SPOKANE HEARING BEGINS MONDAY

Interstate Commerce Commission Will Sit to Hear Complaint of Jobbers.

IMPORTANT QUESTION UP

Suit of Inland Empire Metropolis for Terminal Rates to Be Tried. Coast Cities Send Representatives to Resist It.

Portland and every other seaport of importance on the Pacific Coast will be represented at the hearing before the Interstate Commerce Commission at Spokane Monday of Spokane's demand for railroad terminal rates. Seattle, San Francisco, Tacoma and San Diego will be represented by counsel and committees of business men and will join Portland in assisting the attorneys of the railroad companies to satisfy the members of the Commission that the existing terminal rates are equitable and that they ought not to apply to Spokane and other inland cities.

The railroad companies will be represented by a formidable array of legal talent. W. W. Cotton will argue the case for the Southern Pacific and P. F. Dunne, of San Francisco, general attorney for the company, will also attend the hearing. J. N. Teal will act as attorney for the transportation committee of the Chamber of Commerce.

Mr. Dunne, in company with H. A. Jones, freight traffic manager of the Southern Pacific system, was in Portland yesterday en route to Spokane. They arrived yesterday morning in their private car Sunset and left last night at 7:30 o'clock in company with Mr. Cotton and Mr. Teal.

Besides Mr. Teal, Portland will have as representatives L. A. Lewis, T. D. Honeyman and A. F. Biles. They intend leaving for Spokane Monday.

It is understood that attorneys and business men from Seattle, San Francisco, Tacoma and San Diego are now on their way to Spokane.

Portland and the other coast cities are not making a fight against Spokane. Realizing, however, that their trade might be seriously affected if the Commission should uphold Spokane, they have been drawn together by common interest. Though it is generally believed that Spokane cannot win the case, coast cities are determined to take no chances.

With the aid of the attorneys for the railroad companies the representatives of the different cities hope to show the Commission that the existing terminal rates are not the result of discrimination, but of necessity. The transcontinental rates, they will show the Commission, are really not made by the railroads but are forced on them by water competition, and no matter whether many vessels bring freight here from the Atlantic seaboard or not, the route is always open, and if the rates were not made low by the railroads, ships would carry the freight.

The settlement of the case will affect not only Spokane but practically all interior points, which do not have as low rates as the coast cities owing to a lack of water competition—the natural rate-regulator. The Hepburn bill passed by Congress, amending the Interstate Commerce Law vests in the Commission the power to institute suits, and to make investigation of transportation matters on its own volition without petition by the shipper. Under the provisions of the new act Spokane, Lewiston and San Bernardino Cal., have brought action against the railroads, before the Commission, asking that they be given what is known as "terminal rates." They want the same rates from the East that are now given San Francisco, Portland, San Diego, Tacoma and Seattle.

