

SENATOR BOURNE SCOTT'S CHOICE OF LESLIE SCOTT

Present U. S. Marshal Although Not Bourne's Selection, Is Qualified; Stinging Letter Explaining Stand.

Senator Jonathan Bourne has decided to withdraw all opposition to the appointment of Leslie M. Scott as United States marshal for Oregon, and nomination of Scott's appointment may be expected by the United States senate within a short time.

A letter announcing this purpose has been sent to President Taft by Bourne, in which the Oregon senator renounces his denunciation of the president for "revelation and violation of the plain intent of the constitution," but acknowledges that the president "by pursuing the same device by which the Oregon senator has power to keep appointees in office indefinitely, despite the failure of the senate to confirm."

Bourne says that although Scott is not his choice, he is qualified, and is unwilling to delay confirmation longer, because of the uncertainty and disadvantage to the public service. Bourne's letter says:

Letter to Taft.
"Dear Mr. President:—On January 16, 1912, the term of C. J. Reed, United States marshal for Oregon, expired, and in accordance with long established custom, I, as one of Oregon's senators, recommended for appointment as his successor Honorable J. Frank Bennett, a resident of Oregon, who was fully qualified for the position by both ability and integrity. Disregarding this recommendation, and without making any objection to the qualifications of the man whom I had recommended, you delayed the appointment until December 7, 1910, when you appointed to the position E. B. Colwell."

"This appointment was particularly distasteful to both Senator Chamberlain and myself, because Mr. Colwell had been one of that crowd of unscrupulous politicians in Oregon who urged members of the legislature to violate their written pledge to the people of the state that they would support for United States senator that candidate who received the largest number of the people's votes at the preceding general election."

"We did not believe that a man who would advocate violation of a solemn pledge to the people should be trusted in any official position. Moreover, he was personally objectionable to both of us."

Says He's Amused.
"Upon our protest, the senate rejected the nomination but later a request was made from the White House that you be permitted to withdraw the nomination. Senator Chamberlain and myself consented to the withdrawal. I felt that a request of this nature from the high office of the chief executive should be given gracious consideration and I assumed that if this courtesy were extended to you, you would not take advantage of it by re-appointing him during the recess of congress. The withdrawal was therefore permitted."

"To my utter amazement and, as I understand, contrary to all precedent, you re-appointed Mr. Colwell during the recess of congress. Senator Chamberlain and I again entered our protest and upon an adverse report of the judiciary committee the nomination was again rejected by the senate, May 22, 1911. Continuing the same tactics, you did not make a new appointment at once but delayed until the closing week of the late session, and, on August 18, 1911, sent to the senate the nomination of Leslie M. Scott, which nomination is still pending."

"This man Colwell who had tried to overthrow the will of the people of Oregon and thereby destroy our popular government laws, was thus kept in office over eight months by evasion of the plain intent of the constitution. Eighty-eight days of his incumbency were after his second rejection by the senate."

"Pursuing the same policy evasion and usurpation you sent to the senate on January 13, 1911 the nomination of Philip S. Malcolm to succeed himself as collector of customs at Portland, Or. When it became evident that his nomination would not be confirmed, you withdrew the nomination on February 18, 1911, and Mr. Malcolm is still in office."

"The constitution of the United States authorizes you to make appointments of this kind, 'by and with the advice and consent of the senate.' It is manifestly impossible for any man to investigate and intelligently pass upon the qualifications and fitness of federal appointees from every section of the United States. The framers of our constitution recognized this and therefore required the advice and consent of the senate as a condition precedent to the effectiveness of an appointment."

Only Practical Plan.
"The senate has recognized the same from every section of the United States and daily calls upon the senators from each state to report upon the fitness of appointees within their respective states. In no other way can practical effect be given to the constitutional requirement that appointments shall be made with the advice and consent of the senate."

"By your course you have read into the constitution something not placed there by its authors or by the people of the states when they ratified. In Oregon and in many other states you have made appointments by and with the advice and consent of members of the national committee, or by the referees who maintain the state political machine."

"While I still protest against and denounce your evasion and violation of the plain intent of the constitution, I realize that by pursuing the same device by which the Oregon senator has power to keep appointees in office indefinitely, despite the failure of the senate to confirm."

"Continuance of such a course tends to injure the public service, for officers given vacation appointments in the manner described work for months under the uncertainty as to their confirmation. With that uncertainty existing, they cannot entirely abandon their private business and give exclusive attention to their public duties."

"Although not my choice, yet I deem Mr. Scott qualified for the position, and, desiring to promote the public service, I shall not longer delay his confirmation. I am writing this letter to explain the reason for my course, and to voice my protest against your evasion of the constitution, and to say that, in consenting to this particular confirmation, I do not for other and future occasions yield what I deem my privilege nor shrink what I deem my duty under the requirement that appointments shall be made by and with the advice and consent of the senate. Yours very truly, JONATHAN BOURNE, JR."

ORPHEUM'S BILL IS TOPNOTCHER

Theo. Roberts, in "Sheriff of Shasta" Laughmaker; Ray Cox.

So far, the dramatic stars appearing at the Orpheum have invariably been seen in tragedy sketches, but it has remained for Theodore Roberts to break the spell and this week finds him in his most refreshing comedy vehicle, "The Sheriff of Shasta." With a notable reputation as one of the foremost character craftsmen, Mr. Roberts gives such an artistic characterization as is seldom seen at the Orpheum. His humor is infectious and not to laugh with and at him is impossible. The scenery of the act is like a breath of the mountains. The sketch is distinctly different and the amusement is not in the least suggested until the very finish. Mr. Roberts' portrayal is pure joy to watch and the sketch is so satisfying that it seems more like a play than a vaudeville act. Mr. Roberts is splendidly supported by Miss Florence Smythe, Jack Prescott, Averil Harris and Arthur Matland.

