

HILLQUIT ASSERTS HIS CLIENTS MAY BOLT ASSEMBLY

Attorney for Five New York Socialists Bitterly Complains About Curtailment of Rights.

Albany, N. Y., Jan. 22.—(I. N. S.)—Morris Hillquit, attorney for the Socialist assemblymen, instructed Socialist witnesses who had been summoned by the state, not to deliver documents into the hands of the attorneys for the state.

Chairman Martin ruled that the attorneys for the state had the right to demand that witnesses surrender all documents desired by the committee and be given an opportunity to look them over before presenting them as evidence.

"You are impounding the personal property of citizens," shouted Hillquit.

When Chairman Martin ruled that Hillquit's position was wrong, Hillquit told the committee that he and his clients would leave the hearing if the committee continued to curtail their rights.

The judiciary committee produced one friend for the Socialists this morning. This is William E. Evans, a Democrat member from the Bronx, who dissented from the rulings of Chairman Martin and issued the following statement:

"On the first day of this proceeding, counsel for the five Socialist assemblymen moved that this committee report to the assembly that the proceedings be dismissed because there was neither constitutional nor statutory authority for it. The chair denied the motion.

IS SOME DISSENTER

"The reasoning of counsel for the Socialists on this proposition is legally sound. I desire to be recorded as dissenting from that ruling, upon the ground that the assembly has no constitutional or statutory power to suspend or expel a duly elected member upon any ground other than that specified in the constitution or statute, namely, disqualification on returns of election, citizenship, age, residence, or within 90 days previous to their election to membership in congress, the civil or military service of the United States or for being an officer under any city government within that period of 90 days prior to the election. I go further than counsel for the Socialists and I believe that no other ground exists in law, not even previous conviction for crime, if it does not involve loss of citizenship, nor affiliation with pathologic disease, nor insanity, nor other mental, moral or physical conditions.

PEOPLE HAVE POWER

"Disloyalty to the state or nation, or advocacy of force to overthrow the government, may or may not be amenable to the criminal law. But whether amenable to the criminal law or not, it is not a disqualification, under the state constitution, for membership in the assembly. The duty and power to disqualify from elective office rests with the people, and not with the assembly.

If these five Socialist assemblymen are disloyal traitors, spies or enemies, the responsibility of their presence here is the people's, not the assembly's. The duty and power to disqualify them on these grounds is the people's, and not ours. For the people never delegated such a power to the assembly.

"I deem these principles of the most vital importance to the existence and survival of representative government. The gravity of the charges against the five Socialist assemblymen must not be allowed to overshadow the principle."

Motor trucks in New York have transported 25,000 gallons of confiscated liquor from steamship piers to warehouses pending the final federal authorities as to ultimate disposition.

Two Stolen Coats Are Recovered on Hawthorne Bridge

About 3:30 o'clock this morning two coats were found lying near the middle of the Hawthorne bridge by the gate tender. He at once notified the police, who began an investigation. Inspectors Cahill and Hill searched the pockets and could find no "last words from a dependent person," so they proceeded to headquarters and started a search of their record books. One of the coats compared to one lost by D. Neet, a railroad brakeman, living at the Medford hotel, Neet, living at the station and identified his coat. It was stolen at 1:30 this morning from Neet's room. The other coat is now being held for identification. The police obtained a description of a person crossing the bridge about 3:30 a. m. and are working on this clue.

Wilson's Trip to Lady's Barber Shop Is Costly Affair

Mr. Wilson of Vancouver, Wash., reported to the police that in addition to having his hair trimmed in a North Sixth street barber shop Wednesday night, his pocketbook had also been "trimmed" of \$20. Wilson said he paid the bill of \$2.50 with a \$10 banknote, missing the \$20 bill soon after. Detectives reported that the shop is owned by May Shelly and that Ruth Applegate cut Wilson's hair. They are now trying to find out if someone took the money or if Wilson lost it.

Mrs. Thomas Harper, 704 Patton avenue, reported that while the Mothers society was in session in the courthouse Wednesday afternoon, a thief sneaked in and stole small amounts from several pocketbooks.

Mrs. Mary Kunich, 411 Chamberlain hotel, reported the theft of a jacket and waist from her room.

