

### ANY AGENCY CAN FURNISH SAILORS

#### Mayor Vetoes Ordinance Revoking License of Burnside-Street Firm.

### CALLED CLASS LEGISLATION

#### Lane Says Any Employment Firm Holding Regular License Can Furnish Sailors to Captains Without Any Interference.

Any employment agent in Portland, holding a regular license as such, has the right to furnish all the sailors any captain will take from him, according to Mayor Lane, in a veto message to the City Council, made public yesterday. The Mayor vetoed an ordinance passed by the Council at its last session, revoking the license of Wischusen & Jones, employment agents at 131 Burnside street. The Mayor declares this is class legislation and probably of no effect.

The contention of Mayor Lane is the same that Messrs. Wischusen & Jones urged when the matter was before the Council. Attorney George S. Shepherd was their representative, and declared to the members of the Council that his clients had a perfect right to furnish sailors, so long as they did not conduct a boarding-house in connection with their establishment. Mayor Lane also said that not only has the firm under a license ample authority to furnish sailors, but every other employment agent in the city, holding a regularly-issued license, has the same right.

The matter will come up for action at the next session of the City Council, scheduled for Wednesday morning, and if the veto is sustained, it will force the State Commission, in all probability, to take action in the courts to uphold the contention that none but those licensed by the Commission may provide sailors for ships.

The veto message follows: To the Honorable City Council—Gentlemen: I return herewith ordinance No. 1829 not approved.

This is an ordinance which revokes a license granted to George H. Wischusen and Charles Jones to conduct an employment agency at No. 131 Burnside street. The reason for the revocation of the license of these persons is alleged in the ordinance to be that it was obtained by misrepresentation.

The facts which relate to this affair seem to be that the firm of Wischusen & Jones, after securing a license to conduct an employment agency, began operations by obtaining employment for idle sailors in need of work upon such ships lying in the harbor as required their services.

In securing employment for sailors and not confining their attention to providing places for other kinds of labor these persons have evidently disturbed conditions which have long existed in this city, and thereby apparently have made it unpleasant for such persons as are much interested in the methods to be pursued in that line of work.

Whether this is true or not, the fact would seem to be that anyone having paid for a license or grant to engage in the employment business would be in possession of a right to secure employment for any and all persons, sailors not excepted, so long as the work to be engaged in was not an unlawful occupation.

It is the opinion of those who do not see any likelihood of Messrs. Wischusen & Jones, from whom the license is attempted to be taken away by this ordinance, but all other employment agents are quite within their rights, and at full liberty to secure employment at their occupation, so long as they do not see anyone else had the authority of the power to deny them the privilege of so doing.

The ordinance appears to me to be an act of discriminating class legislation which would only result in benefit to a few at the expense of the entire community if it became a law and therefore not only against public policy but arbitrary and perhaps null and void as well. I return it to you for your further consideration. Respectfully,  
HARRY LANE, Mayor.

### HEYBURN IS NOT UNEASY

#### Believes He Will Be Again Sent to Senate.

OREGONIAN NEWS BUREAU, Washington, Dec. 5.—Senator Heyburn today issued a statement answering the story circulated in Idaho indicating that there is uncertainty as to his re-election. He says: "It was generally known in the campaign that if the Legislature went Republican there would be no opposition to my re-election. I am not disturbed by the intimations to the contrary."

### COURT DENIES DIVORCE

#### Says Slapping Wife's Hand Is Not Sufficient.

If your wife is behind time in getting ready for church next Sunday and

you should become so impatient as to jostle her and even slap her hand when she does put in a belated appearance from her boudoir, rest assured that the law cannot touch you or that she cannot get a divorce.

Mrs. Cora Jane Sawyer tried to get a divorce on such a basis, but failed when Circuit Judge Cleland decided the case yesterday. The judge held that slapping her hand did not constitute cruel and inhuman treatment, especially when the husband, Herschell N. Sawyer, was irritated by failure of his wife to be dressed promptly.

Both are devoted church people. In fact their romance began at a church social and came to a climax at the church altar a few weeks later. At the time Mrs. Sawyer was the fiancee of one Andrews, who had gone away following a quarrel, only to be forgotten. But he came back again and took up his abode with Mrs. Sawyer's parents.

Sawyer, being very jealous as shown by the evidence, ordered his wife not to dare go near her parents' home. She put this forth, too, as part of the course of cruel and inhuman treatment; but the judge didn't see anything very bad about Sawyer's conduct. In this regard Mrs. Sawyer also complained of her husband's outrageous jealousy and his constant accusations against her. But the judge decreed that they ought to try to get along better, as their grievances and differences didn't really seem to amount to much.

