JURY IN HALF HOUR ACQUITS MRS. AGEE

Alleged Husband-Slayer Is Set Free.

VERDICT IS NO SURPRISE

Father and Widow of Slain Man Smile and Soon Leave Court in Automobile.

(Continued From First Page.)

slaying of her husband, she cannot be tried again. Once having been placed in jeopardy, no other charge growing out of the same crime can be made against her by the district attorney.

Mrs. Agee Is Accused.

An "eleventh-hour attempt to suborn perjury" was charged against Mrs. Agee by Hammersly, referring to testimony yesterday afternoon by Grace Todhunter to the effect that Mrs. Agee yesterday morning had urged her to lie on the witness stand, it called.

The young woman was a member of the Rebekah band to which Mrs. Agee belonged and had been asked by the prosecution to appear in court with a trombone music book similar to the one which had been used by Joseph H. Klecker, janitor-music teacher, in the instruction of Mrs. Agee. Miss Todhunter also had been a pupil of Klecker's.

Sitting next to Mrs. Agee in court yesterday morning, Miss Todhunter engaged in conversation for a few moments with the woman on trial. She recalled, she said, that Mrs. Agee had told her at one time that the instruction book she was using was that of Otto Langey.

Widow Declared Fearless.

"I asked her in case that was brought up should I mention that she owned such a book," testified Miss Todhunter, who appeared to be a reluctant witness. "She said 'no.'"

"The tears of their little boy were the only tears shed at the side of the dying man that night," declared Pierce in the opening argument, referring to the alleged unemotional attitude of the widow when her husband was slain. He went on to relate the main points of the circumstantial case of the state against the woman.

First, he said, was the deduction of witnesses that Mrs. Agee had not been in bed with her husband that night, because the bed did not appear to have been slept in on the far side. Then there was the attempt to make the affair appear to be a burglary, with family plate and jewels flung outside the window of the house. Third, the stories of the woman that she had been awakened by hearing her husband call "Help, help!" though physicians had testified that it would have been impossible for the man with his throat cut to have articulated.

Prosecution Charges "Plant."

Other things pointed to by Pierce were the leaving or a light burning in the front room of the house when Mrs. Agee left, her alleged intimacy with Klecker and the heavy insurance carried by Agee.

"Frame-up!" and "plant!" were the chief cries of the prosecution in referring to the finding of the blood-spattered overcoat and blood-smeared knife, together with several sheets of trombone music, by D. J. Swing, father of the woman on trial, at the corner of Wall and Lombard streets.

Pointing out that there were more than 200 vacant lots in the district Swing had testified he had combed for evidence, Hammersly declared that the minute search claimed would have been impossible in seven days, devoting not more than two hours a day, as contended by Swing.

Concealment Is Charged.

"Further, after finding this bundle and having no idea what it was or what it contained, according to his own testimony, Swing went half a mile to get two men to go and see what it was he had found to which he attached no import," said Hammersly. "This coat was placed carefully under the ferns and was carefully rolled up. It was not thrown there by a fleeing man seeking to rid himself of damning evidence.

"When lifted out the rolled coat immediately unwound. All the rain of five weeks had not caused it to hold its wrinkles. Witnesses have said that the spots have faded considerably since the coat was found, July 17. Why did they not fade in the weeks prior?

"Then counsel for the defense has concealed this information from the grand jury and the authorities. He did not want to give the state an opportunity to check up on it. I also want to call attention to the fact that the blood is on the outside of the right sleeve of the coat, not the inside as would have been the case had it been worn by the murderer. As to the music, that is clearly a 'plant.' We have shown quite plainly that it was torn from a music book which had been in the possession of Mrs. Agee and later taken to the home of a neighbor. What on earth would have possessed a person of sense to carry unrelated sheets of music in an overcoat pocket?"

Prosecution Is Attacked.

John Collier, in his argument, accused the state of being driven from its original position in the case, which was that Mrs. Agee had committed the murder and then "planted" a watch, bracelet and silverware outside the house to give the affair the appearance of the work of a burglar, and had adopted the contention that either Mrs. Agee killed her husband or stood at the elbow of the person who did.

The attorney contended that there was absolute absence of motive for the crime, that the love motive had fallen down and that collection of insurance on her husband's life was not a strong enough moving power. He insisted that there was nothing whatever produced by the state which actually could fasten the crime on the woman.

It would have been almost impossible for a left-handed person to have killed Harry Agee, he said, asserting that Mrs. Agee is left-handed. Further, he contended that the nature of the crime was such that it would have been impossible for the murderer to have escaped without a drop of blood on his or her person. Stress was laid on the circumstance of the finding of the overcoat and the knife, emphasizing the testimony of physicians, who thought the knife a more likely weapon for the deed than the razor produced by the state.

