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PORTLAND, OREGON, MONDAY EVENING, DECEMBER 14, 1903.

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Ouick Action on Phelps Movements of the Colom-Law by Extra Session Is Likely.

ONE WEEK FROM TODAY BUSY AT MARE ISLAND

Legislators Will Assemble in Salem Next Monday--- Measures Connected With the Tax Law Which May Be Prevented --- A Forecast.

One week from today the state legislature will convene in special session to correct the defects in the tax law. There is little doubt that the Phelps law, the cause of all the trouble that has arisen, will be repealed, and the idea of changing the time of paying taxes

will be abandoned. The repeal of the Phelps law will probably not be the only tax legislation to be considered. Senator Mays will to be considered. Senator Mays will ers. Trails from San Blas were found make an effort to restore the \$300 tax which are passable for small parties, exemption, which was wiped out at the last session. In this effort he will have leaves today for a cruise to Cape Tibustrong support, especially from the Maltrough deposition and the Guif of Darien. strong support, especially from the Multnoman delegation and will proba-bly be successful. Many county assesment and collection.

There are some minor discrepancies and contradictions in the tax laws which require correction, and it is possible that an effort may be made to change the present method of apportioning the state tax among the various counties. Sev-eral months ago The Jeurnal published a communication from former City Attorney J. M. Long, in which he pre-sented strong reasons for believing that the system of apportionment now in effect is unconstitutional. This belief is shared by many prominent attorneys. If their view is correct the collection of state taxes might be defeated by any taxpayer who chose to appeal to the courts. A well-known lawyer of Astoria attempt will undoubtedly be made next year in Clatsop county to defeat the state taxes on the ground of the unconstitutionality of the apportionment. If this should be done, serious compli-

cations might ensue.

But it is very doubtful whether the legislature could be induced to tinker with this feature of the tax law until forced to do so by an adverse decision of the supreme court. The adoption of a new system of apportioning the state tax would be attended with many difficulties, and the matter will probably go over to the next regular session, a year hence.

Portage Boad. Whether any general legislation will be enacted is a question upon which

opinions differ widely. The sentiment in favor of a repeal or modification of the portage road act is strong, but the friends of the measure are rallying actively to its defense. The commercial podies of this city are apparently unanimous in their demand for the con-struction of the road, and they will have the support of most, though not all, of the Multnomah delegation. In Eastern and Central Oregon there is much difference of opinion as to the advisability of building the road and some who were formerly in favor of it have now changed their views, arguing that the portage road, if built, will interfere with and delay the construction of the government canal.

Any serious consideration of the port-age road at the coming special session would probably be made the excuse for the introduction of many other measures. This, of course, would mean that the session might be protracted possi-bly even to the limit of 20 days. But the majority of the legislators appear expect that the session will be concluded within three or four days. No caucus of the Multnomah delega-tion has yet been held, beyond an informal gathering two or three weeks ago. It is expected that Chairman Hod-

son will call the delegation together this week, to agree, if possible, upon some concerted action as to tax leg-

GERMAN EMPEROR GAINING IN STRENGTH

Berlin, Dec. 14.—President of Reichstug. Bailestrom, announced to that body that he in company with his two vice-presidents had been received by the kaiser this morning and that the jured: emperor talked for nearly an hour in a clear, strong voice. The Reichstag greeted the announcement with enthus-iasm, with the exception of the Social-ists, who remained silent.

SALEM POSTOFFICE MAY GET INCREASE

Washington Bureau of The Journal. Washington, Dec. 14.—The secretary of the treasury oday submitted to congress a letter from the supervising architect recommending an increase for the postoffice at Salem from \$100,000 to \$150,000. The secretary's letter states that expensive work is required to bring O'Rourke. and the work required to make the site correspond with surroundings makes an increased appropriation necessary.

bian Government Not Clearly Defined.

Not Since The Maine was Sunk

Havana Harbor Has Such Activily Been Seen-Powerful Fleets Ready

Washington, D. C. Dec, 14.—Rear Admiral Coghlan has cabled from Colon

the following: "The Atlanta arrived yesterday, having sailed from San Blas to Gandu without seeing or hearing anything of Colombian troops or vessels. The offi-cers communicated with the shore at all principal points. The Indians are re-ported to be very suspicious of strang-

Admiral Coghlan sent the following: "The Mayflower today reports that sors favor a restoration of the exemption and say that it does not cause any serious loss of revenue, while the abolition of the exemption will greatly increase the labor and expense of assess-The Atlanta, however, was at Gandi on December 3, and got the opposite information. The American consul at Cartagena reports that the ship Cartagena returned there on Dec. 9. The Atlanta returns to the gulf today for

The state department officials are per-plexed over the situation, as it is not believed that the mysterious movements of the Colombian government means any good, and where belligerent actions might be soon suppressed by the United of the canal treaty would ensue.

