

FIGHT BITTER, BUT NOT ALL FOR CHILD

Both Grandfathers Want Clifford Graves, but Contracts With Lawyers Bind.

"BARRATRY" NOW IS ISSUE

Crime of Offering to Pay for "Case" Intimidated—Mr. Graves Testifies That He Engaged Counsel to Ward Off Many Offers.

Five-year-old Clifford Graves, sitting on Grandfather W. I. Graves' lap, on the witness stand, looked far over and looked Circuit Judge George N. Davis squarely in the eyes.

"I want to go to Seattle with Grandma Graves," he said. "Oh, you want to go to Seattle with Grandpa Graves, do you? Well, we'll see," smiled the Judge.

And the efforts to decide the momentous legal question continued. Nor has the law yet decided whether Clifford's home shall be with Grandfather Levi Hathaway in Portland or with Grandfather Graves in Seattle. Clifford himself thinks he would like to go to Seattle, for a while, at least. The grandfathers sit side by side in the courtroom or stand together in the corridor of the Courthouse chatting amiably while Clifford swings between them. There is no malice between the two.

Legal Battle Is Big One.

But before the court it appears that they have looked horns in a terrific conflict over the guardianship of the little orphan who has so recently lost both parents and his little brother.

It wouldn't take the grandfathers long to agree on a way of keeping Clifford if it wasn't for some outside matters that enter into the case. Probably neither grandfather would demand absolute jurisdiction over the lad if it was not for these outside matters.

Principally these outside matters are two lawyers. Each one has a contract with one of the grandfathers which says that the lawyer shall receive 50 per cent of all the money he can get out of the Northern Pacific Company through a lawsuit for causing the death of Clifford's father and mother.

Parents Killed by Train.

Last October Minor Graves, his wife, and little Derwood, 2 years old, left Clifford with Grandfather Graves in Seattle while they went in their automobile over Minor Graves' business route. He was a traveling salesman. On October 23, crossing the Northern Pacific tracks at Coconino, Idaho, a train crashed into them, and all three were killed.

"Barratry" is a word which many in the courtroom heard yesterday for the first time. It is the crime, or misdemeanor, which a lawyer commits when he solicits business or offers to pay for a "case."

The Graves family, except Clifford, was annihilated October 23. They were buried in Seattle early in November. Hathaway families both were besieged by lawyers who were anxious to sue the railroad company on their behalf.

Robert Corkery, of the firm of Corkery & Corkery, Spokane, Wash., appeared in Seattle yesterday. He offered to pay Mr. Graves \$25 a month during the pendency of a suit, pay his expenses to Idaho to attend the trial, and to bring suit for \$50 per cent of what he recovered, according to the evidence.

Mr. Graves First Refuses Offer.

Mr. Graves refused to become lawyer Corkery's client.

The same month lawyer Corkery appeared in Portland, met Grandfather Levi Hathaway and made a proposal to him. Here he was accepted. Hathaway returned to Spokane, lawyer Corkery had Mr. Hathaway appointed guardian ad litem by the county clerk yesterday to bring suit for \$100,000.

In the meantime, Mr. Graves testified, he had been besieged by lawyers to such an extent that he sought one out for protection. He retained Henry Ramsey, Jr., and under the advice of the Seattle clerk, he said, made a contract with lawyer Ramsey, which was the contract held by lawyer Corkery with Grandfather Hathaway.

"Outside Matters" Barred.

Clifford was in Portland with the Hathaway families, and here the battle is being waged.

So these "outside matters" prevent the grandfathers and Clifford from arriving at an understanding. Yesterday morning Circuit Judge Davis saw that these "outside matters" were in the way, and called the grandfathers together in his chambers for a consultation.

"It doesn't seem right," said the judge, "to drag these people, who are friendly, through the courts to a decision because of the death of the boy's parents," he suggested.

But the chambers in the judge's chambers came to nothing. The grandfathers agreed that he made little difference to them who brought the suit. Although each wanted the suit, but each grandfather had a contract with a lawyer, and it made a lot of difference to the lawyer.

Relatives Give Testimony.

Wrestling between lawyers Corkery and Ramsey was frequent during the day. The relatives of Clifford all testified yesterday, and Judge Davis heard the facts. The legal questions involved will be submitted to the judge on briefs. The lawyers are allowed seven days in which to submit them. After the judge has rendered his decision on Grandfather Graves' petition for a writ of habeas corpus, the losing lawyer will appeal to the Supreme Court. Davis' decision probably will not be made for 15 days.

