HE EUGENE DAILY GUARD

EUGENE, OREGON, THURSDAY E ENING, SEPTEMBER 10, 1908 NO. 215

AL COURT SMASHES EPBURN RAILROAD LAW

Sept. 10.—The com- of the Hepburn rial- day declared uncon- the United States cir- the eastern district of

provides that after shall be unlawful for company to transport to another, or to any any article or com- tured, mined, or pro- under its authority, except such ar- ities as may be nec- in the conduct of common carrier. lumber and its products, and is aimed the railroads owning

divorce, after living together for 44 years. Thirty years of cruelty is charged.

J. H. Krueger, a salesman promoter, was arrested at Medford yesterday upon complaint issued at Corvallis, and the sheriff of Benton county passed through the city for Medford after him.

JAPAN FURCED TO CUT EXPENSES

Tokio, Sept. 10.—Marquis Katsura, the new premier and minister of finance, in an address tonight outlined a rigid policy of economy for Japan. He said the patriotism of the people was as necessary now, when economy was necessary to restore credit and confidence, as it was during the Russian-Japanese war. He declared that a complete readjustment of expenditures was necessary.

S NOTES

...ball scores: Los ...land, 4. Oakland, ... 2-1.

...n Geiser, aged 76, ...land, aged 79, for

WOMAN COVERED WITH JEWELS FOUND DEAD IN LAKE

Newark, N. J., Sept. 10—The body of Mrs. Ashton Harvey, dressed in white and literally covered with a fortune in jewels, was found today in the private pleasure lake of Stewrat Hartshorn at Short Hills, N. J., by bloodhounds which had been set to work seeking her.

Mrs. Harvey was the wife of Ashton Harvey, a millionaire corporation lawyer of New York, who lived on a magnificent country estate at Short Hills. The body was found today after an all-night search. The husband believes she committed suicide, as she has long been a sufferer from headaches, and grieved deeply over the death of her oldest son.

WHEAT MARKETS

Chicago, Sept. 10.—September, 93⅜; December, 97⅞; May, $1.01⅜.

Portland, Sept. 10.—Wheat is unchanged.

Tacoma, Sept. 10.—Wheat is unchanged.

WILHELMINA'S CONDITION NOT REGARDED SERIOUS

Amsterdam, Sept. 10.—It is reported that Queen Wilhelmina, who is expecting the birth of a child, had a miscarriage. The report is not officially confirmed.

Amsterdam, Sept. 10.—Telegraph dispatches from the royal castle at Apeldoorn confirm the report of the miscarriage, which occurred Saturday evening. The general health of her majesty is satisfactory.

LOCOMOTIVE WORKS DECLARE DIVIDEND

New York, Sept. 10.—The directors of the American Locomotive Company today passed the quarterly dividend on common stock, the last quarterly dividend being 1¼ per cent. The regular quarterly dividend of 1¾ on preferred stock was declared today.

STANDARD OIL CO. FILES ANSWER TO REHEARING TODAY

JOHN D. ROCKEFELLER.

Head of the Standard Oil trust, which has successfully withstood all attempts toward legal restrictions upon its operations.

Chicago, Sept. 10.—Counsel for the Standard Oil Company of Indiana in an answer filed to the petition of the government authorities for a rehearing of the appeal from Judge Landis' judgment fining the company $29,240,000 for violation of the anti-rebate laws, filed today, upheld the decision of Judges Grosscup, Baker and Seaman, of the United States circuit court of appeals, reversing the judgment and lifting the burden of the enormous fine, as good law, amply justified by the records of the case.

Point by point the answer, which was formally placed on record by Colonel R. W. Stewart, general attorney for the Standard Oil Company in Chicago, takes up the arguments of the petition for rehearing, which sets forth alleged errors and particularly suggested that the upper court had erred in its understanding of what the trial judge had really said concerning previous offenses by the Standard Oil Company of Indiana of the Standard Oil Company of New Jersey.

"The real point is," says the answer, "did the trial court in imposing punishment take into consideration the relations between the Standard Oil Company of New Jersey and the Standard Oil Company of Indiana, and did it base its fine upon the wealth of the Standard Oil Company of New Jersey and its ability to pay, instead of upon the wealth of the Standard Oil Company of Indiana and its liability to pay?"

