THE MORNING OREGONIAN, THURSDAY, MARCH 28, 1901.



### O. R. & N. Opposes Occupa- Disgraceful Orgy at Falton Which tion Tax Ordinance.

### COUNCIL EXCEEDED POWERS

Unconstitutionality Alleged on the Ground That There is an Attempt to Regulate the Inter-

State Commerce,

The ordinance of October 1, 1900, impos ing a tax on occupations will be tested in the courts on constitutional grounds. The O. H. & N. Co. refuses to comply with the provision mxing it \$500 a year for doing business in Portland. When License Collector McEachern opened his mail at the City Hall yesterday morning, he found this letter from President Mohler:

Referring to your request for payment of li cense under ordinance No. 11784, our counsel writes that he believes it is unconstitutional. Under the circumstances, this company does not fett justified in making the payment. A. L. MOHLER.

This was in answer to a request from Collector McEachern for the tax. The provision of the ordinance to which th O. R. & N. Co. raises objection follows:

C. A. & X. Co. Pairso objection 100008: Each and every person, firm, corporation or joint stock company, commonly known as steam railroad companies, for business done exclusively within the City of Portland, and not including any business done to or from points without the state, and not including any business done for the Government of the United States in officers or arous shull nev United States, its officers or agents, shall pay

Asked to state the O. R. & N. Co.'s position, W. W. Cotton, general attorney of the company, said yesterday: "Our objection is that the tax is an attempt to regulate inter-state commerce. There-fore the ordinance is a violation of the Constitution of the United States which place the entire control of the subject of inter-state commerce in Congress." That is all Mr. Cotton cared to say.

A lawyer who has examined the ordinance carefully, but not in connection with the O. R. & N. Co.'s contention, says it was the evident purpose of the Council to keep its hands off inter-state business. but that it is impossible under the ordinance, to separate the state business subject to the tax from the inter-state es over which the Council has not control. This is a fine point for judicial determination, the lawyer said, but in his opinion the Council has usurped the pow-ers of Congress without intending to do so. If the two clauses of business involved-state and inter-state-can be separated, the ordinance, says the lawyer, will stand; if not, it will be held to be unconstitutional. It is said that the views of the O. R. & N. Co.'s legal department coincide with those of the lawyer quoted, but the only statement the company will

out for the present is that made by

Mr. Cotton yesterday. Collector McEachern sent President Mohler's letter to City Attorney Long. That official had nothing to say last night other than that the tax ordinance would be enforced against the O. R. & N. Co. He would not say what the first step would be. Under the ordinance the city may

FREE BEER FOR BOYS.

# a Father Approved.

its officers. This will be the first

Cases arising out of the pranks of un Cases arising out of the pranks of un-ruly boys are becoming so frequent in the Municipal Court that Judge Cameron declared hereafter that he would hereafter hold the guility ones responsible.

L. Kommonzene, a Russian tanner, llving at Fulton, had been arrested for assault and battery on the person of the 12-year-old son of John Almela, a carpen-ter residing in the same locality. The evidence disclosed the fact that a general beer drinking froile was being induiged in on the Macadam road last Saturday night. About 40 persons, most of whom were boys, were drinking beer in the glare of a street are light, when the de-fendant was struck with a chip. He im-mediately anonached the how and knock.

mediately approached the boy and knock-ed him over, for which he was arrested. The lad said he had drunk two or three schooners of beer himself, and that two younger brothers were also being treated. He denied having thrown the chip at the tanner, though he admitted having an-noyed him on a former occasion. The boy's father was on hand and also

partook of the free beer, he said, and saw no harm in permitting his sons to be on the streetent 11 P. M., as a lot of

other boys were there also. Judge Cameron thought both complain-ing witness and defendant were guilty of assault and battery, though no charge had been preferred against the boy. The father was informed that his boys would be taken away from him and given in charge of the Boys' and Girls' Ald So-clety, unless he took better care of them. Steps will also be taken to find out who is giving beer to minors in Fulton, in order to make an example of the lawbreaker. Sentence was suspended in the case of Kommonzene,

### WOMAN COMMITS SUICIDE.

She Was Angered Over April Fool Candy Given Her.

