COURT OF APPEALS FAVORS LABOR MEN

Boycott May Be Referred To, but Not in "We Don't Patronize" List.

GOMPERS SEES FREEDOM

With Other Leaders Believes Jail Terms May Be Avoided Through New Ruling of Court.

WASHINGTON, March 11.—The American Federation of Labor hereafter may freely refer to the boycott against the Buck Stove & Range Company, of St. Louis, except by inclusion in the "We don't patronize" list.

This, in substance, of widespread importance to the labor world, to manufacturers and to newspapers generally, is the sweeping decision handed down today by the Court of Appeals of the District of Columbia in the noted injunction case of the Buck Stove & Range Company against the American Federation of Labor.

Giving as his reasons for the opinion, Justice Bobb declared that the "We Don't Patronize List" of the American Federationist "constitutes a talismanic symbol indicative to the membership of the Federation that a boycott is on and should be observed"; and said in regard to the court's modification of Justice Gould's decree that the court had a right to prevent the printing of this "unfair" list, but that "the decree should stop there and not attempt to regulate the publication and distribution of other matter over which the court has no control."

Only List Illegal.

The Court of Appeals of the District of Columbia modified and affirmed the opinion of Justice Gould, of the Supreme Court of the District. The opinion, which was handed down by Justice Robb, holds that the decree of Judge Gould should be modified to the extent that there should be eliminated from the decree the restriction of the labor organization and the other defendants from "mentioning, writing or referring," to the business of the Buck's Stove & Range Company, or its customers. Otherwise the decree is affirmed. The court holds that the "combination" and boycott in furtherance thereof, and the publication in the "We Don't Patronize List," in aid of the boycott, is illegal.

The court held that the defendants could not be restrained from all publications referring to the Bucks Stove & Range Company, but only to such as are made in furtherance of an illegal boycott.

Chief Justice Dissents.

In a partial dissenting opinion, Chief Justice Shepard took a strong stand in upholding the freedom of the press. He says that even assuming that the publication of the complainant's name in the "We Don't Patronize" column of the Federationist, was a step in the formation of a conspiracy to coerce independent dealers into refusing to have further business relations with that company, "I cannot agree that the publication can be restrained for that reason. Regardless of its character or purpose, the publication is protected from restraint in my opinion by the first amendment of the constitution which forbids any law abridging the freedom of the press."

The Chief Justice held that "the only remedy for libelous or otherwise malicious, wrongful and injurious publications is by civil action for damages and criminal prosecution. There is no power to restrain the publication."

The decision does not settle the appeal in the contempt proceedings, in which Messrs. Gompers, Morrison and Mitchell were given jail sentences.

This case will be heard later by the Appellate Court.

Expect to Avoid Jail.

The labor leaders claim, so it is said, that if the reasoning adopted by Chief Justice Shepard and Justice Van Orsdel is followed in the decision of the contempt proceedings they will be able to upset the findings of Justice Wright, and prevent serving terms of imprisonment.

ONE DEAD; THREE MANGLED

Result of Endurance Auto Run, Wherein 14 Are Tied.

BOSTON, March 11.—Fourteen of the 20 automobiles that left New York at 6:30 this morning on the endurance run to Boston for the Chester I Campbell trophy finished tonight on schedule time, 12 hours later, with perfect scores. The tie will not be run off, but the holder of the trophy for the coming year will be decided by lot tomorrow.

One serious accident marred the run. Aaron W. Wallace was killed at Fairfield, Conn., by attempting to jump from his carriage when his horse became frightened at the automobiles. Driver LaCroix of Car No. 2 was detained at New Haven on a technical charge to await developments, it being alleged his car was nearest the scene of the accident at the time.

A car following the competing automobiles turned turtle in Marlborough. F. B. Blake of Boston, E. B. Richards, and F. E. Spooner, of New York were injured.

POWERS UNEASY ON SERVIA

Continuance of Warlike Preparations Belie Peace Note.

