

### CASH OVER MT. HOOD FRANCHISE

#### Manager Miller Declares City Is Needlessly Delaying the Work on New Line.

### DODGE REPLIES TO CHARGE

#### Superintendent Says Construction of Tracks as Surveyed Would Interfere With Bull Run Water System.

Heated verbal encounters between Superintendent Dodge, of the City Water Board, and C. W. Miller, general manager of the Mount Hood Railway & Power Company, were frequent during a joint session of the Council committees on judicial and parks and public property, at a meeting held yesterday afternoon. The question of granting the railway corporation a right of way on the property of the city for a short distance, just east of Gresham, and at another point in Clackamas County, west of the Sandy Road, was up for settlement. It was finally decided to refer the disputed points to the engineers of the City Water Department and the engineers of the company. A report will be made by them in the matter at another meeting of the joint committee.

#### Officials Fear Encroachment.

Mr. Dodge declared, when first asked to state his objections to the application of the Mount Hood Company, that he and the Mayor and the members of the Water Board feared the company intended to interfere with the city's water line; that it was impossible for the road to be put in without this interference, and that if the survey is followed, it would necessitate the moving of the air valve, which is part of the water system, and cut off for an indefinite time the Bull Run supply from Portland.

"The city's right of way is 33 feet wide," said Mr. Dodge, "and when purchased, it was stipulated that we were to have at all times free and full access to the air valve and our entire system. If the railroad is put in as at present surveyed, it will interfere with our access to the air valve and thereby injure our water system."

#### Will Lay Double Track.

Mr. Dodge then expressed the belief that the railroad tracks, if laid where the present survey runs, would necessitate a complete shifting of the city's water mains and air valve. Mr. Miller, however, declared that at the points under discussion, his company will lay a double track, with 16 feet between the inner rails, and that there will be ample space to do this without any interference whatever with the water system.

"The whole trouble in this matter," declared Mr. Miller, "has been with Mayor Lane and the members of the Water Board. They have refused to do anything; have declined to take any action, one way or another, and have thus held up our project for months. Now, the time has come when we are going to do our own road. We have ordered the steel already, and we are going to follow the survey we have made; there will be no change on that matter. If the city gives us a right of way, all right; if not, we will get it another way."

The members of the committee were surprised, and so expressed themselves, after learning that Mr. Miller's company purposes laying a double-track road, and believe that a conference of the engineers of the city and of the company will practically adjust the matter. At the next meeting of the joint committee, Mr. Miller will present an ordinance, in which it will be stated what rights his company desires, and this will be taken up and considered in regular order.

### NEW POSITIONS ON FORCE

#### Scramble for Jobs to Be Created by Council.

There will be a big scramble for promotions in the Police Department, now that it is virtually certain that the Council, at its meeting tomorrow afternoon, will authorize the appointment of eight detectives, at salaries of \$115 a month, to be assigned to duty as patrol sergeants. This is the recommendation made by the ways and means committee, at its session yesterday, and there is no opposition to it.

The appointment of eight additional detectives does not mean that the secret service branch of the force will be increased. It simply became necessary to name the promoted officers as detectives in order to legalize the change, as the rank of patrol sergeant, which was voted last Summer by the people, is tied up in the Supreme Court, with other questions, pending a decision on the legal phases involved. In the meantime, it is absolutely necessary to have the offices continued, and City Attorney Kavanaugh advised the means adopted.

The positions are very desirable, at the increase in pay authorized by the Council several months ago. There are already three officers who are acting sergeants. They are C. E. Batty, William Jones and E. W. Cole. That their appointments will be made permanent is virtually certain, but the other five are yet to be selected by the department heads. It is likely the appointments will be made within a week.

### WILL ISSUE NEW BOOKLET

#### Chamber of Commerce to Compile Statistics of Oregon Resources.

At a special meeting yesterday of the trustees of the Portland Chamber of Commerce, it was decided to begin immediately the preparation of a booklet of 64 pages, dealing with the

industries and resources of the state, similar to the book issued by the Chamber last Summer. An edition of 50,000 copies of the booklet has been arranged for, and will be published jointly by the Chamber and the Pacific Monthly. The booklet will be profusely illustrated with halftones and in every particular will be of the highest standard.

