

ARMY ALL LOBBY FOR WATERWAYS

Cannon Is Pledged to Cause and Promises to Support Appropriations.

PINCHOT DECLARES POLICY

Maintains Every Act Done Was With- in Law and Asserts Use of Water Power Not Hindered by Forest Service.

NEW ORLEANS, Nov. 1.—Adopting President Taft's suggestion that the time for oratory was past, the Lakes-to-Gulf Deep Waterways Convention tonight decided to send 500 lobbyists to Washington to demand that Congress deepen the Mississippi. A resolution to that effect, offered by David R. Francis, of Missouri, was adopted. It follows:

"Resolved, That the president of the Lakes-to-Gulf Deep Waterways Association be requested to appoint 500 delegates from our organization to visit Washington to present to the proper committee of Congress and to the heads of our Government the resolutions adopted in the convention and at the same time to act as delegates to the Rivers and Harbors Congress to be held in that city December 8, 9 and 10.

Rebel Tell for Lobbying.

There was silence for a moment after the resolution was read. The lobby idea apparently shocked many delegates for the moment. Then somebody turned loose an old-fashioned rebel yell, and the resolution was adopted with a whoop. In the confusion it is doubtful if ten delegates knew the regular report of the resolutions committee had been adopted. The resolution declared the Federal Government "should enter upon a definite policy and plan of waterways development, beginning with the improvement of the Mississippi and Illinois rivers as the main trunk of a great waterways system, in such a way as to open effective navigation between the Gulf of Mexico and the Great Lakes, such main trunk line to be developed with no disparagement of and constant reference to the concurrent development of the tributaries."

Cannon for Deep Waterway.

Speaker Cannon was expected at today's session, but when the convention opened President Kavanaugh read the following letter from the speaker:

"I am called to Illinois by a mandatory telegram. Will you present my regrets to the president when announcing my inability to be present at the session today? I desire to assure the convention that I am in harmony with the earliest solution practicable of the engineering problems connected with the construction of the Lakes-to-Gulf deep waterway. With the adoption of the plan therefore, I am ready, as a citizen and a Representative, to support a plan for an ample appropriation for the speedy, effective and continuous prosecution of the work upon such waterway until it shall have been completed."

The time which would have been given to Mr. Cannon was allotted to Senator Lovin, of Illinois, who pleaded for a persistent fight for the 14-foot plan.

Dickinson's Sage Advice.

J. M. Dickinson, Secretary of War, made a speech in which he declared in favor of a deep waterway, but warned against making more than was necessary. He said, quoting President Taft, a plan should not be adopted until confirmed by expert opinion, and suggested that all the enthusiasm which has been worked up would be wasted unless the plans are sound and promise results commensurate with the expense. He reminded the convention that there would be rivalry with other waterways, and said that, if a nine-foot waterway was found sufficient, the people would not undertake a 14-foot channel.

Pinchot Defends His Acts.

Mr. Pinchot's speech was merely a justification of his conservation policy and an explanation of what that policy is, particularly as regards water power. He said our rivers must be developed not for our use alone, but for navigation, irrigation, power and other uses all combined. A progressive plan was essential and could be made by the commission of the best men appointed by the President. He then proceeded to defend his conduct against his assailants, saying in part:

Certain newspapers have said of late that the Forest Service has gone beyond the law in carrying out its work. This assertion has been repeated so often that it is a danger that it may be believed. The friends of conservation must not be led to think that before the Forest Service proceeded legally with its present work all the hazards and compromises of law legislation must be faced.

Fortunately, the charge of illegal action is absolutely false. The Forest Service has had single legal authority for everything it has done. Not once since it was created has any charge of illegality, despite the most searching investigation by the highest attack, ever led to reversal or reproof by either House of Congress or by any Congressional committee. Since the creation of the Forest Service the expenditure of more than \$11,000,000 has passed under the scrutiny of the Treasury of the United States. Most significant of all, not once has the Forest Service been found guilty of any vital legal principle underlying its work in any court of administrative tribunal or of last resort. Thus those who make the law and those who interpret it seem to agree that our work has been legal.

