

BROADWAY BRIDGE IS NOW ASSURED

City's Demurrer Sustained and Port of Portland's Injunction Loses.

CITY CHARTER IS RECITED

Judge Cleland Throws Obstructionists Out of Court—Commission Has No Say Over Bridges. Is Part of Ruling.

The obstruction suit recently brought by the Port of Portland in an effort to prevent the building of the new Broadway bridge was summarily swept aside by Presiding Circuit Judge Cleland yesterday morning. The city, which was made the party defendant to the suit, had interposed a demurrer to the petition for an injunction. Judge Cleland sustained the demurrer, thereby throwing the Port of Portland out of court. He held that the Port of Portland has nothing to say as to where, when or how bridges shall be built over the Willamette River, as he said the Legislature has looked upon the city as having power over these matters.

In reviewing the history of the Port of Portland the Judge said it was chartered in February, 1891, and was then given control over the Willamette and Columbia Rivers within its jurisdiction to the full extent possessed by the state. But there was a provision, he said, that this power should not be construed to permit the Commission to remove existing bridges. The charter was amended in 1892 and revised in 1893. One section of the charter (No. 23) provided that the powers of the Port should not interfere with the powers of any city within its territory.

The charter of the city received in 1893, said the Judge, gave it power over wharf landings and the removal of obstructions from the river. Another charter, received by the city in 1893, provides that "nothing contained in this act shall operate to prevent the exercise by the City of Portland, of the power herein conferred to construct and maintain bridges across the Willamette River."

Two bridge committees were created, one in 1891 and another in 1893.

STREET WIDENING CONTESTED

Property Owners on Seventh Object to Proposed Assessment.

Proposed widening of Seventh street, from Hoyt to Burnside, to provide suitable thoroughfare for the outlet of the Broadway bridge, was the cause of a stubborn controversy at the meeting of the street committee of the City Council yesterday afternoon. The protests against the assessment for the widening of the street were overruled by the committee, and some of those who spoke against the improvement intimated that the courts would be asked to prevent the assessment.

Among those who made the more vigorous protests against the assessment for the widening of the street were: A. E. Clark, attorney for a number of property owners on the street; Max Cohen, D. Sells Cohen, C. K. Henry and C. Henri Labbe.

When C. K. Henry insisted that there was no reason why the improvement should be made, Councilman Wallace explained that its purpose was to provide a thoroughfare to connect with the Broadway bridge.

"But you haven't got the Broadway bridge yet," said Mr. Henry significantly. "We're going to have it, though," replied Mr. Wallace.

As various members of the committee spoke in favor of the improvement, D. Sells Cohen became indignant, and taking his hat up suddenly, started rapidly for the door, remarking as he went:

"If the committee has its mind made up, we might as well stop. There are other methods by which we can prevent it."

After much heated discussion, Councilman Lombard made a motion that the protests be overruled. The motion was carried, although Councilmen Kubli and Belding voted against it.

Seventh street is now the same width as the other streets running parallel with it. It is planned to increase its width from 60 to 80 feet by adding ten feet to each side.

The objection to the improvement was made yesterday that the Custom-House faced on the street, and that it could not be cut down to permit of the proposed widening. Some of the members of the committee, however, assured the protesters that arrangements for this change had already been made with the Government.

ITALIANS DISTURB COURT

Both Men Sent to Jail Following Outburst of Heated Language.

Arrested in a charge of opening letters addressed to his brother-in-law, Vincenzo Logio's hot Southern blood boiled over in the court of United States Commissioner Cannon yesterday afternoon, and in order to prevent trouble the prisoner had to be removed to the hall while the complaining witness delivered his testimony. Both residents of "Little Italy" are now in jail. Logio could not understand or speak English, but he spouted Italian faster than a snow slide ever ran down the steep of Mount McKinley. The court interpreted the conduct of Logio, but from the expression of his face, the covering demeanor of both parties, it was considered advisable to lock them up.

It is asserted Antonio Proconi loaned Logio \$100 which the latter failed to pay. Proconi then had Logio arrested on the charge of violating the postal laws.

WOMAN OUT OF POLITICS

We call the attention of the electors to an article on Woman Suffrage published in the current number of the Hibbert Journal. It is from the pen of Frances H. Low. We quote the following sentences:

"We conceive there can be nothing more fatal for the Nation than that women should be transformed into ardent political partisans. Women should have a moral force to be exercised at all times through the individual, the home, the society, a force higher than that wielded by any party and able to make itself felt collectively if need be, in times of National danger."

