

ADVISORY VERDICT GIVES MRS. KELLY CUSTODY OF GIRL

The jury "advisory of the court" called by Circuit Judge McCourt to determine questions of fact in connection with the habeas corpus action of Mrs. Nora Alice Baker Kelly to secure possession of her daughter, Josephine Bertha Kelly, has brought in its verdict on the three points submitted to it—all answers being in the affirmative.

The jury finds that Mrs. Kelly is a fit person to have the custody of her daughter; that the best interests and welfare of the daughter require that she be restored to the custody of her mother; that Mrs. Kelly is financially and otherwise able to properly care for her daughter.

This verdict is "advisory" to Judge McCourt in making his decision on the points of law. He has the matter under consideration.

The Baker girl was awarded by the county court to the care of Mr. and Mrs. Frank Newton in 1915 and at that time the mother signed a relinquishment of all her right to the child. The Nelsons raised the child from which her own daughter and considered her as such. Later Mrs. Baker married, becoming Mrs. Kelly, and her financial situation was such that she undertook to secure custody of Josephine Bertha Baker.

The ramifications of the case have been extensive, one of the features being the ordering of domestic relations of the Nelsons to produce the girl in his court; their refusal to do so and his sentencing them to jail for contempt from which they appealed, when the circuit court held that the court of domestic relations had no jurisdiction. This was on the ground that the original action in the old county court and the case was not transferred to the court of domestic relations when it was instituted and the old county court was abolished.

JAY H. STOCKMAN NAMED DEPUTY DISTRICT ATTORNEY

Jay H. Stockman, who has been associated with Dan E. Powers in the practice of law since he came to Portland, has been named by District Attorney Walter H. Evans as a deputy district attorney, effective January 1. The announcement was made Wednesday.

Stockman is a graduate of the University of Utah and the college of law of the University of Chicago, class of 1918, and has had experience in Utah as deputy city attorney and deputy county attorney. He resides at 170 Vista avenue.

It is probable Stockman may succeed Richard Reich as deputy at the municipal court when Reich assumes his new duties as a district judge. District Attorney Evans will have two other vacancies to fill soon—those created by the transfer of Thomas Maguire to the federal district attorney's staff and the resignation of Frederick Dempsey to take up the private practice of law.

GUARDIAN'S DUTIES DUAL.

HE ASKS COURT DISCHARGE. Because of conflict of authority, that might arise in the dual duties as executor of the estate of Thomas Prince as guardian of H. T. Prince, son of the deceased, Dr. H. T. Prince, petitioned the probate department of the Multnomah county court to be discharged as guardian. Dr. O'Neil was made executor of the Prince estate when the will of Thomas Prince was probated in February of this year. March 23 he was made guardian of H. T. Prince, who is an incompetent in a state institution at Salem. Presiding Judge Tazewell granted the petition and named Dr. William Ross as the guardian for H. T. Prince. A valuable estate is involved.

KAVANAUGH PRESIDES AS CIRCUIT JUDGE JANUARY 1

Judge John P. Kavanaugh, judge of department No. 1 of the Multnomah county circuit court, will become presiding judge January 1, to serve in this position for a period of six months. Presiding Judge George Tazewell will continue his labors in this position the last day of December.

During his incumbency of six months he has had probably the most stressful time of any presiding judge on the bench here, as in addition to the duties of presiding judge he has handled all probate matters. He will continue to handle probate matters after the first of the year.

ADMINISTRATIVE APPOINTED FOR ESTATE OF TEACHER

Presiding Judge Tazewell has appointed Mabel L. Collett of Portland as administratrix of the estate of her sister, the late Maud L. Ferguson, who was killed by an automobile at Forty-first and School streets. Miss Ferguson was a teacher of English in the Jefferson high school and was 32 years of age. She leaves an estate of approximately \$1200 and the heirs are her mother, Mrs. C. E. Bailey of Buhl, Idaho, and a sister, Mrs. Collett.

