, 12 of them "Y" huts and the rest divided between the Salvation Army, the Red Cross and the K. C. My friend Lopez, whom I met in Pau in April when I was on leave, is now in charge of the new "Alabama Y hut" here.

Monday afternoon I spoke at "Maryland hut" to another 1000 men. A number of men from Portland looked me up after the show. They have been in bakery company 24, which was stationed for some time at Is-sur-Tille. Their commander is First Lieutenant Henry R. Russell of 246 Vista avenue. Among their number were Sergeant Robert McGee of 227 Madison avenue, Private W. S. Koots of 1058 East Seventh street and Private Cecil C. Warner of 215 Montana avenue. All of them are in fine health and expect to be home very soon.

I have been invited to become a member of the International Union of Farmers' Clubs, which was organized at the army school at Beaune by delegates from all over the world. It is a fine opportunity and I am going to accept the invitation at once. It will keep me in touch with some of the best educators in both the United States and Europe. I expect to find this connection not only interesting and educational in a general way, but also particularly helpful in relation to my bird work.

**CITY MAY BUY ARMY FOOD**

**SALES TO PUBLIC AT LOW PRICES PLANNED.**

**Purchasing Agent Asks Quarter-master at Fort Mason to Give Prices and Delivery Time.**

City Commissioner Pier yesterday began investigation into the proposition to purchase a large supply of foodstuffs from the United States army, to be resold to the Portland public at low prices. The plan is said to have been carried to success by the city of Baltimore and was referred to Commissioner Pier by Mayor Baker for investigation. A letter addressed to the officers at the United States quartermaster's headquarters at Fort Mason, California, was dispatched yesterday by City Purchasing Agent McIntosh asking for prices and time of delivery.

If the government will furnish the city with canned goods in bulk and at low cost it is probable that the city council will appropriate sufficient money to obtain a large supply of foodstuffs, to be resold to residents of the city without profit.

**SOLDIER IS SHOT DOWN**

**Alleged Attempt at Burglary at Fort Stevens Ends Fatally.**

ASTORIA, Or., July 22.—(Special.)—Private Elmer J. Blacklund of the 3d company, coast artillery, was shot and instantly killed at Fort Stevens last night. The military authorities are extremely reticent concerning the matter, and are giving out no information.

As near as can be learned, however, three soldiers broke into the storeroom of the post hospital during the night, presumably to get alcohol. The sergeant in charge fired at the trio and Blacklund was hit under the arm with fatal results.

**Banks Plan to Increase Capital.**

TACOMA, Wash., July 22.—(Special.)—Stockholders of the Scandinavian American bank, Tacoma, will meet next Friday to consider the advisability of increasing the capital stock from \$2,000,000 to \$1,500,000. If the stock is increased the bank will apply immediately for a national charter. This action is deemed necessary to care for increased business, said O. S. Larson, vice-president and manager of the bank.

**Theater to Be Built.**

ASTORIA, Or., July 22.—(Special.)—A party of Portland capitalists said to be headed by Jensen and Von Herberg, have purchased a tract 100x165 feet at the corner of Bond and Front streets on which to erect a modern theater building. The price paid for the property was \$18,500 and the cost an expenditure of approximately \$100,000.

**Port Bonds Are Sold.**

ASTORIA, Or., July 22.—(Special.)—The Port of Astoria commission today sold \$450,000 in port improvement bonds to Morris Bros. at a rate of \$99.50 per thousand. The money is to be used in carrying out the port improvement projects.

**Medical Examiner Renamed.**

SALEM, Or., July 22.—(Special.)—Governor Hunt today reappointed Robert E. Hunt of Roseburg as a member of the Oregon state veterinary medical examining board. Mr. Hunt will serve for a four-year term.

**Alkali in Soap Bad for the Hair**

Soap should be used very carefully. If you want to keep your hair looking its best. Most soaps and prepared shampoos contain too much alkali. This dries the hair, makes it brittle and ruins it.

The best thing for steady use is Mulsified coconut oil shampoo. It cleans, moistens the hair with water and rubs it in. It makes an abundance of rich, creamy lather, which rinses out easily, removing every particle of dust, dirt, dandruff and excessive oil. The hair dries quickly and evenly, and it leaves the scalp soft and the hair fine and silky, bright, lustrous, fluffy and easy to manage.

You can get Mulsified coconut oil shampoo at any pharmacy. It is very cheap, and a few ounces will supply every member of the family for months.

—Adv.

