

LANDIS IS REVERSED

Court of Appeals Annuls Great Standard Oil Fine.

GOVERNMENT IS TO TRY AGAIN

Judges Render Unanimous Decision That First Trial Was Unfair Result Is Surprise.

Chicago, July 23.—The United States Circuit Court of Appeals yesterday reversed and remanded for re-trial the case of the government against the Standard Oil company of Indiana, in which Judge Landis, in the District court, had imposed a fine of \$29,240,000. The government has 30 days within which to file a petition for a rehearing and it was announced that it will be filed within the allotted time.

The decision came as a complete surprise to the government officials, who believed the trial judge would be upheld.

Judge Grosscup, who delivered the opinion, left little of the contention that each carload at the 6-cent rate constituted a separate offense. Even the shipments, of which there were about 500, could not be so considered under the ruling of the court. The fine should have been based on settlements between the railroad and the oil company. Of these there were just 36. The maximum fine on this basis would amount to but \$720,000, and the minimum \$36,000—the latter figure being considerably lower than the \$223,000 which the Standard is alleged to have received as rebates on the shipments in question.

In the event that a rehearing is denied, the government may go to trial on the original indictment containing 1,462 counts—an action which Mr. Sims could be ready to take within two weeks—or upon any one of seven other indictments containing 4,442 counts.

UNCLE SAM AS RULER.

Kaiser's War Expert Sees This Result From European War.

Berlin, July 23.—Showing that a European war at this time would cost \$16,000,000,000 annually and would result in the United States becoming the undisputed leader of the world, General Blume, the famous military expert, today submitted a report, ordered by Emperor William, on the probable cost of an international fight.

If Germany were to fight another European power, General Blume says, it would cost the empire \$1,500,000,000 a year in direct outlay and entail a loss of \$2,500,000,000 annually to the in the paralysis of commerce.

General Blume declares that, owing to the delicate adjustment of European politics, the next war will involve at least four powers, and that his estimate of cost would apply to each.

The financial drain would not result otherwise than in the world supremacy of the United States, he says.

FIRE AT PORTLAND.

Fire Chief Places Damage by Flames at \$500,000.

Portland, July 23.—Fire, supposed to have originated as the result of crossed electric wires, started in the upper floor of the five-story Abington building, 106 1/2 Third street, near Washington, shortly after midnight last night, ruined that building, swept into the Van Schuyver building immediately to the rear, destroyed the upper two stories of that building, damaged the McKay building, for a time endangered the entire block and raged for an hour and a half before firemen finally succeeded in getting it under control.

The fire entailed a loss estimated at between \$300,000 and \$400,000. Both the Abington and Van Schuyver buildings were ruined. Fire Chief Campbell estimates the entire loss at \$500,000.

Must Prevent Monopoly.

San Francisco, July 23.—Gifford Pinchot, chief forester of the United States, went to Berkeley today after making an appeal to the people of California to protect the watersheds of the state. Declaring that the question of allowing a giant monopoly of the power interests in the United States will come before the people before next winter, Pinchot warned California that such a combine must be prevented. He said the monopoly would be of such proportions that the Standard Oil company would look small beside it.

Fifty Japanese Killed.

St. Petersburg, July 22.—The Bourse Gazette yesterday published a dispatch from Harbin which recited an engagement with Corcan insurgents on the Russo-Corean frontier in which it is reported 50 Japanese soldiers were killed. The insurgent losses are not known.

CONTINUE PROSECUTION.

Government Attorney Says Standard Fight Has Just Begun.

Chicago, July 24.—United States District Attorney Sims today gave out the following announcement:

"The government will file a petition for a rehearing in the Standard Oil case before the Circuit Court of Appeals within 30 days. If that petition is denied, the government will push the prosecution of all the cases against the Standard Oil company. The fight has just begun."

It is supposed that Sims received his instructions from Attorney General Bonaparte, as he announced yesterday that he could make no statement until he had conferred with Bonaparte.

