

HILLWAY LOSE NORTH BANK ROAD TO HARRIMAN

LONG WAR IN COURTS MUST END

Fight for Rights Along the Columbia Has Been Very Bitter on Both Sides

Wallula Gap is Most Valuable Strategic Point, and Here the Surveys of Both Great Systems Cross in Attempt to Get Tunnel Privileges.

If you can show that you are legally entitled to the rights of way claimed by the Columbia Valley railroad, you will come into possession not only of the lands, but of a railroad already constructed over them.

This is the language used by Judge Whitson of the federal court of western Washington in an opinion on the Columbia Valley company's application for an injunction against the Portland and Seattle Railroad company.

The persistence and optimism of the Harriman attorneys has gotten on the nerves of the Hill men, and there is a growing anxiety as to the outcome of the last "triumph" struggle that is now being carried on. The fight is far from finished. Instead of having ended in favor of the Hill forces, as was generally assumed from a recently published report, it has merely shifted to the general land office at Washington.

Upon the interpretation of a law passed by the United States congress in June last, the fate of the north bank road now under construction by Hill, if the intent of the law is found to be as alleged by the Harriman attorneys, the grades and strategic points for the absolute possession of the Hill company, will pass to the Harriman company.

Louis Gerlinger, president of the Columbia Valley, knows the Harriman railroad project on the north bank, is seriously ill at his home in this city, but his legal aids are making a strenuous battle in support of the company's claims.

The Columbia Valley company was represented by George W. Stapleton and R. E. Moody. The Portland and Seattle company's case was handled by James E. Kerr. The hearing involves parts of the entire line from Kennewick to Vancouver, and particularly Wallula Gap, perhaps the most important strategic point on the whole north bank line.

In 1879 congress passed a law permitting railroads to survey lines across

THE KING STOPS SKATING ON POND

John D. Rockefeller Puts an End to Boys' and Girls' Fun on Lake in Cleveland in Rear of His Home to Save the Ice.

Cleveland, O., Feb. 22.—Through orders issued by John D. Rockefeller a crowd of boys and girls who went to Forest Hill to skate on the oil king's pond were turned away today by "Paddy" Lynch, keeper of the grounds, who informed them that they must not skate on the pond, as "it spoils the ice."

WILL PART FROM YOUNG ROOSEVELT

President's Nephew Is Sued for Divorce by Dutch Sadie Charged With Cruelty

Wild Escapades of Young Millionaire Too Much for Even Wife He Wedded in Tenderloin—Stole Bookkeeper's Bride and Furnished Her House.

New York, Feb. 22.—James E. Roosevelt Jr., the young cousin of the president who is related to the Astors, has been sued by his wife for separation and alimony on the grounds of cruelty and neglect.

"Jimmy" Roosevelt, who has been in many escapades and who prefers amusing himself in the Tenderloin rather than in the palaces of the four hundred, six years ago married Sadie Meisinger, who was known to men about town as "Dutch Sadie," and installed her in his magnificent home on Riverside drive, which he has since resided. A few weeks ago the youthful millionaire added to his notoriety by taking court proceedings to retrieve a piano, furniture and bric-a-brac valued at thousands of dollars, which he had placed in a luxurious flat for a married woman, Mrs. Hattie Butler, who had left her husband, John Butler, a bookmaker. The latter sided all the articles and stored them in a warehouse. Roosevelt then swore they were his.

Stole Another's Bride. Butler claimed that Roosevelt stole his bride of three weeks, and wanted \$50,000 damages. Before the case came to trial Roosevelt discovered that Butler was a former convict and the latter mysteriously disappeared.

Roosevelt is 28 years old and a nephew of President Roosevelt. His millionaire father, who died three years ago, married Miss Helen Astor, a sister of John Jacob Astor. Young Roosevelt's marriage to "Dutch Sadie," who was a frequenter of the old Haymarket, was the cause of his being ostracized by his family. His father threatened to disinherit him and went so far as to make a will giving his wayward boy only a few thousand dollars. Shortly before his death, however, he relented, and Roosevelt was left more than \$100,000. Beside this he has an annuity of \$15,000 left by his mother at her death many years ago.

