

MAY TAKE WATER PLANT TO-DAY

Mayor Hartwig and Council Come to Understanding in Regard to Warrants and Properly Signed They Are Paid Into Court—Judge Bradshaw Expected to Issue Decree To-Day Ordering Plant Turned Over to City—Ordinance Providing For Bond Sale Passed.

A satisfactory understanding between Mayor Hartwig and the members of the city council in regard to issuing the warrants to be tendered in payment of the verdict recently awarded the Pacific Power & Light Company for the city water plant was arrived at at a special meeting of the city council Thursday evening. Mayor Hartwig stated his position to the council in the following communication:

September 14, 1911.
To the Honorable Council of the City of Hood River:

Gentlemen:—Relative to certain objections raised by me to the signing of current city warrants in the sum of \$32,441 for funding the light and water fund, I desire to say that when the warrants were presented to me for signature I had not had the opportunity to consider the matter, and I so stated to the recorder, and desired time to consider the legal features of the issue.

Having had time to consider the matter of signing these warrants to be tendered to the Pacific Power & Light Company, and also having given citizens time to protest against the procedure of putting the city into debt very far exceeding the express charter limitation of \$5,000, in case they wish to protest, I wish to state my position as precisely as possible.

1. The issuing of city warrants creating a debt beyond the express limitation fixed by the charter is in direct contravention of the charter and hence in violation of my official oath.

2. The fact that the citizens have voted a bond issue does not empower us to legally issue warrants. They did not vote to issue current warrants evidencing an indebtedness.

3. Section two of ordinance No. 3 provides that warrants issued and registered for want of funds to pay same shall bear 8 per cent interest annually, while bonds cannot ever exceed 6 per cent.

4. Should these warrants be issued and any contingency arise so as to prevent the ready sale of the bonds, the city's general tax and fund would necessarily have to redeem them, or the innocent holder of the warrants would be injured.

5. The supreme court of this state has decided that an official has no legal right to put into circulation a commercial paper by which any holder may be injured for want of funds to pay same.

However, gentlemen, having put before you some of the legal aspects of the matter, I wish to say that if you fully believe that such a procedure would be lawful and that the majority of the citizens are in favor of having these warrants issued, and the charter debt so exceeded, and if you will, by unanimous record vote of the whole council, in form of

a resolution so signify, I will issue same.

In this connection I would also like to call the attention of the members of the council to the advisability of re-advertising the \$90,000 bond issue together with the added amount necessary to take over the water plant as said bonds may be sold at a lower rate of interest and at a greater premium.

I would respectfully request that this communication be made part of the official records of the city of Hood River and inserted in the minutes.

Yours respectfully,
E. H. HARTWIG,
Mayor of Hood River.

Previous to the reading of the communication Mayor Hartwig stated that the announcement that he had refused to sign the warrants was premature and misleading. He had, he said, delayed signing them until he had given the matter mature consideration from a legal standpoint.

After properly considering the situation from the mayor's viewpoint Councilmen Brosius and Early stated that inasmuch as it was believed by the members of the council that the best interests of the city were being served by taking over the water plant as speedily as possible and also in marketing the bonds, the provision of the mayor's communication be complied with and that it be accepted. On a vote the motion was unanimously supported.

Proceeding on this action Mayor Hartwig signed the warrants and they were paid to the clerk of the circuit court in payment of the verdict. It is expected that Judge Bradshaw will be here today and issue a decree ordering the water plant turned over to the city.

Later the ordinance providing for the transfer and sale of the bonds from Ulen & Co. to Morris Bros. was put on its final passage and was unanimously passed.

Another ordinance affecting the proposed municipal water system providing for a Water Works Condemnation Fund and placing the interest at 6 per cent was also passed, doing away with one of the main points in the mayor's objection to signing the warrants.

Before passing the ordinance for the sale of the bonds the street committee reported that it had thoroughly discussed the communication of J. F. Butcher asking that the bonds be re-advertised and had come to the conclusion that any further delay in pushing the completion of the new water system or in holding up proposed street and other improvements was inexpedient and that there was no likelihood of the bonds being sold on any more favorable terms. Therefore the committee reported in favor of the passage of the ordinance.

It is expected to immediately ten-

der payment for the water plant in the sum fixed by the verdict and secure a court order from Judge Bradshaw authorizing the city to take possession of the plant. It will then be known what the attitude of the company is in regard to the verdict. The action of the latter will not, however, deter the city from securing the plant, as the case can be appealed and adjusted outside of such a contingency.

