STOP RACING

Council Can Restrict Speed of Steamboats.

JUDGE GEORGE SO DECIDES

Six-Mile-an-Hour Ordinance on the Williamette Within the City Limits Is Legal, Rules the Court.

The City Council has authority by ordinance to restrict the speed of steamboats on the Willamette River to six miles an hour. Judge Geoge so held yesterday morning in deciding the case against Captain F. A. Sherman, of the steamer Bailey Gatzert, appealed from the Municipal Court. There are other cases of the same kind pending in the Municipal Court which have been held back pending this decision. Racing between steamboats on the river occasioned the passage of this ordinance. Firms loading deep-water vessels complained that the waves and ewell caused by the fast steamboats interfered with the work of putting in to six miles an hour. Judge Geoge

erfered with the work of putting in

Judge George said that the state had full police power to regulate the speed of steamboats piying on rivers within the state boundaries. The state also had the right to delegate that power to a municipal corporation under a city charter, and had done so in the Portland charter. The Legislature in 19s1 had given the power to the Port

1991 had given the power to the Part of Portland Commission, but this act was repealed by the passing of the city charter in 1902.

In referring to the defense that a beat might be forced to a greater rate of speed by stress of the weather, or the rapid flow of the current, Judge George quoted a well-known legal authority that "involuntary acts are not received and necessity is always a good crimes, and necessity is always a good defense."

This must be read into the ordinance and if a vessel was forced by the current to proceed at a greater speed than six miles an hour, or if other natural causes forced a rapid rate of speed, these would be good excuses Judge George said he was unable to find any reason why the Balley Gatzert was run over six fulles an hour on September 26 last. It is stated that the defendant will appeal to the Supreme

TEN-HOUR LAW UPHELD.

Minors Under Sixteen Years of Age May Not Work Longer.

the age of 16 years from working more than ten hours a day is valid. Judge Sears so beid yesterday in two causes against John F. Shorey, manager of the "Ity Messenger & Delivery Company, One information against Mr. Shorey sets forth that he employed Fred Wagenblast, Iz-pears old, in July last, and required him to work more than ten hours in each 24. The second information accuses him of requiring Edmund Hall, 14 years old, to work over hours. The law provides that minors under 16 years of age shall not work after 6 o'clock P. M., but Robert Galloway, Deputy District Attorney, who attends to the Juvenile Court work, did not invoke this section of the statute

Judge Sears, in deciding the cases, said be was not entirely satisfied that the law was constitutional, but a court should not Seclare a law invalid unless the court was sutisfied beyond a reasonable doubt. Judge Scars expressed the opinion that the law was not a good one, while he sustained it and overruled the denurrer to the complaints. W. T. Muir, counse

In his argument on the demarrer, Mr. Mair took the position that the Legislature had no right to deprive any person, ninor or otherwise, of the right to contract his services for any reasonable given terms, and also said the law was placed terms, and also said the law was placed to the legislation, because all minors under the of 16 years were subject to its re-

JUDGE SEARS COLLAPSES.

Is Taken Suddenly III While in His Court.

While rendering a decision in the case f George H. Williams et al, against Wells. Fargo & Co., yesterday morning. Judge Sears collapsed and had to be taken into his chambers. He had com-pleted two decisions, and had begun with the third, when he suddenly ccased speaking and became momentarily unconscious He had been turning over his notebook and began speaking concerning the au-thorities in the case, when he was over-Judge Scars has been alling since last Summer, and only returned a few days ago from a vacation lasting two months, taken for the benefit of his health. A great deal of work awaited him, and the strain seems to have proved

more than he could stand. In the case against Wells, Fargo & Co., George H. Williams, Perry G. Hinkle, S. A. Durham, Cleveland Rockwell, the ex-tate of Henry Weinhard and others, sue to recover on account of stock which they Wells-Parge is asked to pay, as the suc-cessor to the assets of the Commercial National Bank. The amount involved is about \$25,000. The about \$2,000. The case was tried two months age, before Judges Sears and Cle-land, Judge Sears presiding. Judge Sears found for the plaintiffs, and Judge Cle-As the presiding Judge. decision of Judge Sears is the decis-

SAFETY APPLIANCE SUITS.

First of the Kind Under Federal tain a roller skating rink. Statute Brought on Coast.

