### FULTON APPEARS AS CHAMPION OF THE INTIATIVE George W. Bates & Company's

While Henry E. McGinn Scouts Power of Executive Board-Law Show to Make Strange Bed-Fellows.

Ex-Senator Charles W. Pulton as a champion of the initiative and referendum, with Henry E. McGinn declaring that in the passage of an initiative law the city is trying to endow the execuilye board with sovereign powers belonging only to the state, is the aston ishing situation presented by the Broadway bridge case, to be argued in the elicult court tomorrow, and probably

Tuesday as well. That law as well as politics makes strange bedfellows is shown by the prculiar lineup of the attorneys. Fulton, who, has been retained with Martin L. Pipes by the city to assist City Attor-Kavanaugh and Deputy City Attorney Benbow, has attached his name to a demurrer that ardently defends the initiative and referendum, says it has been sustained by the courts, and that the courts should not tolerate an attack on this system of popular rule.

Equally contradictory of what would be expected is the attitude of McGinn. He, with Raphael Citron, is attorney for Maria L. Flanders, whose property the city is seeking to condemn for the Broadway bridge. He and Citron have filed a demurrer in which they attack the Broadway bridge initiative as an attempt to confer powers on the city executive board that only the state legislature possesses.

Suits Are Different. The suits in which Fulton and Mc Ginu appear are not the same, one being an action to condemn property wantef by the city, as above stated, and the other being a suit in the name of Frank Klernan, against the city, to restrain the issue of the Broadway bridge bonds It is in the latter suit that a rabid attack is made on the initiative and referendum as unconstitutional by Ralph R. Duniway, and it is in this that Fulton comes to the defense of rule by the

Three circuit judges will sit en banc to hear the arguments in the case, which are expected to consume all day tomor-duct our banking business in the Henry row and perhaps Tuesday. Presiding building, and I think we will be pre-Judge Bronaugh will designate two oth- pared for successful operation er judges to sit with him. Two jury cases are set for trial tomorrow, and two judges will be needed to carry on

Argument promises to cover a wide range. It undoubtedly will, if it is attempted to discuss all the points that Duniway raises in his complaint. Besides his attack on the initiative and referendum, he alleges that the city exhausted power to order an election or the Breadway bridge by passing two previous unrepealed ordinances, that the that the official publication of notice was misleading and defective, that the ballot title was insufficient, that a required majority of all the votes cast made to fritter away the sovereignty of

through a charter amendment, that it is tens. and that an effort is being made to endow the executive board with legislative power.

governor of Ohio, has announced his a few days. willingness to seek the Republican gubernatorial nomination this year.

### HOME OF MARBLE FOR NEW BANK

West Side Branch Opens in Henry Building Monday.

In a home of marble and mahogany the new west side bank of George W Bates & Co., will open its doors for business in the C. K. Henry building tomor row morning Maynard Redmond will preside at the cashier's desk; R. B. Win nerberg and R. B. Lamson will be at the paying teller's and bookkeeper's windows, respectively. Mr. Redmond many years cashler at Mr. Bates' Russell street bank. Mr. Winner berg was bookkeeper for the United States National bank, and Mr. Lamson was at one time bookkeeper for the Ore gon Trust & Savings bank.

The two east side banks of Mr. Bates will be maintained as at present, except that the west side bank will be the cener of the big banking business which Mr. Bates' energy has built up

Big Interests on West Side. Mr. Bates based his decision to open he west side bank upon the conviction that, although East Portland is destined prosper greatly, business and financial interests will continue always to be on the west side however, that a general banking business, with its financial institutions on both sides of the river, will prove not only convenient, but a profitable un-

dertaking. The new bank fronts on Fourth street, just across from the Chamber of Commerce building. Mr. Bates followed out an original idea with himself when he had the banking room fitted up with Imilian marble, delicately veined. The lobby has been made as wide as the size of the room would permit, and leads past the cashler's, teller's and bookkeepers' rooms to a separate room where women may write out their checks or list accounts. The directors' room in the rear has been finished in solid malogany, and the vault has been built nto the wall.

May Erect Building.

