## JUDGE BELLINGER HAS PASSED AWAY

Distinguished Jurist Unable to Withstand Inroads of Malady.

#### CHARACTER AND CAREER

Citizens of Oregon Unite in Paying Their Tributes to His Worth and in Expressing Their Sorrow at His Death.

SUMMARY OF JUDGE BELLINGER'S

CABEER. Born at Maquon, Ill., November 21,

Crossed plains with parents at age of 8, settling in Marion County, 1847. Attended Willamette University for veral years, but did not graduate. Studied law with B. F. Bonham, ad-

nitted to bar, 1863, Served in Modoc war and participuted in battle of Lava Beds, 1873. Clerk and official reporter Supreme Court, 1874 to 1878.

Judge Fourth District Circuit Court, 1878 to 1880, Appointed United States District

Judge for Oregon by Grover Cleveand, April, 1803, Died 3:45 P. M., May 12, 1905, ......

United States District Judge Charles B. Beilinger surrendered in his long struggle for life yesterday afternoon and passes peacefully away at 2:45 o'clock, surrounded by the members of his family and a few of his most intimate and long-time friends.

fly had been waiting for the worst during all of the day. The Judge passed a restless and unsatisfactory night or Thursday and was much weaker when day dawned yesterday morning. During morning he sank into a semiconscious condition and as the day length ened into the afternoon the stupor be came more marked, until it was impossihie to rouse the patient to conscious

There was no great increase in tem perature during the day, but the pulse came more accelerated, though more feeble, and the respiration began to fail. These conditions grew more marked until at 3:40 the breathing stopped and the minutes afterwards, showing the stubborn resistance made by the rugged constitution of the patient.

ly. The Judge was not able to recognize any of those in the room after he sank into the stupor of the morning, and during the later hours was entirely uncon scious of his surroundings. Death came so softly and easily that those watching hardly realized its presence until the ancoment of the physicians watching by the bedside was made

During all the time of Judge Bellinger's filmess, Mrs. Bellinger has been continually at his side, and was present yester day at the end. All of the children were also present, with the exception of Mrs. Knapp, who was confined to her bed at home quite ill. Besides the members of the family were present Drs. Chapman and Parker, Cyrus Dolph, M. O. Lownsdale and the nurse who has had charge of

the case from the beginning. The funeral services will be conducted Sunday afternoon at 2:30 at the Cremaorium, special cars being reserved for those who may desire to attend. Further announcement of details will be made Sun-

The death of Judge Bellinger can be traced directly to the Oregon land fraud cases, which have filled his time from the middle of November last. On Sunday, April 23, the Judge worked all day on the decision which he was to hand down the following morning on the Mitchell ples of abatement. He went early to his office, and the weather being warm, worked in his shirtsleeves until noon, when he walked home to luncheon, returning again directly afterwards and working until late in the afternoon. The next day he also worked on the decision, and Tuesday, the day upon which it was delivered, he awoko with a fever and feeling ill

From that time on the course of the illness is well known; the rally at the end of the week, the journey to the farm on Saturday, the apparent return to health on Sunday; the journey to court nday, when the last official act of the Judge was given; the suspension of sentence in the case of Henry W. Miller, accused of conspiracy against the Government. The relapse of the afternoon with the subsequent progress of the disrase, much aggravated in every symptom, to the deplorable end has all been related daily since the seriousness of the iliness was made public.

#### BIOGRAPHY OF THE JUDGE

Charles B. Bellinger Closely Identified With Progress of Oregon.

Judge Charles B, Bellinger was born in Maquon, Ill., November 21, 1838, thus being. at the time of his death 66 years of age. He came of a pioneer family dating back from the days of the Holland immigration to New York, in which state his ancestors left their names as warriors and men of affairs. His great-grandfather was a solvolutionary War, while his grandfather, John H. Beilinger, served

through the War of 1812, E. H. Bellinger, the father of the Judge, was a wagonmaker at Maquon, Ill., and

Mormon company led by Brigham Young, and guarded by a company of soldlers.

The journey, which took six months for its accomplishment, was full of danger, as the Indians were troublesome at that time. It was the same year in which Dr. Whitman was massacred, and at the time when the Columbia River Indians were most hostile.

most hostile.

The Bellinger party parted company with Brigham Young and his followers at Bear Valley and made the rest of the trip alone, arriving in Oregon in safety and settling in Marion County, at that

Judge Bellinger's father, E. H. Bellinger, was elected a member of the Territorial Legislature in 1858, but was killed by being thrown from a horse before the convention of the Assembly.

vention of the Assembly.

