

WANTS

Be sure to call early with your Ads for Sunday's Journal.

The Weather—Fair tonight and Saturday; northerly winds.

Oregon Daily Journal

JOURNAL CIRCULATION YESTERDAY WAS 30,078

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GOVERNMENT REOPENS STANDARD OIL CASE

PETITION IN LANDIS DECISION

Papers Asking for Rehearing of \$29,400,000 Case Filed — Attorney-General Bonaparte Gives Personal Attention to Legal Battle.

Text of Federal Attorneys' Arguments for the People — Exceeding Care Used in Drawing Up Answer to Circuit Court's Reversal.

Chicago, Aug. 21.—Counsel for the government fired the first gun in what will be one of the greatest legal struggles of the times when he filed the petition for rehearing in the case of the reversal by the United States court of appeals of the findings of Judge Landis in the Standard Oil case, involving a fine of \$29,400,000 for rebating in Illinois.

Attorney-General Bonaparte has taken the case under his personal direction, and has had frequent conferences with President Roosevelt.

The scope of the petition for rehearing shows that the government attorneys have gone exhaustively into the reversal opinions of the circuit judges, and with exceeding care have framed up their plans.

GOVERNMENT'S CONTENTIONS IN REHEARING CASE

Chicago, Aug. 21.—Synopsis of petition for rehearing in the case of the Standard Oil company of Indiana vs. United States:

The government presents its petition in accordance with the rule of the court.

The indictment in the case was for a violation of the Elkins act of February 19, 1903, making it a crime to accept a concession whereby any property is transported in interstate commerce at less than the published and fixed rate.

It was proved at the trial that the

(Continued on Page Five.)

BRYAN READY TO OPEN THE FIGHT

To Speak on Tariff at Des Moines Tonight — To Meet Labor Leaders.

(United Press Leased Wire.)

Des Moines, Iowa, Aug. 21.—William J. Bryan arrived here at 10 o'clock this morning and was escorted by the Democratic club to his hotel, where he is preparing for the opening of his campaign in his tariff speech tonight.

He went to his room immediately after his arrival and delivered a speech which he was not to be disturbed until this afternoon.

Tonight's speech will be the first of the Democratic campaign and the first speech made by the commoner since his speech of acceptance at Lincoln last week. Bryan has announced that he will deal with the tariff, one of the big issues in the campaign.

He will arrive at Chicago tomorrow to begin a conference with Democratic leaders and the labor union officials which is expected to have an important bearing on the campaign.

At the same time that Bryan is discussing the campaign with the managers, the conference of national and international leaders affiliated with the American Federation of Labor will be in session and Bryan is expected to meet the labor leaders.

Prof. Chicago Bryan will go to Indianapolis, where he will attend the annual conference of the National Education Association and deliver a speech on the plank of the Democratic platform that declares for federal and state guarantees of bank deposits.

OFFICIALS OF AUSTRALIA PAY TRIBUTE TO AMERICANS



Lord and Lady Northcote. Lord Northcote is Governor-General of Australia, and will receive the Officers of the United States Battleship Fleet When They Visit Melbourne.

By H. Lee Cloworth, Staff Correspondent of the United Press, With the Atlantic Fleet.

Sydney, N. S. W., Aug. 21.—The first day's formal entertainment of the officers and sailors of the American fleet, has come to a brilliant close with the official dinner given by the state department in honor of the visitors. The speeches were diplomatic but fervid in references to defense against probable Asiatic aggressions. The tendency of the speeches was to cement the ties of the whites for the defense of the Pacific Islands.

LORD NORTHCOTE EXTENDS GREETINGS TO PRESIDENT

(United Press Leased Wire.)

Oyster Bay, L. I., Aug. 21.—President Roosevelt today received, through the British charge d'affaires, a cable message from Lord Northcote, governor general of Australia, describing the reception of the American fleet at Sydney, extending greetings to President Roosevelt and expressing great admiration for the officers and men of the fleet.

The president returned a reply thanking the governor general for the cordial expressions and returning the compliments of this country to Australia. In closing Roosevelt said:

"For the American navy is a menace to no power, but is, on the contrary, we believe, an asset of high importance in securing peace and justice throughout the world."

EIGHT-STORY ANNEX FOR CORNELIUS HOTEL LATEST BUILDING DEAL

An eight or ten-story hotel building is being planned for the lot near the northeast corner of West Park and Alder streets by Captain E. W. Spencer, the owner of the property. When completed the new building is to be used as an annex to the Cornelius, the hotel built by Dr. C. W. Cornelius last winter and which is now under the management of Nathaniel K. Clarke.

Two frame dwellings and a brick store building now occupy the corner which Captain Spencer intends to improve. It is expected that work on the annex will begin during the fall and that the building will be completed before the tourist season of next year begins.

The new building is to have a large

basement where in all probability the grill will be located. Every room in the building is to have both connection and all other of the latest and up-to-date improvements in the hotel line.

One of the plans is to have a roof garden.

