



MORE ABOUT THE DIRECT PRIMARY LAW

Ignored in Respect to Election of United States Senator in 1901. Will Big Counties Monopolize Candidates?

Oregon's next senator in congress will be chosen by a new method if the purpose of the direct primary law shall be carried out, for by that law each party, republican and democratic, will name a candidate for that office at the primaries the intent being to force the legislature by public opinion into electing the candidate of the party which is dominant in the lawmaking body.

This plan was tried in the legislature which met January, 1903, but failed. T. T. Geer secured the republican nomination at the polls in June, 1902, and C. E. S. Wood the democratic. However, C. W. Fulton was elected by the legislature.

By the new method nominees for senator would be chosen at the republican and the democratic primaries—one by each party—for election by the legislature in January, 1907, just as nominees would be chosen for the various state offices for election by the people in June 1906.

Primaries in April. The state primaries will be held next April "for the purpose," says the law, "of choosing candidates by the political parties, subject to the provision of this law, for senator in congress and all other elective state, district, county, precinct, city, ward and all other officers and delegates to any constitutional convention or conventions that may hereafter be called, who are to be chosen at the ensuing election wholly by electors within this state or any subdivision of this state, and also for choosing and electing the county central committee members by the several parties subject to the provisions of this law."

The aim of the law is to take the choosing of United States senators away from legislatures and give it to the people. But since popular election of United States senators cannot be effected without an amendment of the national constitution to that effect, the direct primary law offers a plan for nomination of party candidates for senator by the people, intending that members of the legislature in electing a senator shall ratify the will of the people, as expressed at the primaries.

A law with this purpose in view was enacted by the legislature in 1901, providing that "the names of all candidates for the office of senator in congress" should be placed on the ballot in state elections; that each house of the legislature should canvass the votes "and

announce the candidate for senator having the highest number and thereupon the house shall proceed to the election of a senator as required by the act of congress and the constitution of the state."

Ignored Law in 1903. But when the legislature met in 1903 the two houses ignored that law, inasmuch as it had no binding legal force and proceeded "to the election of a senator as required by the act of congress and the constitution of the state"—the usual method.

The direct primary law has no more binding force on the legislature in the election of senator than had the law of 1901, and the members may vote as they please, except that they are likely to feel obliged by promises to their constituents to vote for the primary nominees for senator. It is common gossip in political circles that candidates for legislative nominations, in order to win votes in next April's primaries will promise to vote for the "people's nominees" for senator.

If several republicans should run for the republican nomination and only one democrat it is quite possible that the one democrat would receive more popular votes than the republican who would win the republican nomination. Would the democrat then be the "people's nominee"? Only one of them because the purpose of the direct primary law is the selection of a nominee by each party.

That Multnomah republicans should name the next senator is the ruling sentiment in this county. A Multnomah man now holds the office—John H. Mitchell. Since the men whom this county will put forward will have to make a campaign before the people, doubt has been expressed that the men of the class desired will enter the race. Should only one Multnomah aspirant come forward the chances of his nomination would be favorable because of the large vote he would receive in this county and the probably scattered vote of his rivals in other counties. This power of big counties in controlling nominations for all state offices has made aspirants from small counties and has caused politicians in big counties like Multnomah and Marion to fear that the inevitable effect of the direct primary law will be to give big counties too many nominations and to endanger the success of the ticket throughout the state.—Oregonian.

SENATOR MITCHELL HAS NEW GRANDSON. Paris, June 26.—A son was born today to Duchess De LaRoche, formerly Miss Mattie Mitchell, daughter of Senator John H. Mitchell, of Oregon who is now being tried in Portland for complicity in the land frauds.

W. C. T. U. ANNUAL COUNTY CONVENTION. The Tenth Annual Convention of the Douglas County Woman's Christian Temperance Union which met at Yoncalla, Or., June 21, 22 and 23, was attended by about twenty visitors, including delegates, county officers and contestants.

