

STRAIT JACKET FOR HITCHCOCK

Carter Proposes to Forbid Suspension of Land Entries.

COMMITTEE ON HIS TRAIL

Senators Demand Authority for Reserve Indian Land—Say He Defies Congress and Scoffs at Legal Opinion.

WASHINGTON, Jan. 9.—Senator Carter presented a resolution today by which, he said, he should at an early day try to show that the Secretary of the Interior acted without authority when he published an order on December 18 last, prohibiting the issuance of land patents to homestead entries under all laws, regardless of conditions.

"I intend to make it plain to the Senate," said Carter, "that the order was illegal and unwarranted and was issued and is being prosecuted in violation of the law, and that records of the Land Office will show that the issuance of the order is wholly indefensible."

The resolution expresses the sentiment that a qualified entryman, in the absence of contest or fraud or mistake, is legally entitled to a patent for land embraced in his entry.

The resolution would reach also cases where patents have been refused by the Secretary on the ground that he suspected the entries were made by a number of persons in the interest of one holding corporation of "land-grabbers."

Declines to State Authority.

Mr. Hitchcock appeared today before the special Senate committee which investigated the five civilized tribes. He declined to state his authority for withdrawing 4,000,000 acres of Indian lands from allotment in order to create the forest reservation, but said that Assistant Attorney-General Campbell had prepared a report which would be made to Congress and that this report would justify his course.

All members of the committee differed from Mr. Hitchcock and he agreed to send the report to the committee today, but declined to answer questions relative to the character of the report beyond declaring that he found legal authority for his action in withdrawing the lands in the face of an act of Congress ordering that the land be opened to sale.

He said he was not ready today because he had not received the report of Secretary Wilson as to the desirability of creating the forest reserve until yesterday.

"What bearing can the report of the Secretary of Agriculture have upon the legality of your action?" asked Senator Brandegee.

"Two separate questions are involved, I know," said Mr. Hitchcock, "but they are so closely interwoven that Congress should have the benefit of both reports."

Defies Congress, Says Clark.

"It was a very startling thing to think that the Interior Department could defy an act of Congress and suspend an affirmative order as was done in withdrawing this land," said Senator Clark of Wyoming, "and I should like to have your explanation."

Mr. Hitchcock replied that he believed Mr. Campbell had found a precedent.

Mr. Clark answered that he had not been able to find any precedent, much less any law.

Pending action on the report from the Secretary of Agriculture, Mr. Hitchcock declined to discuss the subject, but said he would modify his order to the amount of land to be reserved. Senator Clark assured Mr. Hitchcock that his motive in withdrawing the land was not questioned, but that his authority should be presented at once.

"I think I know the law on the subject, now, but I would like to receive your opinion," said Senator Teller.

Mr. Hitchcock made no comment. Then Mr. Teller said he thought the only way to get Mr. Hitchcock to change his action would be by act of Congress.

Mr. Hitchcock remained unmoved, but said rather sharply:

"You shall have the report of Mr. Campbell today."

The committee adjourned to await the report.

ANNUAL TIMBER AND STONE ACT

Senate Committee Proposes to Retain Land, Sell Timber.

WASHINGTON, Jan. 9.—The Senate public lands committee today agreed to report favorably the bill to repeal the timber and stone act and substitute therefor a law directing that the Government retain title to its remaining timber lands, selling only the timber, at not less than appraised value. As this bill virtually repeals the act of 1890, which gave the Indians a right of purchase of all Government timber land, the land can never pass to private ownership, and hence can never be taxed.

To compensate for this loss of taxes, Senator Fulton secured the adoption of an amendment to the bill stipulating that 25 per cent of the money derived from timber sales shall be paid to the counties in which the timber cut.

IMPROVE UPPER COLUMBIA

Chief of Engineers Recommends Work Above Celilo.

the Army engineers will recommend an appropriation of \$2,000 for the improvement of the Columbia River between Wenatchee and Bridgeport.

Repairing Damage by Gulf Storm.

WASHINGTON, Jan. 9.—Army and Navy authorities have been repairing the damage done to the ships and forts by the great Gulf cyclone last fall. Quartermaster-General Humphrey has asked Congress for \$24,000 for the reconstruction of Fort Morgan, in Mobile Bay, and Fort Barrancas, at Pensacola. He also requests an appropriation of \$23,000 to repair the barracks and quarters at Fort S. Philip, at the mouth of the Mississippi River. The Navy losses included several vessels which were engaged in the Spanish-American War. The Gloucester lies far up on the beach at Pensacola. The USS Albatross, at the mouth of the Mississippi River, the USS Vixen, one of the ships in the famous battle of Santiago, like the Gloucester, lies high on the beach at Pensacola, but the inspectors report her in good shape.

