# ON TO PRESENT JOB

Will Not Resign Executive Office.

#### PLAN IS MERELY TO VACATE

If Not Seated as Senator He Can Resume Old Place.

COURSE PURSUED BEFORE

When Elected Governor, Chamberlain Was District Attorney and Did Not Resign-When Away Secretary Can Run Things.

Or., Jan. George E. Chamberlain will never resign the Governorship. Such is the word that has been passed around the Capitol, and it seems to come from an authoritative source. He has not said that he will What he has said is that he will be in attendance at the first session of Congress after his election as Senator-Instead of resigning the office of Governor, he will let his acceptance of the office of Senator act as a vacation of the office of Governor. There will not be a fraction of a second of time between his reasing to be Governor and his becoming Senaror. If his credentials should b in the Senate and he should e donled a sent, he would continue to be Governor. If he abould be seated and It be declared afterward that he had been Luproperly seated, he would resume the uffice of Governor, since he would not have vacated that office.

#### Pursued Course Before.

That was the course the Governor pursued when he was elected chief executive the first time. He was then District Attorney in Multromah County, and there were many who inslated that he resign the office of District Attorney before taking the office of Governor. This he refused to do, but let his acceptance of the office of Governor have the effect of vacating the District Attorney's office. If anything had occurred to prevent his luanguration, he would have remained in the office of District Attorney

Governor Chamberlain is taking no chances. He thinks he does not need to. Not that he will admit there is any dan ger of his being refused a seat in the Sample but that he sees no reason for quitting one position until he has been safely installed in the other. Perhaps he feels, too, that his position as Governor strengthens the chance of his being ac orded a seat in the Senate if there should be any doubt about it, for there would reason to question his admission to the Senate if it were known that he would continue as Governor if refused a

#### Cannot Be Compelled to Resign.

If the Senate should refuse to seat him as Senator until he had resigned his office as Governor, he could file a resignation to take effect upon his becoming Senator, by which means his accession to the Senatorship would operate to end his incumbency as Governor. In any view of the situation, the Governor does not see the need of resigning before he becomes Senator, and there appears to be no way in which he could be compelled to step out of one office before he steps into anather, even if someone desired to make such an effort. It has always been held in practice

though the question has never been determined by the courts, that absence of the Governor from the state does not constitute such a disability as to vest the executive authority in the Secretary of State. It has been the practice for the Governor's private secretary to sign the Governor's name in his absence, even to documents as important as extradition papers. That being true, it is quite likely that after Governor Chamberlain leaves Oregon for Washington, D. C., to take the office of Sepator, his private secretary, W. N. Gatens, will continue to rue

#### READY TO HANG BILLIK

Sheriff Has Not Heard of Commutation of Sentence.

CHICAGO, Jan. 38.-Sheriff Strassheim, not having been notified of the commutation of the sentence of Herman Bulk from hanging to a life sentence; for the murder of Mary Vzrai, today sent out the usual invitations for the hanging, on January 29 next.

"If the Governor has commuted the plence it will be unlucky for Billik unless I am officially notified," said the Sheriff today.

#### FULTON'S MAN IS NAMED

Frank J. Carney New Postmaster at

tion he wanted Fulton to withdraw his objection to John C. Young as postmaster at Portland, but Fulton declined to will recover. Paxton was overpowered by Will Davis, another stepson. He is between a narty to the deal.

## PREFERS SUICIDE TO BEING LYNCHED

CHINAMAN, CRAZED BY OPIUM,

Then Takes Refuge in Burning Barn and Ends Life With Charge

SAN JOSE, Cal., Jan. 26,-(Special.)ook Fong Gin, à Chinaman, shot Louis Richards, a Milpitas rancher, today, and then, to avoid being captured and ynched by angry farmers, barricaded simself in a barn to which he had set fire. When he saw that the place was about to be stormed he ended his life with a pistol.

