

'Robbers' Is Epithet For 'Phone Men

Rate Rise Discussion Hot at Meeting of Council; Will Probe Recall Proposal

"Robber" was the appellation applied to the Pacific Telephone & Telegraph company, and "the corporations' protective association" was the epithet used to designate the public service commission, during the warm discussion of the recent phone rate rise which took place during the regular meeting of the Salem city council last night.

The phone rate rise matter was brought to the foreground by the reading of a letter from the city recorder of Roseburg, in which it was said that the Roseburg council favors the recall of the public service commission. As City Recorder Earl Race came to the "yours truly," in the letter, Salem aldermen lighted their rockets and the bombardment began.

"Take Out Phones." "I move," announced Councilman Marcus, "that the letter be laid on the table." The words were not out until H. H. Vanderport was on his feet.

"I don't think so," he declared. "It may be that we have to be robbed, but let's put up some fight anyway. Let's take some action."

Mayor Halvorsen offered some advice. "The best thing is to take out the phones," he suggested. "Somebody expressed himself as favoring the recall of the commission, which brought a declaration from Alderman F. L. Utter. "I don't believe in all this talk about recall," he said. "If you're going to take some action, all right, but I don't favor this howl about recall as soon as the commission renders a decision. It doesn't go."

"Loop" Is Considered. Eventually a committee was appointed to inquire into the feasibility of endorsing the recall movement.

Following the formal presentation of the plan for a proposed loop-system for the Salem street railway, which was offered by C. W. Niemeyer, representing the local realty men, the council voted to have a committee appointed to investigate the proposal. It was made plain to Mr. Niemeyer that the aldermen will be back of any proposition which they believe to be for the benefit of the city. Mr. Niemeyer contended that much better service would be rendered the residents of all parts of the city by the proposed system.

A proposal to hold "clean-up" week here in the near future met with the unanimous approval of the aldermen. Details will be worked out later.

Chief Is Criticized. Unauthorized purchases for the police department by Chief of Police Moffitt caused a stir in the council chamber. Following an argument, during which Councilmen Giesy and Baumgartner declared themselves opposed to allowing some of the bills, it was agreed to pass favorably on those presented. The city attorney was instructed to notify the chief, however, that in the future requisitions must be secured before anything is bought.

City Recorder Earl Race was instructed to call for bids on some equipment needed by the street department.

Poles Rejoice Over Returns Of Plebiscite

Warsaw, Mar. 21.—Optimistic news from the plebiscite districts in Upper Silesia tonight was received by cheering thousands gathered in an open air meeting here. The celebrators improvised an altar at which prayers were offered for the territory they believed had been regained for Poland after a separation of more than 600 years.

The meeting was called by enthusiasts among the population, notwithstanding the fact that the late editions of the newspapers showed the returns upon which the rejoicing was based were unofficial and incomplete.

Returns from Sunday's plebiscite in Upper Silesia, received Monday from German sources, indicated a vote for the whole territory on a scale of about 3 to 2 in favor of Germany. These figures were borne out in large measure by returns through London Monday night.

Assessors at Work. Aurora, Or., Mar. 22.—L. I. Snyder will be the deputy assessor this year and is now engaged at his duties as such in the Aurora district. He expects to complete the work in six weeks. Mr. Snyder says there will be an arbitrary increase in the assessed valuations. H. W. Hall is the deputy assessor in the Woodburn district and F. M. Lick will assess in the Brooks district.

Along with other progressive cities of the northwest, Astoria is to have a police matron as a part of the personnel of its police department. The salary is \$125 a month.

Ball Players Prepare for Busy Season



With the baseball season fastly approaching, thousands of fans feel the old fever about to overtake them. The photograph shows regulars and rookies of the New York Giants tossing the medicine ball at their training camp in San Antonio, Texas.

Boy, 10, Is Nearly Carried Away by Bird of Huge Size

Billings, Mont., Mar. 22.—Arie Melatte, ten-year-old boy living on a ranch in the Upper Yellowstone valley, is alive today after a narrow escape from an "aviator's" death. Melatte, ambitious to earn bounteous money for the pelts of coyotes, set two traps in a runway frequented by the varmints. Victim: his traps the lad found two monster eagles that inhabit the mountainous sections near where the cabin of the lad's father is located. While endeavoring to tie one of the eagles, after having liberated it from the trap, the bird spread its great wings for flight and rose in the air with the frightened lad clinging to the rope that he had led around the eagle's legs. The boy released his hold and the eagle tumbled into a ravine. He was shaken up badly but suffered no serious injury.

Countess Will Buy Birthplace On Long Island



The Countess Raben, of Denmark, wife of the former Danish foreign minister, who recently arrived in the United States for the purpose of purchasing her birthplace in East Hampton, L. I., N.Y. Her daughter, Mrs. Lithgow Osborne, is known internationally as a sculptress.

