MR. HAWLEY WINS DIVORCE AND CHILD

Serious Charge By Wife Held Not Proved.

BAR VIEW INCIDENT RAPPED

Wife's Conduct at Beach Regarded Indiscreet.

APPEAL TIME IS ALLOWED

Woman Gets Temporary Custody of Baby Daughter Pending Further Litigation.

OREGON CITY, Or., March 9 .-(Special.)-Decree of divorce and the reseive the income during his life custody of his baby daughter, Eva was granted to Willard P. Hawley Jr., defendant in the divorce suit instituted by Mrs. Marjorie Hawley, in a decision today by George R. Barley, judge of the Washington county circuit court, who officiated as trial judge when the case was tried here two weeks ago.

Judge Bagley awarded the decree to Mr. Hawley upon his supplemental complaint, filed after the trial of the case had progressed for nearly a week, and based upon the plaintiff's charges of unlawful conduct on the part of her husband. The court holds that these charges were not proved.

to the further order of the court, and ther order of the court, and the court to 91. suggests, but does not order, that Mrs. Hawley be permitted to occupy peal, or if not appealed, until the vote of 84 to 171. expiration of the 60-day limit for appeal of the case. Should the plaintiff appeal the the case, \$1000 shall be at all reasonable times to see her.

The decision of Judge Bagley rests entirely upon Mrs. Hawley's grave of the bonds placed on the market. charges against her husband. He This entire purchase, except for \$8000, casts aside the other allegations of was resold to the state treasury. cruelty, which, he says, are question of intent. His conclusions in part. WOOD AND HOOVER LEAD brother, who is too young to underare as follows:

Decree Sought by Both.

"L Both the plaintiff and the defendant seek a decree upon the grounds of cruel and inhuman treatnent, and, therefore, in the light of stitutes cruelty.

either real or imaginary slights, or delegate-at-large, who was pledged cause we are sure that everything prompted by the pangs of rage, or for Hiram Johnson. the other party, that constitutes cruelty. Unintentional acts of indignities, out opposition. In the second con-unintentional injuries, the result of gressional district Robert Jackson of stitute cruelty. Cruelty is a question of intent; a mental purpose to wound the feelings of the other party. And while it is true that it is not neces sary that actual physical cruelty be ANOTHER FORESTER QUITS : imposed and that the studied sneer, willful neglect or careless regard of the other's marital rights, may endanger the health of the injured party, yet it must be the result of a mental purpose; a present intent to wound and injure.

Wrangling Held No Cause. "Parties should not be divorced

upon the ground of cruelty because they cannot live happily together on account of uncontrolled tempers or domestic wranglings. Those who enter the marriage state should bear with the ordinary consequences of human infirmities, more or less inherent and uncontrolled in all humans. Mere show of temper, petulant manners, abruptness, shortness of speech, or occasional exhibitions of passion, as a rule do not amount to cruelty.

"It is always the duty of both the husband and wife to avoid quarrels. to bring about concord and harmony, to reconcile their little differences, to forgive and to forget the ordinary troubles afecting the marriage relation. Neither party to a marriage contract can exact nor expert per- destroyed by fire, caused by a heated formance from the other of the strict iron igniting the covers of the bed in letter of the contract. The marriage status is one wherein the law operates upon the weakness as well as upon strength of human nature, and the marriage contract should not be dissolved except for grave and substantial causes, satisfactorily established by a preponderance of the evi-

Rules Applied to Suit.

"Applying these rules to the plaintiff's cause of suit and various incidents thereof, exclusive of the ai- White, aged 19, by Judge Ralph Bell legations of a criminal character, the this afternoon in superior court. conclusion to which an open mind can arrive is that the charges der of Lee Linton, chauffeur, a few of the amended complaint have not months ago. His attorney gave (Concluded on Page 6, Column 1.) notice of appeal.

OUTCAST'S PROPERTY SELLS FOR \$1,140,000

TRUST LAND OF HENRY ASTOR,

Price for Property in New York, on Which Theaters Stand, Called "Big Bargain."

