THE ALASKA DAILY EMPIRE

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CHAMBERLAIN PREDICTS SUCCESS FOR ALASKA BILL

Thousands Dead Because of Japanese Earthquake

NAGASAKI, Jan. 13. — The death list resulting from the earthquake around Kagoshima will run into thousands. The city containing 60,000 persons, is almost completely buried in ashes and stones that were thrown out from the belching volcanoes.

TOKYO, Jan. 13—Eathquakes on the island of Kiushiu have resulted in the large loss of life and great damage to property. Relief movements have been started at the capital and other centers for the relief of those in the stricken section.

JURY ADJUDGES MEYERS GUILTY OF TRESPASS

The jury, trying Jacob Meyers for trespass in the commissioner's court yesterday found defendant guilty and Judge J. B. Marshall imposed a fine of $50 and costs. It is probable that an appeal will be taken. The property involved in the trespass is known as the Sheldon homestead. W. Christensen, the other defendant under the same charge, asked until Thursday to move off the ground in question, and his case was continued until Thursday.

IN THE MUNICIPAL COURT

Three defendants charged with violating the anti-street speaking ordinances were tried by Municipal Magistrate E. W. Pettit yesterday. One who was arrested the second time for the same offense was fined $50 and sentenced to 15 days in the municipal jail, the other two were fined $60. All are in jail.

ORPHEUM ANNIVERSARY.

One year ago today the Orpheum opened its doors to the public as a first class picture house and theatre and has fully succeeded in maintaining this reputation.

The management therefore takes this occasion to show their appreciation, and thank their patrons for their aid in sustaining this enterprise. The future policy and endeavor of the Orpheum will be as in the past to present to its patrons, as far as possible, pictures of the highest class as produced by the leading companies of the world.

The bill for tonight will consist of two comedies and two dramas:

"The Better Man," a Vitagraph Western drama features two of the best of this company's players, Robt. Thornby and George Stanley, and carries a strong lesson of comparison.

"The Business Buccaneer," a Kalem drama of high finance and showing the results of discredited business methods.

"The Three Black Bags," is a Bunny comedy, of a bad mix-up.

"Starting Something," is a comedy by the American Pathe company, and should be good.

DISTRICT COURT NOTES.

The grand jury reported two true bills this morning, both being indictments against Lawrence McCoy for larceny and burglary respectively.

Jack Bennet was bound over by Judge J. B. Marshall of the commissioner's court yesterday for selling liquor to Indians.

Judge R. W. Jennings has continued applications for naturalization one week.

GRAND THEATRE TONIGHT.

Complete change of program comprising the latest photo plays.

"The Trap," Comet drama, that you are sure to enjoy.

"Gaumont Weekly," interesting events in the world, always good.

"The Boomerang,"—I Fear Not, Tell Me All," interesting drama by the Thanhouser.

"The Deacon's Shoes" and "His Cook Lady," laugable comedies.

Come and enjoy our show.

Even the cook eats at the Pioneer. Opp. City Dock 12-20-tf.

THE WEATHER TODAY.

Twenty-four hours ending at 3 p. m.:
Maximum—34.
Minimum—32.
Precipitation—.25.
Cloudy, rain and snow.

PROGRESS OF PLANT AT NUGGET CREEK

Great progress is being made on the Alaska-Treadwell compnay's big hydro-electric power plant at Nugget creek, which when completed, will be expected to generate 4,000 horse power of electrical energy and will have an installed power a little above this figure. At the present time the first unit of the plant is taking the natural flow of the stream only, but with the completion of the dam and the creating of the reservoir for storage purposes the capacity will be greatly increased and given stability.

The dam is being built within 450 feet of the point under which Nugget creek emerges from under the glacier and is at an elevation of about 500 feet above the power house. The dam will raise the water in the reservoir that is to be created 100 feet higher, furnishing a good head for the turbines and an uninterrupted flow of water.

"The derricks and machinery," said General Superintendent R. A. Kinzie, last night, "are all on the ground and we are now getting ready to put in the cutoff for the big dam. One shaft has been sunk to bedrock and pumps installed and as soon as another shaft can be sunk to bedrock the work of trenching out for the cutoff wall will begin.

"The machinery for a second unit in the power house has been installed and has now been in use for more than a month and everything is going along satisfactorily out there."

W. R. Lindsay, superintendent in charge of the construction work at Nugget creek for the Alaska-Treadwell company, is now in Juneau and serving on the grand jury. It is expected that the preliminary work at the dam will progress far enough during the winter to get the dam itself completed early next summer.

