

BROADWAY BRIDGE FOUGHT ILLEGALLY

City Attorney Kavanaugh Condemns Port of Portland Acts Without Right.

CITY SUPERIOR IS HELD

Opinion Declares Municipality is at Least Entitled to Consideration Given Railway by Body.

"CITY AS IMPORTANT AS RAILROADS"

"The Port of Portland authorized, or attempted to authorize, the construction of the Oregon Railroad & Navigation bridge with a much lower deck than the Broadway bridge. It would be strange if the city were not accorded equal privilege with the Oregon Railroad & Navigation Company. The commerce across the river is as important, or perhaps more important, than the navigation of the harbor, and it should receive at least equal consideration."

CITY ATTORNEY KAVANAUGH

City Attorney Kavanaugh has rendered an opinion that the Port of Portland Commission has no power to stop the building of the proposed Broadway high bridge by the city. The municipality, he holds, has the superior authority, given by reason of constitutional amendment, subsequent to the act of the Legislature creating the Port of Portland Commission.

Body's Consent Withheld.

Mr. Kavanaugh made an investigation for the satisfaction of the general public, and announced his opinion yesterday. There is great interest in the subject, owing to the fact, as developed last week, that members of the Port of Portland Commission are hostile to the project and may not give their consent, for which they have been asked.

Mayor Simon presented the subject,

asking members of the Commission to pass upon the Broadway bridge plans, but nearly all of the members were found to be opposed to the project. President Swigert demanding a 300-foot draw instead of the 250-foot draw proposed by the Mayor, and some of the other members being outspoken in their opposition to any bridge at all at Broadway.

City Attorney Kavanaugh's opinion in part follows:

The act of the Legislature grants to the Port of Portland full control of the Willamette river in the harbor at the City of Portland, and full authority to make, change or abolish such rules and regulations for the use and navigation of such harbor, or the placing of obstructions therein, or the removal of obstructions therefrom, as it may deem convenient, requisite or necessary. It is provided that nothing contained in the act shall be construed to authorize the removal of bridges or obstructions existing by virtue of a grant of express authority from the state, or to interfere with or detract from the general rights and powers of any city within the district embraced by the Port of Portland, but only so as to give said corporation full power to carry out and fulfill the purpose and object of its creation.

State Power Retained.

By this act of 1901 the state delegated certain limited and defined powers to this corporation, but in this state did not denude itself of such powers, nor was the delegation placed beyond recall. The state could recall these powers at its pleasure, or could amend the act directly, or could annul the grant by delegating the same powers, by subsequent act, to another municipal corporation.

Voters Given Authority.

These and other provisions of the Portland charter clearly indicate that the Legislature did not intend that the Port of Portland should control the construction of highways or bridges across the waterways, or that it could prevent the city from extending such highways.

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'Popcorn King' Thrown by Horse Is Hurt

Faithful Old "Chub," of Third and Morrison Famed, Gets Frisky in Canter; Master in Hospital.

For years Chub has borne the indignity of standing at Third and Morrison with "Popcorn" Patterson, he said that he was the popcorn king—and as long as he was only required to haul the popcorn man's gorgeous wagon, Chub did not complain. "I had only accumulated the bottled up wrath of years was shown yesterday when Patterson, as the height of the indignities from an equine point of view, attempted to ride the beast. Chub promptly ran away, throwing Patterson, breaking three ribs and fracturing his right shoulder. Chub threw his master at sixteen and Alder streets.

Dr. J. R. Wetherbee passed in his automobile and picking up the man made a daring race to Good Samaritan Hospital, where he immediately attended to the man's injuries. Dr. Wetherbee made the trip to the hospital in exactly four minutes. Patterson feels very keenly the wickedness of Chub's actions. "For years I have treated him as a friend," he said at the hospital yesterday afternoon. "I had had him show with leather to keep his feet warm and provided him with a mat to stand on in wet weather."

PERSONAL MENTION.

