

# The Oregon Statesman

"No Favor Sways Us; No Fear Shall Awe"  
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## Multnomah Juries

**T**HE veto of the Multnomah county jury bill by Governor Martin is fully justified by the plain language of the constitution which commands the selection for jury service of "the most competent of the permanent residents" of the county. The bill passed in the recent session ignored the requirements of the constitution, making the choice one of lot from registration rolls. As was brought out in the debate on the floor of the senate many names on the registration rolls in Multnomah county were of people huddled in for registration in advance of the closing of the books for a hot election, persons of little permanency, registering from flophouses, and in some cases from places where no houses existed. The rumpus kicked up in Portland was done chiefly by the damage case lawyers, who want weak juries so they can obtain from them big damage verdicts. These lawyers were not interested in getting fair juries, but in getting verdicts. They know they can do better with a jury of "floaters" than they can with a jury of men and women who have lived in the county long enough to acquire a little property and own a home.

The issue was complicated some because during the depression there were people who wanted to serve on juries for the \$3 a day they obtained, and if they didn't get on the jury list were apt to raise a row. All of these groups started the story of "silk stocking" juries in Portland, and stirred up the grange and labor unions with claims that the juries were hand-picked and soaked in class bias. The ambulance chaser lawyers are using the unions and the grange for a front so they can fill the jury box with, not the "most competent of the permanent residents of the county," but the least competent who will be swayed by their emotional oratory and appeals to passion and prejudice.

There may have been some failure on the part of the jury commissioner in preparing the jury panels. Two panels were thrown out by the circuit court. But the trouble is not in the present law but in the administration of it. Improve the application of the law; don't debase the jury panel by getting the weakest members of society to sit as jurors.

In times past possession of property and paying taxes was regarded as a sign of civic virtue. Now a man who owns property and pay taxes on it seems to be regarded as a scoundrel of some sort. The older idea was sound. What we need now is more people owning their homes and farms, not fewer; more people who are taxpayers, not fewer; more people with a sense of social obligation and responsibility and fewer people hitch-hiking through life, living off the government or their fellows, the gimme crowd, the floater voters, many of them so unintelligent that when they serve as jurors can't even tell who is the plaintiff and who is the defendant.

The political sentimentalists who fell for the jury bill in the legislature were either playing for votes themselves or else badly informed on the language of the present law. Gov. Martin has performed a good service for the state and for Multnomah county in standing firm against raids on the jury system promoted by the jury-pleading lawyers who are more concerned with fifty-fifty splits on big verdicts than they are in serving the ends of justice.

## Church Unity

**A**T Bandon one community church building is to be erected. Provision will be made for the observance of special sacraments of the Episcopal, Baptist and Christian churches. Just how the church is to be administered we do not know, but apparently the various church boards have agreed on some form of unified effort at Bandon to save the cost and the friction of denominational competition when expressed in separate church organizations.

A similar attempt at unity was proposed for the flood district of the Ohio valley. It was urged that the denominations make surveys and agree for restoration not of all church properties, but of a number adequate for present day needs. However, at last reports no progress is being made. The church boards are collecting contributions to be used in rehabilitating their own properties without regard to local needs. Sectarianism will triumph again over Christian unity.

A new recruit for church unity is John D. Rockefeller. In a strong statement he has urged sects to get together lest they fail utterly in accomplishing their mission. In urging at Tarrytown, N. Y., that the eleven Protestant churches join to form a cooperative church center, Mr. Rockefeller said:

"As we face the future of the Christian church there is one fact that is inescapable. If the church as an institution is to continue, it must be a church which your children and mine and other young people are interested in, believe to be vital in their lives and are willing to support with service and money."

"Any other church, however dearly you and I may have loved it, however far back in the past its foundations were laid, will ultimately disappear when we pass off the scene of life. And so, finally, the whole matter comes down to just this. Is our love for God and our belief in the Christian way of living so strong that we are willing to adopt whatever modern methods may be necessary to build up here a co-operative church center, which the young people of today will eagerly support and carry on? Or shall we let our personal preferences and feelings lead us to adhere to the church of the past, even if in so doing we know that it will die with us?"

