SALEM, OREGON, TUESDAY MORNING, JANUARY 10, 1905.

FIRST SECTION—EIGHT PAGES

# F. J. HENEY

APPOINTMENT AT HANDS OF JUDGE BELLINGER.

WITH PRESIDENT'S SANCTION

Booth and Bridges Removed by the President on Heney's Say So.

It Is Presumed This Is the Forerunner

PORTLAND, Jan. 9.-Judge Bellinger, in the United States district court, today appointed F. J. Heney United States attorney, district of Oregon. This was done with the sanction and approval of the President and to remove any objection which might be made to the indictments which the Federal grand jury will return at various times during the coming session, which starts

#### President's Order.

Washington, Jan. 9.- The President today signed an order suspending James H. Boota and Joseph T. Bridges respectively register and receiver of the United States land office at Roseburg. Ore. The action was taken on recommendation of Secretary Hitchcock and based on a telegram from F. J. Heney, who alleged that the affairs of the Roseburg office were in bad con

#### Booth and Bridges Removed.

Portland, Jan. 9 .- F. J. Heney stated today that he made the request for the Great Britain Desirous of Aiding in removal of Booth and Bridges as the result of the investigation of the past week. The announcement is considered as significant here and is thought to be the forerunner of several important in- England Wants to Help Make Termsdictments. For several months it has been rumored that the government had the Roseburg office, under examination, and the removals tend to confirm the rumors. It is said that the government will attempt to connect large lumbering interests located in the southern part of the state with the land fraud eases and that the move made today was the first step in that direction.

### Timber Land Sharks on Trial.

Helena, Jan. 9 .- Judge Hunt, in the United States court, today overruled the demurrers of defendants' indictments in the cases of the United States against R. M. Cobban, J. B. Catlin and others of subornation perjury and perjury in connection with timber land entries in Western Montana. The accused now have come on for trial. The by Senator W. A. Clark.

# About Montana Frauds.

investigation and in the state of Mon- in the terms of peace. tana discovered that many fraudulent entries had been made. It was soon discovered, it is alleged, that under the leadership of R. B. Cobban, a conspiracy was organized and a lot of people living in the vicinity of Missoula, men and women, were directed to make

were indicted and a number of indictments were filed, Cobban being indicted some ten times. All the lands were sold by Cobban to United States Senator W. A. Clark. Demurrers were filed to these indictments and they were delayed from time to time until now.

#### CHORUS GIRLS INJURED.

Bridge of Street Scene Collopses During Opening Act of Carmen In New York.

NEW YORK, Jan. 7 .- More than of Indictment of Many Prominent of the opening act of Carmen. None collapse of a bridge in the street scene jured members of the chorus heroically massed at the front of the stage and on, in an attempt to vent the public from learning what had to the organization of the Senate. happened. The curtain was rung down as soon as possible. Within fifteen minutes after the crash the performance was resumed, and few per sons in the Lig theatre realized cow serious the accident had been.

At the close of the performance Frank Palmer, master mechanic of the Metropolitan, was arrested on the charge of criminal neglect.

# HIS CHARTS ARE DEFECTIVE

FEARS ARE ENTERTAINED THAT PLEET WILL MEET DISASTER.

Peace Negotiations Between Russia and Japan.

Russian Pacific Squadron Is Defective-Mediation Said to Be Impossible at the Present Time.

shows that Rojestvensky's charts of the Senate, Marion county wants and house by Bailey, of Multnomah, wao defective and practically worthless. This arouses apprehension of a possible future catastrophe, as it is known recent hydrographic charts show dangers of the Indian ocean not hitherto

# England Wants to -uediate.

Paris, Jan. 7 .- After confering with Foreign Minister Delcasse a leading diplomat said today that mediation in the timber lands were afterwards acquired Japanese-Russian war was unacceptable to Russia now, as it would have been to the North after the defeat at Bull Run. The belief is growing that Great Britain's anxiety for mediation is not Washington, Jan. 9.—The following disinterested. A British official recent-authoritative statement was made to-ly said: "If Europe or America do that man is in the minority. night: "In the spring of 1902 the in- not intervene, Japan and Russia will terior department was informed of ex- make terms of peace without consulting tensive land frauds being perpetrated Europe or America." This leads dipin Montana and Idaho. Secretary lomats to say that Great Britain is less Hitchcock immediately commenced an desirous of peace than to secure a voice

