

GOOD EVENING

THE WEATHER.

Fair this afternoon, tonight and Thursday; easterly winds.

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PORTLAND, OREGON, WEDNESDAY EVENING, JANUARY 31, 1906.—TWELVE PAGES.

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PETTY POLICY DEcriED

Mayor Vetoes Portion of Council Appropriation Ordinance, as It Attempts to Override Executive Department.

QUEER THINGS MEASURE ATTEMPTED TO PERFORM

Would Specify How Much Should Be Spent for a Saw and How Often Telephone Should Be Used—More of Law Would Have Been Vetoes Had Salary Lists Not Been Vetoes

Mayor Lane today vetoed certain items in the ordinance appropriating the funds of the city to pay the expenses of the present year, on the ground that the specific manner in which the council specifies the appropriations shall be used, is contrary to the city charter and that it will also work a hardship on the city executive board and the heads of the departments in the purchase of supplies. He accuses the council of passing the measures for the purpose of hampering and harassing the executive department. He further says that the section in the ordinance which provides that balances left in any of the appropriations shall be canceled by the city auditor is contrary to the charter, which provides that no body can delegate such authority. His message explaining his position is submitted in connection with his veto of the general appropriation ordinance and follows:

To the Honorable, the Council, Portland, Oregon: Gentlemen: I herewith return ordinance No. 15,136, entitled "An ordinance making appropriations out of the general fund for the payment of expenses of the city executive board for the fiscal year, 1906," disapproved as to the following items, namely: "Material and equipment for general engineering—One new transit, not to exceed \$250; two level rods, not to exceed \$22; monument and monument covers, \$150; horse feed, shoeing and bedding, not to exceed \$900; filing cabinet, not to exceed \$45; three map cabinets, not to exceed \$150; constant testing machine, complete, not to exceed \$75. "Health department—Provisions, drugs, etc., \$1,250; repairs to pesthouse, \$500. "Street sprinkling department—For electric sprinkling cars, not to exceed \$1,980; not to exceed 30 teams, not to exceed \$4.50 per day during the sprinkling season, \$6,500.

New equipment—Not to exceed six carts at not to exceed \$200 each, \$1,200; not to exceed four sprinklers at not to exceed \$385 each, \$1,460; one power broom not to exceed \$140; six sets of cart wheels and axles, not to exceed \$212; 15 dozen hoses and 15 dozen shovels not to exceed \$412.50; 24 scoop shovels not to exceed \$30; four sets double harness not to exceed \$160; six sets cart harness not to exceed \$150; one buggy not to exceed \$150.

Approved as to all others. "Certain of the items which have been approved are subject to the same objections heretofore presented against the others, but since there might be a doubt as to the right of the city's employees to collect their salaries if the approval stood only as to the general appropriations, I indicate my approval for pay of employees among those approved.

What Charter Provides. "The charter clearly contemplates that general appropriations should be made in a lump, the expenses already fixed by charter or ordinance, and the salaries of employees, to be disbursed in accordance with the law, the respective heads of departments to have control of expenditures for the new work under their charge and to be responsible for it. The provision authorizing the council to require monthly estimates at once confirms this view and affords the council a perfect check upon unwarranted and extravagant expenditure. Under the method herein suggested, and heretofore followed, nearly every department of the city, did, in fact, turn in a surplus for last year. By allowing the exercise of a certain discrimination, each department is naturally stimulated to do its best and to produce best results with the least expenditure. On the other hand, under the system embodied in this ordinance, the heads of every department are tied and the result must necessarily be to remove every incentive to economy and energy in the conduct of the business and to foster a spirit of indifference if not of extravagance. It is clearly impossible for the council or any other body to be responsible in every detail the expense of a great city or to estimate the details of these expenses with any approach of accuracy; nor can a legislative body hope to administer its funds item by item with the same effectiveness as the same persons actually charged with the detail work of the several departments can do. The attempt to do this can only result in endless discrepancy between the appropriations and the needs of the city, in manifold and vexatious excess of funds over requirements in some cases, and the lack of actual necessities in others, and in a wearisome volume of legislation.