Though the defense virtually has accused Klecker throughout the trial of being the actual murderer, little emphasis was laid on this feature in the argument. The attorneys preferred to point to evidence produced, leaving conclusions to the jury and any criminal action against Klecker up to the prosecuting officers.

No opportunity was given the prosecution yesterday to refute doubts instilled by the defense in its cross-examination of Klecker. Judge Morrow holding with Collier that any evidence substantiating the story of Klecker should have been given in the case in chief.

Witnesses not permitted to testify to any material facts were Josephine Korten, 1184 East Harrison street, sister of Klecker; Mrs. Louise Klecker, wife of the man on whom suspicion was thrown by the defense; J. F. Hume, street car conductor who was acquainted both with Klecker and Mrs. Agee, and Fritz Barteil, janitor in the Henry building.

Hammersly Makes Retort.

"The question this jury is called on to decide is whether or not this defendant committed this murder, not whether or not someone else did," contended Collier in his argument to the court. "We are trying Louise Agee for murder. The state is now concerned in defending Klecker. This is an immaterial matter in this case and part of the state's evidence in chief if anything."

"We are offering this testimony," retorted Hammersley, "because we are satisfied that this overcoat was introduced for just one purpose. We wish to rebut the genuineness of the whole situation and show that the coat had nothing to do with the case and was never in the vicinity of the murder."

"The defense is not prosecuting this case," replied Collier. "We offered these finds for what bearing they might have on the guilt or innocence of Mrs. Agee. Other action in regard to Klecker is up to the district attorney and not to the defendant."

"It is the court's opinion that the question of whether Klecker owned or did not own this coat has no bearing on the guilt of this defendant," ruled Judge Morrow.

Doctor Gives Testimony.

That the wound which ended the life of Harry Agee "seems to have been made with a sharp-pointed instrument with a cutting blade," which description is fitted far better by the hunting knife produced by the defense than by the razor offered by the prosecution, was the testimony of Dr. Clyde C. B. Van Vlerah, formerly an important witness for the state, called by Collier near the conclusion of the case of the defense yesterday.

The physician did not preclude the possibility of the razor making the fatal gash, but said that his examination convinced him that the wound "could be made more easily with a sharp-pointed instrument than with a blunt-pointed instrument, such as a razor." He asserted that he believed that because of the nature of the wound and the fact that it was considerably deeper half way from the point of entrance and exit of the blade causing it.

Blood Reaction Reported.

Blood on the overcoat and knife gave positive reaction to the test for human blood, testified Dr. Frank R. Menne for the defense. The same witness, who is professor of pathology at the University of Oregon medical school, had testified for the state that there was blood on the razor found in the street in front of the Agee residence, but had said that the quantity was not sufficient to permit a test to prove whether or not it was human or animal blood.

Supporting the contention of Dr. Van Vlerah, who preceded him on the witness stand, Dr. Menne said that an instrument like the hunting knife would tend to sink more deeply into the flesh, creating a wound similar to that which killed Agee, than would a razor, the blunt end of which he thought would tend to impede its progress in depth. Yet he considered it quite possible for a razor to make the wound.

The indentation of the skin below the wound itself, to which Dr. Menne had testified previously in describing the results of the autopsy he performed, could have been made, he thought, by a projection on the handle of the knife, or possibly by the heel of the razor.

Dr. Menne gave it as his opinion that had the razor severed arteries and veins of Agee's throat that there would have been more blood on it than now appeared.

The articles found by Swing were introduced into evidence when Dr. Menne testified that the blood on coat and knife was human. Hammersley objected "if the object is intended to connect up any one person, not if offered as negative."

"Why should you object?" demanded Collier.

Dr. Menne was the last witness for the defense, which rested its case at 11:35 A. M.

Edward L. Wells, meteorologist for the local weather bureau, was the first witness for the state in rebuttal. He testified that between June 9 and July 17, when Swing had said he found the overcoat and its contents, there had been 1.19 inches of rain. The night of June 10-11 was clear until 3:30 A. M., he said, and "moderately warm," with an average temperature of 61 degrees.

The importance of this testimony was its bearing on the finding of the overcoat. It might give rise to the questions: Was the appearance of the overcoat and blood spots such as might have been expected after being exposed to rainfall of 1.19 inches? Would the murderer have worn an overcoat with a temperature ranging between 56 and 65 degrees?

Offered to forestall as far as possible the expected claim of the state that the music sheets were "plantes," in the pocket of the bloody overcoat, testimony was given by defense witnesses tending to show that D. J. Swing had no access to the music score in the Agee residence before the book of which the two sheets found were a part was removed. Estimates of time given left a loophole for the state, however, if the extremes cited were to be credited.

Neighbor Takes Stand.

R. E. Green, neighbor with a musical tendency, testified that he had bought the music book for Mrs. Agee, giving trombone selections, last December.

