

SCENES OF UPHEAR IN CLOSING HOUR

Bryan of Kitsap Starts Revolt and Calls for New Presiding Officer.

RUTH POUNDS FOR ORDER

Motion for Division Loses and Sols Resumes Consideration of Bills—Halsey Probe Committee Dies With Legislature.

OLYMPIA, Wash., Aug. 21.—(Staff Correspondence.)—Upheaval characterized the last hours spent by the Senate today in the consideration of legislation. At one time one faction of the Senate openly threatened to elect a chairman of its own and proceed with the enactment of bills.

During a morning divided between filibustering and heated debate, the Senate refused to consider the income tax resolution and defeated the Congressional primary bill, the Judiciary primary bill and the new anti-cigarette law, all of which had previously passed the House. Later in the afternoon the Congressional primary bill passed on reconsideration and several other measures were approved.

The climax of the disturbances that marked the day's work occurred at the noon hour, when the anti-cigarette bill was under consideration. To defeat any action at all on the bill the opponents have been hampering proceedings by moving adjournments and resumption of impeachment court proceedings. A bare majority succeeded in voting down these motions.

Bryan Starts Fireworks.

Finally, desiring to speak on the cigarette bill, President Ruth called Cameron, of Kilkittat, to the chair. Cameron had been proposing motions to adjourn, and when a similar motion was wedged into the debate he put the motion and declared it carried, although the roar of eyes and noses were equal in volume.

Cotterill, Bryan and others demanded a ruling vote, and when Cameron hesitated, Ruth announced the Senate adjourned from the floor of the House. Instantly there was an incipient riot. Bryan, of Kitsap, with the Senators behind him, advanced in front of the President's desk and pounded on the press table.

"Let's elect a chairman and proceed with business," shouted Bryan above the din. "We have not adjourned. Let's don't be bamboozled. Someone take the chair. I move that Senator Falconer be chosen chairman."

Ruth Raps for Order.

Senator Falconer started to speak and began a motion of his own, but had not completed it when Ruth rapped for order.

"We'll settle this thing without a riot," he said. "In my opinion the motion to adjourn carried, but a division has been called for, and I will put the motion again."

On rising vote the motion to adjourn lost, 16 to 11.

On final passage the bill was lost, 15 to 12, but before the result was announced, Cotterill moved for call of the house, there being 12 Senators absent. The motion was lost, however, and the bill stands defeated.

The measure was introduced in the House by Eyerly, of Clatsop, author of the anti-cigarette law of 1905, which was amended in the criminal code so that possession of cigarettes or the "making" is declared a misdemeanor. Eyerly's new bill restored the old, so that retailing of cigarettes to anyone is made a misdemeanor, but possession is not unlawful unless the possessor is a minor. Eyerly is bringing an interstate business were to be exempted.

Judgeship Primary Loses.

The bill restoring the nomination of Supreme Judges to direct primary method had previously been voted down in the Senate, as a Senate bill, but Cotterill, championing the House measure, today succeeded in getting consideration of it through the overriding of the chair of the declaration that consideration of the bill was out of order. Eastham, of Clark, opened the attack on the judgeship primary bill.

"In the name of God," he asked, "how often, Oh, how often are we to be put on record on this bill? We have already gone on record two or three times this session."

In reply Cotterill declared that from the standpoint of the Supreme Court and in order that the tribunal might be set right before the public, the people should be permitted to nominate their own candidates.

"We can do no greater justice to the Supreme Court," he said.

The bill lost, 15 to 17, and Rydstrom, of Pierce, promptly moved that it now be burned.

The motion was carried amid laughter.

Halsey Committee Is No More.

The Judgeship primary bill discouraged those who would otherwise have favored the passage of the measure, resolution continuing the Halsey committee, which has been engaged in probing Supreme Court rumors. The resolution was not brought before the Senate for action and the committee dies with the Legislature.

