

MELDRUM TELLS OF LAND FRAUDS

Says Herrmann Urged Him to Go Into Mays' School Land Scheme.

FULTON ALSO A WITNESS

Denies Asking to Have Burke-Gosslin Case Dismissed, but Letter Refreshes Memory—Puter Arrives in Washington.

OREGONIAN NEWS BUREAU, Washington, March 4.—The trial of Blinger Herrmann was resumed in the District Superior Court today. The hearing was marked by the introduction of evidence tending to prove an alleged conspiracy to defraud the Government of land upon which the prosecution relies to show a motive for the destruction of Herrmann's order of letters patent.

Meldrum testified that he was dismissed in April, 1903. He said he had received many letters from Herrmann. Those of an official character are among the records of the Surveyor-General's office. Others of a private nature, he said, were in a drawer of his desk in the office at Portland. When he vacated the office, he explained, he placed in a satchel and carried away with him what he supposed to be all his private letters, but discovered later that the Herrmann letters were missing. He has never found a trace of them since and he expressed the opinion that they had been taken by A. R. Greene, special private inspector for Secretary Hitchcock. These letters, Meldrum said, related to public land.

Herrmann in Deal With Mays.

In response to questions by District Attorney Baker, Meldrum admitted that in the private correspondence mentioned, Herrmann had requested him to provide a place in his office for a Miss Silverstein and, when informed that this could not be done, had suggested that it be arranged so that her name could be used in taking up public lands. The plan, as explained by the witness, would provide furtherance of the alleged conspiracy, took place in his office in the Fall of 1901. Besides himself, State Senator Franklin Pierce Mays and Herrmann were present. The trial so far has been a contest of a plan for taking up "school land." Mays pointed out on a plat parcels in Umatilla, Grant, Harney and Union counties which he wanted included in forest reserves. When this school land was reserved, it was to be sold for \$2.50 per acre. It made no difference whether the land so taken up was good or bad, for any practical purpose, so long as it was situated within a forest reserve, as the Government would issue scrip for it, the scrip being available for the acquisition of any unappropriated Federal timber land.

Meldrum said he had four conversations with Herrmann about this school land. Herrmann's main reason for wanting that it was a "good thing to invest in." He had no money and told Herrmann he could not for that reason "invest."

Fulton's Memory Refreshed.

At the request of counsel, court permitted Senator Fulton to go on the stand out of the regular order to testify to Herrmann's reputation for honesty. He said he had known Herrmann a quarter of a century and that his reputation to the present day had been excellent. Mr. Fulton, who is under subpoena as a witness, was first examined by District Attorney Baker. He denied that he had written a letter to John H. Hall, United States District Attorney, seeking a note from the Government, which would be used by William G. Gosselin, who were indicted in 1898 for conspiracy to defraud the Government of land. When Mr. Baker sent one of his assistants to look for the letter, Fulton said he had modified his statement by saying he did not remember ever having written such a letter.

Later the District Attorney introduced in evidence a telegram from Mr. Fulton to Herrmann dated October 1, 1890, asking the latter to secure the dismissal of the Burke and Gosselin case. This letter was written by Mr. Fulton on October 20, 1890, was then offered. It was enclosed a letter from Herrmann, in which Mr. Fulton said that Herrmann had said he would do all he could to secure the dismissal of the Burke and Gosselin case. Mr. Fulton admitted that the telegram and letter related to the same subject matter, the Burke-Gosselin conspiracy case.

Puter Ready to Testify.

The prospect of interesting developments in the case was indicated by the presence at the District Attorney's office today of Stephen H. Puter, who has been brought on from Oregon to testify against Herrmann.

The first witness examined was Richard H. Dalton, now a clerk in the Land Office, but who at the time of Herrmann's incumbency as Commissioner was a messenger in that office. His testimony did not disclose anything special beyond that already developed.

Proving Books Were Official.

Several other employees of the General Land Office were examined by Mr. Baker with a view to showing that the letter-press books destroyed were Government records and not merely personal affairs of Mr. Herrmann. In each instance the District Attorney introduced the letters addressed to Herrmann from Oregon were sent to the Commissioner's desk without being opened. The rest of the mail was opened either by a clerk or by somebody else. He made it clear that all Oregon mail went to the Commissioner direct.