The street committee also reported favorably on vacating the lower end of Fifth street to be used for making a new street from the Apple Growers warehouse to the street running along the property of the vinegar plant, the Bridal Veil Lumbering Company and the rest of the district contiguous to the railroad west of town. The city engineer was ordered to survey and plat the street.

The city marshal was ordered to take such action as the council's attorney should direct in abating nuisances and the judiciary committee was instructed to bring in an ordinance providing for placing notices at the city limits warning automobilists against speeding in the city limits and placing the speed limit at 15 miles per hour, and also one providing for the regulation of the city's canine population.

An ordinance making some changes in the duties of the city treasurer was read and accepted.

SUE COUNTY FOR \$4,000 DAMAGES

Complaints in two suits for damages against Hood River county have been filed with the county clerk, aggregating \$4,000. The suits were filed by Bennet & Sinnott and A. J. Derby as attorneys for Matt Douglas and David Peck, who were seriously injured by a tree which fell on them during a storm last fall.

Peck and Douglas, who had been working in the Barrett district, were driving home, when the wind blew the tree over and, in falling, it crashed on top of them. The complaint alleges that the tree had been a menace to persons and vehicles on the public highway for over a year, and that it was in a "decayed, rotten and unsafe condition." The resulting injuries, it is claimed, will cause Douglas and Peck to be deformed for life, and therefore the complainants ask that they be awarded damages.

As jurymen in Hood River county paying taxes can be challenged for cause, it is possible that the case may be tried in Wasco county. It is expected that District Attorney Fred Wilson will be the county's attorney in defending the action.

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Clever Young Forger Fools New York Bank

Chas. M. McCann After Certifying Check On Butler Banking Company and Using Name of Well Known Business Man Gets Away With \$3,750—National Surety Company the Loser.

With the detection system of the National Bankers' Association and the Burns Detective Agency at work all over the country efforts are being made to arrest Charles M. McCann, who forged two checks made payable on the Butler Banking Company of this city. One of the checks was for \$8,750 and the other for \$850. It is now known here that McCann secured part of the money on the larger check although authentic advances to this effect have not yet been received. The Butler Banking Company, however, is not the loser in the transaction as the checks were presented for payment to the Irving National Bank in New York, which was insured against forgery by the National Surety Company, and the Surety Company will have to stand the loss.

In committing the forgery McCann worked the very clever scheme of having a rubber stamp made with the words, "Certified by the Butler Banking Company," stamping the face of the check with it and forging the name of Truman Butler, cashier, to the certification. The signature being identical with that of Mr. Butler. The check was drawn to the order of McCann and signed with the name of E. A. Franz. No attempt was made, however, to imitate the signature of Mr. Franz, his name being simply written in at the bottom. The check was deposited with the New York bank for collection and the first that was known of the forgery here was when Mr. Butler received a dispatch from the Ir-

ving National, the vice president of which is a personal friend of the Butlers and has visited at Hood River, asking if the check was O. K. A wire was immediately sent by the Butler Banking Company stating that no such check had been certified. The next day the check itself was received by mail, for collection and a day or two afterward another drawn in the same way, but without the certification. Until further information can be received it will not be known how much the clever forger has been able to obtain, but it is known that he secured \$3,750. According to a New York paper this is the way McCann worked it:

"Friday a nice-looking man walked into one of the biggest national banks in the city and introduced himself as Chas. M. McCann of Hood River, Ore. He had a cashier's check on the Butler Banking Company of Hood River. That happens to be a correspondent bank of the New York concern.

"Mr. McCann introduced himself to the cashier. He knew everybody connected with the Hood River bank and talked apples, crops and weather and made himself agreeable. He had a check for \$8,750 which he would like to deposit with the national bank here to open an account. He was not in need of any money, but would like to deposit the check for collection and safe keeping. He was stopping at the Plaza hotel.

"So this stranger, with no other introduction, opened an account for \$8,750 with one of the largest banks in New York and went his way.

"There is several hours' difference in time between Hood River, Ore., and New York. When it was noon here last Monday the Hood River bank was just opening its doors. The cashier's check had just been received there when the day's business was half over here. They did not think of that at this end of the line, but when Mr. McCann walked in Monday morning here and drew his check for \$8,750 they paid it without a murmur. A few hours later they got a hot wire from Hood River informing them the check was a forgery. Of course the poor forger loses the \$8,000 balance he still has to his credit."

