

APPEAL OF OREGON

To Secretary of Interior From
Land Commissioner.

ODELL APPOINTED ATTORNEY

Governor Chamberlain Gives Reasons Why Selections of Lieu Land Made by State Should Be Approved.

SALEM, Or., June 1.—(Special.)—General W. H. Odell, as attorney for the State of Oregon, has appealed to the Secretary of the Interior from the decision of the Commissioner of the General Land Office in the matter of the selection of lands upon mineral base in Southeastern Oregon. The Commissioner had rejected the selections of lieu land made by Mr. Odell for the state, assigning as a reason therefor that the state had already sold the lands which it seeks to use as base. Another reason assigned for the rejection was that the mineral character of the land had not been proven.

The Commissioner also held that the proceedings for the adjudication of the mineral character of the land were commenced before application had been made for the selection of the indemnity lands.

Governor Chamberlain has written a letter to the Secretary of the Interior advising that official that General Odell has authority to represent the State of Oregon in this proceeding, and that it is his desire, as Chief Executive, that the selections be approved, so that sales made by the state shall not be rendered null and void.

The Governor's letter is as follows: The Honorable Secretary of the Interior, Washington, D. C.—Dear Sir: Prior to my inauguration as executive of this state on the 14th day of January, 1903, numerous selections of indemnity lands had been made by preceding administrations and the lands selected sold from time to time upon approval of the selections by the local Land Office and in advance of the final decision by the General Land Office as to the validity of such selections. Some of these selections have since my inauguration, and possibly some before, been held for cancellation, generally for the following reasons: First, that proof of the mineral character of the base used for such selections was insufficient; second, that in many cases the base attempted to be used for such selections has been sold by the state; and third, that to protect the sale of these indemnity lands which the state has from time to time sold as stated, and which have in most cases gone into the hands of innocent purchasers and who supposed that the deed of the state was incontestable.

To that end General W. H. Odell, who prior to my inauguration was representing the state as its attorney in these matters, has been continued as such agent for the purpose of sustaining the selections which have been made and sold by the state. I write to you, therefore, to advise you of this fact, so that he may when the proper proofs and papers on appeal, and be recognized as the attorney for the state on such appeals.

GEORGE E. CHAMBERLAIN.

In an exhaustive brief upon the subject General Odell contends that the General Government is not concerned one way or another in the question whether the state has sold some of the land which it now seeks to relinquish to the Government and select other land in its stead. He cites the Federal statutes to show that the state cannot acquire title to school sections that are mineral in character and were known to be such prior to survey, and that, therefore, any deeds to such land issued by the state are void. He contends that the state has sold lands which it now seeks to relinquish to the Government and select other land in its stead. He cites the Federal statutes to show that the state cannot acquire title to school sections that are mineral in character and were known to be such prior to survey, and that, therefore, any deeds to such land issued by the state are void.

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be packed this season than ever before. The Sanborn-Cutting Packing Company is making arrangements to can about 200 cases of them.

WILL CAN SARDINES.

Company Organized at Astoria Will Incorporate.

ASTORIA, June 1.—(Special.)—The Hemlock Sardine Packing Company is being organized here this afternoon, and articles of incorporation will be filed tomorrow. The incorporators will be: W. O. Hemlock, H. J. Wherry, Louis Cordes and W. T. Schofield, and the capital stock will be \$50,000. The object of the company is to engage in the sardine canning business in this city.

A building has been rented and a portion of the machinery purchased, and the intention is to have the plant ready for operation during the coming season.

AVENGER GOT A LEG.

Brother of Murdered Man Shoots the Assassin.

SAN BERNARDINO, Cal., June 1.—Bicente Chavez was shot and killed by his cousin, Juan Chavez, in the outskirts of this city last night in a quarrel over a woman. After the shooting a brother of the dead man pursued Juan through an orange grove and shot him through the leg, inflicting a wound which will probably necessitate amputation of the limb. Chavez asserts that Bicente attempted to kill him and he turned the revolver in his direction, discharging it in the scuffle.

Hulk Stops Seining for Salmon.

ASTORIA, Or., June 1.—(Special.)—Tallent's seining grounds at the jetty have been closed down for a couple of days on account of an obstruction having been found that interfered with the working of the seine. It was at first thought to be a snag, but upon an examination being made by a diver the obstruction was found to be the hull of a schooner or some other small vessel. An attempt will be made to blow it up with dynamite, but if that is impossible a diver will be placed over it to carry the seine.

Boy Held for Larceny Charge.

