

RECKLESS DRIVING FREED IN COURT

One Man Wins Appeal, and in Case of the Other Sentence Is Suspended.

Two more men convicted by Municipal Judge Rosman, and sentenced to pay fines, were released from the financial burden in the circuit court this morning.

Ralph Christensen, who was fined \$75 by Judge Rosman for alleged driving on the wrong side of the street October 24, appealed his case and was acquitted in Judge Gates' court. According to the story told by Christensen, he was set up by his witnesses, he was the victim of circumstances.

On October 24, he said, he was driving on Portsmouth street when at the intersection of Lombard, a machine driven by William Newport collided with his automobile. Newport's car was overturned, while Christensen was knocked to the pavement and rendered unconscious. While Christensen was still disabled, according to the story, Newport hastened to the police station, reported the accident and signed the complaint.

COMPLAINANT LEAVES TOWN

Shortly after, Newport left town and his whereabouts is unknown to the city attorney's office. Testimony given by a motorist who was operating his streetcar on Lombard avenue at the time was that Newport struck him at a speed in excess of 25 miles an hour, and that the blame for the accident rested largely with the absentee.

P. A. Lawrence, who was convicted by Judge Rosman on the charge of speeding and fined \$20, was also convicted by Judge Tazewell this morning, but the fine was suspended. Lieutenant Ervin of the traffic squad appeared against Lawrence and testified that he was going between 25 and 30 miles an hour on Mississippi avenue on October 30, without slackening speed for the intersections.

PERJURY CHARGE INTIMATED

A severe reprimand was handed by Judge Tazewell to a man named Thompson, who swore that he had leaned over the seat of the automobile and noticed that the speedometer registered less than 25 miles an hour. The court took judicial cognizance that at 5:30 o'clock on an evening in late November it would be too dark to perceive a speedometer dial from the rear of an automobile. An intimation of perjury was made before the grand jury on a charge of perjury was given by the judge, but he decided it would be of little use.

WIFE'S PLEA IS DENIED

Woman Had Asked Divorce From Former Service Man.

Presiding Judge McCall denied a decree of divorce to Sylvia M. Seery, 19-year-old bride of a former service man.

The defendant, Thomas J. Seery, is now in Chicago and did not answer the complaint. Judge McCall maintained that he had no jurisdiction over the case, but he granted the divorce on the ground that the husband in Chicago and only came back to Portland in September. He also stated since the marriage he only been domiciled in the city for a few days and tried to get along for a sufficient length of time. The third reason was that the cruel and inhuman treatment alleged was trifling.

Default divorces granted by Judge McCall were: Lillie B. Brundage from W. H. Brundage, Edward Magee from Margaret Magee, and a case from Elroy Naah, and A. L. Prudeaux from Edith J. Prudeaux. Two cases were continued for further investigation. Two divorce suits were filed in the circuit court Wednesday. They were: Ethel Lohkamp against William H. Lohkamp, and Eva Anderson against E. Ernest Anderson.

PAVING BILL IS HIGH

Work on Approach to Broadway Bridge Found to Cost \$170.

Members of the county board smiled reminiscently Wednesday when a bill for paving the approach to the Broadway bridge was submitted for approval by the city paving plant. They were thinking of the statement, attributed to City Commissioner Barbur a few weeks ago, when the county awarded the contract for paving the approach to the Burnside bridge to the Warren Construction company at a contract price of \$149 per yard.

At that time Commissioner Barbur is credited with having said the city had placed a standing offer with the county to do all paving operations at cost, reckoned at 75 cents per square yard for the pavement. They later denied having such an offer.

The bill presented by the city paving plant Wednesday was reckoned on a cost basis of \$1.56 per square yard for the work, plus the 10 per cent interest required on all work done by the city plant. Mental calculations done silently by the county commissioners revealed the fact that \$1.64 plus 10 per cent made over \$1.70, or approximately twice 85 cents per square yard.

WHEN IS CIDER NOT CIDER?

Attorney Makes Novel Plea for Clients Before Judge Tucker.

