Morning Oregonian.

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CAN WIN ONLY TO LOSE IN THE END

Spokane's Vain Hope of Rate Advantage.

MAY GAIN PRESENT POINT

Readjustment of Tariffs to the Interior Would Follow.

LEAVE CONDITION SAME

Expert Gillette Disputes Railroad Engineers' Estimates of Cost of Roads, Taking Up Their Statements Item by Item.

That any readjustment of the traffic rates from the East to Spokane will be promptly followed by similar reductions in rates from the Pacific seaboard to the interior is quite well established in the Spokane terminal hearing. Traffic Director Woodworth, of the Northern Pacific, declared yesterday on the stand that both changes should be made if the present tariffs are changed. If the rates to Spokane are too high, for the same reasons they are too high to the Coast from the East, as well as into the interior from the Northwest ports.

From the steps already taken in the hearing, it appears that Spokane will have trouble ahead even if it wins its present contention, which seems unlikely, although possible. There will be a determined movement to lower other rates, both transcontinental and distributive, to a level with whatever reduction Spokane may secure. And if the rates to Spokane are too high, by the testimony of railroad officials themselves, the local distributive rates are also too high.

Experts Give Opinion.

Yesterday was experts' day in the hearing. Every witness was an avowed expert in his own line. The anticipated contradiction of the testimony of Chief Engineer Darling, of the Northern Pacific, and Chief Engineer Hogeland, of the Great Northern, came on schedule time yesterday, when H. P. Gillette was called to the stand by Spokane's attorneys. Mr. Gillette, engineer for the Washington Railroad Commission, ruthlessly clipped the estimates of the two railroad engineers for rebuilding the two lines until he made them look like veritable tyros in the science of railroad building.

Both these engineers were in the courtroom and listened with what grace they could to a much younger man explain their errors in engineering. The expert produced figures until they were bewildering to maintain his point. He said the estimates furnished by Engineer Darling for replacing the Northern Pacific, which amounts to about $296,000,000 in round numbers, is far too high and that in his opinion $220,000,000 will reconstruct the present system.

Expert Gillette said Chief Engineer Hogeland, of the Great Northern, was about as far wrong as his brother engineer and that Mr. Hogeland's figures for replacing the system, which total about $328,000,000 in round numbers, should read $244,000,000. The expert was spared cross-examination yesterday, but he will be turned over this morning to the tender mercies of the railroad lawyers, who will try to flay the young man and bewilder him with his own figures.

Faults in Engineers' Estimates.

Mr. Gillette found many faults with the estimates of the chief engineers. In the first place, he said it was practically impossible to check up Chief Engineer Darling's figures on bridging, as he had failed to give necessary data. He said the estimate furnished on the cost of trestle work was too high and the same could be said in regard to buildings. He said the cost of water stations on the Northern Pacific seem excessive as given in Engineer Darling's estimate.

"In his estimate of ballasting, Engineer Darling allows 3000 yards per mile, at 66 cents a yard," said Expert Gillette. "This price a yard seems to me is much too high. The total should be 40 instead of 66. I estimate that $1000 would be sufficient to ballast one mile of main track, while Mr. Darling figures this would cost $3000. Sidings should cost about $600 a mile for ballasting, instead of $1000, as included in Mr. Darling's estimate."

While Mr. Darling estimated 55 cents as the average cost of a tie, Mr. Gillette said the figure should be about 44 cents. While rails were figured at $31 a ton by Mr. Darling, the witness said they should have been included at their actual cost, which is a trifle over $29. He believed the estimated cost of $375 a mile of track to carry rails and ties to the front from the storage yard or material depot is too high an estimate. He found that Mr. Darling's estimate of $116 a mile for fencing the right of way reasonable.

Interest charges of 10 per cent on the total cost of construction, as submitted by Mr. Darling, was declared to be excessive, and 6 per cent was said to be sufficient. The expert quoted other authorities to this same effect. He said this figure is twice what many railroads themselves allow.