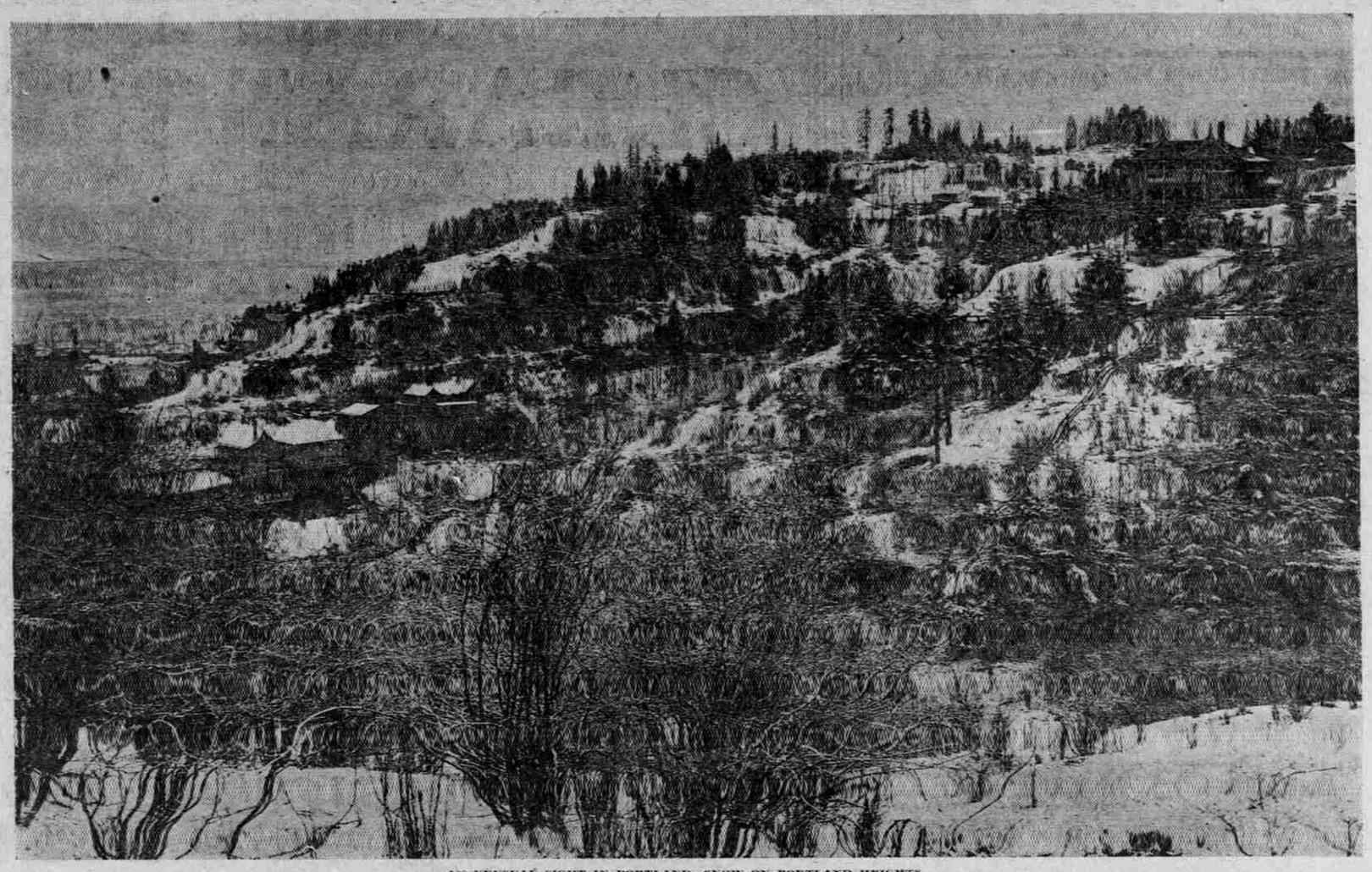
In a recent address before the Chamber of Commerce, W. A. Mears, secretary of the transportation committee of the Chamber, explained the position of Portland and the other coast cities in the suit. He said in part:

We shall show that practically every article of commerce can be and is now being shipped around the Horn; that this traffic is very heavy—so heavy in fact that the American-Hawaiian Steamship Company cannot secure ships enough to carry it all; that on the completion of the Tehuantepec railway across the isthmus, which shortens the time in transit one-half—down to 30 days from New York—their traffic will be much heavier; that when the American-Hawaiian Steamship Company shall put on a line of steamers from New Orleans to the eastern terminus of the Tehuantepec railroad, most of the products of the Mississippi Valley from Chicago south will seek that route, and thereby more than treble the tonnage now coming to this coast by water.

It will be for the railroads to show, that rates to their interior points are reasonable, and that if this Commission forced them to make as low rates to the interior, as the Coast terminal points, the order would be unconstitutional, as it would be impossible to carry the freight at such low figures, and pay their fixed charges—in other words it would practically be confiscatory in its effect.

WEATHER BUREAU PREDICTS COLDER WEATHER

Forecaster Beals Says the Worst Is Yet to Come



AN UNUSUAL SIGHT IN PORTLAND—SNOW ON PORTLAND HEIGHTS.

Do you like this cold, snappy weather? If you do, all is well and good, because you are more than likely to become intimately acquainted with it during the next few days. More chilly weather is to come, predicts Forecaster Beals, who says today will be fair and the temperature as low as at any time during the present cold snap.

Look out for the small boy today. He will come into his own as there is to be coasting and skating enough to keep him away from the house all day, and a good part of the night. Some of the streets are an inch deep in ice where protected from the sun. The ponds are frozen over, and the skating is reported to be excellent.

Yesterday morning the ground was covered with snow. Being Roundup, it did not take the children long to haul their hand sleds out of garrets and cellars. They had good coasting until in the afternoon, when the snow became slushy. In the evening there was a drop in the thermometer and the streets and sidewalks became slippery again.