In the basin above the point where the stream flows under the glacier the Alaska-Juneau expects to erect a large power plant and use the water of Nugget creek before it reaches the levels where it is picked up by the Alaska-Treadwell company.

ADVERSE COAL REPORT WAS NO SURPRISE

"I notice that the test of Bering River coal made recently by the United States navy was not altogether favorable to the Bering river," said Thomas G. White, of Katalla, who was in town Saturday night, enroute to Seattle as a passenger on the Alameda.

"No one who knows anything about the quality of coal that was mined by the government expedition in the Bering River field, is surprised at the statement that the coal did not measure up to expectations. Of course it didn't. How could it? The 'coal' mined consisted to a large extent of rocks and dirt, and these won't make steam. . I know what I am talking about, for I helped to get out this coal for the government, and I made a similar statement then as to the quality of coal mined and freighted to tide water at great expense.

"The whole business from start to finish was a fiasco. Why I can take a bunch of Indians and get out a thousand tons of coal from the Cunningham group at one-eighth the price that the government paid for 800 tons or a good deal less of coal, rocks and dirt.

"Of course the coal did not give satisfaction when tested. How could it, I repeat?"

RUSTGARD ENDORES PLA N OF WORKING PRISONERS

District Attorney John Rustgard has written a letter to Marshal H. L. Faulkner, endorsing the plan of working Federal prisoners on the public highways. The District Attorney says that he has frequently recommended the same thing and believes it will result in good if done. He states that the present system encourages sriminals to secure sentence for misdemeanors where they can spend the time comfortably idling in jail, and refers to several instances where men have received as many as 8 and 10 sentences to the Federal jail and one instance where the same individual has been sentenced to the Federal jail 28 times.

Eat at the Pioneer, and die happy.

BIG FIGHT OVER WATER RIGHT WAGES

The big fight over the water rights of Gold creek between the Alaska-Juneau Gold Mining company and the Alaska-Ebner Gold Mines company et al, is now on in earnest. A session of the district court beginning at 8 o'clock last night and lasting until 11 marks the beginning of the inquiry into the rights of the parties to the litigation. Last week the hearing of last night was set on the application of the plaintiff company for a temporary restraining order pending the presentation of testimony and trial on its merits. But in the meantime a second application for an injunction pending the hearing of last night was not allowed by the court at the showing made Saturday night.

Judge R. W. Jennings opened last night's session by stating that the injunction asked for Saturday was denied without prejudice and that the court would now proceed with the hearing on the application for a temporary restraining order pending a trial of the case on its merits. He asked counsel to confine themselves to such testimony as would have a bearing on the rights of the parties at interest without regard as to the question of damages.

The plaintiff claims right to the water since August 1910 through two locations and through the efforts to divert the water which was successfully done in October of that same year. It is alleged that prior to December 17, 1913, plaintiff has continued to use said water for running its air compressor situated near Snowslide gulch near the portal of its Gold creek tunnel, but that since the last named date, defendants have diverted the water above the intake of plaintiff company which water is not again returned to the natural channel until below the intake. Defendants allege prior rights both by location and use and by due diligence in protecting those rights.

R. A. Kinzie, general superintendent of the Alaska-Juneau was the first witness and was on the stand from a little after 8 until past 11 o'clock, and during the giving of his evidence entered quite largely into the history of the controversy over the use of the water rights at issue as well as the history of the Alaska-Juneau mines and the plans of the company and the resulting damages that would be sustained if the injunction were not granted.

A breath from the past was felt as the story was told of the physical conflict between employees of the rival claimants of the water rights.

The hearing was continued until 8 o'clock tonight, and it promises to consume some considerable time.

INSANE MAN REPORTED CRITICAL CONDITION

The marshal's office has been advised by Deputy Marshal Davies, of Ketchikan, that W. H. Flagell, adjudged insane there, is now in a critical condition. The cable was received too late to give instruction in time to catch the Al-Ki and there will be no boats South for several days.

Flagell left Douglas on the last trip of the Spokane and it is presumed that he developed insanity aboard and was put off at Ketchikan. At the time he left Douglas he was enroute to England where he has a wife now living.

