

HARRIMAN FOOD TAX CASES HEAVY RESTS ON A DECISION

Oregon Trunk Line Cannot Continue Work Along Deschutes Until Reclamation Service Decides to What Height Power Dams May Be Constructed.

Construction of a railroad up the Deschutes river from its mouth to central Oregon is now hanging on a decision that must be made by the reclamation department as to location and height of future dams for water-power purposes on the Deschutes. The Oregon Trunk Line and the Harriman roads, rivals for possession of routes up the Deschutes, are held up by rulings of the interior department, and the people of central Oregon are clamoring for railroad transportation.

It is now up to the interior department and the Oregon Trunk Line people to get together and arrive at some kind of a compromise on a route, the height of which shall be sufficient to permit water power developments and at the same time not so high as to be prohibitory against railroad construction.

W. F. Nelson, president of the Oregon Trunk Line, is in Portland today to confer with the reclamation department on the subject. It is said the government has indicated that it will consider measures for relief of the situation, and a profile of the Oregon Trunk Line's survey from the mouth of the Deschutes to a point 80 miles in the interior will be submitted to Supervisor D. C. Henney for his consideration.

The Oregon Trunk Line has completed its survey for a distance of 100 miles into the interior, and has secured practically all of its right of way as far as the northern part of Crook county, with the exception of the rights across government lands. Application for these rights was filed at Washington six months before the reclamation department entered its plea for preservation of water rights, and the railroad people believe they have a right to ask favorable consideration for their project.

O. R. & N. Route on Cars. Since the objections to the Oregon Trunk Line's route were entered by the reclamation officials the O. R. & N. has resiled in its attempt to block the Trunk Line's construction work. At the outset of the fight a warm contest was promised in the lower Deschutes canyon, where the Trunk Line men began actual grading and the O. R. & N. Co. threw a crew of surveyors and right of way men into the field and began running lines.

The ruling of the reclamation department, that the Trunk Line must stay 100 feet above the river, came as a setback to that company, but just suited the O. R. & N. Co., which really had no desire to build up the Deschutes, as the Harriman lines expect to tap central Oregon by the line that is to be constructed from Natron eastward.

Old Miller-Harriman Fight. As the matter now stands, the Oregon Trunk Line, which is supposed to be a Hill project, is hung up and the Harriman company is getting ready to beat all competitors into central Oregon via the Natron extension. So long as these conditions continue the Oregon Trunk Line people are kept "walking the floor," as they call it, in the prospect of defeat in the race with a competitor, but they risk the disarrangement of the plans that were made months ago for financing their road.

Considerable money has been spent by the trunk line people in completing extensive surveys and acquiring rights of way in the interior, all of which they will lose if the rulings of the reclamation department prevent a bill from building the Deschutes river line.

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THE OREGON DAILY JOURNAL, PORTLAND, WEDNESDAY EVENING, JANUARY 16, 1907.

Northrup's Bill Provides Against Free Transportation and Fixes Penalties.

(Special Dispatch to The Journal.) Statehouse, Salem, Or., Jan. 16.—Free passes will go gampering under the provisions of a bill introduced by Northrup, providing for the abolition of free transportation except to employees of a road, and fixing the penalty at from \$10 to \$250 for violation by transportation companies.

House bills at the state treasurer's office was delivered by Washburn of Lane in a bill providing that all cash in the treasury be put in state bonds under the proper precautions. The bill provides that interest shall not be less than 3 per cent. This takes all state funds out of the power of the treasurer to loan for his own use as in the past, but will earn an income for the state. It also puts the treasurer on a flat salary in fact as well as in theory.

McCallen of Polk introduced a bill asking for \$50,000 for training buildings for the state. The bill provides for a school for the deaf and dumb at the state fair grounds. The bill also provides for a school for the deaf and dumb at the state fair grounds.

Bill on Irrigation. Jones of Polk-Lincoln also has a reciprocal demurrage bill which he introduced today. Beveridge of Multnomah introduced a bill to create a new school law code. Perkins of Jackson sent an irrigation code bill to the floor today. This is a measure prepared by the state irrigation commission. A free school text book bill was introduced by Beveridge of Multnomah.

To Examine Land Office. A resolution by McCue of Clatsop, asking for a committee to examine the state land office caused a controversy between McCue, Newell, Settlemier, Carter and Jackson.

