

HARRIMAN SUIT BEGUN
BILL FILED AT SALT LAKE.

Government Charges Restraint of
Trade and Asks Injunction.

Salt Lake City, Feb. 1.—United States Attorney Hiram E. Booth, acting under the direction of Attorney General Bonaparte, filed in the Circuit Court of the United States for the District of Utah here to-day a petition, or bill in equity, in which the United States is complainant and the Union Pacific Railroad Company, the Oregon Short Line Railroad Company, the Oregon Railroad and Navigation Company, the San Pedro, Los Angeles & Salt Lake Railroad Company, the Atchison, Topeka & Santa Fe Railway Company, the Southern Pacific Company, the Northern Pacific Railroad Company, the Great Northern Railway Company, the Farmers Loan and Trust Company, Edward H. Harriman, Jacob H. Schiff, Otto H. Kahn, James Stillman, Henry H. Rogers, Henry C. Frick and William A. Clark are defendants. The petition seeks the dissolution of the so-called Harriman railroad system in the western part of the United States. At the same time the attorneys for the government, represented by Cordenio A. Severance, of St. Paul, special assistant to the Attorney General, prayed for permission to serve subpoenas on non-resident witnesses, a formal motion which was allowed by Judge John Marshall.

Mr. Severance would venture no opinion as to the date when the issues will be joined and the actual trial of the case begun. The defendants, all but three of whom live outside of Utah, are entitled to twenty days from the date of service to answer. If service is made before March 1 the answer should be handed in not later than March 20. If service is not made until after March 1 they will have until April 20 to answer, demur or take whatever course of action they may desire.

The three resident corporations are the Union Pacific, the Oregon Short Line and the San Pedro, Los Angeles & Salt Lake railroads. From time to time these interests have obtained the passage of bills by the Utah Legislature legalizing various tactical transportation moves, the Legislature yielding without hesitation to the argument that the railroads were a "home industry."

THE GOVERNMENT'S COMPLAINT.

The bill sets forth in detail the agreements, contracts and operations by which the defendants Harriman, Schiff, Kahn, Stillman, Rogers, Frick and Clark, at various times since January 1, 1891, are alleged to have obtained for themselves and others the management and control of the defendant roads, their branches and steamship lines, and to have operated them in restraint of trade and commerce, in violation of the act of Congress approved July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraint and monopolies."

The bill alleges combination and conspiracy among the defendants in derogation of the common rights of all the people of the United States and asks:

That the individual defendants named and their associate stockholders and each and every person combining or conspiring with them and their trustees, agents and assigns, present or future, be perpetually enjoined from doing any and every act or thing in furtherance of the combination or conspiracy or tending to carry out the conspiracy described in this bill of complaint or intended or tending to complete control or partial control of said competing lines of railway by the Union Pacific Railroad Company, the Oregon Short Line Railroad Company or the Oregon Railroad and Navigation Company, or their officers, directors and executive committees, or in the control, legal or practical, of any person or persons, association or corporations, acting for or in the name of the Union Pacific Railroad Company or the Oregon Short Line Railroad Company or the Oregon Railroad and Navigation Company in carrying out the unlawful combination or conspiracy hereinbefore alleged. That each and all of the acts and doings of said defendants in pursuance of said conspiracy be decreed to be in violation of the Act of Congress approved July 2, 1890, entitled "An Act to Protect Trade and Commerce Against Unlawful Restraint and Monopolies," and the acts amendatory thereof, and that a writ of injunction, mandatory or otherwise, as may be necessary, issue out of this court enjoining the said defendants and commanding the said defendants, their officers, directors, servants and agents, to desist in said unlawful acts, and that they and each of them, and all of each of their respective directors, officers, agents, servants, employees and persons, present or future, be enjoined, or claiming so to act, be enjoined, restrained and prohibited from entering into, taking part in or performing any contract, combination or conspiracy, the purpose or effect of which will be to restrain trade and commerce among the several States and territories and with foreign nations to monopolize said trade and commerce, in violation of the provisions of said acts of Congress.

AN INJUNCTION SOUGHT.

