

## SENATE PUTS O. K. ON HIGHWAY BILL

### Road-Building by Commission Wins.

## CONVICT LABOR IS APPROVED

### All Prisoners but Stovemakers to Break Rock.

## BOTH MEASURES FOUGHT

### Good Roads Men Victors, 16 to 14. Strong Opposition Due in House. Eastern Oregon Is Main Foe. County Courts Rule.

STATE CAPITOL, Salem, Or., Jan. 26.—(Special.)—Place all convicts on the roads when not needed for other purposes at the State Penitentiary and create a State Highway Commission. These are the moves carried in two bills that passed the Senate this afternoon after a prolonged fight.

Something of the conflict was suggested when McCulloch, of Baker, objected to creation of a State Highway Commission, as Joseph's Senate Bill No. 42 came up for consideration. This bill was passed upon favorably by the Senate, Tuesday, while sitting as a committee of the whole to hear the pleas of men representing 399 leading Portland citizens. Then only eight votes were recorded against it. Passage of the measure was thought to be comparatively easy today until unexpected opposition appeared.

### Eastern Oregon Fights.

McCulloch declared that from the seagrass country in Eastern Oregon there had come down the line the word that he did not want the Highway Commission, and that he would be compelled to vote against it. He suggested a plan for Eastern Oregon and another plan for Western Oregon in good roads development, but said that in Eastern Oregon they are not ready for intensive road building and that in the last six weeks meetings had been held generally all over that section against the association bills.

"If I represented a more thickly populated section," he stated, "I might be in a position to favor such bills, but it is impossible for me to do so in face of the cry that has come up from my constituency."

### Federal Envoy Speaks.

Benjamin F. Heide, who has been sent to the Capitol by the Department of Agriculture at Washington as Highway Engineer to aid in lobbying through the road bills, spoke, as did ex-Judge Webster, of Portland.

Barrett, of Umatilla, said that he found the counties of Umatilla, Morrow and Union, which he represents, opposed to the bill.

"I do not expect the state-aid bill to pass," he said, "and this bill is worthless unless the state-aid measure is successful. If the state-aid measure passes, the referendum will be invoked and the act defeated. Consequently, I see no object in creating the Commission."

Nottingham retreated from his position of Tuesday and said he could find no opposition to the bill in Multnomah and that he decided to stand for the measure and vote yes. Oliver said he personally favored the bill, but found there was opposition in Eastern Oregon and cast his vote adversely.

### Bill Wins by Two.

On vote the Commission bill carried by the narrow margin of 16 to 14 against. Stronger opposition is promised in the House. The voting stood: Yeas—Abram, Albee, Barrett (Washington), Bowerman, Calkins, Carson, Joseph, Kellisher, Lester, Locke, Malarky, Nottingham, Von Der Hellen, Wood and Selling.

Noes—Barrett (Umatilla), Burgess, Dinsch, Harty, Hoskins, McCulloch, Merriman, Miller, Oliver, Parrish, Patten, Sinnott.

Miller's S. B. No. 9, providing for convict labor on the roads, developed heated discussion throughout the remainder of the afternoon, holding the Senate in session until 8 o'clock, the latest adjournment since the Legislature has convened.

### Stove Contract, Main Point.

What to do with the contract under which the Lowenberg-Göing Company hires convicts for use in the penitentiary stove foundry was one of the most vital points at issue. The bill provides that all convicts not needed about the prison farms and grounds may be sent out on road work on requisition of the County Courts in the respective counties. The Lowenberg-Göing Company holds a 10-year contract, dating from 1887, for use of a minimum number of 150 convicts in the foundry at the rate of 45 cents a day, and legislators were a unit in declaring that the Legislature could not honestly abrogate this contract, but believed that amendments might result in the acts constraining such moves as legislative action which might result in impairment of such a contract.

### Foundry Convicts Exempted.

Final amendment, however, eliminates stove foundry convicts from the provisions of this road bill. Warren E. Thomas, (Concluded on Page 7.)

