

VICTORY OF BUT BREF DURATION

Street Railway Company Must Pave Thoroughfare With Belgian Blocks.

CANNOT MUSTER 12 VOTES

So Ordinance Permitting Use of Bitulith Between Rails, Already Passed, Falls to Get Emergency Clause Attached.

Owing to the peculiar tangle brought about because of the recent decision of the Oregon Supreme Court, that 120 days must elapse before ordinances are effective unless an emergency clause is attached, the victory won in the City Council Wednesday afternoon by the street railway company over the question of paving between car-tracks was lost during the morning session yesterday. It requires 12 affirmative votes and the approval of the Mayor to make an emergency ordinance immediately effective, and there were only 11 members present and two negative votes on the question of passing a repealing ordinance, the measure was lost. Therefore, as it now stands, the company must put in Belgian blocks between its tracks in the improvement of Belmont street, between East Furlith and East Sixty-seventh streets, although its petition for a change of specifications was granted by the Council at its prior session.

The Supreme Court decision, which holds that all ordinances within 30 days after passage by the Council has created much inconvenience in the Council proceedings, and Wednesday yesterday, puts the power of holding up any measure in the hands of one man, in such an instance as that of yesterday. Three members were absent to carry the ordinance it was necessary that each one should vote for its passage.

Wanted Change to Bitulith.

The officials of the Portland Railway, Light & Power Company petitioned the Council for a change of specifications from Belgian blocks to bitulith, the same material with which the street is being paved. It is probable there will be a change in the specifications and rescinding proceedings under the present ordinance at a later date.

City Attorney Kavanaugh and Councilman Kellaher had a little tilt over the emergency clause proposition during a debate over whether it is necessary to attach such a clause to all ordinances. Mr. Kellaher declared that "it is a game to make a great fuss over it," and expressed his belief that unnecessary stress is being laid upon the emergency clause. He it was who caused the referendum to be applied to the ordinance, which resulted in the decision of the court.

"I suppose I should defer to Mr. Kellaher's superior legal ability," said City Attorney Kavanaugh, with considerable emphasis.

"There is nothing personal in this," said Mayor Lane, who was presiding.

"But he just told me that I don't know what I am talking about," replied Mr. Kavanaugh.

"I had no reference to you, Mr. Kavanaugh," explained Mr. Kellaher, and the matter was thus smoothed over.

An ordinance granting to the Mayor and Chief of Police power to sell one of the old patrol horses came up for consideration, but was not passed.

Mayor Lane, Councilman Cotte, and others thought the faithful old horse should be placed where it will be well cared for, and not sold. The Mayor will endeavor to secure a good place for it.

An ordinance submitted by Councilman Cotte, making it obligatory upon any one wishing to purchase any kind of a weapon, first to secure a permit from the Chief of Police, was referred to the committee on health and police.

O. R. & N. Asks \$400 for Right.

An ordinance to secure a right-of-way for an outlet to the Marquam Gulch sewer over property owned by the O. R. & N. Company came up for action, and it was disclosed that the city is expected to pay the company \$400 for the right. Mayor Lane said he would try to get it gratis from the company, or he will veto the ordinance.

Councilman Driscoll introduced a resolution, requesting the Portland Railway, Light & Power Company to set aside some place on its streets for smokers.

"I think this is something which should receive a great consideration," said Councilman Kellaher, "and would move that it be referred to the sewer committee."

"Your motion is out of order," ruled Mayor Lane.

"Well, it's a weighty matter," said Mr. Kellaher.

It was finally referred to the committee on health and police.

JACK DALTON IS CRIPPLED

Man Who Made Famous Alaska Trail Has Rheumatism.

SEATTLE, Wash., Dec. 10.—(Special.)—Jack Dalton, famous throughout Alaska as the man who made the Dalton trail from Haines Mission to the Yukon, in 1896, was a passenger on the Yuconian, which arrived today from Valdez. He is so badly crippled by sciatic rheumatism that he is absolutely unable to use his legs. He is on his way to Hot Springs, Ark. He came out from Canada, where he has large mining interests.

PLAN HOME-COMING DAY

Opening of Rose Festival Will Be Call to Wandering Portlanders.

