**JANUARY 8. 1911.** 



5250,000 BRIDGE **BOND FIGHT BARED** 

**Desperate Measures Adopted** by Duniway Are Shown by His Telegrams.

HE OFFERED INDUCEMENTS

in Effort to Induce Boston Banks to Refuse Bonds, He Telegraphed That He Would Furnish Bank

Free Defense in Case of Sult.

M. G. Munly, president of the North M. G. Munly, president of the North East Side Development Club, who is now in the East, has sent to Jamos T. Barron certified copies of telegrams which show to what desperate lengths Ralph R. Duniway, attorney for Frank Klernan, went in his efforts to prevent the acceptance by the National Shaw-mut Bank, of Boston, Mass., of 355,000 of Broadway bridge bonds. That institu-tion had contracted for the purchase of the bonds through Ladd & Tilton, of Portland. Portland.

one of the messages which he sen the National Shawmut Bank, Mr. Duni-way offered to furnish that institution free defense in any action which might be brought by the City of Portland to compel the acceptance of the bonds. The National Shawmut Bank had deposited with the city at the time this telegram was sent a certified check for one-tenth of the purchase price of the bonds.

### Munly Gets Full Copies.

Mr. Munity dets Full Copies. Mr. Munity obtained while in Boston full copies of each of the telegrams received by the National Shawmut Hank. On October 6, Gaston, Snow & Salton-stall, attorneys for the National Shaw-mut Bank, received the following tele-gram from Duniway: "Ladd & Tilton Bank declina to give me advance information whether you

"Ladd & Thiton Bank coefficients of give me advance information whether you will or will not try to accept \$250,000 Broadway bridge bonds. Say they will follow your instructions promptly. Frank Klernan is appealing his case. City has no franchise for bridge across fiver and Port of Portiand will not allow bridge to be built. Will one wait to enjoin Port of Portland will not allow bridge to he built. Will file new suit to enjoin your acceptance of bends if I get infor-mation in time; otherwise I will file new suit to cancel bends in your hands and the you up. I think you will serve your own interest by giving me advance information so as not to the up your money. If you refuse to accept bonds will furnish you defense to any action by dity on bid free of expense." On the same date Duniway wired the National Shawmut Bank as follows: "No bridge ever built across Willam-state without franchise from State, which Portland has not got for Broad-way bridge. Port of Portland has spanted no franchise. No bonds ever yold under this alleged charter sec-tion."

## "Petty Politicians"-Duniway.

The Boston bank received from Dun-way under date of October 8 the follow-

way under date of October 5 the index ing telegraphic message: "Paper publishes Your telegram ask-ing further isformation. You have not been given full and correct informa-tion by city. You should be furnished tion by city. You should be furnished all pleadings, evidence, authorities and two opinions delivered by Circuit Court. Charter amendment was not before Court in form contained in pam-phiel sent you when Council adopted resolution of March 31 and resolutions understood to identify act by title and ihere is no good title to such docu-ment, 21 encyclopedia law (second edition 375 not filed with Auditor 60

dition) \$75; not filed with Auditor 60 days before June 7, not published with legal ballot title, numbers were publighed wrong. Legal notice not given of election, minority vote. No other bonds have been heretofore issued under alleged charter amendment. Port of Portland must first grant franchise across river before bridge can be built and bonds sold for that pur-pose, Montgomery vs. Portland, 199 U. S. 85. I am of the opinion that Port C. S. et. 1 am of the opinion that Port of Portland will not grant franchise for this bridge across river to ob-struct harbor. Wish you to have full information and feel sure that if you have you will refuse to take bonds. Small number petty politicians trying to build this bridge with other people's noney in violation law. Obtained inunction Supreme Court Klernan case." Bond-Purchasers Warned.