The first new cases to be taken up will be those in Tennessee. The trials will be held at Jackson, in that state, November 8. These cases involve 1,500 counts, and will be prosecuted by Special Counsel James H. Wilkerson. The action will be pushed forward as rapidly as possible.

Attorney General Bonaparte today wired District Attorney Sims as follows:

"I feel that you and your assistants have done everything possible to protect the interests of the government and promote justice. I will write to you fully on the subject as soon as the opinion comes to hand."

ENACTS HISTORIC SCENES.

Splendid Pageant Seen in Grand Old City of Quebec.

Quebec, July 24.—The prince of Wales was the central figure yesterday in the magnificent spectacle of reproducing Quebec's historic past and ushering in the 300th anniversary of the founding of the city by Champlain. Aside from the spectacular features of the event, it was the occasion for a notable exchange of addresses between Vice President Fairbanks and the prince of Wales, in which the former spoke of the existing relations between the United States and Great Britain and the prince delivered a message of good will to the American government.

An enormous crowd filled the Place d'Armes fronting the Champlain monument, where the exercises were held. Here the prince received the addresses of the American and French representatives, the mayor of Quebec, and finally Champlain himself, reproduced as in the days of old, coming from the mimic reproduction of his original ship, the Don de Dieu, with some 5,000 followers representing every phase of old France in Canada.

DIE BY HUNDREDS.

Children's Disease Kills Ten a Day in Chicago.

Chicago, July 24.—Nineteen out of every 100 Chicago babies under 1 year of age have died during the first 22 days of July. This is about one-fourth of the quoted death rate of the city. There have been 10 deaths daily from bowel diseases of children under 2 years of age.

One of the noteworthy points of the city physician's report is in an Italian section of the city—Gault Court. Here it was expected that, owing to the very congested conditions, a deplorable state of affairs would be revealed. Just the reverse was found. Crowds were there, and dirt was there, but babies, strange to say, were unaccountably healthy and strong.

According to Dr. Herman Spalding, of the Health department, the common house fly is one of the great contributors to the complaints prevalent among the city's children.

Standard Stock Soars.

New York, July 24.—Stockholders of Standard Oil company and John D. Rockefeller in particular have good grounds for elation in the reversal of Judge Landis' decision. Today each and every stockholder of the big New Jersey corporation is richer by \$22 a share than before the decision of yesterday. Yesterday the oil stock was quoted on the curb at \$640 a share, but today the price jumped to \$662 a share bid, but none was offered over \$680, or within \$20 a share of the highest price the stock ever brought.

Ostriches for Stage.

Los Angeles, July 24.—The efforts of theatrical managers to provide New York playgoers with novel features is responsible for a unique business deal just made in this city whereby a Los Angeles ostrich farm leases to a New York theatrical company six full grown ostriches for a period of 20 weeks. During that time the big birds will be featured in a New York production, and if the plans of the promoters go not astray a soubrette will appear as the rider of each ostrich. The six birds selected are now in training.

More Cotton Mills Resume.

Boston, July 24.—Several of the largest cotton mills of New England, which have been running on half time since the business depression became acute last spring, are preparing to resume operations to their full extent within the next week or two. Between eight and ten thousand mill operatives will be benefited by the change to full time.

OREGON STATE ITEMS OF INTEREST

USE OWN MONEY.

Coast Ports Are Anxious for Deeper Channels to the Sea.

Portland.—Depending upon water transportation to get their products to market, the people of Siuslaw and Coquille are preparing to expend something in the neighborhood of \$250,000 of their own in order to get the federal government interested in the work of improving the channels leading from the ocean into the respective bays. They have come to the conclusion that deep water must be had, no matter what might be the cost.

J. B. Cushman, a prominent sawmill man of Siuslaw, is in Portland to confer with the government engineers relative to the project proposed at Siuslaw, and he has received considerable encouragement from Major James McIndoe, successor to Colonel S. W. Rossier, United States engineers corps, having charge of the work in this district. The bay inside the bar has fine deep water, both to Acme and Florence. Mr. Cushman says, and no work will be necessary there.