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RAILROADS PREDICTING CALAMITY

Officials Say Two-Cent Fares Mean Ruin to Small Lines--To Fight in Federal Courts

Employees Notify Managers Today That Further Delay in Granting Concession Will Precipitate a Strike, as Radicals Cannot Longer Be Controlled.

Chicago, Feb. 22.—Warren Lynch, passenger agent of the New York Central & Hudson River railroad, this morning said:

"If the state of Illinois forces the railroads to give passenger service at one third less than the present rate, it will force the smaller roads into receivers' hands and compel the larger ones to reduce the cost of operation to a degree necessitating poor service. These views were indorsed today at the meeting of the officials of most western and southern lines. The meeting decided to get the best legal advice and fight 2-cent legislation in all states in the supreme court of the United States.

Representatives of the unions of railway trainmen notified the managers today that a further delay in granting the concessions demanded will precipitate a strike, they said they were unable to control radical members much longer. Neither railroads or employees are likely to yield further concessions. Roads are willing to grant an 8 per cent increase. The unions demand 15 per cent increase. The wage negotiations between western railroads and 50,000 conductors and train service employees may today develop into a complete severance of relations. Negotiations have been going on for a month. The men are asking for an eight-hour day and an increase of wages of 15 per cent. The railroad officials issued a statement saying they were willing to grant an increase of 8 per cent in pay and that this was their final answer. The union officials' reply to this announcement was that if such was the case it would be useless to continue the negotiations looking to a settlement and that unless the railroads were willing to grant further concessions the question of a strike would be voted on at once. Final efforts are being made to come to a peaceable understanding.

CHESTER GILLETTE'S MOTHER



Mrs. L. M. Gillette, mother of Chester Gillette, the convicted murderer of Grace Brown, recently returned to her home in Denver, convinced that her son is really guilty and must suffer the extreme penalty for the crime.

PURE FOOD ACT CHANGED TO FIT NATIONAL LAW

Believe Amended Measure Will Pass—If Gas Company Franchise Is Revoked City Will Have to Pay Company Value as Fixed by Court.

By a Staff Correspondent. Salem, Or., Feb. 22.—The Burns pure food bill was amended in the senate judiciary committee today to conform with the national pure food act. Parts of the Burns bill were stricken out and parts of the national law omitted from the Burns bill were inserted by the committee.

It is believed the bill will pass in its amended form, as most of the objection to the bill is met. It is reported by the senate committee on horticulture favorably. Senator Wheelton not joining. On his motion the bill was sent to the judiciary committee. A bill amending the Portland Gas company is revoked, the city will have to pay the company the value of the franchise as fixed by the county court. By a vote of 15 to 14 the senate this morning adopted an amendment with these provisions, after a long debate between the Multnomah senators. Minority and majority reports of the amendments to the Coffey bill were filed by Bailey, Beach, Hodson and Sichel, and recommended that the act be effective after December 31 of this year, provided the city causes the value of the franchise to be determined by a court of competent jurisdiction to pay the value so determined.

JAPS INDIGNANT WITH KUROPATKIN

Oku Cannot Believe Russian Leader Would Write So Foolishly—Nogi Thinks It Very Strange—Nedzu Sympathizes.

Tokio, Feb. 22.—Three prominent Japanese have been interviewed concerning General Kuropatkin's book on the Russo-Japanese war, a synopsis of which was published a few days ago. General Oku is scathing in his denunciation of General Kuropatkin. The only epithets to apply to the statements were "brazen-faced" and "shameless." General Oku said he could not believe General Kuropatkin had written so foolishly. General Nogi, true to his reputation for tactfulness, merely made the comment that it was strange that a compilation of such a volume was permitted. General Nedzu said he sympathized with General Kuropatkin.

BIG NOSE AND THEN A POLICEMAN

Chinese Bunco Chief and Explode Ropes of Fire Crackers Out of Proper Hours

When the Terrific Racket Begins at Noon on Second Street, the Police Arrest Every New Year's Celebrant With Crackers in His Possession.