Sons of Mars will have charge of the detailed celebration of the opening day of the third annual Rose Festival, the week of June 7-12, next year. The entire day's programme has been placed in the hands of the Spanish War Veterans, and their organization will begin at once to arrange for a season of Jollification which will rank with any-

ESTIMATES ARE CUT

Fire Committee Disagrees With Chief's Figures.

LIMITS HIM TO \$472,000

This Sum Is Approximately \$157,000 Under What Is Asked—This Means but One or Two New Stations, Little Apparatus.

A serious situation was disclosed yesterday afternoon, when the fire committee of the Executive Board met and discussed the estimate for 1909, furnished by Fire Chief Campbell. Brief consideration revealed the fact that the highest possible sum the department can have for next year's operation and new equipment is \$472,000, whereas the items in the Chief's estimate call for \$629,157, or \$157,000 approximately, above the limit. The condition is such that the committee took it up with Mayor Lane in the latter's private office behind closed doors. It is understood that but one or two new station-houses will be recommended, and little, if any new apparatus.

The secret session of the committee with Mayor Lane continued a long time. When asked about it, the Mayor replied that he and the members of the committee were discussing the matter and that, at present, there was nothing to give out.

Before going into secret session the committee held a meeting in a committee room and briefly went over the items contained in the estimate for 1909, provided by Chief Campbell. The committee consists of John Montag, Isaac Sweet and P. E. Sullivan. Although Chief Campbell declared that there is urgent need for several new stations in outlying districts, as well as at Third and Gilsan streets and in the vicinity of St. Vincent and Good Samaritan Hospitals, the committee disagreed and maintained that there is really no need for some of those recommended, especially one at East Twenty-second and Thompson streets, in the vicinity of Mount Tabor, and at Twenty-fourth and Johnson streets. Isaac Sweet declared there is absolutely no need for a station at Twenty-second and Thompson streets and Mr. Sullivan said that North Albina could get along all right without one.

It is not known what recommendations the committee will make to the ways and means committee of the Council, as a result of the secret session, but from what occurred in the public meeting it is believed that there will be virtually no changes in suburban firestations, either as to houses or equipment, during 1909. In the open meeting, Chief Campbell and City Electrician Savarian were present, urging the need of new stations and additional apparatus, and Chief Campbell frankly told the committee that, in his judgment, it is imperative that there shall be some new houses and more apparatus to protect outlying districts.

The committee virtually agreed that an engine-house will be recommended for Third and Gilsan streets, and Mr. Sweet said he favors one at some point near the hospitals. It is planned to house the water tower there, if one is put up. Several sites for new houses have been purchased by the city, in various sections, but it is thought the lots will be vacant at least another year. The expenditures for 1908 up to January 1, will be \$308,157, but little over one-half what is asked for this year.

At the dedicatory services on Sunday afternoon Dr. Benjamin Young will deliver the sermon. An interesting programme has been provided for the occasion.

What the building is not yet completed and much of the furniture not yet installed, the Association has its various departments in thorough operation. The scope of the institution will be considerably increased when the equipment is entirely in place.

The local Association is endeavoring to live up to the spirit of an address delivered by President Roosevelt in Washington last month, in which he said: "I doubt if there is a movement among all that one can broadly term philanthropic in this country, which more deserves the interest and support of the people than that of the Young Women's Christian Association. There has been in the past a tendency to do more for young men than for young women."

ESTATE WILL PLAT TRACT

Hawthorne Park to Be Wiped Out, Ravine Filled and Land Sold.

Hawthorne Park, comprising in all about ten acres, is not likely to be acquired by the city for park purposes, and the owners are preparing to plat the tract, open streets through it and place the lots on the market. Surveyors have been at work dividing the tract into lots. It had been supposed, or hoped, in Central East Portland, that the city would acquire the tract, which is a natural park covered with a growth of fir, oak and magnolia trees, and all the push clubs have favored securing it for park purposes, but the slowness with which the authorities moved in the matter will likely result in the city losing the opportunity of securing it.

However, the platting of the tract will result in the filling of the ravine from Hawthorne Springs between Hawthorne avenue and Belmont street, where at present there is a long lake of water. This ravine occupies many blocks of much value, which undoubtedly will be filled. Trees in the park have been girdled and killed and will be cut down.

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FAIRPORT

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