The difficulty in obtaining church unity is now not so much a controversy over creed as it is division on caste lines. The poor feel out of place in a church where the majority are well dressed. Some prefer stirring emotional experiences to appeals to intelligent thinking. So when there is unity disaffected groups fall away and soon it is found that new sects have sprung up, defeating anew the ideal of church unity. In Salem for example, a city of about 30,000 people, it is hard to count all the church organizations which exist here. It will be interesting to observe how well the Bandon experiment succeeds.

## Green vs. Lewis

**B**ILL Green is continuing his fight against John L. Lewis, but his chances of victory are slight. Green missed his opportunity when he refused to encourage the growth of vertical unions. The heads of the craft unions wanted to hold their jobs and run the show. They represented the skilled trades who didn't like the idea of blanket unions with the probable result of leveling of wages to the loss of the skilled workers. Mass production industries however do not lend themselves to craft unions. Only limited skills are required in many lines of manufacture because the work is done by machinery. The idea of vertical unions is therefore logical.

In mass industries with many branch factories mass action is required to obtain results for labor. Lewis realizes this; Green evidently doesn't. Green is colorless, Lewis is dramatic and dynamic. Green follows traditional methods, Lewis is original and aggressive. In declaring war on CIO Green may merely be digging the grave of the old AF of L.

## Bits for Breakfast

By R. J. HENDRICKS

Where women asserted and made record of their rights of property in early days:

No. 2 in a mimeographed series of brief manuscripts, records and studies by the W. P. A. county and local historical records survey of Oregon reaches this desk by favor of E. J. Griffith, Portland, state administrator of Oregon Works Progress Administration, for which thanks. The first paragraph reads:

"These lists, with their quaint but vivid descriptions, particularly of cattle, were taken directly from 'record of married women's separate property in the county of Baker, state of Oregon,' while what is now the ghost town of Auburn was still the county seat. The little record book, much of it in the handwriting of Samuel A. Clarke, the first county clerk of Baker county and later, well known historian and poet, is preserved in the basement vaults of the Baker county court house."

Reading on: "Such a separate inventory of women's property has not been found in any other court house in Oregon. It is interesting as showing that in the early 60's, at least in the freer environment of a gold mining region, women had considerable rights of their own. The nature of the property, not at all predominantly of household goods and other feminine possessions, is also interesting. Mining claims, store buildings, horses and oxen are described with minute exactness, recreating in vivid detail these long vanished ghosts of possessions."

A sample of the records is that of Mrs. Caroline Ziegelmiller, declaring that, free from any claim, past, present or future of her husband, Joseph Ziegelmiller, she owns lot 3 in block 12, town of Auburn, also goods and chattels, money and merchandise. It was tested by Sam'l A. Clarke, county clerk, on November 26, 1862.

Another sample is one of Abbie M. Eyre, who claims, free from any obligations against her husband, Thomas M. Eyre, lot 5, block 11, Auburn. S. A. Clarke, county clerk, is a witness, together with Zowie Kennedy, and Zowie cannot write, so she signs with a mark. Or was Zowie a man? Came then, Elizabeth S. Lynch, claiming as her own and free from any demand of or against her husband lot 3 in block 12, town of Auburn, also personal property consisting of 15 cows and 16 work oxen. (The number of the latter would be an even number), described thus:

"One yoke of red steers, one dark brindle point of left horn off, one light speckled steer, one yoke of Mexican cattle, one a dark brown the other a black and white pided. One yoke, one a red sided white back and short tail, the other a red spotted roan steer. One yoke of small red cattle, one white back and small white in face; one yoke of spotted brindle and roan steers, one yoke of red and roan pided steers, one yoke of red white speckled steers, one yoke of red cow, white mottled face small horn, one horn broken; and dark red cow, small horns; one speckled roan muley cow; one red roan small white cow; one red cow, small white face; one red and white pided cow; one dark roan spotted cow; one white cow, ends of horns sawed off, one small red cow, one horn slightly droop; one small red cow, all of which is branded on the horns with the letter (S)—I propose to use in the business of teaming and the dairy business and all the proceeds thereof I do claim as my own. I propose to use in the business of teaming and the dairy business and all the proceeds thereof I do claim as my own. I propose to use in the business of teaming and the dairy business and all the proceeds thereof I do claim as my own."