Point to Davis Case. Jackson said if examinations had been made in the past it would have saved the state many thousands of dollars and many acres. The fight was taken to all examinations held by the state. Jackson said a commission might find out how chickens were hatched at the asylum farm but that it could not examine the books of the state treasurer or secretary.

Debate Becomes General. The discussion on the adoption of the resolution became general, every member taking part. Great stress was laid on the necessity of the legislature's knowing the condition of state institutions, and making appropriations at other side argued that commissions could find no real facts from visits. The institutions always knew when the committees were coming and prepared for the visit. The resolutions were not passed.

Concrete Bricks to Withstand Pressure. At the meeting of the council committee on health and police this morning, it was decided to recommend for passage the ordinance permitting the manufacture of concrete bricks in Portland. The ordinance was introduced by Joseph M. Fay, the applicants for permits, said they could find a sale for their product without the passage of a governing ordinance, but they wished to comply with all conditions the building inspector may make. They propose to make a brick that in compressive strength will average 1,000 pounds to the square inch, but in buildings of more than two stories in height the strength of the brick must be from 1,000 to 1,250 pounds to the square inch.

Cashed Bad Check and Then Held It Up. J. B. Swinton, who is staying at the Perkins hotel, was arrested this afternoon by Detectives Tichner and Price on the charge of vagrancy. This charge is based against him merely in order for the detectives to look up his record. It is alleged by the detectives that Swinton passed a worthless check on Redd & Bates, druggists, for \$1. Before the check was presented to the bank Swinton himself went to that institution and held it up. When his rooms at the Perkins were searched he was found to have blank checks on a number of local banks.

Something Equally Good for Kincaid. (Special Dispatch to The Journal.) Walla Walla, Wash., Jan. 16.—It is rumored that Warden Kincaid of the penitentiary will not be reappointed when his term expires and that Traveling Guard Easterbrook will be his successor. Kincaid, it is said, is to get the berth of state labor commissioner.

BE BIGGER OR PORTLAND EVIDENCE BE SUBMITTED TO COURT

Attorney Logan Declares Mayor Lane Might Have Lost Diploma at One Time.

(Neither Judge Pipes nor myself as lawyer's nor our worthy mayor, Dr. Harry Lane, a medical practitioner, would have retained our diplomas very long after we had made our first mistakes if we were convicted before an inquisitorial body upon no better evidence than that offered against Ben Biglin, degraded harbormaster.)

Those words, for which the civil service commission did not seem to be prepared, were uttered by John F. Logan, when the arguments in the Biglin case were begun this morning. The city had intended to present evidence to show that the ex-harbormaster had neglected to inform inspector of Police Bruin of an attempt to shanghai sailors for the British ship Eskason. The evidence was in addition to that already introduced and showing that at the time of the grainhandlers' strike Biglin had nearly caused a riot by firing a pistol shot a light under the wharf, believing that a striker was beneath it for no good purpose.

Two witnesses were called in the persons of British Consul James Laidlaw and Vice-Consul Ernest Laidlaw. Both said the sailors of the Eskason had been regularly signed, and afterward they had repented of their contracts. No further evidence was introduced, and the British consul, before the executive board, began his opening argument. He contended that Biglin had been rightfully discharged. The officer had made an error of judgment that was unresponsive to any correction made in an investigation before firing the shot.

Mr. Logan said no orders against shooting had been given out by Captain Bruin until after the shot was fired. The error caused no trouble, because there were no legitimate strikers at the scene of the disturbance. Men were loafing around nearby saloons, but they were not strikers. As to the error, Mr. Logan said the punishment was not severe for the offense. A man should not be deprived of his position because he had made a mistake in what he believed to be the performance of his duty.

What if the judge, Dr. Lane and myself were deprived of our diplomas for the mistakes we have made? inquired Mr. Logan. From one third to one half of the cases in the supreme court of Oregon are decided upon the errors of the lawyers in matters of procedure, and not upon the merits of the case.

At the conclusion of the arguments the commission took the matter under advisement. A decision will probably be announced at the meeting next Wednesday.

