

LUMBERMEN WIN THE FIRST ROUND

Injunction Prayed For Is Granted.

INCREASE IN RATES ENJOINED

Railroads Must Not Advance Lumber 10 Cents.

BOND OF \$250,000 FIXED

Judge Wolverton, in Concurring, Says He Is Satisfied About Jurisdiction and Bases Decision on the Yellow Pine Case.

SEATTLE, Wash., Oct. 30.—(Special).—Federal Judge Hanford tonight, at a special session of court, granted the injunction prayed for by the Washington and Oregon Lumbermen's associations to prevent the roads of the Harriman system, the Burlington, Northern Pacific and Great Northern railroads from placing in effect the new rate on lumber, which was to have become effective November 1.

This rate was 50 cents, as against the present rate of 40 cents from the Sound and Western Oregon points to St. Paul, and the lumbermen feel that they have gained one of the greatest victories of the long fight against the railroads.

In concurring, Federal Judge Wolverton, of Oregon, practically decided the Oregon case of like nature, which comes up tomorrow in that state. Judge Wolverton said in effect as follows:

Judge Wolverton's Opinion.

"As far as the Oregon case is concerned, I concur in all that has been said by Judge Hanford. I was at first impressed with regard to the Oregon case, where Oregon parties are suing Oregon parties, that for a Federal question to be involved it must arise through a construction of the constitution and the statute, but I feel inclined to the view at this time that where a Federal statute is invoked, that does raise a Federal question, relying upon the 14th U. S. Statutes, which has been held, or an excerpt therefrom.

"The prime matter which moves me, as well as Judge Hanford, in this case to grant the injunction is that a rate has been in vogue for a long time—since 1902—and that rate seems to have been such as has been remunerative to the roads, so far as the showing goes here, and under the decision of the Interstate Commerce Commission in the Central Yellow Pine Association case, they hold directly upon that matter.

Same Order for Oregon Case.

"I only say this, anticipating what I shall do tomorrow, when I arrive home, in the Oregon case. I shall make the same order in that case, as is made in this case, and I presume the bond will be the same, as I suppose the amount involved is about the same as involved here."

Judge Hanford dealt with the various objections interposed by the railroad attorneys and held that some of them were matter for grave consideration, but he further held that the present rate had been in effect for several years, and that he preferred to place the burden upon the parties defendant rather than the parties plaintiff.

He directed that the order be presented to him for signature tomorrow morning at 8 o'clock, and fixed the bond at \$250,000 to protect the railroads in case the Interstate Commerce Commission takes action in their favor.

Urges Others to Intervene.

When Judge Hanford concluded, F. C. Dillare, special interstate commission lawyer for the Harriman Roads, asked if the roads would be punished if they enforced the rate on lumber concerns not parties defendant to the action. The reply was in effect that they would not, and tonight the lumbermen are telegraphing every lumber company not a party to the action advising that they order their lawyers to file suit in intervention early tomorrow morning.

CHARGE RATES; NOT COLLECT

Pending End of Suit, Proposed Advance Virtually in Effect.

SEATTLE, Wash., Oct. 30.—Federal Judge C. E. Wolverton and C. H. Hanford late tonight, at the conclusion of the hearing of the petition of the Pacific Coast Lumber Manufacturers' Association for an order temporarily restraining the Northern Pacific Railway and other railroads from putting into effect on Friday the proposed increase in East-bound rates on lumber at 10 cents per hundred pounds, making the rate 50 cents instead of 40 cents, granted the injunction asked for against the railroads pending the final determination of the justice of the new rates by the Interstate Commerce Commission.

The court held that it had jurisdiction and ordered that the injunction be effective only against the railroads which are made defendants in the suit. It held further that, in order that the railroads might not be subject to penalties, they should be allowed to charge the proposed rates, but not to collect them pending the

determination of the suit. The decree was granted on the condition that the complainant lumber companies file the usual injunction bond to be approved by the court.

Judge Hanford's decision applied to the Washington and Oregon cases, and is verbatim to the cases pending in Oregon. The lumbermen are required to pay any difference between the existing rate and the proposed rate which shall be adjudged to be the final rate. The bond was fixed at \$250,000.

