

BIDE THEIR TIME

Railroads Are Not Forcing the Fighting.

GLASH MUST COME SOON

Amendments Prepared for the Commission Bill.

GOVERNOR'S POWER ABRIDGED

Other Changes Will Be Insisted Upon That Will Rouse the Radicals to Save Stringent Measures of the Proposed Law.

OLYMPIA, Wash., Feb. 15.—(Staff Correspondence.)—When ex-Governor McBride was spreading the railroad commission gospel from the stump two years ago he always alluded to the defunct Oregon Railroad Commission as a "poor, weak, nervous creature." The original commission men in this state were abundantly supplied with nerve and made most generous use of it in formulating a commission bill for Washington, but despite their efforts the trend of sentiment now promises to culminate in a commission answering McBride's description of that which flourished and faded in Oregon.

This bill, as previously explained, places the O. R. & N. Co. at a disadvantage, if the joint-rate provision is enforced in its present shape. The celebrated southeast combine is on much better terms with the O. R. & N. than are some of the other portions of the state with the roads by which they are served. Accordingly the Southeast will not permit the bill to go through in such shape that their road will suffer at the hands of the commission any more than the other roads.

Wariness of the Southeast.

The Southeast is inclined to be wary on this feature and it is also somewhat suspicious of the political possibilities of the measure. Despite their objections the members are anxious to live up to the pledges of their county platforms and will vote for the passage of some kind of a commission bill, if a safe one can be whipped into shape between now and the day of adjournment. Progress in this direction can hardly be termed rapid in view of what has been done thus far.

The railroad forces were given a hearing before the joint committee this evening, with W. W. Cotton appearing for the O. R. & N. and B. S. Grosscup for the Northern Pacific. Both pointed out the objections to the bill.

Mr. Cotton was the first speaker, and after a slight discussion of the inadvisability of placing such unlimited power in the hands of one man, he took up the matter of distributive rates, showing that under the powers granted by the commission it would be possible for the Seattle jobbers to kill Spokane's jobbing trade by simply reducing and equalizing the present high local rates from Seattle to Spokane territory. He insisted that the joint-rate proviso had been inserted in the bill without any demand having been made for it, and if enforced would have the effect of eliminating competition.

Power to Destroy and Make Cities.

Mr. Grosscup spoke on similar lines, dwelling in particular on the power of the commission to build up or tear down cities by simply changing the distributive rates. He refused to recognize the right of the state to take the management of the roads out of the hands of the owners. He contended that the demand for a commission should come from the shipper, and not from the politicians, who, he asserted, might in future years use the

commission as a vehicle for carrying out their political plans.

On behalf of the electric lines, which come under the commission bill's jurisdiction, George Donworth, of Seattle, appeared to enter a protest. He said that it would be impossible for the suburban electric lines running out into sparsely settled districts to conform to the rules which the commission would have power to make, and he asked that an amendment exempting electric lines be inserted.

Kenney Talks of Discrimination.

Mr. Kenney, of Whitman County, was the sole speaker in behalf of the commission forces. He insisted that the railroads had practiced discrimination in the matter of wheat rates in his county, and had also refused to grant satisfactory rates on lumber and pottery from Palouse cities. It was from the latter point that he thought the joint rate provision of the bill would prove the most effective.

There being no further speakers responding, the committee went into executive session shortly after 9 o'clock. As many of the members were busy on other committees, a motion to adjourn until tomorrow evening carried without objection.

The railroad men have not yet made much of a fight against the bill, and the proceedings this evening were more in the nature of a waiting game. The fight will begin in earnest as soon as the committee takes up the amendments which will be offered by the more liberal commission men and the favored railroad men. A number of these amendments had been prepared for submission at the executive session tonight and will be presented tomorrow evening.

Radicals Will Not Like Them.

These amendments, from all reports, will, if adopted, place an entirely different complexion on the railroad commission bill, and will hardly be accepted by the radicals without a hot fight. In fact, both sides are rapidly approaching the point where nothing but a fight can follow.

Among the radical changes which the railroad forces expect to make in the bill is an amendment to section 1, relieving the Governor of absolute power of removal, substituting in place thereof a provision that a commissioner may be removed from office in the manner provided by law for the impeachment of state officers. It is also provided that for good cause the Governor may suspend a commissioner when the Legislature is not in session.

Power of confirmation is placed with the Senate, and in case that body fails to confirm a commissioner appointed by the Governor, a vacancy shall be deemed to exist, and the Governor shall fill such vacancy by a new appointment, which shall also be submitted to the Senate at the same session for confirmation.

Substitute for Rate Section.