At Coquille a committee of three leading business men has been placed in charge of the work and \$100,000 has already been subscribed for the purpose of placing a jetty at the mouth of the bay and bulkheading the same. The Coquille country is in much the same predicament as that on Siuslaw.

Mr. Cushman asked Major McIndoe for the services of an engineer to take charge of the work at Siuslaw bar, and he was practically given assurance that the request would be granted, although the matter will have to be submitted before the chief of the department first, as do also the proposed plans of the property owners there.

To employ a dredge would be of no avail, says Mr. Cushman, because the sand shifts continually, and the only method of keeping it out of the channel is by forcing it out with the current of the river, as is done at the mouth of the Columbia.

Demand for Linn Farms.

Albany.—Farm lands in Linn county are being eagerly sought and values have increased wonderfully within the last year. W. M. Lloyd, of Tangent, recently sold his farm consisting of 363 acres of pasture land for \$11,000. About five years ago this same farm changed hands and brought \$6,000. Two years ago W. M. Lloyd paid \$8,000 for it. A half dozen of the finest farms in Linn county have changed hands within the past week. There seems to be a steadily increasing demand for this class of realty. Every day prospective homeseekers are seen touring the country with the view of purchasing and establishing a home.

Cement Blocks for Depot.

Albany.—Three thousand cement blocks have arrived in the city from Eugene, and are to be used in the building of the new depot at this city. The work on the grounds has progressed so rapidly as to call for the laying of the blocks immediately. T. H. Ellis, of Eugene, is the contractor, and has had the supervision of the making of the blocks for the local structure. A large force of men is now at this city busily engaged in the work of constructing the new depot.

Cherry Grower Puts in Drier.

Salem.—S. P. Kimball, one of the largest growers of cherries near Salem, has just completed a drier with a capacity of 300 bushels of cherries a day. The poor market for cherries decided Mr. Kimball to install the drier. All cherries for the drier are carefully picked by machinery. He believes that dried Royal Annes will net him a bigger profit than fresh Royal Annes at 3 cents a pound, the best price offered by the canneries.

Flour Mill for Baker.

Baker City.—A committee of business men, composed of N. C. Haskell, W. J. Patterson and Sam Raer, has finished the work of soliciting a fund with which to purchase a site for the new 200-barrel flouring mill that is to be built by G. B. Stout, of Paoli, Ind. Mr. Stout asked that the city donate a millsite, and stated that he would erect a modern flour mill. Over \$1000 was raised by the committee in a few hours to pay for the land.

Track Laying Is Resumed.

Klamath Falls.—Track-laying has been resumed on the California Northwestern railway, and steel has been laid over the hill this side of Harris, the present terminus. Worden, the station nearest the swamp, will probably be the next terminus of the road. This will aid greatly in shortening the freight and stage road into the city.

Albany and Linn Apple Fair.

Albany.—Albany and Lane county are preparing for the annual apple fair to be held some time late in the season. The first of these fairs was held last year. The success was so marked that it was decided to again make a showing of the county's resources.

Monroe Cannery Idle.

Monroe.—Monroe has one of the largest and best equipped canneries in the state, but from latest reports it seems that the outfit is to lay idle this season. No contracts for fruit or vegetables have been made with growers, and the chances are that the owners have a white elephant on their hands.

LOSE BY EARLY WOOL SALE.

Umatilla Growers Feel They Are Out \$40,000 as Result.

Pendleton.—Umatilla county sheepmen are very much dissatisfied for having been induced to sell their wool early in the season. They have never been satisfied with the prices received, and reports from recent sales in Montana have convinced them that they are really beaten out of between \$30,000 and \$40,000.