Department that the following order was issued by Postmaster-General Cortelyou on March 1: "That whenever the weight of mail is taken on railroad routes performing service certain days per week, the whole number of days the mails are weighed shall be used as a divisor for obtaining the average weight per day."

CANNOT BUY OFF GLOVER

Mrs. Eddy's Son Says Offer Would Not Be Accepted.

DEADWOOD, S. D., March 4.—Regarding the report that Mrs. Eddy, in an effort to stop Glover's suit, has sent Rev. I. C. Tomlinson with an offer of \$250,000, he will stop the suit and make no objection to any will his mother may make, Mr. Glover says.

HAVE NOT YET SERVED PAPERS

Glover's Lawyers Want Streeter to Accept Service for All.

CONCORD, N. H., March 4.—John W. Kelly, of Portsmouth, one of the counsel for the relatives of Mrs. Mary Baker G. Eddy, ex-Mayor Nathaniel E. Martin. After their conference they said they had received no communication from General F. A. Streeter, personal counsel for Mrs. Eddy, although they had had some expectations. Heretofore they have been given by Henry H. Meldrum, former Surveyor-General, who was convicted of complicity in land frauds in Oregon. Meldrum was on the stand when court adjourned for the day and his testimony will be resumed in the morning.

ALL THEIR BAGGAGE LOST

Ship Dakota Still Fast on the Rock. Mail Bags Saved.

YOKOHAMA, March 4.—It developed today that the report that the passengers of the Great Northern Steamship company's steamer Dakota, which was ashore off Shirahama in the Bay of Tokio at 6 o'clock Sunday night, were taken off by the steamer Omi Maru, which was sent to her assistance by the agents of the company, was incorrect. The Omi Maru returned here last night without the passengers, having been unable to get alongside the wreck owing to the heavy seas.

She reported that the Dakota was deserted and was dangerously sunk by the head. All the passengers and crew were landed at Nookima Light-house. They lost all their baggage. Ten bags of mail were saved. The agents of the company sent the Omi Maru and the Hakkaul Maru to the wreck of the Dakota today. The ship was reported to have been wrecked on the coast of the Pacific, about 100 miles from the coast of the United States. She was within 50 miles of Yokohama, but not due there until today. The Minnesota, of the same line, is a steamer ship, scheduled to sail from Yokohama for Seattle today.

SHONTS OUT, STEVENS IN

Change in Canal Commission—Taft Going to Isthmus.

WASHINGTON, March 4.—The resignation of Chairman Shonks, of the Isthmian Canal Commission, and that of W. Leon Pepperman, an assistant in charge of the Washington bureau of the Commission, became effective today. Joseph Bucklin Bishop, secretary of the Canal Commission, is in charge of the Washington office.

STROTHER TRIAL NEAR END

Last Expert Testifies and Case Goes to Jury Today.

CULPEPPER, Va., March 4.—The second week of the Strother trial opened today with interest centering in the prosecution to shatter the plea of emotional insanity advanced by the defense. By calling Dr. De Jarnette, superintendent of the Western States Hospital, of Staunton, Va., to the stand today the prosecution tried to show that upon the night when William F. Bywaters was shot to death James and Philip Strother, charged with the killing, were in no sense mentally deranged or irresponsible.

Foresters Bury Oronhyatekha.

TORONTO, Can., March 4.—Dr. Oronhyatekha, head of the Independent Order of Foresters, who died March 2, was buried today with imposing ceremonies. Dr. Oronhyatekha was a full-blooded Mohawk Indian and prominent in the national work as an organizer, being possessed of great natural executive ability. The order, of which he was the executive head, is a Canadian fraternal society, and is counted financially one of the strongest in the world, having a lodge reserve fund of between \$7,000,000 and \$8,000,000. There are many lodges of the Independent Order of Foresters in the United States.

Milwaukee Country Club.

Eastern and California races. Takes Sellwood or Oregon City car, starting from First and Alder streets.

KISER FOR SOUVENIR PHOTOS.

Northwest Scenery—Lobby Imperial.

HONORS FLAG SAGGED

No Advertisement to Deface Nation's Emblem.

DECIDES SUPREME COURT

Nebraska Law Upheld in Opinion From Which Only McKenna Dissents—Degraded by Base Uses, Says Harlan.