Wets Thankful for Week-End Permits, But Where's Booze?

San Francisco, Jan. 22.—(U. P.)—A slight ray of hope penetrated the gloom of the wets here today with the receipt of information from Washington that "week-enders" may carry along their liquor supply upon securing a permit from the federal authorities.

Note—Unused portions must be returned to the home of the owner.

Robber Praises His Holdup Victim for Good Nerve Shown

Marshfield, Jan. 22.—Jack Hames, who was held up on the street several nights ago, received a letter alleged to be from the holdup man. A ring, some keys and a pocketbook were stolen from Hames and when the robber attempted to get his watch Hames struck him a severe blow and made his escape. The letter praises Hames for his nerve in making the attack and returned the two keys. The writer also states in the letter that he is the man who killed Lillian Leuthold at Haddon for which crime Harold Howell is to be tried a third time.

Speak for Home Products
W. J. Ball, president of the W. J. Ball Waist company, and A. G. Clark, manager of the Associated Industries of Oregon, returned this morning from Salem, where they spoke Wednesday in the interest of home products at the Salem annual "Thrift in Industry Week" meetings. The principal meeting was with the Salem Rotary club.

FORTUNE GALLO SAYS PORTLAND IS CENTER IN FIELD OF MUSIC

Head of San Carlo Opera Company Here in Advance of Stars Due Next Week.

Fortune Gallo, noted impresario and head of the San Carlo Opera company, which opens its season one week at The Auditorium next Monday, arrived in Portland Wednesday to remain until the company's season closes here. He is registered at the Portland.

Mr. Gallo has many personal friends in Portland, for this city is always included on the itinerary of his Pacific coast tours, and there is a reason, as Mr. Gallo explains.

"Portland is one of the most musical communities west of the Mississippi," said Mr. Gallo, "and is becoming known as the center of musical art and musical atmosphere in the Pacific Northwest. Last season our company sang before 18,000 people in Portland, and we so announced in all of our eastern advertising.

"Interest in grand opera is growing rapidly. Last season we sang in Seattle to 8,000 people. Last week our company attracted 19,000, an increase of more than 100 per cent, and judging from the entire season already displayed here, Portland will again lead the coast."

Mr. Gallo confirmed the report that he has become associated with Mrs. Oscar Hammerstein in conducting the Manhattan opera house in New York, and says the beautiful building will be devoted to opera and concerts.

It has also been rumored that Mr. Gallo would be chosen to guide the destinies of the Chicago Opera company, succeeding the late Cleofonte Campanini, who acted both as manager and musical director, but when asked about the visiting impresario only smiled and said: "I have lots of friends in Chicago. I don't know what they think about it or what they are doing."

EXECUTOR OF PITTOCK WINS FIRST POINT

(Continued From Page One)

better, in which he sought to compel the executor to file an additional inventory showing property which Leadbetter claimed he owned in partnership with Pittock.

The property consists largely of stocks and bonds and in his petition Leadbetter stated that some of this had been concealed and that the executor refused to admit that a partnership existed between himself and Pittock.

In ruling against the petition, Judge Tazewell sustained a motion entered by Price, which stated that a contract between a third party and the executor must be brought in a court other than a probate court.

FIVE GROUNDS ALLEGED

Mrs. Leadbetter's petition attacking the validity of the will was based upon five grounds of contest, first, that the will was not the last will of Henry L. Pittock; second, that undue influence was exercised on Pittock in its execution; third, that the trustees are invested with unlimited discretion as to whether to accumulate the income and keep the body of the estate intact or make disposition of the estate during their period of trust; fourth, that the beneficiaries are not specified with sufficient certainty; fifth, that the trust

created in the will is void as against public policy.

The decision of Judge Tazewell strikes out the last three divisions on the grounds that a court of probate has no jurisdiction over them. These matters will now have to be decided in an equity court, if at all.

WAY STILL REMAINS

The attack on the validity of the will must now be based on two grounds—that the will under which O. L. Price is acting as executor, and in which a trust is created of the estate for a period of 20 years, is not Pittock's last will, and that undue influence was exercised over Pittock in the execution of the will. Judge Tazewell said in his opinion:

"There is no question that the probate court is the only tribunal having primary jurisdiction of the estates of decedents; that a controversy over the validity of a will must be first had and determined in that court, and that such court may construe a will as to personality, may perhaps construe a will devising real property, but this is not so certain.

