

MOTIVE MAIN ISSUE IN LIBEL QUESTION, ASSERTS THE COURT

Judge McGinn Presents His Opinion of the Law Governing Cases in General.

INSTRUCTIONS ARE GIVEN

Jury Is Judge of Law as Well as of Facts, Says Judge; Cases Are Cited.

The question of motive is the principal thing to be taken into consideration by the Multnomah county grand jury in its investigation of libel, according to instructions given the jury today by Judge McGinn.

It is presumed that the grand jury is investigating the charge of libel made by Congressman McArthur against R. P. Hutton, superintendent of the Anti-Saloon league. The grand jury asked the court for instructions.

Judge McGinn said the law of libel is not a technical one, but a law of common sense. He said that the law of libel is not a technical one, but a law of common sense.

"My views of the law of libel," he said, "are that the law is the law, and that the decisions of the supreme court of Kansas on State vs. Rich, 21 Kansas, and Coleman vs. McLennan, 78 Kansas, correctly state the law of libel, whether the circular was previously served on the candidate or not."

JUDGE CLETON REVERSED

Davis Sets Aside Action in Rust Estate Case.

Holding that County Judge Cleton had exceeded his jurisdiction and exercised his functions as the judge of the county court erroneously, Circuit Judge J. H. Davis today reversed the order of Judge Cleton in the W. R. Rust estate case.

Property valued at about \$17,000 is the subject of a controversy between Mary Benner and her brother, William Wallace Rust. The property was conveyed to Mrs. Benner by her brother, W. R. Rust, some time before he was taken to the state hospital for the insane, where he died.

Mrs. Benner was appointed administratrix of her brother's estate, chiefly for the purpose of executing certain contracts and mortgages.

Her brother, William Wallace Rust, petitioned Judge Cleton to have her removed as administratrix and also filed suit to have set aside the transfer to her of the property involved, charging that she fraudulently induced her brother to convey her the property when he was mentally incompetent.

Judge Cleton entered an order March 22 removing her as administratrix and appointing in her place George H. Keene. This was the order that Judge Davis reversed and annulled, the matter having come before him on appeal from the county court.

Attorney James G. Wilson is representing Mrs. Benner and Attorney Orlesby Young and W. M. Gregory are representing William Wallace Rust.

FORD COMPANY LOSES SUIT

Plan to Control Retail Price of Cars Defeated.

The plan of the Ford Motor company to control the retail price of Ford automobiles sold by local dealers, was knocked out in this county by a decision of Circuit Judge Gantenbein today.

Judge Gantenbein denied the Ford Motor company's petition for a permanent injunction restraining Benjamin E. Boone & Co. from selling machines at less than the list price.

SENATOR CUMMINS IS WELCOMED WARMLY AT FIRST OREGON STOP

Roses Greet Him When He Crosses Boundary and Grants Pass Is Hospitable.

MAKES KEYNOTE SPEECH

Give Land to Honest Settlers Is His Plea; Advocates Cheaper Money for Farmers.

Grants Pass, Or., May 11.—United States Senator A. B. Cummins, of Iowa, candidate for the Republican nomination for president, was given a rousing reception on his arrival in Oregon today, his first stop at Grants Pass, being marked by a noisy demonstration.

Hundreds of citizens were at the train on his arrival at 8:30, and the visitor was escorted to his hotel, where for an hour an informal reception was held. At 11 o'clock Cummins spoke at Railroad park. The state grange, in session here, adjourned to attend the speaking in a body.

Cummins will go to Ashland by auto, where he will speak at 4 o'clock this afternoon, and in the evening he will address the citizens of Medford.

Iowans are taking a central part in the reception being tendered the senator, and, as he first stepped upon Oregon soil this morning, he was presented with a great bouquet of Oregon roses by a delegation of former Iowans.

YOUTH IS MISSING; DROWNING FEARED

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Young Johnston, who is a pupil at the Milwaukee high school, returned home from school Tuesday afternoon and was chided by his mother for neglecting to perform some small duty.

SUBJECTS OF SOCIAL AGENCIES MEETING SPEAKERS CHOSEN

Prospects of Revision of Oregon Criminal Code to Be Discussed at Length.

PROGRAM IS ANNOUNCED

What to Do With Those Not Efficient Enough to Earn a Living Wage, One of the Topics.

What to do with the people who are not efficient enough to earn a living wage, and the need and prospects of a revision of the Oregon criminal code will be considered at the first two sections of the annual meeting of the Oregon State Conference of Social Agencies at Reed college tomorrow afternoon and evening.