And the complainant, the United States of America, prays for such other and further relief as the nature of the case may require, and the court may deem proper in the premises; to the end, therefore, that the United States of America may obtain the relief to which it is justly entitled in the premises, may it please your honors to grant unto it writs of subpoena directed to the said defendants, the Union Pacific Railroad Company, the Oregon Short Line Railroad Company, the Oregon Railroad and Navigation Company, the San Pedro, Los Angeles & Salt Lake Railroad Company, the Atchison, Topeka & Santa Fe Railway Company, the Southern Pacific Company, the Northern Pacific Railroad Company, the Great Northern Railway Company, the Farmers Loan and Trust Company, Edward H. Harriman, Jacob H. Schiff, Otto H. Kahn, James Stillman, Henry H. Rogers, Henry C. Frick and William A. Clark, and the conspirators whose names are unknown to the complainant, and such other names as may become known to the complainant and the court be advised thereof, and to each of them, commanding them and each of them to appear herein and answer (but not under oath) the allegations contained in the foregoing petition and abide by and perform such order or decree as the court may make in the premises; and that pending the final hearing of this case a temporary restraining order and temporary writ of injunction may issue, enjoining the defendants and their associates, and each of them, and their stockholders, directors, officers, agents and servants, as hereinbefore prayed.

The prayer respecting the Union Pacific Railroad Company, the Oregon Short Line Railroad Company and the Oregon Railroad and Navigation Company is substantially repeated in all its important particulars as to all the other defendant railroads, and in each instance it is asked that the defendant stockholders, officers, directors and agents be perpetually enjoined from voting such stock, whether by proxy or otherwise, and from paying any dividends on such stock to any of the parties unless authorized by the court, and from recognizing as valid any transfer, mortgage, pledge or assignment of the stock of the defendant roads unless authorized by the court.

The bill is signed by Hiram E. Booth, United States Attorney.

CLARK'S CRUISE OF THE "ARABIC"

16,000 tons, fine, large, unusually steady.

TO THE ORIENT

February 6 to April 17, 1908.

Seventy days, costing only \$400.00 and up, including shore excursions. SPECIAL FEATURES: Madeira, Cadiz, Seville, Algiers, Malta, 19 Days in Egypt and the Holy Land. Constantinople, Athens, Rome, the Riviera, etc. TOURS AROUND THE WORLD.

40 TOURS TO EUROPE

Most comprehensive and attractive ever offered.

F. C. CLARK, Times Bldg., New York.

What Is Pure Whiskey?
The 125-Year-Old Answer Is
John Jameson
Whiskey

States Attorney for the District of Utah, Charles J. Bonaparte, Attorney General of the United States; Milton D. Purdy, assistant to the Attorney General, and Frank B. Kellogg and C. A. Severance, special assistants to the Attorney General of the United States.

PHOEBE COUSINS HEARD.

Tells Senators Prohibition Is a Fraud and a Failure.

Washington, Feb. 1.—The sub-committee of the Senate Committee on Judiciary, consisting of Senators Knox, Nelson, Fulton and Bacon, appointed to hold hearings on bills and resolutions providing for the withdrawal of federal liquor licenses in prohibition states, listened to-day to arguments by members of the German-American Alliance and representatives of wine growers' associations directed against the passage of any measures of the kind proposed.

Miss Phoebe Cousins, the former temperance advocate and woman suffragist, spoke in support of the contentions of the German-Americans, saying she had once supported the prohibition idea, but that she had found it to be a "fraud and a failure." She said it was decreed in the Constitution that men should not be deprived of life, liberty and the pursuit of happiness, and therefore it was outside the province of the government to interfere in the liquor traffic by admitting that state's rights are supreme over the powers of the federal government. "You cannot take man," said she, "who from time immemorial has been accustomed to some kind of drink, and deprive him of it. Every nation the world has known has had its form of strong drink. Noah himself had a pot in his days which would be considered as strong and harmful as wood alcohol. You cannot remove the custom of drinking by a prohibition law."

Miss Cousins mentioned that \$27,000,000 was paid to the government annually in the form of internal revenue and drew attention to the fact that the Senators of the sub-committee were themselves drawing a part of their salary from this fund. "Are you prepared to destroy this revenue at the dictation of a monopoly?" she asked.

INQUIRY INTO BIDS.

Committee to Investigate Government Printing Office Methods.

