JOINT OPERATION OF LINES IS ASKED

Southern-Central Pacific Petition Filed.

AUTHORITY IS CITED

Rivals Can Be Combined Under One Institution, According to 1920 Transportation Act.

WASHINGTON, D. C., Oct. 17.—The Southern Pacific today filed with the interstate commerce commission a petition which, it was said, if granted, will prevent the separation from its system of the lines of the Central Pacific, although this separation was ordered by the supreme court in a decision several months ago, and a rehearing of the case was subsequently denied by the court.

According to the railroad's petition, the commerce commision has power, under the transportation act of 1920, to allow the operation of the combined railroad system as one institution, even though the supreme court declared the situation to be an example of the merger of parallel and competing lines, which is forbidden by the Sherman anti-trust law.

Divorce Held in Abeyance.

The commission's decision on the issue, if affirmative, lawyers asserted, will be the first setting up of a policy of transportation regulation in disregard of the anti-trust laws which have hitherto been applied to maintain competition in railroad operations as in other industries. The Southern Pacific petition pointed out that the transportation lines, when it adjudges the result likely to better transportation conditions and cited that tentative plans of the commission for general consolidation of railroads, now under consideration, provide for a continuation of its merger with the Central Pacific.

While awaiting the determination of the commission it was indicated the actual process of separating the two railroad properties as ordered by the supreme court will be held in abeyance.

Leasing Properties Suggested.

As a method for the commerce commission to follow in applying its authority, the Southern Pacific petition suggested that an order should be issued allowing that company to lease the entire properties of the Central Pacific, which it now operates, on terms similar to those existing at present, with the exception that the leases should be terminable at the pleasure of the commission.

Thereafter, it was proposed, the commission could go forward with the pending investigation of general construction plans and at the conclusion make final disposition of the entire matter. It was pleaded that a separation now would cause a disruption of traffic and operation systems, leaving the Central Pacific as a partial transcontinental line and raise questions in regard to the payment of bond interest and principal among the security issues which are joint obligations of the two systems. Even were this done, the South Pacific petition recited, there might a reunion later under the construction project, which would make the whole proceeding unnecessary.

Act Held Not Considered.

It was further recited that the supreme court, passing as it did upon an anti-trust issue in a case begun in 1914, could not and did not take the transportation act provision for constructions into consideration. This act, the railroad further alleged, "constitute a radical change in the policy of congress towards the railroads of the country," and justifies the commission in allowing something which the supreme court held illegal.

The Central Pacific runs from Ogden, Utah, to California cities with branches orth and south in California and Oregon. Since 1870 it has been operated as an integral part of the Southern Pacific.

STEP MERELY TEMPORARY

Nothing to Be Done Until Final Decision Is Reached.

That the application of the Southern Pacific is a temporary step merely was the explanation of William Sproule, president of the company, in a statement issued at San Francisco headquarters yesterday and telegraphed to Southern Pacific offices here. It was as follows:

"Until a final conclusion is reached by the commission nothing permanent as to the relations of the Southern Pacific and Central Pacific can be determined," the announcement said. "No other railroad could buy the property without the consent of the interstate commerce commission under the law. The commission has large powers over questions of joint use of terminals and the like.

"If the application be granted by the interstate commerce commission it simply means therefore that there will be no disruption until the question is finally and definitely determined as to where the Central Pacific shall go.

"So obviously is it in the interest of the public not to have a temporary separation that there should be no objection to approval of the lease by the interstate commerce commission, and if any opposition comes it will be from those having selfish interests to serve and those who are afraid of what the interstate commerce commission may ultimately rule in the matter.

"The ultimate outcome will not be affected by this lease, since the interstate commerce commission will reserve the right to allocate the Central Pacific to some other system if it deems best."

INDIAN ASSESSED $500

Man Already in Jail Loses Suit Over Automobile Wreck.

VANCOUVER, Wash., Oct. 17.—(Special.)—John Eyle, Indian, and his wife, Julia, owners of a big car which crashed into the machine of Ernest DuBois of this city last month and wrecked it, will have $500 damages on the DuBois car to pay in addition to the year in jail and $1000 fine which Eyle drew recently for driving while intoxicated.

