

GROCERS' ASSOCIATION DEFENDANT IN FOR HEAVY DAMAGES

Premium Concern Alleges
Firms Using Their Coupons
Were Objects of Boycott.

INTIMIDATION IS CLAIMED

Resolutions Said to Have Been Adopted,
Which Condemned and Opposed
the Coupons.

Charges that the Grocers and Merchants' Association of Portland, and its officers, have endeavored to restrain operations of the Hamilton corporation, a merchandise premium concern, in violation of government anti-trust laws, are made in a suit filed today by the latter in the federal court, against the association, asking for damages of \$75,000.

The complaint alleges that an attempt has been made by the Oregon merchants' association, and the Oregon Retail Merchants, a state organization, which is alleged to be a subsidiary of the Hamilton corporation, to prevent the Hamilton corporation from operating in the states of Oregon, Washington and Idaho. The suit also accuses the association of attempting to prevent local food manufacturing companies that used the Hamilton premium certificates, their parcels from being their goods to the retail stores through "boycott" and "secondary boycott."

"The Grocers and Merchants' association," John E. Mallory, president; John C. Mann, vice president; George Hockenos, secretary; Dan Kellaher, treasurer; James W. Caldwell, Frank W. Frank and Emil C. Gunther, directors, and Leo R. Merrick, assistant secretary, and also state secretary, E. Frank Douglas, a member, and Dwight Edwards, of the Portland Retail Merchants' association, which is alleged to be the defendants.

The complaint states that a contract was made in October, 1913, with Closset & Devers of Chicago, whereby the manufacturing house was to inclose the coupons in its wares.

The local merchants' association is said to be affiliated with the Oregon Retail Merchants' association, which is alleged, is composed of 2500 retail merchants of the state. The latter publishes the Oregon Merchants' Magazine, edited by Leo R. Merrick, and through this organ, the Hamilton corporation complains, the damage was done.

Complaint is made that the two associations have divers means of intimidating, threatening and crippling, if not destroying the business of manufacturers and jobbers through boycott, and secondary boycott, if the latter do not carry on their business as demanded and advocated by the defendants, through the influence of their magazine.

After the contract with Closset & Devers, agents of the Hamilton corporation, succeeded in signing up other local manufacturers and jobbers to carry their coupons, so they allege.

On November 11, 1913, the first article in the magazine against the corporation came out, the complaint asserts.

Dwight Edwards, Hockenos and others, at a meeting of the local association, on that day, are alleged to have made talks declaring that the cost of the product to consumers was increased by use of the coupons. A resolution was passed condemning and opposing the coupons.

Publication of the resolution was requested, and committees were appointed, so it is charged, to wait on Closset & Devers, Allen & Lewis and others who had dealings with the plaintiff, telling them that the retailers opposed the coupon system.

Later, it is complained, editorialists condemned Closset & Devers, censured Swift & Co., and other eastern packers using the coupons, and said other things that the Hamilton corporation asserts injured and crippled its trade and the trade of its customers to an amount of at least \$75,000.

Inheritance Tax Is Ordered Paid

Widow and Four Children of Late W.
K. Smith Must Pay State \$4533.39,
Says Court.

Judge Cleeton this morning ordered inheritance taxes amounting to \$4533.39 paid by the widow and four children of W. K. Smith, who died January 15, 1914. The net value of the estate is \$556,816.16. Mrs. Debbie H. Smith, the widow, will pay \$2179.08 tax on an inheritance of \$217,908.08. Eugenia S. Bartlett, daughter, will pay \$1000.00, Victor H. Smith and Joseph H. Smith, sons, will each pay a tax of \$754.77 on inheritances of \$78,477.02 each will receive.

Forward Bovine Gets Into Trouble

Horse Charged With Tearing Down
Cloth Sign Which Calf Ate and Then
Died—Owner Presents Bill.

Albany, Ore., June 30.—That his horse tore a cloth sign from his barn and that a calf belonging to him ate it up and died a few hours later was the claim of Frank Cooper, a farmer residing six miles from Albany, in presenting a bill of \$35 today to Al Sternberg, a local merchant.

A few days ago Sternberg sent his advertising man out in the country to stick up the cloth signs. Cooper's barn was one of the places decorated with the signs.