ASTORIA, Or., June 1.—(Special.)—August Thompson, the 15-year-old Seattle boy, who was arrested a few days ago for stealing \$50 from Victor Bergman, was arraigned in Justice Goodman's court this morning on an information charging him with larceny from a store. He waived examination and was committed to the County Jail in default of \$500 bonds to await the action of the Circuit Court.

Major Hancock Clark at Hillsboro.

HILLSBORO, Or., June 1.—(Special.)—Major and Mrs. William Hancock Clark were the guests of the Women's Lewis and Clark Club today. They were driven over the country in the vicinity of the city, and shown places of historic interest. Returning at noon today they were given a luncheon in Wehring's Hall. While in the city they were entertained by Mrs. S. R. Huxton, the president of the club.

Gallatin River Swollen.

BUTTE, Mont., June 1.—A Bozeman special says the West Gallatin River is rising rapidly and the steel bridge at Saleville, Central Park and The Shedd's are threatened. The recent storms have swelled the river beyond recognition. The stream is a raging torrent. It has been so high in its history and it is feared that the bridges mentioned are doomed.

Judge McBride Will Open Court.

OREGON CITY, Or., June 1.—(Special.)—The day was generally recognized and observed here as a legal holiday. All city and county offices were closed, but the Land Office did not suspend business. Judge McBride will convene the May term of the Circuit Court in adjourned session Tuesday morning.

Knights Will Be Welcomed.

HILLSBORO, Or., June 1.—(Special.)—Extensive preparations are being made here to entertain the Knights of Pythias district convention, which will be held in this city Friday, June 5. The first annual encampment of the First Battalion, Uniform Rank, will be a feature of the convention.

New Chief for Butte Police.

BUTTE, Mont., June 1.—James M. Reynolds resigned this morning from the office of Chief of Police. Thomas Mulholland is named as his successor.

Yellowstone Park Opened.

BUTTE, Mont., June 1.—A Livingston special to the Miner says the Yellowstone National Park was formally opened today.

NORTHWEST DEAD.

Mrs. Rosanna Lancaster. VANCOUVER, Wash., June 1.—(Special.)—Mrs. Rosanna Lancaster died at the home of her daughter on Bachelor's Island below this city in the Columbia River, on June 1, aged 86 years. Deceased was the widow of Judge Lancaster, who was one of the first Supreme Judges of the Territory of Oregon and Washington in the early 50s, and was well known by a large number of pioneers. For the past few years she has been confined to the house. The funeral will be held Monday.

Mrs. Zeritha Morgan.

VANCOUVER, Wash., June 1.—(Special.)—Mrs. Zeritha Morgan died at the home of her sister, Mrs. G. H. Steward, in this city, this morning, aged 69 years. Deceased had resided with Judge Steward's family for the past ten years, and was a pioneer of Oregon, coming to North Yamhill County in the early 50s. Her husband died several years since. The remains will be taken to La Fayette for interment.

Two Salem Residents.

SALEM, Or., June 1.—Robert T. Ray died at his home in Salem last night, aged 61. He leaves four children—Mrs. Louise Johnson, Corvallis; M. T. Ray, of Salem; Clyde and Elmer Ray, of Salem.

W. T. Clark, aged 32 years, died at his home, southeast of Salem, today. He leaves a wife and three children.

Mrs. E. C. Rauch.

OREGON CITY, Or., June 1.—(Special.)—Elizabeth C. Rauch, wife of the late Jacob Rauch, and pioneer of 1853, died today at the home of her daughter, Mrs. E. J. Mack, in this city. Deceased was 82 years of age, and leaves three children. The funeral will be held at Canby Wednesday morning.

Vote for Representative in 1902.

COUNTIES.	For	Rep.	Dem.	Total
Benton	941	743	69	1,753
Clackamas	2,431	1,171	483	4,085
Clatsop	1,602	709	132	2,443
Clatsop	1,602	709	132	2,443
Columbia	1,364	1,448	204	3,016
Douglas	1,835	1,411	222	3,468
Grant	888	284	161	1,333
Lincoln	323	249	29	591
Lane	2,691	1,831	139	4,661
Lincoln	465	328	122	915
Linn	1,731	1,949	256	3,936
Marion	2,163	1,393	240	3,796
Polk	1,136	913	69	2,118
Tillamook	1,025	1,067	181	2,273
Yamhill	1,502	1,035	131	2,668
Total vote	22,545	15,713	2,276	40,534
Plurality	2,572			

BINGER HERMANN IS SAFE

(Continued from First Page.)

