

MAYOR SIMON IS RESTRAINED FROM COLLECTING FEES

Temporary Injunction Obtained
by Delivery Companies
Seeks to Prevent City From
Enforcing Vehicle Tax.

A temporary injunction has been issued by Circuit Judge E. C. Brown, to prevent Mayor Simon, Chief of Police Cox and members of the city executive board from collecting fees under the provisions of the present vehicle tax ordinance or from arresting owners of vehicles who do not take out licenses pending the preliminary hearing of the charges made by the complainants, who comprise 132 merchants and taxpayers of Portland.

A copy of the injunction was served on City Auditor Barber yesterday afternoon, but inasmuch as the auditor is not one of those included in the order granting the injunction he says he will continue to issue vehicle licenses on presentation of receipts for payments made to the city treasurer.

City Treasurer Verleint was not mentioned in the injunction document, either, and he says he will not refuse to take any money offered to him for licenses. Mr. Barber says he expects to issue licenses to many business houses, beginning next Monday.

While the injunction will not prevent the issuance of licenses to those who are willing to comply with the present law, it will give immunity to those who are not, inasmuch as it protects them against arrest.

George A. Long and Dan Kellaher lead the list of names on the complaint, which was made to secure the injunction. Other signers of the document include nearly all the large companies which operate free delivery systems.

Allegation is also made that the ordinance is discriminatory and unjust in its application to those who own vehicles in the city it allows the same class of vehicles similarly owned outside the city to come into competition with the first named class of vehicles without the payment of a license fee.

Another section of the complaint sets forth that the complainants are all taxpayers and property owners, and that they can not be legally compelled to pay the vehicle tax because they have already contributed their share of the city's mill tax fixed by law for the street repair fund, and if further taxes are collected on vehicles this fund will be increased beyond the legal limit. It is alleged that the taxes over and above the amount required for the street repair fund would go into the general fund of the city and that the city has no power or right to divert vehicle taxes to this fund.

Attorney Thomas O'Day is representing the complainants. City Auditor Barber said he would lay the matter before the city attorney Monday, and that he would proceed to enforce the present ordinance until advised to do otherwise by the city's legal adviser.

LANE COUNTY FRUIT GROWERS IN SESSION

(Special Dispatch to The Journal.) Eugene, Or., Jan. 8.—At the annual meeting of the Lane County Fruit Growers' association held today, H. F. McCormack was chosen president; J. E. Presbe, vice president; and J. O. Holt, secretary. The board of directors was chosen as follows: H. F. McCormack, F. B. Chase, M. H. Harlow, H. A. Bower, George A. Dorris, H. C. Bushnell, J. Bebe, Ernest Miller, J. O. Holt. It was one of the best meetings ever held by the association. Plans for the year's work were discussed, among the things spoken of being a big apple fair some time next fall. One of the principal speakers was D. C. Freeman, Eugene's new publicity promoter.

Springfield Debaters Lose.

Eugene, Or., Jan. 8.—Both debating teams of the Springfield High School lost in their first debates in the Western Oregon Debating League last night. One team losing at home from Cottage Grove and the other at Junction City from a team of that place. The question of debate was, "Resolved, That there should be a state law providing for the teaching of grammar schools." Springfield upheld the affirmative at home and the negative at Junction City.

It's Better To Drink POSTUM

NOW
Than to wish you
had after coffee
has undermined
the health.

Ten days' trial will
convince anyone
that

"There's a Reason"

for

POSTUM

Postum Cereal Co., Ltd., Battle Creek, Mich.

PORTLAND'S DEATH RATE LOW IN 1909

1872 Deaths Recorded Last
Year; 157 Dying From
Pulmonary Tuberculosis.

City Health Officer Wheeler, yesterday afternoon completed the official tabulation of statistics of his department for the year of 1909. Based on a conservative population estimate of 25,000 persons, the death rate for the year was 7.06, an extremely low one considering the fact that during the last six months of the year more than 10,000 were added to the population by the annexation of new districts, which have not as yet the advantages of direct connection with the Bull Run water system.

Of the 1872 deaths recorded during the year, 240 were caused by contagious diseases. The terrible ravages of pulmonary tuberculosis took more than half of these lives, the number dying from that disease being 137. The deadly character of the contagion is shown by the fact that out of a total of 147 cases reported to the health officer during the year only 10 of the victims were still alive on January 1, 1910.

