

EXCLUSIVE ROUTING CONDITIONS IMPOSED BY UNION PACIFIC

Plummer and Other Gateway
Cases Heard by Special
Examiner.

That it is the intention of the Union Pacific Railway company, by the closing of the Plummer and other gateways, to compel shippers to use the railroads and equipment of that corporation as much as possible, was admitted this morning by Frank W. Robinson, assistant traffic manager of the O-W. R. & N. Co., during a hearing before Henry Thurtell, special examiner of the interstate commerce commission.

The hearing was called at the instance of the Oregon railway commission to establish a justification for the closing of the Plummer gateway to the exclusion of other lines. The tariff in question closed the route via the O-W. R. & N. to Plummer, thence by the C. M. & St. P. to points in Minnesota, Wisconsin and northern Iowa. This left only a route over the Union Pacific through Council Bluffs and increased the rates to a number of points.

The position of the Union Pacific is that all traffic of Oregon and Washington should be carried as far as possible on the Union Pacific line, but this morning the company agreed to keep the gateway at Plummer open whenever it is known that the effect of closing it would increase rates to certain points, but where the rates would remain the same the Union Pacific wants the exclusive routing.

One of the protesters at this morning's hearing was Frank Gardiner, president of the Baker White Pine Lumber company, and a member of the Eastern Oregon Lumber Producers' association, which is objecting to the closing of the gateway.

Gardiner testified that on numerous occasions he lost business because he could not guarantee delivery, and that shipments sent were sometimes from 30 to 50 days on the road, until after one especially bad season, when he applied to the Chicago Milwaukee & St. Paul for cars and was told that the road was not good for both the railroad and shipper, for it made more business for this section when prompt deliveries could be assured.

"It is not all a matter of rates, it is

mostly a matter of service," said Mr. Gardiner. "If connecting roads were allowed the interchanging privileges, business in this section will increase 25 per cent in the next year."

The examination for the shippers was conducted by Joseph N. Teal, and W. A. Robbins, attorney for the O-W. R. & N. Co., conducted the cross-examination of the protesters.

VOLCANO IS DYING DOWN BUT EARTH SHOCKS CONTINUE

(Continued From Page One.)

upon the town, and nearly every building there was burned. Nearly a foot of ash covered the ruins. They were entirely deserted. A spot on which last Sunday nearly 65,000 people lived and some of the greatest industries of the world were conducted, was today worse than a desert.

Sakura Island, said the naval commander in his wireless report, was a mass of flames, and the eruption was still as violent as ever. Huge fissures opened and closed in the earth. It was dangerous for ships to enter the Gulf of Kagoshima. Though it was true that a tidal wave was felt along miles of the Kiusiu coast, the naval commander said it was but a slight one.

Provisions Are Gathered.
The government was gathering shiploads of provisions today for the volcano and earthquake refugees and Kagoshima district. Messages from points near the scene of the disaster said that thousands had been driven from their homes with only the clothing they wore. The people of the section were doing their utmost to care for them, but the magnitude of the catastrophe was such that they were completely awestruck and wholesale deaths from starvation threatened.

The well-to-do as well as the poor lost their all in the general destruction and families which hitherto have known only luxury found themselves reduced overnight to absolute destitution.

Kagoshima was the home of many Japanese of much importance, including generals, statesmen and capitalists of industry. Few of them had been heard from and the greatest anxiety was left concerning their fate.

President Telegraphs Mikado.
Washington, Jan. 14.—President Wilson telegraphed today to the emperor of Japan as follows:

"Having learned of the unprecedented disaster which has visited your country through earthquake and a tidal wave, I beg to assure your majesty and the Japanese people of my deep sympathy and the sympathy of the American people."

From the emperor the following reply was received:
"Pray accept my sincerest thanks for the sympathetic message from yourself and the American people at this time of terrible disaster."

GRAFT CHARGES ARE UNDER INVESTIGATION

Grand Jury Takes Up Alleged
Disclosures Made in the
Harris Case.

Joseph Singer, once additional market inspector and frequently mentioned in connection with graft investigations, was before the grand jury this morning. The grand jury has taken up an investigation of the graft charges made in the trial of Harry Harris for vagrancy recently, and brought out in other trials prior to that time. About 15 men have been questioned but no developments have been made public. Rumors of a new graft scheme are also being considered, although it is said nothing more than rumors have developed as yet.

