

# The Daily Capital Journal

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## COMMITTEE FAVORS PURCHASE OF WATER PLANT

### PRICE OF PLANT, POWER AND PORTION OF BONDS APPRAISED AT \$480,000

#### ADVISES LEASE OF POWER PLANT UNTIL GRAVEL SYSTEM IS INSTALLED

##### Question of Leasing of Company's Exclusive Right of Intake From Minto's Island Involved—Company to Submit an Amended Proposal Later—Corporation Firm in Estimates of Values Against Contentions for Functional Depreciation of Property—Many Difficulties to Be Encountered Should City Enter Into Competition With Company.

After reviewing the advantages and disadvantages attendant upon the purchase of the present water plant from the Salem Water company, and contrasting in connection with them the advantages and disadvantages connected with the installation of a competitive system, the special committee on mountain water in a report submitted to the council last evening declared that it was in favor of the purchase of the plant of the company, and that it will support that proposition.

The committee several months ago secured from the company a purchase price, but before it was decided to call an election upon the subject, it was decided to have the committee again wait upon the company and learn if a better price could not be obtained. This the committee was unsuccessful in doing, but it says for all that when all things are considered, that it will be cheaper to purchase the plant at the original price than install an independent system, and its report last night was unanimously adopted.

The report is as follows:

**Cost of Plant.**

Your committee on mountain water begs to report that it has completed its work of negotiating with the Salem Water company for a price upon its plant. The amount reported by the board of engineers employed on the part of the city, the water company and the state, to appraise the plant, with some modifications, was submitted by the water company some time ago as its proposal to the city. The water company elected to make no additional or amended proposal to your committee, and the terms of their proposal were incorporated in the proposed charter amendment filed with the city recorder at the last meeting of the council and upon which the people are to vote at a special election August 15, 1910. The items contained in the proposed charter amendment are segregated as follows:

Price of plant, net, to water company.....	\$205,500
Price of water power.....	44,000
To take up outstanding 6 per cent bonds of water company.....	45,000
Estimated additions to system from appraisers' report to January 1, 1911.....	80,500
Future extensions after purchase.....	75,000
Total.....	\$400,000

In addition to the above authority is given to assume \$80,000 of 5 per cent bonds now outstanding against the water plant, making the total amount of bonds authorized for the purchase of the plant and for main extensions to be added by the city of \$480,000.

In its offer above referred to, the Salem Water company agreed to keep the water power used for pumping, deducting \$44,000 for the same, and to lease the use of it to the city. Your committee saw fit, however, to include provision for the purchase of the water power in the bond issue as above because of the enormous cost of operation by steam, but not, however, before the officers of the water company had assented to a lease of the power to the city with the option to buy at a valuation of \$44,000 as appraised by the engineer employed by the city, Mr. Cunningham. Should the city undertake to install a gravity system the water power will be of no use, hence, if the people vote to purchase the water company's plant it was the idea of your committee that the city should lease the use of the water power until such time as the people settle the

question of a mountain gravity system. Should a gravity system be installed the city should cease the use of the water power under its lease, but should it be decided not to install a gravity system, the city would have the right of floating \$44,000 of authorized bonds for the purchase of the power.

The only item in the nature of a deduction from the appraisement of the engineers made in the proposal of the water company is that of water rights at the intake. The sum of \$26,000 was reported by the engineers as an appraisement of the value of the right to take water perpetually from the gravel bar on Minto's island. This amount was arrived at by estimating the cost of installing a pipe line to the nearest available point where a similar gravel formation exists. The water company's right is exclusive so far as Minto's island is concerned. The company, in its proposal, agrees to lease this water right for \$120 per month, but its officials now state that they will later submit an amended proposal placing the rental at the nominal sum of \$1 per year.

The item of \$30,500 is the estimated amount for additions to the plant from the date of the engineers' appraisement up to January 1, 1911, the latest date at which it was thought the actual transfer would be made should the people vote to buy the plant. The company is continuing the work of extending its mains and improving its property, and this item is thought to be ample to meet all possible demands for improvements and contingencies. If a small sum is found to have been expended, the council need dispose of only as much of the \$30,500 of bonds authorized as is needed.

**Cheaper to Buy Plant.**

Your committee had hoped to secure a more favorable proposal from the company than the one already made, and which forms the basis for the figures in the proposed charter amendment, referred to above, but the water company is the seller and we cannot deny its right to say what it shall ask for its property. The city could condemn the plant for public use, to be sure, but the experience of other cities has been that, unless, depending necessarily upon the testimony of experts, have invariably awarded sums on a basis even higher than that reported by our engineers in this case.