Captain Spencer's building is to be several stories above the Cornelius, which is on the northeast corner of Park and Alder streets.

At the time Dr. Cornelius began work on his hotel he made arrangements with Captain Spencer for a party wall. Except that it will have several more stories than the Cornelius the annex is to be almost the same dimensions as those of the building to which it is to be added.

Entrance to the annex will be from the main lobby of the Cornelius.

DEFI ON SMALL SHIPPERS' RATE

Express Companies and Big Trunk Lines Scorn Commission.

(United Press Leased Wire.)

San Francisco, Aug. 21.—Open defiance has been hurled in the face of the interstate commerce commission by the express companies and big trunk lines in connection with the recent ruling of the commission to the effect that small shippers may combine on con-

COMPETITION FOR PAVING COMPANIES

Monopoly of Street Work Held by Warren and Barbur Companies Threatened by New Firm Backed by Seattle Capitalists.

Kern Stone Quarries to Be Utilized—Companies Now Doing City Paving Are Aroused at Impending Break in the Combination.

That the Warren Construction company and the Barbur Asphalt company will have competition in laying bituminous and asphalt pavements despite their letters of warning to the city government was learned today when it was reported that a company with a large capital backing had been formed to engage in laying street pavements. Just who are back of the company is unknown, but it is reported that Daniel Kern and two Seattle capitalists are the moving spirits.

According to the report the new company will have the use of the Kern stone quarries owned by Kern on the Columbia river from which a supply of crushed rock will be secured. Other arrangements are also said to have been made to secure sand, asphalt and other materials needed in the composition of the pavements.

Surprise Is Sprung

The announcement of the coming of a new company to throw down the gauntlet to the old combination came as a surprise to contractors and other officials at the city hall this morning.

For years the present companies have had things in their own hands in the matter of installing pavements despite the provision of the city charter to the effect that no patented pavement shall be allowed on Portland streets.

It is thought that this provision was the factor that finally decided the new company in entering the Portland field. Whether it will be able to accomplish anything or not is doubted by Daniel Kern, who has been looking for a fight against the Warren Construction company. Kern said today that he did not think the new company could be able to get materials with which to manufacture the pavements. He contended, however, that the city is a good one for the new company and may as well let any other person or corporation have as much right to lay bituminous and asphalt pavements as the companies which have had a monopoly in the industry in Portland for several years.

Glad of Competition

Kehbler scoffed at the patent rights of these companies and ridiculed their letters to the city government, in which they protested against the city attempting to install these kinds of pavements without giving the contractors a chance to bid.

Kehbler takes the same view of the Haasam pavement, which has recently been introduced in Portland. He contends that all of these pavements are composed of materials which anybody can put down, and he has been looking for street pavements. He said that he was glad to hear that a new company had entered the field and believed that it will result in much good to the property owners.

HOLLERAN GIVES FOLKS SURPRISE

Goldfield Operator Weds Los Angeles Girl—An Idaho Romance.

(United Press Leased Wire.)

Los Angeles, Aug. 21.—George B. Holleran, a wealthy young mining man of Goldfield, and his bride, Miss Alice H. Wilson, of Los Angeles, were married today in a quiet ceremony at the residence of the bride's mother, Mrs. D. A. Turner of Goldfield.

Holleran is widely known in mining circles as the promoter of the Idaho mine, which he has recently sold to the First National bank at Goldfield, and a prominent member and director of the Montana club.

Announcement today of the marriage came as a surprise to the friends of the pair. The ceremony was witnessed only by the bride's mother and Dr. D. A. Turner of Goldfield.

Archbishop Bruchesi Sails

(Special Dispatch to the Journal.)

Quebec, Aug. 21.—Archbishop Bruchesi sailed on the steamer Empress of Ireland today to pay his "ad limina" visit to the pope. On his way to Rome he will attend the Catholic congress of the archbishop, to be held in London next month, and at which he will be one of the prominent participants.

WHILE HAINS GRIEVES IN CELL HIS WIFE CALLS HUSBAND AND BROTHER PAIR OF SCOUNDRELS

PRISONER UNNERVED

T. Jenkins Hains Coolly Admonishes His Brother to Keep Quiet, Saying All Will Come Out Right in End.

(United Press Leased Wire.)

New York, Aug. 21.—Another sensation developed today in the Hains case, when Marie Louise Sulmande, a French maid who



Mrs. Peter Cooper Hains, the Woman in the Case, Captain Peter Cooper Hains, the Soldier and the Husband; and, Lower Down, T. Jenkins Hains, Author of Books and Maybe of Domestic Troubles.

has had charge of the two children of T. Jenkins Hains, declared that Jenkins is the father and she is the mother of one of the children, both of whom were supposed to be the children of the wife, now deceased, of Jenkins.

Mrs. T. Jenkins Hains died at Washington in 1906.

The Sulmande woman alleges that her baby was born in December, 1907, in a Brooklyn hospital. She says her employer promised to marry her, and that her fright following his arrest in connection with the killing of William E. Annis by Captain Peter C. Hains caused her to make the statement.