Rock Crushing Plant Location Is Decided Upon

The location of the new rock crushing plant on the Santiam river, just above the bridge at Stayton, has been fully decided upon according to County Commissioner J. T. Hunt, who with Roadmaster Culver returned from a trip around Aumaville, West Stayton and Stayton today. The county has obtained a five-year lease on the property to be used for the site.

Hotel at Mt. Angel To Close on April 1

Mt. Angel, Or., Mar. 22.—The Marion hotel in this city will go out of business April 1, according to a statement made yesterday by Mr. Deegan, the manager. Mr. Deegan came here from Portland last fall and opened the hotel after it had been closed for nearly two years. He has conducted a first class house, but states that there is not business enough in Mt. Angel to warrant the success of an enterprise of this kind. Mr. Deegan expects to move to Bend, Or., where he was formerly engaged in the newspaper business.

Silverton Mill Closed

Silverton, Or., Mar. 22.—The Silverton Lumber company's mill, which has been running part time most of the winter, shut down Saturday night for an indefinite period, and it is stated that elaborate improvements will be made before operations are resumed. How long the mill will be closed is not known. The Silver Falls Timber company mill is running full time.

Organization of Fish and Game Club Starts

Silverton, Or., Mar. 22.—Citizens of Silverton and Mt. Angel are making an effort to organize a fish and game club. A petition is in circulation this week to secure membership and it is said that more than 100 people have already expressed a willingness to join the club. The plan is to get a fish hatchery established on the Abiqua river east of this city.

Terms of Mandates Announced

Provisions Ruling Administrations of Pacific Islands Are Given Out

London, Mar. 22.—The league of nations today issued the text of the mandates for the administration of Samoa by New Zealand, of Hauru or Pleasant Island, in the Pacific a short distance south of the equator, by Great Britain; of German Southwest Africa by the Union of South Africa, and of the former German possessions in the Pacific south of the equator, other than Samoa and Nauru, by Australia, in accordance with the laws of these mandatories.

The terms provide for promotion of the material and moral well being of the inhabitants of the territories, prohibition of slave trading and prohibition of forced labor except for essential public works, for which adequate remuneration is to be paid.

Traffic in arms and ammunition is to be controlled. The supply of intoxicating spirits and beverages to natives is prohibited.

Military training of natives is prohibited except for police and local defense. No military or naval bases shall be established or fortifications erected. Free exercise of all forms of worship shall be allowed and missionaries and nations of states, members of the league of nations shall be permitted to travel and reside in the territories and follow their callings.

Concrete Walk Freshman Gift To University

Following the chapel exercises yesterday, Albert Geyer, president of the freshman class, presented the concrete walks leading to the entrances of Waller hall as the gift of the freshman class to the board of trustees, which was accepted by Dr. E. L. Steeves, president of the board of trustees. The custom of making gifts to the university during the freshman year was established by the class of 1921 when they presented a concrete walk to the university for years ago.

The presentation program was held in front of Waller hall before the entire student body. In accepting the gift, Dr. Steeves commended the class for the "concrete" manifestation of their love for the "old school." Dr. C. G. Doney also spoke yesterday morning, stressing generosity and charitableness of spirit as being worthy of cultivation. Mabel Davies sprinkled flowers over the walk, instead of breaking a bottle of champagne.

Bus Kiss and Bus Hug To Be Popular in Detroit

(By International News Service.) Detroit, Mar. 22.—It's all right to spoon atop the Detroit motor buses, providing you don't disturb the other bus riders. Dr. James W. Inches, police commissioner, has issued this edict to all police officers, thus proving that he is broader than his name implies.

Guard Recruits 60

Albany, Mar. 22.—Sixty men, the required number to assure Albany a company in the Oregon National guard, have signed for service in the coast artillery company for which Sergeant Jirak has been obtaining enlistments during the last few days.

At the Graduating Exercises at the Monmouth Normal School

March 24, 17 students will receive state normal diplomas. The grape is native in southern Europe, Algeria, Morocco and western Asia.

Telegram Is Cause of Near Panic

Columbus, Ohio, Mar. 22.—A near panic here is attributed to a telegram operator at Wellington.

A patron of a local hotel received the following telegram:

"Will burn—hotel in Columbus tonight. BOCCO."

The telegram referred to the hotel where the patron was quartered.

Some guests changed hotels hurriedly, but officials of the ill-fated hostelry presented a calm demeanor as they tried to unravel the mystery.

Despite extended inquiry at Wellington and activity on the part of Columbus police the sender of the telegram eluded the officials.

It was late that night when he arrived at the hotel.

Bocco immediately located his friend, asking whether the patron had received Bocco's telegram.

Admitting he had, he asked Bocco for an explanation.

"Why," declared Bocco, "I wired: 'Will be at Hotel in Columbus tonight.'"

Protest in England Over Egret Plumage

London, Mar. 22.—"Every self-respecting woman," declared the bishop of Durham, speaking at a meeting at Sunderland to protest against the holding up of the Plumage bill, "ought to be heartily ashamed of appearing in public with her person garnished like a savage Indian with the scalps of his victims—with great plums and birds of paradise."

