

GORDON CASE IS ARGUED

Judge Bingham Takes Matter Under Advisement; Brief to be Filed

Judge G. C. Bingham of the circuit court for Marion county, yesterday took under advisement the case of Leslie W. Murray of Portland against Herbert Gordon of Portland, a quo warranto proceeding in which Leslie seeks to prevent Gordon from sitting as a member of the legislature. His

ground is that Gordon's election was illegal for the reason that he was running for mayor of Portland in the same election that he was running for representative, and he seeks to have himself declared the legal representative, as having had the highest vote of the defeated candidates in the Republican primary.

Paul Dormitzer, Murray's attorney, was given until Friday to file a brief. The argument centered on the constitutional provision that the legislature is the sole judge of the qualifications of its own members, behind which Gordon's attorneys took refuge. In reiteration Dormitzer sought to show that it was the duty of the court to prepare findings of fact and conclusions of law and submit them to the legislature for that purpose. Judge Bingham asked Dormitzer what position the court would be in if the legislature refused to accept his conclusions. "I could not punish the 90 members for contempt of court," he declared.

COLONEL WHITE MAKES REPORT

State Military Department Comes Through Biennium With Surplus

Instead of a deficit which it faced last spring, the military department of the state will finish the two-year period with a surplus, according to the biennial report of the department which was filed yesterday by Adjutant General George A. White. The report confirms the statement made by Colonel White last April when he resumed his state duties after returning from overseas duty with the army, that he would get through without tasking a deficiency appropriation.

The report shows that this was accomplished in the face of a heavy increase of expense, including camps, schools, reorganization work and the establishment of an official bureau for war records, all funds being applied for essential purposes and additional federal aid being secured for the department.

Naval Militia Cut Out.

Five thousand dollars will be turned back to the state, in lieu of a deficiency appropriation, although no part of this will come from the national guard funds, which were just sufficient to bring the record through to the end of the year. The money to revert will be from the naval militia appropriation. Col. White's report showing that he put an end to naval militia activity last July, after finding that it was maintained as a purely state force, without recognition or support by the navy department. He recommends the dismissal of the present naval militia, made up of a mere handful of men in Portland, saying: "I recommend that the naval militia as constituted at present be dismissed, as I am unable to convince myself that such a force, maintained as a state force, is able to serve any useful purpose so far as national and state defence is concerned under existing laws and the present policy of the naval department."

At the same time he pays a tribute to the naval militia as it existed at the time of the world war outbreak, saying that these men responded as a unit to the first call and served throughout the navy and in every kind of arduous service.

Guard Nation's Defence.

Importance of the national guard as a part of the first line of land defence is emphasized by the report, which says that the burden of national defence has been thrown back upon the national guard under the new defence law passed by congress last June. The national guard is subject to call, day or night, in event of invasion or war abroad, the report states, and it is the citizen soldiery of the national guard who again must stand the brunt of the first battles, holding an enemy at bay while the country rushes through the process of getting ready.

His final report as adjutant general, made in 1917, when he left his state position in order to volunteer for service with the army overseas, is included with the statement that it was omitted

from the biennial report rendered two years ago by Adjutant General Beebe.

Soldier Relief Urged.

The 1917 report shows that he left \$30,000 of the national guard appropriation after completing mobilization, the war census and organizing the draft. His recommendation at that time, as shown by this report, was that \$75,000 of that sum be used for relief cases of Oregon soldiers in the army and their dependents, and that all purely state military activities be brought to a standstill until after the war, or until the new military policy of the United States, following the war, had been shaped.

Tentative establishment of a bureau of war records has been undertaken in conjunction with the federal government, the report shows. The aim is to set up an accurate and official record of the part played by each of the 25,000 Oregon men in the world war, including an official honor roll of Oregon's dead, a list of the wounded and other details of the state's activity in a national way.

Sale of Property Advocated.

