Judge Davis Threatens Newspapers With Contempt Proceedings in Lind Case.

HEARING IS POSTPONED

District Attorney Skeptical Regarding John Paul Lund, Named by Bar-

Circuit Judge Davis, before whom Edward Bartholomew will be tried for the murder of John Lind in a Stark street rooming house in Portland, November 18, 1915, today threatened to hale the newspapers before his court for contempt if they make any further publication of the evidence in the case before the date of the trial.

"The newspapers will publish such articles at their peril," said Judge Davis to newspaper men whom he called in his chambers this morning. I shall be compelled to bring them into court for contempt if they continue. I say this as a matter of public policy, as it will be impossible to give the defendant a fair trial if the publie mind is to be saturated with the evidence in the case before a jury is

Trial Is Continued.

The trial of Bartholomew was set for next Monday, but today was continued by Judge Davis until January 2 upon an agreement with Judge Gantenbein, who will then be presiding judge, that the case will be left in Judge Davis' department of the circuit

Postponement of the trial was made on motion of Attorney John H. White, representing Bartholomew, and over the vigorous protest of Deputy District Attorney John A. Collier.

The locating of Oscar Paul Lund, who is being investigated to clear up Bartholomew's charge that Lund is the man who actually committed the murder, had a bearing on the judge's action in postponing the date of trial. Judge Davis took under advisement until Monday the motion of Attorney Francisco to locate witnesses named together in that city shortly before Lind came to Portland. Bartholomew knows the men only by their nick-

To Investigate Evidence.

In his motion asking for a continuhe also wishes to investigate here evidence which is too delicate in nature to intimate, or give public knowledge of its character at this time. Deputy District Attorney Collier, in

opposing the motion, charged White with not acting in good faith. Collier said he was ready to admit all that White hoped to find out regarding the association of Lind and Lund in San Francisco, as he declared that had nothing to do with the person who struck the murderous blow in Port-

District Attorney Evans is skepti-Stark street rooming house the

the district attorney is making a board. ioming to Portland, unattended, but it the state's expense, to prove his

Bartholomew Makes Confession. Bartholomew confessed to having been in the room when the murder was committed and confessed to having assisted in carting to the river the green trunk in which the body was placed, but he has insisted that te did not wield the club which caved in Lind's cranium. He insists that a man he knew as Paul Lund, whom he

illy did the killing. Until the last few days, when Attorney John White, who is defending Bartholomew, gained information of Dscar Paul Lund, who in some partic ulars is said to answer the description of the Paul Lund described by Bartholomew, the officers considered the man described by Bartholomew as

and Lind met in San Francisco, actu-

myth.
District Attorney Evans said in many important particulars the de-scription of Bartholomew's Paul Lund loes not tally with the description of the man who is on his way from Los Bartholomew described his man as

a logger, and Oscar Paul Lund is a

Would Not Commit Self. But when Bartholomew was shown photograph of Lund, he would not commit himself as to whether he thought the man was the Lund he said committed the murder or not. Lund is expected to arrive in Portland Sunday night.

Oscar Paul Lund attended Willametta university in 1912, 1912 and part of 1914. His parents, Mr. and Mrs. I. H. Lund, live at Hillsboro. Lund and winter of 1915. He was at the home of his parents and also stayed

n-law, Dr. Ernest D. Hitchcock, on Hawthorne avenue. Dr. Hitchcock said Lund has never been known as Oscar Paul Lund, as his name is Oscar Alexander Lund. He was at the home of his sister, Mrs.



Conrad Helgeson, at Los Angeles, when the officers located him. He had shortly before been working with a brother in a logging camp at Mc-

In preparation for the trial of Bartholomew, which is to take place early in January, the district attorney's ofice yesterday had the body of Lind disinterred at the Mount Scott cem-etery and a thorough examination made physicians of the wounds on the head which caused death. Mr. Collier anticipates that detailed information on this subject may become very ma-

Lund Makes Denial.

Angeles, Dec. 16 .- (P. N. S.)-Paul Lund, mentioned in connection with the murder of John Lind in Portland, Or., a year ago, is en route north case of mistaken identity. Lund, who attends a business college here, left he knew nothing of the murder nor of the murdered man's body in a river,

# STATE WOOL GROWERS

Present Prosperity Stultify Daughter of W. O. Gibson Was Interest in the Future,

Heppner, Or., Dec. 15 .- The Oregon Woolgrowers' association opened its nineteenth annual convention in this city Friday, leading wool growers and livestock men from all over the state attending. In his opening address, county. President W. B. Barratt summed up the present condition of the Oregon wool grower and pointed out that present prosperity should not cause him to lose interest in the organization which is looking to his future interest.

