

OWNER LIABLE IF EMPLOYE IS USING CAR AFTER HOURS

Supreme Court Decision, However, Holds Responsibility Only Where Permission Is Given.

HAZLEWOOD COMPANY HELD

Judgment Affirmed in Suit Resulting From Death in Accident Occurring in Portland.

Portland, Nov. 19.—The owner of an automobile, who permits his employe to use the car for pleasure after working hours is liable for damages if a jury so decides. If an accident occurs and another person is injured.

This is the gist of an opinion of the supreme court handed down today in the case of Mary Doherty administratrix of the estate of Thomas Doherty, deceased, against the Hazlewood company, appellant. The higher court affirms the judgment given by a jury in Judge Morrow's court in Multnomah county in favor of the plaintiff and against the defendant in the sum of \$3200.

J. W. Shearer was an employe of the Hazlewood company. He was permitted to use the company's automobile after working hours. One night Shearer and his wife used the car in attending a dance. On the way home the machine struck and fatally injured Doherty, who was a street sweeper employed by the city of Portland.

Suit was brought for damages and judgment was given against the company and Shearer. The company appealed on the ground that the circuit court erred in not allowing a motion for a directed verdict in favor of the company.

Jury Should Get Facts

"The naked question," says Justice Burnett, in the supreme court opinion, "is therefore presented here, whether ownership of the machine with which the injury was inflicted is sufficient to make the case to the jury as against the motion for a directed verdict. We remember that, if the ultimate fact is that the car was operated solely for the private purposes of the driver without the knowledge or permission of the owner, the latter would be exempt from liability. The ascertainment of that ultimate fact, however, is for the jury and if there is any evidence in favor of the plaintiff, the jury must receive the case in the first instance as against the motion for a directed verdict."

Other opinions were handed down as follows:

James G. Heltzel and Percy A. Cuper vs. I. S. Baird, appellant; appealed from Marion, suit to settle controversy over boundary to land, opinion by Justice Johns, Circuit Judge Bingham affirmed.

State vs. Scott Goodall, appellant; appealed from Union, appeal from conviction of cruelty to animals; opinion by Justice Benson, Circuit Judge Knowles affirmed.

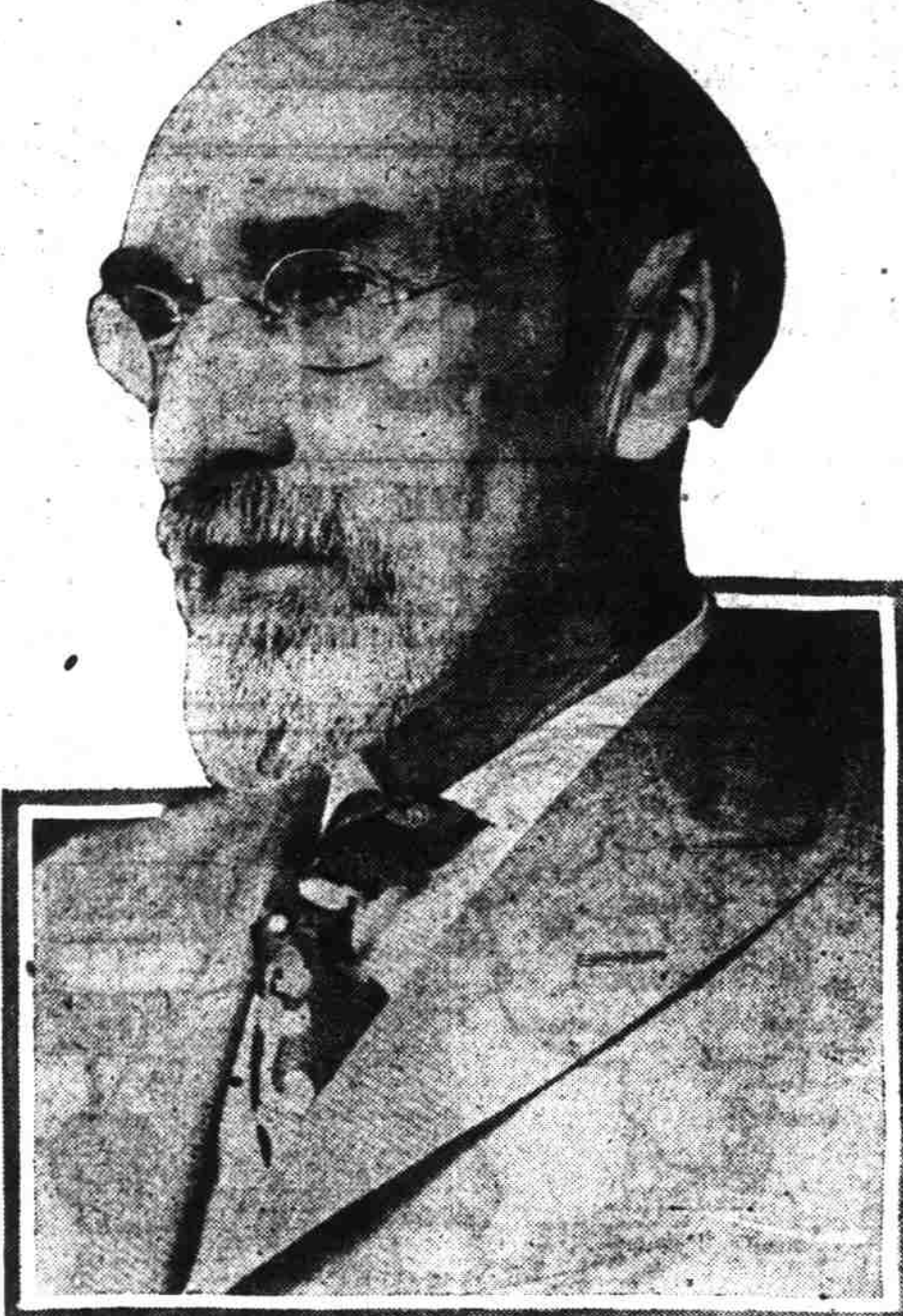
J. S. Boyer vs. E. Andruca, appellant; appealed from Malheur, suit for damages for trespass by sheep; opinion by Justice Bean, Circuit Judge Biggs affirmed.

