REBATE DECISION FINALLY STANDS

Supreme Court Is Against the Packers and Burlington Railroad.

DISSENT JUDGES THREE

Acceptance and Payment of Rebates on Goods for Export Held to Be Crime-Why Brewer Dissents.

WASHINGTON, March 16.—By a divis-ion of 5 to 3, the Supreme Court of the United States today affirmed the decision of the United States Circuit Court of Ap-peals for the Eighth Circuit, imposing fines on the Chicago, Burlington & Quincy Railway Company for granting, and the Railway Company for granting, and the packers of Kansas City for accepting, relates on alignments of packers' products intended for export. The decision was amounced by Justice Day and his amouncement was concurred in by Justices Harlan, White, McKenna and Holmes.

The Chief Justice and Justices Brewer and Peciham dissented in an opinion amounced by Justice Brewer. Justice Moody took no part in the disposition of the case. Justice Day said:

"Had it been the intention of Congress to limit the obtaining of such preferences to fraudulent schemes or devices or to

to fraudulent schemes or devices or to those operating only by dishonest, under-handed methods, it would have been easy so to provide in words that would be un-mistakable in their meaning. Device need not be necessarily fraudulent; the term includes anything which is a plan or con-

Justice Day held that the Elkins act is applicable to transportation anywhere, and that an offense is confined to the ini-

tial point. He also held it applicable elike to shipper and carrier. Justice Brewer, who wrote the dissent-ing opinion, held that the decision would work a violation of contract, which shocked his sense of justice. He also held that the United States Court in Missouri had no jurisdiction.

More Evidence of Discrimination Against Southern Pacific.

SAN FRANCISCO, March 16.—In the investigation of the special rate and rebates given by the Southern Pacific Railroad Company, it was brought out before the State Railroad Commission this morning that the Illinois Pacific Glass Company had been granted a rate of Zicents a hundred to Los Angeles from San Francisco, while all other shippers and manufacturers were paying Zicents. G. W. Late, general freight agent of the Southern Pacific Company, explained this discrimination by the same means SAN FRANCISCO, March 16.-In th the Southern Pacine Company, explained this discrimination by the same means which he employed to show a legal reason for granting a lower rate to the Pacific Hardware & Steel Company and Baker & Hamilton over the same route, pointing out that they had branch houses in Los Angeles and that, if the railroad had not granted the relate, the goods. had not granted the rebate, the goods would have been shipped by water. In the case of the glass company, however, the situation was different, as there are other shippers of glass and they did not enjoy the lower rate.

enjoy the lower rate.

In the afternoon it was brought out that the California Pine Box & Lumber Company and the Salinas Valley Lumber Company had been granted preferred rates. The latter company enjoyed a special rate of \$4.20 on lumber from Oakland wharf to Lompoc Landing, against the regular tariff of \$10.33, and a special rate of \$5.59 given to the Lompoc Real Estate & Produce Company, Mr. Luce explained that the first-named rate was based on cargo lots of from 150,000 to 400,000 feet of lumber and granted because of water competition, while the \$1.50 rate was merely for carload shipments.

"Is it not a fact that your special rates

"Is it not a fact that your special rates run to the larger companies as against the smaller concerns, the larger and stronger companies not only getting the business but also the low rates?" asked Attorney-General Webb. The general freight agent, however, de-

nied that there was any discrimination as between the large and small shippers under the same circumstances and con-

STATES CONTROL LIQUOR

Bills Removing Federal Barriers Declared Unconstitutional.

WASHINGTON, March 16 .- By the vote of three to two, the subcommit-tee of the Senate committee on judi-ciary today declared unconstitutional all of the bills intended to remove Federal barriers against the states exercis-ing control of their police pow-er for the regulation of the liquor traffic. Hearings on these meas-nres have been held covering almost the entire present session, and the bills were advocated by representatives of practically all the states where there is a strong prohibition sentiment. The members of the subcommittee are Senators Knox, Nelson, Fulton, Bacon and Rayner.

TRUSTY EARNS FREEDOM

Pardoned for Heroism in Preventing Escape of Alia.

DENVER. March 16 .- For his heroism DENVER, March 12.—For his heroism in overpowering Gluseppe Alia, the condemned murderer of Father Leo Heinrichs, when he attempted to escape from jail last Saturday, Guy Sexton, a "trusty," who was serving a short term for a small theft, was pardoned today by Governor Buchtel. Sexton was cut in

Governor Buchtel. Sexton was cut in the neck with a razor by Alia, receiving a severe but not dangerous wound.

A scissor blade was found today concealed in a sleeve of Alia's coat. Each side of the blade had been ground or filed to a sharp edge. How the murderer secured the two weapons has not been definitely ascertained.