Other infectious diseases that helped to augment the death rate last year were typhoid fever, with 42 victims; diphtheria, with 19; scarlet fever, with 14; erysipelas, with five; whooping cough, with two; measles, with one. Although there was only one mortality from the latter disease, the comparatively harmless nature is shown by the fact that 1444 cases of it were reported.

115 Cases of Smallpox.
Smallpox, once regarded as a scourge, did not take a single victim, although 115 cases were reported. Neither did chickenpox, 135 cases of which came under the notice of the health officials.

Only a little more than 3 per cent of the scarlet fever cases proved fatal, there having been 673 recorded. Erysipelas was more dangerous, 31 per cent of its victims having succumbed. Whooping cough killed more than 1 per cent of those attacked by it, the number of cases reported being 34. Diphtheria proved fatal to 5 per cent of the persons visited by it, the number of cases being 347. A little more than 13 per cent of the 304 typhoid cases reported were deadly.

FIGHT PAVING TAX AT BAKER; LOSE OUT

(Special Dispatch to The Journal.) Baker City, Or., Jan. 8.—A referendum petition was today filed with the city auditor against levying a nine mill tax by the council for paying for the paving of street intersections. Councilman Beers was the originator of the petition. The petition came too late, as the county court had certified the tax levy, and the money will be collected. There is much criticism against Beers and the signers of the petition.

Mose Dilleheimer, a merchant, who signed the petition, is reported to have said he didn't want the town to grow, as more stores would come.

DEFECTIVE CALIFORNIA LEMONS DESTROYED

(Special Dispatch to The Journal.) Roseburg, Or., Jan. 8.—California lemons covered with a parasite, known as oyster shell scale, has been discovered in Roseburg by the fruit inspector. The lemons were shipped by a Portland commission firm. Acting on instructions from District Horticultural Commissioner Carson, Grants-Pass, Inspector McCall had them destroyed. Carson stated that if California is going to continue to send such fruit into the state, Oregon will have to compel an inspection before sale. This is a condition already imposed by California on fruit shipped from Oregon.

DEAD IN BOAT; COULD HAVE WADED ASHORE

Palacios, Texas, Jan. 8.—Aphored two miles from shore in their disabled motor boat, which was tossed all night by an icy north wind, B. B. Clark was found frozen to death in Tres Palacios bay, and his father, T. S. Clark, was rescued in unconscious condition. The father will survive. The two men came from Nebraska recently. The water in the bay is shallow, and the men could have waded to shore had they known it.

An amphibious automobile, shaped like a boat, and driven by a propeller when in the water, has been holed by the French war department and assigned to an engineer regiment.

FOUND OUT A Trained Nurse Made Discovery.

No one is in better position to know the value of food and drink than a trained nurse. Speaking of coffee, a nurse of Wilkes Barre, Pa., writes: "I used to drink strong coffee myself and suffered greatly from headaches and indigestion. While on a visit to my brother's I had a good chance to try Postum Food Coffee, for they drank it altogether in place of ordinary coffee. In two weeks after using Postum I found I was much benefited and finally my headaches disappeared and also the indigestion."

"Naturally I have since used Postum among my patients and have noticed a marked benefit where coffee has been left off and Postum used."

"I observed a curious fact about Postum when used among mothers. It greatly helps the flow of milk in cases where coffee is inclined to dry it up, and where tea causes nervousness."

"I find trouble in getting servants to make Postum properly. They must always serve it before it has been boiled long enough. It should be boiled 15 to 20 minutes after boiling begins, and served with cream, when it is certainly a delicious beverage." Read "The Road to Wellville," in pgs.

Jose Madriz, the new head of the Nicaraguan government, who is seeking to have the United States acknowledge his right to succeed Zelaya in the presidency.

Jose Madriz, the new head of the Nicaraguan government, who is seeking to have the United States acknowledge his right to succeed Zelaya in the presidency.

Jose Madriz, the new head of the Nicaraguan government, who is seeking to have the United States acknowledge his right to succeed Zelaya in the presidency.

Jose Madriz, the new head of the Nicaraguan government, who is seeking to have the United States acknowledge his right to succeed Zelaya in the presidency.