A novel plea to the effect that cider containing six per cent alcohol is not intoxicating and that the district attorney's office must prove that it is intoxicating in order to prosecute under the state law, was advanced this morning by John Kaste, attorney for Costa Char and Jim Kaste, accused of violating the state prohibition act.

The petition came up in a motion entered by Kaste before Judge Tucker, asking that the jury be instructed to bring in a verdict of not guilty.

Cider is fermented liquor, not an alcoholic beverage, Kaste said. Before it becomes cider through fermentation, it is merely apple juice. The attorney admits, in a stipulation, that the defendants sold cider containing six per cent alcohol. He maintains that Deputy District Attorney Bernard must prove that six per cent cider is intoxicating. He has given notice of intent to carry the fight to the supreme court if the circuit court holds against him.

The jury was excused by Judge

CLOSED!

The United Apparel Shop Sold Out in Bulk

The stock is now being made ready for disposal.

See tomorrow (Friday's) Journal for big announcement.

AT END OF RECKLESS TRAIL



Little grave in Clackamas cemetery where lies Viola Cummings, and a photograph of the little girl, who was killed by an automobile driven by Joe Mielke. Mielke is the man who was acquitted by a jury in the district court of manslaughter and later was acquitted of driving his car while equipped with faulty brakes, and also of driving a car while intoxicated. Mielke admitted he had been drinking "near beer" shortly before the accident. He was found guilty of every connection with Viola Cummings' death and was turned free. But her parents know that the little girl lies dead in the lonely grave in Clackamas.

Tucker pending argument of the motion and was instructed to return at 3 o'clock this afternoon.

M'COURT HITS LEGISLATORS

Dog License Law Causes Him to Remark Solons Sometimes Foolish.

Legislators are not always omniscient or all wise, in the opinion of Presiding Judge McCourt, of the circuit court.

"Legislators can be constitutionally foolish as well as constitutionally wise," said the judge this morning in commenting on the suit brought by Walter Honeymann against the district attorney, sheriff and other state and county officers, attacking the constitutionality of the law requiring all dogowners to purchase state licenses.

Judge McCourt asked that both sides file more papers so that he could have plenty of material at hand in delivering a decision.

Deaf Mute Arrested

J. B. George, a deaf mute, who is wanted in Portland on a secret indictment charging contributing to the delinquency of a minor, was arrested in Seattle Wednesday on a warrant sworn out by the sheriff's office. He will not fight extradition, it was said.

Teachers Organize A Central Council To Represent Them

An important step in teachers' organization is foreseen in the ratification of various teaching associations in Portland of a Central Representative Council, plans for its early establishment were formulated at a meeting of representatives of the Principals' and Teachers' association.

It shall be the purpose of this council to represent the professional aims of the whole teaching body and to safeguard their legislative or financial interests, should such emergency arise, according to Miss Jessie McGregor, secretary of the committee on centralization. Representation in this council is to be on a per capita basis, including the manual training, art and home economics teachers' organizations.

A constitution is to be drafted and submitted at an early date by a committee of three, including Mrs. Jennie Richardson, grade teachers; W. A. Dixon, principals, and Mr. Purcell, high school teachers.

Thrift Campaign of Y. M. C. A. Indorsed By Governor Olcott

Governor Olcott has indorsed the week of thrift, which is to occupy the attention of the nation next week, under the auspices of the Y. M. C. A. of Portland and vicinity will observe the week of thrift, beginning next Saturday, which is designated as Bankers' day. The American Bankers' association has indorsed the observance of the week, as have other and local organizations.

Raymond Van Vain of the Portland Y. M. C. A. will have charge of the observance in Portland. He announces widespread interest in the subject and is assured of success through the cooperation of various influential organizations.

TODAY AND FRIDAY ONLY

Florence Reed in "THE WOMAN UNDER OATH"

As a witness, does a woman really respect her oath to tell the truth?