The railroads concerned solely in this restraining order, applicable to both Washington Oregon cases, are the Northern Pacific, the Great Northern, Chicago, Burlington & Quincy, the Union Pacific, Oregon Railroad & Navigation Company and the Oregon Short Line. Lumber firms which are not already parties to the suit will be al-



United States Judge Cornelius H. Hanford, Who Joined With Judge C. E. Wolverton in Granting Injunction Against Increase in Lumber Rate.

lowed to enter as intervening complainants tomorrow.

The railroad lawyers suggested that the bond be fixed at \$1,000,000, but the court deemed that amount unreasonable.

MILLS HAVE TO CLOSE DOWN

Polk County Affected by Raise in Rates and Car Shortage.

DALLAS, Or., Oct. 30.—(Special).—The sawmill of the Dallas Lumber Company has been shut down indefinitely, and the logging crews called in from the timber. The Willamette Valley Lumber Company's big mill is running only a part of the time with a short crew, and the mill of the Pacific City Lumber Company has been closed for the winter.

The lack of cars and the sharp advance in freight rates are the primary causes of the situation and unless relief is found the mills throughout Polk County will probably be forced to close.

Say No Discrimination.

SAN FRANCISCO, Oct. 30.—The management of the Southern Pacific denied emphatically today that Oregon shippers were being favored in the matter of car supplies as against California shippers because of recent reciprocal demurrage legislation in Oregon.

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The Weather. YESTERDAY'S—Maximum temperature 53 degrees; minimum, 43 degrees. TODAY'S—Rain; southerly winds.	Financial Situation. New York banks approach normal status. Page 1. Cheap stocks attract swarm of small investors. Page 4. Government offers facilities for issue of more National bank notes. Page 4. Bank closes at San Francisco owing to lack of clearing-house support. Page 4. New Oregon shippers seek prompt payment for cotton crop. Page 5. Run on small Pittsburg bank. Page 4. Savings depositors in Chicago recall notices of withdrawal. Page 4. November dividends and interests will aggregate \$88,000,000. Page 1. Foreign. Landslide, caused by earthquake, buries whole town in Turkistan, killing 1500 persons. Page 7. Crew of Russian destroyer mutilates and attacks Vladivostok; all killed or captured. Page 2.	National. Acting Secretary Oliver orders improvement in condition of soldiers. Page 2. Taft will hasten departure from Manila to meet Kaiser in Berlin. Page 6. Politics. President Gompers organizes unions to fight Cannon's re-election as Speaker. Page 5. Domestic. Harriman to divide \$300,000,000 million among Union Pacific stockholders. Page 4. New York police seize Raymond Hitchcock on six charges of assaulting girls. Page 3.	Sports. Portland shut out by Los Angeles. Page 1. Pacific Coast League retains class A standing. Page 7. Portland Academy beats East Side High School. Page 12. Commercial and Marine. Local butter market to decline. Page 17. Wheat strong and higher at Chicago. Page 17. Stock market becomes buoyant in tone. Page 17. Four grain charters were reported yesterday. Three round-trippers in cement. Page 10.	St. Mary's scene in court at Ford trial. Page 2. Injunction granted restraining railroads from putting into effect proposed increase in lumber rates. Page 1. Rev. Dr. I. D. Driver, pioneer Methodist minister, dies at Tangent, Or. Page 1. Governor can find no way of revoking holiday proclamation. Page 6. Ex-President Sam Small to be expelled from his local union at Seattle. Page 9. Portland and Vicinity. Banks resume business as usual; no symptoms of panic. Page 11. Harriman lines suspend construction work in Oregon. Page 10. Southern Pacific offers compromise in street trespass case. Page 10. Blind woman beaten and robbed by man she had befriended. Page 10. County Judge Webster neglects duties of office to attend to private business. Page 11.
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DR. I. D. DRIVER'S LIFE IS ENDED

Aged Methodist Divine Dies at Tangent.

CAREER IS LONG AND USEFUL

Preacher Just Half-Century and in Eighty-fourth Year.

