

GADSBY LAWYERS IN LONG WRANGLE

Arguments on Instructed Verdict for Parents Take All Day.

MAY GO TO JURY TODAY

Various Rulings of Supreme Bench Cited and Testimony of Both Sides Is Reviewed at Great Length by Attorneys in Case.

Yesterday's resumption of the hearing of the \$200,000 damage suit instituted by Mrs. Beatrice Hill Gadsby against Captain and Mrs. William Gadsby for the alienation of her husband's affections was occupied almost entirely by arguments pro and con by the attorneys on a motion for an instructed verdict in favor of the defendants. The arguments lasted all day, and at 5:30 o'clock Judge Morrow adjourned court to resume the hearing this morning at 8:30.

All the testimony of the moral claimants was in early in the morning session, and Attorney Team W. Smith, who is acting for Captain Gadsby in conjunction with James Gleason and John F. Logan, took the floor and argued for three hours in asking the court to render an instructed verdict in favor of the defendant, Mr. Smith proved a forcible speaker.

Ex-United States Senator Fulton, who, with J. V. Beach and C. M. Lilliman, comprises the array of legal talent representing Mrs. Walter Gadsby and her parents, the George H. Hills, followed Mr. Smith, and in speaking against an instructed verdict, cited at length previous rulings made by the Oregon Supreme Court in practically identical cases.

Senator Fulton dwelt at length on the evidence introduced at the trial, and cited the statements of Captain Gadsby, as well as of Mrs. Gadsby, his wife, in which he attempted to show that there had been no inclination evinced on the part of the Gadsbys to effect a reconciliation between Mrs. Beatrice Gadsby and Walter, and also that it was the cruel remarks and sneers directed at the younger woman which caused her to leave her husband's home and to seek comfort from her own parents.

Senator Fulton spoke on the alleged wrongs inflicted upon Mrs. Beatrice Gadsby, and in upholding his contention against an instructed verdict, read excerpts of the Supreme Court records of the case of Ferrera versus Hart, an action which held many details similar to those of the present trial. Senator Fulton contended an instructed verdict was not within the province of the court in the present instance.

Following Senator Fulton came Attorney James Gleason, employed by Captain and Mrs. Gadsby, who in an oratorical flight contributed a most interesting and forceful argument in favor of the defendant. Mr. Gleason said Mrs. Beatrice Gadsby had flitted about the court room in anything but the attitude of a deeply-wronged young wife and mother, and that the sums asked in the damage suit were entirely beyond all reason in that she showed no ill effects from the treatment accorded her.

Hills Called Mercenary. Mr. Gleason furthermore contended that Walter Gadsby is now, and always has been, ready to receive his wife back, and that the only reason for reconciliation had not been effected before this was the mercenary attitude of the parents of the young woman, who, Mr. Gleason contends, are endeavoring to "do" the parents of their daughter's husband out of a large sum of money.

During his argument Mr. Gleason dwelt on the fact that Captain Gadsby had rendered the country as a volunteer during the Spanish-American war, and maintained that he had always cherished the fondest affection for both his daughters-in-law, the wives of his sons Walter and Ben, and that he had done everything in his power to promote the best of relations between the different families, killed by the marital ties of the young folks. Mr. Gleason also cited Captain Gadsby's testimony in which he alleged he is willing to accept Mrs. Beatrice Hill Gadsby back again, and also that Walter Gadsby still loves and desires to cherish his wife, whose separation, Mr. Gleason contended, was no fault of the Gadsby family.

During the arguments for the instructed verdict the jury was dismissed for the day, and the oratorical efforts of the attorneys were heard by Judge Morrow, who, at the conclusion of the arguments for and against the rendering of such instruction, announced that he would decide the point this morning and adjourned the court until that time. The case will probably go to the jury about noon.