NEW YORK, March 9 .- Land belonging to the Henry Astor estate and on which the Astor, Bijou and Morosco theaters are located or Broadway and Forty-fifth street, was sold at public auction today for \$1,140,000. Real estate dealers expressed the opinion that the land was a "big bargain" at that price. The Lass Only Five Instead of Six York office of Furukawa & Co. property, which was divided into two parcels, has a frontage of 79 1/2 feet on Broadway and runs back 309 feet at the northeast corner of Forty-fifth

The Astor property which occupies the entire Broadway frontage, sold IMAGINATION IS BLAMED for \$790,000. The Bilou and Morosco theater property, which is subject to lease expiring May 1, 1931, sold for \$350,000. The Astor theater lease expires next year.

The trust which held the property was created in 1869 by Henry Astor, who deeded it to his brothers, John Jacob and William Astor, and Charles Southmayd, as trustees, with the understanding that he should always and if he left no children the property should be divided among his brothers and sisters or their descendants. Henry Astor died last year, leaving no children. He was the outriage to a farmer's daughter.

WARRENTON SPLITS BONDS

tion; \$150,000 Block Rejected.

ASTORIA, Or., March 9 .- (Special.) C. E. Whiteley. The citizens of Warrenton at a special election today affirmed the ion in one particular and defeated it The temporary custody of the child in the other. The measure to create that Opal never mentioned to anyone Mr. Hawley is required to pay \$250 chase and improve waterfront prop-a month for its care until the fur-erty was carried by a vote of 109 Silence

The measure to issue \$150,000 in the family residence until the final of water frontage at an agreed price thing about it to her mother, father determination of the case upon ap- of \$1350 an acre was defeated by a

Interest attaches to validation of the Warrenton water front bond issue allowed for expenses incident to the by reason of the fact that it is The court directs that the charged that Morris Bros., Inc., of child, who is 28 months of age, shall Portland, in the purchase and resale not be removed from the state and of the bonds to the state reaped an that while she is in custody of either undue profit and that this brought party, the other shall have the right announcement from Governor Olcott that an investigation will be made

Morris Bros. purchased the \$250,000

First of Presidential Primaries

Held in New Hampshire. MANCHESTER, N. H., March 9 .-The first of the presidential primathe evidence in the case and the ries for the election of delegates to charges and counter-charges, we the republican and democratic nashould ascertain what, in law, con- tional conventions were held in this

Legal cruelty is such conduct in one of the martial parties as endangers, either apparently or in fact, the physically or inspired party to discharge properly the duties imposed by the marriago.

"It is not every little act done or "It is not every little act done or "It is not every little act done or "Nashua, a candidate for "Nashua, a candid threat uttered while smarting under Flaherty of Nashua, a candidate for Scott. "We intend just to wait, be- to ascertain which is responsible for bition is to remain a common citizen.

committed in the heat of passion In the first congressional district, brought about by the aggravation of Gordon Woodbury of Bedford, piedged temporary passion or rage, unstudied Concord, and Raymond B. Stevens of disagreeable conduct, does not con-Landaff, both pledged for Hoover, were leading Henri A. Burque of Nashua, unpledged.

Associate's Resignation Follows That of Chief Graves.

WASHINGTON, March 9 .- Albert F. Potter, associate forester, resigned today following the resignation yesterday of Henry S. Graves, chief of the forestry service.

Mr. Potter, whose home is in Arizona, entered the forest service under Gifford Pinchot in 1901 as an expert on grazing and has been in charge of that phase of the service work.

He wrote Forester Graves that he considered his work far enough advanced to permit him to retire to give his attention to private interests.

WOMAN FATALLY BURNED

Heated Iron Ignites Bed Covers, Killing Mrs. Dollie Watts.

ROSEBURG, Or, March 9 .- Mrs. Dollie Watts was burned last night when her home near Sutherlin was

which she was sleeping. Her son-in-law was seriously burned in attempting her rescue,

YOUTH SENTENCED TO DIE

Isom White, 19, Found Guilty of Murder; Attorney to Appeal.