Dr. C. H. Bewar, of Salem, is registered at the Oregon. W. C. Fry, a Rainier merchant, is staying at the Perkins. William I. Vawter, of Medford, is registered at the Portland. H. C. Guist, a druggist at Yamhill, is staying at the Imperial. B. R. Gray, a Hood River apple grower, is at the Perkins. L. N. Roney and wife, of Astoria, are registered at the Cornelius. William S. Gilbert, of Astoria, is at the Cornelius, accompanied by his wife and daughter. E. Whitlock, undertaker of Klamath Falls, is at the Cornelius. Mrs. Whitlock accompanies him. Judge C. S. Moore, of the Klamath Falls district, is registered at the Cornelius, and will remain for several days. Judge Frank Smith, of Caldwell, Idaho, who became well known through the trial of labor leaders, is at the Imperial. C. Wingate, well known in Astoria business circles, is transacting business in the city, and operating from the Oregon. L. Q. Swetland, secretary of the Hotel Perkins Company, returned yesterday from a six weeks' visit in New York and Philadelphia.

RED CROSS CHRISTMAS STICKER

IN GREAT DEMAND. Orders Being Received Daily by Local Nurses' Association for More Cards and Stamps.

The interest in the Red Cross Christmas Stamp is growing throughout the state is evinced by the many orders received daily at the Visiting Nurse Association headquarters, for stamps and postal cards, and by the letters asking for information pertaining thereto. Ashland writes as follows: "The Red Cross stamps sent by you to the different clubs were placed on the drugstore and a few at stores and at most of the places they are out, and the people are clamoring for more. We did not look for such ready sale of the stamps, and are much gratified. If you will kindly forward more stamps, we can dispose of them. We are working together."

A keen brain and Steady, dependable nerves can

Win wealth and fame For their owner. Clear-headedness and A strong, healthy body Depend largely on the Right elements in Regular food and drink. Coffee contains caffeine—A poisonous drug.

POSTUM

Is rich in the Gluten and phosphates That furnish the vital energy That puts "ginger" And "hustle" into Body and brain workers. "There's a Reason"

CHICAGO, Dec. 13.—(Special.)—J. E. Cameron, of Portland, Or., is at the Great Northern Hotel. Chamberlain's Cough Remedy never disappoints those who use it for obstructive coughs, colds and irritations of the throat and lungs. It stands unrivalled as a remedy for all throat and lung diseases. Sold by all dealers.

WHO GETS MONEY?

Civic Improvement League Worries Over \$20,000.

EXPLANATION IS ASKED

"City Beautiful" Plans Wait Till the People Hear From Landscape Experts as to Definite Expense Connected With Proposition.

Before further negotiations are entered into between the Civic Improvement League, of Portland, and Burnham & Bennett, the "City Beautiful" experts of Chicago, the latter will be required to explain what returns the League is to get for the \$20,000 that has been subscribed for drawings of plans of Portland.

Burnham's first announcement was that the plans for beautifying Portland would cost between \$15,000 and \$20,000, including \$500 a month and traveling expenses for Mr. Bennett, who is to do the work.

C. B. Merrick, secretary of the League, wrote to Burnham on November 20, asking for an explanation regarding the payments to be made in addition to the salary to be paid Mr. Bennett, but no answer was received. Not being able to understand why his letter received no recognition, Merrick sent another letter to the firm yesterday, asking for the same information.

What Will Be Done With Money?

If it should require Bennett's time for an entire year to prepare plans for beautifying Portland, his salary would amount to but \$6000, according to the contract, and to what use the remaining \$14,000 that has been subscribed is to be put is not clearly understood by the League.

IN A SCOLDING MOOD

An Anonymous Scribbler Falls Foul of Oregonian.

PORTLAND, Dec. 13.—(To the Editor.)—In a recent issue of The Oregonian there appears one of the erudite literary efforts criticizing spiritualism, that periodically appear in the stately columns of that paper. As I am kindly disposed toward it, I would delicately suggest to you that you read up on some of your subjects before you go shrieking and howling along the surface of things—this applies particularly to the subject of spiritualism. Your late article exhibits such profound and learned ignorance that it excites mingled laughter and pity.

