PORTLAND, OREGON, TUESDAY, SEPTEMBER 24, 1901.

to stand on the sidewalk for a moment,

his cell to the courtroom. Czolgosz was brought into the courtroom only a few moments before the hour set for the open-

ing of his trial. No person was admit-ted to the building without a pass, signed by the Chief of Police, and it was neces-

sary to show this to every policeman on

every landing and in every corridor. The officer at the door of the courtroom was especially vigilant, and not only examined

the passes, but accutinized the bearers critically before admitting them to the

The counsel for Czolgosz, ex-Su preme Court Justice Loren L. Lewis, Rob-

ert C. Titus and Carleton E. Ladd, saw him again this morning before the time for the opening of the court, but he had

no more to say to them than on the previous occasions when they have visited him,

The Courtroom.

Part III of the Supreme Court of Erie

County is a small room on the south side of the second floor of the City Hall. It

is lighted only at the south end by lat-ticed windows, and here the Justices'

bench and witness stand is placed. On the right of the room are the jurymen's seats, and they have unobstructed view

of the entire room. There is no railing in front of the jurymen, and the chairs are

placed on a platform some six inches above the floor. The room has a high ceiling, with drab walls, which are seamed

with cracks.

The enclosure for the bench and bar oc-

cupies over one-half of the floor space, while the remainder is given over to seats for the public. Not over 130 of the latter

could be accommodated, and these seats today were mainly occupied by the men

summoned to serve upon the jury. Czol-gosz, with his counsel, occupied seats di-

rectly in front of the Justices' bench. The prisoner's chair was just back of that of Judge Titus and Deputy Sheriffs

were filled very slowly, owing to the ex-treme care shown by the officers in the

corridors in admitting those who applied

and it was not until "court" was announced that the last one was occupied.

Dr. Allan McLean Hamilton was one of the first of those connected with the case

to take a position inside of the inclosure. Dr. Hamilton, who was the chief insanity expert at the trial of Garfield's assassin,

Lewis and Titus, counsel for the prisoner. Just behind them came Mrs. Justice White

and her daughter, who were given seats

within the enclosure.

Av 10 o'clock the formal opening of the

merely of calling the roll of grand jurors for the coming session, and they were

then excused until October 7. Clerk Fish-

er, after a preliminary "Hear ye, hear ye," by the crier, proceeded with the call-

Of the 36 trial jurors called only one

asked to be excused. He had a saw mill in process of erection which he said must

be finished at once on account of low

then requested the other Justices of Parts

I and II, then in session, not to dis-charge their jurors, but to hold them in

readiness for an impaneling in the Czol-

Czolgosz Brought In.

At 10:16 there was a bustle in the corri-

dor and a squad of policemen brought in

the prisoner. He was handcuffed to an officer on each side, while in front and

behind him walked other uniformed po-

licemen. The prisoner was attired in a new suit of dark gray, a white shirt and collar and a blue tie. His face was clean-

ly shaven and his hair combed. He sat down behind his counsel with two officers

n plain clothes immediately in his rear.

District Attorney Penney at once began the reading of the indictment. He spoke

to Czolgosz in a low voice, in fact, so

Justice White asked him, "What have

There was a moment's hesitation. Then

the prisoner's lips moved as if to make

a reply, but before he could do so, his

junior counsel, Mr. Lewis, arose to speak, not having seen the prisoner's motion.

Czolgosz should speak, and the prisoner

to the demand for a reply the prisoner,

who was standing at the time, said in a

This plea, however, was not permitted to stand under the law and a plea of "Not

guilty" was at once ordered by the court, Mr. Titus, counsel for the defense, then arose and stated to the court the facts

already known as to his connection with

Examination of Jurors.

and counsel for the defense. No objection was made and Lauer was accepted.

Richard J. Garwood, a street railway

foreman, was next summoned. One of the questions put to nim by District At-

which Garwood replied, "Yes." Judge

Lewis asked him if he would acquit a

man if it was clearly proven that he was

insane at the time the murder was com-mitted. Mr. Garwood replied that he

(Concluded on Second Page.)

"I did not hear what he said."

White, however, insisted that

what had been said.

you to say?"

very low valce:

"Gullty."

