



KUYKENDALL AND MILLS ANNOUNCE COMMITTEES

Southern Oregon Members Secure Splendid Recognition in Both Branches of the Legislature

SALEM, Jan. 16.—Speaker Mills called the house to order at 11:30. The rules suspended to increase the irrigation committee to seven members. The speaker then announced the following standing committees: Judiciary—Linthicum, Vawter, Smith, Jayne, Muir. Ways and Means—Vawter, Graham, Blakely, Huntley, Hermann. Railways and Transportation—Sonnemann, Mears, Riskey, Graham, Cooper. Elections—Killingsworth, Edwards, Kuey, Laws, Smith. Education—Gray, Fawk, Settlemier, Cole, Bailey. Engrossed Bills—Hudson, Carter, Mayer. Enrolled Bills—Graham, Bramhall, Bailey. Assessment and Taxation—Huntley, Colwell, Chamberlain, Kay, Sita. Claims—Colwell, Richie, Fawk. Military—Capron, Richie, Munkers. Roads—Hermann, Cornett, Jagger, Flint, Hudson. Printing—Bailey, D. nnelly, Steiner, Indian Affairs—Richie, Capron, Burns. Corporations—Holcomb, Cornett, Caldwell. Cities and Towns—Jagger, Hermann, Shook. Commerce—Crang, Burns, Edwards, Miles, Kuey. Counties—Henderson, Jayne, Von der Hellen, Burrep, Blakely. Federal—Flint, Griffin, Cavender. Mining—Smith, Kingham, Capron, Smith, Jackson. Public Lands—Bingham, Miles, Henderson, Smith, Laws. Internal Imp.—Cornett, Killingsworth, McLeod. Agriculture—Von der Hellen, Settlemier, Holcomb. Alcoholic Traffic—Welch, Kay, Burgess. Manufactures—Mears, Gray, Steiner, Medicine and Pharmacy—Widener, Cole, Calvert. Banking and Insurance—Cooper, Settlemier, Henderson. Horticulture—Barnes, Holcomb, Dobbins. Health and Public Morals—Calvert, Munkers, West. Relief—Carter, West, Burns. Salaries and Mileage—Jackson, Sonnemann, Kuey. Library—Newell, Jackson, Caldwell. Fisheries—Mayer, Colwell, McLeon, Jagger, Jayne. Labor—Miles, Welch, Griffin. Penal and Charitable Inst.—Dobbins, Killingsworth, Griffin. Capitol Buildings and Grounds—Bramhall, Cavender, Sonnemann. Immigration—Barnes, Bramhall, Crang. Irrigation—Cole, Sitt, Steiner, Von der Hellen, Dobbins, Shook, McLeod. Food and Dairy—Sitt, Gray, Newell. Salary of State and County Officers—Kay, Mears, Burgess. Revision of Laws—Muir, Burns, Vawter. Game—Donnelly, Muir, Huntley, Chamberlain, Carter. Senate Committees. President of the Senate Kuykendall called to order at 2 o'clock, and announced the following standing committees. Agriculture and Forestry—McDonald, Laycock, Avery. Assessment and Taxation—Booth, Holman, Sichel, Longhary, Miller. Claims—Bowerman, Carter, Miller. Commerce and Navigation—Holman, Howe, Wheeldon. Counties—Coe, Hudson, Tuttle. Education—Coke, Haines, Pierce. Election and Privileges—Barnes, Smith, Avery. Engrossed Bills—Bowerman, Croisan. Enrolled Bills—Hobson, Halman, Miller. Federal relations—Weston, Wright, Avery. Fishing Industries—Tuttle, Brownell, Coke, Coe, McDonald. Game—Carter, Howe, Wright. Horticulture—Hobson, Nottingham, Avery. Insurance and Banking—Longhary, Booth, Carter, Coe, Haines. Irrigation—Laycock, Rand, Wheeldon, Bowerman, Smith. Judiciary—Rand, Brownell, Coke, Malarkey, Pierce. Medicine, Pharmacy and Dentistry—Coe, Tuttle, Smith. Military Affairs—Coshov, Malarkey, Howe. No. 95—Newell, to regulate sale of fertilizers. No. 96—Killingsworth, to incorporate St. Johns. No. 97—Capron, to prohibit stock running at large. No. 98—Same, by request, Capron, relating to insurance. No. 99—Same, to amend direct primary law. No. 100—Vawter to regulate practice of law. No. 101—By same, relating to crime of arson. No. 102—By same, to amend law relating to crime of arson. No. 103—Sonnemann, to tax gross earnings. No. 104—Mayer, to amend fisheries laws. No. 105—By same, salaries circuit court judges. No. 106—By same, charter of Houlton. No. 107—By same, relating to size of fishhooks. No. 108—By same, relating to liens on sawlogs. No. 109—By same, charter of Clatskanie. No. 110—Coe et al, of Polk, to regulate shipment of live stock. No. 111—Hermann, charter of Myrtle Point. No. 112—West, of Tillamook, Tillamook water commission. No. 113—By same to amend tax sale laws. No. 114—Jayne, of Wasco, to create county of Cascade. No. 115—Edwards, of Lane, amending crime of assault with a dangerous weapon. No. 116—Shook, of Klamath, to amend. No. 117—By same, to amend. No. 118—By Steiner of Lake, to fix terms of court in first district. No. 119—Graham, of Marion, to transfer debt of State Agricultural Society. No. 120—By same, to relieve widows of guards killed by Tracy and Merrill. No. 121—Richie, of Marion, to tax dogs. No. 122—By same, by request, to fix salary of county treasurer of Marion county. No. 123—By Laws, of Klamath county, to fix salary of county judge. No. 124—Fritz, to incorporate We-fall. No. 125—Sitt, of Harney, charter of Malheur. No. 126—Smith, of Josephine, to create householders' 4500 exemption. No. 127—Linthicum, relating to Oregon Historical Society. No. 128—Griffin, of Lane, to amend mechanics' lien law.