"Did you see the book after the murder?" asked Collier.

"Yes."

"Did you take that book to your house?"

"Yes."

"When?"

"Between six and ten days after the murder."

"Why?"

"I thought of taking up the trombone."

"Who was with you?"

"Mr. Nelson."

"Where has that book been since then?"

"It has been in my house all the time."

On cross-examination Hammersly asked, "Is the book in the same condition as when you got it?"

"I couldn't say for sure," was the answer.

The father of Mrs. Agee, recalled to the stand, was asked by Collier if he ever saw in the Agee house any book resembling the one in question.

House Entered After Four Days.

"No. I did not enter the house until four or five days after my daughter was taken to jail," answered Swing. "I arrived here the day after she was taken to jail."

Previous testimony had shown that Swing arrived in Portland five days after the murder.

"Was anyone with you when you first went to the house?" a juror asked.

"I think it was Mr. Nelson who let me in. I didn't have a key," replied the old man.

"How many times have you been in the house since?" asked Hammersly on cross-examination.

"Well, I don't know. Several times."

"Didn't you start your investigation there?"

"No, sir."

J. C. Boyer, printer, appeared as expert witness for the state and testified that if the sheets of music found in the overcoat pocket had not been torn from Mrs. Agee's instruction book "it is either a miracle or a very clever forgery."

CARGO ISSUE IS REVIVED

EGYPTIAN COTTON CONTROVERSY AGAIN LIVE QUESTION.

British Monopoly of Carrying Trade Protested by Shipping Board Held Private Arrangement.

WASHINGTON, D. C., Aug. 1.—Controversy between the shipping board and British shipowners over division of the Egyptian cotton-carrying business, already has figured in the diplomatic exchanges between the two governments. Communications on the question were exchanged nearly a year ago, but the suggestion that punitive sections of the merchant marine act might be invoked against British vessels "promises, it was said today, to develop further diplomatic correspondence to avoid the breach which might follow.

The British contention in the latest official presentation of the case was, in substance, that as the arrangements under which Egyptian cotton was carried exclusively in British bottoms was a private one between the corporations, the British government could not be held responsible, nor would there be any warrant for retaliation against all British shipping. The Egyptian cotton growers' protective association, an association of individuals over which the British government exercises no control whatever, it was said, has contracted with certain British shipping lines to carry all of their cotton at favorable rates.

The British-Egyptian governments are in no manner parties to the agreements, it was added, and they are not, the British authorities contend, subject to regulation by the government.

CAMP'S WORK PRAISED

Scout Leaders Return Full of Enthusiasm After Inspection.

C. C. Colt, president of the Portland Council of Boy Scouts, and Dr. Otis Wight, O. B. Caldwell, E. C. Sammons, H. D. Angell and Frank Kerr, members of the executive committee of the council, returned yesterday from a week's visit to the scout camp at Wahtum lake.

"The only thing lacking at Camp Chinidere, the official boy scout camp overlooking Wahtum lake, is the presence of all the other boys in Portland," said Mr. Colt. "As a moulder of character and a citizenship builder nothing surpasses the training, discipline, outdoor recreational activities and general wholesome atmosphere of the camp. Its value is inestimable, and I wish every boy in Portland might share its hospitality.

"Although I have always been a strong believer in the camp, it is impossible to realize the really fine, constructive work that is being done without visiting it. I think I was impressed most deeply with the wonderful spirit of the camp, the team work, the courtesy, the obedience and the general happiness and optimism of the boys."

RAIL EARNINGS DECREASE

Great Northern Nets $19,304,097 During Year of 1920.

NEW YORK, Aug. 1.—Earnings of $7.73 a share on the $249,478,250 of capital stock of the Great Northern Railway company in 1920 were shown in the annual report of the road, made public today. Net corporate income was reported as $19,304,097. A sum of $1,815,496 was transferred to profit and loss.

Earnings for 1920 were $1.14 less than in 1919, when the report showed returns of $8.87 a share.

Gross operating revenue for 1920 was $122,616,775 as against $104,562,144 in 1919. Revenue figures included operations by the United States railroad administration during January and February and by the company from March to December.

FLOW OF GOLD CONTINUES

Inward Movement of Metal Is Reported Unabated.

NEW YORK, Aug. 1.—The gold movement continued over the week-end, arrivals here totaling nearly $16,500,000. La France brought $13,500,000, the Seeland $2,400,000 and the Cedric $300,000.

The Bank of France sent 304 cases to the New York federal reserve bank.

The steamship Aedoes brought $269,418 worth of gold from Uruguay to New York banking houses.

ITALY IS SHAKEN BADLY

Leghorn and Other Points Rocked and Buildings Bury Many.

LONDON, Aug. 2.—A violent earthquake shock was felt at Leghorn, Italy, and elsewhere Monday, said a dispatch to the London Times from Milan. Severe damage was done in the Lake Lugano district. A large building collapsed in Bari, burying many persons.

