

MOTION ARGUED FOR DISMISSAL OF PUBLIC MARKET INJUNCTION

City Argues Use of Street
Customary and Power Is
Invested in State.

SAY AUTHORITY LIMITED

Attorney Crouch Urges That Dedications of Street and Successors Have Certain Rights.

Motion to dismiss the injunction suit of the Independent Order of Knights of Good Templar association against the city, wherein the plaintiff seeks to restrain the city from operating the Yamhill street public market, was argued before Circuit Judge Robert Tucker this morning. The motion was made following the submission of evidence on the part of the plaintiff. The grounds upon which the city and the intervenors asked the dismissal of the proceedings, are:

"That the use of the street is a customary use, with the power in the sovereign, the state, or when authorized by the city, to such use.

"No Private Right Injured.

"That no private right of the plaintiff has been entrenched upon, as the evidence fails to show that it has been hurt, and under the law plaintiff has no legal right to secure an injunction."

Answering arguments of counsel for the city and the intervenors, Attorney Crouch for the plaintiff contends:

"That the state is not the supreme authority, and that the authority in question is limited; that under the decision of Justice Lord the dedication of the street and its successors have certain rights which the city cannot take away, that the public market place was not contemplated at the time of the dedication of the streets to the use of the people; that the public market place is not for the general use of the people of the city, but on the other hand serves only a limited portion of the population; that the obstructions which have been raised in the streets constitute a permanent obstruction and are a public nuisance."

Fire Menace Urged.

Attorney Crouch called attention to the fact that the occupants of the lodge rooms would, in case of fire, be handicapped in an endeavor to escape from the building by way of the stairs which front on Yamhill street.

At Thursday's session the city and intervenors attempted to introduce evidence to show that the Grocers' association is behind the injunction suit. Judge Tucker refused to admit this line of testimony.

DAN CUPID PLAYS STAR PART.

Mother-in-Law Sues Son-in-Law for Wages as Housekeeper.

Behind an innocent appearing child suit of a mother-in-law to collect money alleged to be due from her son-in-law for services rendered as a housekeeper, is a story in which the little Dan Cupid plays a star part.

When the little love God stepped into the family circle, according to the statements of the plaintiff's attorney, Charles Schnabel, the man of the house "took unto himself a wife and left his three minor children from his former wife behind."

Attorney Schnabel said: "I was employed to bring action for services rendered as housekeeper by Margarette Elk. Mike Jenny, the defendant, it is alleged, had induced Mrs. Elk to come out to Portland from her home at Laporte, Ind., some five years ago. She received but \$80 on account, she says, and there is still owing her some \$700.

The plaintiff also says she loaned her son-in-law \$150 before accepting the position.

"Mrs. Elk took care of the three children and busied herself about the house in many ways. Her duties even included splitting and carrying in of the wood.

"When the love God made its appearance, however, the situation was changed. Now, the question arises, what will be done with the children? The mother-in-law is 65 years of age and a double burden will have been thrown upon her unless the father makes proper plans for the care of his children. Jenny is a machinist employed by the O-W-R. & N. Co.

Michael Jenny obtained a marriage license to wed Elizabeth Elk, last Saturday. He gave his address as 513 Twenty-fourth and one half street. The woman's address was given as 513 Twenty-fourth and one half street.

ALLEGES FREEZE-OUT EFFORT

J. E. Brockway Commences Action Against Ready Built House Co.

James E. Brockway has brought suit in the circuit court against the Ready Built House company. He alleges that, as a shareholder in the company, an attempt has been made virtually to freeze him out; that an assessment against his stock has been levied; and that the company is endeavoring to sell his holdings. The plaintiff was elected secretary treasurer of the company. J. H. Fenner is president.

According to the complaint, each member of the company subscribed to one third of the stock, and each paid in \$250. The plaintiff received his share and the 555 2-3 shares of the stock of his mother, Pamela M. Brockway, were, since the organization of the company, transferred to himself. The plaintiff now claims that other members of the corporation have conspired to gain control. He further alleges that the plant of the corporation has been moved from East Thirty-third and Broadway to the plant of the Penitentiary Lumber company, of which F. C. Knapp is the president. He asks that the defendants be restrained from selling his stock.

Suit Is for Wages.