## CURTISS AIRSHIP SOARS LIKE GULL

### AVIATOR RISES FROM WATER. ALIGHTS ON SAME ELEMENT.

### Problem Necessary to Make Aeroplanes Useful to Navy Solved on San Diego Bay.

SAN DIEGO, Cal., Jan. 26.—For the first time, it was declared, in the history of aviation, an aeroplane rose from the surface of the water today, sailed about and, returning to the starting point, landed on the water as easily as a gull.

This feat was achieved by Glenn H. Curtiss in his specially equipped aeroplane on San Diego Bay. The machine covered a distance of about two miles and the flight was made after almost two weeks of experimenting.

Both the Army and the Navy were represented at these experiments on North Island.

When the aeroplane was brought out at noon today and floated on the shallow water between Coronado and North Island, it was equipped with hydroplanes and a new arrangement of front surfaces. Curtiss climbed into the seat and started the powerful motor. The aeroplane scudded up the bay at a 45-mile clip for a quarter of a mile, then lifted alongside and rose to a height of 50 feet.

Curtiss brought it down on the surface easily, after flying half a mile, and turned around as easily as a motor boat. Putting on his full power, he again rose, this time to a height of 100 feet, sailed out over the bay a mile from the starting place, circled around near the revolving cutter Bear and the repair ship Iria, and landed lightly on the water in front of his hangar on shore.

"I have succeeded in solving the one problem the Secretary of the Navy regarded as the most difficult and the one necessary to make the aeroplane of value to the Navy," said Curtiss, as he stepped ashore. "I can now start an aeroplane from the water alongside a war ship, make my trip and return, land alongside and be hoisted aboard. This, I believe, is of great importance to the Navy."

## \$1000 OFFERED TO FUND

### R. H. Thompson Subscribes to Historical Building in Portland.

SAN JOSE, Cal., Jan. 26.—(To The Oregonian.)—I will give \$1000 to the Oregon Historical Pioneer Association and Museum building fund provided legislative act passes and balance of the \$100,000 is subscribed within 18 months.

### R. H. THOMPSON.

R. H. Thompson is one of the heirs of the R. H. Thompson estate. The Oregon Historical Society bill provides that \$100,000 be appropriated from the general fund for the erection of a suitable building in Portland in which to house the books and records of the society, the building to be used also as a museum. The \$100,000 is not to be available, however, unless another \$100,000 is secured from some other source for the purchase of the ground. This last \$100,000 may be either in cash or in solvent securities, payable on demand, and available for use for building purposes at any time.

The directors of School District No. 1 are authorized by the bill to provide a suitable site.

Before the appropriation becomes available the City of Portland must pass an ordinance providing for the care and maintenance of the building. If the site is not secured in 18 months or if the city passes no ordinance in 18 months for the maintenance of the building, the bill provides the building fund shall not be available.

## IDAHO IS SWEEPED BY FLOOD

### Rivers Rise From Banks, Destroying Tracks—Streets Are Awash.

BOISE, Idaho, Jan. 26.—(Special.)—What is considered to be the worst flood in years has congested traffic, damaged property and stock and placed many Southeastern Idaho cities under from one to three feet of water. The flooded area is confined to Southern Bingham and Northern Bannock County. Water stands in the streets of Pocatello, Blackfoot, Ross Fork and Bancroft.

A warm wind rapidly melted the heavy snow and was followed by a rain storm last night, turning streams and rivers into raging torrents and soon flooded the country.

The marooned trains transferred passengers to flat cars to take them safely over the washed out tracks.

## GUNBOAT SENDS NO WORD

### Navy Department Hears Nothing of Wheeling, Reported Crippled.

WASHINGTON, Jan. 26.—No word was received up to midnight tonight by the Navy Department from the gunboat Wheeling, reported to have met with an accident off the Carolina coast.

Navy Department officials are not apprehensive, however, and do not expect to hear from the vessel until tomorrow night, when she nears Guantanamo, Cuba, her destination.

