## THE MORNING OREGONIAN, TUESDAY, JANUARY 31, 1905.

**ONE-THIRD BOGUS** 

**Result of Experts' Canvass of** Vote in Denver.

## DECISION MAY BE VERY CLOSE

If Only Fraudulent Ballots Are Thrown Out, Adams Will Still Have Majority-More Ballot-Boxes to Be Opened.

<sup>8</sup> DENVER. Jan. 26.—Ten ballot-boxes were reported on by experis today in the joint legislative chemiltee hearing of the Faubody-Adams Guhermatorial context. The experts alleged that out of 2066 hal-lode 521 were written by two or three were written by two or three

persons. The examinations of builds in this completed 364 hullot-boxes having been opened. The experts' reports showed that 20.44 votes were cast in these 364 pre-rines, of which [2.34] were for Adams and SEI for Peabody. The experts reported that 70% of these Democratic builds and 120 Republican ballots were frantialent, as they were written by from one to four persons.

If the Legislature should take the orte

If the Legislature should take the orig-inal petition of ex-Governor Feabody and throw out the entire vote of all these pre-cincts. Peabody's plurality in the state would be N. If, however, the Legislature should deduct the ballots alleged to be frauducent from the good ones. Adams would atill have a plurality of 2184. Bix more ballot-boxes will be reported on tomurrow, four from Adams County and two from Conejas County. With this report the contestant will have finished bis case before the committee. Wednes-day afferment the attorneys for the con-tagates will begin to introduce evidence.

### CLEAR PROOF OF FRAUD.

## Number Who Voted Republican Ticket Far Exceeds the Count.

DENVER, Colo., Jan. 26.-In the trial of Peter Miller, an election judge, on the charge of fraud in connection with his conduct of the election, the hallot-box was brought into the West fide Criminal was prought into the West Bide Criminal Court and epened today. The contents showed 15 straight Republican tickets, 20 scratched and 25 straight Democratic tickets. This corresponds with the re-turns made to the election commission. During the day, however, 42 persons went on the stand and owere that they were residents of the pre-that and voted the atraight Republican ticket on November 5 Millier is at present serving sentence in the County Jail for contempt of the Su-preme Court election injunction order.

#### GOES TO SUPREME COURT.

## Senator Patterson Appeals Case of Denver Election Judges.

WASHINGTON Jan 20-The so-caller Denver election frand cases found their way into the Supreme Court of the Unit ed States today in the shape of a petition for a writ of habons corpus, which was presented by United Bialon Senator Pat-terson. The many covered by the peti-tion are those of Peter Miller and Thomas

These cases areas out of the procesof the Sopreme Court of Colorado, under which the two men, who were judges of election, were sent to juil on the charge

talon's camp was a document offering a reward for the head of Governor Trias, and also placing prices on the heads of other supporters of the government. The two bandits are now operating sep-arately, and troops are so the trail of the bands. Persons familiar with the sit-uation declare that drastic measures are the resources are

the government's only resources. The indications are that the disaffected element is confined to two provinces. General Alten has reported that the situ-ation in the Island of Samar has greatly Improved.

# TO SHOOT DOWN BANDITS. Picked Sharpshooters ent After Ladrones in Cavite.

MANILA, Jan. 36-Habeas corpus been suppended in the Provinces of Cavite and Hatangas. Major-General Corbin is heartily co-operating with Governor Wright, and is giving him every possible aid in suppressing lawlessness. Federal aid in suppressing inwisseness. Federal traces consisting of detachments of picked income consisting of detachments of picked sharpshooters work in conjunction with the native scouts and the Constabulary. Federal troops garrison the towns and martial law has practically been estab-

The present situation in the two provinces is partially due to raids of indrones and to disaffection fostered by the oppo-

and to disanterion poterve of the oppo-ments of the internal revenue isw. The force of indrunes is estimated at isw. The bandits have intimidated peace-tuly inclined natives, who have been forced to assist them.

## Demand Ransom for Prisoners.

MANILA, Jan. 30 .- The ladrones ptured the wife and two children of Ex-Governor Trias in the attack on San Fran-cisco de Maladon on the night of Jan-uary 18, now demand a ransom of 20,000 penus for their release.