The subjects of the addresses and the speakers will be, for the afternoon session: "The Social Problem of Inefficiency in Industry," by O. B. Caldwell.

"The Development of the Oregon Criminal Code," by Dean Calvin U. Gantenbein of the Northwestern School of Law.

"The Work of a Psychopathic Institute," by Miss Eleanor Rowland, professor of psychology at Reed college.

"The Inadequacy of Criminal Legislation," by Dr. Henry F. Cone of Chicago, secretary of the Religious Education association.

"Defects of the Present Criminal Code," by Walter H. Evans, district attorney for Multnomah county, and "Suggested Changes in the Oregon Criminal Code," by George M. Brown, attorney general of Oregon.

On Saturday afternoon and evening two more sessions will be held. Tomorrow afternoon at 5 o'clock, if the weather is fair, there will be Max pole dances on the campus by the women of the college, for the entertainment of the visitors at the college.

Violation of Law Alleged. John Kaiser of 561 Hood street was arrested by Patrolman J. J. McCarthy this morning charged with circulating liquor price lists and advertising.

Kaiser was discovered selling lists at 25 cents each, six for \$1, which, when analyzed by city chemists, were found to contain burnt sugar and extract.

Kaiser said he had been asked to act as an agent by a company, and did not know he was violating the law.

Efforts to induce Mr. Woolworth to remain over here until today so that the retail merchants' bureau of the Chamber of Commerce might accord him some attention proved unsuccessful. He starts east tonight and will be back in New York Monday.

Mr. Woolworth said business prosperity has returned. The public may expect higher prices, however, because of the advance in cost of the goods he sells. If further agitation along welfare lines is carried on in Oregon, he prophesied that the public would find added burdens.

"Girl employees of the local branch of the Woolworth station yesterday wore 'welcome' badges in honor of their chief."

Wants Cheaper Money. Cummins said that the present rural credits bill in congress does not just meet his views, but he advocated such legislation as would give the farmers of the country cheaper money.

The prosperity of the east, said the senator is based largely upon the war condition of Europe, and he said that a readjustment of tariff must come to bring a prosperity to the United States based upon peace conditions.

J. L. Samsis of Lemars, Iowa, accompanies Senator Cummins on his western tour, and made the opening address here today.

The crowd in Railroad park to hear Cummins was estimated at 3000 people, including the members of the state grange.

Water power, said Senator Cummins in his address, cannot be conserved by the state, but by giving of rights of way through the public domain wherever it might be needed, water power could be developed as required.

Speaking upon the question of prevention of the senator advocated ample fleets upon both the eastern and western coasts, with an army sufficient to repel any force that might attempt to invade. He said that the troubles along the Mexican border had exhibited the pitiable weakness of the army.

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WOOLWORTH VISITS CITY TO INSPECT HIS BUSINESS INTERESTS

Founder of Chain of 5 and 10 Cent Stores Predicts Higher Prices for Goods.

F. W. Woolworth, builder of the tallest business block in the world and founder of the great chain of 5 and 10 cent stores that are located in many cities and towns in the United States, has passed through Portland on his first tour of the Pacific.

Mr. Woolworth is tall and dignified in appearance, with a gray mustache. He has been a remarkable career, so far as business goes. He has visited Europe 21 different times.

He is accompanied on his trip by a small party of business associates. After a short trip on the Columbia river highway yesterday, in company with John B. Yoon, he went to Seaside, where today he is inspecting the business district.

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MISS ABBIE WRIGHT

Republican Candidate for School Superintendent

MULTNOMAH COUNTY. Republican Primaries May 19. At present teaching in a Portland school.

Former Albany Teacher Candidate at Portland.

Miss Abbie Wright running for Superintendent of Schools of Multnomah.

Miss Abbie Wright, a former teacher in the Albany schools, is a candidate for superintendent of schools in Multnomah county, on the Republican ticket. She is a graduate of the O. A. C., a woman of splendid attainments.

It is about 20 years since she taught in Albany, and she has been teaching ever since, a talented woman. The Democrat started to say young woman.

Miss Wright is about 40 years of age for a superintendent of Multnomah county, and certainly has a good platform; true to trust, thorough education, heart, head and hand, promotion of civic centers; breadth of vision; assisting pupils to make definite choices; development of club work and letter forms of recreation; enforcement of school laws; promotion of child welfare; standardization of schools and the making of every minute and every dollar count.

(From the Albany Democrat, Friday, April 14, 1916.) (Paid advertisement, Miss Abbie Wright, 325 E. 44th.)

