

JITNEYS' UNION ASKS THAT COUNCIL REFER ORDINANCE TO PEOPLE

Drivers in Statement to Commission Say They're Willing to Be Reasonable.

WORDS FALL ON DEAF EAR

Commission Gives Petition no Consideration Smothering it By Putting it on File.

Instead of prohibiting the operation of jitneys by requiring them to operate on streets and in districts where there is no business, the chauffeurs' union, the local organization of jitney drivers, asks the city council to delay definite action until the voters have opportunity to express their views on the jitney question.

The request is made in a long statement filed with the city council this morning by A. A. Thielke, president of the union, and in it the jitney drivers say they are willing to go any reasonable length in seeking to agree with members of the council upon routes, but are unwilling to be arbitrarily forced off of certain streets and into districts where they cannot operate.

Put to Painless Death.
The statement was given little consideration, however, it being promptly filed without comment of any kind after it was read. To judge from this action, it is apparent that the majority of the council is going to stick by its ultimatum that the jitneys operate on streets and in districts not now served by streetcars, or not operate at all. Commissioned daily, who alone oppose the plan to force the jitneys into undeveloped territories, was not present, he being a witness in the circuit court today.

In the statement the jitney drivers say:
"The demand for the exclusion of motor-bus transportation from street-car lines entirely is not made in good faith, as we believe, although doubtless many persons advocate this idea who are acting in good faith, but the purpose of the demand is to make the motor-bus business unprofitable so that those engaged in it will give it up."
"The street-car company has a system sufficient to afford some sort of transportation to every person in the city. Many of these persons are required to walk greater or less distances to avail themselves of the transportation. A tremendously large percentage is obliged to stand up and hold the straps, all are greatly inconvenienced and none is afforded an up-to-date, modern rapid transit."

Everything Is Competition.
"Every time a taxicab company, a for-hire car, a buggy or vehicle of any kind proceeds from one point in the city to another, it is competing with the street-car company. If a motor-bus operator is driven to remote sections of the city, where there are few people, he will be competing with the street-car company, just as much as he would be if operating in thickly settled districts over well-defined courses of travel. The only hope of the street-car company is that if he is driven to the section remote enough the business will be so unprofitable that he will give it up and the unfortunate resident will be obliged to suffer the inconveniences incident to the streetcar transportation."

"The expense of transportation by a motor bus is considerably greater than the expense of transportation by streetcar, and it is not possible under present development, to transport persons as far by motor bus for the same fare as by street car."

"Every public demand is now more nearly met with the motor buses in operation than was possible before the motor bus came into being."

"The street car company has no right to exact that motor buses be kept off its lines and out of the portions of the city it serves."

Question of Supply and Demand.
"Since the proposition is one of supply and demand, the motor bus drivers should in the main be permitted to determine to what parts of the city they will run, so that the demand may regulate the supply."

"The city and its officers have the undoubted right to provide for the convenient handling of traffic on the streets by exercising control over the routes traversed, to the extent of preventing congestion at terminals and other traffic difficulties."

"In response to the council's interrogatory as to whether the union desires to consider other routes than those suggested, it desires to consider other routes whenever the suggestion is made in good faith for the purpose of finding a remedy for any evil or inconvenience that may attend the routes already suggested; that it desires to seek to give service where the service is needed, and desired, and is willing to submit to reasonable regulations which may have for their purpose the protection of the public. Two years' experience has shown what the public wants and that the union has been alert to learn the public demand and anxious to satisfy it."

The statement concludes with the request that if the council sees fit to put the jitneys off of the street-car streets, that it take no action until the people have expressed the desire that the service be discontinued or that the demands of the council be met.

WEST SIDE FRANCHISE ASKED

Stephen Carver Would Operate a Line of Motor Buses.

Stephen Carver of the Portland Truckless Car company, a subsidiary company of the Portland & Oregon City Electric Railway company, now wants a franchise to operate motor buses on the west side. He has already filed applications for franchises to operate

Vista House Contract Let by Commission

The county commissioners today awarded to the Vista House association the contract for constructing the first unit of Vista House, which is being built as a comfort station and memorial at Crown point, on the Columbia river highway. The contract price was \$12,820.46, which was the low bid. Of this sum the county will pay \$12,000 from the emergency fund and \$820.46 from the road fund. Completion of the building, as planned, will depend upon private subscriptions, it is understood.

