

WIFE-BEATERS IS FREE BY COURT

Gus Lehmeier Is Exonerated After Slapping and Kicking Spouse on Street.

GRIST OF POLICE CASES

Sentence of Six Months Is Suspend-ed, So That W. S. Kyler Can Attend Revival Meetings and Be Baptized.

Gus Lehmeier, residing on Fourth Street near Madison, admitted in the Municipal Court yesterday morning that he gave his wife a thrashing on the public street Easter morning. But instead of sending the husband to the whipping-post, Judge Cameron dismissed the case and assured Lehmeier that he could hardly be blamed for beating Mrs. Lehmeier. This view was coincidentally shared by Deputy City Attorney Tomlinson after the facts of the case had been brought out.

Great indignation was aroused bright and early Sunday morning by the spectacle of a large, strong man slapping and kicking a frail little woman who was scurrying along in front of him trying to avoid the punishment. At a point near the Plaza block half a dozen early-morning vegetable peddlers, aroused by the sight, interfered. At the same time Patrolman Porter ran to the scene and arrested Lehmeier for disorderly conduct, the woman refusing to make a complaint.

Lehmeier would say nothing. He was taken to the police station and locked up. His conduct seemingly was inexcusable and there was every reason to believe he would get a long term on the reekle, as Judge Cameron is exceedingly intolerant of wife-beaters. Up to this time, however, it was not definitely known that the victim of the attack was Mrs. Lehmeier. That fact did not become known until the case was called for trial yesterday morning.

"Why were you beating that woman?" Mr. Tomlinson asked. "That was my wife," Lehmeier explained with an expression which indicated he thought his plans for her identity was sufficient to clear up the case.

"Such being the case we had best charge you with the more serious offense of wife beating," suggested Mr. Tomlinson. "At present the charge is only that of disorderly conduct. Your wife wouldn't make out a complaint." "I shouldn't think she would," said Lehmeier. "She had a beating coming. I hate to tell it, but I was driving her home."

Lehmeier then unobscured his domestic troubles in detail. Last Saturday he went to Hillsboro. He told his wife he would return on the late train Sunday. He had important business but finished it late Saturday night and, growing homesick, set out to walk home rather than wait for the train next day.

He reached Portland about 4 o'clock in the morning, he said, and went at once to his home. Repeated ringing of the doorbell failed to attract his spouse. He went to the rear door and found it open. Going inside he went to his wife's sleeping apartment. It was vacant except for the family logs, two in the hearth, which were asleep on the bed.

Going on a still search he succeeded in locating Mrs. Lehmeier. She had been "drifted" to the back of the dark, and had "sat all night in a C. A. F. E. singing just like a lark." Lehmeier said there was a stormy scene, in which another woman and two men took to flight and he then set about driving her home.

It was this journey that was interrupted by the police. Lehmeier was slapping and kicking her when she lagged in the march, because he felt she deserved such treatment, Lehmeier said. "And that isn't all," added the unhappy husband. "I have learned that the other night."

"I have heard enough," said Judge Cameron, interrupting Lehmeier, much to the chagrin of the wife, who was the horse of court loungers which was leaning eagerly, even hungrily, forward as an not to miss a word. "I would like to hear the rest of your story, but there is a long docket ahead and I haven't time. I do not believe you should be punished for what you did. This case against you will be dismissed. Call the next case."

W. S. Kyler, watchman at the chair factory at 1180 Macadam road, was relieved of a term of six months in the County Jail in order that he might attend gospel services last night and be baptized. He was charged with retailing chairs, admitted his guilt freely, but asked forgiveness that he might follow in the light of a new-found life.

Kyler was arrested on Monday night for the theft of chairs from his employer, A. J. Kingley. His arrest followed a public concert at the church meeting held by the Church of All Saints. His employer at first refused to prosecute, but later changed his mind and appeared yesterday morning to do so, Kyler saying he wished the charge cleared up.

The accused, a man past 50, arose in court to say he was guilty and asked the forgiveness of all concerned. He said he had confessed his sins to the Lord, who had forgiven him, and he hoped Judge Cameron would be equally generous.

"I knew I was doing wrong when I stole the chairs, but I have since changed to the better part," Lehmeier said. "I have come to know salvation and the power of God, who shall rule my life after this. I am sure the good Lord will forgive me for this wrong and I hope the court will do so."

Office Mottoes Spur On Safe Crackers

"Welcome" on Doormat, and "Do It Now" Above Vault Great Men Who Rob Machinery Company.

