

FOR PLAN HEARING OF MERGER ENDS

Effort Made to Show Harriman Broke Agreement to Build Road to Coos Bay.

MOTIVE ALSO SUGGESTED

Other Testimony Is That Magnate Cut Off Market to Oregon Stockmen When Ogden Gateway Was Closed.

Attempts by the Government to show that E. H. Harriman by combining the Southern Pacific, O. R. & N. and Oregon Short Line had built a railroad fortification around Oregon so as to control the traffic of this state and prevent the building of competing lines...

Great Resources Held Back.

Testimony was given that lying within the girdle of the Southern Pacific, O. R. & N. and Short Line there were 20,000,000 acres of land capable of cultivation...

The inference taken from the testimony secured by the Government, yesterday, affecting Coos Bay, is that the Government attorneys will make the argument that the extension to Coos Bay from Drain, first projected in 1866, was abandoned because of the acquisition by Harriman of the most feasible routes into the Coos Bay country.

Evidence, having this trend, was secured from William Grimes, chairman of the railroad committee of the Marshfield Chamber of Commerce. Mr. Grimes was one of the three Coos Bay citizens who met with Harriman on his special train last August between Eugene and Albany and extracted from him a promise, they declare, to build the Drain extension if a certain tonnage showing could be made.

Required to Show Tonnage.

Mr. Grimes said that his understanding of the conditions imposed upon the Coos Bay people was only that they should show that sufficient tonnage could be produced in that territory to pay the Harriman system 4 per cent per annum on the \$5,000,000 it would cost to construct the extension.

Mr. Grimes said that he and his associates were unable to give any figures as to tonnage and suggested that Mr. Harriman send a representative into the district to see for himself. This was agreed upon, says Mr. Grimes, and about two weeks later Colonel W. H. Holabird arrived on Coos Bay as the representative of Mr. Harriman.

Learning thereafter that Colonel Holabird's report was favorable, the Chamber of Commerce communicated further with Mr. Harriman. Several letters and telegrams were sent, the first submitted in evidence. These set forth a condition imposed by Mr. Harriman that responsible parties should give bonds guaranteeing that the branch line would clear 4 per cent on the cost of construction above cost of operation, taxes, etc.

This was the first the Coos Bay people had ever heard a bond suggested, said Mr. Grimes. In response to questions from Attorney Severance, Mr. Grimes said that in the conference with Mr. Harriman there was no discussion as to the division of costs between the branch and the main line or any other basis upon which a guarantee could be given.

Spreckels Road Acquired.

That Harriman had acquired the Spreckels road, part of which had been constructed along the projected route of 80 miles to a Southern Pacific connection, and that the routes controlled by the two proposed lines were considered the most feasible into that territory, was brought out in Mr. Grimes' testimony. Mr. Grimes also gave considerable testimony as to the lumbering, dairying and mining industries on Coos Bay, and the present steamship facilities. The steamship service had been changed somewhat since Harriman had acquired the Spreckels interests, he said, by putting the "Caroline" on the route to Portland instead of to San Francisco. In number of steamers and frequency of sailings the service, he said, was about the same.

On cross-examination, W. W. Cotton succeeded in getting an admission from Mr. Grimes that Mr. Harriman said in the August conference that he would build the road to Coos Bay if the people there would "guarantee" him 4 per cent on the cost of construction. Mr. Grimes acknowledged that the word "guarantee" was used, but said he understood that it was meant that a showing of tonnage originating in the district must be made which would guarantee that income.

The railroad attorneys further brought out that there are three companies who own timber in the district valued at \$5,000,000, whose holdings would increase \$5,000,000 to \$15,000,000 in value with the securing of railway transportation. The object of bringing out this testimony, it is believed, is to show that the timber interests could afford to provide such a guaranty for the building of the railroad and that Harriman could not afford to build it unless some assurance were given that the railroad would get the freight from the big interests.

Tells of Work Done.

A. H. Flannigan, of Marshfield, told how the announcement was made in 1905 that the extension of the Southern Pacific from Drain would be made, how about eight months thereafter actual work commenced, bridges were built, part of the right-of-way graded and sufficient rail laid down at Drain

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to complete the road. He testified that the work was abandoned in 1907. From both Flannigan and Grimes cross-examination brought out that other railroads were under discussion and that it was believed that another feasible route could be obtained to Coos Bay.