STAMP SALE STATE-WIDE

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The Test of a Steinway

The Steinway test for a piano begins where the test for an ordinary piano leaves off. Ordinary piano manufacturers loudly chronicle the fact that their instruments present a repeating action of lightning-like rapidity; that they possess a beautiful tone, and that their case architecture is grateful to the eye, etc., etc.

A keen brain and Steady, dependable nerves can Win wealth and fame For their owner. Clear-headedness and A strong, healthy body Depend largely on the Right elements in Regular food and drink. Coffee contains caffeine—A poisonous drug.

POSTUM

Is rich in the Gluten and phosphates That furnish the vital energy That puts "ginger" And "hustle" into Body and brain workers. "There's a Reason"

Packard MOTOR CARS

ASK THE MAN WHO HAS ONE

FRANK C. RIGGS SEVENTH & OAK STS. PHONES MAIN 4542, A 1127.

rival in The Dalles, which has taken re-ordering by telegraph. The sale in Portland continues with unabated vigor, but nearly half of the stamps still remain to be sold. The League is to get for the \$20,000 that has been subscribed for drawings of plans of Portland.

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TO CURE A COLD IN ONE DAY.

Take LAXATIVE BROMO GUINNESS Tablets. Druggists refund money if it fails to cure. E. W. GROVE'S signature is on each box. 25c

Extraordinary Suit Sale

Special Low Prices Special Easy Terms \$37 to \$40 Suit Values at Only

\$17.45

Pay \$5 Cash and \$1 a Week

We find that we have greatly overstocked on Ladies' High-Priced Suits, and rather than have them left on our hands have determined to cut the price so low that no one in need of a new Winter Suit can afford to pass them by. There are just 140 of these elegant garments in this lot and every one of them is of the best materials, and positively of this Fall's styles, colors, etc. Only because our buyer overestimated the Fall demand for this class of goods do we make such an extraordinary price reduction.

\$5 Will Secure One of These Elegant Garments—then you may pay \$1.00 per week on the remainder of the cost. Really \$17.45 \$37 and \$40 Suits for only \$17.45 Suits of the very best quality and up-to-date in style. Take them; wear them while you

Pay \$1.00 a Week

Vancouver, St. John, Alberta, Woodlawn, Russell, Shaver, East Burnside, Montville, and East Astoria cars stop in front of this store. All other lines issue transfers.

STORE OPEN EVENINGS TILL 8 O'CLOCK

IN THE LOW RENT DISTRICT GEVURTZ LOW PRICES EASY TERMS EAST BURNSIDE & UNION AVE.

Sherman Clay & Co. Sixth and Morrison Opposite Postoffice

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The Steinway test for a piano begins where the test for an ordinary piano leaves off. Ordinary piano manufacturers loudly chronicle the fact that their instruments present a repeating action of lightning-like rapidity; that they possess a beautiful tone, and that their case architecture is grateful to the eye, etc., etc.

Steinway Vertegrand \$575 Steinway Miniature Grand \$850 Easy terms of payment. Steinway Pianos sold on the Pacific Coast exclusively by Sherman, Clay & Co.

RICHEST AND PUREST MILK

from the choicest dairy sections of the United States. From cows properly fed and cared for.

BORDEN'S PIONEER BRAND EVAPORATED MILK (Unsweetened)

Dilute with water to desired consistency and use same as "Fresh" milk. CONVENIENT ECONOMICAL SAFE Borden's Condensed Milk Co. "Leaders of Quality" Established 1857

Kodol For Indigestion The Drs. S. K. Chan Their Chinese remedy of herbs and roots cures wonderfully. They have cured many cases of indigestion, including all kinds of sickness, including chronic and private diseases when other remedies fail. Their medicines are harmless. No Operation. Examination for ladies by Mrs. S. K. Chan. If you are ill, to prevent suffering, call or write to The S. K. Chan Chinese Medicine Co., 326 1/2 Morrison St., Bet. 1st and 2d, Portland, Or.—Captain and Mrs. Olney, City.