BERLIN, March 11.—The latest Servian note, in which that country sets forth that she does not desire to provoke war with Austria-Hungary, but maintains that the question of annexation of Bosnia and Herzegovina should be regulated by the powers, was delivered at the Foreign Office here today. Servia's renunciation of territorial compensation is regarded officially as a peaceful sign. It is not felt, however, that the situation has been cleared up by this communication. The fact remains that Servia's military preparations are being continued, and are causing counter preparations on the part of Austria-Hungary. Turkey also is beginning to show nervousness.

Octogenarian Determined to Die.

COLFAX, Wash., March 11.—No hope is given for the recovery of S. D. McNeil, aged 80 years, who attempted suicide Monday night at his home in Palouse. McNeil entered the chicken-house, placed his coat and hat on a box and used a razor to hack his throat, after seating himself in an old chair. Finding this a hard way to end life, he used a revolver, firing one shot through his neck, injuring the jugular vein. The second shot penetrated the skull near the right ear. He has not regained consciousness. His aged wife is nearly prostrated. They have been married for over 50 years.

PARKMAN CASE COMPLETED

Verdict of Court-Martial of Lieutenant Not Made Public.

MISSOULA, Mont., March 11.—Arguments by counsel for the accused, and the Judge-Advocate were concluded today in the trial of Lieutenant Wallace E. Parkman, of the Medical Reserve Corps, on charges of disobeying orders and conduct unbecoming an officer, and the court-martial adjourned. The verdict and recommendations of the court were forwarded to the Department Commander, Department of the Dakotas, and until this official reviews the evidence and the verdict is published, the result of the trial will not be known.

DENSMORE DIVORCE GIVEN

Wife of Typewriter Inventor's Son to Get $5000 a Year Alimony.

NEW YORK, March 11.—After a brief hearing a decree in favor of Mrs. Alice V. Densmore in her action for a separation from her husband, Darsa James Densmore, son of James Densmore, inventor of a typewriter by that name, was signed yesterday by Supreme Court Justice Giegrich. The suit was uncontested and the court indicated that he would allow the plaintiff alimony at the rate of $5000 a year. Mr. Densmore is said to be at present in Oklahoma. He has a substantial interest in the Densmore and Remington Typewriter Companies and in other manufacturing concerns.

Mrs. Densmore testified that she and her husband married in Geneva, Switzerland, in 1891. They have two daughters. Mrs. Densmore is a native of Geneva and has lived abroad most of her life.

She said that she had not seen her husband since 1903, nor had he seen the children since that time.

"I am practically penniless," she said, "and my children are in Paris alone and without funds, living on the kindness of friends. In a few days I shall be without a sou and I have reason to believe that my husband enjoys a fortune of more than half a million dollars. He never acquainted me with the particulars of his fortune, but I can estimate it by the fact that he spent on me and himself during our married life an income of between $30,000 and $35,000 annually."

NINE-HOUR SPEECH IS BUT BEGINNING

Opening of Cooper's Final Defense to Last More Than Single Court Day.

WASHINGTON HOLDS SWAY

Denounces Carmack Editorials, Says Coopers Were Driven to Frenzy and Accidentally Makes Admissions.

NASHVILLE, Tenn., March 11.—Attorney Washington, defending the Coopers and Sharp, on trial charged with murdering E. W. Carmack, spoke nine hours today and then did not get through. When court adjourned he announced he would conclude tomorrow.

He will be followed by Judge Anderson, who will make the main adress for the defense. Attorney-General McCarn will close for the state.

The attendance today showed a decrease, and when General Washington resumed his argument there were many vacant seats.

Robin's Sister Braves Court.

Mrs. Lucas Burch, Robin Cooper's sister, who collapsed yesterday, was in court today, pale and making a brave effort to encourage her brother. Mrs. Carmack did not appear, and it was stated she was too ill to leave her room.

General Washington devoted nearly an hour to a denunciation of the Carmack editorial of October 21.

This editorial calls attention to a statement in the American from Ripley, which said that Patterson men were advocating trading Bryan for Patterson votes. Then the editorial called the "attention of the Honorable Ban Murray, the Honorable Duno Cooper, the Honorable Max Hartman and the Honorable Sol Cohen to this report."

