

### ASYLUM TO RELEASE GEORGE CHENOWETH

#### Overseas Veteran Not Insane, Says Superintendent.

### OBSERVATION IS STRICT

#### Curry Officials Fear Return to Former Home Might Endanger Life of Acquitted Slay.

SALEM, Or., Dec. 18.—(Special).—Acting upon a legal opinion given by Attorney-General Brown, coupled with his own observations and examinations, Dr. L. F. Griffith, superintendent of the state hospital for the insane here, announced today that next Monday he would release George E. Chenoweth of Curry county, who has been detained at the institution since his acquittal on a charge of murder last August.

Dr. Griffith stated today that Chenoweth had been under strict observation since he entered the hospital, and that if he was insane at the time of his commitment he has fully recovered. Because of information received from Curry county officials to the effect that they feared Mr. Chenoweth's life would be in danger if he returned to his former home, Dr. Griffith today notified the officials of the patient's contemplated release.

Mr. Chenoweth served in the Canadian forces overseas during the world war, and upon his return to Curry county was named to succeed Representative J. B. Stannard as a member of the Oregon legislature during its last session. After the session Mr. Chenoweth again returned to his home, where he later shot and killed George Sydnani. He was tried in the circuit court for Curry county and upon being acquitted a jury was committed to the asylum by Judge Cook.

Mr. Chenoweth has been a trusty at the hospital ever since his arrival and, according to the officials of the institution, has evinced no signs of insanity.

### CONFEREES ARE NAMED

#### Employers Select Five Members to Consider Compensation Act.

SALEM, Or., Dec. 18.—(Special).—The Industrial association of Oregon has submitted to Governor Olcott the names of the five persons to represent the employers at the conference to be held in Portland December 22, to make recommendations to the special session of the legislature with regard to increasing payments to injured workmen under the provisions of the state compensation act.

The delegates to represent the employers include A. G. Labbe, vice-president of the Willamette Iron & Steel works, the largest employer in the state; B. T. McLean of the Crown Willamette Paper company, representing the paper industry; George Gerlinger of the Willamette Lumber company, representing the lumber industry; Thomas Kay of the Tom Kay Woolen mills, representing the wool industry; and C. A. Pattullo of Balfour, Guthrie & Co., representing the grain and flour industry.

The conference will be made up of 15 delegates, five representing the employers, five representing the employees and five representing the citizens of the state at large.

### Obituary.

CHEHALIS, Wash., Dec. 18.—Today at Dryad the funeral of Mrs. Caroline E. Middaugh was held. Mrs. Middaugh, whose death occurred at the home of her sister in Portland, Or., Sunday, was a native of Iowa, born at Mount Pleasant, May 24, 1852. Five of eight children survive her, being William R. Middaugh and Mrs. Florence A. Manker of Tappanish, Wash.; Mrs. Gertrude E. Lewis, Fred and Earl Middaugh of Dryad. In addition to her surviving children, three brothers and two sisters also mourn the death of Mrs. Middaugh, as follows: E. T. Beers of Oregon, C. C. Beers of Los Angeles, Cal., and Frank Beers of Benton, Or.; Mr. Lillian M. Godfrey of Portland, Or., and Mrs. Knox of Dryad. Mrs. Middaugh and her husband were early pioneers of Chehalis, coming to this city in 1883. They later homesteaded a tract of land near Meshull until 1909. Mr. Middaugh dying in 1901, following the removal of the family to Dryad.

ALBANY, Or., Dec. 18.—(Special).—Mrs. W. T. Radcliffe, aged 46 years, resident of Albany for the past three years, died at her home here Tuesday night. She was a native of Nebraska. Mrs. Radcliffe is survived by four children: Merle Hunt of Enterprise, Or., and Miss Lucille Hunt, Claire Hunt and Edith Radcliffe, all of Albany. Frank S. Mowison of this city is a brother, and Mrs. H. B. Barlow of Corvallis is a sister.

