

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 CAREER.

Born at Maugou, Ill., November 21, 1828.

Crossed plains with parents at age of 8, settling in Marion County, 1847.

Attended Willamette University for several years, but did not graduate.

Studied law with B. F. Bonham, admitted to bar, 1850.

Served in Mexican war and participated in battle of Lava Beds, 1847.

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 Cleveland, April, 1893.

Died 3:45 P. M., May 12, 1905.

United States District Judge Charles B. Bellinger surrendered in his long struggle for life yesterday afternoon and passed peacefully away at 3:45 o'clock, surrounded by the members of his family and a few of his most intimate and long-time friends.

The outcome was expected and the family had been waiting for the worst during all of the day. The Judge passed a restless and unsatisfactory night on Thursday and was much weaker when day dawned yesterday morning. During the morning he sank into a semi-conscious condition and as the day lengthened into the afternoon the stupor became more marked, until it was impossible to rouse the patient to consciousness.

There was no great increase in temperature during the day, but the pulse became more accelerated, though more feeble, and the respiration began to fail. These conditions grew more marked until the stubborn fight was ended, though the pulse continued to beat for fully two minutes afterwards, showing the stubborn resistance made by the rugged constitution of the patient.

The end came very peacefully and quietly. 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 unconscious of his surroundings. Death came so softly and easily that those watching hardly realized its presence until the announcement of the physicians watching by the bedside was made.

During all the time of Judge Bellinger's illness, Mrs. Bellinger has been continually at his side, and was present yesterday 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. Lownds 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 Crematorium, special cars being reserved for those who may desire to attend. Further announcement of details will be made Sunday morning.

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 2, the Judge worked all day on the decision which he was to hand down the following morning on the Mitchell plea of abatement. He went early to his office, and the weather being warm, worked in his shirt-sleeves 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 awoke 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 on Monday, 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 disease, much aggravated in every symptom, to the deplorable end has all been related daily since the seriousness of the illness was made public.

BIOGRAPHY OF THE JUDGE

Charles B. Bellinger Closely Identified With Progress of Oregon.

Judge Charles B. Bellinger was born in Maugou, Ill., November 21, 1828, thus being at the time of his death 76 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 soldier in the Revolutionary War, while his grandfather, John H. Bellinger, served through the War of 1812.

E. H. Bellinger, the father of the Judge, was a wagonmaker at Maugou, Ill., and came to Oregon with his wife and children in 1851, crossing the plains with a

Mormon company led by Brigham Young, and accompanied by a company of soldiers.

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. Wittman was massacred, and at the time when the Columbia River Indians were 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 time a wilderness.

Judge Bellinger's father, E. H. Bellinger, was elected mayor of Salem, and in the Legislature in 1856, but was killed by being thrown from a horse before the convening 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, and a 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 1888.

Charles B. Bellinger first attended school in a country schoolhouse on the Santiam River, under the tutelage of Orange Jacobs, who is now a well-known attorney of Seattle.

He later entered Willamette University, but did not remain to graduate. Leaving that institution, he studied law in the office of B. F. Bonham, now an attorney at Astoria, and was admitted to the bar in 1850, beginning the practice of his profession with John C. Cartwright.

The young lawyer next turned to newspaper work for a time and edited the Oregonian at Salem, and at that time the Democratic organ of the state. He later published the Salem Review, but owing to falling health left that city and went to Maugou, Mo., where he was engaged in the mercantile business. While here he was elected a member of the Legislature from Benton in 1858.

In 1865 he again turned to journalism for a time and edited the Albany Democrat. The following year he came to Portland to practice his profession, and founded the Portland News, which later became the Oregonian. He edited this paper for two years. From 1871 until 1875 he was Clerk of the Supreme Court, and in 1875 was appointed a Circuit Judge of the Fourth District by Governor Thurston. He held this position until a reorganization of the districts.

In 1880, Judge Bellinger received the Democratic nomination for the office of United States District Judge, but was defeated, though he ran 1200 votes ahead of his ticket.

From 1880 to 1883 Judge Bellinger practiced law, being associated with John M. Geary, N. B. Beck, John H. Miller, and the firm of Dolph, Bellinger, Mallory & Simon.

In 1883 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 death, discharging his many and difficult duties with great fairness and distinction.

While Clerk of the Supreme Court, Judge Bellinger served in the Modoc War, being a Lieutenant-Colonel on the staff of General Miller. He took part in the fight in Lava Beds, Jones, 1872, in 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 oldest son, is a civil engineer with the O. & N. R. Co., and another son, Ed, was at the time of his death a promising lawyer, and was associated with his father, in the compilation of the edition of Oregon laws known as the Bellinger and Cotton Annotated Law. Ernest, Howard, two other sons, are gentlemen 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 Pioneer Association, and at times held the office of president of both organizations. He was appointed a Commissioner to the Lewis and Clark Exposition by Governor Geer.

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 professor of equity, jurisprudence and pleading 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 Washington Lodge, #, of Portland, and was a pastmaster of the Masonic order. He was also a member of Washington Chapter 13, Royal Arch Masons. Socially, he was a member of the Arlington Club.

The Judge was president of the Portland Cremation Association and a staunch 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 Williams, 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 yesterday afternoon 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 know him first when he was running a paper in Portland and at the same time acting as clerk of the Supreme Court. One forms opinions 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 sense. 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 sympathy for the South and its cause.

"I have known him as a man and as a lawyer, and have always had the greatest 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 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 earnestly recommended him for the place, and was glad when he secured the appointment by President Cleveland.

"For a long time he occupied one of my houses, and we have been very intimate in friendship, and I have a very great regard for him. As a Judge he filled a high place, and always did what he thought

FLEEING FROM YELLOW FEVER

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 were now in the hospital at Panama under treatment.

If the Government has received it, it is not giving out, reports to substantiate 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 work upon the great canal have utterly failed 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 from mosquito netting, they were forced to live in squalor and filth or sleep exposed in tents on the grass. Lumber ordered 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 on half supplies, and that much suffering is caused by the negligence of those responsible for the existing conditions.

On May 18, Chairman Shontz, of the Canal Commission, and Judge Magoon,

HIS ATTITUDE SUITS BRYAN

Democratic Leader Admires Roosevelt's Position on Rates.

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.

WILL DECIDE LOOMIS CASE

Inquiry to Be Conducted by Roosevelt Next Week.

HAY WILL NOT RESIGN

Will Go to London and Sail for Home June 7.

BRING HOME JONES' BODY

Sigsbee's Squadron Going to France. Burial at Annapolis.

BATTLE WITH BANDITS

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

STOCK ASSESSED TO PAY SHORTAGE

MILWAUKEE, Wis., May 12.—Controller of the Currency Rigely has levied an assessment of 62-3 per cent on stockholders of the First National Bank of this city, to raise \$1,000,000 to make good the capital deficit caused by the default of ex-President Bigelow.

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ON JOURNEY TO OKLAHOMA

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

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It'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 goodbye.

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 slight 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 Wardlow 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.

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

No definite decision of the case involving Assistant Secretary of State Loomis 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 what method of procedure shall be followed.

The case will be taken up by the President next week. Mr. Roosevelt will conduct the inquiry into the matter personally 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 the whole matter will probably be taken up Monday.

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

WASHINGTON, May 12.—The State Dept. has issued a warrant for the surrender to the British authorities of Joseph Golden, held under arrest at Portland, under the charge of forgery committed in Vancouver.

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.

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