The Enterprise is the only Clackamas County Newspaper that prints all of the news of this growing County.

OREGON CITY ENTERPRISE

Has your subscription expired? Look at the label. You should not miss any of our news numbers.

FORTY-FOURTH YEAR—No. 23. OREGON CITY, OREGON, FRIDAY, JUNE 10, 1910. ESTABLISHED 1866

Oregon Historical Society

CONNECTION TO PORTLAND

RAILWAY LINE TO BE EXTENDED FROM WILLAMETTE TO OSWEGO THIS YEAR.

CROSS ESPEE BRIDGE

Norman R. Lang and Associates Purchase 500 Acres on West Side From P. R. L. & P. Company.

The construction of an electric railway from West Oregon City to Oswego, with trackage rights over the new Beaverton-Willsburg cutoff across the Willamette River, making connections so as to reach Portland from Willamette over the tracks of the Portland Railway, Light & Power Co., and the Willamette Falls Railway Co. is assured and definite announcement obtained yesterday that the road would be in operation from Willamette to Oswego before the end of the year. Some months ago it was learned that the Portland Railway, Light & Power Co., had this extension in contemplation, the primary purpose being to equip a road for hauling logs up the river and past the locks for the paper companies, which use millions of feet of timber annually. It is now stated that the company will make a bid for the passenger business, being able to transport people direct from Willamette to Portland without change.

On the heels of this announcement comes the information that Norman R. Lang, second vice-president of the Willamette Pulp & Paper Co., Joseph E. Hedges, John H. Walker, Franklin T. Griffith and two Portland capitalists have organized a corporation known as the Western Investment Co. and have purchased 500 acres of land on the west side of the Willamette River and facing Oregon City, from the Portland Railway, Light & Power Co., and that they propose to place the tract on the market immediately. This property has long been desired for residence sites, being beautifully located, but it has been in the hands of the Willamette Falls Co., for which the Portland Railway, Light & Power Company is a parent corporation, for many years, and up to this time the owners have refused to divide the tract, which was originally the donation land claims of the Burns Brothers. The property extends from Sunset Hill on the south to Bolton on the north and runs to the Willamette River.

Ten acres west of Charles A. Miller's residence are now being platted into lots by Don E. Meldrum, who is also surveying a portion of the tract south from the I. L. Porter property and west of the C. A. Miller home, and this will be made into acre tracts. The property that will be placed on the market first will run from the county road nearly to Bolton. The announcement means that hundreds of residences will soon be built in West Oregon City and that rapid transportation between that point and Portland will probably induce many people to select tracts there for suburban homes.

BOOSTING FOR ARTISANS.

Oregon City Assembly Making Campaign For More Members.

Oregon City Assembly, No. 7, United Artisans, Thubsday night held its semi-annual election of officers, with the ollowing result: Paul Normann, master artisan; Mrs. G. F. Anderson, superintendent; Mrs. B. F. Linn, inspector; Mrs. Nellie M. Cooper, secretary; J. A. Tufts, treasurer; Mrs. Emma Thomas, senior conductor; Mrs. James McFarland, master of ceremonies; Mrs. Pauline Schwartz, junior conductor; Oscar Woodfin, musician. The Assembly will go to Sellwood Monday, June 20, for a fraternal visit to Sellwood Assembly. Mr. and Mrs. Dibble, of California, and Mrs. Baldwin, of Portland, are here this week in the interest of an increased membership and the Assembly would like to add 150 names to its roll and win the State Membership banner. Mrs. Baldwin was in The Dalles recently and wrote 90 applications in one month, which is rather an unusual record.

Albany Herald Changes Hands.

Announcement was made in Monday's issue of the Albany Daily Herald of the fact that W. A. Shewman of this city has sold out that newspaper to Clinton Page. Mr. Shewman has been engaged in the newspaper business in Oregon City for some time and has managed both of the papers, spending his time alternately between the two cities.

Officers of Commission Company.

The annual meeting of the directors of the Oregon City Commission Company took place Tuesday night and the election of officers for the ensuing year took place, who are the following: President, Dr. A. L. Beatie; vice-president, George A. Harding; treasurer, R. B. Beatie; secretary-manager, T. F. Rourke.

