

# TEXT BOOK FUSS MAY RESULT IN COURT CONFLICT

### Attorney General Van Winkle's Decision in Fight Over Oregon School Books Does Not Please Commission—Mandamus Action Threatened.

SALEM, Aug. 3 (A. P.)—Under the law it is incumbent upon the educational authorities of Oregon to continue in use the two-thirds of the text book list now covered by contracts until such time as new adoptions are made by the text book commission. But, under the law, the text book commission cannot make new adoptions until November, 1925. The law specifically points out the duty of the text book commission and the state board of education, hence there is no emergency existing.

The above, in substance, is the opinion of Attorney General Van Winkle, whose written opinion on the question was received today by the state board of education following his oral opinion which was delivered yesterday to the state text book commission. In the law, the opinion of the commission voted to meet August 20 and adopt new books.

The opinion quotes the law of 1923 which says: "The state board of text book commissioners shall meet at the state capital on the third Monday in November in the year, 1924, and on the third Monday in November every two years thereafter."

The opinion also cites the law requiring the state superintendent of schools in February, 1924, and in February of every two years thereafter, to notify the publishers of the meeting of the text book commission to be held the following November.

Another quotation from the law says that "all contracts with publishers for books not changed shall remain in force until the re-adoption, replacement or substitution of said text books."

The opinion interprets the law to mean that "the use of text books so adopted is mandatory upon all public schools and teachers in the state without specifying any limitation of time for such use. The only conclusion therefore to be drawn is that they are to be used until changed by action of the text book commission and state board of education."

The text book commission yesterday was of the opinion that it had a right to adopt books at dates other than provided in the law because of the following provision of the law:

"If at any time during the six years covering the addition of text books as herein provided, a publisher shall fail or be unable to furnish any adopted text book, or his contract be rescinded, or, for any cause, it becomes necessary to adopt any text instead of or in addition to those required by the course of study in force at the time of the regular addition, the chairman of the board of text book commissioners or the governor may call a special session of said board, and it shall thereupon convene and adopt such text book in the same manner as in this act provided, and the state superintendent shall in such case cause the proper circuits and notices to be sent to the publishers."

The opinion declares that none of the conditions mentioned in the above excerpt now exist, and adds:

"It is true that the contracts for two-thirds of the books now in use in the public schools have expired, but the statute specifically authorizes the continued use of such books for two and four years for the respective thirds, and that no other text books shall be used in the public schools subsequent to such addition. In other words, the legislature has clearly indicated its intention that the books already adopted shall remain in use until new adoptions are made at the regular biennial periods set out in the statute."

This would seem to explode the theory of some members of the text book commission that the attorney general's verbal opinion left all superintendents free to adopt text books as they saw fit.

### POLICE ARE BAFLED.

(Continued From Page One)

manufacture imitation silk or that he had ever gone under an assumed name. Articles of incorporation show that Mrs. Schwartz was credited with having subscribed for \$200,000 of the stock of the Pacific Cellulose company when it was organized. As she is holder of 40 per cent of this stock, it is said she would have succeeded to an interest of approximately \$100,000 in the insurance policy carried by Schwartz, payable to the company. Three other policies made in her favor would have brought her total benefits to \$105,000.

**Hillsboro School Burns.**  
HILLSBORO, Aug. 4.—The two-room school house of district No. 75 at Timber, 23 miles northwest of Hillsboro, burned today. The value of the building was \$6000 and \$4250 insurance was carried. The fire started at 7 o'clock this morning from a nearby brush blaze.

**Another Bomb in Chicago.**  
CHICAGO, Aug. 4 (A. P.)—A bomb exploded today at the plant of the South Town Economist, a weekly newspaper which also operates a radio casting station.

The explosion shattered all the windows in the plant and did other slight damage.

Only few days left special electric range offer; get your's now! 115\*

Cook with gas.

# BRYAN'S MANTLE IS SNATCHED UP BY REV. STRATON

### New York Pastor Takes On Leadership of Anti-Monkey Fight—Challenges Darrow and Dudley Field Malone to Series of Debates

NEW YORK, Aug. 4.—(A. P.)—The leadership of the fundamentalist forces of which William Jennings Bryan was the outstanding figure, has been offered to the Rev. John Roach Straton, pastor of Calvary Baptist church here and long a foe of modernism.

