POLK COUNTY COURT DENIED TRAVEL PAY

Deschutes Commissioner Also Declared Not Entitled To Extra Fee

County commissioners of Polk county are prohibited by law from collecting mileage for traveling expenses incurred in the transaction of county business, according to an opinion handed down by the state supreme court here Tuesday.

The opinion was written by Justice McBride in two suits brought by Vern Gosso, taxpayer, to compel William Riddell, Jr., and Ezra Hart, commissioners of Polk county, to return to the county certain moneys they have received as traveling expenses while engaged in transacting county business. The opinion of Justice McBride affirmed the decree of Judge W. M. Ramsay of the Polk county circuit court.

"The question raised in relation to this mileage is whether or not county commissioners are entitled to receive in addition to their $5 per day, mileage for the traveling they do in transacting county business," read the supreme court opinion.

"The Oregon law provides that the county officers of Polk county shall receive as compensation for their services $5 per day for every day in which they are employed in transacting the business of the county. This section provides that they shall receive this amount of money as compensation for their services.

"It seems to me that this provision means that $5 per day shall be full compensation for all of their services, and that they shall receive no other remuneration."

Justices Rand, Coshow and Rossman concurred in the opinion.

The supreme court reversed Judge Orlando M. Corkins in an original proceeding filed by J. S Innes, commissioner of Deschutes county, to compel J. H. Haner, county clerk to issue a warrant in the amount of $137.80, which he alleges was due him for services performed in connection with the transaction of county business The lower court held in favor of Mr. Innes.

Justice McBride, while admitting in his opinion that the laws affecting Deschutes county, authorize the payment of both per diem and mileage to its county commissioners, held that there is no statute, under which the county commissioner is entitled to collect from the county an item of approximately $38 alleged to be due for services performed in supervising an election.

In reversing the decree of the lower court and dismissing the writ the supreme court recognized the right of Mr. Innes to file and present to the county court a claim for that part of his services which are valid in the light of the opinion.

In another opinion the supreme court affirmed the decree of Judge Robert G. Morrow of Multnomah county in a suit filed by the Security Savings and Trust company, assignee of M. H. Houser under assignment for benefit of creditors, to recover approximately $64,835 and interest thereon from the Pacific Coast Elevator company.

Demand also was made that the Portland Flour Mills company be compelled to account for and pay to the plaintiff certain moneys which it was alleged to have received and should, under equitable principles, be applied in payment of the obligation.

The lower court held for the plaintiff corporation.

The Portland Flour Mills company, Coast Elevator company and R. J. Leo appeared as appellants in the suit. Defendants named in the action included John Doe and Elijah W. Sells and other individuals doing business as Haskins and Sells.

Other opinions handed down by the supreme court today follow:

Roy E. Deadmond and Esther L. Deadmond, appellants, vs. F. U. Moon and Edward Moon; appeal from Coos county; suit to enjoin defendants from placing and maintaining dams. Opinion by Justice Coshow, Judge John C. Kendall affirmed.

Grace E. Morgan, administratrix, appellant, vs. Elmer Niswonger and others; appeal from Deschutes county. Action to compel payment of mortgage debt. Opinion by Justice Coshow. Judge T. E. J. Duffy reversed.

Exile Burkitt vs. L. A. Vail and Fidelity and Deposit company of Maryland, appellants; appeal from Multnomah county; action on redelivery bond. Opinion by Justice Coshow. Judge George Rossman affirmed.

Oregon and Western Colonization company vs. Earl O. Strang and Orville L. Davison, defendants, and Orville L. Davison, appellant; appeal from Crook county; action on promissory note Opinion by Justice Coshow. Judge T. E. J. Duffy affirmed.

Eliza A. Watt vs. Associated Oil company, appellant; appeal from Tillamook county; action to recover damages. Opinion by Justice McBride. Judge George R. Bagley affirmed.

Frank C. Bramwell, state superintendent of banks, in charge of Western State Bank, insolvent, vs. Bud Rowland, appellant; appeal from Lincoln county; action to collect on promissory note. Opinion by Justice Rossman. Judge G. F. Skipworth affirmed.

J. W. Goin vs. Ray W. Chute and Eva M. Chute, appellants; appeal from Tillamook county; petition for writ of habeas corpus to obtain custody of child. Opinion by Justice Rossman. Judge George R. Bagley affirmed.

Farmers Loan and Mortgage company vs. Hans Hansen, appellant; appeal from Multnomah county; action to obtain possession of property. Opinion by Justice Brown. Judge J. U. Campbell affirmed.

Sam Armishaw vs. Andrew Kan, appellant; appeal from Multnomah county; action to recover for value of goods sold and delivered. Opinion by Justice Belt. Judge G. F. Skipworth affirmed.