The

and took his seat upon the bench

placed at various points in room and quiet was enforced all. The spectators' seats

forced as befitting the occasion,

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### CRACK-PROOF SEAL MINING BOOTS GZOLGOSZ ON TRIAL

Assassin of President McKinley Pleaded Guilty.

PRISONER WAS UNCONCERNED

Court Ordered the Plea to Be Recorded "Not Gullty"-Case May Be Concluded Today-Physicians Gave Important Testimony.

BUFFALO, N. Y., Sept. 23.—Leon F. Czolgoss was placed on trial this morning, charged with the murder of President William McKinley. He entered a plea of guilty, which was subsequently changed to "not guilty" by direction of the court. All the events of the day indicated that the trial will be short. Court convened at 10 o'clock, and within two hours eight jurors had been secured. Technicalities were not raised by the examining counsel, but it was significant that every man who said he had formed an opinion on the case was excused by the District Attorney. Those who acknowledged they had formed an opinion, or stated that they were prejudiced, but admitted their opinion could be changed by evidence, were ion could be changed by evidence, were accepted by each side, Justice Truman C. White, one of the oldest and most experienced of the Supreme Court Judges, was on the bench. Immediately after the opening of the court, and after the prisoner had pleaded, Justice Lorn L. Lewis, senior counsel for the defendant, announced that, together with his colleagues, ex-Justice Robert C. Titus and Carlton E. Ladd, they were ready to act in behalf of the prisoner.

"I thought it best," he said, "for my colleagues and myself, that I should say something regarding our presence here as attorneys for the defendant. At the time my name was suggested I was out of the

my name was suggested I was out of the city, and knew nothing of what was transpiring here with reference to the selec-tion of counsel for the defendant. When the circumstances of my selection were told to me, I was extremely reluctant to accept. But the duty had been imposed, and I considered it my duty, in the light of all the circumstances, to defend this man. I ask that no evidence be presented here—that the court will not permit the acceptance of any evidence—unless it would be accepted at the trial of the most meager criminal in the land,"

"I am familiar with these circumstances," said Justice White, in reply, "and I wish to say I will give you every assurance that the prisoner will have a fair and impartial trial. During the progress of the trial he will receive such treatment as the law demands in any

Securing the Jurors. work of securing the jurors was The work of securing the jarors was then undertaken, with a celerity that was amazing. Before the day was over the entire panel had been sworn, the jurors had listened to a description of the Temple of Music, where the crime occurred; had seen photographs of the interior of that structure, and had been told by three surgeons what had caused the death of the President, and the effect of the assassin's shot upon the various organs of the body. They had also learned why the fatal bullet had not been located.

The presentation of the Government's case began shortly before 3 o'clock, when Assistant District Attorney Haller began with much deliberation to address the He spoke very briefly. said he, "that for

"We shall show," said he, "that for some days prior to the shooting, this de-fendant had premeditated the shooting of the President. He knew that on the 6th of September the President would receive the populace in the Temple of Music; that on that day he went to the exposition, got into line with the people and ap-proached the President; that he had a weapon concealed in his hand, and as the President extended his hand in kindly greeting, he fired the fatal shot. He fired two shots, in fact. One of them took effect in the abdomen, and caused the mor-tal wound which resulted in the President's death. That, in brief, is what we shall prove to you. Witnesses will tell you this story, and I am sure that when you have heard the evidence you will have no difficulty in reaching a verdict of murder in the first degree. The first witness was Samuel J. Fields,

chief engineer of the Pan-American Exposition, who described the ground-floor plan of the Temple of Music, and was followed by Perry A. Bliss, a photographer, who presented views of the interior of the building The remainder of the afternoon was taken up with the testimony of three physicians, two of whom attended the President during his last days, while the other performed the autopsy. The latter, Dr. Harvey R. Gaywas the first of the three to be wounds in the stomach, and the direction of the bullet. The cause of death was attributed to the gunshot wound, but, fundamentally, he said, it was due to the changes back of the stomach, in the pan-creas, caused by the "breaking down" of the material of the pancreas as a

result of the passage of the bullet.
Dr. Herman Minter followed, and his estimony was of importance, inasmuch as it brought out the fact that the rea-son for the non-location of the fatal bullet at the autopsy was because of the unwillingness of the President's relatives to have the body further mutilated by their instruments. Dr. Minter and Dr. Mann, who followed him, both testified that the primary cause of death was the gunshot wound in the stomach. One effect of this wound was, they said, to cause the gangrene to form in the pancreas, and the spot of poisoned tissue was as large as a silver dollar.