Compared with the pyrotechnic display at Second and Oak streets shortly after noon today the steege of Port Arthur was a Sunday school picnic. True, there were no fatalities but before the smoke of 30,000 exploding crackers had cleared away seven leading lights of the Chinese society found themselves in the city prison on charges of violating the ordinance prohibiting the explosion of fireworks during the Chinese New Year except during specified hours.

For several days the Bow Lung Tong have made merry in their clubrooms on the third story of the building at Second and Oak streets with music and feasting. As a fitting climax to the celebration it was decided to have a display of fireworks that would eclipse anything ever given by the "white devils" on their independence day.

Chief Woke His Head. Accordingly a committee was appointed to wait on Chief of Police Gritzmacher to get his consent. The ordinance passed by the council at the request of the Chinese colony provided that firecrackers could only be discharged between the hours of 5 and 8 a. m. and 8 and 9 p. m. Sundays excepted. Upon the representation that "all same fire flew small bunches," the chief acquiesced to the plan.

Indevidently Gritzmacher failed to notify his subordinates of the permission granted and when two 50-foot strings of crackers were lowered from the balcony of the Bow Lung tong headquarters Patrol Driver Ed Burke swooped down on the Chinese who held the punks and bundled them off to jail. This apparently had no deterrent effect, for strings after strings of the noise producers were lowered on ropes and the roar of the exploding crackers drew a crowd of several thousand persons from all over the district.

A raid was then made on the club rooms and every Chinaman holding a

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"MY POOR BRAVE WIFE" SAYS THAW

Prisoner Claps Evelyn In His Arms When She Visits Him in Prison Today

Young Woman Far From Well, Pale and Worn—Passes Bad Night and Dreads Further Examination—Mrs. Holman Denied Newspapers by Husband.

New York, Feb. 22.—Harry Thaw's temporary breakdown during his wife's recital yesterday of the hidden pages of her life was gone with his night's sleep. He arose in better spirits this morning, took his bath, ate a substantial breakfast and then wrote letters. Visitors are not permitted at the Tombs on holidays.

Evelyn Thaw remained in her apartments at the Lorraine until late this afternoon when in response to urgent appeals from her husband she hastened to the Tombs, accompanied by O'Reilly.

Evelyn carries a special permit to see her husband on holidays. They ran into each other's arms in fond embrace. Evelyn is pale, worn and far from well. Clapping his wife in his arms, Thaw exclaimed, "My poor, brave little wife," repeatedly.

Passes a Bad Night. Evelyn Thaw, says Attorney Hartbridge, passed a bad night and that the dread of a continuance of the ordeal has unnerved her.

Nearly every member of the Thaw family is indisposed. All are suffering with bad colds. Mrs. William Thaw's dread of the examination is trying to her. The effect upon the aged woman causes apprehension to relatives.

Lawyers all assert to the family that they are sure the prisoner will be acquitted. Neither Jerome or Garvin appeared at the criminal courts' building today. It is understood that Jerome has gone to his home in Lakeville, Connecticut. Delmas, Partridge, O'Reilly and McPike were in conference at the Hotel Lorraine today going over Evelyn Thaw's testimony and preparing to bolster up such parts as were weakened by Jerome.

Mrs. Holman Seen. Advice from Pittsburgh state that representatives of Jerome have again

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JAPANESE OBJECT TO EXCLUSION

Proposed Settlement of Problem May Cause Cabinet's Downfall. Coolies Indignant

Mikado Does Not Consider Arrangement Final—Roosevelt Will Refuse Further Concessions and Severance of Diplomatic Relations Possible.

Seattle, Wash., Feb. 22.—The Japanese association, representing 5,000 Japanese of this state has entered a vigorous protest against the proposed settlement of the Japanese school and labor questions, claiming exclusion of coolies is impractical and unjust.