A woman named Blanche Surface shot A woman named Blanche Surface shot herself last evening about 7 o'clock at the A. O. U. W. building, and died two hours later at St. Vincent's Hospital. The deed was committed in the room of W. Le-Starr, fifth floor of the building. Starr states that he had presented her with some "April fool" candy-sugar lozenges filled with red pepper-on the day before, and that she became abary in conse-quence, and last evening was apparently about to leave the room, when abe went to a bureau drawer where a revolver was lying. Before she could be prevented, she iying. Before she could be prevented, she placed the mutule against her right breast and pulled the trigger. Starr immediately had her taken to the bospital, whither he accompanied her. Shortly after the shooting she stated to the former that the wanted to die and

the Coroner that she wanted to die and that nobody was to blame. On her per-son a vial of carbolic acid was found. which suggested that she intended to use it before obtaining possession of the re-volver. Deceased was II years old. Her husband is in Alaska. She leaves one child. The inquest will be held today at 4:59 P. M.

TRY GRAIN-O! TRY GRAIN-O!

ing to all present signs, b centration and organization. No organ-ized effort can be better than one which aims to strengthen and develop true, earnest womanhood."

Mrs. C. K. Lawrence, chairman of the educational committee of the associa-tion, announced that classes had been ar. ranged for in music, French, lectures on art, bookkeeping, stenography, penman-

petent instructors, and the fees in each instance will be so moderate as to permit the admission of young women of the most slender means. Membership in the association is a requisite to class mem

Mrs. W. J. Honeyman, the president of the association, made a few remarks, in which she stated that a cottage at the seashore had been placed at the disposal of the organization during the Summer

months, where the members could secure board at actual cost. Mrs. Honeyman board at actual cost. also announced that the formal opening of the association headquarters take place on Tuesday evening, April 2 The rooms are on the fifth floor of the Macleay block, corner Fourth and Washington streets, being those recently va-cated by the Oregon Telephone Company Mrs. L. E. Rockwell outlined the Bible study work of the association. It was

the intention, she said, to hold an afteron service on each Sunday at 3:30 The first of these services will be held in the association rooms, on Easter, one week from next Sunday. Miss Alma F. Hunt, the general secre-tary, spoke briefly concerning the city work of the association. It is planned, she said, to organize an employment bureau, which will furnish work in all lines, and which will not by any means

be confined to the furnishing of domes-tic help. It is also aimed to serve a lunch during the noon hour, and to establish a boarding-house register, by which quarters can be furnished to strangers coming to the city, or to travelers temporarily detained here. Event-

elers temporarily detained here. Event-unily a gymnasium will be added to the other features of the association. "It will be observed," said Miss Hunt, "from the explanation of the workings of the association given here tonight, that we aim to meet practical needs. This is ex-emplified in the outlining of our course of study. We do not attempt to give of study. We do not attempt to give instruction in branches which are mere-ly fashionable, but only in those which

useful and instructive." H. W. Stone, general secretary of the Young Men's Christian Association, presided over the meeting, and following President Strong's address. Miss Metta Brown sang a solo. Dr. J. R. T. La-throp, pastor of the church in which the meeting was held, opened with prayer, and closed with a benediction.

### KEARNEY-TILFORD.

Marriage of a Wealthy Portland Widow to an Old Friend.

D. Walter Diford, formerly of Indian-apolis, Ind., and Mrs. Sarah M. Kearney, of Portland, were married yesterday afternoon at the bride's residence, 35 West Park street. It was a quiet ceremony, performed by Rev. W. S. Glibert, pastor of Calvary Presbyterian Church, and wit-nessed by a few family friends. Mr. and Mrs. Tilford left over the Southern Pa-

after the streets were vacated. The officers of the real estate company scout the idea that they intend to do any. thing to injure property in the vicinity, as the company is the principal property-

owner there, and would not wish to injure themselves. If they would state definite ly what they intend to do with the property, they might be able to convince the people that meir scheme is a good one, and for the best interests of all concerned.

was going to be done with the property

## DEATH OF DANIEL LEWIS.

#### Founder of the Settlement Known as Russellville.

Daniel Lewis, a well-known farmer living at Russellville, on the Base Line road, died at his home Tuesday night at 10 o'clock, after an illness of about six months. Mr. Lewis was one of the most



Daniel Lewis.

widely-known residents in that part of the county, where he had lived for the past 23 years, being the founder of the settlement known as Russellville. He was both in North Carolina January 4, 1829. He was married to Miss Rachel Anderson November 11, 1852, and they came to Ore-gon in 1867, and made their home where Russellville now stands, when there were no houses in sight. The funeral will be held Sunday at 11 o'clock from the Mount Tabor Baptist Church.

