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NO. 254.

AID FOR SIUSLAW

Government Will Loan Machinery For Jetty Work

SLIDE KILLS THREE MEN

Idaho Man Acquitted of Murder Charge—Gov. elect Cosgrove is Steadily Improving

Special to the Evening Review. EUGENE, Or., Dec. 22.—J. B. Cushman, of Acme, has received word from Congressman Hawley that the chief of engineers, U. S. Army, has secured from the secretary of war the loan of the government machinery now at the mouth of the Coquille river for the building of a jetty at the mouth of the Siuslaw River. Lane county will probably be bonded for \$200,000 to carry on this improvement work, if a bill permitting such action is passed by the legislature.

Three Killed by Cave-In. SANTA CRUZ, Calif., Dec. 22.—Messages from Davenport today announce the death of three men who were buried last night beneath tons of rock by landslides in the Portland cement quarry there. All the bodies were recovered.

Jauernig Acquitted. BOISE, Idaho, Dec. 22.—Alois Jauernig, charged with the murder of W. C. Simmons at Highland Valley last September, was acquitted here today. Two years ago Simmons shot from ambush and wounded Jauernig and killed the latter's brother-in-law in the farmyard of his ranch. Self-defense was the grounds for acquittal in the present case.

Frozen Tomatoes Fatal. PASADENA, Calif., Dec. 22.—Frozen tomatoes eaten by the family of Edward Brokaw, the single taxer, are now believed to have caused the death of his half-starved little son and rendered his two little sisters seriously ill.

Cosgrove is Better. PASO ROBLES, Calif., Dec. 22.—Gov. elect Cosgrove, of Washington, was in excellent humor today and deplored the fact that his physicians had forbidden him to eat turkey on Christmas. He is constantly improving, but is still uncertain as to plans for inauguration as governor.

Meat Was Poisonous. VALLEJO, Calif., Dec. 22.—Geo. Wildason, marine hospital steward, has completed a bacteriological examination of some of the beef tenderloin at the launching of the collier Prometheus, and which caused the death of Mrs. Rose and Walter Reynolds. Ptomaline germs were found common in the decayed meat. This testimony will be used in the inquest over Reynolds tomorrow.

WAS BADLY BURNED. Bursting of a Steam Pipe at Leona Mills Injures W. D. Tarr.

Special to the Evening Review. DRAIN, Or., Dec. 22.—W. D. Tarr was seriously scalded last Saturday night by the bursting of a steam pipe at Leona Mills. He was facing the pipe when the accident occurred and was scalded nearly from head to feet. He was taken to Portland by Dr. Wade on the Sunday evening train. Reports from St. Vincent's hospital say he is seriously injured, but will probably recover. His home is in Drain, where he has a wife and two boys.

BASKET BALL! BASKET BALL! BASKET BALL! At Sykes' Rink, Tuesday Evening, Dec. 22nd. SYKES' AMATEURS VS. DRAIN HIGH SCHOOL. Best game of the season. Admission 25 cents.

ED. HEAD WINS SHOT GUN.

The prize shoot at the Indoor Rifle Range last week was an exciting one, ending with Edward Head and Lee Brislin tied for 1st prize with a score of 28, and Hugh Miller, Ed. Settle, W. W. Brislin and C. B. Patrick tied for second place with scores of 26. In the shoot-off Head scored 26-23 and Lee Brislin 26-21. For second, the shoot-off scores were as follows: Miller, 23; Settle, 24; W. M. Brislin, 20 and C. F. Patrick, 18.

Cold and a Candle. Dr. Moss of the English polar expedition of 1875 and 1876, among other odd things, tells of the effect of cold on a wax candle which he burned. The temperature was 35 degrees below zero, and the doctor must have been considerably discouraged when, upon looking at his candle, he discovered that the flame had all it could do to keep warm. It was so cold that the flame could not melt all the wax of the candle, but was forced to eat its way down the candle, leaving a sort of skeleton of the candle standing. There was heat enough, however, to melt oddly shaped holes in the thin walls of wax, and the result was a beautiful lacelike cylinder of white, with a tongue of yellow flame burning inside of it and sending out into the darkness many streaks of light.

Siege of Crete. Crete can claim to have been the scene of one of the longest sieges on record, longer than the siege of Troy, for in the seventeenth century it took the Turks more than twenty years to capture its capital city. The island, in fact, is famous for protracted military operations, for, though the revolution of 1821 was speedily successful in the open country, the fortified towns were still uncaptured when the powers intervened in 1830.