COLUMBIA ORCHESTRA

V. C. Knowles, Director

ORCHESTRA MATINEE 2 to 4 P. M. Daily

Coming Saturday "MALE AND FEMALE"

FUNERAL OF JOHN BARLEYCORN TO BE OBSERVED TONIGHT

Midnight Will Usher in Era of National Prohibition; First Methodist Church Is Joyous.

Attuned to the spirit of that happy ditty, "How Dry I Am," the funeral of John Barleycorn will be "celebrated" at the First Methodist church, beginning at 7:30 o'clock this evening, at what is heralded as one of the first funerals on record where the mourner's bench has been absent.

Laid out by the husky blow of prohibition, John will be on view through an interesting program of speeches of jubilation at the passing of the liquor traffic, the occasion being the presence of the date for enforcement of the national prohibition edict, effective at midnight.

Members of John's immediate family, including Johnny Walker, Joseph Pepper, Gordon Gin and his mate, Old Tom Gin, as well as "Three Star" Hennessy himself, are all deceased and will not attend the funeral.

Amid memories of her once famous playmates, Rock and Rye, Virginia Dare will sing her swan song with all the effectiveness that characterizes the babbling of Sunnybrook. But "How Dry I Am" will be the prize ballad of the evening.

All of which is aside from the program announced for the "jubilee," to precede the actual event of a bone dry condition at midnight. E. A. Baker, president of the Anti-Saloon league, will be one of the chief speakers. Mrs. Mattie Steeth, president of the state W. U.; Edwin Rawdon, superintendent of the Finley chapel under the auspices of the Anti-Saloon league; J. F. Newell, chairman of the state prohibition party, and Dr. Joshua Stansfield will deliver brief addresses in commemoration of the victory of the prohibition crusade. E. T. Johnson will preside. Special musical features by the church quartet and choir will mark the program.

Minister Finishes Useful Career in the Presbyterian Church

The funeral of Rev. J. A. P. McGaw was held this afternoon at the Westminster Presbyterian church and final services were in Riverview cemetery. Arrangements were in charge of the Ericson Undertaking company.

Rev. Mr. McGaw was born in Fairhaven, Ohio, and was in his eighty-sixth year. He died in this city Tuesday, and is survived by four children, L. G. and E. G. McGaw, Mrs. Sydney Smith and Mrs. R. Lamberson; ten grandchildren and four great-grandchildren. He had led a long and useful life in the ministry of the Presbyterian church. He had been pastor of the Presbyterian church at Haven, Ohio; Toledo, Ohio; Linwood Avenue church of Kansas City, Third Presbyterian church of Fort Wayne, Ind., and other pastorate. He came to Portland in 1904 and occupied various Presbyterian church pulpits in this city and from time to time to relieve the regular pastors.

Two Are Arrested In Search for Men Who Stole Letters

The theft of letters from apartment houses and small hotels during the last few weeks may have been cleared up, in the opinion of the police, in the arrest of George Wayne, alias Charles Gels, 28, and Ashford W. Todhunter, 17, according to Lieutenant Inspector Goltz and Inspector Hellyer. The two were arrested Wednesday morning at Twelfth and Washington streets by Patrolmen Moore and McMahon for being on the streets after hours.

The police found an alleged "tell tale" letter in the pocket of one of the men, so they started an investigation.

The men are said to have stolen mail from the apartment house mail boxes and to have torn up the letters that did not contain money or checks.

1919 Poultry Show Proved Big Success; Officers Are Elected

Success of the 1919 Western Winter show was reflected in reports read at the annual meeting of the Oregon Poultry and Pet Stock association, held Wednesday night at Central library. In spite of the storm, which kept many entries away and curtailed attendance, the show paid all its premiums, which were larger than in previous years.

Coe A. McKenna was elected president of the association for 1920. C. S. Whitmore was reelected secretary. Other officers elected for the ensuing year are: H. E. Sellwood, H. J. Hamy, J. P. Limerick, Dr. N. L. Smith, E. V. Peate and J. H. Yearseley.