Mayor Under Fire

Charged With Needless Expenditure of Funds.

The first session of the Council Judiciary committee to investigate the expenditure of \$200 for underground cables and conductors for the Fire Department occurred last night at the City Hall. The members of the committee are Councilmen Bennett, Cellars and Vaughn. With the exception of showing that City Electrician Savarian took upon himself the responsibility of interpreting the language of the franchise of the Pacific Telephone & Telegraph Company and the Home Telephone Company, thereby primarily influencing the administration to make the purchase, very little of importance was

questioned by Councilman Kellaher, who has opposed the permission to attach its system to the city fire department wires. City Attorney Kavanaugh yesterday afternoon reported to the Council on this phase of the matter, showing that, in 1902, the old Fire Commission gave a verbal permit to the corporation to put in auxiliary boxes and automatic service. Mr. Kavanaugh doubted, he said, the legality of that permit, no record of it being extant, and he thought the company has no right to engage in business under that verbal grant. He holds that the 21 fire-alarm boxes, installed by the company, are still the property of the company.

Plans for New Crematory. Councilman Bennett yesterday afternoon introduced before the Council a resolution calling for an appropriation of \$50 from the general fund, to be used for the employment of an engineer to make plans and specifications for a new crematory. The matter was referred to the committee on health and police.

City After Its Streets

Will Resist Possession by Lumber Company. Mayor Lane Calls on Council for Action to Oust Mill From Disputed Thoroughfares.

Mayor Lane yesterday afternoon sent to the City Council, at its adjourned meeting, a communication, in which he called attention to the fact that the Inman-Poulsen Lumber Company has possession of certain streets on the East Side, for which they never paid, and declined upon the ground that the city is to assist him in an effort to recover the property for the city. The communication was referred to City Attorney Kavanaugh for a report as to the means to be used in securing the property.

After the communication was read, Councilman Baker, who grilled Mayor Lane at the previous session for alleged misleading letters on various subjects, addressed to the people and published in the newspapers, arose and said: "Your honor, that is a first-class communication, and you have my hearty support."

"Thank you," replied the Mayor. The mill company officials now make the contention that the city has no rights in the streets occupied by the plant, and never having been properly dedicated. It is thought the case will be fought out in the courts.

"Gentlemen: Inasmuch as a claim has been made in an open meeting of your honorable body, by an agent of the company, to the effect that the Inman-Poulsen Lumber Manufacturing Company is the owner of certain portions of East Caruthers street, Division street, East Sherman street, East First, East Second and East Third streets in this city, which streets are now being occupied by the said company, I have the honor to inform the public, I write this to respectfully intimate to you that acting under the authority vested in me as Mayor of this city, I have caused the following proceedings so far as it lies in my power to do so to secure the possession of said streets to this city.

As Mayor of this city, I do hereby call upon you as the lawful representatives of the city, and upon the City Attorney, as its legal adviser, to render me aid in this effort to retain the city's rights to these streets.

"In this action upon my part, there is no intention to do any injustice to the owners of the property, and my only object is my full intent to secure to this city, if I can do so, all and every such right as belongs to it.

"I am hoping that the city may secure the benefit to be derived from your earnest, active and wise assistance in this matter, I am, yours respectfully, "HARRY LANE, Mayor."

Will Rule or Know Why

Public Works Commissioner Issues Ultimatum to Subordinates. Tacoma, Wash., April 23.—(Special.)—After being disobeyed, defied and insulted by employees of the city, Commissioner of Public Works H. J. McGregor tonight announced to all whom it might concern that he would no longer have patience and harmony or know the reason why. Officials have refused to obey his orders, kept men under them from obeying his orders and did not attend to their work or let any one else attend to it.

Commissioner McGregor said tonight: "I must have obedience if I am going to secure any results for this city. And I am going to have it. Tomorrow morning I will issue an order to the head of every department instructing him to turn over all property of the city to some certain man whom I shall designate, and who will report at my office. If he does not come I will immediately suspend him from duty, whether he is under civil service or not, and prefer charges against him before the Council."

License for Druggists

New Ordinance Fixes Annual Liquor Fee at \$300. A mild sensation followed the introduction before the City Council yesterday afternoon of an ordinance fixing the license fee for druggists retailing liquors at \$300 a year. It was signed by a majority of the members of the committee on liquor licenses, of which Dr. Cottel, a druggist, is chairman. Councilman Baker arose and declared that, if druggists are to be allowed to sell liquor at all, except upon prescription, they should pay the regular annual license of \$500 a year. The matter was finally referred to the license committee.

