

SCHWELBY MIGHT YET UPSIDE PLANS

Majority Vote of Senators
Could Sustain His
Demurrer.

ACCUSED IS NOT ACTIVE

Bases Defense on Statement That
Affairs of Office Have Been Well
Conducted Since He Took
Charge as Effective Official.

OLYMPIA, Wash., Aug. 9.—(Special.)—That a majority of the State Senate may sustain the demurrer of J. H. Schwelby to the impeachment proceedings and thus throw the whole matter out is a fear expressed today by those who are affiliated with the prosecution. Mathematically, Schwelby has all the best of the situation. He will require the prosecution to muster two-thirds vote to oust him by impeachment, while he can win with a bare majority vote by bringing about a dismissal by securing the sustaining of his demurrer.

With the trial but a few hours off, Schwelby has not yet asked for a subpoena for a witness, and the 30 depositions, authority to take which was given two days ago, relate solely to evidence as to his personal and official reputation, and in no way refer to the charges that he has allegedly collected fees and has committed perjury.

Surprise May Be Sprung.

These facts and the confident attitude of Schwelby and his counsel contrasted with the activity of the legislative managers during the recess in securing witnesses, gathering data and evidence and securing depositions, have given rise to all sorts of conjectures as to what the defense has up its sleeve. After stating this evening that Schwelby has expected of enough State Senators so that a verdict of guilty of impeachment will probably not be secured on the evidence, unless an aroused public sentiment forces a change, a member of the Board of Managers said:

"It is, of course, pure conjecture on my part, but I believe Schwelby is counting on having enough votes to sustain his demurrer. The whole merit of the case and emphasizes the contention he cannot or should not be impeached for matters that occurred in the office when he was deputy, especially in view of the fact the office has been free from criticism since he took charge as an effective official. If this is his hope, I think he has been disappointed."

Delay Not to Be Tolerated.

"Some of the Senators who have been classed as his supporters have recently promised that when the time comes they will vote against any motion on his part to delay proceedings and against any plan which would prevent the taking of all the testimony. The depositions he has secured orders to have taken run to 30 insurance men located all over the United States, from Toronto, Canada, to New Orleans, Portland to Los Angeles. The request for these was made a few days ago, and returns cannot be back here for several weeks, if by then, and this may be the basis on his part for another request for delay."

Solons Convene on Wednesday.

"Again, the questions asked in these depositions do not go to the merits of the case. They simply quote the witnesses as insurance experts and ask them to testify that the office and Schwelby have a high reputation among insurance companies and that the office ranks well with those of other states."

Session Gets in Uproar

(Continued From First Page.)

was compelled by questioning, to state that he was of the opinion that the Government is not doing as much as should be done in the way of irrigation because of the lack of funds. He said, however, that there is plenty of land for the homesteader who wishes a home in fact and not in theory.

Mr. Newell's address was in part as follows:

Mr. Newell said that while the Government has done much in irrigation work, private capital has also made great advances and possibly at present five or ten times as large an investment in the enterprise is being made by corporations in building irrigation works as is being invested by the Government. "Much of this investment, however, has been made possible, or at least, has been stimulated by the Government work," said he. "The fact that the National Government has deemed it wise to take up the matter has given one of the strongest arguments appealing to capitalists to do likewise."

"There is no competition as between National and private funds, but rather an attempt at all times on the part of the Government to stimulate legitimate enterprise through obtaining facts upon which investments might be safely made and to avoid taking up such work as could be handled successfully by others. "Of course, there is always another side to every large problem. It is not conceivable that the reclamation act could be wholly perfect or that its administration could be without flaw. The very benefits brought about by the act have been a source of criticism. The requirement of residence on the land, or in the neighborhood, is freely criticized as involving unnecessary hardship, and yet this is one of the requirements which the majority of Congress considered as being the essential condition for the advancement of Federal funds."

"The slowness of the work is also criticized and it has come to be a matter of general remark that the Government is always slow. This, like many troubles, is a statement which does not stand close analysis. There are very few corporations which have accomplished with the funds available as much as has been carried on by the Reclamation Service."

"The successful handling of the reclamation fund probably requires as much, if not more, skill and patience than in any industrial enterprise. On the other hand are the settlers clamoring for immediate results; on the other hand are engineering problems and complications of vested rights to water and difficult rights of way, with defective land titles, all of which must be patiently worked out under very exacting regulations. The Federal employee is regarded by all as a proper target, when joined with this is the fact that the man in control of the ditch is, as a matter of course, regarded by everyone as responsible for every evil in the community, and you have a combination which requires almost unlimited skill, tact and self-control."

