Senate Would Reduce Salary in Effort to Make Appointment Legal.

Doubt Expressed by Many as to Peasibility of Any Scheme So Far Suggested to Ald Senator's Promotion.

WASHINGTON, Feb. 19.-Following close upon the discovery that Senator Philander C. Knox could not, without violating a provision of the Constitution of the United States, accept the State Portfolio in the Taft Cablnet, the Senate ook prompt action today to remove the constitutional objection.

Senator Hale introduced a resolution,

which was referred to the committee on the judiciary, providing that the salary of the Secretary of State he reduced from \$12,000 to \$2000, the figure at which it stood before it was increased, along with those of all other Cabinet officers two years

In view of this resolution, Assistant Attorney-General Russell held that if Congress restored the salary the case fell outside the purpose of the law and was not within the law.

### House Still in Doubt.

In the House there was general accept-ance of the suggestion for the repeal of the law standing in the way of Senator Knox's transfer to the State Department, but it-was not accepted by all as feas-ible. Some members raised the question, if even after a repeal, he would not be prohibited, inasmuch as the Constitution forbids the appointment to an office, the salary of which has been raised during the appointee's term as a member of Congress, nothing being said about the subsequent reduction of the salary.

Senator Knox was last year elected for a six-year term, which will not expire un-

a six-year term, which will not expire un-til March 2, 1911. The Constitution pro-hibits the appointment of a Senator to an office created, or the salary of which has been increased during the term for

which he was elected. So the question is whether, under the montrovertible state of affairs, Senator Knox can lawfully succeed Robert Ba-con as Secretary of State on March 4. The Senator himself is a good deal per-turbed over the question, and today held frequent consultations with personal friends, especially those of a legal turn

### Bill May Help.

Just before the Senate adjourned to-day, Senator Hale introduced a bill re-penling that portion of the act of 1907 which increased the salary of the Secre-

The general consensus of opinion on both sides of the Senate chamber was in accordance with Senator Hale's view in accordance with Senator Hale's view that the situation should be remedied by the repeal of the law in so far as it affected the offices of the Secretary of State, but there were a few dissenting voices on the Democratic side. Senator Hayner, himself an eminent legal authority, after canvassing both sides of the chamber, expressed the view that repeal offered the only feasible course out of the difficulty.

intor Knox did not reach the capital until I o'clock. He was immediately sought out by a number of his Senatorial friends who were in close conference with him, but to the reporters he would say nothing whatever regarding the report of his ineligibility for the office of Sec-

English Lightweight Distresses Cross With Left Jabs.

NEW YORK, Feb. 10.—In a slashing is-round fight at the Fairmount Athletic Club tonight Jem Driscoll, the English lightweight, had the better of his bout with Leech Coss, of New York. The first four rounds were easily Driscoll's the Englishman landing a left jab, which had Cross much distressed. Co

## STRAUS TALKS TO LABOR

Leaders Meet Secretary in General Conference at Capital.

WASHINGTON, Feb. 18.—Prominent labor leaders participated in a "council of labor" at the Department of Commerce and Labor today. President Gompers. of the American Federation of Labor, and Commissioner-General Keefe, of the The meeting was called at the instance of Secretary Straus.

## STIFLED BY NATURAL GAS

One Oklahoma Senator Dead, Another Dying of Poison.

GUTHRIE, Okla., Feb. 10.—State Sen-ator G. O. Johnson, of Fort Cobb, is dead and State Senator J. P. Yeager, of Tulea, is dying here as the result of in-haling natural gas from a jet believed to have been accidentally left open. They were called this morning and made no response, their door was broken in and they were found unconscious.

## EMERGENCY GETS JUDGE

(Continued From First Page.) a legislative bill as they did to this one, when they enacted that the public peace required this bill should go into immediate effect. Of course every one knows the statement is not true. It is contrary to the profession of the Senators, who said that no bill should pass with the emergency clause attached. Governor Chamberlain himself, two years ago, in a message which he sent to the Legislature, said that he would veto any such bill which carried an emergency clause. I want to have it fixed once and for all, so that no bill processing solution or creating new offiincreasing salaries or creating new offi-ces shall ever again pass the Legisla-ture of this state with an emergency

clause attached. "Of course this emergency clause was added to the bill to prevent its being presented to the people under the referendum, because the members who voted for the bill well knew the people did not want an additional judge in this county. Mr. Jaeger, whose name the bill bears, stated in the House that he retained the emergency clause for position to it.

fear that the voters of Oregon would defeat the bill under the referendum. In a nutshell, the question is this, will the people permit this emergency clause to be added when its purpose is simply to prevent their having a vote on the measure under the referendum? "I shall start at once to circulate the

petitions for signatures and I shall per-sonally see to it that these petitions, reach every nook and cranny of the state. Mind you, I have nothing against the appointment of Gatens. I against the appointment of Gatens. I am however, strongly opposed to the members of the Legislature, under the pretense of an emergency, passing measures that should come before the people through the referendum. I have known Mr. Gatens for a great number of years and have nothing against him whatever. He is an honored citizen and a man of ability." a man of ability."

