# FAILED TO AGREE

Result of Damage Suit Against Councilmen

MRS. CLARA BATDORF DOES NOT GET A VERDICT.

Under City's Charter Councilmen Are Individually Responsible for Such Accidents.

Late Saturday night the jury in the damage suit of Mrs. Clara Batdorf against Councilmen Brandt, Justin, Knapp, Straight and Williams, reported their inability to agree and were discharged. It is reported the jury stood eight for no damages and four for a smal' verdict.

This was a suit brought by Mrs. Batdorf against the members of the city council for damages in the sum of \$5000 for injuries alleged to have been sustained by reason of a defective sidewalk. Jas. U. Campbell appeared as counsel for the defendant councilmen while Latourette & Latourette prosecuted the case.

In February Mrs. Batdorf fell on a dilapidated sidewalk on the hill and claims to have received a permanent injury to one of her limbs. There is a provision in the city charter that provides that the city cannot be sued for damages for accidenta resulting from defective sidewalks and for this reason Mrs. Batdorf brought an action against the members of the Council, individually, since the same provision that exempts the municipality from liability for accidents of this character provides that any officer of the city may be held liable for such damaes when the acident is the result of his wilful neglect of duty.

In the complaint the nine members of the Council were named as defendants, but Judge McBride sus tained a motion dismissing the suit as to the four newly-elected members of the Council, viz: Andresen, Harrington, Logus and Rands, who assumed their respective chairs in Jan-The dismissal of the suit as against these gentlemen was allowed on the grounds that no testimony was offered in the trial of the case showing that these aldermen had a knowledge

### W. S. EDDY, V. S., M. D. V.

Graduate of the Ontario Veterinary College of Toronto, Canada, and the McKillip School of Surgery of Chicago, bas located at Oregon City and established an office at The Fashion Stables, Seventh Street near Main.

Both Telephones. Main 1311 Farmers' 132

C. D. and D. C. LATOURETTE,

AT LAW. Main Street, Oregon City, Oregon.

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J. U. CAMPBELL ATTORNEY AT LAW

Oregon City, Oregon

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When you require an Abstract of Title to lands in Clackamas County, have It accurately and reliably prepared by a responsible company incorporated for the purpose. Our rates are reasonable. We invite you to ex-amine our complete set of Abstract

CLACKAMAS TITLE COMPANY. 606- 608 Chamber of Commerce Bldg.

PORTLAND, OREGON. Property.

of the defective sidewalk at the time the accident occurred. The defendants in the case were; Councilmen Brandt, Justin, Knapp, Straight and Williams.

When the plaintiff had rested, Attorney Campbell moved a nonsuit for the defendants on the grounds that Portland General Electric Co's Plant insufficient testimony had been presented to support the allegations in the complaint, but the motion was overruled. Late Friday afternoon the court adjourned until Saturday morning when argument was presented and the case was submitted to the jury LIGHT AND POWER SERVICE SEshortly after noon.

The jury that heard the case, consists of Paul Dunn, Albert Crossen, Geo. Randall, O. P. Sharp, George Bockart, R. S. McLaughlin, Joseph Leham, W. H. Mattoon, Hans Paulsen, J. K. Ely, Thos. Blanchard and Wm.

ASSESSMENT IS RAISED.

S. P. Must Pay Taxes On \$19,000 Per Mile.

Albany, Or., June 11. - Nineteen thousand dollars per mile for the Southern Pacific Railway is the valuation fixed by the Assessors of Western Oregon in Albany today,

the main line of the Southern Pacific held the meeting for the purpose of discussing the question of railway as out, three others were ruined by water. sessment, and, if possible, fixing a the switch-board was burned out and uniform rate of assessment also to all connecting wires detaroyed, ren- W. Trembath of the duties of Sheriff determine what should be the advance dering the plant inoperative, placing and in railway assessment, to keep step with the full-valuation basis for all both Portland and Oregon City in darkother properties adopted in most of ness temporarily interrupting the the countles.