EVERETT, Wash., March 9 .- Sentence of death was imposed on Isom White was found guilty of the mur-

Flaw in Chronicle Found by Grandmother.

CHILD TOO YOUNG TO WRITE

Apparent Denial of Parentage Ascribed to Desire to Relate

UNIVERSITY OF OREGON, Eugene grandmother. Mrs. A. E. Scott, who lives at Saginaw, 20 miles south of Eugene, attributes to Opal's vivid in influencing the Japanese. imagination her apparent denial of

Issue of \$350,000 Voted at Elec-been any other Opal Whiteley than the end of the week for loading on the one who is her own granddaugh-the steamer Waban. "Sec."

The grandmother's belief in a way corresponds with the theories of proresult of their November bond elec- fessors here who are interested in the case. The grandmother, however, says a dock commission and authorize the in the family the belief she has exissuance of \$350,000 in bonds to pur- pressed in her blography that she is

bonds to purchase a specified tract idea at any time and not said some

Grandmother and Grandfather Scott, Opal and their little brother who will

that they preferred not to talk about it at all when seen today in their

Faith Still Maintained. their faith and their trust in Opal. They are sure that something has

will be explained later."

Opal Picture of Mother.

Asserts Relative.

"Romantic Story of Life."

in the Atlantic Monthly. She feels calls "a romantic story of her life," ter and the daughter of Mr. and Mrs.

Silence Held Strange "It seems strange," she said today, "that the child should have had that or grandparents. I think that if she had said anything about such an idea to her mother, I would have heard

the three daughters of Charles Edward Whiteley, all younger than be six in May, live together in a little house in Saginaw, "the second house on the road to the right, beyond the little white church on the

They are all deeply grieved over the appearance of the biography in the Atlantic "by the author of "The Story of Opal," all except little stand. They are hurt because they do not understand how it could have happened. They are so bewildered

rural home.

(Concluded on Page 2, Column 3.)

PHOSPHATE BOOKING "NO OFFICE-HUNTING WRATH OF NATION AWARDED PORTLAND FOR ME," SAYS HOOVER

CHILDISH FANTASY SEATTLE VANQUISHED. IN AMBITION IS TO REMAIN A

to Use Local Port by 35,000-Ton Order of Mineral.

Thirty-five thousand tons of phos-George Powell, president of the Oregon-Pacific company, from the New

ommercial warfare for some time when really called upon." between this city and Seattle, the tions were under way for the move- ask Mr. Hoover to make known his ment through Portland. Mr. Powell position. and others interested in the movement look upon the announcement of bookings by the Japanese firm through this port as an assurance that the entire movement, amounting to at least 30,000 tons a year, has that I have consistently preserved." been won by Portland. The superior facilities for handling the commodity offered here and the differential of ducing territory to the seacoast in have been the determining factors a progressive

cast of his family because of his mar- parentage as given in her biography day is the second let of phosphate rock definitely booked. The Dyson that Opal's imagination has led her Shipping company of Scattle prethe steamer Waban.

The 35,000 tons, according to the office, and, consulting my own perinformation received by Mr. Powell, sonal inclinations, I do not want pubwill move in bulk and will be car- lie office. I cannot prevent any citi-Japanese shipping company.

the commission of public docks for St. Johns municipal terminal. Excel- manufacture of officials by machine lent progress is being made on the methods site for the bunkers. The Port of on another to bring the depth to the

the harbor. Representatives from the New York, Kobe and Yokohama offices of Furu- my view is that I should agitate for kawa & Co., visited the Pacific coast a short time ago and inspected the

Furukawa & Co., Ltd., is one of the regard to public service. argest mining companies of Japan. For some time past it has been shipping from 7000 to 10,000 tons of freight a month from the United to the presidency, but I should not be States to Japan, mostly copper, iron and steel.

Large plans in Japan for convert ing the crude phosphate rock into race for nomination for the presisuper-phosphates, in which form it is placed on the market, are also controlled by Furukawa & Co.

But not for a minute do they lose LIVING OR COSTS HIGH? it implies.

