

PACKAGE COMPACT SEEMS FEASIBLE

Railroad Men Look With Favor on Rumored Northern Pacific-Milwaukee Plan.

REPORT NOT CONFIRMED

Agreement Between Two Lines Said to Be in Accord With Policy of Big Railroads—Both Parties Would Benefit.

While no confirmation has been received at the Portland offices of the Milwaukee or Northern Pacific of the Spokane report that a package arrangement had been entered into by the two railroads between Ellensburg and Spokane, railroad men look upon the plan as feasible and as of advantage to both roads.

The suggested agreement provides that the Northern Pacific shall have trackage rights over the Milwaukee road between Ellensburg and Lind and that the Milwaukee shall have the right to operate its trains over the Northern Pacific between Lind and Spokane.

At the present time the Milwaukee has no entered into the agreement which would give it access to that city immediately.

The Milwaukee road between Lind and Ellensburg is 21 miles shorter than the Northern Pacific route, though both roads touch the two towns. The Northern Pacific between the two points makes a long detour to the west, while the Milwaukee cuts across lots. For several years the Northern Pacific has had construction of a cut-off between Lind and Spokane. The Northern Pacific now has second track out of Spokane for about nine miles, and the construction of a double track would be required for about 17 miles.

The traffic between the two towns between Pasco and Spokane is heavy, inasmuch as trains from the Palouse, Walla, Walla, Pendleton and Washington Central branches which use the main line between Spokane and Pasco and necessarily run over all or a portion of the road between Spokane and Lind.

In view of the modern tendency of railroads to enter into joint trackage agreements, such as have been carried out between the Portland and Seattle by the Northern Pacific, Oregon & Washington and Great Northern, and also because of the advantages to be gained by both parties, the report of an agreement between the Northern Pacific and the Milwaukee is looked upon in Portland as more than idle rumor.

HANDSOME SADDLE IS PRIZE

Riders to Compete at Pendleton Round-Up This Month.

One of the prizes that will be competed for at the Pendleton round-up, an elaborately hand-carved saddle, was put on display in the city ticket office of the Harriman lines yesterday.

The saddle, which was made by a Pendleton manufacturer, E. L. Power, will be awarded to the winner of the wild horse race. It was designed especially for the event and has the words "The Round-Up" engraved in the leather of the saddle seat. Bucking bronchos, and other decorative effects cover the remainder of the leather. The prize is valued at \$125 and it is something that will be coveted by every "buckaroo" who attends the round-up. The Pendleton Fair West show is to be given on September 23 and 24 and October 1.

CASE FOR JUDGE BURNETT

Writer's Arguments for Jurist's Election to Supreme Court.

SALEM, Or., Sept. 17.—(To the Editor.)—It has been said that Judge Geo. H. Burnett, of the Third Judicial District, who is now a candidate on the Republican ticket for the office of Supreme Judge, is opposed to the direct primary law, the initiative and referendum amendment to the constitution of Oregon, and generally opposed to the system enacting laws by direct vote of the people. I am asking for a little space in the columns of The Oregonian to state the reasons for my belief that it is not in the best interests of the state to elect Judge Burnett to the Supreme Court. It is not intimated that these attacks have been made under the authorship of any of his worthy opponents, but a great deal of this talk has been heard, and it is for the purpose of correcting this error that I am asking for a little space in the columns of The Oregonian. Judge Burnett has been known a long time in this district as an able and successful lawyer, and the statements complained of are unfounded and unreasonable.

It cannot be expected of any candidate for a judicial office to declare what or how he would decide a particular case or construe a particular law. Judges are supposed to withhold their decisions until they hear both sides of the case. Perhaps the Judge does not know what view he will hold, until he has heard the case. Judges who decide cases before they hear them are not Judges at all—they are unworthy the name. One can sometimes tell how a Judge stands, by his previous record.