Hesperian Staff Is Chosen.

Students of the Oregon City high school have elected the following staff for the Hesperian, the high school monthly periodical: Harold Smith, editor in chief; Bothwell Avison, business manager; Thornton Howard and Louise Huntley, associate managers; Evelyn Harding, society editor; Evadne Harrison, alumni editor; Effie Jefferson, exchange editor; Joe Alldredge, athletic editor; Bess Warner, literary editor; Ray Scott, subscription manager.

JINDRA WAS POPULAR MAN

DOCTOR RECEIVED FOND LETTERS FROM TOO MANY FEMALE ADMIRERS.

WIFE FILES COMPLAINT

Makes Public Endearing Epistles From Women and Asks Court to Grant Her $100 Per Month Alimony.

Mrs. Anna Jindra, the wife of Dr. Vladimir K. Jindra, who filed a suit for divorce against his wife last week in this city, has submitted, through her attorneys, Dimick & Dimick, a cross complaint and answer to the doctor's allegations, denying his charges that she has a jealous disposition and interfered with his profession and impaired his practice.

According to Mrs. Jindra, the doctor has been guilty of neglecting his wife and daughters, aged three years, and has been consorting with other women, staying away from him until after midnight upon several occasions. The physician's wife has obtained possession of letters which she says were written to him, these epistles making ...tes for clandestine meetings and manifesting an unbounding love and affection. She gives the following extracts from the letters:

"Dear heart, I try to be a dear, brave girl and fairly hate myself for being so weak, but it is an impulse over which I have no control."

Another letter says:

"I am longing for your loving arms around me once again and to hear you say, my dear little love, my angel and all of the nice things."

And still another:

"Now please do not phone me later than 9 p. m., but I will meet you, I mean I will be waiting for you in the same old place, please come my way, it is the safest and do be careful for we are both too proud to lose the respect of your many friends."

The last extract says:

"And of course I know it is not necessary to ask you to destroy this. I have perfect confidence that you will do so. You realize the danger of keeping it a single minute after you read it. I will have it registered so that it will not be possible to fall into other hands."

Mrs. Jindra says her husband also wrote and mailed loving cards to other females, and these cards and letters fell into her hands. She is not versed in the English language and speaks generally in a foreign tongue. She has no money to pay the expenses of the suit, and states the doctor has large and spacious offices in the Washington building at Portland, where he has a good income, and asks the court for an order requiring him to pay $250 for the court expenses and $100 per month alimony.

Dr. Jindra came here about a year ago from the East and before his removal to Portland had offices in the Masonic building in this city.

DIES ENROUTE TO PORTLAND.

Mrs. Samuel Meyer Does Not Live to Reach Operating Table.

Mrs. Samuel Meyer, a well known and highly respected resident of this city, died Thursday morning very suddenly, while being taken to Portland on the car, where an operation or gallstones was to be performed. Mrs. Meyer's health etaoin shrdlu hrdlu Meyer's death occurred at Milwaukie. Deceased was taken ill Wednesday afternoon, although she had previously been a sufferer from gallstones.

Mrs. Meyer was born at Bohemia, Austria, May 30, 1850, and was 60 years of age at the time of her death. She leaves a husband, Samuel Meyer; three children, Misses Martha and Augusta, of this city; Mrs. Alfreda Zorn, of Champoeg, who left only two weeks ago for a trip to Europe. She also leaves two sisiters, Mrs. Augusta Schubert and Mrs. Struntz, and a brother, Gustave Frederick, of Parkplace.

Mrs. Nellie W. Shipley.

Mrs. Nellie W. Shipley, wife of H. T. Shipley, a prominent resident and well known woman of Willamette, died at the family home Wednesday night, and the funeral services were held today, the interment taking place in nthe family plat in Oswego cemetery.

Mrs. Shipley was 65 years of age and leaves besides her husband, nine children. She was born in the State of Massachusetts, and was the daughter of Mr. and Mrs. Philip Cobley. Before moving to Willamette Mrs. Shipley resided at Oswego for many years.

Mrs. Mary Deininger Dead.