The reports from Montana show that wool there brought an average of five cents more a pound than the Eastern Oregon wools, and this difference cannot be accounted for by the difference in freight rates and shrinkage. An advantage of one cent is accounted for the Montana wool because of the freight rate, and last year the shrinkage of the Montana wool was seven per cent less than that grown in Eastern Oregon. Computing prices on a basis of approximately the same ratio of shrinkage for this year, the Montana growers were readily entitled to 2 1/2 cents more a pound than the Oregon flock owners. The Oregon growers, therefore, naturally feel that their wool was worth as much as the Montana wool less this 2 1/2 cents, and not less the 5 cents, the actual difference paid.

Had the growers of this county alone have received prices corresponding to the prices paid in Montana, they would have received in the neighborhood of \$4,000 more for their clip than they did receive, and taking Eastern Oregon as a whole, the difference would have amounted into the hundreds of thousands.

GOVERNOR WANTS DELEGATES

Can't Fink Sportsmen Willing to Attend National Meeting.

Salem.—The National League of American Sportsmen, which meets at Lawton, Oklahoma, October 12 and 13, has requested Governor Chamberlain to appoint from one to five delegates from this state. The governor has requested a number of sportsmen in Portland to suggest names of persons who would be willing to represent Oregon at the Oklahoma meeting, but has been unable to secure any suggestions. The governor thinks the organizations of sportsmen in Portland should suggest names if they desire representation at the national convention. He has no other method of determining those who are interested or those who would go.

Clubhouse for College Girls.

University of Oregon, Eugene.—Girls at the University of Oregon will be well housed next year. At least three new houses, accommodating between 60 and 70 girls, will be ready for occupancy in September. The Mary Scoller House, named for the first woman connected with the university, will have rooms for 20 to 30 girls. The Klose Tillamook Club will have a handsome new home by the opening of the university. The Zeta Iota Phi Sorority is building a new house, which will have room enough for 50 girls.

PORTLAND MARKETS.

Butter—Extras, 25c per pound; fancy, 24c; choice, 23c; store, 16c. Eggs—Oregon, candied, 24c; 25c. Poultry—Mixed chickens, 12c per pound; fancy hens, 17c; 13c; roosters, 9c; 10c; springs, 19c; 20c; ducks, old, 12c; spring, 14c; geese, old, 8c; young, 11c; 12c; turkeys, old, 18c; 19c; young, 20c; 24c. Veal—Extra, 8c; 8c per pound; ordinary, 7c; 7c; heavy, 5c. Pork—Fancy, 7c; 7c per pound; ordinary, 6c; large, 5c. Mutton—Fancy, 7c; 7c. Hogs—1907, prime and choice, 5c; 6c per pound; olds, 2c; 2c per pound; contracts, 5c; 10c. Wool—Eastern Oregon, average best, 10c; 10c per pound, according to shrinkage; valley, 15c; 15c. Mohair—Choice, 18c; 18c per lb. Wheat—Club, 5c per bushel; red Russian, 8c; bluestem, 8c; Valley, 5c. Barley—Feed, 33c 50 per ton; rolled, 32c 50; 32c 50; brewing, 32c. Oats—No. 1 white, 32c 50 per ton; gray, 32c. Hay—Timothy, Willamette Valley, \$15 per ton; Willamette Valley, ordinary, \$12; Eastern Oregon, \$17.50; mixed, \$15; alfalfa, \$12; alfalfa meal, \$20. Fruits—Cherries, 2c; 2c per pound; apricots, \$1 per crate; peaches, 50c; 5c per box; prunes, \$1; 1c; 1c. Berries—Raspberries, 90c per crate; loganberries, 75c; 90c per crate; blackcaps, \$1.25. Melons—Cantaloupes, \$2.25; 2.50 per crate; watermelons, 14c; 1c per pound. Potatoes—New Oregon, 1c; 1c per pound; old Oregon, 50c per 100 lbs. Vegetables—Turnips, \$1.50 per sack; carrots, \$1.75; parsnips, \$1.75; beets, \$1.50; beans, 6c per pound; cabbage, 1c; 1c per pound; corn, 30c; 40c per dozen; cucumbers, \$1.25 per box; lettuce, head, 15c per dozen; parsley, 15c per dozen; peas, 24c; 2c per pound; peppers, 6c; 6c per pound; radishes, 12c per dozen; rhubarb, 1c; 1c per pound; spinach, 2c per pound; tomatoes, Oregon, \$1; 1.50 per crate.