In reference to these laws, it is a matter of record that Judge Burnett has upheld the constitutionality of all these laws above referred to—even the local option law. The cases of the State of Oregon against the Standard Oil Company, and Wells Fargo Company, heard before Judge Burnett, in Marion County, were brought to collect the 11-cent cesses from those companies on their gross earnings under the initiative laws of 1907. The defendants attacked those laws from every possible angle, and in the alleged invalidity of the initiative and referendum amendment to the state constitution. Judge Burnett decided against the defendants in both cases, and upheld the law. A later case is the Broadway bridge case in Portland, in which he sustained the people in their legislation about the proposed bridge, and swept aside all objections against the initiative and referendum amendment. In another case, the State of Oregon against the Corvallis & Eastern Railroad Company, he sustained the Railroad Commission, and assessed a penalty upon the railroad company for refusing to build a depot at Lyons, as ordered by the Railroad Commission. Such has been Judge Burnett's uniform course, wherever

JUDGES ARE HERE

Federal Court of Appeals to Convene Monday. GILBERT WILL PRESIDE

Cases of G. B. McLeod Against Government and of Poland Versus Steamer Ruth Have Been Set for Hearing.

Preparatory to a session of the United States Court of Appeals for the Ninth circuit, Judges Ross and Morrow, accompanied by Meredith Sawyer, deputy clerk for the district, arrived in Portland yesterday. Judge Gilbert, of Portland, will preside at the session, which convenes Monday morning.

Argument will be heard in the case of Helen A. McClure, and others, against the United States, Platt & Platt representing the plaintiffs. A personal damage case of Virgil K. Poland against the owners of the steamer Ruth, will be the last case on the docket. H. B. Nichols and Newton McCoy will appear for the plaintiff and Snow & McCamant, W. W. Cotton and A. C. Spencer for the steamer men.

The court comes to Portland after holding a long session at Seattle, and will probably remain in session for three days. The next term will be held at San Francisco on October 3, in which time an extensive calendar is to be disposed of.

Jurisdiction Is Large.

The jurisdiction of the Circuit Court of Appeals for this circuit is the most extensive in the United States and extends over California, Nevada, Oregon, Washington, Montana, Alaska, Arizona and Hawaii, and also over the United States Court for China, created by the act of June 30, 1906, under which act the United States Court now holds in that empire at Shanghai, Canton, Tientsin and Hankow.

FEW DAYS' RATION \$1000

Interest Bought in Business Falls to Please Purchaser.

One sack of potatoes, a box of apples and a few onions, says H. B. Riffe, were all the apparent assets of a business in which he purchased a one-third interest for \$1000 from Robert Kennedy.

Mr. Riffe responded to an advertisement, offering a share in a thriving commission business, guaranteeing a salary, and stating a preference for one familiar with the handling of farm produce. He met Mr. Kennedy at 205 Washington street and was persuaded to invest \$1000 in "The Producers' Commission Company." He was told that his salary would be \$100 a month. Later he learned that all the assets of the company were in the hands of the Portland Brokerage Company and that Kennedy owned nothing.

The promoter was arrested yesterday afternoon by Detectives Holley and Moloney and was placed in jail under \$5000 bail.

Chemical Plant Set on Fire.

OMAHA, Sept. 17.—A fire today destroyed the plant of the Western Chemical Reduction Company in East Omaha, causing a loss estimated at \$100,000, with \$48,000 insurance. The fire is believed to have been incendiary, as it is said to have started in two places at the same time.

2 RAILROADS ARE SUED

O. R. & N. AND SOUTHERN PACIFIC ARE DEFENDANTS.

D. I. Huff Alleges Delay in Moving Hogs and Says He Suffered Damages.

In an amended complaint filed yesterday against the Southern Pacific and O. R. & N. companies, D. I. Huff accuses the two railroad corporations of gross neglect and unnecessary delay in the shipment of a carload of hogs from Carlton, Or., to Portland and the Kenton stockyards, and as a result of this treatment Huff says he was damaged in the sum of \$125 on the hogs and for a further cause for which he declares that he suffered mental anguish to such an extent that he should be entitled to \$10,000 damages.

The plaintiff alleges that he delivered 52 hogs to the Southern Pacific Company's car at Carlton, February 22, 1910, for the purpose of shipping them to Portland. He declares that he prepaid the freight charges and that the company was to ship the stock at once. Instead, however, the car did not leave Carlton until 2 o'clock the following day, says the complaint, and did not arrive in Portland until midnight on that day. He says that the O. R. & N. Co. refused to deliver the car at Kenton until further sum of \$150 was paid. Upon protest, he says, he paid the extra freight charge. When he tried to unload the stock, he alleges, he found the car in such a position that he was unable to remove the hogs. He avers that the company would not move the car so that he could unload his hogs unless an additional sum of \$50 was paid. Upon appeal to the Oregon State Railroad Commission, says the complaint, proved futile, the plaintiff paid the extra charge.