Washington explained that two of the "Honorables" named were disreputables and that when Carmack associated Colonel Cooper's name with theirs he affronted and insulted Cooper beyond endurance.

Explains Cooper's Condition.

"But the state says no editorial ever written justifies killing a man. We agree that this is true. But we are only trying to show how they aroused Colonel Cooper's anger and to explain his mental condition.

"They state this is only a ridiculing editorial. Well, what of it? You can drive a man insane with ridicule. You can send a man's son into a frenzy by ridicule, and ridicule is libelous and punishable with imprisonment."

General Washington asked the jurors if they had ever seen a bullfight. None intimated that he had, so the speaker described one. He compared Colonel Cooper to the bull and declared that Carmack's editorials were the banderillos which maddened the bull into a charge.

Says Carmack Started War.

"Well, Carmack wrote 'the diplomat of the Zweibund,' and he thus declared open war. He did it to declare open war, and to compel Colonel Cooper either to let him alone or to approach him on the street. He knew that with those crumpled fingers Colonel Cooper could not pull a trigger. He knew he was safe.

"Colonel Cooper saw that Carmack was in an ugly mood. So he armed himself, and if he had not done so, he would be in his grave today."

Washington saw the error here—the defense's contention being that Colonel Cooper never even drew his gun until the shooting was over—so he said:

"If Robin Cooper had not armed himself they would be both dead today."

WILL BE PROMOTED TO EMBASSY TO ITALY.

JOHN G. A. LEISHMAN, AMBASSADOR TO TURKEY.

ROME, March 11.—(Special.)—Although Ambassador Griscom's successor has not been announced and no name has been submitted to the government here, Ambassador Leishman, now in Turkey, is expected to take charge of the Embassy at the end of May.

Mr. Griscom has postponed his return home mainly for the purpose of completing his earthquake relief work and also to await the appointment of Mr. Leishman's successar in Constantinople. The transfer probably will be announced in April.

SIMON L. STONE IS DEAD

Pioneer Portland Confectioner Passes After Long Illness.

Simon L. Stone, a pioneer Portland confectioner, died yesterday at his home, 698 Everett street. Mr. Stone had been ill for several months and at the time of his death was 78 years old. In the early days of Portland Mr. Stone conducted a confectionery business on the southwest corner of First and Ash streets, which, at that time was the business center of the city.

The Late Simon L. Stone.

Mr. Stone was born in Germany in 1831. He came to Oregon in 1866, and six years later was married to Miss Anna Harris. One son, Albert L., and the widow survive. The funeral will be held Sunday morning at 10 o'clock from the family residence. Interment will be in the Jewish cemetery.

Salt Lake City.—The legislature has passed the bill giving smelters the right to eminent domain in counties of less than 20,000 population, over the veto of the Governor. The bill authorizing Salt Lake City to adopt the Des Moines plan of government has passed both houses.

CONDENSED NEWS BY WIRE

Chicago.—Plans for a National Peace Congress in Chicago May 3-5, have been launched by the Chicago Association of Commerce.

El Paso, Texas.—Mexico will declare off all wheat duties by April 1, in order to prevent a bread famine, according to customs officials here.

Pittsburg.—With a big limousine in which he had been riding stuck in the mud, W. J. Bryan, late candidate for the Presidency, late Wednesday, assisted his fellow-passengers in pushing the automobile out of a hole.

Baldwin, Wis.—The State Bank of Baldwin is in the hands of the State Banking Commissioner. Unfortunate speculation in Western and Southern land is the assigned cause. The bank has a capital stock of $50,000 and deposits of $216,000.

Pinehurst, N. C.—John Phillip Sousa, the march king, won Thursday's trap-shooting tournament, shooting from scratch and scoring 83 out of a possible 100.

Naples.—The steamer Halleybury arrived Thursday from New York with a big cargo of materials for houses of the earthquake sufferers. These will be sent by train to the Calabrian villages.