The early preparation of this booklet was rendered imperative by reason of the fact that the supply of the booklet issued by the Chamber last Summer is now exhausted, and the demand for advertising literature on Oregon is still very great.

Resolutions of condolence on the death of E. M. Brannick were passed by the trustees at yesterday's meeting.

The following new names were yesterday added to the membership roll of the Chamber:

- Thomas Aoy Co., Multnomah Iron Works, Multnomah Trunk & Bag Co., Hood River Milling Co., Jens Olsen, The J. A. Reid Co., Shodgrass & Wilson, Farrist & Watkins & Co., The Whitney Co., Willamette Tent & Awning Co., Devlin & Firebaugh, Dolph, Mallory, Simon & Gearin, J. M. Camargo Realty Co., Brennan, Spaulding, Woodward Co., Portland Mfg. Co., J. Frank Porter, William P. Halhurst, W. J. Day & Co., J. P. O. Lowndale, John Wood Iron Works, Union Box & Lumber Co., P. F. Williams, Wheeler Timber Co., J. O. Elrod, M. C. Davis.

### WOODLAWN GRANGE LEADS

#### LENTS SECOND IN COMPETITIVE DEGREE CONTEST.

#### Contest Under Auspices of Evening Star Lodge Entered by Three Teams Evenly Matched.

The degree contest conducted at Evening Star Grange Hall on the Section line road Saturday resulted in Woodlawn Grange securing first place, Lents second and Russellville third, the finding of the judges being announced yesterday. According to the marking of the judges, the difference between the three granges, was so slight that it took some time to figure out their respective standing. J. J. Johnson, master of Evening Star Grange, and district deputy, inaugurated and had charge of the contest. Daniel Baker, of Gale Grange, of Washington County, and Mrs. Christenson, of Butte Grange, were the judges.

The marking was for proficiency in opening and closing; raising the Grange from the first to the fourth degree; from the fourth to the first degree, and in giving the first degree. Each officer was marked on the way he performed his part, and other credits were given for team work. Following are the totals for each team:

- Woodlawn—First Judge, 177.6505; second Judge, 178.6491; standing, 178.1498; officers of team—Master, J. W. Black; overseer, Ann Patton; lecturer, Mrs. J. E. Standbury; chaplain, Mrs. M. Hammon; steward, J. A. Melton; assistant steward, J. E. Stansbury; Flora, Miss Edith Small; organist, Miss Nettie Kubick.
- Lents—First Judge, 176.2308; second Judge, 177.225; standing, 176.7285; officers of team—Master, H. A. Darnall; overseer, Mrs. Mand Darnall; lecturer, A. F. Hershner; steward, Donald Furey; secretary, Mrs. Christler; chaplain, Miss Zimmerman; assistant steward, W. Snuffin; lady assistant, Mrs. Rockwell; Ceres, Mrs. Hershner; Pomona, Mrs. Snuffin; Flora, Mrs. Thomas.
- Russellville—First Judge, 173.2295; second Judge, 173.195; standing, 173.0622; officers of team—Master, Ray GHI; overseer, E. Huffman; lecturer, Miss Alice Mickelson; chaplain, Mrs. Pollock; steward, Clayton Lewis; assistant steward, John Mickelson; lady assistant steward, Miss Anna Mickelson; secretary, Miss Martha Jesma; organist, Miss Julia Mickelson; Ceres, Miss Rose Littlefield; Pomona, Miss Clara Anderson; Flora, Miss Mabel Mickelson.

The contest lasted from 10:30 A. M. until night. The hall was filled with visitors from all over the county and from the surrounding counties. Owing to the mass of figures required in the marking, the totals were not ready for announcement until yesterday. The success of the contest was due to the district deputy, J. J. Johnson, and the judges, Daniel Baker and Mrs. Hanna Christenson, who endeavored to be fair to all the teams entered for the contest. On the whole, the work by the teams was considered first-class.

### Oregon People in Chicago.

CHICAGO, Feb. 24.—(Special.)—Oregon people registered at Chicago hotels today as follows:

From Portland—P. A. MacPherson, at the Palmer House; A. E. Logan, at the Wellington.