ACTIVITY AT MARE ISLAND.

(Journal Special Service.) Maine was sunk in Havana harbor has the Mare Island navy yard force shown so much activity as it did yesterday, when preparing for sea a fleet of torpedo boat destroyers winch the government intends to send to South American waters. The usual Bunday quiet was broken by almost as much hustle and

bustle as would follow a declaration of war. Three of the torpedo-boat destroyers are all ready for sea. The Perry, which returned a few days ago the Tacoma's trials, is lying at the dock with her two sister ships, Paul Jones and Preble. It is reported here today that Presi-

dent Roosevelt has suddenly changed his mind about sending United States troops to fight the battles of Panama. His advisers placed objections in time to prevent it. There will be no changing, however, of the plan to assemble powerful fleets of American warships on both sides of the isthmus to resist any foreign interference and prevent any attempt of the Columbian government to retake or attack the new Panama republic.

BABY BURNS WHILE SUSPENDED IN AIR

Pive Persons Were Killed and Many Injured-Cars Jamp the Track.

(Journal Special Service.) Ottumwa, Iowa, Dec. 14.-An accident cago, Burlington & Quincy road, The westbound passenger train was

collided with the steel girders of the mode of the change, I would favor bridge. Five cars left the tracks and the shorter term."

year-old child of Mrs. W. E. Mitchen, fell May 15 and closing October 15, and from in the opinion of the court, will be through the side of the car and her the evidence secured by the corporaclothing was caught on a cross bar of tion, it seems that this might be a wise the bridge. Hot coals from an over-turned stove fell on her body, burning it turned stove fell on her body, burning it turned stove fell on her body, burning it ters with the fair, the better for the

MRS. W. E. MITCHEN, Albia, Iowa,

MILDRED MITCHEN, three years old. THOMAS BEATTY, laborer, killed in

reck of smoking W. FRANKLIN.

UNKNOWN MAN, laborer.
The injured—W. P. Martin, Chicago;
C. S. Blair, Lamont, Iowa; Robert Ferguson, Mitchell, Neb.; Mrs. J. H. Robinson,
Ottumwa; F. T. Scott, Onceola, Iowa; F. T. Browning, Yates Center, Kan.; Gabriel Allen, Chicago; William Branch, Chicago; R. P. Price, Chicago; S. T. Williams, Chicago. None of the injured will

WAS PROZEN TO DEATH.

Waterloo, Ill., Dec. 14. - John Rourke, while en route home last o'Rourke, while en route nome last polyoning. He stepped was found today entangled in a barbed Puliman car on his was fence, from which he had evidently heavily interested in business in Indiana.

NEW YORK SCHOOL CHILDREN AND FIRST SNOW



to quell a new evil, which is born of a spirit of fun and childish amusement Traffic was interrupted for an hour yesterday on several streets where public schools stand. On West Thirteenth street, opposite the grammar school, at the hour of dismissal, a score of bluecoats were kept busy keeping the thoroughfare clear of children, in order that teamsters might pass to the docks with their loaded trucks. In other parts of the city the same trouble was apparent, city, the This condition of things was due to a bountiful fall of snow. So soon as the nor polic pupils were dismissed for the day, snowballing brigades were formed of boys sounded.

New York, Dec. 14.—The police during the last week have been called upon and girls and merry times followed. The streets were thronged with younguell a new evil, which is born of a spirit of fun and childish amusement, sters, and no vehicle could pass. Policemen were called and met with a bombardment which they did not at first know how to cope with. use roughness on the children, and finally they resorted to the weapons used by their assailants, and were successful in sending the young folk home. Snowballing between big policemen and school children is an unusual sight. When the first snowstorm occurred a week ago today, school children about the apparent, city, the moment recess was announced, ran to the streets, and neither teachers

AND CLARK FAIR TRINK CUT-TING DOWN OF TERM OF EXPO SITION WOULD NOT MEET WITH GENERAL APPROVAL.

It is doubtful if the state commission of the Lewis and Clark exposition will favor the shortening of the fair's term as advised by the corporation. state commissioners, so far as they have expressed themselves, have no objection to the shortening of the period from six months to four and a half, if there were no other side issues involved in the question, but considering the liability of other changes being made by the legislature and of the prospect of popular disapproval of the change, they believe that it is inexpedient to ask the legislature to make the change as suggested by the corporation.