Trial of the suit of Ida Hunt, as guardian of Elmer Hunt, against the Oregon Nut & Fruit company, for a balance of \$46.50, for services alleged to have been rendered was heard before District Judge Jones Thursday. According to the complaint the boy agreed to go to work for the defendant company at the salary of \$30 a month. He was to work for three months, beginning June 5, 1916. He worked until July 29, when he was discharged without prior notice. The suit is for \$46.50, the plaintiff says that only \$15.50 was paid on the account.

Paroled, But Must Go Away.

On condition that he will leave Oregon and will not violate any law of any commonwealth in which he may reside in the future, Jesse Lee, who shot and wounded Albert Gable, was sentenced to the penitentiary from one to ten years, then paroled to District Attorney Evans, by Circuit Judge Davis today. Lee had attempted to kill Gable because the latter had shot and killed his wife, Mrs. Minnie Lee.

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Another angle in the H. D. Winters estate case, which has been before the courts several times because of claims

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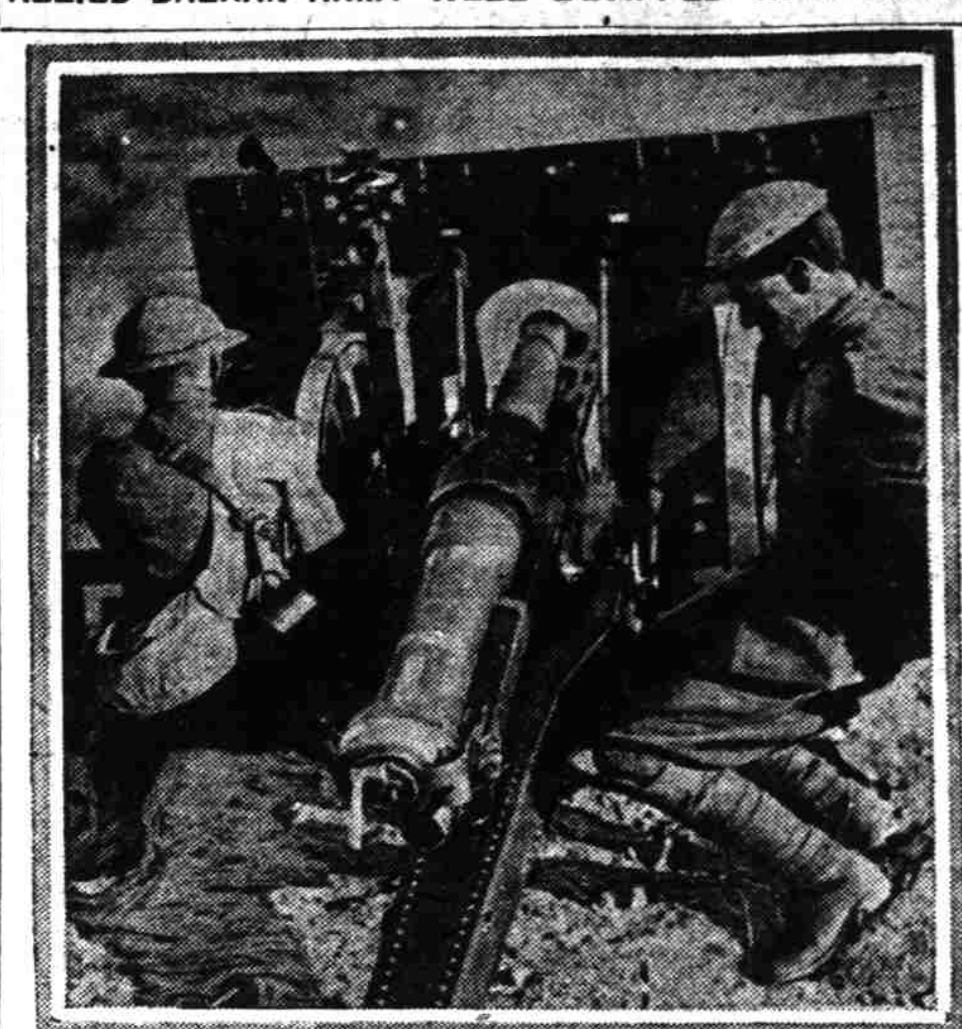
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ALLIED BALKAN ARMY WELL EQUIPPED WITH GUNS



BRITISH FIELD GUN

Every effort has been made by the allies to thoroughly equip General Sarraïl's forces at Saloniki with large numbers of field guns. This picture shows one of the British field guns in the Balkans, which soon may be in action in the offensive said to have been agreed upon at the allied Rome conference.