"I can hardly imagine a grosser paradox than that which will be presented in church this Easter of Christian women kneeling at the altar rail to receive the blessing with their heads carrying such trophies of callous cruelty."



Charles Chaplin in a scene from "THE KID" NOW SHOWING AT YE LIBERTY THEATRE

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President Summons Congress

Session Called For Noon, April 11; Legislative Program Is Formulated

Washington, March 22.—A proclamation convening congress in special session at noon April 11 "to receive such communication as may be made by the executive" was issued today by President Harding.

Program Settled

Washington, March 22.—With the decision by republican leaders to put through the Fordney emergency tariff bill, precisely as vetoed by President Wilson, immediately upon the convening of congress, the major legislative program for the extra session was believed today to be definitely settled.

Revising their previous position against the enactment of an emergency tariff, members of the house ways and means committee yesterday acceded to the request of President Harding for passage at once of a measure designed to afford protection to the farmers against foreign competition. Agreement to the program also was given by Senators Penrose, Smoot and McCumber, conferees from the senate finance committee. Senator Penrose stating that there would be limitation of debate if necessary to insure speedy passage of the bill through the senate. It probably will be rushed through the house under a special rule.

Permanent Tariff Up

With the emergency measure out of the way, the house, according to the final program agreed on, then will take up the anti-dumping bill, to be followed by permanent tariff revision. The actual work of framing the tariff bill will be begun by the ways and means committee at once. It is planned to speed up the program by having the senate finance committee consider revenue legislation while the house is at work on the tariff.

Credit Men Meet

Seattle, Wash., March 21.—J. H. Tregoe, Wichita, Kansas, secretary of the National Credit Men's association, and E. D. Ross and D. E. Galbraith, Portland, Ore., were to address the northwest conference of wholesale credit men which met here today. Credit associations in all sections of the northwest were represented by delegates.

The school of physical education of the University of Oregon has just published an eight-page illustrated folder describing the work and listing the 33 courses offered.

Judge Bingham's Decision Upheld

(Continued from Page One.) ket price and not subsequent contract prices ruled under the provisions of the rider, although the opinion admits that "the contract is ambiguous" and is "fairly and reasonably susceptible of the construction contended for" by both the plaintiff and the defendants.

Referring to the "rider" in the contracts Justice Harris in his opinion says: "Meaning in Doubt. 'The contract must be considered as a whole; and the rider must be considered in the light of the stipulation concerning the minimum of four cents. The rider is introduced by the word 'if.' This is a word of condition; so that the agreement to pay more than four cents is conditional. The plaintiff contends that the obligation to pay more than four cents is dependent upon two conditions, the contention being that the rider means that if the plaintiff has a buying price and if the plaintiff raises that buying price this contract will automatically conform with that price."

"We are unable to agree with the plaintiff in its contention that its construction is the one which must necessarily be placed upon the rider; nor can we agree with the plaintiff that its construction is the only one of which the rider is fairly and reasonably susceptible. Nor can we agree with the suggestion of the defendants that the language of the rider was deliberately chosen by the plaintiff's representatives with a trickish purpose. * * * *"

Trial Court Sustained.

"We think the contract is ambiguous and is fairly and reasonably susceptible of the construction contended for by the defendants and also, we may assume, fairly and reasonably susceptible of the construction contended for by the plaintiff. If the contract is construed standing alone and by itself the ambiguity must be resolved against the plaintiff, because the plaintiff concedes that it framed the rider and plainly on its face a rider was prepared for the benefit of the defendants. If the contract is viewed in the light of what preceded and accompanied as well as what followed its execution the ambiguity must likewise be resolved in favor of the defendants. The trial court resolved the issues of fact against the plaintiff. The evidence does not warrant us in disturbing the findings made by the trial judges. The plaintiff refused to perform the contracts, except as construed by it and this justified the trial court in decreeing a cancellation of the contracts."

The decree is affirmed." Chief Justice Burnett and Justice Benson and McBride concur with Justice Harris in the opinion. LaFollett Is Upheld. In two other opinions written by Justice Harris and involving controversies between the Salem King's Products company and J. W. LaFollette, a loganberry grower, the decree of Judge Bingham of the lower court is reversed. In one of these cases LaFollett refused to obey the injunction suit of the lower court and sold his berries to a third party. He was thereupon adjudged guilty of contempt and sentenced to pay a fine of \$100 assessed against LaFollett for contempt of court. Inasmuch as this injunction order was made without requiring plaintiff to file a bond, the court ruled that it was void and must be set aside. The other case involves a fine of \$100 assessed against LaFollett for contempt of court. In this case it is based upon the fact that an undertaking is indispensable when allowing a preliminary injunction. Failure to require such bond or undertaking is held, precluded the trial court for inflicting punishment.

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