The prisoner, Czolgosz, during the morning, evinced no interest whatever in the proceedings, but as the testimony was in-troduced he paid more attention to what was being said, and looked at the various witnesses closely.

The probable duration of the trial, it is elleved, can be placed at two full days. When District Attorney Penney was asked by Justice White at the noon hour as to the time he would take in the presentation of his case, he declared he would conclude by Tuesday noon, Judge Titus, for the defense, was noncommittal, however, and merely replied: "That depends upon the turn things take." It is not probable that any defense will be put in. owing to the character of the prisoner and his refusal to help his attorneys in any way to procure evidence which they could ise in his favor. The idea of an attempt to enter the question of his sanity is not thought of, in view of the reports of the altenists who have recently exambelief that the trial will be concluded with a session of but one day more,

THE TRIAL IN DETAIL.

Streets About the Courthouse Were Thronged by Curious People. BUFFALO. Sept. 23.-Long before the

#### trial began the streets in the vicinity of the City Hall were thronged by many curious persons. The various entrances to the great building, with the exception of that on Franklin street, were

exception of that on Frankin street, were closely guarded. Squads of pollocmen were stationed on every landing, and in a double line far inside the place of en-trance, to keep back the crowds, while in a station not far away reserves were ready to reinforce the detail on duty should the feelings of the people become aroused to the avent of rioting Mounted Basis of the Proceedings in the Schley Court.

aroused to the extent of rioting, Mounted officers paced slowly around every side of the structure, and no one was allowed SOME EXCITING TESTIMONY so that at no time was the crowd large. No one on the outside of the building saw the prisoner as he was taken from

> Schley's Attorneys Serve Notice That Sampson Cannot Be Kept Out of the Inquiry-When the Texas Was in Danger.

WASHINGTON, Sept. 23.—The part played by the battle-ship Texas in the naval battle off Santiago, July 3, 1898, was the basis of the greater part of to-The interior of the City Hall, as well as the outside, still bore the somber draperies of mourning and quiet was enday's proceedings in the Schley naval court

statement in connection with his remark that he was going in to sink the Colon." Commander Schroeder was then asked concerning the coal supply of the Mas-sachusetts, and when he replied he had no information on that point he was asked to read the log to secure this infor-mation. Counsel for Admiral Schley objected, but Assistant Judge-Advocate
Hanna insisted, saying that Admiral
Schley's counsel were merely creating
delay by their objections.

"I propose to develop the facts in this case and technical objections will not avail to prevent," he said.

The purpose of this inquiry was to de velop what Messrs. Lemley and Hanna considered an error in Admiral Higgin-son's testimony. He had said the son's testimony. He had said the Massachusetts could not have remained on blockade for more than 12 days, and then the vessel would be without coal and powerless to proceed to coal. The objec-tion to the question was not pressed, and upon reading from the log Commander Schroeder said it showed that the Massachusetts had over 400 fons of coal aboard when it arrived at Santiago.

Mr. Hanna-Assuming that the Massa-chusetts on blockade duty would use 30 to day's proceedings in the Schley naval court 40 tons of coal per day, how long could of inquiry. Of the four witnesses ex- the Massachusetts have remained on

#### ASSASSIN CZOLGOSZ





TWO VIEWS OF THE MAN WHO IS RESPONSIBLE FOR THE DEATH OF PRESIDENT M'KINLEY.

officers on board the Texas during the battle, and two of them were new wit-These were Commander George C. Hellner, who was navigator on the Texas, and Commander Alexander B. Bates, who was the chief engineer on that battle-ship.

