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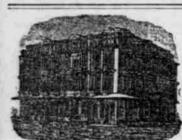
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CORNER FRONT AND YAMHILL STREETS.

FINEST OF ALL MANRARA'S BOUQUET

CLEAR HAVANA CIGARS

LANG & CO., DISTRIBUTERS

CONCORD, N. H., March 23.-In the ouse of Representatives today the com-

MAZATLAN, Mex., March 12. There were two deaths from plague today, both occurring at the lazarette, where there

Dona Augela Espartero Dend. NEW YORK, March 12.-Dona Angela Espartero is dead in a hospital here, says mittee or Representatives today the committee on liquior laws reported a bill for the Herald's Idma. Peru, correspondent. She was a daughter of the celebrated liquiors. The state has been under the prohibition law for 49 years. The new measures provide for license, with local option.

Two Penths From Plague.

Expariero, Edma, Peru, correspondent. She was a daughter of the celebrated Spanish General Baldomero Espartero, Duke of Vittoria, who, in 1823, signed the treaty of Vergara with the Carlista. He was a regent of Spain during the minority of Isabel II, grandmother of King Alphonso.

Italian Republican Leader Dead. NAPLES, March 11.-Signor Bovio, lender of the Republican party in the chum

Gets Injunction Against Union Pacific.

FURTHER HEARING APRIL I

Strife to Prevent Voting Certain Southern Pacific Stock.

MISMANAGEMENT IS ALLEGED

System Is Said to Operate Against Interests of Stockholders of Lat-

contemplated calling an extra session of the Fifty-eighth Congress made Republican Senators shudder.

They fear that Democrats would revive the Hoar anti-trust and other bills and force an lasue on them. They protest to the President that Cuba can wait a little longer, and that the extra session will prevent Senators

CINCINNATI, O., March 13.-In the contest between the Keene and the Harriman nterests in the Union, the Central and the Southern Pacific Railroads, the former today secured from the Federal Court a temporary restraining order, and notice was served on the Harriman representawould be a hearing of cause why an in-As the date for the annual meeting of the stockholders of the Southern Pacific

is April 8, it was desired to have the pe-

tition heard before the next election of

The Southern Pacific Company has a Kentucky charter, although it owns no that state. Its legal headmarters are at Beechmont, Ky., a suburb of Louisville, where its legal representative resides, and for this reason the bill of complaint was filed in Louisville yesterday, but the attorneys found no Federal Judge there and came here, where Judge Horace H. Lurton, of the United States Circuit Court, heard the argument in chambers. The attorneys on both sides held conferences here this afternoon before they left for their homes to meet

United States Senator Foraker and Judge Harmon, of counsel for the applicants orneys left. Mr. Harmon, as Attorney-General, during the second Cleveland Administration, had much to do with the Pacific Railway case for the Government. The bill filed by attorneys for the complainants, Talbot Taylor and James B. Taylor, forming the Wall Street firm of Talbot Taylor & Co., and one of whom is con-in-law of James R. Keene, relates the history of the Southern Pacific and discloses an alleged condition of affairs in which the Union Pacific interests in the Southern Pacific's directorate kave systematically managed the latter company in the interest of the former, During the years 1900 and 1901 the Union Pacific Company acquired a holding of Southern Pacific shares, amounting to \$75,000,000 or 50,000 shares. These were used, it is alleged, to elect a directory, each member of which was, and is, interested in the Union Pacific as against the Southern Pacific. The new directory, it is charged, united all departments of the two roads whereever possible, "subject to a dominating and controlling influence in favor of the Union Pacific," whereby "the interests of the Southern Pacific are endangered, and prejudiced by discrimination in favor of the Union Pacific," adopting policies also 'that tended and do tend to direct traffic from the Southern Pacific Company which would, without the adoption of such policies, have come to that road."

Among other things it is charged in the ill that the Southern Pacific Company was required to charge so excessive a pro-rata on through tariffs that it was virtually excluded from large volumes of busi-ness. It is declared that large better-ment expenses have been charged against the Southern Pacific operating expenses, whereas the custom is to fund such ex-penses in bonds to distribute the cost over a series of years, thus avoiding a burden in the part of the stockholders.

The bill declares also that the operating expense accounts of the road either show a true state of excessive expenses, or an erroneous system of bookkeeping, and that immense improvements have been undertaken for the Central Pacific which affords the Union Pacific an outlet from Ogden, Utah, in California and erroneoucharged against the Southern Pacif. operating expense account, with the ulti-mate purpose of greatly improving the Central Pacific at the expense of the parent system, buying it and then purhasing the greatly impaired Southern

It is declared that during the 18 months uding December, 1962, the Union Pacific had made improvements amounting nearly \$25,000,000 on the Central Paci charging the amount against the oper-ing expense of the Southern Pacific s-tem, and creating a deficit of \$1,072,999.