Even now scores of hard-hearted women, caring nothing for humanity, nothing for the welfare of the children, spend their energies and time in committees and boards and political federations, in which all sorts of admirable reforms are for ever discussed, whilst not one single child is made happier or cleaner, one single wretched mother helped or sustained. Women need to exercise personal influence more than ever, for we are in much danger of trusting to legislation and political organization for what we could do personally with a little sacrifice of our own selfishness and greediness."

JOINT INVITATION SENT

Cities Unite in Urging Temperance Women's Convention Here.

Commercial bodies of six Oregon cities will join the members of the Women's Christian Temperance Union in the invitation to the convention of their organization at Baltimore November 12 to hold its 31st meeting in Portland. At the Baltimore session a letter was addressed bearing the following message will be thrown upon a large canvas:

"Dear Mother National—Your Oregon daughter extends you an urgent and loving invitation to bring your entire family to our beautiful Rose City, Portland, for a love feast in connection with the convention of 1911."

This will be signed by the local and state officers. The invitation will be seconded by the two commercial bodies of this city, as well as those of Medford, Salem, Oregon City, Hood River and The Dalles.

Mrs. Ada Wallace Duran, state president for Oregon, will present the invitation.

ASKS FREE WATER MAINS

But a Suburban Resident Thinks Otherwise of Tract Owner.

PORTLAND, Or., Nov. 4.—(To the Editor.)—Prior to 1907, I believe, water mains were laid at expense of water consumers. Since then, such pipes as the Water Board has been able to lay have been assessed to property owners served thereby. In other words, the water system has been established and continued up to 1907 at public expense, which the water system has paid with no heavy burden on the water consumers. Since that time it has been necessary for consumers to pay the cost of main to bring water to them before they can have that for which they are willing to pay.

There are parts of the city today in-

adequately served with water by private parties at twice the price charged by the city. They desire city water and are willing to pay regular city prices. These sections of the city will pay enough into the water fund more than to defray interest on the investment for mains necessary to supply them. Why should these sections not be served with water on the same terms as the major portion has been served for years? Why should these people, who have suffered for years because of an inadequate water supply, be compelled to pay the cost of mains and then pay for water at the same rate as the rest of the city is paying when their mains were laid without cost to them?

The water system of the city of Portland being a gravity system and cheap, can easily supply all its inhabitants with an adequate supply of the best water at moderate rates and pay all expenses of extension and maintenance. And, moreover, it is the duty of the City of Portland to supply all its citizens with an abundance of water, instead of leaving many thousands of its citizens without adequate water and at the mercy of the private waterman, who compels payment of whatever he sees fit to charge and supplies as little water as he pleases.

The matter of laying mains to tracts being platted for the market is another question altogether and should be dealt with accordingly.

I have written these lines in the interest of the many thousands of Portland citizens who are not provided with water.

J. W. SPRIGGS.

ROAD MUST PAY SHARE

RAILWAY WOULD AVOID COST OF STREET IMPROVEMENT.

City Attorney Says Corporation Must Bear Portion of Expense on Nineteenth, Though Rails Gone.

Either the Portland Railway, Light & Power Company must pay its share of the improvement of Nineteenth street, from which the company has removed its tracks, or the city itself will be compelled to meet the obligation, according to the instruction City Attorney Grant gave the street committee yesterday afternoon. The committee recommended that an assessment be made in which the street railway company must be required to pay its share.

It was asserted by members of the committee that the company did not begin to remove its tracks from the street, until after the improvement had been ordered. The city attorney, however, insisted that the law does not allow the vacation of a portion of a franchise without the consent of the Council, and this consent had not been obtained by the company.

In a recent written opinion, furnished by City Attorney Grant upon the request of the street committee, he declared that the railroad company had been in the habit on various occasions of taking up its tracks where streets were to be improved and that, in spite of written opinions of ex-City Attorney Kavanaugh, the company had been escaping its share of the burden for the improvements.

The franchise granted the company requires that it must improve the streets through which its tracks run, when the city requires a hard surface improvement for the street, between the rails and for a distance of one foot on the outside of the outside rails. To assess the property owners for this part of the improvement, would not be legal, as long as the franchise is effective, according to Mr. Grant's opinion.

