

SENATE IGNORES STATEMENT NO. 1

Would Undoubtedly Seat Republican Elected in Defiance of Pledge.

PRECEDENTS ARE PLENTY

Chamberlain Must Win in Legislature if He Is to Wear Toga.

Contest Would Not Lie if Defeated.

OREGONIAN NEWS BUREAU, Washington, June 13.—On two occasions the United States Senate has held that a man elected a member of that body in accordance with the Federal Constitution, though contrary to the laws of his state, is entitled to his seat. In other words, the Senate, which, under the Constitution, is the sole judge of the election and qualification of its members, has not regarded whatsoever for state laws regarding the manner of electing Senators. This being the precedent, and the Senate being a body guided almost entirely by precedent, it is safe to predict that if the Republican Legislature of Oregon, on assembling next January, disregards the vote of the people on June 1—which seems unlikely—and elects Governor Chamberlain, Democrat, to the Senate, but duly elects some Republican in accordance with the provisions of the Constitution, Governor Chamberlain will not be able to contest the Republican so elected. The Senate would most certainly follow precedent, and hold that the Legislature was not bound by the popular vote of the people.

More than half a century ago a contest was brought in the Senate against Lyman Trumbull, of Illinois, because he was elected contrary to the terms of the Illinois state constitution. By a vote of 25 to 8 the Senate, after hearing the facts of the contest, held that Trumbull was entitled to his seat, the constitution of Illinois to the contrary notwithstanding. The immediate issue involved in that case was not the same as that underlying the Oregon situation, yet the general contention was the same as would be raised at the beginning of the Sixty-first Congress, should the Legislature elect some Republican to succeed Senator Fulton.

Facts in Illinois Case.

The Illinois state constitution provides that the judges of the Supreme Court shall not be eligible to any public office during the term for which they were elected, and that all votes for them, for any elective office, given by the general assembly, shall be void. Lyman Trumbull, on June 7, 1833, was elected supreme judge of Illinois for a term of nine years. Eleven months after taking the oath as judge he resigned, and on February 8, 1835, was elected to the United States Senate. When his credentials were presented, objection was made that he had been elected in violation of the state constitution, in that he had been elected Senator "during the term for which he had been elected supreme judge."

The Senate committee on judiciary refused to take action on the contest, and asked to be excused from consideration of the case. This request was granted, and the contest was heard on the floor of the Senate. At the close of the argument Trumbull was seated by a vote of 25 to 8. Senators voting in favor of the legality of his election, as shown by the record, did so from different grounds, but it was the main contention of many "that a state cannot superadd qualifications of a Senator to those required by the United States Constitution."

Case Directly in Point.

In reporting on this phase of the contest, the Senate committee held "that the provisions of the state law alleged to have been disregarded were purely directory (as is the case with the Oregon primary law) and that a failure to comply with them would not vitiate an election." Furthermore, it is borne out by the official records that the minority of the committee concurred with the majority in reference to this and one other point, differing only on the charge that Cameron had been elected "by corrupt and unlawful means."

Significant as are these two decisions of the Senate, there is still another way of looking at a contest that might be brought by Governor Chamberlain, should the Oregon Legislature turn him down and elect a Republican. The United States Senate, which has absolute say in passing upon the election and qualification of its members, is overwhelmingly Republican. In no state other than Oregon is there a law which would bind a Republican Legislature to elect a Democratic Senator, or vice versa. The Republican majority naturally wants only Republicans elected to the Senate, and there would be bias against Chamberlain on purely political grounds; were there no precedents to sustain a Republican elected according to the constitution.

Hate the Oregon Law.

But aside from that, even there is a widespread sentiment among Senators of both parties, frequently expressed this winter, that the Oregon law is a piece of "3-n foolishness" which ought to be wiped out. There is no Senator aside from Bourne of Oregon (unless it be LaFollette) who approves the Statement One method; there are many who have violently condemned it. If the Oregon Legislature should ignore the vote of the people and elect a Republican Senator, and Chamberlain should bring a contest, the Senate would have it in its power to endorse or condemn the Oregon law. To test the Republic would be to denounce the law, and to virtually abrogate it, for such a decision would virtually mean that regardless of state law, a Legislature is supposed to elect a Senator of the dominant party.