The bill asks for an order restraining and enjoining the Union Pacific Company from voting its 70,000 shares in the an-nual election to be held April 8, and a decree requiring both companies to come into court to make answer to the par-ticulars of the complaint.

Keene's Large Interest. The Keene faction is said to hold about 130,000,000 worth of Southern Pacific stock baving bought it through a pool some time in the hope of an early dividend. The

enton racine people who are in the South propose a dividend at this time, figuring that the money would be more wisely ex-pended in the shape of improvements and petterments. The Keene following has

pended in the shape of improvements and betterments. The Keene following has resorted to the courts in an effort to prevent the Union Pacific from voting the \$15,000,000 worth of stock, which it holds in the Southern Pacific, against a dividend from the latter company.

The Keene people figure that they will be able to create such changes in the directorate of the road at the annual meetings as will be favorable to the declaration of a dividend, instead, as they allege, of having the carnings of the Southern Pacific diverted to betterments on the Central and Union Pacific Railways in the Interest of other Harriman holdings.

Judge Lurton's Order.

Following is the order made by Judge Judge Horace H. Lurton, of the United States Court, this afternoon issued the following restraining order in the suits pending between the Harriman and Keene interests relative to the Union, Central and Southern Pacific holdings: "I express no opinion upon the merits of the prima facle case made by this bill

and its exhibits further than to say it seems to me that the complainants are entitled to have the status preserved until they can give notice and be heard upon an they can give notice and be heard upon an application for a preliminary injunction.

"It is therefore ordered that the defendant show cause on April 1, 1960, before me in my chambers at Nashville, Tenn., at 10 A. M. of said day, why an injunction pendente lite shall not be issued as prayed for, and in the meantime let the defendant, the Southern Pacific Railroad Company, be restrained from in any manner transferring or disposing of any manner transferring or disposing of the lease of the Central Pacific road here-tofore made to the Southern Pacific Com-pany, or of any of the rights of the said Southern Pacific Company or any of the rights of the said Southern Pacific Com-

rights of the said Southern Pacific Company thereunder and from disposing of or transferring by sale or otherwise the shares of the company stock of the said Central Pacific Company, owned or held by the Southern Pacific Company, and that the said Southern Pacific Company, its officers, agents and attorneys be restrained from permitting the defendant, the Union Pacific Railroad Company, its officers, directors, agents or attorneys or proxy to vote upon any capital stock of said Southern Pacific Railroad standing in the name of the Union Pacific Railroad Company or in the name or names of any Company or in the name or names of any person or corporation for its use and ben-efit, or in the name of said Mercantile Trust—Company, its officers, directors, agents or proxy or to in any way participate as a stockholder in any meeting of the stockholders of the said Southern Pacific Railroad or any election of officers of said Southern Pacific Company, and that the said Southern Pacific Company, its directors, officers, agents, etc., be restrained from in any way altering, changing or amending the bulkway of the said ing or amending the by-laws of the said

company so as to change the time or place for the election of a new board of directors or from in any way changing existing regulations in respect of the annual stockholders' meeting or the election of directors, and that this restraining order stand until the rule to show cause shall be heard and disput of.

"Let a copy of the bill and its exhibits and of this order be served upon the defendants on or before March 17, 1908, at 13 moon."

Senator J. B. Foraker, Edward B. Lau-ternach, of New York, and Augustus Wil-son, of Leuisville, represented the appli-cants, and Harmon, Coiston, Goldstein & Hoadley appeared for the Harriman in-

Where Was Wright Born! LONDON, March is.—According to the St. James Gazette, Whittaker Wright, the company promoter for whose arrest a warrant has been issued, is a born Ameri-can, but is believed to be a naturalized

Rifles Seized at Hong Kong. rifles, ready for conveyance into the inte rior, were seized here today

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archouseman Humphreys is pardoned by Gov-ernor Chamberlain. Page 4. Commercial and Marine, Wheat at Chicago easy on realizing. Page 15. New York stocks close with upward tendency.

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Will Be Chosen as Successor to Meldrum.

RECOMMENDED BY FULTON

Oregon Delegation Agrees on Surveyor-General.

HE MAY BE APPOINTED TODAY

His Confirmation Will Be Followe by Dismissal of Meldrum and Appointment of New Chief Clerk.

John D. Daly, of Benton County, has been unanimously recommended by the Oregon delegation for Surveyor-General of Oregon. His appointment will probably go to the President today.

quickly follow, and then a new Chief Clerk will be appointed. A. S. Dresser, of Oregon City, is unanimously recommended for Register of the Oregon City Land Office.