Mrs. Corbett Addresses Reed Girls

Mrs. Elliott Corbett, member of the board of regents of Reed college and well known to Portland women as chairman of the Portland League of Women Voters, addressed Reed girls at an interesting meeting Wednesday afternoon. She was guest at a tea given by the Amalgamated Beer association preceding her talk on woman's place in politics. Nearly every Reed college woman was present to hear Mrs. Corbett.

Alteration Plans For Court House Exceed Estimates

Work on alterations to be made in the court house will be begun shortly. Estimates on the work submitted by Morris Whitehouse, architect, total slightly over the \$65,000 allotted in the budget.

The money will be expended in enlarging the office space for the county clerk's and tax collector's offices. A one-story structure will be erected in the courtyard, in the center of the courtyard. It will be used mainly by the tax collector's office. The county board is also considering the installation of a service elevator on the west side of the building.

DID TWIN DEMONS SNUFF OUT TWO LIVES

(Continued From Page One)

to bring the unruly machine to a halt. It was also sworn that he saw the children 100 feet away, saw them start across the street and almost reach the other curb, and that he still struck the Cummings child.

A precedent had been set. Mielke was freed by the jury.

HAS BAD RECORD

Such is Mielke's previous record at the police station:

February 16, 1918, arrested and charged with violation of the prohibition law. Sentence continued.

April 22, 1918, charged with drunkenness and gambling. Fined \$10.

April 28, 1918, arrested for disorderly conduct. Fined \$50 and appealed.

May 1, 1918, violated the prohibition law. Fined \$100 and given 30 days in jail.

October 16, 1918, violated prohibition law. Fined \$100.

November 11, 1918, arrested for driving an automobile while intoxicated. Given six months suspended sentence and ordered to leave the city.

May 18, 1919, he had an automobile accident.

Five days later he was arrested for speeding. Sentence was continued.

He had an accident June 27, and another July 22. In the last case he failed to report the accident within 12 hours as was charged with driving while intoxicated. Both cases were dismissed on motion of the deputy city attorney.

He was arrested October 28, 1919, for disorderly conduct and discharged by the court.

Geraldine Alderson was killed early in 1918 by an automobile. The police found liquor in the car which Mielke was alleged to have sold to the driver. The police shortly thereafter arrested Mielke for violation of the prohibition law and found the same kind of liquor at his residence.

Case of Lewy of the traffic bureau says the car which Mielke drove when Viola Cummings was killed was the worst, from a safety standpoint, he has ever seen.

Continued release by the higher courts of traffic violators convicted in the municipal court is another unanswerable reason why the legislature should pass the law licensing automobile drivers.

Supreme Court To Be Asked To Decide Scene of Trials

Montesano, Wash., Jan. 15.—George F. Vanderver, attorney for the 11 alleged I. W. W. charged with the Centralia murders on Armistice day, announced this afternoon that he would ask the Washington state supreme court for a hearing on his claim that the trial should be held in Tacoma instead of Centralia.

This move, it is said, may delay the commencement of the trial, which is slated to begin on January 28 here, before Superior Judge John Wilson.

New York Ignorant About Northwest, Declares Cuthbert

"New York soft drink places didn't know anything about loganberry juice. Most New Yorkers hadn't the faintest idea that the Northwest produces the finest of all apples, walnuts and pears. They didn't realize that we help feed the world with our wheat and meat and fish, and that the nation's greatest supply of timber is in the Northwest, and that the water power of this region will become a national resource in transportation, irrigation and industry."

Having told this much of a recent experience in Gotham, Herbert Cuthbert, manager of the Pacific Northwest Tourist association, who is in Portland today, outlined a plan for an "International Pacific Northwest" exposition in New York.

"The exposition involves no outlay of public funds," he said.

Lewis Bill Protested

A letter protesting against a bill introduced by Representative Lewis requiring that 24 hours' notice be given to relatives of any insane person before examination was sent to Senator Hugh Moser this morning by Sheriff Hurlburt. If the bill became a law, it will necessitate keeping an insane person in the county jail for at least 48 hours, which would in many cases be a rank injustice, he said, as there are no facilities at the county jail for lodging insane persons that long.

