

DISMISSAL PLEA IN APARTMENT HOUSE SUIT TURNED DOWN

Salem, April 20.—The motion of the city of Portland for a dismissal of the proceedings in mandamus brought by the Berkshire company in an effort to compel the issuance of a permit for the erection of an apartment house in a restricted district of the city is denied in an opinion written by Justice Bean of the supreme court and the city is given five days in which to answer the writ.

Answering the contention set forth on the part of the city, to the effect that the proceeding was not a proper one for the court to consider in the exercise of its original jurisdiction, Justice Bean holds that the circumstances surrounding the case are such as to justify the court to consider the case as an original proceeding at this time. In denying the motion to dismiss, however, Justice Bean declares that it is not the purpose of the court to consider the merits of the case or to intimate an opinion as to the validity of the ordinance in question.

Other opinions were handed down today as follows: W. R. Bilyeu, et al. vs. Chester Crouch, appellant, appeal from Linn county suit to quiet title. Opinion by Justice Burnett. Judge George G. Bingham reverses and case remanded.

Nazar Shevukh, et al. vs. Fred Kitchik, et al., appellants; appeal from Multnomah county action for damages. Opinion by Justice Harris. Judge Robert G. Morrow affirmed.

George E. Beadle, appellant, vs. Stoddard Land & Timber company; appeal from Washington county; action to recover damages for alleged breach of contract. Opinion by Justice Burnett. Judge George H. Bagley affirmed.

Earl O'Day, executor of the estate of Thomas O'Day, deceased, vs. E. W. Spencer, appellant; appeal from Multnomah county action for legal services. Opinion by Justice Johna. Judge Robert G. Morrow affirmed.

Siar Sand company, appellant, vs. City of Portland; appeal from Multnomah county; suit to recover damages relative to alleged breach of contract covering street improvements. Opinion by Justice Harris. Judge George W. Benson affirmed.

State of Oregon vs. Norman C. Savage, appellant; appeal from Clatsop county petition for rehearing denied by the court. Opinion by Justice Harris.

Minnie S. Howard, et al., appellants, vs. Alice S. Fossitt, et al.; appeal from Lane county; suit to establish a trust in real property. Opinion by Justice Benson. Judge G. F. Skipworth affirmed.

Suspected Murder Discloses Ignorance Of City Scavenger

"Someone has been killed and buried in my basement," Mrs. E. LaForge, 734 East Yamhill street, told police Monday. Patrolman J. W. Johnson investigated. He moved a load of wood, a pile of bricks and with a shovel, dug up the cellar floor. He found—garbage. Previous occupants of the house didn't know the city scavenger.

Snowshoes Will Be Worn by Cruisers

Because of the deep snow in the Whitman National forest, G. W. Hult and C. J. Conover left Portland with their snowshoes Monday night to cruise a few sections near Whitney. They expect to use the snowshoes in cruising the north slopes where the snow is soft and deep.

Has Raised a New Standard for Baking Powder

Because it is made in the most careful and scientific manner from absolutely pure materials that remain pure in the baking and insure wholesome, healthful foods. Because it possesses the greatest leavening power. Because it is not affected by time or weather—it never loses its strength and never fails. Because it is most economical—you save when you buy it and you save when you use it.

These are the reasons why Calumet is the standard baking powder—the choice of millions—more being sold than of any other brand. Try it—always buy it. Your grocer can supply you. Calumet contains only such ingredients as have been approved officially by the U. S. Food Authorities. HIGHEST QUALITY AWARDS

Reed Students Are Anxious to Benefit Delinquent Children

Reed students who spent Saturday visiting state institutions at Salem returned imbued with ideas for improving the condition of Oregon youngsters who are serving terms in the state training school. Twenty sociology students toured the penitentiary, the training school for boys and the institutions for the feeble minded and insane, this actual investigation being substituted for seven hours of reading. Reed students were impressed with the conditions under which the feeble minded and insane are cared for, and they felt the need of more adequate equipment for the young men in the reformatory. Demonstrating that the whole abundant energy and alert intellects, the youngsters are capable of returning to the straight and narrow if any reasonable demands are, and yet they are given no adequate physical drill and their schooling is haphazard and impractical, the students declared.

