

The Morning Oregonian



VOL. XLVI.—NO. 14,351.

PORTLAND, OREGON, THURSDAY, DECEMBER 6, 1906.

PRICE FIVE CENTS.

REGULATION BY STATE IS DEMANDED

Grim Determination Marks Proceedings At Eugene.

SHIPPERS TRIFLE NO LONGER

Legislature Called Upon to Compel Railroads to Grant Needed Relief.

SPEAKERS FLY MONOPOLY

Reciprocal Demurrage Law Will Be Insisted On.

MAXIMUM RATE BILL, TOO

Elective Commission Plan Favored. W. M. Killingsworth Bitterly Assails Southern Pacific's Land Policy, Urging Legislation.

EUGENE, Or., Dec. 5.—(Staff Correspondence.)—A number of years ago, during a legislative session, I met in the lobby of the old Chemeketa Hotel, at Salem, a well-known Democratic statesman who in response to my query as to the reasons for his presence at Salem, said: "I am engaged in the creation of a sentiment, not the kind that you read about in the poetry, but the kind that raises h—l when you get it again."

The "creation of a sentiment" has been about the only talk to occupy the attention of the Oregon shippers for several weeks, and they have certainly "got it again" to such an extent that at the meeting here today there was not a dissenting voice to the strongest anti-railroad talk that was made. It is a sentiment so rabidly antagonistic to the railroad companies that among some of the more conservative delegates there are mild fears expressed that the remedies demanded will be so severe as to defeat the end sought.

Most of the arguments put forth were unanswerable, and had they been otherwise the delegates were in no frame of mind to listen to more than one side of the story. They claim that they have been listening to the other side for the last five years and that their ears are tired.

Railroad Men Out of Place.

The railroad interests were represented by W. E. Coman and H. E. Lounsbury, of the traffic department of the Harriman system in Oregon. Both young men are well known and deservedly popular from one end of the Willamette Valley to the other, but peculiar conditions, or rather the culmination of peculiar conditions, today were such that the proverbial cat in the strange garret felt perfectly at home in comparison with these two innocent but helpless representatives of a system which, from one speaker or another, received about all the opprobrious epithets that could be used without violating the laws governing the kind of language that can be transmitted lawfully by mail.

Meeting Well Attended.

The meeting was well attended. Unlike the usual run of gatherings of this nature, very few of the shippers, especially lumbermen, were too busy to attend. In fact, most of them for several weeks had had nothing to do except to lie around in idleness and curse the railroad companies.

This sentiment of resentment, which was so pronounced, was at the beginning of the meeting reflected in the introductory remarks of Chairman L. L. Whitson, president of the Eugene Commercial Club, when he stated that this meeting was not for the purpose of a heart-to-heart talk with the railroad men. He declared that it was too late for any more conferences and that the time had now come when the shippers must strike direct at the "head of the great octopus" by means of legislation which would produce results which time had proved it impossible to obtain through any efforts that might be put forth with local railroad men.

It was a noticeable feature of the meeting that no attempt was made

to place the blame on local officials, those officials in nearly every case being mentioned in complimentary terms.

A definite understanding as to just what kind of legislation would be sought at Salem was not reached. Reciprocal demurrage and maximum rate bills are almost certain to be demanded, and there is considerable sentiment favoring a railroad commission bill. There is a difference of opinion, however, as to the kind of commission to be asked, and the majority of those favoring a commission are not in favor of allowing the appointing power to rest with the Governor, their contention being that the commission should not be in politics.

Want Elective Commission.

The extent to which this feeling pervades the shippers was shown this afternoon during the reading of a letter of regret from Joe Teal, who was not present. Many passages of his letter where he dwelt on the inequities of the railroads and the necessity for relief were greeted with great applause, but not even a murmur of approval was heard when he stated that the railroad commission should be appointed and not elected by the people, or chosen by the Legislature.

Attacks Land Monopoly.

The suggestion of W. M. Killingsworth that something be done to break the strangle hold of the Southern Pacific on such a large amount of the public domain was received with wild applause. This same subject was reverted to later by Representative-elect Milt, of Ashland, who asserted that one-half the land of Jackson County was owned by the Southern Pacific. He most emphatically stated that at the coming session of the Legislature he would introduce a bill providing that action could be commenced against the Southern Pacific for its refusal to sell these lands at the price fixed by the Government.

Falling in this, he said he would endeavor to secure the passage of a resolution calling on Congress to pass a law forcing the road to sell the land.

It will be seen from this that our shortage legislation is not the only trouble that will confront the Southern Pacific at the next meeting of the Legislature, and if the sentiment of the people remains at its present white heat until the Legislature meets, it will be comparatively easy to pass almost any kind of an anti-railroad bill that may come up.

