INJUNCTION WITH NAUGHT TO ENJOIN

Queer Muddle in Aftermath of Resignation of Mayor Harper, of Los Angeles.

CASE BARRED FROM COURTS

Tenderloin Ruler, Wanted by District Attorney, Located in Mexi-Heard - Fugitive Men Are Captured.

LOS ANGELES, Cal. March 17 .- (Spe cial.) - The most interesting phase of the Mayoralty muddle tonight is the recal injunction petition which has been prepared by attorneys representing the reguiar Republican organization. The most prominent lawyers of the city have had a hand in its preparation and are convinced that it will stand the test to which it will be subjected when it is presented

In the courts.

Its object is to prevent the holding of a recall election on March 26, the date set for the recall of Mayor Harper, on the ground that Harper's resignation removed the purpose of the election. But the astute attorneys are unable as yet to get the petition before the court. In order that there may be no question as to its applicability, they must have just cause for presenting it.

Nothing to Enjoin.

They thought they would enjoin the They thought they would enjoin the City Clerk from buying stamps to mail the notices of election, but found that he had already purchased the stamps. Now, all are watching for some act to enjoin, and unless they find it, the election will be held without interference.

A. C. Harner, or Mayor,

A. C. Harper, ex-Mayor, arrived here early this morning, prepared to give his testimony before the grand jury, but he has carefully kept himself secreted, communicating only with the District Attorney. He succeeded in dodging a battery of cameras and a battalion of reporters at the station.

Seek Return of Men.

Meanwhile the entire force at the com-

mand of the District Attorney is en-deavoring to return Nick Oswald, king of the tenderloin, who ran away when he found that the grand jury would want to hear from him.

Oswald and his henchman, William Lawrence, alias Fenner, were located to-night at Tia Juana, across the Mexican boundary. They had stopped in San Diego and had several thousand dollars in small denominations changed to big hills, with which they cut a swath in the San Diego rediight district before skip-ping across the line.

San Diego redlight district before sampling across the line.

"Little Joe" Durand, another of Oswald's men, is the only person caught as yet, and he is kept behind the bars.

Among the prominent persons for whom subpenss have been prepared, besides E. T. Earl, whose club forced the resignation of Harper and Kern, are Sam Schenck of Harper and Kern, are Sam Schenck

T. Earl, whose club forced the resignation of Harper and Kern, are Sam Schenck and Earl Rogers, who is now in San Francisco assisting in the defense of Patrick Calhoun; and Frank Goings, a local politician. Schenck and Rogers are at the head of the legal profession in the local criminal courts. Just what they are supposed to know is another mystery in the case.

PROVES SELF FALSIFIER IN A NOVEL WAY.

Escaped From Ellis Island and Said He Sawed Way Out, but Can't Repeat Performance.

NEW YORK, March 17.—After 16 hours devoted to sawing two of the seven-eighths inch steel bars of his ceil with improvised saws made of nicked table knives, Francis Louis Boissanade, a lion tamer, who was set to the task of making an official attempt to escape from the Ellis island detention pen by immigration Commissioner Watchorn, gave up the attempt tonight.

Boissanade escaped from the same cell last August with the connivance, Commissioner Watchorn believes, of one or more of the keepers. Upon being apprehended in San Francisco a few days ago, he declared that no one had assisted him, and that it was by sawing the hars of his cell for 12½ hours with table knives that he had gained freedom.

It was to prove, if possible, the truth of this assertion that Boissanade was made to undergo the test in which he has failed. Had he succeeded Commissioner Watchorn had promised to intercede for him at Washington and secure authorization for him to remain in the United States. Now he will be deported and several suspecied employes will be discharged. and several suspected employes will be

FIREMEN TURNED DOWN

Pennsylvania Employes Told They Have No Chance in Arbitration.