When Eyle was arrested he had two kindred spirits with him, including Mrs. Lillie Charlie, an Indian widow. Eyle' wife, who is joint owner of the machine, was not present, but she was co-defendant in the suit brought by DuBois. Judgment for the plaintiff was found today by Judge Simpson of the superior court of Clarke county. The case was not contested by Eyle, who will be in jail for nearly two years as a result of the crash.

TEN ON DEBATE SQUAD

Portland Students Out for Places on Corvallis Team.

OREGON AGRICULTURAL COLLEGE, Corvallis, Oct. 17.—(Special.)—Ten men have places on the debate squad, to train for the state championship triangular debate between the University of Oregon, Reed college and the Oregon Agricultural college, December 8.

New men winning places on the squad are Paul Dickey of Corvallis, George Studor, Portland; Henry Gunn of Portland, Edward Salstrom, Portland; G. E. Beagle, Hermiston, and G. I. Smart, Corvallis. Men of last year's varsity winning places were John Gray, Gardena, Cal.; Paul Knoll, Corvallis; Chester Merklin, Walla Walla, Wash., and a member of last year's rook squad—Vernon Paine of Eugene—was successful.

ATLANTIC LINER STRUCK

Queen of Clyde Fleet Aground Off St. Johns, Fla.

JACKSONVILLE, Fla., Oct. 17.—The steamer Lenape, queen of the Clyde line fleet, with 247 passengers aboard, bound from New York for this port, went aground off the St. John's bar today and was still hard and fast tonight.

Two tugs and a steamer were standing by, while the Lenape maintained constant wireless communication with her sister ship, the Arapahoe, here. No apprehension was felt for the passengers.

RECTOR'S WIDOW TESTED

(Continued From First Page.)

searching the fields near the spot where the couple were later found.

Prosecutor Beekman of Somerset county today made public some of the letters found on the body of the Rev. Mr. Hall. They were, he said in the handwriting of Mrs. Mills, although unsigned.

One of them was a critical epilogue of a book the rector was said to have given Mrs. Mills—"The Mother of All Living," by Robert Keable, described as a love story of Africa, exotic in atmosphere and frank in treatment.

Affectionate Terms Used.

"Dearest," the letter said, "how fast I read; I remember, too, honey mine, what a lot there is to talk about after I read this book—we must take it with us when we ride and talk about it, especially the marked parts—this Keable certainly knows hearts—it is sweet but nothing compared to ours—I don't want to read such books ever again. Why? You know. They make me yearn for what perhaps I missed in life. And to think that now and hereafter I shall never escape this longing until our souls are one at last."

"Dearest, dearest boy of mine, good morning," another letter begins. "What joy and peace is ours today, and strength. Now, gracious God is to privilege us to know this most joyous, greatest blessing. I am on my knees, darling, looking up at my noble man, worshiping, adoring. Wonder of wonders, that I love you even more than yesterday."

Letter Held Important.

Prosecutor Beekman attached importance to a third letter, in which is found: "Honey mine, I was needing you as only you know, but he was here and so I said not to come."

Henry Stevens was questioned, according to Attorney Pfieffer, regarding his alibi for the night of the murder, when he said he had been hunting near LaVallette, N. J. He announced today that his proposed trip had been one planned to South America, not to Europe, as has been said, but stated that arrangements had been cancelled.

Officially, the results of today's re-examination were not made known. Once more a new drive has bee nstarted; vaguely, it is believed that new evidence has ben uncovered and the return from scattered trails to the massed attack today is expected to bring definite action.

Day in Court Expensive.

WALLA WALLA, Wash., Oct. 17.—(Special.)—Fred Wehring had his day in court today, but it was expensive, both from the standpoint of time and money. His landlady, Mrs. May Crowley, appeared in court against him to testify that the black eye she wore was the result of Wehring's accuracy in throwing a rock. He was fined $25 and costs, which amounted to $9.60. Then Wehring had to defend himself on a charge of having liquor in his possession. For this he drew $100 fine and 30 days in the counyt jail. Wehring smiled during the testimony in the first case, but his smile was missing when he reached jail.