"I announced at one time that we would occupy quarters in the Henry until I had completed a new bank building on Fourth street view of the city as well as of the sur-property between Stark and Washingsaid Mr. Bates yesterday.

"I think now if I can find a corne location in the business center, that I will by preference put up a new bank building there. Meanwhile we will conduct our banking business in the Henry

#### BLACK CATS ARRANGE NOISY CONCATENATION RECEIVER ASKED

ub Friday evening by members of the Order of Hoo-Hoo, plans were made for the big concatenation, which is to held here on the evening of February 15. G. A. Griswold, vicegerent snark of

the northern Oregon district, presided at | Pacific Export Lumber Co. at the election were not cast in favor the dinner. Most of those present had of the bridge, that an attempt is being some good words to say for Hoo-Hoo-Among other things the state, and numerous other things of ed to make this the biggest concatenamore technical nature. All of these tion ever held in Portland, especially things are controverted by the city's de- because of the splendid opportunity for In the case of the city against Mrs. fact that at that time there will be Flanders, which will be heard at the present from 400 to 500 visiting lumbersame time, McGinn and Citron contend men, in attendance upon the annual content that the consent of the Port of Port- vention of the Western Retail Lumber land and the federal government are Dealers association. The large majority land and the federal government are conditions precedent to the issuance of the bends, that the bridge proposed to be built is not the kind described by the measure submitted to the people, that a legislative enactment is being attempted the eyes of 50 or more trembling kit.

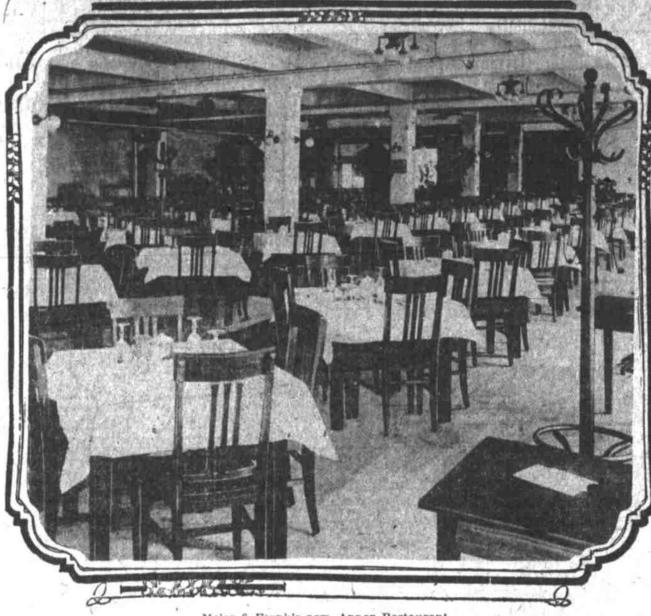
The pacific Export Lumber of the plaintiff is particularly will appreciate nothing more during the visit than a chance to assist in opening against the Campbell company. The Pacific Export Lumber of the company of the eyes of 50 or more trembling kit.

The Pacific Export Lumber of the black cat order. It is figured that they will appreciate nothing more during the against the Campbell company. The Pacific Export Lumber of the black cat order. It is figured that they will appreciate nothing more during the pacific Export Lumber of the black cat order. It is figured that they will appreciate nothing more during the pacific Export Lumber of the pacific Export Lu Vicegerent Griswold says he has to require the county to pay for already some 50 applications, and more original debt being \$81,766, in order maintaining the bridge after it is built, are coming, so there is no telling how large the class will be.

It was decided at the dinner to have a committee of nine attend and arrange for the concatenation. Vicegerent Snark first mortgage bonds on all its prop-Warren G. Harding, former lieutenant Grirwold will make the appointments in

Journal want ads bring results

#### RESTAURANT FAR ABOVE NOISY STREET



Meier & Frank's new Annex Restaurant

eastern hostelries and stores, Meier & Frank have placed their new restaurant above the noise and bustle of the streets. It is the highest restaurant in the city. and the only one which affords such a

The windows, which are extra wide have been left free of sash curtains, so shopping day. that one seated at any of the many window tables may enjoy an unobstructed Mount St, Helens and Mount Adams on the north, to say nothing of the traffic new and interesting proportions when looked at from the height of seven

Asks Custodian for Rival

Corporation.