"The executor of the will is not so far as to strike from a court of probate his jurisdiction of the estates of decedents; that a controversy over the validity of a will must be first had and determined in that court, and that such court may construe a will as to personality, may perhaps construe a will devising real property, but this is not so certain.

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MOTION TO STRIKE ALLOWED

"With the Oregon cases cited, except the Johns case, there is little if any dispute. None of them go so far as to hold that a court may not construe a will at the time it is offered for probate, or in a contest over its validity, although there may be authorities to the contrary."

"In view of the Oregon decisions, as I understand them, I am of the opinion that the court should not, at this time at least, entertain the petition looking to a construction of the alleged will of Henry L. Pittock, deceased. The motion to strike is, therefore, allowed."

Community Service Opens Its Activities With Social Affairs

Several social affairs are marking the beginnings of activities of the newly organized Portland Community Service association out of the War Camp community service. A dance was given last week at the Trinity parish house, which has been turned over to the service for social affairs.

The young women employees of the Hazelwood company were guests and the guests were ex-service men and Y. M. C. A. men. The women residents of the Martha Washington hotel were hostesses at a similar dance Friday night, while the following week will feature an event by the women employees of Olds, Wortman & King and Lipman-Wolfe.

H. W. Arbury is executive secretary of the organization. A budget of \$20,000 has been worked out for next year. An effort is being made to secure 5000 members at active memberships of \$1, contributing memberships \$10, supporting memberships \$25 and sustaining memberships \$100. J. H. Joyce is chairman of the committee, with Sanford Lovegast and William D. Wheelwright as the other two members.

Farmer Smith, at 75, Celebrates; Still Sees Active Service

"Farmer" C. L. Smith, agriculturist for the O-W. E. N. the last 10 years, today is celebrating his seventy-fifth birthday. Smith was born in Ohio, served through the Civil war with the Eleventh Michigan volunteers and came to Oregon in 1889. In 1901 he was engaged by the O-W. to deliver dairy lectures.

Shortly after the conclusion of his first term of service with the railroad he was engaged by the Washington State college to deliver dairy lectures to college students. In 1911 he returned to the O-W. and has since been employed as agriculturist.

MAN CONVICTED OF CRIME IS TAKEN TO STATE ASYLUM

Deputy District Attorney Bernard Believes Bateham's Insanity Is Used as Subterfuge.

An extremely puzzling situation is confronting the district attorney's office in the case of A. P. Bateham, prominent horticulturist, whose conviction in the circuit court on a statutory offense many months ago was recently upheld by the supreme court. No sooner did Bateham learn of the supreme court's decision, according to the district attorney, than a man in Salem swore out a complaint of insanity against him and caused his commitment to the insane asylum.

As long as Bateham is in the asylum, the sentence of from one to seven years in the penitentiary, imposed by Judge Morrow, cannot be carried out. Bateham, who is a country-wide authority on fruit trees, has spent much time in China, and local authorities are inclined to believe it is his intention to migrate to that country as soon as he leaves the asylum.

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MARITAL WOES ARE MANY

D. J. Heuer Wanted to Be Movie Vampire of Approved Kind.

Deleita J. Heuer wanted to be a movie vampire and practiced on him in the most approved blood and thunder style, said Karl A. H. Heuer in his testimony for a default divorce decree. He said she attacked him with a butcher knife and broke off his nail file in his shoulder, finally leaving him entirely. He was given a decree.

Earl W. Murphy left home to get a physician when she was sick in bed with pneumonia, testified Mrs. Sara A. Murphy. He must have had a hard time to find one, for he has not been seen since, and no doctor ever arrived.

Continuation of the case of Mabel Wood against Earl J. Wood until today for further testimony was ordered by Judge McCourt. Mrs. Wood made various allegations against her husband and named a telephone operator in Heppner.

Other divorces granted by Judge McCourt were: Mary A. Morse against A. W. Morse, and Antonia Bralich against Lillian Lewis, who was suing Donald E. Lewis, a former soldier in the Canadian army, and May DeNoyer, who was suing Louis R. DeNoyer. Further testimony will be heard in the latter case Friday.

