

# WIDOWING CAUSE TO PROPEL TEACHER

## Court Rules Mrs. Richards Is Entitled to Her Position and Salary in Full.

### CASE IS WON BY HUSBAND

#### Judge Morrow Holds Public Policy of Oregon Is That Sexes Have Equal Rights and Cites Suffrage Amendment.

"The marriage of a teacher is not 'good cause' for dismissal under the laws of Oregon. The relator is entitled to be reinstated in her former position, and to all the salary she would have received during the intervening period."

This was the finding of Circuit Judge Morrow, yesterday, in ordering the School Board to reinstate Mrs. Maude L. Richards, former high school English teacher in the schools. He held that the permanent tenure act, as amended by the legislature last year, because she was married to Oren H. Richards, an attorney.

That "the sexes should be put on an equal footing in civil and business matters" was the way Judge Morrow interpreted the "public policy" of Oregon in his oral decision from the bench.

**Tendency Brings Suffrage.**

"This tendency," said the judge, "has been constantly becoming more marked, ending in the constitutional amendment conferring equal political rights."

The fight against the School Board made by Mrs. Richards, formerly Miss Maude L. Marsh, began shortly after her dismissal. She notified Mr. Alderman by telephone the evening she was married. The next morning she appeared before her class, taught a short time and then was removed.

Mr. Richards delved into the legal side of her dismissal and then filed suit against the School Board. He held that his wife was teaching under the "permanent tenure act," and could not be dismissed without a hearing or without cause for her dismissal being shown.

Mrs. Richards asked that she be reinstated and that she receive her salary for all the time she was out of employment as a result of the school authorities' action.

The School Board attorneys rested their case on an old rule of the Board that marriage was sufficient grounds for dismissal. The rule says that married women may be employed as teachers in the public schools only by special action of the Board. Mrs. Richards, more than a year ago, had signed a contract containing a clause which said she should be automatically dismissed if she married. The bridegroom attorney, however, declared in his petition that the clause had expired long ago, and that its terms had been nullified by the "permanent tenure act."

Judge Morrow held that the case under advisement more than two months. In making his decision, he said:

"A permanent teacher under the Oregon laws could not be dismissed only for good cause and on written notice stating the reasons for the intended dismissal, and after a hearing. The power of the School Board to employ, employ, insert in a contract of employment a provision in violation of such statutes."

**Clause Not Effective.**

"If a teacher accepts employment under a contract containing a clause that the Board could not impose, that clause is not effective, but must be considered void."

"The marriage of a teacher is not 'good cause' for dismissal under the laws of Oregon. The relator is entitled to be reinstated in her former position and to all the salary she would have received during the intervening period."

"Three grounds for this decision: The statutes of the state on school matters are clear and explicit as to tenure of office, right to have charges preferred, and to hold until 'good cause' for dismissal is shown.

"The decisions of the courts of other states are unanimous that the marriage of a teacher is not 'good cause' for dismissal. The public policy of Oregon, as reflected in the statutes concerning women for more than 30 years, is that the sexes should be put on an equal footing in civil and business matters, and this tendency has been constantly becoming more marked, ending in the constitutional amendment conferring equal political rights."

**Mrs. Richards Glad.**

Mrs. Richards expressed keen delight when she heard of her victory yesterday afternoon.

"I am glad that is all I can say," she said. "I'm trying to be calm about it."

"Of course, I expect to continue teaching, as I wanted to do all the time. And I hope to get my old place back, too. It remains to be seen whether I will go back in the same school, but I hope to do so."

"Outside of my own personal delight at the court's decision, I think this is a victory for women in general. I think the time is coming when women will be on an equal footing with men in every respect, and for this reason, too, I am glad to win my case."

Whether the legal battle between the School Board and Mrs. Richards will be continued in the higher courts could not be stated by Chairman Munly of the Board, yesterday. He said the subject has not yet come before the Board and action is problematical.

It is known that both Mr. Munly and Mr. Beach, the two attorneys for the Board, recognized that Mrs. Richards might very likely win her case in the courts and they would, undoubtedly, have been willing to agree to some other settlement of the case.

### FAMOUS BAND AT OAKS

#### Wisconsin University Cadets Are Due Here Thursday.

Announcement was made last night by John F. Cordray, manager of the Oaks, that he had engaged the famous 57-piece First Regimental Band of the University of Wisconsin to appear at the amusement park Thursday and Friday.

While the band is an amateur organization and will not make a profit from the trip, it will go to the university, yet it offers the paradox of being composed in large measure of professional union musicians.

These men are working their way through college. They are members of some of the finest bands and orchestras of the City of Madison.

Military discipline prevails in the band, which is directly in control of Lieutenant P. G. Wrightson, Twentieth Infantry, U. S. A.

