Attorneys for ex-Service Men Point Out Their Reasons for Thinking Law Is Constitutional

Should the Oregon bonus law, passed by the legislature and approved by the overeign people, be held unconstitutional because a clerk in the legislature failed te "dot an i and cross a t?" ask Maurice Crumpacker and Stanley Myers, attorneys for the American Legion, in a brief submitted to the supreme court Satur-

The brief is in the suit which has been appealed to the supreme court to test the bonus law. The suit is a friendly one, brought by Thomas Henry Boyd against Governor Olcott and other state, officials responsible for putting the law into effect. Brokers demand that the constitutionality of the law be decided before they buy the state bonds that will be issued to pay the bonuses. Arguments will be heard by the supreme court Tuesday

FOUR POINTS RAISED

"Every dollar that is paid out as a state." the brief reads. "The service men will be given an opportunity to overme the industrial handicap by reaso of their absence in the service. A settled, satisfied citizenship will be developed. legislation for trivial reasons. n connection with the negligence of

points out that the people approved the ionus bill and that the constitution of the state says: "All power is inherent in the people, and all free governments are found on their authority, and institoted for their peace, safety and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think

was the negligence of the clerk. The second, says the brief, is also a clerk's error and is equally as trivial. The a special election. This section never was a part of the act. Conceding that t was a part of the act, its language dres not show an intention of the legisla-tura to submit the act to the people."

The third point, which is that certain amendments of the legislative act adopted by the senate were not concurred in by the house, by a yea and nay vote, has no foundation in fact, the brief says, and continues:

house journal affirmatively shows a constitutional majority voting for the concurrence. There is no provision of the constitution requiring that the yeas and nays on the passage of a bill be entered in the record." POINTS SUMMARIZED

The fourth point, that the legislature was without power to pass the act at the time it was passed, and therefore it ALLEGES WIFE PUT POODLE onal, is also withou foundation in fact, it is claimed. The act itself does not contain one provision beyond the power of the legislature, actional amendment authorizes the issu-

The brief says: "We have summarized these points phasize the frailty of the material on which appellant refles in attacking this legislation. On these frail points he hopes to undo the will of the people, to deny the state the benefits of this legislation, to deprive the service, men and the dependents of thase who were killed or died in the service, of the benefits which they would receive. The desire cannot be questioned.

SAYS IT IS VALID tles ever recorded in the state, they is the result. approved it. Their patriotism and gratitude to those who served in the war found full expression.

not be denied by this court on grounds who have been out on bail while their so trivial as those here raised. The appeal was being heard in the state American Legion is firm in its belief appeal was being heard in the state that on principle and precedent the relief legislation is constitutional and

PRISONERS TRANSFERRED Chief Deputy United States Marshal Stretcher left Portland Saturday night

AWARDED SCHOLARSHIP IN LANDSCAPE GARDENING



to take a post-graduate course in near the mouth of Oregon slough. landscape gardening at Boston, 000, 10 times the cost of the channel.

Miss Florence Holmes will leave Portland Monday morning for Cambridge. let this court is asked to invalidate the Mass. where she will enter the Cambridge School of Landscape Architec-Miss Holmes, who is municipal ture. the clerk in the legislature, the brief landscape architect and bears the distinction of being the only woman in the of Nigger Tom island. To afford proper country to hold that position, has re- current to carry the refuse into the ceived a scholarship to the eastern river, a channel 1½ miles in length was school through the interest of Professor dug from the pump house of Multno-James F. Pray, head of the Cambridge man drainage district No. 1 to the Coschool, who visited Portland last year with a group of eastern architects. Miss Holmes made the acquaintance of Professor Pray on her return from abroad flowing on the surrounding country, a little more than a year ago and she will be the guest of his family in Cam- channel from its mouth to a point a That W. D. Morton should be allowed constitutionality of the law. The first bridge. She is a graduate of Oregon short distance above Vancouver avenue. to retain his barn at 1285 East Fifteenth Agricultural college and is a daughter of Mrs. Joseph Adams Hill.

brief points out that "section 26, which the Portland Bureau of Parks she has proved its worth. the senate journal affirmatively proves designed and made the model for the was withdrawn, crept into the printed Portland rose gardens which will be act by the error of a clerk. This section laid out in Washington park. She has provides space for an argument in sup- also planned the municipal boat landport of the bill in the pamphlet to be ling to be built on the Willamette river distributed to the voters of the state at near Windemuth. Miss Holmes expects to return to Portland in May.

