

# Crook County Journal

CITY OFFICIAL PAPER FOR CITY OF PRINEVILLE

VOL. XIX

PRINEVILLE, CROOK COUNTY, OREGON, THURSDAY, MARCH 4, 1915.

NO. 15

## CIRCUIT COURT NEXT WEEK

Judge Bradshaw's Last Term In Prineville

### Short Criminal Docket

Only Three Men Have Been Held to Grand Jury—Other Indictments Possible

Circuit court, with Hon. W. L. Bradshaw of The Dalles presiding for the last time in Crook county, will convene next Monday morning at 10 o'clock. The term will be a short one as the criminal work now in view, a standard by which the length of the term is usually measured, is light, though much can transpire within a few days in Crook county as the past has proven and a grand jury may spring unexpected indictments.

Only three men have been held to the grand jury by the magistrates. Emil Stolte, a foreigner, is held for the larceny of a heifer belonging to C. M. Elkins. The offense was committed in what is now Jefferson county after the election but before the new county was organized and became a judicial subdivision capable of taking cognizance of crimes within its borders. Stolte has been at liberty under a bond.

John T. Peters of La Pine is held for assault with a dangerous weapon, having shot Henry Tweet of Bend last December, inflicting a flesh wound. He was bound over by Justice Bowman of Prineville. He is also at liberty under a bond.

W. H. Meacham, a bad check artist, who flim-flamed a number of Bend citizens, is in jail awaiting a hearing for obtaining money in that city by false pretense. He was bound over by Justice Estes and a large number of complaints have been lodged against him. He is also wanted in Wasco county for similar offenses committed there.

The first regular term of court for Jefferson county will be convened by Judge Duffy in October unless a special term is called before that time. The regular terms for Jefferson county are fixed by law to take place in April and October, but as the new law fixing those terms does not go into effect until May 21, no regular term can be held in Jefferson county until October. Judge Duffy will, no doubt, hold his first term in Crook county in September.

Hereafter the circuit court will sit in Crook county in May, September and January, making the three terms sit every four months with an equal time between each term.

### Liked in Salem

The Daily Oregon Statesman of Salem, Ore., has the following to say of the Jubilee Singers, who will appear at the Commercial Club Hall in Prineville, Wednesday, March 17: "Those who were fortunate enough to hear the California Jubilee Singers at the Grand opera house last night will recall the superb selections rendered before the audience last evening. Not a word of praise more to one than to another of the members of this quartet is deserving. Every member is a soloist of the highest class. There is no better cure for bad humors and no medicine more pleasant to take than an evening's entertainment at the hands of a good company of jubilee singers."

## Million Dollar Swindle Involves F. Menefee

A million dollar swindle is charged against officers and salesmen of the now defunct United States Cashier Company, of Portland, in an indictment returned against them by the Federal grand jury Saturday morning. The indictment charges conspiracy and misuse of the mails on the part of Frank Menefee, F. M. LeMonn, O. E. Gernert, B. F. Bonnewell, H. M. Todd, Joseph Hunter, O. L. Hopson, P. E. Murrain, Oscar A. Campbell and Thomas Bilyeu.

It is alleged that the concern, which was incorporated at \$1,250,000, sold all the capital stock, bringing into its treasury more than \$1,000,000 in money and property on the false representation that the company owned the patents to five change-making machines which it proposed to manufacture.

Summarized the activities charged against the men are as follows:

The company was organized September 1, 1910, for the purpose of making models as a basis for selling stock. It continued its business until January 31, 1914, when it sold out to an Indiana concern for \$750,000 of stock in the new company and a promise of \$150,000 more stock would be paid to settle the debts of the company. During the time the company was in operation the defendants sold more than \$1,000,000 worth of stock to some 4000 share holders scattered over Oregon, Washington, California, Idaho, Montana, Wyoming, Utah, Texas, Iowa, North Dakota, Michigan, Illinois and Colorado.