ALBANY, Or., Dec. 18.—(Special).—Joseph Hecker, Oregon pioneer of 1856, and resident of this vicinity continuously for 67 years, died yesterday at Tappanish, Wash., where he had resided since 1912. The funeral will be held in St. Mary's church here tomorrow afternoon.

When 12 years of age Mr. Hecker came to this country from Germany, where he was born, and settled in Indiana. Three years later he went to California, and after seven years residence there came to Oregon. He settled in Benton county, north of Albany and resided there until seven years ago. He was 26 years of age.

Mr. Hecker is survived by seven children: B. J. Hecker and L. A. Hecker, both of Albany; Mrs. A. J. Alphin and Miss Louise Hecker of Tappanish, Wash.; Mrs. B. W. Steel and Mrs. D. Anderson of Twin Falls, Idaho, and Mrs. Arnold King of Goldendale, Wash.

ABERDEEN, Wash., Dec. 18.—(Special).—Charles E. Wand died at a local hospital Tuesday afternoon of pneumonia. Mr. Wand, a son, and wife and Mrs. Alice Proctor of Portland were with him at the time of his death. Besides these he leaves two brothers, Edward Wand of Aberdeen and George Wand of Wapato, Wash., and two daughters, Mrs. Fannie Grayham of Prescott, Or., and Mrs. F. M. Cole of Los Angeles. The body was sent to Maygar, Or., for burial.

### OLCOTT'S TENURE OF OFFICE UP TO COURT

#### Attorney-General Acts in Behalf of Governor.

### OLD DECISION RECALLED

#### Ruling of 35 Years Ago Cited in Support of Contention Regarding Executive Succession.

SALEM, Or., Dec. 18.—(Special).—Attorney-General George M. Brown, appearing before the supreme court here today in behalf of Ben W. Olcott as secretary of state, in the mandamus proceedings brought by G. M. Roberts, district attorney of Jackson county, to compel the state department to make provision on the ballot at the primary election next May for the nomination of governor, declared that it was now up to the court to find that Mr. Olcott is entitled to serve out the full unexpired term of the late Governor Withycombe or overturn its own opinion in the somewhat celebrated case of Chadwick vs. Earhart.

The opinion in the Chadwick-Earhart case was handed down nearly 35 years ago, said Mr. Brown in his argument, and it was upon the findings of the court in that case that I advised against making provision on the primary ballot for the office of governor. When a provision of an original constitution has been interpreted by the highest court of the commonwealth, the interpretation itself becomes a part of the constitution.

Recent Action Recalled. "On October 20, 1919, in the performance of my duties as attorney-general, I relied upon the holding of this court in the Chadwick-Earhart case in advising the secretary of state that in giving primary election statements and notices certifying to the county clerks the state and district officers to be elected, the office of the governor was not to be included. This case has never been questioned in this court and officers in the performance of their duties have relied thereon.

"On the same date I advised the secretary of state that I had been taught by the highest court of Oregon that in the event of the death of the governor the office should devolve upon the secretary of state, who should continue to perform the office of governor for the remainder of the term for which Governor Olcott was elected, and that there was no occasion for the overturning of a precedent such as that established.

Mr. Roberts in presenting his side of the case, contended that the term for which Governor Withycombe was elected had ended, and that there was no unexpired term to fill.

"If Mr. Olcott should be permitted to remain governor for the remainder of the term for which Governor Withycombe was elected, or should be permitted to act as such for the remainder of that term, the right which was reserved to the people at the time of the granting of the constitution would be denied them and the construction would be entirely unharmonious and inconsistent with other provisions of the constitution," said Mr. Roberts.

"When Governor Withycombe died the powers and duties of the office of governor passed to Ben W. Olcott and they remain there until the people of this state have elected a new governor. There is no interregnum.

"To allow Mr. Olcott to act as governor until January, 1923, would take away from the people of this state their constitutional right to decide and select whom they desire as their governor."