Dr. Cottel at first declared himself ignorant of the source of the ordinance, and expressed surprise when it was read. He said he did not know where it came from, but when the Auditor read the names of the signers, the name of Dr. Cottel was found with the others. He then said he must have signed it unwittingly.

Lumber Outlook Brighter.

Astoria, Or., April 23.—(Special.)—The lumbering business at the mill in this city and tributary to it is gradually improving, and orders are now being received for shipment to points east of the Missouri River in larger numbers than at any previous time since the shut-down.

Mayor Under Fire

Charged With Needless Expenditure of Funds.

Cable Purchase Probed

Electrician Savarian Admits He Submitted Estimates for Materials That Telephone Companies Should Have Paid For.

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New Chairman of County Republican Central Committee



Major J. P. Kennedy, elected Wednesday night chairman of the Republican county central committee, was born in Maryland in 1859. In his early childhood his parents removed to Wisconsin. Mr. Kennedy came to Oregon in 1878. He has resided in Portland since 1890. He was for nearly 10 years in the employ of Meier & Frank Company. In 1900 he was elected clerk of the Board of Health. He has been engaged in the real estate and insurance business. Mr. Kennedy is a member of the Harmony Lodge, the Masonic fraternity, a member of the Mystic Shrine and also a member of Ivanhoe Lodge, No. 1, Knights of Pythias.

revealed. The conclusion by Mr. Savarian was that the corporation could not be made to supply a special brand of material necessary for the municipal service, a conclusion not warranted, according to the ruling of City Attorney Kavanaugh. Mr. Kavanaugh held that the companies can be forced to furnish the materials without cost to the city.

Owing to the fact that the language of the telephone franchise is such that the companies are not liable for the material until notified by the Council, no action can be taken against them to recover funds already expended for material. That they will be officially notified when franchise supplies are needed is thought to be certain, and it will then be seen whether the companies will concede the point made by the City Attorney.

Mr. Savarian was the first witness last night, and related the procedure leading up to his estimate for cables and conductors, and ending with the purchase of \$20,000 worth of material from the Standard Underground Cable Company, the award having been made by the Executive Board. Driscoll could check up, he said the material filled the specifications in the call for bids.

The investigation is in reality a continuation of the fight between Mayor Lane and his political friends in the Council and the majority faction, the members of which are politically opposed to him. He first tried to shoulder the blame onto them, and they are now trying to show that the responsibility is his; that he is required by the charter to report on franchises in his annual messages. It is a matter of record that Mayor Lane has called their attention to the terms of the franchise regarding the furnishing of necessary material for the Fire Department, and Councilman Driscoll charged him with this needless expenditure.

Mayor Lane holds that the blame rests upon the Council, the members of which voted the funds for the purchase of the cables and conductors. The majority members declare they should have been officially notified by the Mayor of the telephone franchise, and they so informed them, they say, they would not have voted money for the material.

Fred L. Gifford, formerly in the city employ, avers that he assisted in drafting the franchise of the Home Telephone Company, to the extent of incorporating the provision that the company must furnish cables of such character that the city might require. He said he told Mr. Savarian before the purchase now under investigation that the company should furnish the supplies, and that Savarian replied that he would buy the material then needed and see about the terms of the franchise later. Mr. Savarian says he did not hear Mr. Gifford make this statement.

Board to Act on Grant

Council Refers Franchise of Automatic Fire Alarm Company. The City Council yesterday afternoon sent the proposed franchise for the National Automatic Fire Alarm Company to the Executive Board for appraisal and further consideration as to its probable effect, if granted, upon the Portland fire-alarm system. The chief and city electrician are opposed to the franchise as now drawn, inasmuch as it gives permission to the company to use the city wires. The officials believe the company should install its own system, independent of the city's service, and in that case would like to see it in business.

The company has been in business in Portland a number of years, and its right to so engage has been outlined in

MUST EQUIP CARS WITH AIRBRAKES

Council Passes Law Requiring Installation of Safety Devices Within Year.

Only on Longer Cars

Railway Company Is Forbidden to Place in Service Any More Coaches Less Than 35 Feet in Length.

The City Council got down to business at its adjourned session yesterday afternoon and passed an airbrake ordinance. The measure requires the Portland Railway, Light & Power Company to equip all cars of more than 25 feet in length with the devices within one year from its passage, and forbids the company placing in service any additional cars of shorter type. This will eliminate, within two years, all of the smaller cars now in local service. The measure carried by a vote of 11 to 2, one being absent. Those favorable to the new law were Councilmen East, Bennett, Bennett, Concannon, Cottel, Dunning, Kellaher, Menefee, Ruslight, Vaughn and Willis; those opposed were Annand, Driscoll and Wallace. Mr. Cellars, who was absent, would have voted for the measure.