Taken Out on Al-Ki

Marshal H. L. Faulkner this afternoon received a cable from U. S. Commissioner Stackpole at Ketchikan stating that Fragall became violent while aboard the Spokane enroute from Treadwell to England and that on complaint of Fred Bold, agent of the Pacific Coast Co., was taken ashore and tried for insanity Jan. 10, and being committed to Morningside sanitarium by Commissioner Stackpole, Deputy Marshal Davies left with the patient on the Southbound Al-Ki. The patient is a British subject. On his person $214 in cash and also two other items of personal property were found which were taken possession of by Commissioner Stackpole who will appoint a guardian for the patient. The commissioner states that patient was in a very bad physical and mental condition at the time he was committed.

NEW CORPORATION FILES ARTICLES

Articles of incorporation for the Spokane Gulch Hydraulic and Development company have been filed with Secretary Charles E. Davidson. The directors are W. R. Morton, A. E. Grigsby, F. W. Reed, William Finical, all of Valdez. The capital stock is placed at $250,000. Valdez is the principal place of business.

Fight Over Washington Marshalship Becomes Warm

WASHINGTON, Jan. 13.—Many telegrams and letters are being received by the President and Attorney-General protesting against the appointment of John M. Boyle, of Tacoma, to be United States marshal for Western Washington with headquarters at Seattle, and the turning down of Geo. E. Ryan, formerly Secretary of the State Central committe and active party worker, who has the endorsement of the State organization, Gov. Ernest Lister, Mayor George F. Cotterill, the heads of all the State departments and leading citizens of the State. Charles G. Heifner, the recognized leader of the progressive element of the Democratic party of Washington State, who was endorsed by the State for Secretary of the Interior, is here on the ground and will personally intercede in a last effort to secure the appointment of Ryan.

TRESPASS CASES ARE ON TRIAL NOW

The first of the civil cases went to trial in the district court at 10 o'clock this morning.

The Pacific Coast company trespass cases were begun and of several similar cases on the docket wherein there are individual defendants, the first trial is against John Bolstad for the restitution of lot 2, block "Q," town of Juneau, and for $5 per month rental since plaintiff company was ousted.

The defendant claims undispted notorious and adverse possession for more than ten years past and that if plaintiff company ever had a cause for action it is now barred by the statute of limitations.

The following jury is trying the case: Fred Hebert, George Simpkins, T. F. Bush, K. O. Johnson, Sim Freiman, Milt Bothwell, Jerry Cashen, John Day, Everett Bradford, Fred Anderson, H. S. Graves, and J. G. Morrison.

Plaintiff company lays title to property from possession since 1881 and from townsite trustee's deed made in 1898. It is alleged that the exterior official survey of the townsite made in 1892 took in the property and thereafter the subdivisional survey divided the property into lots and blocks, that the property was first deeded by the government to the town trustee and by him to plaintiff company in 1898.

The plaintiff's witness during the morning session were L. P. Shackleford, J. B. Marshall, and A. S. Dautrick.

The defense called Theodore Torgenson, Isa Goldstein, John Wahl, Andrew Skavdal and John Bolstad, the defendant.

It is expected the casa will go to the jury this evening.

ESTATES ESCHEAT TO THE UNITED STATES

Judge Fred M. Brown, of Valdez, decided last week that unclaimed estates in Alaska escheat to the Federal government rather than to the Territory of Alaska. The decision was rendered in a hearing over the question of the distribution of the estate of Louis Camicia in which Attorney Charles E. Bunnell appeared for the Territory and Assistant United tSates District Attorney Guy Brubaker appeared for the government.

The estate was valued at $5,000 and there were no heirs to claim it.

AL. BAUSMAN RETURNING WITH YOUNG BRIDE

Al. Bausman, electrician with Alaska Light and Power Co., is returning from the South with a bride. Mr. Bausman left for Seattle on the Jefferson December 20. He went direct to Bremerton, at which place the wedding took place. They are on the Mariposa.

GROSS TO GIVE BENEFIT FOR TRINITY CHURCH

The proceeds from the W. D. Gross' Grand theatre tomorrow evening, January 14, will be devoted to Ladies' Guild of Trinity church. The money realized, will be used for the organ fund of the church.

NO BASKETBALL TONIGHT —BUT SATURDAY NIGHT

The basketball game between the Douglas and Juneau high school teams postponed from Saturday night last, on account of stormy weather and which was yesterday scheduled for tonight, has again been postponed and the time fixed definitely for next Saturday night in the Douglas rink. The hall could not be obtained tonight, hence the change to next Saturday night.