SENATOR MITCHELL SCORES ACCUSERS

He Defies His Defamers and Challenges Their Proof

WASHINGTON, Jan. 17.—With dramatic fervor Senator Mitchell, on the floor of the senate this afternoon, denounced his accusers and publicly branded them as "atrocious and malicious liars." He proclaimed his innocence of the charges upon which he and Representative Hermann were indicted at Portland and expressed his confidence in his ultimate vindication, and declared: "I assert in the most positive, unqualified manner that each and every one of these charges, insofar as they involve me, are absolutely, unqualifiedly and atrociously false, and I here and now indignantly and defiantly denounce, authorize and publicly brand them malicious, atrocious liars. I defy my defamers and challenge them to produce any evidence other than that of condemned thieves, forgers and perjurers to sustain any such charges." Mitchell then explained in detail his connection with S. A. D. Pater in having certain land claims passed favorably by Representative Hermann, then commissioner general of the land office, as merely the duty a senator owed his constituents. He declared he had no suspicion that anything was wrong with the homestead entries in question, that his personal dealings in the case are identical with that in hundreds of others. "I have done this invariably without making any charge or accepting any compensation of any kind, and so long as I remain senator I shall continue to do these things for my constituents, so help me God, even at the risk of hundreds of indictments." The criticizing of the public officers who "knowingly misconstrue public acts of public men and thus seek to distort and convert them into badges of dishonesty," Mitchell said in conclusion, "permit me to declare that the representatives of any government who will tolerate this are unworthy of the exalted position they occupy, and as for myself, I defy them here and now to produce any evidence worth a moment's consideration which will connect me in any wrongful manner whatever with any land frauds in Oregon or elsewhere." Denounces Peter. "I denounce the said S. A. D. Pater—this self-confessed and duly convicted land thief, forger and perjurer who, with his associates, facing the penitentiary, as having, under promise of leniency or clemency made by Francis J. Heney, prosecuting officer, representing the government, made this infamous and atrociously false charge against me for the purpose and with the expectation of saying himself and his convicted partners in crime from deserved punishment." Mitchell expressed the belief that he might have been imposed upon often in espousing claims which may later have been proved not valid. "But," he declared, "it is only by the gravest distortion and misconstruction that any of these letters or any of my acts in reference to them can be construed as badges of fraud and corruption."

IN DRAMATIC FEVER SAYS THAT CHARGES ARE FALSE, MALICIOUS AND BRANDS THEM AS ATROCIOUS LIES

Two Girls Fight With a Lynx

NORTHPORT, Wash., Jan. 14.—While a maddened lynx was worrying their pet dog the Phillips sisters attacked the wild beast. One literally wrestled the dog from the jaws of the lynx, the other killed it with a shot through the head. Faye and Florence Phillips, aged 17 and 19, respectively, live on the homestead on the reservation side of the Columbia, near the mouth of Big Sheep Creek, two miles north of Northport. Yesterday afternoon the tired man ran home to tell that the dog had been a large lynx. The girls seized rifles from the wall and followed up the bark of the dog. He had the best tree on one of the higher limbs. Both girls fired at the same time. The wounded animal bounded into the air and landed on the ground a few feet from the girls, who were coolly reloading their weapons. The moment the beast struck the ground it was attacked by the dog. The animals turned over and over in a savage struggle, but the lynx was too much for the dog. So rapid were the movements of the animals that the girls feared to shoot, because they might kill their pet dog. Finally the dog emitted a shriek of mortal agony. The girls rushed to the rescue. One grasped the dog's limp hind legs and literally pulled the combatants apart, while the other sent a bullet through the head of the lynx. They shouldered the animal between them and returned home accompanied by the limp, torn and bleeding dog. They hung the lynx in the woodshed, and he proved to be an unusually large beast, with long tassels on his ears. Miss Florence is a graduate reader and Miss Faye last week returned from a visit with her uncle, F. B. Phillips at Cottage Grove. Or, having formerly taken a course in music at Portland.