Plaintiff Wins Water Case

O. H. Olson vs. Charles C. Helsen, appellant; appealed from Crook, suit to collect attorney's fees and costs, opinion by Justice Harris, decree of Circuit Judge Lufey modified by eliminating attorney fees and holding that neither party should have judgment for costs and disbursements.

David Stephens, appellant, vs. City

NOTED EDUCATOR DIES



Charles R. Van Hise, President of the University of Wisconsin

of Eugene; appealed from Lane, suit for damages alleged to result from flow of water diverted from city's power plant into slough which passes through plaintiff's premises, opinion by Justice Burnett, decree of Circuit Judge Hamilton modified by allowing plaintiff damages and perpetually enjoining defendant from changing natural flow of water through plaintiff's premises, but without prejudice to city's right to condemn property by appropriate action at law.

Columbia River Door company, appellant, vs. W. F. Todd, et al., appealed from Multnomah, petition for rehearing to settle question of attorney's fees denied, opinion by Justice Benson.

Petition for rehearing was denied in the case of Lombard vs. Belteau.

SENATE COMMITTEE IS INVESTIGATING

(Continued From Page One)

G. Sheehan, which were secured by collateral notes signed by 15 of the country's largest brewers. Humes admitted he was unable to show the Montgomery Advertiser, which was purchased with the money loaned, was bought in the interests of the brewers. He had only received the evidence last night, he said, but "other departments of the government" had evidence that would support the point he was attempting to bring out, he asserted.

C. W. Flegenspan, brewer of Newark, N. J., who was chairman of the publication committee of the United States Brewers' association from 1915 to 1917, was called to testify to give details of propaganda conducted by the brewing interests.

Admits Propaganda
Flegenspan at first contended that the propaganda was aimed only "to present the good side of our products."

"Was that all?" Senator Nelson demanded.
"Didn't you try to defeat prohibition with your propaganda?"

"Yes," Flegenspan answered. He admitted in answer to questions that writers were hired to write anti-prohibition literature for well known magazines. John Koenig, who wrote such articles in the Atlantic Monthly, received a retainer from the United States Brewers' association of about \$5000 a year.

"What part did your committee play in attempting to influence legislation?" Major Humes asked.
"None that I know of."

Humes then produced a letter which he handed to Flegenspan to refresh his memory.
"That letter shows you expended \$2000 in Connecticut in 1911 to influence legislation, does it not?" he inquired.

