

# Motor Trucks on Private Contract Declared Exempt From State Fee

## NOT PUBLIC AGENTS HIGH COURT RULES

### Conviction of William Quarter, Appealed From Poik, Is Affirmed

Motor trucks hauling under private contract are not subject to the state license imposed on operators of motor vehicles engaged in hauling persons and property for compensation, according to an opinion handed down by the supreme court here yesterday in the suit brought by the Purple Truck Garage company and 16 other plaintiffs against the members of the public service commission who are entrusted with the administration of the automotive act.

The opinion was written by Justice Burnett and affirms Judge L. H. McMahon of the Marion county circuit court.

"The distinction between common carriers and private carriers is well established," read the opinion of the supreme court. "The private carrier transports goods for hire, but he does not hold himself out as obliged to serve the public generally or to serve all who may apply."

"On the other hand, the common carrier is engaged professionally in public service and he must serve to the extent of his capacity all who apply to him for service without discrimination and generally, as required by statute, for a fixed and uniform compensation which he may not vary to favor one person or another."

"In the instant case, the plaintiffs are engaged in private service. They may agree to serve A at a certain compensation and refuse to serve B for even a greater recompense and under the same or similar circumstances. In other words, they have the undoubted right of delectus personarum. They are not bound to contract with anybody, but the common carrier engaged, as the new statute says, 'in the business of motor transportation of and for the general public,' must serve alike, within its capacity, all who apply for such service."

Members of the public service commission who, under a ruling of the attorney general, compelled the Purple Truck garage and other private contractors to obtain annual licenses under the transportation act, indicated that the decision of the supreme court would reduce materially the revenue of the public service commission.

Doughton & Sherwin, Hardware, 286 N. Com'l. St. Hardware, Builders' Supplies, Paints, Varnishes. Give us a call, you'll find our prices reasonable. (\*)

Riker Auto Co., Ferry at Liberty St. Autos stored, and bought and sold. Cars washed day and night. Low prices and service will make long friends. (\*)

Max Q. Baren, furniture, carpets, everything for the home. Most beautiful Axminster rugs. Beautiful line of pictures for your home. 179 N. Com'l. (\*)

Quality painting, both varnish and oil work, in our modern equipped paint shop. Washing, greasing and night service; tire repairs. Wood's Auto Service Co. (\*)

## "SAFE DRIVER" LICENSE FEE CHARGE SUGGESTED

(Continued from page 1.)

suits, and at the same time place the cost of maintaining traffic officers where it rightfully belongs—upon traffic violators.

"Provide by law that every registration certificate, which should be carried in a convenient place in the vehicle for which it is issued, contain spaces for recording violations of the traffic laws. For convenience these marks could be made by punch marks."

"When this certificate is surrendered with the application for a new certificate the state officer empowered to issue certificates should collect a fee based on a pre-arranged schedule, increasing the fee a certain percentage for each violation indicated on the old certificate."

"A driver with a clear record should be allowed a deduction on account of his record, the amount of such deduction to be increased each succeeding year until a certain minimum is reached. The minimum should be fixed at an amount that would cover the cost of operating the motor vehicle department."

"The extra fees charged on account of violations should be set apart for maintenance of the traffic force. In the event of a surplus the amount could be turned into the fund for maintenance of the department."

D. H. Mosher, Merchant Tailor, is turning out the neatest and best fitting tailor made suits to measure. 100% business and professional men buy of Mosher. (\*)

The Opera House Drug Store. Service, quality, low prices, friendship give increasing patronage. Old customers advise friends to trade here. High and Court. (\*)

The Scotch Woolen Mills is a first class store to order your new sport and summer suits. Suits hold shape and color. Best dressers wear 'em. 426 State St. (\*)

## MANY WITHOUT COUNTRY THOUSANDS CANNOT CLAIM CITIZENSHIP IN ANY LAND

WASHINGTON, July 13.—(By Associated Press).—The "man without a country" of book fame would have plenty of company were he to set foot on American shores. More than 1,000,000 persons in the United States or approximately one per cent of the total population are in the same fix, and most of them do not know it.