President Barratt predicted that Portland is destined to become one of the leading wool markets of the world. A change in present marketing conditions which he advocates will mean that the bulk of northwestern wool will eventually be sent to Portland. He advised against White asking for authority to incur the system of contracting wool while the expense of sending someone to San yet on the sheep's back. This system has brought loss to the grower more by Bartholomew to substantiate his times than it has made him a profit, assertions that Lind and Lund were according to Mr. Barratt.

Other speakers were Mayor S. E. Notson, who extended a welcome to the visitors on behalf of the city, and I. N. Burgess of Pendleton, who re- Funeral of Eastern Oregon Woman This afternoon Ross of Echo, R. N. Stanfield of Stanfield and J. H. Dobbin of Enterprise ance of the date of trial, White says spoke on questions relating to the wool growing industry.

#### Coast Artillerymen Given Fine Welcome

nomah Motel Last Might Proves the niece of the late Rufus Mallory, Most Interesting Affair.

When the Eighth company, Coast circle of friends. band of the C. A. C., entered the Mult- sons, Ed Wright, now on his way to Portland from nomah hotel under command of Cap- Union county, and L. A. and Claud ton Angeles, being the Paul Lund detoribed by Edward Bartholomew as entire party was welcomed with was held at the conservatory chapel the actual murderer of John Lind in cheers by guests and sojourners. The of the East Side Funeral Directors, band played several military airs in East Sixth and East Alder streets. the rotunda of the hotel before the But in fairness to Bartholomew, party assembled around the banquet JAMES COARLEY IS DEAD

Major W. W. Wilson, acting adjutant general of the O. N. G., and Captain Lee M. Clark, of Battery A, Field Artillery, retired, were guests of honor. Captain Wright acted as toastmaster. in the Home for the Aged on December Major Wilson spoke on the new mil- 14 in this city without any near relaitary law and urged recruiting of the tive to survive him. He came to Orecompany to its full strength. Among gon more than half a century ago from the speakers were Lieutenant L. Lund- lowa and was one of the Indian War gren, Lieutenant Ray De Burg, Lieu- veterans. Mr. Coakley was at one

Hyatt, Loy, Reese, Dilley. markmanship, and in the latter im- cemetery at 9 a. m. today. portant line of work stands second or third in the United States for target work in 1915 and hopes to be awarded first place for 1916. Its commander, Captain Frank W. Wright, is a licensed aeronaut and is

## High Cost Living to

listed as a reserve for that work by

the United States war department,

All Interested in Campaign Are Invited to Attend Meeting to Be Held at Library Thursday.

Another organization has entered the field to lower the high cost of living. At a meeting of Portland housewives held in the office of Dr. A. Spencer Vehr in the Rothchild building Thursday definite plans for securing lower living costs were adopted that will be taree months, heart failure following presented to the public at a meeting gradual decline. Mrs. Kalus had lived to be held in Central library, Thursday afternoon, December 21.

All interested in immediate action in this campaign are invited to attend was in and out of Portland in the fall the meeting, if possible, or if not, to communicate with Dr. Vehr. Officers of the organization include: for a time at the home of his brother- Mrs. M. L. T. Hidden, president; Mrs. A. C. Newill, secretary, and Dr. A. Spencer Vehr, treasurer,

#### Water Will Go on Big Umatilla Tract

Pendleton, Or., Dec. 18 .- Three thouend of this county will be brought under irrigation and cultivation during Mrs. Richardson came to Portland the next season, according to L. A. after suffering a long illness, and known today when he was in police Reineman, county water master.

died at the Portland Medical hospital court in connection with an automobile Reineman, county water master, The land to be developed consists of 100 0acres under the Furnish project, 1000 acres under the Furnish project, and Irrigation project, 500 acres under the Umatilia project and 500 acres under West Extension.