Joseph M. Carey, of Washington, pro-

posed a system of state laws for the various states contemplating the protection of the individual farmer. He was opposed in some quarters by delegates who believed irrigation laws might be proper for some of the arid states but that the older commonwealths would be able to care for themselves.

Governor Hay Is Speaker.

The congress opened with the "Irrigation Ode" sung by the Spokane chorus of 250 voices. The address of welcome to the state was delivered by Governor Hay, of Washington.

On behalf of the city Mayor N. S. Pratt, spoke. He caused the suggestion of a session by charging private capital with interfering with Government reclamation projects.

The response on behalf of the congress was made by George E. Barstow, president of the congress. It is understood that a number of state delegations have declined to commit themselves in the matter of endorsing a candidate for president. This is true in the case of President Barstow, who, although an announced candidate, has not been urged strongly for a second term because of the feeling that the honor should be "passed around." Other candidates for the president of the congress developed during the day in the persons of ex-Governor Gooding, of Idaho; ex-Governor Pardee, of California; and Congressman Mendell, of Wyoming.

Ex-Governor Pardee, of California, was appointed temporary chairman of the resolutions committee, but inasmuch as the committee is not complete in personnel and will not meet for perhaps three days no action will be taken toward permanent organization on that committee for the present.

San Francisco Is in Lead.

The question of a next meeting place has narrowed down to a fight between San Francisco and Denver. The latter, Illinois probably will throw its strength to San Francisco and there seems to be much sentiment in California city.

The consensus of opinion seems to be that the congress should be held west of the Missouri River and in this event Chicago will have little show. Among the smaller cities favorably mentioned is El Paso.

The new constitution privilege, the business-like heads as much desired by the congress, was adopted without dissent today, and this afternoon's session was carried out under the new constitution.

Taft Sends Greetings.

The following telegram was received from President Taft during the morning session:

"I greatly regret that I'm not able to be present and hear the discussions and get the benefit of your deliberations. I have the deepest sympathy with the general object of the National Irrigation Congress and you can count on my earnest endeavor to further the cause of reclamation by irrigation in every part of the country. (Signed)"

"WILLIAM H. TAFT."

Senator Baeta Neves, of Brazil, speaking for the representatives of the foreign nations, urged the union of the people of Brazil and the United States.

BALLINGER TO AVOID DEBATE

Proposes to Have No Controversy

With Gifford Pinchot.

SEATTLE, Aug. 9.—Secretary of the Interior Ballinger will leave for Spokane tomorrow night and will address the irrigation congress Wednesday afternoon on the attitude of the Administration toward reclamation, and will leave Spokane that evening for the East.

Mr. Ballinger today said that at the convention he would not engage in controversy with Gifford Pinchot, Chief of Forest Service or anyone else on any subject.

INDIAN TAKES BACK GIFT

Puts Money Meant For Payment at Interest, Deserts.

William E. Bresette, Quarter-Breed Soldier, Causes Tangle of Finances Through Check.

VANCOUVER, Wash., Aug. 9.—(Special.)—William E. Bresette, a quarter-breed Indian and a soldier, cashed a check for \$323 that he had assigned to his father, loaned the money out at interest to fellow soldiers, later collected \$26 of the money, and deserted the Army. Now two warrants for his arrest have been issued, one by the civil authorities and one by the military authorities—and he is still at large.

Bresette is about 26 years old. He has considerable money of his own and a timber claim worth at least \$500 that was allotted to him by the Government as his share for Indian lands of the La Plante (Wia) Indian Reservation. He enlisted in the Army and was assigned to duty in the First Infantry, now stationed at Vancouver Barracks.

Bresette's father, an old man, recently applied to him for aid. Bresette consented to give his father \$223 and this was approved by the Indian agent and the Government. The check for that amount was forwarded to Vancouver for Bresette's endorsement and was to be sent back to the father.

Bresette got the check, informed it properly, appeared at the Citizens National Bank and asked for payment. A soldier identified him and everything in connection with the check was apparently all right, he was paid the full amount. The cashier did not know the check had already been assigned to Bresette's father. The check was forwarded to Wisconsin for collection and returned unendorsed, with the explanation that the check had been assigned and it was not intended to be paid to Bresette.