A substitute for section 2 provides: That all charges for carrying freight and passengers in this state shall be just, fair and reasonable, and the Railroad Commission of Washington is hereby vested with power and authority, upon complaint made by a person or corporation having a pecuniary interest therein, as hereinafter provided, after a full hearing, to make a ruling, declaring any excessive rate for transportation of persons or property to be unreasonable or unjustly discriminatory, and to declare and order what shall be a just and reasonable rate, and such order of the commission shall take effect and become operative within 60 days after notice thereof has been given to the railroad company or railroad companies affected by the rate.

Any railroad company affected by the order of the commission, and deeming it to be unreasonable or contrary to law, may institute proceedings in the Superior Court. Pending such hearing, the court in which such matter is pending, having jurisdiction thereof, shall, upon application, stay the order of the commission upon the giving of a good and sufficient bond to be approved by the court upon such terms and conditions as the court shall fix, and deem reasonable under the circumstances. Such proceedings in the Superior Court shall be instituted by a complaint in the nature of a complaint in other civil actions of a suitable character.

In case of an appeal to the Supreme Court, either Supreme Court or the Superior Court from which such appeal is taken shall fix the terms upon which a supersedeas shall be allowed, and upon giving such bond as the court shall require, the order of the commission shall be stayed until final adjudication and decree of the Supreme Court. Unless railroad companies affected by the order of the commission shall begin action within 90 days after the rendition of such order, such order shall go into effect. But the railroad company or companies affected may at any time file the action herein provided for to set aside the order of the commission.

Section Seven is Stricken Out.

All of section 7, conferring arbitrary rate-making powers on the commission, when complaint is made, is stricken out. To section 8, which places the burden of proof on a railroad company, an amendment will add.

By the term "burden of proof," as herein

used, it is intended to impose upon the railroad company appealing from the order of the railroad commission the affirmative of the issue, but it is not intended that such order of the commission shall take the place of evidence. It shall not be necessary in any such action for the railroad company affected by the order of the commission to show that such order will amount to confiscation of property, but it is to be shown that such order of the commission will deprive the railroad company thus affected of a fair and reasonable compensation for the services rendered, and such order of the commission shall be set aside.

All of section 12, which directs the commission to ascertain the amount of moneys invested in railroad property, the indebtedness, salary roll and similar information, is stricken out, also that part of the same section providing for a system of reports from the railroads to the commission, upon application of the commission at any time the board sees fit to require it.

Section 14 is amended by striking out the words "that no witness shall be entitled to fees or mileage from the State of Washington when summoned at the instance of the railroad or express companies."

Subdivision C of section 15 is amended by striking out the words "it shall also be unjust discrimination for any railroad company subject to the provisions of this act to charge or receive any greater compensation in the aggregate for the transportation of like kind of property or passengers for a shorter than for a longer distance over the same line."

Offered as a Substitute.

In lieu of this the following is recommended: It shall also be unjust discrimination for any railroad company subject to the provisions of this act to charge or receive any greater compensation in the aggregate for the transportation of passengers or property under substantially similar circumstances and conditions for a shorter than for a longer distance over the same line in the same direction; the shorter being included with the longer distance.

The substitute for section 4, which contains the joint-rate provision, reads: That the commission by this act appointed shall have power to regulate joint rates of lines under common control and management to the same extent and in the same manner that it is given authority to regulate the rates over the lines of a single company. Railroad companies shall be deemed to be under the same control and management if a majority of the stock of such companies is held and voted by the same persons or corporation. Some minor changes may be made in these amendments when they are presented, but they will retain enough of their present construction to effect a striking change in the bill if they are adopted.

Engineers Elect Officers.

OLYMPIA, Wash., Feb. 15.—(Special.)—The legislative board of the Brotherhood of Locomotive Engineers, which has been in session off and on in Olympia since January 12, yesterday adjourned to meet at the call of the chairman, after electing officers for the ensuing biennium. George O. Barnhart, of Starbuck, succeeded James Foster, of Tacoma, chairman, and R. F. Jones, of Ellensburg, was elected secretary and vice-president, succeeding H. A. Moore, of Tacoma. Members of the board for the ensuing biennium are: M. F. Kincaid, of Seattle; G. Spencer, Leavenworth; J. J. Jones, Hilliard; M. Vetter, Spokane; James Foster, Tacoma; R. F. Jones, Ellensburg; George O. Barnhart, Starbuck.

Mayor Cast Vote That Passes Ordinance—Fight Will Be Made.