Tae dismissal of Henry Meldrum will

OREGONIAN NEWS BUREAU, Washngton, March 13.-State Senator John D. Daly, of Corvallia, is slated to succeed Henry Meldrum as Surveyor-General of Oregon. He was today unanimously reended by the Oregon delegation for the appointment, and in all probability his omination will be sent to the Senate tomorrow by the President. The delegations recommendation will be first but as Daly has been highly commended to both officials as an efficient surveyor and man of good sound judgment and administrative ability, and as they are both extremely anxious to have Meldrum relieved, there is no doubt that Daly's mmendation will be properly indorsed and returned to the White House, In view of the pressure from the department It is also expected that prompt confirmation will follow the nomination.

Daly is the personal choice of Senator chell only after a series of conferences. Several of the men whom Mitchell wanted to indorse for the office proved to be in- 21, 1867. experienced as surveyors. Commissioner Richards indicated to the delegation that man for Surveyor-General should be an accomplished surveyor, and his views were approved by Secretary Hitchcock, who holds the Commissioner personally responsible for his entire force,

As soon as Daly has been confirmed Meldrum will be dismissed from the service, as has been predicted in these dispatches on numerous occasions. His service has been unsatisfactory in the extreme, and investigation made of his office by Inspector Green furnished the final basis for the Secretary's decision to demand his removal. Not only was he reported to have been frequently under the influence of liquor, but he neglected the office and allowed important affairs to lapse and rendered inefficient service generally. Upon the advent of the new Burveyor-General, a chief clerk will be selected for the office to succeed Waggoner, removed. This office is in the classified service and the choice will be made from the certified llat.

John D. Daly is a native of New York, born in 1837, and raised in New Jersey. He came to California in 1864 and engaged in business in Stockton, in which he con-tinued several years. In 1878 he came to Oregon, settling at Yaquina Bay, and was the editor and proprietor of the Yaquina Bay News. A few years later he removed to Corvallis and started the Oregon Union, This at present is the only Republican paper in Corvallis, and it, as well as its 185,000 was sent from America.

Legislature, and during the following session he was successful in having passes the state lieu land law, which saved for the state 1500,000. In 1838 he was elected to the State, and during the special sessions. to the Senate, and during the special ses-sion of 1988 was successful in having the legal rate of interest reduced to 6 per cent, and in the regular session of 1888 he was also successful in passing the Daly text-book law, which he considers one of his greatest achievements.

He was re-elected to the Senate in 1962 and has two years of his term yet to serve

Baker City Building Site-Contrac

for Portland Postoffice OREGONIAN NEWS BUREAU, Wash igton, March 13.-Representative Moody today consulted with the supervising ar chitect regarding the purchase of a public building site at Baker City under the recent appropriation. He told Mr. Taylor that an entire city block should be ac-quired, as Baker City is destined to be the greatest mining city of the North. west and the metropolis of Eastern Ore gon. He says the department should look

to the future in preparing plans, and make provision for an ample postoffice, and as the state will certainly soon b divided into two judicial districts, and as an assay office may later be established in that mining center, a building should be erected of sufficient size to acodate these respective offices

Mr. Moody was also advised that to norrow the Secretary of the Treasury will sign the contract with Hartman, Thomp on & Powers for the temporary post office in Portland. His signature has been withheld until all details as to moving, refitting, etc., could be satisfactorily adjusted. The bidders include all this work in their contract price, \$1800 a month, Mr. days longer awaiting the consummation of matters in the department which he is advocating

Senator Fulton today called on Adju. tant-General Corbin and asked that Lieutenant-Colonel James Jackson, retired, of Portland, be assigned as inspector of the Oregon National Guard. This assignment is recommended by the entire delega-

interviews today with Interior Departlargement of the Washington forest reserve along lines of recent temporary withdrawals. He was assured that the department intended to give due consideration to the wishes of the people and lands that are now settled upon and improved. Nothing will be done, however, until the lands have been examined by

DRESSER IS THE CHOICE. Recommended for Register of Ore-

gon City Land Office. OREGONIAN NEWS BUILEAU, Wash ington, March 13.—The Oregon delegation today unitedly recommended to the President the appointment of A. S. Dresser, Fulton and was accepted by Senator Mit- of Oregon City, as Register of the Oregon City Land Office to succeed Charles B. Moores, who was appointed September Dresser was Senator Mitchell's

> CASE FOR FEDERAL LAW Coal Conspirators Violated Inter-

state Commerce, Not Illinois, Law. was any violation of the law by operators it was a violation of the interstate law, and not of the statutes of Illinois. Such being the case, the Federal jury must try when the next Congress meets.

