

FINES AND PRISON UNDER SENTENCE

Severe Penalties in First Conviction for Re-bating.

PACKERS TO PAY DEARLY

Thomas and Taggart Sent to Penitentiary—Burlington Railroad Fined—Prosecutions to Follow.

KANSAS CITY, Mo., June 22.—Judge McPherson, of Red Oak, Ia., today passed sentences as follows upon the seven defendants recently convicted in the United States District Court here of making concessions and accepting and conspiring to accept rebates on shipments: Swift & Co.—\$15,000 fine. Cudahy Packing Company—\$15,000 fine. Armour Packing Company—\$15,000 fine. George L. Thomas, of New York—\$5000 fine and four months in the penitentiary. Nelson, Morris & Co.—\$15,000 fine. L. B. Taggart, of New York—\$4000 fine and three months in the penitentiary. Chicago, Burlington & Quincy Railway—\$15,000 fine.

All Offenders Appeal.

Appeals were filed in each case and a stay of execution was granted until June 23. The bonds in the case of Thomas and Taggart were fixed at \$5000 each. These defendants were committed to the penitentiary and upon being sentenced, promptly furnished the required bonds. The bonds in the case of the packing companies and the Burlington were fixed at \$15,000 each. Before sentence was passed in the various cases, motions for new trials were made by John G. Cowan, of Omaha, and Frank Hagerman, of Kansas City, for the packers, and by Judge O. M. Spencer, of St. Joseph, upon behalf of the Burlington Railroad, and Thomas and Taggart. All these motions were overruled. The passing of sentence in these cases marked the end of the rebate cases to be tried at this term of court. One other case, that of the Chicago, Burlington and Quincy, has been set for trial in September. The indictments upon which the various defendants were tried were returned in Kansas City by the grand jury on December 13, 1905.

Seven of Eleven Convicted.

Of the 11 cases brought up at this term, the Government has secured seven convictions, one defendant was acquitted and three cases were dismissed. Judge McPherson reviewed the various charges and evidence brought out at the trial. He said he was fully persuaded that the verdicts in the packing-house cases and the cases of the Burlington were right, and he assessed the fines against all of the corporations at the same sum. "These parties," he said, "were all together in this scheme, with a like motive and purpose."

Basis for More Prosecutions.

"Not only so," continued the court, "but the following-named concerns received the sums stated from the railways: Barton Bros., \$2520; Robert Furniture Company, Kansas City, \$9300; Emery, Bird, Thayer Dry Goods Company, \$22,000; Burnham, Tenn, Mungler Dry Goods Company, \$44,500; Hargadine, McKittick Dry Goods Company, \$10,000; F. P. Kirken-dall Shoe Company, \$1000. So that, as nearly as can be gathered from the evidence, the defendants, after deducting for their own services from money received from railways, paid to the concerns named within the time on rebates the enormous sum of \$82,459. And the evidence fairly shows there were other rebates paid and by them. I assume all these concerns will be proceeded against for receiving these unlawful rebates, which can be done either by indictment or information, as the last vestige of the plea of immunity for corporations has been wiped out by the decision of the Supreme Court of the United States of March 15, 1906, in the case of Hale vs. Henkle."

SOUND PRINCIPLES DEFINED

District Attorney States Effect of Sentence on Rebaters.

KANSAS CITY, Mo., June 22.—A. S. Van Valkenburgh, United States District Attorney for the western district of Missouri, who has directed for the Government the suits in the seven rebate cases that were concluded here today when Judge McPherson pronounced sentence upon the defendants, said, after court had adjourned: "I am entirely satisfied with the judgments. The Government has been fighting on a great principle in the establishment of which the extent of punishment, although necessarily incidental, is after all secondary. The results are of enormous benefit to society, so far as the rebating of a trial court may be effected, the following propositions have been established: "That the conspiracy statute applies to the combined efforts of individuals, acting by direct and indirect methods to evade the interstate commerce law. "That Congress has jurisdiction over our foreign commerce as conducted within the limits of our own territory, and has enacted laws which provide a remedy against favoritism and unjust discrimination. "That export as well as other tariffs must be filled with the Interstate Commerce Commission and maintained. "Neither shippers nor carriers can by contract among themselves render the provisions of the law inoperative. "Finally, if an error has been committed, opportunity is given to that error corrected by the highest court of this land, to the end that the laws as enacted by Congress may be well understood, established and settled. "Incidentally substantial punishment has been inflicted. But such considerations are of minor importance, in view of the great gain to society from a broad interpretation of the interstate commerce law and the precedents established for the future guidance of shippers, carriers and the law officers of the Government."

