

GOVERNMENT FILES SUIT AGAINST THE DRUG TRUST

Combination to Control Prices of Patent Medicines Declared Illegal and in Violation of Sherman Anti-Trust Law.

(Journal Special Service.)
Washington, May 9.—The government today filed suit against the drug trust, which included the Proprietary Association of America, the National Wholesale Druggists Association and the National Association of Retail Druggists, who are alleged to have combined to fix prices to be maintained by retailers in violation of the anti-trust law.

An official statement on the matter issued by Attorney-General Moody says:

"The government today filed in the circuit court of the United States for the district of Indiana a petition for an injunction against certain associations, corporations and individuals, comprising what is known as the drug trust. The parties defendant specifically named in the bill have apparently combined together to control the prices at which proprietary medicines and drugs shall be sold to the consumer.

through retail druggists in violation of the Sherman anti-trust law.

"No retail druggist can obtain goods from wholesale druggists or a manufacturer of proprietary medicines unless such retail druggist becomes a member of the National Association of Retail Druggists and in order to become a member he must agree to observe the established price at which such proprietary medicines shall be sold to the consumer.

"If such a retail druggist, after becoming a member of the National Association of Retail Druggists, cuts the prices in the sale of articles to the consumer he is to be immediately placed on a list of what is known as 'aggressive cutters,' and thereafter the druggist is unable to obtain from the manufacturer, who is a member of the proprietary association, or from the wholesale druggist who is a member of the Wholesale Druggists Association, any commodities which are manufactured or sold by them."

ARKANSAS GOVERNOR SPENDS SHORT TIME IN PORTLAND

Jefferson Davis, governor of Arkansas and political warhorse of the Democratic party, arrived in Portland this morning with his wife. They are on a tour of pleasure through the Pacific coast states and came into this city from Spokane. They took rooms at the Portland and will leave for Tacoma this afternoon.

"I am not on political business," said Governor Davis this morning. "My wife and I are merely traveling through the west for rest and a vacation. We are going along as easy stages and enjoying ourselves as we can. We will take a trip to Seattle and Tacoma and then return slowly back to Arkansas."

Governor Davis was delighted with what he saw of Oregon. He said that this was the most beautiful country he had ever seen through, except of course, Arkansas. He rode around the city this morning and then retired to his room for a few hours rest. The governor is determined to live for a long time yet, and he takes the best possible care of his health.

"This is regular Arkansas weather," he said smilingly, as he wiped the perspiration from his forehead preparatory to going to his room.

PUPILS GIVE \$450 TO THE FUND

School Children Turn Over This Sum to Relief Committee.

TWICE THIS AMOUNT TO BE FINAL TOTAL

Total of Local Subscriptions Now Lacks but a Few Hundred Dollars of Reaching the Quarter-Million Mark.

An amount of \$450 raised by the school children of the city was turned over to the finance committee this morning to be added to the San Francisco relief fund in the hands of the local relief committee. This amount is less than half what the children expect to raise. This with other subscriptions received today brings the total to \$249,104.40.

The school children began the work of raising a relief fund immediately after the disaster and they have kept faithfully at it. Each child was asked to contribute such an amount as could be afforded, and any money that he might raise in other ways toward the school fund. The students entered into the work with a will and by doing odd jobs, selling products of their own handiwork and in various ways raised from a few cents to dollars, which they turned in to their teachers. The teachers declare that this sum is not half the total amount that will be raised but rather than keep back the funds until all in, they decided to turn over the \$450 on hand. The pupils have set their mark at \$1,000 and they will most likely attain it.

The finance committee is still at work on its accounts and disposing of the funds and supplies that have been contributed. The contributions today were as follows:

Public school children	450.00
Employees of the Oregon & Washington Lumber Co.	97.50
Grain Handlers' Union No. 283, Albina	50.00
Total	\$548.00
Previously reported	\$248,556.40
Grand total	\$249,104.40

AGED NEGRESS TRIES TO BESIEGE STORE

Mrs. Mary Smith, an aged negress, whose antics have caused her to be reported to the police on several occasions, today attempted to besiege the store in front of J. F. Border's store, 52 1/2 Third street, yesterday, with an arsenal of stones and attempting to storm the works. Border took the missiles away from her by strategy and gave them to the police.