THE GRAND JURY IS A SECRET INQUISITION

A Montana Paper Discusses Mitchell and Hermann Indictments and our Grand Jury System

The Avant Courier, published at Bozeman, Montana, had the following to say about the Oregon land frauds and our grand jury system in a late issue: The prosecution of prominent citizens of Oregon for alleged frauds in the entry of public lands in that state is certainly being pushed to the limit when the federal grand jury's drag net can be so dextrously handled as to catch in its meshes such prominent citizens and high officials as United States Senator Mitchell and Representativelinger Hermann, indictments against both having been found and made public on Saturday last. Three or four persons have already been tried and convicted of conspiring to defraud the government out of a portion of its public lands in Oregon and the government is persistently pushing the investigation against other fraudulent land entries in that state, with the object of bringing the guilty parties to justice. The indictments returned against Senator Mitchell and Representative Hermann, however, have produced a profound sensation both East and West, on account of the great official prominence of the men thus implicated. And it is not that an indictment by a grand jury, whether federal, state or district, carries with it any conclusive evidence of guilt, because usually the accused or suspected party is not only denied a hearing, but is denied the privilege of confronting the witnesses against him—in fact denied every ordinary right of self-defense. A grand jury in session, as a general rule, is a secret inquisition, that admits of such testimony only as will tend to implicate and condemn a person or persons accused or suspected of committing some crime, and even the reputation or character of a witness called before it to give testimony affecting either the life or liberty of a fellow man, is not usually scrutinized or seriously called in question. The system, itself, seems to be a relic of the dark ages and is measurably at least out of harmony with the object and ends of justice as administered by our more enlightened modern courts. Several of the states in the Union look upon the grand jury as a useless appendage to the department of justice, and, except under extraordinary circumstances, never think seriously of calling it into requisition. It seldom, if ever, accomplishes any better purpose than can be accomplished by what is termed "an information" filed by a properly constituted prosecuting attorney, while the grand jury not infrequently through spite, malice or gross misrepresentations of unreliable witnesses, or even perjured testimony, brings in an indictment against an innocent person, thus cruelly defaming his character and putting him to grievous trouble and great cost in order to vindicate his good name. Even then some annoying stigma will still cling to the name and reputation of an innocent person thus unjustly and unfairly persecuted. In the cases of Senator Mitchell and Representative Hermann, we are loath to believe that either of the distinguished gentlemen here are guilty of any intentional wrong-doing. Senator Mitchell has served in various official capacities for many years and is now serving a third term in the United States Senate. He is now nearly 70 years of age and his conduct hitherto has been that of an excellent citizen, and an honest and faithful official. Representative Hermann has been a resident of Oregon from boyhood and for honesty of purpose and strict integrity of character so one in his community stands better or higher than he does. Was a member of Congress some time before being appointed commissioner of the General Land Office by the late President McKinley. It was while holding that position, some three years ago, that it is now alleged that he conspired with some land sharks in Oregon to defraud the government. Knowing the man as we do, and being somewhat familiar with his past record, we refuse to believe that he has not fulfilled every duty conscientiously, with strict integrity of purpose and according to the best of his knowledge and belief. That he may have been imposed upon by designing and dishonest men may be admitted, but that he has been guilty of any intentional wrong-doing will not be seriously entertained by any fair minded citizen who is at all acquainted with the man. Following is, in part, what Representative Hermann is reported to have said in his own behalf at Portland the other day after the indictment against him had been made public: "The indictment returned against me is the basest of conspiracies and malicious persecutions. I came here upon the advice and earnest suggestion of my friends two weeks ago, as I had been informed by them that efforts were being made to implicate me and Senator Mitchell in land frauds which have been under investigation and trial, which frauds it was rumored I had knowingly aided and advanced during my service as commissioner of the general land office. "I knew I was free from any imputa-

