LATEST PORTLAND

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PORTLAND, OREGON, TUESDAY, APRIL 22, 1902

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Instruments on exhibition at any time.

THE AEOLIAN COMPANY.

M. B. WELLS, Sole Northwest Agt.

353-355 Washington st., cor. Park

Friend of Greeley and Fremont. NEW YORK, April 21 .- David Carpenat his home in Mount Pleasant. At the close of the Civil War he was among the first to introduce American iron into the market, and conducted a large iron business in this city until recently.

County Jail at Hudson, for Clinton Prison, for Clint

Condemned Murderers Moved. NEW YORK, April 21.-In the custody ter, who was a personal friend of Horace of Deputy Sheriffs, Willis, Burton and Greeley and John C. Fremont, is dead Frederick A. Van Wormer have left the

Supreme Court to Hear Washington Case.

# MAY FILE COMPLAINT

Northern Securities Company Must Answer.

VICTORY FOR GOVERNOR M'BRIDE

Will Now Be Pressed to a Conclusion by Attorney-General Stratton

first skirmish in its battle against the Northern Securities Company. United States Supreme Court yesterday granted Attorney-General Stratton's aplication for leave to file a bill for an injunction. Examination into the facts while demurred out of court-be con Court, probably before a commiss

WASHINGTON, April 21.-The United States Supreme Court today granted leave to the State of Washington to file an original bill for an injunction against the Great Northern Railway Company, and the Northern Securities Company in connection with the petition of that had always exercised the utmost care in its proceedings in original cases, and that the present decision to grant leave to file was intended to be entirely without prejudice to either party at interest. The Chief Justice's opinion was very

brief, and consisted entirely of a view of original cases of the same character which have been brought to the attention of the court. The two most important of the cases thus cited were the case of the State of Louisiana vs. the State of Texas. concerning the quarantine regulation of the latter state, in which leave was given to file ,and the State of Minnesota vs. the the petition to file was denied

Referring to the latter case, the Chief Justice said the petition had been refused because of the insuperable objection that indispensable parties to the case could not be brought into the court. This objection did not, however, confront the court in the present case, and the court felt that, be-cause of its desire to proceed with the utmost care and deliberation in all cases where original actions are brought in this court, the precedent of the Louisiana-Texas case should be followed rather than that of the Minnesota case in the present instance. Hence leave to file would be granted, and subpenss would be issued, eturnable on the first day of the next term of the court in October.

"The usual practice in equity cases has been to hear such applications," the Chief Justice said, "although under special circumstances a different course has been After referring to several precedents,

he made brief mention of the Minnesota case, saying:

"In Minnesota vs. Northern Securities Company, application to file a bill similar to that before us, and seeking similar relief, was made, and, after examining the bill, we directed notice to be given and heard argument on both sides. The result was that leave to file was denied because of the certain indispensable parties who could not be brought in without de-

feating our constitutional jurisdiction.
"That insuperable difficulty does not meet us on the threshold here, but among other objections to granting leave it is urged that the court has no jurisdiction in the subject-matter, because the bill does not present the case of a controversy of a civil nature which is justifiable under the constitution and laws of the United States, in that the suit does not involve rights of a proprietary or contractual nature, but is purely a suit for the enforcement of the local law and policy of a sovereign and independent state, whose right to make laws and to enforce laws exists only within itself and by means of its own agencies, and is limited to its

"In the exercise of original jurisdiction the court has always necessarily used the utmost care and deliberation, and in respect of all contested questions on the fullest argument. And in the matter of practice we are obliged to bear in mind in an especial degree the effect of every step taken in the instant case on those which may succeed it. It seems to us wisest, therefore, to take the same action on the pending application as was pursued in Louisiana vs. Texas, that is, without intimating any opinion whatever on the questions suggested, to grant leave to file in accordance with the general rule."

## MR. STRATTON IS HERE.

Attorney-General of Washington Gets News of Decision in Portland. W., B. Stratton, Attorney-General of Washington, who argued the case for

the state before the Supreme Court, is in Portland, the guest of his sister, Mrs. M. Doble, at Willamette Heights, having just returned from Washington, D. C. He was much surprised when he learned that the court had already reached a de-cision, and was, of course, deeply grati-fied to know that the decision was in favor of the commonwealth in whose interest he is acting.