In the meantime, Clifford will make his home with the Hathaways, at 224 Cantabrian avenue.

INSURANCE TRIAL DRAGS ON

Recess Called in Mountain Timber Company Case at Kelso.

KELSO, Wash., Dec. 18.—(Special.)—Judge William T. Darch declared a recess in the case of the Mountain Timber Company against the General Assurance Company, which has been in progress at Kelso the past two months, until Monday morning, when the final evidence of the plaintiff timber company will be introduced. It is expected that following completion of the case by the Mountain Timber company at that time a recess will be taken in the case until after the first of the year, when the defendant insurance company will commence its testimony. The case already has occupied eight weeks and it is expected to drag along for several months into next year. It is the longest and costliest case ever tried in Clatsop County.

FIREMEN CHRISTEN NEW TOWER WITH LIVELY DRILL.



Body of M. P. Amacher Being Lowered From Novel Drill Building at East Third and East Pine Streets; Battalion Chief Holden and Truck Captain Feltner Are Superintending the Drill From the Roof.

FIRE TOWER IS USED

Structure to Train Blaze Fighters Completed.

SMUDGES ARE REALISTIC

Building Gives Relief From Nuisance of Drills on Downtown Fire Escapes—Only \$900 Is Spent in Erection.

The Portland Fire Department now boasts of one of the few fire drill towers erected in the United States. Behind the headquarters of Engine 7, Truck 4, at the southeast corner of East Third and East Pine streets, a four-story tower was completed last week under the direction of Battalion Chief Leo Holden, who first suggested the building and designed the structure.

"In staging fire drills on the fire escapes of the big office buildings came to be pretty much of a nuisance to the busy people of Portland," said Mr. Holden yesterday as he cast aside his glasses at the new drill tower. "We concluded that it was about time that the department had a private drill tower where the applicants could be taught how to hop up and down fire escapes, climb up walls and battle with smoke on interior stairways."

"The tower will not only serve to train the new men in the department but it will keep the old men freshened up on practical work. Hereafter a detail from each department will train today it has cost the city approximately \$900, including the cost of laying cement entrances and walkways and Mr. Holden had the extreme pleasure of turning \$1500 back into the coffers of the city."

When Battalion Chief Holden learned that Los Angeles had constructed a fire drill tower at a cost of \$1500 he decided that he could build an even better building for \$2500. Accordingly he set to work after receiving a \$2500 appropriation for the purpose by the Council. All of the work on the building was performed by men actively employed as firemen. As the building stands today it has cost the city approximately \$900, including the cost of laying cement entrances and walkways and Mr. Holden had the extreme pleasure of turning \$1500 back into the coffers of the city."

ONE BAKER SALOON TO STAY

Liquor, However, Will Be Lacking at Social Center After January 1.

BAKER, Or., Dec. 18.—(Special.)—That men, who have been making the saloon their headquarters will have a meeting place when the state goes dry, baker organizations, under the guidance of the city officials, are planning to continue one of the saloons, with bar and all other furnishings, as a public men's club but lacking the liquor.

It is also proposed to put an ex-bartender or man well known to the saloon customers in charge. A meeting to discuss the plans will be held tomorrow and it is hoped to have the place ready for use by New Year's day and the dry saloon be born the instant the wet one dies.

Loan Fund Given Reed College.

A. W. Osobeck, of Portland, has presented to Reed College a \$2500 loan fund to be used for deserving students. The gift is designated as the Amelia

SEA CAPTAIN SETTLES HERE

S. C. Mitchell, Now Retired, Will Make Home in Sellwood.

Captain S. C. Mitchell, a veteran skipper, has settled at 54 Leo avenue, in Sellwood, after many years as sea captain. "When I was 23 years of age," said Captain Mitchell, "after having sailed four years for one firm in the southern trade, the shipowners who lived in Boston, Mass., requested me to go to Maine and build a rig for the southern trade. I did so and when the vessel was completed I took a cargo for San Francisco, consisting of general merchandise."

MRS. AMANDA HALL REES CAME TO OREGON IN 1845.

Mother of 12 Living Children Passed Many Years on Farm, and Moved to Portland in 1900.