Contingencies, which were provided for by an appropriation of 10 per cent of the entire cost by both Darling and Hogeland, were said to be a mere waste of money, for in the case of building a road over a country which was thoroughly known, a fund for contingencies was only to provide for carelessness.

Value of Equipment.

Equipment of the Northern Pacific was estimated to be worth approximately $53,000,000 by Mr. Darling, whereas another authority, Gray, pruned this estimate to $45,365,000. Mr. Gillette agreed with Mr. Gray. The witness stated that both of these estimates are too high in comparison with the reports of the railroad officials to the Interstate Commerce Commission and it was stated that all the railroads in their reports to that body underestimate their equipment to a very great degree.

Mr. Gillette said more than half the lines of the Northern Pacific were purchased after construction and the price paid for this part of the system did not exceed $27,500 a mile. This figure was much exaggerated later by the issue of $91,000,000 in stock. The witness said Mr. Darling's estimate of $6,000,000 for engineering is double the amount required.

Chief Engineer Hogeland's estimate of the cost of rebuilding the Great Northern was then dissected. Grading, as given in the estimate, was said to be excessive, as was the cost of tunneling. While $195 a foot was given as the cost of driving the longer tunnels, the Cascade tunnel was actually built for $150 per foot. Temporary lining for tunnels at $25 a foot was said to be too high.

The cost of bridges was said to be unreasonable and 50 per cent more than the railroads themselves had stated to the Interstate Commerce Commission. Whereas the report of that body showed 221,650 feet of trestle, Engineer Hogeland called for 429,800 feet. The price of ties was said to be too high in the Great Northern estimate, and the expense of treating them was thought to be excessive by 25 per cent. The transportation of ties, at 4 cents each, was declared to be too much and the first cost of rails was thought to be excessive.

Cost of Telegraph Lines.

Ballasting was given at 62 cents a yard, whereas the witness said 40 cents is a liberal estimate. Whereas telegraph lines were put in at $330 a mile, it was said $250 would build a good line.

The witness said Engineer Hogeland had included equipment in the total upon which interest was charged, but Mr. Darling did not put in equipment, as while the road was being built complete equipment was not required. The witness said Mr. Darling was correct and that a portion of the Great Northern estimate should be cut off for this reason.

As to appreciation of roadbed, the witness said he could not compute this, as it was impossible to measure it. He said there is no doubt that it occurs. He also said the calculation of the cost of replacing an existing railroad was hard to make and that the only way is for about 20 men to go over the line carefully, with engineers, and make computations of every rod of roadbed. He said such a task would probably keep 20 men busy for a year.

Gives Value of Rights of Way.

J. C. H. Reynolds, of Spokane, right-of-way agent for the Washington & Great Northern Railroad, was a witness for Spokane, and testified to the value of rights of way of the different railroads in Washington. He performed similar work for the Washington Railroad Commission, and said the value of the Great Northern lands in Spokane, exclusive of the Hillyard property, is $814,-867.97. The Hillyard terminal ground is worth $79,840 additional. The Northern Pacific, said the witness, holds total property in Spokane amounting to $4,-475,492, but $1,184,155 is commercial property, leaving $3,291,274 in that city as railway property.

The witness said the value of Northern Pacific holdings in Seattle is $22,394,580, while the Great Northern's property there amounts to $19,961,730.

W. G. Merriwether, another Spokane real estate man, confirmed the estimates of Mr. Reynolds.

A telegram was read by Mr. Gilman, who just received it from St. Paul, stating the value of the Great Northern holdings in Spokane, exclusive of rights of way and terminals donated, is $3,124,-021.

H. McCune, a rate expert brought here by Spokane and who was formerly in the employ of the Great Northern, was put on the stand and submitted a long list of figures showing rates. By these tables it was shown that the transcontinental railroads carry several classes of merchandise across the country to the Pacific Coast and reship it to Asiatic ports at a lesser rate for the whole journey than the same commodity earns if carried only to Spokane. The existence of the "Asiatic rate," as it is called, was put in the record of the case.

What Roads Would Have Lost.