Uncle Sam Does Not Need Money.

WASHINGTON, Jan. 9.—The Secretary of the Treasury will immediately notify the depository banks, with which the temporary deposits of about \$12,000,000 were recently placed to be returned on January 22 and February 1 that the dates for the return of the deposits have been extended so as to require the funds to be repaid to the Treasury, on half of February 1 and one half on February 15. It is stated in explanation of this change in date that there is no particular need for the money at this time.

KEEPING LAWYERS BUSY

TWO MORE SUITS IN NEW YORK MAYORALTY CONTEST.

Jackson Summons Election Board for Contempt and City Moves to Hold Ballot Boxes.

NEW YORK, Jan. 9.—Attorney-General Jackson today took steps to punish the members of the Board of Elections of this city for alleged contempt of court in refusing to produce the ballot boxes of the last city election. Mr. Jackson obtained an order from Justice Hendrick compelling upon John T. Bowling and the other members of the Board of Elections to show cause why they should not be adjudged guilty of contempt in wilfully disobeying the order of the court placing the ballot boxes in the custody of the city.

Mr. Jackson was served with papers today in an injunction obtained by lawyers for the Eagle Warehouse Company of Brooklyn, to restrain him from obtaining possession of the ballot boxes of the city election of 1905, now in the company's custody.

Assistant Corporation Counsel Butts made a new move in the battle for the possession of the ballot boxes, when late today he obtained from Judge Amend of the Supreme Court an order for Attorney-General Jackson to show cause next Friday why the order issued by Judge Amend should be set aside.

Access to the boxes, should not be vacated.

FIVE BALLOTS IN MICHIGAN

William Alden Smith Leads in Republican Caucus.

LANSING, Mich., Jan. 9.—After five ballots on the question of choosing a successor to United States Senator Russell A. Alger, the Republican caucus here today resulted in a deadlock.

The caucus will meet again tomorrow to resume the contest.

On the fifth ballot, Congressman William Alden Smith had 23 votes; Arthur Hill, of Saginaw, 22; Congressman Charles E. Townsend, 27; and William McMillan, of Detroit, 24. Congressman Hamilton Smith, of Detroit, and Charles Smith, of Howell, had complimentary votes in the early balloting.

GAMBLE NOMINATED AGAIN

South Dakota Senator Explains Charge of Nepotism to Caucus.

PIERRE, S. D., Jan. 9.—Robert J. Gamble, of Yankton, was endorsed by the Republican caucus to succeed him in the Senate.

On the fifth ballot, Congressman William Alden Smith had 23 votes; Arthur Hill, of Saginaw, 22; Congressman Charles E. Townsend, 27; and William McMillan, of Detroit, 24. Congressman Hamilton Smith, of Detroit, and Charles Smith, of Howell, had complimentary votes in the early balloting.

The anti-Gamble forces failed to make an attempt to defeat his endorsement. The senatorial election will occur on January 22.

Prior to the vote, Senator Gamble appeared before the caucus and replied to charges based on the employment of his son as Senate committee clerk.

WRANGLE AMONG CANDIDATES

Time of Kansas Senatorial Caucus Causes Hot Words.

TOPEKA, Kan., Jan. 9.—The Republican caucus of the House and Senate of the Kansas Legislature met late this afternoon and definitely set the time for the beginning of the caucus to select the party nominees for the next election as Friday night at 8 o'clock. Several of the Senatorial candidates were present at the meeting, and there was considerable wrangling among them regarding the decision. State Senator George W. Smith implied threat to refuse to abide by the decision of the caucus.

BURNHAM WILL BE SENT BACK Gets Renomination for Senator After Long Contest.

CONCORD, N. H., Jan. 9.—New Hampshire's long contest for United States Senator culminated tonight in the renomination of United States Senator Henry E. Burnham, of Manchester, by the Republican members of the Legislature. The action of the party caucus will undoubtedly be ratified next Tuesday. Senator Burnham got 194 of the 274 votes, and Congressman Frank D. Currier, of Canaan, 31.

