Experts Will Expose Sewer's Defects.

"ROTTEN" SAYS ONE MAN

Charges of Poor Construction to Be Supported.

COUNCIL WILL ACT TOMORROW

When Report of Examiner Employed by Protesting Property-Owners is Heard, City Engineer Will Probably Be Questioned.

#### WHAT CAUSED THE INVESTI-GATION.

onerele, extra allowance for sewer, was wer was not paved with stone blocks. lution for investigating committee

This is the word used by one of the our examining experts in speaking of the anner-creek sewer yesterday to another

While the report of the examiners has not yet been handed to the Council com-

not yet been handed to the Council com-mittee for presentation to the Council to-morrow, it is known that the charges made against the condition of the sewer are largely supported.

Messrs. Zimmerman, Sigler and Albee, the three Councilmen appointed to inves-tigate the sewer, were not told yesterday of the tenor of the report which will be made to them. Mr. Zimmerman was out of the city during the day.

Council May Ask Questions.

is probable that a resolution will be pr is probable that a resolution will be pre-sented asking the City Engineer why the sewer was not constructed according to specifications. And therefore a dark cloud hangs over the northwestern section of the City Hall, wherein are situated the offices of the Engineer's department. The Councilmen are divided to some ex-tent as to what course shall be pursued should a condemnatory report be made. Ed Riner, the practical manager of the sewer construction, continues to lay the

sewer construction, continues to lay the hame for all the scandal in circulation upon the head of a disappointed contract-or. The fact that threats against Riner were made at the time has influence with the Council to a certain extent.

Will Not Pay for Poor Work. "I will never vote for the ordinance as-

sessing the cost of the sewer upon the property until I am thoroughly satisfied." respectly until I am thoroughly satisfied."
Heter Grant or the Portland Club. That is the reason they got Judge Cleland to sit on the case and make decision to rit and not the property owners."

whether or no Mr. Grant is guilty as Every confidence in the sincerity of the four examining experts is expressed by members of the Council. George Kuight, E. Greenlenf, Peter Flynn and J. H. Canningham were recommended by the protesting property owners to the special council committee, and they were em-

#### WORKING ON CHARTER.

Mount Tabor Soon to Be a City of Three Thousand People.

At the meeting of the Mount Tabor Imrovement Association, held last night in Voodmen of the World Hall, Secretary lodges reread the report on incorporation abmitted by G. H. Andrews, showing what could be accomplished to secure water, lights, sewers and other things, G. H. Andrews, W. G. Howell, P. T. Dob-ney, H. H. Parker and H. W. Hodges, special committee, are working on the Mount Tabor charter, and hope to have it duted about December I. It has already ten blocked out, but the details must be sorked out. The committee has charters

committee to ascertain the cost of paint-ing and placing signs at the intersections of Mount Tabor streets, and report at the

W. G. Howell reported that a petition r opening and widening Belmoni atreet Tabor Heights had been generally guet, and would come before the County lourt November 30, at which time all abers of the association were urged to

from the Portland Gas Company, showing where the company will lay a main in the Spring if enough agree to take gas.

#### Ice Cream Kills Negroes.

MEMPHIS, Tenn. Nov. 14—A special to the Commercial-Appeal from Decatur, Ala, says that If negroes are dead at Ocad Lake, a negro settlement in the sub-urbs of Decatur, from the effects of ed ice cream, which they ate at a

TO CURE COLD IN ONE DAY.

PROMINENT FIGURES IN THE TRIAL OF THE GAMBLING CASES



## **CRANT IS ON TRIAL**

Noted Gambling Case on in Judge Cleland's Court.

If a report condemning the sewer is PORTLAND CLUB IS VISITED

Jury Taken to Scene Where Crime Is Alleged to Have Occurred, After Which Attorneys Torment the Witnesses.

There were just two kinds of spectators in Judge Cleland's court yesterday afternoon. The line of demarkation was well drawn. Without the bar where the "rubber" clement, which seems indis-Working for the Engineers,

"It seems almost impossible that a man should have done any crooked work there when he knew the threats made before hand," said Councilman Albee, one of the investigating committee, yesterday, "Mind, I don't say that any crooked work has been done. We are waiting for the engineers to make their report. I didn't go into the sewer because I know nothing of sewer construction, but if I could have helped in the investigation by going into if I would have done so."

