

CITY NEWS IN BRIEF

Amusements Today.
CORDELL'S THEATRE (Washington street)—
"The Idol's Eye."

METROPOLITAN THEATRE—"King of the
Carnegie Hall."

FREDERICKSBURG, Seventh and Alder—
Specialties.

REMARKABLE CALF.—Henry Johnson,
who lives on the Oregon side of the Colum-
bia River, near Rainier, came to Port-
land yesterday to market several chests
of golden butter, the product of the in-
dustry of a number of Jersey cows which
browses on the flats near his home. Mr.
Johnson related a story of a curious calf
which he is now raising, and which he
hopes will become the founder of a profit-
able variety of stock. The calf, he says,
was orphaned early in its career by the
fact that its mother was unable to read
the warning sign, "Look out for the
cows," at the railroad crossing, and con-
sequently met a violent death. Mr. John-
son had no complaint on hand, and the
mother, and therefore placed the calf in
charge of an elderly ewe, which had been
recently bereaved of a promising lamb.
The ewe and the calf took kindly to each
other, to the great benefit of the calf,
which not only waxed sleek and fat, but
which, Mr. Johnson says, surprised him
greatly by growing a fine crop of cream-
colored wool on its back. Mr. Johnson
did not take the wool with him, but he
averts that it is of good quality, and
he says he has hopes of revolutioniz-
ing the stock business when the calf
becomes an ancestor. When Mr. John-
son was asked if he had ever been engaged
in the business of writing circus adver-
tisements, he replied that he had not, but
that he always thought he could succeed
in it.

IMPORTANT FREE LIBRARY MEETING.—A
highly important and interesting meeting
will take place tonight in the parlors of
the Hotel Portland at 8 o'clock promptly,
the occasion being a joint conference be-
tween Portland women who are inter-
ested in advancing the free library move-
ment and Portland business men. The of-
ficers of the State Federation of Women's
Clubs, led by the president, Mrs. C. E.
Wade, of Bendleton, who came here for
that special purpose, will be present. It
is also expected and earnestly urged that
members of the library department of the
Woman's Club will be there in full force.
Many prominent citizens, who represent
the commercial interests of Portland,
have signified their intention of being
present, so there is every reason to be-
lieve there will be some valuable and
entertaining exchange of opinion regard-
ing the desirability and probability of obtain-
ing the passage of the contemplated free
library bill through the Legislature this
winter. There is said to be a strong feel-
ing in favor of it throughout the state,
and Oregon women seem to be taking a
determined stand for it. They have been
busily engaged in collecting information
from other states relative to the subject
for at least two years, and have a formid-
able array of facts with which to push
their cause. A committee of the confer-
ence tonight is extended to everyone
interested in the movement.

COLLIE PURCHASER EXPERIENCE.—A
sharp-tongued Seattle collie, through whose
wounds and scratches, and somewhat over-
heated blood flows, purchased a valuable
collie of experience yesterday at the
trifling cost of half his last ear. He was
sitting under a buggy waiting for his
owner on North Benton street, when a
white bull dog came trotting up the
sidewalk and observing the collie, paused
and with wagging tail, took a friendly
sniff at him. The collie evidently thought
the bull dog was not in his set, for in-
stead of returning the polite salutation,
he snapped viciously at the other's back,
bringing forth a small crimson stain. He
got just one more sniff, and then he de-
spairingly devoted to voicing surprise and
despair in such unmistakable tones that
a crowd of small boys was soon on hand
to watch the collie's master come out and
hold a sulphur match under the bull dog's
nose till the strong, sharp teeth were
sharply parted. The collie escaped with
part of his ear gone and with a new-
found respect for bull dogs, which is likely
to save him some suffering in the future.

BUNCO STEERERS RUN IN.—Detectives
Day and Welner made a good catch
yesterday, landing three bunco steers,
who had tricked a Hansen, one of the
greenest country boys who ever fell to
their lot, out of \$50, all the money he
had in the world. The men were Ed
Stevens, proprietor of the spindle game,
and his two "experts," Charles T. Dwyer
and J. F. Denver. After winning Han-
sen's money, in order to get rid of him,
the steers bought him a \$2 railroad
ticket to Klamath, his home. Before
they had him safely, Detective
Day and Welner picked him up, heard
his story, and had arrested two of the
men and soon afterwards the third. The
game worked on Hansen was simple, the
cappers winning seemingly every-
thing and exciting the boy's avarice. The
case against the three men seems clear,
and they may join the five others now
serving sentences in the Penitentiary,
sent up by the police department.