Richards has been brought to the Belvedere Hospital in this city. His left check is blown away with a shotgun and it is almost certain he will die, Gin is believed to have been crazed from over-indulgence in opium, and this afteroon set fire to his shack on the Ballou ranch, about two miles to the east-ward from Milpitas. While his shack was burning he carried some of the em bers into a large barn located about 150 feet distant, and set fire to that also. Richards noticed the smoke of the burning buildings and together with John Wells hastened to the place and menced fighting the fire in the barn with buckets of water. The Chinese had

hidden in the loft, and opened fire on the two men. The first shot struck Richards, but Wells stayed by his friend and carried him out of range of the Celestial's shotgun. Constable Costigan, of Milpitas, and Sheriff Langford, of this city, were notified by telephone, but in the meantime the barn had been surrounded by angry framers determ to punish the Chinaman. Sheriff Lang-ford dispatched several deputies to the scene armed with repeating rifles. Before they could get to their destination the Chinaman had ended his life.

#### FORCED TO RIDE IN AUTO Alaşkan Gets His First Buzz-Wagon Trip in Scattle.

SEATTLE, Wash., Jan. 28-(Special)-Dan Callahan is out from Alaska for the first time in 27 years. Callahan is known as the chief of the Burch Creek Indians, but he is not an Indian. When he stepped off the Yucatan his eyes fairly bulged. for when he last saw this section of the country, Seattle was hardly worthy of being called a city. He had never seen an electric car, much less an autom an electric car, much less an automobile. He could not be induced to enter the latter vehicles, so a couple of old-time Alaska friends put up a job on him. As they came out of a cafe one of them sidled away and explained the situation to a police sergeant. The arrest of Callahahan immediately followed and he was taken to police headquarters in the automobile patrol, only to be immediately released.

#### DEATH AHEAD OF HYMEN

Bridegroom Expires as Bride and Clergyman Arrive.

As his intended bride, accompanied by a clergyman and witnesses, entered his coom last night, ready for the marriage cremony, Charles J. Miller breathed his unchallenged that so ser unchallenged the companies of the companies o SACRAMENTO, Cal., Jan. 26 - (Special.) ceremony, Charles J. Miller breathed his last. Miller and Miss Flossie O. McDon-ald were to be married yesterday. He was stricken recently with typhold fever and taken to the Wentworth Hospital. Hope for his recovery was given up, but this did not after his intention to be ed on the date planned.

Miss McDonald procured the license and ingaged a clergyman to accompany her o the hospital. When she entered the to the hospital. When she entered the room she was just in time to see her lover die, and he expired before the intended ceremony could be performed.

#### SENATOR SLUGS REPORTER

Aged Californian Forcibly Resents Newspaper Criticism.

SACRAMENTO, Cal., Jan. 28,-Senator W. H. Savage of San Pedro, one of the "hold-over" members created a furore on the floor of the House this morning by a denunciation of E. A. Dickson, a Los An-gelos newspaper man.

The aged Senator arcse to a question of

personal privilege and declared he had been misrepresented as having aligned himself with the race track Senators against the Valker-Otis bill. A few moments later Savage met Dickand struck the newspaper man in the face. On account of the age of the San Pedro Senator, Dickson refrained from striking back. That ended the incident.

## the office of Governor in the usual STOPS SERMON TO AID LAW

Aberdeen Minister Cinches Two Thieves by Prompt Action.

ABERDEEN, Wash., Jan. 26.-(Spe-ABERDEEN, Wash., Jan. 26.—(Special.)—Stopping his sermon in the middle, and holding two umbrelias aloft in the pulpit to ask for the names of their owners, Rev. A. H. Hause caused a sensation here. When the owners of the umbrelias claimed them, the minister announced that they had just been stolen from the church, and that police officers were in the back of the building waiting with the prisoners to get the apparatus with the prisoners to get the necessary complaints for prosecution. After the police received their information, the service was continued.

#### RANCHER TRIES MURDER Crazed Farmer Shoots Wife, Step-

son and Himself.

Astoria and No Deal On.

OREGONIAN NEWS BUREAU, Washington, Jan. 28.—The Senate this evening confirmed the nomination of Frank J. Carney as postmaster at Astoria. When Bourne consented to Carney's confirmation he wanted Fulton to withdraw his objection to John C. Young as postmast.

## JEROME OFFERS TO PUNISH LIBEL

Says Canal Scandal Is Case for State.