Harms Is Recuperating. Police Lieutenant L. A. Harms, who was born in Forest Grove nearly 22 was accidently shot in his office at po- years ago, and was the son of Mr. and ice headquarters the night of December 8, was able to leave the Good Sa- the brother of Mrs. Reda M. Buxton maritan hospital yesterday. He was of Forest Grove. The cause of death taken to his home at 1545 Vincent ave- was tuberculosis. nue, and will probably resume his

### PORTLAND MAN DIES SUDDENLY AS RESULT OF A HEART ATTACK

Manford L. Poyntz Was 44 Years Old and Had Lived Here Since 1891.

The death of Manford D. Poyntz yesterday was very sudden, and was for Portland unescorted. He declared caused by heart failure. Mr. Poyntz was 44 years of age and a native of Edward Bartholomew, who told the Kansas. He is survived by a widow, northern police he helped Lund throw Mrs. Anna Poyntz, his mother, and a Mrs. Anna Poyntz, his mother, and a brother, S. W. Poyntz, of Colony, Kan. Mr. Poyntz was a resident of Port- first five locally and through the terland since 1891 with the exception of four years in Marshfield from 1906 to 1910, where he represented Allen & of this city. Upon returning from Marshfield he was one of the firm of the Holman Transfer company, retiring about three months ago to take charge of the office affairs of the Columbia Shipbuilding company Funeral services were held from the establishment of J. P. Finley & Son this afternoon, A. J. Thorne, C. E., officiating. The body was incinerated at the Mt. Scott crematorium.

nterests Warned Not to Let MRS. WOOLLEY WAS PIONEER

Brought Here in 1847. Funeral services will be held from the establishment of J. P. Finley & Son tomorrow morning at 9:30 for Mrs. Eliza Gibson Woolley, the daughter of William O. Gibson, an early pioneer of Oregon. Mrs. Woolley was

brought by her parents to Washington She was one of the most active members of the Oregon Pioneer asso

1842, and when five years of age was

Mrs. Woolley resided with her daughter, Mrs. F. W. Breidenstein, at Tacoma: Mrs. F. Eugene Walling, Mrs. dren. Her husband, Henry Woollev, to whom she was married in 1859, beth Gibson Whitcomb, and James W. Gibson is the only surviving brother. Interment will be in the family 1914. plot at Forest Grove.

MRS. WRIGHT WAS PROMINENT

Is Set For Tomorrow. Funeral services in memory of Mrs.

Interment took place in Lone Fir cemetery.
Mrs. Wright died in Union Thursday. She was the widow of John T. Wright, a son of George W. Wright, one of the earliest ploneers of Union county. Mrs. Wright was born in New York state 68 years ago, and Banquet of Eighth Company at Mul- came to Oregon when a girl. She was

Oregon and greatly beloved by a large Artillery, headed by the regimental Mrs. Wright is survived by her county clerk of

Indian War Veteran Was 91 Year of Age: Funeral Tomorrow.

James Coakley, at the age of 91, died tenant E. T. Stretcher, and Sergeants time well known in this city, but for a number of years has been rarely The Eighth company has made some seen except by a few old friends. The remarkable records for efficiency and funeral services were held at St. Mary's

Mathew Riedl Dies. The funeral of Mathew P. Riedl who died at his home, 914 First street, Thursday night, was held from Dunning & McEntee's parlor today at 8:30 a, m., from St. Lawrence church, Third and Sherman streets, at 9 a. m. In-terment was in St. Mary's cemetery. Mr. Riedl was a native of Germany, aged 76, and he had resided in Oregon Face More Enemies for over 30 years. He had lived at the above address nearly all of that and belonged to the organization of that trade. He is survived by his widow, Mrs. Mary Riedl, and six chi!dren-Frank, Lee, Otis, Elizabeth and Patrick Riedl, and Mrs, George M. Crane, all of this city.

Mrs. Louise Kalus Dies. Mrs. Louise Kalus, aged 69, died Friday at her home, 140 East Fortyseventh street, after an Illness of in Portland since 1904 and is survived by her husband, Charles A. Kalus, a daughter, Mrs. C. Wenger, of Victoria, B. C.; and two sons, Earl and A. W. Gultsch, both of this city. Funeral services will be held at he Holman pariors, Third and Salmon streets, Monday, December 18, at 2:30 p. Interment will be at Riverview Abbey

Mrs. Mary Richardson.

mausoleum

Mrs. Mary E. Richardson will be buried in Chelan and funeral services on December 13.