Gulteau, occupied a seat at the table re-served for the prosecution. District At-torney Pennay, in fig. a assistant, Frederick Haller, were the next to put in an ap-pearance, and were followed by Judges The testimony several times during the day was somewhat exciting especially so when Commander Heliner described the battle, and the part the Texas had taken in it. He said when the Brooklyn made its loop, at the beginning of the battle. it passed across the Texas' bow at a distance not to exceed 100 to 150 yards, and that at the command of Captain Philip court was announced. Justice Truman White entered through the center alse the Texas had been brought to a dead stop. Engineer Bates testified that the starboard engines had been stopped, and first business of the session had no rela-tion to the case of Czolgosz. It consisted said he thought this also had happened to the port engines. Commander Heilner expressed the opinion that three miles nad been lost by this maneuver, and the fact that part of the machin deranged. He said he considered that the Texas was in greater danger when the Brooklyn crossed her bow than at any ing of the jurors summoned for the trial of the Czolgosz case in Part III.

other time during the battle, On cross-examination, Commander Heil-ner admitted having taken part in the preparation of the official Navy Department chart showing the positions at dif-ferent times of the ships which had participated in the battle. He said that according to this chart the two ships never were nearer than 600 yards of each other, But he contended the chart was inaccu-rate, and he said he had only consented to it as a compromise. Engineer Bates admitted that the official steam jog of the Texas contained no record of the signal to reverse the engines. Commander Schroeder testified concerning the coal supply of the Massachusetts, which, he said, would have been sufficient for a blockade of from 16 to 20 days.

The day closed with another animated controversy between counsel as to the pol-icy of bringing Admiral Sampson 's name into the trial. It was authoritatively stated today that the Navy Department has no intention at present of bringing Admiral Sampson to Washington as a witness, or to participate in any other manner at the inquiry.

low that when the prisoner was asked to plead, he seemed not to understand manner at the inquiry.

The members of the Schley court of Inquiry found the accommodations in the tool shop at the navy yard somewhat improved when they met there at the usual hour of il o'clock today. The long bare room, which hitherto had been open from floor to roof, had been completely trans-formed over Sunday by the addition of a celling of plain white cloth. This had the effect also of improving the acoustics of the hall so that the court and others had less difficulty than formerly in hearing the District Attorney Penney then read the addictment again in a louder voice, and

Captain Lemly presented the deck log books of the Brooklyn, Texas, Iowa, Castine, Marbiehead, Massachusetts, Minne apolis, New Orleans, Oregon, St. Paul Scorpion, Yale, Vixen, Eagle, Dupont, Hawk and Merrimac. "How about the New York?" asked

"I want to expedite the proceedings." "I have no objection," responded Cap-tain Lemly. "I too, want to hasten the proceedings ac much as possible

the case. He explained the position of himself and his associates, Judge Lewis Proceeding Captain Lemly said he had suggested such logs as be considered es-sential, and that he would have printed and Mr. Ladd, was a peculiar one and conthe points considered pertinent. He then forms of law and justice were observed ated the time that he desired covin the prosecution,
Justice White, in reply, complimented counsel for the defense, and said that the ered by the matter to be printed, but Admiral Schley's counsel objected and asked that the entire logs for the time that the fleet left Key West until after the Battle prisoner could have no better counsel and that whatever the outcome, it would reflect only credit and honor on them. of Santiago be made available. After some exchanges of opinion on the part of the counsel, the understanding was he counsel, the understanding was eached that such parts of the logs as either side desired could be printed. Captain Lemly also presented the steam The examination and swearing in of jurors was then begun, the prisoner standing as each was sworn. The first juror ogs of the Brooklyn, Texas, Massachu was summoned at 19:26. His name is Frederick V. Lauer, a plumber. He was examined briefly by the district attorney setts, Iowa and Marblehead, Admiral Schley's counsel asked to have the log of

the Spanish ship Colon presented, 'Very well, if we can find a Spanish scholar to go through it and select the facts wanted," said Captain Lemly, "Admiral Schley is a good Spanish schol-ar, and he can make such selections as we may desire," responded Mr. Raynor.

torney Penney was, "Do you believe in the present form of government?" to Commander Schroeder Recalled. Commander Schroeder was recalled and asked if he desired to make any correc-tions in the official record of his testimony of Saturday. "There is one omis-sion from Admiral Schley's remarks on the Massachusetts on the day of the bombardment of the Colon, which I overyould. After a few more questions from ludge Lewis, Garwood was accepted. The third of the panel called to the bar heard, which I would like to supply," he said. It is this: was Joshua Winner, a farmer, of North

"He said when he came aboard

blockade before Santiago with that supply of coal? Coal-Consumption Question.