According to United States District Attorney Reames, Bilyeu posed as the inventor of a change computing machine, a bank cashier, a lightning change machine for streetcar conductors, a currency paying machine, and a new style adding machine. The models which were shown the prospective purchasers of stock worked beautifully, in fact, the thing looked so good that the operators were able to advance their stock from a par value of \$11 to prices as high as \$30. Advances were announced before they were made in order to induce buyers to close their deals.

Large sales of stock owned privately by the promoters, it is alleged, were made under the representation that the company would use the money to build a large plant and enter the manufacture of the machines on a commercial basis.

The indictment asserts that during the entire life of the concern it was insolvent, and that in the published statements of its financial condition liabilities to the extent of \$500,000 were entirely omitted.

The Indiana concern, which took over the United States Cashier Company is now in operation at Terre Haute. It was organized by Menefee, who now has no interest in it. A plant was at one time built at Kenton, but the factory, it is said, was used only for the manufacture of models.

For a time the company enjoyed an apparently prosperous boom. The price of the stock went up from \$11 to \$12.50 a share. From \$12.50 it advanced to \$15; from \$15 to \$20, and finally from \$20 to \$30. These advances, the indictment alleges, were purely artificial, and were engineered by the promoters for the purpose of consummating stock sales.

Frank Menefee was the president and general manager, and is well known in this county, having been prosecuting attorney for this district at one time.

M. A. Lehman was a Prineville visitor from Terrebonne yesterday.

## Jefferson County Wins In State Supreme Court

Salem, Or., March 2—In a sarcastic opinion, written by Justice McBride, supreme court today pronounced valid an election held last fall to create Jefferson county from a portion of Crook county, affirming Circuit Judge Bradshaw of Crook county.

Contending that the election was void, A. D. Russell instituted the proceedings to review the action of the county court in ordering the election, in addition alleging it invalid because the electors at the same election voted on the question to create Deschutes county from a portion of Crook; also he contended that the 1913 law providing for the organization of counties was void, and that the session of the court at which the order for the election was made was not legal, because, although the county judge was present when the order was made, he was absent the first two days of the term, and that county judge's failure to appear the first two days automatically adjourned court until the next term, he contended.

Justice McBride ruled against all contentions, and with relation to the latter, after referring to the constitutional provision cited by the attorneys for Russell, said, in part: "It is contended that the words providing that two commissioners may be elected to sit with the county judge while transacting county business by implication exclude the idea that the county commissioners can transact business in his absence. In our judgment this is giving too narrow and technical a meaning to the word 'sit,' and in effect limiting it to the mere physical presence of two commissioners upon the bench. He would be Jupiter, and they but satellites and even less, because they would not be authorized to even give light—their function would be to 'sit.' Unless they are to have equal authority with the county judge in matters pertaining to their functions, the framers of the constitution might as well have provided that the county judge should sit with two joints of stove-pipe."

The decision means that all questions as to the legality of the steps leading to the formation of the new county have been disposed of.

The court upholds the form of ballot used, finds no merit in the contention that the absence of the county judge during two days at the opening of the term invalidated any proceedings, and says that the term "county business" is broad enough to include proceedings such as were had. The court finds nothing to uphold the claim that the legislature intended that only one proposition to divide a county should be submitted at an election. It was claimed that the fact that there was a proposition also to create the new county of Deschutes, which was defeated, invalidated the proceedings.

"Nothing that can be suggested is more vital to a county in its corporate and business capacity than a proposition to take from it a large portion of its taxpaying area and population," says Justice McBride in his decision. "Under the constitution, the proposed county must have an area of at least 400 square miles, and under the act of 1913 it must contain taxable property amounting to the sum of \$2,000,000. So it would appear that any proposition to deprive a county of this valuable part of its domain was preeminently county business."

"No good reason has been given why an order made by the county court, sitting in probate, or for the trial of civil cases, would in any way be more beneficial or efficacious than one made by it for the transaction of county business."

