

ANOTHER REPORT MADE IN AND ABOUT THE CAPITOL

ATTORNEY-GENERAL IDEMAN'S RECOMMENDATIONS.

He Suggests a System of Reports from District Attorneys with Reference to Criminal Practice.

The biennial report of Attorney General C. M. Ideman to the legislature has been completed and will be in the hands of members upon their resuming work on Monday.

There has been a constant increase in the amount of business transacted in this department since its creation, and especially has this been perceptible during the time covered by this semi-annual report.

All the civil cases in any and all the courts in which the state is interested should be placed under the supervision of this department, the foreclosure of the first-ducible school fund mortgages, the examination of the title to all lands offered as security for the loans, and the recovery of escheat estates there would be a great saving to the state each year.

An examination of the appropriation bills from the date of the creation of this office will disclose that there has been appropriated for attorney's fees almost twice as much as the appropriation for salary for this department during the same time.

The report of the clerk of the board of commissioners for the live stock of the irreducible school fund shows that there have been more than 300 foreclosures of mortgages by that department during the past four years, and that this state has acquired title to, and now has under its control, nearly 3 1/2 farms distributed through the different counties of this state.

Legal services are necessary to the proper care and protection of large property interests of this nature, with this department as the legal adviser of the board, which it is at the present time, and the additional duty of examining the title of all lands offered as security for loans, and the supervision and direction of the foreclosures and the payment of the state would be protected in its title upon the loans and the property acquired upon foreclosure.

The board would be brought in direct touch with the details, as well as the condition generally of affairs so necessary to a proper management and investment of nearly \$2,000,000 now comprising this fund, and would necessitate the appointment of a deputy to assist in carrying into proper effect these new duties, but the fees received by the thirty-two members of the board scattered throughout the different counties of the state, for the examination of titles, and those paid to attorneys on the foreclosure proceedings, would, of themselves, more than pay the extra expense entailed by a deputy, a reasonable amount could be fixed by the board for the examination of the title to be paid by the applicant, which is customary in all transactions of this character.

Which is always included in the note or money obligation, when foreclosure becomes necessary, be turned into the state fund. There is one more more than sufficient to pay all the increased expense, besides obviating the necessity of the special appropriations for attorneys fees which have been largely in excess of the appropriation for the salary of this office, and would constantly keep the condition of affairs before the board.

I would further recommend that the district attorneys of the state make either annual or biennial reports to this department, stating in detail, and from each county reporting the number of indictments returned by the grand jury, stating the crimes charged, the number of convictions, the penalty inflicted, the amount of acquittals, the fines collected and the costs and expenses attendant upon the enforcement and execution of the law in each county of the state.

A summary of this report should be included in a semi-annual report from this office, which would undoubtedly furnish valuable information to the executive department in its recommendations to the legislative assembly as well as properly and correctly informing the chief executive officer of the state of the extent, punishment and character of infractions of the law and the cost of its enforcement.

In conclusion, I would say that nearly all the states require either annual or semi-annual reports from this department and a publication of the opinions rendered for the benefit of those who are calculated to serve. There is no such provision in our law, although nearly 2,000 folios of opinions that have been rendered since the creation of this office, setting forth many questions that are constantly presenting themselves to those assuming office are properly recorded and now in the custody of this department. If published and properly indexed under the different subjects treated, they would serve the purpose for which they were written and would relieve much labor and save much valuable time, both to this and the other departments of the state.

A BANK BURGLARIZED.

Arthur, Ill., Jan. 30.—The bank here was entered by burglars last night. The loss is between \$4000 and \$5000. The bandits escaped.

EXCERPTS FROM SOME OF THE NEW BILLS SUBMITTED.

Umatilla Senator Opposes the Operation of the Nickel-in-the-Slot Machine.

Mr. Curtis has been appointed by the ways and means committee as a subcommittee to investigate the matter of electric lighting of the state buildings. He wishes to report his findings to the committee next Monday evening, and in the meantime desires to obtain all the information possible relating thereto.

Representatives Curtis, of Clatsop; Morton, of Wasco, and Blackaby, of Malheur, a special committee of the house, visited the state school for deaf-mutes, five miles east of this city, yesterday afternoon, and express themselves as exceedingly well pleased with the conduct of the school, not only from an educational, but from an economic standpoint. They were delighted with the showing made by the pupils, whose school-room exercises they witnessed, and their pleasure was mingled with surprise at the accomplishments displayed.