Miss Ray Cox, the other headliner, was almost a riot. She, too, was distinctly different. She wore stunning gowns when necessary but hesitated not the least to make herself all sorts of a scarecrow for effect. Her ideas are new and her material is clever. Her finish in an aeroplane left the entire audience reduced to tears of laughter. Her repertoire is varied with not a dull spot in it.

A dainty and pleasing musical act is offered by the six pretty Kirksmith sisters, who have elaborate scenery. They wear just the right sort of costumes and have just enough and the right sort to their act to make them immensely popular with insistent demands for encores.

An act that the audience took keen interest in was the basketball match offered by the Paulhan team of cyclists, who showed great skill.

With a below average opening, Muriel and Frances, two young girls, have a whirlwind finish that made them prime favorites. They sing, play and dance

so that the audience was loath to part with them.

Muriel and Billy Hart are here again with "The Circus Girl," in which they do a little of everything, from slack wire work to parodies, and make good generally.

The bill is given a good start by Johnny Bell and Rosemond Carson. Miss Carson sings a hit, and does some too dancing. Mr. Bell is one of the best comedians that has been here in a long time.

WOMAN'S SUFFRAGE DEBATE AT ASHLAND
(Special to The Journal.)
Ashland, Or., May 7.—A debate on woman's suffrage was held in this city last evening under the direction of the Woman's Suffrage club of this city. The debate resulted from a challenge by C. E. Whistler of Medford to the ladies of Ashland. Mrs. Bailey and Mrs. Ellis spoke for suffrage, and Mr. Greer, editor of the Ashland Tidings, also gave convincing arguments in behalf of suffrage. Mr. Whistler received a severe drubbing at the hands of the ladies. His side of the question was presented in a forceful way, but the sympathy of the audience was with the other side.

SLAYS RICH RANCHER IN QUARREL OVER WOMAN
(United Press Special Wire.)
Fresno, Cal., May 7.—Frank A. Gordon, a wealthy rancher of Madras, was shot and killed today by Jesse Webb, a bartender, at a rooming house conducted by Mrs. Marguerite Crane, over whom the two men are alleged to have quarreled. Mrs. Crane declares that both men came here to see her. They were quarreling over her, she says, when Gordon attacked Webb with a knife, and the bartender shot him in self defense.

Folk Club Elects Officers.
(Special to The Journal.)
Oregon Agricultural College, Corvallis, Or., May 7.—Saturday afternoon the College Folk club of the Oregon Agricultural college held the annual election of officers. Mrs. W. J. Perry was elected president. Mrs. J. C. Callahan vice president. Mrs. C. A. Debell treasurer and Miss Mary Bowman secretary. A number of important changes were made in the constitution of the club. The organization is composed of the women of the faculty and board of regents.

100,000 WITNESS OPENING SHRINER CONCLAVE PARADE

Los Angeles Is Converted Into Permanent Shrine by Hanging of Insignia on City Hall and Court House.

(United Press Special Wire.)
Los Angeles, May 7.—Shriners parades from 50 cities, accompanied by bands and flanked by thousands of visiting lodges, marched today in the first formal parade of their thirty-eighth annual convocation. The procession was the first formal feature of the celebration, and was viewed by more than 100,000 spectators in stands, windows, on tops of buildings and packed between curb and building alongside the line of march.

Following the parade 30,000 Shriners and their friends left Los Angeles for Santa Monica, Venice, Ocean Park and the other beach resorts to the west of the city, which had guaranteed their entertainment for the day. During this bagra the members of the imperial council of the order were escorted to

the chambers prepared for them, and the annual session of the council began.

Angel City Permanent Shrine.

Final conversion of Los Angeles into a permanent Shrine was effected today when insignia of the order were hung above the doors of the city hall and courthouses by members of the imperial council prior to their procession to the place of the annual meeting.

This afternoon several banquets by visiting Shriners were scheduled. The feature of the gastronomic entertainment was a banquet by Al Malakiah temple of Los Angeles to the imperial council at the Scottish Rite Cathedral.

Great Parade Tonight.

All patriots and Shriners attending the convention were ordered tonight for the first night parade of the convocation, after which an electric parade, staged by the Los Angeles fiesta committee, was scheduled. Amateur vaudeville entertainments at various theatres leased by Los Angeles Shriners and thrown open to their visitors, were offered. Shriners from San Francisco and San Diego worked throughout the day in the interests of the expositions that will be held in both California cities in 1915.

Clackamas County Jail Empty.

(Special to The Journal.)
Oregon City, May 7.—The Clackamas county jail has not a single occupant, for the first time in many months. A move is on foot to improve the interior arrangement of the jail.

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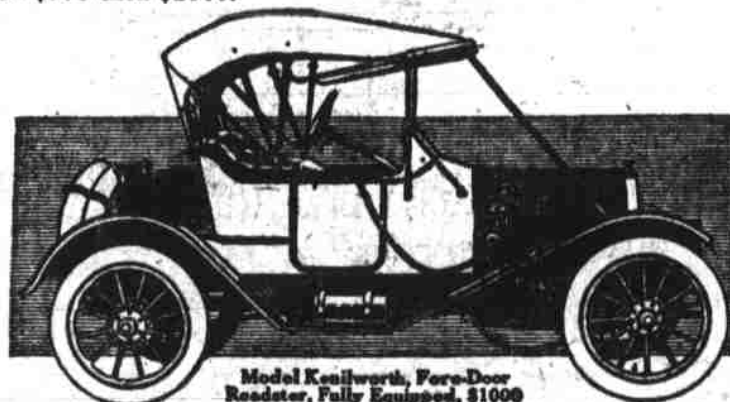
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