Many Ex-Soldiers Inquiring for O. & C. Homestead Lands

Roseburg, April 20.—The Roseburg Chamber of Commerce has during the past 10 days received more than 60 inquiries from ex-service men regarding the homestead proposition and general farming conditions in connection with the O. & C. grant lands, which were recently opened for entry. Many of these men state that through their home in the service they have been informed that this land was to be given free to the ex-service men, and that they were not to pay the \$2.50 per acre required by the government homestead act. Many of these men have come to Oregon and returned home. Several have picked out what they consider desirable tracts of land and will return to make their homes here. All seem to have gained favorable opinion of the Oregon country and, while they may not have been given the right information regarding the settlement of the government land, the state will undoubtedly gain many new residents as a result of the opening of the lands, whether they locate on the government lands or not.

Saturday will be flag pole day for the Roseburg Elks lodge. The Elks will take a 60-foot pole up Mount Nebo by means of a tractor. A spot on top of Mt. Nebo will be reserved for the Elks. Appropriate ceremonies will take place when the pole is raised.

Vancouver Concern Expected to Meet Payroll Obligations

Vancouver, Wash., April 20.—That the Reed Engineering company of Vancouver will be able to meet its payroll obligations is indicated today. It is said an inventory is being taken of the company's assets. The Reed company, which has a weekly payroll of about \$6000, were told Saturday when they went to cash their checks that the company's bank balance was not sufficient to cover the payroll. Prosecuting Attorney Yates was notified by the employees and efforts are being made to straighten out the company's affairs.

New Mill Will Be Built on Coos Bay

Marshfield, April 19.—A new lumber mill will be erected at once west of Marshfield by the Marshfield Mill & Timber company, which has been in the Pacific. A logging camp will also be started and the company will transport the finished lumber on auto trucks through the city to the railroad and a local retail yard, which will be maintained.

Alleged Forger Is Caught in Chehalis

Chehalis, Wash., April 20.—A man believed to be W. E. Schumann, wanted by Vancouver, Centralia and Sound cities for alleged forgery of checks, was arrested here Monday. He asserts he was formerly with the Henningsen Produce company at Enterprise, Or. He is also said to have been known as Ray E. Lupin and R. A. Rohbeck and to have forged checks on the State bank of Ione.

Alleged Centralia Reds Denied Bonds

Chehalis, Wash., April 20.—Elmer Smith and Mike Sheehan, charged with the murder of Arthur McElfresh, one of the Armistice day victims at Centralia, will await arraignment until their attorney can appear. Judge Reynolds refused to consider bonds prior to the hearing.

Marriage Licenses

Vancouver, Wash., April 20.—Marriage licenses have been issued to the following couples: William E. Cowling, legal, Portland, and Minnie Reiser, legal, Sherwood, Or.; Percy F. Boyer, legal, and Anna N. McNulty, legal, Portland; William Widenmann, legal, Portland, and Ethel Paulson, legal, Seattle; Joe Maynes, legal, Vancouver, and Rose Knause, legal, Ridgefield, 19, Portland; Stephen Drumoff, 36, Mehama, Or., and Jane Evans, 32, Portland; James Balentine, 35, and Kathryn Niemi, 21, Portland; Albert J. Kattis, 23, Spokane, and Lora Hawk, 18, Dallas, Or.; George L. Short, 21, and Mildred I. Hummel, 19, Portland; Nell Francis Bixby, 23, Portland; and Berth Hoffman, 22, Mankato, Minn.; Charles I. Hat, legal, and Bertha E. Heit, legal, Portland; Tom Michalopoulos, 21, Portland, and Dolly E. De Olay, 18, McMinnville, Or.; Jean R. Balylock, 23, and Lella M. Chapman, 21, Roseburg, Or.; Frank W. Oliver, 35, Carroll, and Ethel A. Adams, 35, Astoria, Or.; Charles H. Rowe, legal, and Anna M. Farris, legal, Portland; Fred Riggie, 23, and Hester Nills, 22, Prudon, Or.; Edward E. McDonald, 48, Portland, and Mary Wilson, 34, Scottsburg, Or.