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Young Johnston, who is a pupil at the Milwaukee high school, returned home from school Tuesday afternoon and was chided by his mother for neglecting to perform some small duty.

She later "made up with him" and it was thought all was well. After donning his working clothes to cut some wood, he disappeared. The lad is said to be unusually sensitive.

He is 5 1/2 feet tall, has blue eyes and is fair in complexion.

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COAST LONGSHOREMEN MAY ASK FOR A RAISE OF FIFTEEN PER CENT

Question Is Put Up to Convention in Session at Seattle After Committee Report

J. J. FOLEY IS PRESIDENT

Action Expected to Follow Afternoon Session on Labor Temple; Portland Men Vice Presidents.

Seattle, Wash., May 11.—(U. P.)—Demands for a liberal advance in wages may be made by the Pacific coast district of the International Longshoremen's association in convention here today, following the afternoon session at the Labor Temple.

Following the report of the committee on wage scale at Wednesday's session, the matter was placed before the convention.

The advance to be asked will average 15 per cent for the entire Pacific coast district. New officers were elected as follows:

J. J. Foley of San Pedro, president, to succeed John Keen of San Francisco, who declined re-nomination; see-

etary-treasurer with headquarters in Seattle, J. A. Madsen of Portland; vice-presidents, J. Maher of Portland, for Oregon; P. J. Mastens of Everett, for Washington; J. Taylor of Victoria, for British Columbia. Executive board members—J. Kelly and L. Sullivan for California; T. Meyers and C. Bennett for Oregon; S. G. Smith and Connor for Washington; Gordon J. Kelly and H. Howard for British Columbia.

This is the ninth annual gathering of the association.

Caplan Denies That He Was Conspirator

Accused in Times Dynamiting Case Says Was Never in Los Angeles Until Brought There to Jail.

Los Angeles, May 11.—(U. P.)—David Caplan went on the stand today and denied emphatically that he had ever conspired with any person or persons to wreck the Times building in this city.

He said: "I do not believe I have read the Times once in my life. I never bought dynamite; never was in the house 'Bartine'; know absolutely nothing of any plot against the Times; was at home during the month of September every day and every evening with my wife and children. I never came to Los Angeles in September, 1914, nor in my life, until I was brought here a prisoner."

Caplan declared that he was never at the home of Mrs. Belle Lavine, where the alleged conspiracy is said to have been hatched. He denied he knows J. B. McNamara, and entered specific denial against every charge made by the prosecution.

His examination will be continued this afternoon.

THE BELTSAC—illustrated is the most popular Styles of the many designed this season by Kuppenheimer. It has soft roll front, belted back, patch pockets, and is unlined. Athletic cut vest and straight trousers, tailored beyond criticism by The House of Kuppenheimer. This smart style is but one of the many clever and exclusive models we have for you in all the rich new mixtures, pencil stripes, banjo stripes, etc. See the special window of Beltsacs and the other new models at —\$20, \$25, \$30 and \$35 BOYS' PINCHBACK and Norfolk suits just here in handsome new grays, tans, blues and fine mixtures. Some have two pairs of pants. All are made of sturdy, serviceable materials for boys of 6 to 18 years, at \$6.50 upward. Tub suits of fast color fabrics in all the new styles at \$1.00 up. Lion Clothing Co. Dependable Wearables for Men and Boys Morrison at Fourth S. & H. Stamps Given on Request

New Chinchilla Coats \$15.00 The season's most popular striped and plaid patterns, as well as plain white. Clever styles, some belted, others flaring from the shoulders—all suggesting new ideas for Spring and Summer wear—\$15 and up. Just In! Novel Stripe Skirts New canvas cloth, cotton gabardine, and other wash materials, as well as clever wool patterns. The most complete assortment in the city—\$3.00 up. Clever Suits Both in silk and wool, as well as combinations. Hundreds of prettystyles to select from—at exactly the price you want to pay. Wash Dresses Daintily effective styles are arriving daily—a pleasing assortment now on display. Eastern Outfitting Co. Washington St. at Tenth

JUST THREE MORE DAYS OF THE SPECIAL PRICES Doesn't the clean, cool appearance of a kitchen like this appeal to you? The additional comfort and convenience that it means to the housewife is at least worth investigation. Such a kitchen costs no more for fuel and can be purchased on the easiest of easy terms, in addition to a special 10% discount from usual prices this week. National Gas Range Week Free Demonstration by our cooking expert in your own home. Salesroom open until 9 P. M. PORTLAND GAS & COKE CO. Main 6500 Salesroom Fifth and Yamhill Streets A-6274