CHINA FREES TATSU MARU

Japanese Boat Seized for Carrying Arms Is Released.

HONGKONG, March 16 .- The Japan ese stoamer Taisu Maru, which was seized by the Chinese customs authori-ties at Macao for carrying arms and ammunition alleged to be intended for the use of Chinese revolutionists, was released today.

Japan's Crown-Prince Is Coming.

Shoes-Oxfords -- \$3.19-\$3.89

tion height, or 10 different styles in Oxfords. Calf, kid or patent leathers, button or lace; light or heavy soles; low or medium heels-a large assortment from which to make your selection, \$3.50 and \$4 \$3.19

fine footwear that sells regularly for \$4, \$5 and \$6 the pair. You will have no trouble in finding the style you want and you are assured in advance of a perfect fit. Specially priced today, the pair \$3.89 NEW, NATTY, SNAPPY SPRING STYLES HERE



Specials in Housefurnishings

Waists at 39c Each

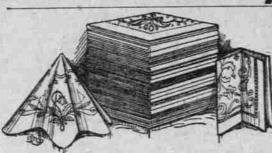
75c JAPALAC brightens everything in the home, renews varnishes, etc., per can15¢ to 75¢ GREYLOO, for cleaning 15c carpets, a 25c can, sp'l.... RUG BEATERS, regular 25c

30c values, special at

WALL OR CORNICE BRUSHES, || SUCTION SCRUBBING BRUSHES in three sizes, on special sale. Take up the dirty water and keep the hands clean. The \$2 size for \$1.60, the \$1.75 grade \$1.40, and the \$1.50 size for only WINDOW BRUSHES, that sell reg-

ularly for 35e each,

Irish Linens Special for St. Patrick's Day



Special for today only on Richardson's famous Irish Linens. One of the best things you will have to remember this St. Patrick's Day by will be the sale of these Belfast-made linens. The special is offered in honor of St. Patrick's Day, but whether you are celebrating the day or not you will surely be interested in the goods offered.

SATIN FINISH DAM-ASK-Of an extra heavy quality. This is 2 yards wide and regularly sells for \$1.50 the yard, for today the \$1.29

hemstitched borders of fancy damask. The \$1.75 grade is, each, \$1.45; \$1.50 grade, each, \$1.23 and the \$1.25 towels for 98c each, only

HUCK TOWELS-With | IRISH LINEN NAPKINS | REMNANTS of Richard--Hemmed and ready for use. 150 dozen in the lot, many patterns to choose from. Reg. \$3.00 values, for today at,

out the railroad bond feature. At the time the bill was drawn the President seemed satisfied that it would be ad-visable to include railroad bonds among the securities on which currency should be issued, but further investigation and conference is said to have satis-fied him that railroad bonds should be

eliminated.

There is such general opposition to the railroad bond feature that without the President's support it will be

WANT TO SEE THEIR BOOKS

They Will Prove Innocence.

LOS ANGELES, March 16.-Attorney

for the defense in the Oregon land-fraud

case occupied nearly all of today's ses-sion in the Federal Court with arguments on a motion to allow the defense access to the books and records of the Pacific

Angeles Land-Grabbers Say

knocked out.

son's Irish Linens in 11/2 to 4 yard lengths, specialized for St. Patrick's Day at great

Reductions

Women's Tailored Suits

An amazingly good sale on Waists in

plain tailored styles. The materials are lawns, mercerized goods, flan-

nels, etc. You may choose from black,

white or plain colors, or if you prefer, fancy effects in dotted or figured

designs. You will find, too, all sizes.

Regularly worth to \$5.00 each. A

clean-up sale that offers tre-mendous saving possibilities 39c

Limit 2 to customer. None sent C.O.D. No phone orders filled.

Short jacket styles. The most modish \$17.50 sarment for Spring wear. Plain or \$18.50 fancy materials-all sizes.

Special Sale of Muslin Underwear This Week

New Millinery Here Now--Great Dress Goods Sale--See the Spring Suits

PAVORS THE LARGE SHIPPERS loa and Europe this Summer. German Professor Beltz, long of the Tokio University, has been recalled from Germany to accompany the Crown Prince.

TERMS OF TATSU RELEASE

China Makes Full Preparation and Japan Will Watch Smuggling.

PEKIN, March 16.—The full terms under which the Tatsu Maru, the Jap-anese steamer that was selzed by China on the allegation that she was con veying arms and ammunition to the Chinese revolutionists, has been set-tle as follows.

