

# The Santiam News.

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## PRIMARY LAW SUSTAINED

Johnathan Bourne and Fred W. Mulkey  
Named U. S. Senators on First Ballot.

## THE PEOPLE ELECT SENATORS

Legislature Ratified Popular Choice—Unlike Because of Lobby and Spree-  
cage Speeches—Oregon First  
Example for Other States.

Salem, Jan. 22.—(Special.)—Unlike any senatorial election ever held in the Capitol of Oregon, was the double election pulled off today. There were no nominating speeches, no oratorical flights, no drafts on rhetoric, no pouring forth of enigmata in aspiring candidates. There were no scenes of members being cat-bowled around, no tut-tutting, no professional politicians with arms thrown up appealing to the conscience of legislators while pouring whi-pered persuasion into their ears.

No lobby of special interests crowded and surged through the corridors. There were no emissaries from candidates promising postoffice appointments and every federal place in the state from the marshaling to janitor of the custom house. There was no legislative trading, no promise of blocks of votes for useless appropriations, undesirable city charters, etc., in exchange for votes for U. S. Senator. No women's names were drawn into the election in a questionable manner. Wine nor money played no part. Bribes were neither taken nor offered. Men's weaknesses were not appealed to. Money was not floating around the capital in keeping with the tradition of senatorial elections. There were no hostile camps of the dominant party organized and working day and night to take advantage, fair or foul, of opposing forces. No closed clubs were used to carry members of the legislature to one headquarters or the other. Today's election was in the open. The light of publicity was not shut out. There was nothing secret or questionable about the selection of either candidate.

The election of Fred W. Mulkey for the short term was unanimous in both houses. For the long term Johnathan Bourne Jr. received 67 of 69 votes in the House, two of the minority votes going to Justice F. A. Moore and one to Fred W. Mulkey. In the Senate, Mr. Bourne received 23 of 27 votes, three members being absent and the other four voting for Justice K. A. Bean.

At the noon hour, Speaker Davey in the House and President Haines in the Senate called attention to that clause of the constitution which provides that senatorial elections shall be held on the second Tuesday following organization of the legislature. They also called attention to the law enacted by the people of Oregon, permitting the electors to vote on U. S. Senators at the general election next preceding the election of a U. S. Senator. They also called attention to the vote of the people under that law showing that Fred W. Mulkey was the choice of the people to fill the vacancy caused by the death of Senator Mitchell, and that Johnathan Bourne Jr. was the choice of the people for the full term of six years from the 4th of next March. Then balloting began, the presiding officer of each house instructing members to vote for their choice for U. S. Senator for the short term as their names were called. Every member in both houses, republican and democrat, voted for Mulkey.

Then the presiding officers directed their respective clerks to call the roll again instructing the members to vote for their choice for U. S. Senator for the long term. Bourne received all but three in the House and all but four of those present in the Senate. Marion county furnished the three that broke ranks in the House. They were Reynolds, Rogers and Zettlemier. Each explained he had not signed Statement No. 1, and that his position was well understood during the campaign. The four in the Senate to break away from the people's nominee were Wheelon of Wasco, Miller, F. L. of Linn, Booth of Lane and Senator Laycock.

The legislature will meet at noon tomorrow in joint convention, but since both candidates received a majority of the votes cast in each house there will be nothing for the convention to do but canvass the vote and declare Messrs. Mulkey and Bourne elected.

Senator-elect Bourne is not present to witness the proceedings, being back at Washington attending the session of congress. Senator-elect Mulkey is here but was not active in his own or Mr. Bourne's interest. He will remain here

until tomorrow afternoon when he will return to Portland and go thence to Washington and be sworn in a member of the U. S. Senate.

## THE FUEL FAMINE DISCOMMODES RAILROADS

Seizure of Carload of Coal That is Held to Show Desperate Straits—Engines Must Have Fuel.