HOTEL CORNELIUS

The House of Welcome
Park and Alder Streets
Portland, Or.

In the theatre and shopping district, one block from any carline. Rates \$1.00 per day and up. With bath, \$1.50 per day and up. Take our Brown Auto Bus.

C. W. Cornelius, President
H. E. Fletcher, Manager

Attorneys Join in Mallory Memorial

Words of Tribute Spoken by Lawyers
In Honor of Their Late Associate,
Earl P. Mallory.

With appropriate words, the resolutions of memorial for the late Rufus P. Mallory, whose death occurred in May, prepared by the committee of the bar of the United States district court, were ordered spread on the court record.

Both Judges Bean and Wolverson were on the bench and the former made the order, which also directed the committee to send the resolutions in behalf of the federal bar to members of the Mallory family.

Col. C. E. S. Wood in a short talk, gave some reminiscences of Mr. Mallory and spoke especially of his sympathy for the unfortunate and the oppressed, which also directed the committee to send the resolutions in behalf of the federal bar to members of the Mallory family.

Common Rate
Plea is Made
FOR ASTORIA

(Continued From Page One)

making basis. Mr. Fulton interrupted Mr. Hart and asked if he would express an opinion on the equity of rates at all, but merely to show what the rates are and how they are made.

Mr. Hart asked if the element of competition does not enter into the making of rates in Astoria, and if the rates to Astoria were not in themselves reasonable.

Mr. Ostrander did not answer this because, as Senator Fulton said, he had not qualified as a rate critic. Mileage questions as applying to joint rates were referred to the examiner by Mr. Donnelly just before the hearing adjourned at 12:30 o'clock.

It is believed that the completion of this hearing will result in a new rate, as the railroads have a large number of witnesses to be heard after the complainant has finished.

The case, as explained by Senator Fulton and explained from the language of the complaint by Examiner Pugh, is an effort to have the mouth of the river recognized as a terminal point for rate-making purposes, that one of the three great Pacific coast harbors shall not be subjected to discrimination in favor of the Golden Gate and Puget Sound.

How Mississippi valley lumber jobbers enter into the Washington and Oregon fir door out of the Chicago market was told yesterday afternoon in the Interstate Commerce commission hearing before Examiner A. D. Pugh, when lumber manufacturers of the northwest resumed their contention that the present rate ratio should not be disturbed. It was alleged that the eastern men refused to handle the western product and the western men were forced to open a jobbing house of their own to stay in the market at all.

F. L. Hartung, the last witness put on the stand by Joseph N. Teal, representing the intervening northwest lumbermen in the suit against the transcontinental rail lines, declared that there is now but one independent lumber jobber in Chicago who could handle western doors if he wanted to.

Kanda Were Forced.
Much against their will, he said, the western men were forced to open this jobbing house of their own when they were refused to handle the western product, the depletion of their own native lumber supply, had undertaken to hold the position by killing western competition.

W. T. Plase of the Columbia River Door company told of the sale of thousands of doors in the Chicago territory until, all of a sudden, the jobbers quit buying, in some cases canceling orders just given to western traveling men. He said this action followed immediately a meeting of jobbers and manufacturers.

Others who testified to the same effect were George H. Wendling and A. Larson of Wood, Cal. T. E. Ripley of Tacoma said the opposition of the Chicago jobbers appeared to be an opposition of tradition—that the pine door appeared to hold preference over the fir door.

If freight rates on the finished doors are made higher, he said, one of two things must happen. Either the carriers will have to absorb (which is impossible, because of the close margin of profit), or else the public will have to pay an increased price for the door, which would be difficult to require.

Eastern Man Gives Reasons.
E. J. Bergk of Clinton, Iowa, was the only witness put on the stand by John S. Burchmore, of Chicago, who explained that the Chicago jobbers abandoned the western fir door because they were required to handle the shipments in mixed carload lots and because the western manufacturers insisted upon a specific retail price. Neither of these points was acceptable, and so the jobbers and manufacturers entered into an alliance to protect their own territory.

