

# CITY EMPLOYEES HIT IN \$408,875 SUIT

## Robert Wakefield & Co. Sue Municipality for Sum Due on Reservoir Work.

### DEPARTMENT MEN BLAMED

#### Plaintiff Corporation Declares That Delays in Construction Were Caused by Acts of Oversee and Civic Employes.

The most important suit, from the standpoint of size of judgment demanded, filed in the Multnomah County Circuit Court during the past year, that of Robert Wakefield & Co. against the City of Portland, in which the plaintiff, a contracting firm, demands that the city pay \$408,875, alleged to be due for the construction of the Mount Taber reservoir. The company contends that there was earned in the construction of the reservoir \$408,875 and that only \$153,421 had been paid. The contract was let on a unit basis.

Wilbur Spencer & Tibbitts, attorneys for the plaintiff, filed the complaint, in which responsibility for delays in construction is placed upon the acts of the city engineer and the department men in supplying pipes and other material which the contract specified it should furnish and that the contractor was not to be held responsible for the delay in furnishing the same. The complaint also charges that the city was delinquent in furnishing a statement of the amounts and sizes of steel rods to be used for reinforcement, causing a delay of several months, and that the engineer in charge for the city demanded that the construction of the gate be constructed in an extraordinary manner not contemplated by the original plans and specifications.

**City Delays Work, Is Claimed.**

The complaint also charges that the City Engineer in charge permitted the rolled embankment to be constructed of the material excavated and that the city failed to furnish the concrete lining made the placing of the lining more difficult and expensive because of the necessity of doing a large part of the work in winter. The contract called for a steel tank, but the city failed to furnish the same until November 24, 1910. It is declared that the company was ready for the steel beams for the floor system of the gatehouse in June, 1910, but that they were not furnished by the municipality until three months later; that the company was ready in June, 1910, to place a gate in the north end of a tunnel leading from reservoir 5 to reservoir 1, but that delivery from the city was not obtained until December of the same year and that the straight line between reservoirs 5 and 6, but that the municipal engineer in charge made material changes in the plan, adding inconvenience and expense.

**Complaint Against City Engineer.**

The engineer, it is further alleged, refused to permit the south bank of reservoir 4 to be completed with open ditches and roads, but that the work was finished as a whole. These roads, it is contended, were necessary for the removal of excavated material and to allow ingress and egress. Because of delays the rolled embankment was not completed when the wet weather set in in the fall of 1910, and it became necessary to suspend the work until the spring of the following year.

In consequence of these delays it was impossible to commence the lining of reservoir 4 until March 22, 1911. It is declared that it was the duty of the city to furnish cast iron pipes and valves for the westerly gate of the outlet of the reservoir, but that the same was not made until August 29, 1910, several months after the contracting firm was in readiness for them, according to the complaint.

Further allegations are that the estimates on which the company bid were found to be erroneous, the amount of work done and materials used being in the case of one reservoir 28 per cent and in the case of the other 21 per cent above the estimates. Changes in plans effected by the city, it is alleged, increased the cost of the work and the amount of kind of reinforcement required by the city, and also that the work was done in a hasty and unskillful manner, without attempt at ornamentation, but the engineer in charge changed the style of architecture.

**Municipal Employees Criticized.**

The complaint cites various other instances of alleged incompetency and expense caused by the contractor by the city, included in which is the reputed employment by the city of unskilled and inexperienced engineers who were in charge of the slope of reservoir 3 from a straight slope to two slopes, one at the bottom of the other and at a less angle.

The complaint declares that the space designated in the specifications as being available for the dumping of materials was found to be otherwise occupied. The city failed to make payments on estimates on the 15th of each month. It is charged, and also that the plaintiff says \$118,854.25, which, the plaintiffs say, the city's engineer in charge of the work certified as being due the Wakefield firm.

**Government Aid Sought**

Palouse Irrigation Project Looks for Financial Assistance.

Eastern Washington people have started a determined effort to secure a Government appropriation for the reclamation of the Palouse river territory that can be watered by the Palouse River and at the Palouse Irrigation convention at Pullman last week a resolution addressed to President Taft and praying for Federal assistance was adopted.

