

**GOOD EVENING.**  
The Weather:  
Tonight and Friday, rain; south-  
erly winds.

THE **Oregon** **DAILY Journal**  
SHEPHERD'S OWN WINGS

**NO PAPER**  
Ever Printed in Portland has Ap-  
proached THE JOURNAL'S Record  
of Enormous Gain in Advertising dur-  
ing the last three months of last year.

**NO HOPE APPEARS ON FAR EASTERN HORIZON FOR  
PEACE BETWEEN THE RUSSIANS AND THE JAPANESE**

**ENGLAND IS ACTIVE  
IN VIEW OF WARFARE**

**Belief Is General That by  
End of Week Crisis in  
Situation Will Come.**

**RUSSIA'S NOTE RECEIVED**

**Tenor of Reply Leaves No Alternative  
for Japan but to Fight—Bellig-  
erent Movements in the  
Korean Waters.**

(Journal Special Service.)  
London, Jan. 7.—The sealing up of  
official sources of news tends to depress  
any hopes of peace that might remain  
and encourages the belief that Russia's  
reply is wholly unsatisfactory.  
A St. Petersburg dispatch received  
this morning says the idea of the possi-  
bility of peace has sunk nearly to  
zero and that the public is prepared to  
hear at any moment of an armed colli-  
sion arising from Japanese troops  
landing in Korea, to prevent which a  
Russian fusilier battalion has left  
Vladivostok.  
The Novoye Vremya prints today an  
ominous dispatch from Vladivostok  
saying that no threat whatever will  
cause Russia to recede and no further  
diplomatic correspondence in relation to  
Manchuria will be admitted. The dis-  
patch adds that there is still possibility  
of reconciling Russian and Japanese  
interests in Korea, but what success  
may be expected can be judged from the  
number of warships at Port Arthur and  
troops in Manchuria. The dispatch  
further says there can be no doubt that  
Russia's reply intimates in a friendly  
way that Russia cannot possibly accept  
Japan's pretensions to interfere with  
allow Japan to exercise territorial rights  
in Southern Korea. It makes no demand  
beyond suggesting a moderation in  
Japan's attitude, and if she is unable to  
modify her desires the responsibility  
will lie with her.  
There are two indications this after-  
noon that nothing new or definite has  
developed in the far eastern crisis and  
that nothing is likely to develop until  
the end of the week. The first of these  
indications is that members of the  
British cabinet have been notified to as-  
semble on Monday. The second is the  
meeting of the Japanese cabinet, which  
it is believed was certainly called for  
the purpose of considering the reply of  
Russia to the last Japanese note. It  
may take a day or two to determine this  
matter. It is equally certain the meet-  
ing of the British cabinet will be for  
the purpose of discussing the attitude  
of Great Britain in the light of the  
Russian reply.  
Ten British officers with a body of  
naval pensioners and reserves have  
started for Genoa to take two Argentine  
cruisers, recently purchased by Japan,  
to Yokohama. These vessels, which  
were formerly known as the Rivadavia  
and Moreno, have been rechristened the  
Nisshin and the Kasuga, were built at  
the Genoa shipyards and it was re-  
ported when they were purchased that

**LEWIS AND CLARK  
IN GREAT FAVOR**

Washington Bureau The Journal.  
Washington, Jan. 7.—The  
senate committee on expositions  
at a meeting this morning prac-  
tically decided upon a favor-  
able report on Senator Mitchell's  
bill for the Lewis and Clark ex-  
position at Portland, Or. The  
meeting was attended by Com-  
missioners Scott, Myers and  
Boise who were prepared to sub-  
mit arguments in behalf of the bill.  
It was decided in view of the  
unanimous sentiment of the com-  
mittee in favor of the bill, that  
arguments were not necessary, and  
the members of the commis-  
sion were requested to submit  
written statements relative to  
the proposed exposition, the  
same to be incorporated in the  
committee's report.  
A sub-committee consisting  
of Senators Burnham, Fulton  
and Newlands was appointed and  
authorized to prepare a report  
and also to poll the full commit-  
tee when the report is prepared,  
thus obviating the necessity for  
further meeting. The sub-com-  
mittee will prepare a report at  
an early day, so that the bill may  
go on the calendar and come up  
for early passage in the senate.  
At the headquarters of the  
Lewis and Clark corporation  
this morning the following tele-  
gram was received from Harvey  
W. Scott dated Washington, D.  
C., January 7:  
"Senate committee on indus-  
trial expositions has unanimously  
voted to report our bill."  
Senator Fulton, who will pre-  
pare the report, says it will be  
ready for presentation in a few  
days.  
They were rapidly approaching comple-  
tion.  
The delay in the departure of Russian  
warships lately assembled at Bizerta,  
Tunis, which are destined for the far  
East, is reported to be due to the fact  
that instructions have been received di-  
recting them to watch the Japanese  
cruisers Kasaga and Nisshin. The Russian  
cruiser Aurora has left Bizerta for  
Piraeus, and the Dmitri Donskoi has  
gone to Suda bay to await the departure  
of the Japanese cruiser from Genoa.  
Japanese vessels will be followed  
through the Suez canal if they go that  
way. Oshyabya and other vessels of the  
Russian squadron remain at Bizerta.  
Some of these vessels will follow the  
Japanese cruisers if they sail west-  
ward. The purpose in either case is to  
capture them if war is declared.  
The Japanese thus have the alternative  
of running the gauntlet of Russian  
ships or being bottled up in a neutral  
port.  
**PREPARATIONS AT VANCOUVER.**  
Vancouver, Wash., Jan. 7.—It was re-  
ported today that a telegram was re-  
(Continued on Page Two.)

