

AGAIN AT WAR WITH IT

SALEM WANTS TELEPHONE COMPANY TO PAY A TAX. If "Hello" People Will Not Give In, City Will Try to Make Them Cut Rates.

SALEM, Or., Dec. 3.—The Salem City Council is again at war with the Pacific States Telephone & Telegraph Company. The city proposes to have something to say in the matter of rates on telephone instruments. An ordinance was introduced at the regular meeting of the Council to-night fixing the maximum rates to be charged by the company as follows: Main-line telephone, \$5 per month; party-line telephone, \$10 per month; party-line instrument in residence, 75 cents per month. The rates now charged by the company in the order mentioned are \$10, \$15 and \$10, respectively. The City Council enacted an ordinance taxing the telephone company 6 cents per month per instrument. The company refused to pay the tax, and instituted proceedings against the city to prevent its collection. This proceeding was dismissed with costs, and the case is now in the Circuit Court on a statement of agreed facts, which will be taken up by Judge Holt on December 20.

Automobile Franchise Granted. The Salem Council passed an ordinance granting Frank N. Derby a franchise for operating automobiles on the streets of Salem. The franchise covers a period of 10 years, and the advantages conferred must be exercised within one year of the date of the ordinance, or the same is to be revoked. The speed of all machines is limited to eight miles per hour, and the city is to receive an annual fee of \$10 for each machine operated. Mr. Derby is at the head of the Salem Automobile Company, which expects to inaugurate a public automobile service in Salem in the near future.

Report of City Recorder. City Recorder Judah's monthly report for November shows the cash receipts to have been \$2448, while the warrant indebtedness for the same period was \$2286.48. The city's indebtedness for the year, not including December, is \$11,741.85.

ALLEGED IT WAS STATE MONEY. Ladd & Bush Want Metcalf to Get Nothing From Bank That Failed.

SALEM, Dec. 3.—Ladd & Bush, a local banking firm, have filed in department No. 2 of the Circuit Court of Marion County an amended petition objecting to the payment of further interest by the receiver of Williams & England Banking Company, insolvent. The petition is signed by Ladd & Bush, and by J. S. Swafford, upon claims filed against the defunct corporation. Circuit Judge Boise Saturday ruled that the balance alleged to be due on the petition of Metcalf et al. should be paid, but refused to make a ruling on the question of interest, but gave the objecting parties further time in which to file objections. Ladd & Bush take exception to the payment to Metcalf of any part of the principal sum of \$25,000, for the reason that the original claim of \$25,000 was funds of the State of Oregon. Improperly deposited and loaned to the defendant corporation for a collateral purpose by way of interest, to be paid by the said corporation to the Treasurer of the State of Oregon, for the use of said money. That the sum of \$25,000 was placed with the defendant, the Williams & England Banking Company, by Phil Metcalf, who was at the time thereof the Treasurer of the State of Oregon, and that the said funds so loaned by him were the funds of the state which came to the custody and control of the said Phil Metcalf by virtue of his office as said Treasurer. That, while the said claim stands in the name of Edmund C. Giltner, agent of the said Edmund C. Giltner, at the time of the presentation of the said claim was acting for and in behalf of the said Phil Metcalf, and not for himself, and the money so loaned as aforesaid was state funds.

Objection is also made to the payment of an interest item of \$73.48. Phil Metcalf is principal on \$513.60, another claim of Metcalf et al.; the principal sum of \$507.27 owed by W. H. Odell, and interest upon \$749.83 to E. J. Swafford, all being alleged to be state money belonging to the City of Salem, Swafford at the time being City Treasurer.

The petition also prays for a revocation of all orders made by the court that are in conflict with the rights of the petitioners. Circuit Judge Boise will reconvene court on Saturday, when the petition will probably be taken up.

TO REPRESENT HOPGROWERS. Man Elected to Help Aged Disposal of Pool in London.

SALEM, Or., Dec. 3.—Francis Feller, a pioneer hopgrower of Butteville, was today elected by the Oregon Hopgrowers' Association to go to London and assist M. H. Durst, the association's confidential agent, in the sale of the association pool, which contains 236 bales. In the election such grower represented in the pool was allowed one vote per bale for every bale he had in the pool, and Mr. Feller received 100 of the 236 ballots that were cast.

Mr. Feller is the treasurer of the association, and has 25 bales in the pool. He expects to leave for London with Mr. Durst in about two weeks. The meeting was harmonious and well attended.