Alleging that the Campbell Lumber

company is unable to meet its obliga-

tions, an application for appointment

of a receiver to take charge of it was

begun in the circuit court yesterday by

the Pacific Export Lumber company

The plaintiff is particularly anxious

about a claim of \$58,000 that it holds

The Pacific Export Lumber company

says that it held off on its claim, the

to give the defendant a chance to set-

tie, agreeing not to press its claim while the Campbell company tried to

clear its path by an issue of \$100,000 in

The property is enumerated in detail

The firm has designed the restaurant the noon rush made one think of the with special attention to the needs of tales of spotless town, or the old New the women shoppers. are extended until 8 o'clock. It would be difficult to find a more ideal place ical refreshment in the midst of a busy

view of the Heights on the west and of Frank restaurant, for at the noon hour

together and lunch.

A hurried tour of the kitchen during tea.

A charming rest England kitchens which were marvels room has been fitted up at the south end of cleanliness. Perfect order reigned and a special ladies' orchestra furnishes throughout, and it was not in the least delightful music from 12 until 5:30 damaging to appetites to have gone o'clock, except Saturday, when the hours through the kitchen before enjoying luncheon in the restaurant. It is said that there will be a number to seek a bit of mental as well as phys- of changes in the restaurant in the near

future which will make a vast improve-A handsome imported car However, the women are not the only pet from Germany is in the house and nes who are attracted to the Meier & will be put down in the restaurant as soon as the rush of business will percrowds of men come regularly, and it is mit. An 18 foot sideboard is to be insaid to have become extremely popular stalled, and the walls decorated with in the streets below, which assumes among the politicians about town as a appropriate pictures, while it is said convenient and pleasant place to gather that plans are under way which will feature a special 5 o'clock or matinee

### property at Deep river. Wash., the Steel-man property near Skamokawa, Wash., the Rosedale property near Cathlamet, ACTUAL EXPENSE

Labor Council Will Suggest This in Amendment on Water Main Question.

The legislative committee of the Central Labor Council yesterday agreed Andrew C. Smith, president of the bank, that its first plan for a water main yesterday. amendment should be that the consumer pay only the actual expense of installing and maintaining water supply equip-Robert Odell, sheriff of Vale. Or., is ment. Lot speculators are to pay the at the Imperial hotel with two prisoners. entire expense of putting in the mains near their property. This burden shall not be imposed on the purchaser of sin-gle lots. This action is favored on the iff of Columbia county, is staying at ground that the lot speculator puts in

## BISHOPCROFT MAY SOON BE LEASED

New Home Planned for Bishop . on Portland Heights if Deal Closes.

Portland is to have a modern nin story apartment house of the New York type, if the plans are carried out which were recently put in motion by the trustees of the endowment fund of the Episcopal diocese of Oregon.

A part of the endowment of the die ese is the site of the Bishopcroft, at Twentieth and Everett streets, which has a frontage of 230 feet on Everett and 116 feet on Twentleth. The trustees of the fund, William MacMaster, George C. Nicholson, Rev. George B meeting held last week to lease the site for 50 years at a monthly rental of \$200 as a site for an apartment

The trustees are negotiating with a lous to secure the property on lease, and it is probable that the deal will go through in a short time.

The Bishoperoft property was a gift o the Episcopal endowment fund from the Flanders estate, and cannot be sold. It has increased greatly in value during the past few years and is now valued at \$60,000. The very fact of lessing this property on a valuation of \$60,000 will have the effect of increasing the endowment fund by this sum and will make ample provision for paying the bishop's salary, thus doing away with the necessity of assessing the various parishes throughout the state for that purpose. In the event that this property is

trustees of this diocesan fund will build new and more modern Bishopcroft on property owned by the church at Nineand Elm streets, Portland teenth

water mains only for the purpose of adding value to his property, and for him to neglect payment for them is an

evasion of financial responsibility. Members of the committee announce yesterday that their first official action will be to secure the advice of several well known lawyers to advise them in the construction of an amendment which, if adopted at next November's general election, will insure the people of the city the least possible cost and the greatest possible justice to all consumers. Their next act will be to consult members of the water board upon

technical matters so that they will have

the advantage of the experience of these men. Then they will examine all avail able legislation related to the matter. Finally, they will draft and report as amendment for adoption Will Expedite Matters.