New York, Aug. 21.—Refusing food and muttering constantly of his wife's alleged downfall, Captain Peter Hains, United States army, is bordering on a collapse in his cell today. He is under the constant care of a physician, but little can be done for him. His mind seems to rest constantly on the events

which led him to shoot William E. Annis last Saturday.

In marked contrast is Thornton J. Hains, his brother, who in an adjoining cell is calm and cool and apparently unaffected by the charges against him. He is supposed, says regularly and sleeps well. He seems to have no nerves.

Occasionally when the captain's voice is in his lamentations, Jenkins calls out to him cheerfully.

"Bounce up, old man. We will come out all right yet."

An interview given out by Mrs. Hains last night at Whitehall, Mass., in which she detailed alleged mistreatment at the hands of her husband and said she feared he would kill her, again denying all his charges, caused considerable consternation among Hains' friends here today, but it is believed the majority of army officers remain loyal to the prisoner. In this interview Mrs. Hains said:

"My husband and his brother are rascals. I hope they will both be strung up. Thornton J. Hains is an archfiend."

"These scoundrels are capable of anything. In my husband's absence Thornton J. Hains took care of me and I hated him. Then he poisoned my husband and I was beaten, starved and kept in a cell for weeks. He beat me many times. He would have shot me, but I thought he would keep me out of his cell. I hope they will hang them. My poor babies seem to rest constantly on the events



Mrs. Peter Cooper Hains, the Woman in the Case, Captain Peter Cooper Hains, the Soldier and the Husband; and, Lower Down, T. Jenkins Hains, Author of Books and Maybe of Domestic Troubles.

MRS. HAINS, FOR CHILDREN'S SAKE, TO AID HUSBAND

New York, Aug. 21.—It is reported here this afternoon that a deal is being considered by which Mrs. Peter C. Hains will testify in behalf of her husband, Captain Hains, when he is tried for the murder of William E. Annis, on the promise that she shall receive a degree of divorce and the custody of her two children.

The story goes that she will furnish a motive by testifying that Annis suggested to her the story of degeneracy in her husband's mind, and that their circulation would prevent Hains from making sensational charges against his wife in the divorce proceedings and at the same time might prevent him also from trying to get control of the children.

It is not believed there is any suggestion that Mrs. Hains should become a second Jekyll Hyde, but she will consent that her relations with Annis were merely friendly. She will assert, it is said, that she turned to Annis when Annis suggested some means for her husband's mind by gossiping who poisoned him against her.

This new phase of the tangled affair has caused much comment after her bitter arraignment of her husband in an interview given out last night, but it is said her desire to get unconditional control of her children overcomes all other feelings.

PREDICTS ERA OF PROSPERITY

(United Press Leased Wire.)

Chicago, Aug. 21.—That the railroads will be enjoying such prosperity after the next presidential election that an increase in freight rates will be unnecessary is the opinion held today by Fred W. Upham, president of the Illinois Manufacturers' association.

Upham's expression followed the announcement made by W. C. Brown, managing vice-president of the New York Central line, that the aggressive fight for increased rates would be postponed by the railroads until after the election.

Upham said he believed that when the railroads were confronted with the situation of having more business than they could handle they would realize that an increase in rates would be unnecessary to restore their profits to a normal volume.

Brown, however, in an interview at New York, stated that it was the intention of the railroads to continue their campaign of education.

LOSES ONE OF HIS MILLIONS

(United Press Leased Wire.)

New York, Aug. 21.—Jesse L. Livermore, the newly risen "cotton king," was shattered the corner in the market that netted him several millions a few weeks ago, in today's loss of nearly \$1,000,000 as the result of a decline of 12 a bale in the cotton market yesterday.

Livermore's friends today say he had prepared himself and will not suffer much, though they admit his losses will amount to over \$1,000,000. The source in the corner of shorts yesterday when the panic broke was exciting. The bears started the stampede when it was rumored that several Liverpool mills would shut down because of depression in the cotton business. Reports that the death in the cotton belt had been ended by a rebound in the bear movement.

The loss was only stemmed late in the afternoon by the covering of shorts. The total transactions were over 400,000 bales, more than half of which amount was sold by the Liverpool exchange.

(United Press Leased Wire.)

New York, Aug. 21.—"Well, I'm about through now. I've done my work. I want to get away, so that when the next administration comes in my opinion will not be asked nor my advice sought."

These are the words of President Roosevelt to a friend, according to an article in the current number of the Atlantic magazine, just issued. In the interview the president is quoted as being anxious to meet Emperor William of Germany, if he can do it, man to man, with the formal pomp of European courts. The things that attract him most in Europe are the invitations of the king of Italy and the emperor of Austria to hunt with them. The president believes, however, that all these things cannot be done. With this aim, Roosevelt, he anticipates much pleasure from the trip.

"All that country will be new to me," he said, "and I look forward with pleasure to seeing it through the big eyes."