# WITH ENTHUSIASM

Republican Demonstration Held at Corvallis.

WITHYCOMBE CHIEF SPEAKER

Candidate for Governor Is Cheered by Great Crowd.

SPEECH ROUSES AUDITORS

Other State Candidates Speak for the Entire Ticket and Urge That an Unprecedented Majority Be Given Choice of Party.

#### WITHYCOMBE'S PLATFORM.

Taxation of franchises and gross carnings tax on telegraph, telephone express and sleeping car corporations.

State regulation and examination o private banks, trust companies and eavings bunks. Protection of the state in its own-

ership of public lands.

A Board of Central for state in-

One board for management of nor-

Improvement of the Columbia and Willamette Bivers and Coast seaports. National ownership of the Oregon

Constitutional amendment permitting the Governor or people to veto individual items of appropriation. An honest and fearless performance

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CORVALLIS, Or., May 8.-(Special.) The Republican state campaign was opened here tonight in an enthusiastic meeting addressed by James Withycombe, candidate for November, F. W. Mulkey, learned of the fartility of our soil, the candidate for November, and mines the fartility of our soil, the candidate for November, and mines the fartility of our soil, the candidate for November, and mines the fartility of our soil, the candidate for November, and the candidate for November, and the candidate for November, and the candidate for November and the candidate for

Cherm Ser in Secretary of State, within the and O. P. Hoff, Labor Commissioner, The meeting was one of the largest political

address was made by the state chairman. graph, telephone, express and sleeping-co The keynote of all the speeches was that

Dr. Withycombe was welcomed by a standing audience, and three cheers for the Gubernatorial candidate and the whole ticket. He spoke for 40 minutes, and was frequently and warmly ap plauded. His announcement that he felt that he owed his nomination to the influence exerted by the young men of the Oregon Agricultural College throughout state, which influence he had met everywhere was greeted with a hearty and enthusiastic demonstration

The opera-house was beautifully decorated for the occasion, with flags and nting draped and festeoned in every part of the building. The meeting was heralded by the firing of anvils and the music by the Cadet Regiment Band of the A male quartet, composed of Messrs, Johnson, Allen, Cathey and Fulton, gave numerous vocal selections.

## Some Could Not Come.

Telegrams of regret were read from W. C. Hawley, George Steel and Willis Duniway. State Superintendent Ackerman was Others on the rostrum were Judge Eakin. George W. Wright, candidate for Senator in Linn; F. J. Miller, candidate for joint Senator from Linn and Marion; J. S. Van Winkle, of Albany; S. A. Dawson, H. H. Hewitt, J. A. Wilson, James Elkins, Grant Frohman, all of Albany; Editor Hofer, of Salem: George A. Waggoner and S. L. Kline, of Corvallis, besides many

A special train brought a big delegation from Independence, and the evening local brought another enthusiastic crowd from Albany and East Side points. Almost represented by delegations.

#### Address by Candidate Withycombe. Mr. Withycombe, the principal speaker of the evening, expressed his sentiments

which they have given me, and especially do.

thank them for the manly and dignified thank them for the manly and dignined namer in which their campaigns were connected prior to the primaries.

I want to take this opportunity to thank learning the friends who so lovally supported as and to whose support I am indebted for my nemination. No man ever had more loyal or generous support at the hands of his riends, and no successful candidate ever appreciated the support more chan I do. My outlination be the more gratifying to me because it comes not from ring or caucius, but

Favors Direct Primary Law.

The direct primary law has come to stay, and it dught to stay. It imposes burdens upon the candidates greater than those of the convention system, but it also lodges political power with the voters, where it rightfully belongs. I believe the law will be increasingly popular with the people, and, while some changes in detail may prove to be desirable in the light of experience, the plan of nominating public officers by direct vote of the people must not be disturbed.

