

ALASKA'S IDENTITY UNDER DISCUSSION

Territory or District Is Point and Jurisdiction of Commerce Questioned.

ASTORIA FILES PETITION

Spokane Also Breaks Into Seattle Hearing—Interstate Body Will Begin Its Work in Portland Probably on October 13.

SEATTLE, Wash., Oct. 7.—(Staff correspondence.)—In a discussion of the jurisdiction of the Interstate Commerce Commission over Alaska, a point was raised today in the hearing of the Commission that will have far-reaching effects. Whether Alaska is a territory or a district is the question at issue, and the ruling on this point will finally be made by the United States Supreme Court. It is thought, however, that a hearing on the admission of Alaska as a state, when that time comes, will be held in the Interstate Commerce Commission.

Spokane also showed up at the opening of the session here this morning. H. M. Stephens, announcing that the city was interested, however, in only one point. Spokane, he said, desired a reasonable carload rate from Coast points. He admitted the Commission would have no jurisdiction on rates within this state, but suggested the matter should be considered in the hearing of the Portland case.

Mr. Stephens also said Spokane did not want the less-than-carload rates through and beyond Spokane lower than the carload rates to Spokane. Mr. Stephens' idea apparently looks to the protection of Spokane's jobbing territory.

The expectation of Spokane is that the carload rate from Portland to Spokane would have to be met by the Puget Sound roads as the result of competition.

Astoria Has to File Petition. Mr. Stephens was permitted to appear without filing a formal petition, but F. H. Murray, of Tacoma, who appeared for Astoria, was required to file a petition to intervene, as the members of the Commission were plainly at a loss to understand Mr. Murray's position.

Mr. Murray said that he had received his instructions only yesterday from the Astoria Chamber of Commerce, and he strove to point out some connection between the present connections and the Astoria grain-rate case recently heard in Portland before Commissioner Clarke. Nearly all the Commissioners took turns in asking him questions. Commissioner Stephens asked whether the Chamber of Commerce of that city would be permitted to intervene.

Chairman Knapp announced that when the Astoria petition was filed, the Commission would rule immediately as to whether the Chamber of Commerce of that city would be permitted to intervene.

Portland Hearings October 13. The Commission this morning decided to hear the Portland distributive rate case in part in Seattle and in part in Portland. The Commission will endeavor to close up all hearings in the Northwest cities by October 16. In addition to the Portland distributive rate case, the wool rate case instituted by the Oregon Railroad Commission will be heard in Portland. The Commission had expected to take up the Portland distributive rate case in full in Seattle, but today decided to end the hearing here one day earlier and go to Portland for the purpose of hearing some of the witnesses summoned by the traffic bureau of the Portland Chamber of Commerce. The Portland hearings will probably open in that city on October 13.

Alaska Greatly Interested.

The question so far reaching as that of Alaska is concerned was raised today in the case involving through rates between Seattle and Dawson and intermediate territory. As the case will not stop with the ruling of the Commission, it will be carried to the Supreme Court of the United States, that tribunal will be called upon to pass directly on the question as to whether Alaska is a territory or a district and the decision promises to have an important bearing on procedure in the event Alaska in the future attempts to secure admission as a state. Not only this but the question of the Commission's right to jurisdiction over rates from American territories into a foreign country is involved and on top of all this the hearing brought out a remarkable story of double cross and checkmating in the fight for the transportation business of interior Alaska.

Hold-Up Game Blocked.

The action was instituted by the Humboldt Steamship Company, which for several years prior to April 1, 1906, enjoyed through rates, as did the Pacific Coast Steamship Company and the Alaska Steamship Company to interior points in conjunction with the White Pass-Yukon route. In 1907, testified Max Kallech, president of the Humboldt Steamship Company, representatives of the Alaska Steamship Company and of the White Pass-Yukon route came to him and proposed a combination on through rates to the exclusion of the Pacific Coast Steamship Company. Mr. Kallech said his relations had been friendly with the Pacific Coast Steamship Company, the boats of the two companies having run in connection with each other, so he tipped off the scheme to the Pacific Coast Steamship Company.