Bresette in the meantime had loaned the money at interest to various soldiers. When the check came back Colonel McGonigle had Bresette arrested. He explained he had loaned the money but that he intended to make it all right with his father, and that he would collect the money on pay day and return it. He was given his liberty, but he soon collected about \$26 of the \$223 and taking the money and his personal effects deserted from the Army.

The Indian agent has written the bank that while the Government will not pay the \$223 the bank will likely be reimbursed from funds belonging to Bresette. The agent also stated that anyone cashing a check for an Indian took chances the same as in cashing a check for a minor.

LEBANON'S BONDS SOLD

Chicago Firm Pays Par for \$19,000 in School Bonds.

ALBANY, Or., Aug. 9.—(Special.)—County Treasurer W. W. Francis today awarded the \$19,000 bonds for the Lebanon school district to John H. Sentag & Co., of Chicago. The company offered to take the bonds at par and pay the expense of printing them. The only other bid was submitted by Morris Bros., of Portland, who offered to pay par for the bonds, but wanted the district to bear the expense of printing them.

The money realized from the bonds will be used for the erection of a new school building in Lebanon this Summer.

EXTRAVAGANCE IS BASIS OF RECALL

City Council of Union Wasted
Public Funds, Petition-
ers Aver.

OFFICIALS MAKE DENIAL

Minutes Open to Inspection, ex-Mayor Law Insists—Anti-Administration Forces Complain of High-Handed Justice.

LA GRANDE, Or., Aug. 9.—(Special.)

The recall petition for the Mayor and Councilmen of Union, which was filed August 5, and under which the notices of election are to be posted tomorrow, states, as the ground for the recall, that the officials have proven themselves incompetent, extravagant and enemies of the rights. The text of the petition follows:

"Under the administration of the affairs of the city by said officers, the same has been conducted in a manner, unsatisfactory to our petitioners; public funds have been diverted; large sums of the city's money have been expended needlessly; the city has been employed at great expense to the city without first calling for bids; numerous policemen have been employed unnecessarily; the committee of the city has held meetings at private residences, depriving the people of their right to be present, and emergency clauses have been added to the ordinance when there was no emergency, thereby taking from the people their constitutional rights of referendum; large sums of money have been paid out of the city treasury to C. H. Law while he was holding the office of Mayor; the constitutional right of petition has been denied our people, and the public credit of the city has been impaired."

Minutes Open, Says Law.

In reply to the charges ex-Mayor C. H. Law today said that the minutes of the council meetings in the year 1891 and shows that the city water works were installed and all the important business of the city transacted without the signature of approval of Mayor W. T. Wright. Wright is now one of the leaders of the anti-administration forces helping to bring about the recall. The records show the expert was present and submitted estimates on the work. When Law came into office he found there was no ordinance to be found authorizing the payment of the Recorder, yet the Recorder have always drawn salaries. This is also true in the case of Mayor Wright in regard to the diversion of funds, Law says the records are open to inspection.

In regard to the appointment of policemen, Law says the reference is to the Fourth of July celebration, when he appointed four special policemen. In addition to this the anti-administration forces charged the County Sheriff to appoint four deputies. The present administration cites the message of ex-Mayor Wright, of January, 1892: "I have found it necessary to have occasions to appoint special policemen to assist the marshal in protecting the peace and good order of the city, and shall assure you that whenever, in my judgment, such a measure is needed I shall exercise the authority given me for that purpose, even to the extent of appointing every peaceable and law-abiding citizen to a policeman with authority and weapons." "This," says Law, "is commendatory of Wright, but why does he object to others doing the same?"

Charges Explained in Detail.

Law says there were no Council meetings held in private homes except when the Council met as a committee of the whole, and only then when the City Hall was in use by farmers' meeting, according to previous arrangements. The meeting was not behind locked doors, but in his office, which was public to all.

The charter of the city provides for ordinances which are not subject to the referendum. In regard to the emergency clause, Law cites records showing that such action had been far more common under previous administrations than at present. The records show that the franchise for lights was granted the Grand Electric Company under an emergency clause, and that the minutes of the meeting where the ordinance was passed were not approved by Mayor Davis.

In answer to the charge of receiving ordinance giving the city health committee power to employ whom they chose to do the work, and he (Law) was elected Mayor and not a Councilman. Therefore there was nothing unlawful in his receiving city money for this work under the direction of the health committee.

In regard to the loss of the right of petition, Law says there is a countless number of petitions asking for action; that they have to be tabled by every law-making body. This was done when the petition referred to was presented to the council, asking for the resignation of the city officials. There was nothing, he says, to show the public credit of the city has been impaired.