It is may paramount desire to prove worthy

The people must not be disturbed. It is my paramount desire to prove worth a candidate of the trust imposed in med, if elected to justify the confidence of people who have supported me. For a are Oregon has been my home. It is will roundnie pride I refer to the fact that me to this state when a boy. My manhood a been spent with the people of Oregon. I leve that I know them and appreciate ir needs. I yield to no man in totalty to State of Oregon and in my faith in interest.

It is my desire that the campaign which it am to conduct with my Democratic opporent shall be a dignified campaign, free from personal abuse. I have no disposition to indulge in epithats. I do claim that the 
second of the Republican party in the past is the pledge of its usefulness in the present, believe that its principles make for the 
welfare of the people and that at this time 
the indorsement of these principles is more 
important than any question of preference 
between men.

Dutles of a Public Office.

It is proper, however, that I should say but no man has higher ideals than I a what a public official should be. He should be fourless in the performance of his duries e anotic be amening to reason, but we are now he is right he should not be afraid of niclam. He should, moreover, he a man of can life, on example to others, one to whom he people may look with pride, both in his pacity as a private citizen and in his record a public official. He should take the people into his confidence.

The government is the government of the

They are entitled to know what the copie. They are critical to know what their ublic officials are doing and it should be the im of the executive branch of the government honestly and impartially to enforce the way which the people have made.

This is a critical time for the Republican arty of Oregon. Although the state is Republican by a vote of more than two to one, when of our investigate of files are filled by

publican by a vote of more than two to one, many of our important offices are filled by members of the opposing party. If the Republican organization is to be maintained in Organ and if Republican policies are to be supported. Remublicans must vote the Republican tloket. I believe the Republican party has a great mission yet to perform for the country in general and for the State of Oregon in particular. If elected, it shall be my afm to heal the wounds inflicted by 10 years of factional sirfic and to do all in my power to arreighben the party organization, with a view to its increased efficiency in the public service.

Capital Is Seeking Investment

chards. Capital is seeking investment within the state for the development of our varied resources and the improvement of our inesse of communication. Our public officers should be full of the spirit of assemblages that has gathered in this town since the big demonstrations of the 1856 Presidential campaign. In spite of extra seating capacity provided, standing room was at a premium in the operations of the people, and all of these people of the state and its public officials. Besides the speeches, a letter from Jonathan Bourne, Jr., was read by Chairman Westgate, and a brief introductry man Westgate, and a brief introductry Republicans should support the ticket from top to bottom and be enthusiastic in carrying Oregon by an unprecedented majority, for the effect the result would have in the way of approval of President Roosevelt's policies. All the speeches were punctuated with applause.

All Rise and Cheer.

Dr. Withycombe was welcomed by a prisition, an housest and fearless performs amounted in its ownership of public lands; a board of management of normal schools; improve ment of the Columbia and Williamette Rivers and coast scappers; National ownership of the Oregon City locks; constitutions amendment permitting the Governor of property of the oregon in the oregon of the state in its ownership of public lands; a board of management of normal schools; improve ment of the Columbia and Williamette Rivers and coast scappers; National ownership of public lands; a board of management of normal schools; improve ment of the Columbia and Williamette Rivers and coast scappers; National ownership of public lands; a board of management of normal schools; improve ment of the Columbia and Williamette Rivers and coast scappers; National ownership of public lands; a board of management of normal schools; improve ment of the Columbia and Williamette Rivers and coast scappers; National ownership of public lands; a board of management of normal schools; improve ment of the Columbia and Williamette Rivers and coast scappers; National ownership of public lands; a board of the scappers of the scappe priation; an honest and fearless perform

June these pledges shall be inviolably kept. Taxation Not Equally Distributed. A question of vital importance to people of Oregon at the present time is question of taxation. There is a winespread feeling, in which I concur, that the bur-dens of taxation in this state have in the past been inequitably distributed. The sup-port of the government in all its various branches has falless for the most part on

branches has fallen for the most part of the owners of real estate.