The first meeting was Wednesday afternoon, a mothers' Meeting conducted by Mrs. Barzee, State Supt. of that department. She warned the mothers of the dangers of alcoholic remedies and also those containing opium.

The Executive meeting appointed committees and reporters. Throughout the convention the delegates were entertained at noon and evening at Lamb's hall where the ladies had plenty to satisfy the demands of good appetites.

Wednesday evening the devotions were led by Mrs. Dalhoff of Elkton. There was special songs by the choir, an address of welcome by Mrs. Bishop and response by Mrs. Annie Newall, State Evangelist.

In the debate, resolved, that equal suffrage would be a benefit to the nation, many points were made on both sides, but it being a fact that every objection to woman's voting can be met with two reasons for her having the privilege and, usually these objections when carefully examined have no foundation. The affirmative won the debate.

Thursday was taken up with convention work. Reports were read from Roseburg, West Roseburg, Edenbowser, Middle, Looking Glass, Elkton, Drain and Yoncalla Unions.

At 2 p. m. Mrs. Newall conducted a Thank Offering service in which all took part, the offering amounting to \$2.55.

ARGUMENTS IN THE MITCHELL LAND FRAUD CASE

The Senator Did Not Take the Stand. Defendant's Counsel Asks for Acquittal. No Proof of Accepting Money.

Portland, June 27.—With the testimony of S. B. Martin who gave evidence concerning the Senator's readiness and willingness at all times to do work for his constituents without compensation, the defense in the trial of Mitchell closed this morning. Instructions were then presented by the defense asking the court to instruct for acquittal on the principal ground that the allegation of money received by the Senator has not been proved, as check only was received. District Attorney Heney began the argument for the prosecution this afternoon. A significant development of the day is the failure of the defense to place Senator Mitchell on the stand. The defense claimed a close similarity to the case of Senator Burton, of Kansas, for taking bribes, and maintained that while the indictment charged the direct receipt of money from Kribs by Mitchell, the most that could be shown was the direct receipt of money from the bank. The checks were purchased by the bank and the money later indirectly received by Mitchell was not Kribs' money, but that of the bank. The Supreme Court was quoted to sustain this point.

Seven witnesses were called in behalf of the defense Monday afternoon. All of them testified to instances when Senator Mitchell has rendered services for them in Washington without compensation.

Says Robertson Lied. T. A. Abbott, an attorney of Seattle, was the first witness called. He flatly contradicted the testimony that had been given by Harry Robertson relative to a conversation that had occurred in Abbott's office early in April, 1905. Robertson denied that in conversation he had said that he believed Mitchell lied.

Robertson said to me that he was entirely satisfied that the senator had never knowingly or intentionally been guilty of any dishonest or unlawful act," testified Abbott.

Robertson had been questioned by Senator Thurston as to his conversation and had denied that he had made the statements attributed to him by Abbott.

The witness further testified that at one time Senator Mitchell gave him assistance of great value in promoting a claim for about \$25,000, and that the senator refused all offers to compensate him for his services. The claim grew out of a breach of contract by the government, in that it failed to live up to the terms of the lease. The witness had rented to the government a building at Tacoma to be used for a post-office for a term of five years. Through Mitchell's assistance Abbott finally received \$12,000 of his claim. He was anxious to compensate Mitchell but the latter positively refused to take anything, saying that he could not lawfully do so.

J. C. Fullerton, a lawyer of Roseburg, testified that in March 1902, he wrote to Mitchell, asking his assistance relative to some Indian depletion claims, and saying that there would be fee in forwarding the claims. The letters which passed between the witness and Senator Mitchell were introduced in evidence. Mitchell replied to Fullerton's request and offer of compensation by saying that he would do what he could to promote the claims, but that he could not accept any compensation.

"Of course, I cannot practice in the court of claims while I am senator," wrote Mitchell.