Grocers Begin Their Meetings. Seventy-Five Delegates Attend First Convention of Kind in Oregon. The first state convention of Oregon grocers and merchants was organized at Allsay hall at 10 o'clock this morning. Between 75 and 100 delegates were present, representing the towns and cities of the state. The convention was held at Grants Pass, from along the line of the O. R. & N. as far east as Baker City, and from the towns along the lower Columbia river. J. M. Dalton of Burns, Harney county, was the distinction of having traveled nearly 600 miles, 150 miles of which was by stage, to be present at the convention.

Hold-Up Suspect is Kept in City Jail. T. Jones, arrested last night by Patrolman Humphreys on a charge of vagrancy, is being held in the city jail. Jones is suspected of being the highwayman who shot and wounded Mrs. Roberts at Park and Madison streets last Saturday night. Jones corroborates in a measure to the description of Mrs. Roberts' assailant. Mrs. Roberts has not yet been interviewed by the Detectives and it is doubtful whether she will consent to come to headquarters to see if she can identify the suspect.

Norwegian Singer is Suffering from Cold. A telegram from Seattle this morning announces that Miss Olivia Dahl, the celebrated singer from Christiania, Norway, who is now on a concert tour through the United States, is confined to bed by a severe cold. She will not be able to appear in concert in this city Friday evening, as scheduled. The concert, which has been arranged under the auspices of the Norwegian Singing society, will therefore be postponed until Saturday evening, February 2, by which time it is hoped the noted singer will have recovered from her illness.

Pilot's Oilskins Set Fire to Tug Wallula. (Special Dispatch to The Journal.) Astoria, Or., Jan. 16.—At an early hour this morning the bar tug Wallula, moored alongside the O. R. & N. dock, was discovered on fire. It appears a bar pilot went aboard during the night and deposited his oilskins on a grating over the engine-room. They caught fire and dropped to the dining-room floor and burnt through before being discovered. The damages are nominal.

EARTHQUAKE AND FIRE

The governor of Jamaica, Sir James Sweetnam, with the assistance of Sir Alfred Jones, senior partner in the shipping firm of Elder, Dempster & Co., took immediate steps to allay the panic and suppress disorder. Though a stream of refugees began to make their way out of town to the hills with the first outbreak of fire their march was orderly and there was no ruffianism.

Late reports received from men in the employ of the telegraph company, who are working on the lines within sight of Kingston, say the fire was put under control late Monday night.

The Myrtle Bank hotel was the largest hotel in the city of Kingston. It stood on Harbor street and commanded a fine view of Kingston harbor.

Forty Thousand Dollars for State Jute Mill. This, as an Emergency Measure, First Bill Passed at Olympia.

Olympia, Wash., Jan. 16.—The first bill to be passed by either house of the legislature was house bill No. 1, appropriating \$50,000 for the purchase of jute for the state penitentiary. It was rushed through the house this morning under suspension of the rules. It was introduced at the request of the state board of control, which represented that unless the appropriation was made immediately available the manufacture of grain bags at the penitentiary would have to cease. The bill was sent to the senate and also passed by that body.

Dalles Man Buys East Side Realty. Two large real estate sales of east side business property were closed yesterday. T. J. Seufert of The Dalles purchased \$25,000 of real estate in the southwest corner of Grand and Hawthorne avenues for \$35,000. The property is covered with two-story frame buildings. This purchase was made about three weeks ago through the Healy Investment company, since which time Mr. Seufert has been offered an advance of \$12,000 on the deal. He has also been offered 50 per cent net on a valuation of \$50,000 for a 10-year lease of the site.

Children at Astoria Hurt While Coasting. Astoria, Or., Jan. 16.—Blanche, the 8-year-old daughter of School Superintendent Charles, was seriously injured this afternoon while coasting down Tenth street hill through passing underneath a wagon. Her left leg was broken and her arms badly bruised. Two other girls, Myrtle Koenig and Gladys Cates, were on the sled, but escaped serious injury.

Water Wasters Will Be Held for Penalty. An ordinance will be introduced by Councilman Masters Wednesday providing the punishment for those who waste water during the cold spells. Offenders will be fined from \$5 to \$50, according to the provisions of the prospective ordinance.

To Dam Rio Grande. (Journal Special Service.) Washington, Jan. 16.—The treaty providing for the erection of a dam on the Rio Grande at El Paso was signed today. Mexico will have no right to divert the waters beyond a certain quantity of water impounded for use in the Mexican territory.