The full extent of the damage done and the number of victims was not known.

WOMEN TO BARE EARS

Hair Dressers Declare Bobbed Locks Have Come to Stay.

CHICAGO, Aug. 1.—Ears will be popular for women again this winter, according to delegates today to the convention of the National Hair Dressers' association.

Bobbed hair has come to stay, they also insisted, but indicated a belief that fewer women would wearn shorn locks as the years go by.

House Passes Mining Bill.

WASHINGTON, D. C., Aug. 1.—The house today passed a bill changing the period for doing annual assessment work on unpatented mineral claims from the calendar to the fiscal year. The measure now goes to the senate.

Idaho Railroad Authorized.

WASHINGTON, Aug. 1.—The Idaho Central Railroad company was authorized by the interstate commerce commission today to construct a railroad from Rogerson, Twin Falls county, Idaho, to Wells, Elko county, Nevada, a distance of 90 miles.

TELEPHONE COSTS MORE THAN TAXES

Users Give Testimony at Hearing Here.

CHARGES HELD TOO HIGH

City Produces Witnesses Who Declare Money's Worth Is Not Received From Company.

Telephone service in Portland is costing some users annually more than do taxes upon their homes, according to testimony offered by the city to the public service commission yesterday when the telephone rate rehearing was resumed in Portland, after a two weeks' session in Salem.

Witnesses produced by the city not only testified that the rates, in their opinion, were unreasonably high, but that in addition, trend of prices was on the downward and they gave it as their opinions that telephone service should likewise be on the downward path as far as prices are concerned.

Service Held No Better.

And these witnesses also testified that service was not one whit better under the increased rates than it was when the rates were lower and some testimony indicated that it is worse.

L. Stevens, who is engaged in the law publishing business in this city, testified that his residential telephone bill amounts to $30 annually, while the taxes on his home total only $28 a year. Service, he maintained, is very poor, and especially has this been true, according to his testimony, since automatic telephones have been installed in his district and the users have been forced to utilize an interchange of manual and automatic service.

Cheap Service Discussed.

During the course of his direct testimony the witness referred to telephone service at 25 cents a month. Attorney Shaw, representing the company, developed that this service was for outgoing calls only and in telephone parlance was known as "kitchen service."

"It was satisfactory service," the witness said in answer to a question. "But it was for outgoing service only," Attorny Shaw added.

"Yes," agreed the witness, "but if you would give as good service both ways and give it at the 'kitchen service' rates, you would have no complaint.

"I agree with you," Attorney Shaw admitted.

Cross examination of the city's first witness, Mrs. J. C. Othus, president of the housewives' council, brought about a lively tilt between counsel for the city and for the telephone company. Attorney Shaw sought Mrs. Othus' opinion as to a decrease in the wages of the telephone company employes amounting to 16 per cent, explaining that the city of Portland had proposed such a decrease as one method of reducing the cost of telephone service.

Assistant City Attorney Tomlinson quickly objected to this question on the ground that the city of Portland had not made any such proposal.

"The record will show, Mr. Tomlinson, that the city did propose that the rates of company employes be reduced to save the telephone users $300,000 annually," mantained Attorney Shaw.

Proposal Is Denied.

"I disagree with Mr. Shaw," came back Tomlinson. "The city produced a chart to show that a 10 per cent reduction in the wages and salaries paid employes of the company, and we mean such men as Pillsbury, Shaw, Hickman and all of them from the top to the bottom, would leave such employes with greater purchasing power than they had in 1917. We have made no proposal and have simply presented this phase of the question for the information of the commission. So far as the salaries are concerned, that is a matter up to the company officials and not up to the city of Portland to settle."

"Well," returned Attorney Shaw, "I wish to deny Mr. Tomlinson's interpretation of the question at issue. I maintain that the record will show that Mr. Tomlinson, in behalf of the city of Portland, using the voice of the people and, as he says, the 'voice of God,' has proposed a 10 per cent decrease in the wages of the employes of our company."

Argument Is Cut Off.

Chairman Williams cut off further argument on the point, saying that the record would disclose what had been presented, and that the witness, having been enlightened on the subject, should proceed to answer the questions.

Mrs. Othus explained when she took the stand that the organization which she heads takes an active interest in any subject that affects the cost of living in an average home. She also told the commission that the Portland Railway, Light & Power company had obtained an increase in rates after agreeing to expend $900,000 in improvements.

"We made an investigation and found that the street railway company had spent only $450,000," she testified. "We also found that in making this expenditure they had performed work which had been done three times before. We wondered if the telephone company had also failed to spend money for improvements after obtaining the rate increase."

Explanation Is Attempted.