BINDERY WOMEN, OUT ON STRIKE, RETURN MONDAY

Accept Proposition of Employ-
ers to Increase Wages \$1
Per Week—Bindery Print-
ers, However, May Strike.

Members of the Bindery Women's union will go back to work Monday in all Portland shops save Irwin-Hodson company. A proposition closely in accord with the schedule demanded by the women, the refusal of which led to their strike last Monday, was made to them yesterday by employing printers, and by a unanimous vote a meeting held yesterday afternoon the girls decided to comply.

By the terms of the new agreement the bindery women each receive \$1 more a week. Apprentices will receive \$5 upon entering the shop, and will be formally graduated into journeymen after three years. Apprentices have been receiving \$4 a week. Five dollars and a graduated scale after four years was asked. Journeymen will receive \$11 for the highest grade of work; \$10 for the next highest and \$9.50 for the next highest.

Others Will Return.
The finishers, rulers and forwarders, who struck in sympathy with the women, will go back to work with them. This was the desire of the employers, whose business has been tied up by the strike. The Irwin-Hodson company was reported yesterday to be engaging non-union bindery workers, looking out the strikers. It was also stated that this firm will post the shop as non-union tomorrow.

While the action of the bindery women yesterday afternoon relieves the strike situation so far, as the binderies are concerned, it does not lessen the serious nature of relations between employing printers and their compositors and pressers. The compositors have announced their intention to strike on February 20, if on that date their demand for an increase in wage schedule from \$22.50 to \$25.00 a week has not been granted. Fifty print shops have already voted not to grant the raise or consider arbitration, and both employing printers and employees say, consequently, that a strike involving between 600 and 700 workmen and tying up the busiest printing center of the Pacific coast is inevitable.

No Action Until February 20.

Compositors will take no action regarding a strike until February 20, the date assigned for the new schedule to take effect, unless action of the employing printers in keeping a threat to lock them out of the shops is put into effect. The feeders who have been threatening a strike because of refused demand for a higher wage schedule have been placed in a peculiar position. The pressmen's union, to which the feeders are subordinate, refuse to recognize their right to strike. The pressmen have advocated a higher wage for the feeders, but say that if much come through the pressmen's union, in accordance with an agreement which became effective three years ago. The feeders are thus put into the position of going over the heads of their superiors, an act which neither employers nor pressmen will recognize, and which causes the result of their strike agitation to be very much in doubt.

Concerning the statement of A. J. Dygert that he had agreed to pay bindery women according to the increased scale, because he had been told that others had signed up, and that he had receded when he found that the matter had been misrepresented, the Bindery Women's union yesterday issued a formal statement that no misrepresentation whatever had been used in obtaining his signature; that he was the first on the list, and knew it when he made the agreement.

REV. E. L. JONES BUYS THE ALBANY HERALD

Albany, Or., Jan. 8.—Rev. E. L. Jones, a former resident of this city, but recently from Portland, purchased the Albany Daily Herald plant today from W. A. Shawhan, of Oregon City. He will take charge Monday. Mr. Jones was formerly a student at Albany college, and for some time was pastor of the Evangelical church in this city. During the past year he was employed by the real estate firm of Jacobs-Stine, of Portland.

JOSE MADRIZ



Jose Madriz, the new head of the Nicaraguan government, who is seeking to have the United States acknowledge his right to succeed Zelaya in the presidency.

Jose Madriz, the new head of the Nicaraguan government, who is seeking to have the United States acknowledge his right to succeed Zelaya in the presidency.

OLD TIMER DIES; 88 YEARS OLD

Robert Maple, Who Carved
Marble for 70 Years, Had
Many Friends.

Eighty-eight years of age and having spent over 70 of these years cutting marble, Robert Maple, a well known character of the east side, died at his home in St. Johns Friday evening.

For 25 years he has done his work in the marble cutting establishment of Imhoff & Minar, 233 East Morrison street, in plain sight of the thousands of people who pass the establishment every day. He was lame, so he worked for many years with the aid of a crutch. Mr. Maple will be buried this afternoon at 2 o'clock. The service will be held from the Methodist church at St. Johns, which he had attended for many years. He came to Portland 25 years ago and 25 years ago built a house at the corner of Fessenden and Willie boulevard, in St. Johns, where he had lived ever since. He had nearly as many acquaintances in St. Johns as he had in Portland. He leaves a widow here and a son in Los Angeles. He had other relatives in the east.