# NO DANGER OF MILITARISM.

### President Talks to Annapolis Gradu ates on Duty of Navy.

ANNAPOLIS, Jan. M .- Before a host of their friands and relatives, who came from all parts of the country to witness their graduation, the 114 members of the first class at the Naval Academy today completed their four years' course and received their diplomas at the hands of President Roosevelt.

nt address to the graduating class. The exercises were in the new armory, which was well filled with the midshipmen, the officers of the academy and their relatives and friends. Although speaking directly to the graduating class of the Naval Academy, the President spoke to the Nation as well as to the midshipmen. Addressing them as "fellow midshipmen." the President began by saying that he was unable to see how a good American could fail to be a better American by coming to Annapolis and seeing what the Navy was and what it was soon to be.

sister service, you owe a peculiar care for your interests on the part of the

militarism was the most foolish and most buseless.

sufficient thought to prepare our men and material. If this country intends to do Its duty on the side of law and order. then it must see to it that it is able to make good, should the necessity arise."

which the two men, who were judges of constrant of contempt of court.
The president continues:
The President content continues:
The President content co

WASHINGTON, Jan. 22.-The House committee on interstate and foreign commerce, by a party rote, today au-thorized a favorable report to the House on a bill extending authority to the interstate Commerce Commission to fix rates, to increase the size of the Commission from five to source mem-Commission from five to soven mem-bers, and creating a "court of trans-portation." The bill is a combination of the Esch-Townsend measure with amendments taken from the Hepburn

bill. The action of the committee was reached after sessions lasting practi-cally all day. At 10 oclock the 11 Re-publican members met for the purpose of agreeing on a bill. Eight of them were in favor of reporting the Hep-burn bill, lacking one vote of being a majority. Townsend, Esch and Lever-ing were in favor of the Esch-Town-send proposition. Finally Chairman

the committee were called in and an hour given them to caucus on the bill. During this time it developed that two of the six minority members were not activated with the Davey bill. The four members who did support it agreed to add two amendments, one providing that, where is rate is mamed by the Commission affecting two or more roads, the commission, on the failure of the roads to agree on a di-vision of the rate, shall make a ruling on the matter, and the other expediting litigation over a rate that has been fixed by the Commission. The full commission.

and, after voting down the Davoy bill by a party vote, the Republicans car-ried the Hepburn motion. The Demo-crais gave notice that they would pre-

sent the Davey bill in the House with a minority report. Townsend subse-quently introduced in the House the measure agreed on in order to have it printed

mmission shall be a joint rate and

the carriers fail to agree on the appor-tionment thereof among themselves within 20 days after notice of such or-

# Provisions of the Bill.

The bill reported contains 22 sec-tions. Sections 1 and 2 extend author-ity to the Interstate Commerce Com-mission whenever after a full hear-ing it has declared any existing rate for the transportation of persons or property or any regulation or practice whatsoever affecting the transporta-tion of persons or property.

ion of persons or property to be un-reasonable or unjustly discriminatory, to declare and order what shall be a just and reasonable rate, practice or regulation to be charged, imposed, or followed in the future in place of that found to be unreasonable or unjustly discriminatory and the order of the The President delivered the commence

discriminatory, and the order of the Commission shall of its own force be-come operative 20 days after notice has been given to the person or persons directly affected thereby; but at any time within 69 days from date of such notice any persons directly affected by the order of the Commission and deeming it to be contrary to law, may insti-tute proceedings in the Court of Transportation, sitting as a court of equity, to have it reviewed and its luwfulness, justness or reasonableness determined. When the rate substituted by the

"More than any other people in the country," he said, "except the men of opresentatives of the people."

der, the Commission, after full hear-ing, may issue a supplementary order declaring the portion of such joint rate to be received by each carrier Of all the baseless alarm in the coun-try, the President said, that the cry about party thereto, which shall take effect

of its own force as part of the original order, subject to review like the orig-"No nation is as free from the danger of inal order. a growth of militariam as are we," he Section 2 makes all proceedings be-mid. "The danger is lest we do not take fore the commission, including the rec-ord ficient thought to prepare our men and of the Commission a part of the rec ord in the case, to be sent to the Court of Transportation within ten days after notice for review has been given.

after notice for review has been given. All proceedings before the court are to be conducted by the Attorney-General. The commission, however, may employ special counsel, with the approval of the Attorney-General, and moreover, is given full power, even during proceedings, to modify, suspend or annul its former or-der, ruling or requirements. Section 4 imposes a penalty of a fine of \$900 a day for each day parties violate the rulings of the Commission made under the rulings of the Con Sections 1 and 2 of the bill. Section 5 defines the word person to in-lude corporations. New Commissioners and New Court. Bection 6 increases the membership of the Commission to 7, and makes the sal-ary of each 10,000 a year, and concludes: "The President shall appoint, by and with the consent of the Senate, two ad-