Bonding Amendment Passed

Statehouse, Salem, Or., Jan. 15.—The house this morning adopted the Stewart resolution for a 4 per cent road bonding amendment to the constitution with but two negative votes, Hughes and Weeks of Marion county. The resolution now let. J. P. Limerick, Dr. N. L. Smith, E. V. Peate and J. H. Yearseley.

VANDERVER WROTE LAW; HE'S GUILTY

Attorney for Alleged I. W. W. Is Fined \$25 and Gives Notice He Will Appeal Case.

Vancouver, Wash., Jan. 15.—George F. Vanderver, who is defending Mike Hennessy, an alleged I. W. W., charged with violating the criminal syndicalism law, was found guilty in Justice W. R. Wilson's court at Minnehaha Wednesday night of having talked through the bars of the Clarke county jail to prisoners. He was fined \$25 and costs, and at once gave notice of appeal.

The misdemeanor, of which Vanderver was convicted, occurred Sunday afternoon, October 26. In his plea for a "common sense" interpretation of the law, and which Vanderver asserts he himself wrote, he said that he was within his rights in conversing with his clients, and that his alleged act was not a violation of the law. He said that he tried to find the sheriff or a deputy, from whom he might secure permission to speak with his client, and, failing in this effort, dictated anyone else might do under the circumstances. He said that an attorney is privileged by law to converse with his client.

Prosecuting Attorney W. E. Yates asserted that if Vanderver wrote the code he was doubly guilty. He contended that the code was written for the benefit of the prisoners and not for the benefit of attorneys.

Vanderver said that it was not in his mind to have the code passed as the law to convict him, an attorney, on such technicalities and that when he was prosecuting attorney in King county, he would not have permitted an attorney to be brought into court on such a technicality and his record be smirched.

Yates, addressing Judge Wilson, said he had no apology to make in prosecuting "this man," pointing to Vanderver.

ORTON FRAMES LICENSE LAW FOR ALL AUTOISTS

(Continued From Page One)

sight is defective, or who are otherwise physically incapacitated, are provided for in cases where the incapacitated applicant can satisfactorily prove his ability to drive an automobile.

A special "learner's" permit is provided for persons who are just entering upon the experience of an automobile driver. Once issued the license would be permanent except that it would be revoked, temporarily or permanently, as the circumstances might dictate. In the event the driver fails to exercise proper precautions and display a proper regard for the safety of others who might have occasion to use the same highway on which he chose to operate.

PASSAGE OF LICENSE LAW

In line with action strongly endorsing measures for public safety and traffic accident prevention, the president's council, composed of the heads of Portland's leading civic and business organizations, telegraphed the house of representatives of the Oregon legislature this afternoon urging enactment of an auto driver licensing legislation at the present special session. The message reads: "Will you kindly present to the members of the Oregon legislature the information that practically all business civic and business organizations in Portland have aligned themselves with the campaign for traffic accident prevention, that the president's council, composed of the heads of Portland's civic and business organizations which hold weekly meetings in furtherance of that campaign urges the speedy enactment of legislation providing for the licensing of auto drivers. This message sent you in accordance with instructions unanimously voted at regular meeting of President's council, Thursday, January 15."

At its meeting this afternoon the Progressive Business Men's club elected George Arthur Brown its representative to go to Salem at once and, fight for the enactment of the auto driver's licensing measure.

Elks to Discuss Convention

Selection of a date for the third annual state convention of Elks will be held on next Sunday afternoon at Salem at a meeting of state officers of the association in conjunction with members of the Salem lodge No. 326, according to an announcement made this morning by Harry G. Allen, state president.

Baptist Young People Hold Rally

The winter rally of the Portland Baptist "Young People's union will be held Friday night in the First German Baptist church, Fourth and Mill streets, under the direction of A. Baerman, association president. The speaker of the evening will be Dr. W. T. Milliken.

NEW CONVICTED OF 2D DEGREE MURDER

Jury Reaches Verdict After Being Out 45 Hours; Life Imprisonment Is Penalty.