This was supplemented the next day by the following message from Duni-VAY:

Read what city officials published in today's Oregonian. If the Supreme Court in the original proceedings de-cides in Klernan's favor the bonds would simply become invalid and the purchasers and not city or Mr. Kier-nan, as a taxpayer, would be the losers.' Also, 'After Mr. Benbow re-ceived a copy of the injunction yester-day he said he believed the Supreme Court had granted the injunction upon the theory that if the bonds are per-mitted to change hands at present they would get into the hands of an inno-cent purchaser, who would suffer in case the bonds are finally found to be

invalid.' Paper sent by mail." Kiernan's attorney then ceased his messages till October 21, when he

wired as follows: "Supreme Court of Oregon hearing argument of Klernan case merits re-fused to continue temporary injunc-tion because court holds your bid for bonds is subject to the decision of Supreme Court in Kiernan case, and pur-chaser buys at his perfl; is not innocent purchaser, and that his pendens applies to these bonds and that Kier-nan does not need injunction. Startof new sult against city and Ladd and Tilton Bank today."

## **REV. ANGUS M'KENZIE DIES**

# Native of Scotland, Well Known in

Clark County, Passes.

VANCOUVER, Wash., Jan. 7.-(Spe-cial.)-Rev. Angus McKenzie, 71 years old and a native of Scotland, died to-day at his home. Eleventh and Grant day at his home. Eleventh and Grant streets, after several weeks' lliness. Mr. McKenzie was one of the "old school" ministers, and for years he spent his time selling Bibles, later be-ing ordained in the ministry of the Presbyterian Church. He has filled pulpits in many places in the North-west. Camas, Ellsworth and Fishers being among the last places he served. He was rather a picturesque charac-ter, walking from town to town rather than having anyone go to the trouble of

than having anyone go to the trouble of hitching a horse for him. He abso-lutely refused to ride on a train on Sunday. He was well known to scores from Portland and other cities, who came to Vancouver to be married.

#### Lewis Officials Dine.

CHEMALIS, Wash., Jan. 7.-(Special.)-The Lewis County officials held a ban-

WEATHER CONDITIONS.

SPENCEI

HOBKIRK-In this city. January 7, at the family residence, 675 Corbst street, Peter Hobkirk, aged 60 years & months 21 days. Announcement of funeral later. HOBKIRK-At his home, 575 Corbett street, Peter Hobkirk, aged 76 years. Funeral notice later.

FUNERAL NOTICES.

# WEEKS In this city, January 7, as the family apariment. The Hill, 205 14th st., Reuben Weeks, aged 51 years 10 months 76 days. Friends invited to attend fu-neral services, which will be held at the Trinity Episcopal Church, 19th and Ever-ett sts., at 1:50 P. M. tomorrow (Mon-day), January 9. Interment Riverview Cemeters.

AT 5. Informatic losie for Constory. NER-The functal scribtes of Henry A Oxer will be held at the Oddfellows Tem ple, First and Alder street, at 2 P. M today (Sauday) under the auspices of Hassalo Lodge No. 15, I. O. O. F. Friend Invited. The concluding services will be held at the chapel of the Portland Crema torium.

torium. CARTWRIGHT—At Seattle Wash., Janu-ary 4. Aquillar Justus Cartwright, aged 23 years. The funeral services will be held at Finley's parlors at 2:20 P. M. to-day (Sunday). Friends invited. Inter-ment Riverview Cemstery.

VEEKS-At his opartments in the Hobart-Curtis, this city, January T. at 5 A. M., Reuban Weeks, in his S2d year, Funeral at Trinity Episcopal Church, Monday, January 9, at 1 o'clock P. M.

J. P. FINLEY & SON, 3d and Madison Lady attendant. Phone Main 9, A 1599. EAST SIDE Funeral Directors, succ to F. S. Dunning, Inc. E. 52, B 2535. ERICSON CO.-Undertakers, Ledy asist-ant. 409 Alder, M. 6138, A 2235. ZELLER-BYRNES CO., Funeral Directors, 264 Williams ave.; both phones; indy ast.