**AFTER THE BALL BEGINS TO ROLL**



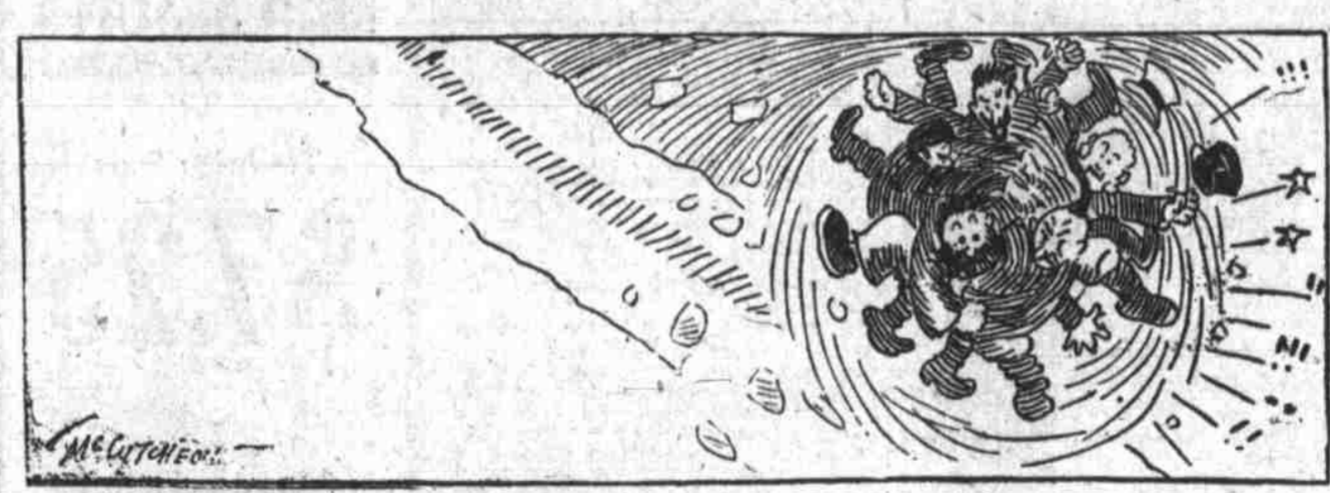
China—"Here's where I get a chance to soak Russia."



France—"Mille Tonnerre! Sacre papier! China and Japan fighting Russia! The Franco-Russian alliance de-  
mands that I help Russia if two powers jump on her."



England—"Well, blast me heyos. France is fighting Japan. The Anglo-Japanese alliance demands that I help  
Japan in case two powers combine against her."



With the result that things will hum in the Orient.