TANGLE IS HARD TO CLEAR GATENS IS PORTLAND MAN SURE HE HAS RIGHT MAN

Obtained Legal Experience in Office of Chamberlain & Thomas.

by Governor Chamberlain to the new Circuit Judgeship in Multnomah County, is a native of Portland, and is 40 years old. He studied law in the University of Oregon law school in Portland, receiv-ing much of his instruction in the office of Chamberlain & Thomas, in whose of-tice he worked. Mr. Gatens graduated from the law school in 1894 and was admitted to the bar the same year. He served as Deputy District Attorney in Multnomah county for two years and a half and had extensive experience in legal work in the office of Chamberlain & Thomas. For the past six years he has served as private secretary to the Governor, filling that position with great satisfaction to the Governor and to the public having business with the office. He will assume his duties as Judge immediately after his appointment.

CANADIAN LUMBERMEN PRO-TEST AGAINST "DUMPING."

Make Organized Effort to Secure \$2 Thousand on Rough Lumber and 30 Cents on Shingles.

VANCOUVER, B. C., Feb. 19.—The co-operation of the British Columbia Lumber & Shingle Manufacturers, Lim-ited, representing Coust millmen, and the Vancouver Board of Trade, is sought in support of a resolution adopted at the recent convention of the Mountain Lumber Manufacturers' Association, declar ing in favor of the imposition of a \$2 per 1000 import duty on rough fir, cedar, sprace, larch and pipe lumber, and of 30 ents per 1000 on shingles. Immediate argently requested

The matter will be dealt with by but! local bodies at an early date. The resolution makes the assertion that the mosvital industry to the welfare of British Columbia is the only great industry on the American continent which is not afforded reasonable protection and recites that British Columbia millmen are still suffering from the alleged unfair competition of rough lumber coming into Canada free of duty. Stress is also laid on the fact that the mills are idle and that the lumber was produced with pro-tected machinery and protected supplies. The resolution further says Hon, W. S. Fielding assured Kootenai lumbermen some years ago that the dumping clause

would give them protection, a promiswould give them protection, a promise which has not been verified by results. The mills of the Kootenais, so the res-olution avers, were unable to operate one-fourth of their ten-hour capacity during 1998, throwing out of work thousands of men and causing millions of dol-lars of invested capital to remain un-productive. In conclusion the resolution asserts that as the product of the mountain mills is from 75 to 85 per cent com-mon lumber, the unfairness should be manifest of allowing American mills to dump into Canada their surplus low-grade material, constituting as it does

## DRISCOLL BESTS CROSS MINISTERS IN CONFERENCE

GIVE POLITICAL MEANING TO KING EDWARD'S TRIP.

While Monarch Fosters Fraternal Relations, Hardinge and Von Buelow Talk.

BERLIN, Feb. 10 .- Great weight is lent to the political significance of King Edward's visit in consequence of the extended private conference which Sir Charles Hardinge had this evening with Prince von Suclow. The subjects un-der discussion have not been made pub-lic, but the fact that the British Under-Secretary of the Foreign Office was closeted with the Imperial Chancellor is regarded as highly important as in-dicating that the royal sojourn is not a mere visit of courtesy.

The Emperor and King and the Empress and Queen took part in a brilliant court ball in the white salon of the pal-

King Edward today enjoyed the dis-tinction of being the first foreign mon-arch who has ever been a guest of the Berlin municipality. Shorily before noon His Majesty, dressed in the uni-form of a Prussian General, proceeded to the town ball where Mayor Kirchner to the town hall, where Mayor Kirchner and the other members of the city government greeted him. The King was then escorted to the spacious public reception hall, which was splendidly decorated.

Among those present were Prince van

Among those present were Prince von Buelow. Foreign Secretary von Schoen and the other members of the cabinet and all the Councilmen and Aldermen, with the exception of 30 Socialists.

## THUGS ROB LONE WOMAN

Daring Daylight Robbery in House at West End of City.