The following is the text of a bill introduced by Mr. Massingill, of Lake county: "Sec. 1. In any action for damages for injury to the person of the plaintiff, or of a child when the action is brought by its parent, now pending or hereafter to be brought in any of the courts of this state, the defendant may, prior to the trial, make application to the court in which the action is pending, or the judge thereof, for an order requiring the plaintiff or child, to submit the injured party to an examination of physicians or surgeons, to be appointed by the court for the purpose of examination.

Such application shall be upon at least five days' notice to the plaintiff in the action, unless the court or judge shall prescribe a shorter time, and the plaintiff shall have the right to resist the same. The court or judge shall take into consideration the character of the injury and the character and condition of the person injured, the necessity or expedience of such an examination, together with all facts and circumstances of the case, and exercise a wide discretion in the allowance or disallowance of the application; and upon the hearing either party may introduce affidavits or oral testimony. In case the application is allowed the court or judge shall appoint one or more, not exceeding three, physicians or surgeons to conduct the examination without the suggestion of either party, unless they both agree on the person to be appointed, and shall fix the amount of compensation to be allowed for the service, which amount shall be paid by the defendant to the clerk of the court at the time of making the order, and shall be paid over to the examiners upon the order of the court or judge. Said examiners shall attend the trial of the cause, if required so to do, and give their testimony in aid of the court and jury, the party requiring their attendance being responsible for the payment of their fees as witnesses in the first instance, but the same to be taxed as disbursements in the cause as in ordinary cases. When an order of examination is made, as hereinbefore provided, the proceedings on the part of the plaintiff in said cause shall be stayed until compliance is made therewith in manner and form as directed in said order. Inasmuch as there is no law now existing covering this subject, and the need of such law is urgent, this act shall be and become a law from and after the approval by the governor."

Mr. Davis, of Lincoln county, has a bill (No. 141) which amends section 1890 of the code (the Sunday closing law) so as to read as follows: "Section 1890. If any person shall keep open any store, (barber shop), shop, grocery, ball alley, billiard room, (shooting alley), hipping house for the purpose of labor or traffic, or any place of amusement (or any house or building where goods, wares and merchandise are sold or offered for sale) on the first day of the week, commonly called Sunday or the Lord's day, such person, upon conviction thereof, shall be punished by a fine not less than \$10 nor more than \$100; provided the above provision shall not apply to the keepers of drug stores, doctor shops, undertakers, livery stable keepers, hotel keepers, butchers and bakers, and all circumstances of necessity and mercy may be pleaded in defense, which shall be treated as a question of fact for the jury to determine when the offense is tried by a jury." The words in parenthesis form the amendment to the original section, and the words "barber shops" have been cut out from the exemption clause, being now included in the prohibitive clause.

Mr. Young, of Clatsop, would do away with the assessor's copy of the tax rolls and with the making of ownership plats, by repealing section 2762 of the code. This would leave county assessors without some very necessary adjuncts of the office for good work.

Mr. Grace, of Baker county, in house bill No. 83, would amend section 573 of the code so as to give contractors ninety days, instead of sixty, and employes or persons furnishing materials sixty days instead of thirty, after ceasing work or furnishing materials, in which to file claims for mechanic lien.

Mr. Knight, of Clackamas county, desires, in house bill No. 89, to amend section 2716 of the code, so as to change the minimum rate of interest on state school funds, from 7 to 6 per cent; also to amend section 2718, by lowering the rate at which such money shall be loaned from 8 per cent. to 6 per cent.

Senator Froebel, of Umatilla, would do away with nickel-in-the-slot machines by Senate bill No. 22, as follows: "Each and every person who shall conduct, maintain or operate, either as owner, proprietor, lessee or employe, or who shall play or use any nickel-in-the-slot machine or other device of like character, wherein are used cards, dice or any substitute therefor, or wherein there enters any element of chance, whether the same be played or operated for money, checks, credits, or any other thing of representative value, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than \$5 nor more than \$50."

Mr. Wilson, of Douglas county, would have a low rate of interest on public warrants, according to the following bill: "All state, county, city or school warrants, and all other non-taxable warrants drawn on public funds shall bear 4 per cent. interest per annum, and no more."

The following bill, by Mr. Palmer, of Linn county, is intended to prevent the ways and means committee from weighing down the general appropriation bill with the claims of various individuals: "That each and every claim for the payment of money by the state of Oregon shall be incorporated in a separate act of the legislature for that purpose, and that each and every act appropriating money out of the state treasury shall have but one object stated therein; provided, however, that the information possible relating thereto, by law for the support of the state government, may be incorporated in the same act."