But it is not enough to say that the Forest Service has kept within the law. Other qualifications go to make efficiency in a Government service, and they must keep within the law and yet fail to get results.

When action is needed for the public good there are two opposite points of view regarding the duty of an administrative officer in enforcing the law. One point of view asks, "Is there any express and specific law authorizing or directing such action?" and having sought and found none, nothing is done. The other asks, "Is there any justification in law for doing this desirable thing?" and having thus sought and found a legal justification, what the public good demands is done. I hold it to be the duty of a public officer to obey the law. But I hold it to be his second duty, and a close second, to do everything the law will let him do for the public good, and not merely what the law compels or directs him to do.

Proud of Enemies He Made.

He quoted Supreme Court decisions, including one by Chief Justice Marshall, in support of his position.

Mr. Pinchot said that the Forest Service had done things which had never been done before in initiating Government control over water power, giving preference to the public over commercial corporations in the use of the forests and trying to help the small man to make a living rather than the big man to make a profit. He added:

"Because it did these things the Forest Service has made enemies, of some of whom it is justly proud."

He denied that the friends of conservation are trying to prevent the develop-

ment of water power by private capital, saying:

The friends of conservation favor development by private capital and not by the Government, but they also favor attaching such reasonable conditions to the right to develop as will protect the public and control water power monopoly in the public interest, while at the same time giving to enterprising capital its just and full reward. They believe that to grant rights to water power is pecuniary is a wrongful mortgage of the welfare of our descendants, and to grant them without insisting on some return for value received is to rob ourselves.

I believe in dividends for the people as well as for the few. Fifty years is long enough for the certainty of profitable investment in water power, and to fix a return that will be fair to the public and the corporation is not impossible.

Fortunately for us, the special interests, with a business which naturally follows from their wholly commercialized point of view, have failed to carry out this great project. They do not understand that this is far more than an economic question. That in its essence and in every essential characteristic it is a moral question. The present economic order, with its face turned away from equality of opportunity, involves a bitter moral wrong, which must be corrected for moral reasons and along moral lines. This is the doctrine of the square deal. It contains the germ of industrial liberty. Its pastimes, its amusements, its sports are the cow I am firm in the faith that the great majority of our people are square dealers.

DIXIE TALKS CONSERVATION

Gifford Pinchot Takes Part in Meeting of Southerners.

NEW ORLEANS, Nov. 1.—Incidental to the Lakes to the Gulf deep waterways convention, the Southern conservation congress held a session this afternoon and tonight. The feature was an address by Gifford Pinchot, chief forester.

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BISHOP HOT IN DEFENSE

DENIES SPOOKS AND SPECULATORS FILL PORTLAND.

Scadding Perturbed by Inferences Drawn From Recent Events in City.

LOS ANGELES, Cal., Nov. 1.—(Special.)—The Right Rev. Charles Scadding, Bishop of Oregon, who has been spending a few days here on his first visit to Southern California, was somewhat perturbed over the telegraphic news appearing in the morning papers from Portland, his home city. The eminent churchman was actually disturbed concerning the impression that people of Los Angeles might get of Portland from what appeared in the papers about spooks and speculators. He took seriously many questions that were propounded, no doubt, half in jest, and before his departure tonight said:

"I find it the settled conviction of many that Portland is full of spooks and speculators. The indicting of a few financial jugglers by no means proves that Portland is honeycombed by that kind of man. I am ready, as a citizen and a Representative, to support a plan for an ample appropriation for the speedy, effective and continuous prosecution of the work upon such waterway until it shall have been completed."

The time which would have been given to Mr. Cannon was allotted to Senator Lovin, of Illinois, who pleaded for a persistent fight for the 14-foot plan.

LAWSUIT FOLLOWS FIRE

Hoquiam Grocery Firm Asks Damages of Northern Pacific.

HOQUIAM, Wash., Nov. 1.—(Special.)—Complaint and summons were today served on General Agent Williams, of the Northern Pacific Railroad, wherein the Hull Grocery Company seeks to recover \$2000 damages for merchandise consumed and damaged during the fire which broke out at 8 o'clock last night in a warehouse adjacent to the spur track of the defendant company in this city.