The negress has received considerable attention on account of her peculiar actions. Her favorite occupation is prowling around the city in the daytime carrying a basket like Diogenes, the Greek cynic. Asked what she is searching for she always replies:

"I'm a-lookin' for them tur-r-rible people what did all that murderin' in the White House."

CHINESE MURDER CASE GOES OVER UNTIL JUNE

Jew Nun will not be tried this month for the murder of Lee Yick Yee on January 10. Presiding Judge Sears yesterday granted a motion to continue the case until June 15, in spite of the vigorous protest made by Deputy District Attorney Gus C. Moser, who said that

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STEEL TRUST TO INSALE PORTLAND STEEL END AD

Special Agent of Corporation Assures San Francisco That She May Have Enough Iron.

PRICE TO REMAIN SAME AS BEFORE DISASTER

Gas Mains Being Rapidly Repaired—Looting Continues in Many Parts of Burned District Despite Watchfulness of the Soldiers.

(Journal Special Service.)
San Francisco, May 9.—Special Agent Backus of the United States Steel corporation told the general committee on rehabilitation this morning that San Francisco can have all the steel she wants within the next year and the corporation will attend to the transportation of the same. He thinks 50,000 tons will be all the city can handle within a year, but adds they can have 100,000 tons if necessary, and the price will remain the same as before in this city.

Gas mains are being rapidly repaired. The 30-inch main on Van Ness avenue is now under pressure and the Western addition will soon be supplied from it.

General Bates, president of the Red Cross society, giving an especial message from Secretary Aft, expressed sorrow at the recent disaster. He congratulated the committee on the excellent business management of the situation.

James D. Phelan announced that money subscribed to date totals \$4,899,000.

Looting still continues despite the watchfulness of the soldiers. Eight men were arrested this morning while looting a store in the burned district. The value of loot from the ruins of the Washington brewery, in the North Beach section; Bluejackets from the cruiser Boston last night captured four members of a gang engaged in stealing lumber. Chinatown still swarms with relic hunters who are practically uncontrolled.

ALL ORGANIZATIONS AID 'FRISCO VICTIMS

Churches and Labor Unions Help Their Brothers in the Bay City.

The fraternal feeling that exists between Portland and San Francisco is shown by the number of organizations which have given financial aid to their parallel organizations in the south. Labor organizations, churches and religious societies have done their best to help the San Francisco organizations on a working basis again. Almost all of the churches in the city have subscribed to the increase in aid to \$100 for the week is out, to be sent to the Y. M. C. A.

Among the working leagues, the printers subscribed \$124 to the general local fund and have sent \$400 in cash to the printers in San Francisco. Besides this they have expended \$200 in the care of refugee printers who have come to Portland. The horseshoers have sent \$122.50. The painters, because they were not holding meetings, did not make their subscription in a body, but all subscribed personally to the general fund.

RAILROAD PRESIDENT HELD IN \$10,000 BAIL

Heads of New York Central and Sugar Trust Plead Not Guilty of Rebating.

(Journal Special Service.)
New York, May 9.—Nathan Guilford, president, and Frederick L. Pomeroy, traffic manager of the New York Central railroad, were held in \$10,000 bail each to answer to the charge of conspiracy to violate the federal law prohibiting the giving or receiving of rebates. A formal plea of "not guilty" was entered. Lawyers entered like pleas for the sugar trust cases, which went over.

CONGRESS ACTS TO ASSIST CALIFORNIA

Washington, May 9.—For that purpose of assisting California, the house committee on public lands authorized a favorable report on the bill to pay California five per cent on cash sales of public lands. It is estimated that about 1900,000 other western states have already been paid under the enabling acts of admission.

The senate today decided that the Ekins amendment to the rail bill providing for the divorcement of coal and oil ownership from transportation carriers should take effect in 1908.

NICHOLAS WILL VISIT HIS FATHER'S TOMB

St. Petersburg, May 9.—The czar arrived at Peterhof today, ready to enter the city Thursday. He will visit his father's tomb and proceed to the winter palace for the doura.

(Journal Special Service.)
Washington, May 9.—The minister of foreign affairs of Nicaragua has been assassinated, according to the American charge d'affaires at San Jose, Costa Rica.