The attendance at the shippers' meeting was so much larger than was expected that the original intention of holding it at the Commercial Club rooms was abandoned and the large convention hall at the Courthouse was secured. Even this was filled to overflowing, every seat being occupied at both afternoon and evening sessions. Promptly at 3 o'clock the meeting was called to order by Chairman Whitson, who, in a few words, stated its object. H. L. Thompson was chosen secretary.

The chairman then appointed as a committee on resolutions G. W. Linn, George M. Cornwall, T. K. Campbell, D. E. Yoran and George Kelly.

W. M. Killingsworth's Speech.

W. M. Killingsworth, of Portland, was the first and principal speaker on the programme. In substance, he said:

I am a friend of railroads; if for no other reason, because railroads are an absolute and indispensable necessity for us. The building of a state depends on the whites and exerted combined efforts of all her people. It is not the railroads that are rewarded with just profits. If the products of farms, mines or forests cannot be worked or developed with profit, it never will be done. Hence as stated, railroads are indispensable in distributing profitably and cheaply the industrial energies of man.

Now, as we have many new-comers to Oregon who should know all about the history of railroad building in the state from the bottom to the top; also that the old-timer may refresh his memory to the fact that the people of Oregon have long enjoyed interests in railroads, let us then briefly turn backward 40 pages in the history of our state, and begin at the beginning. On July 26, 1850, the United States of America, Congress assembled, granted to the California & Oregon Railway Company its successors or assigns, a charter for the purpose of building a railroad and telegraph lines within the State of Oregon from Portland, Or., to the south boundary and dividing line between the States of Oregon and California. They also gave a land grant of every alternate section of public lands, designated by odd numbers, to the amount of 20 alternate sections a mile (10 on each side of the railroad line), also the right-of-way through public lands to this grant the railroad received 12,800 acres per mile, the entire distance from Portland to the California line, a distance of 262 miles, hence the enormous land gift for the construction of this road was 3,345,600 acres, estimated at a low value of \$3,000,000, gives a grand total of \$28,240,000.

Still Another Grant.

Still further, from the public domain have valuable properties been given for railroad building in our state. From Portland to Hillsboro, a distance of 21 miles, the builders received 12,800 acres per mile, or 268,800 acres. From Hillsboro to McMinnville, a distance of 22 miles, the Government contributed 379,000 acres. Patents were issued for these last two roads for 600,000 acres, which, at a low class value of \$5, would make another grand total of \$3,200,000 for only 60 miles of road.

Combining the average donated for railroad building within the State of Oregon, we have the enormous total of 3,883,600 acres. Placing this at the very conservative estimate of \$5 an acre, it makes the sublime grand total of \$19,418,000 for only 412 miles of railroad built and constructed by the three roads named in this state. But with all this princely gift for railroad building, what have the citizens of Oregon, today? Nothing in keeping with their investments.

Forty Years of Waiting.

On the contrary, they have not done so. But have seemingly placed every obstacle in the way of securing needed relief. Forty years we have waited, most patiently waited. The railroad corporations have monopolized the outlets of our rich valleys and productive lands. The districts of Tillamook, Coos Bay and Southern Oregon, in fact all

Anger Fanned Into Flame

Will Increase School Restrictions on Orientals.

NEWSPAPERS VENT WRATH

Delegation in Congress Will Demand Japanese Exclusion—Attorneys Arrange Basis for Test Suit.

Opinions of Leaders.

SAN FRANCISCO, Dec. 5.—(Special.)—Popular sentiment in California, which has been smouldering quietly during the discussion of the Japanese question, has been fanned into flame by the heated declaration in the President's message. Resentment is general. The impression prevails in both high and low places that Mr. Roosevelt has done the state and the entire Pacific Coast a grave injustice. His flat assertion that the Japanese have been driven from the common schools; his inference of a low civilization; his reference to the discrimination as a "wicked absurdity," and finally his suggestion of the use of military force have made of a question which has heretofore excited but little interest a burning topic. The proposal to grant citizenship to the Japanese is roundly denounced by the press of the state.

State in Passive Rebellion.

California at the moment is in a state of passive rebellion. No action will be taken until the question has been threshed out in all its legal phases. Professor Louis Hengstler, head of the department of International and constitutional law at the University of California, declared today that Mr. Roosevelt in his contention did "not have a leg to stand on."