LAWBREAKERS ARE TRAITORS

General Woodford Unsparring With Corporate Lawlessness.

CHICAGO, June 22.—General Stuart L. Woodford, formerly Minister to Spain, in delivering the commencement

address to the graduates of North-western University last night, spoke of what he declared the great needs of the National education—reverence for law and observance of the trust. "In the second he took occasion to criticize corporation officials who "behind their artificial authority commit acts that they would not consider as individuals. He said in part: "Education must begin in the family. If I could find words to burn into the consciousness of the young, I would say: "Teach your child reverence for age, observance of truth, courage and obedience. If I could burn words into your minds, I would say: "As you go into active life, remember to teach your children to reverence age, to speak the truth, to lay the foundation of all things in their integrity and in the great things of the state upon obedience, reverence and truth."

"The corporation has grown to be a power, and it was born under the protection of the law. It holds property because the law guards it. Its every venture is safeguarded by the protection of the law. An officer of the corporation who, to seek increase of fortune for larger individual, personal enjoyment, transgresses the law, who evades his position and influence to evade the law, is a traitor to the dearest and best interests of the republic."

Steel Trust Forbids Tips.

NEW YORK, June 22.—The United States Steel Corporation has sent out an order to its vast army of employes, forbidding any officer or employe of any company owned or controlled by the steel corporation, under pain of instant dismissal, to accept any present, whether it be for Christmas, a wedding, a birthday, or for any other present, coming from any corporation connected with the steel trust, or any subsidiary companies of the corporation or the corporation itself. Officers and employes are forbidden to accept any present, gift, or gratuity, or any other thing of value, from any person or corporation connected with the steel trust, or any subsidiary companies of the corporation or the corporation itself. This order is the result of an investigation made in the investigation of the interstate commerce of railroads.

MOODY ASKED STERN PENALTY

Sentence to Imprisonment Imposed at His Suggestion.

WASHINGTON, June 22.—On being asked concerning the action of Judge McPherson at Kansas City today in his decision against the Armour, Swift, Morris and Cudahy packing companies, the Burlington Railroad and the individual defendants, Taggart and Thomas, the Attorney-General said: "The conspiracy was for obtaining rebates on shipments, and in this case the shippers suffered injury to the public welfare. The method adopted in concealing the rebates was a gross contempt of the law. It is clearly that the defendants wilfully, knowingly and deliberately sought to defraud the public, and in so doing they violated the law. After giving it careful consideration, I concluded that the extent of the discrimination practiced showed that it was a case where the sentence of imprisonment was especially desirable and directed. In case of their conviction, the desirability of such a sentence, the outcome of this case as of the first imprisonment. The sentence of imprisonment imposed for the first time in my judgment, have the most potent effect in checking the widespread practice of unlawful discrimination. Attorney-General Moody has always been of the opinion that, if a person guilty of rebating could be imprisoned, the practice would soon be broken. As however, the Elkins law contained no provision for such a sentence, it became necessary for Mr. Moody, in order to put the practice of rebating to an end, to use other means of doing so. On an examination of the authorities, Mr. Moody discovered that, under the decision of the Supreme Court of the United States in the case of Cune vs. the United States, a conspiracy to commit a crime against the United States, itself punishable only by fine, might also be punished by imprisonment. He directed the United States Attorney in each district that "in the event of obtaining a conviction on a charge of obtaining rebates, you are directed to present to the court the desirability of inflicting the penalty of imprisonment, to the end that those unlawful practices which have received almost universal condemnation may be discouraged and prevented, as far as existing laws will accomplish that result."

NO MORE REBATES ON GRAIN

Chicago Great Western Announces It Will Obey Law.

ST. PAUL, June 22.—President Stickney, of the Chicago Great Western Railway, today formally announced that the Chicago Great Western would stop the practice of granting the "grain elevator rebate." "These net rates," said Mr. Stickney, "will be the present rates less the 14-cent per hundredweight, so the actual rates will be the same as before, and the rate will be the same for Feavey & Co. for the trans-Mississippi Grain Company, who received this 14-cent rebate, as to anybody else. This is the law and the law must be obeyed." The new rates will go into effect tomorrow, June 23.

Coal Road Hearings Finished.

WASHINGTON, June 22.—The last of the hearings for the present by the Interstate Commerce Commission in connection with its investigation into the relations of the railroads with coal and oil traffic, was held here today and marked the practical completion of the inquiry as regards the Eastern bituminous fields. The hearings will be resumed in the fall, the Commission in the meantime preparing its report on the facts developed for the consideration of Congress.