Charles Bollinger left Friday night for Portland, where he was summoned by the death of his grandmother, Mrs. Mary Deininger, who died at the family home of Mr. and Mrs. Luse Friday night. Mrs. Deininger, who is the mother of Mrs. Bollinger and Mrs. Luse, was 75 years of age, and had been in poor health for some time. She formerly resided in this city.

Eaton Takes Bar Examination.

Clarence L. Eaton, of Canemah, left Monday for Salem, to take the examination before the State Supreme Court for admission to the Oregon bar. Mr. Eaton is a recent graduate from the law school of the University of Oregon. For several years he was a student in the offices of Hedges & Griffith, of this city, and for the last year has been with Franklin T. Griffith, at Portland.

SWIFT HAS SOLD OUT?

REPORT CURRENT THAT RAILWAY PROMOTER GETS $90,000 FROM SYNDICATE.

STORY NOT CONFIRMED

If Eastern Capital is Interested it is Regarded as Likely That Construction Will Soon Follow.

An unconfirmed report is in circulation that F. M. Swift, who has been promoting the construction of an electric railway through the Molalla Valley from Oregon City to Silverton, for the last two years, has just sold out his holdings to an Eastern syndicate for $90,000. Mr. Swift is not in the city and the rumor cannot be positively affirmed, but the information emenates from a man who has been connected with the Swift surveying party.

It is stated that the right of way from Oregon City to Silverton has been obtained, with the exception of four pieces between this city and Beaver Creek, and these can be secured for less than $1000. Mr. Swift has obtained subscriptions for stock amounting to about $100,000 in Oregon City and from farmers and merchants along the proposed route, and these, of course, will be turned over to the purchaser along with the rights of way.

Last year the railroad promoter secured options through the real estate firm of O. W. Eastham & Company for the purchase of three blocks of city property in the north end of Oregon City and some of these options have been takene up, while others are pending. They are as follows:

Block 13, Dolan; one-half block 16, Wilkinson; one-quarter block 46, Bass and Aune; one-quarter block 71, Schroder; one-half block 72, Rambo; one-half block 93, Owens.

It is estimated that Mr. Swift has spent something like $40,000 in the promotion of the scheme. He spent several weeks in New York City last winter, and it is believed he succeeded in interesting Eastern capital in the project. If the report is true, it is regarded as extremely likely that the actual construction of the long sought for Molalla railway will soon follow.

CONVICTION NOT SECURED

JURY STANDS SEVEN FOR CONVICTION AND FIVE VOTE TO ACQUIT.

SECOND TRIAL OF CASE

Proceedings Against E. E. Elliott, of Eagle Creek, Charged With Selling Liquor Illegally, Are Expensive

The second trial of E. E. Elliott, of Eagle Creek, charged with selling liquor without a license, resulted in a disagreement of the jury, and the 12 men were discharged at 10 o'clock Thursday night by Circuit Judge Campbell, after having been out since noon. From the start the jurors stood seven for conviction and five for acquittal and they never wavered. Elliott was tried a few months ago and was acquitted, as the state's star witness, W. P. Farrell, went clear back on the evidence that he gave before the grand jury. He has since been indicted for perjury. The grand jury then returned two more indictments against Elliott, and it was on one of these that he was tried this week. The county has been to a great expense in the two trials of the case, and so far the state has been unable to secure a conviction.

STUEDEMAN LEAVES $8000.

Beaver Creek Farmer Names Son Principal Heir and Executor.

The will of the late Karl Stuedeman was filed Saturday. The value of the estate is $8000. His son, Joseph, is named as executor of the estate, and to him is left all the real and personal property, except money and real property located in Clackamas County, consisting of 142½ acres near Beaver Creek.

To his wife Mr. Stuedeman leaves all money, including notes and mortgages at the time of his death, she also to have a life interest in the property as long as she survives. Upon her death the property shall go to her son, Joseph F. Stuedeman.

His two daughters, Nettie Kleinsmith and Helena Stuedeman, are bequeathed $1000

Gary Speaks On Fund Law.

County School Superintendent T. J. Gary talked on the "Fund Law" at the Milwaukie commencement exercises, which took place in the auditorium of the Milwaukie schoolhouse. J. H. Ackerman, superintendent of public instruction, made an address. There were 14 graduates from the eighth garde and two from the tenth grade.