Aided Socialist Party
"There is the letter. It must be so, but I have no recollection of it."
The contents of the letter was not made public.

Humes produced a confidential report of the publication committee to the brewers' association, showing that the committee had extended aid in political campaigns in Georgia, Nevada, Utah and Connecticut, and in Michigan had "furnished the services of three journalists."

Has your committee ever had any connection with the Socialist party?" Humes asked.
"No."

"Do you know George Sylvester Vlerick?"
He did not know Vlerick, Flegenspan said, but he believed some other members of his association were connected with him.

"Do you know Louis Hammerling?"
Flegenspan did not know Hammerling. He said he knew that Hammerling claimed to control 700 to 800 foreign language newspapers." Senator King interjected.

Hammerling hypnotized the association one year ago and got a large amount of money with which to combat prohibition, the witness admitted.
"About \$800,000 which he spent in three years," King said.

"About that amount."
Humes asked if a certain part of this sum was not to have been used through the German-American Alliance.

Flegenspan denied this.
"I do not know of any money turned over by the United States Brewers' association to the German-American Alliance," he said.

GERMANS TURNING OVER BIG STORES OF ARMY SUPPLIES

Enemy Meeting Demands of Armistice as Withdrawal Is Made to Points in Interior.

AMERICANS TAKE EQUIPMENT

Many Towns Found Undamaged Except at Points Where Yanks Dropped Bombs in Air Raids.

(Continued From Page One)

meters (more than nine miles) ahead of the positions occupied last night.
So far as can be observed, the Germans are carrying out the terms of the armistice in good faith. Today they surrendered millions of dollars' worth of material, guns and ammunition.

At several places they turned huge ammunition dumps over intact. At Boulogny several hundred carloads of lumber, cement and steel rails and 22 guns fell into the hands of the Americans.

I rode more than 60 miles parallel to the line of the advance. I found a network of light railways, all in good working order with bridges intact. At Longwy, hundreds of cars, scores of locomotives, 3500 machine guns, thousands of rifles and various other material were surrendered. At many other points there were similar scenes.

French Close to Rhine

London, Nov. 19.—(U. P.)—French troops have reached the neighborhood of the Rhine at a point about 30 miles from the Swiss frontier northward. It was officially announced today.

"Large quantities of war materials and allied prisoners have fallen into our hands," the communique said. "In Belgium, we passed the railroad from Beaurain to Florenville."

We entered Saarburg, Dieulouard and reached the proximity of the Rhine between a point north of Neu Briesach and the Swiss frontier.

(New Briesach is a mile and a half west of the Rhine and is about 20 miles north of the junction of the French, German and Swiss frontiers.)

Munitions Depots Exploded

Havre, Nov. 19.—(U. P.)—"We have reached the line from Beaurade to Alois," the Belgian war office announced today. "Our cavalry has advanced from

crossed east of Montmedy and the Belgian towns of St. Leger, Etalle and Virton occupied.

The Americans also reached the junction of the French, Belgian and Luxembourg frontiers, northwest of Longwy, another great iron center. The important railway towns of Conflans and Longwy are now in our hands. Scores of new towns were added to the hundred already passed.

New divisions have marched in to support those in the front line. Those include the Fifth, Twenty-sixth, Eighty-ninth and Ninetieth divisions.

Opposite the Texas and Oklahoma troops the Germans sent over 300 Italian troops who had been prisoners three years. They declared they had been forced to work on roads and defenses close behind the front lines. One of them, James Vignelles of Chicago, said the Germans lost 100,000 men in the fighting.

Twenty-eight Americans captured in the last hour of fighting were sent back into the ranks of the Michigan and Wisconsin troops. German non-commissioned officers who accompanied them to the line explained they did not want to be bothered with them and would trade the prisoners for 20 cartons of cigarettes. A Grand Rapids soldier furnished the cigarettes and took charge of the prisoners.

Many front line units have been relieved, including New England troops. Oklahoma and Texas, and have been sent back to rest billets for reorganization.

Just before the advance began Sunday I saw an outpost playing catch with a ball improvised from cloth and string in a field near the front line east of Verdun. From a nearby dugout a German who had been left behind in turning over some material approached and called in English: "Give me a catch."

The doughboys laughed and tossed the ball. The German said he had lived in Milwaukee for ten years.

In some places the Americans refused to fraternize with the Germans, but in others they talked across the lines and traded tobacco and bread for buttons and other souvenirs.