LAND BOARD ACCEPTS BID OF H. L. CORBETT

Salem, May 9.—At a meeting of the state land board held yesterday for 1,320 acres of swamp land located in Harney county Henry L. Corbett bid \$2,344 an acre for 960 acres and \$2 an acre for the remainder and was awarded the land. It is situated in sections 23, 24 and 25, township 25, range 29 east, in Harney county.

INFERNAL MACHINE UNDER FOLK'S WINDOW

Jefferson City, Mo., May 9.—An infernal machine was found under Governor Folk's window by a man mowing the lawn this afternoon. It was loaded with nitro-glycerin. No arrests have been made. The governor believes it the work of a crank.

WILL NAME PRINCIPAL FOR NEW HIGH SCHOOL

Chicago, May 9.—A truce between Dowie and Voliva by which joint control of Zion City industries will be arranged until October is announced by Dowie's attorney. A triumvirate is to have charge of the affairs.

John L. Wilson is here. Ex-Senator John L. Wilson of Washington, owner of the Seattle Post-Intelligencer, is in Portland today. He is on his way to Oregon City to close a contract with the paper mills there for paper for his plant.

DEMOCRATS OPEN GOOD HEIGHTS CAMPAIGN

State Central Committee Convened Today With Good Attendance.

The Democratic state central committee is holding a meeting this morning at the state headquarters at the Lange hotel. The meeting was called to order and is presided over by State Chairman Alex. Sweck and State Secretary John S. Ryan is acting. The attendance is unusually large and many of the committeemen are present from counties in the far distant parts of the state. All the counties except four are represented, either by the committeemen in person or by proxy. The following committeemen answered the roll call: Clackamas, H. L. Vaughn; Columbia, R. H. Mitchell; Gilliam, J. W. Boyer; Grant, V. C. Cozad; Josephine, J. G. Booth; Lane, J. D. Matlock; Linn, S. M. Garland; Marion, W. H. Holmes; Morrow, Henry Blackman; Multnomah, N. A. Peery; Polk, George W. Myers; Wallowa, W. W. White; Wasco, J. E. Morse; Washington, J. N. Wall; Yamhill, H. L. McCann. The proxies for the committeemen from the remaining counties were held by Chairman Alex. Sweck, Secretary John B. Ryan, Judge William Calloway, J. D. Matlock, V. C. Cozad and others.

The purpose of the meeting is to map out a plan of campaign. Without exception the members of the committee ignore party lines and are for the best and most competent men for office. There is, they say, a growing sentiment for a nonpartisan bench that looks favorable to the election of Judge Hailey.

The Multnomah county central committee will hold a meeting tonight at the headquarters on Seventh street, between Washington and Alder. The candidates for county offices have been invited to be present and the details of the city and county campaign will be mapped out. The session will be an executive one.

The Young Men's Democratic club and the Multnomah Democratic club will hold a joint meeting Friday night at the Democratic county headquarters, the Reginald public building.

Dr. James Withycombe, Republican candidate for governor, will speak Thursday night at Oregon City and will spend that night in Portland. He will make an address Saturday night at Albany and he will fill in the intervening night at some town within easy reach. The state committee has not yet arranged his itinerary for the rest of the campaign. A number of Republican exiles will accompany Dr. Withycombe on his tour through the state.

Hon. J. D. Matlock, Democratic candidate for state treasurer, who is in the city, says the prospects for the Democratic ticket in Lane county are excellent. He says the Governor Chamberlain, Senator Geavin and Judge Hailey will get a vote far exceeding the strength of the party. When asked if he believed that he would be elected he said: "If the election were left to my own county I should be."

CHAMBER OF COMMERCE WILL ASK COUNCIL FOR BETTER FIRE PROTECTION

COMMITTEE AT WORK ON REPORT TO MAYOR

City Will Be Urged to Take Immediate Steps Toward Bettering Conditions for Fighting Fires—Underwriters' Report Considered.

The fire protection committee of the Portland chamber of commerce will meet soon to consider recommendations that are to be passed up to the city council and Mayor Lane for increasing the fire protection. It is said Portland is far from being in condition to combat a great conflagration, and that the safe of San Francisco is regarded as empty business men as a startling lesson to this city.