HEAVIEST RAIN IN YEARS

Southern California Is Drenched. Railroad Trains Tied Up.

LOS ANGELES, Jan. 9.—In amount of precipitation, the storm that has drenched Southern California during the past four days is the heaviest in 18 years. The total precipitation is nearly four inches of water. The storm has been severe in its effects north and east of Los Angeles. Landslides south of Santa Barbara had, at last accounts, tied up four or five passenger trains bound for this city.

Four or five lives are known to have been lost as an indirect result of the storm.

The action of Carter's Little Liver pills in clearing the bowels and regulating the bowels, but do not purge.

PULL OUT ON WORK

Senate Debates Long Hours of Railroad Men.

LA FOLLETTE HOLDS FLOOR

Accuses Railroads of Trying to Kill Bill—Trainmen Work From 17 to 13 Consecutive Hours by Their Own Wish.

WASHINGTON, Jan. 9.—The Senate today debated La Follette's bill limiting working time of railroad employees. A tentative understanding was reached that a vote on the general service pension bill will be taken next Friday.

The Brownsville matter was postponed because Tillman, who is indisposed, desired to address the Senate on the subject.

BUSINESS DONE BY SENATE.

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WASHINGTON, Jan. 9.—In view of the fact that the Senate has agreed to vote at 2 o'clock tomorrow on the bill limiting the hours of service of railway employees, considerable time was devoted in the Senate today to that measure. La Follette gave notice that he would move to take up the bill immediately after routine business tomorrow.

The debate was opened by La Follette, who declared the measure had received the endorsement of the National organizations of all classes of railway employees and that the opposition now being manifested was from employees who had been coerced by the railroads to present protests.

Dictation by Employers.

The discussion was participated in by Bacon, Dooliver, Patterson, Heyburn, Gallinger and Beveridge.

In support of his contentions that the railroads had been very busy since the last session in developing opposition to the bill, La Follette read a set of resolutions condemning the bill, presented by a lodge of railway employees, the name of which he withheld, by E. T. Lamb, division superintendent of the Southern Railway, and a copy of a letter from legislative representative of the Railway Employees' National Organization and had not in mind the resolution.

Work 13 Consecutive Hours.

A long record of accidents was read by La Follette, showing that in all the trains involved had been on duty from 17 to 13 hours continuously.

Beveridge wanted to know the road on which the accident occurred. He said he was shocked, as he believed every other Senator, that any road would keep a man on duty 13 hours.

La Follette said for obvious reasons he would not give the name of the road and explained that it developed that in many cases the men and horses were responsible for the long hours.

VOTE ON SERVICE PENSIONS

Senate Fixes Day and Gallinger Gives Eloquent Figures.

WASHINGTON, Jan. 9.—Receiving the right of way for his service pension bill in the Senate today, McCumber said few bills were more important to the country than the one before the Senate.

On the fifth ballot, Congressman William Alden Smith had 23 votes; Arthur Hill, of Saginaw, 22; Congressman Charles E. Townsend, 27; and William McMillan, of Detroit, 24. Congressman Hamilton Smith, of Detroit, and Charles Smith, of Howell, had complimentary votes in the early balloting.

Scott heartily endorsed the bill and emphasized the necessity for the proposed legislation. Gallinger maintained that we as a Nation have been extremely generous to the men who served in the war. In all our wars, he said, 4,000,000 men had been enlisted and of these 80 per cent had served in the Civil War and 21 per cent in all other wars.

He said that the total of \$2,250,000,000 had been paid in pensions to the Civil War veterans, and that the Civil War veterans had received a flat rate of \$12 per month to all veterans of the Civil War.

HARRIMAN MEN DEFEND

(Continued From First Page.)

Southern Pacific was not opposed to the making of these rates by the Union Pacific.

"Oh, I don't think so," he replied. "Were they not competitors for Pacific Coast business at that time?"

"They were; that is, the Southern Pacific was a competitor of the Union Pacific, formed by the Union Pacific and the Southern Pacific west from Ogden."

Never Cut Any Rates.

Mr. Stubbs, in answer to questions, said prior to 1901 the Union and Southern Pacific had several times cut rates to cities seeking the same Pacific Coast business.

Mr. Kellogg asked Mr. Stubbs if he would permit the cutting of rates by the Southern Pacific in order to take business from the Union Pacific, or vice versa.

