# TELEPHONE ORDINANCE

# **UP TO CITY ATTORNEY KEYES FOR A LEG-**AL OPINION

Mr. Moores, from ordinance com-mittee, reported adversely on ordinance fixing rates on residence tele-

same rates should be paid at Salem as in other cities of like size and

aimilar service.

Mr. Hofer called attention to the fact that where a corporation had voluntarily made a rate and done business under it at a profit, they could not afterwards raise that rate. The city had not violated its part of the agreement, but, in raising the rate on residence phones, it was a question whether the corporation was not violating its agreements with the

Mr. Moores asked reference to a committee. Mr. Presnal moved reference to city attorney for a legal opinion. Carried.

Conference Is Asked. Dancey, local manager of the Pacific States, after the meeting of the council, interviewed the mayor and members of the council on the matter of getting a hearing on the When asked if his company would co-operate in the matter of removal of all poles around the public squares in the center of the city, like the court house, postoffice, the state house and Willson avenue, he said they could not do that and meet the demands for the \$1.00 ordinance They were willing to consider the matter of helping to beautify the city to that extent, if rates were not re-

# CHINA WAKING

# WILL ESTABLISH NAVAL AND MIL-ITARY ACAD-**EMY**

[United Press Leased Wire.] Tien Tsin, June 22.-The first definite move toward the reorganization of the military and naval forces of China was made today through the purchase by the government of a large tract of land in this city, on which a military and naval academy is to be immediately erected. One and the injunction made perpetual. hundred students from the School of Nobles have been designated to take the naval and military instruction in the school, and the governors of the Cinb provinces have been ordered by the prince regent to submit the names of students desirous of entering either of the branches of the military service to the recently appointed army

The salt tax has been set apart to in part meet the expenses of the military program, and a system of proscription has been put in operation to ensure the recruiting of an army of 259,000 men. Prince Su and Admiral Sah, of the naval board, have been instructed to draw up a program which will provide a fleet of 15 battleships with necessary auxiliaries to be in commission in 1934. English and Japanese instructors will be in charge of the instruction of the naval and military cadets.

and navy board.

### GAVE HOSPITAL A PARTICLE OF RADIUM Hay, clover

[United Press Lensed Wire.] San "lateo, Cal., June 22.-Repos ing in a tiny bottle kept under lock and key in a strong box at the Red Cross Guild Hospital in this city, is a minute particle of radium, the gift of Mrs. Whitelaw Red, wfe of the American ambassador to the court of

Twist Optimist and Pessinist, The difference is droll. The Optimist sees the doughnut, The Pessimist sees the hole.

St. James. Mrs. Reid, who formerly

Some would say the best way to turn an optimist into a persimist would be to feed him the doughnuts, and this would be true if the doughnuts are fried in lard. Lard is certainly indigestible and many people are deprived of the pleasure of eating doughnuts and other dainties just because of this act. However, there is a cooking fat act. Howeve

was a resident of San Mateo, sent the valuable contents of the phial from London, the center of the rewonderful substance.

The small particle of radium that is being guarded jealously by the hospital authorities is valued at about \$10,000. Its price per troy pound, prevalent in England, is \$3. 000,000. Mrs. Reid's gift will be used in a series of experiments and investigations in the treatment of

### WILL CROSS OCEAN IN BIG AIR SHIP

[United Press Leased Wire.] London, June 22.—The construcion of an airship designed to carry 25 persons from Europe to America and return, is creating much discussion in aerial club circles today.

The ship is being built near London. According to Arthur Philip Du-cros, secretary of the Aerial Defense League, its air bag will have a capacity of 227,500 cubic feet. in existence a contract between the city and the telephone corporation by which the city had agreed that there was motors each with 220 horsepower. The carriage will accommodate 25 which the city had agreed that the city had agreed the city had agreed

In announcing the launching of the airship Ducros appeals for a dona-tion for an aerial landing station, or garage.