Power Officials Convene.

HOOD RIVER, Or., Oct. 17.—(Special.)—Eighteen district managers from Oregon, Washington and Idaho and 19 other officials of the Pacific Power & Light company arrived today to attend the annual convention of the public utility. The delegates spent today inspecting work on a new $1,250,000 hydro-electric plant being constructed for the power company on Hood river by the Phoenix Utility company. A dinner was served at the camp tonight. The convention will end in a banquet at the Columbia Gorge hotel tomorrow night.

Phone your want ads to The Oregonian. All its readers are interested in the classified columns.

TEMPORARY POWER PERMITS GRANTED

U. S. Approval Gained for Deschutes Projects.

THREE SITES INVOLVED

Development of 274,000 Horsepower Expected to Result From New Works.

THE OREGONIAN NEWS BUREAU, Washington, D. C., Oct. 17.—Two preliminary permits involving ultimate development of 274,000 horsepower on the Deschutes river in Oregon have been granted by the federal power commission, it was announced today. The commission has authorized the issuance of a preliminary permit for one year to the Pacific Power & Light company for a power development on the Deschutes river at the so-called reclamation site about 20 miles upstream from the point where it empties into the Columbia river.

It is estimated that there is water available for the development of a hydro-electric plant having a capacity of 54,000 horsepower. The water wheels will operate under a head of 190 feet. The company has a growing market for power and will be able to utilize all the power developed eventually.

A preliminary permit for three years has been authorized for issuance to the Columbia Valley Power company of New York for power development on two power sites on Deschutes river, one of which is a short distance below the junction of the Metolius and Deschutes rivers in Oregon, and the second about four miles below. It has been estimated that the stream flow is sufficient to warrant the installation of about 220,000 horsepower of generating equipment, provided a market can be found for the power.

The company applied originally for five sites on the Deschutes river. In view of the fact that there is at present no market for the great amount of potential power available, it was decided to authorize the issuance of only two of the five sites for which application was made. Practically all of the lands to be flooded by the proposed dams are vacant public lands or lands within the Warm Springs Indian reservation.

SURVEY WORK TO BEGIN

Pacific Power & Light Company to Send Out Engineers.

A preliminary permit to develop power on the Deschutes river granted to the Pacific Power & Light company Tuesday by the federal power commission gives the utility concern authority to make surveys of a proposed project on the stream at Benham falls and to compile data to determine the feasibility of that site as a generator of electrical energy.

While no survey in detail has been started yet, it is expected that company engineers will begin an investigation very shortly. According to John A. Laing, vice-president of the company, the Benham falls site is being relied upon to produce from 40,000 to 50,000 horsepower. It would cost in the neighborhood of $3,500,000 to develop such a project, at a rough estimate, said Mr. Laing.

"The site for which the permit is issued," said Mr. Laing, "is at Lockett, Or., and is known as the reclamation site. Our company has been on the lookout for available new power sites that will be needed in the near future if we are to take care of our rapidly growing demands, and it is noped the Benham falls location will prove, after further investigation, to be the one most suited to our plan of future expansion.

Guy W. Talbot is president of the Pacific Power & Light company, Lewis A. McArthur is corporation counsel and H. H. Schoolfield is chief engineer. Mr. Talbot is absent on an eastern trip.

BRIBERY CHARGE FAILS

ANOTHER KING COUNTY CASE RESULTS IN ACQUITTAL.

Directed Verdict Is Returned at Trial of Charles B. Wood and W. A. Wilkins.

PUGET SOUND BUREAU, Seattle, Wash., Oct. 17.—Another of the indictments returned by the recent King county grand jury went by the board today when a trial jury brought in an instructed verdict of acquittal in the case of Charles B. Wood, county purchasing agent, and W. A. Wilkins, Seattle bookbinder. The defendants had been charged with grand larceny, based on the purchasing agent's approval of a voucher for $1200 issued to Wilkins in payment for record books which, it was alleged, had not been delivered at time of payment.

