

The Oregonian

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PORTLAND, THURSDAY, JANUARY 26.

THE BRAKES.

The Oregonian holds it beyond question that the people of Oregon, in their haste to "make public improvements" and to "build up the state," are laying burdens on themselves, and on the future, which can be carried only with great difficulty and toll.

Calls, therefore, are made on state, county and city—calls that ingenuously would appear to be in danger of exhaustion. Yet there are always new devices, calling for "more." When it is asserted that "in Oregon we are entitled to everything as good as they have anywhere"—schools, university preparation and extension, libraries, bridges, roads and public buildings,

The Legislature ought not to make mistakes here. If the Oregonian may be permitted a word, it would ask the Legislature to exercise a constant vigilance over all propositions to create new offices, to authorize additional expenditures, to extend this service, to increase that appropriation. To the minds of those who want things, everything that is presented as positively necessary, and nothing less will do.

TOURISTS AT THE FAIR. The practically unanimous desire on the part of Washington and other adjoining states to be well represented at the Lewis and Clark Fair discloses an interest in the enterprise not in evidence when the project was first suggested.

It is now a foregone conclusion that the coming Exposition will attract more people to the Pacific Northwest than have ever been started west of the Missouri River by any other event. In estimating the returns that are to follow the investment necessary to make a creditable showing, one source of prospective revenue has been in a large measure overlooked.

The option should be given to the real complainant, the shipper. To carry through the appeal, if he is so minded, or to devolve that duty on the Attorney-General if he is unable or unwilling to go farther at his own cost or risk. Power for the Attorney-General to intervene in case he saw that the private parties were wanting in power or colluding with the common carriers.

the attractions in the way of a Winter climate that are to be found in Southern California, but both of these states possess the ideal Summer climate, which is as much desired by the rich tourist as the mild Winters of the South.

The retired money kings who come out here to loaf for a few weeks or months while the heated term makes the unemployed in the East can never become so comfortably divorced from the desire to engage in business. Here they can see on every hand opportunities for investment, and, as they like the country and have decided to spend a few weeks or months here each year, they will frequently clinch their interest in the place by the investment of what to them is a large amount.

Each of these tourists who takes a "flier" in Oregon or Washington investments immediately becomes a strong advocate of our advantages, and seldom if ever misses an opportunity to put in a good word for the locality in which he has made an investment.

Dispatches Tuesday reported that Mr. Hepburn, of Iowa, addressed the House on the proposed law which bears his name. On the previous day it was stated that the President and his advisers intended to give this law their powerful aid.

The most important sections in the Hepburn bill appeared by telegraph, in last Sunday's Oregonian, with a full account or analysis of the remainder. Of the 21 sections in the bill, all may examine with care the first, second, fifth, sixth and eighth, which give the scope and details of the plan.

Section 2 deals with the knotty questions of joint rates and their apportionment, and with the "just relation of the carrier to the public." The common line of the several carriers parties to the proceeding. These questions of distribution relate back to those raised under section 1 as to the justice and reasonableness of the rates, and as to discrimination charged. A term of twenty days after the issuance of the first order is allowed to the carriers to settle among themselves the apportionment. If they fail to agree, the Commission may by supplemental order decree the apportionment and in a like term of twenty days may prescribe the rate to be charged to common points "by either or all of the parties to the proceeding."

It is apparently assumed that all the carriers interested in the common-point decision will be before the Commission. No mention is made of the right to bring in all carriers interested in the common-point decision, whether parties to the original question or not.

The next provision raises serious doubts. The Attorney-General is to conduct or direct all the proceedings under an appeal from decision of the Commission, acting for the "defense"—which is assumed to be the Commission itself. It is further intended to take the proceedings from the hands of the shipper or other complainants and to place further action solely in the power and discretion of the Attorney-General or his substitute. It may not be for either the public or private good.