**"PORTLAND'S CLIMATE  
MALIGNED."---E. T. GERRY**

"Portland," said Commodore E. T. Gerry, interrogatively. "That is a sub-  
ject that always gives me great pleas-  
ure to discuss," and the noted philan-  
thropist of Newport and Providence  
settled back in his chair in the reading  
room of the Portland hotel and smiled.  
"Portland," he continued, as he con-  
tently puffed his after-dinner cigar,  
"is one of the progressive cities of the  
West. Its people are hospitable and  
generous and the city is destined to be-  
come a great business center."  
"Its climate is greatly maligned. While the people in New York are wad-  
ing through the slush and the snow we  
are enjoying the balmy weather of  
spring. The Christmas I have just spent  
here in Portland was the most pleasant  
I have ever experienced. The weather  
was simply perfect."  
"The city of Portland is rapidly gain-  
ing in prominence, and the coming ex-  
position in honor of the early explor-  
ers, Lewis and Clark, will be an affair  
of which the residents of the Northwest  
may well be proud. I believe the cen-  
tennial will be a grand success and it  
will be the means of bringing thousands  
of visitors to the coast and of dispelling  
the business which many Easterners  
regard this portion of the great Ameri-  
can continent."  
"The Easterner has the hazy impres-  
sion that the West is a wilderness; he  
should come here and see. I did not  
feel as if I had been West until after I  
passed Denver."  
Mr. Gerry, Mrs. Gerry and their two  
daughters have been in Portland for  
three weeks attending Peter Gerry, the  
commodore's son, who is ill of typhoid  
fever. "The weather and everything  
else has been so much in our favor that  
I expect to be able to remove my son  
from the hospital to the hotel today,"  
continued Mr. Gerry, and his expecta-  
tions are realized, and the patient is  
now with his parents. The length of  
the Gerry's stay in Portland will depend  
entirely upon the condition of the son.  
"We go when and where the doctors or-  
der," said the commodore.  
In closing, Commodore Gerry paid a  
compliment to the newspapers of Port-  
land. "They are original," he said, "and  
I greatly enjoy the reading of them.  
They don't bother you to death and make  
some attempt at accuracy and truthful-  
ness."  
During the conversation last evening  
Commodore Gerry, as in his usual cus-  
tom, talked rapidly, with his hands  
folded, his elbows resting on the arms  
of his chair. Scarcely a gesture dis-  
turbed his position, for his words were  
such and spoken with such precision  
that no wave of the hand was needed to  
further emphasize them. He was dressed  
for the ballroom and wore in contrast  
to the silk hats about him a small, stiff-  
visored, plush-covered cap.  
As a parting word the commodore  
said: "I like the West, and not wishing  
to be vain, I believe the West likes  
me," and the old commander of the New  
York Yacht club took such a position  
in his chair that denoted a mind at  
peace with the world and a body resting.

**UNCLE SAM TAKES A  
GRIP ON SAN DOMINGO**

(Special Dispatch to The Journal.)  
Washington, Jan. 7.—With a firm  
hand the government at Washington  
from now on will protect American life  
and property in the Island of San  
Domingo. The following dispatch was  
received at the navy department today  
from Commander Dillingham, command-  
ing the cruiser Detroit:  
"In this vicinity anarchy prevails,  
business is at a standstill. Puerto  
Plata is quiet at present. The revolu-  
tion is not one of principle, but between  
factions. I will not allow interruption  
of commerce. Went to Souza on the  
morning of January 3; returned to  
Puerto Plata yesterday afternoon to see  
the Cherokee out of port. The fighting  
at Souza December 26, between Morales  
and Jimenez troops, took place on the  
United Fruit company's property.  
Without notice the houses were looted,  
the lives of United States citizens abso-  
lutely disregarded; women and children  
had to flee for safety and property was  
destroyed."  
Orders have been sent to protect  
American property and interference on  
the part of the government is likely.  
Minister Powell cables the state de-  
partment from San Domingo that the  
provisional government has established  
a blockade in all parts save San  
Domingo city by means of sailing ves-  
sels capable of firing solid shots only.  
Ships sailing from the West Indies are  
given 20 days in which to clear, while  
those from the United States and  
European ports may take 45 days. It is  
believed in Washington that this gov-  
ernment will not recognize the blockade.

**SACAJAWEA MINE  
TO GIVE COPPER**

(Journal Special Service.)  
Helena, Jan. 7.—Col. Henry Altman,  
president of the Sacajawea Gold and  
Copper Mining company, has expressed  
an intention to furnish the copper for  
the Sacajawea statue which is to be  
erected in Portland, Or., by the women

**JUDGES MAY NOT GET  
INCREASE IN SALARIES**

**FATAL ACCIDENT  
ON ELEVATED ROAD**

New York, Jan. 7.—Brooklyn  
was thrown into excitement this  
morning by a fatal accident on  
the Kings county elevated road.  
John Sulick yardmaster, James  
O'Brien switchman, and an un-  
known man, were killed and sev-  
eral seriously injured, by a rear-  
end collision on the Williams  
and Pitkin avenue line.  
The wreck caught fire and as  
the cars burned a panic ensued.  
The current was turned off the  
third rail in time to avert a  
greater loss of life.  
Part of the cars were thrown  
from the structure into the street  
by the force of the collision.  
O'Brien's body was found  
where it fell from the trestle  
with almost every bone broken.  
Sulick was caught between the  
cars and crushed to death.  
Twenty of the injured were sent  
to the hospital.