FUNERAL FRIDAY AT SALEM

Selects Dr. T. B. Ford, of Portland, to Preach Sermon—Fourth Wife and 14 Children Survive Him. Conscious Almost to Last.

ALBANY, Or., Oct. 30.—(Special).—Rev. Dr. I. D. Driver, pioneer Methodist minister, well-known character in Oregon history, and theologian of wide reputation, died at 1:30 o'clock this afternoon at his farm home, near Tangent, six miles north of Albany.

Though he had endured great suffering for the past two weeks, he died peacefully. For 50 hours prior to death his tongue was paralyzed, and he was unable to talk intelligibly, but he retained his great mental powers almost to the last breath, lapsing into unconsciousness only 15 minutes before life was extinct. Dr. Driver's death was caused by Bright's disease, superinduced by a severe cold which he contracted in July.

Since August 19 he has been bedridden. He knew death was near, and often discussed the end without fear. His manual talks on religious questions continued until the paralysis creeping over his body ended his power of speech.

Funeral at Salem Friday.

The funeral will be held from the First Methodist Church, at Salem, Friday afternoon, at 2 o'clock, and by Dr. Driver's wish, the sermon will be delivered by Dr. T. B. Ford, of Portland.

Dr. Driver was born at Fort Defiance, Indiana, August 17, 1824, and spent his boyhood at Fort Wayne. In 1849 he joined the rush to California, coming northward to Oregon in 1852. He entered the Methodist ministry in 1857, just a half-century ago, preaching his first sermon at Jacksonville.

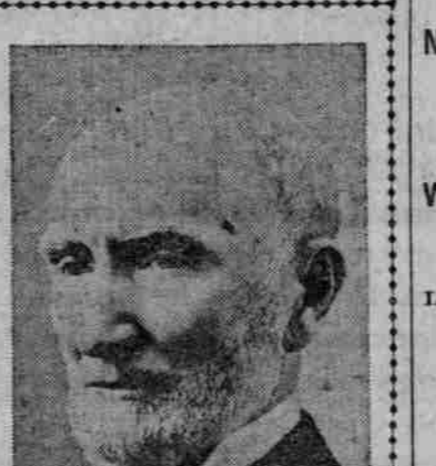
Since then he has continued in the ministry, having been pastor of Methodist churches at Jacksonville, Salem, The Dalles, and of the Centenary Church, of Portland. He has also been a presiding elder.

Since he retired from active ministry, he lived for many years at Eugene. About two years ago he bought a large

farm near Tangent, gave over the management to his sons and he has resided there and in Albany.

Controversy With Ingersoll.

Dr. Driver's reputation as a theologian is well known. He once had a controversy with Colonel Robert G. Ingersoll, and has traveled in evangelistic work with D. L. Moody. He always took an active interest in political affairs and served one term in the State Senate from Lane County. Dr. Driver was married four times and is survived by his last wife and the following children: Samuel Driver, of Los Angeles, Cal.; Mrs. T. Thompson, of Salem; L. D. Driver, Jr., of Salem; Mrs. Ransome Starr, of Riverville, Wash.; Mrs. Nellie Emerson, of Oakland, Cal.; James W. Driver, of Albany; Anna Driver, of Oakland, Cal.; Grace Driver, of Tangent; Lee L. Driver, of Albany; Lena Driver and Frances Driver, of Eugene.



Joseph G. Cannon, Whose Re-Election as Speaker Is Opposed by President Samuel Gompers, of American Federation of Labor.

Wiley Driver, Paul Driver and Ralph Driver, of Tangent.

Tribute to Dr. Driver.

Dr. T. B. Ford, pastor of Sunnyside M. E. Church, said last night that in the death of the venerable Dr. Driver the state has lost one of its most useful citizens.

"He was one of the ablest men in the church and the news of his death will be learned with profound regret by all," said Dr. Ford. "He was in his 84th year, and has been on the superannuated roll for some years. The expressions of esteem made at the recent session of our conference indicate the high regard in which he was held."

Methodist Ministers to Meet.