The committee is composed of Henry Hewitt, J. Couch Flanders, James Manner, L. Allen Lewis and Max Fleischner. They will be called to meet tomorrow for the following day at the Chamber of Commerce. The report recently issued by the national board of fire underwriters on the city of Portland and its fire risks will be gone over carefully. The committee will cull from it the salient features and make up a report of exigency recommendations. The city council will be asked to adopt as many improvements as the funds available will permit, even, if necessary, to bond the city to secure sufficient fire protection and remedy hazardous conditions.

The board of fire underwriters some months ago sent inspectors to this city, who made a complete investigation of conditions and of the fire apparatus and fire fighting organization of Portland. In an exhaustive report they have set forth these conditions and arrived at conclusions upon which the fire insurance companies base the rates of insurance that must be paid by property owners. The report criticizes conditions at the Albina pumping station, some of the plank pavements, the condition of the fire engines, the manner of construction of many of the frame buildings in the business district, and the condition of the fire hydrants. A large number of these conditions are believed to be well taken, and the chamber of commerce committee will undertake to impress on the city council the great importance of immediate action to remedy the most imperative needs for fire protection. It is pointed out that Portland is largely a city of wooden buildings, and is so constructed that a great fire, once fairly under way, would sweep the city, leaving the most heroic efforts of the fire fighters.

HURT WOULD GIVE MONEY TO DEFEND MITCHELL

Father-in-Law of Dead Holy Roller Leader Says Crime Was Justified.

"No one deprecates murder more than I do, but in some cases murder must be done. I will help raise a purse to defend George Mitchell, for I am glad that he killed in murder by Joshua Creffield deserved to die if ever any man did, and had it not been for the fact that I do not believe in murder he would have left this world long ago."

O. V. Hurt, father-in-law of Joshua Creffield, the leader of the Holy Rollers, whom George Mitchell shot dead in the streets of Seattle Monday, arrived in Portland this morning on his way home from Seattle. He left his daughter behind, as she will be wanted in Seattle as a witness at the trial of Mitchell. Hurt is a merchant of Corvallis.

"I do not want the people to think that I am a poor man," he said. "For I do not. Yet George Mitchell was justified, and if he had not killed that man others would have done it. That I know. It was best that the killing took place in the open, and that there was no mystery attached to it. Mitchell talked to no one about his intended action."

"I feel for my poor daughter. She loved this man and she stuck to him through everything. She mourns ever since. I am sure she will be glad to give a private funeral, even though it took almost every penny that she possessed."

"I am going back to my home in Corvallis and I hope that I must attend to my business. I cannot pay all the expenses of the defense of Mitchell, but I am willing to contribute or head a fund for his defense."

COMPTON SAYS ENMITY LOST HIM HIS JOB

Tells Civil Service Commission That Spite of Superiors Caused Dismissal.

T. H. Compton, the deposed instrument man in the city engineering department, has been reinstated by the civil service commission for reinstatement, attempted to convince the commission this morning that the engineers who had testified against him had a personal dislike for him, and he will fill in the intervening night at some town within easy reach. The state committee has not yet arranged his itinerary for the rest of the campaign. A number of Republican exiles will accompany Dr. Withycombe on his tour through the state.

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DAUGHTER OF ITALY GUILTY OF FORGERY

Pretty, trembling Rosa Barbato Luciani, native born of sun-kissed Italy, stood tearfully before Judge Wolvorton this morning and pleaded guilty to the charge of forgery. She had signed the name of Michele Verda to a postoffice money order for \$30 on November 24, last year and her detection and indictment had speedily followed.

She had needed the money, she told the officers and she did not realize that she was committing a crime against the government.

United States District Attorney Bristol was touched by the tearful beauty of the child of Genoa and appealed to Judge Wolvorton to make the sentence other than imprisonment.

"It would be too bad," he urged, "to send such a young girl as Rosa Luciani to a penitentiary cell."

"It is better that she will be given a fine late this afternoon, when she is to be sentenced."

MANNING OFFERS TO HELP FREE MITCHELL

District Attorney John Manning has written to Kenneth McIntosh, prosecuting attorney at Seattle, asking an opportunity to be before the grand jury which will investigate the killing of Creffield, so as to give information as to the murdered man's character and record of crime in Oregon. Mr. Manning said in his letter that in his opinion George Mitchell, who killed Creffield, had done a justifiable act and should not be punished. He related the history of Creffield's trial, conviction and imprisonment in this state. The prosecution was conducted by Manning.

