

FIRED ON OWN SHIPS

LATEST ACCOUNT OF THE DOGGER BANK AFFAIR INDICATES THIS

THE SHIP AURORA WAS STRUCK

Story of Searchlights and Careless Management of the Great Fleet Looks Worse.

Report That Japanese Have Met With Serious Repulse at Mukden, But the Story Lacks Confirmation as Yet—Were Lured Into Ambuscade.

ST. PETERSBURG, Dec. 5.—The official statement issued from naval headquarters gives Rojstvensky's latest account of the Dogger Bank affair and explains how the Baltic fleet fired on its own ships. The statement follows: "After Kazan Novoroff ceased firing, two searchlights of the Dmitri Donskoi and the Aurora suddenly appeared on the left of the ironclad division. The Dmitri Donskoi showed night signals. Fearing that the projectiles from the hindmost ships of our division should hit our own vessels, the signal to cease firing was made from the Novoroff. The order was at once obeyed. It is stated five projectiles struck the Aurora."

The foregoing statement is the first official confirmation of the fact, previously published in these dispatches, that during the North Sea affair shells came aboard the cruiser Aurora.

Russians Claim Victory.
Mukden, Dec. 5.—There is a persistent rumor that a force of Japanese sent to turn Rensenkampff's flank has been repulsed with great loss. The story is not yet officially confirmed. It is stated that Rensenkampff awaited the Japanese at the mouth of one of the captured passes and the Japanese threw themselves into the ambuscade, where after a fight the Russians collected 500 Japanese corpses. It is added that 1000 more Japanese corpses were impossible to collect owing to the fire of the Japanese. This does not include the Japanese wounded. The Russian loss according to this account, was thirty or forty men.

Japanese Are Foiled.
Mukden, Dec. 5.—On the night of December 2 the Japanese began a heavy fire on the Russian fleet. The Russian artillery answered vigorously for several hours, then slackened. The Japanese, imagining the Russian fire was silent, captured passes and the Japanese threw themselves into the ambuscade, where after a fight the Russians collected 500 Japanese corpses. It is added that 1000 more Japanese corpses were impossible to collect owing to the fire of the Japanese. This does not include the Japanese wounded. The Russian loss according to this account, was thirty or forty men.

On December 3, Captain Giekhon and Corporal Compantz crawled up close to the Japanese position, where they remained under a heavy fire all day, making sketches of the whole position, and returned in safety to their own lines. Skirmishes are occurring daily.

DRIVERS WILL NOT STRIKE

NEW YORK, Dec. 5.—The 3000 members of the drivers' union, known as "The Liberty Dawn Association," today voted not to strike, but to accept the offer of \$2 per day and to receive one day off in twelve.

THE CHADWICK AFFAIR.

They Declare Positively That Carnegie Signed the Notes—Bank Officials Arrested.

Cleveland, Dec. 5.—There were numerous developments today in connection with the affairs of Mrs. Cassie L. Chadwick, whose complicated financial affairs have already caused the closing of the Citizens' National Bank at Oberlin, Ohio. President Bekwith and Cashier Spear of the bank were brought here from Oberlin by United States Marshal Chandler and deputy shortly before noon.

The bank officials were later arraigned before United States Commissioner Stark, when both pleaded not guilty and waived the preliminary hearing. Commissioner Stark fixed bail at \$10,000 in each case, and bound the two men over to the Grand Jury. Both prisoners were released on bond this afternoon.

That the Oberlin bank, or President Bekwith, really possessed notes for \$250,000 and \$500,000 respectively with the names of Andrew Carnegie signed thereto, is now known to be a definite fact. Whether these notes are forged is yet to be shown.

District Attorney Sullivan declared they had a note for \$250,000 with Mr. Carnegie's signature in his possession and that it bore the name of Andrew Carnegie and was endorsed by C. L. Chadwick. A widely known banker who requested that his name should not be used, stated positively when seen today that the \$500,000 note was signed by Andrew Carnegie.

OREGONIAN WINS

THE INJUNCTION SUIT BROUGHT AGAINST PORTLAND PAPER DISMISSED BY COURT.

Plaintiffs Try to Compel Oregonian Publishing Company to Deliver Newspapers in Accordance With Provisions of Certain Contract.