The decision came as a result of Attorney Hammill's motion to take the case from the jury and discharge the defend-1851 covering the anti-trust law and the conspiracy statute of Illinois, so far as it covers an illegal set injurious to public trade, has no application to interstate commerce: that the agreement or cor tract entered into by the defendants tended to create a monopoly and restrict trade, and that, while the defendants were amenable to the law, they could only be prosecuted under the Federal law.

Relief of Starving Swedes. STOCKHOLM, March 13.—The famine relief committee has received total sub-

Felt by Senators at Extra Session Talk.

CHOSTS OF DEAD BILLS

Would Rise Again and Plague the Leaders.

THEY PROTEST TO PRESIDENT

Democrats Would Resurrect Hoar Anti-Trust Bill and Make Things Uppleasant-Short Session is Their Great Desire,

OREGONIAN NEWS BUREAU, Washington, March 13.-The suggestion that gress always throws Republican Senators intimation that such a session might be called in October has not been received well by them. They do not believe that such a session is at all likely and it is strongly urge the President not to take such a step, and point out many reasons

The party leaders think that there will be a great deal of legislation offered which may be more or less embarraseing. S. M. Bruce, of Whatcom, Wash., had In fact, it is known that as soon as Congress meets, whether in extra session or in December, the Hoar anti-trust bill will be introduced by some Democrat and after a very short time, if it is not rethe committee discharged and the bill brought before the Senate. Of course, the would exclude from actual additions all Republicans can vote down such a measure, but it will be proposed again and the Republicans are refusing to live up to their anti-trust professions. Then there is an eight-hour bill which caused a great deal of trouble in the last Congress and time, as the labor interests had made it very difficult for Republicans to oppose

> It has been pointed out that the services of Republican Senators and Representa tives will be needed this Fall in the states where there are important campaigns, Of these Maryland, Ohio and Iowa are considered of great moment, especially as the Legislature to be chosen in Maryland will elect the successor to McComas, a Republican. It is generally conceded that Hanna will carry the Ohio Legislature, but the Republicans do not want any fail-

ing off in the vote in that state. Of course this is one of the excuses CHICAGO, March 13 - Judge Chetlain to- made and it only goes to show that it is day instructed the jury in the trial of the Indiana coal operators to bring in a verdict of "not guilty." The jury was then discharged. The court held that if there bills and get away. If there is apparent need for it, no doubt the Aldrich financial

What the Republicans say is that there is no great necessity for the Cuban treaty being put in operation, and although it ants or to instruct the jury to return a has been determined that Cuban products verdict of not guilty. Judge Chetlain de-cided that the affairs of the Bogic-Indiana crowd were properly classified under in-terstate commerce, and that the act of iprocity will stimulate industries in that

ANOTHER VERSION OF IT.

President Only Considering Question of Extra Session.

WASHINGTON, March 13.-It can be stated by authority that President Roose-veit has not definitely made up his mind to call an extraordinary session of the Fifty-eighth Congress. He, however, is considering the practicability of doing so, When he was informed that it was the intention of the Senate to so amend the scriptions amounting to \$258,000, of which Cuban reciprocity treaty as to render action upon it by the House of Represen-tatives necessary to make it effective, he informed some members of the Senate that he would hold himself free to call an extraordinary session of the Congress in order to secure action on it. No defi-nite time was mentioned by the Presi-dent for the meeting of the extraordinary

The President is much in earnest in his desire to have the Cuban treaty ratified and make it effective. It can be said that so strong is this desire he even has considered the advisability of calling the Congress into extraordinary session this Spring, if the Senate should permit the Cuban treaty to fall through lack of a quorum. That, however, is a contingency which he considers improbable. The be-lief of the President and his advisers is that the Senate will take definite action on both the Panama Canal and Cuban reciprocity treaties at the present extraordinary session. Assurances to that effect have been received from the lead-ers of the Senate. The President believes also, it can be

said, that the work of the Senate will have been accomplished by the last of next week. Further than that the Prestdent "holds himself free" to call an ex-traordinary session of the Fifty-eighth Congress, nothing has been determined. Senators who talked with the President today believe it to be unlikely that an extraordinary session will be called next Autumn. They say many reasons might be cited why such a session should not be held, the principal one being that some important state elections are to be held in November, and members of Congress will be busy with political affairs in their own states. They point out that on the eve of a Presidential campaign it is highly important that every effort be made, especially in doubtful states, to maintain the strength of party organization. In such circumstances, it is said, it would be possible only with difficulty to maintain a quorum at each branch of the extra session. If the session were not called until November they say it would be so close to the regular session as to render

NEW SURVEYOR-GENERAL OF OREGON



STATE SENATOR JOHN D. DALY, OF BENTON COUNTY.