ESSEX, Or., Jan. 19.—The Southern Pacific company is badly handicapped in the moving of its trains in the valley on account of the scarcity of fuel. As an example of the straits to which they are reduced, a Eugene hardware merchant ordered a car of blacksmith coal from Altoona, Pennsylvania, two months ago and was notified that it had arrived at Junction City on Thursday. Yesterday the local railroad authorities notified him that the company had appropriated the coal to its own use, as it was absolutely necessary for moving passengers and the United States mail. The company will assume the original cost of the coal, the freight on it from the East and the profit which the merchant would have made on the carload, making it rather expensive fuel, but the company had to have it and there was no other way to do but appropriate it.

## BILL TO RENEW COYOTE BOUNTIES

The Holley Coyote Club of Linn County  
Wants Cash to Pay For Skins of  
Wild Animals.

The Holley Coyote Club, which numbers among its membership practically the entire farming community in South-eastern Linn county, is having a bill prepared to submit to the legislature providing for a state law to enable county courts to pay a bounty on the skins of coyotes and several other wild animals. The farmers declare something must be done to eradicate the coyotes or sheepraisers will be compelled to dispose of their flocks. The club pays a bounty of \$10 for each coyote killed, and thinks the county should add a liberal amount, at least \$5, to this amount.

The continued cold weather and deep snow in the mountains has caused the coyotes and other wild animals that infest those sections to migrate to the lower foothills of Eastern Linn county in large numbers, and stockmen are considerably worried because of the fact that these animals will destroy much stock, particularly sheep. Already a number of farmers report the killing of from one to two and three sheep a night by coyotes.—Herald.

## THE FARMERS OPPOSE HIGHER PRICES

Mass Meeting in Brownsville to Get Re-  
duction Or Fight the Combine  
Of Blacksmiths.

A mass meeting of the farmers of the Southwestern portion of Linn county was held in Brownsville yesterday to either induce the county organization known as the Willamette Valley Blacksmiths' Association, to reduce blacksmithing rates, or, failing in this, to establish a farmers' blacksmith shop, to be maintained and operated solely in the interest of the patrons. A large mass meeting of farmers was held in Brownsville a week ago Saturday to consider the matter, which resulted in a committee being appointed to confer with the association officers and try and secure a reduction in rates.

Recently a meeting of the blacksmiths of the county was held, at which time the Willamette Valley Blacksmiths' Association of Linn county was formed. The association at once adopted a uniform schedule of prices, raising the rates to what the farmers consider far too high.

W. J. Moore, secretary of the association, was invited to attend the meeting Saturday and present the side of the combine.

Canal Contractors Must Show Capital.

WASHINGTON, Jan. 19.—W. J. Oliver and Anson Bangs, who put in the lowest bid for the construction of the canal, must show the Panama canal commission that they have \$5,000,000 in available capital. A searching inquiry will be made into their financial responsibility in which the president is determined that there shall be no defect in the contractors if the contract is once awarded. After the financial standing is inquired into there will be another close examination of their personal and business record. "Are they fit to do the work," will be the question asked.

## IS BOUGHT BY HILL PEOPLE

Astoria And Columbia River Line Passes  
Over to the Northern Pacific

## Plans to Invade Harriman Territory

Stock And Property Taken Over By New  
Owner And Shows Plan of Hill to In-  
vade Harriman Territory in Central  
and Western Oregon.

After negotiations extending over several months, the Astoria & Columbia River railroad was yesterday purchased by the Northern Pacific railroad company. The price is not known, but the Northern Pacific is said to have taken over all of the stock and property under the optional terms of a lease by which trackage from Goble to Portland, 30 miles, was granted to the Astoria road by the Northern Pacific some years ago.

The Oregon tax commission in its report for 1905 returned the Astoria & Columbia River railroad as follows: Total valuation \$2,353,122, mileage 82, valuation per mile \$28,220. The road was owned by H. E. Huntington, A. B. Hammond and General Hubbard of New York.

Repeatedly rumors have been published to the effect that the Harriman interests had purchased the Astoria road, but such a disposition of the property was from the first illogical, as it is said the Northern Pacific, in granting a 99-year lease of its trackage from Portland to Goble, exacted in the original agreement a provision that should the Astoria road be offered for sale the Northern Pacific should have the first option to purchase. It is said the Northern Pacific recently concluded to exercise this option, and that it is a part of a Hill plan to build down the west coast of Oregon.

