

GOVERNMENT LOSES ESTATE TAX APPEAL

American Can Company Monopoly Case Dropped.

SUPREME COURT RESTS

Regular Term Is Brought to Close
With Adjournment Until October
8; Many Decisions Given.

WASHINGTON, D. C., June 6.—The supreme court today adjourned its regular term to a close today, adjourning until October 8.

Dismissal of the government's appeal, on motion of Solicitor-General Ferguson, from lower-court decrees holding that the American Can company did not constitute a monopoly under the Sherman anti-trust law, and a decision against the government in the estate tax case made up the final day's session.

The solicitor-general, after filing a motion to dismiss the appeal in the American Can case, later explained that the action had been taken because of the evident meaning of the court's decision in a similar case against the United States Steel corporation when it held an "unreasonable" restraint must be proved before the law could be invoked.

Estate Executors Upheld.
Executors of the estate of the late A. H. Woodward of Alabama were upheld in their contention that the estate tax assessed under the act of 1916 was an "allowable deduction" in computing the net income of the estate for the income tax. A decree of the court of claims holding that the internal revenue authorities had erred in refusing to allow such deductions was affirmed.

The estate paid a tax of \$490,000 on transfer and was assessed \$145,000 as income tax on the amount so paid out. The income tax law, the court held, was explicit in allowing the deduction of "taxes paid or accrued within the taxable year imposed by the authority of the United States except income, war profits and excess profits taxes."

Most Cases Put Over.
Since the estate tax was a federal tax and was not included in the exceptions, the court held it was deductible.

Most of the cases of general interest remaining undecided were ordered "reargued" to the docket for re-argument before a full bench. These included the Wyoming-Colo. suit over control of waters of the Colorado river, the United Shoe Machinery company case, involving alleged violation of the Clayton act in lease contracts, and the child labor case, involving the validity of special taxes upon products of the labor of minors.

Many Cases Are Handled.
Cases not to be re-argued include that of the Coronado Coal company against the United Mine Workers of America, to determine liability of a national labor organization for damages resulting from a strike, and the suit brought by the government to restrain the American Hardware Manufacturers' association from continuing the "open competition" practice of swapping price and sale data among its members.

The term witnessed the disposition of an unusual number of cases of national importance.

February 1921 the court held the penalty clauses of the Lever act to be invalid and abated scores of suits which were in progress. In December the government won its suit against the Lehigh Valley Railroad company under the Sherman anti-trust law, and since that date has been upheld in three out of four suits growing out of application of income tax legislation.

GOVERNOR TO BE BUSY
Important Part to Be Played in
First Day of Rose Festival.

SALEM, Or., June 6.—(Special.)—Wednesday will be a busy day for Governor Olcott, who upon request of the citizens of Portland will take an important part in the first day's ceremonies attendant to the annual Rose Festival.

In the morning the governor will present flags to the Portland boy scouts at Multnomah park, where at noon he will be a guest at a luncheon to be tendered the queen of the festival. In the afternoon he will give an address, which will be carried over a wide area by sound amplifiers. He also will ride in the parade, as well as take part in a number of other events.

Friday night the governor will present diplomas to the graduating class of the Chemawa Indian school. A banquet at which Governor and Mrs. Olcott will honor guests will precede the graduation exercises.

PRIZES OFFERED WOMEN
Contest in Bread-Making Conducted
by William Gadsby and Sons.

Bread-makers of Portland will have an opportunity this week to demonstrate their ability in a prize contest which William Gadsby & Sons are conducting. Twenty-seven prizes, consisting of three ranges and 24 cakes of flour, will be given to the 27 women adjudged to be the best bakers of bread. Any sort of stove and any make of flour may be used.

The contest will open tomorrow and will continue through Thursday, closing Friday afternoon. Individual point boards of white bread may be entered by Portland housewives, who will bring them to the Gadsby store at Second and Morrison streets.

This store is also conducting a free cooking school this week daily from 10 to 12 o'clock in the mornings and from 2 to 5 o'clock in the afternoons.

Healers Authority Limited.
SALEM, Or., June 6.—(Special.)—Druggists' healers are not authorized to sign marriage examination certificates, according to a legal opinion handed down here today by J. H. Winkler, attorney-general. The attorney-general ruled that only regular licensed physicians and osteopaths have this authority. The opinion was asked by F. D. Stricker, secretary of the state board of health.