Recommendation is included that large stores of military equipment now stored in Multnomah county be sold. This equipment was purchased by the state to equip the state military police, which flourished during 1918 and 1919, and also to equip the first units of state forces formed during the war. It is shown that the government furnishes better equipment without cost to the state for the present federalized national guard and that there is no use at present for the state military property.

"That the national guard is an important payroll industry, as well as a national defence force," is made clear by the report, which shows that each man attending drill receives pay from the federal government. It is estimated that the distribution of federal money in Oregon is larger than the amount required from the state for support of the national guard.

RECOMMENDED TO SCHOOL CHILDREN

This is the season when children are subject to croup, colds and coughs. Rena C. Marchard, 26 Lawrence St., Salem, Mass., writes: "I used Foley's Honey and Tar with good results. I had a very bad cold and it gave me relief at once, so I recommend it to every child that goes to school." This standard, low priced medicine loosens a clear mucus and phlegm, checks strangling coughing, makes easy breathing, soothes and heals raw, inflamed membranes, and stops tickling in throat. Sold everywhere.

Oil Syndicate Seeks to Make Mr. Handley Act

Chief Justice McBride of the supreme court yesterday issued an alternative writ of mandamus against T. B. Handley, state corporation commissioner, requiring him to appear January 10 and show cause why he should not pass on an application of the Superior Oil & Refining company of Comanche, Tex., for permission to sell stock in Oregon and either approve or reject the application. A petition on behalf of the company was filed by A. M. Crawford and J. G. Richardson, attorneys of Portland.

The plaintiff, a common law concern, made its application November 29. Corporation Commissioner Handley refused to accept it, on grounds that it should operate as a trust company, until he had submitted it to the attorney general and either approved or rejected the application. A petition on behalf of the company was filed by A. M. Crawford and J. G. Richardson, attorneys of Portland.

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Booth to be Renamed on Highway Commission

Governor Olcott announced yesterday that R. A. Booth of Eugene will be reappointed as a member of the state highway commission when his term expires on March 31. Mr. Booth has been chairman of the commission since the resignation of S. Benson. Booth was appointed on the commission by the late Governor Withycombe April 1, 1918, to succeed E. J. Adams of Eugene.

"Because of the fact that the legislature is soon to meet," said the governor, "and I think it proper that the members of the legislature, as well as the public, should know what the personnel of the highway commission will be. I wish to state that it is my intention to reappoint H. A. Booth of Eugene as a member of that commission when his term expires on March 31 next."

Crook County Bank Fails at Prineville Yesterday

A telegram was received at the office of Will H. Bennett, state superintendent of banks, yesterday, announcing the failure of the Crook County bank at Prineville. The board of directors voluntarily voted to place the bank in charge of the state superintendent and await an examination to determine the exact condition of its affairs.

The bank has been under surveillance by the state banking department since the last examination in September. At that time the bank was solvent, but was in a weakened condition. When the telegram was received yesterday an examiner of the department was already on his way to make another investigation of the bank. It is said the failure of the firm of Morris Bros. Inc., of Portland had nothing to do with the failure of the bank.

HOFF URGES BOND BOARD

State Treasurer States Objections to Direct Purchase of Securities

O. P. Hoff, state treasurer, yesterday issued a statement reiterating the recommendation contained in his biennial report that a commission be created by legislative action to handle the state's bond purchases. Advertising for bonds he believes would result in purchases on a competitive basis and offer the least chance for criticism. The statement points out his objections to direct purchase of bonds from the issuing municipalities.

The statement follows: "Information concerning municipal offerings is acquired through circulars and from representatives of the various bond houses in the state, who call from time to time.

"When funds are available for investment the state treasurer selects from the offerings some eligible bond, giving particular attention to, first, the security afforded, and second, the interest yield. A letter is required showing amount paid by bond houses for the bonds. Request of municipalities for this information is rarely complied with. He then requires a written transcript of all proceedings together with the opinion of the attorney for the bond house, which are submitted to the attorney general, and the purchase is completed only on the written approval of that official as to legality.