Lane Fair Association Meets.

(Special Dispatch to The Journal.) Eugene, Or., Jan. 8.—The Lane County Fair association held its annual meeting in Eugene this afternoon and elected Jack Rodman, president; J. Bebe, vice president; M. S. Wallis, secretary; W. B. Dillard, assistant secretary. The directors elected were as follows: F. M. Wilkins, M. S. Wallis, Frank Chase, D. E. Yoran, Al Hampton, C. M. Young, H. F. Hollenbeck, George Bebe, F. A. Rankin, George Wilmer, A. Wilkins, Herman Schmitt, W. L. Wheeler, A. Wilmer, J. W. Bertsch, C. J. Ford, Amos Wilkins was recommended as a member of the board of directors of the second Southern Oregon District Fair. A big county fair will be held in Eugene next fall in place of a district fair.

The British admiralty is trying out a torpedo which is held to pick up sounds by microphones, so connected by delicate mechanism to its rudders that the torpedo is automatically directed to the source of the sounds.

WANT ROOSEVELT AS DELEGATE TO BUENOS AYRES

Pan-American Conference De-
mands That Representatives
From United States Be
Men of Highest Ability.

Washington, Jan. 8.—Delegates will soon be appointed to represent the United States at the fourth Pan-American conference to be held at Buenos Ayres next July. At that time all South America will be celebrating the centennial of its independence from Spanish rule. On the grounds of national courtesy it is considered necessary that the United States be represented by persons of the highest national and international importance.

On account of important political work to be done at this conference preparatory to the approaching international conference at The Hague, it is also considered imperative that the United States be represented by men of the highest ability and the widest experience and that the same persons who represent us at Buenos Ayres this year shall also represent us at The Hague. It is also conceded imperative that the United States be represented by men of the highest ability and the widest experience and that the same persons who represent us at Buenos Ayres this year shall also represent us at The Hague. It is also conceded imperative that the United States be represented by men of the highest ability and the widest experience and that the same persons who represent us at Buenos Ayres this year shall also represent us at The Hague.

"Ex-President Roosevelt is the man to head the American delegation to both conferences," said a western member of congress today.

"With President Roosevelt should be associated a democrat of national importance and preferably with experience in the United States senate."

"No better man than Hon. James B. McCreary, formerly the senator from Kentucky, can be found. In addition to long experience on the foreign affairs committee in the senate and house and as chairman of the committee in the house, Senator McCreary has the honor of being the author of the bill approved by congress in 1898, calling for the first Pan-American congress, held at Washington in 1899. The union of American republics is founded on this act of the United States constitution."

Brick buildings will be erected on six lots in Vale next spring.

FORTY BLUECOATS WANT SERGEANCIES

Creation of Three New Posi-
tions in Police Department
—Swarm of Applicants.

With the addition of 18 new patrolmen to the police force three new places for sergeants are to be created. More than 40 applications for new positions have been filed with the police committee of the executive council, and the selection of men for the place will be made on or soon after January 12. As the office of sergeant is one of importance, unusual care is used in selecting the men for the places. The men are named on their merits and generally appointed upon the recommendation of Chief of Police Cox, who has the best opportunity of judging of the individual qualifications of the men.

The first thing to be considered in selecting a man from the ranks to take the place as a sergeant is if he is thoroughly honest. The sergeant is frequently called upon to act as captain and has the patrolling of the city under his thumb.

All arrests and prisoners are under his direction, and in many cases arrests are made where the prisoner has considerable money and valuable, in searching an arrested man, it is the sergeant that is held responsible that all articles found on his person that rightfully belong to him, are returned when he is ready to leave the city jail.

A sergeant should be a man who can carefully weigh charges placed against prisoners and hold them on the proper charge, or discharge them if they have been wrongfully arrested.

He should be able to handle men under him, and thereby keep out the many petty jealousies that creep in through favors shown. Sergeants must see that patrolmen under them do their work.

On the other side of the question, a sergeant can be of as much use, politically, to the men to whom he is under obligation for his promotion as a genuine "ward politician."

The three new sergeants have been needed for some time, as have the 14 new men.

Brick buildings will be erected on six lots in Vale next spring.