The chief reason the corporation decided on the shorter session was because of railroad influence. Director-General Goods informed the corporation directors at their meeting last week that he had been advised by a leading official of a transcontinental railroad enering Portland that the roads would find it difficult to grant reduced rates for the period of six months, the official suggesting that the period of the fair's duration be diminished, thus avoiding one of the chief troubles the roads experienced in giving the best rates. Owing to the sparsely settled territory will afford the chief support for the fair, Mr. Goode believed that the official's advice was valuable, and accordingly made the suggestion.

The state commission, at its meeting Saturday, did not act on the proposal of the corporation, but referred the question to its executive committee with power to act. When asked his view of the case, Commissioner F. A. Spencer said:

Popular Sentiment for Long Term. "Though I believe that no harm would esult from the shortening of the term of the fair, and though we are generally afflicted with uncertain weather early and late in the spring and summer, still I believe that popular sentiment is for the full term of the fair, and it is a question in my mind whether any change

is advisable."

Commissioner J. C. Flanders said: "I favor the shortened term, and believe tectives Day and Weiner on complaint of Paul J. Vial, who charges them with that it would have been wiser to have had originally only a four months' fair, accompanied with unusual herror oc- but considering what course must be curred near Albia, yesterday on the Chi- pursued to secure this change, I doubt if any alteration is advisable. The expense for the longer period may result speeding on a straight track when just in considerable loss, as the corporation, as the Cedar creek bridge was entered which has looked into the matter, seems the forward car jumped the tracks and to have discovered, and were it not for San Francisco, where he went shortly after he was robbed. Both prisoners

their sides were torn out by the iron Commissioner W. E. Thomas stated: court and later it was announced work of the structure.

"I would favor reducing the period of they would be permitted to leave the fair to five months, starting June 1 will be made and ending November 1, or beginning them to ship as common sallors." change, but the less the legislature tink- rumored that Bishop and Mien

pathetic scene was witnessed by the uninjured passengers who were powerless to aid. The little one's mother was kiffed that the action and his recommendation that the action and his recommendation that the action and his recommendation was the result of a conference with seving them through a window. Mich was importantly, was the result of a conference of Portland them through a window. Mich was importantly to ask for special legislation."

Director-General Goode said today that the action and his recommendation that the action are actions to the action and his recommendation that the action are actions to the action and his recommendation that the action are actions to the action and his recommendation that the action are actions to the action and lines, and in his estimation the majority of the railroad officials were decidedly in Tayor of the proposed change, There exists but little doubt in the

corporation and commission. silke that the legislature will have to pay the expenses of bringing back the tremodel the law if the state appropriaition of \$500,000 is to be available, and in its communication to the state comission the corporation asked it to support the necessary steps that might be taken to secure from the 1905 session of the state legislature the shorteped

period. TACK CAUSES DEATH.

(Journal Special Service

San Diego, Cal., Dec. 14.—Joseph H. John Greer, a wealthy citizen of Fort Wayne, last Ind., died here yesterday of blood here yesterday of blood He stepped on a tack in a Putiman car on his way out. heavily interested in the oil and land-

SUPREME COURT AND THE MERGER

Great Interest Displayed by Those Hearing Arguments Which Roast the Northern Sureties Company---Roosevelt There.

Washington, D. C. Dec, 14.—The brief to evade the law.

of the United States in the appeal of the Northern Securities company from the decision in favor of the United States, ourt today. Knox and Day submitted the arguments covering 180 pages. The desire affirmed are: First, has a com-Securities company in violation anti-trust laws? Second, have the de-Third, was relief granted by the circuit

court authorized by law? If, as they contend, either of the first

PREFER FO'C'S'L'

JUDGE ROGUE

bound sailing vessel.

CRARGE AGAINST THEM.

Mien, of wealthy San Francisco families

This unique agreement was reached

in the municipal court today. The men were brought back from Seattle by De-

stealing his watch, chain and stick pin.

The prisoners, tall and good looking

were attired in well made clothes and

bore an appearance of gentility.

The complaining witness was not present, as he had not returned from

held a whispered conversation with the

court and later it was announced that

good lesson to the pair who, it is said, stole Vial's property for revenge. It is

incensed at Vial because the latter wor

plicated because he was with Bishop. The three had been drinking together at

According to Deputy District Attor-

ney Adams the state will not have to

prisoners. Should the latter return to

Oregon within the statute or limitation

which is three years, they are liable to

crime. On the records the case is simply

well-to-do families in San Francisco, Bishop's father being interested in a

the pair is at present traveling in

HERMANN INTRODUCES BILL.