I believe that the policy of our laws should be to increase the revenues of the state from indirect taxation and the taxa-tion of intangible properties, to the end that real estate may ultimately be free from taxation for state purposes. This re-suit has been reached in some of the com-monwealths of the Union and the time will come when a similar result can be reached

in Oregon.
I believe in the taxation of franchises. franchise is property in just as real a sense as a farm. There are franchises in the as a farm. There are franchises in the State of Oregon which are more productive than any hundred farms. I know of no reason why a farm should be taxed and a franchise should escape taxation. I am opposed to the granting of perpetual fran-chises and favor a general law depriving municipalities of the power to grant franchises for more than a stated period of

years.

There is a widespread belief that franchises in the past have been secured by debauching City Councils and paying to the grafter compensation which rightfully be-longs to the people. I believe that with every franchise there should be a condition requiring the owner of the franchise to pay to the public a proportionate part of the earnings from year to year, by way of com-pensation for the special privileges granted.

Revocation of Franchises. Where a franchise has been unfairly se-ured from the people or where it has been improvillently granted the people should re-possess themselves of such franchise by the

exercise of eminent dismain, if necessary.

In this connection I will say that I believe every perpetual franchise is improvidently granted for the reason that the conditions of today are not the conditions of I cannot say that the nomination for Governor has come to me unsought. I have been obliged to ask for the nomination at the hands of my fellow-citizens in all parts of the books of the state and it has come to me after a vigorous and aggressive campaign maged by other apprants. Had any one of the other candidates been successful in the recent primaries he would have been entitled to and would have been entitled to and would have received my cordial support and I have necessary to the proble as and unbusinessific mere who were pitted against me in the recent of the public therein should be expected by adequate laws. I believe assurances of support from all of the gentlemen who were pitted against me in the recent problems. imary campaign.

My thanks are due to ca-Governor T. T. ambiect only to the right of capital to be subject only to the right of capital to be fully compensated for its investment. I are the loyalty to me and the Republican party in the assurances that they have store in the session of the regard for vosted interests, our laws the these have store in the session of the regard for vosted interests.

(Concluded on Page 5.)

Big Ohio Man for President and Roosevelt Secretary of State.

PROGRAMME HAS DEFECTS

Politicians Say Next Republican Convention is All Mapped Out, but Third-Term Talk and Other Things May Interfere.

OREGONIAN NEWS BUREAU, Washngton, May 8 .- According to some politicians in Washington, the work of the next Republican National convention is all mapped out; the result of the next election is known and some other interesting details about the organization of the new administration are already agreed upon Of course, all such talk is pure fiction, but it is interesting and reflects the sentiments of the men who give currency to such ideas.

The story which started in Washington is to the effect that Secretary Taft will be the next Republican nominee for Pres ident, Roosevelt not desiring a third term. Of course, the plan is to elect Taft, and he, in turn, will appoint Roosevelt his Secretary of State. No mention is made of the fate in store for Secretary Root, but it is assumed he is to return to his private practice in New York.

Third-Term Talk Continues.

To begin with, it is by no means certain that Roosevelt will not succeed himself in the White House, Very frequently there is talk about a third term, and many en thusiasts of both political parties advocate his renomination-the Republicans because they like him; the Democrats be cause they have no man they can agree upon. With this third-term question ye to be settled, it cannot be said positively that Taft will be the nominee, for, although the President has declared time and again that he will not be a candidate there is a possibility that he may be forced to accept another nomination.

Others Besides Taft.

Then as to Taft. With Roosevelt out of the way, he would not have clear sailing. At the present time Fairbanks could probably command more support than Taft, notwithstanding Taft is the bigger and the stronger man. Aside from Fairbanks, there are such men as Shaw, Spoone Cannon and Root, all with ambitions as all with their circle of admirers, "Uncle Joe" Cannon is an immensely popular man, though handicapped by his age. He says he would rather be Speaker than President, but he wouldn't and, if he

The Weather, TESTERDAY'S—Maximum temperature SS deg.; minimum, 52. Precipitation, none, TODAY'S—Fair, probably slightly cooler. Northwesterly winds.