WASHINGTON, March 17 .- At a final WASHINGTON, March 17.—At a final conference today between representatives of the firemen of the Pennsylvania lines with Chairman Knapp, of the Interstate Commerce Commission, and Dr. Charles P. Neill, Commissioner of Labor—the of-defails constituting a Board of Mediation under the Erdman act—the firemen were informed that such grievances as they had submitted did not constitute a ground for action by the Board.

CONDENSED NEWS BY WIRE

Springfield, Ill.—After a storing session, the recount committee of the Legislature alloued a report Wednesday, recommending that the polition of Adial E. Stevenson for a recount of vorse coaf for dovernor last November be dismissed.

Colorado Springa, Colo.—Fifteen thousand breons paid horor to the memory of Gen-al William J. Palmer, founder of Colo-ido Springs, whose remains were laid at al in Evergreen Cemetery here at noon enheaday.

Dayton, O.—The proposed reception to the Wright brothers upon their return to their native city next June will be possessed of National interest. President Taff, the Secretaries of War and of the Navy and Governor Harmon are expected to be present. Cripple Creek, Colo.—Politowing his failure to secure an Aldermanic nomination from

the Democratic city convention, Alderman W A. Hoffenherger said that five Councilmen had divided \$3200 between them. He said they were bribed by a public utility corporation.

Council Bluffs, is.—The grand jury of the State District Court, which is investigating the wholesale swindling charges against J. C. Mabray and his companions, some of whom are under arrest at Little Rock, Ark., was in session again Wednesday.

Laporte, Ind.—Thomas McCarthy, who vol-untarily gave himself up hast August at the Indiana state prison, left the prison Wednes-day a free man, having been pardoned by Governor Marshall, Returning, he presented humself at the prison gate and asked to be allowed to finish his term.

St. Paul.—An announcement was made of sale Wednesday by William P. Davidson of the Aberdeen Hotel and the Angus, a family batel, to A. C. Burdick, of Victoria, B. C. and J. W. C. Wynette, of London, Ont. The consideration is said to have been \$50,000 and a third interest in the property.

Granite City, Ill.—The strike in the Amer-lean Steel Foundry Company's plant, which began Saturday, when 400 men went out, virtually ended Wednesday, when Super-intendent Wascher and an assistant chased the agitator whom they blamed for the trouble out of town, after teating him with their fast.

Chicago.—Arthur Legree, arrested in Ho-boken, N. J., two weeks ago, charged with a burglary committed in Virginia City, Mont, escaped from Sheriff Traulier, of the latter city, here Wednesday. The Sheriff, wishing to be shared attached a weight, known as an "Oregon boot," to one of the prisoner's legs. The control workgied loose, and when the officer arose from the barber chair, had disappeared.

WILD TRAIN RUNS AMUCK

DASHES INTO MONTREAL DE-POT, KILLING FOUR.

Escaping Steam Drives Out Crew and Train Smashes Building. Family Loses Three.

MONTREAL, March 17.—Four persons were killed and 30 injured as the result of the blowing out of a washout pipe on the locomotive hauling the Boston Express, due at the Windsor-street station on the Canadian Pacific Railroad here today.

Three miles out from the station scalding steam filled the cab and the engineer and fireman were forced to jump. The train, without a guiding hand at the throttle, dashed into the station through the granite rotunda, where the locomotive, after demolishing one massive pillar, was brought to a standstill by another. The four persons killed were sitting in the women's waiting-room. They are: Three miles out from the station scald-

MRS. W. J. NIXON, Montreal, her 13ear-old son and 2-year-old daughter. ELSIE VILLIERES, 12 years old, of Montreal.

A score of men were knocked down when the train crashed through the ro-

tunds.

The husband of Mrs. Nixon is a Canadian Pacific train dispatcher at Medicine Hat, Alberta. He had secured leave to come to Montreal to get his family and the research of the station to great the station to great they were all at the station to greet him after six months' separation. The mangled bodies of his wife and children were lying on the sixteen were lying on the platform when he stepped from the train.

