

Tonight cooler, rain probable; Wednesday occasional rain, westerly winds.

PROGRESS OF HILL ROAD ACROSS THE PENINSULA STOPPED BY INJUNCTION

FIRST GUN OF BIG WAR

Northern Pacific Takes Advantage of Two Holidays and Lays Track in Disputed Territory.

DEPUTY SHERIFF TAKES HAND IN GAME TODAY

Serves Court Order on Contractors That Ends Work Until the Rights of Two Companies are Settled by Judge—Track Already Down May Hold the Field.

A deputy sheriff called "time" today on the first round in the battle between the giant railroad forces of Hill and Harriman that had its beginning in the announcement of the Hill roads for the building of the north bank line to Portland. Armed with papers from the circuit court Deputy Sheriff John Grassl went out to the lower end of the peninsula at noon and served an injunction against Contractors Sims & Shields and the Portland & Seattle Railroad company to stop construction work by them at a grade crossing on land formerly owned by the College Endowment association, but now possessed by the Portland & Seattle, which is the local corporate designation for the Northern Pacific and Great Northern roads.

Why They Fight.

The fight is over the location of a grade where the surveys of the O. R. & N. P. and the Portland & Seattle main line route between the Columbia and Willamette rivers cross. The Portland & Seattle, to forestall the Harriman road in the fight it knew was coming, rushed a force of construction men on the ground late Saturday afternoon, when it was too late for injunction papers to be effective. The men worked all night, and Sunday morning another shift was put on. Their opponents could not get action on Sunday, and Christmas day following gave the Hill people another day in which to work undisturbed. Gangs of men were kept at work day and night. This morning it was found that the Portland & Seattle had established its grade and laid a track for a distance of nearly 300 feet across the disputed ground.

Stops Work for Sims.

The injunction granted by the court stops further construction work until a hearing of the merits of the case can be had. But the Portland & Seattle people claim the proceedings do not worry them, as they have established their contention—namely, legal right to locate the grade of their tracks on ground they already owned in fee simple. The matter will now be threshed out by the court.

O. R. & N. Too Slow.

The O. R. & N. company, having made a survey and established permanent lines, brought an action against the College Endowment association, the common right of way. It is said the Portland & Seattle was not made a party to the suit for the reason that the O. R. & N. people did not know of the contract and option to purchase and its acceptance by the Portland & Seattle. When the O. R. & N. people learned that the Hill company was digging on the ground, it asked and obtained a temporary injunction Saturday, but too late for service.

PENDLETON SALOONS NOW OPEN ON SUNDAY

(Special Dispatch to The Journal.) Pendleton, Or., Dec. 26.—For the first time since last summer Pendleton saloons were open for business Sunday and Christmas, though it has been known that some saloons have been doing business on Sunday for some time. When the last grand jury was in session here it recommended that the city government deal with the situation. The newly elected city officers will soon assume their offices and if complaints are entered they will be turned over to a grand jury for the January term of court.

LIFE INSURANCE LYRICS

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BEST MEN GOT THE PLACES

Civil Service Commissioner Brewster Gives the Quiet to 'Peanut Critics' Objections to Bruin's Appointment.

CHANGE IN RULES TO IMPROVE THE STAFF

Prosecutor Malarkey Grows Restive as the Plain Truth Comes Out and Files Up Objections as Stumbling Blocks—The Farce is Rapidly Nearing Its End.

"You gentlemen who have heard the witnesses in this investigation must yourselves admit from your observation of the men, that when the civil service commission appointed Patrick Bruin and Silver to be police captains, it chose the best two men out of the six who had taken the examination," said Civil Service Commissioner W. L. Brewster this morning from the witness stand in the council's investigation into Bruin's appointment.

Brewster Tells All.

Nothing was withheld nor disguised. The witness spoke as one who had nothing to conceal. He frankly testified that the rule as to residence was abolished for the reason that the mayor and the commission believed that better men could be secured for the higher positions in the police department by admitting outsiders to the competition than by insisting on promotion from the force.

Rager to Let Go.

At the conclusion of Commissioner Brewster's testimony, Malarkey announced that no more witnesses would be called, and Councilman Wills echoed the statement, evidently not caring to hear from any more witnesses.

Malarkey Is Harassed.

"You are not so devoted to the principles of civil service after serving for a time on the commission, are you?" asked the attorney scornfully.

BATTLE FOR LIFE HUNDREDS OF DEAD AND DYING ON FLYING CAR COVER STREETS OF MOSCOW

Conductor Dalrymple and a Thief Struggle on Top of Freight Train.

HURLS HIS ASSAILANT FROM COACH ROOF

Suspect Captured at Arlington and Railroad Detectives Believe They Have Broken Up a Gang of Boxcar Looters.

(Special Dispatch to The Journal.) The Dalles, Or., Dec. 26.—What might have been a tragedy was averted by Conductor Dalrymple, in charge of an extra freight going east, last night, who reached out his hand and caught the running board on top of a boxcar while down and rolling over the top of the car struggling with a boxcar thief who had broken into a car and stolen a lot of clothing, which he had with him in a gunny-sack.

Court at Arlington.