The band concerts will close with the singing of Wisconsin University songs.

Two concerts will be given both Thursday and Friday.

### SCHOOL TEACHER, DISCHARGED FOR MARRYING, WHO IS REINSTITUTED BY COURT DECISION.



MRS. OREN R. RICHARDS.

## EX-NEBRASKANS SEE ELMER J. BURKETT

### Former United States Senator Holds Impromptu Reception and Is Dinner Guest.

### DR. LOVELAND IS FRIEND

#### Belief Is Expressed That William J. Bryan Will Be Candidate for Presidency and That He Will Stick to Party.

Many prominent Portland people joined with ex-residents of Nebraska yesterday afternoon to honor Elmer J. Burkett, ex-Senator from that state, who is on a visit to the Pacific Coast and who was the principal speaker at the Gladstone Chautauqua yesterday.

The ex-Senator held an impromptu reception at the Imperial Hotel late in the afternoon, where he met scores of ex-residents of his state. Later in the evening he was guest of honor at a dinner given under the auspices of the Nebraska Society of Oregon. Among those who attended were Senator Harry Lane, ex-Senator C. W. Fulton, Dr. Frank L. Loveland, pastor of the First Methodist Church; Judge Henry E. McGinn; Milton A. Miller, collector of internal revenue; John F. Carroll, J. C. Stevens, C. J. Johnson, J. H. Ganoe, G. A. Johnson, H. L. Ganoe and others.

Senator Burkett will be extended further honors at Gladstone park this afternoon, when he will join with former Nebraskans now residing in Oregon, in an old-fashioned basket picnic. The festival is scheduled to begin about 5 o'clock. Ex-Nebraskans are expected to come with well-filled baskets and spread their lunch on the grass under the big trees at the park. Mr. Burkett probably will address them.

**Mr. Burkett Can Smell Blizzard.**

Dr. Loveland and Mr. Burkett were close friends when both lived in Nebraska. Yesterday was the first time they met since a memorable meeting at Haynes, Neb., four or five years ago.

They were having a mid-Winter Chautauqua or lyceum course or something and both Mr. Burkett and Dr. Loveland were scheduled to speak on the same day—the doctor in the morning and the Senator in the evening. It was cold and blustery and the scent of a blizzard was in the air.

Now the Senator, having lived in Nebraska for a good many years, knows a blizzard miles off, and knows what the supply of hardwood and much of the oak made use of in the Western part of this country is imported from the eastern countries of Asia.

### EX-SENATOR FROM NEBRASKA AND SOME OF PORTLAND PEOPLE WHO ENTERTAINED HIM.



LEFT TO RIGHT—EX-SENATOR E. J. BURKETT, SENATOR HARRY LANE, EX-SENATOR C. W. FULTON, JUDGE HENRY E. MCGINN.

Dr. Loveland. The result was that he spoke and got back to his home in Lincoln before the blizzard got in its worst work, while Dr. Loveland, after his speech, was held snowbound in Haynes for several days.

"I didn't even get back to fill my pulpit the following Sunday," he confessed yesterday.

**Mr. Loveland Evens Score.**

"But I'll bet you got even with me somehow," came back the Senator.

"Well, maybe I did," confided the preacher.

Ex-Senator Burkett says he knows little of the probable or even the possible movements of "that other distinguished Nebraskan" who now is in California.

Asked whether he thought Mr. Bryan will be a candidate for the Presidency, he said that he would not be surprised if he were.

"But he'll never run on anything but the Democratic ticket," he ventured.

"He may force a prohibition plank or a suffrage plank into the platform if he can, but I don't look for him to desert his party to seek the Presidency on one of the other tickets. He is too much of a party man for that."

## GARDEN REPORT SCORED

### MR. WEED'S CRITICISM OF WORK LAST YEAR DRAWS REPLY.

#### Ex-Assistant Superintendent Points Out Results This Year Do Not Compare With Those of 1914.

The report of H. E. Weed, director of school gardens and nature study for the 1914-1915 school term, recently made to the Board of Education and published in part, has aroused William H. Dunham, assistant superintendent of school gardens for the previous term, who resents criticisms made of predecessors by Mr. Weed.

In a statement just issued, among other things Mr. Dunham says in part: "The report referred to seems to me to be an attempt to divert attention from the generally poor work of this season by finding fault with that of last year."

"Having seen a number of this year's gardens at time when they should have been almost at their best; having heard reports concerning most of the others and having read the report of the director himself as to which excelled, I feel perfectly safe in saying that there were not over half a dozen at the outside which were in the same class at all with at least 36 of the 43 gardens of last year."

"The director emphasizes the fact that the only school time taken was two hours during planting time. I will not dispute that at all, as many of the gardens look as though the young gardeners had never been in them after they were planted.