Clyde Macrum Buried. Funeral services were held this afternoon from the East Side Funeral Directors for Clyde L. Macrum, who died at the family home, 185 East Thirteenth street, on December 15. He Mrs. Newell Macrum of this city, and

the end of the year. An automatic pistol in the hands of Police Sergeant Sherwood, which the latter was examining, was accidently discharged, the bullet passing through Harms' firely. Notice The Journal's 'Prepara for Winter' column in today's paper.

#### Auto Firm Looking For Larger Quarters

Several Locations Mear Center of Town Are Being Considered But No Selection Is Made as Yet.

Forced by increasing business to eek larger quarters, the Howard Automobile company, Pacific coast dis-tributors of the Buick, are considering several locations nearer to the center of town than their present location. R. D. Thompson, one of the officials with headquarters in San Fran cisco, has been here for several days going over the situation with George W. Dean, local manager, but when he left last night the location had not been defintely chosen. It may be on Burnside street and as the house of Howard is always a pretentious affair the building will be 100x100 and either two or three storles in height.

The business of this firm makes ! one of the leaders in the state as it sales for the year put it among the ritory.

Mr. Dean said this morning that several places were under considera tion but that it might be several days before a location would be selected.

#### REFRIGERATOR CARS LACKING; SITUATION MOST SERIOUS NOW

Railroads Advise Shippers to of Ones Available.

Of all the freight cars that are on the "shortage" list, the refrigerator car personally cannot inspect all streets is the shortest. Apple growers and po- and walks, and that if liability does tate shippers are clamoring most loud-188 North Twenty-third street during ly, but everyone who needs a refrigerher declining years. She is survived after car is having an extremely hard by five children, Fred E. Woolley, of time in getting his order filled. Since Emma W. Chandler and Mrs. Breiden- so few cars are available, the railroads stein, of Portland; Mrs. John Wailing, are advising the shippers to make full- but it does hold the city officials, of Amity. There are nine grandchil- est possible use of the ones there are. "through whose official negligence H. A. Hinshaw, general freight agent of the Southern Pacific company, said be jointly and severally liable to the died in 1904. A sister is Mrs. Eliza today that the local shippers are re- party injured for the damages sussponding most satisfactorily to the railroad appeals for heavier car load-Another brother, Jacob Gibson, died in ings. Many, however, complain that when their customers order only sufricient supplies to account for the minmum loading, it is impossible for them o put in more.

"Potato shippers are loading prac ically to the full capacity of the cars, "The demand for said Mr. Hinshaw. potatoes is so remarkable, and Oregon o appears to have the only large crop Delia M. Wright of Union were held that shippers can dispose of all they

can crowd into a car. in Portland this afternoon at 2 o'clock. The railroads now declare they have reached the limit of their resources in regard to relieving the shortage. After having ordered heavily of new equipment, after having run whole trainloads of empties from the east to get the western products, and affer they know how to serve the greatest number of shippers, they feel the rest and was widely known in Eastern is now up to the shippers themselves. All the roads entering Portland are demurrage charges, which apply heav- tenced to three hours in jail, ily increased penalties for undue de-

#### Industry League to Boost Big Payrolls

New Organization Will Poster Patronage of Locally Made Goods and General Development of State.

Increase in Portland payrolls is one of the objects of the Home Industry hour, league, organization of which was perfected at a meeting last night in the Multnomah hotel. Fostering of patronage for locally

manufactured products, the development of Oregon resources and the \$10. greater utilization of raw materials in local manufactures, were other purposes defined in by-laws which were Ex-Revenue Agent donted.

Directors were elected as follows: A. J. Bale, S. C. Bratton, R. M. Davis-son, Dwight Edwards, H. J. Frank, H. C. Huntington, T. S. Mann, D. A. Patullo, Carl Schallinger and A. C. Black, Meetings will be held every three months-the last Thursday of January, April, July and October. the directors organize by electing president and secretary and deciding upon a formal program the organizaion committee will continue in charge. This committee consists of T. S. Mann, chairman; M. Mosessohn, secretary; C. E. Grelle, Dom J. Zan and H. J. Frank, the industries and manufactures bureau of the Chamber of Commerce will be represented in the league by R. B. Bain but it is stated that the league's work will be done independently of the Chamber of Commerce. The idea of the league was originated by M. Mosessohn and the preliminary work of organization was done by him.