Given under my hand this 25th day of December, A. D., 1862. "Elizabeth S. Lynch."

Theresa M. Bassett "of the town of La Grand, Baker county, Oregon," on Dec. 29, 1862, made the same record about her husband, C. H. Bassett, as to a span of light grey horses, a two horse wagon and a set of harness, valued at about \$325. The record will note that La Grande (proper spelling) was then in Baker county; now Union.

Eliza L. Leavy, wife of James Leavy, also of La Grand, made the same record, as to real estate, stove, cooking utensils, furniture, gold watch, and "one double barreled London shotgun No. 10."

S. A. Clarke, "first clerk of Baker county," was later more than "a well known historian and poet."

Editor of the Portland Statesman, owner and editor of The Statesman, author of books, railroad promoter, pioneer in the Oregon prune industry, correspondent of New York newspapers during the Modoc war and at other times, contributor to leading magazines of this country, and in many other ways was prominent in the early history of this state and section.

## 90th Birthday Occasion For Party in Honor of Mrs. Dresher, Monitor

**MONITOR, March 12.**—Mrs. John Dresher was the guest of honor at a surprise party at her home Thursday afternoon in honor of her 90th birthday anniversary. The afternoon was spent in visiting, with a luncheon served late in the afternoon by her daughters, Mrs. Bradley of Spokane and Mrs. Edmond.

## Getting Madder by the Minute



## "LUXURY MODEL" by MAY CHRISTIE

### CHAPTER XL

Two weeks later, Mrs. Vandaveer and Jimmy returned from Europe. He had not known that the determined lady would be aboard.

She had embarrassed him in Paris by pursuing him, making it perfectly evident that she was ready for anything, including an affaire de coeur with him, but because of his platonic attitude and his absorption in his work, she had made little headway, and been much annoyed thereby.

During the voyage he had secluded himself a good deal in his cabin, working at his big drawing board. The plans for the competition in connection with the Exposition were complete. His building designs were splendid. But he had told her that it would be unlucky to let anyone see them. That had also annoyed her.

When the ship got to Quarantine, the New York papers came aboard. Immediately Mrs. Vandaveer turned to the gossip columns. In a tabloid, among others she found the following items under the intriguing heading of "DO YOU KNOW . . . ?"

THAT the fair Luana has a rich, mysterious, Angel from Park avenue, whom she is entertaining in her new and beautiful penthouse, and that said Angel is much interested in "The Arts," including "The Silent Songs" . . . ?

THAT many people in Society and out of it are wondering how much fur will fly when his wife, a well-known social leader, returns from abroad. . . ?

With a peculiar smile upon her face, she took this straight to Jimmy Randolph.

The ship was due to dock at ten o'clock that morning but, because of fog down the channel, there was a delay of four hours. Luana waited on the dock till eleven-thirty. Getting no satisfaction from officials, she went back to the shop, for she was indifferently busy because of the approaching opening.

She had painted her front door a bright red, and on either side of it was set a tub of gay rhododendrons. They seemed to smile at him cheekily as he stood there, an insistent finger pointing by the door. The sound of his ring echoed through the little penthouse.

A maid who looked like the subtitle out of a musical comedy answered his summons. "Madame is engaged. I cannot interrupt her. She is busy."

The maid was only one of the little midnights from the shop below, but she fancied herself of great importance in the frilly 60-cent apron of white organdie she wore over her black satin working garb.

But, to Jimmy's mind, worked into suspicion by Yvonne and Jimmy's own feeling that there was something of the exotic background, part of Luana's setting . . .

Jimmy said grimly: "I will wait."

It was a blazing August afternoon. The little maid thought he was very good-looking, and looked out of his head as he glimpsed Mr. Joel Vandaveer through a window giving on a short indoor corridor.

Mr. Vandaveer was leaving, but his lawyer, but Jimmy had only taken one angry look, and did not see the latter. . . he only saw the "Angel" of the scurriously gossip item.

