

# PLAN OF BATTLE REVEALED

## Petition For Injunction Against the Northern Pacific Terminal Company Discloses Grounds on Which Hill Will Fight

Papers were filed today in the United States circuit court of appeals asking for an injunction restraining the Northern Pacific Terminal company from proceeding with condemnation and purchase of the terminal lands now owned by the Portland & Seattle railroad in North Portland.

Judge Charles H. Carey, local counsel for the Hill lines, went to Ridgefield yesterday and obtained a temporary restraining order from Judge Gilbert, which will continue in force until the case in the state court is heard, unless the defendants appear in court Monday morning and show cause why the order shall not remain in force. The order is directed against the terminal company and its president, C. A. Dolph.

The contention of the Hill people is that they have held within their rights in the purchase of the terminal property in Portland and that the terminal company has exceeded the privileges accorded to it when first formed. The provisions of the company's charter state that no indebtedness can be incurred without the mutual consent of the stockholders of the company, which are the Northern Pacific, owning 46 per cent of the \$3,000,000 stock; O. R. & N., owning 48 per cent and the Southern Pacific, owning 28 per cent. Of course the Northern Pacific did not agree to the suit brought against the Portland and Seattle, nor will it consent to the purchase of the terminal property of the company by the Northern Pacific Terminal company. This, they claim, is the basis for the injunction.

**Road Limit Helps Some.**  
Furthermore, when the terminal company was organized it was granted the privilege of issuing bonds to the amount of \$5,000,000 and no more. At present the terminal company has bonds outstanding to the amount of \$4,225,000. Three million dollars were issued for the purchase of terminal property, \$1,000,000 for the depot and the remaining bonds for the erection of car sheds and other necessary property. The Northern Pacific company claims that to purchase the terminal property of the Portland & Seattle it would be necessary to exceed the provisions allowed by the terminal company's charter. The price of the property the terminal company is seeking is placed at \$5,000,000. This statement on the part of Hill men reveals the fact that they paid \$1,500,000 for the property in dispute and have planned to spend \$3,500,000 to place it in shape for railroad purposes.

The mutual agreement clause is the one upon which the Hill people are de-

pending to win their fight against the terminal company. They own 40 per cent of the stock and by previous agreement claim that they are entitled to a vote in all proceedings. If this claim can be upheld in the courts it is expected that the attempted purchase or claim to the property for which the terminal company is suing will be dropped.

**Litigation Is Threatened.**  
Hill representatives claim that if the Northern Pacific Terminal company purchases the terminal property the bond issue litigation will follow, not alone on the part of the stockholders, which would be the Northern Pacific company, but by the bondholders, and would probably have the effect of creating an order of default in the terminal company's business by the courts. Such a state of affairs, they claim, would have the tendency to disrupt all terminal facilities in Portland and cause chaos in railroad work, especially in the matter of handling freight on the coast.

The Hill people claim that all offers they have made to the terminal company have been rejected. Offers of land for the extension of terminal services have been put by, and attempts to take up the front street tracks of the terminal company by the Northern Pacific have also been turned down. The Hill people say that it will be war to the knife from now on; that they are tired of temporizing with the Harriman people when they are so clearly within their rights.

**Final Fight Expected.**  
Railroad men say that the prettiest kind of a fight can be looked for between the two railroad interests, because it is believed that the Northern Pacific is tired of the blocking system started by the Harriman people two years ago when the matter of the North Bank road was broomed. At that time the Harriman people set up a claim that they were entitled to the line of the new road because of surveys they made there eight years ago. Since that time the strike between the two large companies has been a constant one, and a blocking game has been played by both at all stages.

The injunction proceedings will be heard in Judge Gilbert's court Monday morning. Unless President Dolph and the terminal company can show cause why the temporary restraining order should not remain in force until after the trial of the condemnation proceedings instituted in the state court, a temporary injunction order will be issued.

nearby all of those in the city are more or less damaged, either by the earthquake or the fire.

**Business Is at a Complete Standstill.**  
The banks are closed. The gas supply is unavailable and the electric lighting system is completely knocked out. The greatest panic prevails among the inhabitants. Many families are fleeing from the city. The weather is fair and the sea calm.