The complaint states that it took 48 hours to ship the hogs 45 miles and that they lost in weight and were reduced to such a condition that he was unable to sell them for more than \$1575 for them, causing a loss of \$125.

WOMAN ROBS LUMBERMAN

Palmer Citizen Loses \$1040 When He Meets Unknown Female.

C. F. McCarty, a lumberman from Palmer, Or., reported to the detective bureau yesterday that a woman whom he met near the Oregon Hotel Friday night robbed him of his purse, containing a certificate of deposit for \$1000 and \$40 in gold. She overlooked \$50 in the same pocket.

McCarty could give no description of the woman. He stopped payment upon the certificate, which was issued by the First National Bank.

Italy Profits From Lotteries.

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Miller-Kendall Wedding.

A very pretty wedding took place yesterday afternoon at 4:30 at the residence of Mr. Samuel Gordon Reed, Vista avenue, Portland Heights, when Mrs. Reed's sister, Miss Georgiana V. Kendall, of San Bernardino, Cal., was united to Mr. Clinton E. Miller, of Los Angeles. The home overlooking Port-

FIVE-GENERATIONS FAMILY LIVES IN PORTLAND.

Mrs. Sarah J. Balra, Age 63; Chester R. Clark, Age 22; Mrs. Millie M. Clark, Age 44; in front, Mrs. Angeline F. Catching, Age 85, and Chester Elwell Clark, Age 3 1/2 Months.

One great, great grandchild, 12 great grandchildren, 27 grandchildren and 13 children—that is the record of Mrs. Angeline F. Catching, age 85, of 185 Sixteenth street, Portland. This pioneer woman is still well and active.

A. The age of 14 she was married in Kentucky, where she was born, to John C. Catching, who died in Oregon many years ago. Their first child, John, was born on May 30, 1840.

In 1845 Mr. and Mrs. Catching, with their three children, left Kentucky in a wagon, drawn by oxen, bound for Oregon. They arrived in Oregon the next year and settled on a donation claim near Forest Grove, where they lived until the death of Mr. Catching. Ten children were born on the farm at Forest Grove. Mrs. Sarah J. Balra, the daughter, and Mrs. Millie M. Clark, the granddaughter, were born in Washington County.

Chester R. Clark the great grandson, who is 22 years old, and the baby, Chester Elwell Clark, the great-great grandchild, who is four months old, were born in Portland. Mrs. Balra is 62 years old; Mrs. Clark 44.

Strangely coincident in the life of Mrs. Catching are the number of notable events occurring during the month of May, some of them follow: Married May 15, 1839; son John born May 20, 1840; started for Oregon May 20, 1845; William born May 27, 1855; mother died May 2, 1866; first grandchild born May 5, 1877; great grandson born May 12, 1888; great granddaughter born May 7, 1910; great grandchild born May 18, 1910.

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Rich, Easily Irrigated Land INCLUDING PERPETUAL WATER RIGHT TO BE SOLD FOR \$45.50 PER ACRE

ONLY \$4.25 PER ACRE CASH Under the Provisions of the Carey Act of Congress and Under the Supervision of the Idaho State Board of Land Commissioners

At a Public Drawing AT MOUNTAIN HOME, IDAHO, OCTOBER 5, 1910

Similar land and water-rights cannot be bought in the Yakima and Wenatchee Valleys for less than \$250.00 per acre. This is rich, level, easily irrigated volcanic ash land, and the price is only \$45.50 per acre, of which \$4.25 per acre is cash, balance in nine "on or before" annual installments, with interest at 6 per cent. The REASON it will be sold for \$45.50 per acre instead of a higher figure is because that price was fixed by the State Board of Land Commissioners of Idaho, and the purchaser GETS THE PROFIT. The land is in Owyhee County, Idaho. The Oregon Short Line has surveyed a line of railway through this tract. The climate is similar to that of Northeastern California and is very healthful. It is a fine apple, pear and peach country.