Joe Obermeier vs. Mortgage Company Holland-America, and John VanZante, defendants and appellants, Esther Mattison, defendant and respondent; appeal from Multnomah county; petition for rehearing. Opinion by Justice Belt. Decree of Judge D. R. Parker modified.

Security Savings and Trust company vs. William Ogden et al, defendants, and G. B. Gatt, appellant; appeal from Multnomah county; action in ejectment to determine title and right to possession of waterfront property in Portland. Opinion by Justice Belt. Judge Robert R. Tucker affirmed.

Charles H. Casto vs. C. P. Hansen and Frank Bentley, appellants; appeal from Marion county; action to recover damages for automobile accident. Opinion by Justice Belt. Judge Percy R. Kelly affirmed.

Petitions for rehearing were denied in Berg vs. Goldstone, matter of Fred Boalt, Jensen vs. Anderson, Lyons vs. Gram, and Fetsch vs. Pederson.

Rehearing granted in Behrnstedt vs. Travellers Insurance company.

Motion to dismiss appeal allowed in State vs. Kables.

Case of Ashley State Bank vs. B. Schneitzer dismissed on stipulation.

Joseph Gage Howard of Portland admitted to bar on certificate from the state of Missouri.

LIBERTY BONDS PAID

NEARLY FOUR BILLION CALLED IN BY U. S. TREASURY

WASHINGTON, Nov. 15.—(AP)—Insofar as its creditors would allow, the United States today took up and paid off one of its greatest war loans, the second Liberty bond issue of $3,807,000,000.

The figures involved were so large that Ogden Mills, under secretary of the treasury, refused to make any estimate as to how successful the government's effort to retire the second Liberties had been. Not until the twelve federal reserve banks make their report late this week, will the treasury be enabled to tell how many of the bonds remain outstanding, though interest upon them ceased today.

By various conversions and continuous sinking fund purchases the second Liberty loan had been reduced last February to a total of $3,104,000,000. Since that time the government undertook a series of financing operations intended to bring about the payment of the bonds or their conversion to other forms of securities with the result that today, when the loan was called for redemption, there was a total of $730,000,000 of the bonds outstanding.

It expected that most of these outstanding bonds will be turned in before the end of the present week.

FOUR-GENERATIONS HONOR MRS. D'WITT

Great-Great Grandchildren Attend Reunion At Monmouth On Sunday

FALLS CITY, Ore., Nov. 16.—(Special)—Last Sunday, November 13th a group of children, great grandchildren and great-great grandchildren, and other relatives and friends journeyed to Monmouth to honor Mrs. Priscilla DeWitt, widow of J. P. DeWitt, who has lived in Monmouth for 30 years. Her husband died in 1899 and since that time she has kept the home fires burning. She has now living six children, twenty-three grandchildren, thirty-two great grand children and seven great-great grandchildren.

Mrs. DeWitt will be eighty-eight years old next month, and until an accident on November 9 when she fell, fracturing her collar bone, has been well and active. Those enjoying the reunion brought picnic dinners, which were spread in the home on account of rains.

Those present were the following: a son, J. F. DeWitt with his wife, from Pedee; Margaret O'Brien, a daughter her husband, from Pedee; Laura Boyd, a daughter, and her husband of Newberg; Martha Niles, a daughter, and her son of Portland; J. P. DeWitt, a son, and wife of Takilma, Oregon; and grand children, great grand children and great-great grandchildren as follows: I. L. DeWitt and wife, Pedee, I. V. Lewis and her daughter Guila of Valsetz; Nettie DeWitt and sons Frank and Victor, Falls City; Clarence O'Brien, daughter Vera and son Berl of Portland; Berl and Jessie O'Brien of Portland; Frank and Rex O'Brien of Pedee; Theresa Upchurch and son Lewis of Garden Home; Howard Boyd of Newberg; Mrs. Ruby Philip and Hazel Nagel and husband of Portland.

Henry Ford and Son Sued for Six Million Dollars

PONTIAC, Mich., Nov. 15.—(AP)—Nearly two thousand stockholders, scattered throughout the country, of the old Lincoln Motor company, are plaintiffs in a suit in chancery against Henry and Edsel Ford, involving approximately $6,000,000, filed in circuit court here today.

The suit, brought by Henry M. Leland and his son, Wilfred C. Leland, former president and vice president, respectively, of the Lincoln Motor company, under power of attorney obtained from the stockholders, seeks reimbursement for losses alleged to have been suffered at the time Henry Ford purchased the Lincoln properties in 1922 at a receivers' sale for $8,000,000.

The bill of complaint charges that Mr. Ford failed to keep a verbal agreement to buy the outstanding stock of the active stockholders. This outstanding stock, according to the complaint, aggregated about $6,000,000 in value.

Charging that but for the agreement made verbally with Mr. Ford, they would have been able to effect a re-organization of the company or to have re-established its business on a basis that would have assured the payment of the company's creditors, and stockholders. The Lelands ask that stock of the new Lincoln Motors company, now operated by the Ford interests, be decreed held in trust for the plaintiff stockholders.