Opposite some Massachusetts troops the Germans traded off all their ammunition and equipment, declaring they had no more use for them.

French Close to Rhine
London, Nov. 19.—(U. P.)—French troops have reached the neighborhood of the Rhine at a point about 30 miles from the Swiss frontier northward. It was officially announced today.

"Large quantities of war materials and allied prisoners have fallen into our hands," the communique said. "In Belgium, we passed the railroad from Beaurain to Florenville."

We entered Saarburg, Dieulouard and reached the proximity of the Rhine between a point north of Neu Briesach and the Swiss frontier.

(New Briesach is a mile and a half west of the Rhine and is about 20 miles north of the junction of the French, German and Swiss frontiers.)

Munitions Depots Exploded

Havre, Nov. 19.—(U. P.)—"We have reached the line from Beaurade to Alois," the Belgian war office announced today. "Our cavalry has advanced from

Brussels toward Malines (midway between Brussels and Antwerp). "Munition depots were exploded at three rail stations in Brussels, setting fire to the station buildings."

UNEQUAL RATES ARE POINTED OUT

(Continued From Page One)

the rate which the inland Empire shipper must pay for moving his products down the Columbia to its common point terminals and over the steep mountains to Puget sound.

Tunnels, sharp curves and grades which test the best of brakes, blizzards, snowdrifts, ice and washouts, hold always their threat above the mountain route, but the rate is the same as down the Columbia where the grade requires only nominal motive power, stress of weather is almost unknown and operation rarely interrupted even in slight degree.

Yet the mountain route which imposes the higher costs penalizes the rate making of the entire Northwest. Seattle and Tacoma have wheat delivered to them as cheaply as to Portland, Vancouver and Astoria—and the shipper in the Inland Empire pays the freight.

Columbia river communities possess the greatest natural advantages of Pacific coast terminals and shipping points, but, contrary to the proposition of the interstate commerce commission, they do not enjoy the benefits of their natural advantages. Upon a basis which no authority would claim to be fair, the mountain and the water grade routes pay the same rate, the shippers pay higher freight rate than they should and Columbia terminals are deprived of trade to which they are entitled.

When the federal railroad administration took over the control of the railroads, it was expected that ease and economies of operation would be considered and that justice would be done by recognizing, with a rate differential, the Columbia river water grade. But when Edward Chambers, director of operation, was asked to take the steps necessary to do justice to the communities of the Columbia he declined, leaving no recourse save to carry the

contest with all the power of the people of the Columbia basin to the highest authority and until the artificial rate structure has been overturned.

In planning the contest, one fact, however, has not been forgotten. When officers of the railroad administration, including R. H. Ashton, regional director from Chicago, were in conference in Portland, it was ordered that the Chicago & Milwaukee be loaded to capacity with government transportation freight—because it had the easiest grade.

Republicans Make Demands for Open Peace Conference

Washington, Nov. 19.—(U. P. S.)—A united demand for open or public sessions of the peace conference, that all the people so vitally affected by it may know exactly what is said and done at the time the conference is going on, is likely to be made soon by the Republican members of the senate.

Such a demand was virtually decided upon at the conference held by the Republican senators this afternoon at which they reported they had reached a harmonious agreement as to the future legislative and other policies they are to pursue when peace and reconstruction problems arise.

Senator Fenrose, leader of the senate are already on record as being in favor of an open peace conference and the demand is expected to take the form of a resolution to be introduced in the senate.

Benton County Plans Biggest Corn Show

Philomath, Nov. 19.—The Benton county corn show will be held in Corvallis November 22 and 23, in the cannery building at the west end of the Willamette river bridge. It is expected

this show will be the biggest corn show ever held in the state and the Benton county farm bureau has been working quietly but energetically ever since last spring to make it such. Fifty farmers entered the contest early in the spring to see which could produce the best acre of corn.

LIBERTY
LAST TIMES TODAY
Liberty News Review
"Tell It to the Marines"
MURTAGH and Our \$50,000 Organ

The CHENEY PHONOGRAPH
Plays all records—better
They Are Here
This is to inform our customers who have been waiting for the
Cheney Phonograph
That we have today received a substantial shipment of this superb Phonograph. If you are thinking about the purchase of a Talking Machine you owe it to yourself to hear the Cheney.

