

MAYOR LANE SAYS LAWYERS MUST STOP

Hard and Fast Specifications Prevail for Fire Apparatus After This.

CHIEF REPLIES TO CHARGES

Further Investigation of Delay in Accepting Fire Plugs Shows That Chief Was Never Notified of Their Readiness for Testing.

Mayor Lane made a significant statement at the conclusion of the second session of the fire committee of the Executive Board yesterday afternoon, in the investigation as to delay in testing a batch of the Ludlow hydrants, furnished by the Hoge & Swift Company one year ago. The executive declared that, despite his orders that everything purchased by the city must be "open to the public," until this contract was awarded, "the specifications were hard and fast, right down the line, not only on hydrants, but on fire engines, hoses and other apparatus." He ended by emphatically saying that "it will not go any more, no matter what it is, or how many oppose."

Chief Campbell defended himself vigorously throughout the long session from 11 to 5 P. M., and related his connection with the hydrant matter fully and freely, denying every imputation of neglect or delay. He stated that Inspector Phillips, who is also under investigation, was shown to hold a contract with the Oregon Foundry Company, whereby he was to receive royalty on all hydrants of the Howe brand sold by the city. He and his witnesses, however, declared that he never got a cent from the transaction, aside from \$200 paid him for his right and title in a prospective patent, which he subsequently failed to get, as another man secured it ahead of him. The contract said Mayor Lane, "as a devilish, unfortunatist, one," Phillips, as it is worded far differently than Phillips and his friends interpreted it to the committee.

Phillips took the stand and stated briefly his connection with the matter. He declared that he never got any money except the \$200 for his prospective patent from the Oregon Foundry Company. It was shown by witnesses that the company has never sold many hydrants outside the city, but Phillips declared, as did they, that no royalty was to be paid for hydrants sold in Portland as far as Phillips was concerned; but the contract showed that Phillips reserved to himself the right to manufacture or sell the hydrant in this city. He declared that he intended to give the city the benefit of some improvements he made in the hydrant, but in answer to P. E. Sullivan, a member of the committee, he said that he never took any open steps to turn the patent right over to the city, but admitted that he sold it to the foundry company.

Mayor Lane is chairman of the committee, and the members are John Montag, Isaac Swift and Mr. Sullivan. Mr. Swift acts as inquirer much of the time, although the investigation is being held with an open mind, and everyone who wants to ask questions does so without any hesitancy. Another session will occur soon.

Chief Explains Matters.

Chief Campbell was the first witness, and by letters from Hoge & Swift sought to show that the contractors had misled Mayor Lane by informing him that the first shipment of hydrants was received here earlier by a month than it really was.

Isaac Swift, a member of the committee, tried to shut off this line of evidence by saying that the committee's duty is not to inquire into the shortcomings of the contractors, except as to its connection with the delay in the tests; but Mayor Lane ruled that the chief could put in all such evidence he wished.

Campbell Denies Monopoly.

Members of the Water Board swore as a previous session that Chief Campbell did urge the Howe Hydrant as the best. The chief declared that there were two bids in for Howe hydrants, one from the Oregon Foundry Company and one from the Williamette Iron Works. This, he said, showed that there is no monopoly in the make and that he could not, therefore, have thrown the contract to the Oregon Foundry Company, the firm mentioned as being the one in which Inspector Phillips is alleged to have an interest. The Board, he swore, could have as well let the contract to the Williamette Iron Works.

Chief Campbell has always maintained that the Howe hydrant is the best, as he declares it is far more substantial than the Ludlow, and that it has improvements that make it superior in service, that it gives a better flow of water, and is more convenient than the other.

The chief read letters on the hydrant matter from the contractors to Mayor Lane, and also communications to the Water Board, and said that he never received any of these, and he could not see, if he were responsible for the whole matter, why none of these were addressed to him. Some of these letters were from Hoge & Swift, who admitted that repairs were necessary on some of their hydrants.

Phillips is up to board.

Asked by Isaac Swift why he did not make tests on hydrants that were lying for two months at Fourth and Market streets, Chief Campbell replied that he did not know any hydrants were there, as he was waiting to hear from the Water Board as to whether the contractors had put the hydrants in order for the tests.

"You know there was a clamor for hydrants, and do you consider it was not your duty to ascertain the status of affairs?" asked Mr. Swift.

"It is not my duty to go into another man's department," replied Chief Campbell.

things and look after the good of your department," asked Mr. Swift.

"I think the conduct of my department speaks for itself," the chief replied, with emphasis. "I think the public so understands, too, and I think your honor believes it, do you not?"

"Well, that is a personal question, and I am not on the stand," replied Mayor Lane. "He will take that up later."

Chief Campbell incidentally told the Mayor, and members of the committee, that the bowls of many of the Ludlow hydrants are so thin of the quality so poor that they are being cracked when placed in position by the Water Board's men.

Chief Campbell said that about April 15, 1908, Inspector Phillips informed him that little headway was being made on the tests, and it was then that the chief conferred with the Mayor, and no further tests were made until June 20.

S. M. Mears, president of the Columbia Engineering Works, took the stand and testified that the bowls of the hydrants were repaired by his company. He said that Chief Campbell recently asked for a statement of the total time put in on the work. Mr. Mears declined to give it unless subpoenaed.

A. M. Mears, superintendent of the company, followed, and corroborated Chief Campbell's previous statement that a great deal of work was done on the hydrants, much of it at Fourth and Market streets from May 4 to June 20. Two men were working most of the time, but some times there were three. The men spent 24 days there. A letter from Charles M. Gunn, manager of the company, was read by Mr. Mears, saying it was impossible to positively state the exact amount of times.

Repairs Cost \$650.

Chief Campbell demanded that Mr. Halnes state the total amount of the cost of the repairs to the hydrants, and after much hesitation, Mr. Halnes said that it was about \$650. The alleged defective gaskets were replaced by the men on the street work, but very few were supplied by some source other than the company.

J. G. Shane, an agent of the contractors, testified that he ordered 20 gaskets from the factory, these being rubber instead of paper. Mr. Shane said that Inspector Phillips requested rubber gaskets. In ordering these, Mr. Shane told the factory officials that the hydrants were leaking badly at the joints.

Mayor Lane asked Mr. Shane if it were not true that Mr. Shane laid a charge of bad faith against the officials of the Fire Department and Mr. Shane replied that it was correct.

"I think the delay was intentional, and was calculated to hamper and discourage us," he said, hydrants were bad, and they were rejected. It would have a tendency to cause Eastern manufacturers to cease all efforts to get the city's business. "When the bids were opened by the Water Board, who did the most talking for the Howe hydrant," asked Mr. Halnes of the witness.

"The fact of it was done by Chief Campbell and Inspector Phillips," was the reply.

Chief Not Notified.

Mr. Sullivan asked Mr. Shane why the latter did not notify the Chief of the Fire Department when the hydrants were finally put into shape for tests, and Mr. Shane said he had never gotten any satisfaction from the Chief, so notified Superintendent Dodge of the Water Department.

Mrs. Hesse, Sullivan and Montag, members of the committee, expressed their conviction that the entire lot of Ludlow hydrants was inferior. It was agreed that much depends upon whether they were made true to the blue prints, and the original blue print will be secured from the factory at Troy.

Fred Hesse, manager of the Oregon Foundry Company, took the stand and said that Inspector Phillips gets no commission on any of the Howe hydrants, but that he gets a royalty of 25 cents each on all sold outside of the city. Phillips, according to a contract with the Oregon Foundry Company, October 1, 1904, reserves the right to manufacture a hydrant in the city of Portland.

"It has been the understanding of the company," said Manager Hesse, "that there is to be no royalty to Mr. Phillips if he is in the employ of the city. As a matter of fact, as I understand it, Mr. Phillips did not get any patent. Mayor Lane and Isaac Swift made it plain that, while Phillips had no right or patent to sell, he can claim royalty on all the hydrants sold by the company. Mayor Lane took charge of the contract and ordered it filed. It was turned over to Deputy Auditor Lotning.

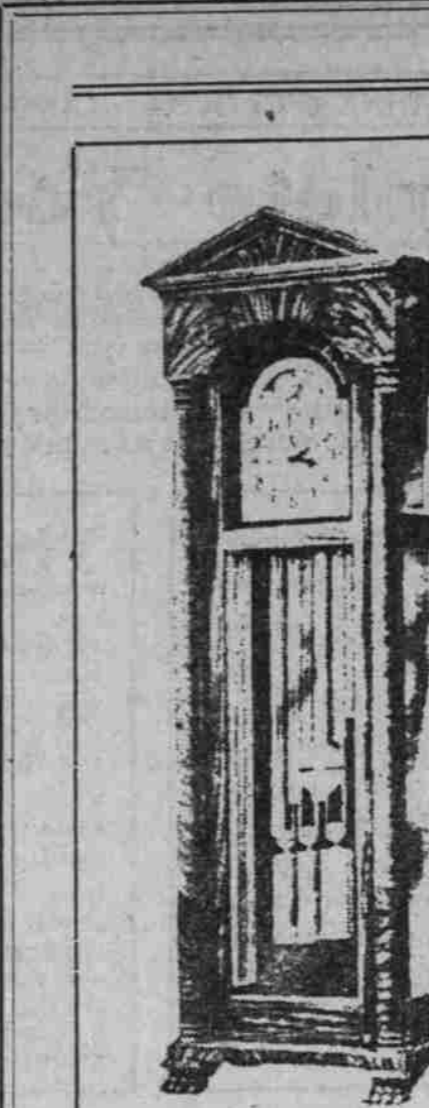
Phillips Got Nothing.

Henry Hill, who was manager of the company at the time the contract was entered into, swore that Phillips has never received a cent from the concern; that the patent the company sought was never granted to Phillips.

"It just means that he has no right, but he sold what he had. It is a sort of quit claim deed for something Phillips might have secured in future," said Isaac Swift.

"If you wanted to bid on hydrants in Portland, would you have to get permission from Phillips?" asked Mr. Sullivan of Mr. Hill.

"Yes, we would have to get his permission," replied Mr. Hill.



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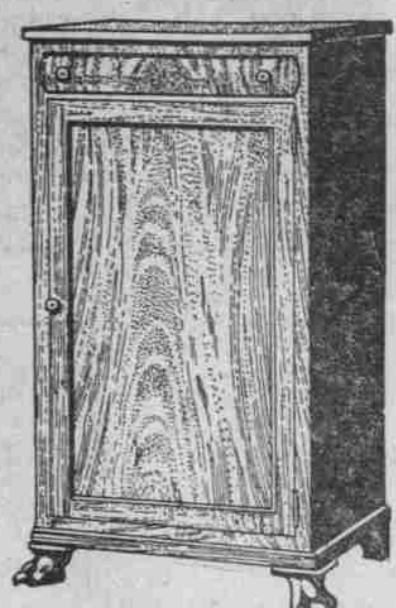


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FIFTH AND STARK

RAILROADERS LOSE GAME

SOCCER HONORS GO TO WELL-DRILLED MULTNOMAH TEAM.

Karr, of O. R. & N. Aggregation, Proves Life of Battle.

Score 7 to 1.

Brilliant goalkeeping by R. M. Karr, for the O. R. & N. soccer team, was the feature of a city league game between that team and Multnomah yesterday afternoon. Karr is a baseball player on the O. R. & N. team and he scooped in all kinds of soccer shots, long, short, slow, fast, high, low; in fact, any old thing. Some of his catches were at such close

range that the Multnomah forwards were on top of him before he could clear, but he invariably got the ball away once it was in his possession. However, the club's almost continual attacks resulted in seven tallies in 20 minutes of play, the O. R. & N. securing one.

The Harrimanites' solitary goal came from a penalty kick. Bennett, field captain of Multnomah, loth to see what seemed to him a sure goal roll through, calmly stopped the sphere with his hands. Referee Leigh at once, and justly, gave a penalty kick. Douglas shot hard, but Hanson nailed it beautifully. The Multnomah goalkeeper could not get the ball away, however, before Quarterman rushed in and scored.

Next to Karr, Captain Hughes was the luminary for the railroaders. For Multnomah, Andrew Matthews and Dick were best. Dick's combination has improved remarkably within the past month. Harry Matthews shot four of the seven goals. He had with him Gammie, whose maiden appearance it was in a regular soccer game. He showed good speed. Several

of the clubmen were either "sloughing" intentionally or are going back in training and, all in all, a better showing is necessary Christmas day against the Cricketers than they made yesterday.

The game Christmas afternoon may settle the championship of the state. It will be if Multnomah wins. If Multnomah loses, the Columbias have an equal chance to beat the club out of it. It will be the first league soccer game yet scheduled on Multnomah Field, and the enthusiastic attitude of the club over the new game is shown by its giving up this big holiday fixture, usually reserved for a much-heralded intercollegiate match, to its soccer eleven.

The Cricketers, who have been getting steadily stronger all season, will put out a crack team on the holiday, and so good does their line-up look on paper that betting has already sunk to a no-no level.

Loggers Given Holiday.

ASTORIA, Or., Dec. 19.—(Special.)—All the shingle mills at Skamokawa

will close down during the coming week for the holidays. The big Howell plant will remain closed until about the middle of February, but the Columbia Cedar Company and J. J. Bruger mills will resume work immediately after New Year's, as they have standing orders for all the shingles they can manufacture.

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The stomach is willing enough but you won't let it do its work. You take away the materials which are so necessary for it to use.

Give back these materials and dyspepsia and indigestion die, and the machinery of man begins slowly to move and do its work.

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