First—China agrees to punish the officers who lowered the Japanese flag on the Tatsu Maru and to send a warship where the ship was seized to fire a salute as the Japanese flag is rehotsted. Second-The Tatsu Maru is to be re-

leased at once.

ranged at once.

Third—China will purchase the arms and ammunition seized.

Fourth—She will punish the officers who committed this breach against international usage.

Fith—The Viceroy of Canton will

settle the amount of demurrage for the retention of the steamer after con-sultation with the Japanese Consul, and finally Japan agrees to exercise extra vigilance against her subjects in the matter of smuggling arms into China.

The Canton Viceroy telegraphed his adherence to the conditions of settlement

as arranged by the Foreign Board and conferred with the Japanese Consul about the release of the steamer in ac-cordance with the terms. The incident officially is closed at Pekin. In view of the legal strength of Japan's

case, as modified from the original de-mand, and the interest shown by the other powers, the action of the Chinese government in accepting the terms is generally approved.

HOUSE COMMITTEE SHUNS BEL-LICOSE ATTITUDE.

Opposes Large Expenditure Lest Japan Think We Are Preparing to Fight Her.

WASHINGTON, March 18 .- The fertifications bill, carrying a total appro-priation of \$8,210,611, instead of the \$38,442,945 asked for by the War Department, was reported today to the Bouse committee on appropriations by Smith of the sub-committee on appro-priations. The committee felt that, aside from other considerations, to rec-ommend an appropriation of \$38,000,000 for fortifications at this time would be an action which might very reason-ably be construed by Japan as an of-ficial declaration that the United States was preparing against a war with that nation. The amount recommended by the committee is larger than any which

has been annually appropriated since the Spanish-American war. The cutting down of the Depart-ment's estimates by \$30,722,334 means. ment's estimates by \$39,723,734 means, among other things, that the committee has recommended nothing for continental United States, and has appropriated mainly for the Hawaiian and the Philippine Islands. The committee has turned down entirely the Department's proposal for the fortification of Manila harbor by the construction and fortification of an artificial island and nothing is carried for Subig Bay.

island and nothing is carried for Subig Bay.

The only points in the continental United States appropriated for are Deception Pass in Puget Sound; Charleston, S. C., Pensacola, Fia., Mobile, Ala., and various points where expenditures are required for the installation of range-finding apparatus.

For the Hawalian Islands practically everything is allowed that was recommended by the Taft board, excepting the fortifications of Pearl Harbor.

Stolen Money Located.

El. PASO, Tex., March 16.—A telegram from Juan A. Creel, manager of the Banco Minero, of Chihuahua, Mexico, to the local branch of that bank, received here today, says that the robbers who recently secured \$28,000 from the bank have been arrested and that the stolen money has been located but not yet re-covered.

HONOLULU, March 16.—It is reported here that the Crown Prince of Japan will Hanan shoes at Resenthal's.

Southern Oregon Insists on Land-Grant Suit.

NO CHANGE IN RESOLUTION

Telegrams Show Disagreement With Portland Chamber-Almost Certain No Exception Will Be Made of Innocent Purchasers.

OREGONIAN NEWS BUREAU, Wash ington, March 16.—It would appear from telegrams received here this afternoon that the Portland Chamber of Commerce, in demanding an amendment to the Fulton resolution to pro ment to the Fulton resolution to pro-tect so-called innocent purchasers of Oregon and California railroad land, acted without regard to public senti-ment, and furthermore, that public sen-timent does not sustain the lumber companies that are asking for such amendment for the manifest purposes of confirming their now faulty titles. The business interests of Southern Ora-gon insist that the resolution should pass without amendment and object to

Congress validating sales which were made in violation of law.

These telegrams will be laid before the House public lands committee and will probably have considerable weight in influencing its action when it meets Thursday to frame a report. The pres-ent expectation is that the committee will report the resolution without amendment.

M'COURT TO BE CONFIRMED

Committee Reports Favorably and Senate Will Act Wednesday.

OREGONIAN NEWS BUREAU, Wash-Ington, March 16.—There was no executive session of the Senate this evening, therefore the nomination of John McCourt as District Attorney was not confirmed.

The judiciary committe today unani-

The judiciary committe today unanimously authorized Senator Fulton to report the nomination favorably. Under the Senate rules the report lies over for one day before the confirmation, unless immediate action is necessary by conditions of the service. The Senate will undoubtedly confirm the nomination Wedersday. Wednesday.

The instant Mr. McCourt's nomina-

The instant Mr. McCourt's nomination is confirmed by the Senate, his appointment as United States Attorney for Oregon to succeed W. C. Bristol is complete. If the Senate tomorrow ratifies the action of its judiciary committee, Mr. McCourt immediately becomes District Attorney and Mr. Bristol will retire from office. In contested cases, the United States Supreme Court has decided that the confirmation by the Senate of a nomination amounts to an appointment, even before the commission has been written. Filing the required bond and taking the eath of office are considered purely ministerial acts.