"The awarding of prizes comes in for severe denunciation. I think the greatest reason for lack of interest in the work this year was the smothering of the competitive spirit."

Notwithstanding the great amount of timber on the Pacific Coast, there is a meager supply of hardwood, and much of the oak made use of in the Western part of this country is imported from the eastern countries of Asia.

## TRADE SCHOOL SITE PURCHASE DECIDED

### Action Taken Despite Sharp Division at Special Meeting of Board.

### HOLLADAY TRACT CHOSEN

#### Street Vacations Promised So That Transfer May Be Completed Before End of August—Legal Opinion on Tender Read.

Although a sharp division on the subject was apparent at yesterday afternoon's special School Board meeting, the Directors, by a vote of 3 to 2, decided to buy the Anglo-Pacific Realty Company's tract in Holladay Addition for a trade school site, the price being \$120,000. Judge Munly, chairman of the Board, cast his vote in the affirmative, and carried the day for the Holladay tract, the vote otherwise being 2 to 2.

The property, the purchase of which has been decided after negotiations extending over two years, consists of 7.72 acres. It lies between East Hoyt and East Gilaan streets and between East Twelfth and East Fifteenth streets.

The vacation of streets in the tract is promised by A. F. Swenson, who represented the owners in carrying on the negotiations with the School Board. It is expected the complete street vacations and the transfer of the required papers before the end of August.

**Legal Opinion Submitted.**

Two new offers were read at yesterday's meeting, but they aroused no interest. The members of the Board have given much time to the choosing of a trade school site and were anxious to end the negotiations as soon as a decision could be reached as to the best location.

Mr. Lockwood, the newly elected Director, however, wanted to start all over again and examine the numerous sites offered. Other members, with the exception of Mr. Beach, were satisfied the Holladay site was the best that could be had, and voted for it accordingly.

A legal opinion from Nicholas & McCoy, attorneys for the Board, was first read, to the effect that since the Anglo-Pacific Realty Company had made its acceptance of the Board's offer of \$120,000 conditional upon the substitution of lots in one block for an equal number in another, the one making the tender was relieved of legal obligations to deal further with the trade school site and was free to accept the offer for the property at the same figure and was accepted.

**Low Price Held Secondary.**

When the trade school site was broached yesterday, Dr. A. H. Welch Smith said that the additional sites he has seen are not, in his opinion, desirable.

"I am convinced myself," said Judge Munly, "that a low price is not in itself, a sufficient offset to public convenience. I am afraid we would make mistake to buy solely on account of the cheapness of price."

Both used these arguments in favoring the Holladay site.

"I am not prepared to vote for the purchase of that tract," declared Director Lockwood, "when we can get the Spencer tract more cheaply. I do not know whether I would be prepared to vote today to buy the Spencer tract, but I believe we can get a better site for the school and am in favor of looking them all over before we decide."

**Meeting Visitor Opposes Purchase.**

"I cannot agree as to the Holladay location," said a visitor, "but I object to it is that the price is over \$120,000, when we asked only for that figure for this purpose. I would be prepared to vote today to buy the Spencer tract, but I believe we can get a better site for the school and am in favor of looking them all over before we decide."

Director Plummer was favorable to buying the tract and said so. He called attention to a chart obtained from the Portland Railway, Light & Power Company, showing that the running time from St. Johns and from Lent's to the Holladay location were practically the same and the other schedules showed the central location of the site.

H. C. Campbell, who appeared as an interested visitor, remonstrated against the purchase. He said he was interested, having joined in the offer of a tract in Hawthorne Park for \$71,000, but in any event, no matter what location was decided upon, he urged that a close-in site be chosen.

**Sage Is Quoted in Decision.**

Mr. Lockwood counseled delay, pointing out that all could agree if they took time for the selection of the ground. Judge Munly and others doubted a unanimous decision could be reached.

"It does not follow that there will be any agreement as to the best tract, no matter whether we take this or some other one," said Judge Munly. "Socrates said that whether a man marries or not, he repenteth, and it will be much the same in this case."

Director Plummer, as chairman of the grounds and buildings committee, submitted a report favoring the Anglo-Pacific tract at a price of \$120,000 and Directors Plummer and Smith voted for it.

# FREE PRIZES for Oregonian Readers

Many Beautiful Premiums in

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No One Is Asked to Buy Anything to Win One of the Prizes. Everyone sending answers will receive the P. P. I. E. Edition of "NATION'S HOME SONGS" (containing words and music of sixty-six songs); also chance to win free Vanity Cases, Coin Purses, Pocketbooks, Ladies' Bar Pins, Gentlemen's Scarf Pins, Fountain Pens, Art Medallions, Gilt Framed Pictures, or other beautiful Souvenir Prizes. Each contestant has an equal chance to win.