Morgan & Brewer are the legal representatives of the complainants. This is but one of many suits to be instituted in connection with the fire which came so nearly wiping out the heart of the city, and which, it is alleged, originated from a spark from a locomotive owned and operated by the Northern Pacific.

She was found a few minutes later by one of the family who roomed with her in life. Miss Miller was thrown on her own resources. She paid for a piece of property, the revenue from which enabled her to attend school.

TOILS TIGHTEN ON FARMER

Body of Woman Found Cremated Was His Housekeeper.

ASTORIA, Wash., Nov. 1.—While the testimony of neighbors and witnesses to evidence developing in the recent murder on a deserted road near Logans, a well-known rancher, the woman who was murdered and then cremated on a pyre of logs in the forest has been identified as Mrs. A. Hansen, a German housekeeper in the Logan bachelor quarters.

Hoquiam Men Chosen.

HOQUIAM, Wash., Nov. 1.—(Special.)—At the recent annual election of the International Shiping-Weavers' Union of America, two Hoquiam men were elected. H. S. Kress, of this city, was elected to the office of fifth vice-president, and W. E. Willis, of this city, secretary-treasurer. With a total of 260 votes Kress defeated J. Orley, of Bellingham, and F. Baker, of Granite Falls. Mr. Willis was elected over George Allen, of Milltown, and Fred Stevenson, of Blaine, with a total of 220 votes.

CADETS DO BLACK

West Point Mourns for Dead Football Player.

SEASON'S GAMES STOPPED

Death of Student Byrne Puts End to Gridiron Matches for 1909.

Telegrams of Sympathy Pour Into Academy.

WEST POINT, N. Y., Nov. 1.—The Military Academy is mourning today the loss of Cadet Eugene A. Byrne, who died yesterday of injuries received Saturday in the football game with Harvard.

Many telegrams expressing sympathy and sorrow were received today by Colonel Scott, Superintendent of the Academy, and James A. Byrne, the dead cadet's father, who, with the young man's mother, will remain with the body until it is buried tomorrow with full military honors in the West Point Military Academy Cemetery.

It was announced today that West Point would play no more football games this season. It is not thought, however, that Colonel Scott will advocate the abandonment of the sport.

Colonel Scott said today that he had received no official communications regarding the football situation. He was emphatic in declaring he considered football too valuable a sport to be dropped.

CORNELL GRIDIRON MAY GO

Dr. Wilder Condemns Football as Brutal and Demoralizing.

ITHACA, N. Y., Nov. 1.—Dr. B. G. Wilder, of Cornell, veteran professor whose specialty is studying the human brain, made a statement today on learning of the death of Byrne, the West Point cadet, in which he said football should be abolished as brutal and demoralizing. President Schurman is ill and has expressed no opinion, but it is safe to say he is opposed to football.

FOOTBALL UP TO SCHOOLS

Superintendents Must Decide Whether Gridiron Game Goes.

WASHINGTON, Nov. 1.—Neither the Navy Department nor the War Department had been called upon late today to consider the proposed cancellation of the Army-Navy football games. Officials in both departments said the question was for the superintendents of the respective academies to settle.

Fighting Beats Football.

PITTSBURG, Nov. 1.—Amuel Andrews, superintendent of the public schools of Pittsburgh, took a decided stand against football today. "I think fighting is a better sport," said Mr. Andrews. "Too many young men have been killed so far this season."

Death Stops Athletics.

PHILADELPHIA, Nov. 1.—Medico-Chirurgical College students decided today to abolish all athletics at the institution because of the death yesterday of Michael Burke, a member of the football team. He was injured Saturday.

SEE COMRADES ROASTED

TRAINMEN, UNABLE TO HELP, WATCH MAN BURN.

Derrick Wrecks Tunnel on S. P. Road and Flames Devour Train and Two Men.