Attorney Shaw attempted to clear this point by explaining that the company uses new money, borrowed from outside points, with which to make plant extensions, and that the only relation which expenditures bear to the rate structure is that if the company is not obtaining returns on money already invested, it is difficult to obtain new money.

Mrs. Othus told the commission that she had enjoyed telephone service in smaller cities than Portland for $1.50 a month and admitted that it was difficult for her to understand why it was necessary to charge greater rates in a large city when they had a greater field to cover and more telephones in use.

Attorney Shaw said that it would consume too much time to explain this perplexing problem at the time, but that it would be explained during the course of the hearing. He asked the witness if she did not think it strange, indeed, if the telephone company was able to fool the city, all of the people in the city and state commissions on this point.

Big Business Held Tricky.

"Big business can fool most of us, all of the time," Mrs. Othus replied.

In discussing wage increases, Mrs. Othus declared that the salaries paid to the higher-ups should be slashed. She did not sympathize with the effort to lower the salaries of operators, linemen or commercial department employes, she said.

"Are you going to cut them," she asked Attorney Shaw when he was questioning her as to her idea of wage decreases at this time.

"No, indeed," said the attorney. "Your own testimony, agreeing that the company is entitled to a fair return on its invested capital, insures that neither the wages of the employes for present rates will be reduced."

Attorney Shaw informed the witness that the allocation of salaries paid to executives or the company living outside of Oregon amounted to only $7221 a month, and that a 10 per cent reduction would only eliminate $722 a month for the phone users.

Merchandise Cuts Cited.

Two witnesses were produced by the city to show the downward trend of merchandise in Portland. The first, Grant Phegley of Phegley & Cavender, testified that the prices of ready-made clothing had been reduced at least one-third during the last year. High-priced suits which cost $75 wholesale one year ago can be obtained for fall delivery at $50, he said.

Cheaper suits have also been reduced one-third, he said, explaining that suits which sold at $60 a year ago can be bought for fall delivery at $40. Coveralls selling at $5 retail one year ago are now selling at $2.50 he said, and hosiery has also dropped at least one-third.

On cross-examination Mr. Phegley said that he felt he should make a 10 per cent return on his invested capital but also testified that he expected, because of present conditions, to operate this year at a loss.

W. E. Roberts Takes Stand.

W. E. Roberts of Roberts Bros.' store testified that the average reduction of all goods handled by his company would amount to fully one-third less than prices prevailing one year ago. He said that an average fair return on invested capital would be 8 per cent.

In answer to a question placed by E. M. Cousin of the telephone federation, Attorney Shaw declared that the Pacific Telephone & Telegraph company received 20 per cent of all telephone tolls of the Northwestern Long Distance Telephone company in Portland and 30 per cent for service at outside points for the handling of long-distance toll switching.

R. C. Wright, Portland attorney, testified that he pays more for telephone service in his home and office than he does for water, electricity, gas and street-car tickets. His taxes are also lower than his annual telephone bills.

Service Is Declared Poor.

Attorney Wright said that ne had experienced poor service and had complained not only to the company representatives, but also to the public service commission. He maintained that the company should bring its service to a proper standard before requesting increased rates.

This witness also held that greater economies for Oregon could be effected if the telephone system in this state was operated by the American Telephone & Telegraph company. He did not agree that the company should be divorced from the parent company, holding that this plan would not be as effective, so far as economies are concerned, as if the parent company operated all of its subsidiary companies as one single unit.

Grant Thomas, realty broker, brought one specific complaint in telephone service to the attention of the commission as evidence that telephone service is not worthy of the present rates.

Failure to Get Call Cited.

Mr. Thomas told the commission that he had taken dinner with other members of his family at the home of a friend on Portland heights and that it was necessary for him to attend a rehearsal of the Apollo club on this particular night. He said that he had promised to call this home at 10 o'clock to tell the members of his family of his plans.

Just prior to 10 o'clock, according to his story, he called and was told by central that "they do not answer." After calling again and receiving the same response he appealed to the supervisor, who also informed him that she could gain no response.

Then, thinking that his family had decided to come downtown on the street car to meet him, he left the building in which he had placed his calls and met a Portland Heights car, but saw nothing of his family. Then he returned to the telephone and tried again and with no success.

Little Attention Is Paid.

"By this time I came to the conclusion that members of my family had gone home without me and I started for my home in Irvington," he testified. "When I reached there and found they were not there I again resorted to the telephone and after being told that there was no response I again appealed to supervisor and told her that I wanted to know if the line was out of order or if they didn't answer. I then got my number and found that they had been waiting for my call but the telephone bell had not rung."

"Did you complain to the company?" asked Attorney Tomlinson.

"I went to the office the next morning and told the party that waited on me that inasmuch as this thing seemed to happen frequently I wanted to find out something about it. But the attitude taken by the man who waited on me indicated that it was nothing new to him and it didn't seem to make much of a dent on him."