Mary Basek, who lives alone at 509 Twenty-four and One-Half street, was the victim yesterday morning of a most during daylight robbery. Throttled and gagged so that she could not scseam or give any alarm, she was field powerless in the rough grasp of a thug while his companion ransacked the house, robbing her of 255 in rold a \$55 rold watch and a her of \$35 in gold, a \$25 gold watch and a \$15 gold watch chain.

The woman was at work in her home resterday morning about 9 o'clock when she heard a noise at the rear door. A moment later two burly men rushed in upon her. One of them grabbed her by the throat, threw her violently to the floor and held her, while the other thus searched the house. The robbery took only a few moments and the men disap-The robbery took

Heyburn Opposes Postal Bill.

WASHINGTON, Feb. 16.—The postal savings bank bill was before the Senate during most of the session today and Senator Herburn, of Idaho, spoke in op-

# THIRD SUSPECT IN TRAIN JOB CAUGHT

Sheriff Stevens Runs Down "Dutch Pete" Stroff for O. R. & N. Hold-up.

W. N. Gatens, who will be appointed Deputies Leonard and Flizgerald y Governor Chamberlain to the new Capture Desporate Man in San Francisco Implicated by Hayes and Burks.

> Word was received last night by Sheriff Stevens that "Dutch Pete" Stroff, suspected of being a member of the trio that held up an c. R. & N. train near Portland, on the night of December 15, had been captured in San Francisco. The suspect was apprehended by Archie Leonard and J. J. Fitzgerald, deputies of Sheriff Stevens. They left San Fran-



"Dutch Pete" Stroff, Captured as Suspect of O. R. & N. Train

cisco last night with their prisoner, who will be tried in Portland for complicity Stevens declares that there is

no doubt that Strok was not only im pilcated in the Portland train robbery, but was the leader of the gang. Jack Hayes and William Burks, the other members of the tric who have already been convicted, involved Stroff by their confession, declares the Sheriff, and aside from this there is plenty of evidence to end the captive to the penitentlary, he

## Stroff Is Desperate Man.

Stroff is regarded by police officials throughout the Pacific Northwest as one of the most desperate criminals that ever operated in this territory. He served ever operated in this territory. He served a term in the Deer Lodge, Mont., peniltentiary and it was while a prisoner there that he met Hayes who helped him in the O. R. & N. hold-up. He is said to have been connected with many of the most daring crimes ever committed on the Pacific Coast, but in most cases has successfully eluded the pelice authorities. Portland detectives declare that Stroff is one of the most dangerous men since Tracy and regard his capture. men since Tracy and regard his capture as of exceptional importance.

Hayes and Bucks were caught by heriff Stevens after the daring holdup f the O. R. & N. and their conviction ollowed. The job was one of the most sensational that have been committed in Oregon. The robbers cut off the engine and express cars from the other coaches, ran them down the track for over a mile and compelled Messenger Huff to open the safe which they plundered. Although a large sum of money was secreted by the messenger, the holdup men did not go away without lost the exact value of which has out loot, the exact value of which has never been known by the public. It is believed, however, that Stroff, if he was the third desperado, got away with the bulk of the plunder. After the rob-hery, the outlaws left the locomotive almost within the Portland limits and made their way into the city.

## Traced Months by Stevens.

At the time Hayen and Bucks were captured there was much mystery sur-rounding the third member of the gang. Several men were taken by the police and charged with the crime but all proved that they had no connection with it. Sheriff Stevens, however, soon learned facts that threw suspicion on Stroff and from that day to clews.

Stroff has been traced from the time of the robbery and the Sheriff's depu-tles have been close on the trail for the past two weeks. Leonard and Fitzgerald have been in San Francisco for ten days following up clews that led to the capture last night.

Hayes was sentenced to 12 years in the penitentiary and Bucks to four years. It is believed that Stroff, if he is convicted, will receive a longer term as the third member of the gang is known to have been the leader, Hayes, at the time of his conviction,

"It was the third man, the man who has not been caught, who first suggested the robbery of the train. He and I talked it over. We wanted another man, and the third party—I will never tell his name—introduced this kid Bucks to me."

## CANNOT HAVE SEA LEVEL

(Continued From First Page.)

day evening, the cost of which is \$25 a plate, and at which 1000 guests will sit The finest fish and game which can

be procured within 100 miles of New Orleans will be used in preparing the dishes, all of which will be cooked a la creole by most skillful chefs.