> Spokane for trial on a charge of sending obscene matter through the mails.

> > LUMBER COMPANY-WINS

A directed verdict in favor of the C & O Lumber company was ordered Friday afternoon by Federal Judge C. E. Wolverton upon motion of the com-pany's attorneys. The court held that A. H. Davis of Brookings, Or., had not presented sufficient evidence to warrant the case going to the jury. Davis was seeking \$29,500 damages from the comwas burned by a fire which spred from the lumber company's timber.

Harold E. Pulliam, in a suit fo rdivorce, filed in circuit court Saturday against Mae Pulliam, claims that while cording to the brief, and the constitu- he was in the navy his wife whiled away her time with other men, and that, moreover, when he came home in the evening and ordered the poodle dog off the bed, his wife said: "I would rather to show how trivial they are, to em- have you get out and stay away than disturb the poodle dog." vorce also was filed by Elizabeth D against Raymond G. Foster.

BROTHER-IN-LAW IS SUED

BY WOMAN FOR ACCOUNTING Ebba Sunden, who claims to own a one-fourth interest in the Alaska-Norof the people of the state in this matter way Importing company, 228 Yamhili street, filed suit in circuit court Saturday against her brother-in-law, Eric E

Peterson, for an accounting. "Appellant cannot say that one point Mrs. Sunden states that she put \$1000 which he has raised could have resulted into the business and Peterson \$3000 in detracting one vote from the number when it was located in Second street. east either for or against the relief Both worked long, hard hours and the engasure by the people. He cannot say business now is worth \$30,000, she says. that one advantage was taken in any In 1919 she decided to get married. way of the people of the state. They Peterson, according to the complaint, accepted the constitutional amendment told her that marriage was an unceras submitted to them on its face, and it tain business at best and she had better squarely showed on its face the result sign over her interest in the concern to intended. By one of the largest majori- him. She did, she states, and the suit

I. W. W. TO SERVE TERMS

South Bend, Wash., Nov. 19 .- Seven I. "What they generously gave should W. W. convicted of criminal syndicalin, them, will be taken to Walla Walla to begin serving terms of six months to five years as soon as all are gathered in. They are moetly Russian Finns.

There are 14 cases of diphtheria at North Bend and health officials are takfor Spokane with C. J. Hampshire, who ing drastic action to prevent a spread was ordered transferred Thursday to of the epidemic.

An Opportunity for Christmas Shoppers

It has always been my pleasure to provide, especially at Christmas time, a very comprehensive showing of Diamonds, Watches, Jewelry, Gold and Silver Novelties. This year is no exception.



Jewelry-"Gifts That Last"-express the well considered thought of the donor. Much of this consideration must be pre-arranged by the dealer. A glance at my stock and comparison of prices will convince you it pays to shop here.

> Convenient Terms without extra charge



348 Washington St.

Morgan Bldg.

New Project Will Drain Northern Section of East Side and Ex-

slough channel, the city's \$350,000 project to provide for sewage disposal from has built a bridge near the inlet of the the northern section of the east side, is nearing completion. Arrangements have been made with the Port of Portland to have a dredger clean-up on the channel bottom, and it is estimated by O. Laurgaard, city engineer, that the work will be finished by the middle of

Prior to the construction of the chanwas impossible properly to dispose of fited. the sewage from some 40,000 lots in the The projects are: East Seventeenth BUILDING PERMIT PLEAS TO Alberta, Kenton and St. Johns districts street from Lambert to Southmoreland, lying north of the watershed, roughly \$3585.50; east half of Sixty-ninth street ollowing a diagonal from East Fortysecond and Fremont streets to the end for the construction of a huge trunk who has been granted a leave of sewer along the northern city boundary absence by the city park bureau with an outlet in the Columbia river Forty-sixth avenue southeast The estimated cost of the project was \$3,500,- \$3135.80; East Fifty-eighth street from son streets will be acted upon. DIG CHANNEL

After long consideration it was decided to build the Columbia slough chan- the district improvement of nel. The channel was designed to accommodate the districts involved by 842.16. allowing the sewage to pass out into lumbia river half a mile east of Sand island.

