

GOOD EVENING

THE WEATHER

Rain and warmer tonight; Thursday rain; southerly winds.

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PORTLAND, OREGON, WEDNESDAY EVENING, NOVEMBER 22, 1905.—SIXTEEN PAGES.

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THOMAS G. HALLEY OF PENDLETON, WOLVERTON'S SUCCESSOR Eastern Oregon Man Elevated to the Supreme Bench to Serve Until January, 1907

GOVERNOR PROMPT TO ACT IN FILLING VACANCY

Appoints His Announced First Choice For the Position, an Ex-Mayor of Pendleton and Former District Attorney.

HENRY E. REED FOR CLERK OF THE COURT

Secretary of the Lewis and Clark Fair Prominently Mentioned for the Position Now Held by McKee, Whose Successor Judge Wolverton Will Appoint.

(Special Dispatch to The Journal)

Salmon, Or., Nov. 22.—Governor George E. Chamberlain this morning appointed Thomas G. Halley of Pendleton to a seat on the supreme bench to fill the vacancy caused by the appointment of Chief Justice Wolverton to the federal judgeship of Oregon, made vacant by the death of the late C. B. Bellinger.

The governor simply announced that he had decided on the appointment of Halley and that his credentials would be issued as soon as Judge Wolverton resigned.

The appointment meets with general approval here.

Justice Wolverton expects to remain on the state bench for at least two weeks longer.

Judge Wolverton's term of office expires in January, 1907. His successor will be elected at the coming June election of 1906. Halley consequently will hold office a little more than a year.

Thomas G. Halley was born at Grande, Union county, Oregon, July 15, 1845, of pioneer parents. His father, John Halley of Idaho, a native of Tennessee, crossed the plains to Oregon City in 1855, and later settled in southern Oregon, where he met and married Louisa M. Griffin, a native of Kentucky, who came to Oregon with her father, Captain Burrell B. Griffin, in 1845.

When Mr. Halley, who is a third son, was 6 months old, he was taken to Idaho with his parents, but was soon brought back to The Dalles, where he lived while his father was operating stage lines between Oregon and Idaho.

Later business interests caused the Halley family to return to Idaho, and in Boise, where the family home was established. Mr. Halley received his public school education and preparation for college. His vacations were spent upon the ranches of his father, who owned large numbers of horses and sheep.

He began as Law Clerk.

In the fall of 1884 he entered the law office of Cox & Minor at Pendleton, Oregon, as law student and clerk, where he remained about a year. At the end of this time he went east with his father, then serving a second term in congress as a delegate from the territory of Idaho, and entered Washington and Lee university at Lexington, Virginia, where he spent four years in the collegiate and law departments, graduating from the latter in June, 1889, with the degree of doctor of laws. During his college career he was prominent in the literary and social life of the institution, held many positions of honor and trust and won many important college honors.