Extradition Refused

Governor Boyle of Nevada has refused to honor papers for the extradition of William W. Anderson, at one time a member of the local internal revenue department, and who is wanted here for non-support. District Attorney Evans received a message to this effect today. Boyle's refusal to extradite Anderson is founded on a technicality in Nevada laws.

Obsequies Held for Robert C. Reame by Odd Fellows Lodge

The funeral of Robert C. Reame was held this afternoon under auspices of the I. O. O. F. at the Wilson & Wilson chapel, Killingsworth avenue and Kerby street. Reame was a member of the Bridge and Structure Iron Workers and died Tuesday from injuries received 10 days before while working at St. Johns terminal. He was 40 years of age, a native of Reynoldsville, Pa., and had resided in Oregon for 20 years. Reame is survived by his widow, Mrs. Clara Oliver Reame.

James Barnes
The funeral of James Barnes, who died in this city Wednesday, will be held from the residence, 213 East Sixty-sixth street, Friday at 8:50 a. m., and mass will be said at St. Stephens church. Final services will be in Mt. Calvary cemetery. Barnes was born in Ireland in 1839 and had resided in Oregon for over 40 years. He is survived by his widow and two children.

John P. Aebly
The funeral of John Peter Aebly will be held at the Holman undertaking parlors, Third and Salmon streets, and final services will be in Rose City cemetery. Aebly died in this city Wednesday, aged 73. He was a native of Switzerland and had resided in Sunnyside, Clackamas county, for a number of years. He is survived by 11 children and a number of grandchildren.

William J. McKay
Funeral services for William J. McKay were conducted Wednesday at the Finley chapel under auspices of East Gate lodge, A. F. and A. M., the Rev. Levi Johnson officiating. McKay was secretary of the Western Transportation company and had resided in Portland since 1907. He died January 16 at the age of 39 and is survived by his widow, his mother and several brothers and sisters. McKay formerly lived in Turner, Or., and was a member of Pearl lodge, A. F. and A. M., of that place.

William H. Webb
William Henry Webb, who died Wednesday evening, his home, 409 East Nineteenth street north, was a well known real estate dealer. Webb was born in Rome, Ga., in 1874, and had resided in Portland since 1898. He is survived by a widow and one daughter, Miss Virginia Webb. Funeral services will be held at the chapel of J. P. Finley & Son, Fifth and Montgomery streets, Friday, at 3:30 p. m., the Rev. A. A. Morrison officiating.

With a capacity of 40 passengers, a motor car on a European railroad is being driven experimentally with two aerial propellers.

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Drug Addict Says He Was Victimized By 'Stool Pigeon'

"He has been a friend to me for years. Now he gets me arrested for selling 'coke.'"

Dick Slowe, negro and confessed drug addict for 20 years, doesn't feel charitable today towards the man who caused his arrest Wednesday night on a charge of violating the Harrison narcotics act.

"I didn't sell him any drug. I didn't have any for myself. The marked dollar they found in my pocket was a dollar this man paid me for money I loaned him," Slowe said. "He is a stool pigeon and I have nothing more to do with him."

Taken by revenue officers with Slowe were George Chinn, an Americanized Chinaman, and Ning King, aged Oriental. They will be arraigned before United States Commissioner Drake late today.

Five Oregon Soldiers Arrive in New York From Overseas Duty

Five Oregon boys are listed by the Rocky Mountain club of New York as having landed at New York January 12 from the George Washington, which sailed from West January 1, according to advices received here.

On board were Oliver Hensley of Hillsboro, James F. Hedges and Edwin C. Crowder of Portland, John Hale of Albany and Christian Cowditz of Crater; also, William E. Sherwood of Spokane, Howard F. Duffy of Blaine, Everett M. Crosby of Spokane, Harold Champton of Walla Walla and William B. Ground of Pomeroy.

The Rocky Mountain club is the official representative of certain western soldiers to welcome home their returning soldiers.

Physicians Discuss Rehabilitation of Industrial Cripple

The rehabilitation of the industrial cripple so that his earning power may not be lessened but by readjustment and vocational training may retain his self respect and independence was the subject of discussion at the meeting of the City and County Medical society at the Hotel Portland Wednesday night.