To prevent the high water from overdikes 14 feet high were built along the The dikes prevented the freshet of last Since the beginning of her work with the canal, Laurgaard stated, and therein

Even before the channel has been com-

pleted, five trunk sewers had been completed now empty into the new The sewers now emptying into canal. the channel are the Thirteenth street, Vancouver avenue, Albina avenue, Kenton and Delaware trunk systems. Plans for the Oregonian avenue sewer, which will also empty into the channel, will made against it. wash out the dikes and that at low the council meeting Wednesday. water there would not be enough current

"less than even before-war prices."

Teapot, sugar bowl, creamer, 6 cups and 6 saucers in cherry and bluebird design. Regular \$3.28

A pot, 6 cups and 6 saucers in regular Japanese

landscape design, 3 patterns. Regular \$2.98

Famous Japanese blue and white bamboo 98c pattern. Regular \$2.00 cut to, set......

to match the above bamboo pattern cups and 9c saucers, 6-inch size. Reg. 25c, cut to, each

Regular 10c tiny silk purse in all colors. 5c

Hand-carved Japanese cherry wood, brown color. Large size, with wooden hammer. Carved designs. Regular \$1.75, cut to...... 98c

Made of cocoanut fiber, trimmed with silk tassel, beads and coins. Reg. \$1.25, cut to 89c

We just received the first shipment of "SEAM-LESS" blue and white lunch cloths that we had

so much call for. The quality and dye used in this cloth is much better and perfect. You must come

48x48, Regularly \$2.50 . \$1.58

60x60, Regularly \$3.00 . \$1.98 Napkins, 15-inch size, set \$1.00

There is nothing better suitable than Japanese goods for gift purposes and our closing

sale gives you a great opportunity to buy

your Xmas gifts at a great saving. Remem-

end. Don't wait-come today and get biggest values.

and see this. We have marked as low as

Cut to, each

Tea Set

Chocolate Set

Coin Purse

Nut Crackers

Hearth Broom

Lunch Cloth

Cups and Saucers

gaard pointed out, both contentions have WITHSTAND FRESHETS

The freshet of last spring, he said, was the highest since 1894, and the dikes, while hardly completed, withstood the waters. Then, too, he said, the present ow water is the lowest on record, but, despite that, a vertical spar buoy started at Thirteenth street, floated down the channel and into the Willamette river in 26 hours, 10 hours less than the esti-

The channel is 150 feet wide at the bottom and with the sloping sides is 325 feet wide at the top of the dikes. The depth at low water is six feet below zero. In the building of the new canal from the pump house to the Columbia river, a total of 1,500,000 cubic yards of tends for Distance of 10 Miles. earth was excavated and approxima earth was excavated and approximately To prevent drift from entering the channel, a sheer boom has been placed at the inlet. In addition to the actual construction of the channel, the city

> EIGHT STREET JOBS READY FOR ACCEPTANCE BY CITY

nel, which extends some 10 miles, it by assessments upon the property bene-

southeast from Forty-fifth to Fortysixth avenues, \$542.80; East Ninth street of the Peninsula. Plans were proposed from Wygant to Alberta streets, day. \$5026.35; Morris street from East Sixtyeighth to Seventieth streets, \$4655.85; Rose City Park to Alameda, \$2594.25; East Thirty-ninth street from Francis to Woodstock avenues, \$32,404.63, and Twelfth, Dent and Gideon streets, \$38,-

> low the Multnomah hotel to build an Twenty-third and Twenty-fourth streets. electric sign at Fourth and Pine streets.

HOTEL TO ERECT ELECTRIC

across the street intersection. Three other scenes of controversy were visited on the tour of inspection. RURAL AVE. AND E. 32D ST. street north, despite the remonstrances spring from flooding the land around of the neighbors, was the decision made. nues was disapproved, while that of ered by the council Wednesday. Barde & Sons for a garage at Twentieth and Lovejoy is still under consideration.