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Well, Folks, Here We Are— The Secret Is Out

FIRST of all—and we are truly sorry that the number of lots we have for sale is limited—we will accept reservations in the order received at our office. There are only 141 lots in the tract—at this writing—Friday noon—30 have been reserved. These thirty reservations were made without our ever having advertised in the papers where the property is.

THE picture at the top of this announcement shows this beautiful tract. Located on the Base Line Road, right near Mount Tabor. We have never had anything like this tract to offer to the people of Portland, and probably will never have again. Monday will be the opening day. No lots will be sold before then, but reservations can be made. There are 110 lots unreserved now. On Monday we will allot the property in the order the reservations have been made.

Mount Vernon

IS the name we have given the tract. A truly befitting name for this beautiful scenic, easily accessible, magnificent view, home site tract. Take the Mount Tabor car—marked S S in front. These cars run down Morrison from Eleventh. It's a little over a twenty-minute ride to Mount Vernon Station. You can't miss the sign—Mount Vernon. Everyone will want one of these lots, but we can supply only 141. Watch for Sunday papers. We will have something more to say.

HARTMAN & THOMPSON

Real Estate Department
Chamber of Commerce Building

FRUIT CENTER, SEVERAL COMMERCIAL ORCHARDS HAVING BEEN PLANTED.

Quality of some of the fruit grown this year unsurpassed and it is believed that an organization will give a great incentive to the business in many ways.

CAR SERVICE PROTESTED

Brooklyn People Say Conditions Are Worse Than Year Ago.

People compelled to use the Brooklyn cars to reach the West Side complain of the service on that line during the rush hours morning and night, and especially between 5 and 7 P. M. It is charged that between these hours it is an almost daily occurrence that the regular 15-minute schedule is broken, and that one or two trips of the east-bound cars are dropped entirely, leaving people waiting all along the line. In addition to this, residents com-

plaint, the cars are seriously overcrowded. More than a year ago a delegation called on the officials of the Portland Railway, Light & Power Company and asked for and received better service. This improved service lasted six months, and residents say that conditions now are worse than a year ago. The population has increased in the territory tributary to the line, but the service has not.

The car service question was brought before the Seventh Ward Improvement League Thursday night. It was the sentiment of the league that no relief could be expected from the street car company and that a public service commission with power to require the company to provide adequate service was the only remedy. Ben Riesland announced that in two weeks the measure to provide a municipal service commission would be completed by attorneys who are at work upon it, and that it would be submitted to vote next June. Mr. Riesland declared that the Brooklyn people were not the only ones

suffering from insufficient car service, and said that all appeals to the street railway company and the City Council were wasted effort.

Lane to Speak at Falls City.

FALLS CITY, Or., Nov. 4.—(Special.)—Dr. Harry Lane, ex-Mayor of Portland, will be the principal speaker at the political meeting here Saturday evening, November 5.

Sellwood to Have Catholic Church.

At the meeting of the Catholic people of Sellwood Thursday night, Rev. Father Gregory presiding, it was voted unani-

Nesmith County

218 X, YES, would perpetuate the name of that illustrious Oregonian, Colonel James Willis Nesmith, a pioneer of 1842. The proposed county is a development proposition pure and simple. (Paid Advertisement.)

mously to erect a fireproof church and schoolhouse in one building on the block purchased on East Fifteenth and Miller streets. The cost will be from \$8000 to \$10,000. J. P. Kertcham, Peter Rerum, E. D. Edwards, Martin Peters, J. Vail, and J. Dell were appointed to secure plans, funds and erect the building. This

CAREFULLY CONSIDER

Will you thoughtlessly cast your vote to create new counties where three-fourths of the tax payers oppose it? Postpone creation of new counties in the State of Oregon until the people have placed a law on our statutes permitting only voters of affected districts to vote on any question that affects division of their territory. Otherwise your home, your life's work is at the mercy of every ambitious hamlet and would-be office holder within your present county boundaries. (Paid Advertisement.)

committee will be assisted by Messrs. Scheider, Dell and Leonard. It was decided to start building by next April.

THE PROPOSED MODEL LICENSE LAW

IS SHOWN UP BY THE CATHOLIC SENTINEL.

The editor in the issue of November 2 says: "The liquor people now come forward with a 'model license law' which, they say, would clean up the saloon business permanently. But the public has begun to notice that it is only at election time, when threatened with prohibition, that the liquor interests bother themselves about reforming the saloon. When the danger is over the 'model license law' is sent back to cold storage." (Paid Advertisement.)