A general business committee of five was named to have entire charge of the pool, and all business in connection herewith until the contract with Mr. Durst has been entirely fulfilled, the pool sold and the funds resulting therefrom distributed among the growers represented in the pool. The committee consists of W. H. Egan, of Brooks, president of the association, who will serve as chairman; H. D. Mount, of Silverton; J. N. Barrett, of Forest Grove; Byron Grimm, of Hubbard; and John Nibler, of Garretts.

"MAY" MEANS "SHALL." Judge McBride's Interpretation of a Section of the School Law.

HILLSBORO, Or., Dec. 3.—Judge McBride has ruled that "may" means "shall" in the statute where School Superintendents are authorized and directed to increase the certificate of a teacher granted by another county than that in which the school official has his office. The question before the court was raised by a mandamus proceeding brought by U. S. McFarquhar, the Beedsville teacher, who has been in trouble for several years. Superintendent Ball refused to permit McFarquhar to take part in the county examination. McFarquhar then went to Hillsboro, where he met with like treatment. He then went to Clackamas, where he succeeded in getting teachers' papers. Returning to this county, he demanded that his certificate should be indorsed, as the law authorizes. Superintendent Ball re-

DEATH WARRANT ISSUED

MURDERER GREEN TO BE HANGED AT STEVENSON FRIDAY. Awaits His Doom With Apparent Unconcern—Everything in Readiness for the Execution.

STEVENSON, Wash., Dec. 3.—The death warrant in the case of the State of Washington vs. James G. Green has been issued by the court, and in accordance therewith the defendant will be hanged Friday, December 6, 1901. All necessary preparations have been made, and the scaffold has been completed. Invitations to the execution were sent out today. The defendant awaits his doom with apparent unconcern. He has made sev-

eral requests, however, some of which cannot be granted, that indicate he will completely collapse upon the scaffold. For the past week he has busied himself writing letters to his friends and family. Sheriff Tatton has taken due precaution to avoid accident, and will carry out the law to the letter.

James G. Green murdered E. V. Benjamin on the morning of March 24, 1900, while the latter was at a dance at a private residence across the river from Hood River. Green shot through the window, killing Benjamin and wounding Miss Nellie Brown in the arm. Green fled to the mountains. Two days afterward he gave himself up to Sheriff Tolten and made a full confession. Jealousy was the motive of the crime. Green was tried and convicted April 12, 1901, at Stevenson, Wash., and sentenced October 1, 1901.

At Hillsboro. The city election yesterday the following were elected: Councilmen, T. E. White, C. R. Matthis, P. P. Durant, A. C. Harden and Frank Stullinger; Treasurer, T. J. Jellison; Mayor, W. F. A. Bailey was re-elected Mayor; Hon. W. N. Barrett was elected Councilman for one year, and Hon. S. B. Huston, Max Crandall and E. C. Schuler were elected to three years. H. H. Bagley was elected Recorder, and A. C. Shute, Treasurer.

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DEATH WARRANT ISSUED

MURDERER GREEN TO BE HANGED AT STEVENSON FRIDAY. Awaits His Doom With Apparent Unconcern—Everything in Readiness for the Execution.

STEVENSON, Wash., Dec. 3.—The death warrant in the case of the State of Washington vs. James G. Green has been issued by the court, and in accordance therewith the defendant will be hanged Friday, December 6, 1901. All necessary preparations have been made, and the scaffold has been completed. Invitations to the execution were sent out today. The defendant awaits his doom with apparent unconcern. He has made sev-

eral requests, however, some of which cannot be granted, that indicate he will completely collapse upon the scaffold. For the past week he has busied himself writing letters to his friends and family. Sheriff Tatton has taken due precaution to avoid accident, and will carry out the law to the letter.

James G. Green murdered E. V. Benjamin on the morning of March 24, 1900, while the latter was at a dance at a private residence across the river from Hood River. Green shot through the window, killing Benjamin and wounding Miss Nellie Brown in the arm. Green fled to the mountains. Two days afterward he gave himself up to Sheriff Tolten and made a full confession. Jealousy was the motive of the crime. Green was tried and convicted April 12, 1901, at Stevenson, Wash., and sentenced October 1, 1901.

At Hillsboro. The city election yesterday the following were elected: Councilmen, T. E. White, C. R. Matthis, P. P. Durant, A. C. Harden and Frank Stullinger; Treasurer, T. J. Jellison; Mayor, W. F. A. Bailey was re-elected Mayor; Hon. W. N. Barrett was elected Councilman for one year, and Hon. S. B. Huston, Max Crandall and E. C. Schuler were elected to three years. H. H. Bagley was elected Recorder, and A. C. Shute, Treasurer.

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