BISHOP POTTER DEAD.

Foremost Figure in Episcopal Church in America Passes Away.

Conestown, N. Y., July 22.—Henry Codrington Potter, seventh Protestant Episcopal bishop of the diocese of New York, died last night at Fernleigh, his summer home here, after an illness of several weeks, aged 74 years. He was unconscious all day and the end, which came at 8:33 o'clock, was peaceful.

Gathered at the bedside of the dying churchman were Mrs. Potter, his wife; Mrs. Mason C. Davidge, who came from California, and Miss Sarah Potter, daughters; Almonzo Potter, his son; Edward S. Clark, Stephen C. Clark and Mr. and Mrs. F. Clark. Mrs. Charles Russell and Mrs. William Hyde, his other two daughters, who are abroad, have been notified.

Death was due primarily to embolism in the right leg, following a long attack of liver and stomach trouble, and the end had been foreseen for several days by the bishop's physicians. Bishop Potter suffered a severe relapse in the morning and though oxygen was given, his decline was gradual and he sank into unconsciousness, which lasted until the end.

No arrangements for the funeral have as yet been made, but it is probable that services will be held here and that the body will be removed to New York, where a public funeral will be held at Grace Church.

Bishop Potter's illness first became publicly known early in the spring, when announcement was made that he was unable to take part in the Easter services. A diagnosis showed that the bishop was suffering from a stomach and liver malady and after it was given out that he would not be able to attend the Pan-Anglican conference June 21, plans were immediately made to bring the bishop here when his condition would permit the journey. Early in the present month he was near death, but rallied and for a time he was thought to be on the road to recovery.

FINE WILL STAND.

Court of Appeals Sustains Standard Oil Assessment.

Chicago, July 22.—John D. Rockefeller will know at 10:30 o'clock today that the Standard Oil company of Indiana must pay the fine of \$29,240,000 assessed against it by Judge Landis in the United States supreme court here nearly a year ago. The court of appeals will report its finding at that hour, and positive assurance is given that the original decision will be affirmed in every particular; that the fine will stand and that a new trial will be denied.

This is the final outcome of a day full of wide speculation and excitement among the attorneys on both sides of the famous case. The fact that the court of appeals had reached a decision and was ready to report came as a great surprise, as it had been thought the case would go over until fall. The court of appeals is made up of Judges Peter S. Grosscup, Francis E. Baker and William H. Seaman. There was a hint last night that one judge will dissent, but this will not affect the finding, as the other two are said to have sustained Judge Landis throughout.

Early reports yesterday were to the effect that the fine imposed by Judge Landis would be greatly reduced; in fact, cut down to the ordinary fines assessed against corporations—somewhere in the thousands instead of the millions. From an authority which cannot be questioned, however, it is learned that the majority of the court sustains Judge Landis.

Nevada Stage Is Robbed.

Reno, Nev., July 22.—A special to the Journal from Likely, Nev., says the likely and Alturas stage was held up by two masked men who were heavily armed. They compelled the Wells-Fargo messenger to throw down the box containing it, it is believed, a large sum in gold for the payroll at Alturas. The passengers were not molested. No description of the robbers could be given, as it was dark, and after securing the box the men disappeared in the brush. The sheriff of Alturas and a posse have started in pursuit.

Contractors Pester John D.

White Plains, N. Y., July 22.—John D. Rockefeller, who is erecting a half million dollar mansion on his country estate, called Boxwood, at Pocantico Hills, is having considerable trouble over the erection of a large laundry. Four judgments have been filed against him by some of his contractors and yesterday a lien was filed against him in the Westchester county clerk's office. It is said the filing of judgments grew out of the dissatisfaction expressed by Rockefeller over the construction work of the laundry.