# CONGRESSIONAL CONFERENCE

WASHINGTON, Jan. 7 .- An important conference regarding the legislative questions sending before Congress was held this afternoon. 'In addition to the President, the parties to the conference applications to the land office. Under this act of congress it was necessary ticut and Representatives Payne, of for an applicant, when he made appli-eation, to take oath that the land was ney. It can be said on the authority not taken for speculative purposes, but ofathe President that no conclusions

# paid all expenses and \$2.50 per aere for take land and give these persons \$100 to \$150 at iece for faise swearing and entry. One hundred and two persons

House Organizes Permanently Electing all Officers Senate in the After the forty third ballot Frank INAUGURATION EXERCISES WILL Throes of a Deadlock.

is to be regretted by Republicans gensible. It was supposed that hold-ups this morning. were proven unpopular, but such seems Men in the State-Land Frauds in of the principals was on the stage at not to be the case, and there is such the time of the acident and the unin. a thing in the wind again unless some one or more of those Republicans who are in the minority decide to accept the wishes of the majority and proceed

> Many who look on from the lobby say that it certainly is the duty of regularly elected Republicans to meet with their fellows' wishes and abide with their fellows' wishes and abide The Stalwart Quartet then sung by the majority decision. Especially is The Star Spangled Banner." legislation in which their constituents are interested, and which is bound to suffer by any such confest as the one

ruling now. There was little evidence of the contest at the office of the Willamette hotel last evening, everybody there being occupied in "dolce far niente," principally at 10 o'clock. A talk with Senator Kuykendall and his friends indicated that that gentleman had no of Lane, and Huntley, Clackamas. would not be able to organize some time today, and the declaration was made that it would continue to east fourteen votes for the Senator from Lane, notwithstanding the Carter men ROJESTVENSKY HAS BAD MAPS declared that Dr. Kuykendall could not be elected.

> In the house all Republicans went into the caucus yesterday and declaredtheir willingness to abide thereby, and the same thing in the Senate would have been a satisfactory political move, declare party leaders, who have little interest except in the passage of good and wise legislation.

"I am sorry to see one of Marion. county's Senators holding out against the majority of the Republicans," said a prominent farmer of this county yesterday evening, "especially when the adopted, which was adopted. ear, and I was very much in hopes want to see the indebtedness wiped off ed and that his nomination was merely lation necessary to push it on to great the organization of the party still exer work. I feel so strongly on this isted. matter that I think every Marion county member should work with a view to securing this legislation, and Mr. Kay, of Marion county, and Mr. is more important than standing out Mills to the chair. for some man or other for the presi-

Another Salem business man said: for the state deaf mute school, and chief clerk of the nouse. many other appropriations. It wants to see the block of land east of the Capitol building purchased by the state, and made a part of the Capitol grounds and it seems this legislation is of much interest to this city, and therefore worth making an effort to get? I doubt if these things will come easily as the effects of a hold-up in eitner body. These things come through a mutual effort to legislate. They come through a majority vote, and not by holding

This city became the scene of the courty, announced himself a candidate for speaker of the House of Representatives of the Twenty-third biennial

ession of the Oregon Legislature. The fight was entirely a one-sided affair for a good many weeks, with Mr. Kay alone in the field, but later Mr. A. A. Bailey, of Multnomah coun ty, announced himself, and Hon. W. I. Vawter, of Jackson, later, as a candidate against Mr. Kay for the honor.

Claims were openly made by Mr. Kay that he had sufficient votes pleaged to secure and insure his election as speaker, and this was pretty generally conceded to be a fact until 5, S. B. Hermann; District No. 6. the name of Representative A. L. Mills, Robert Burns; District No. 7, Robert of Multnomah, came out for the speakersaip, when Mr. Kay's friends recognized the fact tast they had a hard District No. 10, V. A. Carter; District fight on their hands, and after the No. 11, F. H. Falk; District No. 12, combination was accomplished with Mr. James S. Cooper; District No. 13, B. C. Vawter and his backers at Portland, Miles; District No. 14, T. B. West;

a short time before there was made the announcement at the door of the caucus chamber that Mr. Mills had been nominated by a vote of 26 for Mills to 24 for Mr. Kay. Mr. Kay made a good fight for the speakership, but the combination was too strong District No. 21, R. E. L. Steiner; District No. 22, W. G. Cole; District No. 24, J. H. Dobbin; District No. 25, M. C. McLeod; District No. 26, A. P. Smith; District No. 27, J. L. Sitz; District No. 28, C. C. Kuney; District No. 29, J. N. Burgess. but the combination was too strong

the fact that a Marion county man was ing. the defeated candidate for speaker, Marion county fared remarkably well in he snake-up. Captain Charles A. Murphy, who was originally a candidate for reading clerk of the house, was elected doorkeeper; Mr. Drager, of Scotts Mills, was selected for the assistant chief clerkship. James Finch secured the post of calendar clerk, and Charles Hoyt as page. Mr. Murphy chief clerk. The Temporary President appointed a committee on credentials