Striking at Goals. "To take one or two concrete examples: Appropriations for 15 dozen brooms and not one ruber. Now, if a ruber is required, it must either be paid out of an emergency fund created for the very purpose of curing the defects in this kind of legislation, thereby causing



Mrs. Charles T. Yerkes.

WIDOW OF CHARLES T. YERKES BECOMES BRIDE OF W. MIZNER

(Journal Special Service.) New York, Jan. 31.—The American says: "The extraordinary announcement was made that Mrs. Charles T. Yerkes, only one month a widow and the recipient of \$7,500,000 under the will of her late husband, has become the bride of Wilson Mizner of San Francisco. The announcement was made in the presence of Mizner who refused to make any comment upon it. "There were only two witnesses, J. L. Eastland and Emilio Brugnara, both of San Francisco. These two witnesses admitted that they were present when Mrs. Yerkes became Mrs. Mizner. The ceremony was performed in the gallery

HARRIMAN SYSTEM IS A MERGER

Democrats in Congress to Take Action Against Southern Pacific Railroads.

(Journal Special Service.) Washington, Jan. 31.—John Sharp Williams, house Democratic leader, has written a letter to Congressmen Siayden, Finlay and Grey, Democratic members of the committee on Pacific railroads, calling attention to the allegations that the Southern Pacific system is in fact a merger controlled by Harriman, in violation of the law and subject to the same action as taken by the courts against the Northern Securities company. The three Democratic members are now investigating the matter with a view of presenting a resolution in the house calling upon the interstate commerce commission for information. The success of a similar resolution Monday, aimed at the Pennsylvania company, has encouraged Democrats to believe that they can pass other resolutions against the big railroad combines, which are regarded as combinations in restraint of trade. Southern Pacific lobbyists are much concerned over the matter and are in daily conference with members of the house, endeavoring to head off troublesome resolutions of inquiry likely to be offered within the next week or ten days.

SEVENTY-FIVE MILLION VALUE OF FIELD ESTATE

(Journal Special Service.) Chicago, Jan. 31.—Executors of the estate of the late Marshall Field estimate that the estate is worth \$75,000,000, consisting of \$25,000,000 personal property and \$50,000,000 in realty. Today they filed a petition to have the will admitted to probate.

AUCTION SALE OF TIMBER

Senator Fulton Opposes Repeal of Timber and Stone Act Unless Some Proviso for Sale is Substituted.

WILL ENTIRELY STOP LAND'S DEVELOPMENT

Great Portion of Many Oregon Counties Would Be Withdrawn From Entry—Hansbrough Modifies Repeal Bill So as to Sell Timber, Counties to Get Percentage.

(Washington Bureau of The Journal.) Washington, D. C., Jan. 31.—The attention of Senator Fulton being called to the criticism upon his opposition to the repeal of the timber and stone act, he said: "I am opposed to the repeal of this law, unless some provision is substituted whereby public timber lands may become private property when the lands pass into private ownership and begin contributing to the state and county treasury. "In western Oregon there are vast areas of timbered lands which when denuded of timber will be valuable for grazing. Why should we continue them in public ownership, rather than convert them into revenue-producing properties? If the timber and stone act is repealed there will remain but the homestead act, and everybody in Oregon knows that a heavily-timbered lands cannot be honestly acquired under that act. "As the result a great portion of Curry, Josephine, Douglas and other western counties of Oregon would continue to be withdrawn from entry and their growth and development retarded. I have not opposed the repeal of the timber and stone act absolutely, but will oppose it unless some other plan for the disposal of such lands be substituted. "As a result of my stand, Chairman Hansbrough has altered his repeal bill so as to provide for the sale of timber at public auction, 10 per cent of the proceeds to go to counties where the lands are located. I am contending for a larger percentage for such counties."