SPORTSMEN HAD GOOD LUCK.—Returning
hunters from up the Valley and
down the Columbia are all bringing large
bags of game, and report that the present
season is the best they have ever ex-
perienced. Birds are plentiful and in good
condition. None of the men at Hunter's
Cabin on the Columbia have returned with
less than bags of \$5. George Knott re-
turned with a bag of teal, and Charles
Steinle with 57 teal and sprigs. Captain
Pope and Captain Riley both returned
from the Waldo Hills, near Salem, with
full strings of Chinese pheasants, and
hunters all successful. Few of those
who went on the special up Valley have
yet returned.

ELMO MEN RETURN.—Tom Tracy, win-
ner of the recent Tracy-Thompson fight,
Tommy Cox, the Australian bantam-
weight, and E. E. Blazer, manager of the
recently organized Columbia Amusement
Club, returned from San Francisco last
evening on the State of California. It
is on the programme to match Tommy Cox
and Billy De Courcy, champion of
Southern California, at 122 pounds each,
and the men have already deposited \$50
as a guarantee. Tom Tracy has decided
to stay in Portland, and an effort will be
made to match him against either Rube
Fera, of Detroit, or Tommy Ryan, the
well-known welter-weight, now in San
Francisco.

BACK FROM CAPE NOZE.—T. C. Powell
has returned from Nome where he went
to make his fortune, but did not suc-
ceed. The weather he states was not
until August, when it began to rain and
blow and became cold. Few of the Port-
landers, he says, have realized their ex-
pectations, and most of them will
soon come home. He reports that Cape
Braden went prospecting with Judge
Adams, but they experienced rough
weather and made no headway.

INCORPORATION OF INCORPORATION.—
The incorporation of the Tyler Investment
Company were filed in the County Clerk's
office yesterday. The incorporators are R. I.
Eckerson, J. F. Brown and C. D. Grif-
fith. Capital stock, \$100,000. The objects
are to deal in real estate, etc.

NEW TURKISH BATH.—The new Turk-
ish Bath Parlors, 335 Chamber of Com-
merce Building, are now open and ready
for business. The parlors have been new-
ly furnished in every department with
modern appliances. For gentlemen only,
J. F. King, manager.

REV. J. F. GHOERMIEY will deliver his
monthly illustrated lecture on Cape Nome
at the First Presbyterian Church, Sell-
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SATURDAY NIGHT DANCING CLASS for
young men and misses, Mrs. Larowe, Fore-
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DAIRYMAN ARRESTED.—Casper Thull, a
German dairyman on the Macadam road,
opposite the Macadam House, was ar-
rested yesterday by Deputy Sheriff Wagner
on a warrant sworn out by Dairy and
Food Commissioner T. W. Bailey. Thull
keeps 35 cows confined in a small stable,
and the specific charge against him is
that each cow has an air space of only
350 cubic feet, when 500 feet are required
by law. He was warned to clean up his
premises and give each cow larger space,
but he did not comply with the orders
of the Dairy Commissioner, and was con-
sequently arrested. The officers who in-
spected the premises describe them as in a
deplorable manner, the cattle being crowd-
ed so close together that when milking
Thull was unable to pass between them,
but had to crawl underneath. He was
released on \$25 cash bail. The case will
be taken in Justice Kraemer's court
Thursday.

CUR FLOWERS and floral designs reason-
able at Burkhardt Bros., 23d and Gilliam.

SECOND-STREET FRANCHISE

City Attorney Says Railway Com-
pany Must Pay Its Share.