SOLDIERS KICK FOR PAY AND DIE

SAN DIEGO, Calif., Jan. 14.—Twelve rebellious Mexican Federal soldiers were put to death yesterday at Ensenada as traitors. The executions were due to a revolt caused by the failure of the government to pay the troops at the Ensenada garrison.

Mexican Refugees To Be Kept.

WASHINGTON, Jan. 13.—Secretary of War Lindley M. Garrison has ordered the Mexican Federal troops who crossed into the United States from Ojinaga and surrendered to the United States border patrol to be interned at Fort Bliss where they will be retained as prisoners of war until after the war in Mexico shall have terminated. Theoreticaly they are captives of the Constitutionalists and will not be permitted to join in the war against their presumptive captors. All told nearly 2,000 of such prisoners have come into the possession of the Americans.

MEASLES KILL THIRTY WESTWARD NATIVES

VALDEZ, Jan. 13.—Capt. Creamer reports that 16 natives have died at Seldovia, and 14 at Kenai, from the ravages of measles and that 35 families are destitute in Seldovia due to the sickness that has prevailed. No new cases of measles have developed during the 22 days last passed, but there seems to be no relief in sight for the destitute.

BIG STEEL PLANT RESUMES OPERATIONS

CHICAGO, Jan. 13.—The American Sheet & Tin Plate plant at Gary, employing 1500 men, has resumed operations. Resumption is on receipt of orders sufficient to keep the plant running for over a month. Increased bookings are reported by the Gary plants of the Illinois Steel and American Bridge.

PRESIDENT RETURNS TO WASHINGTON CITY

WASHINGTON, Jan. 13.—President Woodrow Wilson returned here today. To beseeching way station crowds, asking for a speech, he said:

"I am not in the habit of talking when I have nothing to say."

JOHN SKELTON WILLIAMS IS CURRENCY COMPTROLLER

WASHINGTON, Jan. 13.—President Woodrow Wilson today nominated John Skelton Williams, of Virginia, to be comptroller of the currency.

FIRE DAMAGES FAMOUS CANADIAN CATHEDRAL

MONTREAL, Canada, Jan. 13.—The Notre Dame cathedral was badly damaged by fire today.

DANCE FOR JUNEAU BASKETBALL TEAM

The Juneau basketball team of the Juneau high school will give a dance in Elks' hall Tuesday night Jan. 20 to realize funds to help finance the club for its contemplated trip to Sitka. The best of music has been engaged and the hall will be beautifully decorated for the occasion. Splendid refreshments will be served and everything done to insure a good time. The committee having the affair in hand consist of C. Kashaveroff, S. McKinnon, D. Ericson, and Ed. Beattie. The fair co-eds have also signified their intention of uniting to help make the dance a most enjoyable affair.

Chamberlain Favors Public Construction and Operation

EUROPE SUFFERING FROM COLD WINTER

PARIS, Jan. 13.—Central Europe is experiencing the most severe winter that has occurred there in a generation. In Eastern Russia more than 150 persons have frozen to death since the beginning of the cold weather that generally prevails throughout the continent

CHINA OFFERS JOBS TO AMERICAN CONTRACTORS

WASHINGTON, Jan. 12. — Hints have been thrown out at Peking that the United States would, if desired, be favored with an ample share of the railroad contracts now being distributed as a part of the Chinese government's development scheme.

PITTSBURGH BANK TO RE-OPEN AT ONCE

PITTSBURGH, Pa., Jan. 12.—A vote of the stockholders to reopen the First-Second National Bank followed the announcement that the stock had been over-subscribed. Two requirements remaining are approval by the comptroller of the currency and admission to the Pittsburgh clearing house.

According to the plan approved by the stockholders, all balances in savings accounts and all other credits of less than $2,000 will be released and placed on the same footing as before the suspension.

Creditors having claims of $2,000 and upwards will have placed to their credit subject to check 50% of their claims and accept for the remainder certificates of deposit bearing 3% interest payable one year after the re-opening.

The failure of this bank, on account of the speculation of its officers in Western lands came near resulting in a panic.

OKLAHOMA WHEAT IS IN GOOD CONDITION

CHICAGO, Jan. 12.—The Oklahoma January crop report gives wheat condition 103, against 83 a year ago. The ground is soaked and in the best of condition.

HUNGARIAN MARRIES WIDOW OF FRIEND

BUDAPEST, Jan. 13.—Francis Kossuth, the Hungarian patriot, was married last night on his sickbed to Countess Benyorsky, widow of Alexander Benyorsky, a close friend of Kossuth.