## NEVADA TO BAN CIGARETTE

### Senate Passes Bill, Which May Now Go Through House.

CARSON, Nev., Jan. 26.—The State Senate today passed a bill making it unlawful to sell or give cigarettes or cigarette papers to any man, woman or child in the State of Nevada.

According to expressions from members of the lower house, the bill will go through without amendment.

## TAFT PROGRAMME HAS BAD OUTLOOK

### Congress Can Do Little Legislation.

## FACTIONAL QUARRELS BLOCK

### Tariff Commission Will Cause Long, Bitter Fights.

## CONSERVATION MUST WAIT

### Diversity of Opinion on How to Open Western Land Renders Action Impossible—Subsidy Bill Doomed, to All Seeming.

BY HARRY J. BROWN. OREGONIAN NEWS BUREAU, Wash., Jan. 26.—The outlook for the Taft legislative programme is anything but encouraging. Only five weeks of the session remain, and in that brief time the Senate must pass practically all of the large appropriation bills; the House must pass four or five of the remaining big supply bills and the two houses must reconcile their differences after these bills have been sent to conference committees. It is conceded that the appropriation bills must take precedence over everything else, for if any of them fall (unless it be the river and harbor bill) an extra session will be necessary, and everyone is striving to avoid an extra session in the Spring.

Ordinarily ten weeks would be necessary to consider and pass as many appropriation bills as yet remain to be disposed of, and if this essential work is to be concluded before March 4, Senators will be obliged to curtail debate and the House will be obliged to dispense with its wrangling over methods of procedure. It is true the House made a good start in December, but since that time factional and partisan troubles have been injected into the House proceedings, with sad results, so far as the transaction of business is concerned.

### Rules Fight Blocks Action.

The situation in the House would be less discouraging if the House had not amended its rules out of all semblance to reason. But under the rules, as modified by the Republican insurgents and Democrats, only three days out of every week are available for the transaction of important business, including appropriation bills, the remaining three working days being set apart for business that could readily be dispensed with until next session.

Were the appropriation bills out of the way, the five weeks remaining of the present session would be none too long a time to dispose of those measures in which the President is most interested. But the appropriation bills are not out of the way, and there comes the rub.

### Tariff Commission Outlook Bad.

Foremost in the eyes of the President, is the bill creating a tariff commission. That bill must pass the House before it can be considered by the Senate, and it has strong and determined enemies in both branches of Congress. There was a dispute as to the merits of the two commission bills before the ways and means committee, one introduced by Representative Dalsell. Believers in a tariff commission were divided, some favoring the Longworth plan which was

(Concluded on Page 3.)

## SHIPPING FACILITIES IMPROVED.

Interesting articles concerning the improvement of Oregon's facilities for commerce by river and ocean will be printed in the Fiftieth Anniversary Edition of The Oregonian, which will appear February 4. The deepening of Coast harbors and betterments under way and in prospect for Portland's channel to the sea are subjects that will be covered by officers of the United States Engineering Service. There will also be pictures and a description of the Cello Canal, on which work is going ahead more rapidly than ever before.

The building of new railroads will also receive considerable attention in the Anniversary Edition. The construction of two railroads up the Deschutes, electric and steam lines to Tillamook and smaller projects are not only important to Oregon, but advertise the state as a district in which the big railroad systems have complete confidence.

## INDEX OF TODAY'S NEWS

The Weather. YESTERDAY'S—Maximum temperature, 43 degrees; minimum, 34 degrees. TODAY'S—Occasional light rain or snow; slightly colder; wind, mostly southerly.

### Legislation.

Malarky cautions in denying conference on public service bill. Page 6. Washington lower house orders strict investigation of National Guard. Page 6. Oregon Senate passes Highway Commission bill and convict-labor measure after prolonged fight. Page 1. Both Senate and House order strict investigation of management of asylum at Salem. Page 6.

### Foreign.

Nearly all railroads in China cease operation on account of plague. Page 4. Delay in printing report on Ballinger case causes hot debate in House. Page 2. Prospects bad for passage of Taft's legislative programme by Congress. Page 1. Taft sends Canadian reciprocity agreement to Congress. Page 3.

