

FOR THE GIRLS OF BARONESS SEALS LIPS HEAR LUMBERMEN "CHIC" DELAYS OTHERS

Recommends Change From the Buckskin Idea to That of a Military Uniform.

PROMOTER OF COMPANY ACCEPTS SUGGESTION

Governor Pleads for the Reconciling and Satisfying of All Concerned and the Advancement of the Original Scheme.

(Special Dispatch to The Journal.) McMinnville, Or., April 22.—A communication has been received by Colonel J. C. Cooper from Governor Chamberlain with reference to the recent criticisms of the project known as "The Oregon Girls Drill Company."

Colonel Cooper said today that the suggestions of Governor Chamberlain pleased him highly, but a meeting of the organizing board will be necessary for a change. The change suggested will necessitate the purchase of uniforms for the company.

The Governor's Letter. Governor Chamberlain's letter is in full as follows: "Salem, Or., April 19, 1907.—Hon. J. C. Cooper, McMinnville, Or.: My Dear Sir: I regret very much the recent criticisms which have been indulged in with respect to the 'Oregon Girls Drill Company' and their proposed trip to Jamestown. It is unfortunate that objection was not made to the plan at its inception.

Coming at this late hour, after many of the young ladies have made arrangements for the trip, it will cause many bitter disappointments and put many of the young ladies to considerable expense if the trip is now abandoned.

In order that the excursion may be a complete success it should have the approval of the National guards.

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French Baroness' Defense That She Is a Victim of Mistaken Identity.

(Journal Special Service.) New York, April 22.—Baroness Annetta Louise de Massey was placed on trial today for the murder of Gustav Simon, the millinery shirt manufacturer, who was shot dead in his office last November. The baroness is attended in court by two attaches from the French consul's office and is represented by Attorney Charles Lohrman.

It is said the defense will be that it is a case of mistaken identity, but the prosecution contends that the baroness is the woman who killed Simon.

Simon had a dispute with the woman over wages due her. It is alleged that the woman had given up her position and returned to Simon for the money she claimed was due her.

Much mystery surrounds the woman's history. She claims her husband was poisoned in France by a secret enemy. It is said she has lived here 19 years seeking his assassin and it is suspected that she is in some connection with this and the killing of Simon.

Colonel Cooper Adopts Idea. Colonel Cooper has responded to this letter as follows: "McMinnville, Or., April 22.—Governor George E. Chamberlain, Salem, Or.: My Dear Governor: I was pleased to receive your letter of the 19th and will lay the matter before the organizing committee and take the earliest opportunity to make the young ladies who have been enrolled acquainted with your views. Guarding the trip will certainly catch the fancy of the military companies throughout the east wherever the excursion may go, and many receptions may be tendered them.

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Police Unable to Learn From Members of Party Which One Shot Vosper.

(Special Dispatch to The Journal.) Salem, Or., April 22.—The hearing of the complaint of western Oregon lumber millmen against the Southern Pacific regarding the advance of freight rate on green common lumber to San Francisco opened at 2 o'clock this afternoon before Railway Commissioners Campbell and Allison. It will probably continue tomorrow.

Eugene, Salem, Cottage Grove and many other mills are represented at the hearing and these speak for a hundred smaller mills. The Southern Pacific is represented by Attorney W. D. Fenton and Freight Agents Miller and Malbauer. The railroad people admit that they do not want the lumber business for some reason, mainly because the rate is lower than other rates from Portland, the Siskiyou haul is expensive and empty cars have to be brought from San Francisco to carry the lumber south.

A determined fight will be made by the millmen for a rate of 3 cents per hundred on common lumber from the interior to Portland, where they will establish docks and operate lumber ships to San Francisco and coast points.

Ernest Vosper. Ignorance of the name of the boy who carried the gun. The detectives also called upon Mrs. Vosper, the mother of the young man, last night, but she knew neither woman nor is unable to furnish the desired information.