Japanese Are Married.
VANCOUVER, Wash., June 6.—(Special.)—A young Japanese couple, Suyeiro Murakami, 22 years old, and Miss Kumano Iwasa, 18 years of age, were married here today by Frank E. Vaughan, justice of the peace. Their witness, also a Japanese, was M. Shinozawa of Portland. All were dressed in the height of fashion in American clothes and spoke good English, though all were born in Japan.

MOVIE STARS WHO WERE WEDDED RECENTLY.



MR. AND MRS. BUSTER KEATON (NATALIE TALMADGE).

FORUM INDORSES BONUS

ACTION UNANIMOUS BY MEMBERS OF ORGANIZATION.

Avowal Would Have Been Given Earlier Upon Request, It Is Said at Luncheon.

Unanimous indorsement of the soldiers' bonus measure was given by the members of the Chamber of Commerce yesterday noon at the regular weekly luncheon. The forum said that favorable action would have been taken earlier had the subject been brought to the attention of the organization, but yesterday was the first time support of the bonus was asked, it was said.

Benson Polytechnic club, composed of 15 boys, sang during the luncheon hour. D. A. Groat, city superintendent of schools, and A. B. Cleveland, principal of Benson, presided over the meeting. The Chamber of Commerce was one of the biggest and best polytechnic schools in the country and it was desired that the Chamber membership become familiar with the scope of the work and the objects of the institution. School Directors Woodward, Newell, Shull and Thomas attended the luncheon meeting, and attendance of the members' at the luncheon.

J. T. Daves, expert in industrial education, spoke on the topic, "Industrial Leadership and the Foreman," pointing out the important part the foreman occupies in the industrial scheme of things. He said there is little need to go outside the plant for good material for leadership and that men can be trained for leadership quite effectively. More, he said, the chance should be given to men already in industrial plants for the fullest development without first going outside the organization.

ADVICE TO VOTERS.
Recommendations by The Oregonian:
Sixty-day legislative session. Vote 300 Yes.
Emergency clause vote. Vote 304 Yes.
Marriage bill. Vote 307 No.
Woman juror bill. Vote 308 Yes.
Appointment of port commission. Vote 310 Yes.
City Ballot.
\$200,000 fire bonds. Vote 301 No.
Terminal street vacations. Vote 302 Yes.

ing by train, he was pleased with the maritime situation of this harbor. Professor C. V. Piper of the department of agriculture, which he will represent at the Rose Festival, was introduced to the members by Jesse A. Curry.

WOODCRAFT IN SESSION
Oregon District Delegates Are Entertained at Hood River.

HOOD RIVER, Or., June 6.—(Special.)—L. B. Gibson, county school superintendent, delivered the address of welcome at the annual convention of the Oregon district of Neighbors of Woodcraft, comprised of Crook, Wasco, Hood River, Multnomah, Clatsop, Clatskanie, Sherman, Clackamas and Washington counties. The session opened here today.

With a single exception, delegates numbering 214 were here from each of the 31 circles in the 10 counties. The visitors were entertained at a public reception tonight, the feature of which was a strawberry feast.

STATE TO VOTE TODAY

(Continued From First Page.)

status is the only measure on either state or municipal ballot which has caused a stir. Taxpayers have protested against this measure vigorously and have questioned the advisability of buying apparatus with bonds. The final city measure calls for amending the charter so that certain streets can be vacated in order

ROAD BOND ISSUES INTEREST.

In some counties there is more excitement over the road bond issues than over the state measures. This is true in Coos, Douglas, Hood River, Wasco and Lincoln counties. Bond issues are also up for action in Curry, Deschutes, Grant and Wheeler. The total bonds up for approval or rejection aggregate about \$3,600,000. If carried, these bonds are to be used chiefly for matching state road money on a 50-50 basis.

Mrs. W. Carey Johnson, supervisor of precinct No. 43, has proposed that the American flag be displayed at every polling place. The flag, she explained, will be a tribute of loyalty and will also show where the precinct is located. As flags are not included in the election supplies, Mrs. Johnson has suggested that some member of the election board in each precinct furnish one for the occasion.

It was believed yesterday that the vote would be canvassed tonight within a few hours.

BILL POPULAR IN DESCHUTES

Road Bonds Are Biggest Issue Confronting County Voters.

BEND, Or., June 6.—(Special.)—On the eve of the special state election, local issues were the centers of interest in Bend and Deschutes county. A \$50,000 road bond issue was the county measure on the ballot, and a referendum on the waterworks franchise recently granted by Mayor Gilman was of chief importance in this city.

Another measure sought to amend the city charter to allow for the issuance of Bancroft bonds on the basis of valuations of improved property rather than on the basis of the unimproved lots.

