

SHERIFF'S SLAYERS DEFEATED IN APPEAL

Supreme Court Affirms Ruling
of Judge Phelps.

NEW HEARING POSSIBLE

Pair Sentenced to Hang for Part
in Murder of T. H. Taylor
Again Face Scaffold.

SALEM, Or., June 28.—(Special.)—John L. Rathie and Elvie B. Kirby, alias James Owens, will be hanged in the state penitentiary here for the murder of Sheriff Taylor, committed at Pendleton on July 25, 1920, unless Governor Olcott commutes the death sentence to life imprisonment.

This was made plain here today when the Oregon supreme court handed down an opinion affirming Judge Gilbert W. Phelps of Umatilla county, who presided at the trial of the defendants in the lower court. The opinion was written by Justice McBride.

Attorneys for the defendants set out 22 alleged errors on the part of the lower court. Important among these were the refusal of the trial judge to grant a motion for change of venue, denial of the request to excuse certain jurors who were alleged to have had an opinion as to the guilt or innocence of the defendants, overruling objection to testimony of grand jurors at the trial, admission of statements of the accused men alleged to have been made under duress, and denying the defense's contention that the amendment restoring capital punishment in Oregon is unconstitutional.

Neil Hart, who actually discharged the revolver that killed Mr. Taylor, was hanged in the penitentiary here last November. Irvin Le Roy Stoop and Floyd L. Henderson, who also participated in the crime, are serving life sentences.

The slaying of Sheriff Taylor occurred while the five men were making a break for liberty, and was staged in the officer's headquarters in the courthouse where the killers had gone in search of ammunition.

Rathie and Kirby now have 30 days in which to file a motion for a new hearing before the supreme court. If this motion is filed, the condemned men will be recalled to Umatilla county, where they will be sentenced to death and the time of the execution fixed by the court.

Rathie and Kirby originally were sentenced to hang on December 3, 1920. They are now in the penitentiary here.

Other opinions handed down today follow:

W. S. Reek, appellant, versus Valley View drainage district, appeal from Umatilla county, action to enjoin defendants from levying or collecting taxes or selling bonds against district, opinion by Justice Harbo, Judge Dalton Bligg affirmed.

E. L. Perdue, appellant, versus T. B. Davidson, appeal from Lane county, action for recovery of commission on real estate sales, opinion by Justice John; Judge G. P. Skipworth affirmed.

City of Portland versus Paul C. Yates, appellant, appeal from Multnomah county, action to remove sign, opinion by Justice Dean; Justice Robert Tucker reversed.

A. M. Logan and Paul C. Logan, doing business under style of Logan Brothers, versus R. B. Gross, appellant, appeal from Crook county, action to enforce performance of contract, opinion by Justice John; Judge T. J. Taft affirmed.

Petitions for rehearing denied in Degolia vs. Anderson.

Petition of Lester E. Keeley for admission to Oregon bar denied.

Motion to modify record in Fisher vs. Bayer denied.

Case of Portland vs. Ah Fung and Ah Lay, motion to dismiss appeal and affirm judgment, allowed.

ENVOY SOON TO RETURN

Ambassador Wallace Expected
Home About First of August.

Word of the departure of Hugh C. Wallace, American ambassador to France, who will start for his home in Tacoma early next month, was received today by F. P. Haskell, Mr. Wallace's business representative in Tacoma.

Mr. Wallace now plans to sail for America July 6 and will go direct to Washington, where he will spend about 10 days. From Washington he will come direct to Tacoma and expected to be here about August 1.

NEWS WORKERS TO MEET

Washington State Press Association
Will Convene July 15.

CHESHAM, Wash., June 28.—(Special.)—The programme for the annual



The greatest
spectacle
ever filmed!
Gorgeous sets.
Cast of 7000.

TODAY



"Deception"
A Romance of Love Behind a Throne
A Paramount

meeting of the Washington State Press association was issued today by C. Ellington of Chehalis, president of the organization. The gathering will be held at Rainier national park, July 15, 16 and 17 and it was expected that 200 newspapermen and their family members would be present.