The suit which was recently begun in the United States District Court at Portland to collect penalties from the South-ern Pacific, O. R. & N. and Terminal Company for alleged violations of the safety-appliance act of Congress, bearg the distinction of being the first action

pose, thus eliminating the danger of mak-

ouplings between cars, penalty for the violation of this act is \$100 for each cause of suit. total amount of penalties asked for is

1800. The Southern Pacific is asked to
pay \$200; the Terminal Company \$300; the
Northern Pacific \$200, and the O. B. & N.

1800. The small number of penalties
asked for shows that the number of cars
which are not conjunced in accordance. which are not equipped in accordance with the safety-appliance act is not large. In fact, so much care has been taken in putting on the safety brakes that the first-class druggists. At



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From the simplest to the most difficult operation. High-class modern 1905 work, methods that were unknown to the old practitioners. Dentistry has made greater advance in the past 25 years than any other scientific line and it needs wideawake, vigorous men to keep abreast of the times in this exacting profession. Dr. Osler's recent re-

marks will apply forcibly to a number of men now practicing dentistry. Our methods have secured and held for us the best practice in this city. We are not wedded to old theories long since discarded by practical dentists. Call and see a modern dental office, with modern appliances, modern methods and moderate prices.

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342 1-2 WASHINGTON ST., COR. SEVENTH

OFFICE HOURS: 8 A. M. TO 5 P. M. 7:30 P. M. TO 8:30 P. M. SUNDAYS 9 TO 1

"These lines have been equipping the cars with the safety apparatus ever sine the act was amended by Congress in 1960," said a local official yesterday. "However, such a job is not a small one. Freight care are constantly shifting from the tracks of one line to those of an other, and it requires much time to fit them all out. This is being done as quick ly as possible, and I do not think that there are many cars in the country that now use the old style of brakes."

Answers Wife's Complaint.

William Hoffman has filed an answer t the divorce suit of his wife, Lillie Hoffman, in which be denies all of her charges cruel manner. He avers that she is peev ish and faultfinding, and he has been un able to please her. Hoffman is a steamboat engineer on the Portland-Astoria run. He says his duties are arduous, which his wife well knows, and that her conduct has annoyed him greatly. Hoffman further alleges that January 26, 1990 man further alleges that January 28, 1890, his wife deserted him, taking their little daughter with her, and some days later came with her brother and another man and began loading the furniture in an express-wagon. Hoffman asserts that when he protested, her brother and the other man assaulted and beat him. They made up, and in July, 1865, she again left him: The father asks the custody of the three children.

Sue Brother for Share of Estate.

F. M., D. S. and Paul S. Reeder, Mrs. E. M. Bonser, Josephine Godwin, Mrs. Dolly E. Aking and Mary C. Crumbly, children of Catherine Reeder, deceased of the Reeder denation land claim, except the bid home and 20 acres of land. J. L. Reeder obtained a deed for the land from his mother. November 8 last. The others say she was old and feeble, and did not know what she was doing and was fraudulently induced by J. L. Reader to sign the paper. Catherine Reeder left a will deviating property worth \$6000 to her children, but it was not properly wit-nessed, and probably will not be admitted to probate. The Reeders are a pioneer family. E. and A. R. Mendenhall are attorneys for the contestants.

In the suit of William C. Smith against Benjamin F. Smith to decide the owner-ship of a bouse and lot at Highland. of the defendant. The litigants are brothers, and their parents were H. A. Smith and Harriet Smith, both of whom are dead. B. F. Smith holds a deed executed by his father, conveying to him the property, but the deed was never acknowl-edged. B. F. Smith said he advanced moneys to his father from time to time aggregating 1800. The decision of Judge George has the effect of making the deed good. H. A. Smith was a timber-land

Must Support His Wife.

Fred H. Hochel must pay \$50 a month for the support of his wife, Evaline C. Hoenel, for seven and one-half months, and \$30 a month thereafter, according to a decision rendered yesterday by Judge Sears. The litigants were married at lone about a year ago, and lived together only a few months. Hoenel refused to support his wife, and she engaged George S. Shep-berd, attorney, and brought suit. Hoenel was formerly a soap manufacturer.

Files Incorporation Papers.