Surveyors have been in the field for some time between Seaside and the coast terminus, and Tillamook. They have been working ostensibly under orders from the Hammond management, but it is now believed that these operations are but a part of the Hill scheme of invasion of Harriman territory. This explains the warmth of the contest that has been on between the Astoria & Columbia River and the Pacific Railway & Navigation company agents for rights of way between Seaside and Tillamook.

It is reported that the Oregon Coast & Eastern, promoted by Baker & Crabb of St. Louis, is a part of a great scheme of Hill to rib Oregon from North to South and from East to West, in conjunction with the proposed line from the mouth of the Deschutes river to central Oregon. If such a plan is worked out, the Hill companies will have a system paralleling the coast and crossing the state from the mouth of the Su law, via Eugene, to central Oregon, and there connecting with the Deschutes river line, completely hinging in the most productive portion of the state.

Increase in Gold Output.

WASHINGTON, Jan. 20.—The Geological Survey announced today the total production of gold and silver in the United States for 1906, aggregating 69,295,342 fine ounces, with a valuation of \$122,402,676. Production of gold aggregated 4,265,742 fine ounces, valued at \$85,180,770, an increase of \$716 over the previous year. Total production of silver was 56,029,600 fine ounces, valued at \$34,221,906, a decrease of 1,881,240 ounces in actual output.

## BRIEF TELEGRAPHIC MENTION

Items Gleaned From Associate Press and  
Other Telegraphic Despatches

Ex-Governor Higgins, of New York, is said to be dying of a kidney trouble.

At Terre Haute, Ind., a freight car loaded with dynamite standing on a switch, exploded as a passenger train was passing. The explosion smashed a large section of the freight train, of which the dynamite car was a portion, and wrecked one of the passenger coaches resulting in the death of twenty passengers.

The Unionist parade in Portland, last Saturday night, in sympathy with the street car strike, was one mile in length. Southern Pacific authorities will soon raise the steamer freight rates on the O. R. & N. boats. The rates will then be as high from Portland to San Francisco as it now is from Portland to China and Japan.

Logs, both fir and cedar have been advanced in price, over at Seattle \$1 per thousand feet. The average price for logs over there is now \$12 per thousand feet, board measure.

January 19 was the 100th anniversary of the birth of General Robert E. Lee. It was appropriately observed all over the South and in the North wherever a Confederate veterans association existed. Chicago is in the midst of an epidemic of diphtheria, scarlet fever and small pox. A death is said to occur every fifteen minutes. Only a cold snap is expected to check the ravages of the disease.

From a sale of pasture land of Kiowa, Comanche and Apache Indian Reservation in Southern Oklahoma the sum of \$1200 for each Indian interested was realized.

Aoki the Japanese minister at Washington, advises Japs to marry American-rich ones preferred. Through this means it is hoped to increase the size of future Japanese citizens and, incidentally, to increase the national wealth. Girls there's your chance.

General Funston wants the pay of officers and enlisted men of the army increased. He states that his carriers in San Francisco receive better pay than do second lieutenants in the army.

## SHOSHONE INDIANS GO ON THE WARPATH.

LANDER, Wyo., Jan. 21.—The discontent among the Shoshone Indians, whose lands were thrown open to settlement last summer, is reaching a serious stage. Forty members of the tribe, who never consented to the arrangements, have refused to take up their allotments. These malcontents have since stirred up trouble and threats against all who favored the treaty.

The murder of George Terry last week is laid to these Indians and other crimes are feared. Rev. John Roberts, who has been among the Indians for 25 years as a missionary, was ambushed by a band of redskins while crossing the reservation on his return from a funeral at Northfork. When he saw the Indians hiding along the trail he stopped his horse. Then they beckoned him to come to ward them, but he wheeled his horse and rode to this place, where he telephoned to Fort Washakie and a detachment of soldiers was sent to the agency for Mrs. Roberts and their child. Mr. Roberts, escorted by a strong guard of soldiers has left for Washakie, where he will join his family.