Attorney Shaw Apologizes.

Attorney Shaw apologized for the lack of interest on the part of the employes of the company and then proceeded to bring out by questioning that many times this complaint is made when the real fault is that the party called had left the house for a few moments during which time the telephone had been rung. The attorney did not maintain that the complaint registered by Mr. Thomas was not bona fide, but brought out the fact that some disorder was certain in this case, for it would be easier for the operator to make the connection than to give the unsatisfactory report.

To emphasize his contention that complaints sometimes were the result of people leaving homes and forgetting that they had been out, Attorney Shaw said that one day he had called his home and received no response. When he came home, he said, he had sat down with his wife and gone over the day and finally found that at the moment he had attempted to call her she had been at the corner grocery store.

Tomlinson Causes Laugh.

"Perhaps she thought it easier to agree with you, Mr. Shaw, than to try and argue with you," suggested Attorney Tomlinson, ending the discussion with an all-around laugh.

When Mrs. A. B. Green, who lives in the Mount Scott district, tried to use her telephone to call the police for the purpose of routing a burglar, the phone was out of order and she was forced to resort to her "forty-five," she testified.

Under cross-examination, Attorney Shaw asked her if using the telephone on one occasion to call the police did not indicate to her that the instrument and service were valuable.

"It was the first time I called the police," she answered, "but the next time that I needed the police—and I needed them worse this time than I did any other time—the phone was out of order."

Mrs. Green said that she feels that she gets value received from money paid in taxes but does not feel that telephone service now given is worth the prices under present rates.

Since the consolidation of the Home telephone company and the Pacific company has been made in Portland, service has not been nearly so good, according to the opinion of Mrs. R. E. Stewart, another city witness. In times of depression, Mrs. Stewart maintained, the telephone company should take losses just as other people must sustain losses.

When Mrs. Blanche Winchester calls one friend of hers on the telephone she invariably gets a fuel yard, according to her testimony yesterday. In addition, she held that she gets poor service and that when she first complained to the complaint department she received no relief. However, now she complains at the Arleta office and gets improved service. But sometimes, she said, she is forced to walk down to the office because of inability to obtain a telephone connection with the Arleta exchange office.

Present high telephone rates encourage "community" telephone service, according to Mrs. Winchester, a service which she explained as being the use of one telephone in a district by a half dozen neighbors.

Mrs. Winchester said that it was not pleasant to have carpets worn out by such service, but that if one was to be a good neighbor they could not refuse the use of a telephone to someone who needs it to try and get work in hard times.

The city will continue at 9:30 o'clock this morning to present testimony of telephone users in Portland. It is possible that Lawrence A. McNary of the Oregon Hotelmen's association will present three witnesses some time today. After the city concludes there are a number of witnesses from Oregon City, Gladstone, Milwaukie and Oak Grove to take the stand. Then the telephone company will begin to present its evidence.

COTTON CROP FALLS OFF

ONLY 64 PER CENT PRODUCTION IS EXPECTED.

Boll Weevil and Rains Ruin Much of Yield and Conditions May Be Even Worse.

WASHINGTON, D. C., Aug. 1.—The boll weevil played havoc with the south's cotton crop during July, heavy rainfall aided in the destruction by promoting a rank growth of weeds and grass and as a result a prospective production of 8,293,000 bales was forecast today by the department of agriculture, basing its estimates on conditions existing July 25. That is a loss of 230,000 bales, compared with the production forecast a month ago.

The crop declined 4.5 points during the month, much more than the average decline, bringing the conditions to 64.7 per cent of normal, the lowest July 25 condition on record with one exception, that of 1866, when it was 64.1. Unpromising is the present condition of the crop throughout most of the belt and there is very serious threat, the department experts said, of continued and increasing damage from the boll weevil, while grass and weeds are exhausting much of the crop that remains.

Obituary.

Jessie W. Adams.

MEDFORD, Or., Aug. 1.—(Special.)—The death of Jessie W. Adams, well-known civil war veteran of Talent, Or., nearly 82 years old, removed from Jackson county one of its most interesting figures. He served from the fall of Fort Sumter to the surrender at Appomattox. He was born in Putnam county, Indiana, in 1839, enlisted in company D, 6th Iowa infantry at the beginning of the war. He located in Oregon in 1877.

Robert Weddle.

JEFFERSON, Or., Aug. 1.—(Special.)—The funeral of Robert Weddle was held here yesterday and the body laid to rest in the Jefferson cemetery. Mr. Weddle was one of the pioneers of this section, having lived in Jefferson for more than 30 years. He was 70 years old, and is survived by a widow and other relatives here. He was well known throughout Marion and Linn counties. The funeral service was held in the Evangelical church, which was crowded.