FOREST GROVE, Or., Feb. 15.—(Special.)—The City Council last night passed an ordinance providing for the licensing of saloons at the rate of \$250 per annum. No time was lost in making the measure a law. It was brought before the Council for the first time last night, the rules of order were suspended and, after the required three readings, final action was taken. The vote by the Councilmen was 12 to the measure, and the deciding vote was cast in the affirmative by Mayor Johnson.

The new ordinance provides very stringent restrictions. It stipulates Sunday and 11 o'clock closing, and forbids slot machines or gambling of any kind. Any saloon established under it must contain but one room and must not advertise its business by any sign or placard. The ordinance allows the granting of a license within 15 days. One application has already been filed, and a building for saloon purposes is being erected.

It appears that a saloon will certainly be established—the first legal saloon ever opened in Forest Grove. Whether it will succeed in running or not remains to be seen. The faculty of Pacific University has declared emphatically that it will fight the saloon in the courts and attempt to gain title to any building where a saloon is operated on the forfeiture clause in the original deed to all city property.

CLERKS KEEP JOBS

Washington Senate Struggles but Removes No Heads.

KINNEAR MAKES SPECIAL PLEA

Public Printer Bill Appears in Both Houses—Christian's High Finance Measure Passes Lower House—Foreign Bank Bill Approved.

OLYMPIA, Wash., Feb. 15.—(Special.)—The state wrangled over the question of reducing the number of employees this afternoon and finally ended the controversy by making no change at all. Kinnear submitted the special committee report, in which it was recommended that the number of employees be reduced from 55 to 38, a reduction of 17 in number and \$7 per day in pay. A plea was made for the employees by Kennedy, who said that many discharged now, would appear to be incompetent. Kinnear said that the duty of the committee was an unpleasant one and that no employee had been dropped on the ground of incompetency. Vines said that he had never yet hired a man for a month and discharged him at the end of 15 days. O'Donnell moved the indefinite postponement of the report and the motion was adopted, 22 to 15. Boone then moved that a committee of three be appointed to designate 42 employees, allowing one for each Senator. After some discussion the motion was lost, 15 to 13.

A bill providing for the submission of a constitutional amendment which will require common carriers to issue passes to public officers was introduced by Stansell in the Senate.

The bill appropriating nearly \$1,000,000 for the state institutions as heretofore given was introduced.

The public printer bill with the joint printing committee named as author, was introduced in House and Senate. C. R. Payne, of Chinook, had already announced his candidacy for the position as public printer in the event the bill becomes a law, and apparently has the Senators behind him. The bill provides for the appointment of a public printer by the Governor and fixes a schedule of prices for state work.

The Governor's private secretary is required to sign all requisitions for printing and to approve all bills, and is to receive \$500 extra compensation per year for performing such duties.

This was Senate day in the House, and the House gave its approval to seven bills that had passed the upper branch. The most important of these was the Christian bill, which gives one corporation the right to acquire stock in another corporation. The bill has been referred to as a "high finance" measure and was met by some opposition on the second reading. It was approved, however, by a vote of 15 to 12.

The friends of the bill allege, however, that it is a measure to accomplish an end that the present law permits them to accomplish in a roundabout manner. When the bill was introduced, it was stated that there was no word of opposition spoken and the vote was recorded ayes 15, noes 11, absent and not voting 14. Fifteen house bills were also passed by the House.

The Vilas foreign bank bill, which had its teeth drawn on second reading, was then referred back to the committee and again made its appearance with the teeth back in, was passed without discussion. The bill permits foreign banks to do an exchange business, but prohibits their receiving deposits.

The deposit feature does not apply to banks existing prior to January, 1905, or to their successors or assigns when the transfer is made prior to the taking effect of the law. The amount of capital stock is regulated to correspond to the requirements of the National banking law and affects both old and new foreign banks.

McCoy's bill creating a public highway fund by levying on a state six or one-half mill on the assessed valuation was passed without opposition. The tax would raise about \$150,000 annually and the fund could be expended for highway construction and repairs.

A bill by Reid, embodying the Governor's recommendation relative to the enforcement of the payment of the state tax on liquor licenses, was passed. It requires that unless the State Treasurer's endorsement that the state's ten percent had been paid be on a liquor license, the license shall not be valid.

Dawes of King County presented in the House today a bill prepared by the large

packing companies of Seattle, which requires inspection of cattle, sheep and hogs that are slaughtered for the consumption of the cities of the first, second and third classes. The inspection duties are placed upon the state veterinarian and deputies, who are to receive compensation for the work in fees. Charles H. Frye, of the Frye-Braun Company, is actively lobbying for the bill.

The serious condition of Senator Vandevanter, who is ill of typhoid fever, caused the offering of a special prayer for his recovery by Rev. A. G. Sawin, temporary chaplain of the Senate.