Harris, in his trial, told of the formation of a graft system which he said was expected to bring in approximately \$150,000 a year and by which the immorality of the city was to be absolutely controlled. The scheme, he said, was to get all men connected with vice in the Coast hotel, of which Harris was a proprietor, and to collect from the men and from the houses for which protection was to be secured.

"POVERTY STRICKEN"
SCRUBWOMAN DIES OF
STARVATION; IS RICH

(Continued From Page One.)

told Mrs. Shaver and Mrs. Smith that "old Lena might die and then you will find out something." She also let it be known that some friends of hers in the city had attempted to persuade her to make a will several times, but that she declined to do so and would not. She frequently declared she had no relatives alive.

Where the woman was between Christmas eve when she left the apartment and December 20, when she entered the hospital has not been ascertained. This along with other circumstances will be inquired into by the regular officials and Y. Liddell, the Swedish consul, who has already undertaken the task of finding whether there are any heirs.

Judge Has Money.
Meanwhile the money, in the form of five certificates of deposit, in the care of Judge Cleton, in whose hands Mrs. Shaver placed them as soon as she was informed of her tenant's death.

The certificates were all deposited since February 6, 1913, and are for amounts varying from \$214.94 to \$164.

They will be held by the court pending a determination of what is to be done with the estate.
In this connection Mrs. Shaver said today that she was willing that the money should go to rightful heirs, but she would fight for what was promised her in event no heirs are found.

The body is being held at the morgue, and the funeral, under the direction of the Swedish consul, will be held Friday morning from Dunning & McIntee's parlors.

PORTLAND PLEASES GRAND OPERA STAR

Delighted with the salubrious weather for this time of the year, and pleased with the success of her tour, Mile. Yvonne de Treville, famous soprano and grand opera star, is in Portland today.

Mile. Treville was in Portland early last summer and arranged for a concert—she is perhaps the only grand opera star who acts as her own advance agent and manager—and at that time became delighted with Portland's famous roses. So when she arrived here yesterday she was tempted to spend the winter, and do the roses bloom here always.

Mile. Treville has appeared in nearly every large opera house in Europe, and has perhaps a wider personal acquaintance all over the world than any other woman artist, for being her own manager and advance agent she comes in direct contact with the people, and persons she once meets she never forgets—that's Treville.

From the states the singer goes to Honolulu. She leaves here tomorrow to sing at Salem, then at San Francisco.

EQUIPMENT FOR TROOP OF CAVALRY ASSURED

(Washington Bureau of The Journal.)

Washington, Jan. 14.—General Finzer is here attending a conference of adjutant generals which has approved the bill submitted by the secretary of war for compensating militia for attending drills. Finzer has the promise of equipment for the troop of cavalry recently organized in Portland and is also negotiating for various supplies for the coast artillery militia.

ARMENIAN ATTEMPTS TO KILL CHERIF PASHA

Constantinople, Jan. 14.—An attempt to assassinate Cherif Pasha, former Turkish ambassador to Sweden, was made here today by an unidentified Armenian. The latter entered Cherif's apartment and shot his valet three times. Lieutenant Sall Bey, Cherif's nephew, seized the valet's revolver and killed the invader.

SLOVER EXCITED AT CHURCH INQUIRY

Committee Holds Examination
in Secret; Enemy
Blamed.

Officials and members of the Free Methodist church last night held a secret inquiry into the charges which led up to the dismissal of ex-Captain E. A. Slover from the police department by order of the mayor. The evidence "strengthened the committee's belief in the moral integrity as well as the honesty of Mr. Slover's administration." The committee before whom testimony was given consisted of pastors and laymen from several churches. The meeting was held in the Chamber of Commerce.

In speaking of the investigation last night, Rev. W. G. MacLaren, who appeared for Slover, said:

"We are sure of one thing, that there is an enemy in camp, as far as concerns Mr. Slover.
"Who it is I do not know at this time. We fully intend to find out, however, and will make an investigation to ascertain just exactly who was behind the movement which led up to the dismissal of Mr. Slover. The evidence will be submitted to his attorneys for use when he appears before the civil service board."

"Another thing, we had requested several police officers to appear, but they had orders from headquarters not to do so."