Articles of incorporation of the Apollo Roller Skating Rink Company were filed in the County Clerk's office yesterday by James A. Randall, William H. Jones, Arthur Languth and Alice J. Diver; cap-ital stock, \$200. The objects are to main-

Perkins Extradition Case.

Efforts which have been made to settle the difficulty in which Fred H. Perkina, charged with obtaining money under false pretenses, got bimself into, will have to culminate tomorrow, or Governor Chamsafety-appliance act of Congress, bearge
the distinction of being the first action
of the kind ever brought in the Federal
Course upon the Pacific Coast.

The act in question requires that every
train should have a sufficient number of
cars so equipped with power or trainbrakes that the engineer on the locomotive drawing such train can central is

action to have anything to
do with the case. F. W. Perkins, father
of the young man in juil, said yesterday
that the case would be settled, and his
son would be allowed to remain in the
city. Sherif Emery, of Sait Lake, who is
in the city, is anxious to take Perkins
back to Sait Lake to stand trial, if the
amount of the defalcation is paid, the tive drawing such train can control as speed without requiring brakemen to use Governor, it is said, will let the case drop, the common hand brakes for that purific the common hand brakes for the comm

Petition for Sewer Construction.

Chamber of Commerce Boosts the Project.

TELEGRAM TO HITCHCOCK

It Is Felt That the Klamath Reclamation, Which Benefits California as Much as Oregon, Can Take Care of Itself.

Confident that the Klamath project is ertainty, and that it has progressed sufficiently to need no boosting, the Portland Chamber of Commerce is now cen tering its efforts to secure the approval of the Umatilla project. The first movement in the work that has been begun by the Chamber of Commerce to secure a just apportionment of the reclamation funds- was made yesterday afternoon, when a telegram was sent to Secretary Hitchcock urging respectful consideration of the Umatilia project. The telegram was approved by the members of the trigation committee of the Chamber of

For Umatilia Project.

ommunication which was sent yes terday is but the beginning of the efforts which will be made to secure for Oregon projects than the one at the K'amother projects than the one at the Kamath Lakkes, inasmuch as California will be equally benefited by the consummation of the Klamath enterprise. The Malheur proposition is now regarded as hopeless. The Chamber of Commerce thinks that utiless it takes decisive action at once, Oregon will lose that which justly belongs to the state The avowed intention of the Chamber

of Commerce to concentrate its energies upon the Umatilia project is not meant to slight the Klamath project or interfere with its being carried through to a successful issue. But the members of the organization are satisfied that it is cer-tain of accomplishment, and that any in-fluences they migh bring to bear in its favor would only be wasted. They think that Oregon is entitled to at least an-other portion of the money set aside for the Reclamation Service, and believe they recognition of the Umatilla project than

any other.

The nucleus for the fight that will be made was formed about three be made was formed about three months ago, when F. H. Newell, chief of the Reclamation Service, was given a hanquet by the irrigation committee of the Chamber of Commerce at the Arlington Club. It was then stated that the I'mstilla project was not only feasible, but that the irrigation works could be easily constructed at a small expenditure. Another thing that is point. ed out in favor of the Umatilla project is its favorable situation in respect to markets.

Telegram to Secretary Hitchcock.

The Umatilia project, if completed, will irrigate about 20,000 acres of very rich and productive land. The following is the telegram forwarded to Secretary The Portland Chamber of Commerce

respectfully urges favorable consideration of the Umatilla reclamation project. Lands to be reclaimed are most favorably situated with respect to market, are immune from frost for nearly seven months, while soil and other conditions make this project especially attractive. It is sincerely hoped that appropriations for Klamath. or other projects partly or wholly with-in the state, will not be allowed to in-terfere with Umatills. Feel that inasmuch as Klamath project, when complete, will be about as beneficial to California as to this state, that all appropriations, inculding initial ones, should be equally divided between the iwo states. We believe it proper to include initial appropriations, as scope of work which begins in Oregon must be on a scale sufficiently large to comprehend California lands, which will be eventually reached.
-W. D. WHEELWRIGHT.

Twentieth Wedding Anniversary. An especially happy event of the week was the celebrating of the 18th wedding anniversary of Mr. and Mrs. A. B. Clark at their residence, 1811 East Main street, Priday evening, December I. One of the delightful features was the presence of "the three" who were brides together in Taylor-Street Church 20 years ago—Mrs.