The maiden name of the mother of C.

B. Bellinger was Miss Eliza Howard, a member of an old Massachusetts family. She died in Grant County in 1881. He has a sister, Mrs. Ellen Shrewsbury, now living at Los Angeles, while his brother, Edward H. Bellinger, who was a well-known merchant at Salem, was drowned in attempting to cross Mill Creek during the high water of 1889.

Charles B. Bellinger first attended school in a country schoolbours on the

school in a country schoolhouse on the Santiam River, under the tutelage of Orange Jacobs, who is now a well-known

Grange Jacobs, who is now a well-known attorney of Seattle.

He later entered Williamette University, but did not remain to graduate. Leaving that institution, he studied law in the office of B. F. Bonham, now an attorney at Salem, and was admitted to the bar in 1861, beginning the practice of his profession with John C. Cartwright.

young lawyer next turned to news work for a time and edited the Arena, a weekly paper at Salem, and at that time the Democratic organ of the state. He later published the Salem Re-view, but owing to falling health left that city and went to Monroc, Benton County, where he engaged in the mercantil busi-ness. While here he was elected a member of the Legislature from Benton in

In 1869 he again turned to journalism fo a time and edited the Albany Democrat. The following year be came to Portland to practice his profession, and founded the Portland News, which later became the Telegram. He edited this paper for two years. From 1874 until 1878 he was Clerk of the Supreme Court, and in 1878 was appointed a Circuit Judge of the Fourth District by Governor Thayer, to fill a vacancy caused by a reorganization of the districts.

In 1880, Judge Bellinger received the Democratic nomination for the office which he was at that time holding, but was defeated, though he ran 1100 votes ahead of his ticket.

From 1880 to 1883 Judge Bellinger practiced law, being associated with John M. Gearin, and later became a member of the firm of Dolph, Bellinger, Mallory &

In 1893 Judge Bellinger was appointed United States District Judge by President Cleveland to fill the vacancy caused by the death of Judge Deady. He took office May 1 and retained the position until his discharging its many and difficult duties with great fairness and distinction. While Clerk of the Supreme Court, Judge Beilinger served in the Modoc War. being a Lieutenant-Colonel on the staff of General Miller. He took part in the fight in the Lava Beds, June 17, 1873, at which time the troops under General Wheaton were ambushed and defeated by

the Indians Judge Bellinger was married while a young man to Miss Margery Johnson, in Linn County, and from this union seven children have been born. Oscar, the eldstubborn fight was ended, though the R. & N.: Victor, another son, is dead, pulse continued to beat for fully two but was at the time of his death a promest son, is a civil engineer with the O. ising lawyer, and was associated with his father, in the compilation of the edition of Oregon laws known as the Bellinger and Cotton Annotated Laws. Emmet and Howard, two other sons, are cattlemen in Washington. There were three daughters—Mrs. Edith Edwards, deceased, of Springfield, Ill.: Mrs. C. H. Knapp, of Portland; and Mrs. Catherine Morrison,

who resides at home.

Judge Bellinger was prominent in public and philanthropic work, and was a member of many societies. He was one of the charter members of the Oregon Historical Society and of the Oregon Piencer Association, and at times held the office of president of both organizations. He was appointed a Com Lewis and Clark Exposition by Governor

When the Order of United Artisans was organized Judge Bellinger was prominent in the movement, and had always been a director in the order. He helped organize the Oregon State Bar Association and served as its president for several terms. For ten years, Judge Bellinger was pro-fessor of equity, jurisprudence and plead-ing on the faculty of the University of Oregon, and had been a member of the Board of Regents since 1896, being the president of the board for several years. The deceased was a member of Wash ington Lodge, \$6, of Portland, and was a pastmaster of the Masonic order. He was

also a member of Washington Chapter 15, Royal Arch Masons. Socially, he was a member of the Arlington Club. The Judge was president of the Portland Cremation Association and a stanch believer in cremation.

#### PAY TRIBUTE TO HIS WORTH

All Unite to Express Their Sorrow at Jurist's Death.