CALHOUN JURY NOW EIGHT

Talesmen Tell Court of Attempt to Influence Their Verdict.

SAN FRANCISCO. March 17.—Settling again into the routine of jury examination, the attorneys engaged in the trial of Patrick Calhoun, president of the United Railroads, disqualified 22 talesmen today and accepted one, whose original examination was begun last week. James R. Cashman, secretary to a local capitalist, was passed, to occupy the eighth seat in the jury box, after Assistant District Attorney F. J. Heney had withdrawn a challenge interposed several days ago and the talesman had declared himself able to try the case fairly.

One of the talesmen examined today informed the court that his antecedents and beliefs had been investigated more than a year ago by a man who represented himself to be a magazine writer, and that another man interrogated several of his neighbors, seeking to learn his opinions concerning the case. Just before adjournment another tales. SAN FRANCISCO, March 17.-Settling

ing the case. Just before adjournment another talesman told Judge Lawlor that at the time of the noon recess today he was approached by a stranger who expressed the belief that the trief was the trial was costing too much money and that all the defendants should be allowed to go unprosecuted.

GERMAN TRIES ACID ROUTE

Despondent Because of Bad Luck, William Dignot Attempts Suicide.

William Dignot, a German, aged 40 years, despondent because of his failure to secure employment, swallowed a dose of carbolic acid about 12:30 o'clock this morning in a room at the Oregonian rooming-house, at Third and Couch streets.

Streets.

Sergeant of Police Kienlen was summoned and called the patrol wagon, in which the would-be suicide was conveyed to the police station, where City Physician Zeigler was waiting. Dr. Zeigler immediately applied antidotes and succeeded in doing all that was possible for the saving of the man's life. He was conveyed to the Good Samaritan Hospital, where it was announced that he had some chance for recovery. Dignot recently arrived in Portland from San Francisco, and his failure to secure employment, together with his secure employment, together with his slight knowledge of the English lan-guage, is believed to have caused him to become downhearted.

BURGLAR SHOT PROWLING

lights Match and Makes Himself Target for Bullet.

SEATTLE, Wash., March 17.—(Special.)

—Carl Peterson, self-confessed burglar, was shot and probably fatally wounded by Charles Baird, a special agent for the Northern Pacific Railroad, while looting the sleeping apartments of the latter at 708 Columbia street, shortly after 2 o'clock this morning. Peterson is now at the Pacific Hospital.

Baird was awakered by

Pacific Hospital.

Baird was awakened by some person prowling about his room. The special agent could discern nothing until the burglar lighted a match. Whipping out a revolver from beneath his pillow. Baird yelled: "Now, you've done just about enough, throw up your hands."

Instantly extinguishing the lighted match, the burglar dropped to the floor at the foot of the bed just as Baird fired. Peterson is expected to die.

CAMBRIA WORKS WILL CUT

Huge Steel Concern to Reduce Wages of 18,000 Employes.

JOHNSTOWN. Pa., March 17.—The Cambria Steel Company, which, when in full activity, employs 18,000 men, an-nounced today a 10 per cent reduction in wages, to take effect April 1.

Hungarian Returns to Mombasa From Hunt After Hippopotami.

LIONS PLENTY, BUT TAME

Stalking of Eland, Gnu and Oryx Perfect-Governor Will Lend Roosevelt Trained Elephant for Trip in Uganda.

MOMBASA, British East Africa, MOMBASA, British East Africa, March 17.—Interest in the prospect for good sport in the coming season, stimulated by the coming of Theodore Roosevelt has brought detailed reports of the movements of game into Mom-

basa.

Baron Tallyan de Vizente, a prominent Hungarian who has returned from a hunting trip, reports splendid sport with hippopotami on the upper Tani River, and for the shooting of this game he recommends the district between Athi and the Tani rivers. The cland, gnu and oryx stalking is perfect, with the exception that hunters of this game are constantly interfered with by the unusually aggressive rhinoceroses. Lions are pientiful, but with some exceptions they seem to be timid.