Shoot Up Boston Saloon.

Boston, July 22.—Three men armed with heavy caliber revolvers dashed into a crowded Jamaica Plains bar-room 10 minutes before closing time last night and yelling "Hands up," began shooting up the place. When they had grabbed the money till and emptied it and had finished shooting and made their escape, one man was dead on the floor, another lay dying and a third was seriously injured.

Cotton Mills Resume.

Augusta, Me., July 21.—The Edwards cotton mills, of this city, which have been running on half time since March 1, will resume full time today in all departments. The mills employ about 1800 hands.

RESTORE OLD RATES

Railroads Accept Decision of Interstate Commission.

NORTHERN PACIFIC IS LEADER

Securities Put Up by Mill Men Now Released—Submit Only for Time Being.

Tacoma, July 25.—It is officially announced by the Northern Pacific Railway company today that consideration given by the transportation lines to the recent decision of the Interstate Commerce commission on the question of rates on forest products has terminated in an announcement by railway lines that rates recently fixed by the commission will, as soon as possible, be put into effect by the railways—not that they think the rates are just, but they submit for the time being to the Interstate Commerce commission's order.

No application for temporary injunction against the order will be made, nevertheless the railways expect to bring suit urging that the rates are unreasonable and asking a determination in the courts to that effect.

This determination cannot, of course, be final until final hearing and decision in court; in the meantime it is understood the only legal rate will be that fixed by the commission, and even should the suit be determined in favor of the railways in the end, that determination cannot be retroactive, and will operate only from that time on.

It is also announced that the railway lines will settle for past business on the basis of the commission's rate, and upon such settlements being made, the security up in protection of the suit before Judge Hanford will be released.

SHIPPERS DEMAND PARLEY.

Ask Presidents of Eastern Roads to Conference on Rates.

Chicago, July 25.—Shipping interests of the entire country, represented by a committee especially appointed at a general conference of the shippers held recently in Chicago, decided at a meeting here today to ask presidents of Eastern railroads to meet them to discuss the proposed increase in freight rates. It was the unanimous opinion of the committeemen that before beginning a fight it would be wise to bring about such a meeting with the railroad officials, at the same time asking them to put no advance into effect until after the conference had been held.

While action on the rate situation was in progress, a long protest and appeal to the Interstate Commerce commission was being formulated by the National Industrial Traffic league, composed of scores of influential manufacturing and shipping organizations, at Manitou Springs, Colo.

NEW WIRELESS RECORD.

Point Loma Station Talks With Fleet 2,000 Miles Away.

San Diego, Cal., July 25.—A. R. Rice, chief operator and his assistants, H. V. Keefer and C. H. Randall, at the Point Loma government wireless telegraph station, hold the record for long distance work today, having talked with Admiral Sperry's battleship the Connecticut last night or rather this morning at a little past midnight. The Connecticut answered the first call of the station, and after identifying each other the battleship stated that she was then in longitude 165 west and between 9 and 10 north latitude on her way to Auckland, N. Z., from Honolulu. A little figuring shows that the point is close to 2,000 miles from San Diego, the previous record for long distance work being 2,600 miles.

Steel Trust Prospers.

New York, July 25.—That there is a gradual, steady increase in progress in all lines of business was the opinion expressed by the presidents of the various subsidiary companies of the United States Steel corporation at a meeting here today. Mr. Corey said the reports of the steel men present were uniformly favorable. He said that about 56 per cent of the finishing capacity of the various plants controlled by the United States Steel corporation were now in operation and that additional capacity would be put in.

Headache Powder Fatal.

Monrovia, Cal., July 25.—Henry Canoll, 63 years of age, a merchant of this city, died suddenly at his home today. It is believed that a "harmless headache powder" hastened his end. He had suffered with heart trouble for some time and was a frequent user of powders which contained acetanilid, a strong depressant, in dangerous quantities.