Mexico will come in as another, leav-ing Arizona as a territory. Benator Beveridge, chairman of the committee on territories, who has charge of the bill, concedes that in its present form there is no hope for its passage. He says that his desire now is to give statehood to the 1,500,600 people of Oklahrma and Indian Terri-tory at this time and that ister Ari-zona and New Mexico will be admitted as one state. as one state.

TO CHANGE THE PROTOCOL.

political point of view. It is expected that the new protocol will be ready for signature in a day or two.

IRRIGATION CODE WILL PASS.

send proposition. Finally Chairman Hepburn moved to report the Exch-Townsend measure with amendments, and then the Democratic members of the committee were called in and an

> Secretary Hailey Says Interests Benefited Are the Strongest.

SALEM, Or., Jan. 20.-(Special.)-The House committee on irrigation tonight was to have gone at length into the ir-rigation code proposed by the State Ir-rigation Commission, but put off the work until tomorrow. T. G. Halley, secretary of the commission, was present to help straighten out the kinks: also T. H. Crawford, of Union, elid J. T. Whistler, district engineer for Oregon in the re-charaction service. A fight is in progress against the bill, but Mr. Hailey says it will pot defeat the measure and that the interests which complain they will be interests which complain they will be interest which complain they will be which are to be benefited. A bill to create a bonding district on the Maiheur River for the purchase of irrigation rights for presentation to the

irrigation rights for presentation to the National Government in the interest of the proposed project of the reclamation service in that county is perplexing the committee. The hill as introduced in the House provides that the district shall bord fixed in the sum of 500 med House provides that the contrict shall bond likelf in the sum of \$300.000, and names a commission of 16 men who shall expend the money. The committee will probably amend the bill for the election of the commissioners by the voters of the district for reducing the maximum limit of the bonds to \$300.000.

the district for reducing the maximum limit of the bonds to \$290,000. E. D. Test, of Ontario, is preasing the amendments and has shown the commit-tee that in annuch as the total assessed valuation of the district last year was only \$700,000, a tremendous interest tax would have to be imposed.

# WOULD INCORPORATE IN CODE.

#### **Committee Does Not Favor Separate** Bill for Tax on Gross Earnings.

SALEM, Or., Jan. 207-(Special)-The Sonnemann bill for the taxation of the gross earnings of express, telephone and telegraph companies will be laid on the table, if the House shall follow the rec-ommendation of the committee on rail-roads. The committee today heard the protest from the Western Union Tele-graph Company, which was represented by R. T. Reid, of Seattle, division super-intendent.

The committee favors the enactment of such a tax and believes that the Logis-lature should pass such a bill as was in-troduced by Sonnemann, but is of the opinion that such legislation should be incorporated in a revised code on taxa-tion like that intended by the creation of the Tax Commission, for which the House passed a bill today. The commission is to draft a bill to remodel the tax code, and is to report to the next Legislature. "We cannot be utradifying the orbit."

"We cannot be turned from the princi-ple of the gross earnings tax," said one of the committee tonight," and I believe that every member thinks it is right." Mr. Reid set forth that business of his company in Oregon did not warrant a tax mission made under

and that the practical application of the proposed law in proportion to the busi-ness of his company in this state was not practical. Mr. Reid made a good case before the committee. Representatives of Wells-Fargo and the Pacific States Tele-phone & Telesron Commission States Telephone & Telegraph Company appeared be-fore the committee last week.

# USE OF THE VETERINARIAN.

The same and the second bill the second bill be a second bill introduced at this session for a special fund by special levy, notwithstanding Secretary of State Dunbar's urgent recommendation that special



Remington Typewriter encircles the Globe. Salesrooms:

The Organization of the





also was made that the state court did not invade the functions of the legislative department of the State.

