

STRIKE AGAINST JUDGE YOUNG

Police Refuse to Make Arrests Because Court Will Not Convict.

AWAIT JUDGE CAMERON

Until His Return Patrolmen Have No Hope of Punishment for Saloonkeepers Who Break the Law.

Owing to the fact that it is practically impossible to secure convictions in certain cases before Acting Municipal Judge Young, Detectives Kay and Jones did not arrest the proprietor of the Burnside Exchange saloon, when they found a minor in his establishment Friday evening. They brought the boy in, however, and he was released, with instructions to go back to his home in Baker City at once. His name was Edward Seely, and his age 15 years.

"Why did you not bring in the proprietor of the saloon, as is usual in such cases?" was asked of Acting Detective Jones.

"We did not bring in the proprietor because we thought we could not get a conviction before Judge Young," replied Jones. "We thought we would wait until we had orders from the court, to see if he wished us to make the arrest of the proprietor."

"Why is it that the proprietor of the Burnside Exchange was not arrested?" was asked of Deputy City Attorney Fitzgerald.

"He may yet be arrested," was the reply. "I will investigate the matter. I presume the court would decide that the law did not contemplate such cases."

"I have been in this court three days on my case," said Patrolman Teerin. "I have lost much sleep, after working hard all night. I will never arrest another man for keeping his saloon open after hours while Judge Young is on the bench."

Patrolman Teerin's case was that of John Furey, keeper of a saloon on North Fourth street. He was discharged on that count and fined \$10 for selling beer to be delivered to rooms above his saloon. Owing to the fact that a disorderly house is operated in connection with his saloon, and that the establishments are both notorious, Judge Young's sentence is considered by the police to be inadequate punishment.

Many policemen have ceased their efforts to apprehend violators of law, pending the return of Judge Cameron, who is absent on a vacation, and it is said that officers are greatly discouraged over decisions made by Judge Young. The discharge of a saloonkeeper who admitted selling liquor to a minor stands out as the most glaring of all the alleged mistakes of the Acting Judge.

"I am a Christian, and do not believe in taking oaths," said John Gottlieb, when he was told by Acting Judge Young to hold up his right hand and be sworn.

"All right," replied Judge Young, "tell your story, and I will take it for what it is worth."

"I am a Socialist and work for a living," explained Gottlieb, who was charged with vagrancy. "I had been working in Southern California, but to please God and myself I came to Portland, where I intend to stay."

Gottlieb was discharged, but was told he must be idle, and promised to secure work immediately.

The case of Charles Trudgin, charged with larceny by embezzlement, and who was returned here from Aberdeen, Wash., by Detective Harman, was continued indefinitely. The complaining witness is D. C. Burns, a grocer. It is understood that the case has been adjusted, and that there will be no prosecution.

William Ryan and D. H. Harmon, arrested by Patrolmen White and Carr on suspicion of being hold-up men, pleaded not guilty to charges of vagrancy, and their cases were set for hearing Monday. They will have to explain their actions here covering a period of 17 days, and will have to tell why they carried heavy-caliber revolvers. They were emphatic in their denial of guilt, but Judge Young refused to release them, inasmuch as they declined to enter pleas of guilty to the charges against them. Five other vagrants pleaded guilty, and were permitted to leave the city.

MAYOR LANE HAS POWER

Appointment of Plumbing Inspector Vested With Him.

Mayor Lane has authority to appoint the Plumbing Inspector of the City of Portland, and the Mayor's appointee, William Hey, is entitled to hold the office and not Thomas Hulme, the former incumbent. The law of 1903 provides that the Mayor of every incorporated town or city containing more than 500 inhabitants shall appoint a Plumbing Inspector. The statute further provides that the Council of incorporated towns and cities shall prescribe, by ordinance, rules and regulations for plumbing work and inspection of the same.

Judge Cleland yesterday decided that under this law Mayor Lane had the right to appoint Mr. Hey in place of Mr. Hulme. The original contention was that under the terms of the city charter the Common Council and not the Mayor possessed the power to appoint the Plumbing Inspector. This point was not passed upon by Judge Cleland, nor was any reference made to the Civil Service law, because all this was unnecessary in deciding the case. The plumbing act of 1903 was passed subsequent to the Portland charter, and consequently is the latest expression of the Legislature on the subject.

Gets Damages for Burns.

For burns sustained by an electric shock on June 2 last, in an Irvington car, John Bled, of the firm of Sutcliffe & Bled, was awarded \$100 damages yesterday by Judge Sears, against the Portland Railway Company. The amount was divided \$10 for loss of time, \$25 for medicine, \$100 for pain and \$25 for future trouble. Bled sued for \$225. The company admitted the facts, and the case was tried before Judge Sears to assess the damages. Bled boarded an Irvington car and took hold of the iron railing in the front of the car. It was charged with electricity, and he was unable to let go for several minutes. He was severely burned and incapacitated from work for a long time.

Bank Perjury, Says Judge.

"I do not care to discuss this case, but there was more rank perjury committed than in any case I ever heard," said Judge

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W. Cooper Morris.