Inquired, Luana had called him a worm, and a rat, and had insulted him badly. Yvonne did right to get even with her.

"I told him plenty, Armand. I showed him the newspaper clipping I got back from Meester Quackenbush. The one that saw Luana with the pre-soner! There is said in the paper this where is said, 'Meester and Mrs. Ger-aud Br-ruton,' and then that he got ten years' stretch for swindling the public!"

"Attarigi," said Armand, for he had learned some American slang. "And then . . ."

"I tell him where she leev now. Maybe he catch her with her new admirer? You saw him in the paper this mor-neung about her marriage?"

That was Meester Vandaveer who-fee-nance in her new shop. And ees Meester Quackenbush few-ree-ous! Oh boy!"

(Mr. Quackenbush was indeed angry that he had let Luana go! Yvonne did not yet know it; but the axe was hanging over her own head, for her officious interfering about Luana, and short-sets she would be fired from the shop.)

"Anything else you have told him, Yvonne?"

"I tell him she make passes for you, and so we have par-tot. And I tell him also about 'An'ome Carow. That he pay her beella in the hospital! That he stay with her at the shore club. That now she has even a reecher 'Angel.' Then I geov him her new address and he go there!"

Jimmy taxed from the House of Quackenbush to 66A on East 56th street. He did not go in by the shop. He went in by the side entrance, to the elevator, pressed the button and shot up to the roof.

Luana had tended to the little garden. It bloomed with tubs of roses and boxes of gay geraniums and rock-plants. The penthouse looked luxurious in the setting. Quite a little love-nest, in fact.

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Two minutes later, he was in the studio-living-room. "And who is paying for all this, may I ask?"

It was a new, a sarcastic Jimmy who regarded her quizzically. Luana flushed hot with indignation. "These are my business premises. What do you mean?"

"Exactly what I'm saying." Her beauty seemed a further accusation, somehow. Could a girl be so lovely-looking as Luana, and be straight, in this city of wolves and jackals?

"Jimmy, I'm working like sin for my opening. This is the big opportunity of my life."

Working like sin?

"What an extraordinary expression! Symbolic, wasn't it? But it was part and parcel of her deception."

Yvonne's revelations had been terrible. To think they had been friends—more than friends—and Luana had hidden her marriage from him!

"Look here, Luana, what explanation have you to make? I know everything. I saw Yvonne Dautry and she showed me the clipping about your marriage. What about going into that, for a beginning?"

"Jimmy, I know it must seem extraordinary to you, and I was a fool and a coward not to have told you. I was married, but I was annulled by my stepfather. I never lived with him. You understand? He—he had a wife already."

"So? Nice fellow! Smart fellow! That was the kind of a person you were going around with!"

"I was only fresh out of college, Jimmy," she said pleadingly. "What did I know of the world?"

"What you didn't know then, you've made up for now—or so it would seem." His glance went around the pretty penthouse with its luxurious carpet, then to the gleaming lovely Luana.

"I've got to get ahead. I love working. Why?" growing resentful at his penetrating look—"It was you yourself who encouraged me in making designs for dresses. Why shouldn't I have a place of my own? It was made hateful for me by Quackenbush's, and the salary was awfully poor. Now I have my chance, and you—why, you're jealous!"

It was an unfortunate remark, coming on top of the tabloid scandal item.

"It seems I can't keep up with the competition. Again may I ask, who is paying for all this?"

"I can't tell you. It's a private arrangement."

"Not so private as you think. You can't get away with things in this town, Luana. Did you see the morning paper? It was most enlightening."

She stared white-faced at him. "I didn't see any morning paper. I've been much too busy."

"So? Everyone else has read them. Mrs. Vandaveer on the boat this morning."

"Ah! That accounts for the way you're behaving to me! SHE was travelling with you!" breathed Luana.

As proud as Jimmy, she could be equally resentful and antagonistic.

"You decline to tell me who has established you?" he asked stiffly.

It was a vital clause in her contract that she must tell no one about Mr. Vandaveer's partnership with her. She must abide by it. So she declared: "It's not in my power," adding coldly, "You have no right to ask."