Divorce Mill

Suits filed: Harriet Timmerman vs. C. C. Timmerman, cruelty. Divorce decrees granted: Elizabeth Gabel from Ludwig Gabel, Irma Lewis from Lester Lewis, Lyle Lornbrook from Charles Lornbrook, Bennie L. Graham from Thelma Graham, Elizabeth Ball from Ralph L. Ball, Lucille Henderson from C. H. Henderson, W. R. Grenfell from Belle O. Grenfell, Frank Pratt from Josephine Pratt, Lil-

PUT it at the head of the Friday market list.

"Red Rock" Cottage Cheese

—serve it generously on Christmas day; the whole family will enjoy its delicious goodness. There's no waste to "Red Rock."

Made Every Day by Red Rock Dairy

Han Gerow from G. C. Gerow, May E. Johnson from Carl A. Johnson, Jeanette Stern from Sidney Stern, Walter Mosher from Genevieve Mosher, Edna C. Smith from Walter Smith, Audrey Hennenberg from Thomas W. Hennenberg, Anna E. Hinton from H. Holmsten, Helen Schaffenberg from Paul Schaffenberg, E. D. Hart from Ida M. Hart, H. O. Tenney from Goldie M. Tenney, Anthony Doelst from Maria Doelst, Mary M. Doble from E. M. Doble, William M. Church from L. W. Church, Mills O. Sharp from George Sharp, Lola L. Jones from Paul L. Jones, Ada M. Cling from Walter M. Cling, A. W. Larson from M. C. Larson, Marie Lindeman from Charles H. Lindeman, Joseph C. Potter from Sarah D. Potter, W. S. Daniel from Lulu L. Daniel.

Osborne Estate \$12,864.32

Presiding Judge Tazewell appointed C. W. Osborne Wednesday as the administrator of the estate of his late wife, Mrs. Margaret S. Osborne, who died November 25 at 251 North Twenty-sixth street, at the age of 57, leaving an estate consisting of real and personal property valued at \$12,864.32.

Government Agent Says Accused Sold Him Pint of 'Moon'

It's in again after being out again for Tony Sureno, alleged bootlegger, who was arrested Wednesday night by federal prohibition agents at 234 Second street. Sureno was arrested as he took the elevator from his home on Third street and sold it to a government informant in the soft drink establishment for \$4.50. He was recently convicted for violating the prohibition law and served 30 days in jail, after which he took the pauper's oath. One of the prohibition agents who was watching the establishment happened to see Sureno on the street as he entered the soft drink place. The agent shook hands with Sureno and was assured that he had left the bootlegging game. Sureno did not see another agent concealed inside the establishment.

Ex-Newspaper Man Faces Charge of Larceny by Bailee

The Dallas, Or., Dec. 23.—Joseph Ruffner, former newspaper man of this city, is being brought back to the Dallas from Montesano, Wash., by Sheriff Levi Christian to answer charges of larceny by bailee.

Ruffner was arrested at Aberdeen, Wash., and at first fought extradition, but later, in telephonic conversation with Christian, he waived extradition.

He is accused of having left the city with an automobile upon which he owed \$1300. Other charges are pending against Ruffner, which may be pressed upon return, according to District Attorney Francis V. Galloway.

Caldwell Case Is Dismissed for Lack Of Necessary Proof

H. L. Caldwell, salesman for Lang & Co., was released from a charge of white slavery this morning by Assistant United States Attorney Hall S. Lusk when it was found there was not sufficient evidence to prosecute. Caldwell and Miss Geneva Wickham of Minneapolis were arrested in a downtown hotel several days ago by a department of justice agent and held in the county jail overnight.

Caldwell was alleged to have transported the woman about the country, going first from Minneapolis to Seattle, then to Portland. At the time of the arrest Miss Wickham is said to have attempted to jump from the fifth story of the hotel. Fifteen hundred dollars bonds posted by Caldwell and \$1000 by the woman were refunded. Caldwell has a wife living in an Eastern city, according to Lusk, and also a son by a former marriage.