Consent denied to Podesworth's story about Spanish bribe. Page 2. Taft proposes new treaty with Japan removing restrictions on immigration. Page 3. Senate committee provides for two dredges for Portland's 30-foot channel. Page 4.

### Politics.

Judge Kimbrough, at Danville, admits making trips to precincts, carrying money. Page 2. Domestic.

Curtiss in aeroplane rises from and alights on water of San Diego Bay. Page 1. Steamer Queen returns to San Francisco with burning hold and fireboats extinguish blaze. Page 3.

Countess de Beaufort has leg broken by surgeon to be reset. Page 3. Harassing expert says forestry of all Turn-bull letters not possible. Page 5. Mrs. Francis J. Heney dies in New York. Page 1.

### Sport.

Women attend auto show. Page 16. Klamath Falls cheered by prospects for irrigation development. Page 7. Oregon Retail Merchants' Association plans new net weight bill. Page 7. Cottage City sinks off Cape Mudge in storm; many passengers missing. Page 1.

### Commercial and Marine.

Steamer Tahoma held in ice at Big Eddy for five hours is released after shifting cargo. Page 16. Turpentine selling at highest price since Civil War. Page 10. Large Argentine shipment weakens wheat market. Page 10. Stocks firm, but not active. Page 10. Liberal run of livestock at North Portland. Page 10.

### Portland and Vicinity.

City Engineer and contractor firm charged with conspiracy to defraud property owners. Page 12. Metropolis to be division point on Oregon trunk; work progresses rapidly. Page 10. Hardware men approve denunciation of "catalogue houses." Page 10. School directors threaten to resign if new bills are passed. Page 12. Grand jury, in pity for Bailey, may advise lenient action. Page 9. Railroad fares from East to be reduced during tourist season. Page 10. Portland to have \$2,000,000 factory, employing 500 men. Page 1. William Haney and J. F. Adams freed from timber trespass charges. Page 12. Robbers hold up restaurant, desperate conflict ensues with holdups victors. Page 4.

### Local.

That a \$2,000,000 factory which will employ 500 men on the day it opens is about to be located in Portland; that a paternal compensatory law of Germany for injured employees should be adopted in Oregon, and that eternal vigilance in freight matters is the price of trade extension was the substance of the addresses delivered at the 18th annual meeting of the Manufacturers' Association of the Northwest in Alisky Hall last night. More than 100 manufacturers were present.

Dr. J. R. Wetherbee in his address announced that there were five new factories on their way to Portland, and the president of one of the largest manufacturing concerns in the United States would be in the city in a few days to make final arrangements for coming to this city. He refused to name the concern.

This law provides that the state shall appropriate \$50,000 for the fund to be created, the workman is to give 1 per cent of his wages and the employer 2 per cent. This fund is to be disbursed by a commission.

### Money Now Divided.

Fletcher Linn, of the Oregon Furniture Manufacturing Company, in a speech declared that he was in favor of some law and that he had given the subject considerable study. He had found that during 1910 Oregon had paid out in liability insurance \$15,000. Of this sum \$70,000 had come back to the state in the form of judgments, but of that \$70,000 only \$15,000 had been paid direct to the injured. It was this condition, he believed, that was constantly causing strife between employer and employee. There was no doubt that the employer was paying dearly for his accident insurance and paying it in the hope that the injured one would get the money.

J. P. Carroll, in response to calls for a speech, said that he was highly pleased by the discussion.

"There exists in this country," said the speaker, "a condition of altruism. But that altruism is nothing more nor less than one form of the manifestation of equity. There is no doubt that the state is interested in the welfare of its citizens. Where life is taken away in the industrial pursuits, there are frequently left a widow and children. The state's interest, its asset, is in bringing up of these children, for if they go wrong the state has an extra burden on its hands, and if it encourages them to do right it enlarges its capital and has an asset worthy of the greatest consideration."