GRASMERE, the TOWN of OPPORTUNITY

Openings for Hotels, Banks, Business Houses and for Business and Professional Men. THE COMING CITY OF SOUTHWESTERN IDAHO Located within a mile of the above land and in the center of the 47,000-acre Carey Act Irrigation Project of the Grasmere Irrigation Company. GRASMERE will be the CHIEF TOWN and distributing point for over 10,000 square miles of land in Idaho and Nevada, which contains a vast public stock range and one of the richest gold mining regions in America. It will also be the distributing center of a LARGE NEW IRRIGATED COUNTRY.

DRAWING FOR LOTS PUBLIC DRAWING Similar to a Carey Act Drawing at Mountain Home, Idaho, on October 5, 1910

CORNER LOTS, BUSINESS LOTS AND RESIDENCE LOTS IN GRASMERE WILL BE SOLD AT A For a uniform price of \$50.00 per lot. Terms: \$20.00 cash, balance in one and two years; 5 per cent discount where all cash is paid. Some lots are considered worth \$500, and it is believed every lot is worth at least \$50.00. Every applicant gets a lot or gets his money back at once. "LOTS ALWAYS INCREASE IN VALUE IN TOWNS SUPPORTED BY IRRIGATION." Full information, circulars, Powers of Attorney, Maps, etc., about the Irrigated Land above described, and information about Grasmere may be had by calling on or addressing

The OWYHEE IRRIGATION CO., Ltd. 321 NEW YORK BLOCK, SEATTLE, WASH., or MOUNTAIN HOME, IDAHO

In answering this advertisement please mention The Oregonian.

land made a most romantic and beautiful setting for the ceremony, which was witnessed by intimate friends and relatives, including the parents of the bride. Rev. E. H. Moore, pastor of the Methodist Episcopal Church, South, officiated. Miss Kendall is the youngest daughter of Mr. A. G. Kendall, president of the Farmers Exchange National Bank, San Bernardino, a Wellesley graduate and a social favorite in Southern California. Mr. Miller is a University of California man. He is largely interested in San Joaquin Valley real estate, and general manager of the Edison Land & Water Co., Los Angeles. Mr. and Mrs. Miller left on the Shasta Limited last night for their future home in the South. Tokio, the capital of Japan, covers 30 square miles and has 350,000 houses and 2,000,000 people.

THE SWITZERLAND OF AMERICA VIRGINIA HEIGHTS

A New High-class Restricted Addition to Portland Heights

Destined to be the aristocratic residence section of the City of Portland, on the west side of the river. No bridges, no delay and no rough district to pass through.

The Magnificent Panoramic View of the City

riviers and mountains from this property is unequalled from the beauty point of view. Every drive and boulevard has been carefully contoured, every site laid out so as to preserve the beauty of the landscape and scenic effect, besides adding greatly to the parking idea, so greatly admired.

VIRGINIA HEIGHTS Joins Paved District

on Council Crest, is only four blocks from present carline, 20 minutes distant from the business center. This district is now being graded and paved, sidewalks laid and sewer and water systems installed. All improvements, including lights, phones, etc., guaranteed.

History Will Repeat Itself Here

Portland is destined to become a city of millionaires, and the many slightly residences already located in this district assure for all time the character and future of this property. The palatial residences which our future kings and princes of finance will erect will look upon the City of Portland from terraced heights, as of old, and will rival in grandeur and magnificence those of historic European nations.

Have a Thought of the Future

Do you realize that the time is coming, and very soon, when the entire level West Side district and all of the close-in East Side of Portland will be given over to business purposes?

BUY NOW in a district which is close in and already has the stamp of present and future character.

Building Restrictions \$3500 to \$5000

Property limited to residence purposes only, and cannot be owned or controlled by other than the white races.

During Opening Sale 10% Discount

Select a homesite now in this beautiful new addition, at half the price you will pay one year hence.

Prices \$1500 Upward—Your Terms

Take Portland Heights car and get off at our office on Council Crest, and our representative will show you the property; or call our office by phone and make appointment to see property by automobile.

Values Will Double in One Year

JOHN P. SHARKEY Co. M 5504 122 1/2 SIXTH STREET A 1550