Special Counsel in Jacksonville Bank Case to Be Asked

Medford, Or., Dec. 23.—The chief interest in the Bank of Jacksonville cases, which will come to trial in February, centers in the petition of citizens of Jacksonville and vicinity to Governor Olcott to appoint a special prosecutor to assist Rawley Moore, the newly elected county prosecutor. The governor is expected to act on his return to Salem and, if he accedes, to appoint an outside lawyer.

The petitioners set forth that they do not believe a Jackson county lawyer could prosecute the cases fairly. It is rumored that a counter petition to Governor Olcott will be presented, a special prosecutor is being quietly circulated.

2 Held for Cattle Theft at Klamath

Assistant United States Attorney Charles W. Reames, who is to leave the government service January 1, returned from Klamath Falls this morning, where he tried several cases before the United States commissioner. Charles and Bert Hood, brothers, were held to the federal grand jury on a charge of stealing government cattle. Each posted \$1000 bail. Pet Grob, butcher, was also charged with the same offense, but proved he had purchased the cattle from the brothers innocently, so he was discharged.

It Was an Air Rifle

Investigating a report from Mrs. Valentine Bower, 131½ Union avenue, that someone had shot through her window Wednesday night, Patrolmen Skoglund and Simpson discovered that the hole in the window glass had been made by an air rifle. Earl C. the 3705 Morrison street, admitted to the police that he and several other boys had been shooting the rifle. They will be placed under the jurisdiction of the juvenile court.

Burglar Is Scared. A burglar attempted to break into the home of J. C. Gratton, 211 McMillen street, early this morning, according to a report made to Inspectors Hill and Cahill. The robber was trying to push the key from the lock of a rear door when heard by Gratton, who rushed downstairs and frightened him away.

PUBLIC SERVICE IS FIRST IN RAIL ROW, SAYS LA ROCHE

There seems to be a personal tone in the reply of the Northern Pacific Terminal company to the public service commission refusing to cancel the order ousting the Great Northern and S. P. & S. railways from the Union station that favors of petty punishment, said W. P. La Roche, city attorney, in addressing the Progressive Business Men's club on terminal problems at noon today.

La Roche figuratively tore to pieces the reply sent to the service commission by J. P. O'Brien, president of the terminal company.

ONLY TWO REASONS

Following his address the club adopted a resolution authorizing the board of directors of the organization to send a message to the Interstate Commerce commission asking a stay of the ouster order.

"Only two reasons are cited by O'Brien against terminal consolidation," said La Roche. "One is the expenditure of money and the other use of land in the city. The first reason is not asking the railroads to spend money at this time, but unless the Hill lines are permitted to remain in the Union terminal they will be the subject of a North Bank station and will have to build a new station. This will probably forever end possibility of a Union terminal."

"When times begin to threaten and unemployment prevails the government encourages new construction and expenditures of money for improvements. Are the railroads going to reverse the order of things?"

PUBLIC SERVICE FIRST

La Roche said that the reply of O'Brien savored of the personal in that he says the Hill lines had been given opportunity to come into a union terminal once before. He asked if the public was to be penalized because one rail line wished to punish another.

"We must get the rail lines together," said La Roche. "We must not get between them. And we must show that there is something higher—public service." He declared that if they would not consider the subject vitally important the interstate commerce commission could at least issue a mandamus order which would make the Harrison lines realize that public service is to be reckoned with.

Time Extension In 'Stamp Theft' Case Is Allowed

Thirty days additional time was granted counsel for Angelo H. Rossi by Federal Judge Bean this morning, in which to file a bill of exceptions, and the time for filing a motion for a new trial was extended to January 10. Rossi and Fred Peterson were convicted on November 7 of conspiracy to defraud the government by having stolen and altered war saving stamps in their possession. The stamps were taken from the Scioto bank. Peterson was sentenced to two years at McNeil's island, after his motion for a new trial was denied. The time was extended this morning because the transcript of the court testimony has not been completed.