MOTIONS TO DISMISS INDICTMENTS AGAINST BOPP ARE ALL DENIED

Chief Counsel for German Consul Makes Statement for Defense.

San Francisco, Cal., Dec. 20.—(U. P.)—All motions of the defense for dismissal of the indictments against the defendants were denied by Judge Hunt when the case of German Consul Franz Bopp and associates was resumed. The defense had asked dismissal on the ground that the government had not shown grounds to support the indictments.

Theodore Roche, chief counsel for the defense, immediately began his opening statement. He declared that the defendants admitted having hired Louis J. Smith, the government's star witness as an investigator, but he denied that any of his work for the German consulate was not legitimate.

Smith was employed, he said, to investigate alleged violation of American neutrality by the shipment to Canada of parts of submarines by the Union Iron works which were later reassembled at Montreal. He asserted that Smith was employed also to inquire into alleged shipments of powder and other explosives on passenger trains by the Hercules Powder company.

Smith was paid \$200 a month for this work, Roche declared. Roche also asserted that Smith investigated reports that munitions prepared ostensibly for shipment to Russia at Vladivostok, were really sent to the Atlantic coast and were for use by Great Britain.

He had admitted that Smith had been sent east to continue his investigations.

Echart van Schaack, German vice consul here, was the first defense witness called. He said that at the outset of the European war he received written instructions to investigate the shipment of munitions by American firms to the entente allies.

When District Attorney Preston demanded that these instructions be produced in court, however, Roche declared that their production would violate a treaty between Germany and the United States.

Van Schaack testified regarding the employment of C. C. Crowley, one of the defendants, as investigator.

motor buses on the east side. On the west side he proposed to operate two lines from the downtown section northward to Vaughn street via Fourteenth, Twenty-third and other streets and a line from the downtown section to South Portland. The general provisions of the franchise are identical with the franchise applications for the east side routes. Regular service is proposed with cars of seating capacity of not less than six.

FEAR MAN PAYING TOO MUCH

Albee and Dieck Try to Get W. D. Foster to Reduce Offer to City.

Mayor Albee and Commissioner Dieck tried to tell W. D. Foster, seeking a franchise to operate large motor buses between the business district and Linnton, that he was paying too much for the privileges, and Commissioner Higelow immediately resented their actions. It all happened at today's session of the council, and even with the mayor and Dieck's suggestions, Foster thought that \$50 a quarter for the operation of each motor bus was fair to him.

"You don't quite realize what you're doing in offering to pay that amount," said Dieck. The mayor echoed the same thing in a slightly different way.

"Well," snapped Higelow, "it seems to me that the council is going a little too far in telling a man he is paying too much when he offers to give the city that amount."

Foster agreed to the \$50 rate and the council ordered the proposed franchise published.

To Report Sewer Work.

Owing to the fact that difficulties are encountered by contractors in getting financial aid to provide for the construction of the Tanner creek sewer because of anticipated lack of information concerning the progress of the work, Commissioner Dieck says that to remove this obstacle to financial aid the city engineer on the tenth of each month will issue a report showing progress of the work.

To Revise Assessments.

Assessments for the cost of improving Union avenue, one of the main approaches to the interstate bridge, are to be revised to provide for assessments on a graduated scale, according to a decision reached by the council today. The revision comes as result of protests against the assessments made against property owners in the district affected.

New Code Considered.

The new code of criminal ordinances as prepared by W. C. Brewster and Charles D. Mahaffie was given preliminary consideration by the council today. The new code is a revision of all the penal ordinances of the city.

PROOF OF A DIVORCE FROM FIRST WIFE IS DEMANDED BY COURT

Judge Refuses to Recognize Petitioner Until Necessary Evidence Is Forthcoming.

CLEETON MAKES ISSUE

Litigation Is Over Question of Admissibility of the Estate of Jake Kutner, An Ex-Sailorman.