is notable, in that it trebles the as- some time, the entire electric plant as cific properties that has prevailed in the Willamette Pulp & Paper Company the past. The average valuation plac- and the Crown-Columbia Pulp & Paed upon the Southern Pacific stock in per Company were threatened. Imthe past has been about \$6000. The mediately on the discovery of the new valuation is divided between rol- blaze, the street sprinkling plants at oner. ling stock and roadbed, the former both paper mills were placed in opbeing assessed at \$3000 and the lateration and further damage from the ter at \$16,000. The Woodburn-Na- flames which partially destroyed the tron branch road will be assessed at roof and cupola at the electric sta-\$8000 per mile.

overlook the Pullman Car Company, are quipped, were then directed on the The assessed valuation of the stock fire which was brought under control of this concern in Oregon countles within an hour. will be raised from \$75 and \$190 per

mile to \$400. other industrial concerns and corpora- candle trade.

tions and banks. B. McKnight, of Linn; B. F. Keeney, of under subjection.

and T. H. Davis, of Benton. were not all in attendance, those from company's service. Polk and Benton counties agreed that West side at \$10,000 per mile.

meeting lasted all afternoon and ad-ed. journed at a late hour tonight.

KILLED BY FREIGHT TRAIN.

Jerry Momarts, S. P. Foreman, Met Death Sunday.

Jerry Momarts, foreman of a construction gang operating for the Southern Pacific Company between Oregon dition is unchanged. The case was City and Salem, was struck and instantly killed by a south-bound freight that time the boy lived with his par while crossing the trestle over Pud-vallis ferry in Linn county. The famding River at Aurora. Momarts was ily name is Miller. The grandfather riding in his velocipede, going south of the lad still resides in Corvallis, and was overtaken on the hight tres- but the parents have sold their Linu tle by a freight that was going at a county farm and removed to Oregon high rate of speed in order to over- City, come the steep grade in the track at Aurora.

the first knowledge of the accident Company.

TO PROPAGATE SHAD.

Government Establishes a Station at Oregon City.

ner, of the United State bureau of City. fisheries has established a station for the propagation of shad eggs in the He is unable to walk and is very weak. basin above station A, near the falls. His mind, however, is somewhat im-Eggs have already been secured and proved. He can read and write, and are handled in a manner entirely dif- do some of the stunts in arithmetic ferent from the hatching of salmon that he used to do before this peculiar or trout eggs, being placed in glass trouble came on. What the outcome jars, instead of troughs and these jars of the case will be, cannot be foreare kept in motion. The work is new shadowed.-Corvallis Times. on this coast and may be seen by the

The bureau is paying fishermen two cents per thousand for fertilized eggs, Congratulates Chamberlain on Giving and many of the local fishermen are taking advantage of the offer, as the averae female shad contains 30,000 eggs, and some have been known to defeat for the Governorship philosophwhere the fishing is being done, and no complaint to make of his treatment. ever will take the eggs at night. Superin- When he was reached over the longtendent Wisner is very anxious for distance telephone at North Yambill 1906 the success of the new station, and one night, Dr. Withycombe said: Money to loan on Clackamas County desires the co-operation of the fish-

ermen.

# Crippled

RIOUSLY INTERRUPTED.

Valuable Property of Paper Mills Was Threatened-Effective Fire Fighting.

Fire did extensive damage to Portland General Electric Company's million dollar plant in this city early Sunday evening. As a result of a cross circuit in the company's plant at Portthe Oregon City station were burned

street car traffic between two cities. The valuation of \$19,000 per mile | The fire started at 8 o'clock and for comed valuation of the Southern Pa- well as the valuable properties of tion, were intercepted. All of the fire Nor did the heartless Assessors apparatus with which the paper mills

With the sounding of the general fire alarm, church services were dis-Besides handling the railroads as missed and citizens rushed to aid in detailed above, and that was the prime saving the threatened property. With object of the meeting, considerable the cessation of light and power sertime was devoted to the methods of vice, grocery stores were opened and arriving at the proper valuation for a wholesale business followed in the