Two years later, however, the Pacific Coast Steamship Company, ignoring the favor, joined such a combination to the exclusion of the Humboldt Steamship Company. In addition, the combination controls the wharfage charges at Skagway and the Humboldt Company is charged double the rates of the other steamship lines. As a result it is unable to carry freight to Skagway or to any point on the White Pass-Yukon route.

History of Steamship War.

For instance, on the item of flour, the through rate from Seattle to Dawson is \$50 per ton. The local rate from Skagway to Dawson is \$53 per ton. To this local rate the Humboldt Steamship Company would have to pay \$2 wharfage at Skagway, so if it accepted flour for Dawson it would have to pay \$55 per ton for the privilege of carrying it.

W. E. Pierce, former manager of the Pacific Coast Steamship Company, told how that company saved its bacon in 1907, when informed of the proposed discrimination against it. Its contract for lower Yukon River shipments had not yet been signed and these were

held back and raised over the White Pass-Yukon route as a club. Had the Pacific Coast Company not been admitted to the through rate, it would have made a rate via St. Michaels that would have shut out the railroad line. That the Alaska Steamship Company and the Pacific Coast Steamship Company had intimidated Seattle shippers whom he had expected to call as witnesses, was declared by Attorney Charles D. Grayton, representing the Humboldt people. Their witnesses were to have signed intervening complaints, but Mr. Grayton said they had been threatened with the loss of the trade of the steamship companies if they did so, and they had therefore declined to appear.

Guggenheims Take Hand.

An interesting side feature to the case not brought out in the hearing was told here. It is said that until the Guggenheims started to buy up Alaska for the Rockefeller interests, they found they were held up for excessive steamship and railroad rates in the interior. They therefore purchased the White Pass-Yukon route and the Alaska Steamship Company. The Alaska Steamship Company did not have a sufficient number of vessels to accommodate all the through business, so the first plan was to take in the Humboldt Steamship Company and shut out the Pacific Coast Steamship Company. The Humboldt people declined to enter into the plan; the Pacific Coast Steamship Company turned the tables on the Guggenheims, and the latter, in a move, now shut out the Pacific Coast Steamship Company. The question of the jurisdiction of the Commission was argued at length this afternoon. The through route established begins in American territory, extends through 600 miles of British waters, then through 400 miles of



FLINTLOCK PISTOL IS HEIRLOOM.

GARFIELD, Wash., Oct. 7.—(Special.)—In the battle of Brandywine, September 7, 1777, John Bishop captured a flintlock pistol from a Britisher, and ever since this pistol has remained in possession of the Bishop family, handed down from father to son. Now it has become the property of Ellsworth Bishop, who has just come into possession of the weapon from his father, who died about a year ago. The gun was originally made in London, and is as good today as ever. Its flint lock, of course, makes it unhandy to fire.

American waters, thence by rail 22.2 miles to the boundary of British Columbia, then through British Columbia to the Yukon River, ending in British territory. Four separate corporations own the route, but the White Pass-Yukon route, which is controlled by one management.

Jurisdiction Is Argued. It is argued by the defendants, who decline to introduce testimony, not only that the Commission has no jurisdiction over rates into a foreign country, but that Alaska is not a territory, but a district. Commerce act giving the Commission intra-jurisdiction over rates in the territories of the United States.

John Hartman, for the respondents, insisted that Alaska is a district and not a territory, and he pointed out that territories govern themselves to a large measure, while the laws of Alaska are entirely prescribed by Congress. He also cited the act of 1898, giving the Secretary of the Interior jurisdiction over railroad rates in Alaska. The other side insists that the Interstate Commerce Commission act of 1898 by implication the act of 1898.

Success Court decisions were cited to show that Alaska was looked upon as a territory by that tribunal. Briefs will be submitted in the case before November 20.

ASSOCIATION TO EXPAND

McLoughlin Memorial Will Incorporate for Perpetuation.