The Stevens County judicial district bill, which was passed by the House this morning with an amendment leaving Ferry County in its present district, was immediately transmitted to the Senate and the Senate concurred in the amendment.

Senate bills passed prohibits the employment of a special praxer by County Commissioners, and declared abandonment of persons dependent upon one to be a misdemeanor.

The bill changing the official title of the Agricultural College to Washington State College was among the bills passed.

TACOMA FOOTS THE BILL.

Mayor Wright's Offer for Removal of the Capital.

OLYMPIA, Wash., Feb. 15.—(Special.)—The House judiciary committee, after listening to brief statements from persons not connected with the Legislature in regard to the capital removal bill, tonight adopted a motion to report the bill with a recommendation that it do pass and that it be made a special order in the House next Friday at 10 o'clock for passage. The vote on the recommendation was six to four. Those opposed will submit a minority report. As finally signed the report will stand seven to six for passage. The vote was taken in executive session.

In the open meeting preceding it Mayor George P. Wright of Tacoma offered in behalf of the City of Tacoma to present to the state Wright Park, in the heart of the city, for use as a Capitol site, in the event the bill passed and the people voted to move the seat of government. He further offered to provide immediate quarters for the Supreme Court and library, either on the third floor of the Pierce County Courthouse or on one floor of the City Hall, or in both if needed.

The Mayor also proposed that if the capital were moved the citizens of Tacoma should bear all the expense of moving the state's property and should construct a temporary Capitol in Wright Park to cost not less than \$50,000.

A strong plea for Olympia was made by A. J. Falkner. He said the Capitol buildings in Olympia had cost the state \$50,000. They were built by mortgaging the Capitol land grant. The Capitol land grant if now sold would bring \$1,000,000. He believed it doubtful if ever brought more than that amount, and he estimated that by the time the present Capitol became unavailable for further use the claims against the grant, together with interest, would reach fully \$1,000,000. Owing to the terms under which the land grant was made to the state for Capitol purposes, the state was acting only in trust for the Capitol fund.

It could no longer convey the present buildings to other uses, said Mr. Falkner, and it could appropriate for general purposes the permanent school fund. If the capital were removed the present building would have to remain in disuse, because no Legislature would ever pass out of the general fund the \$750,000 that would be required to purchase the buildings in order to use them for some other institution.


Representative Crandall spoke briefly in answer to Mr. Falkner. He insisted that the present building was a failure; that the state must have a Capitol, and he believed the state should embrace the opportunity offered by Tacoma of a free site and freedom from all expense in removing the capital and establishing it in comfortable and more convenient quarters.

The action of the committee preages the fate of the bill in the House. Unless the opponents of capital removal can secure a number of votes now reckoned in the other column, the bill will pass.

An effort was made to secure an expression of the views of the committee on Congressional districting tonight, on the advisability of dividing the state into districts under any plan. The meeting was a joint one, and was attended by only 13 of the 19 members. The vote resulted 7 against any method of districting and 6 in favor. The vote was secured at the solicitation of the members who favor districting the state. They were naturally not satisfied with the result, and still desired that the committee take up and discuss the Frost and Rands bills, providing different plans of dividing the state.

The committee finally adjourned until Monday evening, with the understanding that an effort would be made to get all the members of the two committees to attend. The friends of Congressional districting admit that there is little hope for the passage of a bill at this session.

The bill creating the County of Benton from a portion of Yakima and Klickitat counties was adopted by a favorable tonight by the joint committee on counties and county boundaries. The Hughes bill, dividing Douglas County and creating the County of Adams from the eastern portion, was discussed, and several farmers



Always at the foot of the class

Do not blame the boy for being dull and stupid. You are the stupid one! Stupid because you never thought about his liver. There is where all his trouble lies. A sluggish liver makes a sluggish mind. A boy cannot study when his blood is full of bile!

Ayer's Pills act directly on the liver. They are all vegetable, sugar-coated. Dose, just one pill at bedtime. Sold for 60 years. Always keep a box of these pills in the house.

Made by the J. C. Ayer Co., Lowell, Mass.

AYER'S HAIR VIGOR—For the hair. AYER'S CHERRY PECTORAL—For coughs. AYER'S SASSAPARILLA—For the blood. AYER'S AGUE CURE—For malaria and ague.

from Douglas County appeared for and against the bill. There was so great a divergence of opinion among the people of the county indicated from the remarks of those present that the committee decided to postpone further consideration until the people affected could agree upon what they wanted.