### TRIBUTE PAID TO FISHER

#### BAR ASSOCIATION ADOPTS MEMORIAL FOR RECORDS.

#### Special Meeting Held and Eulogies of Murdered Lawyer Made—Text of Memorial Offered.

At a special meeting of the Multnomah Bar Association at the Courthouse yesterday forenoon, tributes were paid to the memory of Ralph B. Fisher, recently deceased lawyer J. A. Finch. A suitable memorial was submitted by the memorial committee and ordered placed on the court records.

Tributes to Mr. Fisher were paid by G. E. Fisher, A. F. Fiegel, J. E. Bronaugh, George S. Shepherd and Judge C. U. Gantenbein. The speakers had been closely acquainted with him, and not only attested his fine qualities as a man, but averred that a brilliant career was ended almost at its beginning. Mr. Shepherd took occasion to say that every member of the Bar Association finds a public duty in purging the profession of its undesirables, such as Finch. Mr. Fisher as prosecutor of the Grievance Committee of the Bar Association, forfeited his life in doing his duty, Mr. Shepherd said.

The memorial prepared by R. C. Wright, G. Ewert Baker, A. F. Fiegel, John F. Logan and Frank S. Grant was then read and accepted, and on motion of Newton McCoy it was ordered that a copy be forwarded to Mr. Fisher's family. The memorial follows:

In the prime of life—in the discharge of duty—one has fallen by ruthless hand. A victim of the bar, a victim of justice for the great State of Oregon and its people. The brethren of the bar of this county shall pause in their daily course and take serious note of an event of more than passing importance. In token of sincere appreciation of his worth and character they do now, with his body, place upon his tombstone this tablet to his memory:

Ralph B. Fisher.  
Born August 20, 1880. Died November 28, 1908.  
Boards his highest. As husband and father, loving and kind. Towards others courteous, just and generous. As a lawyer with profound sense of duty before him, he strove to reach the highest in his profession and the community marks a fitting and recognized bar. At the death shall spur on a better era, better feeling among men—shall force and the deplorable conditions which made possible his death—then he has not yielded his life blood in vain. To his family and to his friends is extended the full sympathy of the bench and bar.

### RIGHTS OF SLUM-WORKERS

#### May Use Moral Suasion in Saloons Against Drinking.

CHICAGO, Dec. 5.—Slum-workers have free access to saloons and are privileged to use all the persuasive power at their command, so long as they don't resort to real violence, according to the ruling of Municipal Judge Blake yesterday. Mrs. Elizabeth Duffy, connected with the Moody Bible Institute, was charged with creating a disturbance at the saloon of Thomas Kerwin because she pleaded with customers in the house to throw away the contents of their glasses. She was released by the court.

### Carries Sailors, Officers and Cash.

SAN FRANCISCO, Dec. 5.—The United States Army transport Buford sailed for Manila today with 200 blue-jackets and marines for the Asiatic station, and 30 recent graduates from West Point, who have been commissioned as officers in the Philippine scouts.

The Buford carries \$1,200,000 in new silver pesos and \$200,000 worth of penalties from the mint in this city for circulation in the Philippines.

Webfoot Oil Blacking keeps feet dry. Makes shoes last. All Dealers.

### SOURD ON BOARD

#### Dr. Panton's Resignation Is No Great Surprise.

### MAKES SEVERE CHARGES

#### Says Board Passes Oregon Students Because They Are Oregonians. Said to Want No Medical School in State at All.

Dr. A. C. Panton, who until Tuesday night was president of the Oregon State Board of Medical Examiners, did not cause as much surprise among the medical fraternity by his resignation as by the speech which accompanied it. What Dr. Panton had to say about former members of the Medical Board passing Oregon-educated physicians, just because they were Oregonians, has practically divided the medical men in the city, if not in the state, and unless peace is declared, the war will spread. The fact that Dr. Panton resigned of course was a surprise to those outside of a few close medical friends, to whom Dr. Panton had spoken of his intentions of leaving the board. It was not altogether a secret that Dr. Panton had his views about the standard of some of the students turned out by the medical department of the Oregon University, and more especially about the standing of some of the students that were graduated from the Medical Department of the Willamette University of Salem.

Graduates from both of these institutions naturally resent what Dr. Panton has had to say about the lax method of some of the old Medical Boards used in passing Oregon medical students when they came up for the state examination, and these doctors say that Dr. Panton has been unnecessarily severe. It is even hinted that Dr. Panton was especially critical in his examination of Oregon students because of personal reasons. This statement is emphatically denied, not only by Dr. Panton himself, but a number of prominent physicians, who declare that the president of the State Medical Board was only actuated by his high regard for the medical profession.