#### Son of Millionaire Weds, Goes to Work

Hartford, Conn., Dec. 16.→(I. N. S. -Walter P. Smith, 19-year-old son of a Kansas City millionaire, is spending his honeymoon here as floorwalker in a local department store. Young Smith, held there, probably Sunday. Mrs. a local department store. Young Smith, Richardson is survived by her husband, G. L. Richardson, ex-mayor of ago with Miss Frances Parker, daugh-Chelan, and a son, Edward Richardson, ter of a prominent Connecticut insur-A sister is Mrs. M. J. Croskie, of ance man, and as a result of his wed-Seattle. She was 60 years of age and ding, it is said, his father has disin-had resided many years in Chelan herited him. Young Smith's identity became ordinance violation.

## Silver and Jewelry

Sixty pieces of silverware, some silver toilet articles and a few pieces of jewelry were taken from the home of F. L. Dielschneider, 663. East Ninth F. L. Dielschneider, 663 East Ninth Berlin, Dec. 16.—(I. N. S.)—(Via street north, by burglars last night. Sayville Wireless.)—According to offi-

# SUIT FOR DAMAGES;

ury Holds Mayor and Others Personally Liable for Injuries Caused by Defect.

INSPECTOR DROPPED

PERDICT IS FOR \$6350

Joseph Allen Charged With Failing to Report Defect-City Will Ask for a New Trial of Case.

Considerable importance is attached ers and City Engineer Dater personally liable for \$6350 damages awarded Mrs. Victoria Coiby, who was injured as result of tripping on a defective walk at East Salmon and East Thirty second streets, May 6, 1915.

Coming as a sequel to the suit. Com missioner Dieck this morning dis-charged Joseph C. Allen, the inspector in whose district the accident oc-cured. Allen is charged with negligence in failing to report the defect in the sidewalk which was the cause of the accident. While the city is to ask for a new trial, the decison means, if it stands

hat city officials hereafter will be Make Fullest Possible Use held personally liable for all accidents occurring as result of defects in streets and sidewalks. City officials say that they should not be required to personally assume risks for accidents coming as result of defects. They declare that they

> attach, it should be against the city, and not against its officers. The city charter upon which the de cision is believed to be based specifi cally exempts the city from all liabil ity for accidents for defective conditions of walks, streets, sewers, etc. such defects remain unrepaired, shall

> > New Police Auto.

Another automobile is to be purhased for the police bureau to he place of one recently wrecked ouncil yesterday morning at Mayor Albee's suggestion authorized the pur chase of a car and appropriated \$15 to be used in exchange for the old machine. The police bureau now seven touring cars in use in addition to the two patrol wagons

#### Employer Conducts Employe to Court

distributing these cars as wisely as Man Who Had Pailed to Show Up on Speeding Charge Gets Pine and a Brief Jail Sentence as Besult.

A. B. Cummings, chauffeur for Dr. ippers and receivers guth this morning by his en of freight to load and unload promptly to stand trial on a speeding charge will be brought about by the enforce-ment of the new state and interstate Cummings was fined \$12 and sen-Cummings, when arrested by Motorcycle Patrolman Ervin, was re-leased on his own recognizance. He went to Oregon City, and did not show up in court. Dr. Mount recently heard that Cummings was wanted, and produced the offender

For the moral effect, Judge Lang guth introduced three other traffic offenders to the city jail this morning. L. H. Randolph, who had no lights on his machine last night, went to the holdover for half an

A. R. Hawley, a speeder, was fined O R Zimmerman another speeder. was conducted through the jail. G. T. Penz was fined \$12 and W. B. Tull.

Conspiracy to Defraud Government by Being Tried-Another Indictment.

Jacksonville, Fla., Dec. 16 .- (I. N. S.)—Thomas C. McCoy of Asheville, N. C., former revenue agent, was found guilty of conspiracy to defraud the government out of millions by illicit distilling, in the United States district court here today.

It was alleged that McCoy and his assistants, who are being tried separately, defrauded the government out of \$3,000,000 in whiskey revenues. The penalty is four years' imprisonment or \$20,000 fine, or both. An indictment against McCoy also stands in Fort Smith, Ark.

#### Explosion in House Is Followed by Fire son law.

Fire, preceded by an explosion that rattled windows of the neighborhood, badly damaged a vacant two story house owned by T. A. Baker at 1160 Detroit street, St. Johns, about 10 o'clock Friday night. The loss was estimated at close to \$1000. The loss is covered by insurance. The arson squad of the fire marshal's office is making an investigation. While the house was untenanted, the basement was used for a garage.