Want Bull Run Water.

At the meeting of the Mount Tabor Improvement Association, last night, a special committee, composed of A. J. Parkhurst, T. J. Dolton and W. F. Prier was appointed to wait on the Portland water committee and ask that Bull Run water be furnished the people of Mount Tabor and Montavilla through the pipe lines of the present local company. A like committee from Montavilla will be appointed, and together with J. M. Arthur, of the Mount Tabor Water Company, this request will be submitted. Mr. Arthur was present last night and made an extended statement, in the course of which he said he should be glad to join with the people in this petition for Bull Run water for the whole district. Dr. C. H. Rafferty, who was present, expressed the opinion that the water committee would supply the water through meter, but that if this was done only city rates could be charged under the Portland charter.

Appraisers File Report.

Samuel Huntington, Clyde Huntington and Oscar F. Hoel, appraisers, yesterday filed their inventory and appraisal of the estate of the late John F. Benson, fixing the total value of the property of the estate, all personal, at \$128.

Japan Extradition Treaty Ratified.

WASHINGTON, June 22.—The Senate in executive session today ratified an extradition treaty between the United States and Japan.

ROSBORF'S ACID PHOSPHATE

Relieves Nervous Disorders. Headache, Insomnia, Exhaustion and Restlessness. Rebuilds the nervous system.

SHREVE

Report of Committee on Jewish Massacre.

CABINET WAS TWO-FACED

Police and Troops Aroused Mob, Governor Did Nothing and Cabinet Had Encouraged Belief It Favored Slaughter.

ST. PETERSBURG, June 22.—At a crowded meeting of the Constitutional Club tonight Deputy Scheepkin reported the findings of the committee of the lower house of Parliament which went to Bialystok to investigate the facts in connection with the anti-Jewish outbreak there. According to this report, the police, with the aid of subordinate officers of the police and military, were responsible for the provocation of the outbreak by the circulation of false rumors against the Jews. The Governor of Bialystok, while not directly responsible, was said by M. Sichepkin to have undoubtedly been criminally guilty of prolonging the outbreak by abandoning his post. The Governor washed his hands of the affair, not knowing the attitude of the cabinet in St. Petersburg, and threw himself from the scene without giving a single order. Duplicity of Government. That the government gave no order sanctioning the excesses is not questioned, but the local police assumed the responsibility. The Ministry, which had printed Black Hundred circulars would not punish those who participated in the outbreak. It is the two-faced attitude of the government, M. Sichepkin asserted, that was principally responsible. In concluding, the report says: "The Ministry must be changed and one must be chosen from the majority of Parliament or otherwise Russia will fall to the level of Persia and Turkey and ultimately come under the tutelage of a really civilized government."

Fear of Massacre at Gomel.

Apprehension of an impending outbreak at Gomel was increased today by official statements from residents of that city stating that a bomb had been discovered in the house of a leader of the "Revolutionary League of Patriots." It is rumored that M. Pobedonosteff, former Procurator of the Holy Synod, is preparing a report on the agrarian question for submission to Emperor Nicholas.

GIVEN OVER TO MURDERERS

Officials Encouraged Massacre and Scoffed at Minister's Orders.

BERLIN, June 22.—An inhabitant of Bialystok, Russia, who was present during the entire massacre there, and who has arrived in Berlin, has given the German Hebrews' Aid Society an account of the recent events there. He said: "June 14 was the 40th anniversary of the Orthodox Church and a celebration of the event was elaborately planned. The police and military were fully armed, and began and runners spread that the Jews had thrown a bomb into the crowd and were tearing a Russian priest to pieces. The crowd shouted 'down with the Jews,' and thereupon roughs, armed with clubs, entered the nearest Jewish houses and brought the inmates out, destroying whatever they found within. Russian Soldiers Overworked. ST. PETERSBURG, June 22.—The privates of the Prager regiment, stationed at Nicholasief, near Sevastopol, have telegraphed to War Minister Rudiger complaining of the hostility of the rifle officers toward Parliament and the amount of military duty they have to do, giving them only time enough to eat one meal daily.

Japanese Witnesses Summoned.

ST. PETERSBURG, June 22.—Several Japanese seamen and two surgeons have been summoned as witnesses in the trial for court-martial of Admiral Rojensky on the charge of cowardice in surrendering to the enemy. They are expected to give evidence as to the Admiral's condition at the time of the surrender.