The case came before the supreme court on an appeal from Judge W. L. Bradshaw of the Crook county circuit court, who refused to grant a writ of review to revise the action of the county court. Judge Bradshaw is upheld.

### Canadians Pleased Too

"I have heard a number of colored troops, but I consider the California Jubilee's among the best."—E. S. Whittaker, general secretary Y. M. C. A., New Westminster, B. C.

See this unusual troop at the Commercial Club Hall, Wednesday, March 17.

C. J. Johnson returned from Portland yesterday.

JUDGE T. E. J. DUFFY



## Lower Bridge Chalk Banks Are Valuable

The chalk deposits at Lower Bridge are to be developed by V. L. Holt of Portland. Mr. Holt has secured holdings there covering some 200 acres and says that the chalk beds will average twenty feet in depth over that area.

He has found that the chalk as it is commonly called, is pure silica, and is valuable for more than forty different purposes, including silver polish, fire brick, soap filler, the manufacture of dynamite and other explosives, and is used in practically all face powder.

The material is being mined and shipped to Portland from where it will be sent to New York in large quantities by water. The deposit is considered worth about \$5,000,000.

## Another Bend Man Drew a Juicy Plum

C. S. Hudson of Bend secured an important appointment during the last week of the legislature when he was selected by the House, together with L. Lair Thompson of Lakeview, as members of the congress for development of water power throughout the West. Edgar B. Piper, of the Oregonian, and S. B. Huston, of Portland, with Governor Wythecombe, make up the remainder of the board.

### Road Changes Considered

County court is holding regular meeting this week. A number of important road changes are being considered at this term.

## WILL TRY OUT FIRE SIGNAL

Ordinance Passed by Council Regulating Stoves

### John Malech Nightwatch

Important Ordinances Are Given First Reading at Regular Monthly Meeting

The regular meeting of the city council was held in the city hall Tuesday evening. Present—Mayor Edwards, Councilmen Noble, Franck, Foster, Reams, Still, Marshal Pollard, Treasurer Bechtell and Recorder Hyde.

Four ordinances were presented to the council and read for the first time. Three of them, one regulating the electric wiring within the city, another the plumbing, and a third the repealing a section of Ordinance 185, regulating the number of motion picture shows, were laid over until the April meeting for second reading.

An ordinance which was passed and is number 220 carried an emergency clause and went into effect at once. It provides that all stoves used in barber shops or other establishments to heat water and stoves and furnaces used in meat markets for trying lard shall be properly enclosed in brick, stone or concrete walls to prevent danger from fire.

The Fire and Water committee was instructed to order a fire siren or signal which is to be installed and tried out on approval.

A building permit was granted to C. E. Harrison for the construction of a corrugated iron warehouse 30x60 feet, on the corner south of the Ford garage.

John Malech was hired as night-watch at a salary of \$75 per month.

The matter of drilling an artesian well in the city park was mentioned by Councilman Reams, but the prevailing opinion was that the city was not financially able to drill the well unless a flow of water was guaranteed by the drillers at a reasonable price.

Petitions were presented by A. P. Mackey and Glenn Hendrickson, each asking for the job of driving the water wagon for the coming summer. The job was granted to Hendrickson, the council figuring that he did successful work last year and was entitled to the place again if he wanted it.