Firemen believe the explosion was that of gasoline left in the garage. The fire quickly swept up the wood-lift, into the kitchen, and then through the walls to the attic. Engine 24 answered the alarm, which was given by a man who passed the house at the time when the explosion occurred.

#### Taken From Home Residents on Island Of Syria Arrested

The robbery occurred while members cial reports received here, says the of the family were away. The thief Overseas News Agency, the German. broke a glass in the basement door and Austro-Hungarian. Bulgarian and unlocked it by reaching through the Turkish residents on the Island of opening. Burned materies were found Syria were arrested by a detachment opening. Burned matenes were found strewn through the house. Detectives of the ententes, which landed there. Hellyer, Tackabery, Leonard and La The German consul died 24 hours later, Salle were sent to investigate this morning.

#### Eastern Star Gives Christmas Festival

Rose City Chapter Holds Interesting Program and Santa Claus Makes Little Children Very Happy.

Last night Rose City chapter, Order Eastern Star, held a social session and Christmas festival at the Mason ic Temple, with members and their families. Over 50 children were there in expectancy of a visit from Santa Claus, who appeared in full regalia and according to tradition, and invited them to share his big Christmas tree with him in the dining The musical play of the "Frog and the Fairy" was given on the stage with multi-colored lights, Erroll and Doris Philips taking the

The following program was ren Aaron Herner; solo, tation. Krogstad: recitation, Zeluna Merchant; song, Loise Cordray; recitation, Katherine Kressman; recitation, Blora Foster; piano solo, Dorothy lain; recitation, Mildred Gilbert; solo, to the decision of a jury in Judge Margaret Kressman; recitation, Emma Kavanaugh's court yesterday in hold- Louise Foster. After the program ing Mayor Albee, the city commission- was concluded the entire assemblage had refreshments served in the dinig room.

## LOU WAGNER BEATEN IN HOT BATTLE WITH

Special Agent Felled With a Blow From Brass Bolt; Father and Son Arrested.

Lou W. Wagner, special agent for action would have to be brought by he Portland Railway, Light & Power the executor of the estate, instead of ompany and formerly constable, was badly beaten in a fight with Harry damages would be limited to \$7500 vent to arrest Parnas this morning on act and pointed out to the court the a charge of receiving and concealing various places in which reference is stolen property. Wagner was treated

Parnas and his father, Solomon Parcity jail, each one on charges of re- it was passed by the initiative. elving and concealing stolen property Sledge Hammer Employed.

The younger Parnas is said to have care due the public from streetcar chased Wagner from the junk shop companies and other similar corporawith a sledge hammer, and Special tions, Agent P. J. Maher bears a bruise on his left arm when he stopped the swung at Wagner.

Wagner arrested Frank Howard, 22 not impair efficiency of service," said years old, and Leo Hudson, 25 years Attorney Norton, "Otherwise they may old, for stealing power wire, brass and be held to be negligent and careless. belting from lines and plants of the In this particular case, the streetcar street railway company. Hudson and fender did not work properly. We conloward were taken to the offices of tend that the streetcar company should the special agents and are said to have have had a fender that would work confessed, adding that they sold the properly." plunder at the Parnas shop.

to the Parnas establishment by Spe- public is the removal of a limit as to in about the same condition with ref- J. K. Mount of Oregon City, was cial Agents Smith, Maher and Wagner the amount for which suit may be erence to cars. It is believed that a taken before Municipal Judge Lang- and Special Agents Gasaway and Hind- brought for damages for the death of prisoners confronted the Parnas, father and son, with the statement that for the streetcar company will file an they had sold them junk.

Wagner Knocked Down Harry Parnas directed Wagner to search for some of the brass in a bar- FIGURES ARE A BOOMERANG rel. As Wagner was bending over the barrel, Harry Parnas struck him in the forehead, inflicting a large bruise. Wagner fought back, and an instant later was knocked to the floor with a blow in the back of the head from a brass bolt, wielded by Soiemon Parnas, tiff unwittingly placed in the hands of watching the two men charged with noon caused the judge to decide the larceny, and Wagner and Maher were case against him, although his testileft to defend themselves. As Wagner mony flatly contradicted the evidence arose, Harry Parnas seized the sledge of the figures. hammer and chased the officer into the street. Maher followed and reached he scene in time to take on his arm the blow that Parnas swung at Wagner. The two junkmen were finally overpowered with the help of some citizens who came to the aid of the of-

ficers, and taken to jail. Wagner was taken to the emergency hospital and a deep cut in the back of Convicted of Fraud his head dressed. He was also bitten on the index finger of the left hand so that the injury had to be dressed.