J. W. Boothe.

The funeral of J. W. Boothe, whose body was found Sunday hanging from the limb of a tree in Rose City cemetery after an absence from home of four days, will be held today at 11 A. M. from the Pearson undertaking parlors. Survivors are the widow, Mrs. Harriet Boothe, three sons, Frank, Malcolm and Herbert, one brother, J. F. Boothe, and two sisters. Mr. Boothe was 57 years old. He lived with his family at 555 East Forty-ninth street North.

Charles C. Hackleman.

SAN DIEGO, Cal., Aug. 1.—(Special.)—Charles C. Hackleman, native son of Oregon, born at Salem July 6, 1863, died here Wednesday of pneumonia. He was a son of the late John Hackleman, at one time county clerk of Linn county. Until 1893 he was engaged in the mercantile business at Lebanon, where he was married to Miss Carrie Ballard, daughter of the late Dr. D. W. Ballard, at one time governor of Idaho.

Fritz Ortman.

CONDON, Or., Aug. 1.—(Special.)—Fritz Ortman, the 7-year-old son of Mr. and Mrs. W. H. Ortman of this city, died at his home here last Saturday morning after a short illness from acute gastritis, believed to have been caused by arsenic poisoning. He was ill for two days. The funeral will be held tomorrow. Mr. Ortman is one of the new owners of the Condon Globe-Times.

Mrs. H. B. Sprenger.

ALBANY, Or., Aug. 1.—(Special.)—Mrs. H. B. Sprenger, native of Oregon, and resident of Linn county for the 66 years of her life, died tonight at her home in this city. She was born near Shedd, a daughter of William Powers, Linn county pioneer, and resided near Shedd continuously until eight years ago, when she and her husband moved to Albany. She was a member of the grange and the order of the Eastern Star. Mrs. Sprenger is survived by her husband, formerly county commissioner, to whom she was married 48 years ago, and four children, Mrs. Charles A. Pugh, Fred J. Sprenger and Harry G. Sprenger, all of whom reside near Shedd, and Mrs. C. E. Powers of Albany.

Henry Harold Lundquist.

VANCOUVER, Wash., Aug. 1.—(Special.)—Henry Harold Lundquist, aged 11, died yesterday at the home of his parents at Brush Prairie following an illness of two weeks. Besides his parents, Mr. and Mrs. Arthur Lundquist, he is survived by a brother, Johnnie; two sisters, Lelia and Vivian; a half brother, Elmer Hill, and two half sisters, Olga and Ingry Hill.

Great interest in American ready-built houses has been shown in both France and England, according to John R. Walker, lumber trade commissioner.

CHINA TRADE BILL MAIMED

VITAL COMMERCIAL MEASURE SLASHED BY COMMITEE.

Legislation to Protect American Business Interests in Orient Emasculated in Senate.

THE OREGONIAN NEWS BUREAU, Washington, D. C., Aug. 1.—A thoroughly maimed and emasculated China trade bill emerged from a sub-committee of the judiciary committee of the senate today and is promised full committee action next Monday. If this promise is kept, the measure passed twice by the lower branch of congress by an overwhelming vote will go before the senate next week in such form that its friends barely will be able to recognize it.

As the bill was reported by the sub-committee today, all tax exemptions provided by the house to aid American companies in China have been eliminated; also many provisions inserted by the house and approved by the department of commerce are cut away, the effect of which would have been a strong regulatory power over American companies in China when such concerns showed a disposition to injure America's name and prestige. The senate sub-committee also has changed the character of operation for such American companies as might be incorporated under the proposed act, declaring their functions to be trade between America and China rather than transacting business in China.

Friends of the long-fought cause of equal business opportunity for Americans in China, as against British and Japanese tradesmen, will endeavor to have the house stand by its original bill when the measure, emerging after a three months' rest in the judiciary sub-committee, gets into conference. This seems to be the only hope for a measure such as the Americans in China requested and which all commercial interests of the Pacific coast have strongly indorsed.

MULTNOMAH COST LEADS

Mental Defectives' Dependency Survey Is Completed.

SALEM, Or., Aug. 1.—(Special.)—The cost of dependency in Multnomah county is the highest in the state, with Marion in second place, according to a report of the Oregon survey of mental defectives completed recently by the University of Oregon. Dr. Chester L. Carlisle of the United States public health service assisted in the survey.

During the year ended June 30, 1920, the total cost to the counties of the state for caring for these defectives was $509,032.48. Of this sum, Multnomah county paid $235,288.35, and Marion county $23,230.52. With 595 inmates in all state institutions and 94 receiving outdoor relief and in poor farms, Marion county is third in number of inmates in institutions, according to the survey. In the period covered by the report 10,127 were in state institutions and 1826 were receiving aid from the counties of Oregon.

In the state 65,423 individuals who were or had recently been social liabilities, either in communities or in institutions, were included in the report.