**Doubts as to the Validity  
of the Act Passed at  
Special Session.**

**CAN'T CHARGE COUNTY**

**Circuit Judges Are State Officers and  
Their Compensation Should Be  
Paid Out of the Treasury  
of the State.**

Although the state legislature, at the  
recent special session, undertook to in-  
crease the salaries of the four circuit  
judges in Multnomah county from \$3,-  
000 to \$4,000 per annum, doubts have  
been expressed as to the validity of the  
act and it is possible that it may prove  
fatally defective. The supposed imper-  
fection in the law lies primarily in the  
fact that it provides that the increased  
compensation of the circuit judges is to  
be paid out of the funds of the county,  
while the rest of their salaries is paid  
by the state, the circuit judges being  
state officers. This, it is argued, is an  
unwarranted appropriation of county  
funds for state expenses and is there-  
fore unconstitutional.  
By its terms the act was to take ef-  
fect immediately upon approval by the  
governor, who affixed his signature De-  
cember 24, 1903, one day after the  
measure had passed the legislature. But  
owing to the peculiar wording of the  
emergency clause, some lawyers are in-  
clined to doubt whether the act can in  
fact be considered as taking effect im-  
mediately. The argument being that the  
referendum was not suspended and that  
90 days must elapse before the act is  
in force. A second legal question is  
thus raised which will require determi-  
nation before the judges can begin  
drawing any additional salary.

**DESPERADO KILLS  
STREETCAR MEN**

(Journal Special Service.)  
Salt Lake City, Jan. 7.—Owing to a  
rusty revolver not working in the hands  
of Motorman Gleason, a holdup shot and  
killed him and then mortally wounded  
Conductor Brighton at midnight last  
night. The robber got away.  
The source of the recent epidemic of  
streetcar holdups on the east side, the  
police believe, can be traced to soldiers  
at Fort Douglas.  
Last night's affair was particularly  
cold blooded. When the masked desper-  
ado appeared in the car, which was  
about to leave the lonely east side ter-  
minus, Gleason showed fight and got  
the drop on the bandit. His revolver  
snapped, after which the holdup shot  
him dead. As he left the car he shot  
Brighton in the stomach. He secured  
no booty.

**HEATH SHOWS UP  
AND SAYS THINGS**

(Journal Special Service.)  
Salt Lake City, Jan. 7.—Perry Heath  
appeared at the Tribune office at mid-  
night last night and stated that he had  
just returned from Denver and denied  
emphatically that he evaded the service  
of United States Marshal Hayward. The  
latter is a close friend of Heath and  
stated that he received a subpoena for  
Heath a week ago to appear in Brook-  
lyn, N. Y., as a witness in the case of  
the United States vs. Driggs, the former  
congressman. He said he had made a  
diligent search and yesterday afternoon,  
six hours before the arrival of Heath,  
he had returned the subpoena to Brook-  
lyn endorsed "No service."

**MISSING ENGINEER  
DELAYS INQUEST**

Topeka, Kan., Jan. 7.—The coroner's  
jury of Waubesa county, which con-  
vened this morning, began the investi-  
gation of yesterday's Rock Island wreck.  
The jury met in the office over the un-  
der-taker's where 10 victims lie dead.  
There are 20 witnesses, including the en-  
gineer of the ill-fated train on whom  
the blame is cast by his superiors.  
Engineer Benjamin, who is wanted as  
a witness in the Rock Island wreck,  
failed to attend the inquest. His son  
says he is ill. Owing to his absence the  
inquest will probably be adjourned until  
the latter part of the week. A search is  
being made for him.

Both of these questions must come up  
for consideration by the county board,  
which is charged by the act with the  
duty of paying the increase in the  
judges' salaries. If the act is void it  
is clearly the duty of the board to re-  
fuse payment, for otherwise it would be  
making an illegal expenditure of county  
funds. If the act is valid, the question  
still remains whether it is now in force  
or whether 90 days must elapse from  
its passage before it is operative. If  
valid and already in force, the four  
circuit judges are entitled to draw their  
additional salaries from December 24,  
when the act received the governor's  
signature.  
Acting upon the assumption that the  
act is valid and already in effect, the  
four judges have filed with the county  
auditor their claims for salary that ac-  
crued during the last seven days of  
December, and the auditor will come  
before the county board for considera-  
tion tomorrow afternoon. It is highly  
probable that the board will decline to  
take any action until it has had time  
to consider the legal problems involved.

**Which is  
the  
Rainiest  
City in the  
United  
States**

To the Editor of The Journal: I have  
had an argument with a visitor here  
who claims that according to the re-  
cord of the weather bureau, Portland is  
the rainiest city in the United States.  
I claim that it is not. Which is right?  
PORTLANDER.

You are. According to the official  
records the rainiest city in the United  
States is Mobile, Ala., with an annual  
precipitation of 62.4 inches, while New  
Orleans is second on the list with a  
record of 60.52 inches. What is called  
Portland's normal annual precipitation  
is 46.32 inches, which is less by nearly  
three inches than that of Boston during  
the 10 years between 1893 and 1903, in-  
clusive, although the normal annual  
rainfall of Boston is nevertheless given  
at 44.96 inches.