A. K. Bentley is the representative

A. R. Bentley is the representative of the Fourib Ward in the Council, and the assessment district for the sewer will fall largely upon the property in his ward. Living close to the scene, he watched construction day by day, and may have something to say himself in the Council. Unlike the members of the State of Oregon, vs. Peter Grant and the slogan had been sounded up and down the line for the assembling of the partisans of the Municipal League, which, in this instance is the power behind, the State of Oregon, and the clamsmen of the investigating committee, he has built sewers himself. ducting a game called "roulette" on and during the Elst day of July last in a place called the Portland Club. The Municipal called the Portland Club. The Municipal League is not in favor of "roulette" or

> The case was called about 2 o'clock, and each side was well represented by legal talent. John Manning, as was his duty to do, upheld, the dignity of the thate, and was assisted in the prosecu-tion by Henry McGinn. To be more definite and cortain, Judge McGinn, while presumably assisting, was really the leading lawyer for the prosecution, for it was he who thrust the gaff into the opposition, while John Manning twisted

For Mr. Grant appeared Ed Menden-hall, S. C. Spencer and W. M. Davis, who came to the court prepared to prove that while their cilent was an expert on crokinole, he was a stranger to the allurements of the game called roulette.

roulette.

After the court had ascended to the bench there was a diversion by the defense in the form of an affidavit by Peter Grant that, because the regular jury punci had been exhausted, and whereas and because of the pernicious nctivity of Sheriff Thomas Word in interfering with the personal liberty of fantan enthusiasts and others, he was not a fit nor proper person to select not a fit nor proper person to select the additional jurors from the venirs, whatever a venire may be. Ed Menden-hail was positive that the Sheriff was from other places to consult in making up the Mount Tabor charter, and meetings are being held every week. The boundary lines have not been decided upon but these will not follow those of the school district closely. The new city of Mount Tabor will include about 2000 self, would do all the selecting of unposents of the main places. This had a quiette of what Mr. Markell had said.

been put to them by the embattled men of law.

The scene at the moment the jury was secured, was harrowing in the extreme. Inside the railing sat Peter Grant, side by side with his defenders. In the jury-box there was the necessary quotion of more or less unbiased human beings, with the importance of their position heavy upon them. There were, in addition John Manning and Henry McGinn, in roles respectively of Peter, the Hermilia and Ingiving the exact location of the Crisade. High in his empyreal state sat Judge Cleland. Then, also, there was good old Ballim Waldman, a few others who didn't rount, and without the pale were the sheep and the goats. Judge McGinn presented the state's case with an impassioned appeal to the Humane Belugs in the jury-box to help him stamp out gambling in Portiand. He was positive in declaring himself opposed to gambling and stated that the state and he and John Manning expected to prove that Pete Grant was guilly as charged. He ended with a thrilling pooriation in which he extolled Sheriff Word as the anily real and existant pattern of Arnold Winkelffield.

After Judge McGinn had finished, S. C. Spencer, for the defenses are so in own.

trovert the statements just made. He declared that Judge McGinn had turned reformer in a night. That he was formerly a friend and advisor of the "liberal" gentleman at the bar and that he ate and slept with Larry Sullivan for 2

When Mr. Spencer had finished there was an ominous quiet in the courtroom.
It was broken by Judge McGinn, who asked that the jury be escorted to the Portland Club and allowed to inspect the premises. This was opposed by counsel for defense, but approved by the court, and the bailiff was directed to excert his charges to the erstwhile temple of chance. It was then that the melodramatic inci-dent of the day occurred.

ent of the day occurred.

Attorney spencer arose and excepted to the court's order and urged that Judge McGinn should not be allowed to accom-pany the jury on its exploration tour, be-cause he might exercise his wiles on that body of seekers after the truth. The instruction of esteemed counsel on the other side roused Henry McGinn and the ion counchant became lion rampant. He moved a few steps toward where At-torney Spencer stood and with an ap-parent effort at self-control he said, said Henry McGinn:

"If this blackguard (meaning Mr. Spen-cer), who is a member of the First Presby-terian Church, drives me to do it, I will

terian Church, drives me to do II, I will say some things which he won't like. I can tell some things about him which he would not care to have told."