Mr. Stratton now feels confident that

the case will reach a hearing, and says that he has little reason to doubt that the people of his state will get the relief they have so long sought. The contention of the state is that the merger makes impossible the rates which would be enjoyed as a result of competition, and the complaint which has been filed with the Supreme Court alleges that the merger is

# in direct violation of the statutes of the state, and prejudicial to the interests of its people. Unlike the bill drawn up by

order to reach all three of these parties

the United States District Court or the

Mr. Stratton left Olympia six weeks ago

and went to St. Paul, where he investi-

gated the application of the State of Min-nesota to be allowed to file a bill of com-

plaint against the Northern Securities

Company, an application which had been denied by the Supreme Court. After ac-

quainting himself with the circumstances

application and his bill of complaint and

proceeded to New York, where he gave notice to the corporations he proposed to

Washington, and was informed that the Supreme Court would hear argument of

the application April 7. Mr. Stratton and

the counsel for the defendants, C. W. Bunn, of the Great Northern, and ex-

Attorney-General Griggs for the Northern

Securities Company, were ready at that time, but the hearing was deferred for

Mr. Stratton started immeditely for home, and the news that he had been

successful was first given him yesterday

by an Oregonian reporter. The next move will, of course, be made by the defense,

and will consist either of a demurrer to

the complaint or an answer, 90 days being allowed before action must be taken. Mr.

Stratton feels confident that a demurrer

cannot be made to throw his case out of court, and is confident that he will be

able to establish a case before the court,

clusion on Its Merits.

OLYMPIA, April 21,-A brief telegram

by him in handling the case."

What does the decision mean?"

be required to file their answer, and proof will be taken. If the evidence to be in-

troduced sustains the allegations of the

complaint, the relief prayed for will be

"When do you expect a final decision?"

pressed as strongly and rapidly as possi-

Governor McBride received the follow-

ing dispatch from Governor Van Sant, of

(Concluded on Fifth Page.)

week, when the arguments were made

He then proceeded to

of that case, and the reason for the de nial of the application, he drew up his

State Courts

proceed against

its people. Unlike the bill drawn up by the Attorney-General of Minnesota, at the direction of Governor Van Sant, it does not allege that the Sherman anti-trust law has been violated. Mr. Stratten believes that sufficient grounds have been alleged without this, and is of the opinion that the simpler the complaint is the better chance it will have in court. The defendants named are the Northern Securities Company of New Jersey, and the Northern Pacific and Great Northern Republicans Name a Managing Committee. the Northern Pacific and Great Northern Railroad Companies of Minnesota. In

FOR PORTLAND AND COUNTY necessary to the suit, the bill has been filed in the Supreme Court rather than in

> One From Each Ward and Four From Outside Districts-Serve Only Till After June Election.

The Republican City and County Cor tral Committee yesterday named the following managing committee for the and W. L. Lighter, Daniel S. Dunbar, mmittee will terminate after the June election.

The Republican City and County Cen-It is understood that the railroad trust is anxious to dispose of the matter as soon possible, so further proceedings are GOVERNOR M'BRIDE IS PLEASED. Case Will Now Be Pressed to Con-

The new committee, consisting of one member from each ward, and four from was received here today, stating that the Supreme Court of the United States this morning announced it had assumed juris-diction of the action brought by the State the country districts, is as follows: First Ward, P. L. Willis; Second Ward, Samuel B. Schwab; Third Ward, C. A. Maof Washington to prevent merger of the Northern Pacific and Great Northern Railways under the management of the larkey: Fourth Ward, W. F. Matthews Fifth Ward, F. A. Bancroft; Sixth Ward, George H. Howell; Seventh Ward, A. A. Northern Securities Company. The case will now be heard on its merits, and, if the allegations of Attorney-General Strat-Courteney: Eighth Ward, Herbert C. Smith; Ninth Ward, Dr. E. G. Clark; Tenth Ward, G. H. Lamberson; Eleventh ton's complaint are substantiated, the merger will soon be a thing of the past, Ward, Henry W. Goddard; country, East Lighter, Daniel S. Du General Stratton has not yet arrived at Emmet H. Kelly; country, West Side