The answer further alleges that Judge Landis referred to the New Jersey corporation as the "real defendant," and the Indiana Company as the "nominal defendant."

Under the rules of federal judiciary procedure the government attorneys have a right to file a reply to the answer to their petition if they discover in it any new matter which they consider needs a rejoinder.

Points in the Answer.

The answer of the company says: "It is urged by counsel that the court should give consideration again to the purpose which congress had in the passage of the act making it criminal for shippers in interstate commerce to accept or receive concessions from the lawful, published transportation rates, viz: to strengthen and make more effective the provisions and great purpose of the interstate commerce act, which was (as counsel quote from the rulings of the supreme court of the United States), 'whilst seeking to prevent unjust and unreasonable rates, to secure equality of rates as to all and destroy favoritism, these last being accomplished by requiring the publication of tariffs and by prohibiting secret departures from such tariffs and forbidding rebates, preferences and all other forms of undue discrimination; * * * * to compel the carrier as a public agent to give equal treatment to all."

All of this was elaborately presented by counsel to this court in former arguments, and full and fair consideration was given to it by the court.

(Continued on Page Five.)

LELI ANKENY REFUSES TO DISCUSS RESULTS

WASHINGTON SENATOR WILL NOT SAY WHETHER HE WILL ACCEPT DEFEAT GRACEFULLY OR MAKE A FIGHT IN THE LEGISLATURE—COSGROVE NOMINATED FOR GOVERNOR

Seattle, Sept. 10.—The close fight for the gubernatorial nomination seems finally determined in favor of Samuel Cosgrove, of Pomeroy. Henry McBride, his closest opponent, has wired congratulations and promised his support.

Partial returns compiled by the Evening Times from 36 out of 37 counties on United States senator are as follows: Jones, 32,129; Ankeny, 16,058.

Incomplete returns on governor up to 2 o'clock: First choice: Cosgrove, 21,659; Mead, 23,626; McBride, 21,430. Second choice, Cosgrove, 19,328; Mead, 10,104; McBride, 9611, giving Cosgrove a long lead on combined first and second choice.

Spokane, Sept. 10.—Senator Levi Ankeny, who appears to have been decisively beaten by Congressman Wesley Jones in Tuesday's direct primary vote for senator, was asked by the Evening Chronicle if he would abide by the result of the vote, and replied:

"I cannot state that."

"If defeated will you quit the fight?"

"I cannot say what may be the developments."

"Well, is there a possibility that you would go before the state legislature with your candidacy?"

"I do not know."

Nearly all the newly elected members of the legislature are formally pledged to the senatorial candidate receiving the highest vote in the direct primary.

NO DOUBT NOW OF ANKENY'S DEFEAT

Seattle, Sept. 10.—Incomplete returns leave no doubt of the nomination of Representative Wesley L. Jones for United States senator over Levi Ankeny, the incumbent. To succeed Jones as representative in congress from the third district Miles Poindexter, of Spokane, has been chosen. There was no opposition to William E. Humphrey, of Seattle, in the first district, and Francis W. Cushman, of Tacoma, in the second district.

Cosgrove for Governor.

The returns, although incomplete, also indicate that Samuel G. Cosgrove, of Pomeroy, a second choice selection, will receive the nomination

T. COLEMAN DU PONT.

... of the Republican national campaign.

... in Washington state politics.

The Washington primary law provides that, where there are four or more candidates for a state or congressional office, the voter shall indicate upon his ballot his "first" and "second" choice for such office. In case no candidate shall receive 40 per cent of the total first choice votes there shall be added to each candidate's total all his second choice votes, and the candidate receiving the highest aggregate first and second choice vote shall be the nominee. No voter may cast his ballot for the same candidate as first and second

(Continued on Page Four.)

FITZGERALD DISMISSED BY JUDGE CHETLAIN

Chicago, Sept. 10.—George W. Fitzgerald, accused by the state authorities of the theft of $173,000 from the United States sub-treasury here, was freed by Judge Chetlain today.

United States Sub-Treasurer Bold-

GEORGE W. FITZGERALD.

...

Judge Chetlain thereupon dismissed the case.