On the other hand, to decide such a contest in favor of Chamberlain would be to place Senatorial approval on a law that is almost universally condemned. It would lead to the adoption of similar laws in other states. Knowing the sentiment of the Senate to be adverse to the Oregon law, and reckoning on the widespread effect of a decision in such a contest, it is safe to predict that the Senate would even go to the extent of establishing a new precedent, if necessary, in order to wipe the Oregon law out of existence, by rendering it inoperative.

Bitter in Denunciation.

Had the Oregon election been held before, instead of after the adjournment of Congress, it would have been very easy to have accurately sized up sentiment in the Senate; but coming, as it did, after Senatorial approval, the Capitol, very few direct opinions could be gathered. Of four Republican Senators interviewed, however, all were bitter in their

denunciation of the Oregon law, which makes it even possible for an overwhelming Republican Legislature to elect a Democratic Senator, and not one among them but favored the abrogation of the Statement No. 1 pledge.

The Senate would welcome the election of a Republican Senator in Oregon, for various reasons. It wants the Republican majority swelled; it believes a Republican state with a Republican Legislature is entitled to a Republican Senator, pledged to support Republican policies, but more than all else, the Senate wants a chance to register its opinion of the Oregon primary law and the Oregon method of undertaking to elect Senators according to a custom which in Senatorial circles is condemned as illegal.

If Chamberlain is elected by a majority of the Legislature, in accordance with Statement No. 1 pledge, and no contest is brought, the Senate may have no opportunity of officially registering its estimate of the law conceived in the brain of "Lawgiver" U'Ren.

NEW SALMON LEGISLATION

Writer Condemns Use of Traps, Gillnets and Seines.

PORTLAND, June 11.—(To the Editor.)—Although I have had considerable to do with salmon fishing in the past, I have not been a participant in salmon fishing since 1888, nor in any way connected with the business. I have no other end in view than to protect the salmon for the benefit of the people at large.

If I had my way I would legislate against traps, wheels, gillnets and seines. I would draw a line from Fort Stevens to Fort Columbia, forbidding fishing for salmon below said line and giving the proper authorities power to confiscate all nets or other gear found below said line. I would also draw a line from the mouth of the Willamette River and across the Columbia River forbidding the catching of salmon on either of those rivers or their tributaries except by hook and line for sport or for hatching purposes.

I favor the passage of a law governing the size of the mesh of gillnets and seines to not less than eight inches, thereby making it impossible to destroy the young and immature fish. Anyone of long experience in the business can testify that very many tons of those immature fish are caught, weighing from one pound to three pounds each. I would forbid the use of traps or any other appliance other than gillnets or seines between those two aforesaid lines. The reason is that traps and other appliances are placed where gillnets and seines cannot be used, therefore they catch the fish that would escape the net and seine, and prevent their going to their spawning ground. I would also enforce the old Sunday closing law. I would make the law so that all gear found on either side of the line aforesaid might be confiscated and the owners as well as the parties in charge fined or imprisoned or both, as might seem fit by the judge sitting on the case. Close seasons should be provided as before.

JAMES H. WILLIAMS.

DROWNS TWO LITTLE SONS

Parisian Drunkard Commits Crime to Spite His Wife.

PARIS, June 13.—(Special.)—Prompted only by the desire to spite his wife, Alphons Robert, a Parisian peddler, drowned his two sons, Robert was a drunkard and had been punished many times for abusing his wife. At last the woman, who could stand his abuse no longer, left him and took her two sons, Charles and Peter, aged 10 and 8, with her to her parents' home. Robert tried to make her come back to him, but when she refused he began threatening her and, in her despair, she shot at him, wounding him slightly. The judge before whom she was taken found that she had acted in self-defense and she was allowed to go free. Robert then took the children away and threatened to kill first the boys and then her unless she returned.