Divorce Decrees Issued

Oregon City, April 20.—Decrees of divorce have been issued as follows: Anne Cline from William W. Cline, Clady Constantine from James A. Constantine, Lora E. Dodson from H. M. Dodson, Marie Smith from Orville R. Smith, Anna Morrison from Arthur B. Morris.

GIVE YANKEES TONGUE, BUT CURB SPEECH OF ALIENS, SAYS MARSHALL

New York, April 20.—(L. N. S.)—Free speech for Americans, but a curb on the tongues of foreign-born who come to America to obtain refuge from oppression, was advocated by Vice President Thomas R. Marshall in a speech today to the directors of the Associated Press. "I stand for the freedom of the press," declared the vice president. "I do not favor limiting that freedom by legislation. If I do believe in 'speaking' it to the fellow who is not an American citizen and who causes trouble by saying things against the United States. I believe every man shall be permitted to say what he wants to about the government, so long as he is an American and stays within the law. But I do not believe in permitting others to violate the law and set himself up in defiance of the law of this government, that is another matter. I believe every man shall be permitted to generate back. It is my privilege to advocate in this country a form of Socialist or monarchical government if I desire. No law can or should take away from any man the right of free expression of his views, but I would not have that right."

THIRIFT

irkome conditions. Each side would like to reduce taxes, but knows it cannot be done this year, and possibly not next year. Certainly, if the soldier bonus goes through, the prospect is considered even more remote for a relief from taxation. After having struggled hard to reduce the cost of government by \$1,000,000,000, men like Republican Leader Mondell don't fancy the idea of putting out another \$1,000,000,000 in credit obligations to the ex-soldier.

THIRIFT MUST COME SOON

But while government economy is advocated in order that expenditures may be still further reduced, the pressure from the various parts of the country affected by diminished appropriations is so strong that men in the government hardly know where to begin lest they be enveloped in a whirlpool of political currents that will sweep them out of office. Perhaps the most common thought that one finds throughout the government, and especially in the treasury department, is one of criticism of American people. The unlimited expenditures on luxuries, the extravagance in the manning of the high cost of living. Profiteering is condemned, but conservative minds do not attribute all America's woes to profiteering. Prosecution is always urged, but is considered futile without the cooperation of the purchasing individual, who must refrain from buying from profiteers. Signs of economy and thrift are beginning, however, to appear.

EXTRAVAGANCE RAISES PRICES

Broadly speaking, it is felt that the peak in prices has been reached and that the tendency of the average American to refuse to pay the prices being asked of him is the first and necessary step in the mental process that makes for economy. Anyone who buys a suit of clothes, a pair of shoes or any other item of apparel, or builds a house or motor a single mile that isn't absolutely necessary, does that much to keep up the high cost of living. That's one principle which is being emphasized. Every state, city or town that issues bonds for a single improvement that isn't essential simply adds that much weight to the credit system of the country.

City Talks of Buying Irvington Clubhouse

The proposed sale of the Irvington club house and grounds to the city as a future playground site was discussed today at a luncheon of Irvington club members, attended by Mayor Baker and Commissioners Pier, Manly, Earls and Bigelow. No decision was reached. Commissioner Pier, it is understood, is opposed to the city acquiring the land for playground purposes.

Bulls Bring Good Prices

Medford, April 20.—Good attendance and good prices were features of the sale of 15 registered Hereford bulls consigned from the Holloway ranch, near Corvallis, held in Medford, Monday.

Students Aid Armenians

Halsey, April 20.—The Halsey high school has put on a drive for the Armenian fund, observing tag week, and will put on a musical entertainment Monday night.

Pier to Attend Conference

Commissioner Pier, in charge of the park bureau, will have tonight to attend the two day conference of Pacific coast park commissioners and superintendents at Bellingham, April 22 to 24. Superintendent of Parks Keyser will leave Wednesday.