Then was the billous moment. The sheep and goats without the bar looked hard at each other as II waiting for the quarterback to give the signals, but Judge Cleiand quieted matters by warning both gentlemen to refrain from personalliles. The jury and Judge McGlinn and Mr. Spencer and the halliff with a large following the same property of er and the builiff with a large Spencer and the bailiff with a large fol-lowing then filed down to Fifth and Alder to see where the place used to be where the alleged crime was committed. Nate Solomen acted as host when the investi-gating committee arrived, but he was far from cordial; in fact. Nate seemed to have a large-sized ground on. It didn't help any, however, for the unbidden cuerts provided about through the recenguests prowled about through the rooms where formerly all was light and happi-ness and a man got a run for his money, Henry McGinn wanted the jury to go into a couple of locked rooms, but Nate said the key was lost and he was sorry to disappoint them. After the members of the jury had stared about at the unusual tables of quaint design, with which the place was furnished, they announced that they had gotten theirs and were ready

to return to the courtroom. Back to Judge Cleland's court for the jury and the slumming party. Having gotten down through the bill as far as witnesses, W. H. Markell was called by the prosecution. Mr. Markell testified that he was a merchant on the East Side, a member of the Municipal League, and opposed to gambling. He stated that he opposed to gambling. He stated that he and E. Quackerfount, also a member of the league, had entered the Portland Club on the evening of July 21 last and watched on the evening of July 21 tast and watched the progress of a roulette game. Witness testilled that he saw Pete Grant there and that among the 59 or more present several lost or won money at the roulette wheel, which he and Mr. Quackenbush watched. Whites he and Mr. Quackenous watched. Witness admitted on cross-examination that he knew how to play pedro, but was deficient in roulette. He tried to describe the game as it is played, but his

detail work was very indifferent.
Attorney Mendenhall, on cross-examination, put this question to Mr. Markell;
"Is it not a fact that you and Mr. Quackenbush went to the Portland Club as agents of the Municipal League and that the league is trying to get this question agitated so as to organize a party of its own and have its own ticket in the field at the next election?" "It is not," answered Mr. Markell, "We

prophe. One of the main objects of incorporation is to secure more water. It will and the constitutional 15 were selected probably pass the Legislature in such a form that the people may have a vote on lether by the embattled men of law.

Self, would do at the selecting of unformation of the main objects of incorporation in the distribution of the most object of the first of the most object of the most of the selecting of the most of the most of the most object of

## TO ERECT BUILDING

Eight-Story Structure to Be Built by Charles Sweeny

AT SEVENTH AND MORRISON

Tull & Gibbs Will Occupy the New Building on a Ten-Year Lease as Soon as the Edifice Is Finished.

Portland is soon to have a new eightstory brick and steel business structure. it will be erected by Charles Sweeny, the Spokane millionaire, at the corner of Seventh and Morrison streets, and when Gibbs as a mammoth furniture establish

terday bought the property of the Port-iand Trust Company of Oregon, compris-ing 190 feet square at the southwest cor-ner of Morrison and Seventh, and the lot, 50x100, running through from the back of that tract to Park street. The deal was closed yesterday morning and Mr. Sweeny announced that in the Spring

latest ideas in architecture. A short time ago Mr. Sweeny bought the Dekum block, at the icorner of Third and Washington, and the Dekum homestead, at Thirteenth and Morrison. The purchase which he made yesterday brings the total of his holdings in Portland real estate considerably above \$500,000 and the new building will probable research. ing will probably represent an outlay of \$200,000 more. It has been steadily rumored that he contempleted erecting a magnificent hotel here, but for the present he has set at rest all rumors to this effect by announcing that nothing in this line will be done at once. He offered \$625,000 for the Fortland Hotel three weeks ago, but the hotel company declined to sell for that figure. Asked if he contemplated building a

hotel here, Mr. Sweeny said last night. "Eventually I shall do something with the block which I own at Thir-teenth and Morrison, but I have nothteenth and Morrison, but I have nothing to give out now. I consider Portland real estate a glit-edged investment and do not expect to stop putting money into this city, but I have so many matters in hand now that nothing further will be done for the present. I consider Portland one of the best, if not the very best, city in the United States in which to invest money at this time. I find that real estate here can be bought on a better basis and that the returns are proportion? ately larger than anywhere else. I have about \$600,000 now invested here and can see no reason to stop with

and can see no reason to stop with that, but for the present I have no more plans to announce."
When interviewed at the Portland last night, Frank D. Glbbs, of the firm of Tull & Glbbs, said concerning their

"We will occupy the new building which Mr. Sweeny will creet for us at Seventh and Morrison in about eighteen months, when our present lease will expire. We are basily cramped for room where we are

## Consult your doctor about your cough

At the same time ask him what he thinks of Ayer's Cherry Pectoral. He will know all about it, for we send doctors the formula. For over 60 years doctors have endorsed it for colds, coughs, weak lungs, bronchitis, asthma.

and are badly in need of larger quarters. We will occupy the extre eight stories and basement and will have the largest furniture house on the Pacific Coast."