The Methodist ministers will meet today at 2 P. M. at Taylor-street Church to arrange for the funeral of the late Rev. I. D. Driver, to be held at Salem Friday.

Launch Adeline in Service.

ASTORIA, Oct. 30.—(Special).—The gasoline launch Adeline, which was recently built by Wilson Bros. for Charles Below, of Cathlamet, went into commission today. She is constructed exclusively for passenger traffic and will ply regularly between Cathlamet and Clifton.

STRAIN ON BANKS MUCH RELIEVED

New York Finances Becoming Normal.

WEST IS CALLING FOR MONEY

New Orleans Calls on Cortel- you for Help.

WANTS CASH FOR COTTON

Low Price of Stocks Attracts Host of Small Investors, Who Pour Money into the Metropolis. Weak Banks Recupereate.

THE FINANCIAL STATUS.

NEW YORK—Eastern cities well supplied with currency and demand now comes from West. Arrangements being made to hasten payment abroad for cotton crop. Immense volumes of cash sales of stock to small investors. Stock market opens irregular, but rallies towards close.

SAN FRANCISCO—California Safe Deposit & Trust Company closes because not protected by Clearing-house and doubly exposed to runs. Mint ordered to coin \$15,000,000 in gold.

WASHINGTON—Controller Ridgely offers National banks facilities for increasing issue of currency.

CALIFORNIA—Governor Gillett will declare legal holiday today and every day till holidays restored.

OKLAHOMA AND INDIAN TERRITORY—Bankers resent Cortelyou's criticism of public holiday and will adopt plans for re-opening at convention today.

DENVER—Mint coined \$48,000,000 in gold bars.

PITTSBURG—Foreigners start run on All Nations Bank, which pays all demands.

OREGON—Banks adopt clearing-house certificate system, owing to unusual demands by other banks.

LONDON—Shipments of \$84,000 in gold starts from Bank of England. American stocks decline.

NEW YORK, Oct. 30.

The financial situation today was so nearly normal that there were few new features of importance. It was stated by bankers that the calls for money from the neighborhood of New York and the entire East appeared to be practically satisfied, as such calls for currency of an urgent

Small Investors Buy Stock.

One of the most interesting developments of the situation is the large amount of the purchases of securities in small lots for investment. Most of the large private banking houses which sell stocks and bonds have been keeping the clerical force at work over time executing such orders and attending to the transfer of title on the books of the corporation by which they are issued. This is one of the decisive marks of investment buying. It is estimated by good judges that there are 400,000 more names of stockholders on the books of the railway and industrial corporations than was the case a year ago. A single large firm reports sales between \$50,000 and \$75,000. Another firm states that its wires to outlying places are crowded with small orders, directing the transfer of securities to the names of new owners, while still another firm declares that there has not been a movement of this kind of such volume in 20 years.

Can't Head Off Gold Shipments.

The cables from Europe were not disquieting to those familiar with the situation there. It is generally expected that the rate of the Bank of England will be advanced tomorrow, but this will be too late to affect engagements of gold already made for the United States. The absence of any failures, either financial or mercantile, in New York, of any importance, except that of Keeler & Co., a private banking firm, which operates extensively abroad, and the offer of call money at lower rates than during most of the time yesterday were the other favorable symptoms of the situation.

The Trust Company of America received on deposit today nearly \$100,000 more than it paid out. Only 438 withdrawals were made during the day.

Weak Banks Recovering.

The fact that the weaker banks in this city are recovering from the severe financial handicap of the last week or more was clearly shown today when their balances were adjusted through the Clearing-house. All but one of the five or six banks whose position has been regarded as most vulnerable had bettered themselves at the Clearing-house this morning, and the one having a deficit balance owed a very small one.

It is estimated that the interest payments due November 1, which are being anticipated by J. P. Morgan & Co., aggregate nearly \$7,000,000.

COIN GOLD AT DENVER MINT

Will Turn \$48,000,000 in Bar into Double-Eagles.

DENVER, Oct. 30.—A large force is engaged at the Denver Mint in coining the \$48,000,000 gold bars stored there, and more bullion is pouring in daily from the Colorado and other Western mines.