"I knew these people, and Jake Kutner was the kind of a man who would marry a woman whether he was divorced from his first wife or not," said County Judge Cleeton today when he denied the petition of Margaret Guilfoyle Kutner to have Myer Kutner removed as administrator of the Jake Kutner estate and herself appointed.

"Before I will recognize the marriage of this petitioner to the deceased I want proof that he was divorced from his first wife."

Jake Kutner, who formerly conducted a saloon in Portland, died last July at the state hospital for the insane, leaving an estate valued at \$3000. His father, Myer Kutner, was appointed administrator of the Margaret Guilfoyle Kutner, alleging she was the widow of the deceased by a marriage which took place in 1911, sought to have herself appointed as administratrix.

Attorney W. J. Makell, representing the estate, said that Kutner had been married in New York and deserted his wife and six children 26 years ago. This wife, Mrs. Jennie Kutner, is now here to claim the estate for herself and four children, the other two children having died.

YOUTH IS AGAIN IN TROUBLE

Wife Gets Tired of Supporting Recently Acquired Spouse.

Frank Reynolds, a beardless youth, is again in the county jail. He has been married since he was there last July, and one of the reasons he is back again is because his wife has become tired of supporting him and wants him sent back to his parents.

When Reynolds was arrested last July for passing a bogus check for \$25, he told the juvenile court officers he was 17 years old. He served 15 days in jail and Judge Cleeton then paroled him on condition he would repay the \$25. His attorney got him a job on a steamboat at \$45 a month, and Reynolds repaid \$5 of the \$25.

On November 4 he was married. His wife had a good job in a downtown store, so why should he work, he reasoned. He didn't work. After the marriage his wife, a girl of 19, learned of his arrest and the bad check. She grew tired of supporting him and told the juvenile court officers she was done with him. He was rearrested for failing to keep the conditions of his parole.

Van Schaack court officers have now learned that he is 20 or 21 years old.

Students Are Coming Home on Specials

Students of the University of Oregon and the Oregon Agricultural college will be cared for on their trip home for the holidays by the Oregon Electric with special trains, one leaving Eugene at 1:30 tomorrow afternoon and one leaving Corvallis 1:30 Friday. The Eugene train will reach the North Bank station at 5:20 p. m., while the Corvallis train will get in at 4:15. A special train will be run for the return trip on Sunday, January 7, leaving the North Bank station at 7 p. m. and reaching Corvallis at 10 and Eugene at 11.

Youth Is Injured By a Motorcyclist

Charles A. Fugate, nine year old resident of 197 Simpson street, was seriously injured at Albina avenue and Simpson street about 4 o'clock yesterday afternoon when he was struck by a motorcycle ridden by G. C. Melvin, 1640 Fowler street. Fugate was taken to the Good Samaritan hospital, suffering from a compound fracture of the right leg and cuts on the forehead and chin. According to Melvin's report to Motorcycle Patrolmen Bales and Gouldstons, the boy ran from behind a street car and tried to jump for the curb when struck by the motorcycle. Melvin took the lad home and summoned Dr. L. O. Roberts. Fugate was later taken to the hospital.

Wheat Price to Be Fixed.

London, Dec. 20.—(U. P.)—President of the Board of Agriculture Prothero announced at a Guild hall meeting of farmers today that the government proposes to fix 50 shillings as the contract price for a quarter of wheat (\$15 for eight barrels.)

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Marie Doro
and a superb cast in the exceptional

OLIVER
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A Paramount Photoplay.

TOMORROW:
"The Traveling Salesman."

BROADWAY THEATRE CHATS

No. 3

Personal service, or the service with a personality, is to be the keynote of JAMES' BROADWAY THEATRE in its relation to the public, whether that service consists of ushering you to a seat, checking your wraps or offering refreshments in the tea garden.

My greatest ambition, of course, is to provide such film entertainment that the BROADWAY THEATRE will become a vital part of your amusement life. But, next to that, it is my earnest desire to cater to the comfort of the theatre-going public in every particular, so that the BROADWAY THEATRE will be synonymous with the best possible theatre service.

A corps of a dozen girl ushers—bright, attentive, courteous young women, garbed in the BROADWAY old rose and gold—will be in constant attendance to anticipate your every wish. A checkroom, where your wraps may be left during performances, will be in charge of an attendant day and night.