The news of Judge Bellinger's death came as a great blow to many of the residents of Portland, to whom he had been known as a friend and fellow-citizen for many years. Of this number, perhaps none felt the sorrow more than did Mayor. Milliams, who has been a friend and neighbor of the deceased since the early days of Portland's existence as a city. When told of the death of the Judge yes-

when told of the death of the Judge yea-terday aftermoon the Mayor said:

"I have known Judge Bellinger for many years, and have learned to have great respect for him as a lawyer, as a Judge and as a man. I knew him first when he was running a paper in Port-land and at the same time acting as clerk of the Saureme Court. One forwage coler of the Supreme Court. One forms opin-lons of men by seeing them in their daily life, and I formed a high regard for Judge Bellinger as a man of integrity and good purpose. We have always been good friends, though we differed in politics, and in the early days, about the time of the Civil War, Judge Bellinger was a very radical Democrat and had strong sympa-thy for the South and its cause. "I have known him as a man and as a lawyer, and have always had the great-est respect for him as a man of integrity of the Supreme Court. One forms

est respect for him as a man of integrity and honor. When he was an applicant for the appointment to the position of Federal Judge, although it was a Democratic ad-Judge although it was a remocratic administration, he came to me and asked for my indorsement, thinking, inasmuch as I had been attorney-General, my opinion of him would have weight. I very garnestly recommended him for the place, and was glad when he secured the appointment by President Cleveland.

"For a long time be occupied one of my bears and we have here very infirmate.

houses, and we have been very intimate in friendship, and I have a very great re-gard for him. As a Judge be filled a high place, and always did what he thought

American Employes Stampede From Canal Zone and Make Grave Charges.

### NO PROTECTION TO HEALTH

Men Must Live in Filthy Houses or in Tents on Bare Ground--Medical Supplies and Lumber Not Shipped

WASHINGTON, May - 12 - (Special.)-That dread scourge, yellow fever, has thrown into a panic the Americans who went to the Isthmus of Panama for adventure, as well as those who went there for work. Officially, Washington is informed by Colonel Gorgas, the acting Governor of the canal zone, that yellow fever has gained a foothold there, and he gives lists of names of Americans who are now in the hospital at Panama under treatment.

If the Government has received, it is not giving out, reports to substantlate the charges which are being made by Americans returning from the canal zone. These charges reach the seriousness of criminal negligence. If the statements are correct, the officials entrusted with guarding the health of Americans engaged in upon the great canal have utterly falled to provide the protection which they know and admit is essential to prevent contamination. The exodus of Americans out of the canal zone, unless quickly arrested, will reduce the representation of this country down there to the garrison and the officers in command.

#### Gross Mismanagement Charged.

Stories of gross mismanagement are told by refugees who have reached New York from the isthmus. They say conditions under which they were to work were grossly misrepresented, and, instead of being given sanitary quarters protected with mosquito netting, they were forced to live in squalor and filth or sleep ex posed in tents on the grass. Lumber ordered months ago for the construction of quarters for the employes has not been shipped from this country, it is charged, and medical and sanitary supplies ordered by Dr. Gorgas, who is himself an authority and expert in the treatment of yellow fever, have not reached the isthmus,

Charges are that the Government hospital is not adequately equipped, that it is sponsible for the existing conditions.

On May 16, Chairman Shonts, of the Canal Commission, and Judge Magoon, America. on half supplies, and that much suffering

Governor of the zone, will start for the isthmus, and they are expected to correct at once any laxity or weakness they may find in the administration down there. Congressional inquiry will certainly follow unless there is a material improve ment in conditions at once.

#### HIS ATTITUDE SUITS BRYAN

Democratic Leader Admires Roo velt's Position on Rates

KANSAS CITY, Mo., May 12.-William J. Bryan was the guest of honor and principal speaker at a dinner given by the Knife and Fork Club, of this city, a the Midland Hotel. In an interview Mr Bryan said that he admired the position of President Roosevelt and Mr. Taft upon the question of railroad rate legislatio In regard to the recent Iroquois bar quet in Chicago, at which President Roosevelt was the guest of honor, Mr. Bryan said:

"I was gratified at the recent expressi of good will at the deconstration in Chi-cago toward the Prestient and I am glad that the Democrats of the Nation are supporting President Ronsevelt in his po-sition on the railroad rate legislation."

#### HAY WILL NOT RESIGN

Will Go to London and Sail for Home June 7.

ST. PETERSBURG, May 12-Spence M. Eddy, secretary of the American Embassy, has returned here from Bad Nauhelm. He found Secretary Hay greatly improved. After completing the cure the Secretary will go to London, sailing for the United States June 7

Mr. Hay informed Mr. Eddy that there is no truth in the reports that it is his ntion to resign the Secretaryship of

#### BRING HOME JONES' BODY

Sigsbee's Squadron Going to France Burial at Annapolis.

WASHINGTON, May 12.-The announ ment was made at the Navy Department oday that Rear-Admiral Sigsbee's squadron will be sent to France to bring back the remains of John Paul Jones. It is estimated at the department that Admiral Sigsbee will sail from New York between June 5 and 10.