Frank W. Robinson, general freight agent of the C. & W. R. & N. Company, in charge of industrial development, returned yesterday from the Palouse country and is heartily in favor of a Federal appropriation to carry on irrigation work in that section. He reports that the meeting was largely attended by enthusiastic farmers all of whom are earnest in their desire to

# BIG SUM TO GO OUT

## Southern Pacific Prepares to Expend \$500,000.

### OSWEGO GETS CARSHOPS

#### Two New Passenger Depots Will Be Constructed at Forest Grove and at McMinville—Contracts Due Soon.

Expenditures aggregating fully \$500,000 in the next three months have been authorized by the Southern Pacific Company in connection with the electrification of its West Side lines and its new freight facilities on the East Side.

In addition to the freight depot and yards, which will cost more than \$125,000, the company is about to close a contract for the purchase of two and a half acres of valuable property at Oswego, where car barns, shops, electrical sub-stations and other improvements costing an additional \$125,000 will be built.

Plans have been completed for the erection of new passenger stations at Forest Grove and at McMinville, to cost approximately \$100,000 each, and for the construction of two miles of new track at Forest Grove, which, with attending improvements, will cost fully \$125,000 more.

**Temporary Depot Proposed.**

As soon as the Port of Portland completes the filling in the block bounded by Oak, Pine, First and Second streets, on the East Side, construction work on the new concrete freight station, 200 by 40 feet, will begin. Meanwhile the freight business of the city will be handled in a temporary building, negotiations for the lease of which now are under way.

D. W. Campbell, general superintendent of the Southern Pacific, who is leaving last night for the southern part of the state, said that his plans for the improvement of Oswego have progressed far enough to permit him to place orders for material that will be used in constructing the buildings. The car barns will house 50 cars and will cover nearly two acres. The building will be constructed of fireproof material, probably reinforced concrete, and alone will cost \$75,000.

In addition to this building, a transformer station, housing much valuable equipment, repair shops, firemen's headquarters and storage tracks will be constructed. The work on these buildings will be started before the end of the week.

**Wire Connection to Be Made.**

Plans now are being made for building the lightest and strongest lines that will connect the Southern Pacific property with the Portland Railway, Light & Power Company's lines, from which the electric current will be obtained. Contracts for supplying the electricity were made several years ago. The connecting line will be built via Willoughby and Oswego.

Contracts for new construction work in the vicinity of Forest Grove intend to give the company direct entrance through the streets of that city, will be let at once. The new line will leave the old main road at Murray and Dillard, and will run through the city, which will bring the total expenditure to \$125,000. Work will commence there within a week.

The new depot at Forest Grove and McMinville will be of the bungalow type and built of brick and concrete. They will have special waiting-rooms for women and all the latest facilities for the accommodation of passengers.

# MEMBER MAYOR RUSHLIGHT'S EXECUTIVE BOARD AND YOUNG LAWYER ASPIRE TO LEGISLATIVE HONORS.

M. J. MURKANE, Rep. for Representative District by Labor Organizations.

HAROLD A. WILKINS, Rep. for State Representative.

# HOUSE GOAL OF TWO

## WILKINS CANDIDATES.

### Both Aspirants From Multnomah County for Statement No. 1 and Good Roads.

Among the most recent candidates to file announcements that they would seek nomination on the Republican ticket for State Representative from this county are M. J. Murkane and Harold A. Wilkins. Mr. Murkane is a member of Mayor Rushlight's Executive Board and his candidacy has been endorsed by the labor organizations of the city. Mr. Wilkins is one of Portland's young lawyers, being associated with the firm of Cole & Cole, with offices in the Chamber of Commerce building.

Mr. Murkane declares for Statement No. 1, tax reform measures, free school books, reformation of school laws and good roads. He promises to oppose graft, logrolling in legislation, appropriation of the people's money for questionable purposes and a wholesale change in state and county offices.

In his platform, Mr. Wilkins announces that he will support "Statement No. 1, work for good roads for the entire state, for closed bridges during rush hours, for remedial legislation, and for an honest and progressive representation of the people of Multnomah County."