"That would depend entirely upon the nature of the blockade and upon whether we would have to go some distance to replenish the coal supply. By keeping under way at night, as we did up to the first of June, of course, we used a little more coal than we would have by keeping stallonary blockade, as was dene afterward. I do not remember the coal consumption per day. My recollection was that during the stationary blockade the noon signal was to go to 25 or 30 tons a day,"

Commander Schroeder was questioned at some length along this line, the purpose of the questioning being to bring out the amount of coal daily consumed by the Massachusetts while on the blockade line. "Assuming the distance to Key West to be 700 miles, what coal would have been

necessary?" asked Captain Lemley, Commander Schroeder-I should think 150 to 175 tons would probably have taken us there. We can always rely upon that ecause as a rule the engineers keep a little ahead of rather than behind of their When Commander Schroeder left tha

when commander scriveder left ins stand he was requested to return tomor-row and correct the official copy of testi-mony today if necessary. He said he would do so, and asked if he could then be excused.

"I desire to make preparations for reurning to Guam," he said. He was told that he could do so. Lieutenant-Commander L. C. Hellner,

who was navigator of the Texas during (Concluded on Second Page.)

#### SUMMARY OF IMPORTANT NEWS. Trial of Czolgosz.

Caolgosz, the assassin of President McKinley, was placed on trial. Page 1.

plea of "not guilty" to stand. Page 1. The trial may be concluded today. Page 1. The prisoner seemed unconcerned. Page 1. Schley Court of Inquiry.

The part of the Texas in the battle of San-tiago formed the basis of the proceedings, The testimony was somewhat exciting. Page 1.

Lawyers have a lively tilt as to the bringing of Sampson into the case. Page 1. Domestle.

#### President Shaffer reviews the late steel strike. and severely criticises other labor organisa-

Admiral Sampson, at his own request, will be relieved as Commandant of the Buston Navy-Yard. Page 2.

Bureau Chiefs of the Treasury Department, as a body, called on President Roosevelt. Foreign. Arbitration council will declare itself incompetent to act on Boer appeal. Page 2.

#### Duke and Duchesa of York enjoyed a day on the Ottawa River as the guests of lumbermen. Page 2.

Five masked men held up Pendleton gambling At Chehalis, John W. Ferrier was acquitted of the murder of Bramon Holcomb. Page 4.

Pacific Const.

State Fair at Salem had an auspicious opening.

State Fair races show up fast on opening day, Tacoms defeated Portland-19 to 2. Page 3. Seattle won from Spokane-12 to 1. Page 3. Commercial and Marine.

Sport.

Amalgamated Copper weakens entire list in Wall street. Page 11. Wheat markets continue quiet. Page 11. Pifteen French ships listed for Portland.

Page 10. Palatinia and Knight Companion will carry big cargoes to the Orient. Page 10. Bark Ecuador sailed yesterday, and the Mayfield arrived. Page 10.

#### Portiand and Vicinity.

Report on streets, which provides for keeping them in repair by the city, will be made to Charter Commission. Page 1. Edward J. McIntire, of Portland, murdered near Olequa, Wash, Page 7.

School Board will not pay money to free kindergartons without mandamus. Page 8.

tion as he saw it. Page 10. Pan-American Exposite Page 10.

### there on the following day. He made that

Charter Commission's Report Is Ready.

IT PROVIDES FOR MAINTENANCE

City to Keep Up Repairs for Specified Term-Ample Provision for Bad Sidewalks - Proposed Board of Control.

Tonight's meeting of the Charter Commission promises to be an important one, The first order of business, probably, will be the consideration of a resolution offered at the last meeting by A. L. Milis, providing for the creation of a Board of Control, which shall supersede the pres-ent Board of Public Works, the Polico and Fire Commissions, the Water Commission and the Park Commission.

Mr. Mills' resolution does not define that duties of the Board of Control, but merely expresses the sense of the commission that such a board should be created, and that all previous and existing commissions should be abolished. Should the resolution prevail it will probably be re-ferred to a special committee to draft a section of the charter defining in detail the duties of such a board.