The President today approved the recommendation of Secretary Morton that the body be buried at Annapolis,

Plan Great Protestant Conference. NEW YORK, May 12-Members of the executive committee and the committee of arrangements for the Inter-Church Conference on Moderation have, at a meeting here, approved lans for a meeting of the representations of the various Protestant Churches of the United States to be held at Carnegle Hall, November 15-20. The conference is to be the largest in the history of the Protestant church in America. Delegates from the various denominations will represent 17,000,000 church members. Addresses were made at the conference by ministers represent-

THE LATE CHARLES B. BELLINGER, UNITED STATES DISTRICT JUDGE

# EXTEND ROAD TO PACIFIC COAST

President Earling Announces Intention of St. Paul Railroad.

#### NO DELAY IN GOING TO WORK

Two Present Lines Will Be Extended Through South Dakota to Unite in Wyoming, Whence Road Will Run Westward.

MITCHELL, S. D., May 12-(Special.)-The Chicago, Milwaukee & St. Paul Rallroad, according to an announcement made today by President A. J. Earling while in Mitchell, will be extended to the Pacific coast with the least possible delay Mr. Earling was here with officials on his way to Chamberlain, where the line to the Black Hills is building. He author ized the announcement of the Pacific Coast extension, through a member of the party, and the statement was published in everal newspapers today as an authorized interview.

Mr. Earling said that the line to Cham would be built across Western South Dakota and Wyoming as fast as possible. The line now terminating at Evarts will also be extended westward cross the Missourt River and Northern South Dakota to some point in Wyoming, where it will make a junction with the line from Chamberlain west.

Mr. Earling, H. F. Hunter, right-of-way agent; the chief engineer and others will take four teams at Chamberlain and drive 250 miles to the Black Hills over the route of the extension from Chamberlai While it has been known that the Milwankee & St. Paul Railroad has made

surveys for a Paqific Coast line, and has ought large terminal properties at Bellingham Bay and Seattle, Mr. Earling has never before made a statement con firming the reports of the company's

#### BATTLE WITH BANDITS.

Three Break Jail in Wyomiag and Fight Sheriff's Posse.

BUTTE, Mont., May 12-A Miner speiai from Casper, Wyo., says: While Deputy Sheriff Webb was givin water to a prisoner in the County Jail tonight, he was overpowered and dis-

iff's office and horses and saddles from

the stables.

They bound and gagged Sheriff Webb's wife and choked her, but before departing removed the gag and bade her good-The trio rode away in the direction of

The trio rode away in the direction of the Casper-Mountains. Deputy Sheriff Hart organized a posse and started in pursuit, overtaking the bandits near the summit of the mountains, seven miles from town, where a battle occurred. Citizens with field glasses witnessed the beginning of the fight, but night came on and the outcome is not known.

Lee was formerly a Deputy Sheriff, and knows every foot of the country. He was awaiting trial for horse-stealing. Trout is charged with stealing cattle, and Wardlows is charged with forgery.

lows is charged with forgery.

A second posse left Casper and a third will join the chase at midnight. The outlaws, being well armed and mounted it will be a difficult task to recapture them.

#### WILL DECIDE LOOMIS CASE

Inquiry to Be Conducted by Roose veit Next Week.

WASHINGTON, May 12.-Some matters of importance were considered informally at today's meeting of the Cabinet, but no of questions of concern were reached. Much of the time of the meeting was taken up by the President in discuss ing the details of his Western trip.

No definite decision of the case involve ing Assistant Secretary of State Loomle and Herbert W. Bowen, United States Minister at Caracas, took place. Secretary Taft, who has had the subject under consideration, in the absence of the President, arranged with Mr. Roosevelt to talk upon the case tonight, when they went over the matter fully and decided just stopped in Kansas City, on his way West what method of procedure shall be fold lowed.

The case will be taken up by the President next week. Mr. Roosevelt will conduct the inquiry into the matter per sonally and both Mr. Loomis and Mr. Bowen will be given an opportunity to present their respective sides. Mr. Bowen is expected in Washington Sunday and ole matter will probably be taken

#### EXTRADITION FOR GOLDEN

He Is Wanted in Vancouver, B. C., for Forgery.

WASHINGTON, May 12.—The State De artment has issued a warrant for the surrender to the British authorities of seph Golden, held under arrest at Port ad, under the charge of forgery commit ted in Vancouver.

Joseph Golden was arrested in this city Joseph Golden was arrested in this city about a month ago, on the street. After being taken before the Federal authorities Golden and a companion under arrest made a break for liberty. Golden was shortly afterward recaptured. He is accused of raising a Canadian money order.