BILLS INTRODUCED IN OREGON HOUSE

H. B. 139, by Rowe.—To prohibit fishing on portion of Nehalem river or tributaries except with hook and line.

H. B. 140, by Tichenor.—Requiring insurance policies to carry memorandum of loss.

H. B. 141, by Brownell.—Prohibiting salmon fishing in Willamette river north of line 600 feet below present fish ladder at Willamette locks.

H. B. 142, by Brownell.—Providing for entertaining of national encampment of G. A. R. in 1918 and appropriating \$10,000 therefor.

H. B. 143, by Brownell.—Prohibiting dealing in salmon caught by hook and line during season when catching same by trap or gill net is prohibited.

H. B. 144, by Mackay.—Regulating practice of naturopathy, creating a board of naturopathic examiners, etc.

H. B. 145, by Callan.—Regulating storage of oil products.

H. B. 146, by Kubi.—Repealing section 11 of chapter 36 of the laws of 1911, said being sailor boarding house act.

H. B. 147, by Brand.—Validating title of lands purchased from the state.

H. B. 148, by Mrs. Thompson.—Making county school superintendent an official member of school board in existing teachers.

H. B. 149, by Mrs. Thompson.—Increasing school districts' maintenance fund from \$300 to \$400.

H. B. 150, by McGee.—Amending game laws to require license for carrying gun whether it is used to kill game or not.

H. B. 151, by Walter B. Jones.—To prohibit involuntary servitude and forcible detention in homes or private institutions.

H. B. 152, by Lunge.—To protect the potato industry of Oregon.

H. B. 153, by Lunge.—To provide bounties on gophers and moles.

H. B. 154, by Clark.—Requiring railroads to build spur tracks to warehouse within 1600 feet of main track.

H. B. 155, by Ashley.—Permitting five instead of three peremptory challenges in court procedure.

H. B. 156, by Crandall.—Making intoxication a crime.

H. B. 157, by Forbes.—Regulating manufacture and sale of snuff.

H. B. 158, by Laursgaard.—Establishing irrigation code.

H. B. 159, by Corbett.—Permitting stockholders in land corporations to vote by proxy.

H. B. 160, by Forbes.—Authorizing descent and to cooperate in appeal to determine rights to water in Chewaucon river.

H. B. 161, by Laursgaard.—Placing all streets in an incorporated city in the jurisdiction of the municipality.

H. B. 162, by Peck.—Establishing state board of eugenics.

H. B. 163, by Goode.—To provide for maintenance of Placah home.

H. B. 164, by Lane and Douglas.—Cascadia county from the eastern part of Clackamas county.

H. B. 165, by Brownell.—To abolish industrial accident commission and transfer duties to state insurance commissioner.

H. B. 166, by Forbes.—Ratifying assignment and transfer of Crater Creek project to the state of Oregon.

H. B. 167, by W. A. Jones.—To permit stock to run at large in eastern part of Marion county.

H. B. 168, by W. A. Jones.—Repealing mothers' pension law.

H. B. 169, by Wood.—Fixing compensation of supreme court reporter at \$1500 per year.

H. B. 170, by Wood.—Specifying various fees in counties of less than 100,000.

H. B. 171, by Pierce.—Prohibiting county school superintendents from suing on state bonds.

H. B. 172, by Vinton.—Providing for permanent motor vehicle registration in the various counties and increasing fines for failure to register.

APPOINT DIRECTOR FOR THE AUDITORIUM DEDICATION IN JUNE

To Defray Expenses Fund of
\$10,000 Will Be Asked of
1000 People.

Directors of the Portland Music Festival association Thursday elected William H. Boyer as director of concerts to be held in dedication of the musical activities at the new city auditorium next June. The proposal was to defray the expenses of the concerts, the board decided to ask for a subscription fund of \$10,000 to be raised by the pledge of 1000 Portland people at \$10 each. The proposal was to ask each of these 1000 contributors to pay \$5 cash in advance, for each of which they would receive two season tickets and when called upon by the board afterward as may be necessary. The musicians' club already has pledged \$250 toward this fund.