Rossman Fines and Would Take License

John W. Clark was fined \$100 on a charge of driving while intoxicated by Municipal Judge Rossman this morning, who recommended that the secretary of state suspend Clark's driver's license for 90 days. Clark was arrested Wednesday at Fourth and Sheridan streets.

Purse Snatcher Foiled

A purse snatcher who attempted to rob Mrs. K. K. Willett, 715 Everett street, Wednesday night, was frightened away by her cries. Mrs. Willett told the police the man accosted her while she was returning from a shopping tour, and tried to snatch her purse.

Maurice Goldberg Is Given Jail Sentence

Maurice Goldberg was sent to the county jail for one year this afternoon by Municipal Judge Rossman on a charge of larceny. Goldberg was charged with having attempted to get someone's trunk at the Cornwell hotel and while under surveillance having carried out the same plan at the Seward hotel. Goldberg made the plea that he thought the trunks belonged to his wife with whom he had trouble.

Safety Boxes Taken; Papers Cast Aside

Chilliwack, B.C., Dec. 23.—(U. N. S.)—Robbers broke into the Citizens bank at Chilliwack, a small town near here, during the night and made off with practically all the safety deposit boxes of the institution. Many boxes containing papers of no value to the bandits were found strewn along the road this morning. Officials of the bank were unable to check up the loss until a check up is made.

Elizabeth Peacock Is Engaged to Wed Geo. A. Lawrence

Announcement was made this afternoon of the engagement of Miss Elizabeth Peacock, daughter of Mr. and Mrs. W. B. Peacock, to George Allen Lawrence, son of Mr. and Mrs. George Lawrence Jr. The news was told at an informal tea given at the home of the bride-elect in Lovejoy street, about 25 of the younger girls of the social community attending the affair. Miss Peacock was graduated from Portland academy and from Wellesley college and has been active in social and philanthropic activities in the city. Mr. Lawrence was also a student at Portland academy and later graduated from Princeton. No definite date is set for the wedding.

Soldiers Held on Charge Involving Automobile Theft

Three Vancouver soldiers, charged with stealing an automobile in Vancouver and driving it to Portland in violation of the national motor vehicle act, were held to await the action of the federal grand jury by United States commissioner Fraser this morning. They are James L. Vest, Foster C. Cheney and Harmon B. Jones. Vest's bail was set at \$1500 and the other two at \$1000 each. Vest and Cheney formerly lived in Vancouver, while Jones is from Aberdeen. The accused were arrested on Twelfth street by police while in the alleged stolen car. A revolver was found in Vest's pocket. Assistant United States Attorney Flegel said this morning that Vest had confessed to him that he robbed a poolroom in Vancouver and that he was the driver of the automobile which killed a pedestrian on a covered bridge between here and Newberg several months ago.

Journal Wire Flashes

NEW YORK.—(U. N. S.)—A new type of specialist in the field of the commercial activity has succeeded in making hauls of furs and valuable merchandise aggregating more than \$100,000 during the Christmas shopping season by raiding limousines parked along Fifth avenue, it was disclosed here today.

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FENSACOLA.—(U. N. S.)—The fishing smack Louise Harper, which arrived this morning from the Snapper banks, reported passing a large number of cotton bales, floating in the gulf, indicating that some cotton laden steamer has gone down.

WASHINGTON.—(U. N. S.)—Many persons in Ireland are sleeping in graveyards, fearful of raids conducted by the military, according to the testimony of Mrs. Myrtle Mohan today before the commission investigating conditions in Ireland.

CHICAGO.—(U. N. S.)—F. W. Sherwood, head of an investment company, is being sought today to answer charges of obtaining money under false pretenses.

SOUTH BEND.—(U. P.)—Dallas A. Anderson, 39, said to have been prominently known as a politician in St. Paul and Chicago, was suddenly killed here shortly before noon today following a quarrel with Mack Atyeo.

CONSTANTINOPLE.—(U. N. S.)—A serious commercial crisis is hampering business in Turkey. Several large business firms have suspended payments on account of the stoppage of supplies from Anatolia.