Two days and one evening will be given to programmes of various sorts and the events will cover a wide range, from the writing of news material to the business and circulation ends of the business. Jason Rogers of the New York Globe will give an address on "Co-operative Buying," it being his plan to make the western trip this summer.

Reports will be made of just what practical results have been attained, and it was believed that the findings would appeal to all in the business as most satisfactory. W. Russell Hill was the first field secretary who had charge of this work, but he later was succeeded by Fred Kennedy of the University of Washington. The Tacoma chamber of commerce will give a complimentary luncheon to the members of the association Thursday, July 14.

JUDGE'S FAITH REWARDED

FORGER MAKES GOOD WHEN
GIVEN CHANCE BY GATENS.

Benny Esteb Pays Back Ill-Gotten
Money and Buys Building Site
for Home for Mother.

Circuit Judge Gatens likes to find his faith in human nature justified sometimes. Often it is, but there are occasions when his parables or continued sentences are not appreciated.

Benny Esteb reported to the judge yesterday. Esteb was indicted December 17, 1919, for the forgery of checks totaling in amount \$309.60. His need had been dire and he had been desperate, he explained to the court when he pleaded guilty and appeared for sentence. Judge Gatens sized him up as a man who had made one mistake but was not likely to make another.

"I'm going to give you a chance, Benny," he told him. "Instead of sending you to jail, I am going to continue your case for sentence until June 30, 1921. During that time I want you to make good all the money you have received on those forged checks."

Benny said he would do his best. He appeared before Judge Gatens in company with Deputy District Attorney Graham yesterday afternoon. He laid before the judge a sheet of receipts showing that his debts had been paid. In addition to the restitution, he volunteered the information that he had paid for a quarter of an acre of land at Bertha station and intended to build on it shortly and make a home for his mother there.

His wife got a divorce from him in Corvallis when he was in trouble.

Albany Chamber Meets.

ALBANY, Or., June 28.—(Special.)—The Albany chamber of commerce today discontinued its regular weekly luncheons for the summer. They will be resumed next September. The luncheons, which have been held regularly for several months, have been very popular. G. F. Marsh, secretary of the chamber of commerce of Ellensburg, Wash., was the leading speaker at the concluding luncheon, held at the Hotel Albany today. His subject was "Selling Albany." Frank J. Miller, Owen Beam, and other local men spoke on work in which the chamber is now interested.

Drilling Begins for Oil.

KLAMATH FALLS, Or., June 28.—(Special.)—Drilling started yesterday at the Crater Oil & Gas company's well near Merrill. More than 1000 persons participated Sunday in a celebration and barbecue dinner, marking the beginning of active drilling operations.

Read The Oregonian classified ads.

LOG HAULS HELD LOSS

RAILROADS OPPOSE PROPOSED
ADJUSTMENT OF RATES.

Representatives of Four Systems
Object to Equalization of
Washington Tariffs.

OLYMPIA, Wash., June 28.—(Special.)—Representatives of the four big trans-continental railways, the O-W, R. & N., the Great Northern, the Northern Pacific and the Chicago, Milwaukee & St. Paul, argued today at the second day of a hearing in the chamber of commerce over the equalization of rates for the hauling of logs from the point of origin to the mills. The hearing was before the state department of public works, formerly the public service commission.

The department itself filed the complaint in the case with the statement that when the 25 per cent increase went into effect, August 26, 1920, they notified the railroads that the rates soon would have to be revised, as they were irregular and illogical. The Northern Pacific officials consumed most of the time with figures tending to show that despite the increase granted last fall they had been hauling losses at a loss.

Portland representatives in attendance at the meeting were J. C. M. Dood, W. H. Guild, W. A. Robbins and J. W. Mount, all representing the O-W, R. & N. railway. The Western Pine Lumbermen's association was represented by J. Knott of Portland, and the Willamette Valley Lumbermen's association by F. G. Donaldson of Portland.

TWO LITTLE BOYS DROWN

Cousins Fall From Bridge Into
Canal on Klamath County Ranch.