OREGON CITY, Or., Oct. 7.—(Special.)—The McLoughlin Memorial Association will be incorporated and a committee consisting of State Senator Hedges, Circuit Judge Campbell and Charles H. Dye was named last night to draw up the articles. Details for permanent organization of the association are being arranged. The membership fee will be \$1 and the same amount will be charged for the annual dues. The payment of \$10 will entitle the donor to a life membership in the association. It is proposed to ask every man and woman in the Northwest, who has interest in pioneer matters, to become a member of the association and assist in the restoration and preservation of the old home of Dr. John McLoughlin.

WEALTHY MAN WANDERS

Charles A. B. Hall, of Ann Arbor, Worth \$24,000, Is Destitute.

SEATTLE, Oct. 7.—Charles A. B. Hall, Ann Arbor, Mich., aged 60, and shabbily dressed, applied at police headquarters today for a place to sleep. In his pockets were found \$300 and a letter from Ann Arbor attorneys saying his estate was worth \$24,000. Physicians say Hall is suffering from melancholia. He came here from Hood River, Or.

Progressives Nominate Ticket.

SOUTH BEND, Wash., Oct. 7.—(Special.)—A mass meeting called by the leaders of the Progressive party was held in the city hall last night and the following ticket was recommended for the municipal election to be held in December: Mayor, George R. Cartier; clerk, C. H. Mills; treasurer, George J. Dever; attorney, John T. Walsh; councilmen for two years, Henry Rohrbach, E. C. Lawler, John L. Myers; councilman-at-large, A. W. Dodwell.

For the past two years the city has been divided into two parties, the Progressive and the Citizens', and in each instance the former has won. However, the city has been running in debt so rapidly under these two administrations, that a battle royal is now impending.

Aurora Hearing October 18.

SALEM, Or., Oct. 7.—(Special.)—The State Railroad Commission has designated October 18 for the hearing at Aurora, Marion County, of the matter of A. F. Will vs. the Southern Pacific Company. The complaint has to do with alleged inadequate local passenger service.

For trucks go to the Harris Trunk Co.

TO TRY LAST CASE

Secretary Dickinson to Appear as Railroad Counsel.

PRESIDENT UNDERSTANDS

Says Mr. Taft Knew of Arrangement Before Making Up Cabinet—New Attorneys Not Familiar With Details of the Proceeding.

NASHVILLE, Tenn., Oct. 7.—Secretary of War Dickinson will appear before the Illinois Supreme Court to argue a case for the Illinois Central Railroad Company for which he was formerly general counsel, and in which the State of Illinois is the opposing party to the suit. Judge Dickinson's attention being called to the matter, he said the suit had already been argued by him in the lower court while general counsel of the Illinois Central road.

He said that it involved a large amount of taxes to the road and had required a great amount of detail of preparation. He emphatically declared that no question was involved that in any way



GUN CAPTURED IN BATTLE OF BRANDYWINE.

GARFIELD, Wash., Oct. 7.—(Special.)—In the battle of Brandywine, September 7, 1777, John Bishop captured a flintlock pistol from a Britisher, and ever since this pistol has remained in possession of the Bishop family, handed down from father to son. Now it has become the property of Ellsworth Bishop, who has just come into possession of the weapon from his father, who died about a year ago. The gun was originally made in London, and is as good today as ever. Its flint lock, of course, makes it unhandy to fire.

affected Government regulation of railroads. It was simply a question of accounting under a contract. Secretary Dickinson explained that when offered a position in President Taft's cabinet he informed the President that he would dissolve absolutely his connection with the railroad, but told him that at that stage of the suit in question the company could not employ new counsel who would have the familiarity with the case requisite to argue it on appeal and that he did not feel it right, under such conditions, to abandon the case.

The President, Mr. Dickinson said, agreed to this view and appointed him to the cabinet with the distinct understanding that he would complete his argument in this case.

POPULAR GIRL HONORED

RHODA STALNAKER HEADS COLLEGE ORGANIZATIONS.

Latest Distinction Is Office of President of Albany College Student Body.