"Concerning the suggestion that the state's interest would be advanced by buying direct from the issuing municipality, there are more considerations than appear at first.

"For the plan it may be said, the margin of profit paid the

broker on the resale would be eliminated.

"Against it, would arise the necessity for the maintenance of a specialized and highly developed purchasing department with its purchasing, valuation and office ends. The additional security now afforded by the investigation of the bond house as to security and legality would be missing. Again, funds are available for bond purchases at no very regular periods. When the balance to the credit of any particular fund, so available, exceeds a certain amount, the balance is immediately invested. Should the state buy direct from the issuing municipality, there might elapse months when there would be no satisfactory offerings and the state would lose 2 1/2 to 4 per cent on these moneys, and when securities were offered the state might not have the money.

"These are all matters which should enter into a consideration of this question and the very serious question if any material benefit would result should be presented to the bond commission when formed for the opinion of that body.

"Mr. Hoff will suggest to the bond commission, if formed as he has recommended, the advisability of advertising for desirable offerings of municipal bonds when the state has money available for purchasing. In this manner he believes a competitive basis will be established in buying securities

as in other general purchases of the state's account, and that the practice, especially when there are three on the purchasing board, offer the least chance of criticism."

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Take no chances. Keep this standard remedy handy for the first onset.
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Cut out this slip, enclose with 5c and mail it to Foley & Co., 2335 Sheffield Ave., Chicago, Ill., writing your name and address clearly. You will receive in return a trial package containing Foley's Honey and Tar Compound for coughs, colds and croup; Foley Kidney Pills for pains in sides and back; rheumatism backache, kidney and bladder ailments and Foley Cathartic Tablets, a wholesome and thoroughly cleansing cathartic for constipation, biliousness, headache, and sluggish bowels. Sold everywhere.

"Strange," murmured the editor, "that this anecdote of Lincoln has never been in print before." "Not at all," explained the occasional contributor. "I only thought it up last night."—Boston Transcript.

Ten Years Younger Than His Years

Doesn't it make you feel good—cause you to straighten up and feel "chesty"—when someone guesses your age at ten years or so younger than you really are? You look into your mirror, smile with satisfaction and say to yourself: "Well, he didn't make such a bad guess, at that."

The point is: You're no older than your vitality.

If a man is strong, vigorous, mentally alert, fine and fit at 50 he has a better chance of living up to 80 than a man of 30 who is weak and run-down has of living up to 60. While none of us can stay the years nor stop time, we should all make an heroic effort to successfully resist the effects of time by ever keeping our vitality at par.

When you sense a feeling of slowing down of your physical forces—when your stomach, liver, kidneys and other organs show signs of weakness—when you notice a lack of your old time "pep" and "punch"—in other words, when you feel your vitality as on the wane, you should com-



mence at once to restore your energy, strength and endurance by taking



The Great General Tonic

This master body-builder will help you keep young in spirit and mental and physical action, because it will assist nature in maintaining your vitality as it enriches the blood, restores worn-out tissues, soothes jangling and over-wrought nerves, in due course refreshing sleep, sharpens the appetite, tones up the digestion—in short, will put new life, new vigor and new vim in every fibre of your body.

You will be surprised how much better you'll feel after taking a treatment of LYKO. If you are tired and worn out, nervously and physically exhausted, it's mildly laxative—keeps the bowels in fine condition. Get a bottle from your druggist today.

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60 ticks of the clock for a better, bigger, more satisfactory lather than ever before

Purola Shaving Cream works up into a fine, creamy lather that stays put. No drying on the face or irritating the skin.

Speedy? Once round with the second hand is all the time you need.

Soothing? Leaves your face feeling fresh and joyous.

Economical? One hundred and fifty shaves in every tube.

And if you don't agree with us return any part of the tube to your dealer and get your money back.

Good druggists sell Purola.

—Every Purola Preparation is prepared and guaranteed by Blumauer, French Laboratories, Portland, Ore.

Purola Shaving Cream

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Note—We start inventory this week. All odds and ends and broken lines below cost

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