Mrs. Amanda Hall Rees, pioneer of 1845, died at the residence of her daughter, Mrs. W. M. Henderson, 235 Larrabee street, Portland, Friday, December 18. She was 87 years of age. To Mr. and Mrs. Rees moved to a farm of 640 acres which he had previously purchased from a Canadian settler. There they lived continuously until 1900, except for a brief period in 1851 and 1852, when they conducted a tavern in Champeau. In January, 1900, they moved to Portland and lived with their son, Dr. P. A. Rees. To Mr. and Mrs. Rees were born 13 children, six sons and seven daughters. One son was lost in early infancy, but the others grew to maturity. The daughters now living are: Mrs. James William Welch and Mrs. William Henderson, of Portland; Mrs. John E. Clark, of La Grande; Mrs. C. H. Day, of Dayton, Wash.; and Mrs. H. Augustus Wright, of Portland. The sons are: D. C. Rees, T. H. Rees, P. A. Rees and Willard H. Rees, of Portland; and H. L. Rees, of Trinidad, Wash. There are 26 grandchildren and 15 great-grandchildren.

LADS TRICHINOSIS VICTIMS

Two Cases Discovered at Umatilla Reservation School.

PENDELTON, Or., Dec. 18.—(Special.)—Two cases of trichinosis have been discovered in Pendleton by Dr. T. M. Henderson, United States Government doctor for the Umatilla Indian Reservation. The victims, Russell Carden, aged 12 years, and Francis Narces, aged 12 years, who are students at St. Andrew's Indian School, are confined to the hospital. Carden's case was diagnosed first six weeks ago as typhoid fever. After taking blood tests and calling in other doctors of the city, it was decided that the disease was trichinosis. Both boys are seriously ill, but neither is in immediate danger. It is not thought that the meat was sold in Pendleton markets.

PRISONERS FED BY DEPUTY

Subterfuge in Walla Walla County by Sheriff's Office to Passed On.

OLYMPIA, Wash., Dec. 18.—(Special.)—After Attorney-General Tanner had expressed his opinion that it was illegal for a Sheriff to board county prisoners, Deputy Sheriff Honeycutt, of Walla Walla County, took charge of the restaurant feature of the "hotel," the bureau of inspection notes, in a report on that county to the Attorney-General's office.

Since this exchange was made Honeycutt has collected \$1670.89 for prisoners' board, the bureau reports, leaving it to the Attorney-General to decide whether by this subterfuge law against the Sheriff boarding the prisoners has been violated.

Gresham Masons Elect Officers.

GRESHAM, Or., Dec. 18.—(Special.)—The following officers were elected Tuesday night by the Gresham Masonic Lodge: Worshipful master, L. L. Kildar; senior warden, A. J. W. Brown; junior warden, J. C. Shultz; treasurer, James Edington; secretary, William Metzger. The appointive officers have not been named yet. A joint installation will be held with Gresham Chapter of the Eastern Star Tuesday.

Money Sought for Hard Surface.

GRESHAM, Or., Dec. 18.—(Special.)—A final attempt will be made Monday morning to influence the County Commissioners to appropriate sufficient money to hard-surface the Gresham-Fairview road and macadamize the Powell Valley road, east of Gresham. It is expected that a large number of the road committees from the district will be there to make an effective argument for the appropriation.

Read The Oregonian's classified ads.

First and Last Call!

We must go out of business January 1st, but we expect to beat the Law to it and be out December 25th. In order to do so we feel compelled to slaughter prices and we quote you a few of the many bargains for you to select from.

CEDAR BROOK, full quarts, bottled in bond.....	\$1.00	LEWIS HUNTER, full quarts, bottled in bond.....	\$1.00
CEDAR BROOK, per case, 12 bottles.....	\$10.50	LEWIS HUNTER, per case, 12 quarts, bottled in bond.....	\$10.00
CEDAR BROOK or LEWIS HUNTER, bottled in bond, five to the gallon, per case.....	\$9.00	CEDAR BROOK or LEWIS HUNTER, our own bottling, full quarts....	85¢
MONOGRAM, 12 full quarts, now priced at....	\$6.50	ATHERTON, 12 full quarts, Kentucky's best	\$7.00
CALIFORNIA WINES, Port, Sherry, Angelica, Muscatel, former prices \$2.50 and \$1.50, now while the stock lasts, per gallon.....	\$1.10 and 85¢	Including Sanitary Container.	
THE OREGON PROHIBITION LAW permits you to have in your possession, for your personal use, any quantity of liquors you may desire for future use.		OUR RAINIER BEER, for which we are State Agents, specially brewed for this occasion, will keep for any length of time, and we would suggest that you lay in a year's supply.	