Mr. McCune submitted slightly different figures for the total the three transcontinental roads entering Spokane would have lost during the year 1906, provided the Spokane terminal rate had been in effect. His figure was $800,000, while the railroads estimate the same total as $850,000. Owing to the immaterial difference, Commissioner Prouty decided it was not necessary to go further into the subject.

Attorney Stephens, for Spokane, sought to introduce a pamphlet, entitled, "The People and the Railroads," written by Howard Elliott, president of the Northern Pacific, but Commissioner Prouty said it would not be necessary for it to go on record, but that the attorney may make extracts from it in his arguments. Mr. Stephens desired to show that, according to President Elliott, the Northern Pacific has more traffic than it can handle expeditiously, and that, as the terminals at the western end are glutted, it would be to the advantage of the traffic to have terminals in the interior.

O. R. & N. Traffic From Interior.

R. B. Miller, general freight agent for the Harriman lines in Oregon, took the stand yesterday and testified as to the extent of the traffic from Portland to the interior over the O. R. & N. He said the total freight earnings of the O. R. & N. are about $8,000,000 a year. Of this sum, $1,231,337 is gross earnings from freight from California to interior points on the O. R. & N.

J. G. Woodworth, traffic manager for the Northern Pacific, was another witness put on by the railroads. W. W. Cotton interrogated him, asking the following question:

"If a long and short haul, or distance tariff, were put into effect on Spokane business, and you lived up to the distance tariffs, at the same time taking into consideration the rates and probable conditions as to water competition from the

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WILL REJOICE IN HER SECOND BIRTH

San Francisco to Celebrate Disaster.

MUSIC, BANQUETS AND BANNERS

One Thousand Men Will Join in Great Feast.

PROSPERITY IS IMMENSE

Only One Year After Utter Destruction, City Lives Again, With Rebuilding in Full Swing, and Forgets Her Great Sorrow.

THE SAN FRANCISCO DISASTER.

Earthquake wrecked city April 18, 1906, at 5:13 A. M., and fire resulted lasting three days.
Lives lost, 452.
Persons injured, 1500.
Persons made homeless, 265,000.
Property loss, $350,000,000.
Loss to insurance companies, $132,-823,067.
Buildings destroyed, 60,000.
Blocks burned, 453.
Area of burned district, 3.96 square miles.
Relief appropriation by Congress, $2,500,000.
Relief subscriptions, $11,000,000.

Loss in Other Towns.

Santa Rosa—71 persons killed, 53 injured, 24 blocks destroyed.
San Jose—Business portion destroyed, 20 persons killed.
Palo Alto—Stanford University buildings wrecked.
Salinas, Napa, Hollister, Redwood City and Santa Cruz greatly damaged.

SAN FRANCISCO, April 17.—(Special.)—Tomorrow will mark the first anniversary of the fire and earthquake which wrought destruction in San Francisco. The occasion is to be observed in a variety of ways. Fillmore street, now the principal retail thoroughfare in the city, tonight is ablaze with light and color. Banners have been flung to the breeze. The merchants along the street have decided to make the occasion one of rejoicing as marking the birth of the new city. Bandstands have been erected on the street at Golden Gate avenue, O'Farrell street and at Pine street. Tomorrow night there will be promenade concerts at these points.

Thousand at Banquet Board.

The biggest celebration is to be that of the Merchants' Association, which will hold a banquet that will mark the opening of the new $5,000,000 Fairmount Hotel. One thousand business men will gather about the board, and with them will be the leaders in the new movement for civic reform. Francis J. Heney and District Attorney Langdon will speak. Rudolph Spreckels was asked to make an address, but declined. Nearly 2000 persons desired to attend the banquet, but the association found it necessary to limit the number of tickets.

While the festivities are in progress, other forms of observance will prevail in the churches. There will be prayers for the dead and in some churches a special memorial service. Bishop Nichols of the Episcopal Church has requested that special services be held in all the Episcopal churches of the city. In the Catholic churches there will also be special exercises.

The incongruity of the methods chosen to observe the day may be explained by the divergence of views among the citizens. To some the day represents the birth of the new city and to others it means a day of sorrow akin to Memorial day.