The fact of the appeal by the railroad has demonstrated the capacity of the complainant to carry the case so far. The option should be given to the real complainant, the shipper. To carry through the appeal, if he is so minded, or to devolve that duty on the Attorney-General if he is unable or unwilling to go farther at his own cost or risk. Power for the Attorney-General to intervene in case he saw that the private parties were wanting in power or colluding with the common carriers.

Section 3 is unique. It gives the Commission, when an appeal has been taken to the Court of Commerce, power at any time, "before, after or during the progress of a judicial review," of its own motion, to modify, suspend or annul its former order. So the whole some rule is departed from that when

an appeal is taken from a lower court the record is closed and the Superior Court takes jurisdiction of the controversy in its then actual condition, while the functions of the lower court are suspended until the appeal is determined.

Section 4 declares the right of appeal from the new Court of Commerce only to the Supreme Court of the United States, with a provision that the appellant (assumed as only the common carrier) shall give bond for all damages incurred by any persons in the shape of extra freight charges collected during the pendency of the appeal over the scale of charges directed by the Commission. So that the weight of raising the debated question would be left to the complainant and the common carriers would be entitled to profit by the decree. The amount of the bond to be given would be something of a shot in the dark, and the subsequent inquiry as to who were entitled to profit by it a difficult and tedious one.

Enough has been said to show that the Hepburn bill bears on its face every mark of a compromise measure. The railroads have secured the desired insertion of the condition that the force of a decision that rates are unjust and unreasonable shall not be felt until the end of sixty days after notice of that decision. There seems to be throughout confusion between the functions of a commission and a court of justice.

The provisions for the constitution of the new Court of Commerce, to be composed of five circuit judges, one of the United States to be designated by the Chief Justice of the Supreme Court of the United States, and the conferring power on the President to appoint an additional Circuit Judge for each district, point to the importance conceded to this matter, and it is to be hoped will provide the judicial machinery needed.

INLAND. One of the chief storm centers in this upheaval in Russia is the ancient duchy of Finland. For this reason it is ample cause in very recent history. Wedged between Sweden and Russia is this great area, 717 miles long, with an average width of 185 miles, having a population of over two and one-half millions by the census of 1902.

When Sweden had more guns than she had carried in later years, the Russian efforts to seize and occupy the country were repulsed. But the fate of Finland was settled at the conference of Tilsit in 1807, between Napoleon and Alexander I. The Swedish King was holding to alliance with England, and as a bait for the Russian Emperor Napoleon proposed that he should seize Finland, and offered a French corps under Bernadotte in aid—so dismembering Sweden in revenge for the support she had given to Napoleon.

Alexander I suddenly overran Finland with Russian troops, while saying smooth things in St. Petersburg to the Swedish Ambassador. But Sweden and Finns fought hard. Negotiation completed what war began, and by treaty in September, 1809, the Russian superseded the Swedish monarch, but by solemn proclamation swore to maintain the constitution, laws, religion and civil liberties of the country. The Emperor of Russia was the Grand Duke of Finland from that day, subject to the solemn obligations he had assumed.

This land is no vast desert, its people no band of savages. The National University at Helsinki has 4000 students. There are 14 high academies, 1 polytechnic, 2 industrial, 1 agricultural, 3 normal colleges and 148 primary schools. There are about 69 newspapers, 21 large iron works and 420 factories of all kinds. The people are educated, industrious, peaceable and moral. It is a nineteenth-century population.

There has been of late years a considerable immigration of Finns to this country. They have come chiefly to Michigan, and are good citizens with the exception of a few who are uneducated and conformed to the terms under which nearly a hundred years ago the duchy accepted a Russian overlord. But these conditions were too good for them, and in 1872 the first step was taken by making the Russian tongue compulsory in the schools. In May, 1881, compulsory military service was introduced, and the country was organized in this respect on the Russian basis. Blow after blow fell in steady succession. In 1899 an edict appeared disbanding the Finnish regiments and ordering the enlistment of their soldiers and recruits in Russian regiments. The full effect was not felt till 1902.