**Perkins Presents Platform.**

A law providing for the appointment by Circuit Judges of special grand juries for the specific purpose of investigating the case of Perkins, who yesterday filed with County Clerk Fields notice of his intention to become a candidate for a Republican nomination as State Representative. He further declares himself in favor of the passage of laws regulating the sale of firearms and exempting household goods from the valuation for personal taxation. He declares that he will urge such legislation as will tend to a "Greater Oregon." As a slogan he has adopted the following: "Statewide One Tax on Household Goods up to \$200."

# Sinnott Denies Aiding Bourne.

Emphatic denial to the report that he was assisting the candidacy of United States Senator Bourne for re-nomination and re-election was made yesterday by N. J. Sinnott, State Senator from Wasco County and Republican candidate for Representative from the Second Congressional District. Mr. Sinnott declared that he was not taking any part in the Senatorial fight. "I am making my own campaign," said Mr. Sinnott, "and I am letting others do the same."

# GRAND JURY IS CHOSEN

## No Important Matters So Far Developed for Consideration.

The personnel of the county grand jury for March was drawn by Presiding Judge Kavanaugh yesterday as follows: H. B. Walker, 561 1/2 East Davis street, bookkeeper; E. D. Hamilton, farmer; M. C. Handfield, fish merchant, 492 Vista avenue; E. W. Wallace, mechanic, 585 Alder street; H. V. Bainford, farmer, 247 Washington street; Manuel Haddock, painter, 49 East seventh-second street, North; and A. G. Lambert, farmer, Linxeman Junction.

Judge Kavanaugh notified the jurors to hold themselves ready to report for duty when called on by the District Attorney. Up to the present time no matters of great importance have developed for the February grand jury, at least no recommendation was left that its successor continue the work. Quite a number of minor offenders have been held for grand jury action from the Municipal and Justice Courts.

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# THEIR DRESSING ROOM—AND GIVE A MIRTHFUL EXPOSE OF THEIR WARDROBES, AND FOUR-FLUSHING TENDENCIES—FINISHING WITH A "PRACTISING" OF THEIR ACT FOR THE BILKINETS.

## ANOTHER TWO-MAN ACT—BROTHERS IN THIS INSTANCE—ARE THE WILSONS, FRANK AND JOE. THEY CALL THEIR SKIT "THE DUCKS."

### LYRIC.

#### A NOTHER RIOT OF FUN IS "MISS TOMMY OF TEXAS," THIS WEEK'S ATTRACTION AT THE LYRIC. THERE ISN'T ANY PLOT TO BE SEEN, EVEN WITH MAGNIFYING GLASSES, BUT THERE ARE A NUMBER OF COMICAL SITUATIONS.

The scene of the show is a Texas ranch, near the Mexican border. Colonel Randolph is the owner, very handsy with the gun and an expert in crooked poker. He has an attractive daughter who is sought by Lieutenant Lawrence of the United States Army. He also has two co-schemers, Ike Bloom and Mike Busch, both rather new at that game. Then there is Mrs. Simon Pettibone, a widow, who finally captures the heart of the Colonel.

Edward S. Allen as Ike Bloom, and Frank Vaek as Mike Busch, the tenderfoot co-schemers, were more than their names. They were the stars of the show, and were the most of the best opportunities they have had for some time. Jack Curtis has dropped his German dialect this week and gives a good performance of the Texas ranch, of whom everyone was afraid. Lillie Sutherland is in her element as Tommy, the daughter. Myrtle Guild was excellent as the Indian girl, and her numbers and the choruses are all good. There is an Indian chorus that is both picturesque and melodious. Tom McGraw as the "Big Game" hunter, Hibernian, sings a new set of Scotch songs in hisimitable way, and gets a full measure of applause. The wobbly-shouldered improvements, the gracefulness of Mac-Guire doesn't do more of it.

Carlton Chase and Lillie Sutherland sing "That Baboon Baby Dance." E. S. Allen and McGraw sing "Roots To You." Carlton Chase and chorus sing, "I'd Love to Lead a Military Band." The choruses have been considerably improved, and are all good. In addition of George Weiss, Arthur Cunningham and Fred Weiss.