COUNCIL TO AUTHORIZE nicipal auto camp grounds, across from Peninsula park, bids will be advertised for a concessionaire to BUSINESS LICENSE PROBLEM be filed this week, Laurgaard stated.

At the time the question of building general store if the city council approves

Great Closing-Out Sale

Japanese Goods

We are forced to yacate and we must sell out our entire stock by Dec. 31st. As it

is impossible to sell out our immense stock in such a short time, we have cut our

prices 30% to 50% on our entire stock, so as to get a quick clean-out. While we

are selling everything regardless of cost, we sacrifice the following articles at

ber, we are selling out, and when our limited merchandise is exhausted that is the

R. KOHARA & CO.

BRANCH STORE "RED FRONT"

365 MORRISON ST., BELOW OLDS, WORTMAN & KING

OPEN EVENINGS UNTIL 9:30 o'CLOCK

erect a store building and operate a annual increase in revenue of \$20,000, store for three years. At the end of Pier stated. that time the building will revert to the

accommodate automobile tourists," Keyser stated. "The ordinance authorizing the store at the park will contain a measure regulating the sale of all goods exorbitant prices."

The plan, he pointed out, has been successful in other cities where autemobile camp grounds are located. That there is a need for such a store where tourists may replenish their stock of food and other things necessary for road travel, he said, is obvious.

HEALTH BUREAU WANTS

it at it enters the pools.

"Water in these tanks is a danger to the public health," Dr. George Parrish, head of the health bureau, said, "Some Eight street improvement projects, efficient means of disinfecting it should costing \$90,787.34, will be accepted by be adopted. If the proprietors of the the city council at the meeting Wednes- pools will not install the machines on day, unless remonstrances are made. If their own accord we will eventually have they are accepted, the cost will be paid to pass an ordinance making it compul-

BE HEARD ON WEDNESDAY considered by the city council Wednes-

to build a two-story fireproof school from building on East Fifty-seventh street Sixty-seventh street to Kern Park, north between Sacramento and Thompapplication requests that certain provisions of the building code be not enforced in regard to the structure. Caroline A. Wuest has requested pernission to build a private garage on East Sixteenth street between Broadway and Weidler streets. Other applications to be considered are from A. Moser for SIGN ON STREET INTERSECTION a garage on Union avenue between Portland boulevard and Dekum avenue and After viewing the proposed site, the a similar one from Dr. D. H. Rand to river, a channel 11/2 miles in length was city council has virtually agreed to al- be situated on Irving street between

The application of the Coon Lumber The sign will be 40 feet long and 6 company to maintain a lumber yard at feet high and will be placed diagonally 1344 Macadam street will also be con sidered.

SEWER JOBS COMPLETED Work on two sewer projects has been completed, according to the report of the city engineer, O. Laurgaard, filed it The application of M. Senosky for a the office of the city auditor. Formal garage at Buxton and Lawrence ave- acceptance of the work will be consid-The two projects are for the sewer Rural avenue from Forty-first avenue southeast to the east line of Eastmore land. \$1,917.65, and the sewer in East STORE FOR CAMP GROUNDS Thirty-second street, from Ainsworth To accommodate tourists at the mu- to North streets, \$1705.30, making a located total of \$3,622.95.

SCHEDULED FOR HEARING For the fourth time the ordinance prethe plan of C. P. Keyser, park superin- pared by Commissioner S. C. Pier, head the channel arose, a bitter fight was the plan of C. P. Keyser, park superin-made against it. The opponents de-tendent. An ordinance authorizing the of the finance department, to authorize clared that during high water the water receiving of bids will be considered at certain regulatory license fees upon various lines of business will come be By terms of the proposed ordinance fore the council Wednesday. The ordio carry away the sewage. As Laur- the concessionaire will make a bid to nance, if adopted, will provide for an

The time for hearing the license revocation case of George Takio, 631/2 North Third street, will be set by the council Monday.

EAST STARK STREET EXTENSION At the meeting of the city council and see that tourists are not charged Wednesday a resolution to extend East Stark street from East Twenty-eight? street to East Forty-first street, will be considered. The resolution will be introduced by A. L. Barbur, commissioner of public works.