"Did you cut rates on the Southern Pacific in order to take business from the Union Pacific prior to the consolidation?"

"I think not."

"You never did that?"

under one ownership have any effect on rates?"

"I don't believe it would have a particle of effect," said Mr. Stubbs.

In replying to further questions of Mr. Lane, Mr. Stubbs said that, while the Southern Pacific had been a competitor of the Union Pacific, it has a reciprocal arrangement with the Denver & Rio Grande by which the Southern Pacific gives to the Denver & Rio Grande at Ogden as much traffic as it receives from that line.

Mr. Clements asked Mr. Stubbs if he would sanction an increase of rates without knowing that his competitors were going to do the same.

"Then there is not such a thing as an independent rate?"

"It is just as independent as any member of society can be. Every man in the community is compelled to follow a portion of his natural rights for the good of the whole. I see no difference in this case."

"If a company," said Mr. Clements, "is paying 10 per cent dividends, isn't that a ground for reducing rates?"

"I don't know," said the witness, "that it is expedient for me to give my personal opinion on that. If you are referring to the Union Pacific, I would say that it is well to remember the long years that the Union Pacific stockholders have gone through. Under the circumstances, I should not think that reduced rates are called for."

Mr. Milburn in commenting the cross-examination, said:

"There may be lean years in the future, may there not?"

"I hope not, but I am afraid there will be. The last few years have been very exceptional in regard to the railroad business."

Mr. Milburn brought out from Mr. Stubbs the statement that he considered the 30-day notice of proposed alteration of rates as directed by the new rate law a distinct benefit, because he believed it would bring about increased stability of rates.

Questioned by Mr. Harlan regarding railroad competition, Mr. Stubbs said that one owner for parallel lines did not mean the destruction of competition.

"Mr. Hill," he said, "is probably the leading railroad man in this country and he cannot, if he would, destroy competition between the Great Northern and Northern Pacific. He must consult the presidents and general managers. These men have their reputations to uphold or to construct. They will work for their own line against the other line and competition is inevitable. If Mr. Hill should take that spirit out of his men, he might as well hand their management over to a 300 clerk."

Mr. Hannaford said that in the pools conducted prior to 1887 the Union Pacific and Southern Pacific were represented by the same lawyers. He must consider the Southern Pacific and the Union Pacific in connection with the Oregon Short Line, competitors of the Northern Pacific for Portland traffic. The Northern Pacific could not be an active competitor of the Southern Pacific on business from the East to San Francisco, because the boat service of the latter line between New York and San Francisco could not be equalled across the Lakes.

Mr. Hannaford did not consider a combination of transcontinental lines meant destruction of competition. He declared the business rivalry between the Great Northern and Northern Pacific is sharper today than before they went under the same management.

Members, Lane and Harlan asked Mr. Hannaford many questions as to whether or not a consolidation of ownership would not mean a stifling competition of the lines and not believe that such a result would necessarily follow.

These Philanthropic New Yorkers.

"Do you believe," asked Mr. Kellogg, "that the philanthropic men down in New York who own these lines will give the best service they can of their own accord?"

"They will give very little to do with the operating of the roads," said Mr. Hannaford. "The men who actively operate the lines will give the best service they can."

Mr. Hannaford was asked by the attorneys for the Harriman just how great a factor in bringing business to a railroad was a reduction in rates. Mr. Hannaford said it depended upon circumstances.

"Suppose," said Mr. Lane, "that you announce a reduction of rates on a commodity. Would the announcement mean that the business of the line would be cut by a reduction on something else deter you from making your proposed reduction?"

"It would if I stood to lose more than I would gain. Once it would not, but now I am older than I used to be."

The hearing was adjourned until 10 o'clock tomorrow morning.

Stillman Dodges Subpoena.

NEW YORK, Jan. 9.—Announcement was made today that James Stillman, president of the National City Bank, called for Europe yesterday on the Kaiser.

Wilhelm II. Mr. Stillman has been in bad health for some time, and undertook the trip on the advice of his physician. It was expected that the banker would be a witness before the Interstate Commerce Commission at its inquiry into the facts of the Harriman railroad system and other Western railroads with which he is connected.

Hill Has No More to Say.

ST. PAUL, Jan. 9.—President J. J. Hill of the Great Northern Railroad, will not go to Chicago to appear before the Interstate Commerce Commission. Mr. Hill's secretary made this statement today.

