

PORT CAN'T ORDER DRAWN BE CLOSED

Major McIndoe Says Secretary
of War Regulates Open-
ing of Bridges.

CHANNEL ONLY CONCERN

Government Interested Solely in
Clear Passage for Navigation.
Swigert Believes Broadway
Bridge Will Be Approved.

Major McIndoe, of the Corps of Engineers of the United States Army, stationed in Portland, has given it as his opinion that the Port of Portland has no power to act in regard to closing the draws of the bridges over the Willamette River and that it is necessary for the Government to act.

Statements to the contrary have been made recently in connection with better regulations regarding obstructions to street traffic caused by the open draws during rush hours. In a letter to C. E. Swigert, president of the Port of Portland, Major McIndoe explains this matter, reiterating that the supreme authority for regulating the opening and closing of the draws lies with the Secretary of War.

Major McIndoe points out that the rivers and harbors act of August 18, 1894, empowers the Secretary of War to prescribe regulations governing the opening of drawbridges across navigable waters whenever in his judgment public interest demands it. In special cases, where these regulations have been so drawn as to permit draws to remain closed at certain hours, these regulations do not direct that the draws be closed, but merely made no regulations governing the expected hours. As the statute is inoperative until regulations are prescribed, it follows that bridgeowners may refuse to open their draws without liability for the penalty fixed by law.

Mr. Swigert gives it as his opinion that any regulations affording relief to the congested traffic conditions of Portland must be made by the Secretary of War. "It must be kept in mind," said Mr. Swigert, "that the War Department is not concerned with the harbor of Portland, whether it is blocked or not, but only in keeping a clear channel in the river for vessels. Therefore, I do not anticipate any difficulty in regard to the proposed Broadway bridge and do not think the department will oppose the plans if it finds they offer no serious or unreasonable obstruction to navigation."

MAYOR SENDS COMMITTEE

Fulton, Munly and Menefee to Urge
Bridge in Washington.

It is virtually certain that Charles W. Fulton, ex-United States Senator, M. G. Munly, president of the North East Side Improvement Association, and Councilman Menefee will go to Washington as the special representatives of the city in regard to the proposed Broadway bridge. Mayor Simon was in consultation with these men yesterday, and it is believed that they will soon be on their way to the National capital.

It is the Mayor's belief that personal representatives of the city will be able to accomplish a great deal of good in the cause of the proposed Broadway bridge. Mayor Simon was in consultation with these men yesterday, and it is believed that they will soon be on their way to the National capital.

CLUB HEARS GOOD MUSIC

Paper on Violin Followed by Rendi-
tions on Famous Instrument.

The programme arranged for yesterday's meeting of the Portland Women's Club proved to be a musical treat, which was enjoyed by an unusual number of guests as well as a large audience of club members. "The History of the Violin" was given in an interesting paper by Mrs. Evelyn Allen Acheson. After an outline of the development of string instruments and some notes on famous makers of violins, the romantic histories of several Portland violins were recounted, including that of a Stradivarius at present in the possession of Mrs. Hare.

This violin, which was loaned for the occasion, and the magic finger of Waldemar Lind revealed both the instrument's beauty of tone and the artistic skill of the performer in the "Andante" from the "Second Concerto" (Vieuxtemps). This was followed by Zicumerwelen's (Sarasate), in which Herr Lind's delicate phrasing and singing melody, together with the brilliant finale, roused enthusiasm. As an encore he gave "The Swan" (Saint Saens).

Mrs. Belle Allen sang Swepton's "Ave, Maria," with violin obligato, and an Aria from "Hercules" in effective style.

At the business meeting preceding the musicale, it was announced that the club had raised \$11.30 by the sale of Red Cross Christmas stamps for the Visiting Nurses Association. Arrangements were made for the banquet in celebration of the club's 14th anniversary, which will be held January 26. Preparations were also made for the card party to be given January 26, in the Masonic Temple, by the State Federation of Clubs, in aid of the educational loan fund. Favorable reports were received regarding the patient who is at present being cared for by the club in the Open-Air Sanatorium. A theatrical entertainment is being planned for March 14, in aid of the club's tuberculosis fund.

EACH STONE TO BEAR NAME

Pioneer Building to Be Faced With
Historic Data.