## No Change in Missouri Ballot.

JEFFEIISON CITY, Mo., Jan. 20,-astner hallot, the eleventh wa Wat aken today in joint session for United States Senator to succeed Francis M. Cockrell without result. The hallot folin more i Kerens, 11, and Hays, of Putnam County, 1. The total vote was 108, re-quiring 55 to size. There were eight putre in the Senate and 25 in the quiring 55

# AGAINST THE CONVENTION.

## Labor Leader Asserts Workingmen Do Not Desire Constitutional Meating.

Organized latter is strongly uguinat the provided for in Senate bill 146. A resoluprovided for in behavior and has A recent-tion previdenting against the paramage of this bill wave prepared and adopted by the State Federation of Labor this afternoon, and will be introduced into the Legisla-ture. This reactuition has been induced y the legislative committee of the Ped-rated Trades Council, and copies have one seet to the different central labor office throughout the state with the reby the

the mean-relicial plan of having one-third or sity of the delegates appointed or cho-sets, of its any other manner than an leastion by the people. It is thought that but few changes are measury in the present constitution, and these can best full middles the sword and medials won for prediciency in theoretical and practical stitutional convention is also mought and at an objection.

G. Kundret, of the Portland Labor Prove Publishing Company, has charge of this resolution, and will go to Saless today and handle the matter there. "Labor," he sold, "to abscriptely against

his proposed constitutional contraction. The State Programme of Labor is pledged to support the initiative and refer To support the institutive and referentian, and used that has been given a fair trial we feel that we cannot abandon it. Until such time as II has been given a fair trial and proved wanding, we must give it our support. Then again, we size not it favor of allowing any number of the delegates in he chasen by any party other than the genetic."

## CRIMES OF BANDITS.

# Awful Barbarities Committed by the Court of the United States today denied

## Ladrones.

MANILA, Jan. 22.-Details received conerrating the operations of Montalon and Fellmards, the outlaw Lastroup leaders, above that fragilital structities have been committed. Natives wise have captered or abown sympathy for Americans have hantstrong and had their ligs cut off, on of the Pence have been aligned

Among the papers capturul at Mon- pay a fine of \$38,000 each.

good. I extraetly hope that our foreign policy shall be continued also used or change of party along the lines of treating every foreign ma-tion with all possible respect, of avoiding all prevention for war, for irrodule of any kind, of taking every size possible to minimize the chance of truthis occurring; and at the same lines of taking every size monthle to see an time of taking every step possible to see to it that, if he any chance treable does occur, we do not come out second best

party."

ears each

Referring to the arbitration treaties now Coekrell, 59; Niedringhaus, 46; pending before the Senate, the President suld every friend of peace will join heartily in seeing that these treatles become a part of the supreme law of the land. He said this Nation seeks peace, not because we are afraid of war, but because the American people love the eternal and immutable laws of justice and right living.

Continuing, the President said: Therefore, have in band with the negotiation is treating of that character, hand in hand with the effort to put our foreign relations with every fation on a befor faciling, must go the meady upbuilding of the Army and Nevy shows all the Nany, no that our Na-tional hour may be sure of an accente sate-guard, should sur National hours be actively

He then talked to the members of the the bill and also of the Interstate Commerce act. It also provides that proceed-ings to force contumacious witnesses to attend and testify or produce documentary graduating class, reminding them that one of their great duties was "to see that your shot litts."

vidence before the Interstate Commerce In the naval engagements of modern times, the President suid, the defeated quest that the resolution be acted upon at once and that these issiles use their in-flucture with their respective legislature to secure the defaut of the bill. The resolution in rectaing the objections to the full, states that labor is opposed to belligerents were defeated through no. same may be applicable.

May Summon Witnes-es Anywhere. Sections 12 and 13 relate to evidence be the proud fame of the American naval of-

the proud fame of the American naval of. Loss." At the conclusion of his address, the president presented to the seven success-ful middles the sword and medals won for public production of the seven success-tal middles the sword and medals won for public production of the seven success-tal middles the sword and medals won for any judicial district or any territory or pusnery.

Section 14 declares the Court of Trans-portation always open for the filing of Accompanying the President were: Secretary Morton, Mrs. Morton, Miss pleadings, motions or orders. Morton, Mr. and Mrs. Mark Morton, Section 15 provides for appeal to the Secretary Taft, Mrs. Taft, Mrs. Caurles United States Supreme Court from the Court of Transportation, providing it is taken within 30 days of the date of entry P. Tail, Secretary Loeb, Dr. P. M. Rixey. Commander Cameron McR. Winnof the order or decree of the Court of Transportation. The Supreme Court shall give precedence to the hearing and decilow the Presiden't naval aide; M. A. Latta, the Presiden't stenographer; two Secret Service officers and several sion of such appeal over all other cases messengers. except criminal cases. Sections 34, 17, 18, 39, 30 and 21 provide for the organization of the court, appoint-ment of court officers and rules of prac-

MUST GO TO PRISON.