The physical value of the plant being purely a matter of expert judgment, could not be entered into very extensively by your committee, and the figures reported by our engineer, Mr. Cunningham, were largely accepted, although certain allowances for functional depreciation were stoutly contended for by your committee.

In the report of our engineer an item of \$12,639 for reinvestment of funds and \$11,000 for one year's profits to the city were included in the appraisement in accordance with custom in appraising utilities of this nature for public purchase. These items your committee strove to eliminate without success.

While your committee believes that the city is asked a higher price for this system than private parties would be willing to pay, nevertheless, in view of all the facts in the situation, it is our judgment that the city would find it cheaper to purchase the present system than to undertake a competitive one.

A competitive system would involve: First, the payment of interest on a large outlay of cash used in the purchase of equipment and installation of a complete system, covering at least a year and a half of

time until actual operation could begin. Second, curtailment of revenues owing to competition. The city could not hope to secure all the business at once from what would likely develop into an energetic competitor fighting for life. Third, likelihood of long delays occasioned by lawsuits with the water company involving rights of every conceivable kind. Such has been the usual experience of cities under similar circumstances. Fourth, the difficulty of introducing mountain water for years should the water company choose to tie the city's hands in the courts. Fifth, the difficulty of floating bonds under satisfactory terms.

Your committee has a great and abiding faith in our growing and prosperous city, and believes that the same destiny which has placed her in the heart of this abounding garden of nature will speed her growth and commercial progress and that a municipally-owned water system will contribute much to such a happy consummation. Therefore, we recommend the indorsement by this council of the proposal for a municipal water plant, having in mind the immediate enlargement of the system to include a mountain gravity supply. Respectfully submitted,

N. D. ELLIOT,  
W. H. ELDRIDGE,  
A. HUCKESTEIN,  
GEORGE F. RODGERS,  
Committee.

## FINE RACING PROGRAM FOR FAIR

### HIGH CLASS OF ENTRIES FOR SPEED EVENTS GIVE PROMISE OF SOME EXCITING AND EXHILARATING SPORTS.

That the racing program for the coming state fair will be composed of entries of a superior class to that of any previous year is evident from a glance at the long list of entries in the various high class early closing events which has just been given to the public by Secretary Frank Meredith of the state board of agriculture. Some of the fastest horses west of the Rocky mountains and many grand circuit animals have been entered in the principal events where blood is matched against blood for speed, honor and the big stakes hung up, and that some exciting finishes will result in many of the races goes without saying.

Two new race features this year will be the Oregon Futurity No. 1, for two-year-olds, pacers, purse, \$600; and Oregon Futurity No. 2, for two-year-olds, trotters, purse \$900. Scores of entries have been received for both of these events, but they have not been segregated yet.

All told \$21,700 will be hung up as purses. The early-closing events represent \$14,800 and besides the

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## GERMANY THROWS DOWN GAUNTLET TO AMERICA ON NICARAGUAN SITUATION

Berlin, July 12.—Germany threw down the gauntlet to the United States today, saying she intends to do as she pleases in South and Central America.

Washington, July 12.—Germany's declaration today that she will act as she sees fit in South and Central America without consultation with the United States or any other power, it is believed here, approaches defiance to the Monroe doctrine, and if it is carried out trouble can hardly be avoided.

## TODAY'S REVIEW OF CASUALTIES

Salinas, Cal.—Two killed and nine injured in railroad wreck.  
St. Johns, N. B.—Infant dead; seven men missing; 5000 persons homeless, and town practically destroyed by fire.  
Bournemouth, Eng.—Charles Stewart Rolles, millionaire aviator, killed by collapse of machine. Aviator De Mars seriously injured in same manner.  
Butler, Pa.—One killed and 16 injured in mine explosion.

## MUST PAY PENALTY FOR CRIME

### John D. Roselair Condemned to Hang for Brutal Murder of Wife, at Hillsboro, Following Quarrel Over Spoonful of Cream at the Breakfast Table.

## SUPREME COURT DECIDES

### Opinion, Written by Chief Justice Moore, Declares Homicide Had Fair and Impartial Trial and Was Justly Convicted of Atrocious Crime—All Points of Law Raised by Defendant Are Overruled by Appellate Court—Plea of Insanity No Defense in Second Degree Murder. Says Court in Baker County Murder Case.

