

# Oregonian

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PORTLAND, OREGON, FRIDAY, APRIL 24, 1903.

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Carpets were reserved for the rich. Come in and see how conditions have changed.  
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Ask for "Banker Size" 2 for 25c  
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GREEN RIVER HOT SPRINGS WASHINGTON  
The Health Resort of the West  
Main line of the Northern Pacific Railway. Round trip fare from Portland, only \$8.20.  
Do you appreciate its advantages?  
The most curative waters known.  
Change to an entirely different climate.  
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We cure more than 90 per cent of all our cases.  
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To get your optical work done and to get your glasses fitted is right in our optical department. Our optician makes it his exclusive business to please you and to give you just what you require. We want to make you a customer, and to do this we are bound to please you. Oculists' prescriptions filled for glasses.  
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## TYNER IS FIRED

Summary Action of Postmaster-General.

PROVOKED BY MRS. TYNER

She Took All Papers From Safe in His Office.

BY HER HUSBAND'S DIRECTION

Assistant Attorney-General for Postoffice May Now Be Prosecuted. Though a Paralytic is Veteran in the Service.

**Career of James Noble Tyner.**  
Born, Brookville, Ind., January 17, 1826  
Representative in Congress, 1869-1875  
Second Assistant Postmaster-General, 1875-1876  
Postmaster-General, 1876-1877  
First Assistant Postmaster-General, 1877-1882  
Assistant Attorney-General for Postoffice Department, 1882-1893  
Delegate from United States to International Postal Congress, 1893-1900  
Discontinued from office, April 22, 1903

WASHINGTON, April 23.—A most sensational development of the investigation of Postoffice Department affairs occurred just before the department closed today, when Postmaster-General Payne announced the summary dismissal of James N. Tyner, Assistant Attorney-General for the Postoffice Department, coupled with the announcement the startling charge that all the papers and records in the safe of the latter's office had been abstracted by Mrs. Tyner, wife of the discharged official, with the assistance of others. The Postmaster-General stated that Mrs. Tyner had refused the demand of the Government for the return of the papers abstracted, and as the divorce proceedings also would be submitted by him to the Department of Justice tomorrow morning. Other sensational developments are expected. The question of arrests will be passed on immediately by Attorney-General Knox.

The facts are tersely told in the letter of dismissal sent by Mr. Payne late yesterday afternoon and made public tonight. The letter follows:  
**Letter of Dismissal.**  
James N. Tyner, Assistant Attorney-General for the Postoffice Department—Sir: You are hereby removed from the office of Assistant Attorney-General for the Postoffice Department. I deem it proper to advise you of this summary action on the part of the department. Early in the month of March I communicated to you, through a mutual friend, a request for your resignation. After a painful interview with you and a more painful one with Mrs. Tyner, I consented to modify the demand for your resignation so that it might take effect on May 1, 1903, which would give you the time of the acceptance of the resignation to the date of taking effect, with the request that you were not in any way to undertake to discharge the duties of the office.

Late yesterday afternoon Mrs. Tyner came to the office of the Assistant Attorney-General for the Postoffice Department, entering in the regular way, and went through the main office to the private office, closing the door behind her. She then unlocked the door leading from the public hall into the private room and admitted her sister, Mrs. Barrett, whose son was formerly assistant in your office, and whose conduct in now under investigation by the department. She also admitted, in the same manner, S. G. G. Hammer, an expert in the employ of the Mosler Safe Company, with whom she had made an arrangement to meet her at the department. At her direction, Mr. Hammer opened the safe in the room, and she took therefrom all papers, records and articles of every kind and carried them away with her. Immediately upon learning what had been done, I directed the Fourth Assistant Postmaster-General to send two inspectors to your house to demand in the name of the Postmaster-General, the delivery of any papers, documents or any materials which had been abstracted from the safe. This demand was refused by Mrs. Tyner, and she likewise refused to permit the inspectors to see you or to see and examine the papers in her presence. Mrs. Tyner further stated to the Postoffice inspectors that she committed this act with your knowledge and by your direction. Further comment on this transaction on my part is not necessary. The facts in the case will be submitted to the Attorney-General of the United States for such action in the premises as he may deem proper. Very respectfully,  
H. C. PAYNE, Postmaster-General.