#### Mich Distilling, Charge—Assistants Eight Hour Problem Conferences Held

Bailroad Executives and Trainmen Have Been Meeting Informally to Settle Dispute Without Legal Steps. Chicago, Dec. 16.—(U. P.)—Hale fendant is entitled to his counterclaim Holden, president of the Chicago, of \$6.60 and costs." Burlington & Quincy railroad, who was chairman of the committee of executives who met President Wilson and railroad brotherhood offison and railroad brotherhood offi- 4: Frank company until January 17, cials in Washington last summer, 1916, filed suit against the company today that conferences have been held between the employes and sonal injuries she received when she railroad officials looking to a settle- tripped over a rope and fell against a ment of the eight-hour day dispute table. She was employed on the without the provision of the Adam- twelftn floor of the department store

He said the meetings had been informal and that thus far no sugges- the accident occurred. She alleges tion of an ultimate adjustment had blood vessel in her lungs was ruptured been received. W. G. Lee of the causing a return of tuberculosis. trainmen's brotherhood yesterday hinted that a settlement with the railroads Night Riders' Case

#### Two Scandinavian Vessels Are Sunk Prosecution Completes Its Evidence and

saved, but a Christiania message said

#### Demand Jury Trials Twenty-four I. W. W. Los Angeles, Dec. 16.—(P. N. S.)-

Twenty-four members of the I, W. W. gang who yesterday commandeered Southern Pacific freight train at Bakersfield and were arrested shortly afterward by a large posse of officers, today demanded a jury trial on the charges of vagrancy held against them. Eight others who were in the party pleaded guilty and were given the privilege of setting out of town or going to jail. They left town,

#### PUBLIC ENTITLED TO PROTECTION UNDER STATE LIABILITY LAW

mportant Ruling Is Made by Supreme Court in Case of Enterprise Electric.

RULE IS APPLIED

dered: Piano solo, Inez Birney; reci- Judge Kavanaugh Overruled Today Demurrer of P. B. L. & P. Co. in Branin Case.

> The employers' liability law of Oregon gives protection to the public as will as to employes.

This important feature of the law was established by the state supreme Fourt in an opinion handed down last last three days. The list of these sub-Fuesday in the case of Clayton vs. En-Tuesday in the case of Clayton vs. Enterprise Electric company.

In tine with this decision, Judge murrer to the complaint in the cuit of St. Stephen's Junior Order of Forest-Mrs. Edith J. Branin against the Portland, Railway. Light & Power company for \$75,000 for the death of her husband, J. Walter Branin, who was struck by a street car and killed last December. Branin was manager of the Portland bureau of the United

Public Beferred To. Heretofore the law has been considered to apply only to employes. Attorneys for the street car company demurred to the complaint, on the ground that no law existed under which such an action could be brought If the suit had been brought under the the widow; and if brought under sec tion 280 of the code, the amount of

Attorneys Frank Collier and D. Norton, representing the plaintiff, went through the employers' liability made to the "public." They admitted the public was not mentioned in the title of the act, but the court sustained their contention that neverthemas, 62 years old, are both held in the less, the act was constitutional, as Attorney Norton said the result and assault with a dangerous weapon, the ruling of the courts will make a material change in the rule as to the

Must Be Most Careful.

"It will mean that these companies was at his post in Barmen and Mrs. Eager was visiting in Paris. A joursledge hammer when it was being hereafter must use the most efficient apparatus obtainable for the protection The fight occurred at 10 o'clock, of the public, regardless of the ex-Earlier in the day Agents Maher and pense, provided such apparatus does

under at the Parnas shop.

Another feature of the application
The prisoners were then taken back of the employers' liability law to the

person. It is now expected that the attorneys answer to the complaint and the case

will then go to trial.