Chief of Police Clark declared that no such order had been issued.

Among the witnesses last night were three women of the underworld, two whose names are withheld, and several former members of the police department recently dismissed by the mayor.

They included ex-Sergeants Pressley and Rupert, Annie Gellert, whose testimony figured in the investigation of the police officers' discharge, was one of the witnesses.

The committee which heard the evidence and gave out the decision exonerating Slover consisted of Rev. Robert H. Clark of the Free Methodist church; Rev. S. Earl Dubois, United Presbyterian church; Rev. C. H. Davis, First Nazarene church; Rev. T. J. Coburn, Piedmont church; Rev. W. H. Sudds, Central Free Methodist church; W. J. Johnston, Rev. W. N. Coffey, district superintendent of the Free Methodist church; E. C. Jehu, J. S. Fox, Frank Schultz and Charles L. Thayer.

The inquiry was not made by the church itself, it was explained, but by officials and friends in their private capacity.

FOUR OR FIVE STORY PORTLAND POST OFFICE

That's All That Can Be Had
With \$1,000,000 Appropriation, He Says.

(Washington Bureau of The Journal.)
Washington, Jan. 14.—Architect of the Treasury Wednesday said this morning that he expected to have a conference with Assistant Secretary of the Treasury Newton today regarding plans for the Portland postoffice building and the purchase of a site for the building.

"We wish to cooperate with Senator Lane," he said. "But it is merely a question whether the increase of space necessary to provide quarters for the various government officials be desired to have accommodated can be provided without sacrificing too much for the appearance of the building. Probably we shall make a four story or perhaps a five story building."

Unless congress allows additional funds to those appropriated the building will resemble what is called in New York a loft building. Many things enter into the construction of a government building not necessary in a private office building, such as vaults, safes, fixtures, built-in furniture and plumbing. This increases the cost greatly. We hope to present a statement to Senator Lane within a few days showing what we can do with the present appropriation.

Senator Chamberlain has had this matter up in conference with Postmaster Meyer of Portland for some time, and his data will be submitted to the treasury department.

SAMUEL MACKAY DIES AFTER SHORT ILLNESS

Samuel Paxton Mackay died at his home, 774 East Main street, last night, after a short illness. Death was due to a complication of causes. Funeral services will be held at the residence tomorrow at 2 p. m. and will be conducted by the Rev. L. K. Grimes of the Hawthorne Presbyterian church.

Mr. Mackay was a member of the real estate firm of Knapp & Mackay, having been associated with Mr. Knapp during nearly all of his 14 years' residence in Portland. He was 63 years of age, and was a native of Virginia. He is survived by his wife, daughter, Mrs. C. H. Kable of Salem, and a son, John G. Mackay of Agate Beach.

NEW DREDGE FOR THE BAR IS NOT FAVORED

(Washington Bureau of The Journal.)

Washington, Jan. 14.—Senator Chamberlain, replying to inquiries from the Portland Chamber of Commerce, has wired that the chief engineer is in favor of enlarging the capacity of the dredge Chinook rather than building a new dredge. Senator Chamberlain's amendment to the rivers and harbors bill for \$1,000,000 for continuing work at the mouth of the Columbia includes an estimate for enlarging the Chinook.

Senator Chamberlain has been appointed chairman of the subcommittee on lighthouses of the commerce committee.

STULTZ WILL COLLECT PORTLAND INCOME TAX

(Washington Bureau of The Journal.)
Washington, Jan. 14.—Robert Stultz of Portland has been appointed deputy collector of the income tax.

Robert Stultz, whose appointment as deputy collector of the income tax has just been announced from Washington, has been in the employ of the interior revenue department in Portland for two months as stenographer. He has lived in Portland several years.

CHARTER OF BOWLING CLUB TO BE ANNULLED

Governor West Takes Action
That Would Put an End
to "The Hut."

As a result of a conference held yesterday between Governor West and Sheriff Word proceedings will be started at once to dissolve the Linton Bowling club as a corporation and by thus attacking its corporate existence seek to do away with "The Hut."

Working on the premise that the incorporation is but a cloak to hide ulterior purposes of the club Governor West has directed Attorney General Crawford to annul its charter in accordance with the provisions of Lord's Oregon laws, section 364.