If a "water pass" is essential, Harriman has a monopoly on Eastern and Central Oregon. In the opinion of Colonel C. E. S. Wood, but two water-grade outlets exist for an area of inland land comprising 30,000,000 acres of arable land, of which 20,000,000 are in Oregon, according to his evidence.

Colonel Wood described the district as having once been the bed of an inland sea, which had finally drained down the Malheur River to the west and down the Crooked and Deschutes to the north. The railroad routes afforded by both streams are controlled by Harriman, Colonel Wood said, that there was an available route out of the district up the Klamath or Pitt to the Southern Pacific connection at Klamath Falls.

Great Area Needs Outlet. "There are millions of acres of land in Eastern Oregon that could be made homesteadly tributary to man," he said, "they lack nothing but transportation. I was through that country in an Indian campaign in 1873, going north into what was then Washington territory, and farther north than Spokane. At that time the only railroads in this country were the small line to Corvallis and a part of the Northern Pacific, which had been built north from Kalama so that they could hold their land grant.

"At that time Eastern Washington and Eastern Oregon looked much the same. I never supposed it would be anything but Indian country until the end of time. Eastern Oregon is still practically undeveloped, while the Palouse country in Washington is a solid wheat field.

"Land in Washington that was once thought to be valueless, has been turned into good farming lands and the whole country is developed. The railroads did it. The railroad made the West. Development always follows the railroads and Oregon is just as capable of development as Washington. The railroad is the pioneer—the forerunner."

Colonel Wood said further, that in his opinion, railroads could be built into Eastern Oregon from the west into the Malheur or Deschutes rivers, but at a much greater expense and by the overcoming of big engineering difficulties.

Tells of Closed Market.

William Hanley, of Burns, said to be the biggest stockman of Eastern Oregon, also described the Eastern Oregon country and the available routes into the district. Mr. Hanley showed a complete knowledge of the country and was able to go clear around it describing the railway passes and the advantages of different routes. He expressed the opinion that it was possible to build a railroad across the Cascades from the west into the California line, but expressed the conviction that the Malheur river route, now controlled by Harriman, through his acquisition of the Corvallis & Eastern, was the most feasible and most desirable from any direction into the country. He also thought the Deschutes river route a good one.

It was Mr. Hanley who told of being cut out of the Colorado market for cattle purchased by breeders of that state. Mr. Hanley is associated with N. K. Parsons, of Salt Lake, in the cattle business and he said they ship 20,000 head out of the country yearly via Ontario, a point on the Oregon Short Line, just over the line in Nevada. Ontario is 150 miles from Burns.

Sometimes, he said, cattle were driven from Burns 250 miles south to Winnemucca, Nev., for rail shipment. Up to

four or five years ago, said Mr. Hanley, the stockman had a good market among the breeders in Colorado, and his shipments were sometimes as high as 10,000 head a year to that territory. The Ogden gateway had been closed, however, and the combination of local rates was too high to make shipments to Colorado via the Harriman system and the Denver & Rio Grande profitable.

Prineville Banker on Stand.

Evidence as to development possibilities in the country was secured from T. M. Baldwin, a Prineville banker, and Wallis Nash, ex-president of the Portland Board of Trade.

The trend of their testimony was that while much of the country was capable of dry-farming, grain for exporting from the district could not be raised profitably on account of the long hauls to the railroad. Considerable alfalfa land remained undeveloped for the same reason. The grain and hay raised in the country, according to the testimony, was fed to stock which was driven to the railroads. It was asserted that about 25 to 30 per cent of what is known as the "Big Desert" is capable of cultivation. Mr. Nash estimated the number of cattle on the Eastern Washington ranges at 450,000, and that 37,000,000 of the 20,000,000 pounds of wool produced annually by Oregon comes from that district and is hauled from 150 to 200 miles to the railroads.

The hearing closed yesterday afternoon at 5 o'clock and will be resumed in the office of the United States Marshal in San Francisco at 10:30 A. M., May 10.

ALL TRAPS CLOSED SUNDAY

No Salmon Poaching Found by State Fish Patrol.