Plaintiff Loses Action When Other Evidence Contradicts. Often it has been said that figures don't lie. And figures which the plain-The other special agents were busy District Judge Dayton yesterday after-

> It was this way: G. C. Price sued E. L. Shanborn for \$98.15, which he alleges was due him for services rendered as a fitney driver at \$3 a day. Sanborn declared the agreement provided he should pay Price 30 per cent of the gross receipts, and \$3 a day was The trish, which was unusual for not mentioned. He said he really had the number of grewsome exhibits pro-

counter claim for that sum. To strengthen his case, Price handed Judge Dayton receipts showing the turnovers he made to Sanborn. Judge tirely circumstantial and the jurors Dayton noted some figures on the back "Are these in your handwriting?

asked the judge. "Yes, sir," replied Price. When the evidence was all in, th court said there was no need for the attorneys to make any arguments "I have decided the case already, "These figures show Price figured what was due him on the basis of 30 per cent of the gross receipts. The de-

Woman Sues for \$34,000. Idalia J. Stewart, employe of Me'e

for \$34,000 alleged damages for per in the room provided for the receiving of freight and express shipments when

## Is Nearing an End

Defense Outlines Its Purpose; One Defendant Is Discharged by Court. London, Dec. 16.—(I. N. S.)—The Swedish steamer Vala and the Norwegian ship Brask have been sunk. The number of defendants in the The Vala was destroyed by a mine. "night-rider" trial here was reduced to Lloyds report the crew of the Vals 12 today when Earl Timmons, 18 years old, was discharged on motion of District Attorney Clay Allen, who told the court he believed the boy had no

> tion of its case, the last witness called being J. F. Burks of Ventura, Cal., who testified that his two sons, who are included among the defendants, were not at home on the night of the raid. Outlining the case for the defense, Attorney Welsh said he would show the

#### Christie Home Fund Campaigners Busy

Workers Aim to Make Amount \$50,000 by Midnight Tonight—Permanent Organization Is Planned.

The executive committee of the und raising campaign for the Christie Home for Orphan Girls has decided o form a permanent organization and has called a meeting of all interested in this movement,—committee-men, team captains, and team members, to-night in the assembly room of the Portland hotel at 8 o'clock.

In view of the many conflicting in-terests in Portland at present this step has been deemed necessary. The HERE so many promises of help after January I that it has been deemed advisable to keep the team members in the ield. Campaign headquarters with remain open until midnight tonight o receive contributions and subscriptions. The great aim is to have \$50.-000 by midnight tonight. Nearly \$40,-000 has been given so far.

Every team captain and every team member, men and women, are urged o be present at the meeting tonight. The executive committee met at seadquarters in the Portland hotel last night and heard the report in regard to the subscriptions received in the day morning newspapers.

yesterday was \$125 from St. Francis Kavanaugh today overruled the de- Court, Catholic Order of Foresters; \$25 from St. Andrews Court; \$15 from

### WAR'S TRICK PUTS UP A BARRIER BETWEEN CONSUL AND SPOUSE

George Eugene Eager of Barmen, Prussia, Local Visitor, Says Wife Is in Paris.

The great war has played many strange tricks, and it is because of the war that George Eugene Eager. United States consul to Barmen, Prussia, has not seen Mrs. Eager for nearly

Mr. Eager is in Portland today on his first leave in seven years as the guest of Max Vogt, banker of The Dalles. When the war broke out Mr. Eager

ney from Paris to Barmen is exceedingly difficult these days, even for the wife of an American consul, and Mrs. Eager has been loath to undertake it. And so she has remained in Paris. "After it is all over," said Mr. Eager smilingly at the Portland hotel

this morning, "we'll have to collaborate on our experiences.' Being a diplomatic officer of the government Mr. Eager declines to discuss conditions in Germany and the war, other than to say that the people of Germany are highly optimistic as to the final outcome and that living

conditions' are not bad under the circumstan The visiting consul has been stationed at Barmen since 1906, going to Germany from Lake Forest (III.) university, where he was instructor in

He studied as a young man at the Royal Conservatory of Music in Leipzig and since his return to Germany has again taken up the piane, making a number of successful public appear-

#### Miner Acquitted of Wife Murder Charge

Tacoma, Wash, Dec. 16.—(U. P.).— After being out since 4 o'clock yester day afternoon, the jury in the case of John Pierwsza, Wilkeson miner, charged with the murder of his wife, today returned a verdict of not guilty paid Price \$6.60 too much, and made a duced in court and the introduction of testimony of an extremely technical nature, was a long drawn out affair. The evidence against Pierwssa was enevidently accepted his story that Mrs. Pierwsza committed suicide by shooting herself through the head, following a domestic quarrel.

LAST DAY

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