Y. M. C. A. TO END TASK New Building Will Be Completed in Fortnight.

ous Y. M. C. A. departments are really made up of numerous small classes and clubs, which require a large number of small rooms, and the association does not feel that it can afford to take up a great deal of space with a single auditorium. It is found to be greater economy, Mr. Stone explains, to rent a hall or church when an unusually large meeting is to be held. The auditorium, however, is expected to accommodate the usual Sunday afternoon meetings which have become very popular.

Social features of the Y. M. C. A. have been held back because the restaurant in the new building is not completed. The ranges, however, are now being installed and bids have been called for on equipment for the restaurant. When it is ready finished will become a feature of the class, club and committee meetings, a serving elevator connecting the kitchen with all parts of the building. The section after the building is entirely completed, some kind of formal opening will be held. This ceremony will probably not take place until December.

CUPID AND STORK WIN

TOWN OF STANFIELD HAS A NOVEL BOOSTING GAME.

First Couple Married, First Baby Born and First Pair of Twins Will Get Residence Lots.

Boosters of Stanfield, a rapidly growing town in the irrigated district of Umatilla County, has adopted a novel

STANFIELD'S FIRST BRIDE AND GROOM, WHO HAD TO GO AWAY TO WED



MR. AND MRS. ROY S. NEAL.

plan for increasing the population of that place before the 1910 census is taken. The scheme is distinctly Rooseveltian. It consists of presenting residence lots to the first couple that weds within a prescribed time, and also to the first baby boy, baby girl and twins born in Stanfield. That the awards may be impartially distributed, the following committee has been named to determine the winners: W. R. Ellis, Representative from the Second Congressional District; Addison Bennett, of the Irrigation Irrigator, and N. B. Aldrich, of the East Oregonian.

The claim of Roy S. Neal and his bride, formerly Miss Della Bott of Pendleton, to the residence lot as the prize for the first Stanfield couple to wed has been contested. In the absence of anybody at Stanfield who is qualified to perform a marriage, Neal and his fiancée were married in Pendleton. It is on this claim that their right to the residence lot has been challenged.

Similar prizes also have been offered for twins, consisting of two boys; twins, two girls; twins, boy and girl.

POSTOFFICE ASKS HELP

Extra Allowance of \$200 Sought for Holiday Season.

Increase in local business and population has caused the Portland Postoffice to ask for an allowance of \$200 more for the employment of extra help for the holiday season than was spent for that purpose last year. The additional money is wanted for extra clerk hire, and the total amount asked for that purpose this year is \$440.

Several weeks ago a request was forwarded to the Postoffice Department, asking for \$300 for extra carrier for the holiday season, and \$100 to hire express wagons for unusually large loads. This amount was granted, and recently the additional money needed for clerks was applied for. The additional clerks and carriers will be paid 30 cents an hour. This is not as much as the regular men receive, but the latter will be allowed no pay for the extra time they will be forced to put in during the rush season, while the extra men will get pay for the full time employed.

GRAPPLER IS FINED \$20

Wrestler, Companion and Unwilling Opponent Pay for Brawl.

A desire to exhibit his wrestling ability cost Alfred Nyble, a logger, \$20 yesterday morning in the Municipal Court. Gilbert Hanson, his companion, was fined \$10. Oscar Hanson, a tailor, their victim, recently arrived in Portland from Seattle. He was also fined, his penalty being \$5.

Nyble and his companion were drinking in the Cozy Corner saloon at First and Alder street, Saturday afternoon, when the stranger, a stranger to them, entered. Nyble grabbed the tailor and insisted that he wrestle with him. The tailor objected and Nyble threw him down, the stranger's head striking the floor with great force, rendering him unconscious. He was removed to St. Vincent's Hospital, and, recovering, he was sent to the City Jail. As it was shown that all the men were drunk, each was fined.

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LOCAL OPTION IS BEST, SAYS MAYOR

Simon Would Drop 318 Saloons and Leave Choice to People.