Officers of the Washington Pioneer Association have received a novel suggestion for gaining funds for the erection of a suitable pioneer building, and at the same time preserving in a unique way the names of pioneers of the state. The suggestion was submitted by Mr. W. McGuire, of Seattle, who was born in the Old Oregon Country before the State of Washington was carved from it.

Mr. McGuire's plan is to have the name of some pioneer and the date of his coming West cut into each stone on the outside of the proposed pioneer building, the expense being paid by either the pioneer or his descendants.

Miss Denny, and he feels sure that his efforts will be fruitful.

When interviewed recently in Seattle on the subject, Mr. McGuire said: "I am in favor of having a committee appointed at once to receive funds for the building, to arrange for a suitable site, and to have plans drawn."

EIGHT HOURS IS DEMANDED

Harness-Makers Expect Peaceful
Victory—Will Enter Politics.

E. J. Baker, general president of the United Brotherhood of Leather Workers on Horse Goods, is at the Oregon. "I have been away from our headquar-

BAPTISTS FIND WORKER FOR PORTLAND MISSIONS.

Behind closed doors in Circuit Judge Morrow's chambers yesterday testimony was taken in the divorce suit of Ben Holladay against his wife, Elsie Holladay, who did not contest the suit. Although the decree was not entered, it is expected that the divorce will be allowed. Judge Morrow endeavored to prevent the divorce from becoming public.

The plaintiff is the son of the late Ben Holladay, a pioneer resident of this city, who platted the addition on the East Side which bears his name. He is a nephew of the late Joseph Holladay, another pioneer of this city.

In the complaint filed by Mr. Holladay the wife was charged with desertion in 1906. They were married May 28, 1902, and there is one child, the disposition of which has not been determined. Besides the husband Mrs. M. A. Smith was the only witness who testified.

PETITION STOPS ESTATE SALE

"Billy" Ayers' Property Won't Go
for Less Than \$24,000.

"Billy" Ayers' estate is involved in a petition of the Merchants' National Bank and Ralph W. Hoyt, filed in the County Court yesterday morning, protesting against the sale by W. F. White, the administrator, of the quarter block at East First and East Washington streets for less than \$24,000. This is the site of the old Southern Pacific depot. The administrator proposed to sell it for \$10,500. The property is described as lots 7 and 8, block 20, East Portland.

The petitioners represent that the Ayers estate owes the bank \$6787.93, with interest at 8 per cent from November 1, 1909, and that Hoyt is a creditor to the amount of \$1290, for \$400 of which he holds security in the form of personal property. The total amount of the claims against the estate on November 1, 1909, was \$71,031.32, it is said.

Hoyt and the bank say that although White contemplated selling the quarter block to James D. Hennessy and George W. Simpson for \$10,000, Jackson & Deering wrote them a letter December 30, last, offering \$24,000 for the property, if an option could be secured. The petitioners say the property has been appraised by Whitney L. Boise, the Charles K. Henry Company, the John P. Sharkey Company, D. S. Stearns, Thomas Hielop and W. H. Boise, and they say they organized for the purpose of securing the property for \$24,000, unless ratified by the County Court. Hoyt and the bank desire that a new option be given to Jackson & Deering.

BOYS LET OUT ON PROBATION

Lads Who Threw Pipes at Priest
Must Report to Him.

Arthur Kolts and Harry McIrwin, the boys who threw two smoking pipes at Father Tillman while the priest was kneeling in prayer in the Catholic church at Portsmouth, were placed on probation by Judge Bronaugh yesterday afternoon. Arthur is 15 years old, while Harry is 12. On suggestion of Chief Probation Officer Teuscher, Judge Bronaugh ordered the lads to report to Father Tillman once a month.

Morrow to Judge Juveniles.

Circuit Judge Bronaugh will continue to be judge of the Juvenile Court after February 1, when he will turn the presiding judgeship over to Circuit Judge Morrow. The other judges have insisted that he continue in charge of the Juvenile Court, and under pressure he has consented. He has agreed that the presiding judge will assign no cases to Judge Bronaugh for trial during the half days when he will be occupied with Juvenile matters, thus leaving him free for that work.