SPANIEL TESTIFIES AS TO HIS OWNERSHIP IN COURT

"Bugs," a handsome black cocker spaniel of extraordinary intelligence, was the star witness in a police court proceeding today. The silent testimony given by the animal in behalf of his mistress, Mrs. Eder, on the stand that she was acquitted on a charge of larceny will no doubt result.

Mrs. Florence Eder, in whose defense "Bugs" made his initial appearance on the witness stand, was arrested last Monday upon the complaint of J. H. Anderson, proprietor of the Union house, Sixth and Everett streets, for the theft of the animal in the morning. According to her testimony, Mrs. Eder arrived here from Spokane six weeks ago. The dog was lost in a crowd on Washington street. Last week she found her pet in front of the Union house and carried him to her room. "Bugs" returned to his new-found friends during the night and when Anderson refused to give up the animal Mrs. Eder carried him away by stealth. She was arrested.

Exposition Buildings to Serve Two Purposes. First for the Big Seattle Show, Then for the State University. (Special Dispatch to The Journal.) Olympia, Wash., Jan. 16.—Six hundred thousand dollars is asked for in an appropriation bill introduced in the senate this morning in the interest of the Alaska-Yukon-Pacific exposition to be held in Seattle in 1907. The bill plans to use this amount to construct new buildings for the University of Washington and provides that the buildings may be used for exposition purposes. The bill was referred to the committee on appropriations.

Boy Killed While Examining a Gun. C. G. HOLCOMB FOUND IN HIS ROOM DEAD. Walla Walla Commercial Traveler—Coroner's Jury Finds Death Accidental. (Special Dispatch to The Journal.) Pendleton, Or., Jan. 16.—C. G. Holcomb, a traveling man from Walla Walla, was found dead in his room at the Hotel St. George this morning. The verdict of the coroner's jury is: "Accidental death from an overdose of chloroform administered for the purpose of relieving pain is indicated by the circumstances." Work was done on Walla Walla that he was in the habit of using drugs for headaches.

California Legislature After Insurance Trust. (Journal Special Service.) Sacramento, Cal., Jan. 16.—Bills providing that every insurance company doing business in California must make in the state a deposit of \$200,000 with the insurance commissioner and make a fully verified statement of its affairs and the penalty of forfeiture of its franchise were introduced in the house today.

Temperature Rising in Eastern Oregon. (Special Dispatch to The Journal.) Pendleton, Or., Jan. 16.—The weather is moderating in eastern Oregon. The temperature was at zero last night. Pendleton and all points in this section report warmer weather today.

Author Not in Quake. (Journal Special Service.) London, Jan. 16.—The Hall Caine reported in the quake was not the author, but his brother William.

SOCKEYE SALMON MUST AND SHALL BE PRESERVED

Puget Sound Association Will Stamp Out All Base Imitations. (Special Dispatch to The Journal.) Bellingham, Wash., Jan. 16.—Unrelenting war against Columbia river and Alaska salmon packers who misbrand their products as Sockeyes will be waged by the Puget Sound Salmon association.

At the annual session of the association in this city, which was in the nature of an indignation meeting, it was resolved that the kingly sockeye's reputation must be maintained in spite of the alleged misrepresentations of Columbia river and Alaska packers. Speaking of the association's intentions Will A. Lowman of Anacortes says: "When the Puget sound packers finish with the movement they have just set on foot there will be no more Columbia river or Alaska salmon sold to eastern jobbers or consumers under the brand of Puget sound sockeye salmon."

Steps will be taken at once to organize the independent canners so that concerted action may be taken against the alleged impostors. The Sockeye men believe that the order to save their business by such strong measures are immediately necessary.

Foster of Vermont Defends President. (Journal Special Service.) Washington, D. C., Jan. 16.—The Vermont today defended President Roosevelt's Japanese policy and sought to justify centralization and the right of the general government to make treaties guaranteeing foreigners the same right in schools, courts and property that citizens enjoy.

El Paso Engineers Ask Raise. El Paso, Texas, Jan. 16.—Three hundred engineers of the Mexican Central railroad have decided to demand an increase sufficient to bring their pay up to the standard of the engineers of the United States.

Scottish Rite's Rennon. Scottish Rite Masons will gather tonight for the annual session of the lodge, which will continue over tomorrow night. The sessions will be held at the Scottish Rite cathedral, Lowndes and Morrison streets.