Carloads of relief supplies looted by toughs. riving ablebodled men from bread lines. consever asks Congress for another \$590,000 for relief. Page 4. Relief committee welcomes foreign sub-scriptions. Page 4. Measures taken to protect property from fereclosure of mortgage. Page 4.

National, Republican Senators finally agree on limited court review of rates. Page 1. Senate debates railroad control of cos-mines and gets in tangle. Page 3. Shonts reports progress on Panama Cana. Page 2.

Foreign. Elaborate measures to protect Char at open ing of Parliament. Page 5.

Mon in full control of Guadeloupe. Page 3. Import statistics show Chinese boycoit wan-ing. Page 2. Folkies.

Talk of Taft for President with Roosevelt as his Secretary of State. Page 1.

Domestic.

Three more (shkosh men arrested for land fraud. Page L. Lawyers argue case of George W. Perkins Page 5. Page 5.

Mrs. Joseph Jefferson and children quarrel over dend actors estate. Page 3.

Telegraphers' Union discusses life insurance company for labor union men. Page 3.

Anthracitic miners accept agreement with operators. Page 3.

Fish and Game Association recomm license fee of one dollar a year for mission to flah for treut. Page 11. Beavers shut out the Beats. Page 11. Multnoman tlub favors clean sports. Page 11. Slosson loses game in hilliard tournament, with Schaefer. Page 11.

Pacific Coast. James Withycombe, Republican candidate for Governor of Oregon, opens campaign at Chryalia. Page 1.

Slayer of Creffield is instified by prominent Seattle pager. Page 6.

Warden Van Dusen reports on salmon fishing and hatcheries. Page 8. ake River road is to be extended to Lewiston. Page 6.

Commercial and Marine. Hops offered by local speculators. Page 13. Hoston wool market dull. Page 15. Reports of from stimulate wheat at Chi-cago. Page 15.

Five large steamers coming from Europe with coment. Page 14 Portland and Vicinity.

Senator Rands admits that Columbia Valley into is Harriman project. Page I. Arleta and neighboring districts cannot be numered to Portland at June election. Page 14.

Zanggerated stories about earthquake injure.
Scuthern Oregon. Page 14.

Republicans feel sure of success. Page 10. fferers from San Francisco disaster need aid for months yet. Page 10.

Presidential nomination and surrender his hold on the Speakership. Secretary Shaw is a ciever politician and he has not let the grass grow under his feet. He is going to retire from the Cabinet within the next year or two and devote his entire time to promoting his Presidential boom. Spooner is in the running, but has taken no active steps to secure the nomination. Root Ablest of All.

When all is said and done, it canno be denied that Boot is far and away the Roosevelt Policy Will Be Supablest man now mentioned as a successor to Roosevelt. He even ranks Taft in point of ability. His opponents say he has been too much of a corporation man to be a popular candidate for President, but Root is not a man who would carry his private law practice into the Presidency, and as Chief Executive he would be just as fair as he has been as Secretary of War and as Secretary of State. The trouble with Root lies not in the fact that he has been a corporation lawyer, but in the fact that he is a cool sort of man who makes friends slowly. He is not what would be termed a "johy good fellow," but he is one of the ablest men the country ever produced and would make one of the very

Taft Would Make Blunders.

Taft is more like McKinley; a Taft adsinistration would be an administration of the politicians. Taft would be popular the people would like him; he would nosts of friends, and all that, but he would make blunders, as he has in the War Department. It was Taft who advocated the purchase of supplies for the Panama Canal in foreign markets rather than in the United States, because they could be bought cheaper abroad than at home. That was like Taft; it was frank and showed his good business sense, but did not comport with the Republican doctrine of protection of home industries This was only one of Taft's "breaks" there have been others, and there would be still more if he became President.