Superintendent Lang, of Willamette In attendance at this meeting were: mills, together with a large force of Assessors B. D. Sigler, of Multnomah; paper mul employes, together with C. S. Graves, of Polk; J. F. Nelson, of members of the city's volunteer for laws, was as follows: Clacksonns; F. J. Rice of Marion; D. department united in bringing the fire Little damage re- yes, 1819 no Lane; George W. Staley, of Douglas, sulted to the building of the Portland General Electric Company, which is J. W. Morrow, of the tax department of expensive concrete construction, 2377 no. of the Southern Pacific, appeared be the principal harm being confined to ore the Assessors and spoke at some the valuable machinery and equip yes, 2670 no. length on behalf of the railways. While ment of the plant and the utter desthe Assessors of the west side division truction for an indefinite period of the dum amendment, 2754 yes, 824 no.

Connections were made Monday right to amend charters, 2829 yes, 825 they would assess the railroad on the morning by which the O. W. P. Com- no. pany's cars and the Portland Flouring This is the first time an effective Mills were supplied. Light and poweffort has been made to fix a uniform er for Oregon City and Portland was assessment for the Southern Pacific furnished within 48 hours of the acciin all the counties along its line in dent so that the two cities were par-Oregon. In Multnomah County As- tially lighted. The damage was not sessor Sigler will leave the figures as as extensive as estimated and will not they are, at \$20,000 per mile. The require as long to repair as was fear-

THE BOY THAT GREW.

And Developed a Beard While Yet in the Beginning of His Teens.

Late information concerning the boy whose abnormal growth puzzled the doctors, is to the effect that his conreported by the Times last fall. At train about 1 o'clock Sunday morning ents a short distance from the Cor-

The boy, it will be remembered is but 13 years of age, and last summer The train crew made no report and suddenly began to make extraordinary growth. Within a few months he atwas obtained about 7 o'clock Sun-tained the stature and weight of a day morning with the finding of Mo- man. His voice changed, becoming mart's body beneath the trestle. Ve- heavy like that of a man, and a heavy locipede, on which Momarts was rid- beard began to make its appearance. ing, was broken into splinters by the Along with these unnatural developcollision. Momarts was a single man ments came the unfortunate fact that aged about 35 years and before ac his mind was affected. It also became cepting the place with the Southern impossible for him to stand. He was Pacific was for some time employed in taken to Portland, where he was studa similar capacity by the O. R. & N. ied by all the physicians of that city There was nothing like it in the medical books. For ten days they studied EIGHT

the case and then gave it up as not to be accounted for and as beyond the power of their profession to remedy. The boy was brought back home, and Field Superintendent J. Nelson Wis- later, the family removed to Oregon

The boy is still confined to his bed.

DR. JAMES WITHYCOMBE.

People Satisfactory Administration.

Dr. James Withycombe takes his

"It's the fortune of war, I guess. The administration of Governor June 8, 3t,

FIRE DOES DAMAGE Chamberlain has been satisfactory to WITH GRADUATES out the state, was, no doubt, a strong factor in his election . To these two things, more than to anything else, I attribute my defeat.

"I have no complaint to make. I was fairly treated and have no feeling whatsoever over the result. I want to express my sincere gratitude to those who supported me in all parts of the state.

"I believe principles are far above men, and as in the past I shall continue to be a loyal advocate and supporter of Republican ideas of government. I think the general results of the election are very good. We will have as strong a legislature as we have ever had made up of representative

"I think the election showed the complete success of the primary law and proved that it is a desirable addition to our state laws."

NEW FACES AT COURTHOUSE.

Some of the Officers-elect Have Announced Their Deputies.