WASHINGTON, March 4.—That the states may pass laws prohibiting the use of the United States flag for advertising purposes was decided by the United States Supreme Court today in deciding the case of N. V. Halter and Henry V. Hayward, appealing from the Supreme Court of Nebraska. Halter & Hayward, who own a saloon, were prosecuted under a law of the state upon the charge of selling beer in bottles decorated with the National colors. They were fined \$29 each and the Supreme Court of the United States sustained the verdict. They pleaded unconstitutionality of the law.

Justice Harlan delivered the opinion of the court affirming the decision of the Nebraska courts. In the course of his opinion he upheld the right of the state to protect the flag against indignities. He said that the use of the flag as an advertisement on beer bottles cheapens and degrades it, and the court was unwilling to hold that the law prohibiting such a use of the flag was an abridgment of personal rights as contemplated by the constitution.

Justice Harlan said in conclusion: "No one can be said to have the right secured by the Constitution to use the country's flag merely for purposes of merchandise. If every one was entitled to use it for such purposes, then the state could not discriminate among those who so used it."

It was for the State of Nebraska to say how far it would go by way of legislation for the protection of the flag against improper use, taking care in such legislation not to make undue discrimination against a part of its people. It chose not to forbid the use of the flag for the exceptional purpose above specified in the statute, prescribing the fundamental condition that its use for any of those purposes should be disconnected from any advertisement. He continued:

All are alike forbidden to use the flag as an advertisement. It is easy to be seen how a representation of the flag may be wholly disconnected from any advertisement, and the use upon a newspaper, periodical, book, etc. In such a way as not to arouse a feeling of indignation nor offend the sentiment and feelings of those who love it. In any event the classification made by the state cannot be regarded as unreasonable or arbitrary or as bringing about an unequal taxation as denying the equal protection of the laws.

It would be going very far to say that the statute in question had clearly no reasonable connection with the common good and was a promotion of the peace, order and happiness of the people. Before this court can hold the statute void, it must say that, in its application, it violates the rights secured by the Constitution of the United States. We cannot so say and cannot so judge.

Without further discussion we hold the provision against the use of representations of the flag for advertising articles of merchandise not repugnant to the constitution of the United States.

Chanler Must Take Risks.

WASHINGTON, March 4.—The Supreme Court of the United States today denied the application of John A. Chanler, formerly of New York but now of South Carolina, for a writ of habeas corpus from the New York officers for arresting him while on a contemplated visit to New York for the purpose of prosecuting a suit which he has instituted for the restoration of his property now in the hands of Thomas T. Sherman. The property is estimated to be worth \$1,000,000 and was turned over to Mr. Sherman ten years ago as the result of the proceedings to test Mr. Chanler's sanity.

CONGRESS ENDS WITH JOY

(Continued from First Page.)

Six minutes after noon. Previously Senator Hale had secured the adoption of a joint resolution authorizing a committee of Senators and Representatives to wait upon the President and inform him that a bill, introduced by Senator Hale, had been passed by the Senate, and that the committee had reported thereon.

The resolution "tendered the thanks of the Senate to Vice-President Fairbanks for the dignified, impartial and courteous manner in which he has presided over the Senate's deliberations during the present session." The resolution was unanimously adopted.

The Vice-President then appeared and, replying to the resolution, said: "If the chair has been able to convince the Senate of his impartiality in the discharge of the duties which devolve upon him, and which are often delicate and difficult, he is gratified to feel that the chair desires to place upon the records his testimony in behalf of those Senators whose service in the Senate is about to terminate, for their unwavering devotion to the public interest while here, and to wish them many years of further usefulness to their countrymen."

The hour which by law terminates the second session of the Fifty-ninth Congress having arrived, the chair declares the Senate adjourned without day.

Mondell Hopes Much From Garfield.

WASHINGTON, March 4.—Representative Mondell of Wyoming, who introduced a resolution early in the session, calling for information as to why orders were issued withdrawing from the public domain vast bodies of coal land, withdrew the resolution in a short statement to the House today. He said, as Secretary Hitchcock would retire from office today, he had no desire to further press his resolution of inquiry, believing that under the new Secretary a better and a happier condition of affairs would obtain relative to these questions.

House Adjourns Amid Singing and Waving of Flags.