At best, it can be said that Taft has good chance of securing the Presidential omination, unless he in the meantime accepts a Judgeship on the Supreme In that event, he would be out of the running

No Second Fiddle for Roosevelt.

But what of Roosevelt? Would be be ontent to settle down into a Cabinet offier's chair after retiring from the White House? Would be make a good Secretary of State? Probably not. The President impulsive, and an impulsive man does ot make a good diplomat. But it is very doubtful if Theodore Roosevelt would want any Cabinet office after serving two terms as President. It is more likely he would prefer to go to the Senate. There e would be a central figure; he would wield a great influence, and would remain in the limelight. Of course, it has been said he would become president of Har vard University, would accept this, that and the other position, but nobody knows what he intends to do, and talk about his future is one purely speculation as in the talk about Teft's having a cinch on the Presidential nomination. Nevertheless, is all very interesting.

ANOTHER BAG AMONG OSKOSH LUMBERMEN FOR FRAUD.

CONTENTS TODAY'S PAPER Accused of Conspiracy With Parker, of Ashland, to Obtain Land in Lakeview District.

> OSHKOSH, Wis., May 8 .- (Special.)-Three more Wisconsin lumbermen have een served with warrants charging them frauds, the warrants being issued on inlictments formulated by a Federal grand now under arrest as the result of Federal capiases issued at Portland. The Shawn men were expecting the indictments, and accepted service through their attorney, M. J. Wallrich, who furnished ball for their appearance with the Oshkosh men before Federal Court Commissioner Mc-Donald in this city Friday.

In the indictment it is charged that the Blacks and Anderson conspired with Sum ner A. Parker, of Ashland, Or., to obtain land by means of proving up on false statements of alleged settlers in the Lake-view district, and that these lands were obtained for the Oshkosh Land & Lumbe Company, of which the Oshkosh defend-ants were members.

## UNION PACIFIC IS GAINING

Increase in Net Earnings for March and Nine Months.

ı	BOSTON, Mass., May 50	Special 1-
	Union Pacific reports today Mar- tions as follows:	
	Expenses and toxes	5,106,91; 2,000,92
	Not Increase in gross earnings over	2,190,98
	March, 1984	
	Increase in net excitings	43,22
3	Gross earnings for nine months	
	Expenses and taxes.	27, 171, 62
	Net earnings	23,595,90
	Increase in gross earnings over	
	corresponding period last year	6,160,85
j	Increase in net earnings	2,000,29

#### QUIET, ORDERLY LYNCHING Negro Hanged in Mississippi for At-

tack on Constable.

JACKSON. Miss. May 8.—(Special.)—A negro named Sam Sims, who attempted to assassinate Constable Lamar Hendricks, near his home, six miles north of Clinton, last night and succeeded in shooting the officer's horse from under him, was caught this afternoon and lynched by a mob of farmers. The affair was quietly conducted. Sims was in the custory of Hendricks when the mob overpowered the officer, tied him tight and fast, then hanged the

negro to a nearby tree. Deaths in Election Riot, SARTENA. Russin, May 8.—Two men were killed and two wounded in the course of an election dispute today.

# LIMITED REVIEW OF RATE ORDERS

ported by Senate Majority.

#### **FULTON EXPLAINS PROVISO**

Great Difference Between Broad Court Review Proposed by Knox and Limited Review Provided by Allison.

OREGONIAN NEWS BUREAU, Washington, May 8 .- The Hepburn ratiroad-rate bill is expected to pass the Senate with the revised Allison amendment presented to the Senate today. Probably all other amendments rtance will be voted down. The Republicans of the Senate are prac tically unanimous in indorsing the Allison amendment, which foreshadows the passage of the bill by a party vote, unless some Democrats change their position and fall into line.

There is a vast difference of opinion as to the true significance of the Alli-son amendment, some interpreting is to provide for broad court review, and others, like the President, maintaining that it does not enlarge the scope of the House bill in the matter of court review. Senator Fulton is one of the latter, and will make a speech in a few days outlining his position. Explaining the Allison amendment, an important feature of which he himself drew, Fulton today said;

Does Not Allow Broad Review.