A man named Smith, the leader of the party of Transvaal Boers who re-cently settled in this country, was car-ried to the hospital at Nairobi yester-day terribly manied by a lioness. No black mane lions have been seen this year.

year.

The Uganda commission hopes Mr. Roosevelt will visit the big camp in Uganda, where natives suffering from the sleeping sickness are cared for.

Mr. Roosevelt wil be entertained in Uganda by H. Hosketh-Bell. Governor of the Uganda Protectorate. The Governor will offer Mr. Roosevelt the use of a trained elephant to facilitate travel through the country infested with the dangerous tsetse fly.

ROOSEVELT NOT TO MEET TAFT

Unless President Goes to Oyster Bay Big Men Will Not Confer.

OYSTER BAY, N. Y., March 17 .- Ex-OYSTER BAY, N. V. March 17.—Expresident Roosevelt said today that he will not leave Oyster Bay again before Monday next. His decision precludes a meeting between the ex-president and President Tart during the latter's visit to New York on Thursday and Friday, unless Mr. Taft should decide to run down to Sagamore Hill. to run down to Sagamore Hill

RUSH THREATENS HASKELL

PROSECUTOR REPLIES TO MANY CHARGES.

Implies Additional Trouble for Defendants in Muskogee Town-Lot Fraud Case.

OMAHA, March 17.-Sylvester R. Rush special assistant to the Attorney-General of the United States, in charge of the Okiahoma land-fraud cases, referring to statements published recently

said today;
"As to the charges of improper practice and conduct made against me by the defense in the investigation of the Muskogee town-lot frauds, wherein indictkogee town-lot frauds, wherein indictments were returned against Governor C. N. Haskell and six other persons of charges of defrauding the Government and the Creek Indians of their lands. I have this to say, that like the news from the Potomac, these charges would be important. If true: but, unfortunately for the defendants, they are absolutely false. "When the Government shows up, as it will be able to do, the corrupt influences and intimidation resorted to to influence the several grand jurors to make false statements to invalidate the indictments, certain persons will have trouble enough to last them a lifetime."

FRENCH TELEGRAPH STILL (Continued on Page 3.)

are at a standstill, owing to the lack of quotations from foreign exchanges. Strikers Stand Firm.

The Foreign Office, in the midst of the Balkan crisis, is unable to communicate

CHORUS GIRL SUES COUNT FOR BREACH OF PROMISE.



Grace Conkiyn.

Grace Conklyn.

NEW YORK, March 11.—(Special.)—Grace Conklyn has sued Count de Savigny for \$50,000 for breach of promise. The papers were served on him at the St. Regis. The Count is the great-grandson of Lavoisier, who discovered oxygen, He is a member of the firm of Savigny Freres, chemists of Paris, Miss. Conklyn is one of the chorus of the "Queen of the Moullt Rouge" company. Miss Conklyn claims that the Count took her to divers suppers and made a trip to the West with her.

with its representatives abroad and, while the government continues to insist that it cannot surrender to its rebellious servants, it is apparent that the measures thus far taken to suppress the strike have been ineffective. Threats of suspension and dismissal have served only to bring the employes into closer union. Reserve operators summoned from the country districts refuse to work. The military telegraphers, through whom it was expected to re-establish wire communication, were almost hepless before the damaged switchboards and instruments which aged switchboards and instruments which the strikers left behind. Besides it is now realized that it is impossible to re-place thousands of trained men in a mo-

It was intimated tonight that the It was intimated tonight that the Government would find a way out of the difficulty by putting M. Barthou, minister of public works, posts and telegraphs, in charge of negotiations with the strikers. Behind him M. Simyan, the undersecretary, could, for the present, efface himself. With anyone except M. Simyan to deal with, it is believed the strikers, the vast majority of whom realize the seriousness of the offense they are committing against the public, would soon come to terms.

against the public, would soon come to terms.