### MAIL THREE TIMES A DAY

#### Mount Tabor Will Have Increased Service, Including Sunday.

An order has just been received which will give Mount Tabor three daily mails, instead of two, as at present. The mails will be taken to Mount Tabor by the City & Suburban Railway. At present the mall is taken out there at 11:30 A. M. and at 6 P. M. by wagon. There will also be one delivery on Sunday. Under this new arrangement mail will be delivered twice a day at the Center addition and Montavilla postoffices, and each will have a Sunday delivery. This arrange-

ike from personal observations of many portant engagements. The veteran Male Double Quartet gave patriotic songs, and Jesse Waddell sang "The Star-Spangled Banner."

# Dr. Wise, room 614, The Dekum.

BAPTIST MISSION WORK.

#### State Society Hears Reports and Elects Officers.

The annual meeting of the Woman's Baptist Foreign Missionary Society, of this state, was held yesterday in the Third Baptist Church, Vancouver avenue and Knott street. East Side and was fairly well attended by representatives from the churches. The session opened in the morning at 10 o'clock, Mrs. M. L. Driggs esident, in the chair. The most of the renoon was taken up with receiving reports from the different churches, some being given in writing and others verbally. All indicated progress and prosperity along the line. The most interesting and important report was rendered by Miss Carrie O, Millspaugh, the regular field missionary for Oregon. She told in detail of her work for the past year, show-ing that she had traveled all over the state, visiting the remotest districts, traveling 5000 miles on the railways, stages, on horseback and in other ways. Her work was to conduct religious meetings, make addresses, attend all kinds of gather-ings, write letters and promote the spread of the gospel. Miss Millspaugh has been field missionary for two years, and in that time she reported she had taken four weeks' vacation. After hearing the report she was continued in the Oregon

### **ROUGH SPOTS.**

#### Good Food Smooths Them Over.

"There is probably nothing in the world that produces as much happiness as the peculiar feeling that comes over the mind when well fed with nourishing food that particularly rebuilds the brain, and makes everything on earth have a rosy tint. Ambition is renewed, spirits are the most sanguine and confidence has retored that

feeling within us which carries us over the rough places." the rough places." So writes a man who was built up from So writes a man who was built up from

health by changing his diet and using Grape-Nuts Food.

"There is no sense of enjoyment equal

to that of being well physically and men-tally. I can hardly realize that such a transposition has been made. From being ill tempered and disagreeable I have changed to something like enjoyment of the society that I had grown to avoid. From feeling that life was not worth liv-ing. I now feel that I would like to live

always.

"I inclose a sample of my handwriting showing my nervous condition before using Grape-Nuts Food, and you can compare it with my signature to this letter." The writing done while he was in a nervous, ill-fed condition, is shown on an old time-check and reports a series of

missionary work. After lunch the following officers were elected for the ensuing year: President, Mrs. M. L. Driggs: corresponding secre-tary, Mrs. E. S. Latourette, of Oregon City; treasurer, Mrs. C. M. Badgley, 243 Tweifth street, Portland; recording sec-retary, Mrs. J. F. Failing, Portland; auditor, Mrs. Casto, Portland; executive board-Meadares Weleb Wooddy Buss dates when he was absent on account of sickness. His signature was made in lines that consist of minute waves or wiggles, showing the desperately weak condition, while the signature to the letter is re-markable for its clear penmanship.

It is the old story over and over again that when a man is broken down because he exhausts the gray matter in the nerve

nessed by a few family friends. Mr. and Montavilla postoffices, and each will mrss Tilford left over the Southern Pa-cific in the evening for New Orleans and Florida. After spending several weeks in the South and in New York City, they will go for a European tour, returning to Mr. Tilford was formerly a weelthy Mr. Tilford was formerly a weelth

# EVER SHOWN IN PORTLAND



field, although there had been a call made for her elsewhere, and "she was granted two months' vacation, and longer time if she found it necessary. Miss Goddard, now of Chicago, a mis-sionary whom the Woman's Foreign Mis-sionary Society of Oregon had been sup-porting in China until driven out by the recent trouble of China, after much dis-cussion was continued in her present re-hationship. She is now in the United States, and the question decided was that cussion was continued in her present re-intionship. She is now in the United States, and the question decided was that she should not come to Oregon and do the singers being in foreign dress, and the programme was full of interest.

#### Structural Steel Higher.

NEW YORK, March 27 .- The Mail and Express says:

Notice was sent out to the trade today of an advance in structural steel prices, amounting to \$2 a ton on beams and chan-nels, and of \$4 a ton on angles. These