Washington, Feb. 1.—Plans were made to-day by the joint Committee on Printing to conduct an investigation into some of the methods employed at the Government Printing Office, particularly the awarding of contracts for printed forms. For some time a vigorous campaign has been waged against the Public Printer, Charles A. Stillman, because of his installation of the new audit system, a method of estimating cost and keeping accurate accounts. The office of the Audit System Company is said to be at No. 52 Duane street, New York, and it is alleged by those who are asking for an investigation that the same office is being used by the Suffolk Distributing Company, which has obtained certain contracts from the Government Printing Office.

The committee will try to determine at the outset the connection between the Audit System Company and the Suffolk Distributing Company, and whether the bids of the Suffolk company were irregular because of its close association with the Audit System and the intimate knowledge of the printing office which is said to be in the possession of the former concern. For this purpose the committee has summoned J. F. Handy, of New York, said to be the president of the Suffolk Distributing Company; Frederick Alford, said to be an officer of the company and to live in New York; W. A. Root, Washington agent of the company, and W. A. Eganor, vice-president of the Audit System Company.

REDUCTION IN ANIMAL VALUES.

Total Farm Estimate for Country 2.1 Per Cent Less than in January, 1907.

Washington, Feb. 1.—The crop reporting board of the bureau of statistics of the Department of Agriculture, in a bulletin issued to-day, reports the numbers and values of farm animals on farms and ranges in the United States on January 1, 1908, as follows:

| | Number | Average | Total value |
|--------------|------------|---------|-----------------|
| Horses | 19,992,000 | \$53.41 | \$1,067,539,000 |
| Mules | 2,860,000 | 30.78 | 88,000,000 |
| Milch cows | 21,614,000 | 30.47 | 659,000,000 |
| Other cattle | 50,073,000 | 18.85 | 943,938,000 |
| Sheep | 24,431,000 | 8.85 | 215,798,000 |
| Swine | 56,084,000 | 6.05 | 338,000,000 |

Compared with January 1, 1907, horses have increased 245,000 mules, 52,000; milch cows, 226,000; other cattle decreased, 1,493,000; sheep increased, 1,391,000, and swine, 1,250,000. In average value per head horses decreased 10 cents, mules, \$4.40; milch cows, 33 cents; other cattle, 21 cents; sheep increased 4 cents, and swine decreased \$1.57.

The total value of all animals enumerated on January 1, 1908, was \$3,321,230,000, as compared with \$3,423,658,000 on January 1, 1907, a decrease of \$102,428,000, or 2.1 per cent.

OUTBREAK OF FOREIGNERS FEARED.

Police Force of West Seneca, N. Y., Tired —Unemployed May Give Trouble.

Buffalo, Feb. 1.—The police force at West Seneca has been tired to cope with the possibilities of an outbreak of lawlessness among the hundreds of idle and hungry foreigners formerly employed in the steel mills. The number of needy in the town is variously estimated at from five hundred to three thousand.

A fierce bread riot occurred last night. A grocer had announced that he would give four hundred loaves of bread to the poor. The story spread and a large crowd gathered. The loaves did not come fast enough and everybody wanted to grab the first loaf. In the struggle which ensued the bread was broken in crumbs and destroyed. A free soup house was opened by the postmaster to-day.

Plumstein
WEST 125TH ST.
Sale of Imported Enamel Ware
Over 25,000 pieces of high grade Enamel Ware. Every piece guaranteed finest quality. Colored light blue outside, white lined.
LIPPED SAUCEPANS, Value 39c..... 15c
3 QUART SAUCEPANS, enameled covers and handle. Value 69c..... 29c
4 QUART SAUCEPANS, enameled covers and handles. Value 85c..... 39c
Tea Kettles, 1 1/2 quart..... 69c
Tea Kettles, 2 quart..... 89c
Tea Kettles, 3 quart..... 98c
Tea Kettles, 4 quart..... 1.19
Tea Kettles, 5 quart..... 1.35
Tea Kettles, 6 quart..... 1.59
Frying Pans, 8 inch..... 59c
Frying Pans, 9 inch..... 65c
Frying Pans, 10 inch..... 75c
Frying Pans, 11 inch..... 85c
Rice Boilers, 1 1/2 quart..... 98c
Rice Boilers, 2 quart..... 1.19
Rice Boilers, 2 1/2 quart..... 1.49
Rice Boilers, 3 quart..... 1.75
Tea and Coffee Pots, 1 qt..... 69c
Tea and Coffee Pots, 1 1/2 qt..... 79c
Tea and Coffee Pots, 2 qt..... 89c
Tea and Coffee Pots, 3 qt..... 98c
Tea and Coffee Pots, 4 qt..... 1.19
Oblong Roasting Pans, 10x14..... 1.15
Oblong Roasting Pans, 10x16..... 1.39
Covered Saucepans, 3 qt..... 59c
Covered Saucepans, 4 qt..... 75c
Covered Saucepans, 5 qt..... 85c
Covered Saucepans, 6 qt..... 98c
Covered Saucepans, 8 qt..... 1.25
Covered Saucepans, 10 qt..... 1.39

