

**THE PENSION EXAMINERS**

**Why Oregon City Pension Examiners Were Suspended.**

**FALLING OUT WITH THE BUREAU**

**Congressman Tongue's Friends Mistakenly Thought Politics Had Something to Do With It.**

OREGON CITY, Jan. 15.—All Clackamas county has been in the biggest kind of a political stew for several days. It all came about through a Washington dispatch published in the Oregonian a few days ago, to the effect that Representative Tongue, having heard that the board of pension examiners of Oregon City had been suspended, took the matter up with Pension Commissioner Evans and had the board reinstated. The news was hailed by the congressman's friends as a great Tongue victory, for it had been hinted by knowing ones that the suspension of the examiners was a move upon Tongue's political interests in the district. Therein the knowing ones were off the track, as will presently be seen.

The suspension of the Oregon City pension examiners would not attract much attention, and would not be of extraordinary importance. A general election would take place in June, and among the officers to be chosen is a congressman in the first district. The name of the incumbent, the renomination as the republican candidate. That is not a state secret. He has several sturdy opponents, and among them is State Senator George C. Brownell, of Oregon City. Senator Brownell is putting up the hardest kind of a fight. If he does not have the Clackamas delegation at his back in the congressional election it will be because he has not been so on the count. The senator is renowned for his ability to hold on to anything political that comes his way.

**Tongue's Friends Take Alarm.**

Senator Brownell was surprised at the news of the suspension of the board, but he did not fail to appreciate the political value of such a move. He immediately reached for his pen and wrote to the Oregon senators and insisted, in the interest of the old soldiers of the frontier, upon the reinstatement of the board.

No word came from Washington of the removal of the board, but evidence that something had happened on the surface. The board held meetings, but no persons appeared for examination. This did not inconvenience Dr. Carl and Norris, as they were in the city. The news of the suspension for Dr. Carl, who had to drive 15 miles to Oregon City and back home again, and all for nothing. Soon stories got into circulation that ex-soldiers had been ordered to the Salem board for examination. Still the Oregon City board continued to hold meetings, and still no word of official displeasure and despatchment from Washington.

The news contained in Senator Simon's letter to Senator Brownell leaked out, and before Clackamas county knew what was up it was in a tremble of excitement.

Dr. Carl, secretary of the board of examiners, and through Dr. Carl the other members learned of their deposition. In brief time Clackamas county, following the news of the suspension of the board, elected a new board. The fact that Senator Simon had written to Senator Brownell and that Senator Brownell had been the first to get news of this kind from a Tongue man as Judge Ryan to instant action. There is no thought that politics can inspire that did not enter into his head as he sat in his office in the courthouse and endeavored to make out the purpose of the Simon-Brownell letter. He saw through the whole thing, or rather thought he saw through it, at a glance. He concluded that the examiners had refused to stand in with Senator Brownell for the congressional nomination, and that the senator had them removed as a punishment. Judge Ryan wrote to Congressman Tongue, after following the same route which Judge Ryan had struck, demanding the reinstatement of the board. Forthwith, Pension Commissioner Evans complied, and the examiners began their work again. The first thing that the board did was to suspend the members of the board who had been suspended by the pension bureau. The members of the board were suspended without notice. Dr. Carl promptly wrote to Commissioner Evans, and through him was entitled to direct dealings with the pension bureau; and that if the board had been suspended, the members should have official notice to the effect that they were suspended, and that the pension bureau should be discontinued.

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**Nothing Political in It.**

The political aspect of the suspension of the examiners was knocked into a cocked hat by the fact that the pension examiners had been suspended by the pension bureau. The members of the board were suspended without notice. Dr. Carl promptly wrote to Commissioner Evans, and through him was entitled to direct dealings with the pension bureau; and that if the board had been suspended, the members should have official notice to the effect that they were suspended, and that the pension bureau should be discontinued.

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**MAY HAVE BEEN MURDERED**

**POSSIBLE FATE OF FRED H. CLAYSON, OF PORTLAND.**

**He Disappeared on the Dawson-Skagway Trail Under Very Suspicious Circumstances.**

SKAGWAY, Jan. 10.—Fred H. Clayson, formerly of Portland and now in Dawson, Alaska, is supposed to have been murdered on the trail between this city and Dawson. Clayson left Dawson December 17 on a bicycle for Skagway, and was expected to make the trip in 10 or 14 days. For the past week his brother, Will H. Clayson, has been telegraphing to all points along the Dawson line. Clayson was last heard of Christmas day at Minto, in company with Olson and a third man who was a stranger. Olson is said to have had \$300. Canadian police are diligently searching the country between Bennett and Dawson.