Awkward For the Aeronaut. An element of humor characterized one of Mr. Spencer's Indian experiences. One day, after making a parachute descent, his balloon, traveling on, came down among some fisher folk, who promptly unpicked the net to use for fishing lines and cut up the balloon to make waterproof clothing—London Captain.

VOTED DOWN, THEN RECONSIDERED, PASSED

Bond Ordinance Wins by Bare Two-Thirds of Council

AFTER LONG DISCUSSION

Bitulithic Specification Causes 90-Minute Wrangle—Fisher and Long Vote "No," but Change Later

SOME THINGS COUNCIL DID. Passed the \$35,000 paving and bridge building bond ordinance. Fixed the city tax levy for 1909 at the charter maximum of 10 mills. Elected Eugene R. Hannan as councilman from the First Ward to succeed John T. Long, resigned. Ratified Mayor Hoover's appointment of Joseph Huffman to the city police force.

After a stubborn wrangle that lasted for nearly one hour and a half and after the measure had once gone down to defeat, the city council on Monday night, by a bare two-thirds vote required by the charter, passed the ordinance providing for the issuance of \$35,000 worth of municipal bonds to defray 50 per cent of the cost of street paving and constructing a bridge over Deer Creek. The final vote on the ordinance follows:

Yes—Josephson, Cardwell, Mullen, Ryan, Patrick, Micelli, Fisher and Long.

No—Strong and Bound.

West Roseburg's two councilmen, Kohlhagen and Bellows, were absent from the meeting. Immediately after the passage of the ordinance, Mayor Hoover affixed his signature to the document, and on the last day of this month it will become a law. At the next regular meeting of the council, the first Monday in January, 1909, Recorder Orcutt will be instructed to give official notice of the election at which the voters of the city may ratify or turn down the proposed issue of bonds. This election will occur 30 days after the posting of the notice or the advertisement therefor. Figuring that such proceedings will be carried out in the earliest possible time allowed by the charter, the election will fall on Friday, February 5. If the proposition is again endorsed by the voters, of which there seems no doubt, negotiations for the sale of the bonds and the execution of a paving contract can follow as soon thereafter as such business can be transacted.

"Bitulithic" Stays. The wrangle between the councilmen was caused by the presence in the ordinance of the word "bitulithic" with reference to the particular kind of pavement to be laid. Councilmen Strong, Bound, Fisher and Long took the ground that such a specification precluded competitive bidding and was unbusinesslike. They advanced the idea to strike out the word "bitulithic" and substitute "hard-surface." Councilmen Josephson, Cardwell, Micelli and Mullen, backed up by Mayor Hoover, stood unwaveringly for "bitulithic," and with this alignment the war of words went on for over an hour. Finally there came a lull in the storm and Mr. Micelli called upon Recorder Orcutt to explain the status of the matter from the standpoint of the charter. Mr. Orcutt informed the council that if the word "bitulithic" was stricken out of the ordinance it would sweep away every vestige of the street paving preliminaries already carried out. The charter, he explained, compelled the specification of a particular kind of improvement proposed, and that inasmuch as all of the ordinances already passed specify that such improvement is to be of "bitulithic pavement," the bond issue ordinance must also have such wording. This statement was followed by a bewildering lot of propositions and unsupported motions on part of the councilmen, all of which ultimately culminated in placing the ordinance upon its final passage. This was the result of the vote:

Yes—Josephson, Cardwell, Mullen, Micelli, Patrick and Ryan.

No—Strong, Bound, Fisher and Long.

As it requires eight to constitute two-thirds of the council, the motion was therefore lost. There was a dead silence for a few moments, and then Josephson and Cardwell took turns explaining to the victorious

minority that every bit of work that had been done toward paving was thrown away; that over \$2000 paid to F. C. Kelsey for his engineering work was simply that much money lost; that another set of plans meant the expenditure of as much more cash, and that another whole year must elapse before the council could again arrive where it had just broken off. Bound suggested that the charter be changed so that the particular kind of improvement need be specified only upon the acceptance of a bid. Josephson pointed out to him that to make such a change would require a special election, and that under the charter only one special election could be held during a year's time, which would throw a paving bond election as late as 1910. Mayor Hoover, at this juncture, took the opportunity of indulging in a heart-to-heart talk with the opponents of the ordinance. He reviewed the agitation for paving, the trip to Eugene, the decision of influential citizens that "bitulithic" was the brand they wanted, that the people had voted for it overwhelmingly and he declared that to the exclusion of all others. The mayor made short reference to certain citizens who had favored paving simply because they thought nothing would come of the agitation, but were now secretly opposed to it because they see that the city is in earnest and that the project is going to cost them something. Mayor Hoover urged the council to pass the ordinance in its present state, declaring that to turn it down now would cause an irreparable loss in time.