It is said that McCann came to Hood River some time ago and was here several days. He became acquainted with the Butlers and also met J. C. Skinner, secretary of the Commercial Club. It is believed that in some way he obtained Mr. Butler's signature and then picked out the name of Mr. Franz as a well known business man here in case of inquiry being made before accepting the check.

A description of the forger states that he is about 23 years old with a polished manner and very well dressed. His height is given as five feet nine inches and his weight at 165 pounds. It is stated that he was clean shaven with light brown hair and a reddish tan complexion slightly freckled. The day after receiving word that the check was a forgery a Burns detective was sent here by the Bankers' Association and put in possession of all the information possible and it is expected that McCann will sooner or later be taken into custody.

FELLOWSHIP MEMBERS TO MEET SATURDAY

A meeting of the Applegrowers' Fellowship, to which all growers are invited, will be held Saturday, Sept. 23rd, in Hellbrenner hall. The meeting will be open at 2:30 p. m.

Prof. H. W. Lawrence, who has charge of the orchard work in the valley for the association, will address the meeting and give a report of his work during the summer. He will also outline a course for future procedure. His talk is expected to be instructive and interesting.

C. E. Whisler, manager of the Rogue River Valley Fruit Growers' Association, has been invited to speak at the meeting, on the subject of pear culture, and Prof. C. L. Lewis, horticulturist at the Oregon Agricultural College, has been asked to speak on crop handling.

Hydro-Electric Company Asks Dalles Franchise

Hood River Corporation Claims Immense Horsepower at Its Disposal Will Enable It to Supply Wasco City and Council There Calls Special Session to Consider Proposition.

The Hydro-Electric Company of Hood River, which is having a preliminary survey made preparatory to starting work on a power and light plant here, has extended its operations to The Dalles and has applied for a franchise in that city.

N. C. Evans of Hood River, representing the new company, was in conference with The Dalles council at a special meeting last week. His request was referred to a committee composed of Aldermen Koozts, McInery, Schoren, Davis and Moore. They met with Evans again Monday and will report to the council at its session on October 3.

The Hood Riverite wants the privilege of supplying The Dalles with "juice" for 50 years. He agrees to begin work on the system within two years and have the system in operation at The Dalles within three years after the passage of the proposed franchise. In addressing the council Mr. Evans said:

"The situation here at The Dalles is the same as at Hood River. Myself and associates are getting ready to install an electric light plant at Hood River and we propose and wish to make it large enough so that we can also supply The Dalles. We have secured a franchise at Hood River and there is no reason why people here should not give us the same privilege unless they want to be held up and robbed. We will guarantee to furnish electricity for 20 per cent less than the rates here at the present time, and in reality the charges of our company would prob-

ably be nearer half than what they are now.

"The ordinance which has been introduced stipulates that work must be begun within two years, but it would not be anywhere near that length of time before we could commence operations. As soon as I can secure contracts enough here at the reduced rate the plant would come immediately. It would probably be a matter of about six months.

"My associates and I have 7000 horsepower in Hood River. We are getting no revenue from it and the only way to realize on our investment is to erect a plant. If the people here want relief from the exorbitant charges made by the Pacific Power & Light company they can sure get it. This franchise asks for us to their benefit as well as ours. It is a mutual proposition. They will make money and so shall we. I see no reason why towns like The Dalles and Hood River should be held up."

Mayor Wood suggested to the committeemen who are to investigate the matter, that they also ascertain how much horsepower could be developed on the property of the city water rights, saying that many citizens are in favor of a municipal plant. He said it was well to investigate all phases of the matter.

The chairman of the light committee of The Dalles council informed the mayor that the committee had interviewed the manager of the Pacific Power and Light company and that the latter official said he could give no relief, that the increase in rates would be continued.

LITTLE MISS COLLIE KILLED BY MOTOR CAR

In the death of little Dorothy Collie who was struck and killed by a motor car on the East Side road Wednesday afternoon, Hood River records its first fatal automobile accident.