The total output of the Mint for October will exceed \$5,000,000, mainly in 50 gold pieces. The gold will be shipped to the money centers as rapidly as it is coined.

MOUNTAIN FALLS; CRUSHES A TOWN

Catastrophe Follows Earthquake.

ABOUT 1500 PERSONS BURIED

Huge Landslide Wipes Out Karatagh, Turkistan.

FEAR FOR OTHER TOWNS

Menger News of Results of Shock of October 21 Comes From Re- mote Region—Governor and Daughter Among the Saved.

TASHKEND, Russian Turkistan, Oct. 30.—The little town of Karatagh, in the Hissar district of Kokhara, has been overwhelmed and completely destroyed by a landslide that followed the earthquake of October 21. According to the latest reports of the disaster, a majority of the inhabitants of Karatagh lost their lives.

The first reports of the casualties were exaggerated, the death list being placed as high as 15,000. Karatagh has about 3500 dwellers, and there is reason to believe that about 1500 were buried alive. Among those who survived the disaster are the Governor of Karatagh and his mother.

Karatagh is remotely situated and it takes a full week for news to get out from there, but according to one courier who has come through, an enormous mass of the Karatagh Mountain, which practically hung over the town, broke loose and tumbled down upon the village, which is almost completely buried.

Karatagh is situated in the Province of Bokhara, in the Hazrat Sultan Mountains. Advice received here are of a messenger character. Other small towns located in proximity to Karatagh in the valleys between the high peaks of this chain of mountains, it is feared, have suffered in a like manner.

FIRST REPORTS EXAGGERATED

Death List, However, Still Runs In- to the Hundreds.

ST. PETERSBURG, Oct. 30.—It would appear from two dispatches received here that the casualty list, first given at 15,000, has been greatly over-estimated and that the statement that the Governor of the city and his mother were the only persons saved, was due to an error in translation. It is believed, however, that the dead must number many hundreds.

Karatagh, although scarcely 100 miles from Samarkand and only 250 miles from Khokand, is so isolated that news is over a week in coming through.

In the Russian gazetteers Karatagh is described as being on the River Surkhan, a tributary of the Amu Darya. No mention is made of its population, which geographically stated is not over 2500.

TURN LOOSE \$68,000,000

DIVIDEND AND INTEREST PAY- MENTS IN NOVEMBER.

Big Corporations Will Soon Disburse Large Sums, Hill Lines and the Steel Trust Leading.

NEW YORK, Oct. 30.—There will be a total of \$68,000,000 disbursed during November in dividend and interest payments. Up to the present \$21,197,528 in dividends has been declared, and the interest payments amount to \$44,178,549, making a total of \$65,376,077. The dividends yet to be declared will bring the total disbursements up to \$68,000,000.

The following table is a summary of the amounts to be disbursed:

Eleven railroads	\$ 6,930,853
Eighteen public-service corpora-	2,949,337
tions	8,845,102
Twenty-eight industrial corpora-	1,728,590
tions	1,728,590
Eighteen banks and trust com-	
panies	\$21,197,928
Total dividend payments	
Interest	\$44,178,458
One hundred and forty-one rail-	\$20,472,917
roads	\$1,183,293
One hundred and twenty-two pub-	
lic service corporations	10,522,417
Twenty-two industrial corpora-	1,178,951
tions	
Total interest payments	\$44,178,458
Grand total dividend and inter-	\$65,376,459
est payments	
The largest dividend payment will be made by the Great Northern, which amounts to \$1,801,000. The Northern Pacific follows with a payment of \$712,000. The Pullman Company will pay a dividend of \$2,000,000 and the Amalgamated Copper Company \$1,335,475.	

The largest interest payment is that of the United States Steel Corporation, which will amount to \$5,822,100. Other large interest payments, all over \$1,000,000, are:

Pennsylvania Railroad	3,204,423
Chicago Rock Island & Pacific	1,823,293
Public Service Corporation of New Jersey	1,350,453
Chicago & Northwestern	1,292,183
Atlantic Coast Line	1,211,375
Wabash	1,156,475
Missouri Pacific	1,110,940