The Supreme Court handed down two decisions yesterday, the most important being that in the case appealed from Multnomah county in which F. E. and L. A. Harlow were the plaintiffs and appellants and The Oregonian Publishing Company and H. L. Pittcock, defendants, and respondents. The case was tried in Portland before Circuit Judge Cleland, George and Sears, who rendered a decision in favor of the defendants, and the lower court was affirmed by the Supreme Court, the opinion being given by Justice Bean.

This was an injunction suit brought by the Harlows to enjoin the Oregonian Publishing Company from refusing to deliver newspapers to the plaintiffs in accordance with the provisions of a contract entered into in 1864 between Henry L. Pittcock and Byron M. Southworth. The territory covered by the contract included all of the city of Portland south of Alder street. This controversy arose because Harlows claimed the right to control the delivery route in territory added to the city of Portland south of Alder street since the contract was executed.

Whether the contract applies to territory subsequently added to the city is not decided by the Supreme Court, the decision handed down today being upon two grounds. First, that the plaintiffs, if they are entitled to any relief at all, have a full and complete remedy at law; and secondly, that with lighter vote than was anticipated, considering the rivalry that has marked the progress of the past fortnight's campaign. The citizens' party elects W. T. Bryan as mayor and R. E. Pugh as councilman. The citizens' league elects as councilmen, O. V. White and George Penner, J. E. Henkle, G. A. Scott, W. A. Jolly and Guy Frink. Candidates on the citizens' ticket, the first for treasurer, the others for councilmen, being endorsed by the league, were elected by good majorities.

A. G. Wright and W. H. Boles trying the vote for recorder, will draw straws to determine which shall dispense justice in the city court during the ensuing year.

Citizens at Philomath.

Philomath, Or., Dec. 5.—(Special to the Statesman.)—Today's election passed off quietly, but with lighter vote than was anticipated, considering the rivalry that has marked the progress of the past fortnight's campaign. The citizens' party elects W. T. Bryan as mayor and R. E. Pugh as councilman. The citizens' league elects as councilmen, O. V. White and George Penner, J. E. Henkle, G. A. Scott, W. A. Jolly and Guy Frink. Candidates on the citizens' ticket, the first for treasurer, the others for councilmen, being endorsed by the league, were elected by good majorities.

THE ELECTION BADLY MIXED

FACTIONS INSTEAD OF PARTIES CAST VOTES YESTERDAY.

CORNELIUS IS BARELY ELECTED

In the City Election Yesterday the Regular Republican Ticket Was Badly Scratched.

Three Opposing Aldermen Selected and Cornelius Elected Marshal by a Majority of Only Eight Votes Over J. L. Skipton, Who Ran Independent.

Summaries of the Vote.
For Mayor, F. W. Waters 1256
For Recorder, W. A. Moores 1263
For Marshal, T. E. Cornelius 644
For Marshal, J. L. Skipton 636
Majority for Cornelius 8
For Treasurer, F. Meredith 1263

The Democrats in the disguise of "Republican Independents" elected Fred Steustoff alderman from the First Ward, P. L. Frazier in the Fifth Ward, and Skaffe in the Sixth Ward.

The above is the summary of the results of the election held yesterday for the selection of officials for the city government. It was a hard fight and a close result so far as the offices where there was opposition was concerned. The day was fair and there should have been a good vote polled, yet it fell behind the election of two years ago. It is said that especially in the North End, in Highland and out towards the Fair Grounds there was a dire apathy noted all the day, and there were at least sixty votes in the Fifth Ward that were not at the polls.

The result was a surprise in one way, yet there is a deep feeling that the regular nominees were kaffed right and left by their own party men. It is said that there were questions of factions in the fight that could not be downed. It is said that the failure on the part of some of the members of the party to support the Republican ticket has its cause in various shrievalty fights where the Republican candidate has been beaten by Democratic nominees.

However, the fight is over as far as the election is concerned. Special policemen were appointed by the city marshal and recorder it is said for the purpose of preventing electioneering within fifty feet of the polls but when it was discovered that their duties consisted principally in handing out ballots marked "Republican and Independent Ticket," on which the Democratic candidate for marshal had placed his name and that of the Democratic candidate for alderman in that ward, the mayor took a hand in the matter and the special policemen were called off.