With a fine integral of archive brain—by far the healthlest and strongest, even if he is the youngest, of my five children.

"All this I attribute to his regular use of Grape-Nutz food." Name given by Posium Co., Battle Creek, Mich.

There's a reason. Read the little book.

"The Road to Wellville," in pkgs.

sual fine style, and Miss Eddings quickly, and herself into the hearts of all. sang herself into the hearts of all.

The home was bright with smiles and congratulations of kind friends were received and refreshments were served. Those who assisted in receiving were: Rev. T. B. Ford and wife and Mr. and Mrs. T. P. Plympton, whose 18th anniversary was on the same day. Miss Anna Bullevant, Miss Shaver and Miss Wetzler also assisted the hostess.

Many beautiful tokens of exteem were received, including an especially fine large palm, cut-giass and lots of exquisite china, some hand-valuted, that will last for years and cause the day to be remem-

for years and cause the day to be remem-bered as one of the brightest in the lives of Mr. and Mrs. Clark. About 50 guests were present, many coming long dis-

AWAKENING OF THE LION

Dr. F. F. Tong on China's Present and Future.

The White Temple held an interested odience Friday night, which gathered to bear Dr. F. F. Tong, a special representative of China to the United States, speak on "The Awakening of the Lion." De Tong gave a brief history of China, of its present conditions and of its future, One of the features of the lecture was

the appearance of a mixed Chinese choir of 11 voices, which rendered several hymns creditably.

practiced what they preach. They forced us to take that terrible drug, opium, which has been the curse of the Chinese people, and have seized our ports and land when they had the least provoca-

The United States has been kind to us. but still we are not satisfied with the way we are received in this country. When a Chinese secures a passport from the American Consul he is promptly locked up in a blockhouse at the pier upon his arrival in this country. Oftenimes he is kept there days before his case is examined. If you cannot trust represent the great United States."

Saloons Can Run in Condon.

CONDON, Or., Dec. L-(Special.)-Judge Bradshaw, of The Dalles, has rendered his decision in the disputed local-option saloonmen. It will be remembered that the county went for prohibition under the local-option law by a vote of 36 to 34. The liquor men brought suit through their attorneys here to have the election set aside, because the County Judge ordered the question placed on the ballot instead of the Judge and Commissioners together, in a regular session of the County Court, at the proper time, prior to election. In view of this, Judge Bradshaw held that the order of the County Judge placing the question on the ballot, and thus calling for an election, was "null and void and of no effect." doonmen. It will be remembered that

Spend a day in Salt Lake City, and another in Colorado Springs or Denver. You have this privilege if your tickets read via the Denver & Rio Grande. See Colorado's famous peaks and gorges in their Winter garb. Call upon or write W. C. McBride. 124 Third street, for particulars.

CHILDREN BUILT

The Certain Way to Grow Healthy, Sturdy Children is by Intelligent Feeding.

An lowe mother tells of the naturally correct instinct of her 5-year-old boy

She says he thinks there is nothing equal to Grape-Nuts for breakfast.

"When he was a little baby he was puny and pale, and to find the right food to properly nearish him was a difficult problem. When he got to be about 12 months old we commenced using Grape-Nuts food in our family and I began feeding him a little moistened with milk. We all liked Grape-Nuts, but he liked it

especially well.
"It agreed with him. He began to grow plump and rosy, and for years he has scarcely eaten a breakfast without a dish of Grape-Nuts, and he usually eats nothing else. He wants it and will take no substitute. He has never been sick and today is a remarkably robust child with a fine muscular development, and a quick, active brain-by far the healthlest and strongest, even if he is the youngest, of my five children.

"All this I attribute to his regular use

H. E. EDWARDS

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Homes, Rooming Houses, or Hotels furnished complete on easy weekly or monthly payments. Liberal discounts for cash.

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Deputy City Attorney Makes His Plans.