The horses had a hard time of it yesterday morning. Being smooth shod many of them slipped and fell on the icy pavements. Dozens of them got down and the drivers as a last resort began to tie gunny sacks about the hoofs of the animals. In the East horses are sharp shod during the Winter months, but it is not done in Portland, because of the usual absence of cold weather.

While the boys are having a high old time with Jack Frost, the officials of the navigation companies are not in such good humor. Ice is running thick in the Columbia and promises to increase in volume. It is still considered dangerous to permit the operation of the ferry between Vancouver and the Peninsula.

Yesterday morning the river steamers Kellogg and Capital City attempted to reach The Dalles, but got only as far as Mannalouse Island, about 30 miles this side, where they were compelled to turn back on account of the floating ice. At The Dalles the ice is jammed and piled from 10 to 15 feet deep from Crates' Point, about two miles below the city, to a point about one mile above.

REED HEIRS BEATEN

Admit Defeat by Failing to Appeal in California.

ENDS WEARY LITIGATION

Great Institute of Learning for Which Portland Woman's Will Made Provision, Can Now Be Founded in This City.

After a protracted legal battle, stubbornly fought in five courts and covering a period of over two years, the heirs of the late Amanda Reed, who contested her will, have admitted their defeat. Failure to appeal to the Supreme Court of California from the decision of the Superior Court there has shut off chance for further proceedings there and the period allowed by the Oregon Supreme Court for application for a new trial in the State Circuit Court here has likewise elapsed. When no action was taken yesterday the long battle was ended, the contesting heirs thereby admitted their defeat and all obstacles to the settlement of the estate were removed. Martin Winch, the executor, stated yesterday that he would proceed to a distribution of the estate in accordance with the terms of Mrs. Reed's will.

The Reed Institute of Learning thereby becomes a reality to Portland, for Mr. Winch expects that by the close of the present year the estate will be in shape for beginning work on the institute. Portland and the entire Pacific Northwest will gain a valuable school in which special students of music, art, literature and science may study.

By the terms of the will, not to exceed $150,000 is to be spent on building and grounds, while the residue of the estate goes into the fund for maintenance. An estimated sum of $1,500,000 will be set aside for the institute. Tuition, as provided by the will, must be as small as possible. It is stated that when it is intended as a school for the people and that useful as well as the fine arts shall be taught.

Many Portland charities and public institutions are named for substantial bequests. After recognizing many of those related to her in her will, Mrs. Reed left sums ranging from $1000 to $40,000 to Portland institutions. The Boys' and Girls' Aid Society gets $1000, Portland Free Kindergarten $2000, Baby Home, Patton Home and Homeopathic Hospital $1000 each, Portland Library Association $10,000 to be applied to the book fund, City Board of Charities $2000, Oregon Humane Society $1000, People's Free Reading and Library Association $1000, First Unitarian Church of Portland $5000, First Unitarian Church of Quincy, Mass., $2000, Old Ladies' Home, the Reed home in Portland, rated in the will at $40,000; Good Samaritan Hospital $1000, to endow a free bed; Refuge Home for Women $1000, Portland Women's Union $1000, Portland Art Association, all of testator's paintings, statuary, bronzes and works of art, excepting the famous canvas "Sheep at Rest," which goes to Mr. Winch.

Mrs. Reed bequeathed to Amos N. Reed, cousin of her late husband, Simeon G. Reed, the sum of $25,000, and $10,000 each to his two children, Harry and Grace. To Mrs. Georgiana Reed, widow of her husband's half brother, $25,000 was bequeathed, and $20,000 additional, to be held in trust for her three children, to be distributed equally when they become of age. Emily Pickering, Mrs. Reed's sister, was given $5000, and Nellie A. Winch, a niece, was named for a similar amount. Other bequests were: Myrtle W. Winch, widow of Henry Winch, $500; each sister and brother of Mrs. Reed, $500; Simeon Reed Winch, $5000; Troupe Polytechnic School, of Pasadena, Cal., $10,000; Martin Winch, nephew of Mrs. Reed, $100,000.

Mrs. Reed died at Pasadena, Cal., May 16, 1904. She had erected a beautiful residence at that place, but for years theretofore resided in Portland. When the will was filed for probate in Multnomah County it was at once contested by a number of heirs, including Emily Pickering, a sister; Sarah A. Robertson, a niece; Abigail Wood, Helen Faxon Passmore, Stella Wood, Helen Wood, nieces; William H. Wood, W. H. Faxon, nephews, and others. Contest was made under a provision of the California laws which limits bequests to charitable purposes to one-third of the estate. It was claimed that it is intended as a school for the people and that useful as well as the fine arts shall be taught.