A legal opinion has been rendered by
City Attorney Long regarding the Second-
street franchise problem. The pavement
of that street between Morrison and Mad-
ison was postponed until the committee
on streets ascertain what is the status
of the franchise. Some were of the
opinion that the conditions of the
grant had not been complied with, and
that a forfeiture was in order. City At-
torney Long, in the opinion, City At-
torney Long states that he is not fur-
nished sufficient information on this point,
but outlines the liability of the company.
The action removes all friction, and the
street-car company is indicated, it is
probable that work on the improvement
will be commenced. Property-owners
feared that if a pavement were laid as
the street now is, afterwards the street-
car line might be abandoned and the
rails removed, which would seriously in-
jure the investment. If work is pressed,
and the company finds itself liable for
its share of the improvement while hold-
ing the franchise, the company will be
forced to a decision one way or the other
immediately. Mr. Long's opinion is as
follows: "I find under ordinance No. 6445 that
the City of Portland granted a franchise
to the Portland Traction Company, its
successors and assigns, to construct and
operate a street railway upon Second
street, and covering that part of the
street the council desires to improve.
"The company is authorized by law to
lay down a single or double-track line as
near the center of the street as practica-
ble. Section of their franchise requires
the owners of the railway to plank, pave
or macadamize, as the municipal author-
ities may direct, the street along and over
which the railway shall be laid and for
one foot outside of the rails, and that
portion of the street between the two
tracks.
"it is of the opinion that the city has
the right to require the railway company
to improve all that part of the street
lying between lines one foot outside of
the outer rails, and that this authority
rests not only against the railway com-
pany, but its successors and assigns. The
words successors and assigns will not
necessarily apply to leases. The liability
of the lessee depends upon the terms of
the lease. If it should be of such a length
that it would cover the term of the
franchise, the lessee would be liable regard-
less of the terms of the lease, but in the
absence of statutory authority, corporations
granted franchises to operate railways
have no power to lease unless given them
by Legislative enactment, and the party
therefore could not lease to another com-
pany and thereby render it incapable of
improvement. It is of the opinion that the
city is not bound to accept of a lease which
absolve it from its obligations without the
consent of the creative power.
"Therefore if the lease is void as
against public policy, I do not think the
city is bound to accept of a lease which
is an improvement against the lessee.
"I am further of the opinion, first, that
the city has the right to direct the own-
ers of the street to improve that part
of that part of the street heretofore in-
dicated, covering about 15 feet, and the
mode would be the same as I have hereto-
fore advised. This committee on several
occasions, I. e., pass an ordinance direct-
ing the company or its successors or as-
signs to pave the street within such a
time as would be reasonable, and in case
they fail to do so, the city has the right
of two courses—mandamus to compel them
to pave it, or the city pave it and sue
the railway company for the value of the
pavement.
"it is of the opinion that you have not
the right to levy an assessment against
this street railway company, for your
remedy is as above indicated.
"Whether the city would get the amount
depends upon the solvency of the railway
company or the ability of the city to sell
the whole line for an amount equal to
the cost of improvement. It is of the
opinion that the Metropolitan Street
Railway has anything to do with the
Second-street line.
"you asked me if the city can declare a
franchise forfeited for failure of the
company to operate strictly in accordance
with the franchise or for failure to pay
the assessment for improvement. I can-
not tell you what effect the failure
would have unless you state to me spec-
ifically what they are, as for some fail-
ures the franchise fixes the penalty, and
as to forfeiture, the franchise only pro-
vides for the forfeiture of that part of
the road that is not constructed within
a certain time. Any other forfeiture
would come under the general law.
"forfeitures are not favored. An act
sufficient to cause a forfeiture does not
per se produce one. A corporation con-
tinues to exist unless the sovereignty
which created it shall by proper pro-
ceedings in the proper court procure a
forfeiture, and the forfeiture can only
be secured by such proceedings. The fail-
ure of a company to pay street assess-
ments is in the nature of a collateral
proceeding, and would not be ground of
forfeiture."

DR. GUE IS ACCEPTED ONLY ONE BEST

Centenary Church Will Make
No Further Protest.

Resolutions Concerning Him Will
Not Go on Record—News of
the East Side.