A tea garden will invite our patrons on the mezzanine floor, a combination rest and tearoom, with an Oriental atmosphere, and a Chinese girl to cater to your wants.

The screening or projection of a motion picture is an important factor in the success of any home of film entertainment. In the past pictures have been open to criticism at this theatre because of inferior projection, the "throw" being from the topmost point of the balcony. But all of this is a thing of the past. At considerable expense the projection room has been moved to the lower floor, placing the projection lens directly on a level with the new gold-tone screen. This guarantees a mellow-toned but vivid picture, discernible without strain on the eyes from every part of the theatre.

An inspection of the theatre will convince you that these are not mere words, but that every effort has been directed towards your comfort and that of your family and friends.

EDWIN F. JAMES.

P. S.—JAMES' BROADWAY THEATRE will be opened to the public at 8 o'clock next Saturday night with an unusual photodramatic treat, "Bought and Paid For," a graphic and compelling picturization of the famous Broadhurst drama, and musical selections by the Broadway Symphony Orchestra.

Remember, Saturday night, 8 o'clock, JAMES' BROADWAY THEATRE, Broadway and Stark streets.

IRRIGATION COMPANY IN CENTRAL OREGON ASKS FOR MORE TIME

Governor Withycombe Is Not Satisfied With Methods of Concern; Tells Board So.

Salem, Or., Dec. 20.—That the Central Oregon Irrigation company developing 120,000 acres of desert land near Bend, may be resolved into an irrigation district was indicated today at a meeting of the desert land board in a clash between Governor Withycombe and Jesse Stearns, attorney for the company. The company met with the desert land board in regard to a 10-year extension contract between the federal government and the state of Oregon.

Also Received Commission.
"With all due respect to Mr. Stearns and his enterprise I want to make protest against the company," said Governor Withycombe. "I find from the report of the public service commission that the company has been culpable. The report shows that Roscoe Howard, manager, drew \$500 a month salary, which was finally reduced to \$300 a month."

"The report also shows that he received a commission for the sale of the lands and that he was a member of the Howard company that built the project. In this manner he caught the company three ways."

"I regard the company as having brought on itself the present agitation against it, and I believe the time is coming when the project will be formed into a general irrigation district with the settlers in control."

In defense of the policy of the com-

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pany, Jesse Stearns, company attorney, declared: "We put more than \$1,500,000 into the project and had to have a man of ability to do the construction work and make the sales. While it cost other projects 25 per cent or more to sell their lands, it cost us only 15 per cent."

Extension Is Asked.

"Not a dollar of this has come from the maintenance fund, for we have put more money into the project than we have received from the settlers."

As the company needs time to develop the project, and as the only way to protect the water rights is to have an extension, the board decided to ask congress to extend the time 10 years. Resolutions asking that this be

done will be forwarded to the Oregon delegation in congress, and to the department of the interior.

Wealthy Prince of Germany Is Dead

Berlin, Via Sayville Wireless, Dec. 20.—(U. P.)—Death of Prince Guido Henckel von Donnersmark, the second richest man in Germany at the age of 38, was announced by the official press bureau today.

Columbia

Featuring plays that please—

Tonight

Last times of the stirring spectacular photodrama—
—A Gamble in Souls.

Comedy—Keystone—

"Black Eyes and Blue," and a scenic of unusual grandeur.



PEARL OF THE ARMY

is a big, gripping, realistic story, an expose of the secret intrigue and unseen dangers from the spies and intriguers of foreign nations, who march only a step ahead of the armies of invasion. Never have you seen a more powerful, a more interesting story told in pictures.

And never have you been thrilled as PEARL WHITE will thrill you by the daring feats she has accomplished in her part as "America's Joan of Arc."

A great story, a great star, a great supporting cast, all contribute to make this the serial you will DEMAND to see from the start to its unexpected and bewildering climax.

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GRETCHEN HARTMAN

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Beautiful Audrey Munson in

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Added Feature—That Wonderful Hawaiian Trio.

TOMORROW

1916 Pendleton Round-up

The STAR

Washington at Park.

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