The program as planned will take a good deal of time, but the committee hopes to expedite matters in an effort to adhere to the general plan outlined.

**ENLARGED QUARTERS** FOR HIBERNIA BANK Three-fourths of the work necessary to double the busness capacity of the

Hibernia Savings bank has been done. The banking room, which covers twice as much floor space as formerly, fronting on Washington street; is almost finished. New fixtures are being installed. "Subscriptions on doubled capital-stock will be returned by April 1," said Dr.

. This raises our capitalization from \$190,000 to \$200,000. Our banking business is to be doubled. It will be characterized by renewed vigor and enter-prise. We have needed more room and increased facilities for a long time. Our success has justified the enlargement.'

Journal want ads bring results.

### PORTLAND Y.M.C.A. WINS IN AQUATIC MEET, 26 TO 10

Local Swimmers Score Big Margin Over Seattle Athletes -Tacoma Fails to Win Single Event.

The first Y. M. C. A. championship aquatic meet ever held in the northwest was won by Portland last night. Scattle was second. The winning association made 26 points and Seattle got 10. The features of the meet were the Van Waters, Rev. Mr. Bowen and close and exciting finishes in the 40 Bishop Charles S. Scadding, voted at a and 100 yard senior events. Guy Rothwell, the 17-year-old boy sent over by Seattle Y. M. C. A., won both of these. In the 100 yard dash the swimmers were neck and neck until the final lap. when just at the finish the clever litocal capitalist and builder who is anx- tle athlete of the Washington city made a game effort and nosed out Abbey, his older and stronger opponent, by a hand's breath.

In the 40 yard event for seniors, the Seattle boy got the decision by a short margin over Durling of Portland. Tacoma had a team entered but war not able to score a point.

Loving Oup Trophy. At the conclusion of the meet the Portland team was presented with a handsome silver loving cup, the trophy offered for the association scoring the most points. Of the 26 points scored by Portland 14 were made by Abbey, the former Princeton star, and New York Athletic club swimmer.

Rothwell was second in points won, with two firsts for a total of 10. He entered only the 40 yard and 100 yard dashes. Victory was due to his adeptness in the stroke known as the Australian crawl.

Neither Seattle nor Tacoma brought a relay team with them, and Portland entered two. The feature of the relay was the spurt of Frank Gross, who gained almost a lap on his opponent, and made it possible for his team to win However, his feat was unavailing, for Abbey, with a comfortable lead, easily overcome Trautman in the final lap.

Summary of Meet.

Following is a summary of the meeti 40-yard swim for seniors-Rothwell Seattle), first: Durling (Portland), sec-Gross (Portfand), third. Time, 22 3-5 seconds. 100-yard swim for seniors-Rothwell

(Seattle), first; Abbey (Portland), second; Traufman (Portland), third. Time, 1:14 4-5. 320-yard swim for seniors-Mankurtz

(Portland), first; Abbey (Portland), second; Trautman (Portland), third. Time, Senior relay, 160 yards—Team consisting of Ritchie, H. Pfaender, Hutch-

croft and Abbey, won. Grammar school, 40-yard swim-Fa-ber (Couch school), first; Alexander (Hawthorne school), second; W. Pfacq-(Stevens school), third. der (St 0:25 2-5.

Grammar school relay, 169 yards—Couch school won. Faber, Hinkle, Holzman and Crow were the Winning four. Fancy diving contest-Abbey (Portland) first; Skidmore (Portland) second; W. Pfaender (Portland) third.

Sunday school diving for object Graham (Portland) first; Thomas (Portland) second; Coffey (Portland)

third. Timers-A. G. Douthitt of Seattle. A. M. Grilley of Portland and L. Myers of Portland.

Referee-L. Myers of Portland. Judges-Dr. J. L. Hewitt and R. W.

leyer of Portland. Scorer-F. W. Nelson of Portland. Handsome medals were awarded to

he successful contestants, gold firsts, silver for seconds and bronze for thirds

A silver loving cup was awarded to the winning relay team.