# PANTAGES.

TUNEFUL airs and pretty dances with some merry patter make up a pleasing act offered at Pantages this week by Josephine Fields and W. J. McGraw and their six Bama Bama girls in "Toy Shop Pastimes." Miss Fields' songs are catchy and she sings them in pleasing style. The girls are simple-minded errand boys who flirts with the dolls when the mistress was away in very funny. The six doll girls sing and dance delightfully and look more dainty and charming even than dolls at their very best.

Music of a high order is that given by the "Colossal Band" of Miss Margaret Fallentin, Mme. Rosina Moritzki and Miss Dorothy Sherman. Miss Fallentin played with her violin, playing as did Mrs. McGraw. The orchestra is a well-trained pianist contributes to the success of a musical play. The Metropolitan Hotel, 1000 Broadway, is their singing of popular selections. Their solos gave further evidence of their excellent voices. "A Night in the South" by Josephine Fields and W. J. McGraw, and "The Bama Bama" by Rice, Bell and Baldwin, proved a big laugh-getter. A lone fisherman sitting patiently waiting for a "bite" was the subject of a song by McGraw and other jock. He proceeds to drink from a large bottle after that exertion and the beastie he hauled out after that are strains to the audience. The song is a whirlwind tumbling performance, in which the three persons engaged do a number of slap-stick stunts in addition to the singing. The song is a Fritz Houston gives an interesting act with a series of lantern-slide cartoons. Moore and Browning amuse with their songs and dances and dark-toned patter.

# EMPRESS.

IT really rains at the Empress this week, rains in actuality during one of the effective scenes of the headline act of dancing girls, and literally rains down on the audience in the form of dancing girls, Joe Maxwell's production, are six in number, with one little maid as the leader. All of them dance in a most effective and dignified manner, and out of a half dozen scenes and as many changes of costume. Besides all this they sing, tuneful catchy airs, and are all very well trained. The number, when they are revealed as Dutch dolls, and the finale a typical Oregon downpour of real water falling on the dancing damsels, clad in wigs and boots.

Phil Bennett, as an Alpine troubadour, lives up to his reputation as an actor in a most effective and dignified manner. His melodious light baritone, strumming occasionally on a peculiar stringed instrument, and as a finale offering an original act, full of originality and originality.

# LIBRARY PLANS DISCUSSED

ALBANY CITIZENS Consider Adding to Amount Donated by Carnegie.

ALBANY, Or., March 4.—(Special.)—Although this city will receive only \$12,500 from Andrew Carnegie, it is proposed to erect a \$20,000 library building. The Albany citizens are planning to constitute a committee to raise the balance of \$7,500. The Albany citizens are planning to constitute a committee to raise the balance of \$7,500.

# ALBINA FUEL CO.

## Lowest prices; best service. Phone 5-192, C 1117.

# ROYAL BAKING-POWDER

## Absolutely Pure

### MAKES HOME BAKING EASY

Light Biscuit  
Delicious Cake  
Dainty Pastries  
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#### The only Baking Powder made from Royal Grape Cream of Tartar

# CITY TO ENTERTAIN

## San Francisco Preparing to Welcome Oregonians.

### HYLAND BACK FROM TRIP

#### Californians Enthusiastic Over Coming of Excursionists—Ad Club Will Discuss Excursion Today.

"San Francisco is fully as enthusiastic about the coming of the Oregon excursion to select the site for the Oregon building at the Panama-Pacific Exposition as any member of the committee together at the Commercial Club this afternoon and arrange plans for a canvass to raise \$2500, the amount this city is expected to contribute toward preliminary surveys for the bridge. Not only will the committee arrange to raise money for the preliminary surveys, but it will also confer with the committee from Vancouver. Plans will be made for a strong campaign in both states to secure appropriations from the legislatures to have the structure across the Columbia at the earliest possible date.

**Appraised Values Secured.**

CHEHALIS, Wash., March 4.—(Special.)—At an auction sale of state school lands and timber, held by County Auditor Swoford, \$11,675.37 was realized. The prices bid were in each case the appraised value. A total of \$1,442,000 worth of improvements valued at \$442,000 were included in the deal.

# Get Rid of Piles at Home

## Try This Home Treatment—Absolutely Free.

No matter how long you've been suffering or how bad you think your case is, send at once for a free trial of the wonderful Pyramid Pile Remedy. Thousands afflicted as badly or worse than you trace their quick recovery to the day they began using this marvelously successful remedy.

