

NO SEAT, NO RIDE PLAN CONDEMNED

General Manager Hild of Railway Company Asks Clubs to Fight It.

WARNING IS ISSUED PUBLIC

Traction Official in Appeal to Improvement Associations Says Proposed Ordinance Would Work Great Hardship on All.

In a letter sent to the various improvement clubs in the city the Portland Railway, Light & Power Company urges voters to vote against the proposed ordinance making it unlawful to allow persons to board a streetcar when no seats are available.

F. W. Hild, general manager for the company, after studying the effects that likely are to result from the enactment of such a measure, has addressed the improvement clubs as follows:

An ordinance making it unlawful during certain rush hours to permit any person to board or remain on any streetcar on which no seat is available for such person will be submitted to the voters for action in the June election.

"Relying upon the common sense of our citizens and confident of a square deal at their hands when they understand the facts, I ask you and your association to consider this proposed measure most carefully.

"Our city is growing wonderfully fast and if it experiences 'growing pains,' do not mistake it for disease. If, during the rush hours the cars are crowded, do not forget that of primary responsibility in the custom common to all American cities, of the large majority of the population, in the short space of an hour or an hour and one-half, to rush home from work or business.

Company's Work Recounted.

"Do not forget that here in Portland the street railway company is striving with all the power and ability at its command to improve the traffic conditions to better its service. Do not forget that the executive officials of the Portland Railway, Light & Power Company with faith in the community and with financial courage almost unequalled have raised and expended millions of dollars for improvements, betterments and new construction of the public utilities of the city. Do not forget that during this year considerably over \$1,000,000 (much more than the gross earnings) are being expended, of which nearly \$550,000 is for 50 additional cars for June and September delivery.

"Do not forget that there are factors strongly affecting streetcar transportation which are beyond the control of the street railway organization, such as the bridges, the vehicular congestion, the narrow streets, the short blocks. Do not forget that the administrative officials and employees, some 1000 in all, are but human, with human liability to error and with human limitation of performance. Bear in mind the phenomenal growth of Portland while you are thinking of these things.

Hardship is Predicted.

"The proposed ordinance making it unlawful during certain rush hours to permit any person to board or remain on any streetcar on which no seat is available for such person is unreasonable, impossible of execution and would defeat the very object sought that is to provide better transportation facilities. First of all it would cause intolerable hardship on the traveling public.

"There is not sufficient trackage in our business district to permit enough cars being run to give a seat to all who desire to ride during the rush hours, although cars occupied every foot of track, except street intersections which must be kept open for other traffic.

"Let us suppose the ordinance in effect that it is impossible to secure been done and the necessary facilities provided. An East Side resident leaves his office or place of business at the usual hour, goes to Second and Washington streets for example, to take a Woodlawn or Alberta car. The first car comes along—has a seated load, no one standing. He boards the car and is informed by the conductor of the ordinance making it unlawful to permit any person to board or remain upon any streetcar in which no seat is available for the passenger.

Example is Cited.

"As a law-abiding citizen, he alights as a passenger. The car comes along. He finds it has a seated load, but thinks possibly this conductor might strain a point and let one passenger ride. He attempts the former tactics with the same result. The third, fourth, fifth and sixth cars arrive with seated loads—no one standing. He becomes impatient, knowing that dinner is waiting for him, and as he had left the office in ample time to reach home, eat dinner with his family, and having made arrangements probably to take them to the theater, or to visit on the West Side, he finds time is getting short, and it does not serve as balm to have the seventh car come along with a seated load, although there are plenty of cars running. He can make no complaint as to there not being sufficient cars, and finally he boards the seventh car, determined to ride anyway and accept the consequences. After a heated argument with the conductor, a policeman is called and he is ejected from the car because the ordinance says that it shall be unlawful during certain rush hours to permit any person to board or remain upon any streetcar in which there is no seat available." Thereupon he walks up Washington to Fifth street, then north on Fifth to catch one of the incoming cars and obtains a seat. He looks at his watch and finds that half an hour has elapsed since he left the office.

Delay is Continued.

"But his troubles are not ended. Now comes another difficulty, because the loops on which these cars operate are so crowded with cars that there is only about six feet of space between them and consequently they move very slowly, so, instead of taking four or five minutes to reach Burnside bridge, 15 minutes are necessary, and this condition remains the same until he arrives at the first turning-off point of the track, which in this supposititious case, will be Broadway. Finally he arrives home at Woodlawn, or thereabouts, in just one hour and 25 minutes from the time of leaving Second and Washington, whereas the trip today takes about 20 minutes.