BERLIN.—(U. S.)—That a general railway strike is threatening Germany was reluctantly admitted in governmental circles today.

HOUSTON OBJECTS TO ANY ACTION TO INCREASE EXPENSE

Washington, Dec. 23.—Urging congress to turn a deaf ear to all pleas for "additional and unusual expenditures" by the government, Secretary of the Treasury Houston, before the senate finance committee, today struck a blow at the soldier bonus bill, the proposal to give Germany a credit of \$1,000,000,000 from the treasury and appeals for government cash to help stimulate export trade.

Such schemes, he declared, all mean higher living costs, increased taxes, inflation of currency, impairment of government and private credit and probably would result in seriously damaging the value of Liberty bonds and other government obligations.

HOUSTON SOUNDS WARNING

"It will take us 23 years to pay off our national debt under the existing laws," Senator Smoot, Republican, of Utah, commented as Houston proceeded. During last month the department of commerce reports showed American exports totaling \$7,500,000,000 in value, Houston said.

Houston cited statistics to show a falling off in tax payments by those receiving large incomes. He expressed the opinion that the country's tax burden would have to be increased if the national government were to add to its financial obligations during the next two years. He warned against "tampering" with the sinking fund intended to take care of the country's war debt.

BONDS WOULD COMPETE

Reverting to the proposed revival of the war finance corporation Houston said if the corporation attempted to issue bonds to finance American exports those bonds "would have to compete with the regular issues of treasury certificates."

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One objection to the revival of the war finance corporation was his original one of "objecting to anything being done now to increase the country's financial burdens."

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Peninsula National Bank Gives Bonuses To Its 14 Employees

The 14 employees of the Peninsula National bank were agreeably surprised this morning with a Christmas present from the bank in the form of an extra bonus, which was given on the profit-sharing plan and in proportion to the years of service in the institution. The amounts ranged from a half month's salary for the lowest point of service to a month's salary for the older employees. Gifts were distributed this morning in the lobby of the bank with the 14 employees assembled around the Christmas tree.

Tax Law Committee Named by Chamber

To advise the members of the Chamber of Commerce on present and proposed legislation regarding income and excess profits taxes, the board of directors of the organization have authorized the appointment of a committee on national tax legislation. All national tax problems will be considered by the committee which will report to the legislative committee and the board of directors. The membership committee suggested to the board that a committee be appointed to revise by-laws of the chamber.

Policemen Dispel Vision of Burglars

Mrs. Lou Martin, who lives above her tailor shop at 305 Main street, believed burglars were about Wednesday night. From the shop below arose a fearful racket and someone kicked in the glass door. The police arrived. Hilding Anderson and Gus Carlson were doing the Alphonso-Gaston act, each insisting the other have the honor of crawling through the broken glass first. Patrolmen Williams and Churchill arrested the two on charges of being intoxicated. According to Williams they weren't burglars, but customers, forgetful of the lateness of the hour.

Remarkable Savings In Christmas Gifts for MEN

1500 Men's \$2.50 Ties
Extra Special \$1.55
1000 Men's \$1.50 Ties
Extra Special 95c
KNITTED SILK TIES
Regularly \$4 and \$5
Extra Special \$2.95

Men's Woven Color Madras and Russian Cord

SHIRTS
for which you have paid \$5
Half Price, \$2.50

MEN'S SILK SHIRTS

\$10 and \$12.50 Qualities
Extra Special \$6.95
Three for \$20

MEN'S GLOVES

at Reduced Prices
MEN'S PAJAMAS
at Reduced Prices

Remarkable Bargain in BOYS' Overcoats

All Sizes 6 to 18 Years—Regularly Priced \$16.50

Extra Special \$9.85

The best values you have seen since the war

Shop for Men in a Man's Store—avoid the crush of the department stores—shop here in comfort

BEN SELLING

Morrison Street at Fourth

LEADING CLOTHIER

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