

# ROCKWELL SUIT IS DELAYED BY JUROR-WITNESS

## Case Continued Until District Clerk Is Freed

### ANSWER NOT CHANGED

Plaintiff Loses On Motion And On Demurrer Seeking To Eliminate Athletic Phase—\$1620 Now at Issue

Because of the fact that one of the chief witnesses for the defense in the action brought against the Bend school district by Frank I. Rockwell was a member of the Weston murder jury, Circuit Judge Duffy Tuesday continued the case on the request of R. S. Hamilton, counsel for the defense. A demurrer to the answer, covering the same grounds as the motion to strike argued Monday and ruled on in favor of the defense this morning, was filed by the plaintiff, and overruled by the court.

The case as it now stands, involves \$1620, alleged due for salary. All damage considerations were eliminated through the court's ruling on a demurrer to the complaint.

**Denies Motion to Strike**

A motion by the plaintiff's attorney, W. P. Myers, seeking to strike out that part of the defendant's answer relating to Rockwell's employment as an athletic coach, was argued before Circuit Judge Duffy Monday afternoon, and Tuesday was denied by the court. Myers contended that a school district, as a quasi-municipal corporation, may perform only the acts specifically provided by statute, and that the statute does not provide for the hiring of coaches. R. S. Hamilton for the defense, argued that such a right is generally understood, and that if it were illegal, the majority of the schools of the state, including the state university and the agricultural college, would be in the position of law violators.

# FRIDAY FIGHTS TO DRAW MANY

## Boxers For Three Bouts of Smoker At Gym Already In Good Shape.

With the reserved seats practically sold out, managers of the smoker to be held here Friday night at the American Legion building are expecting a record attendance, they announced today. Duffy Knorr, who will meet Eddie Tracy in the semi-windup, was to arrive in Bend this afternoon. Mike DePinto, opponent of Allie Taylor in the 10 round main event, will not be here until Thursday.

Taylor has, as usual, been training faithfully, and can be expected to go at his usual flashy speed throughout the match. He outpointed De Pinto in their last match here, early in the winter; but DePinto, who might have been a trifle overconfident at that time, is not to be fooled in that manner again, and is counted upon to put up a stronger opposition than before.

Tracy has never been seen in action here, so that no predictions are possible as to the outcome of his match with Knorr—except that he is a good man if he gets the best of the tough Terrebonne boy.

Cleo Howards has improved in each of his matches since his first remarkable appearance here, and should show to advantage in his opening bout with "Toughy" Stillman.

# OPERETTA DRAWS GREAT APPLAUSE

Never has an amateur production staged in Bend been accorded such spontaneous applause as was given the second performance of "Windmills of Holland," Bend high school glee club's operetta, Saturday night. The attendance was as great as on the first night, and the performance in many ways was more nearly perfect and natural.

# TRACTOR HERE FOR FOREST ROAD WORK

The big Cleveland tractor which has been expected for some time past by Deschutes National forest officials, has arrived in Bend and was being unloaded Monday. The tractor is to be used in carrying out the forest's 1922 road program.

# East Lake Anglers Get All They Can Carry In An Hour and One-Half

Robert E. Hurligh and P. E. Williams caught all of the trout they could carry out, in an hour and a half Sunday at East lake, they reported on returning to Bend Monday. They lost their way going in, and had to walk 20 miles; but they walked back to their car by a route which showed the distance to be only 14 miles. They were the first party of fishermen to visit East lake this year. The lake is still frozen over, the men fishing through the ice.

# SAYS NORDEEN MISINFORMED

## Woman's League Head Denies Truth of Councilman's Statement.

"I don't know where Mr. Nordeen got his information, but he did not get it from a member of the Woman's Civic league," said Mrs. Carrie D. Manny, president of the league, in denying the statement of Councilman H. E. Nordeen that the league would endeavor to have one or more persons appointed to conduct the work of the Woman's Protective division, in case Dr. Anna Reis Finley was removed.

The league will oppose the abandonment of the protective division at the May election, Mrs. Manny stated as her opinion today; but it has not discussed the matter of demanding that the work be carried on, and would not, she felt sure, have opposed a temporary discontinuance of the department. The league might have been willing to let the matter go indefinitely, she stated.