A. D. Stillman, of Pendleton, a Democrat, had a similar experience. Letters which passed between himself and Mitchell were introduced in evidence. He, too, had asked the senator's assistance in a matter pending at Washington, and had offered compensation for the services he desired, but Mitchell declined the offer, saying that he could not accept fees for such work while senator.

W. H. Odell, former clerk of the state land board; W. D. Wheelwright, president Portland Chamber of Commerce; Theo. B. Wilcox, of Portland; Capt. J. A. Shadden, clerk of the U. S. circuit court, all had secured the valuable services of Senator Mitchell before the departments at Washington and had told him that they were more than willing to pay for his services, but Senator Mitchell replied that he could not accept fees in a matter where the government is concerned.

Thurston Addressed Court. "The indictment charges on the first and third counts," said Senator Thurston, "that Mitchell was paid \$500 for services on behalf of Frederick A. Kribs. In each of the other counts of the indictment the charge is that Senator Mitchell received checks from Frederick A. Kribs for services rendered. Unless it shall be shown that Mitchell received the checks alleged, it will be fatal to the Government's case to show merely that he later received part of these checks. The testimony shows that Senator Mitchell was not here and never knew of the receipts of a check by Tanner or the firm until after the check had been deposited in the Merchants National Bank. Evidence does not show that Mitchell authorized Tanner to receive checks for Mitchell's services before the department. When the checks were depos-

LANE COUNTY MURDERER GETS A LIFE SENTENCE

Grand Jury Recommended That Court Accept Plea of Murder in Second Degree. Action Creates Surprise.

Eugene, Ore., June 27.—John Richards, who on June 1 murdered Sanford Skinner by shooting him in the back and then turning on Skinner's wife, Richard's own sister, and shooting her to death, blowing the top of her head off after she had fallen to the floor, was this forenoon about 11 o'clock sentenced by Judge L. T. Harris to life imprisonment in the state penitentiary, the prisoner having entered a plea of "guilty" to the charge of murder in the second degree.

The grand jury last evening filed with the court a recommendation that the charge of murder in the second degree, as the prisoner was willing to make such plea. This action was taken for reasons set forth in the recommendation as printed in full below.

When brought into court this forenoon Richards withdrew his plea of guilty to the indictment of murder in the first degree for the killing of his sister, and pleaded guilty to two indictments for murder in the second degree, one for the murder of his sister and the other for the murder of her husband. He then waived time for setting of the sentence and Judge Harris sentenced him to the penitentiary for life.

At the time of the sentence very few people were in the courtroom as nothing of this kind was expected, the trial being set for tomorrow. When the news of the sentence had spread on the streets everybody expressed surprise, as it was generally thought that the murderer would hang. Richards took his sentence calmly and without any outward display of emotion.

The grand jury's recommendation in the case as filed with the court is as follows: "In the circuit court of the state of Oregon for the county of Lane. To the Hon. L. T. Harris, judge of the above entitled court: "We, your grand jury, at the June, 1905, term of the above court in the case of the State of Oregon vs. John Richards, referring to the indictment numbered 'One,' have to state from subsequent and additional evidence examined by us, that the aforesaid indictment numbered 'one' does an injustice to the above named defendant, John Richards, and we believe from all the evidence submitted to this grand jury that the prosecution cannot make out a case greater than murder in the second degree; nor should the defendant be convicted of a greater crime, it appearing to this grand jury, from all the evidence now before us, that the crime charged in said indictment numbered 'One' was not committed in cool blood and that the killing was without deliberation and premeditation, and it appearing from information before us that the defendant, John Richards, is willing to enter a plea of 'guilty' to a charge of murder in the second degree."

"Now, therefore, we, your grand jury, recommend that you accept the plea of 'guilty' to murder in the second degree' from the defendant, John Richards. We have examined into this matter with great care and make this recommendation after due deliberation. "We fully realize the enormity of the defendant's crime and we also realize the enormity of the provocation that caused him to commit the act. "Dated this 26th day of June, A. D., 1905. "E. Whattam, "F. E. Hyland, "W. F. Gibson, "W. H. Gibson, "O. A. Crow, "Thos. A. Evans, "Chas. L. Scott."