## THE INJUNCTION

(Continued from Page 1)

which was to be used for a branch road leading from Netarts Bay to near Tillamook City. This section of Tillamook county was sparsely settled, though possessing great scenic beauty and wonderful natural attractions, inducing tourist travel. The present act appropriates \$50,-000, conditional upon Jackson counthe city of Medford to the west boundary of the Crater Lake Nationcontributing a like sum, to aid aid county to build a county road from Klamath Falls to the eastern boundary of said national park, and not to members of the Twilight League are the lake within said park, for our requested to come out tomorrow state is without jurisdiction, and can night and help clean up. Be on hand do no work, or exercise any authori- at 6:30. duced below what other cities were ing Crater Lake. The present act nowhere provides for aiding in the construction of a continuous highway from Medford, in Jackson countries of the construction of the cons ty, to Klamath Falls, in Klamath county, as there is an intervening seg ment of more than thirteen and one-half miles, which is to be made, if at all, by the federal government.

Jackson county has raised or ap-

Jackson county has raised or appropriated the amount required. Hence, under the provisions of chap-ter 191 of the laws of 1909, \$50,000 becomes available for use in Jackson county only, and upon a certain specified county road leading from Medical lower countries in said county, to the western boundary of Crater Lake National the Portion Park. The court is not informed that Klamath county has made any approoriation, as required by this act. Hence the \$50,00 appropriated exclusively for Klamath county is not available, and may never become so. The present act is clearly local, as it applies to only two counties. It is specified section and for special purposes only, that is, the proposed appropriation can be used only in the countles of Jackson and Klamath, and for a special purpose, viz: the building of a certain specified highway in said counties. The act is therefore, local and special, and comes clearly within the inhibition placed upon such measures by section 23, article IV of our conditu-

The complaint will be sustained

## PORTLAND MARKETS.

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Flour. Eastern Oregon .....\$1.75 Bran, per sack ..... Rolled barley .... Local Wholesale Market. Wheat, bushel .. ...\$1.15@ Oats, bushel .... Flour, hard wneat .....

# 6000

The longest day of the year, which was yesterday, is in all probability the cause of the Portland Railway, Light & Power Company baseball team losing the game to the Professional team last night on the W. U. field by a score of 6 to 5, after the street car men had practically had the game all done up nicely to take contractors, the Horst company, drop-home in the fifth inning, when the ping off short in the middle of the score stood 5-2 in their favor. Both teams started the contest with a tie of 2-2 and went four innings before

the run column was put in action. Huffman, the new twirler for the Portland, Railway Light & Power Company, and Tommy Clark, the backstop, had things just about their own way, and would have taken the chicken, had not there been several costly errors made behind them. Walter Thompson, the car men's heavyweight left fielder, caused the hair to raise on the heads of everyone by making a classy run from deep field into the vicinity of third base and taking possession of a popfly, which had been touched up by at the nigh school, and next Wednes-mistake by one of the Professional day evening was selected for a spepiece of ball playing Thompson did, either, as he stood up before Pitcher official count and swearing in the "Casey" Olinger twice, and each new director, time he got a safe bingle. Big Bill Busick was also on the heavy batting list last night, and at one time the center fielder was on the point of climbing the fence after one. Short-stop Hunt, for the Professional men, ments, \$61,374.74, and the cash on was evidently off his feed, as he hand \$5205.70. ty raising a like sum, to aid said ranged up in front of two or three ounty to build a public highway from chances, but could not pick with suc-

The whole six innings were inter- 118 votes cast, al Park, and not to Crater Lake, as esting, and the crowd, which was some imagine. Although \$50,000, fair, seemed to enjoy the playing conditional upon Klamath county hugely. Waldo Miller held the ivory for the game.