Declaring that they "believed that the defendant had had a fair and impartial trial, and that he was justly convicted of an atrocious crime," the supreme court this morning affirmed the judgment of the circuit court of Washington county in the case of the state of Oregon against John D. Roselair, the Hillsboro wife murderer, and he must pay the penalty for his crime by hanging at the end of a hangman's noose.

The opinion in the case is written by Justice Moore and it is prefaced by a brief review of the circumstances attendant upon the murder, and he then proceeds to discuss the questions raised by Roselair's counsel for a reversal of judgment. There were two questions upon which the defendants counsel relied for a reversal—the admission of evidence in presence of the jury as to the competency of a confession made by Roselair, and the relevancy and competency of evidence produced by the state to rebut evidence introduced by the defense to prove that Roselair was insane at the time of the commission of the crime. The

## TWO TRAINMEN KILLED AND THREE INJURED IN BIG RAILROAD WRECK

### supreme court held against both of the contentions and sounded the death knell to any hopes that Roselair may have had of escaping the gallows by affirming the judgment of the interior tribunal.

**Cream Cause of Murder.**  
The story of the murder and the story of Roselair's life reads like one of Poe's most weird stories. Roselair is a Hollander by birth and had been married three times. The first wife died; the second he divorced, and the third he murdered in an altercation over a spoonful of cream.

The murder occurred in a lonely cabin just 29 miles from Hillsboro. Roselair and his wife, it seems, quarreled over religion, quarreled over first one thing and then another, until one winter morning the quarrel culminated in the wife's murder over some cream. The husband and wife were at the time—so his confession says—at the table eating their morning meal. Roselair had asked for some milk to moisten his bread, and the wife upon passing it to him, retained the cream with a spoon. He scolded her for it, and in the quarrel that ensued, she became angered and dashed the contents of the bowl in his face.

**Wanted to Put Her Out of Misery.**  
Lying beside Roselair's plate was a huge bread knife which he had

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## MOSQUITOS DEVOURING THE SOUTH

### WILD GAME DRIVEN FROM THE WOODS AND SWAMPS BY PESTS AND LABORERS DESERT THE FIELDS AND PEOPLE LEAVE SUMMER RESORTS AWAITING AN ABATEMENT OF SCOURGE.

**[UNITED PRESS LEASED WIRE.]**  
New Orleans, La., July 12.—Men and animals are suffering alike from an unprecedented mosquito scourge, which has fallen on the coast of Louisiana and Mississippi.

The hungry pests have become so numerous that deer and other game of the swamps and woods have been driven into the open lands.

Men working in the rice fields have been compelled to quit work and stay indoors.

In Calcasieu county sawmills have been closed down, as it was impossible for the workmen in the swamps to withstand mosquito attacks while they worked.

Stock is being killed by the insect hordes in the lowlands.

Several fashionable summer resorts on Mississippi Sound are virtually deserted on account of the mosquitoes. Hundreds who were spending the summer at the resorts have returned to New Orleans to await an abatement of the scourge.

## CHEMISTS' ASSOCIATION SPECIAL TRAIN DERAILED IN SANTA CRUZ RIVER GORGE

### Engine Hits Loose Rail on Reverse Curve and Plunges Into Salinas River, Carrying Tende With It—Express Car Plows Ground for Distance and Then Follows Locomotive—Hundred Delegates to National Chemists' Society Convention at San Francisco Involved in the Disaster and Many Are Injured—Regular Passenger Train Has Narrow Escape.

Salinas, Calif., July 12.—Two trainmen were killed, three others injured and several passengers seriously hurt when a special train carrying 100 members of the Chemists' association was derailed today in a gorge in the Santa Cruz mountains near Metz. The disaster occurred on a "reverse" curve of the Southern Pacific railroad at 5:45 a. m. First reports were that a score of persons were killed. Special trains with nurses brought the dead and injured to Soledad and King City.

**The dead:**  
Fireman Ernst, San Francisco.  
Engineer E. A. Dixon, San Francisco.

**The injured:**  
Conductor W. H. Metz, internally, may die.  
R. McGhee, dining car porter, San Francisco, internally; may die.  
B. McCleary, brakeman, San Francisco; hand cut.  
A. E. Peterson, dining car conductor, San Francisco; hand cut.  
William Miles, chief of dining car, Oakland; two ribs and right thigh fractured.

Mrs. M. B. Nichols, Grand Harbor, Mich.; body bruised.  
Mrs. Charles Lamont, Detroit; spine injured, condition critical.  
Mrs. H. G. Barnard, Indianapolis; back sprained, foot injured.  
Miss Louise Moshopen, Beach City, O., scalded about body.