The little girl, who was aged seven years, with her brother, still younger, had just alighted from a vehicle that had brought them from school and were standing by the road on the opposite side from their home as the automobile owned by J. A. Epping and driven by his daughter Dorothy approached. Just before it reached the children the boy darted across the road in front of the machine and his sister following him was struck and knocked down, her skull being fractured, and other injuries resulting. The car was quickly stopped and Mr. Epping, who was in it with his daughter, summoned a physician. Dr. Shaw responded immediately, reaching the scene of the accident a few minutes after it occurred, but death had already ensued.

At the time of the accident Mr. and Mrs. Collie were absent from home, Mrs. Collie being at one of the neighbors and Mr. Collie at Pine Grove. The painful duty of notifying them was accomplished by their neighboring friends and the physician, who had all sympathy for the grief-stricken parents. Until this year the Collie children had been taught at home and were attending public school for the first time.

Persons who witnessed the accident state that it was apparently unavoidable as the car was moving comparatively slowly and that the little girl seemed to hesitate, then to make the fatal plunge.

Miss Epping was prostrated with grief and her father overwhelmed with regret by the tragic accident. In telling of it Mr. Epping said:

"We were driving at a moderate speed along the East Side road, when we saw a team stop in front of us in the middle of the road. The children in the vehicle alighted and were standing beside the rig. My daughter warned them that we were going to pass and they seemed to be expecting it. We were right on them when the boy ran in front of us. We barely missed him and the little girl was caught as she followed."

No occurrence at Hood River has caused its residents a greater shock and Mr. and Mrs. Collie have the sympathy of the entire community.

"SPECK" FORD HAS THRILLING ESCAPE

"Speck" Ford, who drives a delivery wagon for McGuire Bros.' meat market, had a narrow escape from death Thursday morning as east-bound passenger train No. 2 plowed into his delivery wagon as he was crossing the track ahead of the train.

Ford was thrown from the seat unhurt. The wagon was crushed into kindling wood and the horses cut in several places.

The fraction of a minute later in crossing the track would undoubtedly have cost Ford his life and also killed the horses.

The team was being driven up from the sand bar, but owing to a string of box cars on each side of the crossing Ford could not see the approaching train or hear it coming. Just as the engine reached the water tank the horses and front end of the wagon got on the crossing. The animals made a jump forward and the huge locomotive struck the back end of the wagon, throwing it aside like a match. Ford was thrown on top of the horses landing astride of one of them. Sliding to the ground quickly he grabbed the lines and prevented the team, which had been knocked loose from the wagon, from running away. A large crowd which was at the depot awaiting the train witnessed the accident and expected to see the young man and horses badly injured or killed. Just as he started to cross the tracks several men who were at the warehouse of Stranahan & Clark shouted to Ford, endeavoring to warn him, but the young man did not hear them. When told by some of the bystanders that they expected to see him killed Ford replied, "Oh, you can't kill an Irishman," and went on about his work of getting the harness loose from the wagon.

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HORSES FALL THROUGH LOADING PLATFORM

A raised platform with a hole in the center, being used to load dirt from the excavation for the basement of the Fruit Fair Association's building, has been the scene, during the past week, of several accidents to horses, which have partly fallen through it. The first animal to project its legs through the hole was gotten out with little injury, but a second horse, in a subsequent accident of this kind, bounded around to such an extent that it loosened a piece of sheet iron used as facing for the hole, and cut itself very badly. The animal was finally gotten out, and was taken to the stable of its owner, H. A. Moore, to receive the attention of a veterinarian.

EVENTS OF WORLD WIDE INTEREST PICTURED FOR BUSY READERS



EX SENATOR MILLS



VIEW OF YANG-TSE-KIANG



GOCH (ON LEFT) AND MACK WRESTLING FOR WORLD'S TITLE



JUDGE WATSON



DIXIE IV WINNING RACE

News Snapshots Of the Week

Frank Gotech, champion heavyweight wrestler of the world, successfully defended his title in Chicago by throwing George Hackenschmidt, the "Russian Lion," twice in less than twenty minutes. Roger Q. Mills, United States senator from Texas from 1892 to 1898, died at his home in Corsicana, Tex., after a brief illness. Dutifully but unwillingly Judge Watson sentenced Henry C. Beattie, Jr., to be electrocuted Nov. 24 after the jury had found him guilty of first degree murder. By defeating the Pioneer, her British challenger, in a thirty mile race on Huntington bay, New York, the American boat Dixie IV, retained the title of being the fastest motorboat in the world. More than 100,000 Chinamen were drowned when several unprecedented floods swept the vast valley of the Yangtze-Kiang.