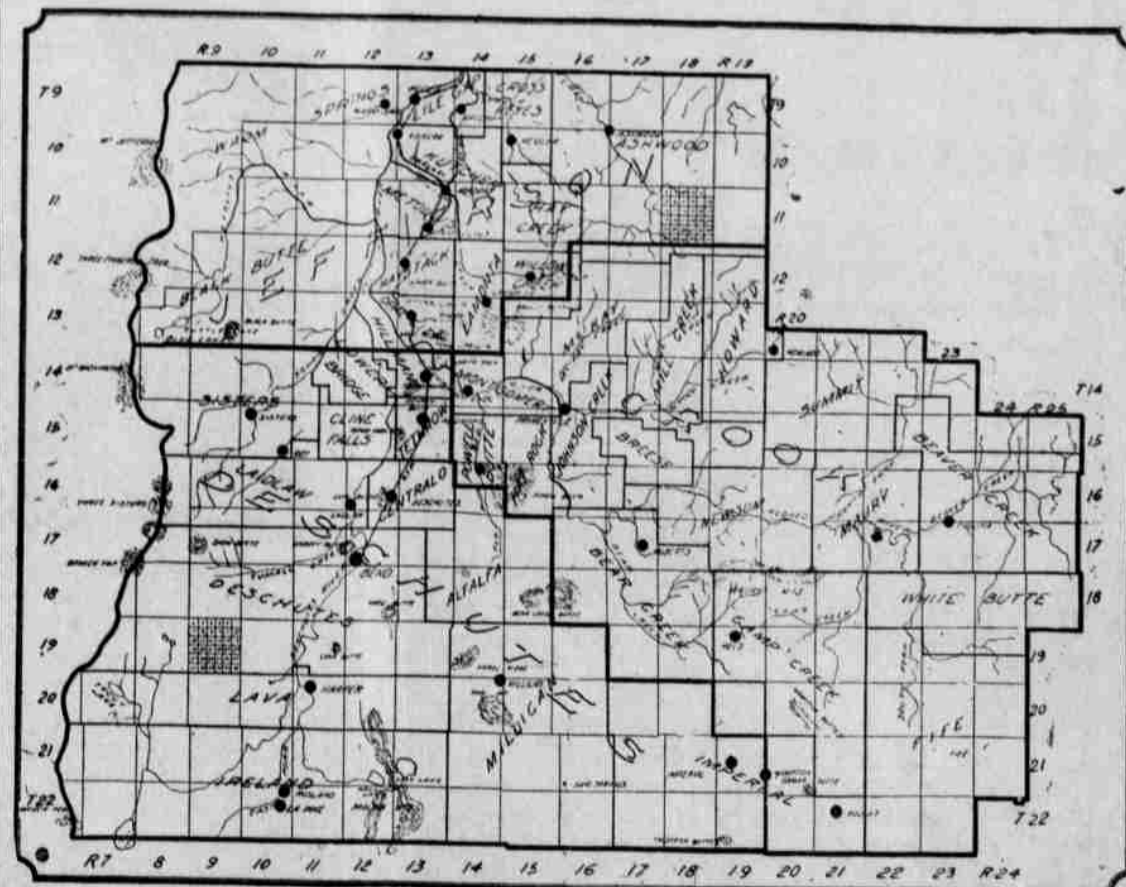
Councilman Foster reported that he had ordered the water wagon given two coats of paint and that A. B. Roller was doing the work, consideration to be \$28.

A motion by Councilman Foster was passed, requiring the marshal to take up all stray stock, the owners of which live outside the city, care for and advertise the same, and permit their owners to take them out of the pound by paying feed and advertising charges.

The following bills were allowed: John Malech, 17 nights.....\$42 50 Jack Curtis, meals..... 50 R S Price, hauling..... 1 75 W H Wirtz, drawing papers..... 5 00 Crook County Bank, interest on bonds..... 60 00 First National Bank, interest on bonds..... 90 00 L M Bechtell, treas. salary..... 25 00 W R Pollard, salary..... 75 00 " " 4 dogs, 2 arrests..... 6 00 Deschutes Power Co.....159 20 John Templeton, special police 17 50 Henry Seehale " " 17 50 C W Elkins, padlock for jail..... 1 50 E O Hyde, fees..... 14 95 Marshal Pollard reported \$10

Continued on page 8

MAP SHOWING JEFFERSON COUNTY



The Section marked Deschutes is that part of Crook County which was proposed as Deschutes County, and Defeated last November, at the same time Jefferson County was created.