In 1902, by another arbitrary edict, the Russian autocrat dissolved the ancient constitution. He decreed the dissolution of the Diet, and the establishment of a government by a Russian Governor-General and Russian staff. Russian officials replaced those of native birth and bringing up—and worse, the Judges, who held life office and acknowledged no official interference with the course of untrammelled justice, were replaced by functionaries holding office at the Governor-General's will. And the Russian, Von Pichev, was named as Governor-General, holding supreme and arbitrary authority. Every kind of protest, every opposition, short of armed revolt, was in vain resorted to by the Finns of every degree.

NOTE AND COMMENT. Members of the W. C. T. U. in Vancouver, B. C., are protesting against the sale of "ladies' cigarettes." That's right; women should insist upon getting full-sized smokes.

All the way from Sellwood comes the following communication: "I have discovered on a Portland trolley car a conductor who has some notion of ventilation. Praise God, from whom all blessings flow. O. ZONE."

"P. P. D." suggests that those who proposed "Stockman" County would have found "Cow" County equally euphonious and more expressive. True enough, "Cascaide" County is a pipkin, however, and is away ahead of the proposed "Cascaide."

The Duke of Machoko had a white elephant, and Waffles wanted it. His collection of leather goods was incomplete without this prize. I was pacing up and down in front of Machoko House, guarding.

Maxim Gorky, the Russian author, who has become prominent in the political affairs of the Empire, is well qualified by experience to understand the law of the market. He is a man of letters who are being shot down in the streets of St. Petersburg and Moscow. Gorky, before he took to writing, had been a laborer at many occupations, a tramp, and on one occasion had been on the verge of committing suicide.

The Oregonian recently sent a staff correspondent into Coos Bay for the purpose of writing up that entire region, and all its important industries. Several months were devoted to the work, and a great amount of matter was printed. Now we have at hand a newspaper from Myrtle Point that complains that The Oregonian has always ignored Coos Bay. Any one on Coos Bay who can read knows better.

A great blizzard is making everybody in the East shiver with cold and with longing for blue sky and mild and balmy days. Even Kentucky, which is popularly supposed to be in the Sunny South, registers 6 degrees below zero. In the Middle Northwest the register is 18 to 20 degrees below. Now is the time to boom the Fair.

Addicks has elected his candidate for President of the State Senate at Dover. Perhaps Addicks is about to realize on the vast sums he has distributed among the voters of Delaware for many years. Addicks feels that he is entitled to some return some time for his investments.

The Salem Statesman points out that when a Salem man is Governor he makes Salem his home during his entire term; therefore we should have an executive mansion. Also a Salem man always for Governor.

Mr. Niedringhaus has doubtless been nearer to the United States Senate than he will be again. In contests of this kind, lost ground can rarely be recovered. The bolter who bolts once usually stays bolted.

DEFENDS THE COMMISSION. INTERSTATE COMMISSIONER SAYS IT HAS STOPPED REBATES. WASHINGTON, Jan. 25.—Judson C. Clements, a member of the Interstate Commerce Commission, replying before the House Committee on Interstate and Foreign Commerce today to a statement which he said had been made to the effect that the commission had not endeavored to enforce the provisions of the law, said that it was strange that this should be said by people who have violated the law.

Attention was called to the action of the commission in connection with the Northern Securities and other cases to show that had been accomplished through the efforts of the commission. He desired to repel the insinuations of those who sought to impugn the commission. The situation before the House Committee, Mr. Clements said, was a vindication of the desire of the commission to fix a reasonable rate.

Replying to Mr. Hepburn, Mr. Clements said the consideration in determining a reasonable rate was not the competition with weight, length of haul, a comparison with other rates and value of the commodity. There was no mathematical formula by which a rate could be worked out, he added. All that was needed was a fair and reasonable approximation. The fixing of a rate he believed to be a legislative function.