ALBANY, Or., Oct. 7.—(Special.)—Miss Rhoda Stalnaker, who was yesterday elected president of the Student Body of the Albany College, not only won the highest honor that can be accorded a student of the college, but attained the unique distinction of being elected to the presidency of three college organizations in one week. She has previously received more honors during her college course than any co-ed in the state.

Last Monday Miss Stalnaker was elected president of the Senior class and yesterday she was chosen chief executive of the Student Body and was also elected president of the Treble Cleft Club. She is also vice-president of the college Y. W. C. A. and holds official positions in other college organizations.

Miss Stalnaker is now serving as the first president of the Girls' Collegiate Debating League of Oregon, which was formed last year by six Oregon colleges, and which was the first strictly co-ed intercollegiate organization ever



Miss Rhoda Stalnaker, Who Has Unique Distinction of Heading Three Albany College Organizations.

formed in the state. The league's successful debates in its first year were largely due to her efforts.

VARSITY GLEE CLUB PICKED

Eight Portland Boys on List of Successful Applicants.

UNIVERSITY OF OREGON, Eugene, Oct. 7.—(Special.)—The names of 16

successful candidates for the University Glee Club were announced by Professor T. M. Glen last night. Eight Portland boys are included in the list. Following are the names: Chester Downes, Francis Curtis, Sam Davidson, Raphael Gelsier, A. Frazer, Calvin Welch, Robinson and Mallett, of Portland; Tom Burke and George Jett, of Baker City; Carl Gabyelson, of Salem; Vernon Vawter, of Medford; Alexander Martin, of Klamath Falls; J. Davies, of Ashland; Burns Powell, of Monmouth, and Glen Story, of Pendleton.

Professor Glen, who has coached the Glee Club ever since there has been such an organization at the University, is highly pleased at the prospects. "There is enough material left over to form another complete glee club, as good as any the University has ever had before," said Glen. "The present club is well rounded and balanced in every respect." Two trips are planned by Arthur M. Geary, the manager, for the season. Soon after Thanksgiving the Glee Club will tour Southern Oregon, and later in the year another trip will be made through the Willamette Valley to Portland. If these trips prove as successful as is hoped, the club will also go to Astoria, for the first time in a dozen years.

LAST BODIES TAKEN OUT

ALL OF 32 DEAD MINERS ARE NOW RECOVERED.

Investigation Shows Workmen Fired Blasts in Mine Contrary to Provisions of Law.

LADYSMITH, B. C., Oct. 7.—The last of the 32 bodies entombed in No. 2 mine at Extension, were brought out this morning, when the bodies of the 32 miners and Mike Devoitch were added to the 30 others previously recovered.

Excitement was caused last night near midnight when the workmen came out by a report, proving to be false, that a living man had been found and workers were breaking their way into him. The experience of the morning, when the bodies were reached that cutting, caused the story to gain credence and for a time many persons gathered at the mine expecting to see the exhausted miner helped out, but the next motor that came from below brought quick denial.

Official investigation into the causes of the disaster by Inspector Shepherd and Dick began this morning. The consensus of opinion is that a blown-out shot in 22 stall caused the explosion of coal dust. It is established that the miners fired their own shots in this mine as well as in No. 1 at Extension, although the law provides that shots be fired without inspection by a shot lighter.

WATCHMAN FIGHTS DUEL

Several Shots Exchanged With Fleeing Thugs Who Molest Him.

ALBANY, Or., Oct. 7.—(Special.)—Ella Dougherty, watchman at the plant of the Albany Future Manufacturing Company in this city, engaged in a pistol duel last night with two robbers who attempted to hold him up, but none of the parties was wounded.

Dougherty was standing near a door about 1:30 last evening when a man entered and commanded him to hold up his hands. Just as he obeyed, a shot was fired with a pistol in his hand entered a doorway opposite. The robber standing beside him commanded Dougherty to back through the doorway to the outside of the building and he did so. As the robber stepped out in the darkness he tripped over a pipe from the engine-room and stumbled, and Dougherty jumped around the corner of the building and took refuge behind the engine house.

The two robbers then ran and as they retreated Dougherty fired one shot. One of the robbers turned and fired back and Dougherty skirted the building and fired again at the fleeing men. Officers accompanied him later on a tour of that part of the city but could not locate the marauders.