Jews Flee From the South.

ODESSA, June 22.—The emigratory exodus of the Jews from this and other southern centers is suddenly assuming enormous volume. The gubernatorial assurances are absolutely distrusted.

Condemned to Die for Rebellion.

POTI, Trans-Caucasia, June 22.—A member of the military district of the Caucasus, condemned to die by a court-martial for revolutionary activity.

Army of Miners on Strike.

KUTAIS, June 22.—Twenty thousand miners at Chisauri, the center of the mining industry, have struck for an increase in wages.

Another Policeman Shot by Rebels.

WARSAW, June 22.—Another police officer was shot dead here today. This is the 120th victim of vengeance on the police since January, 1905.

DIVORCE SUITS ARE HEARD

Judge Sears Deputizes the Duty Because of Other Work.

Judge Sears of the State Circuit Court was too busy to listen to the testimony and argument in the divorce cases pending and he delegated this duty and power upon Deputy County Clerk J. H. Bush and the official stenographer. As a result six petitions for legal separation were heard, as follows: A. F. Neunert, from Mina Neunert, married in Portland April 14, 1904, on the ground of desertion. Louisa Easton from William N. Easton, on the ground that the defendant had been convicted of a felony and sentenced to serve one year in the penitentiary. Jennie M. Fine from David V. Fine, married in Wichita, Kansas, March 19, 1905, on the ground of habitual drunkenness. Margaret M. Stoner from Michael B. Stoner, married at Adair, Iowa, December 24, 1882, on the ground of desertion and failure to provide. Zaydee G. Chase from Samuel Chase, married at Grant's Pass, Or., December 19, 1905, on the ground of desertion.

John R. Foster's Will Filed

Leaves Property to Two Nieces and One Sister.

By the will of the late John R. Foster, who died in this city June 11, of this year, all of the real and personal property of the deceased is left to his niece, Dora W. Savage, the daughter of his late wife Elizabeth B. Foster, value at \$20,000, and \$10,000, the amount of his two life insurance policies, to be equally divided between his sister, Mary Ann Hunter, and his niece, Alice Hunter, of Schenectady, New York. Louis G. Clarke and William A. Cleland, named as executors of the estate in the will, qualified to serve as such by furnishing a joint bond in the sum of \$10,000, which was approved by Judge Webster, of the Probate Court, yesterday afternoon. In closing his will the decedent says: "No provision is made for my nephew, Scott, son of my sister, Mary Ann Hunter, because I do not consider he has any claim upon me for any part of my estate," and "no provision is made for my three children of my deceased sister, Catherine Veale, formerly of Troy, New York, because they have for many years taken no interest in me, nor I in them, and I do not even know whether they are all now living or not." The will was executed and attested September 3, 1903.

SATURDAY SALE OF PORCH ROCKERS AND CHAIRS. This sale offers, at greatly reduced prices, two comfortable pieces for the porch, lawn or Summer cottage. Chair exactly like cut, and rocker to match, in the weathered finish, strongly put together with screws. Regular price of chair \$4.50, of rocker \$5.00. SALE PRICE OF CHAIR \$2.25. SALE PRICE OF ROCKER \$2.50. TULL & GIBBS COMPLETE HOUSE FURNISHERS. MAKE YOUR OWN TERMS. YOUR CREDIT IS GOOD. GLACIER Refrigerators \$1.00 Down \$1.00 Week.

Revolt in the Caucasus.

Peasants in Revolt and Part of Troops in Rebellion. CHERNICOV, Russia, June 22.—(Special.)—Dispatches received from many villages in the Caucasus report uprising among the peasants and mutinies among the troops. At Abno the troops are in open rebellion and despite many efforts to suppress them they have the upper hand. The loyal troops have tried in many ways to suppress rioting in the villages. Many peasants, but the rioters in every instance have clashed with the troops, who were forced to use desperate measures to quell the disturbances. Many persons were killed and wounded on both sides.

Sympathy Given by Congress.

WASHINGTON, June 22.—The Senate today adopted the following joint resolution: "That the people of the United States are horrified by the reports of the massacre of Hebrews in Russia, on account of the rebellion, and that those who have bereaved thereby have the hearty sympathy of the people of this country." The resolution was introduced by Senator McCreary, of Mississippi, who asked immediate consideration. Senator Lodge asked for time to examine the document and after doing so announced his approval. The resolution was then adopted without debate. The House also passed the resolution unanimously.

DEATHS IN WARFARE.

Figures as to Disease and Bullets in Recent Battles.