Speeders Pay Fines

Oregon City, April 20.—C. L. Long of Milwaukie, recently appointed county motorcycle officer, Sunday arrested E. H. Hitchcock, salesman for the John Clark Saddlery company of Portland, charged with a 40-mile speed. Long paid a fine of \$25 and costs. L. B. Allen, a mailcarrier of Lents, paid a fine of \$5 for traveling 55 miles an hour.

Student Seeking Spot for Raising "Fur" Animals

Baker, April 20.—Evergreen in Baker, county who has a worthless marsh or swamp, including a small, fresh water lake that does not dry up in the summer, is being asked by Walter Meacham, secretary of the Chamber of Commerce, to communicate with him. Meacham is trying to find a place where an Oregon Agricultural college senior can raise mink, muskrats, skunks, and possibly other fur bearing animals.

VICTIM IS FELLED BY ROBBERS, WHO STEAL FINE PALMS

Struck on the head when he investigated suspicious noises, A. W. Wurl, 60-year-old night fireman at Fred M. Young's greenhouse, 41 East Fifty-second street, was powerless to prevent theft of six Easter palms at midnight. Wurl remembers seeing two men, but he cannot describe them. Palms having been stolen before from the greenhouse, when the firemen heard footsteps at 11:55 p. m. Monday, he started for the room where the sounds came from. As he passed through the door he was felled.

Balloting to Begin For Selection of Chamber Directors

Balloting for the election of seven directors for the Chamber of Commerce will begin Friday and continue until April 23, according to a decision made by the board of directors of the chamber at a special meeting in the Oregon building Monday evening. Ballots will be counted April 30.

Bellingham Seeks To Oust Supt. Cave And School Directors Would Bar Politics For School Office

Bellingham, Wash., April 20.—(U. P.)—The recall of three board of education members, President William McCush, Mrs. S. H. Hamer and Mrs. Mae Morrison, was launched today by a citizens committee. The recall was unanimously adopted at a public mass meeting Sunday. Superintendent Cave's promise to resign June 30, 1920, and his refusal to keep the agreement is the other issue to be submitted to the ballot.

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Wants Six Children

Oregon City, April 20.—Ada H. Albert has brought suit for divorce against Katy Albert, charging desertion and asks the care and custody of the six children. They were married in Portland, May 13, 1905.

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NOTABLE PIONEER IS LAID TO HER REST; FRIENDS PAY TRIBUTE

Trials and tribulations of the Oregon pioneers were recalled with a touch of pathos Monday when Julia A. B. Simmons, wife of Sylvester Simmons, chief janitor of the courthouse, was laid to rest in Mount Scott cemetery. Mrs. Simmons came to Oregon in 1852. Her husband was a member of the notable party which, in making the Meek cutoff in 1845, endured untold hardships. Scores of prominent Oregon pioneers attended the funeral, the pallbearers being George H. Himes, ex-Governor T. T. Geer, Charles B. Moores, J. D. Lee, C. A. Leighow and J. H. Alexander. The services were held at the Finley chapel, Dr. J. C. Ghormley officiating. Mrs. Simmons is survived by her husband, Sylvester Simmons; two sons, A. and C. Simmons of this city; Mrs. M. L. Ziegler of this city; Mrs. E. B. Moores of Ontario, Cal.; Mrs. I. B. Riddle of Roseburg, daughters, and a brother, John Burford of Milton, Or.

Thousands of Ready Cut Houses Planned By Portland Firm

A new type of ready cut house will be placed on the market in the near future by the Commercial Products corporation, recently organized here with a capitalization of \$10,000. The concern deals at present in sheet and structural iron and steel for both domestic and export trade. Offices are maintained in the Railway Exchange building and a warehouse in First street is used for storage of stock. Officers of the Commercial Products corporation are J. E. Sinclair, president, and L. J. Rose, secretary-treasurer. They propose to organize a separate corporation for ready cut houses and expect to place 3000 cottages and bungalows on the market during the first year's business. Rose and Sinclair recently purchased 60,000 feet of lumber at Astoria and they are negotiating for a tract of timber on the lower river. It is proposed to install a mill with a daily capacity of 80,000 feet and a plant in connection with the manufacture of ready cut houses.