NORTH COAST BUYS LAND

Large Tract on West Side of Columbia Is Purchased.

SEATTLE, Oct. 7.—Robert Straborn, president of the North Coast Railroad, which is generally believed to be the Pacific Coast extension of the Chicago & Northwestern Road, has purchased the entire holdings of the Hanford Irrigation Company in Benton County, this state, according to the Times. The irrigation company owns 60,000 acres of land, of which 15,000 are under ditch, is capitalized at \$750,000, and has spent nearly this sum in its improvements. Straborn is president of the company and United States District Judge Cornelius H. Hanford is vice-president.

The lands are on the west side of the Columbia River and are irrigated by water pumped from the river by electricity generated at Priest Rapids. The North Coast has a survey which runs through the town of Hanford, which is being built on the Columbia River near the eastern boundary of the irrigated tract.

RISLEY WILL RAISE NUTS

Clackamas County Grower Turns Attention to Butternuts.

OREGON CITY, Or., Oct. 7.—John W. Risley, one of the most enthusiastic fruit growers of Clackamas County, is going into the nut culture business on a large scale. Mr. Risley had on exhibit samples of butternuts raised on his farm at Oak Grove. Last year about 20 bushels were gathered, but this year the crop is light, yielding only 10 bushels.

It has been found that nuts in this country, if properly cared for, will produce good crops and of excellent quality. Ralston Moore, a lad of Oak Grove, is raising peanuts and is meeting with success. He had some of the plants on exhibition at the County Fair and one of them bore 15 nuts. C. W. Swallow, who is well posted on nut culture, had several varieties of walnuts at the fair that were awarded first premium. Mr. Risley's butternuts were among the Oak Grove exhibits, and attracted attention.

INDIAN CONFESSES MURDER

Admits Slaying Little Girl on Lonely Mountain Trail.

WOODLAND, Cal., Oct. 7.—Popular feeling against Wilbur Benjamin, the young Indian who has confessed to having murdered Viola Gilmore, a 15-year-old girl, on a mountain trail near Rumsey, Yolo County, is very strong, but danger of mob violence has passed. The Indian says he met the girl on the trail and she was seated when he approached her. He says that she fought savagely when he made the assault.

Delegates Are Named.

SALEM, Or., Oct. 7.—(Special.)—Announcement was made at the Governor's office today that there had been appointed the following additional delegates to the annual convention of the Missis-

WATSON'S NO. 10 Scotch Whisky

Distilled in the Highlands of Scotland from pure Scotch Barley Malt.

Geo. S. Clark & Co., Agents
Sherlock Bldg., Portland, Ore.

POLITICS GOES TO COURT

Candidate Would Enjoin Mayor From Making Race in Louisville.

LOUISVILLE, Ky., Oct. 7.—George V. Todd, independent Republican candidate for Mayor, instituted today an injunction suit against Mayor James F. Grinstead, who is the nominee of the "regular" Republicans, to succeed himself. Todd declares that Grinstead is ineligible to hold the office of Mayor, having been elected for one term, and quotes the Constitutional prohibition. Todd enters largely into the campaign and the Democrats, on the ticket headed by William O. Head, have made this a paramount issue, and are working for a "white man's government."

CITY MARSHAL ARRESTED

Factional Fight in North Bend City Affairs Grows Hotter.

MARSHFIELD, Or., Oct. 7.—(Special.)—North Bend city affairs are in a worse tangle than ever. Last night City Marshal Caffrey arrested several men on a charge of drunkenness, and today Alderman Frey had the Marshal arrested on a charge of disorderly conduct. The cases are to be threshed out in the City Court.

SUFFRAGE GETS BOOST

Richard A. Hutchinson, State Senator, to Head Organization.

SPOKANE, Oct. 7.—State Senator Richard A. Hutchinson, one of the most prominent members of the legislature and owner of more farm land than any other man in the state, has been chosen to be president of the new state Suffrage Association to be organized here tomorrow by the "Progressive" faction of the equal rights element.