Fisher, one of the councilmen who voted against the measure, finally concluded that the Mayor was right, and he accordingly moved to reconsider the vote. Long voiced a second to the motion and it carried. Several minutes more of talk followed, and then the ordinance was again placed on final passage. Fisher and Long this time threw their votes in favor of it, which with those of the other six councilmen who voted in the affirmative before, made the necessary two-thirds, but Strong and Bound refused to recede from their original position and once more voted in the negative. There is peculiar irony in the stands taken by Strong and Bound. Both were sent into office during the so-called "progressive" era at the last city election, and to elect Strong it was necessary to defeat Councilman G. Worthington, who is rightfully regarded by nearly everyone as the father of the paved street agitation among the former council.

"Bituminous Rock." In his opposition to the ordinance, Mr. Strong explained that he wished to be understood as in favor of street paving. He declared, however, that he would not vote to give the option of bidding to just one concern. He would not bind his own business to any one firm, he said, neither would he do so with the city's business. Notwithstanding the explanation of Recorder Orcutt regarding the requirement of the charter, Mr. Strong positively refused to believe that the city was compelled to specify any kind of pavement in the ordinance, and "all the lawyers in Roseburg can't make me think so," he asserted.

Mr. Strong produced two letters relating to the bituminous rock pavement, manufactured by the Eureka Paving Co., of Eureka, Calif. One of these letters was from the Mayor of Eureka, saying that the pavement laid by its local concern was so substantial that not over \$25 for maintenance had been expended in the past 16 years. The other letter was from Mayor Straw, of Marshfield, which city has bituminous rock pavement. According to this letter, Marshfield is thoroughly satisfied with the pavement, of which its Mayor speaks in the very highest terms.

These letters were cited by Mr. Strong as an instance of what could be done by permitting competitive bids. Councilman Cardwell, however, who has been in Marshfield a great many times, declared that the pavement there was soft in the summer time, allowing the wheels of vehicles to sink in for an inch or more. Furthermore, he said, it was black and unsightly. "Mayor Straw is excusable though," said Mr. Cardwell, "because he came directly to Marshfield from Klamath County and never saw bitulithic pavement in his life."

Tax Levy. The council unanimously passed a resolution fixing the city tax levy for 1909 at 10 mills, the maximum allowed under the charter. The levy fixed a year ago was only 2 1/2 mills, but at that time the city was enjoying a revenue of \$500 a year from saloon licenses. The taxable property in Roseburg, as fixed by the county assessor, is now \$1,730,000. On a 10-mill levy there will be realized \$173,000. Recorder Orcutt says this sum, even augmented by city license fees and police court fines, is inadequate to meet all outstanding warrants and defray, besides, the current and incidental expenses which will accrue in 1909.

New Councilman. Councilman Long's much-heralded resignation of his seat, as a representative of the First ward was finally presented Monday night, and it was accepted in conjunction with a vote of thanks for his services. On the choice of a successor, Eugene R. Hannan and J. F. Clements were placed in nomination. Hannan received 5 votes and Clements 4; the former being therefore declared elected. Mr. Hannan will serve until November, 1909.

New Policeman.

Bound, Mullen and Strong, who were asked as a committee to recommend to the Mayor a competent man for addition to the night police force, presented the name of Joseph Huffman, who was formerly deputy United States Marshal at Kansas City, Kans. The recommendation proved unnecessary. Mayor Hoover announced that he had already named Mr. Huffman to act as a special policeman to relieve City Marshal Norman, who desires to take a vacation for about ten days, as he is still somewhat indisposed from his recent illness. When Marshal Norman returns to duty, Mr. Huffman will probably be placed on regular night shift with Carl Palm. Until then, however, the city will continue to have but one night policeman.

Minor Ordinances. Three other ordinances were passed for re-laying the sewer in the alley between Mill and Pine streets; (2) levying assessment for the improvement of West First Street, in Kinney addition; (3) levying assessment for the Brockway Street sewer.

Resolutions. Upon motion of Councilman Long, a resolution providing for the grading and graveling of upper Douglas Street, from the eastern boundary of the court house premises, to the city limits, at an expense of \$4693, was laid on the table. Mr. Long declared that the property owners affected by the resolution would not stand for the proposition; that they wanted either pavement or crushed rock. A resolution providing for the improvement of Pine street, from Oak to Lane, characterized as the "two worst blocks in the city," was passed. Grading and graveling is provided. The estimated cost of the work is \$1,726.70.

