

ICE COLD WATER

Is Thrown on Railroad Promoters Proposition.

SEVERAL SPEAKERS FAVOR ROAD

Expected Enthusiasm Over a Railroad From Roseburg To Coos Bay Fails To Develop—May Be Dead.

Had it not been for a motion made by Frank Alley at the Commercial Club last evening a reply to the telegram received by Publicity Manager Schlosser from Mr. Doyle, the railroad promoter, would likely not have been made.

Mr. Doyle was here some time ago and looked over the right-of-way between here and Coos Bay and made a proposal to a number of Roseburg business men that if Roseburg would put up \$10,000 for preliminary work, etc., he (Doyle) would engage capital in the project. The business men who were consulted stated it to be their opinion that the people of Roseburg would prefer to put up a bonus after the road was completed rather than put up money for survey work. The matter rested this way and Mr. Doyle and his associates left for Spokane, Wash.

Last week Mr. Schlosser received a wire from Mr. Doyle, a copy of which was published in The News last Friday night. In substance the telegram was that if the people of Roseburg would put it in writing they were willing to guarantee the sum of \$100,000.00 to the promoters upon the completion of the road, work on the same would begin within the next sixty days.

This wire was followed up with a letter in which it was stated that Roseburg's proportion of the \$100,000.00 bonus would be \$50,000.00, the remainder to be raised by people in Marshfield and Coos Bay territory.

It was for the purpose of sounding the sentiment of the people of Roseburg in reference to the bonus that the meeting was called last night. That the proposition met with little favor was evident after the first speaker, T. R. Sheridan, had finished with his remarks. He stated that he would not go on record as willing to give anything to the bonus unless he could be satisfied that Mr. Doyle and his associates meant business.

Frank Alley, E. L. Parrott, James Perry, Mr. Armstrong, L. Wimberly and G. P. Schlosser also addressed the meeting briefly.

There was no spirit manifested for the road. In fact most of the speakers doubted the good faith of the people back of the telegram and wanted to be "shown" that they could "deliver the goods" before taking any interest in the road. It was contended that the promoters should come here and give some satisfactory assurance to the people here that they were financially able to build the road before action was taken on the request for a bonus.

Frank Alley, after the speaking had ceased and it looked like nothing would be done, arose and made the following motion:

That the secretary be instructed to inform Mr. Doyle and his associates that when they were prepared to prove to the satisfaction of a committee composed of the presidents of the three banks and the president and secretary of the Commercial Club that they are able financially to

build a railroad and intend to do so within a reasonable time, that Roseburg will agree to pledge its proportion of the \$100,000.00 bonus."

This motion was seconded and without any discussion, was carried. One prominent business man who was interviewed by a News representative today said that in his opinion this would kill the project, giving as his reason that the promoters would in all likelihood refuse to give the names of those persons or corporations who are back of them.

Another said that of all the railroads meetings held here in the past twenty years, this was the poorest showing ever made.

Sheriff Quine this morning forwarded a letter to Governor West, in which he requests that a requisition be granted for the return of Frank Kelly, who was recently arrested at Fargo, North Dakota, upon telegraphic advice of the local officers. Sheriff Quine expects an answer from the governor some time tomorrow.

FIRE SWEEPS

Houston, Texas—Loss Will Aggregate Millions.

THOUSANDS ARE HOMELESS

Dynamite Used To Check Flames—Recalled Mayor Of Seattle Bobs Up For Re-election This Fall.

(Special to The Evening News.)

HOUSTON, Feb. 21.—Houston faced a fire this morning that for some hours threatened the city with destruction. At 11 o'clock a section in the residence district seven blocks wide and eighteen long had been destroyed, and conservative estimates placed the loss at five millions. The wind was blowing a thirty-five mile gale. Hundreds of residences were burned, and included in the burned area was several school houses and warehouses of cotton companies. The burned area adjoins the S. P. Co. yards, and the flames was only gotten under control by dynamiting buildings. Thousands are homeless tonight, but there is no suffering for want of food or care for the destitute. Fifty-two blocks were destroyed all told.

Gill Again In Lime Light.