WET LAND DRAINAGE.
National Enterprise to Reclaim Large Eastern Tracts.

Washington, Feb. 1.—To the densely populated sections of the Eastern part of this country the possibilities of wet land reclamation are as important as arid land irrigation is to the sparsely settled portions of the Far West. It is agreed that the government should do as much for one as it does for the other.

Drainable swamp lands that contain, according to one of the most eminent geologists of the country, "the dormant wealth of the nation," cover more than 100,000 square miles of the area of the United States. The possibility of reclaiming these swamp lands and thereby obtaining this dormant wealth has been under consideration by the federal government for more than half a century. For the swamp land act, under which various states have claimed more than 82,000,000 acres of land, was passed by Congress in 1850.

The desirability or the value of draining these wet lands may still be considered a matter of estimate as the value of land either reclaimed or unreclaimed vary widely in different localities. The possibility of drainage, however, is a matter of practical engineering, the preliminary requirements being in no way different from those governing the irrigation of arid lands, the construction of inland waterways, the prevention of floods, the control of water or any other important engineering work. Such projects all involve engineering and physical problems the solution of which may involve areas far beyond those immediately under consideration. If wet lands are drained, the work of construction must be preceded by topographic surveys, by investigations of geologic conditions, by study of streams, including measurements of flow and determination of channel capacities and by careful consideration of all the related climatological data.

Preliminary work of this character has been done for many years by the United States Geological Survey, whose investigations have served as a basis for many kinds of government work. Had it not been for the topographic and hydrographic surveys, for example, the work of irrigating the arid lands would have had to be postponed for several years after the passage of the reclamation act of 1902.

The topographic and hydrographic work of the survey applies not only to the drainage of swamp lands but to the reclamation of desert wastes. Of the 1637 topographic sheets published by the survey, 402 show swamp areas scattered throughout all the principal sections of the United States. All of these show graphically the locations and boundaries of the swamps and their relation to the natural drainage channels, as well as the contour lines of the surrounding country.

The hydrographic work of the survey is as closely related to swamp drainage as the topographic. For fifteen years the survey has been carrying on investigations under appropriations made by Congress "for gauging the streams and determining the water supply of the United States and for the investigation of underground currents and artesian wells and the preparation of reports upon the best methods of utilizing the water resources." Although the work is not completed, the results are of prime value in connection with all questions of water supply development. The records and published reports of the water resources branch of the survey contain a large amount of information in regard to the conditions affecting the flow of streams and the run-off from drainage areas, not only in the immediate localities in which drainage work is needed, but throughout the tributary basins. The providing of means to accelerate the rate of run-off, and as it is obvious that the water drained from them must be discharged into streams or rivers, it is important to determine the size of channel that will be sufficient to carry the water and in what way the available river channels may be made to hold a larger amount of water during flood seasons than they were previously required to carry. No project for the drainage of wet lands can be successfully accomplished unless the work is based upon careful preliminary hydrographic investigations.

TO EXONERATE WILFLEY.

Charges Against Judge at Shanghai Said to Have Been Found Baseless.

Washington, Feb. 1.—The friends of Lebeus Wilfley, United States Judge of the extrajudicial court of Shanghai, are convinced that the judge will receive a complete exoneration from the President in the near future. They declare that the Secretary of State, who has been conducting the investigation of the charges made against Judge Wilfley, has found them baseless, and that he has reported to the White House, with the recommendation that the President make a public statement exonerating the judge.