GIBBONS RENDERS HIGH TRIBUTE TO CARDINAL SATOLLI

Profound Scholarship, Marvel-
ous Eloquence and Charm-
ing Personality United in
This Great Churchman.

(Heart News Service.)
Baltimore, Jan. 8.—Cardinal Gibbons said today, after learning of Cardinal Satolli's death:

"I read with deep regret of the death of Cardinal Satolli, whom I knew well and esteemed highly. His associations with Baltimore were of a noteworthy character and dated from the time when he came over during the celebration of the jubilee of the late Pope Leo XIII. and witnessed from the windows of this building the magnificent outpouring of the people here, and he was much impressed. Cardinal Satolli was first here as a temporary apostolic delegate, and afterward occupied that position permanently."

"During this period I was closely associated with him and had opportunities for forming an admiring judgment of his character."

"He was particularly noted for his study of the philosophy of St. Thomas, in which he was profoundly versed, perhaps more so than any other adherent of that illustrious school."

"What impressed me most in regard to the cardinal, however, was his extraordinary eloquence. He preached with equal facility in Latin and Italian, and had an overwhelming flow of language, the words pouring from his lips in a torrent of impassioned expression. There was a marvelous fluency and vivaciousness in his oratory and his listeners sat enthralled."

"I mourn the death of so able and good a man, and among the most interesting of so many melancholy memories of him at this moment is the fact that I was present at the impressive ceremony connected with his elevation to the cardinalate, and delivered a sermon on that occasion."

Tomorrow (Monday) is positively the last day for discount on west side gas bills. Read Gas Tips.

Best of January Clearance Sales

Nowhere Else Can You Make a Small Expenditure Realize So Much. Compare Prices and See

Ladies' Desks at Cost

Come in and see the best values of medium priced mission and golden oak Desks in Portland.

Small desk, imitation of golden oak \$5.40
Solid oak polished Desks, at only \$7.20
Stylish Mission Desks, now only \$9.00

Solid Oak Dining Table \$9.90

This sale is positively the last chance Portland people will have to get a Dining Table of oak at this price. Eastern factories all advanced their prices January 1, and our present stock is limited. These Tables are well worth \$15.00 and will probably be all gone by Tuesday evening. While they last only \$9.90

Worth Double the Price

Most people expect to pay \$1.00 to \$3.00 for a Carving Set, and some never get one at all. We can supply

CARVING KNIFE AND FORK 35¢
Good steel, 8-inch blade, black wood handle.

THREE-PIECE CARVING SET 85¢
Knife 8-inch, with fork and steel such as you pay \$2.00 for elsewhere.

It Does the Washing For 69c

This machine is the greatest labor saving device of recent years. Much more useful than a flying machine or an automobile, and costs less. The water power from your faucet runs it. Put in the hot water, soap and soiled clothes. They will come out clean. Prices \$20.00, \$22.50, \$25.00 Cash or Credit.

Desks as Were Never Before Sold at Such Prices

Last year we decided to go out of the desk business and closed out nearly all our stock. We found we had made a mistake; we must carry a fine of medium desks. We recently received our new line and were greatly surprised to find that we had a line of Sanitary Desks that beat anything we ever saw—

Four-foot Sanitary Desks \$26.10
Five-foot Sanitary Desks \$35.10
Mission finish if desired.

MISSION STYLE

The Craftstyle line, equal in every respect to the very best and 20 per cent less in price. Large Mission Rocker, like the illustration, oak, fumed or weathered \$5.95

Highly Polished Rockers

The wood finish and style of our medium priced Rockers are unsurpassed. They come in golden quartered oak, birdseye maple and polished mahogany; priced as low as \$5.95
Rocker illustrated \$7.95

Clearance Sale Prices on All Couches

Cash or credit goes. Those who buy on payments get the advantage of sale prices as well as those who pay cash. Elegant chase leather Couches \$16.50
Genuine Horseshoe leather Couches, only \$23.00

Hundreds of Tables

You will be surprised to see what a little money will buy in the Center Table line.

We have quartersawn and polished Tables, 24 inches square, only \$3.50
We have Mission Tables, solid oak, like illustration, only \$4.50
Elegant heavy, double top, Parlor Center Tables, \$6.75

EDWARDS & CO

HOUSE FURNISHERS

85-191 FIRST ST

A GOOD PLACE TO TRADE