When the carriers, who theoretically are defending the suit, were asked to present testimony, Charles E. Connelly of the Northern Pacific explained that, inasmuch as the fight appeared to be between the manufacturers of the east and the manufacturers of the west, both of whom are patrons of the roads, the carriers would offer no testimony whatever. He said the roads are placed in the peculiar position of being asked to oppose an increase in their own earnings or else to agree to such an increase and disturb the ratio of rates which has been fixed by the commission itself. Accordingly the roads are remaining neutral.

Examiner Pugh ordered that August 10 shall be the final limit for the filing of briefs by the complainants, and September 15 for the intervenors' replies. If the carriers wish to present briefs covering any of the points developed by the complainants and intervenors, they must do so by September 25. Oral argument will be had before the entire commission at some time to be decided by the commission itself.

It's a lonely day in a yellow dog's life if nobody hands him a kick.

NEW PAVING PLANS WILL BE GIVEN FIRST TRYOUT TOMORROW

Specifications Aim to Give
Better Service Than Former
Ones in City.

ROYALTY IS THE PLAN

Matter Has Been Discussed But No
Understanding Has Been Reached
in Matter to Date.

New paving specifications completed recently after much delay are to be given their first trial when the city council tomorrow starts proceedings for the improvement of 29 streets. These streets are all to be surfaced and are located in various parts of the city, the majority, however, being on the east side.

The new specifications are aimed to give a much better pavement than formerly and call for stricter supervision of the work. The council has done nothing as yet toward requiring the owners of patented pavements to enter into a royalty agreement with the city so that others may lay the patented articles upon the payment of royalties. The matter has been discussed but no action has been taken.

LINEN DUSTER IS THE THING

Commissioner Gets One and Enjoys
Simple Country Life.

With the advent of warm weather, inspecting and investigating trips are becoming favorite pastimes for the mayor and commissioners, as it takes them out in the open air and sunshine. One commissioner likes the inspection trips so well and makes enough trips that he thought he was warranted in buying a linen duster. He wears it every time he goes for a ride, and it gives him quite an air of distinction.

The latest trip was made by the mayor and commissioners this morning, when they made a trip to the water reservoirs and visited a number of places where streets are to be improved. Questions concerning the location of stables were also investigated.

BUREAU IS TO BEGIN FIGHT

Combination of Municipal Utilities
Will Be Attacked.

To establish a bureau of public utilities research and fight what is termed a combination of municipal utilities, is the purpose of a movement started by the mayors of Philadelphia, Chicago, New York and other eastern cities, and is the purpose of a letter to Mayor Albee yesterday. Mayor Albee is asked to join the movement and he present at the meeting held here last night in Philadelphia.

The movement, according to the letter, is to form an offense and defense alliance among cities such as now exists among many of the large public service corporations. Such an organization would be able to properly present the people's side in utility cases, says Mayor Blankenburg.

WILL DISCUSS THE MARKET

Plan to Make Public Market Support
Itself Is Advocated.

To determine the best method for handling the Yamhill street public market a conference will be held by Commissioner Bigelow and members of the market board of the Consumers' and Producers' league this afternoon. Commissioner Bigelow plans to have the market support itself, independent from appropriations from the city and this will be the main feature of discussion at the meeting.

According to Mr. Bigelow, who has made an investigation of method of handling in other cities the markets are self-supporting and some even are sources of revenue. The market board has suggested that rent of 10 cents a day be charged but this is looked upon as inadequate.

COMPLAINTS ARE ENTERED

Management of Bottle House Is
Under Liminalight.

Complaints made against the "Bottle House" located on the corner of 12th and Commercial streets, are to be investigated by the city council and a public hearing will be held tomorrow afternoon to hear charges brought by the Consumers' and Producers' league this afternoon. After hearing the testimony the council will determine whether or not to revoke the liquor license held for the place.

Oregon City License.

Oregon City, Ore., June 28.—A marriage license was issued Monday to Ernest Shandy and Miss Cordelia Miller, both of Gladstone.

District Institute Dates Announced

Meeting Places Made Known By Multnomah County Sunday School Association.

Plans for district institutes were announced yesterday by the executive board of the Multnomah County Sunday School association. The dates are: K. No. Park, Astoria, between Leites, East Millard avenue Presbyterian church July 26, afternoon and evening sessions; St. Johns, July 21, morning, afternoon and evening sessions; University Park, in Kenton United Presbyterian church July 21, afternoon and evening sessions; district on West Side south of Burnside street, in Fourth Presbyterian church, July 29, afternoon and evening sessions.