Bishop and Mien are said to come of

arrest and indictment for the same

"continued."

marked

the White House the same afterno

Arrangements will be made for

framed to defeat subterfuges designed as absurd the contention that two rail-

ways-the Great Northern and Northwhich was delivered by the circuit-court ern Pacific—who were naturally com-of Minnesota, was filed in the supreme petitors, will continue to compete after both are subject to the same control. The argument says that it is not to questions of law arising which they the interest of stockholders that one road should prosper at the other's ex-It holds that it is not p of the to conceive a more effective method for combining competitive interests and fendants monopolized or attempted to for suppressing competition between monopolize any part of the interstate or rivals, which are naturally competing foreign commerce of the United States? business corporations, than the merger It says the circuit court took the most

A large, and interested crowd was attwo and third questions should be antracted to the supreme court to hear swered in the affirmative, the decree the oral arguments in the celebrated tracted to the supreme court to hear of the circuit court must be confirmed, case. President Roosevelt, attired in They argue that the anti-trust act is not deep mourning, was there. Judge Young primarily a criminal statute, but is will close for the Securities company.

EASTERN REGIONS TO PRISON CELL ALARMINGLY COLD

SONS OF RICH SAN PRANCISCANS CHICAGO EXPERIENCES WEATHER AGREE TO SHIP BEFORE THE MORE PRIGID FOR BARLY DECEM-MAST, ON WHICH CONDITION BER THAN ANY IN 37 YEARS-DIPETREBIA EPIDEMIC BREAKS OREGON SCANDALS CONTINUES OUT WITH PEARPUL MORTALITY.

Rather, than go to prison, Allen Bishop, alias "Jack" Allen, and F. W. (Journal Special Service.) Chicago, Dec. 14.—Weather records this morning show the present cold wave will ship as common seamen on an outbreaks all records for the first half of any December in 27 years. The thermometer marked 13 below zero last

There were many deaths, and 13 were injured by falls or freezing. All street car lines are working with difficulty today. The entire business population delayed in getting to and from their

places of work.
Several hundred tramps and homeless pesple were sheltered in police stations last night. Worst of all an epidemic of diphtheria is upon the city and the mortality is assuming alarming proportions.

DYNAMITE PLACED IN PILE OF BRICKS

New York, Dec. 14.—Two dynamite BROOKS STORE IS bombs, each containing a pound of explosive, was found in a pile of bricks on East Forty-third street today. The contractors believe they were placed there by members of the housesmiths' union. who are seeking to revenge the Parks' imprisonment. The bricks were for use on Acker Terrell's conduit building. One of this firm's buildings was dynamited

CONGRESS WILL HAVE CHRISTMAS RECESS

(Journal Special Service.)

Washington, Dec. 14.—The house tocracker factory. The family of one of day adopted a resolution providing for a Christmas receas from Saturday, December 19 to January 4. It then resumed consideration of the pension bill. The senate passed the resolution nam-Washington, Dec. 14.—Representative Hermann introduced a bill to pay Rev. ing Rey, Edward Hale as chaptain. Sen-John W. Miller \$317 for losses sustained ator Morgan presented a resolution bearby depredations of Rogue river Indians ing on the Isthmian canal situation, of the senate at a caucus of Republican which went on the table.

SPENCER HAS

RIVER WITH THE BAILEY GAT-ZERT-LATTER BOAT REACKED

While racing down the river with the office. Within a month thereafter, Bailey Gatzert from The Dalles this probably, final proof notices on said morning the Spencer broke her shaft. The accident happened about one-half of publication required, forged proofs, mile above Washougal. The steamer is not altogether disabled, and is expected to reach Portland late this afternoon. The local agent says she will not go out on her run tomorrow.

Early after the accident a report was received from Captain Spencer stating that the Gatzert crowded his boat into shoal water, when the breakdown occurred.

The Gatgert arrived at her dock at 1:30 this afternoon, making the run of 116 miles from The Dalles in 6½ hours. This is almost equal to 18 miles an hour. Captain Sherman of the Gatzert says: We were alongside of the Spencer at the time the accident happened, but we did not crowd her into shoal water. The steamers were close together, but plenty of daylight was between them. The Spencer dropped back to Fisher's landing. I would like to state also that we were not racing."

In going up the river Saturday the rivals reached the locks at about the same time, making the run of 69 miles in the neighborhood of five hours. The Spencer reached The Dalles 20 minutes n the lead, having stopped at four landings, while the Gatzert made five. Both sides contended that their vessel showed the greatest speed. In accordance with its published statement, the Regulator returned the fares which had been collected from the passengers on the

AT WASHINGTON

Charles H. Carey Says He Is Visiting Mational Capital Only on Pleasure-Thomson Matter in-

Abeyance.