FINE BERRIES IN ESTACADA

FIRST ANNUAL STRAWBERRY FESTIVAL IS SUCCESSFUL EVENT.

BALL GAME A FEATURE

Exhibition of Luscious Fruit in Commercial Club Rooms Attracts Hundreds of People.

The thriving town of Estacada in Eastern Clackamas County was the host to hundreds of visitors Saturday, when the annual Strawberry Festival was held. Scores of crates of lucious berries were on display, and the exhibition aroused a great deal of favorable comment. The berries were on display at the rooms of the Estacada Commercial Club, under whose auspices the festival was held, and the following awards were made:

Magoon berries, first prize for best 12 boxes, won by P. Conklin; Wilson berries, first prize, won by H. D. Trapp; Magoons, second prize for best 12 boxes, won by V. Lingelback; Magoons, third prize for best 12 boxes, won by Walter Snuffin; individual boxes, first prize best box, "Gold Dollar," won by P. Conklin; Magoons, first prize for best single box, won by H. E. Epperson; Clark seedlings, first prize, won by John Osborne. The judge of the berries was G. W. Steele, of Walla Walla.

Two baseball games were played Saturday at the Estacada ball park. The morning game between Garfield and Estacada was won by the home team and in the afternoon Estacada won from the White Diamond Club. Yesterday the Piedmont team, from Portland, won from Estacada by a score of 9 to 5, in an interesting contest.

ROSCOE MORRIS SUES FOR $1708 DAMAGES

WAS DRIVING HORSE AND CAME INTO CONTACT WITH ELECTRIC CAR.

Roscoe D. Morris, who was injured May 9 last by being struck by a car in the Green Point section of the city, has brought suit against the Portland Railway, Light & Power Company for $1708 damages. Morris was driving with A. W. Neumann, when a Canemah-Green Point car struck his vehicle, and Morris was thrown to the ground, severe lacerations and cuts being made on his head. Several ribs were broken and Morris was rendered unconscious for several hours. Morris charges that the car was being operated at a speed of 18 miles an hour, while the city ordinance provides for a speed not in excess of seven miles. Morris is a barkeeper in Knapp & Nobel's saloon and receives $18 per week. He places his damages at $1500, and to this amount he adds the loss of wages, damage to the horse and buggy and hospital expenses. George C. Brownell is his attorney.

HIGH SCHOOL PUPILS GO OUT INTO WORLD

FOUR TAKE DIPLOMAS FROM TWELFTH GRADE AT OREGON CITY.

The first graduation class of the twelfth grade of the Oregon City high school went out into the world Friday night, bearing their diplomas proudly as evidences of their four years of hard work. Their names are Walter Hart, Isabell Mann, Harry Hargreaves and Laura Ekern. The latter was the valedictorian, while Miss Mann had an amusing class history and prophecy. The other graduates gave orations. The purple and gold class colors were in profusion and color scheme being carried out splendidly in the decorations. There were great masses of roses and other cut flowers on the platform upon which were seated the four graduates, with F. J. S. Tooze, city superintendent; Hon. J. H. Ackerman, state superintendent of public instruction, who delivered the class address, and the members of the Board of Education. The presentation of the diplomas was made by George A. Harding, chairman of the Board. Pleasing vocal numbers were rendered by Miss Louise Brace and Miss Ellen Brobst. The programme was carried out according to schedule and the event was the signal for congratulation to students and teachers.

JURY'S VERDICT FOR ERB.

Hubbard Farmer Will Not Have to Pay For Clover Huller.

The Gaar Scott Co., of Portland, failed to prove its case against Levi Erb, a farmer of Hubbard, in the Circuit Court Monday and the jury brought in a verdict in Erb's favor. The plaintiff company sold Erb a clover huller for $590 and took the farmer's notes, but the latter declares that the machine was not able to do the work it was sold for and declined to pay. Conley & DeNeffe, of Portland, appeared for the Gaar Scott Co., and Erb was represented by Dimick & Dimick and Gordon E. Hayes.

PLANT SEED FOR DRYNESS

PROHIBITION FORCES START AN ANTI-BOOZE CAMPAIGN IN CLACKAMAS.

WOULD MAKE CITY DRY

Two State League Workers Tour Willamette Valley to Educate People Against the Liquor Traffic.