Weak Defense of Adolph Weber. AUBURN, Cal., Feb. 15.—The opening statement for the defense in the case of Adolph Weber, accused of having murdered father, mother, sister and brother, has proved one of the greatest sensations of this sensational case. Grove L. Johnson, the resourceful and experienced counsel who is defending Weber, shows practically that he has no case.

In his statement Johnson promised that by the telephone operatives of Auburn he would show that there was life in the Weber home even after the defendant is admitted by the prosecution to have left it. He said he would show that the Weber line was out of service, presumably through the removal of the phone, by Mrs. Weber, the time she was shot in the arm pit. He would show that the revolver found in the Weber barn had been "planted" there by the prosecution. He would impeach the testimony of George Ruth, Henry Carr and the other most important witnesses.

So far he has failed to prove any point he has outlined.

BOND PRONOUNCED MURDERER

Jury Finds Him Guilty of Killing Charles Daly at Boise.

BOISE, Idaho, Feb. 15.—The jury tonight returned a verdict of murder in the first degree against "Fred" Bond for the murder of Charles Daly in this city on October 6 last. The murder was peculiarly atrocious. Bond was a boarder at the house of his victim and appears to have been the paragon of the latter's young wife.

Daly was shot and struck with a

hatchet. Mrs. Daly at first represented that she killed her husband, but it developed that she was coaxed by Bond to tell that story. She is held as an accomplice and was the principal witness against Bond.

Salmon Brought From Sitka.

ASTORIA, Or., Feb. 15.—(Special.)—The steamer Harrison, which arrived in last evening from Sitka, brought 234 cases of salmon for Elmore & Co.



A rose by any other name would smell as sweet, but the cocoa preparations of other makers can't compare with Ghirardelli's Ground Chocolate. The real reason of Ghirardelli's superiority is that it combines the richest nutriment with the rarest flavor.

More convenient and economical than cake chocolate.

CASTORIA

The Kind You Have Always Bought, and which has been in use for over 30 years, has borne the signature of *Charles H. Fletcher* and has become made under his personal supervision since its infancy. Allow no one to deceive you in this. All Counterfeits, Imitations and "Just-as-good" are but Experiments that trifle with and endanger the health of Infants and Children—Experience against Experiment.

What is CASTORIA

Castoria is a harmless substitute for Castor Oil, Paregoric, Drops and Soothing Syrups. It is Pleasant. It contains neither Opium, Morphine nor other Narcotic substance. Its age is its guarantee. It destroys Worms and allays Feverishness. It cures Diarrhoea and Wind Colic. It relieves Teething Troubles, cures Constipation and Flatulency. It assimilates the Food, regulates the Stomach and Bowels, giving healthy and natural sleep. The Children's Panacea—The Mother's Friend.

GENUINE CASTORIA ALWAYS

Bears the Signature of *Charles H. Fletcher*

The Kind You Have Always Bought

In Use For Over 30 Years.

THE CENTAUR COMPANY, 31 BURNING STREET, NEW YORK CITY.

Twenty Years of Success

In the treatment of chronic diseases, such as liver, kidney and stomach disorders, constipation, diarrhoea, dropsical swellings, Bright's disease, etc.

Kidney and Urinary

Complaints, painful, difficult, too frequent, milky or bloody urine, unnatural discharges speedily cured.

Diseases of the Rectum

Such as piles, fistula, fissure, ulceration, mucous and bloody discharges, cured without the knife, pain or confinement.

Diseases of Men

Liver complaint, general weakness, unnatural losses, impotency thoroughly cured. No failure. Cure guaranteed.

YOUNG MEN troubled with night emissions, dreams, exhausting drains, bashfulness, aversion to society, which deprive you of your manhood, ENJOY YOUR BUSINESS OR MARRIAGE.

MIDDLE-AGED MEN, who from excesses and strains have lost their BLOOD AND SKIN DISEASES, Syphilis, Gonorrhoea, painful, bloody urine, Gleet, Stricture, Enlarged Prostate, Sexual Debility, Varicocele, Hydrocele, Kidney and Liver troubles cured without RECTITRY OR OTHER PAINFUL DRUGS. Catarrh and rheumatism CURED.

Dr. Walker's methods are regular and scientific. He uses no patent nostrum or ready-made preparations, but cures the disease by thorough medical treatment. His New Pamphlet on Private Diseases sent free to all men who describe their trouble. PATIENTS cured at home. Terms reasonable. All letters answered in plain envelopes. Consultation free and sacredly confidential. Call on or address

DR. WALKER, 181 First Street, Corner Yamhill, Portland, Or

THE DISTURBING RAILROAD QUESTION TAKES THE TIME OF OLYMPIA LEGISLATORS