Washington Bureau of The Journal. Washington, Dec. 14.-Senator Mitchell introduced Charles H. Cary to the president today. Mr. Cary afterward stated that his visit here is without any political significance. That he is on his way to Florida and has no business except of a social nature in Washington. Senators Mitchell and Fulton said today that they are in the dark regarding the status of Receiver Thomson of the La Grande land office, and that the secthat the matter of Mr. Thomson's reinstatement or removal will be held in abeyance pending further reports from tion to be made. This investigation was

VISITED BY CROOKS

stolen including knives, men's underwear, men's and womens' shoes, and other articles, valued at \$100. The tracks were found to indicate that the thieves drove up to the store in a huggy, loaded the goods and left. The stolen goods were of the best quality in the beginning that the matter should be apparent influential character of some of the men involved, and the language lies that the house. The officers are now work. the house. The officers are now work-ing on the case. It is believed the tion, and the whole matter will at an crime was that of local residents and early date be in shape for definite and

REV. HALE AS CHAPLAIN.

Washington, Dec. 14.—Rev. Edward Everett Hale, the celebrated Massachus-etts divine, was selected as the chaplain

ITS FRAIDS

Secretary Hitchcock Calls Attention to Abuses In His Annual Message.

DEPARTMENT BUSINESS

Transactions During Fiscal Year-Repeal of Timber and Stone Act Recommended-Grazing in Forest Reserves.

(Journal Special Service.) Washington, Dec. 14 .- The annual report of the interior department made public today by Secretary Hitchcock shows that a large amount of business was transacted during the fiscal year anding June 30, 1903. Particularly in-teresting is that part of the report which is devoted to land frauds, and on this subject the secretary has the following to say:

"During the past year there have been indicted and arrested in the state of Oregon, charged with forgery and conspiracy to defraud the government, nited States commissioner and three others, the first being a woman. The United States commissioner has been removed from her office, and all are awaiting trial by the court.

"Forged entry papers of fictitious en-trymen, alleged to have been executed before the United States commission alleging settlement on a tract of land within the limits of a forest reserve prior to the creation of such reserve, would be transmitted to the local land entry would issue, and after the period this commissioner, would be trans-mitted to the local land office, where, everything on the face of the papers being regular, they would be forwarded by the register and receiver to the general land office at Washington, where, no intimation of fraud appearing, the proof was approved and patent on the

Forged Deeds.

"Thereafter, forged deeds alleged to have been executed by the fictitious entrymen before this commissioner or a notary public, conveying the land to one of the parties to the conspiracy, would be duly filed for record, and therefore the land would be transferred by one of said parties to some other person, or else made a basis for a lieu selection under the act of June 4, 1897.

"The labor involved in obtaining the evidence of these forgeries and conspiracies and in presenting the same to the federal grand jury has covered a period of many months, and has occupied almost the entire time of one of the most competent inspectors of this department, who has received invaluable o-operation from the United States attorney for Oregon. It is believed that the outcome of the matter will go far toward putting an end in that section to the fraudulent practices that seem to have heretofore been much in vogue in

securing title to public lands. Fraud in California.

"Information has also been received from the department of justice of the conviction, by the federal court in the northern district of California, of three persons for subornation of perjury in connection with the entry of land under the timber and stone act.
"These convictions, it is alleged, are
the first of their kind for 15 years in

that section, and it is believed they will have a wholesome moral effect toward stopping the fraudulent transactions of this character. At any rate, it is the purpose of the department to pursue with unflagging zeal, until justice is meted out to them, all persons shown to have committed frauds as inst the government by unlawfully acquiring any portion of the public domain.

"Nearly a year ago information reached the department which strongly indicated that frauds of a serious nature had been and were being perpetrated against the government what is known as the forest reserve lieu tion of land speculators on the Pacific The information and indicated frauds were of so, grave a character that I at once directed a thorough investigacommenced last January, and has been conducted by those having charge of the actual work with great care and with all possible expedition consistent with thoroughness.

Every Clue Followed.

"The investigation has proceeded step (Journal Special Service.)

Salem, Or., Dec. 14.—The Jones Merchandise store at Brooks, 11 miles north of here, was entered by burglars last night and a quantity of goods was stolen including knives, men's under-

Justice.
"It has been my determination from appropriate action against the offenders.

"While several hundred thousand acres of public lands are involved in the illegal transactions brought to light, the number of acres to which patents have been obtained by the perpetrators of the frauds is comparatively small. It is

(Continued on Page Tru)