The following committee appointments were made for carrying forward the work of the association: Active members, Jacob Kandler of the Portland Opera association, Samuel C. Bratton of the Ad club, W. N. Daniels of the East Side Business Men's club, Charles Swenson of the Swedish singing society, and Edward Hippiely of the Arion society; sustaining membership committee, Nelson G. Pike; finance committee, George L. Baker; program committee, M. Christensen; Earl A. Clark; voice committee, William A. Montgomery, John Claire Monteth, William R. Boone, George Hotchkiss Street and George Wilbur Reed; program committee, M. Christensen, Frank G. Eichenlaub, Frederick W. Goodrich, Mrs. Thomas Carrick Burke and Mrs. Warren E. Thomas.

GOVERNMENT WILL PROSECUTE MAN WHO GAVE LARGE ORDERS

Richard Wood Made Many
"Deals" Arousing Suspicion; Held by Officers.

Richard Wood, the man arrested by the police several days ago for giving mysterious orders for vast amounts of railway equipment and other things to be sent to Honolulu, where he said he was president of a railroad, will be prosecuted by the government. He was turned over to government officers today on a charge of representing that he was an army lieutenant. In the past days were returned by Detectives Leonard, La Salle, Hellyer and Tackabery Thursday. Representing the Honolulu Railroad company, "Wood" purchased from the Baldwin Locomotive Works three locomotives and 1100 tons of rails; from Brady & Son, 1000 freight cars and 1000 tons of rails; from the Northwestern Equipment company 1000 flat cars; from the Portland Equipment company 1000 box cars.

Detectives say he also negotiated with McCargay, Bates & Lively to insure his entire working force in Honolulu, a deal involving considerably over \$100,000 in insurance, and a photograph was given for a large number of lithographs of pictures to be used in advertising his three "motion picture houses in Honolulu." The pictures, from which the case was made, the detectives learned, appeared as the front page illustration of a well known sporting periodical.

One broker was especially pleased with his prospective customer, the police learned, that he took Wood to a hotel and spent \$10 on him for dinner.

Wood previously was found to have made potential "investments" for at least \$50,000 of personal insurance, while he also made tentative arrangements for the purchase of half a dozen pianos.

Area Conference Is
Complete Success

M. E. Church, Bishops, Pastors and Laymen Meet at Bishop's Residence and Perfect Working Plans.

A reception at the residence of Bishop and Mrs. Matthew S. Hughes brought to a close Thursday afternoon the three-day area conference of the Portland area of the Methodist Episcopal church.

Although primarily for district superintendents of the area, a number of ministers and laymen took part for the conference and it is believed by those in charge that splendid results will accrue.

It was a complete success, said Bishop Matthew S. Hughes of Portland at the conclusion of the conference, "and it marks the beginning of sound, earnest endeavor for a stronger Methodism in the northwest."

Bishop Edwin H. Hughes of Boston, former president of the Pacific Northwest conference, a brother of Bishop Hughes of Portland; Dr. John Lowe Fort of Chicago, and Dr. Clarence True Wilson of Washington, D. C., were among the well-known speakers in attendance.

The program adopted by the conference has as its object to give every Methodist in the northwest something to do in the upbuilding of the church. An every member campaign is planned to begin soon, and a meeting has already been held between Methodists and Presbyterians to consider cooperation instead of competition in outlying districts.

Norman Wilson Buried.

Vancouver, Wash., Jan. 19.—The funeral of Norman Wilson, 12-year-old son of Mr. and Mrs. T. S. Wilson of Lucia, was held at 11:30 o'clock this morning from St. John's Catholic church, this city. Interment was in the family lot in the Wilson Bridge cemetery.

Basketball Game Tonight.

Oregon City, Jan. 19.—The basketball game of the Oregon City Athletic club will meet the team of the Molalla hall tonight. A crowd is planning to motor to the scene of the battle, but the players will take the 8:30 W. U. S. train from here.

Deaf and Dumb Case Heard.