The charges against Judge Wilfley, which have appeared many times in the public prints, were briefly that by the quotation of a decision which contained language offensive to Catholics he had demonstrated unfitness for the bench, and that by disqualifying most of the American attorneys before his bar he had exceeded his authority and exercised tyrannical power.

With regard to the first charge, it is alleged that Secretary Root has found that Judge Wilfley was lacking in tact and discretion, but not to an extent which would unfit him for the place he holds, and with regard to the latter the Secretary is said to have found that the judge was not guilty. The character of certain American lawyers practicing in Shanghai has been severely criticized, and while Judge Wilfley used a cudgel to rid his court of shysters, it is alleged that a less strenuous jurist would soon have been at the mercy of the worst elements in Shanghai.

One reform with which Judge Wilfley is credited is the clearing out of a colony of dissolute women who claimed the protection of the American flag. This colony was notorious throughout the East. He called each of these women into court and fined her \$1.00, but suspended the fine on condition that she leave the colony. The result was that many left the place, while many others married citizen or foreign sailors, coastwise, and in fact, any man not an American who would consent to the contract. In this way those who did not leave the city acquired the right to protection by the consuls of other nations, to the chagrin of those officials and the restoration of the good name of the American colony.

BARK ASHORE, FLOATED BY TUGS.

Yesterday morning's gale the three-masted steel French bark Henry Jules, in ballast, parted her anchor chains while lying off Stapleton and was driven ashore at Bechtel's Dock. The bark crashed into two barges of the J. B. King plaster mills, and both were damaged. At high water last evening the boat was floated by tugs.

B. Altman & Co.
34TH STREET, 35TH STREET AND 5TH AVENUE

AN EXCEPTIONAL SALE OF WOMEN'S GLOVES
MUCH BELOW REGULAR PRICES.
HAS BEEN ARRANGED FOR TO-MORROW (MONDAY), FEB. 3d, CONSISTING OF
16-BUTTON LENGTH GLACE MOUSQUETAIRE GLOVES, BLACK, TANS AND WHITE,
\$2.00 PER PAIR
ALSO
8-BUTTON LENGTH GLACE MOUSQUETAIRE GLOVES WHITE, TANS AND BROWNS,
PIQUE SEWN, \$1.10 PER PAIR

B. Altman & Co. HAVE IN READINESS
EARLY STYLES IN WOMEN'S OUTERGARMENTS
AND HATS FOR THE SOUTHERN RESORTS
AND FIRST SPRING WEAR, ADAPTED TO
PRACTICAL SERVICE AND SEMI-DRESS REQUIREMENTS
ADVANCE SHIPMENTS OF
SPRING DRESS SILKS AND CLOTHS

SALES OF BLACK SILK,
BLACK AND COLORED WOOL MATERIALS
AND COLORED COTTON VOILE:

TO-MORROW (MONDAY), FEB. 3d,
3,000 YARDS OF EXTRA QUALITY BLACK CHIFFON
DRESS TAFFETAS, 36 INCHES WIDE,
ORDINARILY \$2.50 TO \$3.50 AT \$1.68 PER YARD
3,000 YARDS OF IMPORTED BLACK CHIFFON VOILE
AT THE SPECIAL PRICE OF 85c PER YARD
20,000 YARDS OF MERCERIZED COTTON VOILE,
IN VERY DESIRABLE DESIGNS AND COLORS,
ORDINARILY 25c . . . AT 16c. PER YARD

ON TUESDAY, FEB. 4th,
4,500 YARDS OF FRENCH WOOL SURAHs,
VARIOUS COLORS IN SHADOW CHECKS,
ORDINARILY \$1.10
WILL BE ON SPECIAL SALE AT 65c. PER YARD

B. Altman & Co. MAKE AN IMPORTANT
FEATURE OF SPECIAL ORDERS FOR FINE
LACE DRAPERIES, INTERIOR HANGINGS
AND RUGS.
HAND-MADE LACES IN DESIGNS FROM THE ITALIAN RENAISSANCE, LATER FRENCH, AND MODERN PERIODS, MADE UP TO SPECIAL MEASUREMENTS. THROUGH FACILITIES MAINTAINED ABROAD, CHOICE LACE DRAPERIES, BED SETS AND OTHER PIECES CAN BE IMPORTED AT REASONABLE EXPENSE.
CARPETS OF ORIENTAL EUROPEAN AND DOMESTIC MAKES EXECUTED TO CONFORM IN EVERY DETAIL WITH PERIOD STYLES AND MODERN DECORATIONS, AND TO FIT ROOMS OF ANY SIZE OR FORM.