New York.—George M. Cohan, the comedian, as a result of grippe and the arduous work of composing several plays, has concelled his Spring engagements with his company. He expects to sail for Europe next week.

Washington.—The Navy Department has changed the name of the monitor Arkansas to the Ozark, and that of the monitor Nevada to the Tonopah, in order to permit the following out of the custom of giving the names of states to only battleships and armored cruisers.

San Francisco.—That someone in this city is so careless of his wealth that he can lose $25,000 without making any inquiries for it was the astonishing discoverr of J. L. Samuels, who two days ago picked up a package in the dry goods store with which he is connected, containing a small fortune in negotiable securities.

Honolulu.—The body of L. R. Radermacher, the Los Angeles man who mysteriously disappeared in April, 1907, was found Wednesday night on the slopes of Diamond Head Mountain, near this city. From evidences on the body it was apparent that the man had committed suicide.

New Orleans.—Arrangements have been completed to raise the first torpedo-boat of the Confederacy from the bottom of Lake Pontchartrain. The boat is lying near Spanish Fort. It is proposed to place this vessel on the lawn of the Confederate Veteran Soldiers' Home, in New Orleans.

Chicago.—Announcement is made of the marriage on April 22 of Miss Adra Marshall, daughter of Mrs. Thomas Marshall, of New Jersey, N. J., and Edward T. Newell, of Kenosha, Wis. The couple have been sweethearts since childhood. The bridegroom-to-be is secretary of the American Society of Numismatics.

Cambridge, Mass.—Commenting on the assertion made recently by Dr. Percival Lowell, that the earth was in danger of colliding with some large astral body, and thus be destroyed, Professor William H. Pickering, of the Harvard Astronomical Observatory, says that the chance of such an event is about "one in one hundred millions, raised to the one hundred millionth power."

Plainfield, N. J.—John Ulrich, a former City Judge of this place, has been released from the Morris Plains Insane Asylum after 10 years' confinement. Lincoln's birthday, he delivered an address at the institution on Lincoln, so eloquent and so indicative of a sound mind that the officials immediately took steps to bring about his parole.

THREE-CENT FARE AGAIN

MIDDLE WESTERN RAILROADS ALMOST OF ONE MIND.

Traffic Officials Will Decide Monday, but May Consult Missouri First.

ST. LOUIS, March 11.—Traffic executives of the 18 railroads in Missouri, after conferring today as to the advisability of restoring the old three-cent a mile rate made legal by Judge McPherson's decision against the Missouri two-cent fare law, adjourned to meet in Chicago next Monday. At that time a general increase in the passenger rates in Missouri, Wisconsin, Minnesota, Kansas and Oklahoma will be discussed.

The sentiment today favored restoring the three-cent rate. It is probable the railroads will name a committee to confer with Attorney-General Major of Missouri before taking definite action.

MUST NOT PLAY FAVORITES

Railroads Forbidden to Force Business Into Any City.

WASHINGTON, March 11.—It is unlawful for railroads so to adjust their rate schedules as to force commodities into a particular city or port, according to a decision of the Interstate Commerce Commission announced today. The case was that of the Chamber of Commerce of Milwaukee against the Chicago, Rock Island & Pacific and the Chicago, Milwaukee & St. Paul Railroads. The commission held that the joint through rate on corn, rye and oats from the West and Northwest ought not to exceed such rate to Chicago.

NEVADA PASSES RATE MOVE

Drastic Railroad Commission Bill Is Now Up to State Executive.

CARSON, Nev., March 11.—The Nevada Senate today passed in its amended form the Railroad Commission bill, which will now go to the Governor for his signature. The bill gives the Commission the right to regulate fares and freights, "reasonably," and do away with the maximum rate law that was lately sustained in a court decision. Many powers not granted the Railroad Commissioners heretofore are conferred under the new enactment.

LIVES WITH HEAD CRACKED

Doctors, However, Have No Hope for Nels Peterson.