The chef and others are still busy

considering what will be best to serve. Some insist upon "poulet creole," young chickens stuffed with fresh mushrooms, while others declare that teal duck, with a carefully prepared pecan nut butter would be much more appetizing. Many favor crawfish bisque, but others hold out for the old-fashioned creole gumbo. The fish will be either remnant or sheenskend and will be pompane or sheepshead, and will be cooked in wine. There will be a fruit salad, in which the principal ingredi-ents will be pineapples, bananas, ents will be pineapples, bananas, oranges, grapefruit, celery and a rich creole dressing. Biscuit glace, pralines of cocoanut and other sweet things will e served for the last courses.
Old cellars have been ransacked and vines of rare vintage unearthed for

There will be many fine old wines which, according to the chefs, have been stored away for so many years that rakes will be required to separate hem from the cobwebs which have ormed over the bottles. A feature of he banquet is to be the serving of the cafe broulot. Several hundred silver howls have been secured, and the cof-fee, rich with the aroma of spices, will be stirred with long silver ladles by darkies chanting old creole songs while the aicehol is burning.

Cardinal Gibbons, who will pronounce the invocation at the banquet,

RAINEY JOINS ANANIAS CLUB

nrrived last night.

Illinois Senator Tells Fellow-Members Rules of Admission.

WASHINGTON, Feb. 16.—Representa-tive Rainey, of Illinois, whose speech in the House on the Panama Canal pur-chase, has drawn forth a rebuke from the State Department in an official reply to the Panama government's protest, was inclined today to assume that he had

inclined today to assume that he had been elected to the Ananias Club.

This was based on the statement in Secretary Bacon's letter as to the President's view of Mr. Rainey's speech. Mr. Rainey made a statement today, in which he said that he did not expect President Obaldia of Panama or President Roose, welt of the United States to agree with him.

In his statement, Representative Rainey

"The requirements of membership in the Anumias Clab are exceedingly simple, and I wonder that more do not accept the opportunity to join. In order to be entitled to membership, it is only necessary to be industrious, to exercise dillgence and to arrive at some facts not complimentary to the present Adminis-tration. In addition to this, you must also have the courage to make the facts

TAFT REACHES RIVER'S MOUTH

Will Start Up Mississippi to New Orleans Today.

PORT EADS, La., Feb. 10.—Via New Orleans, Feb. 10.—The North Carolina and Montana, with President-elect Taft and his party on board, dropped anchor off South Pass shortly before 8 P. M. (central time). Mr. Taft and his party will probably

## PASSES HOLD-UP IN SCORN

transfer to the Birmingham for the trip to New Orleans at 8 o'clock tomorrow

Joseph McDevitt Refuses to Put Up His Hands When So Ordered.

Joseph McDevitt, of 149 Seventeenth street, North, had an interesting exper-lence with a masked hold-up man last night, in which Mr. McDevitt, by the display of some coolness and courage, bluffed the robber and escaped from the encounter without losing a cent or being subjected to a search. The hold-up oc-curred on Seventeenth street, between Everett and Flanders streets. The victim was walking home, holding a bundle of books under one hand and his umbrelia over his head with the other.

The presence of the robber was un-noticed until he had stepped out directly in front of Mr. McDevitt and thrust his in front of ar. McDevitt and thrust his revolver into his fact with the command to put up his hands. Perhaps under other conditions, if his hands had been free, he might have compiled with the command at first impulse, but not desiring to drop his things to the muddy sidewalk, Mr. McDevitt hesitated a brief second in a quantum. As nothing resecond, in a quandary. As nothing re-sulted from his hesitation, the thought came like a flash to evade the robber; and without more ado he walked away from the footpad, "calling back over his shoulder to the second command of "halt, and put up your hands," that he had no money and that the robber had missed nothing.

From the description given, the police believe that the holders is a convict re-

believe that the hold-up is a convict re-cently released from prison who has been repeatedly apprehended for similar robberles.

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# OFFERED ANY PRICE

But Checker Says He Refused Trust's Bribe.

HE TRAFPED SUGAR MEN

Scales by Which Government Was Robbed of Millions Produced in Court-Discoverer of Fraud Explains the Tricks.

NEW YORK, Feb. 10 .- With a scale wheeled into the courtroom and set in position before the jury, counsel for the Government In its suit against the Amerlcan Sugar Refining Company, today demonstrated the methods through which it is alleged that the company defrauded the customs' revenue by underweighing sugar imports. Albert B. Lambert, a scale expert from the Government mint at Philadelphia, superintended the demonstration.

Counsel for the defense objected to the demonstration, but Judge Holt over-ruled the objection on the witness' state-ment that the scales were identical with those used by the sugar cor those used by the sugar company.