The fight that is on in the State Sen- | Graham seconded the nomination. Mr. | as follows: John L. Rand, of Baker; ate for the organization of that body Drager was a former assistant and was U. S. Loughery, of Polk, and Herbert

Holman, of Multnomah. selected for his former experience. twenty members of the chorus of the erally, and especially by those who deMetropolitan Grand Opera Company
were seriously spired tonight by the

#### House Routine.

The house was called to order by Chief Clerk Jennings at 10:26 a. m. Mr. S. B. Linthieum, of Portland, nominated Mr. B. C. Miles, of Yambill county, for temporary speaker, and he

Edwards, of Lane, nominated A. C. Jennings as temporary chief clerk, and he was elected.

On motion of Cornett, of Linn, a committee of three on credentials was Senate, Chamber by a committee apappointed, consisting of Corrett, of Linn; Burgess, Wasco, and Linthicum, of Multnomah. A committee on order of business

was appointed, consisting of Capron, of Multnoman; Hermann, of Coos, and Newell, of Washington. Committee on permanent organization-Bailey, of Multnomah; Edwards.

House adjourned till 2:30 p. m. House, Afternoon. Temporary Chairman Miles called

he house to order at 3 o'clock. The committee on credentials sub-sate adjourn to allow a caucus of the mitted its report, which contained the Republican members to be held. The names of all members of the aouse. The motion was carried, whereupon the Senreport was adopted on the motion of ate took a recess and the Republican Carter, of Benton county. The members of the house were

sworn in by Chief Justice Wolverton at 3:10 p. m. The committee on organization then submitted its report, which recommend-

ed the election of a speaker of the house and to fill the necessar, clerical however, by Howe, of Yamhill, and positions. The committee on order of business

the session of the house of 1903 be PARIS, Jan. 7.-Information was house has been organized by the A. L. Mills, of Multnoman county, eccived from official quarters here that friends of the majority candidate in was nominated for speaker of the the waters in which the Russian second demands a great deal of legislation this spoke highly of his efficiency and in-

the Marion county delegation in bota county, was nominated for speaker by houses would be in shape to aid in se- Smith, of Josephine, who admitted his I especially candidate had no snow of being electthe State Fair grounds and buildings to show the respect in which he is held and that institution receive the legis by the Democratic members and that

A. L. Mills was elected as speaker

of the house by a full Republican vote. I think getting the legislation we need Holcomb, of Multnomah, escorted Mr. Cornett, of Linn county, nominated for chief clerk of the nouse W. Lair Thompson. As he was the only candi-

date for the position his election was Salem wants to see a new building unanimous and he was duly declared Mr. Miles, of Yanthill county, nominated as assistant clerk W. F. Drager, of Marion county, and he was installed

in his new position. C. M. McArthur, of Derry, Polk county, a grandson of the late Senator Nesmith, was nominated and elected

by a unanimous vote to serve as reading clerk. James Finch, of Marion county and formerly of the Journal, was nominated and elected as calendar clerk with-

out opposition. Mr. Miles, of Yamnill county, nom-

T. E. Hills, of Jackson county, was nominated and elected to the position

of mailing clerk. Caldwell, of Yamhill, was excused on account of sickness in his family.

Speaker Mills appointed Frank Hogan, of Multnomah; Charles Hoyt, of Marion, and Bock, of Hope, as pages. The speaker appointed the following district clerks as a committee to apportion the clerkships among the different districts: District No. 1, T. B. Kay; District No. 2, F. D. Cornett; District No. 3, G. W Griffith; District No. 4, H. G. Sonneman; District No. G. Smith; District No. 8, H. Von Der Hellen; District No. 9, W. I. Vawter; there seemed no doubt at all of the District No. 15, A. B. Flint. District No. 16, Frank Jagger; District No. 17, After the nouse met yesterday for G. W. Holcomb Jr.; District No. 18, A. permanent organization, a cancus was A. Bailey; District No. 19, J. M. Lewcalled for the members of the house is; District No. 20, George G. Mayger; to take place at once, and it was but District No. 21, R. E. L. Steiner; Dis-

Immediately after the appointment The other officers of the house were of the district clerks the house was adselected at the caucus and considering journed until 10 o'clock Tuesday morn-

#### SENATE. Morning Session.

The Senate was called to order at 10:45 a. m. by Senator Geo. C. Brownell, of Clackamas. On the motion of Senator John L. Rand of Baker coun-

and few of the Senators were in the organization.