Counties, while Reames was successful in Clackamas, Jackson, Josephine, and probably in Polk. Yamhill County is in doubt, the vote being practically a stand-off, and it may take the official count to decide. The election developed several surprises. There was a big Republican slump in Clackamas County, the home of State Senator Brownell, and it gave Reames a plurality of 550. It is generally understood that the alliance between Mr. Brownell and Mr. Hermann was the cause of the remarkable falling off in the Republican vote. One year ago Clackamas gave W. J. Furnish a plurality of 392, the largest given to the Republican gubernatorial candidate by any county. Linn County, which had generally been conceded to the Democrats, went Republican by 100, the first time in the history of the county that it has been carried by a Republican candidate. Marion shows a tremendous falling off from the vote last year, when Tongue got about 1200 plurality. Douglas, the home county of Mr. Hermann, gave him 450 plurality, while Jackson, the residence of Mr. Reames,

Hermann carried Medford by 21 majority, a Democratic gain of 55 votes.

COOS COUNTY.

Hermann's Probable Plurality Will Be 400—Quiet Election.

MARSHFIELD, Or., June 1.—(Special.)—The election passed off quietly. Notwithstanding strong efforts made to get the people out, it is evident that the vote will fall off 25 per cent from that of last year. Fourteen of 28 precincts give Hermann 750, Reames 413. The same precincts in 1902 gave Tongue 531, Weatherford 530. Hermann's probable plurality in Coos will be 400.

DOUGLAS COUNTY.

Seventeen Out of Thirty Precincts Give Hermann 238 Plurality.

ROSEBURG, June 1.—(Special.)—Seventeen out of 30 precincts in Douglas County give Hermann 238 plurality. This indicates about 50 for the whole county. Roseburg complete gives Hermann 150 plurality.

DRAIN, June 1.—(Special.)—The election here passed off quietly today. The vote is: Elmore 7, Hermann 113, Ingalls 10, Reames 52, total 182. This is about 40 short of the usual vote of the precinct.

CURRY COUNTY.

Returns From Two Precincts Give Hermann Majority of 1.

MARSHFIELD, Or., June 1.—(Special.)

MEDFORD'S CANDIDATE FOR GRANT'S PASS CARNIVAL QUEEN.



MISS CENTENNA ROTHERMEL.

rolled up only 150 for its favorite son. Tillamook gave somewhere near its old-time Republican majority.

Every county in the district except Lincoln and Lake was heard from last night. With these there was no telegraphic communication. The vote is being counted rapidly, and will be completed today. Results in several counties are shown in following dispatches.

BENTON COUNTY.

Majority for Hermann Will Be Nearly 100.

CORVALLIS, Or., June 1.—(Special.)—Ten out of 15 precincts in Benton give Hermann 321, Reames 434. The same precincts in 1902 gave Tongue 656, Weatherford 548. Hermann's plurality is 91. Tongue's plurality was 132. Five precincts to hear from will make but little change in the plurality. The vote is 22 per cent short.

CLACKAMAS COUNTY.

Remarkable Showing Made by Reames—Plurality About 350.

OREGON CITY, Or., June 1.—(Special.)—Reames has carried Clackamas County by a plurality of 350 majority. Complete unofficial returns from 15 out of 27 precincts give Hermann 612, Reames 888. Same precincts in June, 1902, gave Tongue 1157, Weatherford 686. In these same precincts Furnish received 1256. Fully 50 per cent of the vote in Oregon City was cast, but in the rural districts the vote was exceptionally light, falling to at least 50 per cent of the average vote of the county. The remarkable change in this county is attributed directly to indifference of Republicans, many of whom, through professed allegiance to Hermann, deliberately knifed him at the polls and secretly worked against him. Many Republican voters refused to go to the polls at all, while, with the vigorous work of the Democrats who, encouraged by the possibility of Reames' election, polled practically their full vote, is responsible for the Democratic success in this county. The alliance of Hermann with Brownell is believed to have cost the Republican candidate many votes in this county. Complete returns from outlying precincts will not be received before late Tuesday afternoon. County Judge Ryan, Republican Congressional committee man, tonight says Reames has carried the county by about 350.

The last returns give Reames a plurality of 18 in Springfield and 12 in Union.

Reames' plurality is now 552 in 15 precincts with 23 precincts to hear from.

OSWEGO, June 1.—(Special.)—The complete returns from Oswego precinct are: Hermann, 65; Reames, 19; Ingalls, 12; total vote, 96.