The next morning the poor wife received a letter from her husband reading: "Wretches and assassins that you are, you and your brother and your mother. You have brought it upon yourselves and you are the murderers." To this he had made the boys add the following postscript: "Dear Mamma, papa was not so bad, he was to us all that is who are sending us with father to eternity. But for all that we should have loved you."

In the afternoon he took the boys out and, pushing them from the fortifications into the moat, he calmly watched them drown.

ROCKERS

A fine new line of Mission Rockers. See them for genuine bargains.

RAPS MILITARY COURT

Writer Defends Soldier Punished for Hearing Goldman Lectures.

PORTLAND, Ore., June 14.—(To the Editor.)—I denounce the imprisonment at San Francisco of the soldier Buwalda, because he heard Emma Goldman lecture and shook hands with her. No court of civil jury would have condemned him. And any law favoring such a perversion of justice surely does not appeal to the people's sense and reason. Surely, through Buwalda, the court is represented by the soldiers—or are the soldiers something more or less than the people? How long will the people sit supine and shamed while their rights are being taken away?

The evidence of official spies and "spotters" is no more worthy of credence than that of thugs and others of a like kind, often discredited by the courts. Let there be no Jeffrey's Star-Chamber banishments or imprisonments in this country. A government that merits good will fosters no link of it. Three years out of a man's life for listening and approving a speech whose only so-called treason was the disapproval of those hurt by its truths.

C. W. SAUNDERS.

PLANS TO USE FOOTRACERS

French Army Will Train Athletes for Scouting Duty.

PARIS, June 13.—(Special.)—At the French War Department the idea of a corps of military runners has been studied carefully for some time and it is possible that before long it will be realized. Obviously well trained men on foot, unburdened with knapsacks and heavy arms, would be of great service in time of war as scouts and messengers. Obviously well trained men on foot, unburdened with knapsacks and heavy arms, would be of great service in time of war as scouts and messengers. Obviously well trained men on foot, unburdened with knapsacks and heavy arms, would be of great service in time of war as scouts and messengers.

Art Treasures Are Stolen.

PARIS, June 12.—(Special.)—American art collectors should be careful before they buy Limoges enamel, for 11 pieces of this famous ware have just been stolen from the Cathedral of St. Etienne at Limoges. The stolen treasures are historic and have never been mounted on four wheels. The driver of this city says that they would easily bring \$100,000.



The enormous profits required by West Side Furniture Dealers to meet excessive rents is best illustrated by the special sales advertisements of the Big Price Boys. It is not unusual to find \$100 articles specialized at \$50, and \$50 articles marked down to \$25, while you will sometimes see a \$10 piece of furniture going at \$3.35.

Granting that some specials are even put on at cost, what do you think of trading regularly with a firm that must ask three times the wholesale cost of goods in order to do business profitably? You may take the special bargain, but you will fight shy of everything else.

It is actually impossible for us to reduce anything 35 per cent without throwing it under cost. Therefore every day is special bargain day with us. Investigators have found this to be true, which accounts for the enormous business we have been doing. Others cannot compete with us, because

Others Pay Rent, We Collect Rent On Half Our Own Building Who Can Sell the Cheapest?

JUNE BRIDES

You Will Add to Your Happiness If You Can Induce Your Husband to

CARPETS AND RUGS

Will be a big item in furnishing that new house you are building. We actually save you from 5 to 25 cents a yard on carpets. It's a big saving. "M-A." knows you won't overlook it, either.

Keep Away From Those Big Price Boys

They are expensive companions. If they furnish your home your husband will soon learn how much too much he paid for furniture, will always feel sore, and will never take the interest in his home that he would if M-A. had furnished it at no-rent bargain prices.