CLINDER HITS ENGINEER'S EYE

ATTALIA, Wash., Oct. 7.—(Special.)—Engineer Bowman, running extra between Pasco and Walla Walla, was struck in the eye by a hot tender today and seriously hurt. When the train arrived here efforts were made to remove the tender, but they were unsuccessful, as it was imbedded in the eyeball. The eye was bandaged and he continued his run to Walla Walla, where an operation will be performed.

CROPS THIS YEAR.

Oats, 102 bushels per acre.
Barley, 96 bushels per acre.
Wheat, 74 bushels per acre.
Alfalfa, 7 tons per acre.

You may register any time from October 1st to October 19th. Drawing to be made October 20th, 1909, at 10 o'clock A. M., by the Idaho Irrigation Co., Ltd.

For full information and instructions regarding the drawing, and for booklet, write or call on

IDAHO IRRIGATION CO., Ltd., Sales Department
SHOSHONE, IDAHO

A Bracing Tonic After Typhoid



MR. FRANCIS SHEPPARD.

Duffy's Pure Malt Whiskey

as a tonic and stimulant when convalescing after fever is the greatest strength-giver known to science. It destroys disease germs, and by its building and healing properties restores tissues in a gradual, healthy, natural manner. It is a wonderful specific in the treatment and cure of consumption, pneumonia, gripple, bronchitis, coughs, colds, malaria, low fevers, stomach troubles and all wasting, weakened, diseased conditions. If in need of advice, write Medical Department, The Duffy Malt Whiskey Company, Rochester, New York, stating your case fully. Our doctors will send you advice free, together with a handsome illustrated medical booklet containing some of the many gratifying letters received from men and women in all walks of life, both old and young, who have been cured and benefited by the use of this great medicine. It is sold everywhere by druggists, grocers and dealers, or shipped direct for \$1.00 per bottle.

The J. K. Gill Company

A Comfortable Fire and a Good Magazine Solves The Problem

—can you think of anything you could so thoroughly enjoy these coming long Winter nights as sitting by a warm fire with an interesting magazine in your hand?

—you don't care how hard it blows and rains then, do you?

—you really enjoy the sound of dripping water and whistling wind then, don't you?

—in our "Magazine Alcove" you'll find the largest variety in Portland—more than a hundred different kinds. In fact, every popular magazine published.

—and if you are looking for subscriptions, we have some interesting offers awaiting you. We can take your subscription for any publication, and, in addition to lowest prices, we assure you your copy the very day it is out.

—come in any time, any day and enjoy yourself looking over our magazine display.

Booksellers
Stationers
Office
Outfitters

Gill's

Architects
and
Engineers
Furnishers

SPECIAL DRAWING Government Lands

Irrigated Under Carey Act

TWIN FALLS COUNTRY, SOUTHERN IDAHO

On Main Line of Oregon Short Line R. R.

A FAIR, SQUARE PROPOSITION

With Approval of State Land Board of Idaho.

Land and Perpetual Water Right, \$35.50 and \$50.50 per acre, payable in ten or twelve annual installments.

You can register by mail at the office. Small deposit at the time of registration. You pay for no land until you have seen it and are entirely satisfied. Deposit will be returned if you see the land and do not file.

You know whether you draw land without the expense of a trip. You will be notified if successful in drawing and be given 15 days to personally inspect the land. You do not have to cruise the land before the drawing. You do not buy a "cat in a bag." Project entirely under supervision of the State of Idaho.

Oats, 102 bushels per acre.

Barley, 96 bushels per acre.

Wheat, 74 bushels per acre.

Alfalfa, 7 tons per acre.

You may register any time from October 1st to October 19th. Drawing to be made October 20th, 1909, at 10 o'clock A. M., by the Idaho Irrigation Co., Ltd.

For full information and instructions regarding the drawing, and for booklet, write or call on

IDAHO IRRIGATION CO., Ltd., Sales Department
SHOSHONE, IDAHO

was imbedded in the eyeball. The eye was bandaged and he continued his run to Walla Walla, where an operation will be performed.