## WILL SELL LANDS TO BUILD ROADS.

SAN FRANCISCO, Jan. 21.—All lands of the Southern Pacific company included in the government grant to the Central Pacific railroad in this state, Nevada and Utah, with the exception of timber property, will be placed on sale not later than July 1 of this year. The holdings are approximately 6,000,000 acres.

This move is looked upon by railroad men as part of the plan for the rehabilitation of the Pacific coast roads of the Harriman system.

The land involved comprises agricultural and grazing territory, scattered through the Northern part of California and widely distributed over Utah and Nevada.

The timber land on the company's holdings will not be touched but will be reserved for later sale. The grants which will be placed on the market take in territory from Sacramento to Ogden and Rossville north to the boundary of Oregon.

## THE STATE MAY BUY LOCKS

Jones of Polk County Secures Appoint-  
ment of Committee to Investigate

SALEM, Jan. 22.—Jones of Polk and Lincoln has always been able in his own peculiar way to handle himself effectively in a legislative body and he is proving to the present legislature that he is in deed capable to have passed through his bill to construct or buy the locks at Oregon City. Upon his motion today Speaker Davey appointed a special committee of seven to which was referred the locks bill, with the privilege to report at any time. Every member of the committee is friendly to the project and there is little doubt but a favorable report will be returned on the measure in a day or two. The personnel of the committee is, Jones of Polk and Lincoln, chairman; Eaton of Lane, Simmons of Marion, Huntley of Clackamas, Kubb of Jackson, Barrett of Umatilla and Coffee of Multnomah.

Later—the special committee met late in the afternoon and after an hour's session decided on a favorable report which will be turned in immediately.

## TEST SUITS ARE BEGUN

The Government Takes Japanese School  
Case To The Court.

## THE TREATY RIGHTS ARE VIOLATED

Japanese Boy Excluded From White School as  
a Test—Devlin Sues to Annul Cal-  
ifornia Law For Separate  
Schools.

SAN FRANCISCO, Jan. 17.—The first action in what promises to be one of the most important legal battles in the history of the United States between a state of the Union and the Federal government was taken late this afternoon, when the Supreme Court of the state of California issued an alternative writ of mandate commanding Miss Mary A. Deane, principal of the Reading primary school, to admit Keiichi Aoki, a 10-year-old Japanese boy, as pupil in her school or appear before that court at 10 o'clock February 11, to show cause why she did not admit him. The order was signed by every member of the Supreme Court. This action of the petition of United States District Attorney Robert T. Devlin for a writ of mandate against Miss Deane, following the latter's refusal today to admit young Aoki to her school.

MAKING A TEST CASE.

As arranged at a conference between Devlin and the Board of Education, Aoki, accompanied by his father and D. S. Richardson, foreign secretary to the Japanese Consulate here, this morning appeared at the Reading primary school and made formal demand for admission to the school in the presence of School Directors Aaron Altman and Lawrence Walsh and representatives of the United States District Attorney's office. Stating that she was acting under the law of the state and in pursuance of a resolution passed by the Board of Education, Miss Deane refused to admit the boy.

Attached to the petition for a writ of mandate is a request by United States Attorney-General Bonaparte to the effect that the United States be made a party to the record for the purpose of enforcing the treaty with Japan.

The bill alleges that the Japanese are not in any sense "Mongolians," but form a separate and distinct race, and it is asserted that for more than 20 years and until recently the authorities in California have conceded that the Japanese are not included in the term "Mongolians" and have admitted them to all the public schools. Only those born in Japan are alleged to be protected by the provisions of the treaty. In the proceedings the Government makes no charge that the Oriental school is inferior in any way to the other schools, but it charges that to compel all of the children of Japanese descent thus to attend a single school without regard to the places of their respective residences or to their convenience, solely by reason of their descent or race, is a hardship and discrimination against all of them, and violates their legal rights under this treaty, and that no such discrimination is exercised against the German, French, Italian and various other foreign children, so that the Japanese are not treated as the most favored nation.

It is alleged by the Government that these acts constitute a flagrant violation of the treaty between the United States and Japan; that properly construed the law of California does not justify them; and that, if it does, it is null and void.