SPEECH BY SPEAKER CANNON

WASHINGTON, March 4.—"My country, 'tis of thee" rang out in the House as the clock was turned back 15 minutes in order that the bill limiting the hours of laboring railroad employes might be enrolled. A recess was ordered and the songs began. Hundreds of waving flags in the hands of the members made a stirring picture. The galleries joined in the chorus and many a member sang. The Speaker called Clark of Missouri to the chair.

Williams of Mississippi, the minority leader, then presented a resolution thanking Speaker Cannon for the intelligent, constant and impartial manner in which he had presided. Cannon was thereupon escorted in, while the chamber rang with applause. With a tremor in his voice, the Speaker said:

I thank you, gentlemen, for your kindness in the deed and words of this day; and I thank you especially for your unwavering and constant friendship during every one of the laborious and eventful days of the Fifty-ninth Congress. Some of you have been with me under the stress of National trial and even National disaster. It has been our good fortune to do our work in a period of prosperity so abundant as to surpass all the imaginations of the past. The statements of the days of stress will always have first place in the affections of the people, but the men who with loyalty and devotion strive to keep a mighty Nation in the pathway of peace and common sense, while prosperity abounds on every corner, have troubles not always understood or sympathized with by the people, but which you well know of.

In the two years now closed—years eventful in the projects set in these legislative halls, and, we hope and believe, eventual for the good that may come to the people therefrom—your fidelity to your own duty and your intelligent appreciation of duty, even when it has crossed some of your cherished purposes, have had my constant encouragement and support. In bidding you farewell, I express my appreciation of this, and to wish you in the future all success and usefulness in your chosen walks of life.

And now, in pursuance of the requirements of the Constitution, I declare the House of Representatives adjourned without day.

NOMINATION NOT CONFIRMED

Three of the District Attorneys and Many Postmasters Up in Air.

WASHINGTON, March 4.—When Congress ended today, there remained about 160 nominations by the President that had not been confirmed. Of these were appointed as United States Attorneys and confirmation was objected to by Senators from the districts to which the appointments were made. They are William F. Byster, for the district of Oregon, opposed by Senator Fulton; James D. Elliott, for the district of South Dakota, opposed by Senator Kittredge, and O. R. Hundley for the Northern district of Alabama.

KILL BILL AMID LAUGHTER

Senators Expel Humor on Alaska Game Protection Bill.

WASHINGTON, March 4.—Reveridge called up in the Senate today a bill for the protection of game in Alaska. The reading of the measure was delayed by Cultureton and had proceeded for five minutes when it was suggested by Carter that it would be impossible to get the bill introduced before noon, even if it passed. He called attention to the fact that the bill must necessarily be amended," said Clapp. "It gives no protection to woodchucks, and there is no provision for the government to take men who kill ducks and prairie chickens in self-defense."

JAPANESE ANGER STIRRED

Call on Government to Avenge California Land Tenure Bill.

TOKIO, March 4.—The Nichi Nichi in a leader this morning protests against the "persistent determination of the people of California to persecute and exclude the Japanese from that state." In the proposed limiting aliens to a five years' term of land the Nichi Nichi can do nothing but one intention—to deny the land to the Japanese.

JAPANESE WITHDRAW PROTEST

Cabinet Seeks to Aid in Happy Settlement of the Controversy.

VICTORIA, B. C., March 4.—Advices were received by the steamer Empress of China from Tokio that a conference of elder statesmen and cabinet members was held on February 26 to discuss the amendment to the Immigration Bill proposed by the United States. The protest against the bill was withdrawn in appreciation of President Roosevelt's endeavors to bring the controversy between Japan and America to a happy issue. An understanding was reached at the meeting that labor passports should be issued to immigrants from the United States.

Japanese School Case Deferred.

SAN FRANCISCO, March 4.—In the State Supreme Court this morning, the application of Kikuchi Aoki for a writ of mandate directed against the principal of the Redding Primary School and the members of the Board of Education was continued for one month, and in the United States District Court similar action was taken in the case pending there.

TO CURE A COLD IN ONE DAY

Take LAXATIVE BROMO QUININE Tablets. Regular Price 25c. If 12 Tablets are purchased, the price is only 20c. E. W. GROVE'S signature is on each box. 25c.

Scarcity of Laborers.