TO SELL BUILDINGS Two buildings, a modern two-story house and a barn, will be sold by Com-BUG KILLERS IN TANKS Wednesday afternoon at 2 o'clock. Both Through the city health bureau an buildings are located on property owned attempt will be made to have chlorine by the park bureau and must be remachines installed at all swimming tanks moved to carry out the park program in the city. The machines will be used The house is located at 651 East Taylor to disinfect the water of the tanks by street, while the barn is on a 15-acre means of passing chlorine gas through tract at 4914 Fifty-third avenue south-

Mexican Chief, 18 of Rebel Band Killed

El Paso, Tex., Nov. 19.-(U. P.)among them Chief Pablo Campas, and commander of the Department of the made a treaty with the Spokanes. five others were hanged to telephone Columbia, with headquarters at Van-Applications to erect three private garages and one school building will be by federal cavalry upon a band of in
B. Kohlhauff of Portland. Kohlhauff
ages and one school building will be by federal cavalry upon a band of in
Beall came from Washington to was born at Fort Walla Walla, and his government advices. The reports failed the battle of Steptoe in 1858 and was vivor of the Steptoe battle. The elder o state when the attacks took place.

Sends Home

Upright Prano

Thomas M. Beall and Michael Kinney Left Old Fort Walla Walla for Indian Country.

Memories of the famous Steptoe expedition of federal troops into hostile Indian territory were recalled in the minds of early settlers of the Northwest when Thomas J. Beall died in Kinny at Walla Walla, October 27, sent against them. Beall and Kinny were the last two survivors of the expedition.

Beall was born in Washington, D. C. in 1832. His father was Captain Ben-El Paso, Tex., Nov. 19.—(U. P.)— jamin L. Beall, in the Seminole and a number of renegade Indians, includ-Nineteen Mexican rebels were killed, Mexican wars, and for several years ing Owhi's son, Qualchen. He then

with Colonel George Wright, for whom Kohfhauff died in 1907

OUR ANNUAL

SALE

Begins Monday — at Continued — as

Heretofore - Annual Reduced Prices

and Reduced Christmas Terms.

the United States fort at Spokane is named, when the renegade Umatilla and Walla Walla Indians were hanged in the vicinity of Spokane, after the Stepto

OLIVE BRANCH FAILS

Kinny was born in Ireland. He came to the Walla Walla section with the army in the early '50s and was stationed at Fort Walla Walla, His company joined the Steptoe expedition.

In the fall of 1857 the Palouse Indians swooped down upon Fort Walla Walla and stole government property and stock of settlers. Major E. J. Steptoe of the Ninth infantry, early in 1858, recommended a peaceful expedition to learn the attitude of the restive and surly Spokane Coeur d'Alenes and Pend Oreilles. At Rosalia he learned that the olive branch was the wrong symbol. Many were killed and wounded and the entire column escaped only by reason of the superior fighting qualities of the Nez Perce Timothy.

In July of 1858 the government forged a weapon against the attackers of Steptoe, and Colonel George Wright, Ninth U. S. infantry, military commander of Lewiston, Idaho, October 21, and Michael the Department of the Columbia, was

Early in August Wright crossed the Snake river. On September 7 he won the "Battle of Spokane Plains," and at Lahtoo (Hangman) creek he executed

Both men were well known by Henry surgents at an American ranch in the Walla Walla as an employe of the quar- father, William Kohlhauff, was a serstate of Durango, according to Mexican termaster's department, participated in geant in the Ninth infantry and a sur-

CHRISTMAS

Sends Home Player Piano

It will cost no more to buy a Piano for Christmas—a gift for the entire family—than to buy small gifts now, as \$10 and \$15 will send a Piano-\$15 and \$25 a Player Pianoand \$5 to \$10 cash to send a new Phonograph to your home and you need pay no more until next year-January-and then only \$3, \$6, \$8, \$10 or more monthly to suit your own requirements.

The new Pianos and Player Pianos reduced are our own stock or from manufacturers with whom we have dealt for years. There is no question of their goodness. The manufacturers guarantee them. So do we. The reduced prices are the lowest since the war. They touch the lowest point yet recorded.