"This would be true, in varying degree, of all the lines. This considers also the further difficulties when the bridges are opened.

"The framers of the ordinance obviously are unaware of what the railway company would have to do to comply with it. First of all, funds for improvements can be raised only if the railway produces net earnings. The operation of the ordinance would effectively prevent net earnings, so that no more funds could be raised and all improvements would have to cease.

COX TRIAL BEGINS

Error in Street Number Invalidates Testimony.

WOMAN WILLING WITNESS

Jury to Try ex-Chief of Police Is Obtained—Affidavits Made Before District Attorney Repudiated by Signers.

One of three women, called to testify on behalf of the state in the case against ex-Chief of Police Cox yesterday morning, was excused by the court and her testimony was stricken from the record because a mistake had been made in the number of the house she had conducted, while the other two women denied their calling and refused to confirm written statements they had previously signed at the office of the District Attorney, in which they had confessed.

RECALL PUT ON BALLOT

COURT HOLDS ELLIS CASE IS LEGAL STEP.

Judge Gantenbein Holds City Officials Are Amenable to Law.

Quick Action Taken.

The recall of Joseph Ellis, Councilman from the Tenth Ward, must go on the ballot, according to a decision pronounced yesterday by Presiding Judge Gantenbein. Saturday was the last day of the period allowed for the recall, and while the Ellis recall is to be the object of a special election for but one ward of the city, it is aimed to save expense by placing the recall on the ballots for that ward at the coming city election.

The Ellis case decided yesterday afternoon, is believed to be the most rapidly executed litigation ever before local Circuit Court, taking in consideration the amount of work that was performed in connection with it.

P. E. Newell, through Attorney Oliver Hickey, filed a complaint yesterday morning in which an order was sought to restrain the City Auditor from placing the Ellis recall on the ballot, contending that the law would not permit the recall of a city official.

A little later, City Attorney Grant filed a formal answer to the complaint. Then a demurrer to the City Attorney's answer was filed, and a hearing was set for 3 o'clock in the afternoon. The case was argued by City Attorney Grant and Deputy City Attorney LaTourrette on behalf of the city, and Oliver Hickey and Martin Watrus on behalf of Mr. Ellis.

Watus set forth that the amendment to the Oregon constitution, in which it was provided that public officers may be recalled, applied only to state officers. The court overruled the contention that the recall law was not self-executing and that it did not apply to city officials.

Following the decision of Judge Gantenbein, the opposing attorneys held a conference, and agreed tentatively to take the case to the Supreme Court, where to have it put out of the way definitely. Should the Supreme Court reverse the lower court, mandamus will be applied for to keep the recall on the Ellis recall from being counted, as it is now too late to keep the recall from getting on the ballot by an appeal to the Supreme Court.

It has been contended by Mr. Ellis and his friends that back of the effort to recall him are the paving interests and the sewer-pipe combine, against whom the city is connected with the City Council. At the hearing of the case representatives of some local paving firms were present.

SEATTLE AIDS ASTORIA

INTEREST IN COMING CENTENNIAL IS KEEN.

Publicity Manager Says 22 Excursions Have Been Booked From Washington Already.

"It is wonderful the way Seattle business men are 'boosting' for the Astoria Centennial. The members of the Chamber of Commerce and the Commercial Club seem to feel that it is their duty to make the centennial project a complete success," said John Day, publicity manager of the Astoria Centennial, yesterday, discussing the results of his trip through Washington in the interest of the centennial. Speaking particularly of results, Mr. Day said:

"There was a tendency among the newspapers of Seattle to do everything they could for the centennial and President Douglas of the Central Company, which is to give the big 'Golden Postcard,' personally devoted a great deal of his time to aid in the exploitation of the centennial. He visited the newspaper offices and asked the support of the editors and instructed Mr. Roberts, head of his publicity bureau, to do everything possible to exploit the centennial.

"Colonel Blithen of the Seattle Times issued orders to give special publicity to the centennial, as did the general manager of the Post-Intelligencer. This was true also of Mr. Schaefer, publisher of the Staats-Zeitung, and as a result we have been able to book 22 special train excursions out of Washington for the centennial.