In making this announcement at Ashbury Park, N. J., yesterday Dr. Straton said he was not at liberty to reveal the names of those who had urged him for the place. They were, however, prominent New Yorkers, who had formed an organization with which to prosecute a nationwide war against the teaching of evolution in tax supported schools.

Dr. Straton said he would challenge Clarence Darrow to a series of ten to twenty debates on evolution. New York, Chicago, Philadelphia, and Atlanta are four cities he named as having already been selected for the debates. If Mr. Darrow declines, he said, Dudley Field Malone will be challenged.

In an address at Ashbury park last night, Dr. Straton blamed evolutionists "for the 'ethical collapse' of the modern generation."

"Monkey men make monkey morals," he said. "The modern dances reflect the prevailing philosophy of animalism. The theatre is reeking with moral infamy as a result of its fleshly tendencies. It was this reflection of evolution philosophy that destroyed Germany."

# DEATH OF NEGRO AT STATE ASYLUM WILL BE PROBED

### SALEM, Ore., Aug. 4.—At the request of Dr. R. E. Lee Steiner, superintendent of the state hospital for the insane, District Attorney John H. Carson and Coroner Lloyd T. Rigdon are today investigating the death of Alfred M. Woods, negro, an inmate who died at the hospital this morning.

Woods, who was of powerful physique, ran amuck last Sunday and it took the combined efforts of several attendants to subdue him. According to Dr. Steiner the fight with the attendants may have been a contributing factor to his death. However, the negro was afflicted with an incurable disease. He was committed from Portland last July.

Dr. Steiner said the attendants used no weapons except their hands in subduing Woods.

# 17 SACKS OF WHEAT STOLEN FROM RANCH

George Ross of Central Point, who has a large wheat ranch on Ross Lane adjoining the one owned by Colonel Touyelle, reports the theft of 17 sacks of wheat last night, which were only threshed the day before. The wheat had not yet been moved and was on the ground where the sack sewer of the threshing crew had stacked it. It is believed that a small truck was driven into the field, was loaded with the grain and then quickly driven away. As yet no clues have been found.

# BASEBALL SCORES

American League.	
At Philadelphia—	R. H. E.
Chicago	3 7 2
Philadelphia	9 16 0
Thurston, Cvangros and Crouse; Gray, Baumgartner and Cochrane.	
At New York—	R. H. E.
Cleveland	1 7 1
New York	4 9 0
Karr and Myatt; Shoemaker and Schang.	
At Boston—	R. H. E.
St. Louis	10 15 3
Boston	7 11 2
Gaston and Dixon; Fahr, Ross and Blischoff.	
At Washington—	R. H. E.
Detroit	2 4 2
Washington	5 11 1
Whitehill and Woodall; Zachary and Severin.	
National League.	
At Chicago—	R. H. E.
Brooklyn	2 9 4
Chicago	5 7 3
Osborne and Taylor; Alexander and Cherry.	
At Pittsburg—	R. H. E.
Philadelphia	8 14 1
Pittsburg	4 9 0
Mitchell and Henline; Morrison, Sheehan, Culloton and Smith, Spencer.	

# HUSBAND PASSES WIFE DIES OF BROKEN HEART

### Sorrow Kills Mrs. Charles W. Clark Two Hours After Husband Is Stricken in Movie Theatre—Affection Bridges Void of Death.

CHICAGO, Aug. 4.—(A. P.)—Affection which bound the lives of Charles W. Clark, well known concert singer and teacher, and his wife, pointed across the void of death last night. Two hours after Clark fell fatally ill in a motion picture theatre, Mrs. Clark collapsed and followed her husband in death.

The double tragedy came while the famous baritone and his wife apparently were in robust health and the best spirits. Apoplexy was assigned as the cause of Mr. Clark's death.

Last night they sat together viewing a motion picture. Without warning Mr. Clark sank in his seat. Mrs. Clark, hastily summoned, found he was dead. Throughout the ordeal, Mrs. Clark remained calm and self-possessed, but when she reached home she gave way under her pent-up sorrow. Physicians tried to revive her but he was beyond hope and within a few moments she died.

Mr. Clark, who won fame as an interpreter of modern song, married Jessie Bunter at their home town, Van Wert, Ohio, in 1888 and she had been the close companion of his successful career.