GIVES NEGROES ADVICE. Washington Tells Them Not to Lose Their Heads Because They Won.

BIRMINGHAM, Ala., Nov. 14.—In an address to the colored citizens delivered here tonight, Booker T. Washington said:
"Not a few have predicted that on account of the recent election many members of our race would lose their heads, would become undely pompous, self-assertive and generally offensive. With all the earnestness that I can command I want urace our people in every part of the the earnestness that I can command I want urge our people in every part of the country to disappoint those who have made such predictions by leading a life of increased usefulness, soberness and simplicity, remembering, as I have often exharted before, that in the long run it is to certain fundamental ideas of growth in property, intelligence and high character, together with the cultivation of friendly relations with our neighbors of all races, that we must look for our ultimate success.

for all time here in the South, and here it is that our destiny must be worked out, and we can only succeed when we have the confidence and co-operation of those about us."

OREGON CITY, Or., Nov. 14.—(Special.)
-At tonight's meeting of the City Coundeal was closed yesterday morning and Mr. Sweeny announced that in the Spring he will commence the erection of an L-shaped building of latest steel and brick construction, to be eight stories in height. Mr. Sweeny stated that Tull & Gibbs would occupy the building on a ten years' lease, and that it would be ready for them in about a year after the construction is commenced. It is impossible to say what the cost of the new building will be, as the plans have not yet been drawn, but it is certain that it will represent the latest ideas in architecture.

—At tonight's meeting of the City Council tonight's meeting of the City Council function bearing of the considered at a meeting of the Citizens' Alliance to be held on Tuesday or Wednexday evenling its signatures, indorsing the members of a majority of the members of a majority of the members of the Council in voting for the granting of the Citizens' Alliance to be held on Tuesday or Wednexday evenling its signatures that the company propagating the council to the council in voting for the granting of the Citizens' Alliance to be held on Tuesday or Wednexday evenling its, at which time it will be thoroughly discussed and some action taken. I see no reason why it should recites that the city by granting the granting the franchise will receive in return more than the worth of its concession.

The Council tonight passed an ording the first of the week for the constitution, bearing the first of the considered at a meeting of the Citizens' Alliance to be held on Tuesday or Wednexday evenling its, at which time it will be thoroughly discussed and some action taken. I see no reason why it should not be acceptable to every one, if it is proposed in a spirit of bonesty by the Trades Council, and I have no reason to be acceptable to every one, if it is proposed in a spirit of bonesty by the interest of the council of the counc The Council tonight passed an ordinance appropriating the sum of \$12,500 that is to be expended in the immediate completion of the South End road.

Young Girl Picked Up.

Ethel Cruzzane, a girl of doubtful age, was picked up in the Owl saloon early this morning, charged with being in a disorderly house. She is believed by the police to be under age. Her mother, who lives in Eugene, says she is 15, and hor father says 19. She believes herself that she is about 18, and that her mother gives her out as only 15 to make people believe she is herself younger. The girl was held over night and will probably be placed in the hands of the Boys' and Girls' Ald Society, as she expresses a desire to leave her present evil life. by the police to be under age.

The Denver & Rio Grande scenery is even more beautiful in Winter than Sum-mer. Travel East via that line and spend a day in Sair Lake City.



Liebig Company's Extract of Beef

It makes fine cooking easy.

There's only one real "Liebig" with this signature golden

FUNERAL NOTICES. .

DURHAM—At Riverdale, November 14, 1904, at the residence of her son, R. L. Durham, Misanda A. Durham, aged 80 years, 11 months and 6 days. Frienda and acquaintrances are respectfully invited to attend the funeral services, which will be held at the above residence at 11 A. M., Wednesday, November 18, Interment, Greenwood Comitery, Friends destring to attend the services take the train at Jefferson-struct depot, 10-25 A. M., Wednesday, and get off at Riverdale, ORTON-Priends and acquaintances are re-A. M., Wednerday, and get off at Riverdale. ORTON-Friends and acquaintances are respectfully invited to attend the furniral services of the late Bridget Orton, which will be held at the Church of the Immunciate Heart, corner Williams avenue and Stanton street, at 10 A. M. today. Interment, R. Mary's Comstety.