Two big mass meetings of the anti-saloon forces were held in Oregon City at 8 o'clock Sunday night, one in the Presbyterian Church on the hill and the other in the First Baptist Church, corner Main and Ninth streets, where Rev. Heist conducted the meeting. Rev. J. R. Knodell, superintendent of the Oregon Anti-Saloon League, had charge of the meeting on the hill. The Young Peoples' Societies of the several denominations organized at 6:45 o'clock in the Methodist Episcopal Church, where Rev. Heist has been given general direction of the meeting. The Prohibition forces have been working actively this week in many sections of Clackamas County, where they have been holding meetings, and Rev. Knodell and Rev. Heist will go into Marion County this week and plant the seeds of prohibition there.

GLADSTONE HEARING OVER.

State Railroad Commission Has Matter Under Advisement.

The hearing of the complaint of the people of Gladstone against the Portland Railway, Light & Power Company was finished last Saturday evening in the Commercial Club rooms. The people of Gladstone are endeavoring to have a freight station established there and they also seek to compel the railway company to stop its passenger cars on Arlington-street crossing, better known as Clackamas Bridge. F. D. Hunt, traffic manager of the company, was placed on the stand, and he stated that the changes desired would interfere materially with the schedule now maintained, making a difference of 2½ minutes in time. Commissioners Campbell and Atchison, of the State Railroad Commission, conducted the hearing, and an order is expected within a few weeks.

MAE SMITH WINS MEDAL

TAKES FIRST HONORS IN HIGH SCHOOL CONTEST FOR DECLAMATIONS.

STUDENTS SHOW CLASS

Ineta Dixon and Alice Miller Are First in Grammar Division—Marian Money Wins in Essays.

The second annual oratorical and essay contest of the Clackamas School League was held at the Christian church at Gladstone Saturday night. The church was filled with a large and appreciative audience. Prof. Brenton Vedder, principal of the Gladstone high school, acted as president of the meeting, and much credit is due him for the successful programme rendered on that evening.

Miss Mae Smith, of the Oregon City high school, won first honors of the declamatory contest, her subject being "Bobby Shafto." In the grammar grade declamatory contest, Miss Ineta Dixon, of the Eastham school, won first honor, her subject being "Belshazer's Feast." Miss Marian Money, of the Oregon City high school, won the medal for an essay on "The Crusade on Tuberculosis," while Miss Alice Miller, of the Barclay school, won in the grammar essay contest. She gave "The Adventures of a Starling." The young ladies who took part in both contests are deserving of much credit for the manner they handle their subjects. The judges for the oratorical contest were F. M. Gill, of Canby; Rev. J. R. Landsborough, of this city, and Sidney Johnson, of Gladstone. Judges of the essay contest were T. J. Gary, county school superintendent; A. A. Baldwin, of Macksburg, president of the League, and Prof. J. S. Jonnston, principal of the Parkplace high school. During the evening Miss Ellen Brobst rendered a solo and a duet was given by Miss Etta Long and Miss Irene Clark, who responded to hearty encores.

The next meeting of the Clackamas School League will be held in January or February, the exact date not yet being fixed. The annual election of officers will take place in the fall after the teachers' institute is held.

Woodmen Unveil Monument.

The annual unveiling ceremonies of Willamette Falls Camp, No. 148, Woodmen of the World, were held in this city Sunday and were attended by a large number of the Woodmen. Fred J. S. Tooze, superintendent of city schools, delivered the annual address.

FINE ROSES ON DISPLAY

BEAUTIFUL BLOOMS ARE SHOWN AT ANNUAL EXHIBIT OF CLACKAMAS SOCIETY.

PREMIUMS AWARDED

Long List of Prizes Go to Oregon City Rosarians—Mrs. L. L. Pickens Wins Trophy Loving Cup.

The fourth annual rose show given by the Clackamas County Rose Society at the Woodmen hall Friday and Saturday, proved to be a successful affair. Although many of the rose blooms are gone from the gardens, owing to early seasons, there were plenty of the beautiful flowers on exhibit. Woodmen hall was prettily decorated for the occasion, and over the doorway leading to the stairway was an archway formed of red and white roses.