"The contention that the Allison imendment provides for a broad judi cial review of orders of the Commisor in any degree enlarges the right of review contemplated in the provisions of the bill as it came from the House, is utterly untenable. the bill passed the House, it contained the following provision: "The venue of suits brought in Cir

cuit Courts to enjoin, set aside, annul or suspend any order or requirement of the Commission shall be in the district where the carrier against whom such order or requirement may have been made has its principal office.

"It must be apparent to anyone read-ing that provision that the bill recognized the fact that such suits would and properly might be brought to test the validity of orders of the Commis sion. It might be contended that a given order was in violation of the Constitution, as for instance, that the rate fixed was so low as to deprive the carrier of its property without just compensation, or it might be contended that in prescribing a certain rate or regulation the Commission had exceed ed its authority granted by Congress. Only Recognizes Existent Rights.

"Either of these questions everybody concedes the carrier would have a right to have tested in court and could not be deprived of such right, therefore the bill provided for the venue of a suit instituted to enjoin, set aside, annul or suspend as order or requirement of the commission with complicity in Oregon timber-land It did not specifically provide that the commission might be made a party to any such suit, nor did it specincally state that jury sitting in Portland during April. The | the courts would have jurisdiction to bear last men to be served were Joseph Black, and determine such suits. Both conten John C. Black and August Anderson, all tions always seemed absurd to me, and I of Shawno. Eight Wisconsin men are did not at all believe that either conten tion was sound. It did seem to me, however, and I said in the course of the dis cussion that I had no objection to insert ing a provision specifically providing that the commission might be made a party to any such sult. Nor did I se any object tion to specifically stating that the courts should have jurisdiction to hear and de termine auch sults.

"As stated, I have no doubt but that such suits might be maintained without any provision therefor being made, be cause it is the constitutional right of every person affected by an order of such a body as the commission to have th validity of such order judicially determined. I therefore suggested, and the suggestion was finally adopted in the shape of the Allison amendment, that after the words 'United States' in the provision above quoted from the origina oill, the words 'against the commission be inserted, and that there be added to the provision the words jurisdiction to hear and determine such suits is hereby vested in such ccourts."

What Broad Review Means. "It is now contended that the amend-

ment operates to give broad and unlimited judicial review of all orders of the commission. The contention is without foundation. It will be observed that the difference between this provision as proposed today and the provision in the Knox bill is manifest. The Knox bill, which is practically the same as several so-called broad review bills, provides that 'any carrier, person or corporation party o proceedings affected by a decision of the commission as to rate or practice covered by a complaint, or by its orde rescribing a different rate or practice and alleging either or both to be a viola tion of its or his rights, may institute proceedings against the complainant and the Circuit Court in any state or district in which any portion of the line of the carrier or carriers that were parties to the complaint may be located, as a court of equity to have such questions deter-

"Under such provision, it is clear that every order and requirement of the commission would be subject to judicial review, for it is specifically so provided, and therefore the discretion exercised by the Commission would be to the country.

a subject of review and the court would undoubtedly be authorized to inquire into every such order and derequirement or rate was reasonable,

"But the provision in the House bill, as proposed to be amended by the Allison amendment, fixes the venue for the trial of cases which shall be instituted to annul an order of the Commission and gives the courts jurisdiction to hear and determine such suits, but does not provide waat suits may be instituted or prosecuted, or on what ground suit may be instituted, and, therefore, orders of the Commission can be attacked only on the ground that they are either in violation of the Constitution or in excess of the authority granted the Commission, and the exer cise of discretion by the Commission and its determination as to whether or not a given order or rate is reasonable cannot be disturbed unless it can be shown that it is in violation of the Constitution or in excess of the auclusively determined by the judgment of the Commission, and the judgment of the court cannot be substituted for that of the Commission.