#### SENATE. Afternoon Session.

The Senate was called to order at o'clock yesterday afternoon by Geo. C. Brownell, Temporary President. The committee on credentials made its report, which was adopted. Judge u. P. Terrell was appointed temporary sergeant at arms.

Immediately following Chief Justice C. E. Wolverton was escorted to the pointed by the Teporary President and he administered the oath of office to the new members.

Senator Rand nominated Senator Kuykendall for President of the Senate. Senator Whealdon nominated Senator Carter, and Senator Smith nominated Senator Miller. When the clerk began to call the roll it was found that several of the new members were ansent when the oath of office was administered. The chief justice was recalled to administer the oath to them. At this point Senator Rand moved that the roll call be suspended and the Senmembers repaired to the President's room for consultation.

After thirty minutes the Senate reassembled and Sonator Rand announce ed that fifteen Republicans were pres ent at the caucus and that all were unanimous for Kuykendall for President. Carter was again nominated. Miller by Pierce. The Senate then proceeded to vote for President. The first recommended that the rules governing ballot stood: Kuyknda 14: Carter, 9: Miller, 4; Pierce, 1; blank, 2. The vote was as follows: For Kuykendall -Booth, Brownell, Coe, Coke, Croisan, Hodson, Hobson, Holman, Longhary, Malarkey, Mays, Rand, Sickel and Tut-

Haines Howe, Laycock, Nottingham, Whealdon and Wright. For Miller-Avery, Coshow, Pierce and Smith.

For Pierce-Miller, Blank-Carter and Kuvkendall, In the fifth ballot Kuykendall voted for Booth his "life long friend." At he end of the sixteenth ballot Senator Miller asked the President how long this thing would last. Senator Brownell replied that he was often accused of knowing things out of the ordinary, but in this case he was not able to give the gentleman any information. In the seventeenth ballot Wright failed to vote when his name was called whereupon Kuykendall immediately changed his vote to himself. Wright, however, insisted on having his vote counted, which was finally allowed by the President, after some hesitation. If his vote had not been allowed it was thought by some that Kuvkendall would have been elected. The balloting continued until after the thirtyninth ballot when Rand moved to adjourn to 7:30 p. m., and the motion,

Evening Session. Temporary President George

was carried, the general result on each

ballot having been the same.

Brownell called the Senate to order at Brownell called the Senate to order at ADAMS WILL 7:30. The roll call showed all Senators present. The Senate again took up the matter of electing a president, and the fortieth ballot showed the same result as before, Kuykendall, 14; Carter, 9; Miller, 4; Pierce, 1; Booth, 1; blank, 1. Motter was elected temporar; reading elerk. On the fifty-first ballot all the Democratic Senators voted for Senator Pierce, including his own vote, five in CEREMONY WILL BE SIMPLE all. After the fifty-fifth ballot Senator Rand moved to adjourn to 10 a. m Tuesday, and the motion was carried Russians Received the News of the Fall and adjournment taken at 8:30 p m. Osteopathists Want Bill Passed.

During tais session of the Legisla ture a bill will be presented by the Oregon Osteopathic Association asking for the recognition and legislation of Senate Chamber, during the temporary an independent state board appointed by this organization. The board will be self-supporting and will have the power to forbid and to act against the practicing of quacks who claim to be graduates of a legalized osteopathic institution.

Dr. W. T. Mercer, of tais city, taking an active interest in the matter ,and it is his opinion that the bill Peabody Wednesday and the hearing will be passed without any noteworthy of which will continue through several opposition. Dr. Mercer is first vicepresident of the Oregon Osteopathic Association, having been elected at Portland last week. J. E. Anderson, of The Dalles, wno is president of the organization, will be in Salem while the bill is before the Legislature.

# **ALVA ADAMS** IS ELECTED

LEGISLATURE OF COLORADO SO DECLARED YESTERDAY.