Metzger, jeweler, optician, 342 Wash.

### OFFICES IN MERCHANTS TRUST BUILDING

#### Sixth and Washington

#### Best Location in City

#### Modern Equipment Throughout

#### FOR ROOMS APPLY TO

#### MERCHANTS SAVINGS & TRUST COMPANY

#### 247 WASHINGTON ST.

### PORT IS SUSTAINED

#### Judge Supports Act Creating Local Corporation.

### SUIT BROUGHT BY ELDER

#### Right to Charge Fees for Dockage Is Also Affirmed in the Federal Court and Steamer Must Pay \$4788.

Judge Wolverton, in a decision yesterday, in the suit of the Port of Portland against the Steamship George W. Elder, not only sustains the constitutionality of the act creating the Port but holds that this municipal corporation has the right to charge fees for dockage. The suit involves an unpaid balance of \$4788 of a claim held by the Port against the vessel for dockage and other services from May 29 to September 13, 1906.

Counsel for the libeled steamer filed exceptions to the proceeding, attacking the constitutionality of the act creating the Port of Portland, as to its rights to construct and maintain a drydock and charging that the court was without jurisdiction for the reason that the cause was not of a character cognizable in admiralty. Commenting on the scope of the powers of the Port, the court says: "A municipality created for the purpose of improving and keeping open great ways in aid of commerce should be given the authority to construct and maintain a drydock. It is as easily germane to the subject embraced by the title as the construction or maintenance of wharves and docks is connected with the simple title for the incorporation of a city or of the many and diverse other subjects of special power conferred by the various provisions of the charter."

Several authorities were cited to show that the Port had full jurisdiction of the controversy.

### EUGENE MUST PAY SURVEYORS

#### Court Allows Kelsey & Young Judgment of \$2450.

By a decision of United States Judge Wolverton yesterday the City of Eugene will be required to pay Kelsey & Young, contractors, the sum of \$2450 for services performed. In 1906 the electors of the university city authorized the issuance of bonds to the amount of \$300,000 with which to install a municipal electric light plant. Subsequently the City Council employed Kelsey & Young to make a survey, agreeing to pay \$250 for the work, and on which a payment of \$450 was made. But upon being advertised for bids, no bids were received for the bonds and the contractors applied to the city for the balance due them. Warrants were drawn on the general fund and L. Simons brought suit enjoining their payment, contending that the service was to be paid from the proceeds of the bond sale.

Judge Wolverton held that where a municipality fails to comply with the requirements of its charter to supply funds or if there is any unreasonable delay in enforcing such provisions or collecting and turning over such money, the contractor has the right of action against the corporation for damages, in which he may recover the amount due under the contract, even if the contract contains a provision that he shall look for payment only to a special fund and that he will not require the municipality, by any

legal process or otherwise, to pay his claim out of any other fund.

### TWO BANKRUPTCY PETITIONS.

Two petitions in bankruptcy were filed in the United States Court yesterday. Rilla E. Johnson, a householder of Clackamas, reports liabilities aggregating \$650, with no assets. C. J. Smith, a stonecutter of this city, gives his liabilities at \$128.23, with assets to the amount of \$217.

### VOTE ON ISSUE OF BONDS

#### ELECTORS TO PASS ON NEW HIGH SCHOOL.

#### Board of Education Calls Meeting for April 7 to Consider Issuing of \$250,000.

A special election will be held by the electors of School District No. 1, Tuesday, April 7, on the question of authorizing the Board of Education to issue bonds to the amount of \$250,000 for building a new high school in the northeast portion of the city, probably in Albina. This action was ordered yesterday at a meeting of the Board of Education, which also instructed the district clerk to advertise for bids for constructing an addition of four rooms to the Sellwood School building. Plans are being prepared by the Board for the erection of a six-room school building at Peninsula, to replace the four-room building now occupied, and which is inadequate to accommodate the school population.