The anti-administration leaders have approved the following interview in substantiation of the charges contained in the recall petition: "The right was precipitated, and the recall movement started, shortly after the Fourth of July celebration, when the city officials attempted to enforce the hold-up ordinance. These radical laws are the whole cause of the trouble. The ordinance over which the right has been made, and which failed, as a measure is needed by the Council recently, provided that officers should seize without warrant any liquor when they find it in the possession of any person. It also provided that any person arrested on Sunday should be thrown in jail and given no chance or opportunity of self-justification or of giving bonds until Monday. In these and many other provisions, the law placed the liberties of all the people in constant jeopardy."

Plant Not Owned in Union.

"In regard to the accusation that certain persons among the anti-administration forces are interested in the Grand Electric Company, and are therefore fighting the proposition of a municipal light and power plant, there is positively not one dollar's worth of stock in that company owned in Union. That is not an issue at all. The election on bonding the city may indicate the results of the recall election, but it does not indicate the results of the present administration."

"As for bonding the city for a light plant, that will not be done at present. That is a settled fact. The people of Union will not bond the city when it cannot sell its warrants. There is not a man in Union with money to invest



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who would place that money into city warrants; then who, on the outside, could be expected to buy the bonds? "As for the acts of violence that have been committed about the homes of city officials, we know nothing more than that the acts are the work of weak minded persons or of hoodlums. There is not a community in the state more free from crime than Union. The records of the open court will prove this to be a fact."

SALMON TRAPS ARE LIFTED

Fish so Plentiful Canneries Can't Handle Supply.

BELLINGHAM, Wash., Aug. 9.—Countless thousands of salmon are being permitted to ascend to their spawning grounds without hindrance from fish traps, which have been lifted, the pots full while the canneries are glutted with fish, dozens of scows are alongside loaded with salmon, and tows are coming constantly with long strings of fish-laden barges.

Trap men are raising their traps and letting the fish pass on, as it is impossible to handle them. The price of sockeyes has fallen to 10 cents each. When the close season fell Friday night, 300,000 fish were in the traps and these were brought in Saturday night and Sunday morning.

The receipts for the 24 hours ending at 12 o'clock for Bellingham, Blaine, Anacortes, Fraser River and Gulf of Georgia totaled 1,894,000. Receipts since Saturday noon were 2,040,000 fish, despite the 36-hour close season. The pack is limited only by the capacity of the machines and the endurance of the cannery workers. For 24 hours the machines have not stopped.

ALLEGED DEBTOR IS SLAIN

Everett Man Kills Woman in Quarrel Over Money Claim.

EVERETT, Wash., Aug. 9.—William W. Freestone today shot and killed Mrs. E. M. Warn in a dispute over money which Freestone alleged the woman owed him. Freestone, who was carrying a .32-caliber rifle, met Mrs. Warn in front of her

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25c Boschee's Germany	65c	large	1.50
Syrup, large	90c	Woodlark Beef, Wine and	50c
25c Chamberlain's Dis-	1.29	Wyeth's Beef, Wine and	75c
covery	22c	Iron	75c
25c Chamberlain's Dis-	22c	50c Cooper Kidney Tea	25c
covery, large	90c	large	45c
50c Horford's Balsam	22c	50c Oregon Kidney Tea	90c
Myrrh, small	22c	large	90c
50c Kendall's Spavin Cure	45c	\$1.00 St. John's Dyspepsia	90c
small	45c	Cure, large	90c
50c Parker's Hair Balsam	45c	25c Akin's Foot Ease	20c
small	45c	\$2.00 Absorbine	1.25
50c Sloan's Liniment	45c	Armour's Thyroid Tab-	75c
medium	45c	lets	75c
50c Omega Oil, small	10c	50c Wyeth's Lithia Tab-	40c
50c Dioxogen, medium	45c	lets, 6-grain	40c
25c Electric Plasters	25c	25c Allen's Foot Ease	13c
5 for	1.25	\$1.00 Hostetter's Bitters	85c
25c C. & W. Lithia Tablets	25c	1.00 Garfield's Bitters	85c
6-grain	25c	25c Castoria	25c
\$1.00 Armour's Beef Ex-	75c	25c Soudon Tooth Wash	20c
tract, 4-ounce	75c	25c Rubifoon Tooth Pow-	10c
50c Armour's Beef Ex-	40c	der	10c
tract, 2-ounce	20c		
25c Listerine, small	20c		
50c Sal Vital, medium	45c		

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