This revelation was made today by Harry E. Hull, commissioner of immigration, in discussing some of the queer workings of the immigration laws.

"You can safely say," he asserted, "that there are over a million people in this country today who cannot claim citizenship of any land. A great majority of them are unaware of this, but quite a few of them who are don't seem to care."

The commissioner explained that this huge total of "outcasts" was created largely by aliens who have overstayed their temporary entries and by tourists, who en route to some other country, stopped off here, found a job and settled down. Many also came over the borders when restrictions were less rigid, lost their original citizenship by remaining here too long and then forgot or ignored American citizenship requirements.

## EXILES RETURN TO DESTROYED HOMES

(Continued from page 1.)

bringing everything from a bunch of bananas to a sack of potatoes to towels, toys and baby clothes. Many of the refugees who came in with their clothes rent in shreds are outfitted in a manner new to them.

In this town the refugees were equally well cared for. With each load went a Red Cross official or a national guardsman, entrusted with the task of examining the houses, seeing the refugees established, or when the houses seemed unsafe, bringing them back for shelter with the Red Cross. Among early departures were the "poison-ivy family" as the workers referred to Andrew Gaydos of Hibernia, his sister Kate, and his children, Luella, aged 5, Andrew 4, and Betty Jane, 15 months. Forty-eight hours of wandering about in the woods before they were picked up netted the Gaydos family no worse than a poison ivy rash on the youngsters' faces.

Another who left recovered was Mrs. William Winters, a widow, also of Hibernia, who carried her three year old child through rough forest for 48 hours before she was picked up.

By 4:30 the 40th and last load, a crimson fire truck packed with refugees of three nations, had followed a rambling motor lorry out of Morristown, and workers from each temporary shelter had pronounced their posts "cleaned up" under orders of Lieut. Edward C. Tuttle, New Jersey national guard motor transport company, this company on duty since Saturday night was demobilized soon afterwards.

Dusk settled on Morristown and Dover, bereft of their three days refugee population of 900 to 1,000 refugees. And in the hills around Ploatinny the shadows fell on shaken homes whose broken panes again let out twinkling lights.

Gabriel Powder & Supply Co., lumber, building materials, paints and varnishes, roofing paper. Get prices there and make a big saving. Office, 175 S. Com'l. (\*)

Only the best! Our patrons will bear this out. We serve only the best in meats and poultry. Hunt & Schaller Meat Market, 263 N. Commercial, Tel. 1900. (\*)

The Atlas Book and Stationery Co., 465 State street. High class literature and fine stationery. Complete lines. You will appreciate the low prices. (\*)

## TIMBER IS SWEEPED BY SEVERE FOREST FIRES

(Continued from page 1.)

acres. The other is believed to cover fully 500 acres. A strong east wind started up early this morning and an additional crew of men have been sent to the location.

Lightning storm was reported today in the Siskiyou national forest, but this was accompanied by rain, with the result that no serious fires are reported.

One lightning fire reported, Saturday has been extinguished. Lightning fires started Sunday but all are small and under control.

Fry's Drug Store, 280 N. Com'l., the pioneer store. Everything for everybody in the drug supply line, with standard goods and quality service always. (\*)

## HADLEY CLAN JOINS FOR ANNUAL PICNIC

More than 50 descendants of Isaac Hadley, pioneer farmer of Marion and Yamhill counties, gathered from all parts of the state Sunday for a big family reunion at Cold Springs Park, three miles south of Salem. Isaac Hadley emigrated with his wife and family from Iowa, coming by way of San Francisco and thence by boat to Oregon. On arrival in 1878, he settled on Howell Prairie near Gervais, Oregon. A few years later he moved to Dayton, Yamhill county, where he resided until his death in 1889.

Speech making, singing of old songs and a community dinner were the chief diversions of the day. It was voted to form a permanent organization, with one big annual meeting to be held the second Sunday in July of each year. L. I. Bursell, Dallas, was elected chairman and C. O. Bursell, Albany was chosen secretary of the clan for the coming year.