Public sympathy is against the strikers, and it is considered that their grievances are trival compared with the interests that are suffering.

There appears to be no danger of violence, unless the labor organizations attempt demonstrations tomorrow, which is a public holiday. The garrison at Versailles is held in readiness to reinforce the Paris troops in case of emergency.

EXTENT OF STRIKE HIDDEN

to reinforce a

London Regains Wire to Paris. Great Blockade of Telegrams.

LONDON, March 17.—The demoraliza-tion of the Paris postal and telegraphic services is becoming a serious matter for the rest of the world. The French au-thorities, it is believed here, are trying to conceal the extent of the strike, which seems to be extending stradually to the to conceal the extent of the strike, which seems to be extending gradually to the large provincial towns, although many dispatches from places outside Paris are received in London with small delay. Paris itself was entirely cut off tele-

graphically.

About 9 o'clock tonight direct telephore. About 9 o'clock tonight direct telephone service between London and Paris was resumed and continued to work throughout the night. In spite of the use of every possible route between London and the French capital, there has been an enormous daily accumulation of unsent telegrams here. It is declared there are 200,000 telegrams and 2,000,000 letters undelivered in Paris.

REPUBLICS CRY FOR PEACE

SOUTH AMERICANS FAVOR IN-TERVENTION.

Brazil, Argentine and Other Nations Believe Tropical Wars Are Menace to Continent.

WASHINGTON, March 17 .- Much interest is attached to the note which Sec-petary Knox dispatched yesterday to Senor Espinosa, the Nicaraguan Minis-ter. The note is supposed to contain a statement of the Government's attitude on the Emery claim, which the United States has been trying to have arbitrated for years.

That the permanent establishment of

That the permanent establishment of peaceful conditions in Central. America may be brought about by the United States and Mexico is the opinion held, and the wish expressed, by the large South American countries, according to a statement today of a prominent Government official and a close student of Latin-American affairs. He declared that there had been a change of attitude in these countries toward the United States, an attitude which would not have been posattitude which would not have been pos-

attitude which would not have been possible several years ago.

He pointed out that the administration papers in Brazil, Argentina and other countries were favoring action by this Government vigorous enough to force Central American republics to realize that the welfare of all the American republics demand that they remain in peace.

ISLAND FIGHT IS PUZZLE

War Department Cannot Locate Reported Clash With Moros.

WASHINGTON, March 17 .- Although

WASHINGTON. March 17.—Although more than a week has elapsed since the reported clash between hostile Moros and Lieutenant Leonard Furlong's detachment of Philippine Constabulary, no word of the engagement has reached the War Department. Officials are disposed to think that the Bordong, mentioned in the Manila dispatch as the place where the fight resulted, refers perhaps to the Buldoon region, which for a time has been notoriously unsettled and where a bad element unfriendly to the Americans existed and found it a safe retreat.

What is known as the Lake Lanao of Mindanao contained, according to the Philippine Commission's report of 1907, the most turbulent Moro element in the island; and in spite of frequent punishment meted out by the constabulary to many recalcitrant Dattos and other followers, there still were a number of outlaws at large on the east side of the lake. This district, however, is to the north of that of Cotabato, in the principal town of which Lieutenant Furlong has command of a company of constabulary, and in which is located the Buldoon region.

DENVER RATES NOT FAIR

Interstate Commerce Commission Says Readjustment Necessary.

WASHINGTON, March 17.-It was held WASHINGTON, March 17.—It was held by the Interstate Commerce Commission today that the present adjustment of the freight rates from Missouri River points to Denver and to Utah common points were discriminatory against Denver in favor of Kansas City and other Missouri River crossings, and that the class rates from Chicago and St. Louis to Denver were excessive and unreasonable and should be reduced.

Class rates from the Missouri River.

should be reduced.

Class rates from the Missouri River to Denver and from Denver to common points were held to be unreasonable and excessive, but no order was made reducing the rates, and it was obvious that they would have to be adjusted in harmony with the principles announced in the Spokane case. The decision was rendered in the case of George J. Kindel and the Denver Chamber of Commerce against various Eastern railtoads.