He was born in Van Wert, Ohio, in 1865. Mr. and Mrs. Clark are survived by three children, Ronald Clark, a teacher of singing in Paris; Mrs. Virginia Lawrence, New York, and Mrs. Louise Gardinere of Chicago.

# EX-GERMAN CONSUL PLEADS NOT GUILTY

PORTLAND, Aug. 4.—Clement J. Pape, former German vice-consul and resident manager of the Shanghai building company pleaded not guilty today before Circuit Judge John H. Stevenson to three indictments on embezzlement charges and one on forgery. The charges against Pape are that he embezzled more than \$60,000 from the building company.

# DONKEY ENGINE STARTS BIG FOREST FIRE

FALLS CITY, Ore., Aug. 4.—Swarms from donkey engines in the Falls City Lumber company holdings started a serious fire in the green timber five miles south of Falls City about noon today. All the men from the camp and from the mill were rushed to the scene to fight the flames.

The fire started just over the divide on the south side of the mountain. At 2 o'clock today it covered an area of nearly a mile. The manager of the lumber company, M. D. Hamel, is supervising the fire-fighting squad.



# An Inviting Interior

If you have created a decorative scheme you're proud of, here's the crowning touch—an occasional brightening up with Calol Liquid Gloss, the combined cleanser and polish! Easy and quick—it restores original luster to furniture, woodwork, floors, linoleum, automobiles, etc. Just a little at a time on a wet cloth or a few drops on a darning mop. Order from your dealer today and see!

STANDARD OIL COMPANY (California)

# CALOL LIQUID GLOSS



MANN'S — The Best Goods for the Price, No Matter What the Price — MANN'S

### August Clean-Up Specials Wednesday Only

## Wednesday Specials

For Wednesday we offer seasonable merchandise at clean-up prices. An opportunity to buy for less than cost.

### August Clean-Up Specials Wednesday Only

#### Women's Coats \$9.95

Women's spring and summer coats, some of the late summer styles, consisting of flannels, crepes and others; up to \$30.00 values—**\$9.95**

#### \$2.50 Parasoles \$1.19

Japanese parasols, long and short styles, excellent patterns, all colors; up to \$2.50 values, Wednesday only—**\$1.19**

#### \$20 Hats \$3.95

Women's trimmed hats, just a few excellent styles left; to clean up—**\$3.95**

#### \$5.95 Dresses \$1.95

In this beautiful group of summer frocks are voiles, broadcloths, fine ginghams, lineens and other fine wash fabrics; up to \$5.95 values. For August clean up sale—**\$1.95**

#### \$3.95 Rugs \$2.79

Wonderfelt rugs, 28x58, made of felt in an excellent mixture of colors; fireproof, washable and reversible, fine for the bungalow hearth, porches and other uses—**\$2.79**

#### 95c Wash Goods 19c

A genuine clean up of desirable materials is evident here. Broadcloths, voiles, tissue ginghams and other fine dress materials are to be given away for, yard—**19c**

#### \$12.50 Dresses \$5

A delightful group of silk and cotton dresses, most of which have sold for as high as \$12.50; to clean up—**\$5.00**

#### \$2.95 Hose \$1.95 Pair

Women's fancy silk hose in plaids and stripes, some silks and silk and fiber mixed; up to \$2.95 value; for Wednesday only, pair—**\$1.19**

#### Rag Rugs

Hit and miss patterns in excellent colors; a real \$1.25 value, to clean up—**\$1.00**

**Mann's Department Store**  
"THE STORE FOR EVERYBODY"  
PHONE-486-487 MEDFORD, OREGON.

# YOLANDA

NOW PLAYING!

# MARION DAVIES

The star of "Little Old New York" and "When Knighthood Was in Flower," now appears before Rialto audiences in her latest work.

**A Magnificent Thriller!**

Here is a film entertainment that not only holds your interest by its gripping drama, but it will leave you breathless with amazement at the success of beautiful settings as the tender love story, is unfolded.

**FRIDAY—**  
TOM MIX in ZANE GREY'S "The Riders of the Purple Sage"

**MATINEES - 25c**  
**EVENINGS - 35c**  
**CHILDREN A DIME ANY TIME**

# RIALTO

**4 SHOWS DAILY:**  
1:30-3:00  
7:00 and 9:00

A Continuous Round of Laughs!  
**THE SPATS**  
in "Excuse My Glove"  
International News  
"Peggy" at the Organ