Mr. Hawson, of Gilliam, desires to protect farm laborers in the following bill: "Any person who shall labor upon any farm or land, in tilling or cultivating the same, or in sowing, cutting, harvesting, threshing or otherwise caring for any grain, hay or other crop, as laborer, contractor or otherwise, or who shall labor upon, or secure or assist in securing or housing any crop, or crops sown, raised, grown or threshed thereon during the year in which said work was done, shall have a lien upon all such crops or crop as shall have been raised, grown or harvested upon all or any such land, for such work or labor, and the lien created by the provisions of this section shall be a preferred lien, and shall be prior to all other liens or encumbrances." The manner of enforcing the lien is fully set out, and it is made a crime to dispose of, or render difficult of identification, any of the property involved in such liens.

Chris. Newby, an inmate of the Poor Farm Transferred to the Asylum. Chris Newby, aged 72 years, for several years past an inmate of the Marion county poor farm, was yesterday committed to the insane asylum. The unfortunate man was examined before County Judge G. P. Terrell by District Attorney S. L. Hayden and Dr. J. N. Smith, and his commitment was duly ordered.

The man's mental faculties have been impaired for the past two years, and his condition was such that he required almost constant attention, making it necessary to transfer him to the asylum, where he will receive the proper attention that his case demands. The cause of his insanity is not known, but is supposed to be occasioned by old age. The patient is destructive at times.

Sheriff G. W. Henderson, of Yamhill county, yesterday placed in the insane asylum upon commitment from the court of Yamhill county, Albert Crawford, of Dayton. The patient is a farmer, aged 40 years, and has been mentally ill for ten years. He is homicidal and violent. One guard accompanied the sheriff.

AN INSANE COMMITMENT.

A BITES BITTEN.

Justice of the Peace Johnson Smokes Tobacco from Manila. Some time ago Justice of the Peace H. A. Johnson, distributed, among a number of his friends, a quantity of tobacco (grown in this county) claiming that the weed had been sent him from Manila by his son, Claud Johnson, now with the Oregon volunteers. The friends receiving the tobacco became aware of the fraud practiced upon them and determined to be avenged.

A few days ago Squire Johnson entered an office in a down town business block, and there met a number of his friends. While sitting there, chatting, he was offered a cigar, and applying a vesta to it soon enjoyed (?) the smoke from the black pill. The flavor of the tobacco seemed to be a peculiar one, and Mr. Johnson, after vainly trying to keep the tobacco burning, and having smothered several severe coughing spells, asked for information as to the make of the cigar, when the gentleman who had given it to him replied, with fiendish glee:

"That cigar, sir, was made in Salem by an expert cigar maker, and the material used in it was sent to you, by your son, from Manila. You enjoyed treating your friends to Manila tobacco two weeks ago; how do you like the taste of it yourself?"

PROBATE CASE HEARD. Petition for the Removal of a Co-Executor in the Peter Kirk Estate. County Judge J. P. Terrell, sitting in probate court, yesterday heard the petition of Mrs. Matilda Kirk, relict of the late Peter Kirk, requesting the removal of Robert E. Kirk as co-executor of the estate of her deceased husband.

In her petition the complainant stated that in the conduct of the business of the estate the co-executor never consulted her regarding any business transaction, and further alleged that he was intoxicated a great part of the time and was incapacitated from serving in the capacity to which he had been appointed.

The petitioner was represented by P. H. D'Arcy, the executor having retained J. J. Murphy and Wm. Kaiser. The case occupied the entire day, about twenty witnesses being examined and it was nearly 6 o'clock when the closing arguments had been delivered. Judge Terrell announced that he would reserve his decision until 10 a. m. on Monday.

The property of the estate being administered upon, as shown by the inventory filed by the appraisers, is valued at \$7,978.50 and consists of valuable real property near St. Paul.

TWO BILLS. And Filed with the Secretary of State Yesterday. Gov. T. T. Geer has thus far signed two bills, passed at the present session of the legislature—Senate bills No. 1 and No. 12, and both of these measures were filed with Secretary of State F. I. Dunbar at 10:20 a. m. yesterday.

Senate bill No. 1 gives the city of Antelope the right to issue bonds for a water plant and sewerage system. Senate bill No. 12, by Senator Leamy, authorizes the trustees of Jefferson Institute to dispose of its real and personal property.

Both bills carry an emergency clause, and are now in full force and effect.