KLAMATH FALLS, Or., June 28.—(Special.)—Harry Delay, 5 years old, son of Charles Delay, deputy county clerk, and Dean Griffiths, his cousin, 3 years old, son of Mr. and Mrs. Clyde Griffiths, ranchers, missing since 5 o'clock last evening, were found drowned this morning, after an all-night search, in a canal on the Griffiths ranch south of this city.

The Delay boy, because of the illness of his mother and of a younger brother, who was at death's door with pneumonia, had been sent to stay with his aunt. He and his cousin were playing together, and got a pet pigeon. Mrs. Griffiths missed them a little later and started in search. On the foot bridge that crosses the canal she found the pigeon, but the boys were gone.

BODY FOUND HANGING

Unidentified Man Kills Himself
Near Town of Ridgefield.

VANCOUVER, Wash., June 28.—(Special.)—With 49 cents in his pocket and a dollar watch still running, an unidentified man was found hanging from a tree near Ridgefield late yesterday by William B. Gilbert of Portland, who was rowing through the narrows there.

The man was past middle age, roughly dressed with three suits of underwear, overalls over trousers, blue shirt, two pairs of socks and loggers' shoes.

Coroner Limber brought the body to Vancouver and was holding it pending identification. No inquest will be held.

Dallas to Do Paving.

DALLAS, Or., June 28.—(Special.)—The city council has let a contract to V. R. Dennis of McMinnville, contractor for the Salem-Dallas highway, to grade and macadamize several blocks of streets in this city, the work to commence at once. Edward J. Himes was elected street commissioner by the council and will supervise the work.

Read The Oregonian classified ads.



A Complete Bill
of Hits Playing
This Entire Week

The "KID" Himself

JACKIE COOGAN

IN FIVE ACTS OF GLEE.

"PECK'S BAD BOY"

University
of Oregon
Quartette

Exclusive Views of
Dempsey
and
Carpenter
in Training.

Lyman H. Howe's
"Ride on a Runaway Train"

The Most Sensational Novelty Ever Shown on Any
Screen.

KEATES
AND OUR MIGHTY
ORGAN

LIBERTY
NEWS EVENTS

COMING NEXT SATURDAY—CHAS. RAY IN "SCRAP IRON"

FOREVER FREE FROM

ASTHMA

HAY FEVER

Hundreds of former sufferers are astonished and delighted with the quick and PERMANENT relief they have received from our wonderful new discovery Asthma-Sera. Asthma and Hay Fever, with all their tortures may now be BANISHED FOREVER. Tear out this announcement and send at once to

R. M. B. LABORATORIES, 1081 Alaska Bldg., Seattle, Wash.

THE ONE SAFE POLICY

Not all "Sales" are unworthy, but we all know
that MANY OF THEM ARE

The J. C. Penney Company, in its nineteen years of merchandising, has never advertised or held a "sale." This policy has placed this great mercantile concern before the buying public for just what it is—an advocate of clean merchandising, not occasionally, but EVERY DAY IN THE YEAR.

We believe that where a policy is at all questionable as to its character or worthiness, the one safe bet is to LEAVE IT ABSOLUTELY ALONE.

Everyone knows that the "sale method," to say the least, is much abused. It is a destroyer of confidence. Knowing this, we always have and always will refuse to engage in this "lure" to gain patronage.

The "sale" is not necessary to get business. We have clearly demonstrated this fact. By pricing our merchandise RIGHT at the START, we have grown in the confidence of the public and prospered in our chosen field of endeavor; hence we say—

The One Safe Policy for Both Merchant and Consumer Is to Stay Clear of Tainted Methods.

Mother! Bring the Boy!

Cassimere Knickerbocker Suits

With 2 Pairs of Pants

\$6.90

An enormous purchase for our 312 stores gives Portland boys this opportunity. Just think of getting a new, snappy suit of fancy brown, blue or grey cassimere with two pairs of full lined knickerbockers for only \$6.90. Sizes 7 to 17 years.