REDDING, Cal., Nov. 1.—Conductor Edward P. Richardson, of Dunsmuir, was instantly killed and brakeman Charles Neate burned to death in the wreckage of the rear part of a freight train on the Southern Pacific, which was derailed early today in a tunnel midway between Keswick and Coram.

Neate, inextricably fastened in the wreckage, remained conscious and when he saw the flames from the burning freight cars creeping near begged the bystanders to cut off his legs to relieve him of the tortures which were being inflicted on him, but they were powerless to help him.

The flames crept nearer and nearer, and finally incinerated the doomed man, while the other members of the train crew stood by in horrified helplessness.

The wreck was caused by the caving in of tunnel No. 1 midway between Keswick and Coram, on the rear of northbound freight train No. 222. The caboose, occupied by Conductor Richardson and brakeman Neate, was almost completely buried under a mass of earth and rocks, and with the overturning of the stove, the wreckage immediately caught fire.

The track was torn up for over 100 feet by the wreck, and the timbers in the west end of the tunnel was burned, and the fire was not under control until three hours after the wreck occurred.

Conductor Richardson leaves a family in Dunsmuir, and brakeman Neate had a wife living in the same place.

The bodies were recovered tonight and were charred beyond recognition. Passengers were held here and at Kennett all day in the hope that the tunnel would be cleared but tonight the company began transferring them around the wreck as there is no certainty that the debris will be removed and the track cleared by tomorrow.

The caving was caused by the derrick of a steam shovel on one of the cars of the freight train, just in front of the caboose. The derrick projected above the caboose roof and battered at the timber of the tunnel as the train rushed through, tearing away many beams and precipitating tons of earth and wreckage on the car where Richardson and Neate were riding.

Knight's and Ladies at Banquet.

Eureka Council, No. 204, Knights and Ladies of Security, held a banquet last night at the Sargent Hotel to celebrate the passing of the "600 mark" in enrollment of members. Some of the new members of the organization were guests of honor. Covers were laid for 60. During the earlier part of the evening a business meeting was held at World of the World Hall. It was about 9:30 o'clock when the dinner began, which lasted until a late hour. At the dinner Ralph Peeney served as toastmaster. The following speeches were made: W. E. Cummings, National organizer of the order, spoke on "The National Council." Quinby L. Mathews, president of Eureka Council, delivered a toast on "Our Local Council." "Duties of Our Local Deputy." was the subject of a talk by P. P. Fisher. Mrs. A. K.



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He spoke on "The Importance of Women in Fraternal Work." The subject of a speech by C. M. Steadman was "Old Life Insurance versus Fraternal Insurance." There were also a number of other speakers, including D. K. Liff, Frank Lee and George H. Thomas.

THIEVES CREMATE FOUR

CHARRED BODIES OF FAMILY FOUND IN RUINS.

Aged Man and Kin Believed to Be Victims of Robbers—House Is Fired to Cover Crime.

BLUEFIELD, W. Va., Nov. 1.—The charred bodies of four members of the family of George Hood, an aged white man, were found today in the ruins of the Hood home at Harper.

The house was destroyed by fire last night, the police believe, to cover up a quadruple murder. Robbery is thought to have been the motive for the crime.

From the ruins were taken the blackened bodies of Washington Hood, aged 35, his sister, aged 27, and their niece, aged 12 years. The head of George Hood, 70 years old, was almost severed.

The burned building was a two-story frame structure, the upper floor being occupied by the Hoods, while in the rooms below was a restaurant conducted by a negro.

The robbery theory was suggested by the fact that Washington Hood on Saturday had shown \$100 in the negro restaurant.

A younger Hood was attending services at a church near the home and it was from the church that the flames were first seen. Hood hurried home, forced his way into the house and stumbled over his father's body. He dragged it outside and returned for the others, but found every entrance closed by the flames.

BIG MAN SITS ON THIEF Little Man Wields Knife, but Is Landed in Jail.

SEATTLE, Wash., Nov. 1.—(Special.)—Attracted to the scene by the struggle, Patrolman J. A. Hodge found the 250 pounds of Christian J. Frank, a laborer, remaining conscious and holding a sitting posture on a 120-pound, five-foot five bundle, which proved to be W. J. Carter, a teamster.