"When the Commission met in Minneapolis recently, Mr. Hill went into the car-shed situation thoroughly. It is said that he thinks he could do nothing of value to what he said then."

WILL ATTACK SHERMAN ACT

Last Resort of Tobacco Trust in Lie-or-Paste Trial.

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Good Merchandise Only—Quality Considered Our Prices Are Always the Lowest

Our Stupendous Million-Dollar January Clearance Sale

Is now in full blast, offering in every department of the store the greatest January Sale bargains the people of Portland have ever known. Do not fail to come today. Prices are so low that it will pay to buy now to fill your needs for months to come.



Portland's Greatest Muslin Underwear Sale

We ask indulgence of those whose Muslin wear wants may not have been filled as quickly as desired. Phenomenal attendance and buying swept overboard all past records and cramped the service temporarily. But we're keeping well abreast of the demand now. Come and be surprised at the goodness of the garments as well as at the lowest prices of the year. We are displaying extra thousands of snowy garments, whose uniform excellence of fabric, style, workmanship is noticeable in every grade; whose upwards of half a thousand charming models are, particularly in the higher classes, revelations of grace and beauty.

Corset Covers, 25c to \$9.25
Chemise, 42c to \$15.00
Skirts, 85c to \$32.50
Drawers, 42c to \$10.50
Gowns, 85c to \$7.50

for dismissal on technical grounds, and intended that in the event of an adverse decision, the constitutionality of the Sherman law might be attacked in a subsequent appeal.

SHE KEEPS HER PLEDGE

MISS WOLF BECOMES BRIDE OF E. WILLARD GEER.

NEW YORK, Jan. 9.—(Special.)—Earl Willard Geer, of Silverton, Or., was wedded in the City Hall here today to Miss Sophie Wolf of the same town.

The bridegroom and bride are each 22 years old and both gave their residence as 26 West 11th street. They will go to Oregon on their honeymoon.

This wedding was the outgrowth of the safe return of the Peary expedition. Through the suggestion of Mr. Geer Dr. Wolf was employed as physician on the expedition. Miss Wolf, who had long been courted by Mr. Geer, told him she would marry him if her brother returned safe.

As soon as news of the return of the expedition was received, she telegraphed Mr. Geer that she was ready to keep her promise.

Will of Bishop McCabe.

PHILADELPHIA, Jan. 9.—The will of the late Bishop McCabe, of the Methodist Episcopal Church, was admitted to probate here today. The will provides annuities for the widow and son. The probate fee was \$1,000.

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At Reduced Prices.

Fur Neckwear And Muffs

In White Fox, Mink, Sable, Beaver, Otter, Alaska Bear, Black Lynx, etc., etc.

Alaska Sealskin Coats, Mink Coats

Beaver Coats

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FUR RUGS AND ROBES Send for Catalog.

Established 1870.

Small Pill. Small Dose. Small Price.

They also relieve Distress from Dyspepsia, Indigestion and Too Hearty Eating. A perfect remedy for Dizziness, Nausea, Drowsiness, Bad Taste in the Mouth, Coated Tongue, Pain in the Side, TORPID LIVER. They Regulate the Bowels. Purely Vegetable.

Small Pill. Small Dose. Small Price.

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charged again on charges filed by officials of the union, was reinstated as a member of Bookbinders' Union Local No. 4 late last night.

Miller was dismissed from the Government printing office last Fall by Public Printer Stillings on the charge of insubordination and is now in Minneapolis.

Bookbinders Reinstated Miller.

WASHINGTON, Jan. 9.—W. A. Miller, former assistant foreman of the bookbinders in the Government printing office, who was reinstated by President Roosevelt, after he had been expelled by the Bookbinders' Union and then discharged again on charges filed by officials of the union, was reinstated as a member of Bookbinders' Union Local No. 4 late last night.

McCormick Dines Clemenceau.

PARIS, Jan. 9.—Ambassador and Mrs. McCormick gave a reception and dinner at the American Embassy in honor of Premier Clemenceau, tonight.

HE Ramsdell Inverted Gas Lamp is the latest method

of using gas light—giving the same effect as the electric globe at one-eighth the cost—adjustable to any fixture—more economical, more artistic, absolutely shadowless.

This light is particularly desirable where a brilliant, soft light is desired, at a minimum cost, for this light gives a

375-Candle-Power Light

at the cost of the gas light now in common use.