Court to Investigate Responsibility

vestigate the "high cost of living and | the continuing increase in the prices.

"COMMON CITIZEN."

Japanese Firm Indicates Intention Ex-Administrator Says He Is "Ar Independent Progressive in Is-

phate rock have been booked by Hoover, in a letter received tonight Furukawa & Co., Ltd., for movement by Ralph Arnold of Los Angeles, New from Idaho to Japan through Port- York representative of the "Make and, beginning in May, according to Hoover President club" of California a telegram received yesterday by declared he was not seeking public office, that his ambition is to remain a "common citizen," but that he be-The pending movement of phosphate rock has been a subject of open should always be ready for service

Mr. Hoover's letter followed the ac Puget sound city having made des-perate efforts to secure the traffic fornians residing here in appointing after it was learned that negotia- a committee to go to Washington to The committee included Mark Requa, oil administrator during the war.

He asserted that while "such proposals are indeed a great honor. I feel that I cannot alter the attitude

"First, I am an independent pro gressive in the issues before us today. March 9.—(Special.)—Opal Whiteley's \$1 in the freight rate from the pro- I think that at this time the issues before the country transcend parti-Portland's favor are understood to sanship. It is well known that I was republican before the war, and, I think rightly, a nonpartisan during my war service. The issues confronting us are new and the alignment upon them has not yet been made by the great parties. I still to construct what Grandmother Scott viously booked 5000 tons for shipment object as much to the reactionary in sacks, and half of this amount is group in the republican party as I do and has no idea that there ever has expected to reach Portland before to the radical group in the democratic

"Second, I am not seeking public vessels controlled by the zen or group of citizens from agitating that I should take public office, Mr. Powell has been instructed by but I cannot conscientiously particihe Japanese shippers to arrange with pate in any organization to that end. "Third, I belong to a group which the handling and to expedite the com- thinks the American people should pletion of the bunkers for loading at select their own officials at their own Portland terminal No. 4, formerly the initiative and volition and resent the first scheme as a precautionary meas-

"Fourth, you and your friends have Portland dredge, working on the load- urged that I should undertake to oring slip, already has completed one ganize propaganda for myself as repcut to depth of 20 feet and has started resenting issues, by entering into competition for nomination by a full 30 feet maintained elsewhere in great party. Aside from the reasons mentioned above, this implies entry upon a road of self-seeking, whereas the issues, not for myself. You rightly say that joining sheer orshipping facilities here and on Puget ganization without issues implies entering upon office-hunting, without

"Finally, I am not so ignorant as not to realize perfectly weel that such myself if I started out on a path of self-seeking to obtain any office."

"I feel sure that if I entered the World, Unite." dency and undertook to solicit and negation of the right American instinct, because of the obligations that the witness,

"I thoroughly believe that I, like suade the public to call me is opposed him that there was very little differ- 2,000,000 within five years. sas industrial relations court will in- to my every instinct.

The court has sent out question- any organization and leadership that of the communist labor party, the naires to manufacturers, wholesalers has for its objective the consumma- first essential requisite of the prose-Grandmother Scott has been with and jobbers of foodstuffs and prod- tion and maintenance of great issues cution, was completed yesterday. Os-(Concluded on Page 2, Column 2.)

FEARED BY "REDS"

Syndicalism Trial Shows Secrecy Maintained.

NUMBERS HELD BY MEMBERS

No Chances Taken on Being Shot, Say Communists.

STATE WINS LEGAL TILT

District Attorney Outpoints Defense in Introduction of Mass of Literature.

Fear of the wrath of an arouse government impelled fnembers of the communist labor party in Oregon to names on the red-inked records of the organization.

"Members of similar organizations n other countries have been lined up against walls and shot," was the reaagent of the department of justice in charge of the bureau of investigation for this district, by Claud Hurst, local financial secretary, for nembers by membership card numers only. This was testimony of Mr. Bryon yesterday during the trial of Hurst, Karl W. Oster, state secretary I. W. W. RESCUE IS FEARED of the communist labor party, and Fred W. Fry, the first prosecution in

Oregon under the state syndicalism This was not the original method adopted, but was substituted for the who pointed out how he had been able to trace the names of charter members from impressions on a blank page under one which had been torn out of the book.