The affair was not reported to the police by any of the parties concerned and Inspector Bruhn knew nothing of the affair until apprised by a representative of The Journal.

Vosper's wound while regarded as serious will not prove fatal unless septic poisoning ensues. At the hospital this morning it was announced that the patient was doing nicely. The police are in possession of the names of the members of the boating party and will continue their investigation today.

United States District Attorney William C. Bristol and Francis J. Heney are said to be cooperating in an effort to bring about a resumption of the Oregon land fraud trials, and it would not be a great surprise to attaches of the federal court if Mr. Heney would return to Portland and aid the government in the prosecution of men who have attempted to steal its public lands.

There is great activity at the local United States attorney's office and among the authorities at Washington to resume the land fraud cases, with a view of winding them up by the end of this month.

Judge Hunt's presence in Portland will materially aid in this work, because it is expected that he will settle bills of exceptions in various cases and hear motions for new trials in the cases of Zachary, Barnard and Hendricks, convicted last summer.

Mr. Bristol received the records today in the cases of the government against Black and Chute, known as the Wisconsin removal cases. They will come up in the United States circuit court of appeals in the seventh circuit in October. Mr. Bristol is preparing the briefs in these cases at the present time.

Delta Gamma Sorority Convention at Boulder. (Journal Special Service.) Boulder, Colo., April 22.—Nearly 300 delegates from all over the country are in Boulder today as the guests of the Phi chapter of the Delta Gamma sorority at the fifteenth biennial convention of the national body. The visitors will be entertained by their fellow members of the university of Colorado during the convention, which will last four days. The national body was formed at the university of Mississippi in 1872 and has seventeen chapters. A national organization is maintained in many cities of the country. The local chapter was the second girl's sorority to enter the university of Colorado, having been organized in 1887. The entertainment plans include a visit by special train to Glacier lake, a ball and the final banquet at the Savoy hotel in Denver Friday evening.

Leaps in Dark From Dock to Meet Death. While attempting to leap from Montgomery dock No. 2 to a barge moored alongside, Frank Lindsay, a laborer, 22 years of age, plunged into the Willamette river last night and was drowned. The body was recovered several hours later by A. Gannon and taken in charge by Coroner Finley. Lindsay had just secured employment on the dock and was about to commence work when he met death in the river. He was unmarried and resided at the Fine hotel in Lower Alhina. The body is now at the undertaking rooms. No inquest will be held, as death was purely accidental.

Bank President King Arrested at Chicago. (Journal Special Service.) Chicago, April 22.—Charles C. King, former president of the First National bank of Scotland, South Dakota, was arrested here today, charged with misappropriation in violation of the federal banking laws of \$45,000 from the bank. He was arraigned before United States Commissioner Foot. He waived examination and was held in \$20,000 bond, which he gave.

Professor Fulmer Well Treated in Portland. Secretary Glitzer of the chamber of commerce is in receipt of a letter from Professor Edson Fulmer of Pullman, Washington, denying in full the charge to the effect that he failed to receive the proper attention or consideration while here. He was sent to this city for the purpose of investigating the proposed establishment of a pure food laboratory here and an alleged statement from Senator Bourne was circulated to the effect that Professor Fulmer did not receive proper attention in his efforts here. The charges are completely denied in the letter which Secretary Glitzer received today.

Hat Thief Sentenced to Term on Rock Pile. Eugene Apostol, who was arrested yesterday by Deputy Sheriff L. G. Carpenter for the theft of two hats from a Third street clothing store, was found guilty in the police court today and sentenced to four months on the rockpile.

Volcanoes of Chili in Violent Eruption. (Journal Special Service.) Santiago de Chili, April 22.—Volcanoes in southern Chili are in violent eruption. The town of Valdivia is covered with ashes and the inhabitants of a wide area are fleeing in terror.

Meister Give Your Eyes for \$1.00. 111 Sixth street, near Washington.