The nominating committee, in its report, suggested that the duties and powers of "I am very much gratified at the news that the Supreme Court has decided to assume jurisdiction in the case of the State of Washington vs. the Great Northsub-committee cease after the June election, and that matters affecting the ern and Northern Pacific Railroads and the Northern Securities Company. Attor-ney-General Stratton is entitled to great primary campaign two years hence be left to the entire committee of 70. This part of the report was received with prolonged enthusiasm, it being evident that the new credit for the skill and ability displayed county committee thoroughly disapproves of the cut-and-dried methods employed by the Simon machine in selecting candidates

for the primaries. The sub-committee is composed of well-known members of the party, and can be depended upon to wage an effective battle against the Demo-Simon alliance. A meeting will be held within a few days when the vacancy on the Legislative ticket, caused by the resignation of A. A. Courteney, and a number of unfilled po-"That is a matter upon which I prefer not to hazard an opinion. Any discussion of the legal phases would more properly sitions on the city ticket will be filled. After the regular business had been transacted yesterday, Chairman Carey called upon a number of the prominent come from the office of the Attorney-General, I have the utmost confidence in his ability, and know the case will be committeemen for speeches. F. A. Ban-croft, T. C. Powell, A. J. Capron, W. A. Storey, B. F. Jones, C. J. Bush and several others spoke briefly, giving valuable suggestions for the coming cam-

paign, and pledging hearty support to the Republican candidates. Every detail of the meeting was con-ducted openly, and The Oregonian rep-resentative was not invited to retire, as "Hearty congratulations upon acceptance of jurisdiction by Supreme Court in

## at the star-chamber meetings of the old committee, just before the March primaries. Such an open-door policy was

coming campaign: P. L. Willis, Samuel thews, F. A. Bancroft, George H. Howell, A. A. Courteney, Herbert C. Smith, Dr. E. G. Clark, G. H. Lamberson, Henry W. Goddard (all from Portland), Ernest H. Kelly and F. A. Bidwell (from the county). The services of than

tral Committee met in Alisky Hall yesterday afternoon, Chairman Charles H. Carey presided. The only business of importance was the selection of a managing committee of 15, whose duty it will be to assume active charge of the campaign in Multnomah County. The selections were made in accordance with the recommendations of the special committee appointed at the last meeting of the nmittee, and are certain to meet with approval among all good Republican in the county.

the capital but Governor McBride had this to say of the news: A. Bidwell,

"It means the case will now be tried upon its merits. The railroad companies and the Northern Securities Company will

LOUD CALL FOR FURNISH BUTTONS State Central Committee Places Order for Fifty Thousand.

Yesterday was a busy day at the state Republican headquarters, Chairman Mat-thews and Secretary Smith being busily engaged in answering letters from state committeemen in other counties, and at-tending to the routine office work. Encouraging reports, based upon accurate precinct estimates, have been received om a number of every nook and corner of the whole state come demands for Furnish buttons. Twelve thousand of these little badges en ordered. The state committeemen in the various counties have sent in numerous letters and telegrams, asking for a supply of these badges, saying that the popular demand for them is increasing, and requesting that bountiful sup-piles be forwarded at once. A gratifying feature about these demands is the fact that not a few of them have come from Counties, where the Democrats are said ecially active.

Very flattering reports have been received from Marion, Coos, Curry, Tilla-mook and Yambill Counties, where the entire Republican ticket will supported. Douglas was the first county to boom the campaign guns and turn loose the floodgates of campaign oratory An enthusiastic Republican meeting was held at Glendale Saturday night, and one at Canyonville last night. T. J. Cleeton, of this city, spoke at the latter place. In a number of other countles, campaign programmes are being mapped out, and in Lane County the joint canvass for the county campaign has been arranged.

Dr. W. Tyler Smith, joint hold-over Senator from the Countles of Yambili, Lincoln and Tiliamook, passed through the city yesterday, on his return from an extended trip through Eastern Oregon, where he says the Republican ticket will roll up an unprecedented majority. He visited Baker, Union, Umatilia and Wasco Countles, where he says the nomination of Hon. W. J. Furnish is especially popular. Dr. Smith says that Repub prospects were never better Oregon than they are today. better in Eastern

### MORGAN INVADES LONDON Will Finance a New Underground Railway System. LONDON, April 21 .- J. P. Morgan will

inance, to the extent of several mill a new underground railway system in London, which rivals Charles T. Yerkes' scheme of obtaining possession of all the intermural transportation. Clinton E. Dawkins, of the Morgan firm, will testify tomorrow before the House of Lords committee which is now investigating the whole question of the underground transit of London, in favor of the construction of a new system, and guaranteeing the Morgans' financial suport. Combined with the Morgans are the Slemens brothers and other large British interests. The promot ers expect they will meet with little dif-ficulty in getting permission of the House of Lords committee for the construction of their lines. A decision is expected to be reached within a week, whereupon the Morgans will immediately begin the work of financing the concern and construct-ing the roads. The importance of the scheme consists chiefly in the amalgamation, effected at the end of last week, under the Morgans' auspices, of the various projected tubes, which, when constructed will extend 40 miles in a continuous line north and to the west and southwest of the metropolis. These lines, in turn, will connect with 90 miles of surface roads, the London United Electric Tramways also being members of the new syndicate.