He bowed, formally. "Apparently not since you have made new and more lucrative arrangements in my absence. Don't let me stand in your way. You can

## Interpreting the News

By MARK SULLIVAN

By MARK SULLIVAN  
WASHINGTON, March 10.—Mr. Roosevelt, in his radio address about his court proposal Tuesday night said: "I believe that it can be passed at this session of the congress."

That can be interpreted as an expression of intention on the president's part to keep the question before the congress until decision is reached. In this there is nothing new. Mark Sullivan, Mr. Roosevelt has said the same in private conversations. It is a natural thing for him to do.

If, now, opponents of the court should determine upon a strategy of averting decision in this session, there would be some justification for such a course. By averting decision in the present session the question would be thrown into the congressional campaign of next year, and would of course be the principal question. That would make next year's congressional election what President Woodrow Wilson said the election of 1920 should be with respect to the League of Nations, "a great and solemn referendum." Those congressional opponents of the president's court proposal who have most interest in throwing the question into next year's congressional election, are the democrats. They would then be able to go before the democratic voters and say that the question was kept open through next year, might conceivably result, as the expression of popular opinion in democratic primaries, that opposition to the court proposal is the democratic position. Especially might this result in the south, where there is much democratic hostility to the court proposal, even though it is accompanied by popularity for the president personally.

If, however, the question is settled in this session of congress, a different situation would arise. If it is settled by the president winning, then those democrats in congress who voted against his court proposal would be quite surely labeled as pro-democrats. The democrats who are opposing the president's court proposal in congress are in the classic position of those who resist authority. If they win, it is a successful revolution. If they are heroes, if they lose, they are rebels, and likely to be beheaded.

The democrats in congress who oppose the measure, unless they are confident the measure will be defeated now, have every reason for preferring to see it held up.

## Ten Years Ago

March 13, 1927  
Eugene won 1927 state basketball championship, two Salem players, Duffey and Drager on all state team.

Major Thomas Rilea has been promoted to lieutenant colonel with assignment as adjutant general of 1st division.

Lois Birdwell, 9th grade student at McKinley has received national notice as an artist by the use of her drawing for a reduction bulletin.

## Twenty Years Ago

March 13, 1917  
Organized labor in America though its representatives in conference offered no services to the country in case United States drawn into war.

Dean George H. Alden of Willamette university read a paper on the "Pilgrimage of the Pilgrims" fathers at U. M. C. A. meeting.

Raymond Robbins gave opening address before Willamette university students and outlined the changes that are taking place in society.

count the "out."  
One week later, Luana's dress-shop had its opening, and the richest women in New York piled in.

The gowns were voted lovely. Much more so than the beautiful and becoming to the American can figure than anything that had been seen in the town for a long time!

Behind banks of flowers in the salon, an orchestra played all the afternoon. Lovely models paraded, and there were champagne cocktails, and cigarettes and an endless variety of patisserie and little sandwiches, for Mrs. Vandaveer had given the catering carte blanche, so that the opening was as lavish in refreshment as anything that took place among the couturiers abroad.

Twenty-two gowns were ordered at the opening, at prices ranging from \$150 to \$225.

Many of the Quackenbush clientele were there, expressing themselves as much more intrigued with Luana's style than with those originating from the maison on Fifth avenue!

"Rouge is sweet," whispered one rich woman who knew in a roundabout way how wrongfully Luana had been accused.

"I'm not thinking of revenge. I'm only thinking about business," said Luana.

Which was an exaggeration. For her mind worked painfully on Jimmy Randolph and his non-appearance at her opening.

A note had come from him at the last minute—a curt little message that could be read in two ways . . .

"Congratulations on achieving your ambition."  
Somehow, her triumph was but dust and ashes now . . . (To Be Continued)

In this session, and thrown into next year's congressional election. What is the chance of decision being deferred throughout this session?