The resolution ratifying the income tax amendment, which had previously passed the House, went down under the adoption of a special committee report recommending that it be referred to the next regular session. The committee composed of Falconer, Kulkickerbocker, Bassett and Rydstrom, says:

"The committee, in making this recommendation, feels that the question has not been sufficiently considered by the members of the Legislature, neither has it been a subject of discussion among the people of the state of Washington. No time will be lost in taking this course, as the matter cannot be finally determined until all of the state Legislatures have passed upon it, which cannot possibly be done under at least three years. Your committee thinks that a Legislature elected by the people with the knowledge that this matter is to be dealt with by the proper tribunal before which this amendment should be heard and passed upon."

Cotterill Insists on Vote.

Cotterill, of King, declared that it was cowardly to try to avoid action on the income tax at this session.

"If any members are afraid to go on record it is time we knew it," he said. "The gentleman is following his usual tactics of political demagoguery," said Falconer, of Suhomish. He knows the resolution will be defeated on the floor of the Senate.

The motion to take up the resolution

lost 13 to 24, and the committee report was then adopted by a vote of 24 to 13. The Constitution was by primary bill was defeated in the morning session by a vote of 29 to 16, after Eastham had proposed it in a speech in which he declared that the rankiest demagogue running would be the man nominated in the primaries.

In the afternoon, Piper, who voted "no" on the bill, moved reconsideration, and the bill carried without further discussion, 22 to 13, having a bare constitutional majority. The emergency clause failed, and the primary law applies, the election of Cushman's successor must be deferred until late in December or early in January.

What Senate Accomplished.

Most of the actual legislative work today was in the Senate, where House failures were under consideration. By the Senate's action today the Legislature has adopted the bill appropriating \$50,000 for the Veterans' Home at Port Orchard, which, it is claimed, will cause the inmates of Orting to leave that place and flock to the new home; a bill creating the office of Assistant State Auditor, at a salary of \$2400 per year; a bill permitting women to patronize bona fide restaurants where liquors are sold; a bill making certain the provisions of the criminal code relating to the licensing of the sale of liquors outside of incorporated towns; an appropriation of \$10,000 for printing; an appropriation of \$10,000 for the relief of Indian war veterans; and an appropriation of \$35,650 for the maintenance of the National Guard.

Both houses adjourned as a Legislature on the 21st, and the Senate will resume its work as an impeachment court Monday morning.

TEACHERS HEAR GOOD NEWS

Names of Winners of Certificates Are Given Out at Oregon City.

OREGON CITY, Or., Aug. 21.—(Special.)—The names of the successful applicants for county teachers' certificates were made public this afternoon. Seventeen first grade certificates were awarded, 15 second grade certificates, and 27 third grade. There were 28 failures, which is an unusually large percentage of the total. Eighty-eight applicants took the examinations.

County Superintendent T. J. Gary, Brenton Vedder, of Gladstone, and J. F. Mitts, of Canby, comprised the County Board of Examiners, and the following were awarded papers:

First grade—Miss B. Heacock, Blanche Rutherford, Marlan S. Gary, George F. Thompson, Mark M. Heacock, Helen Griser, Beryl R. Tonkin, Minnie Trullinger, Agnes Relling, Elizabeth L. Kelly, Eva D. Pruner, Helen Murray, May Munson, Ida May Smith, Ellen Moehneke, Sade Evans, Daisy McAnulty.

Second grade—Mabel Francis, Lloyd W. Turnbull, Lucy Mitts, Sydney S. Johnson, Mabel Seward, Nellie B. Richardson, Ellen B. Vierhus, Flossie Perce, Rosa Moehneke, Elvira Watts, Lulu Miller, Nellie M. Todd, Flora McVivian, Avis Buchanan, James M. Park, Myrtle M. Park.

Third grade—Hoyte Anderson, Pearl E. Miller, Myrtle Cleaver, Lillian Bonfight, Zeta Andrews, Nieta Harding, Isabelle Gregory, Isabella T. Mann, Ruth Nott, Mabel Chinderson, Edith E. Hanson, Sybil L. Noggie, Ethyl Park, Ruth J. Young, Faith L. Young, Elizabeth J. Mau, Georgia V. Ewing, George F. Knowles, Otto V. Purcell, Inez Snodgrass, Arthur I. McAnulty, Constance R. Ewing, Nellie Bliebhoff, Maribel Cheney, Cecilia Bloomer, Gladys H. Easton, James R. Ewing.

MOSCOW DEACONS IN ROW

George D. Harris Explains Breach in Congregation.