Agreement Was Wobbly in Knees

(Special Dispatch to The Journal.) Oregon City, April 22.—Judge McBride granted a writ in the case of Mrs. Lizzie Roppell vs. George C. Brownell yesterday afternoon upon motion of the attorneys for the defense. J. A. Finch, the plaintiff's attorney, withdrew the agreement signed by Brownell and offered as evidence at the beginning of the trial.

Sensation-mongers were disappointed at the outcome of the suit, as it had been expected that the testimony would open up some pages in the ex-convict's past life never suspected of being in existence. The belief was based in large part on the statements made by Mrs. Roppell in her testimony.

This document was written by the woman and signed by the attorney just prior to the campaign of 1906. It is incoherent and rambling, and its appearance did much to induce Judge McBride to grant the motion of the defense for a nonsuit.

There was an unexpected ending this morning to the case of R. F. Loudon, the timber land locator arrested several days ago on a charge of obtaining money under false pretenses from Mrs. Mary Keays Hooker and another woman. Mrs. Keays Hooker was held to answer to the complaint in the case, alleged in the information that a tract of land which Loudon had sold to Mrs. Keays Hooker was barren and rocky and entirely devoid of vegetation.

Upon the calling of the case this morning Mrs. Myrtle Keays Hooker and another woman were on hand to swear to compliance in the case of Loudon, who was held to the grand jury. Prior to the hearing, however, Attorney Logan, representing the accused man, offered the line of \$2,000 in payment of the three claims which was a slight advance over the purchase price.

The attorney maintained that he was satisfied that the property, which is located in the Santiam district, is worth at least \$2,000 and was willing to buy the tract himself.

The women deliberated some time before accepting the offer, as it was apparent that if Logan's contention was correct they were losing money by selling and if they retained the claims it was tantamount to an admission that they had not been swindled. The deal was accepted, and upon motion of the district attorney the case was indefinitely postponed.

Hirsch Refuses to Be Classified as Dowrite. Says He Is Vigorous Anti-Zionist—Has Name Stricken From Program. Chicago, April 22.—Dr. Emil G. Hirsch, who had been billed broadcast throughout the Globe as one of the speakers at the Big Zionist demonstration last night, repudiated the meeting and ordered his name struck from the program. This move, made with dramatic effect to the committee of agitated Zionists, has aroused in the Globe a tempest that nearly eclipsed the excitement over the arrival of Rev. H. Maillanek. "I am not a Zionist," declared Dr. Hirsch, "and I never will be. I do not speak at this meeting. Putting my name on the bill boards has made it look as if I had changed my convictions. That will never do."

State Librarian at the Summer School. Salem, Or., April 22.—At a meeting of the state library commission at which Governor Chamberlain, W. B. Ayer of Portland, Miss Mary E. Ison of the Portland library, State School Superintendent H. Ackerman and President P. L. Campbell of the state university were present, it was decided to authorize the secretary, Miss Corneilia Mearns, to advertise for bids for books and also to conduct a course in connection with the summer school at the University of Oregon, provided there is a sufficient number of applicants to justify the giving of the course. Miss Mearns has used \$200 to purchase the selecting of the books and five other states have asked the privilege of using her list of selected books.

There are now 35 traveling libraries in the state and 20 more are to be added during the year, there being a great demand for them.

Direct Primary Fails to Purify at Spokane. Spokane, Wash., April 22.—Primary election day is very near and the action is like usual. Party example ballots were circulated last night showing C. H. Moore, Republican candidate for mayor, as opposing his own platform. They were scattered. Many Democrats are voting the Republican ticket with the intention of nominating the easiest opponent to the Democrats.

Judge Hunt to Sentence Mays. Will Arrive First of May to Take Up the Land Fraud Cases.

(Special Dispatch to The Journal.) Salem, Or., April 22.—Chief Justice Bean holds that no regulations governing the pardon of prisoners have been provided by law except the declaration in section 1572, Bellinger and Cotton's Code, that reviews, computations and pardon may be granted by the governor on such conditions and with such restrictions as he may think proper; which is but a re-statement of the law as it exists without legislative action.