HONG KONG, April 21.-A dispatch reselved here from Wu Chow contradicts he report current at Canton Saturday Nanking, Province of Shan Si. had fallen into the hands of the rebels Nanking is still safe, though surrounded at a distance of 15 miles by rebel River communication with Nanforces. River com king remains open.

Not in Hands of Chinese Rebels.

Senate Retains All the Big Items.

## COLUMBIA'S BIG SHARE

\$500,000 Cash Appropriation Certain to Stand.

### MILLION FOR CONTRACTS

Senator Mitchell Informs His Colprovements and the Resources of the Northwest.

Ti	e princ	deat	Orego	n iten	is In	the Ser
nte:	river a	ind h	arbor	bill ar	e as	follows
3500	th of	Colur	nbia			500.00
Con	tinuing	con	tracts	10170	1	,000,00
	dund t					225,00
	es-Cell					614,00
Upp	er Cob	umbli	z and	Snake		40.22
Cott	mbin :	st Ca	sende			30,00
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	imbia.					
ln:	mette					10.00
Coq	uille. C	logui	He to	mouth	Sec.	20,00
Cop	s Bay					75,00
Con	Rive	r		*****		2,30
Shu	law					35,00
Till	amonk	Bay	****			27,0
Lon	g Tom		*****			296

WASHINGTON, April 21.-The fact that the river and harbor bill passed today carrying all the amendments made by by the Senate will be retained, and quesmouth of the Columbia is certain to retain its cash appropriation of \$500,000, with contracts for \$1,000,000 additional, and the Willamette and Columbia below Portland the full allowance in the There is a fear on the part of some Senators that the commerce committee added In order to hold some things that the conferees are anxious to have, others are to be swept off upon the demands of the

House conferees for concessions. Senator Mitchell took occasion to show the Senate the importance of the Columbia River in a brief speech today, He congratulated and thanked the Senate committee for its amendment in reference to the improvement at the dalles, and expressed the hope that the conferees would stand by it. He presented a petition from 4100 citizens of Oregon, Washhave already been sent out, and 50,000 more | ington and Idaho favoring the amendment, and asked that it be considered by the conference committee. After reviewing the history of this improvement, Senator

Mitchell said: "It is believed by the people of the Northwest Pacific Coast familiar with conditions there, with the character of the proposed improvements, that Captain Harts' estimate is a reasonable one, Based on that estimate, Congress should proceed without any further delay to make this improvement.

## Resources of Northwest.

"If there is any one matter in which the people of Oregon, Washington and Idaho are intensely interested it is the opening up of the Columbia and Snake Rivers to free navigation. The Columbia is one of the great rivers of the world, and drains an enormous area containing more than 245 000 square miles. The drainage basin of the Columbia is second to none in point of size and commercial importance in the United States. The cereals produced annually in the Columbia and Snake River Valleys are in the neighborhood of 59,000,-000 bushels. This great country is rich, not only in cereals, but in timber. In the

(Concluded on Second Page.)

## CONTENTS OF TODAY'S PAPER.

Congress. Senate passes river and harbor bill with all of big Items in it. Page 1.

with military academy bill in the House, Page 2.

'water cure' in Philippines, Page 2. Domestie. Washington wins first skirmish against rallway merger. Page 1.

No decrease in death list on burned Ohio River steamer. Page 3. President-elect Palma arrives in Cuba, and is warmly received. Page 5. Fereign.

on of Queen Wilhelmina is unchanged. Page 5. J. P. Morgan will finance new underground railway system in London. Page 1. Pacific Coast.

San Francisco carmen's strike unsettled. Page 4. bregen Supreme Court renders four decisions,

Page 4. Oregon City woolen mills will be closed today on account of strike of employes. Page 4. Marine.

Oil-burning steamer Prenties due from San Francisco. Page 12. Barkentine Alta clears with big cargo of lumber and piles. Page 12.

Another project for navigating Upper Snake River. Page 12. Progress of the Morgan steamship combine to rapid. Page 5. Portland and Vicinity.

Republicans name county and city campaign committee. Page 1. imon men and Democrats name Fusion ticket. ver men protest against closing of bridges.

Page 8. Port of Portland Board ready to close drydock contract. Page 10.

Northern Pacific about to establish three through trains daily. Page 12.

Proprietor of La Grande Creamery charged with seiling short-weight butter. Page 11.