Dr. J. Earle, president of the association, says that four speakers will be furnished each district.

Rose City Park district will hold meetings in the Methodist church at East Fifteenth and Alameda streets, and the Burnside district will hold meetings in the Methodist church at East Fifteenth and Alameda streets.

Permit was granted University Park, Baptist and Congregational and German Lutheran Sunday schools to hold parades and picnics on July Fourth.

Faith Is Termed

Accident Safeguard

Founder of Christian Yoga Discusses
Beliefs at Meeting of Followers in
Portland.

"Have faith, and you will never be hurt in a street accident," declared A. K. Muzumdar, of Spokane, founder of the Christian Yoga movement, in an address before the first conference of the followers of Oregon's Washington, Idaho, and Montana, at Women's Woodcraft Hall, last night. The leader said he came to this country from the land of the Hindu because his Master commanded him to.

"God is omnipresent, omnipresent, all-powerful and unchangeable. Being unchangeable, he cannot create," declared the leader.

Frank O. Garrison, minister of the Portland Christian Yoga center, made a short address. Mrs. D. T. Hunt rendered a piano solo and Robert Burton and Miss Anna Priks sang. The quartet consisted of Miss Priks, Miss Myrtle Huff, J. J. Thompson and W. E. Haskell, with Miss Eva Ellis, as accompanist, aided in the entertainment.

A conference will be held at 2 this afternoon and the session will end tonight.

Court Puts Brakes

on Speed Offender

C. H. Bristow Not Allowed to Ride in
or Drive an Automobile for Thirty
Days.

For 30 days, beginning at noon today, C. H. Bristow will not be allowed to ride in or drive an automobile. This is the punishment Municipal Judge Stevenson this morning laid upon the young man for auto speeding on Corbett street. Motorcycle Officer Bristow pleaded guilty, explaining that a fine would fall upon his father. It was at the suggestion of Assistant City Attorney Stadler that the judge imposed the option of paying a fine of \$50 or desisting from riding or driving an auto for 30 days. Bristow chose the latter.

Wilson to Leave

Soon for Cornish

Mrs. Wilson Will Leave End of Next
Week and President May Accompany
Her; Adjournment Rumors.

Washington, June 30.—Mrs. Woodrow Wilson today planned to leave at the end of next week for Cornish, N. H., and it is possible that she will be accompanied by President Wilson. Miss Margaret Wilson will leave at the same time for Madison, Wis., to resume her editorial work. Mrs. Wilson's contemplated departure indicates that President Wilson has practically abandoned the idea of congress adjourning before the close of summer.

Conviction Is Upheld.

Holding that ordinances need not be made part of municipal code, Municipal Judge Cleeton this morning upheld the conviction of J. D. Hanson, clerk for St. Rich in his tobacco store in St. Rich and Washington streets, of selling tobacco to a minor. The fine of \$50 imposed by Municipal Judge Stevenson was cut to \$25 by Judge Cleeton. Evidence was introduced by the city that Berg, 36 years old, bought tobacco while with an officer as a test.

The Store of 100 Per Cent Service

Store Closed July 4—Open till 10 P. M. Friday

KUPPENHEIMER clothes

are all wool—of course—that's only

one of their good points. They're designed in styles

you'll not see in ANY other clothes. From fabrics

exclusive with Kuppenheimer, and tailored with Kuppenheimer

genius and Kuppenheimer "know how." Come

and see the new Patch Pocket English, Semi-English,

Box Back and other new models—specially priced \$20

at.

\$20 and \$25 Norfolk Suits, now \$14.00.

Lion Clothing Co.

GUS KUHN, Pres.

Successors to

Steinbach & Co.

Morrison

At Fourth

"S. & H." Stamps Given

SUPREME COURT WILL NO STEP BETWEEN PENDER AND GALLOWES

Unless Convicted Murderer Is
Shown Executive Clemency
He Must Pay Penalty.

(Salem Bureau of The Journal.)
Salem, Ore., June 29.—The conviction of John Arthur Pender of the murder of Mrs. Daisy Wehrman and her 4-year-old son was affirmed today by the supreme court and unless executive clemency intervenes, Pender must hang for the crime.