CELLARS BILL SEEMS LOST

Drastic Measure Against Resorts Still With Committee—Debate Ends in Wrangle—Lid Law Violator Forfeits License.

While the liquor license committee of the City Council at its meeting yesterday discussed the drastic ordinance prepared by the City Attorney at the request of Councilman Cellars, proposing more stringent regulations for saloons, Mayor Simon gave expression to his views on the liquor question in an interview at his office. He favors local

GUARD TO REORGANIZE

PLACE MUST BE FOUND FOR EIGHT EXTRA COMPANIES.

Members of Fourth Regiment Will Be Asked to Vote on Joining Artillery Corps.

Under Federal regulations a partial reorganization of the Oregon National Guard is necessary. The National laws require that every regiment of state militia must consist of 12 full companies and that a regiment in which there is a less number of companies cannot be maintained as such.

As now constituted, the Third Regiment in this state is composed of the required 12 companies, while the Fourth Regiment consists of only eight company organizations. To organize to equal the four full companies that are needed to complete the latter regiment would cost approximately \$20,000, and there are not sufficient funds available. The problem now confronting the general staff of the state guard is how to dispose of the surplus of eight companies.

Two or three plans are available to the militia officials. As a first effort the general staff has decided to organize a Coast Artillery Corps and it is desired that the number of companies necessary for service at the coast forts be transferred from the infantry. Letters detailing this plan have been sent to the officers of every company in both the Third and Fourth Regiments with instructions that the members of each company be permitted to determine by vote whether the company shall be transferred to the coast artillery or remain with the infantry branch of the service.

The decision of each company on this question will be optional, but a choice must be made before November 15. Adjutant-General Finzer, of the National Guard, said last night that if eight of the 20 companies represented in the two regiments should vote to join the artillery service the remaining 12 companies could be formed into a single regiment. He also said that eight companies can be transferred to the artillery branch probably without depleting the official roster of the guard as it is now organized. This would be possible from the fact that room would be made in the coast artillery for the same number of officers that is now required for the organization of the eight companies in the incomplete Fourth Regiment.

If a sufficient number of infantry companies falls to volunteer to join the coast artillery, the general staff of the guard has the power to dissolve the Fourth Regiment and organize the eight companies into two battalions. If that course is resorted to the guard would lose one

Local Option Favored.

"I never go into a saloon," said Mayor Simon, "but I do not favor the radical stand of the prohibitionists. I strongly favor local option, and believe in giving each district affected the right to say whether liquor shall be sold. While I do not need liquor myself, I do not feel like saying that no one else shall have it. I believe, however, that a radical change in the manner of conducting saloons should be had. I would like to see the control over them vested in the Police Commission. If I had the control of them I would very soon weed out the dives and limit the number of saloons to not more than 100, and I would not allow any loitering or lounging in any saloon."

If the Mayor's plan should ever be enacted while he is in office, it would mean that 318 saloons would be wiped out. He says he would require the remaining 100 to contribute to the city an equal revenue of the entire number now in existence. There are now 418. The liquor license committee debated long over the proposed Cellars law, and ended in a row, when Councilman Cellars and Belding disagreed. Mr. Belding told his

colleague that he had always noticed "that any ordinance which had to be rushed through had something in it which would not hold water." He also made other caustic remarks.

Cellars and Belding Clash.

"We all know that you would not vote for this ordinance," retorted Mr. Cellars. "You are satisfied with things as they are, except you want women in saloons."

"I don't know so much about that," replied Mr. Belding. "When it comes down to personal matters, I think I stand as well as you."

Mr. Belding then moved to adjourn, and Councilman Annand seconded it. Chairman Wallace, who is favorable to Mr. Cellars' reform plans, endeavored to secure action that would place the proposed ordinance before the Council without recommendation, but failed, and the meeting adjourned without doing anything definite, leaving things as they are.

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Those wishing to get back to Seattle by Monday morning can do so.

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