"The league has tried to keep on good terms with the council," Mrs. Manny stated.

# ALLEGED BOOZE IS LOCATED IN SEARCH

## Pickle Jar In Ed Crane Home Contains Suspected Moonshine—Householder Mystified.

A quart pickle jar, partly filled with what is alleged to be moonshine liquor, was found in the home of Ed Crane, 419 Broadway, Monday night, when Chief of Police Willard Houston entered the house with a search warrant. No arrest was made at the time as the contents of the jar had not been tested.

Crane expressed great surprise, Houston said, at learning that there was liquor in the house. He could not understand who could have placed the jar on his kitchen table.

# NO TRACK MEET FOR SATURDAY, DECIDED

Because of a conflict with the Bend-Madras high school baseball game, the practice track meet which was planned to be held here between Bend and Redmond Saturday will not take place, announced Miss Harriett Umbaugh, Bend high school principal this morning. Superintendent Paul Irvine had suggested that such a meet be held following the grade declamatory contest, which is to be Saturday morning in the Bend high school auditorium.

# BASEBALL MEETING TO BE NEXT SUNDAY

For the reason that R. B. Slate, one of the moving spirits in the organization of the proposed Bend baseball team, was on one of the hung juries which are becoming so popular in this city, and E. H. Kennedy was also busy Monday, the announced baseball meeting did not take place. The election of a captain and manager for the team will be held following next Sunday's practice on O'Donnell field.

# FUNERAL IS HELD FOR MR. DEYARMOND

Funeral services for Richard H. Deyarmond, formerly of Bend, were held at 2 o'clock Monday afternoon in Salem. Interment was in the City View cemetery at that city. Mr. Deyarmond died Thursday night of stomach trouble.

He was 57 years of age, and is survived by his wife, Mrs. Julia Deyarmond, two sons, Ray Deyarmond of Macleay, Oregon, and Bruce Deyarmond, recently of Mexico; and one daughter, Miss Fay Deyarmond of Bend, who is at Salem.

# GLEE CLUB OPERETTA DRAWS MANY MUSIC LOVERS OF BEND

## Quality of Production By High School Pupils Wins Much Praise.

"Windmills of Holland," at least as given Friday by the Bend high school glee club, deserves to be called more than an operetta. It is at least a light opera, and is by far the best musical production which has been given by local students in recent years. The house was crowded for the first presentation last night.

Particular credit for the success of the entertainment must go to those who took the leading parts: Edward Norcott, Katherine Hayden, Alice Stockmon, Dorothy Dodds, Irvin McNeal and Wilbur Watkins. All of them, especially Miss Stockmon, Miss Hayden and McNeal, surprised their friends with the improvement they showed in solo singing since their appearance last fall, for which Miss Laura Rand, director, must be given credit as well as the singers. The chorus numbers were many, and equally as good as the solo work.

Doris Coombs and Willard Farnham, a little Dutch children, made a hit in the few moments that they appeared.

The setting, which showed a typi-

cal Dutch windmill, and a mill race, and the quaint costumes of Holland, added much to the effect of the production.

The cast follows:

Mynheer Herentogenbosch, Edward Norcott; Vrouw Herentogenbosch, Katherine Hayden; Wilhelmina, daughter, Alice Stockmon; Hilda, daughter, Dorothy Dodds; Hans, student, Irvin McNeal; Frantz, student, Phil Philbrook; Bob Yankee, American Drummer, Wilbur Watkins; Jack Yankee, American Drummer, Loyde Blakley; Katrina, Marion Sather; Meta, Lola Whitmore; Kit, Doris Coombs; Kat, Willard Farnham.

Chorus—Louise Inabnit, Jeanette Keyes, Gene Richard, Leora Connarn, Mayme Erickson, Linnie Brick, Katherine Redfield, Alma Yeager, Dorothy Young, Mildred Hoover, Anna McNeal, Gladys McConnell, Elizabeth Stauffer, Helen McLaughlin, Ruth Garner, Franklin Toomey, James McNealy, Willard Houston, Leo Harriman, Clarence Van Cleave, Gerald Hicks, Albert Kribs, James Blaisdell, Kenneth Ramey, Melvin Henkle.