STARTING TOMORROW
MITCHELL LEWIS
Star of "The Barrier"
"The Bar Sinister"
"NINE TENTHS OF THE LAW"
A powerful drama of the North Woods

LIBERTY
Reliable Dentistry
We guarantee our work for 10 years. We will examine your teeth free and tell you just what they require and what it will cost. Good Crowns... \$3.00-\$5.00 Porcelain Crowns... \$5.00-\$8.00 Gold Fillings... \$1.00-\$2.00 Full set of Teeth for... \$5.00 Painted Extractions... \$5.00 Silver Fillings... \$5.00
I give my personal attention to Dr. Newton's all work.
DR. E. F. NEWTON, Prop.
Open Evenings Until 10
Boston Painless Dentists
Between 4th and 5th on Washington St.

LIBERTY
"WE WIN."
Davidson's IDEAL BREAD

PRESIDENT VAN HISE OF THE UNIVERSITY OF WISCONSIN DEAD

End Comes Suddenly Following Slight Operation on His Nose in Milwaukee.

Milwaukee, Nov. 19.—(U. P. S.)—Charles R. Van Hise, president of the University of Wisconsin, died here today. He came here last Friday for a slight operation on his nose. It was stated complications set in and meningitis resulted.

Charles R. Van Hise was born at Fulton, Wis., in 1857, and was graduated from the University of Wisconsin in 1879, later receiving degrees from the University of Chicago, Yale, Harvard, Williams college and Dartmouth college.

He was an instructor and later professor of metallurgy, mineralogy, archaeology and applied geology and of geology in the University of Wisconsin and became president of that institution in 1903.

It was as a geologist, natural historian and conservationist that he was best known, although of late years he has figured prominently in discussions of the trust problem and the relations between employers and employees. He lived in Madison and had just returned from a trip to France and England as a guest of the British government. What his friends called an absurd and utterly unfounded attack upon his Americanism by a syndicate of newspapers marred the last few weeks of his life. This attack was predicated upon what the writer deemed a showing of respect for Germany because Dr. Van Hise's hat was off while he was passing a German coat of arms in an abandoned dugout in France. Dr. Van Hise's friends never questioned his unwavering loyalty to the United States.

HOME INDUSTRY FACTS

INDIVIDUAL responsibility in this movement for a "Greater Oregon" is like individual responsibility in civic affairs by voting on election day.

Some neglect it. None should. Use home products.
HOME INDUSTRY LEAGUE OF OREGON

Famous Wash Heals Skin
D. D. D., the greatest of skin remedies, will remove those skin afflictions that have made your life a burden. That intolerable itching, burning and discomfort will disappear under the magic of this remedy. Hundreds testify it has cured cases pronounced incurable. We guarantee the first bottle to bring you relief. Try D. D. D. sec. sec and \$1.00.

D. D. D.
The Owl Drug Co. Skidmore Drug Co.

The DIET During and After The Old Reliable Round Package
Horlick's Malted Milk
Very Nutritious, Digestible
The REAL Food-Drink, instantly prepared. Made by the ORIGINAL Horlick process and from carefully selected materials.
Used successfully over 1/4 century. Endorsed by physicians everywhere.
Ask for Horlick's The Original Thus Avoiding Imitations

Great Overcoat Sale!
In accordance with our long established custom, we shall hold our Great Overcoat Sale during the month of November.
Because of the way in which we conduct our business—selling direct from manufacturer to wearer—we are able in spite of present abnormal conditions to sell overcoats of real pre-war quality at very nearly pre-war prices.
This was made possible because we bought the cloths over a year ago when prices were still low and manufacturers were still making woollens out of real wool. Then, too, we saved in the cost of manufacture by the coats made during the dull season.
If we could show you in cold type as you read this the real bargain quality of these overcoats we would have to put in a riot call in order to have the crowds held in check.
As an example of what you will find we will tell you that we are selling real all wool overcoats at \$18 to \$20. For your own satisfaction take a look around town before you come here. We know that you will buy of us.
Brownsville Woolen Mill Store
Mill to Man Clothiers, S. W. Corner Third and Morrison

COLUMBIA
DIRECTION JENSEN-VON HERZBERG
LAST TIMES TODAY
The Big Laff of the Town
"COME ON IN"
"Bill's Sweetie" 2 Reels of "Smiling" Bill Barson's Foolishness
Paramount Pictograph
TOMORROW
Ethel Barrymore in Our Mrs. McChesney