



## RAILROAD BATTLE NOW UP TO COURT

### Porters Will Contest Injunction Suit.

### ROADWAY OPEN IN MEANTIME

### Renewed Conflict Threatened at Mouth of Canyon.

### RIVAL GANGS SWAP WATER

### Peace Reigns for Time in Deschutes Canyon, but Workmen Are Too Close Together to Avoid Future Trouble.

BY R. G. CALLVERT.

GRASS VALLEY, Or., Aug. 3.—(Staff Correspondence.)—The courts were again resorted to today in the railway war over right of way in the Deschutes canyon near this place, when the Harriman road secured an injunction restraining the Oregon Trunk Line from engaging in work on about seven miles of grade now under construction. The wagon road was open all day, and ten four-mule teams sent out by Twoby Bros. were unemployed in reaching the canyon.

According to Attorney Charles A. Carey, of Portland, representing Porter Bros., who reached Grass Valley today, there will be no further disregard of the court's orders, no matter how far from valid Porter Bros.' counsel may deem them. "The controversy over rights on the wagon road and in the canyon will be thrashed out in the courts."

### Conflict Is Threatened.

From the vicinity of Shaniko, however, come reports of impending conflict between the two railway forces. Both sides have been rushing men in there every day, and each demands rights that the other will not concede. The Harriman road has acquired what is known as the Dean & Smith ranch, occupying strategic positions in the approaches to the canyon. It is reported that today the Harriman force has forced its way on to the Dean ranch, but so far as known here there has been no violence.

Porter Bros. now have their camps in that vicinity, and Twoby Bros. has seven men employed in that locality.

Porter on Scene in Person.

Johnson Porter arrived in Grass Valley this afternoon in company with Attorney Carey, and was personally served with the original complaint and restraining order in the new proceeding which will test the rights of the two railroads in the canyon near here.

"I came here on purpose that they might serve me today papers and they had," said Mr. Porter. "I am not going to evade service in any way."

Mr. Porter also gave his version of the difficulties in this locality.

"The reason we closed the wagon road," he said, "was because when I first came here about my team was informed by the Harriman people that we could not go down to the river over their road unless we forced our way. I thought it a pretty good way of using force to buy the ranch and cut off their wagon road. The other road had a big advantage over us, also, by having a month's start and by shipping over the railroad. We wanted to offset that advantage, and I think we did it."

### Boast Brought on Trouble.

"It was our intention to open the wagon road last Saturday, but they boasted about how they were going to send their teams through the next day, and we kept the road closed just for the fun of seeing their teams turn back."

"Yesterday we sent a messenger from The Dalles with instructions to our men to open the gates. Yes, we expect to contest the injunctions in the courts, but it is the proper way to settle the matter. We believe we will win, but I don't know that we shall look the gates again. That will depend on whether they try to shut us off the wagon road down the canyon."

"A good deal has been said about our not putting in camps at points where there were no contest. We had to assemble our outfit and get them on the ground quickly in order to hold our rights. We did not dare trust the railroad to get our stuff in, so freighted from The Dalles by wagons. It was natural that we should direct our first effort to points where the other road might try to shut us out."

To Avoid Heavy Grade.

"As to the mouth of the Deschutes, there is a dam site there 160 feet high which we don't want to climb over. The Harriman road on the other side of the river is doing this, but we desire our road to maintain a uniform grade, and that question will be decided by the courts. We are not building a turkey track up the river."

"We are now moving several camps into the canyon about eight miles above Sherar's Bridge, and have let sub-contractors for this work to Copenhagen Bros. for a distance of 8 or 10 miles. There is no conflict there."

"We expect to use the railroad for shipment of our supplies and equipment."

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## YOUNG JOHN D. WINS POLITICAL FIGHT

### EVEN AROMA OF POLECAT FAILS TO DAUNT HIM.

Son of Rockefeller Rallies Men on Pocantico Estate to Support School Board.

TARRYTOWN, N. Y., Aug. 3.—John D. Rockefeller, Jr., qualified as a politician today when, as the result of an energetic campaign by himself and wife, three of the five members of the Pocantico District School Board were re-elected by a practically unanimous vote.

The opposition that developed to the ticket was dissipated several days ago when Mr. Rockefeller returned home and became active in its behalf. A good proportion of the voters in the vicinity are employed on the Rockefeller estate. Young Mr. and Mrs. Rockefeller attended a meeting at the school house where the votes were counted.

A small boy with a dog that had been in an encounter with a polecat caused a temporary adjournment, while the janitor sprinkled carbolic acid about the room.

### SEVERE THREAT IN NOTE

Carpenter Recipient of Skull and Crossbones Warning.