"These same men are behind the 'Golden Postcard' and they now have a sculptor in Seattle making a fancy float to enter the Rose Festival parade. It is a wonderful public spirit which means the good of the whole Northwest and it is what makes the Northwest so attractive to the outside world. There is no narrowness here, and as a consequence every man is an educator, who is adding his share to the development of the country. And the 'Postcard' organization is on the firing line of the 'boosters' and educators."

Slide Victims Are Buried.

Burial of the bodies of the victims of the landslide on the Mount Hood Railway last Wednesday took place at Oresham yesterday under direction of the Mount Hood Construction Company, who employed the men, C. J. Cook, of Portland, president of the Mount Hood Construction Company, has been endeavoring to locate relatives of the unfortunate men, and in the absence of advice arranged for their burial. He will provide a lot in the village cemetery for each of the men killed and Clackamas County will aid in bearing the expense.

COX TRIAL BEGINS

Error in Street Number Invalidates Testimony.

WOMAN WILLING WITNESS

Jury to Try ex-Chief of Police Is Obtained—Affidavits Made Before District Attorney Repudiated by Signers.

One of three women, called to testify on behalf of the state in the case against ex-Chief of Police Cox yesterday morning, was excused by the court and her testimony was stricken from the record because a mistake had been made in the number of the house she had conducted, while the other two women denied their calling and refused to confirm written statements they had previously signed at the office of the District Attorney, in which they had confessed.

RECALL PUT ON BALLOT

COURT HOLDS ELLIS CASE IS LEGAL STEP.

Judge Gantenbein Holds City Officials Are Amenable to Law.

Quick Action Taken.

The recall of Joseph Ellis, Councilman from the Tenth Ward, must go on the ballot, according to a decision pronounced yesterday by Presiding Judge Gantenbein. Saturday was the last day of the period allowed for the recall, and while the Ellis recall is to be the object of a special election for but one ward of the city, it is aimed to save expense by placing the recall on the ballots for that ward at the coming city election.

The Ellis case decided yesterday afternoon, is believed to be the most rapidly executed litigation ever before local Circuit Court, taking in consideration the amount of work that was performed in connection with it.

P. E. Newell, through Attorney Oliver Hickey, filed a complaint yesterday morning in which an order was sought to restrain the City Auditor from placing the Ellis recall on the ballot, contending that the law would not permit the recall of a city official.

A little later, City Attorney Grant filed a formal answer to the complaint. Then a demurrer to the City Attorney's answer was filed, and a hearing was set for 3 o'clock in the afternoon. The case was argued by City Attorney Grant and Deputy City Attorney LaTourrette on behalf of the city, and Oliver Hickey and Martin Watrus on behalf of Mr. Ellis.

Watus set forth that the amendment to the Oregon constitution, in which it was provided that public officers may be recalled, applied only to state officers. The court overruled the contention that the recall law was not self-executing and that it did not apply to city officials.

Following the decision of Judge Gantenbein, the opposing attorneys held a conference, and agreed tentatively to take the case to the Supreme Court, where to have it put out of the way definitely. Should the Supreme Court reverse the lower court, mandamus will be applied for to keep the recall on the Ellis recall from being counted, as it is now too late to keep the recall from getting on the ballot by an appeal to the Supreme Court.

It has been contended by Mr. Ellis and his friends that back of the effort to recall him are the paving interests and the sewer-pipe combine, against whom the city is connected with the City Council. At the hearing of the case representatives of some local paving firms were present.

SEATTLE AIDS ASTORIA

INTEREST IN COMING CENTENNIAL IS KEEN.

Publicity Manager Says 22 Excursions Have Been Booked From Washington Already.

"It is wonderful the way Seattle business men are 'boosting' for the Astoria Centennial. The members of the Chamber of Commerce and the Commercial Club seem to feel that it is their duty to make the centennial project a complete success," said John Day, publicity manager of the Astoria Centennial, yesterday, discussing the results of his trip through Washington in the interest of the centennial. Speaking particularly of results, Mr. Day said:

"There was a tendency among the newspapers of Seattle to do everything they could for the centennial and President Douglas of the Central Company, which is to give the big 'Golden Postcard,' personally devoted a great deal of his time to aid in the exploitation of the centennial. He visited the newspaper offices and asked the support of the editors and instructed Mr. Roberts, head of his publicity bureau, to do everything possible to exploit the centennial.