Mr. Milis' resolution contemplates that the board shall consist of 10 members, who shall serve for a term of five years each, and who shall receive no salary. It provides further that the Mayor in office at the time of the adoption of the charter shall appoint the first 10 members of the board, two of them to serve two years, two three years, two four years and two five years, and that in July every year thereafter, commencing in July, 1904, the then Mayor shall appoint two members of the board to serve for a full term of five years each. While Mr. Mills' resolution as it now stands does not provide that such appointments shall be confirmed by the Council, it does provide that no person so appointed and acting shall be removed by the Mayor will-out written charges being filed with the Common Council and sustained by two-thirds vote of that body.

Street Report Rendy. The committee on streets will present ts complete report tonight. It is a comminous document, and takes up nearly 50 pages of printed matter. The committee which drafted the report is made up of Thomas C. Devlin, chairman; Paul Wessinger, Isam White, J. F. O'Shea and

Dr. A. J. Gleay. The committee has put in many hours of hard labor on the report, it being really the most difficult part of the charter, s

The provisions of the present charter relative to the laying out and establishment of streets, their vacation and the establishment or change of their grade are not changed in any important particular. The provisions of the report relia-

ular. The provisions of the report relative to the improvement of streets are of importance, and briefly are as follows: The report provides that the Common Council, whenever the public interest or convenience may require is authorized to order the whole or any part of the streets ized to determine the character, kind and extent of such improvement, and to levy and collect assessments on the property benefited by such improvement.

The report provides, as usual, for the survey of a proposed improvement and for the publication of a resolution declarng the intention of the city to make such fore final passage. It also provides that unless two-thirds of the property-owners along the route of such improvement fail to protest against its passage, the Councli shall have the right to pass it. Fur-ther provision is made that the filing of a remonstrance by two-thirds of the property-holders shall act as bur against such improvement for a period of six months, unless one-half the propertyowners file a petition for it within that time. The power to let contracts is vest-ed in the Board of Public Works, and provides that when work is completed no-tice shall be published for five days of the time when the acceptance of such work will be considered by the board, in order that remonstrances against accept-ing it may be considered.

Maintenance of Streets. One of the most important provisions of the report is that relating to the maintenance of streets, a point wherein the present charter is deficient. That portion of the report reads as follows;

The common Council shall have power and authority to classify the various sinds of street improvements or pavements between the curb lines of streets, and to determine the number of years for which each class of imrovements shall be maintained after the same has been made and paid for by the owners of property within the assessment district de-clared to be specially beneated thereby. This Common Council shall also have power and authority to determine the class of improve street within the City of Portland. of every street improvement ordered by the Common Council and the number of years for which it shall be maintained by the City of Portland shall be stated in each resolution and ordinance providing for a street improv ment. When such improvement is made, the City of Portland, by and through its Board of Public Works, shall maintain and keep in repair all the roadway between the surb lines, except the portlons for which railroad or street railway companies are liable, for the full number of wars stated in the ordinate. street rallway companies are liable, for the full number of years stated in the ceil-nances providing for their improvement, and the cost thereof shall be gald for out of the "street repair fund." The Board of Public Works of said city shall also have power and authority to contract for the muintenance and repair of all that part of any street for which the city is liable for the full number of years for which the city is housed, as the same time for which the city is bound, at the same time that the contract for the street improvement is made, but every contract for the street improvement is made, but every contract for street maintenance and remain shall be awarded in the same manner and subject to the same conditions as may be provided for the letting of contracts for street improvements; provided, that no contracts shall be made or entered nto for such maintenance and repair of streets which shall bind the City of Fortland during any one year for any sum of money in excess of the revenues of the street repair fund for that year

Repair of Sidewalks.

The provisions of the report requiring the owners of property adjoining street to construct and keep in the sidewalks is also important and very strict. It makes it the duty of any erty-owner, when notified that his walk is in bad repair, to immediately repair the same, and that in case of his failure so to do, the city shall make such repairs and the owner be compelled to pay therefor. Moreover, the owners of property are made liable for damages resulting from injuries caused by defective

sidewalks. This portion of the report reads as follows: It is hereby made the duty of all owners of land adjoining any street, avenue, boule-vard, hins or allay in the City of Portiand to construct, reconstruct and maintain in good

(Concluded on eighth page.)