ASTORIA, Or., May 5.—(Special.)—Saturday night the river was patrolled as far up as Skamokawa, but not a net was found in the water and the traps were closed. Shortly before 6 o'clock last evening two men were taken into custody, as they had dropped their net into the water a few minutes before the hour named for fishing to resume, but later they were dismissed with a reprimand and a warning to be more careful in the future.

The catch last night was again slack, but the tides are growing more favorable for night fishing and better results are looked for. The salmon caught average small, but are of excellent quality and color.

Nothing new has developed regarding the prices, but the fish are so scarce that few could be secured at any terms, but when a run starts an advance in rates for the larger and more choice salmon may be expected, as in former years.

RURAL CARRIER HAS AUTO

Buy 20-Horsepower Car to Make Daily Route Over Mountains.

WESTON, Or., May 5.—(Special.)—Jesse A. Powla, mail carrier on the newly-es-

DAILY METEOROLOGICAL REPORT.

PORTLAND, May 5.—Maximum temperature, 59 degrees; minimum, 38 degrees. River reading at 8 A. M., 6.5 feet. Change in last 24 hours, .61 foot fall. Total rainfall, 5 P. M. to 6 P. M., .61 inch. Total normal, 46.25 inches; deficiency, 3.37 inches. Total sunshine, May 4, 2 hours 39 minutes; possible, 14 hours 20 minutes. Barometer reduced to sea level at 5 P. M., 30.17 inches.

PACIFIC COAST WEATHER.

Observations taken at 5 P. M., Pacific time, May 5:

Table with columns: STATIONS, Maximum temp., Minimum temp., Wind, Direction, State of Weather.

WEATHER CONDITIONS.

A high-pressure area overlies the North Pacific States and the barometer is relatively low over British Columbia and Nevada, while a storm of considerable intensity is central over the Upper Mississippi valley. It is much cooler in Southern Idaho, Utah and Nevada and slightly warmer in Western Washington and Western Oregon. Cloudiness has increased along the Washington coast and rain was falling this evening. The indications are for fair and warmer weather in this district Thursday except in Western Washington, where showers may be expected, with nearly stationary temperature.

FORECASTS.

Portland and vicinity—Fair and warmer; variable winds, mostly southerly. Oregon—Fair; warmer, except near the coast, variable winds. Washington—Showers, cool, fair and warmer east portion; southerly winds. Idaho—Fair and warmer. NEVADA—Fair and warmer. EDWARD A. BEALS, District Forecaster.

MEETING NOTICES.

OREGON COMMANDERY, NO. 1, K. T.—Special convocation this (Thursday) evening at 8 o'clock, in the Temple, Visiting Sir Knights courteously invited. W. S. MACRUM, Recorder.

ASTORIA CIRCLE will give a military ball and dancing party Thursday, May 6, in the W. O. W. Bldg., 129 1/2 St. Prices, refreshments and dancing. Admission 50c. FRED L. OLSON, Secretary.

THE PORTLAND PORTLAND, OR. EUROPEAN PLAN MODERN RESTAURANT. HEADQUARTERS FOR TOURISTS and COMMERCIAL TRAVELERS. Special rates made to families and single gentlemen. The management will be pleased at all times to show rooms and give prices. A modern Turkish bath establishment in the hotel. H. C. BOWERS, Manager.

HOTEL OREGON CORNER SEVENTH AND STARK STREETS Portland's New and Modern Hotel. Rates \$1 per Day and Up European Plan. WRIGHT-DICKINSON HOTEL CO., Props.

HOTEL PERKINS Fifth and Washington Sts. In the heart of the business and shopping district. The most modern and up-to-date hotel in the Northwest. Local and long-distance phones in every room. Rooms with private bath, en suite and single. Large and modernly equipped sample-rooms. ELEGANT GRILL—MUSIC 'Bus meets all trains. Rates \$1 and up. FRANK A. CLARK, Manager.

Imperial Hotel Seventh and Washington Phil Metachan & Sons, Props. Centrally Located Modern Improvements Long Distance Phone in Every Room. Rates \$1.00-\$1.50-\$2.00 All Rooms. J. F. DAVIES, President C. O. DAVIES, Sec. and Treas.

St. Charles Hotel COMPANY (Inc.) Front and Morrison, Portland, Or. EUROPEAN PLAN ROOMS 50c TO \$1.50 FIRST-CLASS RESTAURANT IN CONNECTION.