**"BAYER CROSS" ON GENUINE ASPIRIN**

*We Give S. & H. Green Trading Stamps With Purchases Amounting to 10c or More—Stamp Books Redeemed, S. & H. Office, 3d Floor Soda Fountain and Ice Cream Parlors in the Basement—Shoe Shining Parlors in the Basement—Take Lunch in Tea Room, 4th Floor*

**Best Butter \$1.20**  
Fourth Floor—No deliveries except with other purchases made in the Grocery Department. Glenwood Butter on sale Wednesday, 2 lbs. \$1.20

**The Standard Store of the Northwest**

**Olds, Wortman & King**  
*Reliable Merchandise—Reliable Methods*

**Hammocks 3d Floor**  
—Couch Hammocks, Woven Hammocks, Porch Swings, Settees, Porch Rockers, Chairs and Grass Rugs, etc. Moderately priced. Dept., on Third Floor.

**Double Trading Stamps**  
**With Cash Purchases in All Departments Today**

**Take Advantage of the Special Double Stamp Offer and Supply Your Needs Today.—Filled Stamp Books Redeemed in Cash on the Third Floor**

**BASEMENT UNDERPRICE STORE WEDNESDAY SAVING SALES**

**Women's Tub Dresses —Great Basement Sale**  
—Our BASEMENT BUYER, now in New York, secured this lot of 200 Summer Dresses at a special low price and directs us to close them out quickly, hence we have marked them at a price that should clean up the entire lot in one day. You may take our word for it, the values are the best seen in Portland this season. Very latest midsummer models—dainty styles for beach, street, home or outing wear. Made up in good quality gingham, in fresh, pretty plaids and checks in various colors and combinations. Finished with collars and cuffs of white material. Make it a point to see this great assortment of dresses, on sale at special

**\$4.79**



**Basement Sale**  
**Girls' Tub Frocks At \$1.39**

**\$4.79**

Basement—Girls' Summer Dresses of good quality plaid ginghams. Many attractive styles with fancy collars, belts, pockets, etc. Mothers who have girls to buy for should take advantage of this special offering. \$1.39

Sizes 6 to 14. Various colors. Basement sale 49c

**Basement—Girls' Apron Dresses of good quality percale in many attractive patterns, also a few in plain color chambray. All are nicely trimmed. Sizes from 6 to 12 years. On sale in the Basement at only 49c**

**Toilet Paper**  
**Special \$1 18 Rolls**

Basement—Good quality Crepe Toilet Paper. Limit 18 rolls to a customer. Positively no telephone. C. O. D., or mail orders filled. Priced special Wednesday—18 rolls for only \$1.00

**Middy Blouses**  
**At \$1.15**

Basement—Women's and Misses' Middy Blouses of good quality plain white material. Sailor collar, pockets and black tie. On special sale Wednesday in the Basement at \$1.15

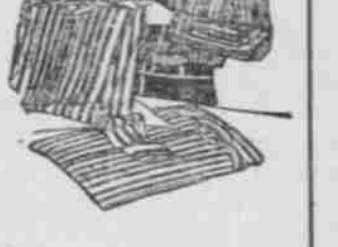
**Men's Shirt Special 98c**  
**Basement Sale**

—Several lines Men's Shirts grouped for quick disposal. Soft or stiff cuff styles, also Negligee Shirts with flat or military collars. All are excellent grade materials. Sizes 14 1/2 to 17. Special 98c

**Bathing Suits**  
**At 95c**

Basement—Men's Cotton Bathing Suits in one-piece style. Black with white trim-ming. Sizes to 40. Special 95c

—BOYS' Cotton Bathing Suits in one-piece style. Sizes 30 and 32. Priced special 49c



**Men's Underwear in a Sale**

—MESH UNION SUITS, short sleeves, broken sizes, 89c  
—ATHLETIC SHIRTS in broken sizes; priced special 48c  
—ATHLETIC UNION SUITS, broken sizes; special at 69c  
—MEN'S FIBER ROSE—special, pair 85c, 3 pairs \$1.00  
—NEVER BIND BOSTON GARTERS—special, pair 25c  
—BOYS' PANTS—odd lines—while they last, pair 49c  
—STRAW HATS—odd lines, priced special, 20c and 25c

**Coverall Aprons At \$1.39**

Basement—Women's Aprons made in the large coverall style. Plain color percales—also dark blue with neat figures. On \$1.39 sale in the Basement

**Housekeepers' Supplies**

—Our Basement Store is headquarters for thrifty shoppers. You can always depend upon getting the utmost in value for your money.