Cleland yesterday in deciding the suit of Maggie Weiser against Constable A. D. Keenan, in favor of the defendant. Moses Weiser, the husband of the plaintiff, borrowed money from Yetta Reiff, a woman with whom he was on intimate terms. She sued him to recover \$114 in Justice Reid's court and obtained judgment. Weiser was engaged in conducting an express business known as the Theatrical Express, and the Constable seized two of his wagons. Mrs. Weiser then came forward with a claim that she owned the business and wagons. At the trial Weiser denied having signed a certain chattel mortgage, and other witnesses, including the Notary whose jurat was attached to the instrument, testified that Weiser did sign it. This was a portion of the perjury referred to. No criminal charge has yet been made against Weiser.

Marquam Will Ask Rehearing.

One more effort will be made by Judge P. A. Marquam to save his property, comprising the block bounded by Sixth, Seventh, Morrison and Alder, including the Marquam Theater building, 80 acres of valuable land, and property in South Portland. His attorneys, E. B. Watson, W. D. Fenton and A. H. Tanner, will file a motion for a rehearing in the Supreme Court, and if it is granted an opportunity will be afforded for a re-argument, and the presentation of new points in Judge Marquam's favor.

"We have not yet determined the exact ground on which we shall ask for a rehearing," said A. H. Tanner; "in fact, we cannot do so until we have fully examined the Supreme Court's decision. We shall try hard to convince the court that it is wrong."

For Selling Tobacco to Minors.

It cost E. F. Giblin, a grocer, doing business at Union avenue and Russell street, \$14 for selling 10 cents worth of tobacco to two minors, 2 cents worth each. Giblin was tried and convicted by a jury in Judge George's court for selling a 5-cent package of tobacco to Arthur Tuipson, a boy 14 years old. For this offense he was fined \$20 yesterday by Judge George and the costs of the prosecution, amounting to \$54, additional.

He pleaded guilty to a second charge and was fined \$10. The sales were made in October last.

Gets Judgment on Sale of Wood.

In the suit of L. O. Perahin against Mrs. Carrie Howe to recover a balance of \$570 for cordwood, Judge Frazer yesterday rendered a decision in favor of the plaintiff. Mrs. Howe bought a large quantity of wood from Perahin, which she used in a brick kiln at Richmond. She testified at the trial that she paid him in full. Her methods of conducting business were shown to be careless, and Judge Frazer after hearing all the evidence decided that Perahin's account was correct.

District Court Proceedings.

John B. Ryan, a Portland attorney, was admitted to practice before the bar of the United States Circuit Court yesterday. Judge Wolverton held a short session of the District Court yesterday morning in which he listened to arguments and motions in several Indian land cases and bankruptcy cases. The District Court is working steadily in an effort to clear away the accumulation of business and will perhaps have a reasonably clear docket within a couple of months.

Riner to Be Tried Again.

Ed W. Riner, who is charged with attempting to obtain money under false pretenses in the matter of the building of the Tanner-Creek sewer, will be placed on trial Monday in the State Circuit

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CHRISTMAS BELLS HAVE COMMENCED TO RING—already have the Wisest Christmas Shoppers made their selections. If a gift is worth giving at all, it is worth giving with discrimination. Better the right thing at half the cost than a hurry-up affair at double the cost, selected in the rush and turmoil of the days immediately preceding Christmas.

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Court for the second time. The jury at the first trial disagreed. The point in the case is that Riner and his father, R. M. Riner, did not build the sewer according to contract. Riner returned from California yesterday, where he has been employed. John F. Logan will appear as his attorney.

Comes After Abandoned Child.

J. W. Clark arrived in Portland yesterday from Wisconsin, to return with his 6-year-old son, who was abandoned in September by his mother. The police authorities found the child in a lodging house, and the Boys' and Girls' Aid So-

ciety has taken care of him since. Clark says his wife left Wisconsin to visit relatives in Seattle. She fell into bad company, and deserted her offspring.

Lumber Company Loses.

The suit of the Boring Junction Lumber Company against J. W. Roots, to recover \$287 on account of losses in saw logs under a contract, was decided by Judge Cleland yesterday for the defendant.

Mining Company Incorporates.

Incorporation articles of the Gold Bend Mining Company were filed in the County

Clerk's office yesterday by P. B. Wickham, A. Keller and L. E. Crouch. Capital stock, \$20,000.

Sues for Possession of Machinery.

J. Leve instituted suit in the State Circuit Court yesterday against the St. Johns Lumber Company for possession of certain machinery, shafting, rollers, etc., valued at \$200.

No Indemnity for the Dead.

NEW YORK, Dec. 9.—That the Chinese government will not be required to pay punitive damages for the murder of sev-

eral missionaries of the Presbyterian Board of Foreign Missions, at Eiao Chow, China, several weeks ago has been decided so far as the board is concerned. Rev. Dr. Brown, secretary of the board, said today that the board had decided that if it accepts any indemnity at all for the murders, it shall be only the actual cost of replacing the property damaged or destroyed by the murderers, and that the board will refuse to accept indemnity for the dead.

Begins Attachment Suit.

W. P. Fuller & Co. began an attachment suit against John P. Burns and F.

The value of the Pennsylvania ferries between Jersey City, New York, Brooklyn and The Bronx is \$3,000,000.

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