ON RATE BILL. Bartlett of Georgia Leads Debate for Democrats in Support of Measure. (Journal Special Service.) Washington, D. C., Jan. 31.—Representative Bartlett of Georgia led the Democratic side today. He attacked the motives of the corporations in trying to block legislation and said that as a Democrat and a lawyer he had concluded that congress had the right to regulate rates. He said that the president was not entitled to the credit of originating the proposed legislation. He said that the inquiry began as far back as 1898, when a report was made to congress on the subject. He declared that the man or the party standing in the way of rate legislation will be swept away by the people, who will rise triumphant.

TO AID PRESIDENT. Patterson of Colorado Calls Upon Democrats to Fight Money Power. (Journal Special Service.) Washington, Jan. 31.—The senate committee on foreign relations today took up the Santo Domingo treaty and examined Secretary of State Root. In the senate Patterson of Colorado declared that congress had the right to regulate rates, but eulogized the executive's fight against the packers and hoped that the Democrats would unite with the administration in the fight against the money interests. The nomination of Captain Charles H. Stockton to rear admiral was sent to the senate.

HENEY RETURNS TO 'FRISCO TO ARRANGE FOR TRIALS

Land Fraud Prosecutor to Hold Conference With Judge Gilbert Over Cases.

(Special Dispatch to The Journal.) San Francisco, Jan. 31.—Francis J. Heney, special prosecutor for the government, returned from Arizona this morning, where he has been on government and personal business. He will have a conference in a day or so with Judge Gilbert, presiding magistrate of the United States circuit court, regarding the prosecution of the Oregon land fraud cases. This morning Mr. Heney said that he was not prepared to state what action would be taken by the government, nor what recommendations he would make to Judge Gilbert.

FIFTY THOUSAND GOLD IN A POCKET MINE

(Journal Special Service.) Stockton, Cal., Jan. 31.—John Dondoro took \$50,000 out of his pocket mine at Columbia Hill yesterday. This is one of the largest pockets ever found in Tuolumne county.

OLYMPIA SAWYER IS HEIR TO BIG FORTUNE

(Special Dispatch to The Journal.) Olympia, Wash., Jan. 31.—James W. Sawyer, a late sawyer in the West Side sawmill, this city, received notice today that he was one of four heirs to \$150,000 left by his grandmother, who recently died in Philadelphia.



Attorney-General Hadley of Missouri, Head of the Standard Oil Investigation, and H. H. Rogers, the Standard Oil Magnate.

ROGERS NEED NOT ANSWER QUERIES

New York Supreme Court Upholds Standard Oil Magnate's Refusal to Talk.

(Journal Special Service.) New York, Jan. 31.—The supreme court this morning decided that Henry H. Rogers, vice-president and director-general of the Standard Oil company, need not answer the questions put to him by Attorney-General Hadley of Missouri in the proceedings brought against the Standard Oil company by the state of Missouri to oust it from the commonwealth on the ground of violation of the anti-trust law. The decision merely means delay. The court said: "I am of the opinion that a due regard for the court of original jurisdiction demands that this court await the decision of the supreme court of Missouri, and not at this time consider the propriety of compelling witness Rogers to answer the questions propounded." The court said that Hadley, after the Missouri decision, may renew his action.

HADLEY DUMFOUNDED.

(Journal Special Service.) Jefferson City, Mo., Jan. 31.—Attorney-General Hadley was dumfounded when told of the decision given in the Rogers case by Justice Gilderleeve. He said he was greatly surprised, adding that he might have to plan an entirely new action.

FIGHTING OCCURS IN MANY PARTS CHURCHES

(Journal Special Service.) Paris, Jan. 31.—Fighting occurred in several churches this afternoon, when government officials, supported by the police, attempted to take an inventory of the church plate as ordered in the law separating church and state. The resistance was mainly by church members, many of whom were arrested.

(West Virginia Fire.) (Journal Special Service.) St. Albans, W. Va., Jan. 31.—The business district was ravished by flames this morning, resulting in \$100,000 damage.

SECURES RAILS IN RECORD TIME

United Railways Company is Organized in Portland Little More Than Week Ago.