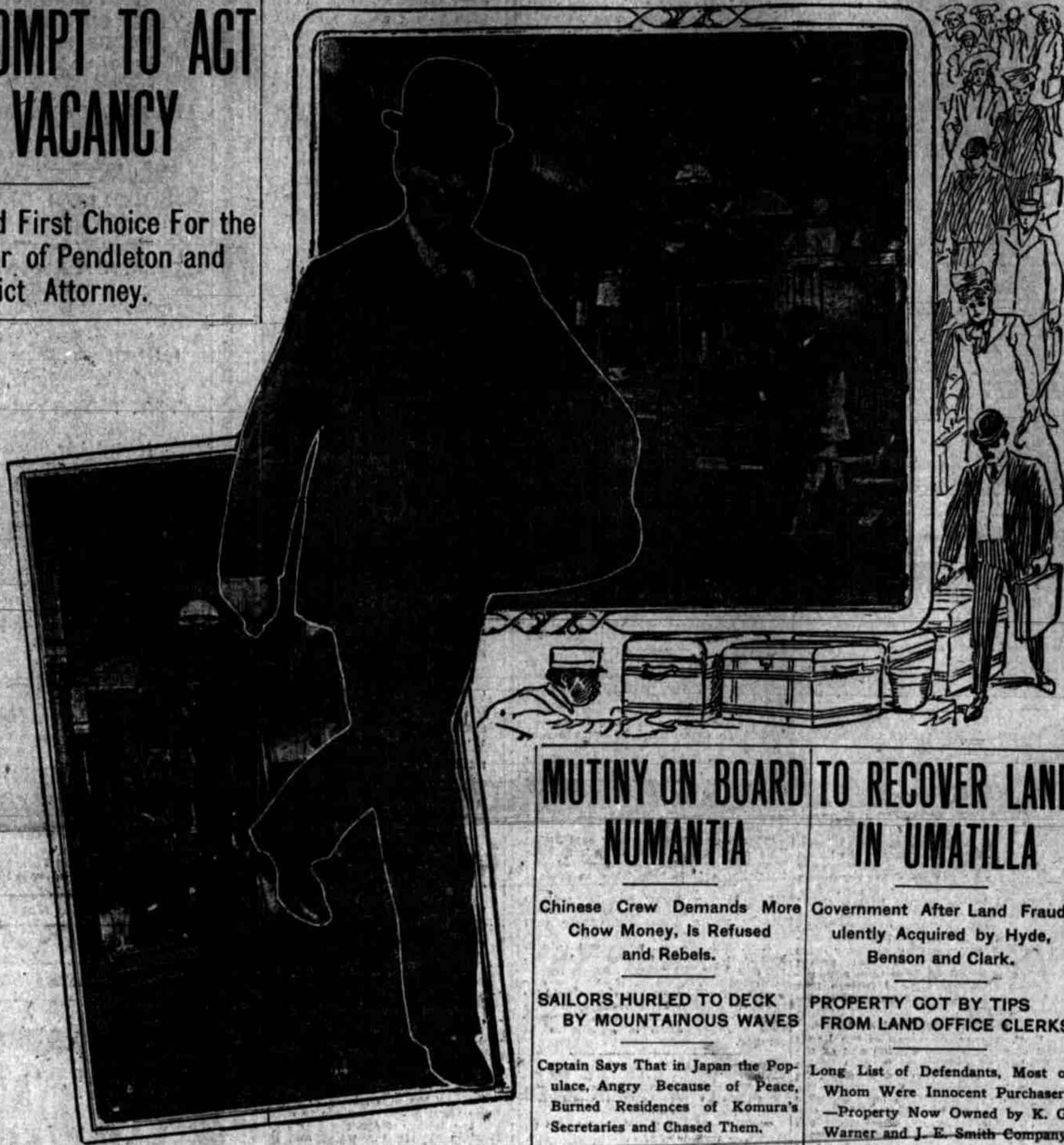
After graduation he returned to his home in Idaho, but was soon requested by Cox & Minor to reenter their office and aid so July 1, 1889. He remained with this firm until their removal to Portland, January 1, 1890. In the fall of 1889 he was appointed by Chief Justice Thayer clerk of the supreme court of Oregon for the eastern district, and held the position for more than three years.

Mr. Halley was married to Miss Maude L. Beach of Iowa, July 12, 1892, and they now have two daughters, Genevieve and Elizabeth, to grace their pleasant home overlooking the city of Pendleton, on the north bank of the Umatilla river.

Defeated By Friend.

In August, 1895, he was appointed deputy district attorney for the Sixth Judicial district in Umatilla county, and about the same time formed a law partnership with Stephen A. Lowell, under the firm name of Halley & Lowell, which continued until October, 1896, when Mr. Lowell was appointed circuit judge of the Sixth Judicial district, upon the resignation of Judge James A. Fee. He then formed a partnership with Judge Fee, Charles H. Carter and John L. Austin, with offices in Pendleton and Union county, Oregon. Since the dissolution of this firm he practiced with Judge John J. Hallery, now deceased, and later the firm of Halley & Lowell was reestablished.