Decorated with skull and crossbones, the following threatening communication was received through the mail by B. Jenison, a carpenter, living with his father, Charles F. Jenison, at 1515 Berkeley street, University Park, yesterday.

"You are warned that if you do not leave the city within the next five days we will shoot you on sight. You have passed indecent remarks about my wife and others."

Six dashes took the place of a signature and the note was underlined with red ink.

Jenison sought out the police and reported his story. He is mystified over the threat as he says that he is innocent of the accusation it implies and is at a loss to know who is disposed to do him harm. He told the police that he and his father were prepared for any attempt on their lives, both being armed about the house with Winchester's.

### BLOCK SAILOR'S ARREST

### Rear-Admiral Schroeder Refuses to Allow Police to Get Man.

PROVINCETOWN, Mass., Aug. 3.—Attorney-General Dana Malone, of Massachusetts, sent State Officer Bradford here today with a warrant for David W. Williams, colored, a mess hand on the battleship Vermont, who is charged with manslaughter in causing the death of Harrison H. Foster in a boxing bout last Friday.

Rear-Admiral Schroeder tonight refused to surrender David Williams to the state police. Admiral Schroeder said he did not deny the jurisdiction of the state, but as the Government had instituted an inquiry, he preferred to wait until that investigation had been concluded.

### ZEPPELIN II FAILS AGAIN

### Propellers of Big Dirigible Drop Off While Machine Is Up.

FRANKFORT, Aug. 3.—The airship Zeppelin II left here today for Cologne, a distance of 110 miles, but was obliged to return on account of an accident to the machinery. She had gone but a short distance when a propeller blade broke and another worked loose and fell to the ground.

The airship descended at the same place whence it had started. This is the second unsuccessful attempt the airship has made to reach Cologne.

### END OF WORLD IS AWAITED

### Cooneyites Are Holding Continuous Prayer Meetings in Open Air.

DUBLIN, Aug. 3.—In the belief that the millennium may be ushered in any moment, over 2000 Cooneyites are holding continuous prayer meetings at Ballinacorney, County Fermanagh. The pilgrims have arrived from all parts of the country, and remarkable scenes are being witnessed.

Hundreds are baptized publicly in the river every day and the converts are sleeping in the open air.

### LIFESAVERS GO TO RESCUE

### Crews of Three Fishing Boats Are Saved in Lower Columbia.

ASTORIA, Or., Aug. 3.—(Special.)—While making drifts on Peacock spit near the mouth of the Columbia River yesterday, three fishing boats were capsized.

All the men were rescued by the life-saving crew and other fishermen, as well as the boats and gear with the exception of one net, which drifted out to sea.

### GERMANY ONLY HOLDS OUT

### English and French Bankers Willing America Should Share Loan.

## SHOTS MAN WHO THREW HER OVER

### Mrs. Castle Creates Scene at Big Hotel

### WHEN PLEADINGS PROVE VAIN

### Once Leader in San Francisco Society, Now Actress.

### HAS HUSBAND IN ALASKA

### When William D. Craig Shakes Her Off She Fires, but Only Slightly Wounds—Says He Caused All Her Troubles.

### SOLDIERS NOT MOB THEN

### Judge Morasky Makes Ruling on Days of San Francisco Fire.

SAN FRANCISCO, Aug. 3.—In sustaining a demurrer to a damage in the Superior Court today, Superior Judge Frank G. Morasky held that the soldiers who destroyed stores of liquor while San Francisco was burning, in April, 1906, were not a mob in the legal sense of the word, and that the city was, therefore, not liable to a claim for \$200.

Suit for that sum was brought by Conrad Huber, a saloonkeeper, who charged that his supply of liquor was confiscated or otherwise disposed of by the soldiery.

Another action, involving a smaller amount, was decided in the same way, and the opinion will have the effect of quashing dozens of damage suits brought by saloonmen.

### SEVERED EAR IS SEWED ON

### Neighbor Is Successful With Amateuring Surgical Operation.

CENTRALIA, Wash., Aug. 3.—(Special.)—In an accident near Kopka today, G. F. Riley came in contact with the grubbing machine hook, and lost the upper half of his right ear.

John Pollock, a neighbor, reunited the severed ear, bandaged it up and sent the injured man to a doctor, but the surgeon refused to disturb the dressing already applied, saying that the operation was satisfactory, and that without doubt Riley will retain a whole ear.

### PASTOR FLEES FROM SOUTH

### Shook Hands With Negro and Was Pursued by Whites, He Says.

CINCINNATI, O., Aug. 3.—Rev. Franklin L. English declared tonight that he was compelled to leave Eriel, Miss., because he shook hands with the negro presiding elder of an African Methodist Episcopal Conference.