A good deal of complaint was made at the collection or instance of the payment of poll tax before allowing any one to vote, some claiming that the action resulted in the disfranchisement of a number of voters. It is even said that some of the people who were refused a vote will make complaint against the judges of election and have them arrested for their acts in this matter.

However, the charter is clear in this particular, its constitutionality, of course, being open to question until decided by the Supreme Court of the state. Section 15 of the charter act of 1902 says: "No one shall be entitled to vote who has not paid, unless he be exempted therefrom, a poll tax for the year in which he offers to vote the receipt therefor, signed by the street commissioner of the city, being sufficient evidence thereof for the judges and clerks of election at the polls where said citizen offers to vote."

Chairman L. R. Stinson was interviewed by a Statesman reporter and said: "The Republican city committee feels highly gratified over the election of the entire city ticket, which insures the city of Salem a clean, progressive Republican administration for two years. The city council will be composed of ten Republicans out of fourteen members. Considering the apathy of the voters, the enforcement of the poll tax exclusion, which is un-Republican and un-American, and the unwarranted presence of special police at each polling place, leaves the result of the election beyond our expectation. It is certainly a great victory for good government."

Vote by Wards.

First Ward—
For Mayor, F. W. Waters 176
For Recorder, W. A. Moores 178
For Marshal, T. E. Cornelius 78
For Marshal, J. L. Skipton 104
For Treasurer, F. Meredith 176
For Alderman, H. A. Johnson 53
For Alderman, F. Steustoff 118

Second Ward—
For Mayor, F. W. Waters 245
For Recorder, W. A. Moores 244
For Marshal, T. E. Cornelius 141
For Marshal, J. L. Skipton 105
For Treasurer, F. Meredith 244
For Alderman, C. A. Baker 148
For Alderman, Linn 97

Third Ward—
For Mayor, F. W. Waters 127
For Recorder, W. A. Moores 127
For Marshal, T. E. Cornelius 75
For Marshal, J. L. Skipton 54
For Treasurer, F. Meredith 127
For Alderman, Paul Wallace 88
For Alderman, Webster Holmes 40

Fourth Ward—
For Mayor, F. W. Waters 241
For Recorder, W. A. Moores 247
For Marshal, T. E. Cornelius 103
For Marshal, J. L. Skipton 146
For Treasurer, F. Meredith 243
For Alderman, J. C. Goodale, Jr. 238

Fifth Ward—
For Mayor, F. W. Waters 181
For Recorder, W. A. Moores 184
For Marshal, T. E. Cornelius 73
For Marshal, J. L. Skipton 92
For Alderman, A. H. Fisher (R) 82
For Alderman, P. L. Frazier (D) 83

Sixth Ward—
For Mayor, F. W. Waters 181

CONGRESS IS IN SESSION

BOTH HOUSES HOLD BRIEF SESSIONS AND ADJOURN IN MEMORY OF DEAD MEMBERS

PRESIDENT'S MESSAGE TODAY

Both Houses Open Session With Prayer from Reverend and White Haired Chaplains.

Committee Appointed to Wait on the President is Named and Resolutions of Respect in Memory of Late Senators Hoar and Quay are Adopted.

WASHINGTON, Dec. 5.—With the Senate in session thirteen minutes and the House fifty-three minutes, the last session of the Fifty-eighth Congress assembled today. The time of both bodies was devoted entirely to the usual formalities of the opening day. There were cordial greetings between the different members. There was a great floral display and the galleries of both houses were filled with hundreds of visitors, with beautifully gowned women predominating. The gavel of Senator Frye, speaker pro tem of the Senate and President Cannon, of the House, fell exactly at 12 o'clock. The opening prayers were made by Chaplains Rev. Dr. Edward Everett Hale in the Senate, and Rev. H. N. Couden, in the House. In both the Senate and the House committees were appointed to wait upon the President and inform him that Congress was ready to receive any communication he had to send. Resolutions in respect to the memory of the late Senator Hoar, of Massachusetts, and Quay, of Pennsylvania, were adopted by both Houses, and a vote of adjournment was taken in further tribute to their memory.