The murders were committed at the cabin home of the victims near Seaprove, in Columbia county, September 4, 1911. The crime was one of the most atrocious in the history of the state, and Pender, who lived a short distance from the Wehrman cabin, was convicted on circumstantial evidence. He had two trials, the first one resulting in a disagreed jury.

Appeal was taken on six alleged errors, the principal one being that the court erred in refusing to direct the jury, at the close of the evidence, to return a verdict of not guilty, on the ground that there was not sufficient evidence to justify the court in submitting the case to the jury.

The opinion, recited at length the details of the crime as brought out in the evidence, how it was committed while the woman and her child were staying alone while Mr. Wehrman was working in Portland, and how Pender was connected with it by means of a newspaper and package delivered at the Wehrman cabin, and the pistol and hatchet used on the victims, and of the movements of the defendant, and then said:

"We think that the evidence for the prosecution was clearly sufficient to support the verdict found, and we do not feel authorized to say that because some of it was disputed by evidence for the defense, the evidence was insufficient to be submitted to the jury. The evidence on a whole was sufficient to be submitted to the jury."

The court admits that the district attorney, in arguing the case, used improper language, but says it was immaterial as it was not prejudicial to the defendant. No material errors were committed by the trial court. The district court will fix the date for the execution.

BODIES OF MURDERED

ROYALTY ARE CARRIED

DOWN RIVER ON YACHT

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dreadnaught Viribusinitia and placed the quarterdeck for the voyage to Trieste.

GREAT GATHERING OF

NOBILITY TO ATTEND

FUNERAL AT BERSON

Vienna, Austria, June 30.—Emperor William of Germany will attend Archduke Francis Ferdinand's funeral in Vienna. It was announced here today. He is expected Friday.

Probably there will be no other royals present, except the emperor of Austria himself. Considerable anxiety was felt—for the latter's health, and it was thought the presence of any number of visitors of his own rank, whom he would have to entertain, was inadvisable.

There will be representatives, however, from every capital in Europe. The gathering of the nobility, both Austrian and foreign, also will be very large.

The bodies of the archduke and his wife, will be received with military pomp Thursday night and escorted to the Hofburg chapel, where soldiers will stand guard over them until morning.

Emperor Francis Joseph will not appear at the public ceremonies, but will view the bodies privately.

Saturday Emperor Francis Joseph and William and the foreign representatives will attend a solemn requiem high mass in Hofburg chapel. Later Francis Joseph will return to Ischi, his summer residence.

It was admitted the government was seriously concerned at the disorders which broke out in Bosnia and Herzegovina provinces following the assassination of the archduke and his wife. There was no blinking the fact that Serbian hostility to Austrian rule was very bitter and widespread, but it was not believed there would be a general revolt.

An unconfirmed report was current that the foreign office had demanded an investigation by the Serbian government of the story that the assassination plot was hatched in Belgrade.

Newspapers here denounced the Serbians in the strongest terms.

Court Makes Trial Jury Call

Seattle Men Suspected of Being in
"Ring of Locators" Will Be Tried in
Portland.

District Judge Bean today ordered a trial jury venire of 75 men to appear in his court on July 8, when the trial of W. F. Menard and four others of the Seattle ring of "locators," who are indicted for fraudulently placing settlers on the forfeited lands of the Oregon & California railroad land grant, will be commenced. This will probably be the most important trial of the year in the federal court and is expected to last several weeks.

The men are summoned from all parts of the Willamette valley.

A special panel of 15 men to report for service tomorrow morning was also ordered today.

MEDIATION IS NEARLY

OVER WITH IF REBELS

DO NOT SEND ANSWER

(Continued From Page One)

ing until an understanding was reached.

In reply it was notified that a Carranzista commission was on its way from Monterey to Torreon for a conference, which it was expected would be held here or at San Pedro, Friday or Saturday.

In the meantime Villa's troops were resting here and at Zacatecas and Aguas Calientes.

The federal were entrencing at Queretaro.

Villa Government Expected.

El Paso, Texas, June 30.—That General Villa will throw off his allegiance to General Carranza and establish a Mexican government of his own with General Angeles as provisional president unless Carranza speedily comes to terms with him was predicted today by constitutionalists here and at Juarez.