SAN FRANCISCO, March 4.—The development and reconstruction work going on in San Francisco has resulted in a most appreciable shortage of labor all over California, and from all parts of the State there is urgent call for men and women and for teams. It is estimated that the amount made public—\$175,000—but declared it may not anticipated this variation will be large.

FOUND BURNING LETTERS

Chicago Police Arrest Three Men for Mail Robbery.

LOTS OF WORK; NO MEN

California Cities Report a Great Scarcity of Laborers.

Get Rid of Scrofula

Bunches, eruptions, inflammations, soreness of the eyelids and ears, diseases of the bones, rickets, dyspepsia, catarrh, wasting, are only some of the troubles it cures. It is a very active evil, making havoc of the whole system.

Hood's Sarsaparilla

Eradicates it, cures all its manifestations, and builds up the whole system. Accept no substitute. Hood's Sarsaparilla is made in the room all day, opening the mail, presumably secured from the

Easter Cards and Novelties—Exclusive Designs in Dress Fabrics for Spring

Cipman, Wolfe & Co. Good Merchandise Only—Quality Considered Our Prices Are Always the Lowest

Special Purchase Sale 10,000 Yards Black Taffeta At Extraordinary Special Prices

7500 yds Platte Val. Wash Lace 20c Val. 9c Yd

ART NEEDLEWORK Five lessons daily, 2 to 5 P. M. Strapping neatly done; satisfaction guaranteed. New "Wallachian" embroidery on display. Many specials offered daily.

New Shades and Effects in The Tailored Suits

New Spring Suits—what a wealth of meaning there is hidden in those few words—New Spring Suits; and there is such a lot of them. Some with the prettiest and jauntiest of boleros, or jackets just to the hips, and just enough long coats to prove the exception. Just a tiny bit of trimming is the chief attraction of many plainly made suits in soft light checks and stripes, so soft as to be almost undefinable, among which tans, grays and whites are most effective.



Some of the more elaborate tailored suits have an extension from the skirt over the shoulder, which gives the effect of a costume when the jacket is withdrawn that is very stunning. In these fancy suits, pretty, light, plain colors are more often the rule, but the new bright browns and blues are also ably represented, all most beautifully trimmed with an eye to the artistic in design.

All essentially Spring fabrics—checks, worsteds, voiles, serges, Panamas and silks are what these charming suits are made of—\$25 to \$85. In addition to the two-toned suit, such as a checked broadcloth skirt and plain color broadcloth coat of a shade half-mooning, we have a combination of silk and broadcloth that is indeed beautiful.

This idea is best expressed in the two-piece suit here illustrated, made of a soft tan color satin duchess, with its trimming of broadcloth in exactly the same color, brought into play in the wide fold about the full plaited skirt and more intricately introduced on the jacket, which is of an unusual cut, the sleeves being made in one with the back of the jacket, in the much-talked-of Paris fashion, and the broadcloth brette lines and cuffs buttoned on, as it were, to the silk of the jacket. This suit is priced \$85.00.

THREE CABINET CHANGES SHAW AND HITCHCOCK RETIRE INTO PRIVATE LIFE. Meyer Becomes Postmaster-General, Cortelyou Treasury Secretary, Garfield Interior Secretary.

COUNTING ALL THE CASH Extent of Chicago Sub-Treasury Robbery Not Known. CHICAGO, March 4.—A report here today that \$1,000,000 instead of \$175,000 had been stolen from the Chicago sub-treasury was denied tonight by Sub-Treasurer Boldenwecke and secret service officials who are working on the case. Mr. Boldenwecke followed his story, however, with the statement that the examination of four Washington experts who came and are now counting the funds in the local sub-treasury may show a variation from the amount made public—\$175,000—but declared it may not anticipated this variation will be large.

WEDDING AND VISITING CARDS W.G. SMITH & CO. Washington Building

FOUND BURNING LETTERS Chicago Police Arrest Three Men for Mail Robbery. CHICAGO, March 4.—John Smith, R. T. Fitzgerald and Eugene Sullivan were arrested tonight on the charge of robbing a United States mail wagon, which was standing in front of the Stock Exchange building last Saturday night. The men were arrested in a room

CARTER'S LITTLE IVER PILLS Get Rid of Scrofula SICK HEADACHE Positively cured by these Little Pills. They also relieve Distress from Dyspepsia, Indigestion and Too Hearty Eating. A perfect remedy for Business, Nervous, 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.