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RAILROADS REOPEN ATTACK ON LOW RATES

THAW FIGHTING TO GET UNDER PENNSYLVANIA JURISDICTION

FORAKER DOES NOT HURT TAFT

LAWSON SAYS BRYAN POWERLESS

(United Press Leased Wire.) Boston, Mass., Oct. 1.—Thomas W. Foraker, who is ill of a gripe at his home at Egypt, near this city, today gave out a statement saying he believes the expose of Senator Lawson, of Ohio, has not hurt him in the presidential campaign. Lawson's way of explaining that he is not so ill that he is unable to attend to his affairs. Lawson said he would only allow President Taft to throw Foraker overboard and put himself directly into the situation.

MUST PAY BIG SUM OR GO TO JAIL

ORDERED TO RE-FUND \$118,000

(United Press Leased Wire.) Goldfield, Nev., Oct. 1.—The Nevada supreme court having decided against his petition for a rehearing on a contempt charge, T. G. Lockhart, president of the Florence Goldfield Company, faces the alternative today of paying to the Esmeralda district court the sum of \$118,000, claimed by the Florence Mining Company, or going to jail. This is but one feature of a suit of the Florence Mining Company against the Florence Goldfield Company, involving over a million dollars. The amount awarded is due on a shipment of ore, for which the Goldfield company refused to pay. A counterclaim for damages is pending.

DEMOCRAT WRITES TO ROOSEVELT

ADMINISTRATION IS ATTACKED

(United Press Leased Wire.) Los Angeles, Cal., Oct. 1.—Democrats here today are awaiting with interest President Roosevelt's reply to a letter sent him by Adam Dixon Warner, better known as "Silver Dick," in which it was alleged that the present administration and the one preceding it, knew that a "pooling agreement" existed between the Southern California railroads (the Santa Fe system) and the Southern Pacific Company, in violation of the law, which was induced into office nine months after the signing of this contract. That this contract was and always has been a "pooling agreement," in violation of the law, has been publicly known by you and your administration.

MINISTER STOLE NINE MILLIONS

FORMER JUSTICE IN DENMARK

(United Press Leased Wire.) Copenhagen, Oct. 1.—Having fixed the amount of his actual thefts at from \$9,000,000 to \$10,000,000, the Danish government is attempting today to determine to what extent the defaulting former minister of justice, Alberti, profited by the sale of titles and decorations, in which he is asserted to have done a wholesale business for 14 years. The inquiry promises to be intense by embarrassing to scores of prominent men, whose elevation to the aristocracy is said to have centered on payment of heavy sums, which he afterwards lost, along with his stealings, in unwise speculation. The skill with which the minister covered up these transactions is seriously handicapping the investigators. From Alberti himself they are getting little assistance, the culprit having utterly collapsed since his surrender to the police. Physicians say there is no pretense concerning the partial loss of his memory, and it is the general opinion that he will not live to be punished.

AMENDED COMPLAINT IS FILED

TO QUASH HEPBURN MEASURE

(United Press Leased Wire.) San Francisco, Oct. 1.—Charging that the interstate Commerce Commission misconceived the Hepburn rate law in assuming the power to compel a railroad company to meet water competition, and to force a carrier to assume what is termed an unreasonable low rate, the attorneys for the Southern Pacific railroad and the Oregon Railway & Navigation company this morning filed an amended complaint before the United States circuit court in the Oregon lumber rate case, and the legal battle which was lost to the railroad company yesterday will be reopened in court this afternoon, when the attorneys for both sides will begin argument on the new bill. The attorneys for the Interstate Commerce Commission announced today that they will file a demurrer to the amended bill of the railroad attorneys, and the argument will be on this demurrer. The amended bill filed today more explicit than the original petition for an injunction asked for by the railroad company, and the railroad attorneys hope to reopen the question as to the reasonableness of the rate on the bearing on this bill. Rates Almost Confiscatory. The new bill contends that the Interstate Commerce Commission has put the rate on lumber from the Willamette river valley to San Francisco bay points so low, that it amounts almost to confiscation. The attorneys for the railroad companies do not contend that the rate is confiscatory, but say that it is so nearly confiscatory that it comes into "the pool of Tantalus." The bill further alleges that it can be shown that the lumber men in the affected area derive a profit of \$2,000,000 annually from the lumber business, while the railroad gets \$60,000 from the shipment of lumber. The railroad company is entitled to a countervailing of the acts of the Interstate Commerce Commission by the very language of the Hepburn law, says the complaint, and unless such examination is granted here, the railroad company will be deprived of an inquiry into the reasonableness of the rate. The Southern Pacific attorneys take the attitude that yesterday's decision simply compelled them to file a more explicit complaint and think they can force another decision of the constitutionality of the rate law. Luther M. Walter, attorney for the Interstate Commerce Commission, will file a new demurrer on the ground that the court has already decided that the law is constitutional and that the railroad must attack the methods of the commission in making the rate, and not the law itself, unless they are willing to take the ground that the new rate is actually confiscatory. The law makes ample provision for the safeguarding of the interests of the railroads, Walter holds, without turning federal courts into rate-making bodies.