JACKSON COUNTY.

Reames Will Carry His Home by 150 Majority.

ASHLAND, June 1.—(Special.)—Reports from today's Congressional election indicate that Reames has carried his home county of Jackson by 150 majority over Hermann. The total vote shows a great falling-off, and will not amount to more than two-thirds of last June's election. The largest precincts in the county give Hermann 57, Reames 103. Thirteen small outlying precincts yet to be reported gave Chamberlain a net majority of 120 over Furnish last June, but Hermann is running ahead of Furnish in the outlying precincts thus far reported.

Jacksonville, Reames' home town, gave him a majority of 51. Medford gives Hermann 22 majority, and Ashland's Hermann by 100. These precincts give Hermann a majority of 50. The Democrats made Herculean efforts to make a showing in this county today, but have made an exceedingly poor showing all in all.

MEDFORD, June 1.—(Special.)—The election passed off quietly here today.

Considerable activity was manifested by both sides. Incomplete returns show a fair gain for Reames. Indications are that he will carry the county by 400.

—The only two precincts in Curry which can be reached tonight give Hermann 23, Reames 22.

WEDDERBURN, Or., June 1.—(Special.)

—The complete returns for this precinct give Hermann 10, Reames 5, Ingalls 0.

WEDDERBURN, Or., June 1.—(Special.)

—Complete returns from Gold Beach precinct give Reames 14, Hermann 13, Ingalls 1.

JOSEPHINE COUNTY.

Democratic Candidate Will Have 200 Majority.

GRANT'S PASS, Or., June 1.—(Special.)—From the returns available tonight, it seems a certainty that Reames will carry Josephine by 200 votes. Returns are complete from the Grant's Pass and all outlying precincts reached by phone, and these would indicate that the Jackson County candidate will win out here. There are a few remote precincts to be heard from, but, as the vote of these is light, it will make but little change either way.

KLAMATH COUNTY.

Hermann's Majority Will Reach 100—Returns Not Complete.

KLAMATH FALLS, June 1.—(Special.)—Five out of 12 precincts give Hermann 258, Reames 133. Hermann will get about 100 majority in Klamath County.

LANE COUNTY.

Democrats Concede It to Hermann by 100—Republicans Claim 351.

EUGENE, Or., June 1.—(Special.)—Twenty-one precincts in Lane County give Hermann 1196, Reames 884. Four Eugene precincts complete give Hermann 43 majority. Outside precincts are reporting mostly for Hermann. There was a very light vote cast, as was expected. As near as can be estimated the vote was about 25 per cent short of a full vote. In Eugene about 250 transients voted. By the staying away from the polls the Republicans suffered more than the Democrats. Considerable hard work was done by both parties, but without very much result. Nothing more is expected from the county before morning. The Democrats concede the county to Hermann by 100 or more. Republicans claim the estimate of 300 is low enough.

JUNCTION CITY, June 1.—(Special.)

The election was quiet. Fully one-third of the country voters stayed at home, preferring to work rather than vote. The complete returns: North Junction, Elmore 8, Hermann 47, Ingalls 2, Reames 2; South Junction, Elmore 4, Hermann 45, Ingalls 2, Reames 2. These precincts gave Chamberlain 59 majority. They are usually Democratic by about 20.

EUGENE, June 1.—(Special.)—Watchers for news grew anxious late tonight and much uneasiness was felt. Nothing has been heard to add to the figures sent.

NOT AS LARGE AS HOPED.

Hermann's Majority Disappoints Chairman Republican Committee.

EUGENE, June 1.—(Special.)—Dr. T. W. Harris, in speaking of the returns, said: "I believe Mr. Hermann is elected. There are yet many distant precincts to report, but I think it is safe to say the returns yet to come will turn over to Mr. Hermann's favor. The distant precincts, as far as heard from, are staying closer to party lines than the larger towns."

"When the Democrats claim large inroads into the Republican ranks in Klamath and Lake Counties, I think they will be disappointed when they get full returns, which cannot be earlier than tomorrow."

"I am disappointed in some of the reports from the lower Valley counties, but was not altogether unprepared for it."

"Mr. Hermann's majority will probably not reach the figure I had anticipated. I think he is elected, but cannot now say how large his majority will be."

Chairman White of the Democratic committee, left Sunday morning for his home in Baker City to be present at the opening of court yesterday.

Only cigars of the kind made. Opla is a new shape, and it's better.

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and other stomach troubles quickly relieved and in most cases surely cured by the use of

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