Mr. Bacon appeared before the committee again and submitted figures showing the increase in net earnings of the railroads compared with increased tonnage, a "evidence of advanced rates. These he represented as not warranted by the creation of an additional court until necessary for it was shown.

Waffles, the Cracked Amateur. NIT BY E. W. SCORNING. The Duke of Machoko had a white elephant, and Waffles wanted it. His collection of leather goods was incomplete without this prize.

Chicago Business Men Ask Action. CHICAGO, Jan. 25.—A large portion of Chicago's business interests declared today in favor of immediate rate legislation. The Chamber of Commerce, the Manufacturers Association and the Shipper's Association and the State Grange Association. A copy of the resolution will be sent to the President and Congress.

JUDGE LACOMBE ASKS HEARING. WASHINGTON, Jan. 25.—A formal application was made today to the House committee on Judiciary on the part of Judge E. Henry Lacombe, of the Circuit Court of the Southern District of New York, for an opportunity to present a plain narrative of the instructions which form the ground of complaint made yesterday to members of the House by a firm of Philadelphia lawyers against the Judge.

For Monument to Captain Gridley. WASHINGTON, Jan. 25.—Senator Alger today introduced a bill appropriating \$50,000 for the erection of a monument to the memory of Captain C. V. Gridley, who commanded Admiral Dewey's flagship at the battle of Manila Bay. In connection with the presentation of the bill, Senator Alger had read a letter written by Mrs. Gridley to President Roosevelt, stating that at 80 years of age she is working as a clerk in one of the executive departments of Washington, and is financially unable to erect the monument herself.

Distribution of Indian Funds. WASHINGTON, Jan. 25.—The Board of Indian Commissioners, in annual session here, has prepared a bill for introduction in Congress at this session providing for the allotment to the tribes of the United States of the Indian tribal trust funds now held in the treasury. These funds aggregate approximately \$200,000,000. Under this general act, it is proposed that the money, when converted to individual funds to individual holdings, shall not be paid to the Indians at once until the wisdom of such a course should be apparent in some cases, but each Indian should be credited with the amount he would be entitled to if the funds were actually distributed, interest to be continued.

To Enlarge Homestead Claims. WASHINGTON, Jan. 25.—The House committee on public lands today returned a bill to the Senate by a vote of 11 to 4 to indefinitely postpone consideration of the bill increasing from 160 to 640 acres the amount of land that may be taken up under the homestead act. A bill to this end relating to land in South Dakota will be perfected by the committee at a special meeting Friday, and the bill relating to Colorado land at the regular meeting Wednesday.

VIENNA, Jan. 25.—The Parliamentary elections, which will begin in Hungary tomorrow (Thursday), are expected to take place amid scenes of rioting and bloodshed unequalled in any previous election. A state of anarchy is said to prevail throughout the country. Premier Tisza is determined to make an end of Parliamentary obstruction, and the opposition parties are equally resolved to defeat the Premier's purpose. The question of revising the rules of Parliamentary procedure is the only one put before the electorate.

The campaign already has cost seven lives and 300,000,000 of the national income of Bulgaria's private hussar, Michael Krapanzov, who was shot during a fight between rival parties at Jolva. Preliminary reports of the election are that Hungary from all parts of Austria, infantry and artillery have been sent from Vienna and stationed near Lemberg. Altogether 30,000 extra soldiers have been distributed in the various electoral districts.

Disputes to the number of 413 will be the most exciting contest in that in the central district of Budapest, where Count Tisza is contesting the seat of one of the foremost opposition leaders, Count Julius Andrássy. Aristocratic ladies of Budapest have been canvassing the shopkeepers on behalf of Count Andrássy, threatening to withdraw their custom in the event of the shopkeepers' daring to vote for Count Tisza. As the ballot is not secret in Hungary, the ladies are in a position to force their wishes.