J. N. Teal, of the Manufacturers' (Concluded on Page 10.)

## BIG FACTORY WILL EMPLOY 500 MEN

### \$2,000,000 Plant Will Come to Portland.

## MANUFACTURERS HEAR NEWS

### Details, Dr. Wetherbee Says, Are Nearly Ready.

## LIABILITY LAW FAVORED

### Speakers at Convention Discuss Proposal to Adopt German System by Which State, Workmen and Employes Unite.

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## MRS. F. J. HENEY DIES IN NEW YORK

### WIFE OF PROSECUTOR VICTIM OF SUDDEN ILLNESS.

### Going East to Attend Publishers' Dinner, She Is Attacked by Tubercular Meningitis.

NEW YORK, Jan. 26.—Mrs. Francis J. Heney, of San Francisco, whose husband was formerly special prosecuting attorney in San Francisco, died tonight of tubercular meningitis at the home of Charles P. Crane. She had been ill about ten days.

Mr. and Mrs. Heney came here January 6 to attend the dinner of the Periodical Publishers' Association, and were the guests of Mr. and Mrs. Crane. Shortly afterwards Mrs. Heney fell ill and her decline was unchecked.

The body will be taken to San Francisco, but no plans for the burial were given out tonight.

Mrs. Heney was 59 years old. She was a daughter of John McMullin, a pioneer who figured in the Texas Revolution. Before the gold rush to California he emigrated to that state. McMullin died when the daughter was a child and she was educated with her mother's relatives in Kentucky.

Returning to California, she met Mr. Heney in 1896 and was married to him in the midst of the graft prosecution.

## MAN OWNS 1,000,000 ACRES

### Henry Miller Buys Lux Interest in \$5,000,000 Estate.

SAN FRANCISCO, Jan. 26.—(Special.)—Arrangements have been completed whereby Henry Miller, head of the multi-millionaire corporation of Miller & Lux, will purchase all interests in the concern owned by the estate of the late Charles Lux and his heirs.

As the first step in this direction a deed of trust to all of the property of the company worth \$5,000,000, has been recorded in accordance with an agreement signed last March. The deed is to secure first mortgage bonds issued by Miller & Lux, which will be used to pay off the Lux interests, which are distributed among 33 heirs.

The corporation of Miller & Lux owns approximately 1,000,000 acres of California and Oregon land. Henry Miller, who is now the largest individual landowner in the United States, is 85 years old.

The deal now being negotiated under the agreement will close years of litigation.

## SNOW TRAPS MEN TEN DAYS

### Storm Fighters Tell How Stagedriver Carried Woman to Safety.

MEDFORD, Or., Jan. 26.—(Special.)—J. E. Lipset, returned this morning from a trip to Crescent City and other coast points. He and a companion, George Brinker, a mining engineer of Los Angeles, were snowed in for ten days at the Raymond stage station on Patrick Creek, Josephine County.

The two left Medford on January 2, with Lipset's team and buggy. It was on the return trip that they were forced to turn back to the shelter of the Raymond stage station.

The worst storm was encountered in the Illinois Valley between Coos Range and Crescent City. While trying to cross the valley through almost four feet of snow the two men came upon the stage from Grants Pass, which was held solid in a drift.

A woman passenger was carried by the driver for over half a mile and then placed on a horse and taken through to the station.

## MEDFORD SEES LABOR WAR

### Work May Halt on Two New Schoolhouses as Result.

MEDFORD, Or., Jan. 26.—(Special.)—Because the school board let the contract for the plumbing of the two new schoolhouses to W. A. Atken, union men may refuse to work on the building, as Mr. Atkin has no agreement with the plumbers' union.

It was reported today that the carpenters of the city, nearly almost all of whom are union men, would notify Alfred Vrey, the contractor, that they would not work on the buildings. They have not yet notified him, however.

## HEAVY FLOODS ARE FEARED

### Fourteen Inches of Snow at Glendale Followed by Warm Wind.

GLENDALE, Or., Jan. 26.—(Special.)—Fifteen inches of snow have fallen in the last forty-eight hours, and more is threatened. Telegraph and telephone communication is paralyzed. A freight wreck at Hugo delayed traffic on the Southern Pacific for twelve hours.