**How the Trick Was Played.**  
Mrs. Tyner went to the office of the Assistant Attorney-General on the fifth floor of the Postoffice building at 2:40 o'clock Tuesday afternoon and remained there an hour. When she arrived, Acting Assistant Attorney-General Christianity, who had charge of the office for months past in the absence of General Tyner, who has been in poor health for a long period, was in the office. The clerks were at their desks. Mrs. Tyner passed from the public room into the private office and closed the door behind her. Being alone in the office, she stepped to the door opening into the public corridor and, by previous arrangement, admitted Mrs. Barrett, mother of Harrison J. Barrett, the former law clerk of the Postoffice Department, and S. G. G. Hammer, a safe expert. Mr. Christianity reported the presence of Mrs. Tyner in the office to two inspectors and to Postmaster-General Payne. An inspector also reported the matter to Fourth Assistant Postmaster-General Bristow. Mr. Bristow asked authority to have Mrs. Tyner ejected from the office. The authority came too late. When the inspector returned, Mrs. Tyner had left. The safe, on being examined, was found to be empty.  
Mrs. Tyner Holds the Papers.  
The affair created great excitement among the investigating officials, but the news was concealed carefully from the public. Two inspectors were dispatched to the Tyner residence to recover the papers. Mrs. Tyner refused to give them up, saying she was acting under the direction of her husband. She told the inspectors, so they reported, that they had a right to the papers, as Mr. Tyner was still Assistant Attorney-General, and, moreover, insisted that the papers were all of a private character. The inspectors reported that Mrs. Tyner declared the papers belonged solely to them, and she announced emphatically that she did not purpose to have her papers submitted to the scrutiny of inspectors. Other pressure, it is understood, was brought to bear, both on Mr. and Mrs. Tyner, but both unsuccessfully refused to deliver the papers, or even to show them.  
**Papers Relate to Turf Frauds.**  
It is believed at the department that the papers have some connection with the recent conduct of the office. Several weeks ago a turf investment concern, whose affairs were aired in court, alleged that its working methods had been sanctioned by the Assistant Attorney-General for the Postoffice Department. The charges involving the office of the Assistant Attorney-General and a lawyer formerly connected with that office were ventilated very generally at that time, and an investigation was organized by the Postmaster-General. That was really the inception of the investigation that has spread into every part of the department. The complaints crystallized into a formal request for Mr. Tyner's resignation, signed by Postmaster-General Payne on March 8 last. Mr. Tyner had been in exceedingly bad health for a long time, and had visited his office at only rare intervals, leaving the office entirely in charge of his assistant for months at a time. He is suffering from an unusually severe case of paralysis, and, in consideration of this fact, the request for his resignation was based on his ill-health.  
The correspondence, which took place first prior to Mr. Tyner's departure on his cruise in the West Indies, follows:  
**Tried to Let Him Down Easily.**  
Office of the Assistant Attorney-General for the Postoffice Department, Washington, D. C. Payne, Postmaster-General—  
Dear Sir: Let the effects of the light stroke of paralysis which recently disabled you be less partially, and my left arm totally, may prevent me from performing my duties satisfactorily for some time to come as Assistant Attorney-General for the Postoffice Department. I deem it proper to tender my resignation of said office, to take effect May 1, 1903. It is painful to me to thus sever my connection with the postal service, with which I have been closely associated as an officer of the department, and a member of Congress, since 1869, at intervals over a period of 42 years. Very truly yours,  
JAMES N. TYNER.  
The Postmaster-General's acknowledgment follows:  
Washington, March 9, 1903.—James N. Tyner, Assistant Attorney-General, Washington, D. C. My Dear Sir: I have your letter of today, tendering your resignation of the position of Assistant Attorney-General for the Postoffice Department. I regret the position which has come to you, and wish you to be able to return to your office. It must, indeed, be painful for you to sever your relations with the department, with which you have been associated for so many years, and of which you were at one time the official head. Your resignation is accepted, in view of all the circumstances, but I deem it just and proper that it should take effect May 1, 1903, and that you be given leave of absence until that date. I trust that this will give you rest and freedom from care, and will be of material aid in bringing improvement to your condition, which is at the present time of such a serious nature as to render impossible any return to your office.  
With the kindest regards, I am, very sincerely yours,  
H. C. PAYNE, Postmaster-General.