Mayor Schmitz endeavored to have the day declared a holiday and made such a request to the Supervisors, but the Supervisors, legislating under the "big stick," stand ready to oppose

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PEACE CONGRESS ENDS WITH FEAST

France Decorates Andrew Carnegie.

REPLY TO CONGRESS' CRITICS

Great Number of World's Leading Men Speak.

PLATFORM FOR THE HAGUE

Bryan Proposes New National Motto. Bryce Replies to Cynical Objector—Bartholdt Tells the Programme of Peace.

NEW YORK, April 17.—The first annual convention of the National Arbitration and Peace Congress ended tonight, after a three days' session, at two large banquets, one at the Hotel Astor and the other at the Waldorf-Astoria. The event of greatest interest was the decoration of Andrew Carnegie with the cross of the Legion of Honor by the French government, represented by Baron d'Estournelles de Constant, in appreciation of his work for peace and his gift of the palace at The Hague.

Mr. Carnegie, who is president of the congress, tonight gave out a statement as to the results of the congress. Although not so designated by Mr. Carnegie, the statement constitutes a reply to some of the suggestions contained in the letter which President Roosevelt addressed to the congress on the opening day. Mr. Carnegie quotes these statements as "objections," and answers them as follows:

Carnegie Answers Objections.

Our peace conference has brought three objections clearly before us:

First—Nations cannot submit all questions to arbitration. Answer—Six of them have recently done so by treaty—Denmark and The Netherlands, Chile and Argentina, Norway and Sweden.

Second—Justice is higher than peace. Answer—The first principle of natural justice forbids men to be judges when they are parties to the issue. All law rests upon this throughout the civilized world. Were a judge known to sit on a case in which he was secretly interested he would be at once dishonored and expelled from his high office. If any individual refused to submit his dispute with a neighbor to disinterested parties and insisted upon being his own judge he would violate the first principles of justice. If he resorted to force in defense of his right to judge, he would be dishonored as a breaker of the law. Thus peace with justice is secured through arbitration, never by one of the parties sitting as judge in his own cause. Nations, being only aggregates of individuals, they will not reach justice in their judgments until the same rule holds good, viz.: That they, like individuals, should not sit as judges in their own cause. What is unjust for individuals is unjust for nations.

Reply to Roosevelt's Idea.

Third—It is neither peace nor justice, but righteousness that shall exalt the nation. Answer—Righteousness is simply doing what is right. What is just is always right; what is unjust is always wrong. It being the first principle of justice that men shall not be judges in their own cause, to refuse to submit to judge or arbitrator is unjust, hence not right, for the essence of righteousness is justice. Therefore, men who place justice or righteousness above peace practically proclaim that they will commit injustice and discard the righteousness by constituting themselves sole judges of their own cause, in violation of law, justice and right.

Civilized man has reached the conclusion that he can maintain principles of justice and of right only by upholding the present reign of law. What is right for each individual must be right for the nation. The demand that interested parties shall sit in judgment is the wickedness that degrades a nation.

Decoration From France.

Baron d'Estournelles de Constant announced in his address at the Waldorf-Astoria banquet that the cross of Commander of the Legion of Honor had been conferred by the French government on Andrew Carnegie and then proceeded to the banquet at the Hotel Astor, where the decoration was formally presented to Mr. Carnegie.

About 600 guests were present at the Waldorf dinner. Seth Low presided and announced messages from the Kings of Norway and Italy, the President of Switzerland and the Nobel peace prize committee of the Norwegian Parliament. All complimented the peace conference and expressed wishes for the success of the work. Baron d'Estournelles de Constant spoke of the importance of world-wide peace. Professor Hugo Francke, of Harvard, spoke for the university and in a measure for Germany.

Bryan's New Watchword.

William J. Bryan in his address offered as a substitute for the historic words, "Liberty or death," the cry, "Liberty and life." This sentiment was the keynote of his address. The cost of human life he wanted counted and estimated, saying:

"Let us measure the value of those that war has not taken, and then we can obtain some estimate of the value of those lives that are gone."

