

DECIDED IN SUPREME COURT

Four Appeal Cases Were Disposed of Yesterday

THE ACTION OF SOL HIRSCH, ET AL., AGAINST SALEM FLOURING MILLS COMPANY,

Reversed and Remanded for a New Trial—The Skinner Will Case, from West Salem, Decided by the Court, the Will Being Upheld.

The Supreme Court yesterday handed down decisions in four cases recently heard on appeal. In one of the cases the trial court was reversed, and in three others the judgment of the lower tribunals was affirmed. The cases are:

Sol Hirsch, M. A. Mayer, Sam Simon, T. N. Fleischer, appellants, vs. The Salem Flouring Mills Company, respondent; appeal from Multnomah county. Hon. A. F. Sear, Jr., Judge; reversed. Opinion by Chief Justice R. S. Benn.

This was an action to recover the value of certain wheat alleged to have been sold and delivered by plaintiffs to defendants, under an agreement, that defendant be allowed to grind it into flour and sell it, and upon demand either deliver to plaintiff a like amount of wheat, upon payment of the amount of 2 1/2 cents for storage, or pay to plaintiff the market price, less the 2 1/2 cents for storage.

The appellate court holds that there is an issue as to whether the receipt contained terms and conditions upon which the wheat was delivered by plaintiff, and received by defendant. Defendant alleges that the contract is embodied in a written instrument, while plaintiffs deny that such instrument contained or was intended as a contract.

Rebecca A. Skinner, appellant, vs. George E. Lewis, et al., respondents; appeal from Polk county. Hon. R. P. Boise, Judge; affirmed. Opinion by Associate Justice C. E. Wolverson.

The will of R. L. Skinner, deceased, and codicil thereto, were probated in the Polk county court. A son of deceased petitioned the court to revoke the probate of the instruments. Later petitioner died and his widow carries on the action.

E. L. Richmond, respondent, vs. The Southern Pacific Company, appellant; appeal from Multnomah county. Hon. A. L. Frazer, Judge; affirmed. Opinion by Associate Justice F. A. Moore.

This is an action for damages on account of injuries sustained under the following circumstances: On March 27, 1919, plaintiff was a passenger from Oakland, Or., to Eugene, on a freight train drawn by a regular and a helper engine, there being 25 empty cars, four loaded cars and a caboose in the rear, in which the plaintiff was riding.

The appellate court holds that the company was a common carrier in respect to any passenger riding on freight trains which accommodated passengers. The train in question was designed to carry passengers generally and was not designed for plaintiff alone.

"Plaintiff having paid value for his ticket, contract for carriage could not be cancelled at pleasure by defendant, and we do not think the rebate in the price of a local ticket affords sufficient consideration for the assumption of the risk undertaken, where no special privileges are conferred, for if this were so, it would follow that the smallest remission from regular price of tickets might suffice for exemption from lia-

bility. No error having been committed, judgment is affirmed."

Irving Park Association, respondents, vs. Virginia Watson, appellant; appeal from Multnomah county. Hon. J. B. Cleland, Judge; affirmed. Opinion by Chief Justice E. S. Benn.

This was a suit to foreclose an alleged pledge of personal property, being a share of stock in a company owning real estate. The share was given as security for debt, and default being made, plaintiff brought suit to foreclose its lien upon the certificates assigned to it as collateral.

The case of the State of Oregon, respondent, vs. John Kelly, appellant, an appeal from Marion county, was argued and submitted by M. E. Pogus, J. A. Jeffrey and R. J. Fleming for appellant, and Deputy District Attorney John H. McNary for respondent.

The case of J. E. Henkle, appellant, vs. Porter Slate, respondent, appeal from Linn county, was also heard. H. C. Watson appearing for appellant, and J. K. Weatherford and J. J. Whitney for respondent.

H. W. Hesse, respondent, vs. N. A. Barrett, et al., appellants; argued and submitted on motion to postpone hearing until after adjournment of Congress. J. N. Brown appeared for respondent, and E. B. Tongue for appellant.

A Printer Greatly Surprised.

"I never was so much surprised in my life as I was with the results of using Chamberlain's Pain Balm," says Henry T. Crook, pressman of the Asheville, (N. C.) Gazette.

A MINING COMPANY TO BEGIN OPERATIONS

New Corporation Filed in the Department of State Yesterday—New Telephone Line in Oregon and California.

In the Department of State, at the Capitol, yesterday, two new companies filed articles of incorporation. They are:

The Magnet Mining Company will develop mining property. The headquarters are located in Baker City, and the capital is \$5000.