## RIOT IN HOUSE

Illinois Legislators Take to Slugging.

OVER PUBLIC OWNERSHIP

Speaker Says Boodle Was Offered to Pass Bill.

HE TRIED TO BLOCK SCHEME

Refusal to Allow Rollcall on Municipal Ownership Enrages House—Majority Elects New Speaker and Does Business.

**COLORADO HAS A PRECEDENT**  
DENVER, April 23.—In 1891 James Hanna, Speaker of the House of Representatives, was removed by a vote of the members and another member named. W. W. W. was elected to the Speakership and served in that capacity during the rest of the session. For some days two Houses were in session, but upon request of Governor John L. Routt, the Supreme Court rendered an opinion sustaining the right of a majority of the House to remove the Speaker at any time.

SPRINGFIELD, Ill., April 23.—Slugging and rolling over each other across the Speaker's platform in a frenzied general fist fight at the feet of a score of women guests, the members of the Illinois Legislature today surpassed the wildest scenes of the Austrian Reichsrath. Tonight charges by the Speaker of the House, John H. Miller, that attempts had been made to bribe him were formally made as an explanation for the extraordinary actions on his part that precipitated the riot. The interior of the Legislative chamber tonight resembled in a measure the track of a tornado, so general was the wreckage of chairs and desks.

Chicago street-railway franchises more valuable than gold-mines were directly at stake, Federal Court proceedings against the Union Traction Company, of Chicago, yesterday having brought the matter to a sudden issue. The Federal receivership was held by many to indicate an intention by the street-railway company to fight out a claim to 36-year franchises, instead of negotiating with the Chicago City Council for a renewal of franchises on a 35-year basis, with a municipal ownership option on the part of the city.

The stormiest time ever experienced in the Illinois Legislature began almost without warning in a whirlwind of wild disorder which arose today in the House of Representatives over rival traction measures or so-called municipal ownership bills.

Chicago sentiment is said to favor the Mueller bill, and Mayor Harrison, Graeme Stewart, the recently defeated candidate for Chicago's Mayoralty, charged John M. Harlan and others of influence have been here for several days working for it. The Lindley bill, the municipal ownership measure favored by an active minority, has, however, been forced ahead. Yesterday the Speaker arbitrarily refused a roll call on a motion to postpone consideration of the Lindley measure, although a majority of the House demanded the roll. The postponement motion was declared carried amid the protests of the majority.

The postponement was desired by the Lindley forces because it was feared that they had not votes enough to defeat a motion to substitute the Mueller bill. Today Speaker Miller ordered the Lindley measure advanced to a third reading, and

## MISS WARE GONE

She Is Wanted as a Federal Prisoner.

FRAUDS AS COMMISSIONER

Her Arrest Ordered by Attorney-General.

MAY HAVE FLED THE COUNTRY

If So, Extradition Will Be Sought—Two Other Oregon Commissioners to Be Arrested and More Prosecutions May Follow.