Life, he held, was sacred and precious, to be guarded sacredly, because created by God as something worthy and lasting.

The attainment of peace as seen from the viewpoint of the clergy was presented by Archbishop Ireland. Greater than all other names to consider in the conception of peace, he held, was the divine name of Christ.

Rev. Lyman Abbott in his address exhorted for concerted action of the world to attain the ideal of eternal peace.

Andrew Carnegie presided over the Hotel Astoria dinner. Earl Grey, Governor-General of Canada, was the first speaker. He read a telegram from the President of the Canadian Senate extending greetings to the congress. Enrique C. Creel, the Mexican Ambassador, expressed the regrets of President Diaz at not being present, but assured his hearers that the Mexican President favored the peace movement. Senor Creel proposed a toast to President Roosevelt, which was drunk standing and amid cheers.

Ambassador Bryce of England followed. He said:

Bryce Answers a Cynic.

What we have now in this congress got to do is to consider how we can best work for preventing wars in the future. The difficulty about such a meeting as this is that we are already agreed and convinced. I can imagine a cynical critic saying to us:

"Gentlemen, you are all, as the French say, preaching to the converted." What you have got to do is to preach to the unconverted, who are not here, to convince those whom the Scriptures call "the people that delight in war. "You are," so this cynic would say, "like an assemblage of sheep, sheep with irreproachably white fleeces, passing resolutions which entreat the wolves to leave off biting."

To answer this cynical critic, to see what we can really do to advance the object we have at heart, let us ask ourselves how it is that war begins. We have all seen the phenomena. Some difference arises between two nations. Each nation has what it thinks a good cause, but each nation thinks only of its own case, and takes little trouble to understand the case on the other side.

The newspapers throw themselves into the fray. They embitter feeling not only by denouncing the other side but by dwelling only on their own case and entirely neglecting to state the case of the other nation. Every angry or spiteful word that is said by the newspapers of the other country is reported. Everything that tends to mitigate passion is omitted.

The value of the object at stake is exaggerated and each nation is told that its honor is involved in fighting for its own views. The governments think the people want to fight and thus war is declared.

People to Blame for War.

Now who is to blame for this? Is it the government? No doubt they sometimes show a want of firmness in resisting the popular passion, but they say, and often with truth, that it is popular feeling that pushes them into war. Or is the fault with the newspapers? We all know that the newspapers fan the flame and spread it. But what is their motive? They want to please the public. They believe the public likes to have its passions aroused. The press is what the people make it. Every nation has just such newspapers as it deserves. The blame after all rests with the people themselves, who lose their heads under excitement. They can resist everything except temptation.

Now, gentlemen, we have got to face these facts and see what can be done to make a nation realize in times of excitement the truth of what it had realized when it was in its sober senses before the fighting fever got into the brain. There seems to be only three things that can be done to prevent the recurrence of these fevers. One is not to induce the pride which every state feels in its military and naval forces—a pride which draws with it the temptation to use the armaments which it has taxed itself so heavily to maintain.

How to Prevent Wars.

Everyone admits the enormous difficulty of bringing about a general limitation of armaments. It may not be possible to secure that limitation at once, but it is an object of such supreme importance, especially to the countries which find the burden of taxation a grievous one, that it ought to be seriously discussed and ought to be kept before the minds of all the great peoples as a problem which has got to be solved sooner or later. To pass it by does not make it easier, for while the difficulties do not diminish, the armaments go on increasing.

The second practical step that may be taken is to make general arbitration treaties and to enlarge their scope by including as many cases of international difference as can possibly be referred to arbitration or, where the matter is not a strictly legal one, can be made the subject of mediation and conciliation. The great advantage of such treaties is that they interpose delays and allow the better sense of each nation to subdue its passions. Nations are naturally jealous of their own honor, but, when they find the opinion of the world does not think a concession prejudices their honor, they may be more willing to make the concession. The creation of such general treaties and of a permanent tribunal to entertain and decide the cases that are brought before it would be one of the greatest services that a peace conference could render.