Special Treasury Agent Parr, the discoverer of the alleged fraudulent device, testified that in November, 1907, while examining the scales on the Brooklyn docks, he had caused one of the sugar company's checkers, named Kehoe, to re-weigh three drafts that Kehoe had weighed before the witness accosted him.

As Kehoe re-weighed the drafts, said

As Kehoe re-weighed the drafts, said

As Kehoe re-weighed the drafts, said Mr. Parr, the witness noticed that he kept his left forearm resting on his left knee and moving. When Mr. Parr asked him what he was 'monkeying' with, the checker, according to the witness, replied "Nothing." Mr. Parr then made Kehoe get up and discovered, he said, the end of a piece of metal spring rod where the checker's arm rested. Kehoe, the witness testified, was then placed in custody, after which, Mr. Parr said, Spitzer, a dock superintendent,

placed in custody, after which, sir. Pair said, Spitzer, a dock superintendent, ran up to him and said they would "have to fix this thing up," and offered to let him name his own price if he would report the scales out of order. Mr. Parr would not consent.

Mr. Parr said he had examined all the later the docks and had found them.

scales on the docks and had found them all equipped like the one Kehoe used.

# PUT HEYBURN ON GRILL

PILES AND CARTER DEFEND POSTAL SAVINGS BANKS.

Answer Idaho Senator's Criticisms by Recalling Convention

Pledges.

WASHINGTON, Feb. 10.-Consideration of the postal savings bank bill was re-sumed in the Senate today. Piles, of Washington, became involved in a cotroversy with Heyburn, who was criticising various provisions of the bill. He appealed to the Senator from Idaho to accept amendments as a means of facili-tating the passage of the measure, and added that if it should not be enacted this session he would go to the Presi-dent-elect and ask him to insert in his

call for a special session a recommenda-tion that a postal savings bank bill be Heyburn reminded Piles that he was

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MILO M. POTTER

not interested in facilitating the passage of this bill. "Was not the Senator from Idaho a

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delegate to the convention that approved the savings bank bill?" inquired Carter. Heyburn declared that he was "not bound by any convention in the details of legislation, but only on general political

"Does the senator," inquired Carter 'admit that he was a member of that convention?

"It was the convention of the party to which I belong," Heyburn retorted. "Since the Senator believes in carrying out the platform of his party, I ask if he can outline the kind of postal savings system he would support?" inquired Car-An executive session ended further dis-

SPECIAL RATE FOR RELIC

Effort Being Made to Get Low Charge for Liberty Bell.

WASHINGTON, Feb. 10.-The matter of reduced railway rates to transport the reduced railway rates to transport the Liberty Bell from Philadelphia to the Alaska-Yukon-Pacific Exposition at Seattle was the subject of a conference at the White House today. Josiah Collins, representing the exposition, asked the President's ald in getting the Interstate Commerce Commission to agree to the re-

# LIKES RED LIGHT TOO WELL

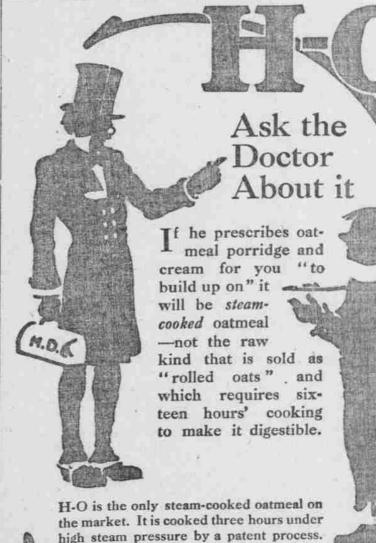
WORST CHARGE OF GRAND JURY AGAINST HARPER.

Mayor of Los Angeles Accused by Grand Jury of Visiting Disorderly Houses.

LOS ANGELES, Cal., Feb. 10.-The LOS ANGELES, Cal., Feb. 10.—The report of the grand jury relative to allegations against Mayor Harper and members of his administration with reference to "protection of vice" was made today. The report includes neither indictments nor accusations against any city officials, although the inadling of the "red light district" by the police department is condemned. Alleged visits of the Mayor and members of some of his commissions to the "red light district" are condemned. One of these visits is referred to as "an orgy."

to as "an orgy."

The grand jury says it has no evidence of grafting among the city offi-In what may be termed a "minority report" of the grand jury to be sub-mitted to Judge James tomorrow morning by six members who dissented from the report filed today, the Mayor is arraigned for alleged acts of indiscre-



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