Owing to the ball field becoming so rough and dotted with grass, the

### THREE OPINIONS BY THE SUPREME COURT

The supreme court handed down three opinions this morning, two be-

ken, appellants, vs. T. E. Withcomb, David Goodsell and T. S. McDaniel, respondents, appealed from the cir-cuit court of Multnomah county, M. C. George, judge: judgment of the lower court reversed; opinion by Jus-

George H. Gentzkow, appellant, vs. the Portland Railway Company, respondent, appealed from the circuit court of Multnomah county, J. B. Cleland, judge; reversed; opinion by Justice Slater.

This is a suit to recover damages by the appellant as the result of being knocked from a telephone pole also special, because it is limited to while working for the Pacific States gleet of the Portland Railway Company in permitting a high voltage wire to sag onto one of the steel teps in the pole. In the lower court a non-suit was granted the railroad company, from which the appeal was aken. The supreme court holds that nasmuch as contributory negligence is claimed to exist on the part of the appellant as the grounds of non-suit in the trial court below and neglect is shown in the evidence to exist on the part of the railway company for allowing their wire to come in dangerous contact with the pole on which workmen are compelled to stand, and according to the testimony the appellant was not aware the wire was touching the pole, and was intent upon locating trouble in the telephone system, this would tend to show that negligence is not probable where the appellant is not aware that danger exists. The judgment was therefore reversed and remanded.

In an opinion written by Justice Eakin, Judge William Galloway's decision in the case of Lachmund & Pincus vs. Lope Sing, Oliver Beers and Sied Bach is affirmed by the supreme court,

This is a suit to recover \$1329.42 is a foreclosure of a chattle mortgage held on a hop crop which was turned over to Lachmund & Pincus by the Clemens Horst Hop Company, after an alleged breach of contract, A contract had been drawn up with the respondents in the case by the Wheat, per burhel ........\$1,30 Horst company in which it was stiputhis, the hops were to be purchased

## A Skin of Beauty is a Joy Forever DR. T. FELIX GOURAUD'S ORIENTAL



### at an inferior price by the Horst company, the purchaser to furnish money for the expenses of picking, curing and baffing. After the grop had been half picked the Horst company examined the yard and found it to be moldy, and then turned the contract over to Lachmund & Pincus, but in the meantime Sing and Beers, having no funds with which to carry on picking, sold the remainder of the crop to the third respondent, Sied Bach. The v1329.42 which was asked for in the lower court was paid into the hands of the original tenders of the yard as expenses, and this amount was asked returned by the plaintiffs

refused. The supreme court holds that so far as the respondents tailed to harvest the entire crop the fault is not entirely theirs, owing to the original ping off short in the middle of the picking, thus depriving Sing and Beers of available funds with which to complete the other section of the

in Judge Galloway's court, wihch was

### U. G. HOLT ELECTED SCHOOL DIRECTOR

U. G. Holt was elected the new school director yesterday by 44 ma-jority over the other candidate, Mrs. N. E. Griswold, Holt receiving 81 votes, wsile Mrs. Griswold received

The regular annuoal meeting of the school board took place last night This is not the only good cial meeting to be held at the high school for the purpose of making an

The annual report of school district No. 24 was submitted for the February 22, 1901. The Rio was year ending July 21, 1909. The receipts since the date of the last an-nual report are \$66.580 44: dishurse, her scores of passengers and \$200.

The election yesterday was not of much interest to the property holders, evidently, as there were only

Albany ha a glove factory that from the Atlantic coast. She is in command of Captain F. K. Ferguson. States. Open Sunday, 9 to 1. Daily until 6 will also make awnings and tents,

[United Press Lensed Wire.] Puget Sound Navy Yard, June 22. The distinction of commanding the smallest fleet which ever represented the United States navy has fallen to Ensign B. H. Steele, of the cruiser Colorado, now at this yard. Ensign Steel's flagship is to be the baby torpedo boat Manley and two steam launches will complete the squadron. The three little vessels will represent the navy at the Lake Champlain ter-centennial exercises, to be held on that historic body of

water July 5 to 9. The miniature squadron is now being assembled at the Brooklyn navy yard, from where it will proceed up he Hudson river and canals to Lake Champlain to participate in the ceremonies.

