

DEBATE IS LIVELY

Cake and Boise Lock Horns Over New Franchise.

OREGON WATER POWER LINE

Opposition to Permit to Cross Streets Denounced as Hold-Up Game—Lawyers Look Dangerous and Say Hard Words.

The committee on streets of the Common Council found its duties too arduous yesterday afternoon and resolved itself into a committee of the whole and tried to solve a problem which, after a hard struggle, it postponed for consideration Tuesday evening. It was a question of a railway against private rights, and so far as the committee got with it an agreement was not reached, but while the matter was pending time was flying.

The question came before the street committee immediately after it had emerged from the committee of the whole. An ordinance four months old, granting the Oregon Water Power Company the right to cross certain streets between East Lincoln street and East Main street, was taken up and was given first place in the list of events to be considered at the box for several weeks. When it was proposed, Attorney H. M. Cake, representing Inman, Poulsen & Co., asked that consideration be postponed for a short time, as a settlement between his clients and the applicants for the franchise was pending.

Whitney L. Boise, representing some property interests affected, asked that the franchise be granted, regardless of the protest of Inman, Poulsen & Co. The railway, he said, simply asked to build to the north and south lines of the mill company's property, and the property could not be crossed until a settlement was arrived at. The mill company would not be damaged in the least, but it was necessary to get the franchise, so that grades could be lowered. The city would have no cause for complaint, for the ordinance would be similar to the Ford-street franchise measure, which the committee of the whole had passed so easily.

"The interests of my clients are vitally affected," rejoined Mr. Cake. "They have a great deal of property that may be injured, and I prefer that the matter be delayed rather than have the railway give \$10,000 to have the right to cross through their property, but they recognize it as a public improvement, and they give in with a good grace."

Mr. Boise moved that the matter be laid over for two weeks, but Mr. Sharkey thought differently.

"The company," he said, "has bought a good deal of property, and has added, thoughtfully, it would have bought the streets also, if it had known that it had to digger with a lot of Councilmen who won't do anything. We have had this ordinance before us for weeks, and we have done nothing with it."

"The company," said Mr. Boise, "has 300 tons of rails here now, and wants to put them down. People who wish to see these streets go through the city, and have 100 times as much property as Inman, Poulsen & Co., and yet they cannot get this ordinance through."

"Inman, Poulsen & Co.," said Mr. Sharkey, in rising wrath, "have been using the city streets for years, and have paid no compensation for their use. If they want to object to a railway that will be of public benefit, I will see that the city is made to clear the public streets of their lumber piles."

The position of Mr. Boise and the honorable Councilman who have just spoken is unaccounted for," replied Mr. Cake, with a lip that quivered with anger. "Not a firm has done more for Portland or has kept more men employed during hard times than Inman, Poulsen & Co., and I am satisfied that when a settlement is reached it will give help to the movement. Don't look to me for aid," he said to Mr. Sharkey, who looked with an angry expression at the speaker. "and" (to Mr. Boise) "I have said nothing against the Hawthorne estate or any other estate, for we are antagonizing nobody, making no obstruction, and are simply asking a postponement of the matter."

"You ask to hold up," said Boise. "No," exclaimed Mr. Cake, hotly. "You don't make me hold up before. Why did you not make it before?"

"We were to wait for a settlement, there would be an example set for everybody who might wish to hold up the line," replied Mr. Boise. "The city would be the course the line would never be built. The granting of the franchise cannot certainly do Inman, Poulsen & Co. any harm, as they will not reach their property before a settlement is reached."

Engineer G. I. Brown, of the railway company, said the company had received 19 carloads of material for construction work, and that a ship carrying one ton of rails had arrived at Astoria. The contractors had arrived, and they had engaged men for the work. A steam shovel had been brought to the site, and the necessary arrangements had been made to begin construction, and also to make fills.

After listening to Mr. Brown the attorneys agreed to a postponement of the consideration of the ordinance until Tuesday evening at 7:30 o'clock, when it will be taken up again in committee of the whole and considered section by section.

SIGNS HANG TOO LOW.

Committee Turns Down Applications

The attention of the committee on streets of the Common Council was called to a new phase of the street-sign nuisance. After a petition for a lamp sign from a Washington-street sign was turned down, the committee denied City Attorney McNary advised the Councilmen that wherever permits for such displays may be granted, provision be made that the signs be hung a sufficient distance above the sidewalk.

"Recently," said Mr. McNary in explanation, "signs have been placed so near to the corners that passing wagons have knocked them down, and the drivers have been subjected to damages."

"I have been informed," said Chairman Rumelin, "that one of Wells, Fargo & Co.'s drivers recently knocked down a sign and had to pay \$25 damages. Two years ago one of my men had to pay \$15 damages for knocking down the low sign of a pawnbroker."

"I know another man who had to pay \$15 damages," said Mr. Sharkey.

Two other petitions for permits also came up, but they were denied.

The application of the Northern Pacific Terminal Company for permission to extend its line from Front and Thurman streets to a point 750 north was taken under consideration. The committee was of the opinion that the company desired a franchise over only the improved portion of the street, and decided to make a personal inspection before making any recommendation.

An opinion was received from City Attorney McNary in the matter of the storage of oil. Mr. McNary said the Council had the authority to restrict nuisances, and that the storage of oil might be considered a nuisance and subject to abatement. The matter was on for judicial investigation and for police regulation.