Communication with Santiago de Chile is interrupted and it is impossible to learn what has happened there.

Many persons were killed and injured in Valparaiso.

The shocks continue but are milder. The shipping in the port was not injured. The streets which suffered most were Calles Blanco, Condell and Esmeralda, and those in the Delicias district, where the best residences are.

**THROUGHOUT CHILE.**  
**Disaster Extended All Up and Down South Pacific Coast.**

New York, Aug. 18.—A special to the Sun from Buenos Ayres says: According to information received here a large number of buildings have been destroyed in Valparaiso and the loss of life is said to have been large. The disturbance was general throughout Chile and felt at some points in Argentine Republic.

News of the disaster is extremely meager owing to the fact that telegraphic communication is cut off, shocks having thrown down the telegraph lines. From the few details obtainable here, it appears that there were five shocks, the disturbance passing south along the Pacific coast and crossing the Andes. The shocks were very severe, according to the registration of the seismograph instruments here and at Santa Rosa and Andes City. The property loss is enormous. Many houses were thrown down, including the government houses.

**ANXIOUS ABOUT FAMILY.**  
**Captain Beckwith of Valparaiso Is Now in Victoria Harbor.**

Victoria, B. C., Aug. 18.—Captain Beckwith of the Chilean ship Curson is now here. He came direct from Valparaiso. He is very anxious about his wife and daughter, who are now living there, but can get no word. He is of the opinion that the disaster was very serious. He was in the water front, where there is reclaimed land. There are four streets parallel with the water front so reclaimed. These extend for two miles, and are business streets.

**PREDICTED IT.**  
**Great at Portland Hotel Foretold Earthquake in Valparaiso.**

James Winslow Ames, who was a guest at the Portland hotel several weeks ago, predicted that his home city, Valparaiso, Chile, would probably be the next city after San Francisco to suffer from an earthquake.

**TIDAL WAVE AT HAWAII.**  
**Twelve-Foot Wall of Water Sweeps Shores of Islands.**

Honolulu, Aug. 18.—Wireless reports from the islands of Hawaii, Maui and Hilo, report a tidal wave, the general height of which was five feet.

**LOOKED LIKE 'FRISCO.**  
**Portland Man Says Two Destroyed Cities Resembled Each Other.**

Fritz Englehardt, to whom The Journal is indebted for its magnificent picture of Valparaiso, is employed in the drapery department of Tull & Gibbs. Mr. Englehardt stopped at the South American metropolis five years ago, while on a trip from San Francisco to Hamburg.

**Falls From Scaffolding.**  
**Baker City, Or., Aug. 18.—**Harry Bennett was severely injured yesterday morning while at work on the Rand building by falling from a scaffolding about 14 feet high and striking one of the beams.

**MANY FIRES START.**  
**Flames Break Out in Scores of Places—Business at Standstill.**

New York, Aug. 18.—A special to the Times from Valparaiso says: At 8 o'clock on Thursday evening there was a tremendous earthquake at Valparaiso. As at San Francisco, the shock was followed by the starting of many fires. The flames extended from the Plaza Orden toward the north and have not been extinguished.



The Burned Half Block, From the Corner of Fourth and Burnside. The Blackened Side of the Quimby Hotel Shows in the Background.

### HORSES DIE IN AGONY

(Continued from Page One.)

did Gadsby and a man named Bumford, an employee of the yeast company. The Quimby hotel host was also present.

**Valuable Dogs Burned.**  
One of four dogs burned, a fox terrier belonging to Charles E. Lytle, was tied to the leg of a table.

The total damage done is variously estimated at from \$40,000 to \$50,000. All the buildings were wooden, many of them being pre-story wooden shanties.

**Origin of Fire Unknown.**  
The origin of the fire is not known.

**LAND FRAUD DEFENDANT**  
(Continued from Page One.)

with a big chair all to himself. Mrs. Zachary sat with her husband and their 4-year-old boy near one of the courtroom windows. Beside and in front of them were a group of women, several of them old neighbors of the Zacharys and the Barnards.