On the first Monday in July, which by the way falls on the second of the The assessors of the counties along land, three of the largest dynamos at month, will take place the regular biennial exchange of offices at the court will succeed County-Judge Thos. F. Ryan, R. B. Beatle will relieve Harry will replace Wm. Brobst on the board county commissioners. Chauncey E. Ramsby will succeed Henry E. Stevens as Recorder of Conveyances, the keys to the treasury department to his successor, J. C. Paddock, of Clackamas. On the same day S. A. D. Hungate will become county surveyor and R. L. Holman will begin his third consecutive term as county cor-

Only three of these offices are supplied with deputies. County Clerk Greenman, who succeeds himself, has appointed Mrs. Belle A. Sleight chief deputy in that department. Sheriffelect R. B. Beatle has announced the appointment of Shirley Buck, of Clackamas, as chief deputy. Chauncey E. Ramsby, recorder of conveyanceselect, is not ready to announce his appointment of deputy recorder.

VOTE ON THE AMENDMENTS. Equal Suffrage Polled the Largest

Number.

various amendments and proposed Approving appropriation bill, 1681

Equal suffrage, 1816 yes, 2308 no. Local Option amendment , 1367 yes,

State ownership Barlow road, 1287 Constitutional convention referen-Giving cities and towns exclusive

Regulating state printing and binding, 3378 yes, 452 no. For initiative and referendum on local and special laws, 2777 yes, 706

Anti-pass bill, 3088 yes, 745 no. Licensing refrigerator, oil and sleeping car companies, yes 3668, no 255. Licensing express, telephone and

telegraph companies, yes 3668, no 268. The total number of votes cast in the election was 4792 of which 4672 were cast for Governor. For County Judge 4637 voted while 4587 expressed their choice for State Senator. Of the amendments, a total of 4124 votes were cast on the woman suffrage question.

JUDGE RYAN TO SERVE AGAIN. Retiring Director Favorably Considers Petition of Patrons.

On the petition of a great many patrons of the district, Judge Thos. F. Ryan, chairman of the Oregon City Board of School Directors, has agreed to accept another term as director. Judge Ryan is the retiring member of the board and an election has been called for the 18th inst., when a successor will be elected. The petition, on the strength of which Judge Ryan has agreed to accept another term, is as follows:

We, your neighbors, townspeople and fellow partisans for good school government, appreciating your many years of successful endeavor in the cause, feel that School District No. 62, cannot afford to lose from its directorate so efficient a member. We. therefore, by our signatures, hereto, express to you our earnest desire that you permit us to re-elect you at the school election to be held June 18,

"Chambers Howell, Wm. Andresen, George Randall, V. Harris, E. R. Williams, F. W. Greenman, W. H. Howell, J. D. Rainey, J. L. Waldron, S. F. Scripture, Chas. Albright, R. Koerner, John Bittner, H. E. Straight, W. E. Jacob Cassel, W. B. walt, I. Tolpolar, C. H. Frederick, C. Greenman, T. P. Randall, R. D. Wilson, C. Schuebel, O. D. Eby, S. L. Selling, B. Petzold, Frank Busch, Jas. Directors Will Name Superintendent F. Nelson, J. C. Zinser, C. G. Huntley, H. Williams, Wm. Estes, T. Charman, J. D. Renner, T. A. Pope, E. G. Caufield, C. H. Caufield, E. Story and G. A. Harding.

Dissolution Notice.

On and after this date, we, the unas high as 150,000. The station leally, and the Chamberlain majority dersigned, do declare the partnership lows:

Dated at James, Oregon, May 22.

D. H. JAMES. D. A. JAMES.

## Annual Commencement of Barclay High School

TWENTY-TWO YOUNG PEOPLE the board. RECEIVE DIPLOMAS.

Class of Fifteen Is Graduated From The Milwaukie Public Schools.

appropriate motto of a call of 22 young people upon which graduation honors were conferred at Shively's opera house Friday évening. These young or of rural delivery routes, was in people comprised this year's gradua- the city recently and with Postmaster tion of the Barclay High School of Randall inspected the territory covhouse. At that time Grant B. Dimick this city, and the presentation of di- establishing of that number of addi-Judge Thos. F. Ryan, chairman of the City office. tax-collector, John H. Lewellen Board of Directors, who made a few