The soldier aid measure was the only one of the state questions to receive marked attention in the county, and it confidently was predicted that this would carry by an overwhelming majority.

Election Day Legal Holiday.

SALEM, Or., June 6.—(Special.)—Tomorrow being election day, is a legal holiday. This was made plain today by I. H. Van Winkle, attorney-general, and Chief Justice Burnett of the Oregon supreme court, following receipt of an inquiry from a circuit judge of Multnomah county. While practically all laymen recognize election day as a legal holiday under the law, the inquiry received from Portland indicates that some doubt existed in the minds of the court.

ROSEDALE MEN ARRESTED

Liquor Violations Are Alleged in Grand Jury Indictments.

SALEM, Or., June 6.—(Special.)—Frank Grimes and J. Christensen, the former charged with the unlawful possession of liquor and the latter with selling the contraband, were arrested here today, following the return of indictments by the grand jury Saturday. Both men reside at Rosedale.

C. Burton Durdall, accused by the grand jury of obtaining money by false pretenses from a Salem bank, today pleaded not guilty when arraigned in court. Durdall will be tried during the present term of the circuit court.

Hot Weather Hurts Berries.

HOOD RIVER, Or., June 6.—(Special.)—A combination of continued hot weather and a shortage of pickers may result in a loss by straw-berry growers here. Japanese ranchers from Dee flat declared a desperate need of pickers today. The fruit there, usually ripening a week later than lower valley berries, was ready for the harvest. Mrs. J. W. Ingalls, in charge of the Apple Growers' association employment office, said she needed 100 pickers.

Crossing Hearing June 14.

SALEM, Or., June 6.—(Special.)—The public service commission has set June 14 as the date for hearing the application for an undergrade crossing involving the tracks of the Southern Pacific and the Albany. On the same day a hearing will be held at McMinnville, with reference to the establishing of a grade crossing near that city.

Perch Held Game Fish.

SALEM, Or., June 6.—(Special.)—Perch are game fish rather than commercial fish and are not under the jurisdiction of the state fish commission, according to a legal opinion given by I. H. Van Winkle, attorney-general. The opinion was asked by Carl D. Shoemaker, secretary of the state fish commission.

GERMAN PROTESTS TROOP WITHDRAWAL

Removal of Allies Declared to Violate Treaty.

DANGER FROM POLES SEEN

Unloosing of Great Civil War Is Predicted if Forces Are to Be Taken Out.

LONDON, June 6.—(By the Associated Press.)—Dr. Sthamer, German ambassador to Great Britain, today delivered a note to the British foreign minister, Marquis Curzon, complaining that the threat of the inter-allied commission to withdraw allied troops from the industrial region of upper Silesia unless a withdrawal of the German defense force begins forthwith is a grave breach of the peace treaty.

The note declared the threat of the inter-allied commission to take account to placing the German population of upper Silesia at the mercy of the Polish insurgents and made the unloosing of civil war inevitable, because it was impossible for the German government to bring pressure to bear on the defense forces to expose the German population, defenseless, to the insurgents.

According to the ambassador's note, his reference was to the inter-allied ultimatum delivered June 4, expiring in 12 hours, and it declared that the inter-allied commission had prohibited Polish insurgents from re-occupying the places they had evacuated since the evening of June 3.

COMMANDERS ARE TO CONFER

Resumption of Fighting Is Reported on Kandrein Front.

OPPELN, Silesia, June 6.—General Hunneker, commander of British forces in Silesia, and General von Hofer, leader of German defense organizations, were to confer this morning relative to the situation which has arisen as a result of conflicts between Germans and Poles in many districts of Upper Silesia. The French have sent an ultimatum to General von Hofer, saying that unless the German defense forces, which have been fighting the Poles near Gross-Strehlitz, are ordered to retire, the French troops will be withdrawn from the industrial sections of the plebiscite zone.

Other reports are that the German advance is tending to augment order among the insurgents, who are said to have been guilty of considerable plundering.

Resumption of fighting on the Kandrein front was reported this morning.

Power to Withdraw Denied.

BERLIN, June 6.—General von Hofer, head of the German defense forces in upper Silesia, says the Vossische Zeitung's Breslau correspondent today, has replied to the allied ultimatum, demanding that he withdraw German forces, that he has neither the power nor the will to recall the self-defense forces from the places where protection they have taken over.

QUEER CODE IS PUZZLE

Vancouver Man Unable to Decipher Telegram Sent Collect.