SALEM STREETS

VISITORS SAY CEMENT WALKS ARE LIKE RIBBONS ON FIG STYES.

Probability That Principal Business Streets Will Be Laid With Bitumithic Pavement at Early Day—Petition is Being Circulated Properly.

Two men were standing on the side walk, near the State House, on Court street yesterday afternoon and as a Statesman reporter was passing, he heard one of them say:

"So they are niggating the street paving question again are they? Well, do you know this street would be a disgrace to any backwoods village, and I know personally that there is not a mile of road within twenty miles of Corvallis, with the exception of along the river bottom, that is not 50 per cent better than the average street of Salem. Why, look there, will you! The mud and slush comes up to a horse's ankles, and it is almost impossible to cross the street without going shoe deep in the filthy stuff."

The other, who was a resident of Salem, said:

"Yes, I know it is bad, but we are going to have some bitumithic pavement put down soon and then things will look different."

At this the stranger laughed and replied:

"Oh, that is the same old gag, and you fellows will be giving us the same thing this time next year. Really, you ought to keep up with the rest of the state in the way of progress. Why, the little town of Wasco, in Sherman county, is far ahead of you, as they coated the streets in the business section of the town with crude oil this spring."

"Well," replied the resident, "that might not work here and besides there is not a town in the state, excepting Portland, that has as much cement sidewalk as Salem."

"True for you," replied the other, "but your cement sidewalks bordering such filthy streets reminds one of ribbons on a pig pen."

With that they walked away, but their conversation served to show what visitors think of Salem's progressiveness in the matter of street work.

PEACE CONGRESS.

SAN FRANCISCO, Dec. 5.—A large and enthusiastic meeting was held this evening of the Pacific Coast Branch Congress of International Arbitration. The purpose of the meeting was to endorse the international treaties recently negotiated between the United States and European countries, and appeal to the United States to give its approval to such treaties. United States Circuit Judge Morrow called the meeting to order. Other speakers were President Benjamin L. Wheeler of the University of California; Sheldon J. Kellogg Franklin K. Lane, Rabbi Jacob Vooranger, Rev. Bradford Leavitt, David Starr Jordan, Judge Wm. H. Hunt of Montana, and Rev. C. B. Brown of Oakland.

EIGHTEEN YEARS OF BLISS.

President and Mrs. Roosevelt Celebrate Anniversary of Their Wedding.
WASHINGTON, Dec. 2.—Today was the eighteenth wedding anniversary of President and Mrs. Roosevelt. They were recipients of congratulatory messages and letters from all parts of the country. The anniversary was quietly celebrated tonight by the family at a dinner party.

CASTORIA.

Two More Bearmouth Train Robbers on Way to Face Charges Which Include Murder.
PHILIPSBURG, Mont., Dec. 5.—Sheriff Fred McDonald left here today for Deer Lodge, accompanied by Geo. Hammond and John Christie, charged with implication in the Northern Pacific holdup near Bearmouth two years ago. The men will be arraigned before Judge Norton. It is not likely the case will come up at this term of court. Hammond is charged with killing Dan O'Neill, engineer on the North Coast Limited. Christie is accused of being implicated but will not be prosecuted, on the promise of confession. Two men are now doing time for the Northern Pacific holdup at Bearmouth last October.

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CLACKAMAS COUNTY MURDERER SENTENCED TO PAY DEATH PENALTY JANUARY 27.

Doomed Man Fired Four Shots Into the Body of Mrs. Leonora Jones at Her Home in Oregon City Last September—Trouble Originated Over Jewelry.

OREGON CITY, Dec. 5.—George W. Lauth, the slayer of Mrs. Leonora Jones has been sentenced to be hanged by Judge McBride, and will be taken to Salem in a few days. The date named for the execution is Friday, January 27. Lauth's attorneys filed a motion for a new trial, and the argument was made before Judge McBride Saturday. The defense introduced evidence to prove that one of the jurors had perjured himself in talking about the case, and afterward having sworn that he had not discussed the matter, but this could not be proved and the court overruled the motion.