**Large Sheets \$1.39**  
—72x90-inch Bleached Sheets, reinforced with seam down center. Excellent quality. Dozen \$16.00; or each \$1.39

—HUCK TOWELS—good size for hotel use, doz. \$11.50; each 10c

**Bedspreads \$2.39**  
Basement—Honey Comb Bedspreads in medium size for average bed. Plain hemmed. On sale in Basement Wednesday—\$2.39 day, 6 \$13.50, each

**Pillows \$1**  
Basement—21x27-inch Bed Pillows, covered with fancy ticking. Priced very special for Wednesday at, each \$1.00



**Handkerchiefs 6 for 25c**

Basement—Women's and Children's Handkerchiefs in a large assortment of patterns. Neat corner embroidered effects. 25c Priced special, 6 for only 25c

**Sale of Purses At \$1.79**

Basement—Women's Strap Purses in several styles, fitted with vanity mirror. Well made and extra good values for \$1.79 Wednesday's sale, at \$1.79

**Sport Hats \$2**

Basement—Rough Straw Sailors, Milan Sailors with side roll brims and white or colored bands, also many other smart hats for sport and outing wear. Basement special today \$2.00

**Trimmed Hats \$3.48**

Basement—Black, White, Pink, Tan, Blue or Green Hats tastefully trimmed with wreaths, flowers and ribbons—Milans with silk crowns—Smooth Braids \$3.48 Hats, etc. Special, at \$3.48

**Initial Pillow Cases 65c Each**

Basement—Fancy Hemstitched Pillow Cases with initials or floral designs. Slightly soiled. 65c On sale Wednesday, each

**Day Pillow Slips**  
—Embroidered Day Slips for pillows—priced special, each \$1.25

**Women's Hosiery 25c**

Basement—Here is a good opportunity to supply your hosiery needs at a very low price. Fine quality Cotton Hose in black, white and eight of the leading colors. Double soles, reinforced heel and toe. Not all sizes in each color. Shop early!

**Muslin Underwear \$1.69**

**Envelope Chemise, Gowns, Skirts**

Basement—Hundreds of pieces Muslin Underwear, included in this sale. Night Gowns, Envelope Chemises and Skirts made up in many dainty styles trimmed with laces and embroideries. Every garment is well made and of good quality material. Specially priced Wednesday in the Basement; only \$1.69

**Dainty Camisoles Special at 59c**

Basement—You will want more than one of these when you see how attractive they are. Flesh-color material, trimmed with pretty 59c laces and ribbons. Full assortment of sizes. Basement special 59c

**Boys' Wash Suits Priced Special 79c**

Basement—These are of fine quality white material trimmed with pink, blue, navy, or brown. Sizes 4, 5, 6 and 7 only. Priced very special at 79c each.

**Odd Lines Pumps, Oxfords Special at \$2.48**

Basement—Broken lines, but if your size is here you will get a bargain worth coming for. Women's White Canvas Pumps, Oxfords and Strap Sandals—also a few High Canvas Shoes. On sale Wednesday—\$2.48 day in Basement; special, a pair \$2.48

**Shoes and Slippers Priced 98c**

—50 pairs Women's and Children's Canvas Shoes and Slippers. Small sizes only. Specially priced for Wednesday's selling, the pair 98c



**Tea Cups and Saucers**  
**Set of Six, Special at \$1.19**

Basement—Plain White Nippon China Tea Cups and Saucers, suitable for everyday use. On sale Wednesday—\$1.19 day in the Basement—Set of 6 \$1.19

**Iced Tea Tumblers 10c**

Basement—Thin Blown Glass Tumblers of good quality. Large size, 14-ounce capacity. Very suitable for iced tea, lemonade and other beverages. Priced special for Wednesday, while they last—10c each.

**Save on Notions and Small Wares**  
—Today's Specials at Bargain Circle, First Floor

—CROCHET COTTON, THE 35c  
DOZEN, WEDNESDAY, at 35c

Bargain Circle, First Floor—Eight Maid, a Perle Cotton for crocheting, tatting and embroidery work. White and colors. Priced special 35c for Wednesday; dozen, only 35c

—Spool Silk for hand or machine, Special Wednesday, at 7c

—Hair Pin Cabinet, priced only 7c

—Defender Safety Pins, special 3c

—Adamantine Pins, size 4 only; priced special per 1-lb. box, at 59c

—Regent Bias Fold, 7-yard bolt 7c

—Lingerie Tape in light blue, pink and white; priced special, bolt 7c

—Cube Pins, jet only; cube for 17c

—Dove Toilet Pins, per package 4c

—Kid Curlers, special, a dozen 12c

—Child's Hose Supporters in all sizes, jasper only, special, pair 10c

—Bone Hair Pins in shell and amber colors; priced special, a box, at 10c

—Iron-on Trousers Hangers for 12c

—Tailors' Tapes priced special 4c

—Wire Hair Pins; all lengths, at 4c

—Union Silk Taffeta Ribbons, priced special, bolt 10c

—Stickerie Edging in blue and pink; special, a bolt 19c