Los Angeles, Cal., Jan. 15.—(I. N. S.)—Murder in the second degree was the verdict rendered by the jury in the case of Harry S. New Jr., alleged son of United States Senator New of Indiana, for the murder of his sweetheart, Freda Lesser.

The verdict was returned at 11:33 a. m. today and carries a penalty of life imprisonment. The jury was out nearly 45 hours. New did not flinch when the verdict was read.

He was attended by his half-sister, Miss Edna Clancy. His mother, Mrs. Lillie M. Berger, was not present. The courtroom was crowded to the doors and the verdict was read under dramatic circumstances. The jury apparently reached its verdict at 11 o'clock.

The jury submitted a recommendation that New be committed to a state institution for the insane for observation as to his mentality. Le Compté Davis, senior counsel for New, announced immediately after the verdict that he would file a motion for a new trial and, falling in that would take an appeal.

PERMITS ISSUED FOR SEVERAL STRUCTURES TO BE BUILT IN CITY

Permits were granted this morning by Building Inspector Plummer for the construction of a garage valued at \$14,000, and a one story frame structure estimated to cost \$19,000.

Roy O. Powers, 214 Railway Exchange building, will erect a one story brick garage at 124 Hawthorne avenue. The building will be 100 by 100 feet. A. F. Wheeler and H. W. Monaster, 551 Rodney avenue, will build a store between Flanders and Gisan streets on sixth, on a 100 by 100 plot of ground.

CHAUTAUGUA SUES F. S. McDONALD FOR MISUSE OF MONEYS

Alleging that during two years in their employ, F. S. McDonald appropriated to his own use some \$1000 at various times and in various amounts, the Elliston-White Chautauqua company today brought suit against McDonald and his brother, Sam McDonald. They ask that a piano owned by the brothers and valued at \$1450 be surrendered as part payment of the debt, thus implicating Sam McDonald. F. S. McDonald is said to have managed various enterprises for the company prior to October 1, 1919.

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ON SALE

\$17.50

White or Ivory Enamel Wood Bed with continuous 2-inch posts and 13-inch fillers in both head and foot—a big value at regular price of \$27.50.

Table Lamps and Floor Lamps

at money-saving prices worth while; many beautiful hand-made shades to select from.

Priced From \$8.75 Up

All ranges in our Exchange Department on Sale \$22.50 to \$45.00

Extension Tables on Sale \$35, \$57.50 to \$75

Use Your Credit It is Good Here. We Charge No Interest.

Florance Oil Stoves at Last Year's Prices

Cal's Bros. HOME FURNISHERS

68-70-FIFTH ST. PORTLAND, ORE.

350 Morrison Street

Fashion's Latest Offerings

Bet. Broadway and Park

The Mode

LADIES' APPAREL SHOP

A Store of Individuality

Announcing Our Display of Ladies' Apparel for Spring

In our display of new garments for spring you will find those dominant notes of distinction and exclusiveness which well dressed women so much admire and which are making this store's styles the choice of such a large clientele.

New Spring Suits

Suits of irresistible smartness—fashionable individualized modes, disclosing the new, graceful lines of Parisian origin. Tricotines, silverfines and others of the very latest materials are shown at \$35 to \$90.

New Spring Coats

An attractive assortment of new coats of unusual smartness. The new Polo Cloth Coats in the lighter shades of tan and browns, one-half and three-quarter lengths, will be most popular this spring. Moderately priced at from \$27.50 to \$67.50.

New Dresses

A beautiful assortment of smart dresses fashioned by the more favorite European designers. The materials and colors are of the more popular. The variety of models shown allows for the widest range of choice. The prices are \$22.50 to \$72.50.

New Blouses

Blouses with quality that insures serviceability and the "different" touch that makes them most desirable. An impelling collection of new blouses. Georgette and Arletta Crepe materials. Priced \$5.95 to \$21.50.

We cordially invite your inspection of this display of New Spring Wearing Apparel for women