Consul-General Miller, of Yokohama, who is in California on a visit, met this morning with the school board and received full statistics on the subject. United States District Attorney Robert T. Devlin, acting on instructions from Attorney-General Moody, at the request of Secretary of State Root, conferred at length this afternoon with City Attorney William Burke in an endeavor to arrive at an agreement on the law involved, with a view to a test suit in the state or Federal courts.

Will Stiffen School Law.

Governor-elect Gillett refused to discuss the issue, but members of the Legislature which will meet in January are almost a unit in their assertion that the state law providing for separate schools for Japanese will be strengthened instead of

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relaxed, and the California delegation in Congress will be instructed to redouble its efforts to secure the passage of a Japanese exclusion bill.

Calls Roosevelt Insincere.

Following are extracts from the state press:

San Francisco Chronicle—This is an implied threat to use the military force to put Japanese children into our schools, when he well knows that he has no authority to do anything of the kind and that any such attempt could only lead to his own impeachment. That expression will strike the country as an exhibition of impotent rage which it is very mortifying to see in a formal message of the President. But the worst of all is the President's evident insincerity. When referring to Hawaii, he says: "Hawaii is now making an effort to secure immigration in the end to assume the duties and burdens of full American citizenship."

That language and the context show that the President recognizes that the immigration which Hawaii has been receiving is not relaxed, and the California delegation in Congress will be instructed to redouble its efforts to secure the passage of a Japanese exclusion bill.

Loss Seeks Riddance of White Elephant.

ITS FINANCES IN A BAD WAY

Company Burdened With Debt; Assets Are Only Nominal.

CARNIVAL OF HIGH FINANCE

Half a Dozen Promoters, Make Fat Stakes, While Men Who Put Up Money Hold \$450,000 Bonds of Questionable Value.

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New Subject for Rhetoric.

Call—There is a good deal of excited rhetoric in the message, based on misinformation. We refuse to accept a rebuke that springs from misapprehension, and as for those "autocrats" of which the President so audaciously speaks, they take their rise in a sense that the American standard of living is impossible in competition with the Japanese. We commended that to the President as a subject worthy of his eloquence.

Sacramento Union—The President has dealt with this matter impudently; he has argued from wrong premises and he has based his conclusions on facts which are big and big enough to compel the people of California to do a thing which they have a fixed determination not to do.

LAWYERS AGREE ON TEST SUIT

Validity of School Law to Be Tried by Government.

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Agree on Disputed Points.

The points in dispute were practically agreed upon at today's conference, and the drafting of the statement of facts was postponed until Friday by unanimous consent. Mr. Devlin in the meantime will

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TRYING TO UNLOAD UNITED RAILWAYS

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Half a Dozen Promoters, Make Fat Stakes, While Men Who Put Up Money Hold \$450,000 Bonds of Questionable Value.

The Oregon Traction stockholders have brought suit against the United Railways Company and pay its stockholders for their stock, a sum probably about \$40,000, thus indefinitely named because the United Railways had already secured the stock of a number of the Traction Company stockholders.

This \$40,000 has not been paid, although the stock has been delivered. Nor have the \$35,000 debts of the United Railways Company been discharged, although their payment is secured by a check, certified by the Merchants' National Bank, payable to W. T. Muir, trustee for the creditors. This check is based on a note, signed by J. Whyte Evans, W. D. Larrabee, H. W. Lemcke, George Lemcke and Wilmot Griffis, original promoters of the United Railways.

The Oregon Traction stockholders have brought suit against the United Railways Company, for \$35,000 for services lasting through last Spring and Summer and an additional suit similar to the one for \$40,000 is to be brought by Keady for between \$10,000 and \$18,000 for accumulating claims of Oregon Traction stockholders.

Two Sets of Financiers.

Two sets of financiers have had the United Railways in hand—the first being a bunch of Los Angeles men, headed by Evans, who came to Portland last January; the second being those led by Loss, a railroad contractor, contractor, builder of several railroads in California and contractor for a division of the Drain-Coos Bay line of the Southern Pacific. He took hold last June, after the job grew too heavy for the first crowd.

The Evans bunch contained Wilmot Griffis, R. H. Phillips, T. H. Dudley, H. W. Lemcke, George Lemcke, E. C. Herlow, W. D. Larrabee, J. W. E. Taylor and M. H. French. The men who put up the most of the money were the Lemckes, Griffis, Phillips, Dudley and Herlow. They all advanced some \$125,000 in cash, only a few thousand of which was loaned to the railway project. For the Chamber of Commerce building purchase, they put up \$100,000, and for a piece of waterfront land, \$15,000.

These payments made it appear that the company had big supplies of money. The promoters said they could finance the lines through the city and to Hillsboro and Salem without a stagger.