#### Commission Has Discretion.

"This is on the well known and universally accepted rule of statutory construction that, when a legislative body mmits to a commission or board such as the proposed Interstate Commerce Commission authority to do certain things and to exercise its discretion in discharging such duty, the courts will not review the exercise of that discretion unless the statute directly author izes them so to do. That this statute will not authorize the review of any order is manifest. It simply recognizes the fact that saits may be instituted attacking the order and it provides in what court such suits shall be tried. But it does not authorize every, or in deed may, order to be reviewed, and hence any such suit must be based on a simple constitutional objection to the order or on the ground that it is a violation of the authority granted by Congress.

#### ALLISON AGREEMENT CLOSED Amendments Laid Before the Senate

Cover Court Review Question. WASHINGTON, May 8.—Senator Cul-lom today presented the Allison amendments to the railroad rate bill. The reading of the amendments, on which Senate leaders are agreed, was listened to with great interest and at

its conclusion the amendments were hurried to the Printing Office with in-structions to have them printed and returned to the Senate today. The first amendment, after striking out the words, "fairly remunerative," in section 4 of the bill, provides for the insertion after the word "pre-scribed," of the following:

scribed," of the following:

All orders of the commission except orders for the payment of money shall take effect within such reasonable time and will continue in force for such period of time, not exceeding two years, as shall be prescribed in the order of the commission.

In the same section the provision specifying when orders of the Commission shall take effect, is stricken out.

Then comes in the original Allison amendment, providing for the bring-ing of suits against the Commission, and after the word "office," is to be

inserted the following: And if the order of requirement has been made against two or more carriers in the district where any one of said carriers has an office, and the carrier has its principal operating office in the District of Columbia. review shall be in the district where and carrier has its principal office, and juris-diction to hear and determine such suits is hereby vested in such courts.

In this same section, after the word "suits," is to be inserted, "including the hearing of an application for a preliminary injunction." A "causes" is to be added: After the word

Provided, that no injunction or inter-ory decree suspending or restraining the tory decree suspending or restraining the en-forcement of an order of the commission shall be granted except on a hearing, after not less than seven days notice to the com-mission. An appeal may be taken from any interfocutory decree granting or continuing an injunction in any sult, but shall lee only to the Supreme Court of the United States. Provided further, that the appeal must be taken within 30 days of the entry of such order or decree and shall take precedence in the appellate court over all other causes ex-cept causes of like character and orimins

The amendment further provides for striking out the last sentence of section 6, which reads as follows: Whenever an order of the commission, m in pursuance of section 15 as amended, of than an order for the payment of mo-shall have been committed with for the pea-ting the pears, such order shall not the after be in force as against the carrier

omplying therewith. These amendments are the result of last night's conference between leaders of the contending factions. A memorandum was prepared and ex-changed to avoid all further misunder-standing, as follows:

First.—The words "fairly remunerative," section 4 of the bill, to be stricken out. Second.—The words "in its judgment," the same section, are to be retained. Third.—Jurisdiction is vested in the Unit States Circuit Courts to bear and determinently augine angines the compliance. suits against the commission.

junction or interlocutory decree is to be heard by three Judges.

Sixth—A direct appeal from the intory order of decree to its only to preme Court of the United States.

## JOINT CANDIDATE ELECTED

se Wins on Prohibition Issue, Get ting Many Women's Votes.

KANSAS CITY, Mo., May 8.—(Special.)

—W. W. Rose, who was ousted from the office of Mayor of Kansas City, Kan., by the Kansas Supreme Court for not en-forcing the prohibitory law, was re-elected Mayor today at a special election by a large majority. His opponent declared that, if elected, he would close the 189

Rose was fought by the Civic League and besides had to overcome a large nor-mal Republican majority. Of the 4300 votes cast by the women, more than 3000

# Nobles Demand Dictatorship.

MOSCOW, May 8 .- The congress of reactionary nobles today adopted an address to Emperor Nicholas, demanding the introduction of a military distatorship to put a stop to ansychisticattempts and to restore tranquility

# RANDS COMES OUT INTO OPEN

Admits Columbia Valley Is Harriman Railway Project.