FUTURE OF HOTEL TO BE DECIDED

The near future of the Hotel Portland may be decided at the meeting of the board of directors this afternoon. They will take up the question of the renewal of the lease on the hotel. Manager Rogers will be given the lease, as it is known that he is a bidder, or it may be awarded to the Norman Brothers, or given to parties who are not now known to be contenders.

CONTRACT AWARDED FOR FITTING STEAMER

A contract for the construction of the boilers and engine for the new steamer of the Open River Navigation company was awarded to the Willamette Iron Works this morning. Work will be rushed on this contract, as an early delivery is called for. The contract was for the hull of the vessel will be let soon.

CANADIANS SEIZE AMERICAN SCHOONERS

North Sydney, N. S. W., May 9.—Two American fishing schooners were seized by Canadian cruisers and charged with illegally fishing today.

HEALTH OFFICERS FIND DEPLORABLE CONDITIONS IN THAT PART OF CITY

OWNERS ARE ORDERED TO REMEDY TROUBLE

New Sewerage System Needed to Do Away With Septic Tanks and Cesspools—Other Parts of City Are Complaining of Situation.

City Health Officer Wheeler and Plumbing Inspector Hoy discovered deplorable sanitary conditions yesterday in an investigation of the complaints which have recently been made by residents of that suburb. They discovered the overflow from five septic tanks running into Raymenway drive and the stench from this overflow was what has given rise to many of the complaints.

Both the health officer and the plumbing inspector this morning notified the owners of these tanks to remedy the conditions. They recommended that the overflow should either be conducted into a cesspool or by surface drain tiles two feet under ground. It is believed, however, that the attention will not be given to these matters until a new sewerage system is installed, which will do away with septic tanks and cesspools.

The plumbing inspector is always having trouble with the residents of Fulton. The conditions there are extremely bad. Dozens of residences have no means of disposing of their waste except in shallow vaults and cesspools, and the weather, when coming on the conditions there will grow worse, if not remedied. This morning over 20 notices were issued by the inspector to property owners to make proper connections with sewers which have been laid in that district.

Numerous complaints of bad sanitary conditions in Brooklyn have been reported to the plumbing inspector. Septic tanks and open vaults are said to be the cause of the complaints, but the liberal use of disinfectants is the only remedy to be applied until the proposed sanitary sewer is completed. Proceedings for building the sewer are now well under way and it is expected that before many weeks the contract will be let.

THREE MORE ARRESTS MADE FOR LAND FRAUD

Wisconsin Lumbermen Are Taken Into Custody by Officers of the Law.

Three more arrests of Wisconsin lumbermen, charged with complicity in Oregon land frauds, were made yesterday at Oshkosh, Wisconsin. The accused men are Joseph Black, John C. Black and August Anderson, indicted jointly with Sumner A. Parker of Ashland, Oregon; Leander Choate, James Doughty, Benjamin H. Johnson, Thomas Daly and James Bray of Oshkosh, Wisconsin; and James H. Driscoll, formerly county clerk of Klamath county.

The Oshkosh defendants were arrested last week and the details of the indictment were published at that time. It is charged that the defendants were engaged in a conspiracy for the acquisition of timber land in the Lakeview district in the cold drink dispensary. They succeeded in getting some 9,000 acres of large number of people were induced to take up claims, falsely swearing that the entries were made for their own use and that they were bona fide settlers. The timber land was then turned over to the Oregon Land & Timber company, the corporate name under which the defendants were operating.

The indictment recites the payment of \$1,400 to J. W. Hamaker, former United States commissioner in the Lakeview district, but now deceased, and charges that the money was paid as a bribe to induce him to certify to false affidavits and proofs of entry. The payment was made April 20, 1903.

The evidence submitted to the grand jury and on which the indictment was based was gathered by Special Agents W. W. Dixon and W. W. Scott. The methods employed by the defendants were the same used in many other cases in which eastern timbermen were seeking to acquire large bodies of Oregon timber.

WILL SHOWS SELLER

Mrs. P. A. Spence will entertain the ladies of the United Presbyterian church and their friends for the benefit of the Ladies' Industrial society with social and ice cream refreshments at the home, 648 East Burnside street, Monday, May 11, from 2 to 5 o'clock. Mrs. Spence is the wife of J. S. Spence, a well known resident of this city.

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