In the spring of 1898 he was nominated on the Democratic ticket for the office of circuit judge, but was defeated by his former partner, Judge Lowell, and in the spring of 1900 he was noted by his party for district attorney and was elected over his former partner, Judge Fee. Throughout these contests, although defeated by one friend



Snapshot of Robert H. McCurdy, son of the president of Mutual Life, and a view of the interior of the Pullman car in which he made a junketing trip through the southwest with his father, mother and wife at a cost of four thousand dollars to the policy holders.

CAR SHORTAGE THREATENS TO RUIN MANY PORTLAND INDUSTRIES

Lumber Companies Ask for Thirty Cars and Get Two to Four—Men Laid Off and Some Plants Run but One Shift—Need of Belt Line Emphasized.

A car shortage that is almost ruinous to many industries is prevalent in the Pacific northwest. Its effect in some quarters of Portland is like a blight on business. It is estimated that today Portland's productive industries could and would load 1,000 cars more than can be secured from the railroads for shipment of Portland products to points within the city's trade territory and that as a result of the handicap, thousands of dollars are being lost to the city's business men and to the workmen who are directly affected in one way or another.

The shortage appears to be growing worse daily and there is no definite prospect for relief.

Manufacturers, commission men, fuel dealers and all kinds of heavy producers of tonnage are discouraged and bitterly criticize the railroad companies for lack of foresight and failure to provide adequate shipping facilities.

Country's Growth the Cause.

The prime cause of the car shortage is attributed to the immense growth of the country in the last year. But those who have watched the conditions year after year say the railroads in Oregon have been lamentably short of equipment for the last five years, and that while Mr. Harriman has been advised of the situation he has ignored the needs of the people. A large milling firm in Portland makes the statement that three years ago it was driven out of the trade in California because it could not get cars for shipping its product after it had at heavy expense worked up a large trade in that territory. Its California trade had to be entirely abandoned and other manufacturers got in and took the business.

MUTINY ON BOARD TO RECOVER LAND IN UMATILLA

Chinese Crew Demands More Chow Money, Is Refused and Rebels.

SAILORS HURLED TO DECK BY MOUNTAINOUS WAVES

Captain Says That in Japan the Populace, Angry Because of Peace, Burned Residences of Komura's Secretaries and Chased Them.

A revolt of a Chinese crew, which had to be subdued with swords and guns; cyclones showing as strong winds, as have ever been recorded aboard a ship on the Pacific ocean; sailors thrown to the deck and hurt by the mountainous waves; burning of the houses, which sheltered the sweethearts of Baron Komura of the peace conference; flight of the Japanese to Shanghai—these are a few of the incidents related by the officers of the steamship Numantia, which reached port yesterday morning from the orient.

Had it not been for the prompt action of First Officer Peters, the steamer would have been without sailors soon after her arrival at Mokl. The men became angry when they found out that the steamer was not going through to Hongkong as hitherto had been the custom.

"Chow Money" for Supplies.

It seems that the Chinese had been allotted "chow money" with which to purchase a sufficient amount of supplies to last them the round trip.

When told to make these purchases at Mokl, as the vessel would not go to China, the seamen demanded more "chow money." They declared that provisions cost more in Japan, and said that if they were not given more funds they would not work.

When an effort was made to reason with the Mongolians, they congregated on the deck and showed fight. First Officer Peters had a sword hanging on the wall of his room, one he had used when serving in the German navy. Seizing this weapon, he quickly unsheathed it and knocked one of the belligerents over the side of the ship. Then striking fight and left he soon scattered the rioters.

Plot to Kill Officers.

It is believed the defeated sailors then carefully laid a plot to murder the officers. As any rate, one of them slipped quietly up to a cot on which Third Officer Gutschke was fast asleep and pointed a loaded revolver at his head. Peters saw the would-be assassin, however, and before he could pull the trigger sent him sprawling with his sword. Gutschke then awoke, grabbed the gun and rapped the Chinaman over the head with it. From that time on there was nothing further said about "chow money" and every sailor returned to his labor.