MOSCOW, Idaho, Aug. 21.—(Special.)—George D. Harris, deacon and trustee of the Moscow Baptist Church, which recently ousted Rev. J. M. Hupp, insists that the trouble is not all the pastor's making. There is dissension in the Board of Trustees, and Harris accuses other members of having held star chamber sessions. He says:

"The majority of our deacons arrogated to themselves the right to settle practically all matters without the church or congregation having any say in the matter whatever. Deacons Collins, Benedict and Thompson have been holding secret meetings among themselves and terming them official and afterward informing the pastor of that part of their deliberations as suited them."

"I am a tenet of our doctrine that the majority must rule, being literally democratic, and further, there is held of secret secret. It is the congregation or of the deacons, the pastor should be present and act as chairman or moderator. These deacons seem to have had something on the order of an inner circle, and it is kind of a 'Pan Tan' proposition, and seem to be averse to giving out anything they have been doing, and want everything manipulated by those few trustees. They also take the position that the trustees of the church have no powers except to do what the deacons tell them after they hold a secret meeting."

TRAMPS START \$8000 FIRE

Warehouse and Grain Destroyed Near Walla Walla.

WALLA WALLA, Wash., Aug. 21.—(Special.)—Burning of a boxcar at Waterloo, a station on the Northern Pacific, five miles west of Walla Walla, about 5 o'clock this morning, in turn ignited the warehouse of the Puget Sound Warehouse, completely destroying it, together with 3242 sacks of grain, which were stored there, causing a loss of \$8000.

Although the origin is not known positively it is thought that the conflagration in the box car was caused by some tramps, who crawled in the car and, because of the chilly air this morning, started a fire. Of the wheat stored in the warehouse, 1467 sacks belonged to the owners of grain D. Gibson, 367 to the Jones-Scott Company and 778 to the Interior Warehouse Company.

The Jones-Scott Company also lost 148 sacks of barley, together with the wheat they recently purchased from W. S. Ferguson, of this city.

All the owners of grain carried full insurance, and the loss of the Puget Sound Warehouse Company, which is placed at \$2000, is also fully covered by insurance.

The grain was valued at \$8000.

Tacoma Maru Repaired and Sails.

SEATTLE, Aug. 21.—The Japanese steamer Tacoma Maru, repaired at the Navy yard dock, sailed for the Orient today. The damage to the steamer, which put back from sea on her first westbound trip with propeller blades broken, was not serious.

The steamer Leelanaw is finishing loading a cargo of material for the Copper River Railroad, and will sail for Cordova Tuesday.

Bonds for Schoolhouse.

VANCOUVER, Wash., Aug. 21.—(Special.)—At a special election in the new school district at Fishers it was voted to bond the district for \$200, with which to build a school building. There was no objection to the proposition.

SCENES OF UPHEAR IN CLOSING HOUR

Strives to Control Emotions as He Explains Away Perjury Charges.

CLOSE ATTENTION GIVEN

Accused Insurance Commissioner Tells of Transactions With Pacific Livestock Association of Spokane.

OLYMPIA, Wash., Aug. 21.—(Special.)—Growing strongly dramatic at times, and frequently verging on tears, John H. Schively, State Insurance Commissioner, told the impeachment court today his version of the transactions with the Pacific Livestock Association, of Spokane, that led up to the charge of perjury being laid against him, both in Spokane and before the State Senate.

Schively reached the climax in his story late in the afternoon, when, apparently striving to control his emotion, he told of being conducted to Spokane by a deputy sheriff, some time after testifying before the grand jury, and being confronted there with the perjury indictment.

Voice Rises as He Speaks.

His voice had risen as he spoke, and in condemning the indictment he pounded on the arm of his chair with his fist.

"I am not trying to be dramatic," he declared, with great vehemence, "or to work upon the sympathies of any one in the galleries or on the floor of this Senate; but I say that I say now, that it was a damned outrage against my manhood."

Following this the accused man paused, wiped back the tears, and finally broke the quiet that pervaded the court by saying, in a subdued voice: "Gentlemen, I beg your pardon."

Schively Commands Attention.