TWO GIRLS FIGHT WITH A LYNX

RAN ROUND WORLD IN PURSUIT OF BUG

NEW YORK, Jan. 16.—After making a record trip around the world to find the destroyer of the codlin moth which has damaged millions of dollars' worth of fruit in the United States, George Comper, the entomologist of West Australia, agent of the commission of horticulture of California, has arrived in this city from Southampton. He said tonight that as the result of years of search he had found in Spain a wasp which was a parasite that killed the codlin moth. KUROPATKIN IS DOOMED ROME, Jan. 15.—A Tokio dispatch announces that two hundred thousand Japanese reinforcements are ready to be sent General Oyama, on the Shakhe river, 50,000 of whom have already started. The fall of Port Arthur leaves the Japanese free to concentrate all their energies on crushing General Kuropatkin. A NEW STORY OF PORT ARTHUR LONDON, Jan. 16.—A Port Arthur dispatch says when General Nogi entered Port Arthur he found thirty-one thousand effective fighting men, a large quantity of ammunition, rifles to equip 50,000 men, and enough food to have supported the garrison for months. Many Japanese officers say the surrender was unnecessary. CONSIDERATE TO GEN. STOESSEL NAGASAKI, Jan. 16.—General Nogi has written to the governor here commending General Stoessel to his consideration. Nogi points out that Stoessel is neither a prisoner nor an enemy, but a foreign gentleman who meritoriously served his country. Railroad to Klamath Falls A meeting of prominent business men of Klamath Falls with representatives of the Wood Railroad was held at that place Friday night. A committee was appointed to solicit subscriptions of \$100,000, which will be given to the road on conditions that its line reaches the corporate limits of Klamath Falls in two years.

R. W. FENN Civil Engineer U. S. Deputy Mineral Surveyor

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SOME MORE IMPORTANT BILLS An eight hour labor law for all kinds of work except on farms and in domestic service is proposed by Senate Bill 38, introduced by Senator Brownell. The eight hours means eight hours of actual labor and does not include the time spent in going to and from meals. The only incident of note which attended the reading of Governor Chamberlain's message, Thursday, was when his Excellency reached his recommendation that legislation be enacted establishing a whipping post for wifebeaters. A hearty burst of applause greeted his words. The sportsmen of Oregon have asked that the killing of elk be prohibited until 1912, after which time the open season shall extend from September 15th to October 15th each year, with a limit of one elk for each hunter during the season. The Indian War Veteran bill introduced by Senator Wheeldon carries an appropriation of \$40,000. This bill is for the purpose of making up a deficiency in the appropriation of \$10,000 made by the last Legislature. Forty lashes with a whip or imprisonment for one year is the penalty prescribed by Senator Sichel's bill for the punishment of wifebeaters. The punishment is to be inflicted by the sheriff, constable or city marshal. A salaried health officer for each county and each municipality not now having a board of health, such health officer to be a graduate of a reputable medical college, is contemplated by Senator Smith's Senate Bill 40. The health officer is to be paid 1 1/2 cents per capita upon the population, up to 50,000 people, the population to be ascertained by multiplying the school population by four. A bill has been presented by Senator Rand, by request, of general interest, for licensing itinerant peddlers in the state. The license for these sellers of goods, wares and merchandise manufactured outside of this state ranges from \$10 to \$1000 per year and from \$5 to \$500 per month or any lesser period. It also provides a penalty for violation of from \$5 to \$250 fine. Senator Pierce has introduced a bill providing that it is an action for damages. Continued on page 4.

TO AMEND LOCAL OPTION MEASURE SALEM, Jan. 17.—Representative Jaynes of Wasco introduced this afternoon the long expected bill amending the local option law. Many important amendments are offered, the chief being a provision that an election on the prohibition issue may be called in any precinct on petition of 40 per cent of the registered voters. It also provides that the law shall not be applicable to precincts in incorporated towns except residence precincts and shall not apply to the sale of liquor by wholesalers. Under the provisions of the bill 10 per cent of the voters in any county which adopted prohibition last November may demand the resubmission question in June, 1906. Emergency is declared so as to prevent the submission of the bill to popular vote under referendum. The bill eliminates county prohibition and provides only for precinct prohibition. Osteopathy leads to the permanent root of health. MAKES GAMBLING FELONY IN OREGON SALEM, Or, Jan. 17.—Coming as a climax to the strenuous war on gambling waged in Portland is a bill to make the act of gambling a felony. A measure imposing this penalty was introduced in the House this morning by Representative Gray, of Douglas county. In the category of forbidden acts is included everything from "21" to gambling with dice, not excepting the game of poker. It prohibits the use of slot machines and holds proprietor and helper alike amenable to the penalty. The crime is construed to involve any gambling, whether for money or anything representative of value. The penalty is fixed at imprisonment from one to three years. The measure is sweeping in its definition of the offense. A Rich Free Gold Find. ASHLAND, Jan. 17.—A rich free gold find has been made about two miles south of the Ashland mine on the moun-

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