HIS INAUGURATION ON TUESDAY ed the ceremony will last but a few

Notice of Contest Can't Be Filed Until After the Inauguration Exercises.

The Count Gives Adams 9774 Plurality Are Republicans,

The returns showed that Adams had artillery is steadily pounding a section 123,078 votes and Peabody 113,304, a plurality for Adams of 9,774. Cheers and about the villages of Bantoshan greeted the announcement of the result and Sintingun. The Japanese are using of the election. Republican candidates balloons and searchlights in an effort to all other state offices are declared to locate the Russian batteries which can be filed by Governor Peabody un- t-eak through the Russian advance til after the inauguration of Adams, lines. which is set for Tuesday. It has not yet been definitely decided by Peabody ATTEMPTED JAIL BREAK AT whether or not to make a contest.

# WRECKED SEAMEN ARRIVE.

NEW YORK, Jan. 7 .- Twenty-two seamen, composing the crew of the Dutch steamer Andania, which was wrecked at Elbow Key December 29, ound from Galveston, Texas, to Hamburg, was brought to this port today by the Ward line steamer. Esperanza from Mexican ports and Havana. The erew of the abandoned steamer took to the boats and was picked up by the steamer San Juan and landed at Man-

CASTORIA. o The Kind You Have Always Bought

TAKE PLACE TODAY.

of Port Arthur Doggedly and Regret Expressed.

Japanese are Using Balloons and Search Lights to Aid in Locating Russian Batteries-The Artillery Is Pounding Steadily-Japs Repulsed Twice.

DENVER, Jan. 9 .- With the exception of the contest over the Governorship which will be filed by Governor weeks the political troubles in Colorado that are of particular interest to the outside world have been settled and Alva Adams will be inaugurated Governor tomorrow. The last fight was waged today in the Senate when Luther M. Goddard, of Denver, and Geo. W. Bailey, of Fort Collins, nominated by Governor Peabody for the Su-preme bench were confirmed. An affort will probably be made at some later time to induce Governor Adams to appoint two men in place of Goddard and Bailey. The appointments today make the political complexion of the court, seven Republicans and two Democrats. The inauguration of Adams tomorrow will be in the simplest manner, There will, by request of the Governor-elect, be no military display and it is believ-

How They Received News.

Huanchan, via Mukden Jan. 10.-The news of the fall of Port Arthur was received here first unofficially from Japanese who let loose numerous The Count Gives Adams 9774 Plurality phal inscriptions. These kites were on Face of the Returns—All Other picked up by the Russian soldiers long State Officers Elected in Colorado before the telegraph gave them news. doggedly, regret bein expressed that the troops were unable to relieve the garrison, but confidence was felt that DENVER, Jan. 7 .- Alva Adams was ultimately the Russians would be able tonight declared by the Legislature to to push back the Japanese and reach be duly elected Governor of Colorado, the fortress from the north. Russian elected. Under the terms of agreement have been causing them great antioyreached today by the various factions ance. The past two days the Japanese of the Legislature no notice of contest made two unsuccessful attempts to

# MANILA.

SAN FRANCISCO, Jan. 10 .- News from Manila received today tells of an attempt of 500 convicts confined in the Bilibid prison to break jail. It occurred on December 7 and resulted in the killing of 16 prisoners and the wounding of 40 others. Six of the wounded are not expected to live and 5 others are in a critical condition,

# BATTLESHIP INSPECTION.

FORT MONROE, Va., Jan. 9 .- An aspection of the battleships of the coast and Carribean squadrons, by Sec retary of the Navy Morton and Admir's Dewey today, was one of the most imposing spectacles witnessed in Hampten Roads in many years,

#### January Clearance Sale for his own use, and that no one else were reached at the conference. Ininated M. P. Eisenberg for sergeantfinal wind-up of one of the most closely was directly or indirectly interested in deed the statement was made that other contested political fights seen for some at-arms, who was elected. Mr. Miles its purchase. Cobban and his asso- conference will be held before decisions time in Oregon. The battle, which was also nominated C. A. Murphy for doorciates prepared all these affidavits and of a definite character are reached. a true battle royal, began some weeks keeper, and he was also elected, since, when Hon. T. B. Kay, of this

Men's Suit's \$10.00 to \$12.00 Suits

\$6.00

\$12.00 to \$15.00 Suits

\$8.00 \$15.00 to \$16.50 Suits

\$10.00

\$18.00 to \$20.00 Suits

\$15.00

\$25.00 Suits

\$18.00

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