Schively's story was told with an art of delivery that commanded the closest interest of the members of the Senate and the people that thronged the galleries.

Beginning where he left off yesterday in telling of the preliminary negotiations for him to take the position of business manager of the company, he said he went to Spokane again July 19, 1906, for the express purpose of being elected to the office, having previously made Secretary of State Nichols to put someone in his place as Deputy Insurance Commissioner.

During the negotiations the insurance company, he said, had been asked to provide him traveling expenses until the deal was closed.

Spokane Deal Explained.

Mr. Schively testified that he was elected business manager on the morning of July 19, and asked for leave of absence to attend an Elks convention in Denver. This was granted, and he had to draw an advance in salary of \$200. On the same day, testified Schively, President Ward told him he would resign if he could sell his interest in the company.

"I knew of the dissensions in the company," testified the Insurance Commissioner, "and I said to Ward, 'Wait until I submit the matter to the trustees. I had always been a go-between in their troubles. I told Schrock that Ward would resign for \$200, and he said, 'Just the thing.' 'We'll give him the time,' said, 'I'll go and tell Ward. Will you stand by it?' Mr. Schrock replied, 'Yes, and we'll elect you a trustee and president in his stead.'"

"I told him that if such arrangements were made they should not affect our financial agreement, and he acquiesced to that. I had to go home, and I took Ward to Schrock and left them together. Then I went out in the city to meet my friends, and greet them before going away. I think on the 9 o'clock train, but some time that evening Copeland, one of the trustees, and Shallenberger, the bookkeeper, met me and took me to the trustees' office. There I was told by the trustees that Ward had resigned and I had been elected president. Everyone seemed happy, as though there had been a good solution of the difficulties."

Knows Nothing of Notes.

"I understood Ward had gotten his money on his way out, and offered to resign. Whether any papers were given to me to sign, or whether I did sign them, I am absolutely unable to say."

"Had you been drinking?" asked Attorney Israel.

"Not especially," was the reply. "I generally took something with my friends when out with them, but I don't recall it."

Schively testified that Schrock walked out of the meeting and assured him that when the obligations to Ward were paid he (Schively) would fall heir to all the emoluments of the office.

Schively testified that he did not take up his duties until late in July. Very soon he discovered that he was no more than a letter writer in the company. Schrock was financial manager, and checks were not made without Schrock's signature. The trustees quarreled over money and other matters.

Schrock Figures Out Debt.

"I became convinced," testified Schively, "that if I were continually called upon as president to decide between two on one side and, on the other, I would soon have a feud against me, and I'd be let out. I very soon told Schrock I was going to leave."

Schrock, testified the Commissioner, asked him to defer leaving until he could find a successor and that in any event his resignation so soon would injure the company. Finally Bennington was selected as successor and was there to take his position of chief, and he was asked to assist on October 9 in the examination of a rival company, so he declined to leave the Pacific Livestock Association before that. He told of figuring up his account with Schrock on a basis of \$400 a month and of receiving a check as balance for \$260.50. On October 19 he went into the office to bid the officers goodbye and was confronted by Schrock with the statement that instead of the company owing Schively \$260.50 Schively had owed the company \$400.

Shortage Accounted For.

"Schrock then showed me the paper that has been in controversy in this Senate. I took the paper and he told me to put down certain figures and subtract and add others. Finally, I said, 'Schrock, you know you never gave me any check for \$400 or \$200. We never dealt in those amounts, and you know you know you gave me every check I received. These figures mean nothing to me. You know that when we settled we squared the account right.' 'Well, I guess that's right,' said Schrock."

This testimony was apparently to account for Schively's notations on the margin of the statement of account in evidence which indicates that he was

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paid on a commission basis. The short-ago, he testified, was finally accounted for by finding that the company had charged him with the sums paid for traveling expenses during the course of the preliminary negotiations.

Takes Filing at Donovan.

Schively told that when the report of the receiver of the company came out he went with E. C. McDonald, of Spokane, to Schrock and got the Ward notes and showed them to McDonald to prove that the money had not been paid to Schively. Telling of his testimony before the grand jury, Schively accused Prosecuting Attorney Donovan of forcibly taking from him and retaining letters he had withdrawn from the Insurance Commissioner's files to show to the grand jury.