It has been known for some years that all was not harmony among the physicians that made up the State Board and from time to time Dr. Panton has been severely criticized because of his manner of marking examination papers.

Another thing that has brought a storm of protest upon him is his repeated statement that it was not necessary that Oregon should have a medical school at all. It is said he is of the opinion that because Washington has no medical school, Oregon can get along without one also. Dr. Panton is said to have no regard for the school at Salem, and openly declares that the institution does not stand for anything with the American Medical Society. He did say, it is conceded, that the Portland school had improved a great deal during the past year or two.

The bitterest criticism made of Dr. Panton, however, is of the rigid manner in which he marks the examination papers of the young doctors that come up before the board for the state examination. One of his grievances is that there is a low standard of spelling and knowledge of grammar among the candidates for medical honors. Dr. Panton admitted last night that he had never made this criticism, but said he had never marked students because of their faulty spelling and grammar.

Bearing on the charges that Dr. Panton has been unfair to Oregon medical students is an article by Dr. W. Carlton Smith, a member of the Willamette University medical faculty. While Dr. Panton's name is not mentioned in the article, it is said that it was aimed at him. It seems that students are examined in 15 branches, and that each of the five examiners takes three of the branches. Students that successfully passed four of the examiners, flunked before the fifth, and it is charged that this happened when they came to the branches that Dr. Panton examined. To test this, according to Dr. Smith, the subjects were changed, with the result that the students who had been marked down by Dr. Panton were successfully marked by another of the examiners.

Dr. Panton brands this statement as silly, saying that between the different times the board meets for examinations, students that had failed in certain branches on a former examination, would have plenty of time to study up on the branches that they had failed in on a former examination.

Dr. Panton has been a member of the Medical Board for five years. He was appointed to succeed Dr. Saylor and stands high in his profession. He has served on the faculty of the medical department of the Oregon University on two different occasions. He held the chair of anatomy and also the chair of materia medica.

Governor Chamberlain is out of the state at this time and no successor to Dr. Panton will be appointed until he returns.

# Retiring From the Sale of Gas Appliances

## OUR ENTIRE STOCK OF GAS RANGES, WATER HEATERS, FIXTURES, GAS BURNERS, GLASSWARE MUST BE SOLD BY JANUARY 1st, 1909

After that date we will confine ourselves exclusively to the manufacturing and sale of Gas.

Commencing (tomorrow) Monday we will inaugurate a special sale and all goods will be offered AT ONE HALF THEIR VALUE. All prospective builders should take advantage of this sale, AS GOODS MUST AND WILL BE SOLD. No reasonable offer refused

# PORTLAND GAS COMPANY

FIFTH AND YAMHILL STREETS SALESROOM OPEN EVENINGS UNTIL 9 O'CLOCK

### Calls Attention to Apples.

Tom Richardson, manager of the Portland Commercial Club, has evolved a plan whereby he expects to make the most of the display of Oregon apples in New York City during the month. He

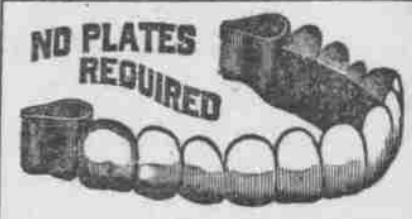
has suggested that business men of the city and all others who have relatives and friends in New York and vicinity, write to them advising them of the Oregon apple exhibit and suggesting that they do not miss the opportunity of seeing them. In this way it is ex-

pected to arouse widespread interest in the exhibit. Many Portland people have already signified their intention of writing to friends of the showing of fruit, which will be on view at Macy's department store, on Sixth Avenue, New York, about the middle of December.

The fruit will then be forwarded by the Portland Commercial Club to King Edward of England, Emperor William of Germany, President Fallieres of France, and Czar Nicholas of Russia. New York has an area of 200,315 acres.



## 21 YEARS IN PORTLAND



# AND GROWING ALL THE TIME

Dr. W. A. Wise, president and manager of the Wise Dental Co., Inc., has been in the practice of dentistry in Portland for the past 21 years. He gives his personal attention to the business of this large concern, thus insuring good, reliable service in all branches of dentistry. Experience counts for a great deal in crown, bridge and plate work. It will pay you well to get our free advice and estimates on your dental work. Out-of-town people should remember our force is so organized that we can do their entire crown, bridge and plate work in a day if necessary. Positively painless extraction free when plates or bridges are ordered.