(Journal Special Service.) Portland, Jan. 31.—The United Railways company in the matter of securing rails for construction of the electric road from Portland to Forest Grove. The company was organized in Portland little over a week ago, filed application for a franchise to use the streets in this city and already has purchased 1,000 tons of 75-pound steel rails, nine carloads of which have arrived in the city and are being unloaded today. At a meeting of the stockholders of the Oregon Traction company today at the offices of the company in the Union block it was voted to advertise the property and franchises of the corporation for sale. The sale will be held February 15 at the county courthouse, and the property will be sold to the highest bidder. The capital stock of the company, amounting to \$1,000,000, was represented at the meeting by about 87 per cent of the stock issued, and the vote was unanimous. "The indebtedness of the company, about \$25,000, is to be taken care of by the proposed sale. The debts are to the Colorado Iron & Steel company, for rails now laid on Twelfth and Pettygrove streets; Willis Potter for ties; the Oregon Water Power & Railway company for ballast, and some labor accounts; all a result of the failure of the Atlas Construction & Supply company, which undertook the first construction contract. Nearly all of the stock of the Oregon Traction company is now held by the United Railways company, a corporation made up of Los Angeles men, who have applied for an additional franchise for use of streets and propose not only to construct the road to Hillsboro and Forest Grove, but to enlarge the original plan of terminals and local service in this city with a view to building interurban lines in other directions. From Los Angeles there arrived this morning the following men interested in the new company: J. Whyte Evans, J. W. E. Taylor of San Francisco, former chief engineer of the Huntington road; T. H. Dudley, mayor of Santa Monica and a local banker; Wilmet Griffith, treasurer of the R. A. Phillips company; Los Angeles; J. E. Howard, a Los Angeles capitalist. Mr. Evans said: "We are here to await the action of the Portland city council on the franchise asked for. The contract for construction of the road will be let the day following the granting of the franchise."

BUYS FIFTEEN HUNDRED TONS OF STEEL RAILS

Nine Carloads Have Arrived and Are Being Unloaded Today—Ready to Start Building the Day After Franchise is Granted.

(Journal Special Service.) St. Petersburg, Jan. 31.—A troopship at Odessa struck a mine today and 2,000 soldiers aboard her had a narrow escape from death. The vessel was beached. The explosion killed one and hurt 25. Twenty thousand Liberal refugees, who had been induced to return to Russia under the implied promises of the government that amnesty would be granted, have been arrested and will be exiled to Siberia for from five to ten years. Wholesale arrests continue to be made of revolutionists and their sympathizers in all parts of the empire. Numerous fires of incendiary origin have occurred in this city. The loss during the last few days from fires is \$500,000. The Caucasus natives are abandoning the revolt and taking the oath of allegiance. Whole districts are reported to have surrendered to the viceroy, promising to stop disorders and to return property seized if the government refrains from punishing the people. In the district of Oureghel the people have fled to the mountains and revolutionists are ravaging the country. "The damage from recent disorders in Riga amounts to \$1,500,000. Rioting and bloodshed is reported at Gomel and Vilna and entire sections have been devastated by flames, while rioters are killing and burning at will. A plot has been discovered to kill Governor-General Sollogub and numerous arrests have followed. General Friamoff, chief of staff of the viceroy of the Caucasus, was assassinated Monday by a man who personated a painter, carrying a bomb in a paint can. His coachman and a woman also were killed. The assassin was executed the next day. The national congress of the nobility has adopted resolutions at Moscow demanding the convocation of a national assembly at once.

ONE SOLDIER KILLED, TWENTY-SIX INJURED AND TWO THOUSAND HAVE NARROW ESCAPES.

(Journal Special Service.) St. Petersburg, Jan. 31.—Friends say that John A. McCall, former president of the New York Life Insurance company, is very ill from complications of the throat. David R. Hill left today for the south to remain until April, on account of ill health.

(New York News.) New York, Jan. 31.—The New York city council on the franchise asked for. The contract for construction of the road will be let the day following the granting of the franchise.

TROOPSHIP BLOWN UP AT ODESSA

Wholesale Arrests and Exiling of Revolutionists Continue—Many Incendiary Fires Cause Big Damage—General Priamoff Assassinated.

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VESEL STRIKES MINE WHILE IN THE HARBOR

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