Washington, D. C., Feb. 22.—Evidence that a truculent populace is giving the elder statesmen much uneasiness because of the manner in which the difficulty regarding the Japanese school and labor questions, claiming exclusion of coolies is impractical and unjust. The truth seems to be, said a diplomat, "That the Japanese government is in fear of the Japanese people. Japan has a constitutional form of government, and like England, has party government. If the government loses the confidence of the people, it can be overthrown and a new government would not dare to advocate the policies which had brought about the downfall of the old one. That may account for the declaration that Japan does not consider the question settled and also for the assertion that she will not grant an exclusion treaty nor stop the issuing of passports to the mainland."

Treaty a Tedious Affair. It is said the coolie class, knowing the chances for securing money in this country, is not willing to submit to being shut out.

The president gives assurances, it is said, that Japan will give no more passports to the mainland, and he is working on the new treaty which will result in the absolute exclusion of the laboring classes. The passport clause is not to be put into effect until all the Japanese now on the way to this country and Hawaii have reached their destinations. It is expected the president will put the clause into effect about April 1. The negotiation of a new treaty, if one be considered necessary, is likely to be tedious. Japan is going to ask concessions and it is her policy to demand everything she can think of and give ground only when she knows the end of an affair is a long way off.

Two congressmen said today that the president had indicated an unwillingness to have any further inter-

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NO PORTAGE ROAD ADDITION

House Kills Bill Carrying Sixty Thousand for Extension—State Fund Depository Bill Passes--Port of Portland Commission

By a Staff Correspondent. Salem, Or., Feb. 22.—The portage road extension bill, carrying \$60,000 for the extension of the present road at Big Eddy to The Dalles, was killed in the house this morning by a vote of 28 to 27.

The bill was previously passed, but reconsidered and tabled to punish Wheelton for voting against the Port of Columbia bill. It was called up by Chapin and taken from the table by a close vote. Coffey, Driscoll, Burns and Reynolds voted against the bill, when they had favored it before. Coffey and Driscoll did not want it taken from the table. They wanted

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IMPORT COOLIES FOR CANAL WORK

Forty-Nine Chinese Laborers Pass Through Country, First Consignment to Panama—More Expected to Follow.

New York, Feb. 22.—Forty-nine Chinese laborers, some in regular coolie attire and others wearing clothes of American cut, passed through New York today on the Panama. They came from Hongkong and were in charge of Lem Wah, Chinese passenger agent of the Canadian Pacific railroad. Passports authorizing their transit through the United States had been obtained from Washington. Lem Wah had been given to understand they were going to work on the Panama canal and that there should be no delay in conveying them from Vancouver, where they landed, to the Ward line steamship Monterey, on which they sailed from this port today for Colon. One of the Chinese, said through an interpreter that they were going to work from China to work on the Panama.

EVANS SLEEPS ON HIS BEAT

Captain Bruin Catches Policeman Enjoying Snooze in Car barn—Sloan, Another Cop, Superintends Game of Cards

Inspector Bruin is hot on the trail of those members of the police department who are wont to shirk their duty and as a result of his investigations two well-known patrolmen face the prospect of trial by the police commission.

Lying comfortably stretched on the seat of a car in the Chapman street barn of the Portland Railway, Light & Power company, with his cape rolled up under his head for a pillow, when he should have been patrolling the section of the city lying west of Twelfth and south of Washington streets, Patrolman L. K. Evans was found at 4:30 o'clock this morning by Captain Bruin. Bruin made a full report of the matter to Chief Gritzmacher and Evans was interviewed by the head of the department upon reporting off duty. The chief states that he will personally make an investigation and if the case warrants will file official charges against the policeman. In the meantime, however, Evans has not been suspended from duty, as is customary in such cases.

As the police department has no roundmen, the duty of ascertaining if patrolmen are derelict in their duty has devolved on Inspector Bruin. This morning Bruin determined to make a tour of the district in which Dr. Johnson came to his death, with the result that he found the patrolman detailed to patrol that locality guilty of a gross violation of the rules of the department.

In discussing the matter Bruin said: "The lives and property of the citizens of the city are greatly jeopardized by the failure of patrolmen, especially the officers of the night relief, to properly patrol the districts assigned to them. The taxpayers are paying a large sum to maintain the police department and are entitled to faithful and conscientious service."

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BROKEN BRIDGES THE SUNDAY JOURNAL