The question upon which the action rested was as to Mrs. Reed's bona fide residence at the time of death. The contesting heirs set up that she had established her residence at Pasadena, Cal., and that the estate should accordingly be administered under the laws of California. The first trial was in the Multnomah County Court, where decision was returned for Mr. Winch, who, as executor, sought to carry out the terms of the will. Appeal was taken by the heirs to the State Circuit Court, which sustained the lower court, and an appeal to the Oregon Supreme Court had the same result.

The California contestants then took the matter up before the Superior Court of Los Angeles and were again defeated.

SHERIFF SUED FOR SLANDER

Restaurant Keeper Who Feeds County Prisoners Is Aggrieved.

A casual remark by Sheriff Stevens as to theories on the feeding of county prisoners has resulted in making him the defendant in a damage suit for $1000. The suit was filed in the State Circuit Court yesterday by Louis Ebeling, who has the contract to supply meals to prisoners at the County Jail.

Not long ago, on December 20, to be exact, the Sheriff was talking casually with an acquaintance, and it appears that during the course of his remarks he said: "I see no reason why a person who is so unfortunate as to get into jail should be fed from the swill barrel of a restaurant."

This coming to the ears of Ebeling caused him great mental worry; in fact, $1000 worth. Through his lawyer, R. G. Morrow, he asks for $1000 as a balm to his wounded feelings. The complaint sets out that the Sheriff's words conveyed the impression that Ebeling was feeding the prisoners from swill barrels, a thing which is not true, according to the complainant.

"I haven't got time to think or talk about such nonsense," was Sheriff Stevens' only comment when asked for a statement.

BOTH ARE GIVEN DAMAGES

Plaintiffs in Personal Injury Suits Favored by Juries.

Damages were allowed two plaintiffs by juries in cases in the State Circuit Court yesterday forenoon. George L. Smith, a minor, was given $120 in his suit for $3000 against the Portland Railway Company. The jury returned its verdict at 11 o'clock after having been out all night. At 10 o'clock a request was made to Circuit Judge Gantenbein for further instructions in the case. The jurors decided that though young Smith was hurt in a streetcar accident, contributory negligence reduced the company's liability to $120.

J. W. Dryden was awarded $1500 in his suit against the Pelton-Armstrong Company. A sealed verdict was returned during the night and read in Judge Gregory's court yesterday when court opened. Dryden asked $10,209 for personal injuries sustained while working in the company's lumber camp. The jury reached a verdict after being out about eight hours.

Ready for Debate With Socialists.

Rev. Clarence True Wilson announced yesterday that arrangements may be made for a debate with some member of the Socialist party on the resolution that "society can be saved through the instrumentality of the church," although he has not yet answered their challenge. He says that some time in August a letter was sent him by the Socialist party, and that he told the person who brought it that it was possible arrangements for a debate could be made later on. Dr. Wilson says he likes the spirit in which the challenge has been made.

WANT A NEW COUNTY

Hood River People to Ask Separation From Old Wasco.

PETITIONS WIDELY SIGNED

Legislature Will Be Asked Early to Take Up Matter Which Absorbed Much Attention at Session Held Two Years Ago.

HOOD RIVER, Or., Jan. 12.—One of the matters that will be brought to the early attention of the coming session of the Legislature will be a bill asking for the creation of Cascade County. Petitions representing business and individual interests and on which there are over 1000 signatures are in the hands of a committee of the Hood River Commercial Club and will be taken to Salem early in the session.

While there has been some slight opposition to the creation of the new county it is not expected that it can develop strength enough to defeat it and comes mainly from those who are holding office under the present administration of Wasco County. All the big interests which would be located in the new county have declared in favor of it, as have also many influential men in Portland who own property at Hood River.

A conference was had in Portland today between Senator Whealdon and Representatives Knowles and Hendricks of this district with a committee from the Commercial Club, and if they will not espouse the cause of the bill, arrangements will be made to have it brought before the Legislature by a Representative from some other county. Senator Whealdon has said he will take the matter of its introduction under consideration, but will not make any statement as to whether he will favor or oppose it. This stand has also been taken by Knowles and Hendricks.

As it was through the votes of the residents of Hood River that Mr. Whealdon was elected to his present position, they feel that he should look on the new county bill with favor.

