

# SUPREME COURT OPINIONS

The following opinions were handed down by the supreme court this morning:

**The German Saving & Loan Society, respondents, vs. G. W. Gordon, appellant;** appealed from the circuit court of Multnomah county; C. U. Gantenbein, judge; judgment of the lower court affirmed; opinion by Chief Justice Moore.

Annie C. Hough, et al., plaintiffs and respondents, vs. S. A. D. Porter, et al., defendants and appellants, and George Dierand, et al., defendants and respondents. This is a suit involving water rights and tide land claims in the north end of the state, and the matter was appealed to the supreme court on a petition for rehearing. The higher court holds, in an opinion written by Commissioners King and Eakin, that the petition should be and is denied, and that Porter's judgment against Small for costs and disbursements are limited to those incurred in the supreme court. The opinion is exhaustive, covering 24 pages of typewritten paper.

J. A. Russell, as administrator of the estate of J. Donald Russell, deceased, respondent, vs. The Oregon Railroad & Navigation Company, appellants; appealed from the circuit court of Union county, F. H. Crawford, judge; reversed and remanded; opinion by Justice McBride. This is a case wherein the respondents were given damages against the railroad company in the sum of \$7500 as the result of the respondent's boy of 13 years being run down and killed by one of the company's trains at Perry, Oregon, and from which judgment the appeal is taken. In the lower courts the railroad company was said to be negligent in the operation of their trains over a crossing which was alleged to be a "blind crossing," and the following reasons were introduced why the company neglected to care properly for the safety of the public crossing the said blind crossing: First, the company did not provide a full train crew for the handling of their trains; second, that they did not reduce their speed upon the arrival at the crossing to at least three miles an hour; third, that they did not sound danger bell or whistle at the time of the accident; fourth, that a watchman or some mechanical safety device was not provided. In so far as the company did not provide a watchman or some other safety device whereby people could be informed as to the arrival of a train, the supreme court holds that they did not show negligence, owing to the fact that there is no statute to compel them to install watchmen at crossing. In the evidence during the court trial it was shown that a sawmill and water fall were in close proximity of the crossing, and that the noise from these two places practically drowned out the noise of the train and whistle, and, taking into consideration that the deceased was but a child and drove onto the track in front of the moving train after repeated warnings from others, the railroad company could not be held entirely responsible for the accident, and, under the circumstances, showed no negligence which would exceed that shown by the deceased at the time of the accident, and the decree of the lower court is reversed and remanded.

## THE BABY SHOW CONTEST AT DREAMLAND THEATER

Voting begins Saturday, July 3. Enter your baby Saturday, if possible, getting the benefit of the first voting.

List of prizes to be given is as follows:

First prize—Collapsible go-cart, by the Imperial Furniture Company.  
Second prize—A baby coat, by J. L. Stockton's department store.  
Third prize—A silver cup, by Hinges' jewelry store.  
Fourth prize—An infant's toilet set, by Brewer Drug Co.

To the baby winning the first prize will be given one dozen cabinet size photos by Tom Cronize.

Baby winning second prize the Needlecraft Shop will give a dainty carriage robe and strap.

You must recollect that it isn't always the handsomest, but the one that gets the most votes that wins—with babies the cunning ways, goo-goo eyes and disposition cuts a lot of ice.

## SEINING DESTROYS SALMON

## I. N. TAFFE POINTS TO SEINFERT BROS SEINING GROUNDS

[United Press Leased Wire.]

Portland, June 29.—That the salmon industry of the Columbia river will be a thing of the past at the end of five years, or ten years at the most, unless seining on the spawning bars is immediately prohibited, is the opinion of I. H. Taffe, of Celilo, Or., one of the oldest and best informed fishermen on the river.

The salmon will be exterminated just as sturgeon are today," he declared, "unless the seining practice is stopped. Those who are not familiar with the situation are of the opinion that fish traps, gill-nets and other contrivances for catching fish are responsible. That is a mistaken idea. Perhaps the best spawning bar on the river is the sandy stretch of beach between Celilo and The Dalles. From this bar alone I have seen seines drag in tons of salmon eggs, which were taken ashore and destroyed."

Taffe, who is now in Portland, declares he will try to interest Governor Benson and the fish commission in the matter.

## SENT THE PREACHER AN INFERNAL MACHINE

[United Press Leased Wire.]

Cincinnati, O., June 29.—Rev. G. R. Robbins, a Baptist minister who has recently been preaching against corporations, received an infernal machine through the mail today. The machine failed to work but contained a note advising the preacher to "cease your tirade against our employers."

## SEVENTY BABIES KILLED

[United Press Leased Wire.]

Washington, June 29.—Seventy babies have died in Washington within the last six days as the result of heat and poverty, according to an announcement made today by the court of inquiry. No relief from the hot weather is indicated today and the death list will probably be greatly increased by tomorrow.

Charity workers are trying to alleviate the suffering of the poor and their efforts have probably saved many lives.