**Miss Ware Drops Out of Sight.**  
EUGENE, Or., April 23.—(Special.)—Miss Ware is not in the city and cannot be interviewed. Her friends say she has gone to San Francisco, while others who are somewhat cognizant of the land fraud proceedings say she will not likely be thereabouts be known.

OREGONIAN NEWS BUREAU, Washington, April 23.—On request of Secretary Hitchcock, the Department of Justice has instructed the United States Attorney at Portland to take steps looking to the arrest of Marie Ware, late United States Commissioner at Eugene, Or., and also the arrest of two other Oregon Commissioners, whose names cannot be learned. It is believed they are two of the three Commissioners recently removed from office by Judge Bellinger—H. W. Reed, of Bend; J. W. Hamaker, of Wy, or J. O. Hamaker, of Bonanza.  
Miss Ware and the other two Commissioners are to be arraigned for perjury, falsification of records and conspiracy, with additional minor charges against each.  
The department is advised that Miss Ware is a fugitive, having disappeared from Eugene shortly after her resignation, merely explaining that she was going to visit relatives. Her whereabouts is not known to the officials here, and it is feared she has gotten out of the country. If so, and she can be located, extradition proceedings will be instituted to procure her return.

**Was Forced to Resign.**  
At the time of Miss Ware's resignation a special dispatch to The Oregonian from Eugene stated that Miss Ware had resigned voluntarily and not by request. This is not correct. She had been notified that her services were no longer desired, but took no action. Later on, when more damaging evidence was brought against Miss Ware, Judge Bellinger dictated an order for her removal, but before this was delivered her resignation was handed in and accepted.  
The three ex-Commissioners, when arrested, will be bound over to await the action of the Federal Grand Jury, and from what little can be learned here, it is believed all will be indicted. When this step has been taken, vigorous prosecutions will follow, in which evidence collected by Special Agents Green and Linzen will form the basis of the case.  
**Collision With Locators.**  
In some of these cases the evidence clearly indicates that the Commissioners have been in collusion with land locators and cruisers and by improper methods have been able to reap considerable personal gain out of their transactions. Pictitious entries have also been made in several instances, the Commissioners assuming sole responsibility in these cases. The three Commissioners whose arrests have been ordered are said to be guilty of more than gross negligence, as the evidence establishes the fact that they willfully violated the laws under which they are permitted to receive land filings, with the sole idea of profiting by their illegal action.

**Other Prosecutions Coming.**  
Secretary Hitchcock when seen today, said he had nothing whatever to say about this case. He regards it as an affair strictly between his department and the Department of Justice, and thinks that premature announcements of contemplated action would operate to hinder proceedings. It is learned, however, that other prosecutions are to follow as soon as cases can be made out against corrupt land officials, but no intimation can be had as to the names of the persons to be proceeded against.

**Coquille Bank Is Approved.**  
OREGONIAN NEWS BUREAU, Washington, April 23.—The application of R. E. Shine, A. J. Sherman, L. H. Hazard, Isiah Hacker, R. H. Mast and L. Harlocker to organize the First National Bank of Coquille, Or., with a capital of \$25,000, has been approved by the Comptroller of Currency.  
Milda Laermner has been appointed Postmistress at Hayward, Or., vice Katie Bothman, resigned.  
**Dresser & Vaughn's Bonds Approved.**  
OREGONIAN NEWS BUREAU, Washington, April 23.—Secretary Hitchcock has approved the bonds of A. S. Dresser and Frank E. Vaughn as Registers of the Oregon City and Vancouver land offices. Vaughn is already in office, but Dresser's bond goes forward by mail. Upon its receipt he will take office.

**Young Roosevelts Have Menus.**  
WASHINGTON, April 23.—Archibald Quentin Roosevelt, who has been suffering from a mild attack of the measles, are progressing rapidly toward recovery.

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## THE MAN WHO IS INVESTIGATING POSTAL FRAUDS.



JOSEPH L. BRISTOW, FOURTH ASSISTANT POSTMASTER-GENERAL.