### WANTS GOVERNMENT TO QUIT

Says His Prosecution of World Has Precedence.

SUSPENDED INQUIRY

New York Prosecutor Willing to Act If Government Steps Aside and C. P. Taft and Robinson Complain to Him.

NEW YORK, Jan. 26.-The possibility of the Federal authorities having to stand aside to permit the State and County of New York to proceed against the publishers of the New York World for alleged libel in connection with the Panama purchase was made apparent today in a letter written by District Attorney Jerome to United States District Attorney Henry L. Stimson.

Provided Douglas Robinson, brother-inaw of the President, is willing to appear as a complaining witness, Mr. Jerome is ready, the letter states, to bring action at once in the state courts. It would be useless for him to do so, he explains, if his inquiry is not given precedence over that begun by the Federal grand jury.

#### Plain Libel on Two Men.

"I have given the matter published in the New York World of October 2, 1908, careful consideration," the letter says, "and I am of the opinion that it is plainly a libel upon Charles P. Taft and Douglas Robinson, assuming, of course, that it is untrue as to the syndicate mentioned therein and their alleged connec tion therewith. Under the law of this state its publication is a crime and, as t was published in the County of New York, it is my duty under certain circumstances to prosecute those responsible

for the publication. "The publication has a much wide general importance than is found in most libels. It in substance charges that by errupt and dishenerable, if not criminal means, the treasury of the United States was depleted to the extent of \$36,500,000 through the connivance, to give it no nursher description, of some of the chief officers of the state and that this great sum was 'divided among Government favorite in the world of politics and

Mr. Jerome expresses his conviction that so serious a charge should not pass unchallenged and that adequate justification should be snown or those making it be properly punished.

#### Offense Against State.

"From this point of view," the letter continues, "the Federal authorities, It seems to me, have a distinct interest (Concluded on Page 4.)

#### GROSSCUP RUMOR **GIVEN NEW TWIST**

Judge Denies He Will Resign, but Politicians Pick Candidate Roosevelt Likes.

CHICAGO, Jan. 26.-(Special.)-The old

story that Judge Peter S. Grosscup intends resigning from the Federal bench was revived today and given a new twist, so as to bear on the United States Senatorial fight at Springfield by inserting

in it a report that W. J. Calhoun, who is in the Senatorial race, was to get Judge Grosscup's place. As before, Judge Grossup denied that he was about to resign. H. H. Kohlsant, who recently returned from Washington, D. C., and was sald to know of the contemplated changes, when asked concerning the story, said:

"I do not know that Judge Grosseu ias any intention of resigning, but I do know that Mr. Calhoun stands high with he authorities at Washington." Mr. Calhoun said: "I have heard rumors for some time

that Judge Grosscup was going to resign. but whether he has done so or not, I don't know. I have no information as to what would be done in case he should resign, and I have not been consulted as to whether I would be appointed to fill

Judge Grosscup rendered the decision annulling the fine of \$29,260,000 imposed on the Standard Oil Company.

## STATE MESSENGER IS LATE

R. R. Butler Subject to \$1000 Fine for Delay With Electoral Vote.

OREGONIAN NEWS BUREAU, Washington, Jan. 26.-Oregon's electoral messenger, R. R. Butler, who was given the state vote on Presidential Electors, failed to arrive in this city yesterday, and was today subject to \$1000 fine for his failure Oregon's electoral vote will be counted whether Butler arrives or not, for a copy was forwarded by mail and has been in the hands of the Vice-Prosident for more than a week. But this fact does not release Butler from the penalty which the law imposes for failure to deliver the vote by the third Monday in January. If this penalty is invoked it will consume his entire mileage allowance, and compel him to go into his pocket for about \$350

#### \$600,000 TO RUIN RIVALS

A. Booth & Co. Said to Have Paid That Sum to Lawyers.

CHICAGO, Jan. 26.-The first actual acof Thornton & Chancellor, as given today before Master in Chancery Booth. tated, was used in destroying competition and fighting legal battles,

#### THIRD THIRSTY MAN DEAD

Last of Three Soldiers' to Drink Denatured Alcohol Succumbs.