Earl C. Latourette, president of the tance covered in the proposed route is and Uncle Enos Cahill will surrender class, delivered the address of well accurately determined. come; Orville B. Hunt read the class three routes examined by Mr. Clepoem; Miss Ruth Latourette gave the ment on this trip formed a loop to R. valedictory; Russell Wood made pleas- F. D. No 5. taking in all of the terriing disposition of his class-mates in a tory between Stafford and the Willacarefully prepared class prophecy that ette river. This was found to be too was interesting and full of good hu- long a route to be served by one car-

> with vocal solos by Mrs. Imogen-Hard- unable to recommend that it be esing Brodie, and Mr. J. Ross Fargo, of tablished. Portland, and Miss Elizabeth Roos, a cores being insisted upon.

uates, played a difficult plano solo, gon City.
and Miss Louise Huntley gave a cred- These last two mentioned routes The Clackamas county vote on the She was generously encored. The ex- vidual carriers and the inspector will accompanist for the evening.

June as the time to complete his carrier. course in the public schools. It is

The members of the class were: cival Charters, Raymond Phillips Cau- lished. field, William Ross Eaton, Gaylord Gerald Godfrey, Llloyd Ordway Harding, Orville Balwin Hunt, Anna S. Harlan, Bertha Louise Koerner, Lucy Ruth Latourette, Earl Cornelius Latourette, Jane Eyre Macdonald, Nellie beth Roos, Herman Rike Rowland. Godfrey Telford and Russell William accounts due the firm. Wood

Exercises at Milwaukie.

In the presence of nearly all the patrons of the Milwaukie School, a class of 15 pupils received their certificates from the grammar grade at the band hall last night. The class is made up of Wesley R. Grasle, James wankie on the high standard the pu- peratures occurred throughout fusion, and each member of the class frosts were observed. Ruegg, who has been principal for the south and southwest, shifting later to past two years, retires, having re- west and northwest. signed, much to the regret of the peo-The following staff has been elected for the ensuing year: Principal. Professor Seamore, of Falls City, Ore.; Miss Kate Casto, Miss Ella Casto and Miss Harrington .- Sunday's

TEACHERS ARE ELECTED.

At Another Meeting.

rectors of the Oregon City schools re- known for its cures of diarrhoea and elected Mrs. Viola Godfrey and Mrs. all forms of bowel trouble. For sale Emilie Shaw, respectively, principals by Howell and Jones. of the Barelay and Eastham schools.

Grade teachers were elected as fol-LaGrande

ent to succeed Min Addie Clark, resigned, was postponed until another meeting to be called by the chairman, but it was voted by the hoard to elect a gentleman superintendent as Miss Clark's successor. The board adopted a resolution commending the administration of Miss Clark the retiring superintendent.

The matter of granting a contemplated increase in the salaries now paid the teachers in the city schools, was deferred until another meeting of

Sam Roake and W. W. Mars were re-elected janitors of the Barclay schools, respectively.

The board will advertise for bids for furnishing the district with fuel and other supplies for the ensuing year and next Sunday afternoon will visit the Barclay school for the purpose of determining what improvements are necessary to be made at this time.

MORE RURAL ROUTES.

"This Is Our First Lesson" was the Territory for Three Additional Routes is Examined.

E. C. Ciement, government inspectered by three petitions asking for the plomas to the young graduates by tional mail routes from the Oregon

On these inspection trips, especially when the route for a proposed new remarks complimentary, and congrat- delivery service is examined, Inspector ulatory, was preceded by a program of Clement has attached to his buggy a real interest. cyclometer by which the actual dis-One of the rier and not sufficient territory for These numbers were interspersed two routes and the inspector will be

One of the other proposed routes member of the class. In addition, the extends southerly from Oregon City Glee Club consisting of eight members through Canemah to a point beyond of the class and the Schumann Sing- New Era, thence returning via Mt. ing Society, with 16 voices, directed Pleasant over the South End Road to by Mrs. Imogen Harding-Brodie, were this city. The third route petitloged both heard in several selections, en- for passed northerly through Cackamas Heights beyond Holcomb's school Miss Vera Phillips, one of the grad- and returning via Parky ace to Ore-

and Miss Louise Huntley gave a creditable interpretation of "Dixie Land," are too small in themselves and the in Concert Paraphrase demonstrating number of patrons to be served too marked ability as an instrumentalist. limited, to justify the expense of indiercises were opened with an invoca- probably recommend to the governtion by Rev. J. Robert Landsborough. ment that the two routes be combined, Miss Martha Frances Draper was the making the figure "eight" with one carrier to supply the patrons on both. The public school graduate makes By this arrangement, the government no mistake in selecting the month of will be able to satisfactorily pay one