Under a constitution like ours pardon is a mere act of grace and may attach to it any condition precedent or subsequent not immoral nor impossible of performance; if pardon is accepted by the prisoner he is bound to comply with the conditions imposed and has no right to contend that his pardon is absolute. Such is the opinion in the matter of the application of Charles V. Houghton for a writ of habeas corpus on appeal from Judge William Galloway's decision in the Marion county circuit court.

Charles V. Houghton was sentenced to the penitentiary for a term of five years for the crime of robbery. The governor commuted his sentence, March 15, 1906, the sentence to expire March 15, according to certain conditions which were accepted by Houghton. On December 18, 1906, Houghton was arrested for violating the provisions of the charter of the city of Portland and Houghton instituted proceedings in habeas corpus, claiming his imprisonment was irregular and void on the ground that the governor had no right to grant conditional pardon, and therefore the condition included in the commutation issued to the petitioner was void and his pardon absolute. It was contended that if the governor has authority to grant conditional pardon or commutation it is a judicial and not an executive question whether a prisoner has violated such conditions, thereby forfeiting his liberty.

Chief Justice Bean affirmed the judgment of the circuit court for Marion county, William Galloway judge, in the case of E. E. Nichols, appellant, against the city of Salem, respondent. In February 1905, Nichols was convicted in the municipal court of Salem on a complaint charging him with vagrancy committed by living in a house of ill-fame. He carried the case to the circuit court and judgment was affirmed. From this he appealed. The court says that the city charter is the organic law of the city and was designed to confer upon the inhabitants of a given locality certain police powers and duties and it should receive reasonable construction to effect the purposes intended. Hence the charter did confer upon the common council power to regulate what shall constitute nuisances and to provide for the punishment of persons guilty thereof. It is sufficient in proceedings in a municipal court to refer to the pleadings to an ordinance by its number and date.

Louis Chang Behaving Denied. Justice Eakin denied a rehearing in the case of Louis Chang, respondent, against H. L. Stephenson, on appeal from the circuit court of Multnomah county, John B. Cleland, judge, by S. A. Ayers, Lincoln Hendricks et al., respondents, against O. Lund, appellant, appeal from Josephine county. H. K. Hanna, judge, is affirmed in an opinion by Judge Bean.

The appeal was dismissed in the case of W. H. Patton, appellant, against T. B. Kay and Claud Gatch, on motion of attorney for defendants and respondent.

Port Blakely Mill to Be Rebuilt at Once. (Special Dispatch to The Journal.) Seattle, Wash., April 23.—The fire which broke out in the Port Blakely mill last night was still blazing this morning. The entire mill, situated on the northwest placed surrounding houses in a precarious position. Firemen laid hose around the west portion of the mill, where lay the town of Port Blakely, to be in readiness to prevent the fire from spreading to the surrounding houses. At 6:10 this morning the mill proper, whose foundation has been on the verge of breaking down, fell in a sudden crash that scattered splinters and firebrands around in the woodyards and on the roofs of surrounding houses. By 6 o'clock the fire was well under control.

Manager J. W. Eddy, nine-ten the owner of the mill, states that as soon as the debris can be handled and cleared away work will be started on a new mill. The fire involved a loss of \$250,000, with insurance at \$300,000.

Ash Swale Grange Not for Referendum. (Special Dispatch to The Journal.) Brownsville, Or., April 23.—A resolution favoring the referendum on the university appropriation bill was voted down by a large majority of Ash Swale grange of Linn county. The resolution was introduced by the efforts of John H. Scott of Tangent, but the grange indicated its strong disapproval of the referendum movement by snuffing it under.

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Supreme Court Upholds the Governor in the Granting of Conditional Pardons.

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The Hyde-Benson-Dimond Land Fraud Trials Give Way to Hermann Case.