Old Ruling Questioned. "The ruling in the case of Chadwick vs. Earhart, being dictum, insofar as it relates to issues in the case at bar, is of unaided judicial reasoning and this court is not bound by any such rule.

"The conclusion that the office of governor can be filled by the people at the next election is in perfect accord with the spirit of our constitution and laws."

### PRICES UP 10 PER CENT

#### SUPPLIES FOR STATE INSTITUTIONS SHOW INCREASES.

Bids for First Six Months of 1920 Received at Salem; Flour Up 60 Cents Barrel.

SALEM, Or., Dec. 18.—(Special).—Prices for commodities in Oregon have advanced about 10 per cent in the last six months, according to a comparison of bids received here yesterday for furnishing supplies to the various state institutions during the first six months of the year 1920, with those received on June 12, 1919. Because of the many bills received it is not likely that the names of the persons and firms submitting the lowest proposals will be announced for several days.

Fresh beef, which six months ago was contracted to the state at \$12.93 a hundred pounds, has advanced to \$14.73 under the new bid. Flour has advanced 60 cents a barrel, while rice has increased from \$10.90 a hundred pounds to \$11.75 a cask, which sold to the state under the previous bid at 37 and 74-100 cents a pound has decreased in price to 30 and 95-100 cents.

Smoked ham also has decreased in price to the extent of about nine cents a pound. Practically all other articles, however, show an upward trend and the expense of providing supplies for state institutions during the next six months will show a material increase when compared with that of the present six months.

Legion Denies False Charity. SALEM, Or., Dec. 18.—(Special).—

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### FALSE CHARITY, IN THE FORM OF FUNDS SOLICITATION FOR AID, OR APPROPRIATIONS BY THE LEGISLATURE IN THE NAME OF SERVICE MEN, IS PROHIBITED BY A RESOLUTION ADOPTED BY CAPITAL POST NO. 9, AMERICAN LEGION, AT A MEETING HELD HERE LAST NIGHT.

#### That many Boy White qua perishes as a result of the recent cold weather and heavy snowfall, is indicated in a report received here from Roy Bremner, district game warden. Mr. Bremner said it was apparent that many birds were unable to find shelter during the storm, while others had died from lack of food.

### Many Quail Die in Storm.

#### Marion Examines Teachers.

SALEM, Or., Dec. 18.—(Special).—State teachers' examinations for Marion county opened here yesterday and will continue until Friday night. Applicants will receive periods to teach for periods ranging from one year to life.

ABERDEEN, Wash., Dec. 18.—(Special).—The annual election of officers of the Grays Harbor Realty board will be held in Aberdeen Jan. 6 at the annual banquet of the association. Ladies will be invited to attend the meeting and the dinner.

WALLA WALLA, Wash., Dec. 18.—Miles C. Moore, last territorial governor of Washington, president of the Baker-Boyer National bank and president of the board of trustees of Whitman college, died at a local hospital this morning after an illness of two weeks.

Governor Moore was 75 years old and a man who made his own way in life and probably one of the best-known bankers in the northwest.

Mr. Moore was born in His Mills,

### EX-GOVERNOR MOORE OF WASHINGTON DIES

#### Walla Walla Resident Prominent Banker of Northwest.

### TERRITORY SERVED IN 1889

#### Baker-Boyer National Bank and Board of Trustees of Whitman College Lose President.

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Governor Moore was 75 years old and a man who made his own way in life and probably one of the best-known bankers in the northwest.

Mr. Moore was born in His Mills,

### Ohio, where he spent 19 years of his boyhood. He received his education until 18 years old at Point Bluff, Wis., where he moved with his parents. In 1863 he came to Walla Walla, via Montana, and after a year as a clerk went into business for himself. In 1868 he went to Blackfoot, Mont., but returned the following year and went into the book and stationery business with H. S. Johnson. In 1868 he became a member of the old firm of Paine Bros. & Moore, and later took over the stock of Baker & Meyer, who established a bank which Mr. Moore later became president of.