It has also been announced by Sheriff Word that Deputy District Attorney Robinson has been named as special representative of the governor to conduct the trials of alleged violators of the gambling laws and that upon the return of Judge Henry McGinn from California one of the cases that has been dismissed by the local district judges will be heard in Judge McGinn's circuit department, probably tomorrow.

Difference of opinion exists between the district judges and Attorney Robinson as to the proper interpretation of the law, the judges contending on one hand that evidence has not shown that the proprietors of saloons arrested in the north end houses of the police are gambling game, while Mr. Robinson contends that acquiescence on the part of the proprietors to games of chance on their premises makes them guilty of the offense.

STATE CAN BRING SUITS FOR RETURN OF SPECIAL FEES

(Continued From Page One.)

always been the custom in Oregon for state boards to employ special counsel whenever the state's interest could be better served by such policy.

Case Is Called.
Recently the state game and fish commission employed John McCourt of Portland to defend the local Finley state game warden in an action growing out of the performance of his official duties. Mr. McCourt's fee was paid from the state treasury.

Last summer Insurance Commissioner Ferguson became involved in a dispute with two insurance companies over issuance of licenses to permit them to do business in Oregon.

The president of one company appealed to Attorney General Crawford for an opinion as to Mr. Ferguson's refusal to issue the license. Mr. Crawford said that Mr. Ferguson was required to issue it, and acting upon the attorney general's advice the insurance company's president brought mandamus proceedings against Mr. Ferguson.

Case Is Fought.
The insurance commission decided to fight in the courts, and rather than go to trial with the attorney general's lawyer, because Mr. Crawford had already ruled against the insurance department, Mr. Ferguson employed H. E. Hancy of Portland as special counsel.

Mr. Crawford at his own request was allowed to participate in the trial, going to the extent of recalling his opinion previously given to the complaining company's president. But Mr. Hancy was Mr. Ferguson's main defender, and Mr. Hancy won the case for the insurance department. Mr. Hancy was paid \$200 from the insurance commissioner's fund, and there was no objection either by State Treasurer Kay or Attorney General Crawford.

Two or three years ago the state land board became involved in a dispute with the Portland Railway, Light & Power company over a question affecting the look at Oregon city. The board employed W. P. Lord, former chief justice of Oregon, as special counsel, and the state paid him \$1700 for his services, and the payment was approved by Attorney General Crawford.

The state land board in another similar case employed E. E. Watson, brother-in-law of Attorney General Crawford, as special counsel. The board in this case was in litigation with the Varnum Valley Land & Livestock company over the ownership of land.

Mr. Watson won the case for the state and presented a bill of \$1500 for legal services. The state land board objected to the amount, claiming the fee was excessive. But Mr. Crawford made earnest representations to the board and finally induced that body to approve the amount. Mr. Watson's fee was paid from the state treasury.

Lawyers say that in view of the supreme court's decision that no state board or official can employ special counsel at the state's expense, it is the duty of State Treasurer Kay to ask Attorney General Crawford to begin actions for the recovery of money already paid as fees for special counsel.

It is said that actions should be started for the recovery, not only of the original amounts paid, but also for interest on the money taken from the state treasury.

New Postmasters.

(Washington Bureau of The Journal.)
Washington, Jan. 14.—Oregon postmasters appointed are: Helen M. Hieell, vice R. W. Wilcox, Clatsop, name changed to Fairview; William L. Forsythe, Metolus, vice J. A. Hoffman; Jennie E. Shetter, Terrebonne, vice E. A. Cleland.

Would Join New System.

(Washington Bureau of The Journal.)
Washington, Jan. 14.—The following banks have applied for membership in new banking system: Harney County National Bank; First National Bank; Baker; First National Bank, Eugene.

Forest Consolidation Passes.

(Washington Bureau of The Journal.)
Washington, Jan. 14.—Senator Chamberlain secured passage today of his bill to consolidate certain forest lands in the Ochoco national forest.

Naval Attaché at Exposition.

(Washington Bureau of The Journal.)
Washington, Jan. 14.—Lieutenant Commander Clark Howell Woodward was appointed naval attaché at the San Francisco exposition.

Admiral Is Dead.

(Washington Bureau of The Journal.)
Tokyo, Jan. 14.—Count Yuku Ito, admiral of the fleet, died today, aged 70.