They asked for franchises on Front Street, Flanders, Seventh and Taylor, which the city granted May 23, 1906, and the Mayor allowed to go into force June 5. That same night, Evans declared that the company had \$5,000,000 for construction. On or before July 3 the company was to give \$100,000 bond, as guarantee of good faith, toward the city, and of construction of the city lines within one year and of the Salem line within two years.

Money Run Short.

Difficulties ensued, in giving the bond. The promoters ran short of money. Obligations pressing on all sides and time running short for signing the bonds made things strenuous.

Then came in sight H. St. John Dix, a plausible chap of confidential manner, who six years ago was convicted (it is said unjustly) for irregularities in a bank at Bellingham, Wash. This fact was hushed up, for it was said that Dix represented moneyed man, was a person of responsibility and was innocent of blame for the Bellingham troubles. Dix brought to Portland from San Francisco, C. E. Loss.

The Los Angeles financiers had put on big display up to this time. They obtained possession of the franchise of the Oregon Traction Company (Hillsboro line), and merged that company with their own, without payment of money. They competed with the Willamette Valley Traction Company, now building to Salem, for a franchise on Front and Flanders streets, and won after a long tussle. They announced before obtaining the franchises and immediately afterwards that they would begin construction at once.

They declared war on the Portland General Electric Company for alleged refusal to supply them with electric power. They made it appear that they were about to open an era of unprecedented progress for Portland. They evinced their confidence in Portland's growth by purchasing the Chamber of Commerce building, making thereon a payment of \$103,000.

But as the time approached for sign-

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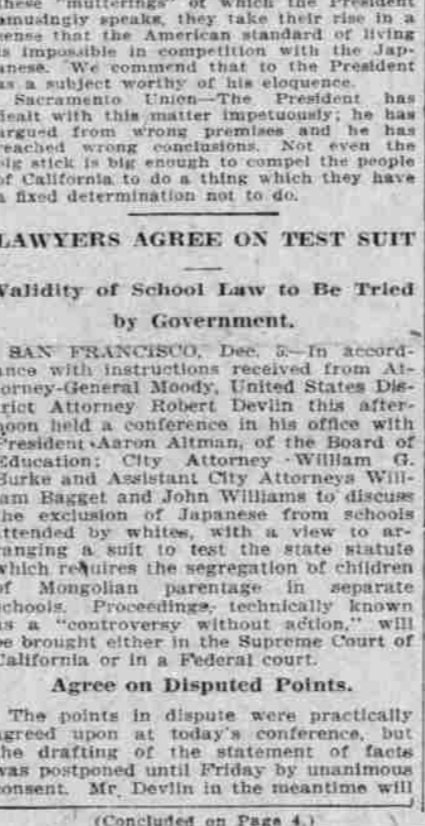
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Gov. A. B. Cummings, of Iowa, Leader in Movement for Direct Election of Senators.

THE MAYOR PLAYS THE LIMIT



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CONFESSIONS OF LABOR SLUGGER

Broke Arms and Legs of Negroes.

BECAUSE SHEA ORDERED IT

Schultz Reveals Brutality of Teamsters.

ACID THROWN AT HORSES

Squirted From Syringes to Make Them Run Away or Thrown in Eggs—Bricks Thrown at Strikebreakers' Teams.

CHICAGO, Dec. 5.—

A startling exposure of the methods employed in the teamsters' strike was given in the trial of Cornelius B. Shea and his fellow labor leaders before Judge Ball in the Criminal Court today, when Joseph Schultz, an alleged slugger, who with Albert Young turned state's evidence, was on the stand as a witness for the state. Schultz declared that Shea had told him to break the legs and arms of the strike-breakers and especially to attack the negro strike-breakers. When this means of bringing about decided results did not work satisfactorily, Schultz asserted that Shea ordered the hired pickets to throw eggs filled with acid at the horses being driven by non-union men.

Break Legs and Arms.

After Schultz had been on the stand several hours he was asked by Assistant State Attorney Miller:

"What did Mr. Shea say concerning the negroes?"

"He said break their legs or arms, so they won't be able to work."

"Do you remember in the early part of April, 1905, seeing the negroes coming out of the alley back of the store of Montgomery, Ward & Co.?"

"Yes," replied Schultz. "I saw the men and Shea was there. As they passed us, Shea said to me: 'There is one of the links. Get him when he gets a little further.' We caught him a block away and slugged him. A man named Scully was with me."

Beat Negro With Car Brake.

"After that where did you go?"

"I went down to South Water street. We saw some more links and followed them to a streetcar in Wabash avenue. I saw Jerry McCarthy, the business agent

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