HAMMER INSANE, SAYS DOCTOR

Gillespie Pleads Plaintiff Is Incompetent to Bring Suit.

"Crafty, sly and absolutely unreliable," are the terms applied to A. Ralph Hammer by Dr. R. L. Gillespie in an affidavit filed in the Circuit Court yesterday in Hammer's suit against the sanatorium company, proprietor of

HOLLADAY SUIT ON

Wife Makes No Appearance to
Contest Divorce.

DOORS OF COURT CLOSED

Disposition of Child Not Determined,
and Decree Is Not Entered, but
Is Expected—Desertion
Is Alleged.

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Nelle N. Keller filed a divorce suit against G. S. Keller yesterday, alleging that he fired two shots at her from a revolver early in October, 1909, one of them coming so near to hitting her that it shattered a dish she was carrying in her hand. After that she was afraid to live with him, she says, and left their home at Port Scott, Kan., last Spring, however, he begged her to again make her home with him, which she did, only to be mistreated again on account of his drunkenness. She was married at Port Scott, Kan., January 12, 1902.

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Crystal Springs Sanatorium. A motion to quash the complaint on the ground that Hammer is insane and therefore incompetent to bring the suit is to be argued before Presiding Judge Bronaugh today.

Hammer was first an inmate of Med-

ical Lake Asylum, Washington, according to Dr. Gillespie's affidavit. He was confined at Crystal Springs Sanatorium at various times between April 13, 1907, and September 15, of the same year, and probed the attendants at Crystal Springs to the full extent of forbear-

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GOOD THINGS IN PORTLAND MARKETS

BY LILLIAN TINGLE.

The hopeful housewife may this week discern some slight reduction in the price of eggs, even though unlimited angel cake and omelets may still be dreams of the future. Fresh Oregon eggs are obtainable at 40 cents a dozen and best Eastern eggs at 30 cents. Butter still ranges from 75 to 80 cents a roll, but slightly lower prices were prophesied for next week.

Fish is slightly lower in price and more variety is obtainable than during the very cold weather. Some remarkably fine black bass were displayed at 25 cents a pound and striped bass at 25 to 30 cents. Sea trout at 20 to 25 cents are very attractive. Shad costs 15 to 20 cents, catfish and sole 15 cents, salmon, halibut, 12 1/2 to 15 cents, silver smelt and black cod 10 cents, perch, herring and flounder 10 cents. Crabs cost 15 to 20 cents and there are good shrimps and prawns at 15 to 20 cents a pound.

Poultry is still high. Any justice desiring to line himself in true Shakespearian style with "fat capon" will have to pay 40 cents a pound for it. Turkey still costs 45 cents a pound and chickens about 35 cents. Guinea fowls are slightly lower in price, good ones being obtainable for \$1 each, but ducks still cost about 30 cents a pound and geese 25 cents. Jackrabbits are to be had at 50 to 60 cents each.

There is nothing new in the fruit market at this time. Oranges cost 25 to 40 cents a dozen and apples from 15 cents a dozen to \$1 or even \$1.50, according to kind and size. There are good Florida grapefruit at 12 1/2 to 15 cents each and California grapefruit at 10 cents. Winter Nellis pears are coming in at about 30 cents a dozen and imported Melaga grapes at 25 to 35 cents a pound.

Celery and cauliflower are both better than they were last week. California French carrots are to be had now at 10 cents a bunch and new spinach at 12 1/2 cents a pound. Green peas are scarce, Lima beans are offered at 20 cents a pound and green peppers at 40 cents.

Good artichokes are available for "special occasions," while the more humble turnips, rutabagas, beets, onions, oyster plant, kale, cabbage and potato are excellent in quality, low in price and afford many attractive plates for the careful and skillful cook.

Daily Off for Trip to Europe.

E. J. Daly, the well-known real estate investor and operator, will leave today for an extended visit to Europe and the Orient. Mr. Daly will sail from New York on the Carmania on January 22. He will visit the Azores, Gibraltar, Alexandria, Algiers, Cairo, the Nile, Constantinople, Italy, St. Petersburg and other European capitals and will return after a visit to the ancestral hearth in Ireland. During his absence Walter G. Cox, who has been associated with him in business for a number of years, will have charge of his affairs.