William Becket appeared before the Board and asked for additional school accommodations at Vernor, where the present building is uncomfortably crowded by an influx of pupils from the Highland district. He informed the



### LION CLOTHING CO

#### Gus Kuhn Prop.

#### 166-168 Third Street.

#### Best get inside one of our new Spring Raincoats, \$15 to \$20.

#### If there are any weak spots in your armor, the Spring rains will find them.

#### Right to Charge Fees for Dockage Is Also Affirmed in the Federal Court and Steamer Must Pay \$4788.

#### Two Bankruptcy Petitions.

#### VOTE ON ISSUE OF BONDS

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#### Board of Education Calls Meeting for April 7 to Consider Issuing of \$250,000.

#### Schools May Not March

#### Board Opposed to Children's Rose Parade.

#### Directors Expected to Act Unfavorably on Request for Repetition of Last Year's Feature.

#### Will Lay Double Track.

#### Officers in Merchants Trust Building

#### Port is Sustained

#### Suit Brought by Elder

#### Woodlawn Grange Leads

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### SALE of DINNER SETS

Ending tomorrow in the Basement Crockery Department, in which eight attractive patterns in semi-porcelain and Haviland are offered at special prices—Sets consisting of 50 pieces and 56 pieces. See our Morrison-street Windows.

<b>56-PIECE DINNER SET FOR \$7.50</b> Regular price \$9.50; Maddock's English semi-porcelain; "St. Louis" pink and gold decoration.	<b>56-PIECE DINNER SET FOR \$10.00</b> Regular price \$13.25—"Elite" white and gold—semi-porcelain—a new and dainty pattern.
<b>56-PIECE DINNER SET FOR \$7.50</b> Regular price \$9.25—"Allerton" Blue; conventional decoration.	<b>50-PIECE DINNER SET FOR \$12.75</b> Regular price \$16.25—semi-porcelain—quaint "Iris" pattern in green, gold and brown.
<b>50-PIECE DINNER SET FOR \$7.50</b> Regular price \$9.50—semi-porcelain—green and gold—conventional decoration.	<b>50-PIECE HAVILAND SET \$21.50</b> Regular price \$26.00—pink and gold decoration.
<b>50-PIECE DINNER SET FOR \$9.25</b> Regular price \$11.50—semi-porcelain—royal blue and gold decoration—white centers.	<b>50-PIECE HAVILAND SET \$28.50</b> Regular price \$36.50—dainty rose designs, pink and green.

### 9 ft. x 12 ft. SEAMLESS VELVET RUGS \$19.75

Today only in the Carpet Department—Sixth Floor—these serviceable and slightly room-size Rugs, in patterns and colorings that display perfect harmony and beauty—Oriental designs in correct color combinations—medallion and small pattern centers, etc. These rugs are especially adapted to the living-room and dining-room, and are extra good values even at their regular selling values of \$27.50.

### TULL & GIBBS

Showing of New Styles in Go-Carts and Carriages

COMPLETE-HOUSE-FURNISHERS

Sale of Iron Beds Ending Tomorrow

### SCHOOLS MAY NOT MARCH

BOARD OPPOSED TO CHILDREN'S ROSE PARADE.

Directors Expected to Act Unfavorably on Request for Repetition of Last Year's Feature.

### THE TRIUMPH OF THE WEBER PIANO

At the Paderewski Recital Last Evening

One cannot but admire Paderewski's selection of the "Matchless Weber" piano as the medium of his wonderful art.

Tested as no other instrument ever was or probably ever will be—the Weber piano, indisputably and pre-eminently the piano of the day—astounded the greatest audience of musicians and music-lovers ever assembled in this city.

Never has a piano been called upon to respond to such varied and seemingly impossible demands—and never has a piano responded so nobly to every whim, mood and desire of the artist as the Weber last evening.

The wonder of it all was that a creation of wood and metal could be so delicately and adequately responsive to both the most delicate of shadings and the superhuman muscular onslaughts of the master artist of the keys.

It's Weber tone—It's Weber construction—It's Weber individuality—It's Weber durability—In a word, it's the IDEAL—that elevates it to the highest pinnacle of supremacy.

Sole Western Factory Representatives

Forty Stores in the West

The Matchless Weber "The Artists' Ideal"



CHICAGO, Feb. 24.—(Special.)—Oregon people registered at Chicago hotels today as follows:

From Portland—P. A. MacPherson, at the Palmer House; A. E. Logan, at the Wellington.

Metzger, jeweler, optician, 342 Wash.