He said that after delivering an address at the negro conference he was compelled to take refuge from a mob of white people by secreting himself in the railroad station.

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## SCION OF ENGLISH FAMILY DESERTER

### MORTIMER SACKVILLE - WEST FLEES SHIP HERE.

### Family Cables That Reward Will Be Offered for His Apprehension and Return.

Mortimer Sackville-West, an apprentice on the British ship Glenalvin, received a remittance of \$200 from his family in England last week and deserted the ship last Sunday night following. Yesterday members of his family, wealthy people living in Burlington, England, cabled a reward of \$500 for his capture. A warrant is also out for the arrest of the young sailor.

West is only 19 years old, but he has been sailing the sea close on to five years. For two years he was a middy on H. M. S. Condon, and two years and a half ago his parents apprenticed him to the Glenalvin. Shipmates say he was popular and a good worker and liberally supplied with money from home, but with only six months left to serve, he deserted the ship.

West is said to have high connections among the British nobility. He is a relative of Lord Mortimer Sackville-West, the British Minister at Washington, who was recalled at the request of President Cleveland for taking sides in a National political campaign, and whose recall started talk between the United States and Great Britain for a time.

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### THAW IS RECALLED

Shortly after this declaration Mr. Jerome quickly called Thaw to the stand. He was pale and apparently shaken. The District Attorney put some rather incoherent notes written by the prisoner in evidence and asked him to explain them. After parries back and forth and laborious explanations by Thaw as to the meaning of certain writings, he said:

"I want you to know, Mr. Jerome, that many of these notes you call suggestions were written at the request of my lawyers."

"Do you mean to sit there and tell us," said Mr. Jerome, "who observed you in both homicide trials, that you did not believe you knew more about the case than your lawyers?"

### PRISONER NOT CONFIDENT

"I do," quickly replied Thaw. "You were nice and docile all the time."

"I think I behaved myself."

"Never discharged any lawyers?"

"Oh, yes, I discharged some lawyers."

"And yet you did not interfere at all?"

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## THREE ALIENISTS SAY THAW INSANE

### Defendant Has Bad Day in Effort for Liberty.

### PRISONER LOSES CONFIDENCE

### Dr. Flint Declares Thaw Is Hopeless Paranoiac.

### HIRSCH SAYS DEGENERATE

### Dr. Baker, Third Expert, Is Sure Prisoner Is Still Not in Condition to Be Given Freedom From Asylum.

### WHITE PLAINS, N. Y., Aug. 3.—Three alienists united in the Supreme Court today to make it unpleasant for Harry K. Thaw, who demands release from the Matteawan asylum as a mentally normal man.

All three testified that he is insane, and when Thaw took the stand briefly, after some disconcerting testimony, he was plainly ruffled and nervous, but Mr. Jerome dismissed him after a few comparatively unimportant questions.

Of the alienists who testified—Dr. Flint, Dr. William Hirsch and Dr. Amos T. Baker—the last named gave testimony of the most importance. He is acting superintendent of Matteawan, and appears as a witness without compensation. Justice Mills called attention to this fact, and took a hand in questioning him. Dr. Baker said that in his opinion Thaw is now insane, and is a dangerous person to be at large.

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## SEEKS SURE DEATH IN FRONT OF AUTO

### OLD SOLDIER DISAPPOINTED AND NOT EVEN SCRATCHED.

### Feared Mangling by Streetcar, and so Picked "Juggernaut"—Will Return to Home.

LOS ANGELES, Cal., Aug. 3.—(Special.)—Selecting an automobile when he wanted to die, because, as he explained later, he did not want to be crushed by a streetcar fender, James Lyons, a Soldiers' Home veteran, threw himself in front of Patrolman Hartmeyer's machine near Central Park tonight. The officer stopped the automobile, and Lyons, without a scratch, was taken to police headquarters and locked up.

"Shucks" was his only comment when picked up. The old man looked sheepish enough as he sat on a stool and was puffed with questions by officers, surgeons and newspaper men.

"No, I ain't crazy; I ain't crazy, at all, boys," he said. "I just wanted to die, and that's all there is to it. I'm an old man now, and I'm broke, and no use to nobody, and I don't like it at the home. I left there about a week ago and I overstayed my leave. I don't know maybe I could get back in."

"Why did you choose an automobile instead of a heavy streetcar?" he was asked.

"I wanted to make a sure shot of it, you see," he replied. "And the streetcars, those fenders hit you and they mangle you all up and they don't kill you. I thought an automobile would be better."

Lyons has a daughter living in Seattle, but refused to give her name, saying: "She doesn't need to know anything about this."