Miscellaneous. Councilman Josephson was elected president of the council to preside whenever the Mayor was absent. Recorder Orcutt was notified Southern Pacific company to notify the railroad crossing in front of the freight depot, on Lane street.

Josephson, Bound and Mullen appointed as a committee to ascertain the price of a piece of ground at the west end of the river bridge, the purpose of the council being to buy a rock quarry if one can be obtained at a reasonable figure.

Councilman Bound moved to have the city attorney draw up an ordinance providing for a city weight and scale inspector, to be paid on a percentage basis from fines collected. The motion was lost.

J. T. Spang was again ordered to build a sidewalk in front of his 40-foot property on Parrott Street.

City attorney was directed to draft an amendment to the sidewalk ordinance, allowing 3x12 inch lumber for curbing, besides 4x12, as specified now; also to permit the use of nails as large as 20-penny, instead of the present maximum of 12-penny.

Application of A. Croason for a fire hydrant to be installed on Deer Creek avenue, in the vicinity of the packing houses, denied. Mayor Hoover explained that the amount of hose now on hand is sufficient to reach the neighborhood of the plants from the hydrants already installed.

Application of Geo. Ritter, of Kinney's Addition, for a sidewalk from his premises to Mrs. Smith's property, opposed, denied because of the absence of a sidewalk in front of the Smith property. It was ordered, however, that Mrs. Smith build the necessary sidewalk at once.

J. T. Buchanan, who lives on the west end of West First Street, in Kinney's Addition, fearing that a portion of his property was about to be appropriated for straightening the street, asked that in such event he be allowed damages. He was informed that the council had no intention of disturbing his premises.

Councilman Patrick's request for the establishment of a light on Parrott Street, between Lane and Oak Streets, referred to light committee.

Grade established on Flint and Oak Streets accepted. Light committee recommended the establishment of an incandescent light at the corner of Oak and Flint Streets.

DALY IS TO HANG

Killed His Former Employer, in Portland

BRITISH STEAMER WRECKED

Captain and Six Men Drowned—Pathetic Suicide at Salem—Trial of Finch in Progress

Special to the Evening Review. PORTLAND, Or., Dec. 22.—Harry Daly, who killed Harry Kenny on the night of Nov. 16, was sentenced today by Judge Gantenbein, to be hanged. Daly killed Kenny, his former employer, in a saloon when the latter refused to give him a job as bartender. When asked if he had anything to say, Daly replied that he was innocent, but that he would rather die than spend a life in imprisonment.

Progress in Finch Trial. Three witnesses were examined this morning in the trial of James Finch for the murder of Ralph Fisher, prosecutor for the state bar association. Attorneys for the defendant rely on self-defense for their hope for acquittal. M. O. Wilkins testified that he saw no signs of a struggle in Fisher's office when he entered a moment after the shot was fired. Chas. Fisher, the dead man's brother, gave unimportant testimony. Dr. S. M. Gilbert, the autopsy physician, described the wounds received by the deceased.

Suicide at Salem. SALEM, Or., Dec. 22.—Claiming he had lost his last dollar in a land deal at Portland and being unable to find work, Tom Sullivan, aged 63, leaped from the big bridge into the Willamette River here today, the drop being 100 feet. His coat, on which was pinned a pathetic note, was found on the bridge, saying he had outlived his usefulness. His home was in Tacoma.

Steamer Wrecked; Seven Drown. CUXHAVEN, Germany, Dec. 22.—The British steamer Colton was wrecked today on Point Mizenhead. The captain and six men were drowned.

Is Wan Chang Crazy? SAN FRANCISCO, Dec. 22.—Wan Chang, the Korean, who is being tried for the murder in this city of Barbara Stevens, Japan's representative in Korea, was declared to be crazed by fancied wrongs done to Korea by the Japanese. J. B. Lee, a Korean, testified that Chang was unable to tell right from wrong, on account of his grievances. Others testified that Chang was driven insane by the troubles of his native land.

Jap Congress Convenes. TOKIO, Dec. 22.—The Imperial Diet convened today. S. Haseba, leader of the Constitutional party, was elected president.

Stork is Expected. THE HAGUE, Dec. 22.—It was officially announced in parliament today that Queen Wilhelmina expects soon to present Holland with an heir to the throne. The news was received with rejoicing.

BLIND MAN MAKES RECORD.

LOS ANGELES, Calif., Dec. 21.—The highest rank among the 45 applicants before the State Board of Medical Examiners last week was taken by Dr. A. W. Bowling, the blind professor of anatomy in a local osteopathic school. His general average was 89.5 per cent. Only 23 others passed the examinations.

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