Normally, without any practice of deliberate dilatory tactics, the final vote on the measure might not come for months. The first turning of the legislative wheel, the holding of hearings before the senate committee in charge of the measure, began this week. The hearings may be long. Many persons from all parts of the country, on both sides, will want to be heard. The disposition of the committee is likely to be to give generous time. The committee would do this naturally, because of the importance of the measure and the widespread intensity of interest in it. Besides, the committee does not have any bias in favor of the bill which would lead them dreadfully to curtail the hearings. It is doubtful if a majority of the committee favors the bill. It is doubtful if a majority of the democratic members of the committee in their hearts favor the bill. The chairman of the committee, Senator Ashurst of Arizona, long before the measure was brought forward by the president, described the very idea of enlarging the court as "ridiculous, absurd." Only after the president sent the measure to congress did Senator Ashurst accept it, and most observers assume that his accepting it is a matter of party loyalty, not one of inner conviction.

The hearings should be long, and, subsequent to the hearings, the debate in the senate should be long.

After the senate debate has gone on a certain length of time, there will arise the possibility that the democratic leaders of the senate will say that the measure has been enough, and try to bring about a vote. The only way to force a vote, when there is opposition to a measure of the sort that is at issue here, is by cloture. To bring about cloture, the democratic leaders must propose that a vote be taken on a fixed future date. On the question of thus adopting cloture there will be a roll call. The rule of the senate is that cloture cannot be adopted except by a two-thirds vote. There is, 64 of the 96 senators must vote that the debate has been sufficient and that a roll call should be held on a fixed future date. In other words, if 33 senators resist cloture, cloture cannot be had.

Everybody agrees that much more than 33 senators are opposed to the court proposal. Some believe, indeed, that a majority of the senate opposes it, certainly in their hearts. In any event, any fair estimate would say that considerably more than 33 senators are so thoroughly opposed to the measure that they would vote against cloture. Besides, there are senators who expect ultimately to vote for the court proposal but are on principle opposed to cloture on any measure at any time. A senator who because of his circumstances feels obliged to vote for the president's proposal, but who in his heart opposes it, can find an "out" for himself, and some surmise for his conscience, by resisting cloture, while going along with his intention to vote for the proposal when the final roll call comes. In sum, it seems probable that cloture may be prevented.

If cloture is prevented, the matter then becomes one of staying power in debate. Assuming—though it is not a safe assumption—that a majority of the senate would vote in favor of the bill—the question then becomes the question of how long the minority opposed to the bill will prolong debate. This brings us to the possibility of filibuster. In this session of congress filibuster, while not at all impossible, would involve long strain. For the present congress has been in session since January. Nevertheless, granted that there are more than 33 senators who will oppose cloture, it would not take more than 15 or 20 earnest senators to maintain continuous debate.

Filibuster, under many conditions, has an accepted respectability. It has been practiced by democrats and republicans. Especially has it been practiced by irregular minorities who were deeply moved. One of the longest single filibustering speeches ever made was by the late Senator La Follette Sr. on one occasion. He talked continuously for 13½ hours. A very small number of senators as deeply moved as Senator La Follette Sr. was on that occasion, should by taking turns keep the senate in session indefinitely. (New York Herald-Tribune Syn.)

## Kingston Resident Called to Beyond

**STAYTON, March 12.**—Funeral services for Frances Mallesie Nicolson Kelly, 77, resident of the Kingston district for many years, who died Thursday morning after a lingering illness, are being delayed pending the recovery of a son, Arthur of Turin, who has been seriously ill. They will be announced from the W. A. Weddle and Son, funeral directors.

Mrs. Kelly was born in Indiana September 21, 1859, and taught school in both Indiana and Nebraska before removing to Oregon. She taught school for several years both at Mill City and at Mt. Pleasant.

December 29, 1891 she married Arthur Kelly at Albany. She is survived by three sons, Roy Kelly, who lives on the home place in Lin county; Ralph of Stayton, and Arthur of Turin; eight grandchildren; a sister, Mrs. Alice Titus of Centralia, Wash., and one brother, William Nicolson of Salem.

## Teacher Sprains Ankle

**TALBOT, March 13.**—Miss Kreta Calavan, teacher of the Talbot school, while playing on the school grounds Wednesday, fell and sprained her ankle badly.