DETECTIVE DEMANDS PRISONER

BUT WHITE'S SLAYER IS HELD

(United Press Leased Wire.) White Plains, N. Y., Oct. 1.—The fight to take Harry Thaw out of New York state through orders issued in his bankruptcy case at Pittsburg, began in earnest today when Roger O'Mara, trustee of Thaw's estate, arrived here with his attorneys and issued a writ on Sheriff Lane, ordering him to turn Thaw over to the Pennsylvania authorities. Sheriff Lane refused to recognize the writ, and declined to surrender the prisoner. O'Mara, formerly chief of detectives of Pittsburg, was employed as Thaw's private detective during his trials. He made a vigorous demand for the release of the prisoner, but Sheriff Lane was firm in his refusal. He said he could not recognize the writ, coming from another state. O'Mara then set out immediately for Scranton, Pa., where Judge Archbold, who issued the order, is holding court today, and will endeavor to obtain an order for the arrest of Sheriff Lane on the charge of contempt of court. It is believed the New York authorities will support the sheriff in his attitude, and a hot legal battle may result.



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law. The letter also scores the administration for exchanging valuable timber in Oregon and California for property which, the writer alleges, was known to be worth less. Warner enclosed a copy of the alleged pooling agreement, which bears the date of June 1, 1896, and was signed on behalf of the Southern California railway by Paul Morton, second vice-president, and for the Southern Pacific by J. C. Stubbs, third vice-president. This agreement, he declared to be in plain violation of the Sherman law, which has been in force for nearly 22 years. The letter in part says:

"You have been President of the United States for seven years. Your predecessor, whose policies you carried out in your first administration, and the one preceding it, and the entire people of the country during all this time. The Paul Morton who signed this contract was afterwards placed in your cabinet and for several years he held a cabinet position. "You say in your letter to Mr. Bryan that you and your administration has destroyed a number of trusts. "Will you explain to the American people what action you have ever taken to destroy this pooling agreement—one of the greatest, most far-reaching and vicious trusts in America? And one that cost the people of California \$25,000,000 annually in excessive freight rates?"

"In addition to this will you explain to the American people why hundreds of thousands of acres of worthless lands held by those companies that were included in the San Jacinto and other western forest reserves (lands that were and are absolutely worthless) have been exchanged for hundreds of thousands of acres of the most valuable timber lands in Oregon and California, to the advantage and benefit of these railroad corporations of hundreds of millions of dollars?"

"And whether or not that transaction had anything to do with Mr. Harriman's subscription and donations to the New York campaign fund of \$268,000, at your request—and Mr. Harriman's later donation of \$250,000 more—checks for which he exhibited in New York to the New York Herald, immediately after your pretended falling out with Mr. Harriman?"

KIDNAPED FROM IDAHO ON LIBEL CHARGE

(United Press Leased Wire.) Spokane, Wash., Oct. 1.—Maurice Fitzmaurice, editor of a paper in Garfield county, is today in the custody of the authorities of Dayton, Washington, on a libel charge after being a principal in an exciting kidnaping episode, in which he was dashed across the Idaho-Washington state line last night.

LETTERS GO TO BRITAIN FOR TWO CENTS

New York, Oct. 1.—Outgoing steamers today carried large consignments of mail for Great Britain, as the result of the decreased postage rates. The liner Amerika carried 561 sacks and the Baltic took 110 sacks of letters bearing two-cent stamps. Under the new agreement, beginning today mail for any postoffice in the United States can be sent to any part of the British Isles for the domestic rate of two cents per ounce. The rate yesterday was five cents.

BLOCK OF TOWN IS BURNED

Chico, Cal., Oct. 1.—Seven families were rendered homeless by a fire that destroyed all the houses on a block on Mulberry street early today. The loss is estimated at \$25,000.

DOUBT AS TO DEMOCRATIC NOMINEE IN WASHINGTON

Olympia, Wash., Oct. 1.—Who is justly entitled to the Democratic nomination for governor of the state of Washington, John Pattison, of Colfax, or A. J. Splawn, of North Yakima? This question probably never will be settled to the satisfaction of all the politicians, who are just now showing they are much interested in the matter. On the face of the returns of the recent primary election, Pattison will receive less than 200 more votes than Splawn on combined first and second choice. Yet accompanying features indicate that there will be a discrepancy of more than 1300 votes between the total first choice and the total second choice votes cast for this nomination. The fact that if the votes are properly counted, first and second choice should exactly equal casts a serious doubt on the question as to which is the nominee. Pattison has been conceded to be the nominee of the Democrats, and has already begun his campaign.

MONTANA LEVIES CATTLE QUARANTINE

(United Press Leased Wire.) Butte, Mont., Oct. 1.—It was announced today that this state will admit no shipments of cattle from the Dakotas or Wyoming, as long as anthrax is endemic in those states. The new ruling will be enforced rigidly under orders issued by the state authorities.

COMPANY IN RECEIVER'S HANDS IS SOLVENT

(United Press Leased Wire.) Minneapolis, Minn., Oct. 1.—The Pillsbury-Washburn Flour Milling Company, which went into the hands of receivers about two months ago, has assets over and above its liabilities to the amount of \$1,145,636, according to the reports made today by expert accountants.