Arrivals last night from the interior report a party of four suspicious characters were camped near Hootchikwe

before the men disappeared, and that one of the four was supposed to have been O'Brien, a man wanted in Dawson for jail-breaking. The police were intruding on them, but it is said they had apparently abandoned the camp.

It is also brought by the same late arrivals that two other men, Minto with Clayson and Olson, and none of them have been heard from. One of the other men is Lynn Rolf, bookkeeper for some time in Dawson for the famous Klondike character, "Nigger Jim," and who is thought to have had gold with him. The name of the fourth man is not known. Word has been brought from Bennett that Superintendent Crow had heard that the trees had been cut so they fell across the river near Minto.

**The Bureau Discontinues Orders.**

It was about that time that the pension bureau discontinued sending orders to the Oregon City board. But the board heard nothing until Senator Simon's letter to Senator Brownell was made public.

The members of the board felt keenly the discourtesy of being suspended without notice. Dr. Carl promptly wrote to Commissioner Evans, and through him was entitled to direct dealings with the pension bureau; and that if the board had been suspended, the members should have official notice to the effect that they were suspended, and that the pension bureau should be discontinued.

**Dr. Carl's Letter to Evans.**

In reply to your letter of January 9, which was in reply to mine of the 3d. I wish to let you know that at the time I stated the situation as to the trip required to make the trip to Barlow station, the pension department would not hold that we were obliged to lose a day's time in Dawson for the famous Klondike character, "Nigger Jim," and who is thought to have had gold with him. The name of the fourth man is not known. Word has been brought from Bennett that Superintendent Crow had heard that the trees had been cut so they fell across the river near Minto.

**Good Prospects.**

Ex-Governor Moody says Dalles business men are satisfied. The Dalles people are aware of the importance of this new road, and he expects to see it definitely located before another winter sets in.

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**BURIED IN LUZON.**

**Funeral of the Late Lieutenant Harry A. Bontelle.**

News has been received of the funeral of the late Lieutenant Harry A. Bontelle, who was well known in the Northwest as a young man of noble character and one who merited and gave every indication of attaining a high level in his profession, and who was killed in battle at the head of the Machabee scouts. His father, General F. A. Bontelle, United States army, retired, yesterday received the following letter:

"In the Field, San Isidro, Luzon, P. I., Nov. 12, 1899. My dear Mr. Bontelle: It has been my duty to read the burial service today over all that was mortal of your boy. My heart goes out to you in sympathy, for my only boy, an only child, and a young man of noble character and one who merited and gave every indication of attaining a high level in his profession, and who was killed in battle at the head of the Machabee scouts. His father, General F. A. Bontelle, United States army, retired, yesterday received the following letter:

**RIGHT OF A COTTON BY COURT**

**CAN CONTROL CHILDREN TAKEN FROM PARENTS.**

**Judge George Holds That Circuit Courts Cannot Interfere by Means of Habeas Corpus Proceedings.**

Judge George yesterday decided that the county court has exclusive jurisdiction over minor children which it has committed to the Boys' and Girls' Aid Society, and that parents must first go to the county court to secure their return, and that the circuit court cannot interfere by means of habeas corpus proceedings.

The decision was rendered in the petition of Emma Schmidt to regain possession of her three children, aged two, four and ten years, respectively. They were first arrested for crime, and subsequently were surrendered to the custody of the society by Judge George, July 30, 1899.

**LETTER FROM RALPH PLATT**

**Says He is Making Plenty of Money in Manila.**

A letter received by Deputy District Attorney W. M. Davis, from his friend, Lieutenant Ralph Platt, formerly commissary officer of the Second Oregon, containing some information of the Oregon boys in Manila. Lieutenant Platt was one of the number mustered out of service in Manila, before the war, and has been in the United States since then, and is now in the United States. The office was practically the same as that of acting assistant adjutant-general, which Lieutenant Platt filed prior to being mustered out of the service. Re-



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Judge George, in passing upon the case, said:

"The fact that the Boys' and Girls' Aid Society in the last 10 years have handled the cases of over 1400 children, many of whom have been furnished excellent homes throughout the state, makes it important that the law be settled as to its rights and obligations.