Trial began Monday before Judge Askren of Pierce county, and when the state closed its case today the court immediately instructed the jury to return a verdict of not guilty.

The only other indictment by the grand jury which has been tested by trial was that charging grand larceny against J. E. Chilberg, ex-president of the defunct Scandinavian-American bank of Seattle. Chilberg was acquitted.

Indictments against J. F. Lane, ex-cashier of the bank, and against the three commissioners of King county and others in connection with the county ferry lease have been dismissed on motion of the prosecuting attorney for lack of evidence. The formal protest of five superior court judges of King county against Judge Griffiths' action in calling for another grand jury in November was filed for record today. Only one King county judge, aside from Judge Griffiths, has sanctioned the call.

SHIP DELAYS AMUNDSEN

Aerial Flight Across North Pole Prevented by Schooner.

PUGET SOUND BUREAU, Seattle, Wash., Oct. 17.—Captain Roald Amundsen would have been able to hop off from Point Barrow during the last summer for his flight across the northpoleto Spitzbergen, if he had gone to the arctic in a steam vessel, according to officers of the United States coastguard cutter Bear, which arrived in Seattle this morning from her annual cruise of the Arctic.

The sailing schooner C. S. Holmes, in which Captain Amundsen and Lieutenant Oscar Omdahl were to attempt the voyage to the northernmost tip of the North American continent was helpless in the great ice floes of the Arctic.

The Bear and the whaling trading steamship Herman of San Francisco both were able to fight their way through the Arctic ice to the top of the American continent. The Herman succeeding in going as far to the eastward in the Arctic as Herschel Island.

WET LINERS CROWDED

Passengers Booked Far Ahead on Canadian Vessels.

VANCOUVER, B. C., Oct. 17.—(Special.)—Inquiries for bookings on the Canadian Pacific passenger liners to the orient from this port have nearly doubled from United States points in the past week, and the officials here ascribe the influx of applications for transportation to the Daugherty opinion prohibiting liquor on American boats.

Chinese who have heard that there will be no sam suey on boats flying the stars and stripes are making inquiry as to whether the same law applies to Canadian boats and on being told no, have booked well ahead the passage home, stating that "now plenty Chinaman go these boats, maybe not muchee room."

Transport Leaves for West.

PHILADELPHIA, Oct. 17.—With 800 enlisted men and 46 officers and their families, the United States navy transport Argonne left the Philadelphia navyyard today for the Pacific coast. The men and officers will be set down at various places along the coast to which they have been assigned. The Argonne is due in San Francisco early in November.

FELLOW JURORS RAPPED

WOMAN SAYS SHE WAS INSULTED AND HECKLED.

Mrs. James M. Reeves Reports on Incidents in Trial of Recent Tong Murder Case.

In defending her actions on the jury which sat in the tong murder trial of Lim Kee and was unable to reach an agreement Mrs. James M. Reeves yesterday charged that she had been heckled, intimidated and insulted during deliberations of the jury. Mrs. Reeves said she was told that members of the tong to which Lim Kee belongs would seek revenge if she insisted on a verdict of first or second-degree murder.

"If you vote for conviction and go out of the courtroom you will be marked by the Suey Sing tongmen and your life will never be safe for a minute," Mrs. Reeves said she was told.

Mrs. Reeves charged that after the more active jurors failed to sway her from her conviction that the defendant was guilty attempt was made ot have her agree to a verdict of manslaughter, with accompanying recommendation for leniency.

Attention was directed toward Mrs. Reeves when some of the jurors, following their dismissal, declared she would not talk to other jurors nor answer questions. It was also reported that she had sought advice as to what stand a juror should take where there seemed to be evidence that one or more had been "fixed."

Mrs. Reeves said yesterday that she had not charged that any of the jurors was "fixed," but merely declared that some of them "had fixed convictions" in the case.

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