VICTOR

Happy indeed is the home where "Love's Old Sweet Song" is ever heard. But tired husbands and careworn wives forget to repeat the "old, old story," and sometimes feel irritable, even "soreppy."

A VICTOR RESTORES HARMONY

It cheerfully sings the old songs that thrilled you when love was young. Depressing clouds lift. Your hearts are filled with love and joy and life seems worth living.

Can you afford to be without a Victor? Remember, "M-A." give terms to suit all pocket-books.

Refrigerator Weather

You simply must have a Refrigerator; there is no us talking, but you don't have to buy it from the Big Price Boys.

"M-A." Will Save You From \$1 to \$10

Refrigerators from \$8.00 up.

Acorn Ranges

We have secured one of the oldest and best line of Steel Ranges made in America—the celebrated Acorn. There is no range on the market that excels the Acorn. The new fuel-saving firebox is found only in the Acorn. It saves 25 per cent fuel.

Solid Oak Dressers for \$11.00

(Not like cut.)

We have one of the largest assortments of Dressers in the city and can save you from \$2 to \$10 on a Dresser.

W. L. MORGAN GEO. T. ATCHLEY S. H. MORGAN

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MORGAN ATCHLEY FURNITURE

AUTO FLIES THROUGH AIR

French Inventor Believes His Machine Solves Problem.

PARIS, June 13.—(Special.)—Automobilists fond of soaring may soon laugh at all laws limiting the speed of their cars. For M. Clerget, a modest young inventor, still in the early 20's, has invented a car which he claims will be able to travel with equal ease on the ground and in the air. The young genius was found at work in the laboratory of the big automobile factory of Clement-Bayard at Levallois and he declared himself delighted to show his model of the new vehicle which he declares has solved the problem of navigating the air.

It is a long cigar-shaped car, looking very much like the ordinary racing auto mounted on four wheels. The driver commands the steering apparatus as in the ordinary auto, but fixed at the prow

DEGRADE FRENCH TRAITOR

Lieutenant's Sword Will Be Broken and Uniform Stripped.

PARIS, June 13.—(Special.)—On Monday the scene which took place years ago before Captain Dreyfus was sent to Devil's Island is to be repeated at Toulon when Lieutenant Ulmo, convicted of treason, will be publicly degraded for attempting to sell plans of the defenses of Toulon to Germany. Ulmo's sword will be broken in front of him, he will be stripped of all the braids and shoulder-straps which mark his rank, and he will afterwards undergo the terrible ordeal of passing before the crew he once commanded.

Great precautions have been taken to prevent a repetition of the attempt which was made the other day to murder Major Dreyfus at the Bastion, and although the degradation will be made public nobody will be allowed to get close

FATE PLAYS QUEER PRANK

Would-be Suicide's Leap From a Bridge Causes Fire.

PARIS, June 12.—(Special.)—Desiring to end his own life a private soldier failed utterly, but he succeeded in setting fire to the Batignolles railroad bridge, from which he tried to jump in the most remarkable manner. The man jumped from the bridge, as was his intention, but his foot caught in the metal work and he hung suspended in midair. His sword, however, stuck in a grating separating some electric cables and caused a short circuit which melted the leaden gaspings under the bridge.

An immense flame shot up and set fire to the bridge and only with the greatest difficulty did the firemen put this out after 15 minutes' effort to shut off the gas. They expected to find the soldier roasted to death, but he was found practically unharmed and was arrested.

Forest Guards for Oregon.

WASHINGTON, June 13.—The following forest guards have been appointed in Oregon: George H. West, Cascade reserve, Mazama division; Smith L. Taylor, Cascade reserve, William division; E. Barnes and Walter Allison, Blue Mountain reserve. Miss E. A. Newell has been appointed a clerk on the Cascade reserve.

"Lefferts," the jewelers, have a beautiful pair of matchless diamonds, suitable for earrings or ring. Regular price \$650, next week \$500. Call and see them. 272 Washington st., near Fourth.