STATE TO CARE FOR CONVICTS' TEETH

WALLA WALLA, Wash., Jan. 14.—The State has ordered that an examination of the teeth of all convicts and their treatment by experienced dentists be made a part of the regular work in the care of State convicts.

TUGS SEARCH FOR SCHOONER NEAR SCOTT

SEATTLE, Jan. 13.—Searching tugs are headed toward the vicinity of Cape Scott in the belief that the disabled schooner Garms has been carried into that region or toward the Alaska coast.

EXCITING RACE KILLS LOCOMOTIVE ENGINEER

SEATTLE, Jan. 13.—George S. Perry, a locomotive engineer, died at the throttle of the big engine that was driving the Chicago, Milwaukee and St. Paul's "Olympian" train just as it had finished a five mile race with the Northern Pacific's "North Coast Limited" train.

CHARGED WITH INSANITY.

Harry Emile was taken from St. Ann's hospital today by the marshal's office and will be given a hearing on an insanity complaint.

COMMERCIAL CLUB MEETING.

The Juneau Commercial club will meet in the city council chambers at 8 o'clock tonight. There are many matters of importance to come before the meeting.

Mrs. W. K. Zott is again able to be about after an illness covering several days.

Washington, Jan. 13.—Resuming his speech today on the Alaska railroad bill, Senator Chamberlain said that he believes the bill will soon pass the Senate.

WASHINGTON, Jan. 13. — Senator George E. Chamberlain, of Oregon, in opening the debate on the Alaska railroad bill in the Senate yesterday recited a great mass of statistics on Alaska's resources. He said that railroads not in operation did very little to aid the Territory because they are built to serve private interests rather than the public. He contended that the government should both build and operate the railroads.

Cummins Favors Government Coal.

Senator A. B. Cummins, speaking on the Alaska bill, reverted to the coal question. He said that if the government could not furnish coal in any other way at a better price than the consumer now pays it should mine the coal of Alaska as well as haul it.

Heifner Works for Alaska.

WASHINGTON, Jan. 13. — Charles G. Heifner, of Seattle, arrived here last night to work for the passage of the Alaska railroad bill and for a measure that will provide for the opening of the Alaska coal lands.

Smoot Introduces Leasing Bill.

WASHINGTON, Jan. 13. — Senator Reed Smoot, of Utah, introduced a bill in the Senate yesterday providing for the leasing of Alaska coal lands and limiting the area that any one person or corporation can secure to 3,200 acres. The bill provides a minimum royalty to the government of five cents a ton on the coal actually mined.

The bill will go to the committee on Territories which is considering the Alaska coal lands question. It is said to be the purpose of the committee to have a coal lands bill ready to report out as soon as the railroad bill shall have been disposed of.

Pittman Introduces Leasing Bill.

WASHINGTON, Jan. 13. — Senator Key Pittman, chairman of the Senate committee on Territories, today introduced a coal land leasing bill for Alaska. It directs the Secretary of the Interior to have the coal lands surveyed into even and odd numbered lots and to have the odd numbered lots divided into quarter section tracts. It also provides for the leasing to individuals and corporations of tracts not exceeding 2560 acres to any one person or corporation for 20 years. It provides for a royalty based on the gross value of the coal after the expenses of mining and transportation are deducted.

AMERICANS MAY PLAY FOR PANMA CANAL

NEW YORK, Jan. 13.—A Washington special says that President Woodrow Wilson and Secretary of State W. J. Bryan are making extraordinary efforts to bring to an amicable settlement the Panama Canal controversy with Colombia and hope that an understanding over an indemnity may be reached by Jan. 1, 1915, the date for the official opening of the Panama Canal to navigation.

MARY'S UMBRELLA CAME NEAR BARRING QUEEN

LONDON, Jan. 13.—Queen Mary was denied admission yesterday to the Norwich castle museum because she carried an umbrella. The Bishop of Norwich intervened, disclosing the identity of the Queen, who was immediately admitted with her umbrella.

P.O. APPROPRIATION BILL REPORTED TO HOUSE

WASHINGTON, Jan. 13.—The postoffice appropriation bill, carrying an appropriation of $305,000,000, was reported to the House yesterday afternoon.

W. E. WILCOX FINISHES WITH FIRST NATIONAL

W. E. Wilcox, national bank examiner at large for the Treasury Department, finished his examination of the First National bank of Juneau last night and will take passage on the Mariposa tonight for Cordova enroute to Fairbanks. He expects to return within a few weeks.