Four generations were represented among those assembled for the re-reunion, including three children of the founder of the family—Isaac F. Hadley, of Albany, Mrs. P. J. Cox, of Eugene, and Mrs. George L. Morris, of Turner. Others present were Mr. and Mrs. H. O. White, Mr. and Mrs. F. E. Loose and son Loren, all of Salem; Mrs. George Burres and Letta, Burl and Viola Cox, of Eugene; Henry Bursell, Mr. and Mrs. C. O. Bursell and children, Mrs. I. F. Hadley and Mr. and Mrs. Lloyd Hadley, of Albany; G. L. Morris, Mrs. I. C. Beers and children, Mr. and Mrs. H. E. Martin and son, and Alva Morris, of Turner; Mr. and Mrs. R. L. Patterson and children, of Lacombe; Mr. and Mrs. L. I. Bursell, Dallas; Mr. and Mrs. Glenn Bowen and daughter, and Harvey Brown, of Silverton; J. W. Hobart, and Mr. and Mrs. Edward Hobart and children, of Markham; Homer G. Bursell and Mr. and Mrs. C. M. Lindberg, of Portland.

Nash Furniture Co. takes the lead with low prices on chairs, rockers, tables, wood and steel beds, springs, mattresses. Saves you 25%. 219 N. Com'l. (\*)

First National Bank, the bank of friendship and helpfulness in time of need. Interest paid on time deposits. Open an account and watch your money grow. (\*)

The rug and carpet department of the Hamilton Furniture Co. is one of the most complete in the state. All rug prices below regular list. (\*)

Fresh kodak films always on hand at Patton's Book Store. Take a good supply on that picnic. All unused films can be returned. Kodak finishing too. (\*)

The Cherry City Baking Co.'s bread, pies and cakes are of highest quality. One of Oregon's most sanitary bakeries. Visit it. Worth while. A Salem show place. (\*)

H. L. Stiff Furniture Co., leaders in complete home furnishings, priced to make you the owner. The store that studies your every need and is ready to meet it, absolutely. (\*)

## TODAY'S REASONS FOR DRIVING CAREFULLY

(Continued from page 1.)

terday that he was involved in an accident at the junction of the Silverton and Portland roads July 12. He gave no details.

Cars driven by P. M. LaFontaine and H. A. Hardin of Salem were involved in an accident on Front street near the Oregon Electric freight depot yesterday, according to a report given to the local police yesterday.

P. C. Stanton of Ashland reported to the local police that his car bumped into another on a driveway on South High street yesterday. No damage was done, according to the report.

A car driven by T. Sorenson of Salem collided with a street car at church and Chemeketa streets Monday, according to a report he gave the local police. No details were given.

A truck driven by John Dalrymple of Salem collided with an Oregon Electric train at the corner of Market and High streets yesterday, being overturned by the collision. Dalrymple saved himself by jumping. Both Dalrymple and the engineer of the train thought that he would be clear of the crossing before the train arrived, according to reports of eye witnesses. Dalrymple gave no details of the accident in the report he made at Salem police headquarters.

J. P. Head was arrested by the Salem police yesterday on a charge of speeding.

Laureen Tollet Articles sold by the Vanity Hat Shoppe, 387 Court St., belong to an exclusive line and are sold with a money back guarantee. (\*)

Ulrich & Roberts, realtors, 122 N. Commercial St., know property values and make for you profitable investments. Will both save and make you money. (\*)

Buster Brown Shoe Store. High class, stylish looking, comfort giving, long wearing shoes for the least money. Go and be convinced. 135 North Commercial St. (\*)

Slate surface roofing applied over your old shingles. We have over 200 jobs in Salem. Nelson Bros., plumbers, sheet metal work, 355 Chemeketa. (\*)

Picture time is here. For your films and kodaks and kodak supplies see Nelson & Hunt, Drugists, corner Court and Liberty streets. Telephone 7. (\*)

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"... that Oldsmobile shall not be wanting in a single essential factor that contributes to performance, comfort, beauty or long life...."

# NEXT SUNDAY

## OLDSMOBILE

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Camel championship lasts through the years, because for satisfying pleasure, for downright enjoyment no other cigarette is within a mile of Camel. It's simply

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R. J. Reynolds Tobacco Company, Winston-Salem, N. C.

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