FROM THE CHAPLAIN

A LETTER TO THE FATHER OF THE LATE HAL HIBBARD.

The Remains Are Resting in a Metallic Casket and Will Be Brought to Salem.

K. L. Hibbard, of this county, is in receipt of the following letter from Wm. S. Gilbert, chaplain of the Second Oregon volunteers, now stationed at Manila, Philippine Islands: "Manila, P. I., Dec. 9, 1898—King Hibbard, Salem, Or.—My Dear Sir: It is my very sad duty to bear to you the news of your son—Hal, death. I have just returned from the cemetery where we laid his body. Our hearts are all sad. We feel a personal loss. We all loved Hal. He was a good friend and a faithful comrade. But to you the loss is greatest. I bear to you the sympathy of the entire regiment. The funeral service was the most impressive one our regiment has had. Hal was the first non-commissioned officer to die. He died in our regimental hospital here in the barracks, and so his funeral was the first that the entire regiment has attended. As his casket, covered with the flag and flowers, was borne to the hearse in the quadrangle the scene was one this regiment will never forget. The band, followed by the escort and officers, led the sad procession to the cemetery. The casket was borne by six of Hal's comrades; following the hearse the company marched. We bore him tenderly to his resting place. Every honor due a soldier was shown him, and I can say that Hal's memory is today enshrined and held sacred in the heart of every member of the regiment. Captain Worrick secured a metallic casket, and this was placed in a niche in the wall, so that when the regiment returns we can bring Hal's body home. Every thing was done that could be done for Hal during his sickness. Dr. Wood, one of the Red Cross nurses, had sole care of him, and she gave her time wholly to his care; but, though Hal seemed to be getting along nicely, quite suddenly his fever developed critical symptoms. Our surgeon, Dr. Ellis, did everything possible to save him but a hemorrhage of the bowels came and the end was inevitable. Hal was a good boy; a splendid officer, and a true and loyal patriot. He was a genuine soldier and died at his post doing well his duty. His captain will write also. Very respectfully, Wm. S. Gilbert, chaplain, 2d Oregon."

CURIOUS METHODS OF MAKING OATH.

In Some Countries Solemn and in Others Laughable.

There is more than a grotesque, as well as of the solemn, in the modes of administering oaths in certain countries, says Tit-Bits. When a Chinaman swears to tell the truth he kneels down and a china saucer is given to him. This he proceeds to break in pieces, and the following oath is then administered: "You shall tell the truth and the whole truth. The saucer is cracked, and if you do not tell the truth your soul will be cracked like the saucer."

Other symbolic variations of the Chinese oath are the extinguishing of a candle or cutting off a cock's head, the light of the candle representing the witness' soul and the fate of the cock symbolizing the fate of a perjurer.

In certain parts of India tigers' and 'hards' skins take the place of the Bible of Christian countries, and the penalty of breaking the oath is that in one case the witness will become the prey of a tiger, and in the other that he will be covered with scales like a lizard.

One of the most terrible of European oaths is that administered in Norwegian courts of law. The prelude to the oath proper is a lug homily on the sanctity of the oath and the terrible consequences of not keeping it. Part of this lengthy sermon takes this form:

"If you swear a false oath, the goodness and mercy of God will not avail you, but you will be punished eternally in hell as a perverse and hardened sinner. If you swear falsely, your possessions will be cursed, your land and meadows, so that they will not yield you fruit; your cattle and sheep will be barren, and all that you enjoy in this world will become a curse to you."

When the witness is duly crushed by the sense of his fearful responsibility the oath is administered, while he holds aloft his thumb and fore and middle fingers, as an emblem of the Trinity.

It is a little curious that the expression, "the truth, the whole truth, and nothing but the truth," in very slightly varied forms, runs through almost all the oaths administered in European courts.

In an Italian court the witness, with his right hand resting on an open Bible, declares, "I will swear to tell the truth, the whole truth, and nothing but the truth."

The Mohammedan takes the oath with his forehead reverently resting on the open Koran. He takes his "Bible" in his hands, and, stooping low, as if in the presence of a higher power, slowly bows his head until it touches the book, which to him is inspired. In the reverence of his acts and the unwavering loyalty to an oath many Europeans have much to learn from a follower of Mohammed.

In certain parts of Spain the witness, when taking an oath, crosses the thumb of one hand over the forefinger of the other, and kissing this symbolic, if primitive, cross, says, "By this cross I swear to tell the truth."