Lastly, though it is true that such a congress as this, meeting in time of peace, cannot be relied upon to avert some fresh outbreak of passion, it is none the less true that it may do something to form opinion in the masses of a nation and to bring home to every citizen the sense of his own responsibility for the removal of this oldest evil of humanity. The older an evil is and the more ingrained it is, the longer it must take to remove.

Baron de Constant was introduced as bringing a message from France. He announced the bestowal of the Legion of Honor cross on Mr. Carnegie and tied

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ACCUSED MINERS STRIKE AT BORAH

Their Hand Seen Behind Indictment.

RUICK EAGER FOR TRUE BILL

District Attorney Called to Show Evidence.

NO APPEAL TO ROOSEVELT

Report Started by Dubois, Who Maligns Borah in East—Moyer and Haywood Are Suspected of a Plot to Discredit the Senator.

BOISE, Idaho, April 17.—(Special.)—A story originally sent from here has gained wide circulation that Senator Borah appealed to the President and Attorney-General Bonaparte against his indictment by the United States grand jury in connection with the alleged Barber Lumber Company frauds, for which company the Senator has been attorney. The Senator's close friends state positively that this is entirely incorrect, his policy being entirely different. It has been known for several days that District Attorney Ruick was summoned to Washington with a copy of the testimony, and Mr. Borah has quietly awaited the outcome of the showing to be made there. He has stated that, if he were wanted in Washington, he would go. He left yesterday for Chicago on business and, if he should be wanted in Washington, he would probably go on from there, but, according to those who should know, he has made no representation to the President or to the Attorney-General.

See Hand of Federation.

There is not one of his friends, including men familiar with the entire history of the Barber Lumber Company, who believe there is a particle of evidence upon which an indictment could be founded. There are many strange aspects of the entire matter. The theory that the defense in the Moyer-Haywood-Pettibone cases has taken an active interest in the work of the grand jury has been widely published, but little has been said of the details of the matter.

It is a fact that it has been hinted for a year that something would turn up in the timber cases affecting the prosecution of the murder case. Last Fall one of the attorneys for the defense took pains to learn whether or not Mr. Borah would withdraw from the cases in the event of his being elected United States Senator. He learned he would not. Not satisfied, he a second time got the same information, showing an interest in the matter that seemed remarkable, even at that time.

Last Fall, when a grand jury was in session, no effort was made to take up these timber cases, and during the Winter the District Attorney assured the Governor that they would not be taken up this year. It has always been feared that an investigation would give room for talk, which would be prejudicial. While the grand jury has been in session, the agents of the defense have managed to keep themselves well informed of what was taking place. The indictment of Mr. Borah was known to Moyer, Haywood and Pettibone before it was learned by any of Mr. Borah's friends. One of the attorneys for the defense assured a man a week before the indictment that Mr. Borah would be out of the case, that the grand jury would put him out.

The members of the grand jury are reported as saying that the District Attorney labored always to implicate the Senator, but never succeeded in getting a damaging statement, though three circumstances were mentioned by witnesses, which seemed perfectly straight. On Thursday morning the District Attorney sought to get the grand jury to indict a number in a bunch, including the Senator. The jurors demurred, and in the afternoon they voted separately. Twelve out of 22 votes were secured for the indictment of Mr. Borah. It should be stated that the original grand jury panel was 16, but the court sent out an open venire and brought in seven more. Of these, one was dropped out later. So there were 22 present when the indictment was voted.

Again, it is reliably stated that on the Friday morning that the indictment was returned, the grand jury ordered the District Attorney to retire, as it wished to discuss some matters. He refused to do so. The statement is that 15 of them wished to reconsider the vote on the Borah indictment, but Mr. Ruick insisted they could not do so, and finally forced them into submission, the indictment thereupon being returned.

The people of the city almost universally believe there was a reason for having the investigation just at this time, and that there has been some indefensible maneuvering in the whole matter.

STABS BORAH IN THE BACK

Dubois Bids for Labor Vote by Circulating Evil Reports.

OREGONIAN NEWS BUREAU, Washington, April 17.—Ex-Senator Fred Du-

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