THE CALUMET HOTEL Park St., between Morrison and Alder. A Strictly First-Class and Modern Hotel Containing 170 Rooms. Only American and European Hotel in Portland. Long Distance Phone in Every Room. Free 'Bus Meets All Trains. Rates—American, \$2.00 per day and up. Rates—European, \$1.00 per day and up. Per month, single room and board, \$45 to \$65, according to room. For rates, 275 1/2 St. Board, without room, \$30 per month.

NORTONIA HOTEL ELEVENTH OFF WASHINGTON ST. Beautiful Grill Room American and European Rates to Families and Our Bus Meets All Trains Sample suites with Baths for Traveling Men. MODERN COMFORTS MODERATE PRICES.

THE CORNELIUS "The House of Welcome," Corner Park and Alder. Portland's Best Transient Hotel. Headquarters for the traveling public. European plan. Single, \$1.50 and up. Double, \$2.00 and up. Our free omnibus meets all trains. C. W. CORNELIUS, N. K. CLARKE, Proprietor, Manager.

MEETING NOTICES. COLUMBIA LODGE, NO. 114, A. F. & A. M.—Stated communication this (Thursday) evening at 8 o'clock, Masonic Temple, Work E. A. degree. Visiting brethren welcome. By order W. M. FRED L. OLSON, Secretary.

AUCTION SALES TODAY. At 25 N. 21st st., cor. Washington st., furniture of 6-room flat. Sale at 2 o'clock. Baker & Son, Auctioneers. Today at Baker's Auction House, 102 Park st., furniture, etc. Sale at 10 o'clock. At 232 First corner Main, at 10 A. M. J. T. Wilson, auctioneer.

Idaho - Carey - Act - Lands Snake River Valley—Twin Falls Country. Idaho Irrigation Company's Project Engineering and Construction Work by J. G. White & Co., Incorporated. 50,000 Acres Will be Opened by Drawing, Under the Supervision of the Idaho State Land Board. Shoshone, Idaho, June 8, '09 Registration Will Open June 1 Closes June 7, 1909 IT WILL PAY YOU TO COME TO SHOSHONE, IDAHO, AND INVESTIGATE. Write C. B. HURTT Mgr. Land Sales Dept., Boise, Idaho.

AMUSEMENTS. Sale ELMAN Tomorrow 10 A. M. Volinist. Helig. Monday, May 10. Prices: \$2.50, \$1.50, \$1.00. Lots Steers—Wynn Coman.

BUNGALOW THEATER Phones Main 117; A 4224 Geo. L. Baker, Gen. Man. Tonight—All Weather Mat—Baker Stock Company in WHEN KNIGHTHOOD WAS IN FLOWER. Magnificent Production. Election Returns Saturday Night. Next Week—Merely Mary Ann.

LYRIC Theater, 7th and Alder Phones A 1026, Main 1855, Friday, 10, 20, 30c. For week starting Sunday Matinee, May 2 The Lyric Stock Company in AT THE OLD CROSSROADS. By special arrangement with Mr. Arthur Alston, Matinee, Tuesday, Thursday and Friday. Next Week—Ten Nights in a Barroom.

OPHELIUS THEATER 15-95-50-75c Week of May 2—Three Feature Acts: Lillian Burkhart, Marshall F. Wilder and Constance Ross and Pauline; The Lulu Reeses Trio; Dierckx Brothers; Flo Adler; Cos and Boyd; Orchestra; Pictures.

PANTAGES THEATER Advanced Vaudeville, Stars of All Nations "THE GAINSBORO GIRL" A Spectacular Scenic Singing Act in Four Parts—Magnificent Scenery and Dainty Electrical Effects. Matinee, daily, 1:30, 1:45, shows at night, 7:30 and 9:30.

THE GRAND—Vaudeville de Luxe WEEK STARTING MAY 7, 1909. WILLIAMS AND WALKER'S CHOCOLATE DROPS. El Barrio. Cowboy William. Harry McDuffie. Grandioso.