Hurst's Card Produced. Hurst's membership card was pro duced by the special agent. Accom-

panying it was a voting registration card, which was returned to Hurst, and accepted without comment. The membership card was red and the ink in which the records were kept in the account book was re-Red is the color which blazes from UNDERWRITING COST LOW the state and branch charters intro

Evans-captioned, "Workers of the spend the cost of propaganda and or- secret. Hurst declared he was open Jones today told the house committee ably would last but a few days.

of which is a crimson sun-"a setting

Conversation Is Repeated. any other citizen, should always be 1919, with Oster, was repeated by the now in existence, the director said, readoption, in modified form, of the ready for service when really called s, ecial agent, who said that Oster adding that he was confident that upon, but to go out and try to per- admitted being state secretary, told ence between the communist and the "Third-I hope to have the affec- communist labor party, but that there tion of my countrymen, but my am- was no communist branch in Oregon. Proof that Oster, Hurst and Fry ready to engage in team play with were members of the Portland branch

(Concluded on Page 8, Column 2.)

LOAN TO EX-SOLDIERS FOR HOMES IS URGED

FORMATION OF GOVERNMENT

Members of Committee Accused of Trying to Kill Legislation for "Bonus" by Delay.

WASHINGTON, March 9 .- Formation of a government corporation to urchase homes for ex-service men was urged today before the house ways and means committee by Rep resentative Morgan, republican, Oklaioma, explaining his bill to create such a corporation capitalized at Substitute for Article 10 May \$100,000,000. All the stock would be held by the government, which would make leans secured by mortgages up to a maximum of \$4000.

Charges that members of the con nittee were "endeavoring to kill bonus legislation by delay" were DEMOCRATS ALSO DIVIDED made by Chairman Fordney when the committee resumed hearings on sol dier relief legislation.

"I am ready to begin business now," chairman said, when members suggested that hearings be postponed until after the legislative committe of the American Legion has met or March 22 to further consider soldier relief plans.

ure, but we know the attitude of exservice men," the chalrman continued "Every officer who had good pay be known by numbers rather than doesn't want a bonus. The privates who suffered financial losses are the senate overwhelmingly in favor of some relief plan.

> North Carolina, said treasury department officials ought to be heard by agreed on a substitute and made as worked out The committee decided to call So

retary Houston, Assistant Secretary

the federal reserve board Thursday.

Montesano Thrown Into Panic by declaration regarding the article's Fusillade of Shots:

MONTESANO, Wash., March 10. (Special.)-A detachment of infansheriffs, marshals and Ameri-Legion members are yet out probably 34 for ratification. investigating the cause of scattering shots heard about 10:45 o'clock las night. Reports differ as to the number, varying from two to five reports. but the location of the sound seemed to be about 500 yards from the jail wherein the members of the I. W. W. accused of the Armistice day murders are being held

Fear of an attempted jail rescue

Policies for Ex-Service Men Esti-

nent insurance for ex-service men "After telling me why it was can be written at a cost of 40 cents the interests of compromise and that thought necessary to keep the names for each \$1000, Director Cholemey the debate to begin tomorrow probganization this would be in itself a knew he was a member," explained risk insurance bureau.

Committeemen insisted that the cost estimate was too low. Six hundred thousand insurance policies are

YESTERDAY'S - Maximum tempe 51 degrees; minimum, 40 degrees

Winter drive into land of a

mending hardships. Page 2 preme council pleads for early restora-tion of normal world conditions. Page 4 National. Political tempest alarms democratic lead-ers. Page 5.

Admiral Sims says duty is to reveal navy's had touched upon the vital agree-Loans to ex-soldiers for homes is advo-ments of the whole controversy. The cated before house committee. Page 1 article Mr. Lodge described as a bind-

Ricover refuses to be party to any office. would accept. He also criticised the seeking propagands. Page 1. Property of Henry Aster anctioned off for to the Adriatic question, 11,140,000. Page 1. The revised article in

New York republican leader scores social-lists. Page 7. Pacific Northwest.