#### FIGHT FOR NORTH BANK

Hill Line Submits Its Testimony in the Struggle for Control of Right of Way Along Columbia River.

A railroad company on trial for its corporate life, for the right to exist and enjoy the privileges in the State of Washington of a railway company, is practically what the suit begun yesterday at Vancouver by the Portland & Seattle Rallway Company to condemn rights of way across lands belonging to the Columbia Valley Railroad Company, amounts to. Of doubtful parentage, the defendant corporation is laporing under the handicap of repeated aspersions cast upon its purposes, but In the suit now being tried, the Columbia Valley has got to "make good." To defend its rights of way against the condemnation suits of the Hill road, the Harriman line will have to establish its good faith beyond question and give up forever its bushwhacking, fillbustering tactics along the north bank of the Columbia River. Counsel for the road claims its readiness to do this and began its case yesterday.

#### Harriman Its Sponsor.

If anyone has formerly had a doubt of the interests which brought the Columbia Valley into being, that doubt was dispelled by the testimony yesterday, Senator Rands, secretary, treas-urer and trustee of the Columbia Valley Rallroad Company, gave the sponsors of the company and the men who now manipulate it. He told this unreservedly on the witness stand and his statements indicate that it is an authorized branch of the great Harriman system with ample funds back of it, and with hundreds of men already at work on the digging of grades and the blasting of tunnels. That the showing being made by the Harriman interests on the north bank is a strong one is admitted and counsel for the road state that the line will surely be built if the court allows the road its rights. Chief Enginear P. L. Wise says the Harriman road is spending \$1000 a day for construc-

## History of Rallway.

It seems to be true that when the Columbia Valley was first located along the river from Wallula to Vancouver in 1899, the Harriman backers expected to build a line of railroad there at once. At one time it was given out that work weeks from a given date. Then followed the Northern Securities merger and the unholy pact between the railas a farmer would send his flocks to pasture. Railroads were not built any more in this territory for years and the Columbia Valley shared the fate of all rail projects. Later with the breakup of the former agreements, the Hill interests occupied the route down the siver on the north bank. With the announcements of another Hill road into Portland came the resuscitation of the Columbia Valley through the Wallula Pacific, whose organization guarded the rights of the old road down the river. It is asserted that the forming of this company spurred the Portland & Seattle to use all the speed possible and hastened the construction of the Hill

#### line by at least two years. Senator Rands' Testimony.

Testimony of Senator E. M. Rands. who was the star witness at yesterday's hearing, showed that the first definite resolution to build the line originally laid out by the Columbia Valley in 1899 was passed at a meeting of the directors of the company in President L. Gerlinger's office on April 14, 1906. At the session President Gerlinger, who is also general manager of the road, was authorized to let contracts immediately for the construction of the road and do all things necessary

for the speedy completion of the work. Stock of the Columbia Valley Railroad is held by Fred G. Reighley and J. P. Boyle, partners with E. H. Harriman in his brokerage business on Wall street. The stock was originally sub soribed by H. F. Conner, then an at-

torney in W. W. Cotton's office. Senator Rands holds one share of stock, he testified, which was transferred to him when he became secretary

## of the company in February, 1909. He paid nothing for the stock.

How He Got Share of Stock. "How did the owners come to make you a present of your share?" asked Atorney James B. Kerr on cross-examin-

"I cannot say," was the reply. "What inducements did you hold out to them to cause them to make you a present of one share?"

"Did any money ever come to you as treasurer of the company from the sale of

"Was any of the stock ever paid up?" "Not so far as I know."

The witness said, in answer to question that none of the stockholders who held more than one share of stock ever attended the stockholders' meetings, and, so far as he knew, none of the Eastern stockholders ever came West to look over the property of the corporation. Senator Rands was asked if, when he be-

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