The death list is so appalling that many more benevolent persons took up the charity work today and distributed ice among the poor mothers whose babies were threatened with death.

## DALLAS INVITES SALEM TO VISIT HER

The following communication has been received by Mayor Rodgers: June 25, 1909.

Hon. Mayor of the City of Salem, Ore.:

Dallas will hold a pioneer reunion on the 2d, and a celebration on the 3d of July.

We are making extensive preparations for these two days and I wish, through you, to extend a cordial invitation to the citizens of the city of Salem to meet with us and help us celebrate. Very truly yours,

H. C. EAKIN, Mayor of Dallas.

## BASEBALL SUMMARY

Pacific Coast League.

No games Monday.

Northwest League.

Aberdeen 6, Portland 2.

Spokane 9, Seattle 5.

Vancouver 9, Tacoma 1.

National League.

Philadelphia 5, Boston 3.

American League.

St. Louis 6, Cleveland 0.

New York 2, Philadelphia 1.

Detroit 2, Chicago 1.

Boston 6, Washington 5.

What makes Seattle exceedingly proud is her gang of female footpads. Even the women can't avoid showing "the Seattle spirit."

Proposals for Supplies.

Salem, Or., June 29, 1909.

The Board of Trustees of the Oregon Institute for the Blind hereby invite sealed proposals for furnishing the following list of supplies to the institution for the six months ending December 31, 1909:

4 doz. pints ammonia.

50 lbs baking powder (Golden West).

15 lbs barley (Pearl).

100 lbs beans (Little Navy).

2 doz. pints blueing (Chinese).

1 doz. brooms, No. 1.

2 doz. brooms, No. 2.

2 tons bran.

1 doz. cakes Bon Ami.

45 lbs cheese (Tillamook full cream, to be delivered as called for).

6 lbs coconuts (shredded in bulk).

150 lbs coffee (Moca and Java, ground, to be delivered as called for).

225 lbs crackers (Portland soda) to be delivered in half cases as called for.

5 lbs cinnamon, ground.

4 cases corn (Perfection).

50 lbs cornmeal, yellow.

30 lbs currants (S. & W. or Preferred Stock).

5 bbl. flour.

3 boxes gelatine, 12 pkgs to box.

200 lbs graham.

200 lbs germea.

3 boxes Jello-O.

10 gal. kerosene (Pearl).

3 pts. lemon extract (Columbia).

24 lbs macaroni (California) in 8-lb boxes.

12 boxes matches (Search Light).

3 cases Malta Vita.

2 lbs mace.

5 lbs nutmeg, ground.

200 lbs oats, rolled, extra quality.

5 cases oysters (Blue Ribbon).

3 cases peaches (Perfection).

250 lbs Pearlina.

3 cases peas (Perfection).

6 lbs pepper, Schilling's.

3 cases puffed rice.

30 lbs raisins (S. & W. or Preferred stock).

100 lbs rice, Japan, No. 1.

15 lbs sago.

200 lbs salt, Bear or Saltie's Salt.

300 lbs salt, stock.

300 bars soap, Golden Star.

50 bars soap, Ivory or Crystal White.

1 bbl. soap polish (sample).

15 lbs starch, corn, (Kingsford or Oswego).

60 lbs starch, gloss (Archer's).

12 lbs starch, celluloid.

1500 lbs sugar, Western refinery.

100 sugar, brown, Extra C.

2 cases shredded wheat.

1 ton horts.

15 lbs tapica.

50 lbs tea, Spider Leg.

4 cases tomatoes, Blue Ribbon.

3 cases Toasted Corn Flakes.

12 boxes toothpicks (hardwood).

6 pts. Vanilla (Columbia).

24 lbs vermicelli, in 8-lb boxes.

30 bu. wheat.

## THE MARKETS

San Francisco, June 25.—Wheat—No. 1 California club, cental, \$2.10 @ 2.15; California white milling, \$2.15 @ 2.20; northern bluestem, \$2.27 1/2 @ 2.32 1/2; off grades wheat, \$1.90 @ 2.00; reds, \$2.10 @ 2.20.

Barley—Feed, \$1.40 @ 1.42 1/2; common to fair, \$1.37 1/2 @ 1.38 1/2; brewing at San Francisco, nominal; Chevalier, nominal.

Eggs—Per dozen, California fresh, including cases, extras, 25 1/2c; firsts, 24 1/2c; seconds, 21 1/2c; thirds, 21c. Butter—Per pound, California fresh, extras, 25 1/2c; firsts, 25c; seconds, 24c.

New cheese—Pound, California flats, fancy, 13 1/2c; firsts, 12 1/2c; seconds, 12c; California Young America fancy, 16c; firsts, 14 1/2c; Eastern Oregon, 15c; do Young America, 15 1/2c.

Potatoes—Per cental, River Whites fancy, \$1.50 @ 1.65; Oregon Burbanks \$1.50 @ 1.55; new potatoes, per cental, \$1.25 @ 1.75 for choice and \$2.00 for fancy.