City leses on appeal in lusurance license case. Page 12. Columbia tossers tumble Benson to third ploy the military or naval forces of place. Page 15.

Commercial and Marine Plan for disposing of government flour tion, so declars, surplus announced. Page 23. Profit-taking sales give corn market set-back. Page 23. Advance in Wall street stock list contin-ued. Page 23. Fleating drydock to be constructed here at cost of \$15,000. Page 22.

Portland and Vicinity. Wrath of nation feared by communists,

McCoy turns fire on Judge Crawford's let- forces of the United States under any ter upholding Chamberlain. Page 8. article of the treaty for any purpose. retland traffic signs obsolets and cause unless in any particular case, many accidents. Page 8.

PRO-RESERVATION LINES WEAKENING

Wilson Letter Stiffens Administration Ranks.

LODGE FACTION DISCOURAGED

Not Be Offered.

Uncertainty as to What President May Do in Event of Compromise Disturbing Factor

WASHINGTON, March 9 .- Article 0, more than ever the dominating saue in the peace treaty fight, today

Several of the republican leaders onvinced that ratification would be mpossible with their article 10 res active campaign to line up the neces they did not succeed and although the ompromise negotiations will coninue, no one had much hope tonight

Leffingwell and Governor Harding of The new republican reservation folws the general outline of the one different and more specific form its were satisfied with it, but 28 was the peak of democratic votes which

Wilson Letter Has Effect.

It was indicated that President WII son's new letter, although it failed ing the administration ranks against dent would do in the event of a com promise ratification, and many of the doubt resolve itself in favor of a

conservative course. So discouraged were the republican night whether their substitute reser-WASHINGTON, March 2 .- Govern- senate. They indicated, however, that they would not long delay action is

One Reservation Readopted.

The way to consideration of the subject on the senste floor was cleared just before adjournment by the number would be increased to league. As it finally prevailed, the reservation, the last except that relating to article 10, on the republican programme, declared that until the INDEX OF TODAY'S NEWS covenant is amended so as to give equal voting power, the United States declines to be bound by decisions to which congress has not previously

> given consent. The vote on readoption of the reservation was 57 to 20, with 17 democrats voting for it, nine more than support-

jed it in November.

Vital Agreements Touched. Senator Lodge told the senate that the president's letter had emphasized Wilson letter stiffens administration hand the features of article 10, to in treaty controversy. Page 1. republicans were objecting as republicans were objecting, and thus ments of the whole controversy. Representative McArthur announces his candidacy for nonination. Page 2 force," which, he said, the president labor in conference today. Page 22. which the senate majority never

president's references to France and The revised article 10 reservation, Colorado republicans express preference for which is said to have been approved General Wood as candidats. Page 2.

"The United States assumes no Mr. Hawley Jr. wins divorce and custody obligation to employ its military or naval forces, its resources, or any form of economic discrimination to fice to be thorough one. Page 3. Grandmether asserts diars of Opal White-ley shows discrepancies. Page 1. political independence of any other political independence of any other Roberts is sane, state alienists declare, country, or to interfere in controversies between nations whether members of the league or not, under the provisions of article 10, or to omthe United States under any article Jimmy Wilde to meet Prankie Mason over of the treaty for any purpose, unless
12-round route. Page 14. Angel pilot faces task to fill team gaps, in any particular case the congress, Page 14. in the exercise of full liberty of action, shall by act or joint resolu-

Change Declared Limit. As adopted last session the reser-

vation read:

"The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in roposed foreclosura sale of Coos Bay controversics between nations -lumber property will not be made, whether members of the league or not-under the provisions of article 10 or to employ the military or naval Grand Army commander visiting Portland, congress, which under the constitution, has the sole power to declare war or authorize the employment of Proposed amendment to split session of the military or naval forces of the legislature is drafted. Page 4.

AND THE WORST IS YET TO COME.