The wreck occurred nine miles from the little telegraph station at Metz at 5:45 o'clock this morning. The cause of the accident is yet unknown, but it is reported here that the coast train leaped the track on a sharp curve in a narrow gorge of the Santa Cruz mountains.

The engine and tender turned completely over and fell into the Salinas river. The Wells Fargo car plowed the ground for hundreds of feet and then followed the engine. The combination baggage and smoker left the rails and remained poised upside down on the brink of a high cliff overhanging the stream.

A tourist car also left the track and turned over on its side. A score of persons were pinned in the tourist cars, and the greatest injuries are believed to have occurred in them. Three Standard Pullman sleepers were derailed, but did not overturn.

The engineer and fireman are missing and are believed to have gone down with the engine. The conductor, express messenger and one woman passenger are reported to have been crushed to death.

Automobiles from Salinas and Soledad, carrying physicians, were rushed to the scene of the wreck.

The second section of No. 75 was a special train run for the benefit of 100 members of the Chemists' Association bound for San Francisco. Many prominent Eastern men and their families were aboard.

The wreck occurred on a reverse curve and railroad men believe that the loosening of a rail was responsible for the disaster.

Later reports received indicate that Conductor Metz, after whose father the station Metz was named, escaped with slight injuries.

Fireman Ernest and Engineer Dixon are still missing.

A railroad wrecking crew left Soledad soon after the wreck and a "shoofty" track will be built around the wreckage to permit the passage of regular trains.

Train No. 9, which was due at the place where the accident occurred, was held up in the nick of time by telegraphic orders at King City.

**Hundred Chemists Aboard.**  
Los Angeles, Cal., July 12.—Southern Pacific officials here de-

clare that the train which was wrecked at Soledad early today was a special bearing more than 100 chemists bound for the midsummer convention of the American Chemical society, scheduled to be held in San Francisco this week.

The train left Los Angeles late last night. It was running as the second section of Southern Pacific train No. 75.

The passengers on the wrecked train were eastern chemists and professors of chemistry in Eastern colleges and universities. The majority of them were accompanied by their wives and children.

Following is a partial list of the passengers:

Dr. Wilder Bancroft, professor of chemistry, Cornell university.  
H. E. Bancroft, professor of chemistry, Cornell university.  
H. E. Barnard, state food and drug commissioner of Indiana.  
H. H. Bunzel, Bureau of plant industry, Washington, D. C.  
Chauncey Butler of Butler college, Indiana.

Frank K. Cameron, bureau of soils, Washington, D. C.

W. L. Dudley, professor of chemistry, Vanderbilt university.  
C. C. Dyer, bureau of chemistry, department of agriculture.

Prof. Moses Gomberg, University of Michigan.

W. F. Hildebrand, bureau of standards, Washington, D. C.

J. I. D. Hinds, professor of chemistry, University of Nashville.

F. E. Ladd, professor of chemistry, North Dakota Agricultural College.

Prof. Mary E. Leach, of Western College, Ohio.

W. A. Noyes, professor of chemistry, University of Illinois.

Prof. Alice Robertson, of Wellesley college.

Willis R. Whitney, head of the chemical department of the General Electric Company.

H. E. McCormick, of Armour Institute, Chicago.

## EXCURSION TO HEAR REV. FATHER YORKE

Rev. Father Yorke, of San Francisco, the most eloquent Catholic divine on the Pacific coast, will lecture at Portland at the Armory next Sunday evening, and Rev. A. Moore, of this city, is trying to get up an excursion of at least 40 Salem people to hear him. If he can get 40 there will be a return special electric car from Portland at 11 p. m. The lecture is for the benefit of the Christian Brothers Business college, and his subject will be: "The Pope As An Independent Ruler." This great lecture has been delivered by many of the larger cities, and will fully explain some things, like the Roosevelt incident, that are not generally understood by the public as to the policy of the Vatican. All who go and want to come back on the Salem special should telephone or call on Rev. A. Moore to make up the 40.

## INJURED BALLPLAYER IS NOT EXPECTED TO LIVE

Aberdeen, Wash., July 12.—Otto Moore, second baseman on the Montezano team of the Washington State league, struck by a pitched ball in the Aberdeen-Montezano game at Montezano Sunday, is not expected to live through the day. He has been unconscious for 36 hours. Moore was at the bat and attempted to dodge a curved ball. He misjudged it and stepped directly in its path instead. Moore's home is in Portland, Ore.