Orchestra—Florence Currey Frances King, Lela McFadden, Elmer Johnson, Richard Connarn, Fred Dallas, Kenneth Ramey.

# HANLEY FAVORS NEW RAILWAY CONSTRUCTION FOR INTERIOR

## President of State Chamber Tells Views While On Brief Visit Here.

"To get our state so we can use it," is the aim of William Hanley of Burns in advocating railroad construction across the interior he stated Sunday while in Bend on his way to Portland on business for the State Chamber of Commerce, of which he is president. This was Hanley's first visit here since early last fall.

First class mail service from Ontario to Bend would give this city its eastern mail 18 or 20 hours earlier, Hanley pointed out. As to the possibility of railroad construction, Hanley pointed out that this is much

greater now than the bill has been passed, making possible the purchase at a reasonable price, of right of way through the timber in eastern Oregon, an item which has held up the plans of prospective builders.

"Oregon has reached a point where we must agree on some new plan in order to progress," said Hanley. "We need railroad building to balance the highway building which has been done. Conditions being as they are, I believe the state should build the needed links of railroad, the highway commission to have charge of construction; the road later being leased to private individuals."

Irrigation in Harney valley faces no complications except those of financing and settlement, said Hanley, the people of that vicinity being united in their desire for irrigation.

# LA ROQUE GETS JAIL SENTENCE

## 30 Days And Fine of \$200 Imposed For Maintaining a Nuisance.

Charles La Roque pleaded guilty in recorder's court Tuesday at 2 o'clock, to a charge of maintaining a nuisance, in that he was preparing to manufacture liquor. He was fined \$200 and given a 30 day jail sentence. La Roque told Judge Farnham that he was too old to work, and thought that moonshining would be a good way to make money.

La Roque's case was investigated late Monday night when Miss Marie O'Brien reported to police that she had seen him steal a clothes line from the rear of a vacant house on Newport avenue, across the street from her home.

Mayor E. D. Gilson and Fire Chief Tom Carlon searched La Roque's house, on twelfth street, and found parts of a still and the ingredients of moonshine, although indications were that none had been manufactured.

# FORMER BEND MAN GETS FOUR MONTHS

Ted Mandrone, former Bend boot-black, has entered the Multnomah county jail for a four months' term after his plea of guilty to having 150 gallons of liquor in his possession. The arrest was made in The Dalles in February, but Mandrone's plea was not made until Monday, when he admitted in federal court in Portland, ownership of the big stock of wet goods.

# BEND-BURNS ROAD IN BETTER SHAPE

The Bend-Burns road is now easily passable, there being no mud except for one washout at Sagehen hill, and that is not difficult for machines to cross, according to William Fraser, driver of the stage.

forenoon of said day, sell at public auction to the highest bidder, for cash, the following described property, to-wit:

Lots three (3) four (4) and five (5) in block ten (10) of Park addition to Bend, according to the plat thereof on file and of record in the office of the county clerk of Deschutes county, Oregon. Taken and levied upon as the property of the said M. W. Wagner or as much thereof as may be necessary to satisfy the said judgment in favor of Brooks-Scanlon Lumber Company, a corporation, against said M. W. Wagner with interest thereon, together with all costs and disbursements that have or may accrue.

S. E. ROBERTS, Sheriff.  
Dated at Bend, Oregon, April 19, 1922.  
8-12c

# NOTICE FOR PUBLICATION

## Department of the Interior

U. S. Land Office at The Dalles, Oregon, March 27, 1922.  
Notice is hereby given that Johanna H. E. Janssen, of Bend, Oregon, who, on February 25, 1921, made desert land entry, No. 029983, for 8 1/2 NW 1/4, and NE 1/4 SW 1/4, section 32, township 16 south, range 12 E, Willamette Meridian, has filed notice of intention to make final proof, to establish claim to the land above described, before H. C. Ellis, United States Commissioner, at his office, at Bend, Oregon, on the 16th day of May, 1922.