Kills Would - Be Slayer. A mercliess inurderer is Appendicitis with many victims. But Dr. King's New Life Pills kill it by prevention. They gently atimulate stomach, liver and bowels, preventing that clogging that invites appendicitis, curing Constination. Billiousness, Chills, Malaria, Headache and Indigestion. 25c af all druggists.

Ackerman Heads Commission.

SALEM, Or., March 17.—(Special.)—The State Library Commission today elected State Superintendent J. A. Ackerman chairman, to succeed Senator Chamber-

Rosenthal's pumps fit at the heel.

Many Indications That Case Is Likely to Result in Mistrial, Say Court Officers.

JURORS RECEIVE CHARGE

Judge Hart Adjourns Court Till Day Passes After Reading Three-Hour Charge-Long Deliberation Is Expected.

NASHVILLE, Tenn., March 17 .- With indications that the jury late tonight was still far from an agreement, the was still far from an agreement, the opinion began to prevail that a mistrial would be the termination of the famous case against Colonel D. B. and Robin J. Cooper and John Sharpe, charged with having murdered ex-Senator Carmack.

Judge Hart evidently did not expect an early verdict, for at 4 o'clock he adjourned court and started for his country home, saying he would not return to receive a verdict until tomorrow.

Expect Long Deliberation.

Judge Hart began his charge to the jury at 9:30 and finished at 11:25 o'clock. The charge consisted of 62 typewritten pages, 400 words to the page. Judge Hart has declared his intention of holding the jury together for a week or two if necessary to get a verdict.

The jury returned to its room at 2 P. M., after having gone to lunch. There were no indications that a verdict would be reached very soon.

At 3:05 P. M. the deputies on guard outside the jury room reported that the jurors in the Cooper case were engaged in a vigorous argument.

Reading of Charge.

The stenographers had worked all night on Judge Hart's charge, which contained over 20,000 words. Lawyers say it is the most comprehensive and clear charge ever delivered in a Tennessee court and includes in the theories of state and defense a digest of the testimony of every witness who testified on either side. When the Judge began to read the court-room was packed to the four walls.

"The law makes the judge the witness of the law," remarked Judge Hart, "so I will now take the witness stand and give my testimony."

will now take the witness stand and give my testimony."

He left the bench, walked around to the chair which has been the center of attraction for two months, and began to read. Sheriff Borum had a dozen deputies scattered through the room and in addition a detail of 19 uniformed patrolmen were stationed around the bar.

"I do not anticipate any demonstration," he said, "but I will run no risk of having one at the eleventh hour."

After reading the indictment, Judge Hart said:

"While this indictment contains but one

While this indictment contains but on "While this indictment contains but one charge upon its face 'n contemplation of law, it embraces four distinct felonies:

"Murder in the first degree; murder in the second degree; voluntary manslaughter and involuntary manslaughter. Without reference at present to the facts of this particular case, I shall now explain to you what in law it takes to constitute each of these different offenses."

Judge Defines Crimes.

Judge Hart then at length defined the various felonies mentioned.

'Previous threats by the deceased against the detendant, or acts of hostility toward him, or violent abuse of against the detendant, or acts of hostility toward him, or violent abuse of him, how violent soever it may have been, or trespasses upon his property," continued Judge Hart, "is not such provocation as the law recognizes as sufficient to reduce an uniawful killing to manslaughter, if the killing was done at such time as had lapsed after these things had been done as a reasonable person would have regained self-control, and a killing under these circumstances would be deemed by the law malicious, and not the result of provocation, and therefore murder. In other words, if there had been sufficient time for the passion to cool, the provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequent killing to manslaughter. The provocation will not mitigate a subsequen



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reasonable time for the passion to cool tumor from a patient that weighed 56 in the case of any ordinary person, pounds. The patient survived the opera-

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