The Midway Telephone & Telegraph Company will carry on a telephone and telegraph business in Oregon and California, with headquarters in Portland.

WHAT WOMEN ARE TO WEAR:

The first early blouses made in wash materials for this spring are in pique, crash, drilling and the heavier cotton and line fabrics, in white and colors.

A new material for blouses—new of course only for this purpose—is poplin. It comes in a lovely line of colorings, and with its rather heavy cords does not require much trimming beyond plaits.

The use of ribbon as a trimming and a garniture for all kinds of gowns seems to have taken a new lease of life, and it is introduced in one way or another upon countless gowns and bodices.

Hats this spring promise to be more rolling in shape than they were in the winter—the flare of the brim being more pronounced. The trimming still remains flat and wide, and much of it is placed under the brim and well toward the back.

WILLAMETTE UNIVERSITY

First Gun Fired in the Debt-Paying Campaign

OVER ELEVEN THOUSAND DOLLARS SECURED AT THE M. E. CHURCH ON SUNDAY.

Five Subscriptions of One Thousand Dollars Each Were Given for the Benefit of the Old School—Great Enthusiasm Over the Start Made Toward Freeing the University of Its Burden.

The first gun in the campaign to pay the debt of Willamette University, and to increase the endowment of that pioneer institution of learning, was fired on Sunday, when the First Methodist church of this city devoted the services to that worthy object.

The Sunday morning service, attended principally by Methodists, a deep feeling showed itself, that the Methodists must now make the start toward paying the debt; and when, after the opening of the services, by singing, prayer, and Bible reading, Rev. Dr. John Parsons, the pastor, addressed the audience on the subject of the University's financial condition, it was evident that the audience was ready to do its share in bettering conditions at the old school.

"If the University lives, it will live as a Methodist institution. If it dies, it will die as a Methodist institution. It cannot be sold, nor continue except as a Methodist school. If the present effort fails, the school will go down, will be a monument over its grave. The Methodists of Oregon expect the people of Salem to take the first steps in paying off this debt."

The response was spontaneous. Five subscriptions of \$1000 each were received in as many seconds, the givers being Gen. W. H. Odell, Mrs. W. H. Odell, Rev. D. A. Watters, President and Mrs. J. H. Coleman, and the First M. E. church, by Dr. John Parsons, the pastor.

After the service was opened by Rev. John Parsons, D. D., and the singing of the choir, Rev. W. C. Kammer, D. D., offered prayer, and Rev. H. A. Ketchum, D. D., read the scripture lesson. Dr. Parsons then introduced Gen. W. H. Odell, president of the Board of Trustees of Willamette University, and that gentleman made a brief statement of Willamette's condition, when he introduced President Coleman.

The first one to rise was Vice President W. C. Hawley, who announced that he had the pleasure of giving in the subscription of Hon. John B. Albert, \$1000, to be placed in the endowment fund.

Robert Browning asserted that of the two, it was his wife who had a creative genius, yet to him, and not to her, England accorded the honor of a burian in Westminster.

Our Bible is not responsible for this ungenerous treatment of woman. The cause is man. But there are Scriptures texts in which this egotism of the male has entrenched itself.

Table listing names and amounts of donations to Willamette University. Includes names like W. H. Odell, Mrs. W. H. Odell, Rev. D. A. Watters, etc., with amounts ranging from \$1000 to \$50.

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Those giving \$5 each were: F. A. Kurtz, Glen Unruh, W. A. Dabney, Mrs. Minner, Curtis and Edna Cross, Claude Crumman, Mrs. H. W. Swafford, Miss Maggie McFadden, Miss Lena Schindler, E. V. Ryder, Margaret Unruh, Ruby Corvill and J. G. Long, Geo. Randall, Geo. Laver, Mrs. Metcalf, Tois Alderson, Leila Swafford, Mrs. C. L. Beah, Edna Parrish, A. Erickson, E. T. Egan, Ryder, Mrs. L. W. Benson, A. M. Camp, A. Vass, S. M. Craig, G. W. Hollister, Sylvia Metcalf, Miss Frank Bean, Mrs. Wm. Cherrington, Miss Blanche Lewis, J. R. Bedford, Mrs. G. A. Randall, Edward Capper, Clara Holstrom, Leon Clark, J. R. Blair, R. R. Hewitt, Ruth Field, Austin Price, Roy L. Price, Miss Maggie Percell, Miss Ada Taylor, D. A. Forbes, Miss Julia Webster, Miss Erma Clarke, Roscoe Lee, Miss Hallie James, Miss Mabel James, Edna Sharp, Frank Bean, E. T. Egan, Miss Elvira Starnis, Mrs. Len Boone, Miss Daisy Musick, Miss Pearl Copley, Albert Williams, J. H. Coleman.