(Washington Bureau of The Journal.) Washington, April 23.—A hundred witnesses are already here for the Hyde-Benson-Dimond land cases and many more are due to arrive during the trial, which begins next Monday.

The prospects are that these trials will consume more time than did the Hermann case. A number of the most important witnesses will come from Oregon, and the subject matter of the evidence will revolve largely around alleged fraudulent land matters in Oregon.

At the trial of Elmer Hermann the arguments have been drawn out much longer than was expected. Assistant District Attorney Adeline Conner, two days, and the defense gave notice today that they might require three days, after which the government will close with an extended argument by District Attorney Hermann.

Justice Stafford has slightly modified his ruling on the prayers for instructions to the jury, holding somewhat more strongly in favor of the defendant than he had previously intended. The government insists that its evidence amply provides for the grounds covered by the court's new ruling. It is certain that the case will go to the jury this afternoon.

Arguments for the defense of Hermann were presented to the jury today by Attorney A. S. Worthington, who talked all day. He was probably concluded tomorrow, when District Attorney Baker will close for the prosecution.

Bourne Favors Third Term for President. Says People Must Demand Another Term for Teddy and He Must Accept.

(Journal Special Service.) Washington, April 23.—That President Roosevelt must yield to the wishes of the nation and be a candidate for a third term is the opinion expressed by Senator Jonathan Bourne of Oregon. Bourne said: "No man can put his personal wishes or desires above the command of the people, especially no person who has been honored as President Roosevelt has been by the American people. I know that Roosevelt is not a candidate to succeed himself. I realize that he would greatly prefer that the people should select some other person to succeed him in 1908. But if the people command as first as a second elective term, he certainly must feel it his duty to do so."

"I feel that the country is now facing a great crisis. The issue now before the country is whether the advocates of the rights and liberties of the people and of the power and majesty of the government or the enemies of both shall prevail. The situation demonstrates the necessity of the people demanding Roosevelt to accept the nomination for another term, and he could no more decline to accept a nomination demanded by the people than he could refuse to serve if he were drafted. No foreign war and he would be crucified. Senator Bourne said that his statement was made without consultation with any one.

Jury Views Premises Where Estes Was Shot. (Special Dispatch to The Journal.) Pendleton, Or., April 23.—Witnesses in the McManus murder trial are slowly being examined. At the opening of court this morning the jury was taken to the Pullman saloon, where the killing took place on February 8, after which T. P. Howard, an architect, was called with plans of the saloon.

Walter Hopper, who was bartender at the saloon when the shooting occurred, told that he had heard the shot fired and rushing back found Estes on the floor and McManus examining the gun into his pocket. On cross examination Hopper admitted he never testified otherwise as to some points at the coroner's inquest.

The defense made an effort to show that Estes was a gambler, to which the prosecution objected.

Mammoth Theatrical Trust to Be Formed. (Journal Special Service.) Detroit, Mich., April 23.—A story printed here today and ready for signing effecting a combination between Klaw & Erlanger and the Shuberts. It is stated that the deal is a result of intervention by new Yorkers and George B. Cox.

San Domingo Votes to Accept Treaty. (Journal Special Service.) Washington, April 23.—Minister Dawson cables that the San Dominican congress has favorably reported the treaty with the United States. Secretary Taft says that he at no time thinks of politics and says that in the speech he will make in Chicago and other western cities will not touch upon the political situation.

Requisition for Wilde Issued by Governor. (Special Dispatch to The Journal.) Salem, Or., April 23.—Governor Chamberlain has issued a requisition on the governor of California for A. H. Wilde who is wanted at Portland to answer to the charge of embezzlement. C. R. Hellyer, a Portland detective, is named as agent to return the fugitive.

Just Beware. your cough is only in the throat and does not trouble you now, don't think that it needs no attention. When it has not had much of a start in the time to check. The slightest cough easily leads to pneumonia, bronchitis and consumption. A bottle of Ballard's Horehound Syrup will cure that cough. The price puts it within reach of all. Sold by all druggists.