**CHILD STRAPPED TO TREE WHIPPED BY MANIAC**  
**Twelve-Year-Old Girl Gagged and Beaten With Leather Strap by Insane Man.**

San Bernardino, Cal., Aug. 18.—Oliver Peters, the 13-year-old daughter of J. M. Peters, a painter, was found lashed to a tree in the back yard of her parents' home in the suburbs of Colton today, having been captured by a man supposed to be insane, who after trying and gagging her with a leather strap, took another strap and whipped her severely.

**SAN DIEGO BECOMES HOME OF PIRATE VESSEL**  
**McLean's Famous Schooner, the Carmencita, Turned Into Respectable Craft.**

San Diego, Cal., Aug. 18.—San Diego is shortly to become the home port of one of the most famous ships that has sailed the waters of the Pacific in recent years.

**STENSLAND'S BANK IS FULL OF FORGERIES**  
(Journal Special Service.)

Springfield, Ill., Aug. 18.—Examiner Jones reports on the Milwaukee Avenue bank show at least \$1,000,000 was lost and that there is unquestionably forged paper amounting to nearly half, and that one quarter is doubtful.

**Naval Mutineers Executed.**  
(Journal Special Service.)

St. Petersburg, Aug. 15.—Eighteen mutineers at Ravel were executed this morning.

### REST THE STOMACH

Nothing will cure indigestion that doesn't digest the food, itself, and give the stomach a perfect rest. You can't reasonably expect that any weak stomach will regain its strength and get well when it is compelled to do the full work that a sound stomach should do.

**KODOL**  
**Dyspepsia Cure**  
For Indigestion, Dyspepsia, Sour Stomach, Flatulence, Headache, Water Brash, Belching of Gas, Nausea, Gastritis, Heartburn and all troubles arising from indigestion and non-assimilation of the food.

**STEAMER TELEGRAPH**  
THE FASTEST BOAT YOU EVER SAW—SPLENDIDLY EQUIPPED—A CHARMING PLEASANT CRAFT.

Leaves Alder Street Dock, Portland, Sunday, Aug. 19, 11 a. m.  
Arrive at Astoria at 1 p. m.  
Leave Astoria for home at 3 p. m.  
Arrive in Portland at 5 p. m.

Meals Served in the Cabin. Carry Your Lunch if You Wish.

A delightful Sunday trip—a charming ride on the greatest river of western America—the best steamboat on the Pacific coast—Polite attention to everyone.

See the City by the Sea at Little Cost

# Saturday Specials

5:30 P. M. to 9:00 P. M.  
Positively None Sold Before This Time

33c  33c  
Regular Value 65c Regular Value 65c

## 6-Quart Berlin Kettle

Royal Enamel Ware

14c  14c  
Regular Value 25c

## No. 3 Steel Fry Pan

**POWERS**  
THE STORE THAT SAVES YOU MONEY  
DIGNIFIED CREDIT FOR ALL FIRST AND FAVORITE

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I had dyspepsia in its worst form; was reduced in weight to 118 pounds. After using two and one-half bottles of Kodol, I was completely cured and restored to my usual weight of 145 pounds.  
J. LUTHER JOHNSON,  
Att'y At Law, Cleburne, Tex.

## KODOL DIGESTS WHAT YOU EAT

MAKES THE STOMACH SWEET. Prepared at the Laboratory of Dr. J. C. Williams & Co., Chicago, U.S.A.

Sold by Skidmore Drug Co. and Woodard, Clarke & Co.

# RIVER EXCURSION TO ASTORIA

SUNDAY, AUG. 19

## Steamer TELEGRAPH


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See the City by the Sea at Little Cost

**HOTSTETTER'S**  
CELEBRATED  
  
**STOMACH BITTERS**

A severe headache, coated tongue, bad taste or poor appetite are indications of a disordered stomach which can be quickly cured by the Bitters. Get it today. It also cures Indigestion, Dyspepsia, Constipation, Biliousness, Heartburn, Cramps, Diarrhoea, Female Ills or Malaria, Fever and Ague.