Postmaster Randall is diligently at then that roses and other beautiful work in his efforts to secure for the flowers are plentiful and judging from people of Oregon City a free delivery the profusion of floral contributions of mail. With the co-operation of the in evidence, it was evident that the people in the numbering of residenc-1906 class from Barclay received its es and posting the names of the different streets, Mr. Randall there does not exist any question but Myrtle Elizabeth Bohall, Ernest Per- that the desired service will be estab-

Dissolution of Partnership. Notice is hereby given that the partnership heretofore existing between Wm. Gardner and George Gardner, Lona Miller, Irene Lanore Moore, under the firm name and style of Wm. Adna Edward Murrow, Vera Anna Gardner & Son, has been this day dis-Phillips, Isador Harry Price, Eliza- solved by mutual consent. Wm. Gardner succeeds to the business and will Mary Petronella Sandstrom, Malcom assume all liabilities and collect all

Dated at Oregon City, Oregon, June

WM. GARDNER. GEORGE GARDNER.

GENERAL SUMMARY. The weather during the week was Clarence Vietheer, Bessie M. Lewis, unseasonable cool, due in a great Eve M. Duffy, Edna Atwood, Verna measure to the excessive cloudiness Hoit, Julia Murphy, Daniel Berkemeier that prevailed. As the week progres-Aaron Berkemeir, Lizzie Streib, Bar- sed temperatures rose gradually, until tle Lakin, Ellena Z. Wetzler, Alfred at the close they were above the nor-Jahn, William Klinkenan and Ernest mal throughout the greater portion Before being handed their of the section. Frequent showers occertificates a brief programme was curred on almost every day, but they rendered by the class. Music was were generally light except along the furnished by Mr. Hart, Mr. Keel, Ruth coast, and in Umatilla County, where Geehler, Emma Gettman, and Miss the heavy rains that fell during the The members of the class re- fore part of the week resulted in badceived their diplomas from J. W. ly swollen streams that, in many lo-Grasle, chairman of the board of di- calities, overflowed their banks, causrectors. County School Superintend- ing considerable damage. The waters ent Zinser complimented the class, were, however, rapidly subsiding tothe teachers and the people of Mil- ward the close of the week. Low tempils had secured in their studies. Columbia River valley on Tuesday, Flowers were in evidence in great pro- Wednesday and Thursday: but no was presented with a tribute. With were generally light, and during the the close of the year Miss Mildred fore part of the week were from the

Unknown Friends.

There are many people who have used Chamberlain's Colic, Chalera and Diarrhoea Remedy with splendid results, but who are unknown because they have hesitated about giving a testimonial of their experience for publication. These people, however, are none the less friends of this remedy. They have done much toward making it a household word by their personal recommendations to friends and neighbors. It is a good medicine At a meeting Monday night, the di- to have in the home and is widely

If you know the value of Chamber-Misses Gallogly. Frances lain's Salve you would never wish has boats and men, who row down apparently does not rankle. He has between us, mutually dissolved for Myers, Margaret Williams. Harriet to be without it. Here are some of the Cochran, Maysie Foster, Alice Shan- diseases for which it is especially valnon, Antoinette Walden, Irene Carter, uable: sore nipples, chapped hands, Gertrude Nefzger, Eva Meldrum, Lil- burns, frost bites, chilblains, chronic lie Schmidli, Bertha Koerner, all of sore eyes, itching piles, tetter, salt this city and Miss Nellie Stevens, of rheum and eczema. Price 25 cents, For sale by Howell & Jones.