Supreme Court Affirms Sentence Against Postal Boodlers.

WASHINGTON, Jan. 30-The Supreme the application of Machen, Lorenz and Groff for a writ of certiorari in the case Possible Change In Terms of Stateagainst them, charging conspiracy to detraud the Government in connection with the Postaffice Department irregularities. The effect is to leave standing the decision

WARHINGTON, Jan. 36 .-- It is by no means certain how many new states will be admitted to the Union under of the Court of Appeals of the Disrict of Columbia finding them guilty as charged. Machen, Lorenz and the Groffs were senteneed to two years' imprisonment and to

last section of the blil provides

MAY LEAVE OUT ARIZONA.

hood Bill in Senate.

day of April, 1965."

This act shall take effect on the first

ditional Interstate Commerce Commission-ers. No more than four Commissioners shall be appointed from the same political littee is Favorably Impressed by Arguments in His Favor.

SALEM, Or., Jan. 30.-(Special.)-Sen-ator Smith's bill to" abolish the do-mentic animal commission, which includes the state veterinarian, has met with some strenuous opposition, and it is understood that the committee on agriculture, to Section 7 establishes the Court o Transportation, to be composed of five Chrouit Judges of the United States, no two of whom shall be from the same judithat the committee on agriculture, to which it was referred, is about to report cial district. They shall be designated by the President for terms of one, two, three four and five years, respectively, from April 1, 1905, and as thele terms expire the president shall from the Circuit Judges appoint their successors for terms of five the measure adversely. The committee is composed of McDonald, Laycock and

James Withycombe, of the Agricul tural college, who was formerly state vet-erinarian, and Dr. William McLean, the present incumbent, were in Salem today arguing with the committee against the abolishment of the office. They presented figures showing the extensive, work done by the state vateriarian is billion in Section 8 provides that this court shall hold four regular assessions annually in Washington, beginning on the first Tues-day in March, June, September and Decomber. Special sessions of the court may be held at other places, "when jus-tice would be thereby promoted." Section 2 authorizes the President to ap-point five additional Circuit Court Judges. by the state veterinarian in killing dis horses and cattle, which work has been kept from public attention lest it should indure the reputation of the state. The showing thus made won the favor of the no two of whom shall be from the same judicial circuit, to exercise the authority and powers and perform the duiles now required by inw of a Circuit Court Judge. mmittee

committee. Senator Smith will try to get the hill into the hands of the ways and means committee after the committee on agri-culture makes its report.

Section 10 grants the Court of Trans-portation exclusive original jurisdiction in all cases brought under the provisions of Entering a building without right and without intent to commit a crime, is to be made a misdemeanor punishable by fine of \$1 to \$5, if Haines' Scenate bill 199 becomes a law. The purpose is to meet those cases where a person enters a building with criminal intent but it is impossi-Commission may be brought in any court of original jurisdiction. Section II extends to the Court of Trans-A general advance in sa

A general advance in salaries at the Sol-dier's Home is desired by the officials of portation all the powers of a Circuit Court of the United States so far as the introduced a bill in their behalf. Salaries proposed are: Commandant, \$1000, now \$550; matron, \$450, now \$400; adjutant, \$600, now, \$420; hospital matron, \$450, now \$420; physician, \$450, now the same.

> To create a State Board of Accountancy to create a state Board of Accountancy, with power to conduct examinations in theory of accounts, practical accounting, auditing, commercial law and laws gov-erning public corporations, and to, issue certificates to persons passing such examinations, charging \$5 therefore, is the purpose of a bill introduced by Senator Hodgron today.

The creation of a special fund to be known as the State Normal School Fund amounting to \$50,000 and raised by a sepa



ficians. Hundreds of doctors are using Mellin's Food in there own famfor their own children. If Mellin's Food is good for the doctor's baby it ought to be good for your baby. Let us know if you would like to try Mellin's Food and we will send you a sample bottle free of charge. the agreement reported today to vote on the joint statehood bill and its nu-merous amendments on February 7. There are prospects, however, that Oklahoma and Indian Territory will come in as one state, and that New