Lauth received his sentence calmly and without emotion. He passed a restless night Saturday, and played cards all night with Peter Nehren, his jailer. It is understood that his attorneys will try to have his sentence commuted to life imprisonment, and may appeal the case to the Supreme Court.

The condemned man is only 24 years of age. Last September he fired four shots into the body of Mrs. Leonora Jones at the home of her parents in this city, where he had a room. He had difficulty with the woman about the return of some jewelry which he had given her, and Mrs. Jones refused to have anything further to do with him. This so enraged Lauth that he swore that no other man should possess her, and killed her in cold blood. He was tried and convicted of murder in the first degree about ten days ago.

If the murderer is hanged he will be the first white man to suffer the death penalty from Clackamas county. Many years ago four Indians were convicted of the murder of Dr. Whitman and hanged here. In 1892 William Henderson killed Silas Suter in Canby, and was convicted of murder in the first degree and sentenced to be hanged, but his sentence was commuted to life imprisonment.

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TREATY WILL NOT BE MODIFIED.

PARIS, Dec. 5.—The reports that France has given adhesion to Russian overtures for modifications of the treaty of Paris so as to permit the Black Sea fleet to pass through the Dardanelles are officially denied. The authorities say that no such application has been made and at present there is no indication of any modification of the treaty.

STEAMER BERTHA SAFE.

FLORENCE, Dec. 5.—The steamer Bertha, fifty days out from San Francisco, over which considerable anxiety had been felt, arrived today. She was driven off her course by the recent storm.

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Causes Danger to Life and Serious Damage to Property in New York Garage.
NEW YORK, Dec. 5.—Ten persons were injured and \$50,000 worth of prop-

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JURY WILL REQUIRE BUT LITTLE TIME FOR A DECISION.

ARGUMENTS ARE BEING MADE

Judge O'Day for Defense Belittles and Ridicules the Testimony and Witnesses.

The Burden of the Argument for the Defense is That Government Failed to Make Case Against Defendants—Scores Montague and Heidecke.

PORTLAND, Dec. 5.—The arguments in the land fraud cases were continued today with Lawrence F. Pater of Eureka, Cal., the first speaker of the day. The burden of the argument was that the government had failed to make out a case and that the testimony of the government's principal witnesses, Montague and Heidecke was unworthy of belief. Judge O'Day followed Pater, who prefaced his argument with a defense of himself. He then attacked the efforts of the government to convict the defendants in a sarcastic vein. He ridiculed the testimony and belittled the witnesses. His argument was exhaustive in detail and covered the history of the case from its inception. When Judge O'Day concluded his argument the court adjourned until tomorrow. It will take at least another day to finish the trial. Tomorrow Special Prosecutor Henry will occupy the forenoon, and possibly part of the afternoon. Following this will come the charge to the jury. It is thought the deliberations of the jury will be brief.

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HOLIDAY GOODS

Our Assortment is Now Complete. Remember that the most desirable goods go first, so don't wait till the last week before Christmas to buy your presents.

Dolls, Games, Picture Books, Toilet Cases, Work Boxes, Manicure Sets, Handkerchief Boxes, Glove Boxes, Jewel Cases, Photo Cases, Necktie Cases, Shaving Sets, Collar and Cuff Boxes, Cushion Tops, Handkerchiefs, Neckwear, Ribbons, Towels, Table Linens, Stamped Linens. Everything suitable for the holidays.

If you prefer Practical Presents give your friends a pair of Shoes, a Suit of Clothes, a comfortable Overcoat or one of those fine Waterproof Raincoats.

Give your boy a nobby little suit and make him happy. We have an excellent line of Dry Goods from which you can select a nice Waist Pattern or a Dress Pattern for your mother or sister. They may appreciate some thing practical more than any fancy present you can get for them.

Our Usual Extremely Low Prices Apply to Holiday Goods, as well as to all other lines.

Our profits are figured on the spot cash basis. That's why we undersell "Regular Stores."

The New York Packet
SALEM'S CHEAPEST ONE PRICE CASH STORE



AT A GLANCE

The good features of our Overcoats proclaim themselves. There are a dozen kinds and styles. What's your particular preference, long, short or medium? We have it. All cloths, all colors, all styles that deserve to be here are here. Overcoats at