"The case turns on the construction to be given to the act of 1883 authorizing the order. Was the order temporary, as claimed by petitioner?"

"The law as parents patric in this proceeding in personam intended the control over the children to be permanent to the extent that the corporation should have the time being the legal guardian of the persons of the children and as such guardian should have and exercise all the rights and authority of the parents of such children regarding the management and adoption of such children. The law certainly intended this, because it says so in so many words. The act says the society shall be the legal guardian of the persons of all such children, and the parents of such children, as appears from the record, appeared personally and by counsel and contested this order, and they were bound by it unless they appealed, and they did not appeal."

"The corporation acting as guardian under the law and under the order appointed these children into family homes. What, now, is the remedy of the parents?"

"If now dissatisfied with the order virtually appointing the society a guardian of these children, the parents might petition for a writ of habeas corpus for a modification of the order, citing all parties interested therein to appear and show cause why it should not now be set aside or modified in any changed condition. Or if they are not satisfied with the management of the corporation as guardian, they can petition the county court, sitting as a court of probate, which has jurisdiction of such matters, to require the corporation to direct and control the conduct of all such children. If dissatisfied with the action of the corporation, it is the duty of the circuit court to hear and determine the matter."

"Under the order of the county court in the present case new rights and liabilities have been created. The society has assumed the rights and obligations of a guardian of these children. Guardianship under the statute runs until the age of 21 with males and until 18 in females. The guardian cannot be removed or discharged of the obligations of guardianship nor confer it upon any one else, except by order of the court having jurisdiction over the direction of such matters. And rights have arisen also under the appointing of these children authorized by the statute of 1883. The master under the apprenticeship is not a party to the writ. If the defendant in the writ of habeas corpus has under a proper order of the court received the custody of these children and has lawfully placed their personal custody in the hands of another person, and then they are taken from him, he is entitled to the writ, because the children are not held in his custody. Other persons have obtained the custody and control under and by the terms of the original order under the statute, and they have some right in the matter."

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**FEW HAVE REGISTERED**

**COMPARATIVELY SMALL NUMBER OF VOTERS ON RECORD.**

**A Rush is Expected Toward the End of the Time Allowed—Some Interesting Incidents.**

Registration of voters is not progressing very rapidly. Citizens are in no hurry to perform the simple act now necessary to enable them to exercise the right of suffrage. From the opening of the registration records, a short time ago, until the present, voters have been coming in at about the rate of 100 to 150 a day. If this pace is continued without break, and the voters of this county make no attempt to make up for the delay, there will be less than at the last election, there will barely be time for finishing registration in the period now fixed. But a heavy flow is expected towards the latter end of the time allowed, and it is to be hoped that a considerable amount that was two years ago, unless registration seriously prunes the total down. Many persons have expressed a determination to register until towards the last, when warned that it is now or never.

Several questions have occurred during the progress of the work, some of which require careful consideration. In some instances County Clerk Holmes reaches a conclusion, and sometimes he asks the assistance of the district attorney. There have been many cases of persons whose registration thus far has been adjudicated, unless it is a very few cases of persons who have lost their own naturalization papers, and are unable to furnish information as to where they were naturalized. In such cases, the issue is not regarded as necessarily intended to cover a wrongful purpose. Some men have actually had naturalization papers, but these were obtained several years ago, and the place where they were issued before the present did not have laws requiring their use in exercising the right of suffrage. The papers have been lost so long, and the early procedure in the United States were become so dim in memory, that they are really unable to state where their papers were issued. To the credit of intelligence, it may be said that a question of legal evidence in the case of persons of foreign birth coming to this country with their parents before they were of age, and who have since become citizens, has been raised. It was a question of the status of persons having naturalization papers, so far as furnishing proof of their citizenship is concerned. It was therefore held that they must exhibit the naturalization papers of their parents, or other satisfactory legal evidence of the coming to this country as citizens of the parents, or of the fact that they were born in the United States, and are really unable to state where their papers were issued. To the credit of intelligence, it may be said that a question of legal evidence in the case of persons of foreign birth coming to this country with their parents before they were of age, and who have since become citizens, has been raised. 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