Counterfeit Gold.

Few persons know that gold used in color printing and on picture frames is made from a composition of powder of bronze and spelter, and not from pure gold leaf, but which, however, gives the same effect.

WOMAN AND THE CLERGY.

If we turn now to the condition of woman in Christendom, we shall find that her progress has been long impeded by false ideas of her relation to man, and in defense of these ideas the Bible has been freely quoted.

The besetting sin of human nature is the lust of power. An is an egotist. It takes culture a long time to refine that away. Man loves to flatter himself with the thought of his superiority.

Pericles thought a woman's chief glory was to be known neither for good nor evil. Socrates, however, thought the gods daily that was "a man, not brute," and that he was "male, not female."

Yet we are becoming civilized, though slowly. Even now, in some parts of this republic, women enjoy full voting privileges with men, yet it was only a century ago that France guillotined a woman for daring to assert woman's right to the ballot.

As a student in the theological seminary I remember the professor saying of woman's place in the church: "Women may sing in prayer-meeting and play on the piano or organ, and if the meeting is not too public, they may offer up prayer."

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Li Hung Chang is reputed to have had only one romance in all his many years of scheming and williness. During the Taiping rebellion his wife had to fly to the interior for safety, where she lived for many months without communicating with her husband.

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BAREFOOT BRAHMAS.

In One Respect Only Do They Differ From Their Booted Ancestors.

The light Brahmas are one of the oldest and most deservedly popular of all breeds of chickens. They are the largest of all breeds, very handsome in appearance, vigorous and hardy. They are the very best of winter layers, producing an abundance of large, handsome eggs at just that time in the year when prices are the highest.

One of the most extraordinary weddings ever celebrated was that of two brothers who married two sisters, about a couple of years ago in Hungary. It is necessary in Hungary that a civil marriage should precede the more proper ceremony in the church.

Though the brides brought him on bedded knees to apportion them to one or the other of the swains, it was all in vain. The matter had to be brought before the courts, which decided in giving the brides the men they loved.

A young Englishman named Henley was in a sad dilemma at Athens a couple of years ago. While touring he visited the village of Marcopoulo and there found himself the husband, according to an ancient custom, of a fine strapping Greek girl, to whom he had never spoken a word.

Mr. Henley, not knowing of the dangerous custom, on seeing a handsome girl drop her handkerchief, naturally picked it up and gave it to her. She at once claimed him as her husband and the villagers ratified her action by acclaiming him as her husband.

Having been an admirer of light Brahmas from boyhood and thinking they would be improved both in utility and appearance if they could be produced with featherless legs and feet, I have been experimenting for years with that object in view.

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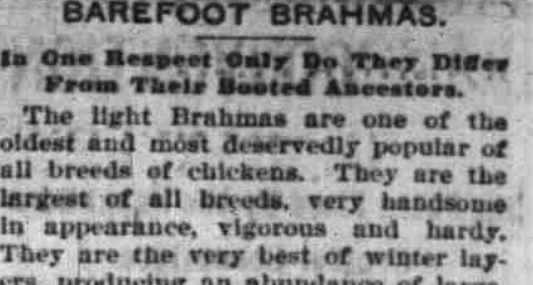
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ONE OF THE BAREFOOTS.

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Why Women Should Vote For School Officials

By MARY A. LIVERMORE, Woman Suffragist

SOME women think the school ballot is too small a fraction of the right of suffrage to be worth using. My husband said he always felt indignant when I came out of that booth after being allowed to vote for school officers only, and he advised me to wait till I could vote the whole ticket.

I asked: "Is that the way you would do if a man owed you \$10,000 and offered you \$500? WOULDNT YOU TAKE WHAT YOU COULD GET AND THEN WORK FOR MORE?" "Oh, yes," he said. "You have the logic of it, but I have the sentiment."

It is certainly the duty of women, mothers and possible mothers, to stand by the public schools. You want to know who are the teachers and who are the school committee. You want to see that the children are taught kindness, cleanliness and courtesy. SCHOOL SUFFRAGE IS A MORAL MEASURE, AND NO WOMAN SHOULD HOLD HERSELF EXCUSED FROM VOTING.