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Rose Honors Given Both Portland and Los Angeles Gardens

Awards by the Portland rose test gardens for the two best roses produced on the Pacific coast have been made to Howard & Smith of Los Angeles and Albert Clarke of Portland, respectively, according to an announcement made to the Chamber of Commerce by Jesse A. Currey. The awards were made after tests lasting over a period of two years and were the result of offers made by the Chamber of Commerce for the best roses tested at the Portland gardens. Many other roses have been received from Europe and Eastern cities for other tests.

Traveling Store for Quick Sale of Army Shoes to Leave City

A traveling shoe store will start from Portland early next week for a tour of the Pacific Northwest. Thousands of shoes, offered to the public from surplus army stocks by the government retail store, are expected to be sold in this manner. A box car will be loaded with an appropriate stock and first sent to Pendleton. A shoe salesman will follow the box car closely, unload it when it reaches a town, and run a store for three or four days. Then he will pack his stock again and ride to another town.

Constable Is Beaten

Seaside, April 20.—Victor A. Tege was released on \$250 bail under a charge of assaulting Constable O. Cox. Cox was considerably beaten.

HIRAM JOHNSON

—The most vivid figure before the American public, is giving the Republican machine the hardest tussle since the 1912 Armageddon. Senator Johnson is a joyous fighter and a remarkable campaigner. He hits right from the shoulder, both on the platform and in his writings—which appear exclusively in

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P. S.—You will enjoy the remarkable biography of Herbert Hoover, by Rose Wilder Lane.
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The thriller of thrillers that has delighted thousands this week. You'll "eat it up," too!

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V. C. Knowles—Director
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Matinee 25c—Night 35c and 50c
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COUNTY EMPLOYEES FAIL TO DON DENIM AS PER SCHEDULE

Many an attache of the county courthouse failed today to live up to the pledge to wear overalls or khaki in the fight to bring down the high cost of clothing. Monday was the official day for donning these protest garments, but the excuse there was that alterations had to be made. This morning, however, five employees of the county clerk's office appeared in denim, while in a few other offices an individual here and there was seen in the laborer's attire. High prices and serious shortage of overalls will affect the denim craze. The Greater Portland association declares in a resolution condemning the fact. "We will do all in our power to discourage any plan which will create higher prices in any commodity," the organization of specialty stores declares. Ten girl ushers, doormen and cashiers at the Peoples theatre will blossom out today with overalls. Douglas Jarmuth, house manager, believes he is the first theatre in the country to capitalize the craze. Whether the esthetic senses of the musicians will be affected by unlovely denims is unknown.

75 Churches Will Conduct Campaign

The financial campaign of the inter-church world movement, which begins April 25, will be taken over in the business section of Portland by representatives of 76 Portland churches. It was decided at a meeting Monday night at the Y. M. C. A. attended by more than 200 pastors and laymen. Each church will appoint a committee to assist in the canvassing. The quota for Multnomah county has been put at \$75,000.

Marriage License Issued

Oregon City, April 20.—A marriage license was issued Monday to Fred Bentley, aged 37, farmer, and Pearl Willis, aged 34, both of Boring.

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—The race is half over and WALLY REID —is still in the lead in "Excuse My Dust"—But the race ends Friday night.

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Condon Farmer Is Suing Neighbor for Alienating His Wife

At the June term of the circuit court at Condon, a trial of more than usual interest is expected to be conducted, according to information leaking in from the wheat country. A. D. Smith, a rancher, is suing D. Cottmire, alleging that Cottmire alienated Mrs. Josephine Smith's affections. Smith demands \$15,000 damages. Coincidentally with this litigation, divorce proceedings against Cottmire have been brought in Clackamas county by Mary Cottmire, who alleges desertion.

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