"Colonel Blithen of the Seattle Times issued orders to give special publicity to the centennial, as did the general manager of the Post-Intelligencer. This was true also of Mr. Schaefer, publisher of the Staats-Zeitung, and as a result we have been able to book 22 special train excursions out of Washington for the centennial.

"These same men are behind the 'Golden Postcard' and they now have a sculptor in Seattle making a fancy float to enter the Rose Festival parade. It is a wonderful public spirit which means the good of the whole Northwest and it is what makes the Northwest so attractive to the outside world. There is no narrowness here, and as a consequence every man is an educator, who is adding his share to the development of the country. And the 'Postcard' organization is on the firing line of the 'boosters' and educators."

Slide Victims Are Buried.

Burial of the bodies of the victims of the landslide on the Mount Hood Railway last Wednesday took place at Oresham yesterday under direction of the Mount Hood Construction Company, who employed the men, C. J. Cook, of Portland, president of the Mount Hood Construction Company, has been endeavoring to locate relatives of the unfortunate men, and in the absence of advice arranged for their burial. He will provide a lot in the village cemetery for each of the men killed and Clackamas County will aid in bearing the expense.

\$15

Men's Suits

Fifteen Dollars, invested at Moyer's, amounts to the same as \$20 or \$25 invested in other clothing stores of Portland.

Our Men's Suits are stylish-serviceable-good. No patron of the Moyer Stores is ever ashamed of his appearance—he is well clad.

We buy at lower prices, because we buy more; we sell at lower prices because we sell more clothing than any other clothier in the city.

Moyer's Men's Suits
High in Quality--Low in Price

When You See It in Our Ad—It's So

MOYER

First and Morrison
First and Yamhill
Second and Morrison
Third and Oak
89 Third

orderly house at 149 Park street, but she denied that the statement was true. She said she had been served with a subpoena to appear before the grand jury to testify, but instead of appearing before the grand jury she was taken before Deputy District Attorney Collier and questioned about her place. She said she had fled bonds to appear as a witness, but she denied that she had been conducting an immoral place. In reply to many of the questions put to her she said she did not remember.

The trial was adjourned at noon yesterday until Monday morning, when the taking of evidence on behalf of the state will be continued.

Following is the personnel of the jury: F. H. Salwaer, Joseph Lacoat, G. E. Vail, Louis La Fayette, J. Dalley, J. Gaines, E. M. McDonald, J. M. Vailentine, F. E. Sanborn, P. Cadman, Patrick J. Farley and G. S. Eagleton.



The Home of "New Life"

The Beer You Will Like

We take pleasure in announcing that our specially brewed "New Life" Bottled Beer is now on the market and are prepared to fill all orders.

"New Life"

A High Grade Bottled Beer

In presenting this new brew to the public, we desire to state we have spared no expense in the manufacture, using nothing but the choicest Eastern Malt and Imported Bohemian Hops. Our Brewmaster is a specialist in brewing bottled beer, who has attained an enviable reputation in the East. "New Life" is specially brewed and bottled for the Family Trade and guaranteed under the pure food and drugs act. It is a mild beer and will suit the palate of the most fastidious. It is invigorating and will strengthen the system. We do not hesitate in pronouncing this to be the best bottled beer on the Coast and will compare favorably with any Eastern beer.

TRY IT AND YOU WILL USE NO OTHER
PROMPT DELIVERY TO ALL PARTS OF THE CITY.

Mt. Hood Brewing Co.

Telephones:—East 139—Sellwood 904—B 1319



Treating Eyestrain

—by means of suitable glasses is not by any means so simple as it appears.

—The necessary skill can only be acquired by years of sound, close study and experience.

—The necessary knowledge covers a very wide field, and includes Eye Physiology and Anatomy, Physical and Visual Optics in their advanced stages, also a practical knowledge of lens-grinding, cutting and polishing, and the manufacture of glasses in all their forms.

—My 20 years' experience is at your service, and I guarantee you satisfaction at an honest cost.

THOMPSON Eye-Sight Specialist
Second Floor Corbett Building,
Fifth and Morrison.

SHORTHAND
PRIVATE LESSONS

Modern Business College, Sixth and Washington, Phone Main 1422. Shorthand, book-keeping, office appliances. Day and night classes. No vacations. Satisfaction guaranteed.