KILLED BY A FALLING TREE. Andrew Pincard, a young man aged about 22, who has been working at the Booth Keller mill at Stagnaw, was killed Monday morning while felling a tree. The tree on which he was working as it fell struck a dead hemlock, which fell on the young man, breaking his back and crushing his skull, so that he died instantly.

The body was taken to Cottage Grove to be embalmed, after which it was taken to Oregon City for burial on Tuesday.

The young man was a son of Ambrose Pincard, of Oregon City.

TAKES NO ACCOUNT OF LOCAL OPTION. Coquille, Or., June 26.—At the meeting of the City Council Saturday night J. P. Tupper was granted a license to sell intoxicating liquor. Considerable interest was manifested as to what the council would do, in view of the arrest and fine imposed on the saloonkeepers for violating the local option law.

The Attorney General has been communicated with by the prohibitionists in regard to the authority of the District Attorney to stop the prosecution of the saloonkeepers. Just what the next move of the local option people will be is not known.

RUSSIAN CREW TURN PIRATES

Looking Glass items

Olesca, Russia, June 28.—The crew of the battleship Kniaz Potemkin Tavrichesky, of the Black Sea fleet, mutinied, because of harsh treatment, and murdered the officers. The mutineers threatened to bombard Olesca. The battleship is now cruising at sea, fearing to land, while the authorities fear bloodshed if they attempt to board the vessel.

Guy Buell returned home Monday. He has been away for some time.

The church looks quite nice since repaired which was directed by the Ladies Aid.

May Simmonds returned home Monday from Roseburg where she has been staying for some time.

Guy John got a thumb and two fingers torn off by the explosion of a dynamite cap, the first of the week. Dr. Hoover attended to his injuries.

The Ladies Aid will have an ice cream and candy stand on the grounds at the celebration at Flournoy Valley on July 4th. The proceeds will go toward fixing up the church here, so don't be afraid to spend money freely as it will go to a good cause.

CELEBRATION AT FLOURNOY VALLEY. Program—Song, America, by all present. Prayer, by Rev. E. H. Hicks. Address of welcome, by Rev. A. C. Vernon. Song, Going Over There. Recitation, Fanny Younger. Song, by Mr. M. Romaine. Recitation, Mattie Jones. Song, by Misses Bessie Morgan and Lillian Brown. Recitation, Miss Ethel Pearce. Song, by the Choir. Recitation, Miss Disert. Reading the Declaration of Independence, Miss Lucie Voorhies. Oration, Rev. E. H. Hicks. DINNER. The afternoon exercises are not yet completed but there will be speaking by Rev. H. Allen, of Roseburg, songs and field sport.

Miss Bessie Morgan and Mr. W. C. Steel will conduct the singing. Charles Goodman will be marshal of the day. J. T. Sprague will be president of the day. All are invited.

JEFFERSON LADIES WERE ASPHYXIATED. Portland, Or., June 28.—Mrs. William Jones, aged 58, and Mrs. R. F. Myers, aged 58, both of Jefferson, Marion county, were found dead this morning at 256 Eleventh street, having been asphyxiated during the night. Both came to Portland last night on their way to Prineville, where they expected to take timber claims. One jet was found turned on, and it is believed to have been accidental. Mrs. Myers had struggled terribly before succumbing and finally fell dead before the door.

Both the ladies are well known at Salem, and were prominent in all good works at their home town. Mrs. Jones is the wife of a prominent business man, and was a worker in the Degree of Honor. Mrs. Jones leaves no children. Mrs. Myers was the wife of a wealthy hop grower, and leaves four grown sons. She was prominent in the order of the Eastern Star.

Yoncalla Items. G. A. Burt has returned from his trip to Portland, and attended lodge at Oakland Friday night.

The sermon by Mrs. M. C. Wire, mother of our pastor, was highly enjoyed by all who heard it.

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