Under the direction of Judge Wolverton, Mr. Bristol has taken charge of the grand jury and will proceed today with the investigation of several pending criminal cases until he surrenders the office to his successor. Much of the evidence in these cases has been worked out by Mr. Bristol, with the assistance of his deputies, Robert Tucker and Walter H. Evans. By retaining the Assistant District Attorneys, who have familiarized themselves with the evidence that will be presented to the grand jury in these cases, Mr. McCourt may be able to take up the work of the office without the confusion that would result should he attempt the task single-handed and without knowledge of the charges awaiting investigation.

WILL CUT OUT RAILROAD BONDS

WILL CUT OUT RAILROAD BONDS

Roosevelt Condemns One Feature of Aldrich Currency Bill. OREGONIAN NEWS BUREAU, Wash-

ington, March 18.—It now seems prob-able that, when the Aldrich currency bill comes to a vote in the Senate, an amendment will be adopted knocking

serted that the innocence of their clients could be clearly established by the production of the books which would show

that Gillelen and Kenny simply acted as agents for the loan of money to the furniture company. United States Dis-trict Attorney Lawler and Tracy Becker, BUT AMERICAN AUTO HAS GOOD LEAD IN GREAT RACE. he special prosecutor, strongly oppos

Warren Gilleien recited in detail the onnection of himself and his bank with Leader Leaves Ogden-First French the Pacific Furniture & Lumber Com Car Leaves Omaha - Second pany and said that his only connection with it was to loan money to it and that he knew nothing of the alleged land French and German in Iowa.

George L. Stearns, one of the de-OGDEN, Utah, March 16.-The Amerifendants, who is seriously ill, was temporarily freed from charges of con-spiracy. The Commissioner sustained the an car left Ogden at 4 P. M. after a thorough overhauling, expecting make Cobre, Nev., 150 miles west of ea in abatement and ordered his dishere, by Tuesday evening. charge from custody "without prejudice to a new complaint."

The Italian car left Wansetta, 40 niles west of Rawlins, Wyo., at 1 P. Free candy with children's shoes at miles west of Rawlins, Wyo., at 1 P. Rosenthal's. Seventh and Washington. • M. This leaves a gap of only 250

miles between the American and

AMES, Ia., March 16 .- The second French car left Ames at 10 o'clock this norning. The German car is stuck in the mud near Nevada, Ia.

OMAHA, March 16 .- The first French car, which has been at Crescent, Ia., for three days awaiting repairs, reached Omaha this morning and left at noon for the West in first-class ondition

SEATTLE, March 16. - A special to the Post-Intelligencer from Fairbanks, dated March 15, says:

"Gasoline has been distributed all along the trail for the automobile

Muliane's Cincinnati taffies.—Sig Sichel & Co., sole agents.

Spring styles Hanan shoes at Rosenthal's

DIIOP MINIOI MAI OMINA

A Great Industry, But Poorly Represented Here

We Offer a Chance for the Investment of Capital, in a Solid and Strictly Legitimate Business Enterprise, for the Employment of Home Labor and a Benefit to Our City

If we want to make Portland, Or., the greatest city in the Pacific Northwest, we want to make her a manufacturing center. We claim to have the best proposition to-day for development, and all that is required is sufficient capital to handle the business at hand. There are about \$10,000,000 of Eastern-made boots and shoes dumped into territory tributary to our city, per year.

Our concern started here in Portland, manufacturing a heavy, everyday line of shoes, some six years ago, on a very small capital. We find that we are unable, with our limited means, to supply the steady demand for our product. We have the reputation of making the best goods on the market, and have no trouble in securing business. We can make shoes here just as cheaply as anywhere in these United States, and are unable to give employment to mechanics constantly calling upon us for work.

We have the only fully-equipped power plant in this city, and the opportunity here in our line is great.

With the North Bank Road almost completed, together with the large packing concerns starting, the future for Portland, and in the shoe manufacturing line, is great. We invite strict investigation as to the personnel of our concern, and also as to our business standing.

In view of the above, we offer shares for sale in our company at par, with a guaranteed yearly dividend of 7 per cent, payable quarterly.

We shall be glad to meet parties who are looking for a legitimate business investment, at our place of business, in order that we may explain more fully the opportunities in our line here.

We offer no boomerang, and are looking for only those who mean business and have the manufacturing interests of Portland at stake.

THE J. A. REID C

13 AND 15 UNION AVENUE

PORTLAND, OREGON