(Special Dispatch to The Journal.) Arlington, Or., Dec. 26.—The arrival of Detective Fitzgerald of the O. R. & N. secret service corps today revealed the fact that the O. R. & N. Co. has been suffering from petty larceny boxcar robberies in the past few weeks.

MINNESOTA HALFBACK SUES COLLIER FOR LIBEL

(Journal Special Service.) Minneapolis, Minn., Dec. 26.—James B. Irfield, the right halfback of Minnesota, has brought a libel suit against F. F. Collier & Son, who in 1904, published a statement that Irfield obtained inside information on the Beloit game in 1903, and used it to advantage in betting.

CLERGYMAN TO DECORATE SALOON WINDOWS

Arranges to Portray Drunkard's Home in Obliging Spokane Rumrunner's Shop.

(Special Dispatch to The Journal.) Spokane, Wash., Dec. 26.—An amusing result of a controversy which Rev. Charles H. Braden, pastor of Grace Baptist church, started several weeks ago in regard to a window display in the window decoration of Jimmie Durkin's saloon, the owner of the saloon has given the minister the privilege to decorate his window with liquor. The theme of the decorations is to be the lesson of a home wrecked by liquor. The sign show windows of the saloon will be used to portray the different stages in the home, when the man being tempted to take a drink for the sake of good fellowship, which later becomes a habit, then a cure, and finally brings poverty to the family and is the cause of the man's being convicted of murder, his only plea being that he was drunk.

ITALIAN FIRED SHOT THROUGH PASSENGER CAR

(Special Dispatch to The Journal.) Medford, Or., Dec. 26.—A man connected with a gang of Italians employed by the Southern Pacific railroad, last evening fired a shot through the observation car of train No. 16 just north of the Medford station. The ball passed through the glass in the car above the heads of the passengers. The gang of Italians, to which the man belonged, is said to be the same with whom the Douglas county authorities recently had much trouble. Sheriff Rader was ordered today to arrest the entire gang, sparing no trouble if necessary to find the miscreant. The man had been celebrating Christmas and had been drinking heavily.

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Troops Have Partial Control but Incessant Fighting Continues.

STRIKERS RETURNING TO WORK AT ST. PETERSBURG

Witte Gaining Strength but Committee of Revolutionists Say Victory of Government is Only Temporary.

(Journal Special Service.) Moscow, Dec. 26.—The streets of this city present an indescribable scene as a result of the terrible slaughter that has been carried on during the last 48 hours. Troops have gained partial control of the city but incessant fighting continues on the outskirts. The revolutionists have appealed for help from other outside cities and if it is secured it is considered that the troops that now hold the thousands in check will, unless reinforcements arrive, be overwhelmed. Patrols are constantly riding in every direction and shooting without hesitation or discrimination at all citizens that have gathered in groups of three or four or more.

ROOSEVELT SUMMARILY REMOVES NEBRASKA MAN

(Journal Special Service.) Washington, Dec. 26.—President Roosevelt has summarily removed Irving Baxter, United States district attorney for Nebraska, from office. Baxter was appointed to office last spring. The cause of his removal was dissatisfaction over the manner in which he prosecuted the government cases against the cattle raisers who were charged with illegally fencing public lands in Nebraska. Baxter's resignation was requested, but he refused to resign, and was thereupon removed. No successor has been named.

MRS. W. E. COREY WILL NOT BE RECONCILED

(Journal Special Service.) Pittsburgh, Dec. 26.—According to a close friend of the Corey family Mrs. W. Ellis Corey will meet her husband in New York next week, but according to statements of relatives, she will not listen to any proposition for a reconciliation.

STRIKES FATHER DEAD TO SAVE HIS MOTHER

Divinity Student, About to Enter Pulpit, is Held on Murder Charge.

(Journal Special Service.) Philadelphia, Dec. 26.—To protect his mother, Jones Pollock, a divinity student, killed his father yesterday. After he had been locked up a number of ministers and prominent church people pleaded with the police for his release. They declared that if he was responsible for the death of his father he had acted under a natural impulse to protect his mother and that his mental agony was punishment enough. The young man is on the threshold of his ordination to the ministry. The father's craving for drink has been the millstone of the family. The father had just been released from the house of correction. Pausing at various saloons yesterday he finally went home, where the family was eating Christmas dinner.

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NO FIRES TO MAR HOLIDAY

For First Time in Years Firemen Did Not Have to Respond to Christmas Alarms.

USUAL FAMILY TREE BLAZE WAS ABSENT

Whether the Reason for Unusual Quiet Was Heed Paid to Warnings or Fewer Dangerous Ornaments is Not Yet Known.

Portland enjoyed the novel Christmas of passing the day without a fire within the corporate limits. It was the first 25th of December in the recollection of the oldest man in the Fourth street firehouse, when some one did not "pull in" an alarm, and give the department a "run."

COUNT BONVOULEIR AND PRINCESS COLONNA WED

(Journal Special Service.) Paris, Dec. 26.—The civil marriage of Count Jules Bonvouleir and Princess Bianca Stigliano Colonna, granddaughter of Mrs. John W. Mackay, was performed at the mayor's office in Paris today.