Frank was holding down a man suspected of theft, awaiting the arrival of an officer, but he paid for his interference in two serious stab wounds in the leg and wrist. Carter drew a knife but Frank took a hand, knocking Carter down and sitting on him. While in this position and awaiting the coming of a policeman, Carter freed one hand and stabbed Frank deeply in the leg and in the wrist.

Although suffering great pain, Frank held to his man until Patrolman Hodge arrived. Then Frank was taken to a City Hospital where his wounds were dressed, while Carter and a companion, George Thompson, were locked up.

LANDOWNER SUES CITY

Wants \$2000 for Injury to Property Because of Slide.

ASTORIA, Or., Nov. 1.—(Special.)—The trial of the case of Joseph Giovanni against the City of Astoria, begun before Judge Eakin in the Circuit Court today.

The suit was brought to recover damages in the sum of \$2000 for injury alleged to have been done the plaintiff's property as a result of the slide following the removal of earth from the city. The complaint charges negligence on the part of the city in making the improvement, while the defense denies that any negligence existed.

Lafollette Hogue's Guest Here.

"After spending a few hours calling on friends in this city, Senator Robert M. Lafollette left yesterday afternoon for McMinnville, where he lectured last night. While in Portland Senator Lafollette was the personal guest of H. W. Hogue at the Nortonia. During the day he called on R. L. Sabin, one of his life-long personal friends, and spent a few minutes with Postmaster Young at the Federal building. Senator Lafollette is on a lecturing tour and after leaving McMinnville will speak at Cottage Grove, Roseburg, Medford, Ashland and Grants Pass. The Senator may properly be termed a "long-winded" speaker, as it takes him four hours to deliver his lecture."

Astoria Invites Rosenmuller.

ASTORIA, Or., Nov. 1.—(Special.)—Grace Episcopal Church of this city, has extended a call to Rev. George F. Rosenmuller, rector of St. Stephen's Church at McKeesport, Pa., to become rector of the



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local parish. Rev. Rosenmuller will arrive here during the present week to look over the field with a view of accepting the call.

DREAMS SELL \$400 POUND Opium Comes High—Government on Hunt for Smugglers.

SAN FRANCISCO, Nov. 1.—Because of the ban placed on the importation of opium by the Government, and the consequent rise in the price of the drug until it is selling at \$400 a pound in the Chinese quarter of this city, the revenue cutter service has been ordered to take unusual precautions along the coast to guard against smuggling.

The revenue cutters Bear and Perry are now on their way to this port from the north and on their arrival will be

assigned to stations on the southern coast while the McCulloch will cruise out of San Francisco.

The Bear will be stationed at San Diego and cruise toward the Mexican border and the Perry will make its headquarters at San Pedro and alternate with the Bear on southern cruises.

COURT RESENTS INSULT

Highest Tribunal Strikes Out Petition as Scandalous.

WASHINGTON, Nov. 1.—Chief Justice Fuller today created a mild sensation in the Supreme Court of the United States by announcing that papers in the case of the Yellow Poplar Lumber Company vs. S. F. Chapman would be stricken from the records of the court because of their "scandalous nature."

The controversy involves a lumber deal

in Virginia. The Court of Appeals decided in favor of Chapman and in its petition the company asks a review on various grounds, one of which is stated as follows:

"The opinion of the Court of Appeals is so grotesque in its conclusions of law and prepared with so little care and study as to be almost unintelligible, even grammatically, not to say legally."

The Chief Justice did not quote any portion of the papers, but said they were "so impertinent and improper that they would be stricken from the docket."

Judge McCredie Loses Vote.

VANCOUVER, Wash., Nov. 1.—(Special.)—Judge McCredie lost a vote today when Tim O'Neal, one of his old friends, had the misfortune to break a leg, a bone kicking him just below the knee. Tim was counting on casting a ballot for the Judge for Congress, but is now much disappointed. The Judge expressed his regret at the unfortunate accident.