Choice of 300 Pianos and Player Pianos Including Used Pianos, Organs and Phonographs



New 1921 and 1922 Models

wainut
Steger—3 uprights, fancy wainut
Steger—2 uprights, fancy wainut
Steger—1 uprights, fancy wainut
Steger—2 uprights, circassian wainut
Steger—2 uprights, antique mahog.
Steger—2 uprights, polished wainut
Steger—1 uprights, antique mahog.
Steger—2 uprights, dill wainut.
Steger—1 upright, dull wainut.
Reed & Sons—2 dull mahogany
Reed & Sons—2 dull wainut.
Reed & Sons—3 grand up., wainut
Reed & Sons—3 grand up., wainut
Thompson—8 dull and pol, wainut
Thompson—12 dull and pol, wainut

mpson—8 dull and pol, walnut mpson—12 dull and pol, walnut roeder Bros.—3 furned oak ... mpson—18 dull and pol, mahog. mpson—8 dull and pol, walnut mpson—S furned oak ... mpson—10 wal, and mahog. mpson—17 mahog. and oak ... mpson—12 fine mahogany ... od & Son—3 large mahogany ... od & Son—Colonial

New 1921 and 1922 Players

Steger—3 grands in up, frame.
Steger—2 grands in up, oak.
Reed & Sons—3 in crt mahogany.
Reed & Sons—2 fancy walnut.
Thompson—8 in golden oak.
Thompson—6 in dull mahogany.
Thompson—4 in dull walnut. Thompson—5 pelished mahogany.
Schroeder Bros.—6 dull cat.
Schroeder Bros.—8 pelished mah.
Artemis—4 Fopular Idol medels.
Artemis—5 Music Lover models

Steger and Other New Pianos, Player Pianos and Phonographs. Some as Good as New.

Gaylord—in *'I walnut.

Mondenhall—colonial
Schroeder Bros. -furned eak.
Kohler & Campbell—mahogan
Foster : Co.—polished mah.
Singer—polished oak
Haines Bros.—dull mehogany
Haitet & Davis—mahogany
Royal-Krell—cak
Hailet & Devis—mahogany
Haitet & Davis—mahogany
Colterd & Coilard—iBright
Emerson—small upright
Bradford & Co.—furned oak
Bond & Co.—small upright
Mendenhall—colonial

New \$350 or Usually Period Model Phonographs



Sale of Used Phonographs



Factory Rebuilt Pianos

One Carload Ready for Your Selec-

tion-Pianos Made Like

New at Easy

Terms, \$10 Cash, \$6, \$8, \$10

and \$12 Monthly



Closing Out Slightly Used Player-Pianos 1920 Models at Greatly Reduced Prices

Used Parlor Organs

You can afford to pay \$5 and \$15 cash, \$3, \$6, \$8 or \$18 monthly. You can, therefore afford to buy now during this Readjustment Period Sale. Your old piano, organ or phonograph or city jot taken as first payment. Your boy or gid working can save \$10 monthly and secure a musical education. SAVE \$119 TO \$505 BY BEING YOUR OWN SALESMAN-The Schwan Piano Co. makes it

easy for you to buy and own a new, improved quality piano by its organized method of distribution. It considers as unnecessary, for instance, great numbers of city or traveling salesmen and you benefit by these fully 20% to 25% savings. We are not interested in your name and address if our 25% (lower than local market) prices on new, and still lower prices on special factory rebuilt and used planos do not sell you. Liberty and other bonds, phonograph or old plano or organ accented as first payment.

as advertised, and you will understand why we have thousands of mail-order buyers. We prepay freight and make delivery to your home within 200 miles, besides the piano will be shipped subject to your approval and subject to exchange within one year, we allowing full amount paid. This virtually gives you a one-year trial of the piano you may order. Every piano or player-piano purchased carries with it the Schwan Piano Co.'s guarantee of satisfaction, also the usual guarantee from the manufacturer. ORDER YOUR PIANO BY MAIL-Read, study and compare our quality, prices and easy terms,

at Washington Schwan Piano Co.