The Fliegel street railway, freight-car and oil ordinance, which was introduced at the last meeting of the Council, were laid over for two weeks.

of East Twenty-second street, between East Burnside and East Davis, was placed on file, as it did not have the requisite number of property-owners.

Madison Street Sewer Clogged.

At the meeting of the Council committee on sewers and drainage yesterday morning, City Engineer Elliott reported that the mouth of the Madison-street sewer, emptying into the Willamette, had been clogged with a mass of refuse, and that the superstructure of the bridge crossing the river. The piles had been driven after the east approach to the bridge was damaged by the conflagration some months ago, and the box mouth had been completely destroyed. The committee thought the county, as the owner of the bridge, was responsible for the damages, but decided to refer the matter to the Board of Public Works for action.

On motion of Mr. Fliegel, a resolution will be introduced at the meeting of the Council on Wednesday, providing for the extension of the main sewer of the proposed Cook-avenue sewer from the terminus at Shaver street, as decided upon, north on Union avenue to Wygant street. The district through which the extension will run is becoming thickly settled, and the lateral sewer at first proposed was considered inadequate.

A petition for a sewer in East Stark street, from East Thirty-third to a connection with the sewer in East Thirtieth street, was referred to the City Engineer for investigation. The sewer is desired by the property-owners affected, but the only way they can secure it is by the assessment of property in two sewer districts. Stark street is the dividing line between the Oak-street and Sunnyside districts, and any sewer to be built in it must be paid for by the property affected in each district.

ROMANCE ENDS IN DIVORCE

Valentine Wachowiak Legally Freed From Bride Wood as a Child.

Valentine Wachowiak, whose wife, Anislawna Wachowiak, deserted him on March 3, 1900, the day of their marriage, was granted a divorce by Judge Sears yesterday. Wachowiak told an interesting story regarding the affair. He testified that he knew Anislawna in Poland, their native land. They were children together, when he was left to come to America. He was 12 years old, she was 12 years old. Some years later he began to correspond with her, and finally wrote asking her to come to Portland and be his wife. She consented and made the journey. He met her upon her arrival, and they were married in St. Mary's Cathedral. A reception to friends was afterwards held at the Randolph Hotel, and before the evening had passed, Wachowiak said he was surprised beyond measure to be informed by his bride that she had decided that she did not love him, and that she would leave him at once. Protests were in vain. She adhered to her resolve, and a few days later left the city, going to Chicago. A divorce corroborated the testimony of the plaintiff.

REFUSES TO NAME RECEIVER.

Judge Sears Denies Motion in Suit of J. E. Patterson vs. J. M. Arthur.

In the suit of J. E. Patterson et al. against J. M. Arthur to set aside a lease of certain lands and water rights near Mount Tabor, Judge Sears yesterday denied the motion for the appointment of a receiver.

The spring of water is used by the Mount Tabor Water Company to supply about 100 persons living in the vicinity. The plaintiffs own the spring, and several years ago leased it to Arthur. At the expiration of the lease a clause was discovered in the lease providing for the company in possession for five years more, should he so desire. The plaintiffs allege that this clause was not in the lease when they signed it, and that the private benefit, I shall see that the city is made to clear the public streets of their lumber piles."

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READ FOR COUNCIL

Committee Adopts Ford-Street Franchise.

WILL EXPIRE IN YEAR 1923

Company's Terms as to Compensation Accepted, After Urgent Pleas Are Made by Property-Owners on the Heights.

The Ford-street franchise sifted itself through the committee of the whole of the Common Council yesterday afternoon, and now it will be in order for the Council to dispose of the ordinance, which has been a bone of contention for the past couple of months, and also to act upon an amendment which was offered at the last hour. The amendment was presented by President Zimmerman, and it is a recognition of the claim of the Portland Railway Company that its franchise have a life of from 18 to 38 years. The amendment read: "until February 1, 1922, when the life of the franchise shall expire."

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carried, and the matter thereby laid again before the Common Council.

The committee of the whole then adjourned, and the committee on streets met, with Chairman Rumelin presiding. The committee recommended the passage of the ordinance adopted by the committee of the whole, and the indefinite postponement of the original Ford-street ordinance.

CREAM OF MEN IN WEST

President of Laundrymen Pays Compliment to Western Workmen.

The regular meeting of the Federated Trades Council was honored last night by the presence of W. O. Powell, international president of the Shirt, Waist and Laundryworkers' Union. He is the only Oregon man that has ever been honored with a like position in any of the unions, and his fellow-workmen had prepared a hearty greeting for him. In addressing the meeting last night, he said:

"There is no more honorable position I have just been given. I feel that I owe it as much to the work of the unions in the West as to myself. There has been a constant development in the ranks of organized labor in the West which has opened the eyes of our Eastern brothers. We do our work out here in a businesslike way, and that is more than can be said of the unions in the East. They have realized this and decided that a Western man should be at the head of the management. There they have large organizations, but they are not of the same class as they are in the West. If you take a mass of milk, the cream will rise to the top. In the large Eastern organizations the men stand the conditions as long as they can, and then come West. The Washington street franchise is the first to see that it is better for them to come West, and so we have the cream of the working people out here."

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