### WILL TRY TO LOCATE SUNKEN VESSEL

[United Press Leased Wire.] San Francisco, June 22 .- Officers

of the United States mine planter Armistead are planning to make final effort to locate the sunken hull of the steamer Rio de Janiero, which was wrecked in the Golden Gate entering the harbor from an Oriental her scores of passengers and \$200,-000 worth of treasure. During the last eight years many attempts have last eight years many attempts have been made to locate the wreck of the ill-fated vessel. It is thought that it has been carried far to sea Harvard Painless Dentists by the tides.

The Armistead, accompanied by the Ringgold, recently came to this port

### Five Killed in Train Wreck.

(United Press Leased Wire.) Vancouver, B. C., June 22.—Five men were killed in a wreck on the Canadian Pacific railroad at Notch Hill, near Kamloops, today, when the wheel of a freight car broke and ditched several cars. Two of the bodies, recovered from the wreck, are evidently tramps, but one of the train crew is missing. The other two victims, whose bodies are still in the debris, are thought to be tramps, who were stealing a ride.

Eugene wants you to visit her July Fourth Corvallis will celebrate July 5

## **Nervous People**

And those afflicted with heart weakness
may now have no fear of the dental chair.
READ WHAT MRS. HANLEY SAYS:
I had 19 teeth extracted at the Harvard
Dentists' without the least pain, and highly
recommend them.

MRS. HANLEY, Freemont Station

## Whalebone Plate \$10

A Great Discovery, the New Whateverse Plate, which is the lightest and strongest set known; does not cover the roof of the mouth; bite corn off the cob; guaranteed \$1000-WE CHALLENGE THE WORLD. We will forfeit \$1000 to any charitable institution for the dentist who can make a plate for \$15 as good as we make for \$10.

### 10 Year Guarantee

Gold Crown, e	xtra	h	ez	L٧	y			¥	×	¥	Ÿ.			à		\$5.0	41
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# manly operators.

## Corner Park and Washington Sts., Over Royal Bakery, Portland, Or.

# Only Two Days More Only Two Days More

# CLOSING SLAUGHTER SALE

Our \$25,000 Stock Has Been Slaughtered and More than Half Is Gone, and Only Two Days Remain to Get the Finest Chinaware, Porcelain, Glassware, Real Hand-Painted Works

of Art for Half Price

# \$5,000 Worth of Gifts and Wedding Presents

In the electric lighted cabinet that must go at your own prices. Forced to make room for large importations coming on for the Summer and Fall trade. Largest stock in the Willamette Valley in all lines, and if you need a single berry dish, a cream pitcher, or any article of cut glass or silverware, this is the

# Last Chance to Get It at HALF PRICE

# STILL A FEW SAMPLES

one Bronze Statue of Eros, value \$37.00, sale price	\$19.00
One Hand-painted Tankard Jug, value \$16, sale price	
One Hand-painted 16-inch Vase, value \$10, sale price	\$ 5.00
One Footed Cut Glass Punch Bowl, six glasses to match, and one 18-inch pla	te
glass mirror, value \$74.00, sale price	_\$31.00
One Metal Stein, value \$20.00, sale price	
One Denatured Alcohol Stove with chafing dish, something entirely new; value	le .
\$13.00, sale price	\$ 9.00
One Tiffany Vase, value \$27.75, sale price	_\$13.00
One Tiffany Vase, value \$24.65, sale price	\$11.75
One Tiffany Vase, value \$15.00, sale price	\$ 7.00
One Tiffany Vase, value \$12,35, sale price	\$ 5.65

Remember, the Rest of this Mammoth Stock is Marked Down in about Same Proportion. Now Is the Time to Buy Cut Glass

# YOKOHAMA TEA CO.

174-176 Commercial St.

This Sale Positively Closes Wednesday, June 23, at 10 p. m.