HE BLAMES THE LAWYERS

Says They Take Cases to Higher Courts Just to Profit by Delay. and He Will Insist on Speedy Hearings.

from the Municipal Court on misdemeanor "Persons often ask me why the Chinese do not adopt Christianity and become civilized in the modern sense of the word." Attorney Pitzgerald, Mr. Pitzgerald expressed himself yesterday in strong terms on called Christian nations bere also called Christian nations. said Dr. Tong. 'I am afraid that the pressed himself yesterday in strong terms so-called Christian nations have given us against the practice of attorneys in Mua misleading spectacle of their religion nicipal Court asking for appeals in mis-and civilization. The Hible says, 'Do unto others as you would have them do unto you,' but the hig nations have not to defeat the ends of justice but expect large fees by having cases delayed by

appeals.
"Hereafter any appeals demanded by attorneys will be tried in the Circuit Court the next day or the day following." said Mr. Flitzgerald. "We will see if this prac-tice can not be broken up in this way. I am getting tired of this thing of having every little matter sent to the higher court, when there is not one chance in a hundred that a reversal of sentence will be obtained. States revenue cutter McCulloch and o Mr. Fitzgerald will divide his time be- of the most popular men in the service

Judge Young dismissed Hale from the Municipal Court on a charge of larceny but compelled him to donate \$5 to the city coffers on a charge of being drunk.

C. J. Bonner, 18 years old, swore before Clerk Hennessey that he got drunk drink-ing Toth and Jerry at the Maze Cafe, and Frank Alywin, proprietor of the place, was arrested. Bonner, whose memory was perfectly clear as to the Tom and Jerry when the complaint was signed, could not rell the court positively rester-der whether is was a bot drink or a cold day whether it was a bot one. Prosecutor Fitzgerald told the Judge that Bonner had per'ured himself, and Judge Young told the young man that he had spoken an untruth. Consequently Bonner was fined \$10 and told to keep

away from grog shops. H. Ross, H. Presse and George Robinheat Martin O'Neill until the latter had to be taken to St. Vincent's Hospital. O'Neill appeared against the three in Muwith assault and battery. Each was fined

CAPT. CANTWELL STRICKEN

Master of Revenue Cutter McCul-Joch Suffers Paralytic Stroke.

Captain J. C. Cantwell of the United

pai Court, trying cases in the higher shortly after noon last Tuesday in San court first and later those in the lower francisco, and now lies in a dangerous court. court.

Frank Hale helped himself to & cents worth of lettuce from the wagon of Ah Yim. Thanksgiving day, and professed 20 cents for payment, which was insignantly spurned by Yim, who called in the police to compel Hale to pay the full amount or give back the lettuce. Hale, who was under the influence of liquor, wanted to best down the price, and offered to compromise for 20 cents. Yim would not arbitrate, and Hale was arrested charged with larceny.

condition at St. Francis Hospital. The doctors attending him say he will recover, though he had a very narrow escape from death. It was while walking on Leidesdorff street, near California, in company with Charles Wheaton and William Leahy, of the Tivoli, that he was stricken. Drs. Murphy and Adams were immediate removal to St. Francis Hospital. The doctors attending him say he will recover; though he had a very narrow escape from death. It was while walking on Leidesdorff street, near California, in company with Charles Wheaton and William Leahy, of the Tivoli, that he was stricken. Drs. Murphy and Adams were immediate removal to St. Francis Hospital. The doctors attending him say he will recover; though he had a very narrow escape from death. It was while walking on Leidesdorff street, near California, in company with Charles Wheaton and William Leahy, of the Tivoli, that he was stricken. Drs. Murphy and Adams were immediate removal to St. Francis Hospital. The doctors attending him say he will recover.

It is the more surprising, as he was in the best of spirits when stricken, and did not even complain of illness before he fell heavily. Captain Cantwell was in Portland last Summer during a part of the Exposition period, in command of the revenue cutter McCulloch, moored in the river.

You do not know what day you will need a Black Suit. For \$26 we will make one to your measure from the finest Black Thibet and line it with Wool Serge; worth \$40. Columbia Woolen Mills Co.

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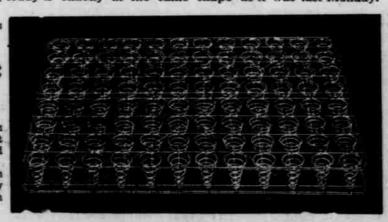
A barrel containing 50 gallons of water, weighing 500 pounds, and suspended from a derrick was raised and lowered continually, for nine hours each day since last Monday, upon one of these springs. This spring today is exactly in the same shape as it was last Monday.

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And if after one month's use you are not perfectly satisfied with it we will take it back and you need not pay one cent for it.

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