Dr. Richard B. Dillehunt, who was a surgeon with the American expeditionary forces; Dr. F. H. Thompson of the state industrial accident commission, and Dr. Calvin S. White, former state health officer, and William A. Marshall, chairman of the industrial accident commission, were among the speakers.

A combination of a vocational training course and hospital attention was among the remedies suggested for the prevention of economic loss of earning power.

Higher Street Car Fares Sought

Salt Lake, Utah, Jan. 22.—(U. P.)—The Utah Light & Traction company has filed a petition with the public utilities commission asking an increase in fares to seven cents, with one cent additional for transfers.

GERMAN HUSBAND BAR TO BANS OF INDIAN PAIR; 'PART' IS EDICT

First Husband So Uninteresting She Did Not Verify Report of His Death.

Leah Seagers, pretty and talented Mohawk Indian, doesn't want to marry John Walker, alias Johnny Martin. So John and Leah must part forever Federal Judge Wolverton has decided.

Otherwise, John runs risk of sentence for violation of the Mann act. Leah and John, both young and full blooded Indians, were arrested a month ago after arrival here from Idaho. The government charged Walker with inducing Leah to travel with him from Idaho. Leah was detained as a witness.

Because both John and Leah said they intended to commit no wrong, but merely followed Indian custom, Assistant United States Attorney Charles Reames recommended leniency when the John appeared for sentence in the federal court Wednesday.

Federal Judge Wolverton decided that the pair should be married. But Leah doesn't want to. She declares John slurs her because she used drugs.

"I was married to a German," she told Reames. "But he died. He fell off his horse at Eureka, Cal., while his show played there. We had separated, so I wasn't interested enough to verify his death."

"Who told you he was dead?" Reames asked.

"Captain Kid," might be summoned to tell what he knows of the death of Leah's husband. If he is found it will be only after extensive advertising in show magazines, Mrs. Seagers declares.

Ontario, Cal., Is Camp for Beavers

Ontario, Cal., will be the 1920 training camp of the Portland Beavers.

Acceptance of the offer of the Southern California town was made today by Judge McCredie, following the receipt of a telegram from I. D. McDonald, editor of the Ontario Herald.

Orders to report at Ontario March 10 will be dispatched with the transportation during the middle of next month. Manager McCredie, the "war correspondents" and players wintering in the Northwest will leave Portland March 7.

Buck Privates Get Revenge on Colonel For Kitchen Duty

Lieutenants-colonels make fine K. P.s, former members of Company C, One Hundred Sixty-second Infantry, agreed today. They were recalling Judson J. Crossley's antics Wednesday night at a hardtime dance given by the Portland company.

Crossley, a Portland attorney, went overseas as captain of Company C. He oft used a commander's privilege of sentencing a man to kitchen duty, the boys report.

So they planned revenge. They got it Thursday night. Wearing an old pair of breeches and a tattered olive drab shirt, Crossley looked very unimpaired, it is said. He served coffee, mopped the floor, and was general slave to former buck privates and other enlisted men.

He was detailed to general headquarters in France soon after arrival there, and promoted to major. He gained his lieutenant-colonelcy by service in the judge-advocate's department.

Teacher Indicted as Communist Leader

Chicago, Jan. 22.—(I. N. S.)—The campaign against the "Reds" here struck into the public schools, today, when Mrs. Helen Pratt Judd, daughter of a former mayor of Minneapolis, and for 15 years a teacher in the Chicago public schools, was indicted as being secretary of a branch of the Communist Labor party here.



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CREPE DE CHINE AND SATIN BLOOMERS... **\$2.95**
They were \$3.75 and \$3.95.

\$5.95 and \$6.50 CREPE DE CHINE ENVELOPES... **\$5.00**

EXTRA SPECIAL—Vanity Fair Glove Silk Bloomers **\$3.95**

Fiber Sweaters **\$4.50**
(\$8.95 to \$11.50)
Fiber Sweaters **\$7.50**
(\$16.50 to \$17.50)
Fiber Sweaters **\$7.50**
(\$15.00 to \$16.00)
Cape Collars **\$7.50**

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