WHITCOMB-Friends and acquaintances are respectfully invited to attend the fasieral services of Bertha Whitcomb, which will be held at the chape of the Crematorium at 2.30 P. M. today. The funeral will start from her fash residence. St. Thirteenth altest, at 5.30 P. M.

## FAVOR THE PLAN

Capital and Labor Go on Record for Arbitration.

WANT A JOINT COMMITTEE

Believe Great Benefit Will Be De rived by the Scheme as Advanced by the Federated Trades Council.

Not only do the leaders of the labor organizations of the city look with favor on the plan proposed by the Pederated Trades Council for the arbitration of all labor difficulties which might in the future arise, but the ganizations, and the employers of the city as well, regard the move with ap-proval and think that it is a step in the direction or harmony and friendly relationship between the classes of

relationship between the classes of labor and capital.

It is pointed out by both sides that in the event of a joint committee of arbitration being provided for, all chance of the hasty actions of union or individual would be done away with and a conservative hearing and a just decision would be assured.

Henry C. Kundret, the editor of the Portland Labor Press, and one of the movers in the new plan, states the position of the Trades Council in particular and of the labor unions in general. The proposition is made by the council in all honesty of purpose, says Mr. Kundret, and is submitted not only at the desire of a large majority of the union men of conservatism in the city, but the line with the classes of the City. union men of conservatism in the city but in line with the views of the Citizens' Alliance and other organizations composed of the employing class. It is made with a hope that it will tend to draw the pusiness man and his em-ploye closer together in harmony so that each will work mere for the good of the other.

"The matter has been under consid-

eration for some time," said Mr. Kun-dret yesterday, "and is the result of the earnest effort and thought of the the earnest effort and thought of the leaders in the Trades Council, which is the representative of the whole of organized labor of the city. It is made in honesty and in a spirit of fairness by the council, with the desire to better the conditions in the city and, perhaps later, of the state at large. It is recognized by all that at this time perhaps nized by all that at this time perhaps nized by all that at this time perhaps more than at any other it is necessary to have unity of action by all the peo-ple if Portland is to reap the greatest benefit from the Lewis and Clark Fair. Fortland is growing and much is to be done, and there should be nothing of trouble allowed to come that would hinder in any manner the development of the city.

"The plan is proposed, not because

"The plan is proposed, not because there is trouble, but as a safeguard in case some difficulty should arise. What the ultimate results will be I do not know, and will not until after the employers' organizations have taken some action in the matter. If they concur with the council in its desires, I am sure that some plan will be arranged that will be of great benefit to the business man as well as to the labor-ing man."

S. G. Reid, a member of the Citizens'

S. G. Reid, a member of the Citizens' Alliance, tells of his opinion, which is perhaps a reflection of the minds of a majority of the employers of the city. "The proposition looks very good," he said, "and if followed out on the lines proposed, it would be just what is desired. It would bring the employer and the employe closer together and would create a spirit of harmony and of fairness. Each would know that, whatever the dispute, both sides would receive fair treatment and considerareceive fair treatment and considera-

tion and a settlement on a basis of justice to both. "The question will be considered at a meeting of the Citizens' Alliance to be

sideration of the plan as outlined by the labor people, and the Manufactur-ers' Association will also take the problem up at a meeting to be held

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These are the features that have pitals and used by hustlers. They are women, and the greatest boon ever offered to the public. Remove jar in walking, give a slient, easy tread, outwear the shoes, but like all other good things, have substitutes. Substituting means cheapening. All other makes claim to be as good as O'Sullivan's, but where they demand the same price for substitutes, is it not a reason you should demand O'Sullivan's-the only kind made of new rubber?

35 Cents at all dealers and a trifle for attaching. If dealers cannot supply, send 35 cents to

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FOUNG MEN troubled with night emissions, dreams, exhausting drains, bashfulness, aversion to society, which deprive you or your manhood, UNFITS YOU for BUSINESS OR MARKHAGE.

MIDDLE-AGED MEN, who from excesses and strains have lost their MANLY POWER.

MIDDLE-AGED MEN, who from excesses and strains have took their MANLY POWER.

BLOOD AND SKIN DISEASES, Syphillis, Gonorrhoea, painful, bloody urine. BLOOD AND SKIN DISEASES, Syphillis, Gonorrhoea, painful, bloody urine. Gleet, Strictura, Enlarged Prostato, Sexual Debility Varicoccie, Hydroccie, Kidney and Liver Troublea, cured without MERCURY OR OTHER POISONOUS DRUGS. Catarrh and rheumatism CURIED.

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