BRITISH COMMISSION ESTIMATES MINES WILL BE EXHAUSTED THEN. LONDON, Jan. 25.—The report of the Royal Commission on the coal supplies of the United Kingdom issued today calculates the available resources of the proved coal fields at 300,000,000 tons, at the present increasing rate of output, will last about 60 years. The commissioners anticipate that, owing to physical considerations, the output of the coal fields will be slower and will be followed by a period of stationary output and then by a gradual decline, which will prolong the duration of the resources.

KAISER'S SON HAS PNEUMONIA. His Condition Serious, and Kaiser Cancels All Engagements. BERLIN, Jan. 25.—Prince Eitel-Friedrich, second son of Emperor William, is suffering from pneumonia. A bulletin issued by Military Surgeons Widemann and Weimuth gave his temperature at 100 F. The Prince has been avoiding guests and deal during the recent severe weather on the lakes near Potsdam and danced at the great charity ball given Saturday evening for the benefit of families of German soldiers in the front lines in South Africa. The Prince was with the imperial party at the palace Sunday, when the Emperor and Empress received the newly decorated persons. He was taken ill Monday. Emperor William has called all his birthday celebrations which were to be held at the royal castle here on Friday.

REOLUTION IS SIMMERING. Government of Honduras Prepares to Meet Outbreak. MOBILE, Ala., Jan. 25.—Advices received here by the steamer Espana today are to the effect that a revolution is brewing at Puerto Cortez and other parts of Spanish Honduras. The government at Tegucigalpa has taken strenuous steps to forestall an imminent outbreak.

Missouri Senate Undoes Work Accomplished by Bribery. JEFFERSON CITY, Mo., Jan. 25.—The Senate today passed a bill repealing the law prohibiting the use of alum in baking powders. This is the old alum bill which was passed in 1892. The bill was introduced by Senator Daniel J. Kelley, agent of a baking powder company.

Clark's Election Completed. CHEYENNE, Wyo., Jan. 25.—Clarence Don Clark was re-elected United States Senator by the Legislature in joint session today. The vote of 7. Clark received the unanimous vote of the Republican members. The Democratic votes were given to Samuel T. Stone, who has just retired as Chief Justice.

Addicks Wins His Point. DOVER, Del., Jan. 25.—The long deadlock in the Senate was broken today by the election of A. B. Connor, Union Republican, to the presidency of the three regular Republican Senators who had been holding out against Mr. Connor voting for him at the last moment. This is regarded as a victory for Addicks.

Nixon Nevada's New Senator. CARSON, Nev., Jan. 25.—George Nixon, of Winnemucca, was elected United States Senator today on joint ballot by a vote of 31 to 24 for Governor John Sparks. Democrat. Nixon entertained the members of the Legislature and the state officers at a banquet this evening, and Governor Sparks, his opponent, was the guest of honor. Mr. Nixon is a banker.

LIBERAL GOVERNMENT OF ONTARIO DEPARTED AFTER THIRTY-TWO YEARS. TORONTO, Ont., Jan. 25.—The Liberal government of G. W. Ross was overwhelmingly defeated at the polls today, the votes standing: Conservatives, 69; Liberals, 23—a majority of 46 seats. Premier Ross retained his seat by only 30 votes, while five of his Ministers, G. M. Gibson, Attorney-General, G. Latchford, Secretary of State, Mr. Eganville, Minister of Education, Mr. J. H. Dryden, Minister of Agriculture, and W. H. Charlton, Minister of Crown Lands, were defeated.

All of the cities except Ottawa went Conservative, the plurality for the opposition being taken up by Mr. J. P. Whitney, the new Premier, had nearly 1000 majority.

The defeat of the campaign was the charge of ballot-box stuffing, bribery, etc., made against the government, which had been in power for 32 years.

LA FOLLETTE IS SENATOR. MADISON, Wis., Jan. 25.—Governor Robert M. La Follette, was formally elected United States Senator today in joint legislative session.

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