STAR THEATER The big and attractive shows at this theater have won the Portland public. MATINEES DAILY. Ten Cents Admits to Any Seat. BASEBALL Recreation Park, Corner Vaughn and Twenty-fourth Sts. SAN FRANCISCO VS. PORTLAND

May 4, 5, 6, 7, 8, 9. Games 1:30 P. M., 3:30 P. M., 5:30 P. M., Sunday, 2:30 P. M. Admission—Bleachers, 25c; Grandstand, 50c; Boxes, 25c extra. Children: Bleachers, 10c; Grandstand, 25c. Ladies' Day Friday. Boys under 12 free to bleachers Wednesday.

DIED. TRAVER—Cynthia Ashes Traver, aged 84 years, 4 months and 14 days, mother of Mrs. F. Traver, died at her residence, 1014 1/2 St., Omaha, Neb., papers please copy. MORRIN—752 Roosevelt street, Mary Louise Morrin, aged 28 years, funeral notice later. HANSEN—In this city May 3, at 1224 East 6th st., Mrs. A. Hansen, aged 19 years. Funeral notice hereafter.

FUNERAL NOTICES. BLANEY—In this city May 5, at the family residence, 2300 N. 10th St., J. Blaney, aged 28 years and 5 months, beloved wife of J. Blaney. Friends invited to attend funeral services, which will be held at Holman's chapel, Third and Salmon streets, at 10:30 A. M. today (Thursday), May 6. Interment Rose City cemetery.

CROOK—At the family residence, St. John, May 4, Marion Silas Crook, aged 95 years, 6 months and 10 days, friend of friends, invited to attend funeral services, which will be held at Holman's chapel, Third and Salmon streets, at 2:30 P. M. today (Thursday), May 6. Please omit flowers.

HUSTON—In this city, May 4, at his residence, 52 North 5th st., William Huston, aged 71 years and 6 months, friend of friends, invited to attend funeral services, which will be held at the chapel of the Portland Crematorium, East 14th and Glendon streets, at 2:30 P. M. today (Thursday), May 6. Please omit flowers.

DUNNIN, McEntee & Gibson, Funeral Directors, 7th and Pine, Phone Main 435. EDWARD HOLMAN Co., Funeral directors, 230 2d st., lady assistant, Phone M. 297. J. P. FINLEY & SON, 34 and Madison, lady attendant, Phone Main 9, 1599. ZELLER-BYRNES Co., Funeral Directors, 230 2d St., East 1082, lady assistant.

F. S. RUSSELL, Undertaker, 414 East Alder, lady assistant, Phone Main 2075. MCKENZIE-ERICSON CO.—Undertakers; lady assistant, 409 Alder, M. 6123.

HOUSEHOLD NEEDS. Coal (Australian, Wyoming and Washington) delivered, or ready in any quantity. Phone us your order. Star Coal Co., 40 2d St., Phone Main 2075. Coal—Kemper coal, the best Wyoming coal, gives more heat and less ash. Churchill & Co., 614 1/2 and Marshall st. Phone Main 931, A 2831.

Florist Cut Flowers always fresh from the Florist our own conservatories. Martin & Forbes Co., 247 Washington at Both phones. Electric Fixtures Let us equip your prices are right. All work guaranteed. Western Electric Works, 61 1/2 1/2 street. Plating Knives, Forks and all Silverware Plating Works, 46 1/2 and 1/2 Broadway, A 2575.

Coal Richmond and Walsend Australian. Independent Coal & Ice Company, opposite City Library, Both phones. NEW TODAY. WAREHOUSE PROPERTY 100x100, on 14th street, with 25x100 on the 13th-street track. Price is \$36,000. Half cash, and is \$6000 below the market price. Is a fine place for a warehouse or is a good SPECULATION.

There are 5 houses and a store building on this property rented for \$120 per month. Location not far from 14th and Gilsan. For further particulars see us. Grussi & Zadow 817 Board of Trade Bldg., 4th and Oak. Modern Flat Building \$6750 In North Portland in district with big future. INCOME \$800 PER YEAR. This beats loaning money. You would be getting big interest besides the increase in value. M. E. LEE, Room 411 Corbett Bldg.

The Tempting Taste of Post Toasties Has won the approval of an exacting public at home and abroad. It is a crisp, delightful food, made of the finest Indian Corn. Enjoyable at all meals, but particularly so for breakfast and supper. "The Taste Lingers" Sold by Grocers

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