Many handsome gifts were won by the exhibitors. The judges were Mrs. A. C. Panton and G. E. Matthews, of Portland. Following is the list of prize winners:

Section A—Class, Tea: No. 1, best collection of six red roses named, one variety, Miss Clara Miller; best collection six white roses named, one variety, Mrs. Barton Barlow; best collection of six yellow roses named, one variety, Mrs. F. M. McCausland; best conection of six pink roses named, one variety, Mrs. Rosina Fouts; general collection 12 roses, each separate variety, Mrs. G. A. Harding.

Section B—Class, Hybrid Tea: Best nine pink roses, three varieties named, three of each, Mrs. H. E. Straight; general collection 12 roses, each a separate variety, named, Mrs. G. B. Dimick.

Section C—Class, Hybrid Perpetual: Best eight red roses, one variety, named, Miss Clara Miller; best eight pink roses, one variety, named, Mrs. G. A. Harding.

Section D—Class, Climbers: Best eight yellow roses, one variety named, Mrs. J. Lewellen; best eight red roses, one variety, named, Mrs. A. L. Beatie; best eight white roses, one variety named, Mrs. Rosina Fouts; best eight pink roses, one variety named, Mrs. L. L. Pickens; best general collecetion 12 roses, six varieties, two of each named, Mrs. K. L. Newton.

Section E—Class, mixed varieties: Best eight White La France roses, named, Miss Clara Miller; best eight pink La France roses, named, Miss Nieta Harding; best eight Ulrich Brunner roses, Mrs. Estes; best eight Gloria Lyonaise roses, Mrs. G. A. Harding.

Section F—Class, Testouts: Best 25 Caroline Testouts, Mrs. J. Faircough; best six Caroline Testouts, Mrs. Rosina Fouts.

Section G—Class, New Rose, named. Roses originated before 1904 not exhibited in this class: First, Mrs. J. W. Norris, "Lyon"; second, Mrs. G. B. Dimick, "The Reid"; third, Mrs. J. W. Norris, "Joseph Hill"; fourth, Mrs. J. H. Walker, "Malaine Soupert."

Section H—Class, Large Rose: Best four large roses, one variety, named, Mrs. G. B. Dimick.

Section I—Class, Wild Flowers: Best general collection, each a separate variety, three prizes in this class, school children to enter only: Ethel Jefferson, first; Marion White, second; Evelyn Hayden, third.

Section J—Class, Special. A special prize for best general collection of roses from any town, station or location in Clackamas County outside of Oregon City, was won by X. L. Club, of Gladstone. The Oak Grove Improvement Club had an exhibit also that attracted no little attention.

Section K—Special Prize. Trophy loving cup for best Caroline Testouts, was won by Mrs. L. L. Pickens. This prize is only contested for by the members of the Rose Society, and must be earned two years in succession to enable the holder to keep the trophy.

Mrs. Ada Andrus, of Barlow, who is 75 years of age, had a large display of flowers that attracted no little attention. Among her display were tree tulips, a rare flower, and many of the visitors had never seen this flower before.

MRS. LILLIAN CASE DEAD.

Parkplace Woman Passes at a Portland Hospital.

Mrs. Lillian Case, a well known resident of Parkplace, died Monday morning of cancer at St. Vincent Hospital, Portland. Mrs. Case has been in poor health for the past year, and was taken to the hospital for treatment about six weeks ago.

The deceased has resided at Parkplace for several years. She leaves a husband, D. R. Case, of Parkplace; two sisters, Mrs. H. Mansfield, of Bellingham, Wash., and Mrs. J. C. McDougall, of Gold Hill, Oregon; and three brothers, George Ralls, Cliff Ralls and John Ralls, of Gold Hill.

The funeral services were held Tuesday afternoon from the chapel of Dunning & McIntee, at 1 o'clock, and the interment was in the Riverview cemetery. Many friends of the family, at Parkplace, attended the funeral, and the floral tributes were beautiful.

Judge Dimick Talks to Grange.

County Judge Dimick talked on "Taxation" at a meeting of Maple Lane Grange last Saturday afternoon. He handled his subject in a manner that interested his hearers and received close attention. Judge Dimick has made a close study of the tax question and is especially familiar with the matter insofar as it relates to the finances of Clackamas County.