- 1st Grand Prize: Superb latest design, brand new Kimball Upright, exactly as exhibited at the P. P. I. E. in Liberal Arts Palace.
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- All contestants will also receive from our Advertising Department, besides the premiums mentioned above, a bona fide cash value PURCHASER'S CREDIT VOUCHER—good towards the purchase of a NEW PIANO or PLAYER PIANO in any of the chain of EILERS STORES.

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7	9	1

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**WHY THE "15" PUZZLE?**

This great offer is made in an effort for piano manufacturers to reduce costs of selling pianos. The old methods of paying solicitors, teachers and agents' commissions, magazines and theater programs, advertising, or engaging the great artists to play their pianos in public, are too costly, and the retail purchaser must eventually pay this cost in the additional price.

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**THE "15" PUZZLE MEANS SOMETHING**

This great "15" puzzle is made to specially emphasize the fifteen noteworthy types of instruments that are contained in the Eilers Music House exhibit of ultra modern musical instruments in the Liberal Arts Palace of the P. P. I. E., where every instrument competes with every manufacturer of this or foreign countries for highest honors.

This exhibit is the most extensive ever made at any International Exposition. It is the largest individual exhibit in the Liberal Arts Palace, with the exception of the Government's.

This unique "15" puzzle is to call attention particularly to fifteen different types of instruments in this great Ultra Modern Musical Instrument Exhibit, namely:

- The genuine Chickering Baby Grand Player-Piano.
- The genuine Chickering Anniversary Grand.
- The genuine Chickering Artigraphic Electric Artist Reproducing Piano.
- The genuine Chickering Player Piano de Luxe, with flexotone device.
- The Kimball Orchestral Concert Grand Piano.
- The Kimball Diminutive Baby Grand Piano.
- The Kimball American Home Piano.
- The Kimball Duofano Player-Piano.
- The Eilers Duofano (Double Sound Board) Piano.
- The Autopiano Human Touch Player-Piano.
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## \$15,000 DUE STATE

### Jason C. Moore's Ability to Complete Project Doubted.

Successful, however, in perfecting his plans, it is thought certain that other wealthy interests ultimately will put the project through.

Mr. Moore originally entered into the lease agreement with the State Land Board and this was confirmed by the Legislature after considerable debate. Mr. Moore posted \$10,000 as an evidence of his good faith and agreed to deposit an additional \$15,000 in May, but was unable to do so on account of the influence of the war on finances in New York and the state granted him an extension of 40 days which expires next Sunday. The total deposit of \$25,000 is required by the contract to guarantee commencement of work on the project within 90 days after May 22, 1915.

## FORFEIT NOT ALL UP YET

### Time Allowed on Part of \$25,000 Payment to Guarantee Work on Development of Salt Deposits Expires in Week.

Jason C. Moore, of New York, who was granted a lease on Lakes Sumner and Abert by the 1915 Legislature, must file a bond for \$15,000 by next Sunday to complete the \$25,000 forfeit promised the state in case he does not commence development of the lakes project within 90 days after May 22 of this year. In case this forfeit is not forthcoming and the State Land Board does not grant him a second extension of time his lease on the lakes will be null and void, according to the contract entered into by Mr. Moore and the state.

The rumor is current that Mr. Moore has not met with the financial assistance he expected and that he will have to give up his plans for developing the salt deposits of the two Oregon lakes. Mr. Moore's representatives in Oregon, Attorneys Sheppard and Brock of Portland, said yesterday they did not know when Mr. Moore would come to Oregon, and it is impossible to ascertain whether or not the project will be carried out. Even if he is unable to meet the deadline, the project will be carried out. Even if he is unable to meet the deadline, the project will be carried out.

## PROMINENT CHURCHMAN VISITS

Dr. Harry France, of Washington, head of the Deaconess movement of the Methodist Episcopal Church, was a visitor in Portland yesterday, leaving last night for Seattle and other Puget Sound points, where he will continue his observations and enjoy an outing.

Dr. France visited with local Methodists yesterday. He was very much impressed with conditions in Portland and was won with the climate and scenery of this part of the Coast. Dr. France will make a complete tour of the Northwest before returning to the East.

The last auxiliary monument between the United States and Canada has been set. The work has been going on intermittently for 10 years.

The Park band concert today will be placed in a corner of a display case and labeled "Relics of the abolished governments of Linnton and St. Johns."

The stars of the chiefs of police of Linnton and St. Johns and the badges worn by firemen and other employees of those towns prior to their being annexed to Portland, now repose as relics in the City Museum. The badges were placed in a corner of a display case and labeled "Relics of the abolished governments of Linnton and St. Johns."

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