M'INNIVILLE LOOP IS GIVEN OFFICIAL TRYOUT

Trip Is Made in Preparation
for Jubilee Excursion
Saturday.

Officials of the Southern Pacific and P. E. & E. travel on an inspection trip around the "McMinnville loop" today, trying out the track and electrical equipment in preparation for the Commercial club's jubilee excursion next Saturday.

The party were General Superintendent F. W. Campbell, Chief Engineer F. L. Burkhalter, Electrical Engineer Paul Lehenbaum, Superintendent of Equipment N. Sears, and others. President Strahorn was unable to join the party because of a conference this afternoon.

The club expects to have a large number of passengers on its train Saturday. It will be a club affair entirely, the train being chartered bodily from the railroad company, and the club will be in the railroad business for the one day. The usual passes carried by railroad men generally will have absolutely no force on this trip, it has been announced.

The trip will start from the Union depot at 9 a. m., proceed to Beaverton, across the cutoff to Cook, and thence through Newberg to McMinnville. Returning, Whitson, Forest Grove and Hillsboro will be among the chief towns passed through on the west side. The electrification of the Oswego line probably will not be completed in time for any of the journey to be made through the Jefferson street depot line.

WITNESS DENIES HE MADE FALSE CLAIMS

(Continued From Page One.)

The defense of G. H. M. Summerville and A. C. Colton on trial for violating the law protecting fraternal orders by organizing the Lodge Alpha Roberts, Bruce of the American Masonic Fraternity, and securing members by representing that they were being initiated into the Ancient Free & Accepted Masons, will probably be concluded this afternoon. G. H. M. Summerville was still on the stand at

Tempting Menus Constantly Varied

—an atmosphere of congeniality and relaxation.
—an excellent cabaret supported by delightful musical programs by the Imperial German orchestra.
—an extraordinary daily special (the same one each corresponding day continuously each week).
—quick, quiet, unobtrusively efficient service.
—these are the characteristics which have made the

Hofbrau-Quelle

the favorite dining place of Portland's most particular people.

Spec' Tabled Hotel Dinner

Sunday, 5:30 to 8:00
One Dollar

Entrance on Alder and on Sixth

Spanish and Castilian Grille

SPANISH AND AMERICAN COOKING
Best Wines, Liquors and Meats Served

4114 and 413 Morrison, near 11th St.

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his own defense this morning, and declared that he and Court had made no representations to initiate that they were joining the regular Masons. He said they had instructed the initiates to the opposite. Members called as witnesses said they were satisfied with the lodge and did not enter with the understanding they were joining the regular order.

F. McC. Thompson told of rapid work in taking the work of the order under investigation, and said that some of the work had once been given while the ferry, on which it was being given, was crossing from Oakland to San Francisco, in 20 minutes. He was asked if he was present and replied in the negative.

"Then it is hearsay evidence," he was asked.

"No," he replied. "It has become a matter of history," and he joined in the general laugh which followed. The case will probably end tomorrow.

Here's Another

Special Luncheon served from 11:30 to 2 daily except Sunday.

No. 2-25c
Soup
Pie
Coffee

Chocolate, Tea, Milk or Buttermilk may be substituted for Coffee.

Order by Number

The Hazelwood

Confectionery and Restaurant.

Washington at Tenth.

AMUSEMENTS

Heilig Theatre

Robert B. Mantell

Tonight at 8:00 o'clock. Monday, Tuesday, Thursday, Saturday, Sunday, 10:00 o'clock.

Thursday night, 10:00 o'clock. Friday, Saturday, Sunday, 10:00 o'clock.

Saturday night, 10:00 o'clock. Sunday, 10:00 o'clock.

Nights, 10:00 o'clock. 10:00 o'clock. 10:00 o'clock. 10:00 o'clock.

12 rows \$1.00. 10 rows \$1.00. 10 rows \$1.00. 10 rows \$1.00.

4 NIGHTS. Next Sunday

THE BLINDNESS OF VIRTUE

Even, 10:00 o'clock. Wed, 10:00 o'clock. 10:00 o'clock.

BAKER

Tonight at 8:00 o'clock. Monday, Tuesday, Thursday, Saturday, Sunday, 10:00 o'clock.

Thursday night, 10:00 o'clock. Friday