Onions—Red, per sack, 40 @ 60c; yellow, 75c @ \$1 per cental.

Oranges—Per box, navels, sizes 80 to 120, \$1.75 @ 2.25; sizes 150 to 210, \$2.25 @ 3; Valencia, \$2 @ 2.75.

## PORTLAND MARKETS.

Wheat—Track Prices.

Club ..... \$1.20

Bluestem ..... \$1.30

Turkey Red ..... \$1.18

Valley ..... \$1.17

Flour.

Patents ..... \$6.35

Straights ..... \$5.30

Exports ..... 4.70

Valley ..... 5.50

Graham, 1 1/2 sack ..... 5.60

Whole wheat ..... 5.80

Hay.

Willamette valley ..... \$17 @ 20

Eastern Oregon, fancy ..... \$20 @ 23

Alfalfa ..... \$12 @ 14

Clover ..... \$13 @ 12

Dressed, poultry, 1c lb, higher.

Ducks ..... 14 @ 15c

Geese, live ..... 10 @ 11c

Turkeys ..... 20c

## Cheese.

F. C. Twins ..... 16c

F. C. Triplets ..... 17 1/2c

Young America ..... 17c

Millstuffs.

Bran ..... \$26.50

Middlings ..... \$35.00

Shorts, city ..... \$29

Chop ..... \$24 @ 30

Rolled Barley ..... \$30 @ 37

Dressed Meats.

Hogs, ordinary ..... 8 @ 9c

Picnic ..... 10c

Hogs large ..... 8 @ 9c

Veal, extra ..... 8c

Veal, ordinary ..... 7 @ 8c

Veal, heavy ..... 6 @ 7c

Mutton, fancy ..... 6 @ 7c

Cottage roll ..... 11c

Breakfast ..... 17 1/2 @ 21c

Regular short clear, smoked ..... 14 1/2c

Ditto, unsmoked ..... 13 1/2c

Clear backs, smoked ..... 14 1/2c

Shoulders ..... 11c

Potatoes.

Buying prices, cwt ..... \$1.75 @ 2

Fresh Fruits.

Oranges ..... \$2.25 @ 3.25

Lemons ..... \$1.75 @ 4

Apples, box ..... \$1.00

Bananas, lb ..... 5 1/2 @ 6c

Poultry.

Chickens, mixed ..... 12 1/2 @ 13c

Springs ..... 16 @ 17c

Roosters, old ..... 8 @ 9c

Broilers ..... 28 @ 30c

Geese, live ..... 11 @ 12c

Turkeys ..... 18c

Oats.

No. 1 white ..... \$39 @ 40

Gray ..... \$38 @ 39

Eggs.

Select Oregon ..... 24 @ 25c

Eastern ..... 15c @ 20c

Butter

Fancy ..... 25 @ 27c

Choice ..... 30c

## Local Retail Market.

Wheat, per bushel ..... \$1.30

Hay, cheat ..... \$17 @ 18

Hay, clover ..... \$14 @ 15

Potatoes, bushel ..... 70 @ 80

Apples, bushel ..... 50 @ 1.00

Prunes, per lb ..... 1 1/4 @ 1.4 1/2

Prunes, per lb ..... 1 1/4 @ 1.4 1/2

Cranberries, Howe's variety, bbl ..... 13.00

Butter and Eggs, Retail.

Eggs ..... 25c

Creamery butter ..... 30c

Country butter ..... 25c

Flour.

Eastern Oregon ..... \$1.75

Bran, per sack ..... 95

Shorts, per sack ..... \$1.35 @ 1.55

Rolled barley ..... 40.00

Local Wholesale Market.

Wheat, bushel ..... \$1.15 @ 1.20

Oats, bushel ..... 55 @ 60c

Flour, hard wheat ..... \$6.40

Flour, valley ..... \$5.40 @ 6.00

Mill feed, shorts ..... 35.50

Mill feed, bran ..... 30.00

Hops, 1908 crop ..... 10

Hops, 1907 crop ..... 2 @ 3 1/2

Chittam bark ..... 2 @ 3 1/2

Wool, coarse ..... 18

Wool, medium ..... 20

Mohair ..... 23

To Visit Alaska—

C. M. Eppley left this morning for Seattle, where he will meet his sister whom he has not seen for many years, and who is now on her way to the coast. After visiting the fair they will make a trip to Alaska.

Seattle is always just a little ahead of the balance of the country. Just now she is priding herself on having the only original name blown-in-the-bottle gang of highway women in the United States. They are doing some fine work, too, which makes Seattle doubly glad.

## Ingredients of Ayer's Hair Vigor:

Sulphur, Glycerin, Quinin, Sodium Chloride, Capsicum, Sage, Alcohol, Water, Perfume.

Anything injurious here? Ask your doctor.

Will it stop falling hair? Ask your doctor.

Will it destroy dandruff? Ask your doctor.

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