The Carranzistas unquestionably are much alarmed. Roberto Pequeña, Carranza's confidential agent, left here last night in hot haste to confer with his chief at Monterey.

Before leaving he declared a rumor that Carranza was communicating with President Huerta was the height of absurdity.

Shoe Dealer Bankrupt.

A petition in bankruptcy was filed this morning by attorneys for Charles H. Prochnow, Albany, a retail shoe dealer, in which debts of \$2115.13 and assets of \$4465.50 were scheduled.

THE "FAIR" OREGONIAN

After Slamming Lafferty, Refuses to Print His
Reply As a Paid Advertisement

Monday morning's Oregonian contained an editorial yarn by Edgar E. Piper saying that Congressman Lafferty was guilty of "graft" in voting for mileage for this session, when he had received mileage at the extra session, and saying that although members of congress had received mileage at the extra session, which mileage in the present session, Lafferty would also receive mileage for this session.

Last night Mr. Lafferty carried to the Oregonian the following advertisement, paid for same in advance at the business office, as has been his custom the past month, but when the higher ups in the Oregonian saw how hard they were hit they refused to print it, and this morning offered Mr. Lafferty his money back. Mr. Lafferty refused to receive the money, and the advertisement for this session, when he had received mileage at the extra session, and saying that although members of congress had received mileage at the extra session, which mileage in the present session, Lafferty would also receive mileage for this session.

Lafferty comes back. SHOWS WHERE OREGONIAN LIED ABOUT CONGRESSIONAL MILEAGE.

A more deliberate lie was never printed than that in yesterday's Oregonian concerning congressional mileage. Not one penny has been paid to members of congress for mileage for the present session, and none will be, and the prospects are that none will be paid for the next session. The senate voted a few days ago to pay mileage for the next session, but the members in the house refused to agree to it, thinking they will profit politically thereby.

As to the Oregonian's charge that I am an "absentee congressman," will say I am always present when any important bill is under discussion, and I am always present, so that my vote will count, when I am absent.

I am in the west now, as the Oregonian well knows, helping make up the record for the supreme court in the railroad land grant case. No slur of the Oregonian will deter me in the slightest from the discharge of my duty.

And I may say incidentally that I expect to lick the Oregonian, and its candidate for congress, to a standstill, before November next.

Very respectfully,
A. W. LAFFERTY.
731-26 Pittock block.
(Paid Advertisement.)

This will show how fair the Oregonian is.
A. W. LAFFERTY.
731-26 Pittock block.
(Paid Advertisement.)

When the hot wave hits you,
dive into the
Imperial Hotel Grill

Always cool and comfortable, with
the best there is to eat and drink

Lunch 15 to 25
35c, 50c

Music evenings

Dinner 50c to 75c

UMBER MEN SEE BETTER TIMES NEAR FOR THEIR INDUSTRY

Cut Has Been Below Maximum
and Supplies Are Now
Low.

GRAIN CROP A FACTOR

Better Times in General Predicted as
Result of Prosperity From
Farmers of State.

A strong note of optimism prevailed this forenoon's session of the trustees of the West Coast Lumber Manufacturers' association which preceded the regular monthly meeting of the organization at the Benson hotel this afternoon.

At the trustees' meeting its members discussed present conditions and declared indications point toward greater activity in the lumbering industry due to the fact that the cut has been below maximum and the present yard supplies are low. Added activity in this industry on which the big majority of people west of the Cascades depend for livelihood directly or indirectly, and prospects for a huge grain crop bright, augur for marked business improvement, it was stated.

Between 50 and 75 members of the organization were present when the afternoon meeting was called to order in the crystal dining room by President W. B. McKay. Among the visitors were several Californians, including F. X. Wendling, Mayor E. D. Griggs, the first president of the association and twice president of the national association was present also. Discussions of interest to the industry were scheduled for the afternoon session.

Horse Runs Away.

Running from Park and Morrison to Fourth and Ankeny streets during the noon hour of the rush, a runaway horse hitched to a wagon of the Portland Market did no more serious damage than to turn over a dirt wagon at Fourth and Morrison streets this noon. The horse was finally stopped at Fourth and Ankeny streets when it lost its feet trying to get by a taxicab.

For Your
Entertainments
This Summer
Order

Sweetland's
Ices