SEATTLE, Feb. 21.—Yesterday's primary election resulted in the nomination of former Mayor Gill, who was recalled last spring. George Cotterill, progressive, will oppose Gill on election. Gill received 22,000 votes, Cotterill, 16,000, Thomas Parish 12,000, and Wells, the socialist, received 10,000. Gill and Cotterill will fight out the matter in the general election.

BORN.

BURRICK—To Mr. and Mrs. V. Burrick, of Melrose, on Tuesday, February 20, 1912, a boy.

LaMERE—To Mr. and Mrs. LaMere, in North Roseburg, on Tuesday, February 19, 1912, a boy.

J. W. Koop, a merchant at Drainard, Minn., arrived in Roseburg yesterday to spend a few days. Mr. Koop says the weather is very cold in the East and he is delighted with Oregon, and especially Douglas county.

WORTH CONSIDERING.



—Taylor in Los Angeles Times.

DIRECT STAND A FOOT OF SNOW

Roosevelt Declares Flatly For Progressive Issues.

QUIBBLES ON THE RECALL

Ex-President Enthusiastically Welcomed At Columbus—Recall Good In a Degree—But Not Altogether.

(Special to The Evening News.)

COLUMBUS, Feb. 21.—Flatly pledging himself for the initiative and referendum, the short ballot direct nominations by the people, presidential preference primaries, election of United States senators by a direct vote, and in a measure the recall law, Theodore Roosevelt addressed the Ohio constitutional convention today. He outlined just where he stands on those progressive policies on which it is believed he may again run for the presidency. The ex-president was enthusiastically received.

Gale Sweeps Texas.

AUSTIN, Feb. 21.—More than \$2,000,000 damage is estimated will result from the terrific gale that is sweeping Texas today. Hundreds of small buildings have been wrecked.

OVER \$2,000 COLLECTED.

The sheriff's force was unusually busy yesterday, and no less than \$2,000 was collected during the initial day of tax collecting. Of this amount, a considerable sum came from farmers who are alert to take advantage of the usual rebate of three per cent.

DRAKE IS GUILTY

Convicted on Charge of Criminal Libel.

CASE IS TO BE APPEALED

Sentence Will Be Passed By Judge Calkins On Friday Morning—Jury Takes Three Ballots During Deliberation.

After a deliberation of about an hour the jury empaneled to listen to the evidence and decide the fate of Jesse O. Drake, accused of criminal libel, returned a verdict of guilty in the circuit court shortly after 11 o'clock this morning.

According to the report of a member of the jury, three ballots were taken during the brief deliberation. On the first ballot the vote stood 9 for conviction and two for acquittal—one of the jurymen casting a blank. On the second ballot the vote stood 10 for conviction and two for acquittal. On the third ballot the vote was unanimous in favor of conviction.

The closing arguments of the attorneys were lengthy and interesting, and attracted the attention of a large crowd. Attorneys Brown & Eddy, who conducted the prosecution, contended that the article was not only libelous and reflected upon the good name of Judge Hamilton, but that it would result in great damage to Roseburg and its citizens. "This article has been circulated in all sections of the United States," said District Attorney Brown, "and I admit that some people will consider it seriously. Do you suppose that families contemplating the purchase of homes in Roseburg will come here in the event they believe the contents of this article—which in brief refers to the officials as a band of two-faced traitors? I claim they will not come to Roseburg to reside under such circumstances."

District Attorney George M. Brown and Attorney R. L. Eddy also referred repeatedly to the danger of allowing such articles to gain circulation, and in this regard, claimed that Judge Hamilton had been injured as had other officers of the court. "A man's reputation is his capital," said the district attorney, "and when a person brings a person's character into disrepute, he is no better than the man who steals a horse."

The prosecution also made a determined effort, through argument, to impress upon the jury the contention that Drake had been proven the author of the article. Both attorneys traced the article from the time it was claimed to have been written until it appeared in a Portland newspaper. They also reviewed the testimony to the effect that Drake admitted its authorship, and especially the evidence of J. W. Tollman, who arranged to have the original manuscript typewritten.