EASTERN DOCTOR TO TALK

Dr. Skillern, Philadelphia, Will Operate in Clinics.

The first of a series of lectures on diseases of the cavities of the face and nose was delivered last night at the University club before members of the Association of Portland Pioneer Specialists by Dr. Ross Hall Skillern of Philadelphia, who is declared to be the greatest American authority on this subject.

About 20 physicians, including members of the association, and out-of-town physicians who had been invited to attend, were present.

In addition to the lectures Dr. Skillern will give a number of operation clinics at different hospitals in the city while here. It was announced that he will give one lecture each day during the remainder of the week.

Dr. Skillern is the author of a book on diseases of the sinuses which has been translated into a number of languages.

This is Dr. Skillern's first visit to the west and he expressed himself as perfectly delighted with it yesterday. He said that he hoped in the future to be able to come often.

WATER RIGHTS DEEDED

Official Transfer Made to Settlers by Central Oregon Company.

BEND, Or., Aug. 1.—(Special.)—Officially transferring to the central Oregon irrigation district the title to the water rights and irrigation system of the Central Oregon Irrigation company, the company's deed to the settlers was received at district headquarters in Redmond today. The deed is to be sent to Bend shortly for filing.

The transfer is based on a decision handed down recently in the Multnomah county circuit court, and means the passing of rights and property valued at approximately $3,000,000. The turnover is made as a complete Carey-act project.

White Salmon Apple Crop Big.

WHITE SALMON, Wash., Aug. 1.—(Special.)—Many apple growers of the White Salmon, Husum and Underwood districts have begun building apple houses and installing grading machines, in preparation for the heaviest crop of apples this district has ever had. Six thousand apple boxes a day are being turned out by the Laurel Box and Lumber company, 18 miles north of White Salmon.

Ochoco Cattle to Be Tested.

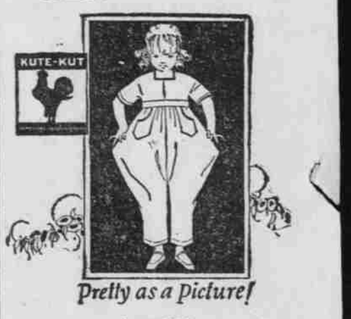
SALEM, Or., Aug. 1.—(Special.)—Dr. W. H. Lytle, state veterinarian, left here last night for Prineville, where he will test several hundred head of cattle on the Ochoco irrigation project. Before returning to Salem Dr. Lytle will visit other sections of eastern Oregon.

BUYERS' WEEK AUG. 1-6

The Welcome Mat Is Ready!

—Visiting merchants will find "open house" at Eloesser-Heyemann Co. Our personal representatives will be on deck to greet you and to take care of your requirements in "Can't Bust 'Em" Overalls and Pants, "Argonaut" Shirts and "Can't Bust 'Em" Kute Kuts—the style-plus-wear play suit that has created such a phenomenal success this season.

—Hence this wholehearted invitation: Come!



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29 Fifth Street, North Portland

OFFICER JAILS BROTHER

Vanilla Jag Prompts Policeman to Take Drastic Action.

MARSHFIELD, Or., Aug. 1.—(Special.)—Policeman Higley last night found his brother Abe carrying about a vanilla jag and ordered him home to his family.

Abe objected to his brother's accusation and started a fight. He landed at the city jail and was incarcerated for a time until he procured bail. Today he was fined $10 and Officer Higley was commended for his attention to duty.

AGED MAN BRINGS SUIT

Recovery of Property Transferred for His Care Sought.

MARSHFIELD, Or., Aug. 1.—(Special.)—William Norris alleges that last December he made over $40,000 worth of property to J. W. and Mabel Laird and they in turn agreed to maintain him and care for him in his old age, but they have not fulfilled their contract.

He is now suing the couple for the return of the property.

Lake County Sheep Dipped.

BEND, Or., Aug. 1.—(Special.)—With the exception of three or four scattered bands, all Lake county sheep have been dipped, is the report of Dr. R. A. Parsons, representative of the bureau of animal industry, which is waging warfare against scab in central Oregon. Dr. Parsons is unable to state at present whether it will be necessary to continue the work next year. In addition to the Lake county sheep, several bands of bucks remain to be treated, Dr. Parsons says.

One-Man Cars Introduced.

CENTRALIA, Wash., Aug. 1.—(Special.)—The North Coast Power company today began operating one-man cars on its interurban line between Centralia and Chehalis. The pay-as-you-enter plan has been adopted. The change was made, according to W. A. Schoel, manager, in the interests of economy.

Texas Asks Mexican Recognition.

AUSTIN, Tex., Aug. 1.—A house concurrent resolution congratulating the present government of Mexico on its achievements and urging early recognition by the United States government of the Mexican republic, was adopted in the senate today. The resolution had passed the house.