This ordinance is believed to be satisfactory to the Council. Mayor Lane and the company, and it is expected that it will become a law without a veto. This is one of the most concise laws on an important subject that ever came before the Council, and its terms are said to be exceptionally clear.

Preceding the passage of the ordinance, there was a long discussion, principally by Councilman Vaughn, of the entire history of airbrake matter in the Council, and he reviewed the various proceedings on the subject, which had gone on from year to year. Believing, as he said, that the majority members of the Council intended passing an ordinance that would enable the corporation to operate indefinitely the smaller types of cars now in service, Mr. Vaughn delivered a long speech, in which he charged that the Portland Railway, Light & Power Company practically refused to equip its cars with airbrakes, and announced that he would himself to be absolutely free from control by the company. He declared that he, for one, was at liberty to vote for whatever he might see fit, and intimated that such was not the case with some other Councilmen.

President Willis occupied the chair while Mr. Vaughn was speaking, and twice called the latter to order for breaking the rule which forbids a speech of more than four minutes. Mr. Vaughn denounced the gas rule, as he termed it, but was saved from further annoyance by Councilmen Kellaher and Baker, who fended him off. Mr. Vaughn's speech, the members who participated in the discussion amended the proposed law so that all were agreed upon it.

Asked being no legal manner in which the Council could appropriate the amount asked out of the general fund, the means stated was resorted to in order to enable the members of the Council to grant the request of the old veterans.

Council Aids the G. A. R.

Provides \$250 for Memorial Day Decoration of Veterans' Graves. An appeal from the City Council from the Grand Army post of the city for financial assistance in decorating the graves of those who fell in the Civil War, met with prompt response yesterday afternoon. An appropriation of \$250 for memorial, which was granted, the sum stated being taken from a special fund of \$1000, allotted to the Council each year by the charter, and which may be used for any purpose thought wise by the members.

In a communication to the Council, the Grand Army veterans explained that each year sees their ranks thinned, thus making more work for those left, and reducing the number to perform this labor. It was also shown that the expense increases each year, as the bodies of the

Contract for New Paving. An ordinance was passed by the City Council yesterday afternoon, granting to the Oregon Hassam Paving Company the right to lay Hassam pavement on Hancock street, between Twenty-fourth and Twenty-seventh. This is a new pavement now being introduced into the city, and for which much is claimed. It is said to be one of the best hard-surface improvements made.

Shinglers to Receive Pay. The City Council yesterday afternoon authorized the Mayor and Auditor to draw a warrant in favor of workmen who recently shingled the Forestry building. Their pay was held up because of an

Advertisement for H. B. LITT featuring 'ALL WAISTS HALF PRICE Today None Charged Store Opens at Nine'. Includes a small illustration of a woman in a dress.

comrades are laid away in the cemetery, and it was said that the burden has now become too great to be borne by those who remain. They believe it only just and right that the city share in the expense, and hence they came forward with their appeal.

Irregularity in their employment by the Park Board. The latter ignored the Civil Service Commission, unwittingly, thereby raising a technical defect in the matter.

San Francisco's Grand Welcome to the Fleet. The greatest patriotic demonstration of recent times will be San Francisco's welcome to the Nation's fleet of battleships to arrive in San Francisco harbor May 6. The committees having in charge the arrangements estimate that there will be 800,000 visitors to the Golden Gate on the occasion. The Southern Pacific has made a round-trip rate from Portland of \$36. Tickets will be on sale May 2, 3 and 4. Good for return until May 31. Make your reservations early at the city ticket office, Third and Washington streets.

Ross Gets Decision. ABERDEEN, Wash., April 23.—(Special.)—A fine burst of speed in the final round of a twenty-round go in the Grand last night, between Billy Ross, of Centalla, and Bill Rutschow, of Aberdeen, saved the day for the Centalla lad. Jim Arnold, the referee, rendered a popular decision by declaring the bout a draw.

Spectacles \$1.00 at Metzger's.

Large advertisement for 'ROYAL ANN CHERRIES' and 'ENGLISH WALNUTS' by 'CHURCHILL-MATTHEWS CO.'. Includes text about walnut cultivation and cherry varieties, and a small illustration of a walnut.