# \$121,550 FOR aurelhurst

The Addition with Character

THIS IS THE RECORD OF SALES FOR THE FIRST 20 DAYS OF JANUARY 1910.

Have You Seen Laurelhurst? LISTEN!

Every Man Must Look Into the Future With His Own Eyes-Portland Will Become the Metropolis of the Northwest-Fortunes Will Be Made From Real Estate and Your Opportunity Is Here-If You Have Confidence in the Future of Portland, Invest in Property Here and Profit by the Advanced Values Which are Bound to Come With a Greater Portland.

#### Call on Us--Let Us Tell You More of Laurelhurst

See This Tract in Our Autos at Our Expense or Take Rose City Park or Montavilla Car. Deal With Any of Our Authorized Brokers if You Prefer

AUTHORIZED BROKERS

Charles K. Henry Co. Wakefield, Fries & Co.

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aurelhurst Co.

522-526 Corbett Bide. Phones: Main 1503, A-1515

Wash, and stumpage contracts, logging camps, railroads, cars, franchises and other-property. In the effort to help out the defend-

ant, it is declared, the plaintiff secured an offer from Giltner & Sewall for \$25, 600 for the Skamokawa property. It is said that this is all the property there is worth, but the defendant refused to accept the offer and thereby falled to gather in that much cash.

It is alleged that the defendant is it owns of timber and dissipating its assets. It is declared that a receiver is necessary to take charge and arrange for payment of creditors. Williams, Wood & Linthicum and James Gleason represent the plaintiff.

#### PERSONALS

M. McCoy and S. Hunt are accompanying him. Martin White of St. Helens, Or., sher-

the Imperial hotel. Mrs. C. W. Fulton, wife of ex-Senator Fulton, is at the Imperial hotel. The Fultons live in Astoria. Dr. W. H. Byrd of Salem, Or., is at

the Imperial hotel. Joseph Rush, a business man of Hillsdale, Or., is registered at the Nortonia in the complaint, bracing many tracts of land in Oregon, also the Chinook hatel.

> H. B. Kershaw, a business man of Walla Walla, Wash., Is staying at the J. T. Oates and R. S. Eskridge, tim-

> J. F. Stevens, president of the Oregon Trunk line, has taken quarters at the

bermen of Seaside, Or., are at the Hotel Guy R. Porter, William D. Kier, O. C. Hartman and others connected with the construction work on the Oregon Trunk

line in the Deschutes canyon, are at the Hotel Oregon. Judge J. C. Moreland of Salem, Or., elerk of the supreme court, is a guest at

the Cornelius.

Pete Ward, a stockman of Goldendale, Wash., is a guest at the Cornelius. Mrs. M. Talbot and John L. Talbot both of Scattle, Wash., are at the Hotel

W. S. Harris, a railroad man of Spo-Wash., is staying at the Nortonia J. R. Barker, a business man of San

Francisco, Cal., is at the Nortonia hotel. Andrew Saling and A. Jubitz left Fri-day evening for San Francisco and southern California points on a pleasure trip. They will return to Portland in about three weeks.

Kissed by the Sun, Sunkist Are Sweet.

Only by extensive growing and se lection are sweet oranges available in the markets at this time. This is due to the cold weather in California which "frosted" a large per cent of the or-ange crop. To be sweet oranges must be grown where they can be kissed by the sun and therefore "Sunkist" brand is the only one you can fully depend upon not to contain frozen fruit. Every orange is guaranteed free from frost, if under this brand. Save the wrappers and get silver spoons. Trade supplied by the following Port

land jobbers: Dryer, Bollam & Co. W. B. Glafke Co. Levy & Spiegl. Ben Levy & Co. Page & Son. Davenport-Thompson. Mark Levy & Co. Davenport Bros.

Frank Templeton.

Bell & Co.

F. S. Schmalz & Co. Mainly for military purposes is the in ention of an Englishman of shoes with soles and heels so attached that worn parts can be replaced with new ones without the use of tools.

Journal want ads bring results.

# WAVERLEIGH HEIGHTS

STREETS GRADED AND CEMENT WALKS-ALL TO BE PAVED WITH HARD-SURFACE STREETS IN THE SPRING.

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