### BURIED TREASURE SOUGHT

### Los Angeles Official Believes Trencher King Left Fortune.

LOS ANGELES, Aug. 3.—Public Administrator Frank Bryson is quietly conducting a search for a quantity of money supposed to have been buried by the late Bartollo Ballerino, one time known as "King of the Tenderloin." In this city, who left an estate valued at \$200,000 to Della Garrison, Golden and out of his wife and nine children with a pittance.

The administrator believes that Ballerino buried several thousand dollars in gold in some spot on one of his numerous properties in this city before his death and that the money is still there. One of his sons has informed the administrator that Ballerino began burying money as long as 15 years ago and constantly added to the buried pile.

### LOSE STUBBORN BATTLE

### Moors Try to Capture Spanish Blockhouse, but Fail.

MADRID, Aug. 3.—The attack upon the blockhouse began at midnight Monday. A large body of Moors stole out from the foothills of Mount Guadalupe and rained bullets for three hours upon the half-completed fortress. The small Spanish contingent made a valiant defense and then six Spanish companies hurried to the rescue and dispersed the enemy.

During the fight the Moors destroyed 100 meters of the railroad. A large number of their dead were carried off in the night.

General Marina has issued orders for the restoration of the railroad and the completion of the blockhouse, which is necessary to insure communication.

### THREE-CENT FARE BEATEN

### Cleveland Voters Turn Down Franchise on Johnson Line.

CLEVELAND, O., Aug. 3.—The Schmidt ordinance, providing for the grant of a franchise to Herman Schmidt, insuring 3-cent fares on a part of the city street-car lines, was defeated at a referendum election here today by a majority of 388. The total vote was 36,954 to 36,698. The Schmidt ordinance was fostered by Mayor Tom L. Johnson.

Mayor Johnson received the returns tonight at his office, guarded by several policemen.

### TAKAHIRA SAYS GOOD-BYE

### Calls to See Taft on Eve of Departure for Japan.

WASHINGTON, Aug. 3.—Ambassador Takahira today called at the White House to bid good-bye to President Taft. Baron Takahira has arranged to leave Washington for Tokyo on August 19. He goes in response to the summons of his government, which desires to consult him in connection with the proposed revision of the treaty of commerce and navigation about to be negotiated by Japan with the powers of the world.

Baron Takahira expects to return to Washington. He will sail August 23 from Seattle.

### NET PICKS UP MAN'S BODY

### Unidentified Corpse Found in Lower Columbia.

ASTORIA, Or., Aug. 3.—(Special.)—While making a drift in the channel opposite the Union Fishermen's Co-operative cannery this morning, Frank Elk, a fisher, picked up the body of a man in his net. The body was so badly decomposed and the clothing was in such a condition that identification was impossible. The only article found in the pockets was a purse containing 40 cents.

## MOB INVADES CITY COUNCIL CHAMBER

### Direct Primary People Lead in Riot.

### INDIANAPOLIS MUCH STIRRED

### Partisan Voters Ask Inspectors Favorable to Them.

### POLICE PROTECTION ASKED

### Councilman Pursued by Crowd to Doors of Police Headquarters, Where He Is "Saved From Hanging," He Believes.

INDIANAPOLIS, Ind., Aug. 3.—(Special.)—The City Council of Indianapolis was virtually in the hands of a mob from 1 to 2 o'clock this morning, and the feeling was so intense that the police had to be continually on guard to prevent violence. The situation was brought on by a combination of demands and representations which had for its object, it is alleged, the appointment of primary election inspectors that would be favorable to N. W. Harding, Republican candidate for Mayor, and Charles B. Clark, Democratic candidate for the same office. Law Shank is the opposing Republican candidate, and Charles Gauss the opposing Democratic candidate.

The Council is Republican and has uniformly appointed inspectors recommended by the city chairman; but this morning it met in special session and the minority of the Republicans and the Democrats joined forces and set aside 45 of the city chairman's recommendations and appointed Harding men to the places. The friends of Gauss and Shank were out in force and having heard of what was about to happen, crowded into the Council chamber and abused the members.

Councilman Royle, a Harding man, slipped out of the chamber just as the vote was announced and was pursued by a mob with cries of "Hang the scoundrel!" "Shoot the traitor!" and other denunciations.

The mob pressed on his rear and, seeing no other means of escape, Royle ran to the police station. Officers succeeded in protecting the trembling Councilman.

Interest in the primary, which takes place Thursday, is overshadowing everything else, and great indignation is being expressed over the action of the Council. Shank is not acceptable to the business interests, but has the rank and file with him.

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WAIT A MINUTE.

No Thoroughfare

PAVING TRUST