DELAWARE CITY, Del., Jan. 26 .-With the death today of Samuel Albright, private soldier at Fort Dupont, three men of the fort have paid the death penalty for drinking denatured alcohol as a beverage. 

BUMPING THE BUMPS

## CHARGES BLOCK WAY TO SENATE

Direct Primary Used to Debauch Wisconsin.

#### STEPHENSON UNDER ASSAULT

Accused of Spending \$250,000 to Get Nomination.

LA FOLLETTE BEHIND MOVE

Legislature Orders Inquiry Into Charge Votes Bought for \$5 Each-State Chairman and Others Under Fire.

MADISON, Wis., Jan. 26 .- (Special.) By filing specific charges of bribery, orruption and fraud in the Septem per election campaign by United States Senator Stephenson, State Senator John J. Blaine, of Boscobel, leader of the anti-Stephenson men, today induced a majority of the State Senators to vote for legislative investigation, prevented the Marinette millionaire from securing a majority of votes in the upper house, and placed his re-election in joint assembly at noon tomorrow in

#### considerable, if not extreme doubt.

Stephenson Fears Defection. The Stephenson forces tonight are feeling hopeful, but not happy. They fear that the anti-Stephenson men may during the night, win some of their men over to the opposition. The Stephenson forces had only a majority of five votes on the ballots taken separately in the two houses today. If they lose more than five votes before the time for the joint ballot tomorrow, Mr. Stephenson cannot secure the election at that time, and the contest may deelop into a positical fight which has had few parallels in this state.

#### Has More Than Enough,

In the Senate, 12 members voted for Mr. Stephenson on the motion to elect a Senutor. The other Republican members voted blank, and the minority ounting for \$00,000 paid by A. Booth & party members voted for their particuthe fish concern recently placed in lar candidates. In the lower house the hands of a receiver, to the law firm Mr. Stephenson received 60 votes. while five scattered their votes, 15 Republicans voted blank, one Republi-More than half of the amount, it was can was absent and the remaining ers, who are Democrats and Socialists, voted for their party nomitees. This gave Stephenson a total of 72 votes in both houses. It requires

#### 67 to elect.

Break With La Follette. The contest in a nutshell is between the two elements of the Republican party, one led by Senator La Follette and the other by Senator Stephenson and Governor Davidson. Mr. La Follette broke with Mr. Stephenson a year ago when he supported Irving Lenroot (Concluded on Page 6.)

#### DOG HAUNTS PLACE OVER TWO YEARS

SEARCHING PARTY WHLL TRY TO FIND CAUSE.

Tragedy of Lonely Prospector Suspected Near Wallace, Where Shots Were Heard.

WALLACE, Idaho, Jan. M.-Because a dog has been haunting a certain spot in the Slate Creek district of the Coeur d'Alenes for the past two years and howling at night, local forest reserve men have organized a scarching party and will start tomorrow to explore the snowy wastes to see what they can find. It is generally believed that a miner or prospector has been killed and that his faithful dog is guarding what remains of

This belief is strengthened by a report made by a sportsman who says that as he was passing the place the dog now naunts some two years ago he heard a fusillade of 25 or 30 shots. He was on a fishing trip at the time and did not stop

to investigate. All attempts to coax the dog away from the locality have failed, and the animal is nearly wild. It is supposed that it subsists on game that it catches in the vicinity.

#### WOMAN DRIVES OUT THUG

Prevents Robbery of Hotel Baggage, Then Falls in Faint.

BURLINGTON, Wash., Jan. 26,-(Special.)-Mrs. McMoran, today at the point of an unloaded gun, caused the flight of capital. four thieves from the Hotel Northern while they were bushly engaged in going through the baggage of the guests of the

Mrs. McMoran, who is the housekeeper. became suspicious of the men, who came in on the Anacortes branch train. She watched them closely last night, with nothing cropping out to verify her instinctive feeling that something wrong was going on. Today Mrs. McMoran found the men going through the belongcured a gun from the folds of her skirt and wabblingly pointing at the thieves, told them to put up their hands. They complied, and she marched them out of the house. Then she locked the door and fell in a faint, the unloaded Coit falling to the floor.