The bill charges that after the new company had been established and met with "extraordinary success," with the Lelands in charge of operations, the Fords "took the same from the direction and control of the Lelands" and have since directed it and controlled it themselves.

"They came into possession of a going concern, the fair value of which was upward of $25,000,000," the complaint alleges.

The Lelands accuse Henry Ford of having "permitted it to be announced in various newspapers and magazines that he had voluntarily and as a matter of generosity paid the creditors in full." The plaintiffs state that filing of the suit was deferred because they believed it was the intention of the Fords to pay the stockholders as agreed, and upon so doing, again to pretend "that said payment was an act of beneficence and generosity, and not pursuant to their agreement."

NEW INCORPORATIONS

The Log Barking Machine company, with headquarters in Portland and capital stock of $10,000, has been incorporated by L. Manning, S. B. Laurence and C. O. Gustafson.

Other articles filed in the state corporation department here follow:

Rotary Cut Box and Veneer company, Gresham, $7500; Robert F. Maguire, P. T. McLeary and W. B. Case.

West Side Realty company, Portland, $1000; George L. Buland, Andrew Koerner and Herbert L. Swett.

Keasey, Humason & Campbell, Portland, $300; D. E. Keasey, Dale Campbell and Irvan Humason.

The Modoc company, Portland, $5000; L. H. Bowlby, John K. Kollock and A. K. Laing.

Lang, Jones & company, Portland; notice of dissolution.

Gridiron Game Dangerous; Spectator's Ribs Broken

OREGON NORMAL SCHOOL, Monmouth, Nov. 15.—(Special)—Bertha T. Hall, instructor in the commercial department at the Monmouth Normal school, is out of school this week due to an injury received at the football game Saturday between the Normal and Albany college. When leaving the grandstand during a heavy shower Mrs. Hall slipped and broke several ribs.

ASSOCIATION DINES

MORE THAN 80 PRESENT AT "GET ACQUAINTED" EVENT

OREGON NORMAL SCHOOL, Monmouth, Nov. 15.—(Special)—The Monmouth Parent-Teacher association held a "get acquainted" supper in the cafeteria rooms of the training school Monday evening with more than 80 seated at the tables. Mrs. F.E. Chambers presided during the evening. At the close of the supper Mrs. Chambers introduced the seven critic teachers to the guests and parents.

The speaker of the evening was Thomas H. Gentle, director of training schools, who in his inimitable manner, pictured the old time mode of teaching to the method now employed by the most modern schools. He stressed the help parents could and should give the school and their children through a closer cooperation with the school officers and teachers, and urged the parents to form the habit of visiting school at frequent intervals.

After a short inspection of the building and classrooms the visitors gathered in the assembly where Mildred Scott played a violin solo, "The Old Refrain." Miss Scott was accompanied by Irma Arnold. Robert T. Hall then sang "Neopolitan Nights" with Mrs. Dietrich accompanying at the piano.

The Parent-Teacher association is becoming a strong organization in Monmouth and this year's enrollment of members is the largest in the history of the city.

COOLIDGE QUALIFIES FARM AID PROMISE

Announces He Will Resist Any Attempt At Downward Tariff Fixing

WASHINGTON, Nov. 15.—(AP)—Although he intends to deal with the farm relief question with an open mind, President Coolidge is prepared to resist any attempts to adjust agricultural difficulties by a downward revision of certain tariff duties.

He feels, it was disclosed at the White House today, that agriculture will prosper most, along with the country in general, under protection of the tariff and his views are expected to receive support from administration leaders in congress.

In letting it be known that tariff revision as favored for agriculture by a business men's commission headed by Charles Nagel, former assistant secretary of the commerce department, did not meet the president's favor, it was said that Mr. Coolidge nevertheless expected to find some helpful facts in the commission's report. That part which recommended an examination of railroad rates so as to provide cheaper transportation for farm products, was said to interest the president but it was pointed out that Mr. Coolidge already had approved a resolution which had this end in view.

The disfavor which the tariff recommendations of the Nagel report appeared to have been incurred at the White House already had been manifested among republican senators at the capitol. Senator McNary, of Oregon, coauthor of the vetoed McNary-Haugen bill, has declared that he did not believe that a revision of the tariff would help the farmer much and Chairman Smoot of the senate finance committee which has jurisdiction over tariff legislation has let it be known that he will vigorously oppose any efforts to "tinker" with the tariff structure.

AYERS PARENTS OF BOY

OREGON NORMAL SCHOOL, Monmouth, Nov. 15.—(Special)—Mr. and Mrs. Jeff Ayers of Monmouth are the proud parents of a baby boy born on Saturday the 12. This is the third child in the Ayers' family, the first two being girls.