CAMPAIGN IS WARMING UP IN EASTERN STATES

Chicago, Sept. 10.—The steamer Roosevelt left Chicago with 400 members of the Marquette Club, a Republican organization, on board. Four states will be visited in the interest of Taft, and at various places speakers will address the voters and parades will be held at several towns.

Taft Will Tour

Cincinnati, Sept. 9.—That W. H. Taft will make a complete and extensive tour of the United States before the November election was announced last night as the result of his speeches enroute from Sandusky yesterday, which are taken as proof complete of his ability to make good in a campaign tour. Besides the physical capacity of speaking from north to south through the state of Ohio, Mr. Taft made himself the aggressor in the political fight.

INDIANA WILL BE REAL BATTLE GROUND

Chicago, Sept. 10.—Indiana is to be the pivotal state around which the Democratic campaign in the Middle West ...

CUMMINS READY ...

...

WEATHER FORECAST FOR NORTHWEST

Oregon—Increasing cloudiness Friday; showers in west portion; easterly winds; cooler.

Washington—Showers tonight ... Friday; ... easterly winds; ...

Idaho—Fair tonight; Friday fair in southern portion; showers in northern portion; cooler.

BRITISH PASSENGER BOAT IS STRANDED

...England, Sept. 10.—The British steamer Lake Michigan from Montreal for London with passengers, is stranded near Margate. A life boat has gone to the scene and the sea is smooth.

STANDARD PATTERNS ALWAYS THE BEST---10c and 15c

...its and Skirts

For Women who desire styles that are distinctive beautiful as well as practical

...hat is meeting with greater success than we have ever enjoyed. Competent ...es are ready to show you the greatest variety of modes ever shown in this city. ...makers are constantly working making the alterations in the garments we ... We cannot keep up with the demands. Suits have to be sent out of the house for ... so as not to disappoint. If you would be ready for the STATE FAIR secure ... now. Eugene will be well represented if you wear one of our "Wooltex" ... suits.

Fall Suits from $16.00 to $60.00
Fall Coats from $10.00 to $50.00

Our Clothing Department

has in stock the highest grade of ready-to-wear clothing possible to be made by the most skilled labor the world produces. No man will ever wear a more stylish well made suit than our **Hart, Schaffner & Marx** Varsity sack suit. There's distinction in it. There's no style for men so popular. Other makers imitate it, other dealers sell the imitations, but they lack the style and ... You'll miss a good thing if you ... wear these clothes.

... this fall are very fine browns and greens ... stripes in harmonious colors.

... you perfectly in these goods, either a suit ...

Overcoats or Suits From $10 to $30

... you be in to look them over---come today

New Silks

We have on sale beautiful new weaves, colors and designs in fall and winter silks, also superb black taffetas, 36 inches wide, values fully 25% better than has been shown. The assortments are numerous, almost every wanted color of the season, rich stripes for waists, pretty patterns for suits.

NEW BURMAH SILK with messeline finish, 27 inches wide, colors blue, green and tan, the yard $1.50
PERSIAN STRIPES for waists, exclusive patterns, no two alike, 5 yard lengths, the pattern ..... $6 to $7.50
PLAIN COLORED MESSELINE in all wanted shades, the yard ..... 90c to $1.25
SKINNERS SATIN the kind guaranteed for two seasons wear, colors and black, 36 inches wide the yd $1.50
BLACK TAFFETAS, 36 inches wide, best values we have ever shown, the yard ..... $1.00 and $1.50

New Dress Goods

Creations of rare beauty unexcelled in richness of colors in values ... invisible stripes are prominent, solid colors most numerous, all new and leading shades, stock is complete ready for your inspection, an early choice will be to your advantage
the yard ..... 50c to $1.50
Broadcloths ..... $1.25 to $3.50

NEW BELTS
NEW PULLEY ELASTIC BELTS with ribbon fastenings instead of buckles, colors and black, each 50c
LEATHER PULLEY BELTS finely tailored, ribbon as the above, each 75c

NEW NECKWEAR
New Persian Collars, with wide ruching each 40c
New Velvet Ties with drop ornament ends, all colors each 45c

... Stetson Hats ... to $8.00

Hampton Bros.

558-564 Willamette St.
WHERE CASH BEATS CREDIT

New Gordon Hats Each $3.00