

REDUCED CARFARE FOR SEATTLE HAZY

Mayor Brown's Hands Tied
by Federal Court Case.

RELIEF SEEMS FAR OFF

Appeal Taken by City in Suit
Against Railway Company
Holds Up All Action.

PUGET SOUND BUREAU, Seattle, July 6.—Seattle will continue to view the restoration of the 5-cent street-car fare this summer; maybe not before winter, and, again, maybe not before spring. Mayor Brown, who in his campaign speeches promised to do his best to get back to the old rate of fare, finds that the best he can do for the present is to mark time and wait upon the deliberations of the federal court.

There is no possibility of restoring the 5-cent fare, Mayor Brown now says, until the circuit court of appeals has acted upon the city's appeal from the judgment of the United States district court in the suit brought by the Stone & Webster interests to compel specific performance of the terms of the contract under which the city purchased the street railway system from those interests.

Force Back of Litigation.
District Judge Cushman decided that the city must fulfill its contract terms to the letter. The city has appealed, and the circuit court of appeals may get around to the case some time next fall—or may not.

The main point of "specific performance" relied by Judge Cushman's decision is that the city shall maintain high enough rates of fare to insure revenues sufficient to meet all the obligations of the railway system, including bond interest and the sinking fund for bond retirement.

The revenues at a 5-cent fare were not sufficient, nor were they at the 6 1/2-cent fare. At the 8 1/2-cent fare the system seems to have been breaking a little better than even.

City Will Await Appeal.
Mayor Brown has come to the conclusion, presumably with the advice of legal and railway operating experts, that the city should not change the situation in any respect while the appeal to the circuit court is pending, but must accept the district court decision as binding until set aside—if that ever happens.

In the course of his campaign Mayor Brown also declared that the contract of purchase made by the city with the Stone & Webster interests is "an impossible contract." As to this Mayor Brown agreed in the opinion frequently expressed by Mayor Caldwell, after the latter had spent the better part of a month in trying to ascertain if fraud or deceit had been practiced that might open the way to abrogation of the contract. Mr. Caldwell found nothing on which to base an action of this kind.

Contract Terms Involved.
Mayor Brown now believes that the question of whether the city can enforce the contract is possible or impossible of performance by the city must be held in abeyance until the circuit court decision is given, since the city's appeal to that court is on the interpretation of contract terms.

The mayor's determination to let street railway rates stand "as is" for the time being has come as an unexpected news to the very large proportion of street-car patrons who accepted pre-election assurances with high hopes for immediate action. The new mayor and the new members of the city council all had declared themselves in favor of lower fares, but when the case still in court, and a good many stubborn financial and operating facts to be considered, it is one thing to be in favor of lower fares and quite another thing to grant them out of hand.

HOPE GONE; 2 TO HANG
(Continued From First Page.)
had been used to cause the prisoners to confess, that they had been doped with ammonia and subjected to threats of lynching in order to cause them to tell details of the killing of Mr. Taylor. This, Mr. Garland contended, was in violation of certain fundamental provisions and safeguards of the constitution. The paper was a lengthy document, covering 17 typed pages and containing a mass of testimony given at the trial of the two condemned men.

Mr. Garland remained in conference with Judge Wolverton for several hours, procuring numerous decisions of other courts touching on the points in question, and remained in attendance about the judicial chambers until a late hour yesterday afternoon.

Judge Dismisses Lawyer.
In order to spare the lawyer the sting of defeat, Judge Wolverton dismissed him at about 5:30 o'clock and told him that he would call him by telephone whenever he was ready to sign the injunction. Mr. Garland was apprised of the fate of his clients by The Oregonian.

"That ends it," he said. "We have exhausted every possible legal resource. Only an act of God can save the boys from death. I have made several vain attempts to get in touch with Governor Olcott through the day, but have been unable to reach him. Kirby's father and mother passed through Salem in the morning and I advised them to go direct to the governor and plead for their sons' life. I heard from them a short time ago and they were unable to see Mr. Olcott."

Garland, in anticipation of eleven-hour action by Judge Wolverton, had completed plans for rushing the injunction, if granted.

8-ROOM HOUSE BETWEEN TWO CAR LINES; HOT-WATER HEAT, HARDWOOD FLOORS, 2 BATHS, 2 FIREPLACES; ON CORNER LOT, IS IN FINE CONDITION; NO REASONABLE TERMS REFUSED. CALL 1001 RALEIGH.

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"One Clear Call"

TODAY

with Milton Sills, Claire Windsor, Henry B. Walthall and Irene Rich.

A picture that is "different" in that no one does the expected thing. It has met the full approval of thousands. Ask anyone who has seen it.

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Portland's Best Theater Orchestra

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BEN SELLING Morrison
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There was a time when men balked at buff colors in Summer clothes. However, now one may buy a suit of summer weight in my store in almost any desirable shade. The tailoring and workmanship in these suits bespeak character and richness in appearance. Palm Beaches, Mohairs, Gabardines and light wool worsteds are here.

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More good news for the car owner

Our men are not only skilled mechanics. They are human beings who will take an interest in your particular car trouble and will offer you advice which is bound to be valuable. Our lady customers receive quiet and courteous service too—something which is not always found in the vicinity of a garage.

Cleaner Service
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Conveniently Located at
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TILLAMOOK COUNTY BEACHES
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July 8-15-22-29
Returns Sun., July 9-16-23-30

\$4.50 for the Round Trip

Electric and Steam Trains

Going	Via Fourth Street	Returning
1:35 P. M. Lv. Portland Union Station	Ar. 10:35 P. M.	
1:40 P. M. Portland, Fourth St. at Stark	Ar. 10:30 P. M.	
6:55 P. M. Ar. Rockaway	Lv. 4:55 P. M.	
7:50 P. M. Ar. Tillamook	Lv. 4:00 P. M.	

Steam train connection leaves Portland Union Station 1:00 P. M.; East Morrison Street Station 1:08 P. M.

Regular Daily Train: