CITY'S HANDS TIED, SAYS LAWYER

Municipality's Legal Adviser Doubts Whether Law Will Step In to Prevent Light Company From Cutting Off Current.

"I will do everything that can be done to keep the street lights burning," said City Attorney Kavanaugh this morning, "but I am not prepared to say just what steps the city will take to prevent the lighting company from shutting off the current on the street arcs and in the public buildings at its pleasure.

"It may seem advisable, after investigation, to apply for an injunction from the courts against the corporation, but I am not sure that an injunction would be granted. There is no contract for lights in effect now with the company and the city cannot compel the company to enter into one against its will. Of course the money for each night's bill might be tendered in advance, but this procedure would be impracticable and in case the company should refuse to accept such a tender the machinery of the courts could not be set in motion before next Tuesday, the date fixed by the corporation directors as the last on which lights will be furnished unless the city agrees to one of three propositions submitted by the company in its latest statement, published this morning.

"Either pay us arrearages of $29,000 or pay $5.60 a year more for each arc light and do this for five years, is the substance of the light company's ultimatum. The company also offers to enter into a temporary contract at the maximum rate, on condition that the arrearages are paid.

Mayor Lane and the executive board have said that they will not pay the claim made by the company unless compelled to by the courts, so if neither side yields before Tuesday night everybody will have to "go home in the dark."

Mayor Lane said this morning that he had not been officially notified of company's last word on the lighting question. Therefore he would not say the Portland Railway, Light and Power what action he would take. The council meets tomorrow morning to consider the report of the lighting committee of the executive board. If the lawmakers give the board authority to enter into a temporary contract the responsibility will then be shifted to the executive department.

If the board offers to make a short time contract for light and the company refuses to sign the contract unless the city yields, dark streets will come next Tuesday.

Following is the company's last message to the city:

Text of Statement.

"Resolved, That the president be and he hereby is authorized and requested, for and on behalf of this company, to notify the common council of the city of Portland, that there is now before the executive board of said city a proposition from this company for lighting the streets and municipal buildings for a period of five years from January 1, 1909, at a price for aerial fed street arc lamps of $63.60 each per year, and for incandescent lamps at a price of 3½ cents per kilowatt hour of current consumed, with the provision contained therein that this company will make all extensions to the street lighting system as ordered to a maximum distance of 600 feet from street lamps now in service, the aforesaid proposition not being contingent upon any settlement of the dispute between the executive board and this company regarding payment of accounts under the contract which expired December 31, 1908;

"That this company has also made a verbal proposition which has been placed before the executive board, and which we stand ready to confirm, under the terms of which this company would contract to furnish for a period of five years, aerial fed street arc lamps at the rate of $58 each per year, and incandescent lamps at 1½ cents per kilowatt hour of current consumed, this latter proposition being conditional upon payment by the city forthwith of all amounts due this company under the contract which expired December 31, 1908, as per account rendered;

"And the president is further authorized to notify the said council that if in their judgment the city is not prepared at this time to enter into a contract for a period of five years, then this company will enter into an agreement by the terms of which it will furnish to the said city, for a period not exceeding six months from January 1, 1909, the street lighting service as at present installed, at the rate of $5.30 per month for each arc lamp, and incandescent lighting at the rates in effect under contract which expired December 31, 1908, payment for such service to be made by the city monthly in advance, conditional upon payment by the city forthwith of all amounts due this company under the contract which expired December 31, 1908, as per account rendered:

"And that if the council should favorably consider any of the proposals as above, this company will then continue furnishing lights without a contract until midnight of January 12, 1909, in order that the executive board may have ample time to take necessary action in the matter.

"Should, however, the executive board fail to make a contract with this company under any of the proposals submitted, this company will be compelled to discontinue the furnishing of light for the streets and municipal buildings at midnight on the 12th inst."

Not So Far Behind That She's Forgotten.

SIGNS OF ABATEMENT FAIL TO MATERIALIZE

(Continued from Page One.)

provided with accommodations in a hotel at the Peninsula.

Portland houses are not constructed to shut out weather as cold as is being experienced now, and consequently fuel bills are mounting skyward. But notwithstanding all efforts to keep the houses warm, trouble is being caused all over the city by water pipes freezing. The plumber will have his day as well as the wood and coal dealer.

Many of the smaller wood dealers are short of fuel, but altogether there is probably enough wood and coal in the city, added to the supplies which are now beginning to come in, to prevent any serious shortage. But great difficulty is being experienced in making deliveries on account of the snow. One dealer stated this morning that four horses cannot do nearly the amount of work now that can ordinarily be done by two.

Yesterday the Western Union had only two messengers on duty, the others having all refused to work, because the streetcars had stopped and they did not want to walk. As a result the company was obliged to instruct the sending offices that no messages could be taken for Portland delivery.

River traffic is almost at a standstill on account of the fact that the Columbia from Vancouver to the coast is full of slush and swirling ice floes through which the steamers can not make their way. Some of them tried it yesterday, but got only as far as St. Helens and were obliged to turn back to the city. The upper river is completely blockaded, and a number of vessels are frozen in.

Some people are making an effort to remove the snow from the sidewalks, but the majority, except uptown, are leaving it lie where it fell. However, the chief of police has issued an order that the ordinance which requires householders and business men to clear their walks of snow must be obeyed.

Sleighing is the popular amusement of the day with those who are fortunate enough to own cutters or who can afford to rent them. Many hastily constructed makeshifts for cutters and sleds are in evidence on the streets. The snowfall prevented what would otherwise have been good skating.

Though there is some improvement in business conditions today, the volume of transactions in all lines is far below the normal. People are not anxious to expose themselves to the weather any more than is necessary, and consequently comparatively few are to be seen on the streets. The city schools are still closed. It is hoped that they will be able to reopen next Monday.

On account of suspension of the Vancouver ferry of the Portland Railway, Light & Power company the Spokane, Portland & Seattle railroad will run two special trains between Portland and Vancouver. The trains will be run for two days, Friday and Saturday, leaving the Portland depot at Eleventh and Hoyt streets at 11 a. m. and 2:40 p. m., and leaving Vancouver at 10 a. m. and 1 p. m. The service may be continued longer if the ferry remains out of commission.

SIDEWALKS MUST BE KEPT CLEAR, SAYS GRITZMACHER

The snow must go. Chief Gritzmacher has unearthed an ordinance passed in 1885, which requires both occupants and property owners to dig the snow off their sidewalks promptly. This ordinance has been enforced only a few times, but today patrolmen are busily notifying all persons on their beats to put shovels to work.

"We could no nothing until the snow stopped," said Chief Gritzmacher this morning, "but now this ordinance is to be enforced. It's one of our oldest ordinances."

Three feet is the required width of the path which must be cut through the snowy sidewalks, and it matters not whether the sidewalk in question is down town or out in Montavilla. The ordinance applies to all sections of the city.

While it was snowing hardest yesterday an indignant woman called up the police station and demanded that all sidewalks leading from her home—in Piedmont—to the department stores be freed of their snow right straight away. Strange to say, the department did not comply with her command, but today thousands of shovels are at work at the word of the department.

Many property owners and householders began work as soon as the snow stopped, without waiting for a policeman to tell them to do so, but in every community there were some who did nothing until they were told it was necessary to clean off their walks without delay.

The ordinance being enforced today reads as follows:

"Section 1. The tenant or occupant or any person having the care of a building or of land bordering on a street where there is a sidewalk, within the corporate limits of the city of Portland, or if there is no tenant, occupant or other such person having the care of the whole of such building, or of any such land, the owner thereof shall, within the first few hours of daylight after the ceasing to fall of any snow, cause the same to be removed therefrom the entire length of said premises, and for a space not less than three feet in width.

"Sec. 2. The provisions of the preceding section shall also apply to the falling of snow from any building.

"Sec. 3. Whenever any portion of a sidewalk is encumbered with ice the tenant or occupant of a building or of land adjoining a street whereupon is such sidewalk, or in case there is no occupant of the whole of such building or of such land, the owner or other person having the care of the same shall cause such sidewalk to be made safe and convenient by removing the ice therefrom, or by covering the same with sand, ashes or other suitable substance, within the first three hours of daylight after the formation of said ice.

"Sec. 4. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof before the police court, shall be punished by a fine of not less than $5 nor more than $26."

ARCTIC COLD STILL PARALYZES TRAFFIC

(Continued From Page One.)

every cutter in town is out despite the weather.

Gangs of men are working all over town and the street commissioner is doing his best to keep the walks clean. The heavy fall makes this almost impossible, as half a day serves to block them again.

LEWIS COUNTY IS EXPERIENCING ITS WORST IN YEARS

(Special Dispatch to The Journal.)

Chehalis, Wash., Jan. 8.—The heaviest snow storm in a number of years began Monday night in this section and covers a large territory. It has continued since and is still snowing. The ground is covered 10 inches on the level. Reports from the eastern part of the county state that the fall is heavier there. Word from Centralia, Peell, Napavine, Winlock and other towns report an average of 10 inches and the thermometer below freezing. It snows in the daytime and freezes at night. There is no danger of a fuel famine as there are coal mines here and plenty of wood. Cattle and stock are not suffering. Fruit trees have not yet been injured by the cold.

None of the schools are closed here, though the rooms are far from comfortable. Travel is impeded and trains delayed. Water pipes are frozen.

It is feared that when the snow melts heavy floods will result from the Newaukum and Chehalis rivers as the ground is frozen and the water will run off on top.

Every kind of vehicle that has runners is pressed into service for transportation service and for pleasure.

RECORDS FOR 15 YEARS ARE BROKEN AT KALAMA, WASH.

(Special Dispatch to The Journal.)

Kalama, Wash., Jan. 8.—A mantle of snow covers the face of the earth here to the depth of 21 inches. This was the coldest morning in 15 years, 11 above zero at 5 a. m. At 10 a. m. this morning it was still snowing, with indications for warmer weather. Should the weather turn warm and the snow go off with a warm rain and a chinook wind there will be great danger of floods.

The depth of snow is now equal to about two inches of rainfall, and the crust of the earth is frozen so that it will run off very rapidly, once it begins melting. The river is full of floating snow and ice, which will seriously interfere with navigation if the weather continues cold.

SNOW FALLS, BUT MELTS RAPIDLY ABOUT ROSEBURG

(Special Dispatch to The Journal.)

Roseburg, Or., Jan. 8.—Snow began falling here early this morning. The ground was barely covered at daylight. There was a light snow falling all forenoon, two inches at Drain and only a quarter of an inch here up to noon. The coldest weather has been 33 above. The snow has melted almost as fast as it has fallen. Weather Forecaster Bell says this is just the beginning of a big storm. Indications point to a cold wave. The fact that the entire state is covered with snow while the weather is so mild here is caused by the fact that Roseburg and the Umpqua valley are sheltered by the surrounding hills.

TWO DEGREES BELOW ZERO IS TOUCHED ABOUT HOOD RIVER

(Special Dispatch to The Journal.)

Hood River, Or., Jan. 8.—This morning was the coldest of this winter. The thermometer in some sections of the city registered 2 below zero. The snow is still falling. No trains have reached here. Reports from farther up the valley give 23 inches of snow on the level, and zero weather. Ice is rapidly collecting in the Columbia river and continuous cold weather for 48 hours is predicted to close it at this point.

HEIGHT OF STORM BELIEVED PASSED AT NORTH YAKIMA

(Special Dispatch to The Journal.)

North Yakima, Wash., Jan. 8.—The height of the storm has passed, but it is still very cold here, the thermometer showing about zero today. The coldest reported here was 18 below, yesterday in the Moxee valley. Six inches of snow fell here, enough for good sleighing, but not sufficient to impede

COMMENTS ON CATARRH

Giving Excellent Recipe for Its Quick Relief and Cure.

The only logical treatment for catarrh is through the blood. A prescription, which has recently proved so wonderfully effective in hospital work is the following. It is an exceedingly simple mixture, but one that will bring quick results and put the system in a normal condition:

"One ounce compound syrup of Sarsaparilla; one ounce Toris compound; half pint first class whiskey." These to be mixed by shaking well in a bottle and used in tablespoon doses before each meal and at bedtime.

The ingredients can be gotten from any well stocked drug store, and easily mixed at home. A bottle of this mixture should be in every family medicine chest on account of the manifold ills that it will cure, being a perfect tonic and system builder, the good results are felt after the first few doses.

local traffic. The snow is looked upon as a God-send by the dry land farmers, down the valley, who say the heavy fall is worth thousands of dollars to them. They say crops next summer will be very much increased because of it. The entire valley is much inconvenienced because of the delay in traffic on the Northern Pacific. Passenger trains are from 12 to 24 hours behind, and no attempt is made to maintain a schedule.

Freight trains are still more irregular, but as yet the delays to shipments have caused no suffering. No livestock is moving, as the Northern Pacific has refused to take shipments over the mountains until the regular schedules are resumed. Livestock in the lower valley is being brought in from the range, and feeding stations are being put in operation. Some bands of sheep are still out, the owners saying they can still graze. There has been no damage to fruit trees in the valley and none is expected.

WILLAMETTE RIVER WILL DO DAMAGE IF COLD LETS UP

(Special Dispatch to The Journal.)

Salem, Or., Jan. 8.—The present cold spell continues to grow more intense each day, and there is no indication that it will end soon. Last night the government thermometer registered 13.5 degress above zero, several degrees below the coldest weather yet experienced. What is most remarkable and unusual, however, is the fact that ice formed during the night three quarters of an inch thick along the banks of the river. Thin blocks are breaking away today as the river rises.

At 9 o'clock this morning the river stood at 12.2 feet above the low water mark, which was a rise of 1.2 feet since 5 o'clock last night, when the river stood at 11 feet. The river is rising very rapidly at this point and a flood is inevitable unless the cold spell should last for weeks. Oldtimers are beginning to tell how the river has been known to rise at Salem and cover the Willamette valley from the Polk county hills on the west side to the Waldo hills on the east. The Santiam river is rising very fast, which would indicate the snow is melting in the mountains.

About two inches of snow fell last night, making a total fall in Salem since Monday of 14 inches, all of which is standing. Practically none has melted. A few streetcars are moving this morning. The schedule maintained is not regular and the system is demoralized.

SUN BEAMS DOWN ON WINTRY SCENE AROUND ASTORIA

(Special Dispatch to The Journal.)

Astoria, Or., Jan. 8.—This morning the sun came out on a wintry scene. About three inches of snow has fallen in Astoria and more than that throughout the county. The streetcars have beep kept going, and thus far the cold and snow have caused very little inconvenience in the city. The storm stopped during the night and the weather is now fairly clear and cold. Everything is frozen. Shipping is very quiet, but it is starting up today.

No accidents have been reported on the river. Ice is reported in the river already below Rainier. It is said to be highly inadvisable for wooden vessels to try to make the trip up the river, as the ice is apt to cut them to pieces. The steam schooner Majestic arrived in this morning, but is awaiting orders. The master is unwilling to assume the responsibility of trying to get through the ice. The Elder, arriving down this morning, was badly shaken up.

PENDLETON FACES WATER FAMINE IF COLD CONTINUES

(Special Dispatch to The Journal.)

Pendleton, Or., Jan. 8.—Unless relief is found in a change in weather conditions Pendleton may be waterless within a very short time. The zero weather has resulted in the bursting of many pipes in Pendleton homes and in others the water has been kept running to prevent freezing. The result is that with the pumps at the water station running 24 hours a day the water level in the reservoir is rapidly lowering.

More water is being used than during the irrigating season. The water commission has asked the citizens to use other measures to prevent freezing, and fears are expressed for the safety of the town in case of fire.

The snow continued throughout the night and morning and there is a fall of about nine inches on the level. Wheat farmers are jubilant. For the first time in years the Umatilla river is frozen across above the Main street bridge.

Raining in Jackson.

(Special Dispatch to The Journal.)

Medford, Or., Jan. 8.—There has been a terrible downpour of rain the past 18 hours. It is still raining. The rainfall last night was 1.55 inches. No damage was done to bridges or low land improvements. There was no snow at Jacksonville. The air is perfectly calm.

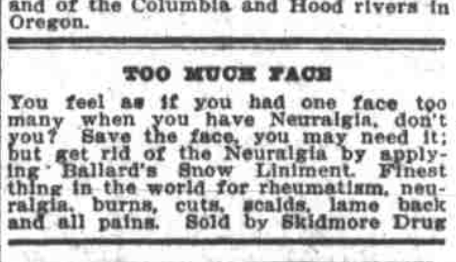
MONEY REPORTED FOR OREGON RIVERS

(United Press Leased Wire.)

Washington, Jan. 8.—The committee on commerce yesterday favorably reported house resolutions for a survey of the Colorado river to protect The Needless of California, and of the Siuslaw river in Oregon, for its improvement and of the Columbia and Hood rivers in Oregon.

TOO MUCH FACE

You feel as if you had one face too many when you have Neuralgia, don't you? Save the face, you may need it; but get rid of the Neuralgia by applying Ballard's Snow Liniment. Finest thing in the world for rheumatism, neuralgia, burns, cuts, scalds, lame back and all pains. Sold by Skidmore Drug



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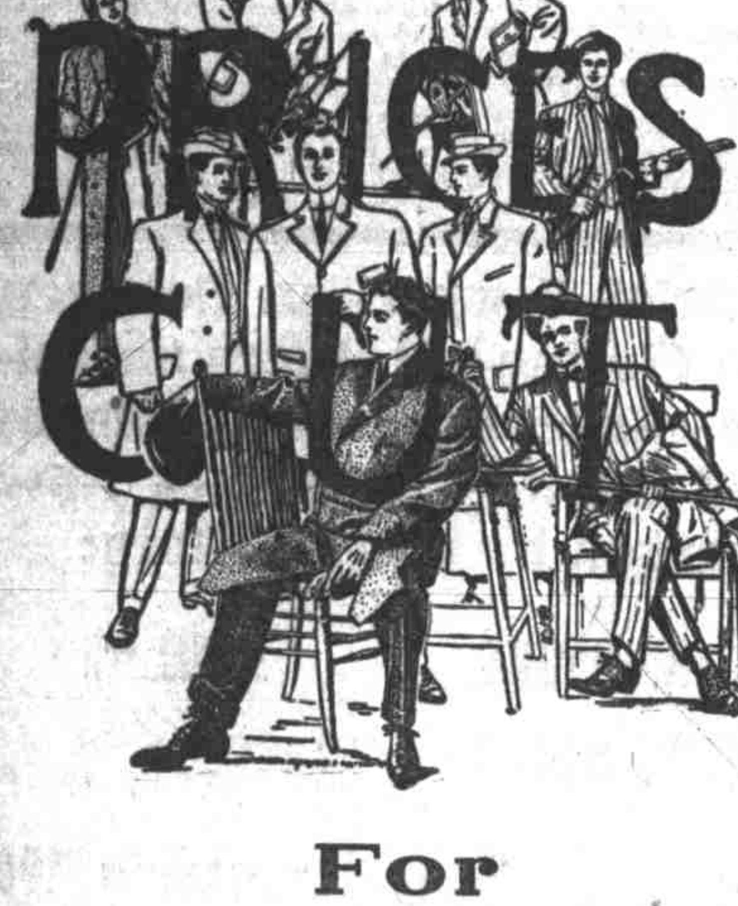

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During this extremely cold weather we suggest the following wearing apparel, which will keep down doctors' bills, and at the same time fit you to cope with and enjoy this

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WARM Woolly Ulsters	$16.50	$8.65
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WARM Wool Sweaters	$ 3.00	$1.35
WARM Felt-Top Rubbers	$ 1.50	$1.15
WARM Golf and Auto Caps	$ 1.00	65¢
WARM Golf Gloves	75c	45¢

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Will Start in a Few Days at the OUTLET CLOTHING CO.

Thousands of dollars' worth of water damaged merchandise is being dried out in the basement and preparations are being made for the biggest sacrifice sale ever conducted by a clothing establishment in this city.

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