The resolutions adopted by the official
board of Centenary Methodist Church
Monday, September 24, protesting against
the appointment of Rev. G. W. Gue, D.
D., as pastor, have been removed from
the records of the church, and the matter
has thus been taken out of the hands of
Bishop Andrews. Monday evening the
board held a meeting. There was a large
attendance present. J. B. Easter made
the statement that the action of the
special meeting passing the resolutions
referred to was illegal and without force,
for the reason the meeting had not been
called for that sort of business. It was
a special meeting to consider the matter
of finances for the year, and there was
no authority to go outside of the busi-
ness for which the meeting was called,
and hence the resolutions could not and
did not bind the board not church, being
illegal. It was then moved, seconded and
carried that the whole proceedings in con-
nection with the protest be expunged
from the records. No one voted in the
negative and the protest, being illegal,
Bishop Andrews will not have to take
cognizance of the resolutions and letter
sent him by the secretary, nor will the
committee of three have to meet him.
The action removes all friction, and the
church will proceed with arrangements
for the year without delay. A member
of the board said yesterday that the out-
look is most encouraging and that sub-
scriptions for the expenses for the year
were coming in. Dr. Gue was seen yester-
day and expressed himself as pleased
with the action taken in expunging the
objectionable proceedings from the rec-
ords. It is now said that the reason these
resolutions were passed was because Dr.
Gue will spend a month in London next
May as a delegate from Oregon to the
great religious gathering, and that he
contemplated extending his visit to Jeru-
salem, which would break into the regular
work of the year.

Dr. Gue has plans for handling the big
debt, but he so this settles the difficulty.
The church would be taken up and the
debt would rest for the present. He will
move to a house near the church, so he
can be close to his work. The board,
congregation and pastor are now working
in harmony, and one of the best and most
prosperous years is predicted for Centenary.

Lemuel Roome, one of the trustees
of the church, says that the reports re-
cently published in The Oregonian are
very misleading, and that, as a matter of
fact, the board never entertained any-
thing but the best of feelings toward
Dr. Gue. He says that this matter should
be placed right before the public. Mr.
Roome also says that the church will
stand by their pastor and help him to
make his congregation feel that he is
in the church, both spiritually and financially.

COLUMBIA SLOUGH ROAD.

There is a strong feeling among the
farmers living on the Columbia Slough
road that it is the duty of the County
Commissioners, Henry Holtgreve, one of the remaining early
settlers in that district, was in the city
yesterday, and explained the situation.
He said that the important year of Centenary
received little attention and had for many
years been neglected, especially that por-
tion between the Masonic graveyard and
the Mitchell place, where no gravel had
ever been used. Mr. Holtgreve says he
had the promise of the Commissioners
that they would inspect the road and see
what is required, but he is not aware that
this has yet been done. During the sum-
mer and present the road is in very
fair condition, but when the rains descend
it becomes almost impassable. There is
a great travel on the Columbia Slough
road, and it extends through a great
country, and many of the milk wagons
coming to Portland pass over a portion of
it, and as Mr. Holtgreve says, in the
winter the conditions are in a bad condition.
The Commissioners have had to attend
to the wants of this district their attention
when they can get around to it.

EXTENDING RAILWAY.

A large force of men have been at
work since Monday grading on Hibbard
street, Montavilla, for the completion of
the North Mount Tabor Railway to the
Busa Line road. The track had been laid
from North Montavilla along Hibbard
street half way to Busa Line, and the
cars will soon be running to the later
point. The people of South Monta-
villa will thus have street-car accommo-
dations at their doors before winter.

EAST SIDE NOTES.

P. Clark, who lives at Woodlawn, has
arrived from Skagway, Alaska. Mr.
Clark has been in Alaska for a long time.

Mrs. H. H. Taylor, of Anacoda, Mont.,
is visiting at the home of her brother,
Edward Hunter, Woodlawn. She will re-
main several months, as the climate
agrees with her.

Archibald McCoy, 94 years old, died at
the home of his daughter, 1132 East Sal-
mon street, quite suddenly Monday even-
ing. He had lived in the community for
the past 15 years.

Mrs. Louis Paquet and family, of the
East Side, left last evening for Los An-
geles, Cal., where they will spend the
winter. The trip is made for the benefit
of the health of Mrs. Paquet.