The Shasta Limited, due here at 5 A. M., did not arrive until noon today. As the temperature is rising and the snow turning to rain, floods and washouts are feared.

## NEPHEW IS LEFT \$150,000

### Oregon City Man Remembered When His Uncle Dies.

OREGON CITY, Jan. 26.—James Petty, one of the well-known residents of this city, who resides on the Clackamas river, has become heir to \$150,000, part of an estate left by an uncle.

There are five heirs. The total value of the estate is \$250,000. Petty has been receiving remittances from the estate during the last few years. He will leave soon for New York.

## WIRELESS FLASHES AS SHIP FOUNDERS

### Cottage City Sinks; Many Missing.

## BLINDING SNOWSTORM RAGES

### One Boatload of Seamen Fail to Reach Safety.

## SUFFERING IS INTENSE

### Women and Children Hurled Off in Boats as Captain, Crew and Wireless Operator Stick by Posts Till Driven Off.

SEATTLE, Wash., Jan. 26.—(Special.)—Wireless tonight clicked in broken flashes the story of the fight for life of the 35 passengers and crew of 60 of the wooden steamer Cottage City, which sank off Cape Mudge, B. C., at 3 o'clock this afternoon.

One boat's load of the crew is reported missing. The remainder of the 58 lives are reported saved. The hidden rocks at the entrance to Seymour Narrows pierced the bottom of the Cottage City and she sank, it is reported, within 30 minutes.

There was slight warning. Half speed had been maintained because of a heavy snowstorm that made it impossible to see two ship lengths ahead. She was picking her way cautiously through the narrow channel when she stopped with a terrific jar, trembled violently and began to founder.

Dramatic Scenes Enacted. Dramatic in the extreme were the ensuing 50 minutes. The passengers had finished lunch and had assembled in the social hall. One of the women was playing the piano and a group about her singing when the ship's death tremor threw them to the floor.

The boom of the water as it rushed into the ship's hold was drowned by the shrieks of women and children. It was then that Captain A. C. Jansen appeared, and in a measure calmed the panic as he and the officers swung the passengers over the ship's side and into the boats.

The children were taken off first and then the women. The men were taken first in the second boat. In the third boat was that part of the ship's crew which is reported missing. Captain Jansen, who was with the wireless operator, was the last to leave the ship, took the fourth boat.

"Good bye," was the last word to come by wireless from the Cottage City. It was the heroic farewell of the wireless operator. He had started out strong and clear with the "S. O. S." when the boat struck the rocks.

Victoria, Vancouver and Seattle answered his call. "Steamer Cottage City sinking," he had answered. That was when the boat first struck.

### "Rush Aid," Is Call.

"Rush aid," was his next call. "Coming," had answered Victoria. Then came a break in the sending of the Cottage City operator.

"Go—d—by—e" came the final word. That was the last use to be made of the wireless equipment on the Cottage City, for she sank within five minutes. Captain Jansen himself took his wireless operator from his post.

The other three boats had put well away from the sinking ship when Captain Jansen and the wireless operator went over the side and into the fourth and last boat. They had rowed not more than 40 feet when the Cottage City sank.

Suffering among the women and children was intense during the fight in the open boats to reach the shore. The sea was running high and the strong wind and heavy snowstorm handicapped the men at the oars.

Before the boats had gone 100 feet from the Cottage City the women and children had been drenched. They were a pitiable spectacle when shore was reached.

### Boats Row Four Miles.

The boats rowed four miles to Campbell River, a small settlement on Vancouver Island, where all except the missing boatload had arrived late tonight.

Second Mate O. Anderson's boat, in which there were several passengers, has not been reported at Campbell River, but it is believed that Anderson put in at one of the small settlements where there is no wire communication.

The United States life-saving steamer Snohomish and the salvage steamer Salvor have gone to Cape Mudge to assist the shipwrecked victims.

The Cottage City is the property of the Pacific Coast Steamship Company. She left Seattle last night bound for Skagway, Alaska.

Cliff Is 230 Feet High. Cape Mudge is the southern point of Quadra Island and forms the east