Two days out from Yokohama, the Numantia ran into the tail end of a cyclone, which made her labor hard and roll freely. Later on, she was struck by a second cyclone, which the officers describe as one of the most severe they ever experienced. The instruments used, and they are the best made, could not measure the wind velocity. The wind

(Continued on Page Ten.)

ADMIT WASTE MIDDLE IS PUT OF MONEY ON TRIAL

Gage E. Tarbell Says That Diminishing Dividends to Policy-Holders Was Due to Extravagance.

PRESENT INVESTIGATION WILL CORRECT ABUSES

Official of Equitable States That He Always Paid His Family's Expenses When They Accompanied Him—Rogers to Be Called—Young McCurdy as a Spender.

(Journal Special Service.)

New York, Nov. 22.—Gage E. Tarbell, third vice-president of the Equitable Life Assurance society, resumed the stand this morning in the legislative insurance investigation. He told further details of the employment of agents by the Equitable.

Diminishing Dividends.

Hughes asked Tarbell to account for the disappointment of policy-holders in the size of dividends at maturity. Tarbell said that there were several reasons for small dividends, the rates of interest had gone down from 6 to 4 per cent and commissions and expenses had increased, taxes on premiums in different states had doubled and labor was higher. Tarbell stated:

"Then there have been extravagances in insurance management which are partly responsible for the reduced dividends. He explained the work of this committee will go a long way to correct this extravagance."

Tarbell said that he had always turned in an itemized account of all expenses and that he had called on the committee of his own family from his personal funds when he took them with him on inspection trips.

Tarbell explained the agency system of which he had charge. He stated that he had endeavored to induce the Mutual Life and New York Life company to fight inimical legislation by organizing the policy-holders on account of the large expense under the present system. He explained the system of fixing commissions on various classes of policies and detailed the increase of commissions with the increase of competition.

Rogers to Be Called.

Yesterday afternoon James P. Appar of Westchester stated that he could not remember what the \$1,000 payment, which was noted on one of his cards, from Mr. Hyde was for, and said that he thought that he had called on the insurance officials to intercede for a friend and left his card which he thought was used as a memorandum.

Mr. Hughes has received a request from William B. Manning, who figures as "our cantankerous friend" in Dewey's letters, that he be called to the stand. He states that he was never employed by the Equitable.

Further development of facts in the investigation of the Mutual Life may make it necessary to place Henry H. Rogers of the Standard Oil company upon the stand as a witness in the near future. Andrew J. Clunie, formerly insurance commissioner of California, will soon go before the committee.

It is expected that Robert H. McCurdy, general manager of the Mutual, will be recalled to explain further his transactions with the Mutual. He is expected to take his entire family and their friends across the continent, and the Mutual's policy holders paid the bills. Young McCurdy's previous testimony showed plainly that thousands of dollars had been spent by him in this manner.

He told unblushingly of entertaining his father, mother and wife on these trips, which were charged to the Mutual Life as traveling expenses, and, under pressure from Mr. Hughes, confessed that on one of these trips his wife took her maid along.

Sixth Horse Thief Sentenced.

(Special Dispatch to The Journal.)

Wenatchee, Idaho, Nov. 22.—The sixth of the gang of horse thieves, Ira Baird, was today convicted and sentenced to four years in the Idaho penitentiary at Boise.

(Continued on Page Two.)

Sambo In the Melon Patch

He's one of the funniest little fellows you ever saw, and he is built to amuse the children. The little black boy eats his watermelon and rolls his eyes and just enjoys himself. And this is only the first of a series of mechanical toys which The Journal is going to give away, beginning next Sunday. It's the most attractive mechanical cut-out toy on the market and you get it

Free With The Sunday Journal

SURVEYOR FALLS FROM LEDGE TO INSTANT DEATH

(Special Dispatch to The Journal.)

Vancouver, B. C., Nov. 22.—John P. Mitchell, aged 21 years, a surveyor at Hector on the Kicking Horse river, was walking along a narrow ledge in the mountains when he fell 50 feet to the rocks below, being killed instantly.