DELEGATION DEFERS ACTION

Conference Held in Portland on Subject of New County.

State Senator N. Whealdon, of The Dalles, Representatives J. F. Hendrick, of Cascade Locks, and P. W. Knowles, of Dufur, comprising the Wasco County delegation, held a conference at the rooms of Senator Whealdon at the Perkins last night, when claims of the people of the western part of Wasco County for the creation of a new county, to be known as Cascades, were presented. Among those appearing before the delegation were President H. F. Davidson, of the Hood River Commercial Club, and A. J. Jayne, ex-Representative from Wasco County. The delegation did not reach any conclusion on the subject and deferred final action until further facts and statistics can be submitted in support of the requested county division.

WILL PREACH AT Y. M. C. A.

Rev. F. C. Dark to Address Meeting for Men This Afternoon.

Rev. F. C. Dark of Beatrice, Neb., will speak this afternoon at the men's meeting in the Y. M. C. A. chapel, on "The Bid for a Soul." The mezzo quartette of the Swedish Baptist Church will sing and the Y. M. C. A. orchestra will play as usual.

In the evening Rev. Mr. Dark will preach at the White Temple on the interesting subject, "Is the Devil a Gentleman?" A song service, led by Mr. Belcher and the White Temple chorus, will precede the sermon. It is hoped by the pastor that arrangements can be made for Rev. Mr. Dark to remain in Portland as assistant pastor at the White Temple.

At the morning service Rev. J. Whitcomb Brougher will preach on "Why He Lost His Position." The choir will sing Gray's anthem, "Light of the World," and "I Hear My Savior Calling," by Brewer.

The finance committee of the First Baptist Church will meet tomorrow evening. Prayer meetings will be held at the homes of various members the evening of January 15.

Summary of School Laws.

WASHINGTON, Jan. 12.—The Bureau of Education has prepared a publication that is calculated to do away with all unnecessary labor on the part of the state legislators who are looking for precedents in framing school legislation. It is entitled "State School Systems," and was prepared by Professor Edward Elliott, of the University of Wisconsin.

It contains a summary of all the school legislation of the past two years in each of the states, together with a criticism under several heads.

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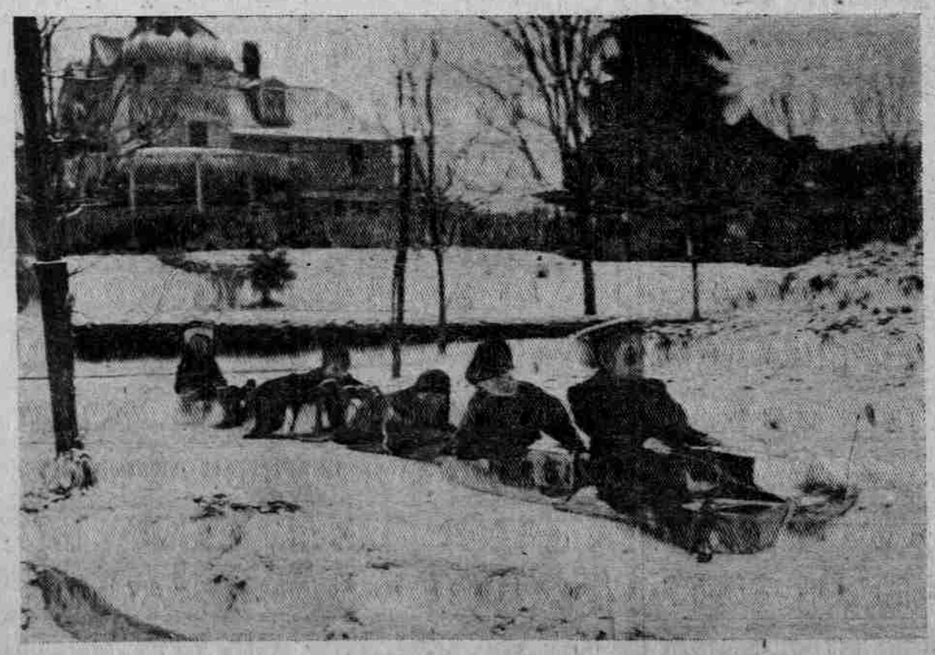

"COASTING IS SUCH JOLLY FUN."

A GROUP OF PORTLAND YOUNGSTERS WHO ENJOYED THE NOVELTY OF COASTING.