Circuit Judge Morrow this morning heard the evidence in a contested divorce suit of Oliver Bowman vs. Lulu Bowman, deaf and dumb litigants. Cruel and inhuman treatment was charged. The couple has three children and the decision on the decree and the awarding of the custody of the children will be handed down by the court at a later date. The evidence was taken through the means of an interpreter.

Habeas Corpus writ Asked.

Habeas corpus proceedings for the release from the county jail of Jesse Murphy, sentenced by Judge Langruth of the municipal court on a bootlegging charge, have been filed in the circuit court. Murphy was sentenced to 60 days in the county jail and to pay a \$200 fine. Attorney Boldstein claims that the municipal court had no authority to pass sentence, contending it is a state case.

Boys Indicted for Arson.

Indictments charging arson were returned by the Multnomah county grand jury against Roy Hayward, Ralph Sievers and John Lanjovsky. Two of the boys are under age and the third is 21. They are accused of setting fire to the Furrow station on the Portland-Troutdale electric line on the night of November 26.

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Another angle in the H. D. Winters estate case, which has been before the courts several times because of claims

Oregon Greeters' Business Session

Vote to Take in Clerks Outside Portland and Appropriate Money to Help in Fight on Differential.

Oregon Greeters held a business and social meeting at the Hotel Multnomah Thursday night, the object of routine matters being followed by a dance and supper.

The constitution of the Portland chapter was amended to provide for an annual state convention of hotel clerks and that one of the delegates to the national convention of the Greeters of America should be from outside of Portland.

Fifteen new members were elected as follows: Phil Metchan Jr., Otto Metchan, H. A. Metchan and Charles Weiside, Imperial; Ray Clark, Multnomah; D. G. Gouley, New Houston; George Underwood, Benson; J. B. Hawthorth, Mallory; H. H. Cloutier and E. Y. Hauser, Multnomah; A. H. Myers, Oregon; Dr. C. W. Cornelius and E. E. Lang, Cornelius; and R. S. Weaver and Harry Winsentine, Hotel Umpqua, Roseburg.

M. J. Slatky, Nortonia, and A. E. Holcomb, Oregon, were appointed a committee to work with the Shriners, and E. W. Beech of the Oregon Hotel News, Ross Finnegan of the Carlton, and Charles D. Schreier were named a committee to cooperate with the Chamber of Commerce.

An appropriation of \$50 was voted to assist Oregon and Washington hoteliers in their fight against the \$17.50 differential on tourist fares.

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OCTOGENARIAN, FOR 63 YEARS RESIDENT IN PORTLAND, DIES

Mr. Kennedy Was One of the
Founders and Builders of
Centenary M. E. Church.



Napoleon Bonaparte Kennedy.

Napoleon Bonaparte Kennedy died at his home, 464 East Couch street, on January 17, at the advanced age of 83. He had resided in Portland for 63 years and was one of the founders of the Centenary Methodist church over half a century ago. Mr. Kennedy was survived by his daughter, Mrs. Emma Alstock, and was grandfather of Francis and Bernice Alstock. The funeral will be held from the church at 2:30 p. m. Saturday, January 20. Mr. Kennedy was born in southern Illinois and came overland to Oregon. Many of the houses built here in early days were plastered by him. His labors were given in large part in the construction of the first church on the site of the present Centenary M. E. church at East Ninth and East Pine streets.

Pioneer of 74 Passes.

Mrs. Eliza Roland died on January 18 in this city at the age of 74. She crossed the plains in 1847 and was one of the oldest members of the Pioneer association. Her husband, David S. Roland, was a veteran of the Indian wars, and for many years was in business in this city. Mrs. Roland was a charter member of Acme Rebekah Lodge, of Portland. Five sons survive her. Funeral services were held Thursday at the East Side Funeral Directors' conservatory chapel and interment was made in Lone Fir cemetery. The Acme Rebekah Lodge, I. O. O. F., was in charge.

Dies at Age of 75 Years.

At the age of 75 Mrs. Marie Velguth died on January 17 at her home, 681 Tillamook street, where she had resided since 1891. She was the widow of Captain Adolf Velguth, who served in the Civil war. Mrs. Velguth was a native of Germany. She is survived by six children. Funeral services were held this morning from the Holy Rosary church. Interment was in Riverview cemetery.

Orders Direct Funeral.