Claimant names as witnesses: Otis C. Henkle, Charles H. Haines, Martin E. Rogers, and Dean W. Van Matre, all of Bend, Oregon.  
J. W. DONNELLY, Register.  
5-9c

# NOTICE FOR PUBLICATION

## Department of the Interior

U. S. Land Office at The Dalles, Oregon, April 26, 1922.  
NOTICE is hereby given that Gale Sheldon Blakley, whose post-office address is 504 Congress street, Bend, Oregon, did, on the 11th day of October, 1921, file in this office sworn statement and application, No. 022-592, to purchase the 8 1/2 NW 1/4, section 32, township 16 South, range 12 East, Willamette Meridian, and the timber thereon, under the provisions of the act of June 3, 1878, and acts amendatory, known as the "Timber and Stone Law," at such value as might be fixed by appraisal, and that, pursuant to such application, the land and timber thereon have been appraised, at \$600 the timber estimated 280,000 board feet at \$2.00 per M, and the land \$40; that said applicant will offer final proof in support of his application and sworn statement on the 12th day of July, 1922, before H. C. Ellis, United States Commissioner at his office, at Bend, Oregon.

Any person is at liberty to protest this purchase before entry, or initiate a contest at any time before patent issues, by filing a corroborated affidavit in this office, alleging facts which would defeat the entry.  
J. W. DONNELLY, Register.  
9-15c

# NOTICE

In the Circuit Court of the State of Oregon for Deschutes County.  
In the Matter of the Petition of the Board of Directors of West Side Reclamation District for the Judicial Examination and Judgment of the above entitled Court as to the Regularity and Legality of the Proceed-

ings in Connection with the Organization of the District and as to the Regularity and Legality of the Proceedings of the County Court Declaring the Organization of the District and Declaring the Result of the Organization Election and the Election of the Board of Directors and as to the Regularity and Legality of all the Proceedings of the Board of Directors to the Date of Filing this Petition herein.

To the West Side Reclamation District, all free-holders, legal voters and assessment payers within said district:

Notice of the filing of petition to confirm proceedings had in the formation and organization of the West Side Reclamation District.

Notice is hereby given that the duly elected, qualified and acting Directors of the West Side Reclamation District have filed a petition in the Circuit Court of Deschutes County and State of Oregon, under date of April 5th, 1922, asking for the confirmation by the Court of all of the proceedings had in the formation of said District, to-wit: an order and judgment of the Court as to the regularity and legality of all the proceedings in connection with the organization of the District and as to the regularity and legality of the proceedings of the County Court of Deschutes County, Oregon, declaring the organization of the District and declaring the result of the organization election therein and as to the regularity and legality of the issuance by the District of its warrants issued and as to any and all other proceedings of the District and its Board of Directors up to the date of the filing of the petition herein.

Notice is hereby further given that any person interested herein may, at any time on or before the expiration of ten days after the full publication of this notice, as by law provided, appear and contest the validity of this proceeding or any of the acts or things enumerated in said petition or notice herein.

This notice is published pursuant to an order made and entered in the above entitled Court by the Honorable T. E. J. Duffy, Judge thereof, under date the 6th day of April, 1922.

J. H. HANER, County Clerk, Deschutes County, Oregon.  
Date of first publication, April 13th, 1922.  
Date of last publication, May 4th, 1922.  
7-10c

# NOTICE OF FINAL ACCOUNT

In the County Court of the State of Oregon for the County of Deschutes.

In the Matter of the Estate of Ole O. Drogsvold, Deceased.

Notice is hereby given that Julius Pedersen, as executor of the Last Will and Testament of Ole O. Drogsvold, deceased, has filed his final account in the County Court of Deschutes County, Oregon, and that said Court has designated the eighth day of May, 1922, at the hour of 2 o'clock p. m., on said day as the time and the County Court Room of said Deschutes County as the place for the hearing of any or all objections to such final account, the settlement of said estate and the discharge of said executor.  
Dated at Bend, Oregon, April 5, 1922.

JULIUS PEDERSEN, Executor of the Last Will and Testament of Ole O. Drogsvold, Deceased.  
Date of first publication, April 5, 1922.  
Date of last publication, May 4, 1922.  
6-10c

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With the fifty horsepower motor of the Paige 6-44 you can accelerate from five to twenty-five miles per hour in nine seconds flat. Stop and think what this amazing flexibility means in city driving as well as on the hills.

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