ASTORIA, Or., March 11.—(Special.)—Nels Peterson, the man who was murderously assaulted last evening by Robert Davis in a down-town resort, was still alive at a late hour this evening, but there is practically no hope for his recovery, as his skull is fractured for a length of about six inches, extending down nearly to the base of the brain.

Peterson told the Deputy Prosecuting Attorney today that he was 25 years of age, and that his parents are living in Sweden. He said he had nearly $20 when he went into the down-town resort, that the woman, who is alleged to be Davis' wife, had taken the money from him and he was trying to get it back, when she screamed for help and Davis rushed in and struck him with the ax.

Peterson's story is confirmed by the fact that he was paid over $18 at the mill yesterday afternoon, and when his clothing was searched at the hospital less than $2 was found. The police believe the woman had robbed Peterson and was trying to get him out of the room, but when he refused to leave without his money, she called to Davis for assistance.

The assault was witnessed by a bartender in an adjoining room, who followed Davis into the room, and but for his interference it is probable that Peterson would have been killed outright, as Davis, after striking the man twice with the ax, attempted to hit him again. Both Davis and the woman, who goes by the name of Pearl Davis, are in jail, pending the result of Peterson's injuries.

MEDIUM WEIGHT SUITS, $15

These suits are made of fabrics of medium weight, according to the very latest Spring models, colors, weaves and styles, are strictly up-to-date and the suits will prove comfortable because a little heavier than the real Summer weight. Values are $20 and $25. Brownsville Woolen Mill Store, 3rd and Stark streets.

Long Sentence for Fiend.

BALTIMORE, March 11.—Joseph M. Janer late this afternoon was convicted of feloniously assaulting 12-year-old Catherine Loerch and was sentenced to 21 years in the penitentiary.

Smart Styles in Linen Coat Suits and One-Piece Dresses

These are among the most popular garments that will be worn this season—plain tailored Coats, Suits, One-Piece Princess and the Jumper styles—shown in every favored color—white, pink, helio, tan, copper, light and dark blue and rose. Priced from $5.95 to $25.00. The Cloak, Suit, Waist and Petticoat Section—Main floor.

New Spring Patterns in Extra Wilton Velvets

These new carpets are being shown mostly in all-over designs and up-to-date colorings, and in the double as well as the single widths. The fabric is the most durable of its kind, and is especially adapted to the covering of large surfaces and where it is exposed to hard wear. Its double width avoids numerous seams and gives a solid effect. The Carpet Dept.—sixth floor.

Our Window Shades Are Correctly Made and Hung

Only the best quality of materials used in the making of our window shades—oil opaque cloth—all colors—single and duplex, also John King's Scotch Holland cloth—mounted on Stewart Hartshorn improved rollers. Our workmanship and method of hanging are the very best and our prices are the lowest. The Drapery Dept.—sixth floor.

Portland Agents for the "New Domestic" Sewing Machines

TULL & GIBBS COMPLETE HOUSEFURNISHERS

Gas Ranges and Gas Water Heaters in the Basement

STATE SNOWBOUND

Colorado Buried Beneath Deep Blanket of White.

STOCK SUFFERS ON RANGE

Farmers, on Other Hand, Are Glad of Deep Drifts, Which Will Be Salvation of Fruit Crop in Irrigated Sections.

DENVER, March 11.—Although a storm has been general throughout Colorado for more than 24 hours, railroad traffic has suffered but little delay. Trinidad and La Junta report that snow has fallen for 36 hours.

For 48 hours the district about Florence has been in the grasp of the storm, which is regarded as the salvation of the fruit crop in that section.

Greeley reports all Weld County in the grip of a blizzard, which is causing great suffering among the cattle on the open range. Extreme cold and heavy snow prevail at Central City.

Two Feet of Snow in Texas.

DALHART, Tex., March 11.—Snow has been falling over Northwest Texas for 36 hours and covers the ground two feet deep.

TEXAS TRAINS ARE DAY LATE

El Paso Just Beginning to Get Passengers Due Wednesday.