"Every minute of the day and a half I was on the stand, Donovan tortured me to make me say I had signed those notes and had received my salary on a percentage basis," testified Schively.

Schively declared also that Schrock later in the presence of E. C. McDonald, said that after the Ward notes were given, having previously made Secretary of State Nichols to put someone in his place as Deputy Insurance Commissioner.

During the negotiations the insurance company, he said, had been asked to provide him traveling expenses until the deal was closed.

RATES ARE CONFERRED ON

Interstate Commerce Commission Attorney in Portland.

Luther M. Walter, of Washington, D. C., attorney for the Interstate Commerce Commission, was in Portland yesterday and held a conference with J. N. Teal, attorney for the lumber manufacturers of the Pacific Northwest, relative to the hearing on the question of rates to Eastern ports that will be offered to the attempt of the transcontinental railroads to defeat the action of the Commission in reducing by 20 per cent the payment of about 10 cents per 1000 feet which was announced by the transportation companies about a year ago affecting all lumber shipments to the West.

Even the beginning of the pending litigation on the subject of rates, Mr. Walter, as the legal representative of the Interstate Commerce Commission, has been associated with Mr. Teal in defense of the contentions of the lumber manufacturers and the action of the Commission respecting rates of transportation.

The case involving the rates on shipments of lumber from Willamette Valley points to San Francisco and Bay points, in which the rate was practically doubled, has been set for final hearing before the United States Supreme Court on October 12," said Mr. Walter, last night. "We are hopeful of having the hearing on the question of rates to Eastern terminals in the Circuit Court of Appeals at St. Paul not later than next November. It is not likely this controversy will be brought before the attention of the members of the Commission until after the testimony has been taken in the Spokane rate case hearing, which probably will be resumed in Portland early this fall."

Business Changes at Wallowa.

WALLOWA, Or., Aug. 21.—(Special.)—Several business changes have occurred here within the past week. C. E. Hood has sold his interest in the Pioneer Meat Market to his partner, J. L. Maxwell. A. M. Smith, of North Yakima, Wash., has bought the Valley Hardware from T. L. Sherod and H. E. Starr. Edward Mason has purchased the business lots and buildings from F. H. Brownlee and C. E. Hood, respectively. Anton Bednicko has sold his fine ranch in Lower Valley to Ernest F. Johnson and T. K. Johnson has purchased the E. W. Wallace stock ranch at Wallace Meadows. The Bear Creek Lumber Company has purchased more than 1000 acres of valuable timber land on Bear Creek.

Taxpayers Have Complaint.

VALE, Or., Aug. 21.—(Special.)—Considerable dissatisfaction has been expressed on the part of taxpayers of this section in regard to the high valuations being made by the Assessor. The taxpayers doubtless had the assessments made, but not been uniform; that some property has been assessed at a high rate and other property of the same value close to it has been assessed barely half as much.

More School Room Needed.

WALLOWA, Or., Aug. 21.—(Special.)—Schibli opens here September 6. For the first time in the history of the school there will be a 12th grade class. The

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rapid increase of population has made it necessary to add a new teacher every year for the past three years, and this year the directors find it necessary to rent another room for the primary pupils.

HOQUIAM TO SEE GUNBOAT

Yorktown Will Anchor in Grays Harbor Two Days.

HOQUIAM, Wash., Aug. 21.—(Special.)—Acting under instructions of the commander-in-chief, in response to an urgent request made by Hoquiam citizens, Lieutenant R. S. Holmes, U. S. N., writes officially that the cruiser Yorktown will proceed to Grays Harbor, arriving August 25 and remaining in port until August 27, and being anchored off Hoquiam. This, the first big fighting vessel to visit this port, will be a rare treat to residents.

The torpedo boat Perry was here over the Fourth of July four years ago, and was crowded with visitors during her entire stay.

Young Thieves to Be Deported.

HOQUIAM, Wash., Aug. 21.—(Special.)—Prosecuting Attorney Campbell, after consultation with immigration officials, is quoted as stating that the three Norwegian lads who recently robbed a hotel

in Montesano will be deported to Norway in lieu of serving sentence for their misdeeds. The ages of the boys are between 15 and 19.

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