In 1873 he was married to Mary E. Baker, daughter of Dr. Dorsey Sing Baker, the man who built the first railroad from Walla Walla to the Columbia river.

In 1877 he was elected mayor of Walla Walla, among the interesting incidents during his administration being the entertainment of United States Senator Morton and his party and later General William T. Sherman and his staff when these men visited Walla Walla in 1877. In 1884 he was made chairman of the republican territorial convention at Seattle and was appointed governor of Washington territory in March, 1889.

He served in this capacity until November 13, 1889.

Financial Interests Large. In 1900 ex-Governor Moore became president of M. C. Moore & Sons, a family corporation.

In 1903 he was elected president of the Washington State Bankers' association and he served for three years as Washington representative on the executive council of the American Bankers' association. He was



### Give The Brunswick

#### —More Than Mere Phonograph

Base your decision on the quality of the tone and you'll surely choose right. Your selection, like that of unnumbered thousands, will be The Brunswick. Not because we say so, but because a demonstration on this super instrument will convince you.

### Method of Reproduction

By the Brunswick Method of Reproduction a trueness, fineness and richness are given to tone that cannot be duplicated in other instruments.

### The Ultona

A simple contrivance, makes it possible to play all records at their best. Thus you are no longer restricted to the artists of one producer. Diaphragm and needle are as one on the Ultona, yet the Ultona is not complex.

### The Tone Amplifier

As the tone waves are carried by the needle to the diaphragm, they travel on to this vibrant tone chamber. It is oval shaped, made entirely of wood and free from metal. The resilient wood expands and contracts with the tone waves, building them up and projecting them stronger and clearer. By it a new beauty is brought to all records.

### A Brunswick Concert to Revive Tired Shoppers

During the holiday season we are conducting individual concerts on The Brunswick. Drop in at a convenient interval during the day. Listen to The Brunswick play your favorite records. Perhaps the idea will suggest itself that a Brunswick is to be your choicest gift.

If inconvenient for you to call in our store, telephone Main 6729, or we will gladly send you catalogs and terms if you sign and send this ad.

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MASON AND HAMLIN PIANOS  
OTHER STORES: SAN FRANCISCO, OAKLAND, FRESNO, SAN DIEGO, SAN JOSE, SACRAMENTO, LOS ANGELES

### NO MATTER WHERE YOU BUY BUY EARLY IN THE MORNINGS THEN A MERRY XMAS

McElveen and Clark to Speak. The fourth of the series of Americanization programmes at the Saturday noon luncheons of the Civic League is scheduled to be held in the Crystal room at the Benson hotel tomorrow. Dr. W. T. McElveen of the First Congregational church will be the principal speaker. A. G. Clark is also scheduled for a short talk on "Oregon Products and Oregon's Payroll."

# BLANK'S Sample Shop

360 MORRISON, COR. PARK

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Beautiful Coats, Suits, Dresses, Skirts, Waists, and Sweater Slipovers. Appreciative Holiday Gifts at the lowest sale prices.

YOUR MONEY BACK IF NOT SATISFIED WITHIN 3 DAYS OF PURCHASE

## Women's Suits

Values to \$50.00. We give what we advertise, at only \$26.95 and

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## Dresses

In Silks, Serges, Tricotines and Tricolettes to be closed out regardless of cost.

## Coats

Values to \$45.00, at \$26.95 and

## Coats

Values to \$25.00, at only

# \$10.95

## Waists

Crepe de Chine and Georgette Crepe

# \$2.95

## Plush Coats

Plush and Beaver Coats. Greatest values in the city. We give what we advertise.

# \$14.95

Sweater Slipovers In many shades—half price... \$1.95  
Sweater Slipovers Values to \$12.00, at only... \$6.95  
Millinery Any Hat in the store... \$1.25