Attorneys Robert Smith, of Grants Pass, and Attorney C. S. Jackson, of Roseburg, appearing on behalf of the defense, argued that the article was not libelous, neither had the state succeeded in proving its authorship. Attorney Smith said there was no evidence to show that the article was written by Drake, and far less that he caused its publication in a Portland newspaper. It was also contended that the writing was wholly void of libelous matter, considering that the charges, in the event they were true, did not reflect

SAFE FOR SALE.

FOR SALE OR TRADE—Good office safe. Call at News office.

dishonesty upon the prosecuting witness.

The instructions of Judge F. M. Calkins were brief, and simply governed the law governing actions of libel.

Attorney C. S. Jackson announced this morning that the case would be appealed to the supreme court at the earliest possible moment. Attorney Jackson claims to have ample grounds upon which to base a reversal of this morning's decision.

Sentence will be passed on Saturday morning.

Jurors Adler and Brosi remained loyal to Drake on the first and second ballots, changing for conviction on the third ballot.

WANT A REFUND

Spokane Merchants File Claim For \$2,000,000.

NOW UP TO SUPREME COURT

Shippers Are All Ready For Immediate Action—Cold And Snow Strikes Heavily In Chicago.

(Special to The Evening News.)

WASHINGTON, Feb. 21.—Sixty-five Spokane firms filed with the interstate commerce commission today demands for a refund of two million dollars on excessive freight charges collected by the Western railroads above what should have been due in event the commerce court had not enjoined the rate decision of the interstate commerce commission relating to inter-mountain tariffs. Argument in the appealed Spokane case comes up before the United States supreme court Friday, and today's petition will enable the commission to act instantly for the shippers if the court should upset the injunction, legalizing the lower rates prescribed by the commission.

Storm At Chicago.

CHICAGO, Feb. 21.—This city is gripped in a severe snow storm that is general throughout the Mississippi Valley. The storm extends throughout Ohio.

AFFIRM VERDICT

Dumbek Win Action in Supreme Court.

WATER RIGHT IN CONTROVERSY

Decision Is Written By Judge McBride—Case Is Appealed From Circuit Court Of Douglas County.

After several weeks of deliberation, the supreme court yesterday handed down a decision in which they affirm the findings of the lower court in the case of Henry and Kittle Bushnell vs. J. T. and John Dumbek. The opinion was written by Judge McBride.

The case first originated in Douglas county nearly a year ago, when the plaintiffs brought suit to enforce specific performance of contract. At the time Mr. and Mrs. Bushnell alleged that they had consulted with the defendants, and the latter had agreed to sell them a certain tract of land, comprising about 180 acres, under the conditions that the original owners could reserve a water right.

The defendants admitted that they agreed to sell the land as contended by the plaintiffs, but in opposing the action, alleged that the parties interested had failed to reach an agreement relative to the location of the water right. In view of this contention, the defendants contended that no specific contract was in existence, and consequently, its enforcement was an impossibility.

After listening to the evidence in the case, the circuit court jury returned a verdict in favor of the defendants. The action was later appealed by the plaintiffs, with the result that the decision of the lower court was affirmed.

Attorneys Coshow & Rice appeared for the plaintiffs, while Attorneys John T. Long, W. W. Cardwell and J. O. Watson represented the defendants.

The silver medal contest given last evening at the Christian church under the auspices of the Woman's Christian Temperance Union, was a success. The medal was presented to Miss Katherine Merrill, she being the winning contestant. Souvenirs were presented to the other contestants in appreciation of their excellent work. The members of the W. C. T. U. insist to express their thanks to all who so generously assisted on the program, and to the large audience for their attendance.

Announcement
Beginning February 22, 1912, we will have our First Showing of Street Hats. Also Shapes in High Grade Milans, Hems, Panamas and Javas. Our work room opens next Monday, February 26, in the charge of our former Trimmer, Miss Ivy Henderson.
James A. Perry
Millinery and Ladies' Toggery

Spring :-: Opening :-: Display
OF THE SEASON'S BEST STYLES IN
Imported Models and Pattern Hats. Ladies' and Misses' Cloaks, Suits, Dresses and Waists.
Hair Goods, Neckwear, Novelties, Handbags and Corsets.
February 22-23-24, 1912
Five Living Models in Suits, Cloaks and Dresses, Saturday 7:30 to 8:30 P. M.
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Better Than Ever
Everybody Welcome