VANCOUVER, Wash., June 6.—(Special.)—Arthur Herndon, of the Herndon sign shop, is running circles here trying to find a code book to decipher a telegram he got today from F. Barker, of Bendleton. The telegram reads: "Jar home ink drops lucky yoke. F. Barker."

The telegram came collect Saturday and today another, exactly like it, was received. Mr. Herndon, thinking some relative or friend was in distress, paid for the message and then tried to read it. He has been able to do little work since the message was received. The operator at the Western Union office was unable to throw any light on the reading matter. He asked for a repeat message, and it came back just as it was originally. Mr. Herndon thinks that some one is trying to have some fun with him but so far has failed to see the joke.

CHURCHMEN TO GO NORTH

Methodist Work in Alaska Is to Be Inspected.

Bishop William O. Shepard, Mrs. Shepard, Dr. William Wallace Youngson, Mrs. Youngson and son Wallace, will sail from Seattle, Wash., Saturday morning on the City of Seattle for Alaska. The party will visit Ketchikan, Juneau and Skagway and take in the Atlin lake and White Horse trip.

Mrs. Shepard, Mrs. Youngson and son will return to Portland June 28. Bishop Shepard and Dr. Youngson will visit Seward, Anchorage and Kodiak, returning to Portland about July 22. The bishop will inspect the Methodist work in these three cities.

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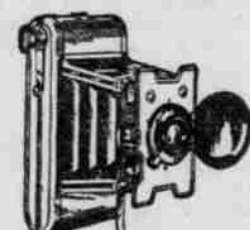
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DOWNSTAIRS

Small Electric Stove, special \$2.67. Table Electric Stove, special \$4.85

STATE TO SELL TIMBER

School Property to Be Disposed of to Pay Fund for Appropriation.

BOISE, Idaho, June 6.—(Special.)—The state board of education approved budgets, faculties and summer school schedules of the several state institutions, granted diplomas to their graduates and took action on other matters of business affecting the schools today. Evan Evans of Grangeville was not present. Stanley A. Easton of Kellogg, newly-appointed member of the board, did not attend.

Arrangements were made by the board, details of which will be completed later, for the auditor and business agent to sell the timber from a certain tract of land near Lake Couer d'Alene belonging to the state of Idaho. Proceeds of the sale will be used to reimburse the state for an appropriation by the last legislature to enable the university to complete its payments on the tract, which was set aside at the time of the Couer d'Alene reservation some years ago.

The plan for state supervision of rural schools recently announced was approved by the board. It calls for visitation of schools through the department of state and county superintendents and heads of the two normal schools.

Heat Records for Season Broken

by Two Degrees.

Heat records for the season were broken by 2 degrees yesterday when the mercury climbed to 83 degrees on the roof of the custom house, while downtown streets sweltered in a temperature considerably higher. A slight drizzle that started at 6 P. M. dampened straw hats by the hundreds, but brought the thermometer down to a more comfortable pitch.

Passport Ruling Issued.

The British consulate announces that, beginning with July 1 next, in accordance with instructions, British passports to longer will be issued to persons of former British nationality who have declared their intention of becoming American citizens by taking the oath of citizenship.

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JUICY STEAKS and CHOPS

Broiled over Charcoal only—just to suit you.

Breakfasts 25c to 60c
Lunches 35c and 50c
Dinner 75c Sunday Dinner \$1.00

ING OUT WHAT IS COMMONLY KNOWN AS

first papers. Such persons, under new British foreign office ruling, are regarded from the date of declared intention of renunciation of British allegiance to be no longer entitled to British protection.

M. D. Bowers Is Named.

SALEM, Or., June 6.—(Special.)—Martin D. Bowers of Gold Hill, today was appointed a member of the state time board to succeed his father, Benton Bowers. The father died recently. The appointment was made upon the recommendation of the State Taxpayers' League. Mr. Bowers, who had the indorsement of other members of the board.

Sale of Reservation Favored.

WASHINGTON, June 6.—Sale of the Vashon island military reservation in the state of Washington, is authorized in a bill approved today by the house and sent to the senate.

Chandler Dividend Cut.

NEW YORK, June 6.—The Chandler Motor company today declared a quarterly dividend of \$1.50 a share. This was a reduction in the annual dividend rate from \$10 to \$8.

Indian Gets 2 to 10 Years.

YAKIMA, Wash., June 6.—Leater Spencer, Yakima Indian, who acted as his own attorney and was convicted of breaking jail, was today sentenced to from two to ten years in the state penitentiary. Spencer asked that he remain in the Yakima jail for 30 days appeal. The request was granted.

679-134

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