All the men escaped. They were registered as C. H. Martin and M. C. Jensen, of Salt Lake City; El S. Comet, of Denver, and Jack J. Frank, of Delavan.

#### SENATE CANNOT QUIZ HIM

Bonaparte Calls Attention of Committee to Corporation Law.

WASHINGTON, Jan. 26 .- That the Senate has no right to call upon President Roosevelt for information which he may have obtained from the United States Steel Corporation when he countenanced that concern's absorption of the Tennessee Coal & Iron Company is the opinion of the special committee on judiciary appointed to investigate the

Mr. Bonaparte directed the committee's attention to the act to establish the Department of Commerce and Labor. Under that act the Commissioner of Carporations is empowered to gather from corporations engaged in interstate commerce such data as will enable the President to make recommendations to Congress for regulation. This provision of

law concludes as follows:
"And the information so obtained, or as much thereof as the President may direct, shall be made public."

#### KIERAN ARRESTED AGAIN

Picked Up as Fugitive From Justice, but Later Released.

NEW YORK, Jan. 26.—Patrick J. Kieran, vice-president of the Fidelity Funding Company, whose affairs are in the hands of a receiver, was arrested at his home here late today on the ground that he was a fugitive from justice and "that he was wanted in Pittsburg, where charges of grand larceny had been lodged against him. Kieran had been locked up in a police

cell only a few hours when word came from the Chlef of Police of Pittsburg that Kleran had given bonds there and requesting that he be released. This was done, but Kleran was served with an order to appear in the Supreme Court nary 29 to be examined regarding the affairs of the Pidelity Funding Company.

## SPOTLIGHT LURE WINS

Jeffries Will Appear in Vaudeville Tour of Country.

SAN FRANCISCO, Jan. 26.-James J. Jeffries, retired heavyweight champion of the world, will appear in vaudeville throughout the larger cities of the East, throughout the larger cities of the Basic beginning March I in New York. The fact that the big fighter has signed a contract for that period with one of the largest circuits was made public tonight. It is reported that Jeffries is to get \$50-000 for his work, though the details of the financial errangement are withheld by the parties to the contract. The naof the "stunt" the pugilist will go through on the stage has not been re-

#### RESTAURANTS GO TO SEA

California Flood Changes Course of River With Freak Results.

SAN LUIS OBISPO, Cal., Jan. 26-Three Harvey houses (railroad restau-rants) at El Pizmo were carried away and swept into the Pacific Ocean today when Price Creek overflowed and swept through the town. Arroyo Grande is partly under water and the Santa Maria River has changed its course, threatening the City of Santa Maria

## SGANDAL RISES IN MIKADO'S COURT

Aristocracy of Japan Set by the Ears.

#### COUNT TODO MARRIES ABROAD

Secretly Divorced and Applies for Hand of Princess.

#### ENTIRE STORY IS PRINTED

Imperial Court Investigates and Finding Story True Annuls Marriage and Disgraces Count.

LONDON, Jan. 26. - (Special.) - The Tokyo correspondent of the Standard clates a scandal, indirectly involving the imperial house of Japan, which is causing a great stir in the Japanese

Count Todo, 21 years old, was sent to England two years ago to complete his education, and while there married a voman of Hungarian birth, Mrs. Elena Addison, 29 years old, widow of an Englishman. The Count's family, upon learning this, peremptorily ordered him to return to Japan. He did so, leaving

nis wife in England. When he arrived home he found his family, which shares the traditional aristocratic repugnance to mixed marringes, had in his absence started negotiations for his marriage to Princess Take, member of a collateral branch of the imperial family. The Count's divorce from his English wife was imme-

dintely resolved upon This was comparatively easy in Japan. The Count secured a divorce without consulting his wife. As soon as free he formally applied for the Princess Take's hand and the Emperor sanctioned the alliance. Congratulations were pouring in upon the Todos, when an editor of s Tokio newspaper, hearing the facts, print-

General consternation followed. The nobles of the Disciplinary Council Inves-(Concluded on Page 4.)

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SALARIES