That the suits are not based on an amenable statement of facts agreed to between the Federal and local authorities and contain many points objected to by the latter was learned to-night.

To forestall a possible adverse decision from the courts that the Japanese are not Mongolians and therefore do not come under the state statute providing for the segregation of the latter in separate schools, City Attorney Burke has prepared an amendment to the code of the state of California to include the word Japanese, and will leave for Sacramento next Sunday to have it introduced in the Legislature.

## TO DEVELOP ELECTRIC POWER

Santiam Electric Company Files Notices of Loca-  
tion of Water Rights.

Water rights located on the North fork of the Santiam river both in Linn and Marion counties by Joseph H. Haly

for the Santiam Electric Company gives that company almost exclusive use for power purposes, of the water of this stream.

The company yesterday completed the securing of these valuable privileges when it filed notices of its location of water rights, with County Recorder Froman, at seven different points along the Santiam river.

All of them contemplate the appropriation of 100,000 cubic inches of water, (miner's measurement), at each of the seven points along the stream, by means of flumes or ditches. The water is to be used for the development of electrical power for purposes not stated. Each of the ditches will be 50 feet wide, and ten feet in depth. Two of the appropriations of water rights are located in Marion county and the remaining five in Linn county. The ditches in Marion county from which the water will be taken from the river will be known as the Marion ditch and the Santiam Power Ditch. The Linn county ditches are to be known as follows: Mehama ditch, Niagara ditch, Linn ditch, Mill City ditch, and Fox Valley ditch.—Albany Herald.

## TRAINS LIE AT ALBANY ON SEVERAL OCCASIONS

Because Coal and Oil Are Not Obtain-  
able—New Oil Depot.

ALBANY, Or., Jan. 19.—The scarcity of coal and oil has made it necessary for the Cottage Grove local and other trains to lay over at Albany on several occasions. A great scarcity of fuel exists, cordwood and coal being almost impossible to obtain. The Southern Pacific has filled the large oil tank at this city and hereafter the trains will take on their supply of oil for transportation and generating purposes at Albany.

The explosion of tanks South of here has caused the railroad company to send a supply of oil here and make this the point where the trains are to renew their supply of fuel for their trips either North or South.

## Roosevelt in Favor of Democratic Amendment.

WASHINGTON, Jan. 19.—Today records another surprising and sensational phase of the senate's fight against the president for his order dismissing negro troops. With the intimidation from leading Republicans that a split in the party would result unless the Republican senators unitedly rejected the Blackburn amendment to the Foraker resolution, the president makes it clear that he will exert no influence to prevent that calamity. To his callers this afternoon he expressed himself as deeply hurt over the attitude of certain senators. He made the emphatic declaration that he favored the Blackburn amendment. The president said he was not waging war on the senate, and that if any embarrassing feature came to any senator the responsibility therefor must rest upon Senator Foraker who opened the fight against the president.

## SODAVILLE ITEMS.

Mrs. Miller and Mrs. Baker are in Portland attending the Church of God meetings.

Mr. Frank Baker, of Turner, Oregon and Mr. Ray Harris, of Lebanon, enrolled in the college this week.

Crowfoot grange is increasing its membership rapidly.

A. M. Taylor, of Portland, organized a beneficiary local insurance lodge, last week, in Sodaville.

Mrs. Claud Klum, from Waiteburg, Washington, is here visiting relatives and hoping to secure better health while drinking soda water.

Charles Royce and wife, from Eastern Oregon, are visiting friends.

The college students have organized a basket ball club. The club plays the Lebanon team Saturday the 20th.

A college concert band is organized with Prof. G. B. Hardin president, J. R. Gables musical director, C. Sumner leader and John Hazer secretary.

Jeff Coyle attended the meeting of the college trustees last week and is an enthusiastic member of the board.

Mr. Bridges is the new road master. Sodawater and cold weather do not harmonize.

The Philomath literary society is making college life seem like "ye elden time."

Mr. Learned, a Colorado mine owner is sojourning here for his health. The state of Oregon did a very wise thing when it placed the soda spring within a neat building and decreed that the water must be free to all comers.