Rev. J. F. Ghoermey will deliver an
illustrated lecture on Nome, Alaska, this
evening at the Sellwood Presbyterian
Church, 12th and Washington. He will
speak from personal observation.

The funeral of Earl C. Ordway, son of
Mr. and Mrs. Julius Ordway, who died
Sunday evening at St. Vincent's Hospital,

will take place this afternoon at 3 o'clock.
The Rev. T. L. Elliot is expected to officiate.
Lone Fir cemetery will be the place of
interment.

Rev. G. A. Blair, formerly pastor of the
First Columbia Presbyterian Church,
attending the session of the Presbytery
now in session. Mr. Blair, since he re-
signed the pastorate of the Portland
church because of ill health, has con-
tinued to improve and is nearly restored
to health.

Dr. Wise, room 114, The Dekum.

IT EXPLAINS ITSELF.

Characteristic Letter Just Received
by Litt From New York City.

NEW YORK, Sept. 26, 1900.—Office of J. C.
Stratton, northwest corner Waverly
Place and Mercer street.—My Dear Sir:
It does me good to hear from you, and I
ask you to listen to my advice and not
worry. You have worried enough through
the panic. Then there was some reason,
but now you have more business than
you can take care of now from you, and I
worry for you and get the stuff out, and
this we will do. Had it not been for the Jew-
ish holidays, all your long and three-quarter
cloths would have been sent before
this, but as you know, we have over 40
Hebrew tailors who will not work at any
price on holidays.
Thomas said that at least 500 garments
will leave the house for you by the first
of the month. So be happy. We expect
you here as soon as your store is remodel-
ed, which you say will be about the 1st
of November. Now, about the short jack-
ets. If you have any in stock, send them
either to Alaska or offer them at auction,
as they are dead in New York excepting
for very large women or middle-aged lad-
ies. With best wishes, I am your friend,
JOHN C. STRATTON.

WAS NO BOOK TRUST.

Olympian.
Superintendent Brown's explanation of
his reason for urging the preparation and
publication of school text-books by local
talent and companies is hardly satisfac-
tory. It is now given out on all sides that
the great purpose was to rid the state of
a great "octopus"—the American Book
Company, inasmuch as the American
Book Company has had but a single book
(a high school algebra) in use in this
state, through state adoption, during the
past 10 years, and as the awarding of
contracts for the next five years was en-
tirely in the hands of Mr. Brown and
his associates, it does not seem that any
unusual or drastic measures were neces-
sary to rid the state of what seems to be
entirely an imaginary evil.

JACOB DOLL UPRIGHT PIANO.

The latest improved. Acknowledged to
be the best sold on easy installments. Pianos
renewed, tuned and repaired at lowest
prices. H. Sinsheimer, 72 Third. Estab-
lished 1852.

A LITTLE MEDICINE OF THE RIGHT KIND.

taken at the right time, is invaluable. That
means Little Liver Pills, and
take them now.

CASTORIA

For Infants and Children.
The Kind You Have Always Bought
Bears the Signature of J. C. Watson.

FRED PREHN

The Dekum Building,
11th and Washington.
Gold Crowns ..... \$1.00
Dental Work ..... \$1.00
Examinations free.
Teeth extracted ab-
solutely without pain.
Cor. Third and Washington.

ALL MAKE THE BROADEST CLAIMS, BUT

Eilers Piano House Gets the
Business.

Isn't it really wonderful that almost
every dealer and every firm-journal
agent, who is trying to compete against
Eilers Piano House will tell you that
the particular piano he happens to have
for sale is "the very best," and that
Eilers Piano House instruments are "no
good," "won't stand this climate," etc.;
and that, in the very face of these asser-
tions, whenever a competent judge of
piano values has purchased a piano, it
has invariably been furnished by Eilers
Piano House?
The fine new piano which Mr. Dierke
received as a gift for Mrs. Dierke, who
crackles today as the possessor of the very
best concert pianist in this country and
Europe; the piano which Professor Edgar
Cohen selected for Mrs. Walker Reed,
Portland's foremost vocal artist; the new
piano for Frank Richter, the wonderful
blind boy pianist; the new piano for Sig-
pino Vesino, of