Choice of either HUNTER or CEDAR BROOK, our own bottling, 12 full quarts.....

WHITE CORN WHISKY (Jackson County) full qt. 75¢

CREAM RYE, full quarts.... 70¢

WE HAVE A STOCK OF BULK WHISKIES, BLENDED AND DOUBLE STAMP, WHICH WE WILL SELL FROM \$1.50 PER GAL. UP

Out-of-Town Mail Orders Shipped Same Day As Received

BRUNN & CO.

SOUTHEAST CORNER FIRST AND ALDER STREETS
Phones: Main 2958, A 2958
PORTLAND, OREGON

PIONEER WOMAN PASSES

MRS. AMANDA HALL REES CAME TO OREGON IN 1845.

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Mrs. Amanda Hall Rees, Pioneer of 1845, Who Died December 18.

CITY REPLACES PAVING

East Morrison Street Work Is Subject of Controversy.

Work of relaying wood block paving in East Morrison street, between East Water street and Union avenue was started by the city last week. It is expected a month or six weeks will be required to finish the work. The pavement is being replaced in places where it is bulged or broken. The pavement is still under maintenance of the contractors, but they have refused to repave. The city is doing the work and will attempt to force the contractors' bondsmen to foot the bill.

Four Join Journalistic Fraternity.

UNIVERSITY OF OREGON, Eugene, Dec. 18.—(Special.)—Merlin Bailey, of Twin Falls, Idaho; Max Somers, of Portland; Milton Stoddard, of La Grande, and Harry Kuck, of the Dalles, recently were initiated into Sigma Delta Chi, a National fraternity for journalists throughout the United States.

Electrical Christmas

Gifts Are Becoming More and More Popular Each Year

Don't Fail to See Our Extensive Line

M. J. Walsh Co.

The Modern Electrical Supply and Lighting Fixture Store

SALESROOMS 311 STARK STREET

Across From New First National Bank Building

RIVER MAIL ROUTE KEPT

NEW METHOD OF DELIVERY ON WATERFRONT SUCCESSFUL.

Modern High-Power Motor Boat Suggests Old-Timer as Result of Increase in Business.

After having been on trial for six months, Milwaukie River Route No. 3, the first motor boat mail route in the Pacific Northwest, has so thoroughly justified its existence and the foresight of Postmaster E. L. Hagemann, of Milwaukie, its sponsor, that it has been officially designated by the Postoffice Department as a daily mail route. The order went into effect Thursday. Business has increased so greatly since the motor boat route was started last July that W. T. Jacks, the carrier, has had to put a modern high-power motor boat on the run. He can now get over his route in four hours. Patrons on Milwaukie River Route No. 3 get their mail as soon as residents of Portland.

Chicken Thief Drops Purse.

GRESHAM, Or., Dec. 18.—(Special.)—E. A. Kent, living at Rockwood, heard a commotion in his chicken-house the other night and on investigation scented away a chicken thief and saved the fowls. In his haste to leave, the thief dropped a purse containing \$10, which Mr. Kent found. Mr. Kent says he will return the purse if the owner will call for it.

Let It Be a Musical Gift This Xmas

The Edison Diamond Disc Phonograph

Is the Product of the World's Greatest Inventor

Thirty years ago Thomas A. Edison invented the first sound reproducing instrument. Since then many have adapted his original idea.

But mere mechanical reproduction of sound is not enough for the real music lover. So Mr. Edison, after thirty years, again applied his super-knowledge of chemistry and acoustics to the problem.

And now the master inventor has produced an instrument that does more than reproduce sound. It re-creates the original music without the slightest deviation in quality. He called it "perfect"—the New Edison Diamond Disc Phonograph.

We will be glad to play the New Edison for you. Come in and hear the delightful new Christmas records.

MORE STYLES OF EDISON PHONOGRAPHS \$30 UP. More than a year to pay in. No interest.

OPEN EVERY NIGHT THIS WEEK

Graves Music Co.

151 Fourth St. Ground Floor Near Morrison

EVERYTHING IN MUSIC