EL PASO, Tex., March 11.—Chicago, Rock Island & Pacific trains delayed for 24 hours by the snow storm that for the last three days has been sweeping the territories, are beginning to arrive. Trains from the North, due Wednesday, came in at midnight tonight.

DEEP SNOW FATAL TO SHEEP

Wyoming Drovers Reported to Have Lost 50 Per Cent of Flocks.

ROCK SPRINGS, Wyo., March 11.—Enormous losses of sheep among the flocks of the Red Desert district are reported as a result of the deep snow and the inability of the sheep to get to feed. In some bands, it is said, the loss will amount to 50 per cent, and one of the flock masters is reported to have lost 50,000 head in the last month.

MANY SNOW RECORDS BROKEN

Colorado Springs Gets 27 Inches in Scant 24 Hours.

COLORADO SPRINGS, Colo., March 11.—Twenty-seven inches of snow has fallen here since last night, marking the heaviest precipitation in 13 years. Railroad traffic has not been seriously interfered with, as the fall in the mountains is much lighter.

(From New York World, Oct. 16, '08.)

CONDUCTOR FAINTS FROM TERRIBLE PAIN

Nicholas Gluckman, formerly a conductor on the Brooklyn Elevated, residing at 160 Havermeyer street, Brooklyn and who has just recently recovered from a long illness, gives the following account of his experience with the Cooper remedies, which are now being demonstrated in this city by L. J. Cooper. Mr. Gluckman says:

"For two years I was conductor on the Brooklyn Elevated, but suffered so severely from stomach trouble that finally I was compelled to quit work. On several occasions I fainted as a result of the terrible pain in my stomach. My head ached almost constantly, and the gas on my stomach after eating nearly drove me wild.

"I took all kinds of medicine in an effort to get relief, but it did me no more good than so much water. Doctors diagnosed my trouble in all sorts of ways, and twice I submitted to surgical operation. These operations did more harm than good, for they not only failed to give relief, but left me perceptibly weaker.

"By this time my condition was positively wretched, and I was completely discouraged. My attention had been called to this man Cooper, and I had both read and heard of his success in relieving stomach sufferers, so in sheer desperation I went to his headquarters and procured a treatment of Cooper's New Discovery.

"The promptness with which it corrected my trouble was a revelation. Almost immediately I began to gain strength and feel better. In two months' time I was practically well. The gas and headaches have long since disappeared, and I can eat anything without any bad effects whatever.

"After passing through such a painful experience, I am glad of an opportunity to publicly express my appreciation, and let other sufferers know the manner in which I obtained relief. Anyone afflicted with stomach trouble will make no mistake in giving Cooper's New Discovery a trial."

Cooper's New Discovery is now on sale at leading druggists everywhere. A sample bottle sent free upon request by addressing The Cooper Medicine Co. Dayton, Ohio.

Lard Has Been in Existence a Long Time—So Has Indigestion

Human nature is hard to solve. People who are most particular about adapting the weight of their wearing apparel to the season and its conditions, who never think of going out in a storm without an umbrella and rubbers, who would not sit in a draft, will day after day eat lard-soaked food and not realize for an instant that it is clogging their whole inner machinery. Lard is produced from hog-fat, sometimes impure, always indigestible. *Cottolene* is the only rational frying and shortening medium in the world. It is made from refined vegetable oil and everything about it is digestible and conducive to health.

It will make pure, palatable, healthful food, and food which anyone can eat and enjoy without the after-pangs of a disordered stomach.

COTTOLENE Is Guaranteed Your grocer is hereby authorized to refund your money in case you are not pleased, after having given *Cottolene* a fair test.

Never Sold in Bulk *Cottolene* is packed in pails with an air-tight top to keep it clean, fresh and wholesome, and prevent it from catching dust and absorbing disagreeable odors, such as fish, oil, etc.

Cook Book Free For a 2c stamp, to pay postage, we will mail you our new "PURE FOOD COOK BOOK" edited and compiled by Mrs. Mary J. Lincoln, the famous Food Expert and containing nearly 300 valuable recipes.

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