DR. W. A. WISE

We remove the most sensitive teeth and roots without the least pain. No students, no uncertainty — but specialists who do the most scientific and careful work. We have a specialist in extracting and plate work who has been doing this kind of work for 21 years, and when he examines your case and says a thing is so you can depend on it that it will be so. Our specialists on crown and bridge work, gold and enamel fillings and inlay work, the treatment of the gums and teeth are clean, gentle, painstaking, conscientious, considerate gentlemen, as well as good dentists, and take a pride in doing your work by all the up-to-date painless methods.

# WISE DENTAL CO. (INC.)



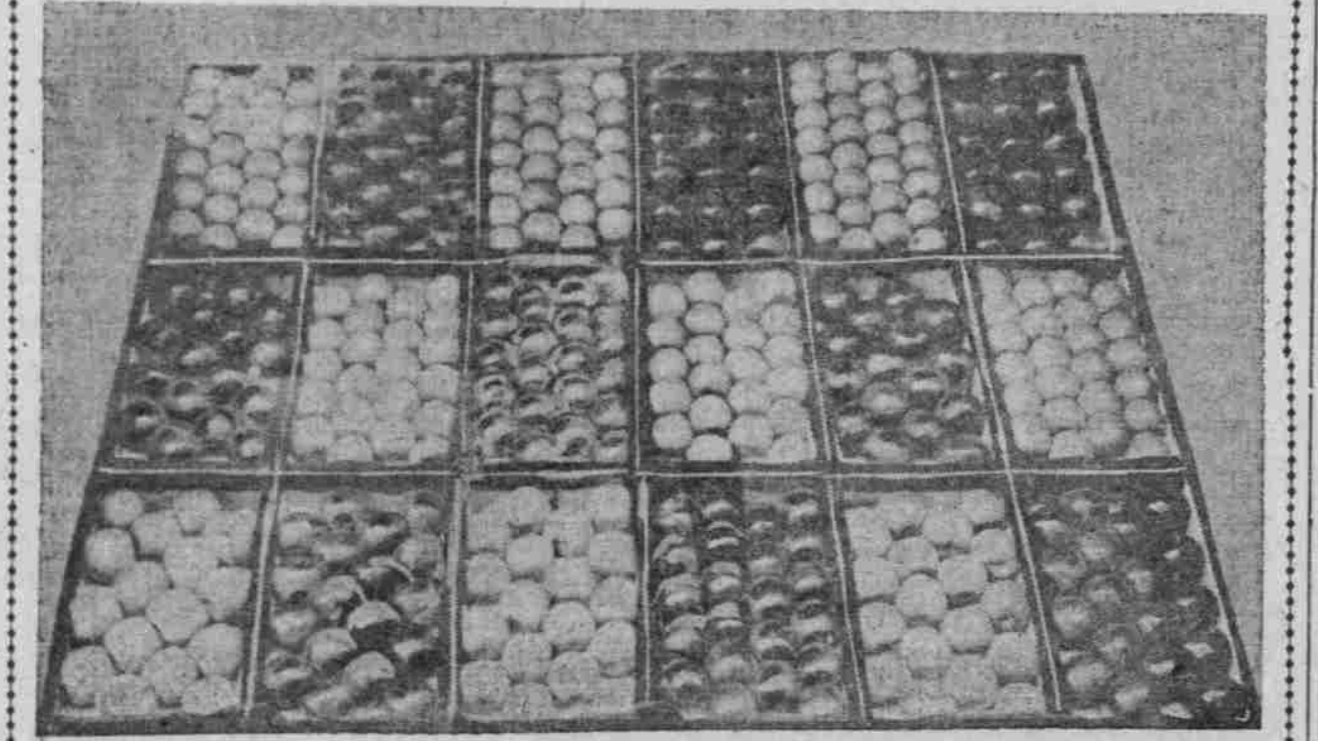
DR. W. A. WISE, Manager. Painless Extracting...50¢ Plates.....\$5.00 UP Phones: A and Main 2029

DR. W. A. WISE, Manager. Office Hours, 8 A. M. to 8 P. M. Sundays, 9 A. M. to 1 P. M.



Second Floor, Failing Building Third and Washington Streets

### THOUSANDS ADMIRE APPLE DISPLAY IN WASHINGTON-STREET WINDOW



APPLES GROWN ON UNIRRIGATED LAND AT MOSIER, OR. Hundreds of Portland people yesterday stopped to admire the exhibit of Mosier apples on display in the Washington-street show window of the Goddard-Kelly store at Sixth and Washington streets. The exhibit consists of nine boxes each of splendid specimens of the Spitzenberg and Yellow Newtown varieties. The apples were grown in the orchard of George Chamberlain at Mosier, six miles from Hood River, on non-irrigated land. The exhibit, which was arranged by A. P. Bateham, president of the Mosier Commercial Club, will not be removed from the show window until Tuesday morning.