London Hospital. "It is a commonplace of history, corroborated and confirmed by the experiences of almost every campaign, alike in civilized and in uncivilized countries, that disease is a more potent element of warfare than the weapons of the enemy." So writes Dr. Thomas F. Dewar in an admirable essay. It is a surprising circumstance that, in spite of the recognition accorded by history to the influence of epidemic disease in swaying the fortunes of a campaign, in spite of the immense power for good and evil which it possesses, and in spite of the advance of bacteriology and epidemiology has put within our reach, so little serious effort has been expended against the pestilence, particularly typhoid fever and dysentery, which have always stalked in the wake of armies in the field. How different has been our success in preventing in practice diseases which are eminently preventable. The experience shown by the recent record of the South African War. This campaign extended over a period of 33 months. Practical figures are not yet available, but Dr. Dewar considers that it may be said with a close approximation to accuracy that the death rate from disease was 10 per cent of the total number of troops engaged, while the death rate from wounds was 12 per cent. Excluding cases of immediately fatal wounds, it appears that the casual mortality of the campaign was outnumbered those admitted for wounds by no less a margin than 20 to 1. If our own experience is not convincing enough, the French record of the Crimean War, 1854-56, is available. Among the French troops engaged in the Crimea, 75,000 died of disease, and but 20,000 of wounds; in the French expedition to Madagascar in 1855 only seven men were killed by the enemy, but out of a total of 23,000 engaged there fell to malarial contracted on service no fewer than 1500, or almost 33 per cent.

Running Along in the Fog.

Exchange. More than 50 per cent of wrecks at sea happen in thick weather. Vessels collide or run aground in fog simply because they don't know where they are—or what amounts to the same thing, where the rock or the other ship is. And all this fog trouble happens even on the coasts that are best protected by fog-signaling devices. In other words, more

General Sherman and Georgia.

New York Press. Somebody is trying hard to get up a sensation over the visit of Father Sherman along the route taken by William Tecumseh in his march to the sea through a country barren of about everything which in the air make it so impossible to locate the signals' real location, are easily discovered and used to advantage in the denser medium. Every atmospheric change, even down to a shift of wind, totally changes conditions aloft; under water they are constant.

Took Advantage of the Opening.

Lippincott's. Not many men were as ready in reply as was the late Patrick Collins, Mayor of Boston. At the very opening of his Majority came full proof of this.

Bones From Irish Caves.

Indianapolis News. There has just been published by the Royal Irish Academy a bulky report on the result of three years' exploration work among the caves of County Glau. No fewer than 70,000 specimens of bones were forwarded in parcels to the Dublin Museum for identification. Each of these parcels was carefully labeled, bearing a number corresponding with a map of the cave giving the exact position and depth from the surface at which the specimens were obtained.

GHIRARDELLI Saved from Fire. The great fire did not reach our factory. Plant is now running to the full capacity as before supplying all grocers with the celebrated Ghirardelli's Ground Chocolate Ghirardelli's Cocoa. Same Quality—Same Price. D. GHIRARDELLI CO. SAN FRANCISCO.

MODERN CURATIVE METHODS. Established 25 Years in Portland. CONSULTATION FREE. Pay Us for Cures. We cure Blood Poison, Skin Diseases, Sores, Ulcers, Stricture, Gonorrhea, Nervous Decline, Weakness, Piles or Chronic Diseases of the Kidneys and Prostate. Special Diseases—Newly contracted and chronic cases cured in 5 days. WE CURE MEN FOR \$12.50. Which may be paid in installments or in any way the patient desires. Our wonderful success is due to the fact that we cure our patients. Every cured patient is an advertisement for us. WE ARE THE LONGEST LOCATED AND OLDEST SPECIALISTS IN PORTLAND, having been located here 25 years. We do not advertise cheap, inferior treatment, but we give you all the results of years of ripe experience, gained in the treatment of many thousands of patients. We give you our skill and ability in the treatment of diseases of men for a fair fee. INVESTIGATE OUR METHODS AND LEARN THAT WE ARE ALL WE CLAIM TO BE, AND WHEN YOU PLACE YOUR CASE IN OUR HANDS YOU ARE SURE OF GETTING THE BEST TREATMENT THAT CAN BE OBTAINED ANYWHERE. HOURS—9 A. M. to 5 P. M.; Evenings, 7 to 8:30; Sundays, 9 A. M. to 12 noon. St. Louis Medical and Surgical Dispensary. CORNER SECOND AND YAMHILL STREETS, PORTLAND, OREGON.