#### Stock Assessed to Pay Shortage.

MILWAUKEE, Wis., May 12.-Controlr of the Currency Ridgely has levied an assessment of 68 2-3 per cent on stock-holders of the First National Bank, of this city, to raise \$1,000,000 to make good the capital stock caused by the defalca-tion of ex-President Bigelow.

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Son of ex-Boss of New York **Becomes Victim of Opium** Poisoning.

#### ON JOURNEY TO OKLAHOMA

After Spending Afternoon at Races, He Visits Chinese Oplum-Joint. Found Dead by Conductor at Early Morning.

KANSAS CITY, May 12.-Herbert V. Croker, a son of Richard Croker, the former Tammany leader of New York, was found dead on a south-bound Santa Fe train near Newton, Kan., early this morning, and it is supposed that he died of opium poisoning. From papers found on the dead man it appears that he was on the way from New York to spend a vacation at the 101 ranch, Bliss, Okla. He yesterday, but did not register at a hotel, or, so far as known, make his identity known to anyone. He visited the Elm Ridge races in the afternoon, but his con-

duct was not unusual. At 10 o'clock last night, Croker, in a condition of stupor, was put on board a chair car on a Santa Fe train by a negro, who gave him a purse containing \$19 in noney and a ticket to Bliss, O. T. Croker imm diately lapsed into a heavy sleep. His fellow-passengers not ced his sleep become quieter. No attention was paid to his condition until Newton had been nearly reached, when the conductor, seeking to arose him to collect his ticket,

found him dead. The Coroner at Newton began an quest tonight, at which trainmen testified that Mr. Croker did not smell of liquor. The inquest was adjourned until tomor row. An autopsy will be held to deter-

mine the cause of death. The police of this city found the negro who put Mr. Croker on the train. He was a porter at the Coates House, named Woodson. He said that Croker, when at the hotel, asked to be taken to an opium joint, that he took him to such a place kept by a Chinaman, and that Croker stayed there for an hour, and that then, at his request, Woodson took Croker to the train and belped him on board. The police believe Woodson's story, and he has

#### not been arrested. Brother Will Go After Body.

Croker's identity did not become cnown until a message was received from Richard Croker at New York several hours later, asking the authorities to hold the remains, and stating that he Newton

The first clew to Croker's identity was a letter found in his pocket addressed by Zach Mulhall, formerly of Oklahoma, who is now holding a Wild West show in New York City, to Joseph S. Miller, manager of the famous "101" ranch at Bliss, Okla, Inquiry by telephone elicited the information that Croker was not known at the Bliss ranch. Evidently he was on the way there for an outing. Following message of inquiry sent to New York City, the Coroner took charge of the body and empanelled a jury. An inquest was begun

#### Put on Board by Negro.

According to stories of passengers and the conductor on the train, the young New Yorker was placed in the train at Kansas City shortly after 10 o'clock last night by a negro. He appeared to be under the influence of some drug. The negro was seen to hand him a sum of money and a railroad ticket just before the train started, when he jumped off and disappeared. When the conductor came around to collect Croker's fare, the latter was asleep and he did not disturb the passenger. Croker was left to himself all night until nearly 5 o'clock this mornning, when the conductor made another attempt to collect his ticket. He was unable to arouse Croker and upon exam-

ination found that he was dead. The Coroner at Newton was notified by wire and when the train reached that city the body was removed to an undertaking establishment. It was several hours later before the young man's iden-

tity was discovered As far as learned, Croker arrived in Kansas City early on Thursday and spent the afternoon at the Elm Ridge racetrack. He is known to have been in the company of several patrons of the racetrack before he boarded the train for the South.

### Conversation With Negro

Passengers on the train took particular notice when young Croker was assisted into a chair car at the Union Station in Kansas City by a young negro, because the white man was helpiess, as if from liquor. The negro assisted him into a seat and then gave him a purse containing a railroad ticket and \$19, counting the money out to Croker. The passengers

heard Croker say: "Now I want you to send me the rest

of 11,17 The negro asked Croker to write his address, but Croker refused, and finally the negro wrote while Croker dictated, The address was "Bliss, Oklahoma. Care

'101' Ranch." body, and the officers here do not believe he died of heart trouble, as he was of fine physical development. Beside the let-ter from Zach Mulhall, introducing Croker to Joe Miller of 101 ranch, Croker's paper included a letter of introduction from J. D. Carroll, of New York, to Miller; a le ter signed "Carter," from New York, and an affectionate letter from a woman on West Twenty-second street, New York