In the more usual form of administering the oath in Spain, the witness kneels solemnly before the Bible and places his right hand reverently upon it. The judge then asks him, "Will you swear, in the name of God and His holy Book, to speak the truth in answer to all questions that may be asked you?" The witness answers, "I swear." The judge then concludes,

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A UNIQUE FAN.

Its Centre and Its Blades Painted by Famous Artists—Gerome, Henner, Cazin, Leloir, Vibert and Other Great Names Among Them.

Alexander Blumenstiel, a lawyer of New York city, is the owner of a fan to which an extraordinary art interest attaches. Mr. Blumenstiel has been actively engaged for the last four or five years in collecting examples of the principal artists of Europe. About three years ago he conceived the notion of procuring from the great living painters of Europe specimens of their art upon ivory blades, to be used in a fan. He was aware of the difficulty of achieving success in this direction, in view of the fact that the examples required upon the ivory blades were to be perfect paintings in themselves, not sketches or mere drawings. In order to make such work a fair portrayal of the ability of the artists, as much care and attention would be required in the painting as in larger works, and, indeed, in many instances the labor of painting in oil or in water color upon so small a space as these blades occupy are a little over an inch and a half at the widest surface and taper down to almost a point—would require much more attention in detail than in the portrayal of the artist's skill upon canvas. Nevertheless, the notion was conceived that the painters when applied to would, for the sake of art, make the sacrifice in this direction and devote themselves to the work in question.

The difficulty was in the start. After a few artists had been obtained others could be induced to enter upon the scheme, in view of the fact that those previously applied to had consented. So the ivory blades were ordered and specially cut in New York, and the owner, together with the assistance of Emanuel Blumenstiel, at intervals, as they visited Europe, called upon the various artists.

At first the artists did not look upon the idea with much favor. Alma Tadema, for instance, considered it an exaggeration of the scheme of autograph hunting so prevalent among Americans. Some declined at first because the space upon which they were to paint was too small, others through press of other work. Perseverance prevailed, however, and finally a few artists, such as Gerome, Madrazo, Henner and Vibert were enlisted and they agreed to contribute.

Commenting at the left hand side it contains the following examples: Cazin, J. Henner, J. Robie, Israels, Defregger, Rico, Lefebvre, Vibert, Gederstrom, Madrazo, Flameng, Herbert, Charsaran, Roybet, Hairpignies, Brumlin Constant, Marie Dieterle, Alma Tadema and Gerome. The centerpiece is by Maurice Leloir and represents a scene from "Nanon."

Each one of these specimens is an exact example of each artist's specialty, so far as its relation to the subject as well as to the manner of delineation. Every one of these works is painted in oil colors, and is perfect in itself, and many of them took six or more months before they were completed.

All of the artists represented have obtained the highest medal at the exhibitions in Paris. Blumenstiel obtained the first medal at the exhibitions in 1887, Benjamin Constant carried off the honor the year previous; Alma Tadema is well known in this country as being one of the leading painters in England, and his pictures command the very highest prices. Gerome has occupied a leading position in the artistic world for a great many years; Madrazo, as well as Churruarín is well known in this country; Vibert requires no introduction to the American public; neither does Lefebvre, Henner or Maurice Leloir.

WOOD GOES UP.—Wood dealers along the Willamette river have raised on the price of wood to river steamers. Wood that dealers were offering to the boats at \$3.50 per cord, one year ago, (and which some begged the owners of boats to buy of them) they now ask \$2.50 per cord. This adds from \$10 to \$20 per month to the expense of running a boat; it depending on the size of the boat and the construction of machinery and boiler. It will thus be seen that what may be considered a small item in the expense bill, in the aggregate amounts to a snug sum to owners of steamers. This also applies to factories and fruit evaporators, and state and county buildings and institutions, and may in the near future, result in the use of different kind of fuel by some, says the Dayton Herald.

HIS DISCHARGE ORDERED.—John A. Armstrong, of company K, of the Oregon volunteers, who reached this city Thursday on a furlough, yesterday learned that United States Senator Joseph Simon had obtained from Adjutant-General Corbin an order directing his discharge from the volunteer army, for which he had made application by telegraph on the day of his arrival here. Mr. Armstrong was overjoyed upon learning of his discharge, and will gladly resume the custom of a civilian, after six months' military experience. Sickens in Mr. Armstrong's family made at least an extension of his furlough especially desirable.

BIDS CALLED FOR.

Washington, Jan. 20.—The war department has issued an invitation for bids from responsible shipping concerns of all nations, for transportation of Spanish prisoners in the Philippines from Manila to Spain.