MILWAUKIE WINS CASE

STATE SUPREME COURT TURNS DOWN ELECTRIC RAILWAY APPEAL.

ANOTHER APPEAL FILED

Fight Will Be Taken to the U. S. Supreme Court—Milwaukie Citizens Issue Call for Mass Meeting.

The people of Milwaukie will hold a mass meeting next Monday evening at 8 o'clock to discuss the latest move of the Portland Railway, Light & Power Co. in appealing the Milwaukie and Oak Grove rate cases to the United States Supreme Court. The meeting will be held in the city hall.

The State Supreme Court, in an opinion written by Justice Slater, Tuesday denied the application of the Portland Railway, Light & Power Company for a rehearing of the case of the railway company versus the State Railroad Commission, known as the Milwaukie rate case. The company took the position that the Railroad Commission act, the orders of the Commission and the decisions of the court are in violation of Section 1, Art. XIV, of the Constitution of the United States, prohibiting any person from depriving any person of property without due processes of law, or denying to any person within its jurisdiction the equal protection of the law.

The opuinion handed down states that the court has carefully examined the able argument made, but finds itself unable to assent to the conclusions of the company's attorneys. The opinion takes up and discusses the various contentions made by the railway company, and concludes with an answer to the contention that the state has no power to regulate fares within the limits of the City of Portland, because that right has been delegated to the city, and also because the city, in granting plaintiff its franchise, has limited the plaintiff to a charge of 5 cents for any single fare, in one general direction, within the City of Portland. It is further held that such right is a vested contractual right.

The opinion continues:

"Assuming that these claims are well founded, still we do not see that the order of the commission attempts to regulate fares within the City of Portland, for it operates only upon traffic reaching or extending beyond the boundaries of the corporate limits."

The attempt of the citizens of Milwaukie and Oak Grove to secure lower suburban railway fares has been in litigation since shortly after the creation of the Railway Commission in 1907. The railway company has in force a fare of 5 cents to Lents, Mount Scott and St. Johns, but maintains a tariff of 10 cents to Milwaukie, and 15 cents to Oak Grove, without transfer privileges in Portland. A citizens' committee, organized in Milwaukie, complained to the Commission, setting up the contention that Milwaukie had been unjustly discriminated against when fares to that point were compared with those to other suburbs of similar distance. The Railway Commission decided the case on the basis of location, declaring that Milwaukie was entitled to a rate of 5 cents, with transfers, and Oak Grove to a fare of 10 cents, with transfers.

The controversy was then taken into the courts and was heard by Judge William Galloway, of Marion County, in 1908. Judge Galloway upheld the order of the Commission, but upon the railway company executing a bond for $10,000, granted an injunction restraining the putting into effect of the Commission's order pending an appeal to the State Supreme Court.

The Supreme Court heard the case in November, 1909, and on December 21 of that year affirmed the decision of the lower court. The opinion of the court was based upon the fact that the company had been carrying passengers over similarly constructed and operated railroad a distance of three and one-half miles beyond the Portland city limits for 5 cents and giving transfers to and from city lines. It was held that the charging of 10 cents to Milwaukie and 15 cents to Oak Grove was discriminatory.

Thereafter the company filed a petition for a rehearing setting up ten grounds. The Supreme Court has now denied the further contentions of the railway company.

Under the terms of the injunction granted by Judge Galloway in 1908, the railway company began the issuance of rebate slips of persons paying fares in excess of those ordered by the Railway Commission. It is said that the aggregate of these 5-cent slips is about $13,000, but it is deemed probable that one-fourth of the slips issued have not been preserved by the holders. It is probable, therefore, that the company will be called upon to refund about $10,000.

Milwaukie patrons of the road assert that in most instances the rebate slips were not issued unless demanded by persons at the times fares were paid and that if slips had been issued voluntarily in all instances, the aggregate would now be close to $25,000.

It is also declared that a person traveling from Milwaukie to some point on one of the city lines would pay 15 cents to reach his destination instead of 10 cents unless he "knew the ropes."

For instance, a person boarding a car at Milwaukie and paying his fare through to the terminus of the line at East Morrison street, would be charged 10 cents and a transfer would not be issued. He would then pay 5 cents

(Continued on Page 4.)