Pyramid Pile Remedy gives instant, blessed relief. Pain disappears, inflammation and swelling subside, and you are able to work again as comfortably as though you had never been afflicted at all. It may save the expense and danger of surgical operation. In fact, it is just send in the coupon below with your name and address on a slip of paper for the free trial treatment. It will show you conclusively what Pyramid Pile Remedy will do. Then you can get the regular package for 50 cents at any drug store. Don't suffer another needless minute. Write now.

**Free Pile Remedy**

Cut out this coupon and mail to the PYRAMID DRUG CO., 422 Pyramid Bldg., Marshall, Mich., with your full name and address on a slip of paper. A sample of the great Pyramid Pile Remedy will be sent to you at once by mail, FREE, in plain wrapper.

# Reduced Rates

## Colonist Rates

### From All Eastern Points to Oregon, Effective Daily, March 1st to April 15th

Send for your friends or relatives. You can prepay the tickets at the Burlington Office and secure choice of routes. Rates from principal Eastern points are as follows:

Kansas City, Mo.	Chicago, Ill.	\$33.00
Omaha, Neb.	Buffalo, N. Y.	\$42.50
Lincoln, Neb.	New York, N. Y.	\$50.00
St. Joseph, Mo.	Boston, Mass.	\$50.15
Council Bluffs, Ia.	Philadelphia, Pa.	\$49.75
Washington, D. C.	Pittsburgh, Pa.	\$42.00
Knoxville, Ten.	St. Louis, Mo.	\$32.00
Indianapolis, Ind.	Peoria, Ill.	\$32.00

For further information, apply to your local agent, or write to the undersigned.

R. W. FOSTER, Commercial Agent, C. B. & Q. R. R., 100 Third St., Portland, Or.

# Diamond TIRES



If you bought tires on a price basis last year, buy Diamond Tires this year and pocket the profit you make in Mileage.

Long before the year is over you will know that your tire expense is going to be lower than it has ever been before.

The only reason that Diamond Tires are the largest selling single brand of tires in the world is that they give the user Greatest Mileage.

And no other tire is so easily or so cheaply repaired.

AT YOUR DEALER'S OR

The Diamond Store  
Seventh and Burnside Sts.  
Portland, Oregon.

The Diamond Rubber Company  
AERON, OHIO

We would Build them Cheaper  
But We Won't  
We would Build them Better  
But We Can't!

# We Get the Pick Of a Limited Crop

The famous Yuelta Abajo district of Cuba, yields in limited quantity, the rarest tobacco in the world—the finest Havana tobacco grown.

From this limited quantity our trained experts in the field select the finest leaves for

# Van Dyck "Quality" Cigars

These leaves undergo months of preparation in our own Cuban warehouses— are mellowed on native soil to superb fragrance and flavor.

Then they are shipped to our factories in Tampa, and put into the hands of skilled Cuban workmen.

So Tampa-made "cigars of Cuban-grown" tobacco means a saving of duty that doubles the value and halves the price of Van Dyck "Quality" Cigars.

# In 27 Different Shapes 3-for-25c and Upward

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# Not a "Cure-All"

Separate Remedies, Each devised for the Treatment of a Particular Ailment.

There is no "cure-all" among the Rexall Remedies. There are different and separate medicines, each one devised for a certain human ailment, of a class of ailments closely allied. For instance, Rexall Dyspepsia Tablets are recommended for the positive relief of stomach irritation, indigestion, flatulency and dyspepsia. They are rich in Bismuth-Subnitrate, Pepsin and Carminatives. They are prepared by special processes which perfect and enhance the great remedial value of these well-known medical agents. This remedy sells for 25 cents, 50 cents, and \$1.00 per package. Every one suffering from stomach disorder should try Rexall Dyspepsia Tablets, inasmuch as they cost nothing if they do not satisfy. Remember, The Oval Drug Co. stores in Portland, Seattle, Spokane, San Francisco, Oakland, Los Angeles and Sacramento are the only stores where these remedies may be obtained, and every one in need of medicine is urged to investigate and take advantage of the frank and generous manner in which they are sold.

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Washington, D. C.	Pittsburgh, Pa.	\$42.00
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# Burlington Route