ESTIMATES WILL BE GIVEN NOW FOR AUTUMN FURNISHINGS, AND IT IS RECOMMENDED THAT ORDERS BE PLACED AS SOON AS POSSIBLE TO ENSURE DELIVERY.

34th Street, 35th Street and 5th Avenue, New York.

JEWELS AT AUCTION BRING \$75,151.
Rope of Pearls Sold to J. A. Alexander for \$7,400 After Exciting Bidding.

ORDERS 100 PER CENT ASSESSMENT.
North Attleboro, Mass., Feb. 1.—By order of Controller Ridgely, the stockholders of the suspended Jewellers' National Bank, of North Attleboro, will be assessed 100 per cent par value of their holdings of the stock of the bank. The institution was capitalized for \$100,000, and this sum will be realized by the assessment and used to pay the depositors.

ESTIMATES WILL BE GIVEN NOW FOR AUTUMN FURNISHINGS, AND IT IS RECOMMENDED THAT ORDERS BE PLACED AS SOON AS POSSIBLE TO ENSURE DELIVERY.

A. F. GREEN
159 WEST 47TH ST.
Special sale of Gowns, Robes and Waists.
Feb. 3rd to Feb. 5th.

RECEIPTS FALL OFF.
Treasury Deficit of \$9,382,375 for January.

Washington, Feb. 1.—The government's business did not prosper in the month of January, according to the statement issued at the Treasury Department to-day. The receipts were \$19,443,282, while the expenditures were \$28,825,657, thus showing a deficit for the month of \$9,382,375. Since the fiscal year began, on July 1, 1907, expenditures have exceeded receipts by \$18,665,650. The showing made in January, therefore, shows more than half the deficit for the seven months of the fiscal year was rolled up, would be discouraging were there no silver lining to the cloud. There may be an encouraging lining in the form of goods piled up in the bonded warehouses which have come into the country but have not yet paid duty and are being held for the owners to take out. There are no figures at present in the possession of the Treasury officials here to show the amount of duties yet unpaid. These duties really belong, however, to the account of business done in the last few months.

As the first of December," said Assistant Secretary Reynolds to-day, "I sent inquiries to the various collectors throughout the country asking for the amount of customs duties due on goods placed in bonded warehouses since the beginning of the fiscal year. Their figures showed that the amount of duties on goods taken out was about \$10,000,000 short of what it was in the previous year at the corresponding time.

As I have not asked for any figures on that subject since then I do not know, of course, whether the showing for December and January would be in proportion, but it is to be assumed that it has been about the same. Importers who have no immediate use for their goods are very glad to let them remain in warehouses as long as possible. They will, of course, take them all out in time, but of these goods will be moved in time for the spring trade.

The receipts for January were nearly \$6,000,000 less than for January, 1907, but were an increase over December, 1907, of \$2,162,000. The expenditures, compared with those for January, 1907, increase about \$1,000,000. The receipts from the various sources of revenue for January, 1908, were as follows:
Customs, \$3,271,000, which is a decrease as compared with January, 1907, of about \$3,000,000, and an increase as compared with December, 1907, of about \$1,271,000.
Internal revenue, \$19,744,888, which is a decrease of \$231,000 as compared with January, 1907, and a decrease of \$1,071 as compared with December, 1907.
Miscellaneous receipts, \$6,418,787.
As compared with January, 1907, the expenditures last month show increases on account of the War Department of about \$1,000,000, civil and miscellaneous, \$1,000,000, navy, \$315,000, pensions, nearly \$2,000,000, public works, \$2,000,000, and interest, \$1,900,000. As compared with December, 1907, the total expenditures show an increase of about \$3,000,000.