All-Wool Blue Serge Suits, 7 to 17—\$8.90

Boys' Madras and Percale Blouses 69c
Boys' Chambray and Sateen Shirts 69c
Boys' Fancy Cassimere Caps 59c
Boys' Best Leather Trim Basketball Shoes \$2.23
Boys' Heavy and Medium Knox Knit Hose 25c

40-Inch Organdies

69c

The fresh, crisp kind you want—all the new shades and colors. Examine this if you are interested in organdie.

40-Inch Figured Voiles

19c

Beautiful flowered voiles in the new spring shades and patterns and look at the price—19¢ a yard.

Men's Summer Ties—Two for

25c

There are many pure silk ties in this lot—about 25 dozen in all. They are such exceptional values that only seeing them can really convince you.

Children's Ribbed Hose—2 Pairs

25c

This is a good, medium weight ribbed hose in black only. Sizes 6 to 10.

Save on Shoes!

Women's—
Brown Kid Oxford, military heel \$4.98
Brown Kid Strap Pump, military heel \$4.98
Black Kid Oxford, military heel \$3.98
Brown Kid Oxford, low heel \$3.49
White Reinskin Oxford, brown calf trim \$3.98

Girls' Russia Calf Oxfords
12 to 2 \$4.98 2 1/2 to 7 \$5.90
The highest type Russia Calf Oxford we have seen. Made in the new Fit-Form last.

Men's—
Brown Calf Blucher, medium toe \$3.98
Black Calf Blucher, medium toe \$2.98
Black Kid Cushion Sole Blucher \$5.00
Brown Calf Work Blucher \$3.49
Brown Calfskin Puttees \$4.98

Children's—
Patent and Kid Strap Pumps. This is something new, being made on the same lines as the women's pumps.
Sizes 5 to 8 \$2.23
Sizes 8 1/2 to 11 \$2.49
Sizes 11 1/2 to 2 \$2.89
Sizes 2 1/2 to 7 \$3.49

33-Inch Imported Pongee

89c

A heavy all-silk Imported Pongee Silk in the natural color. A popular fabric at a saving price.

WOMEN'S OUTING APPAREL

Our outing apparel is made from a good heavy weight olive drab khaki. The tailoring and fit are all that could be desired.

Laced Knee Breeches \$2.49
Belted Coats \$2.49
Hiking Skirts \$2.49
Round Top Hats 89c
12-Inch Indian Tan Hiking Boots \$8.90

PLEATED WOOL SKIRTS

\$5.90

These skirts come in all the seasonable color combinations in both plaids and stripes. For sports or street wear they are unexcelled.

NEW SILK SKIRTS

\$5.90 to \$9.90

Most every new silk is represented in this assortment. Come and look at them. A surprise awaits you.

Notions

J. & P. Coates' Crochet Cotton 12c
Silkine Crochet Cotton (colors) 10c
Coates' 150-yard Sewing Thread 5c
Coates' Darning Cotton, 3 for 10c
Corticelli Sewing Silk (100 yards) 12c
Children's Hickory Garters 19c
Men's Paris Garters 23c
Men's Armbands 5c
Rick Rack Braid 5c
2-In-1 Shoe Polish 10c

Toilet Articles

Colgate's Tooth Paste 19c
Pepsodent Tooth Paste 39c
Hind's Honey and Cream 39c
Mentholum, 1 oz. 19c
Vaseline 8c
Cuticura Soap 19c
Woodbury Soap 19c
Pears' Soap 15c
Jergens' Violet Soap 9c
Palm Olive Shaving Cream 25c

Read These Prices on

Dry Goods

Imported Jap Crepe, yard 29c
Staple Check Gingham, yard 12c
27-Inch White Outing, yard 12c
Heavy Blue Denim, yard 19c
Valenciennes Laces, yard 5c
54-Inch All-Wool Plaids, yard \$2.49
Renfrew Devonshire Cloth, yard 33c

Misses' 3/4 Lisle Sox

39c

A splendid sock in sheer lisle—black and dark brown. All sizes.

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