

## TO ASSESS PROPERTY FOR THIRTY YEARS BACK

### PREPARE PETITIONS FOR INITIATIVE

To Submit Bill to People Rejected by Legislature.

IS SMOTHERED IN COMMITTEE.

Lands Granted to Railroads and Other Corporations by Congress in 1866  
Escape Taxation—Will Enrich School Fund by Hundreds of Thousands of Dollars.

A petition has been prepared and copies of it will be put in circulation within a week, the purpose of which is to invoke the initiative clause of the constitution upon a bill providing for the assessment and taxation of property situated in this state, which has never been assessed heretofore, dating back to the year 1860.

If this act is adopted by the people at the June election of 1906 when it will be voted upon if submitted, it will be the means of enriching the school fund of the state and the several counties to the extent of hundreds of thousands of dollars. And the greater portion of the back taxes will come from the railroads and corporations which have had possession of valuable lands for more than a score of years and have never paid taxes upon them for the reason that there is no record to show to whom the property is to be assessed.

It is conservatively estimated that in Marion county alone the railroads own an aggregate of ten townships of such land upon which no taxes have ever been paid, and, if this bill becomes a law, the amount of taxes due this county will figure up to more than \$200,000. In the more sparsely settled counties of the state the railroads and other corporations hold a much larger acreage and the amount of back taxes due them would be proportionately greater.

A similar bill to this was introduced in the last legislature and it passed the house, but it fell into the hands of the committee on assessment and taxation in the senate and never saw the light of day again. The railroads and wagon road companies which hold large land interests in this state by virtue of the grant of congress of 1866 will be the most seriously effected by the provisions of this bill. Besides these there are other private and corporate interests in the state which would also come within its purview and be compelled to pay taxes upon their holdings for a period of several years back.

The act of congress referred to was adopted in the year 1866 and it granted to the Oregon & California Railroad Company, now the Southern Pacific, the right to select every other section of land along its right of way within a limit of twenty miles on each side of the track. The right to make indemnity selections increased the range limit to thirty miles. The same act also granted to the wagon road companies the right to select every other section of land upon each side of its right of way within a distance of six miles. This grant enabled the rail and wagon road companies to select the very best of the unsettled land of the state along their rights of way, and, because they have never secured patents to their land, or, if so, have never had them recorded, there has been no data upon which the assessors could work and they therefore have escaped taxation ever since the passage of the act of congress. The supreme court of the United States has held that this act operated as a conveyance as well

as a law and that a patent was not necessary except as an identification of the lands conveyed.

There are many instances of record where patents have been issued and filed of record in some of the counties, but these cases have been confined to instances where the original owners sold some of their holdings to private individuals or corporations and were compelled to make record of their titles. These cases, however, only date back for a period of ten or twelve years, since which time they have been assessed and taxes collected upon them. It represents but a very small percentage of the holdings upon which taxes have never been paid. The United States supreme court having held that the grant by its language operated as a grant in present (which means that the grant takes effect as soon as the law is enacted and the title to the land passes at that time) the filing of record of the patents issued will not be necessary under the provisions of the proposed act, if it becomes a law.

There are numerous private and holding interests in this state who are holding large land interests and have been escaping taxation upon it for many years. These lands comprise some of the most valuable timber tracts in the state and the back taxes due upon them will amount to thousands of dollars. Besides the Southern Pacific and other railroads, and the wagon road companies, which secured thousands of acres of the best of the unsettled land in the state under the government land grant, probably the most extensive owner of land which would come under the provisions of this bill and be subject to taxation for many years back is the Booth-Kelly Lumber Company of Eugene, which owns some of the most valuable timber land in the state, and, it is said, has paid no taxes upon thousands of acres of it. The operation of this bill would increase the funds in the state and county treasuries to the extent of several million dollars, and the railroads and other interests affected would doubtless fight the adoption of it very bitterly.

This bill, which is framed after the bill which was introduced in the legislature by Representative J. H. Settlemier of this county, and killed by stragulation by the senate committee (known as house bill No. 317), authorizes the levying of an assessment upon all property which has escaped taxation within the period covered by it and up to the present time. The attorney general is created a special assessor and tax collector under its provisions, and, in order that he be able to secure a complete and accurate list of all property subject to back assessment and taxation, he is empowered to employ a competent corps of deputy special assessors to collect and compile such data. The compensation of these deputies is to be fixed by the attorney general, out of the sums collected by him, and on a contingent basis, and if no sums are collected they shall receive no compensation. Upon completing the list the attorney general will be required to make public notice for thirty days, by publishing such in some weekly newspaper in the state.

The petitions for the initiative upon this bill have been prepared by Attorneys W. H. and Webster Holmes of this city, at the instance of the taxpayers. The petitions are gotten up in strict accordance with the form provided by law, with the exception that they are provided with a long preamble which sets forth the object of the bill for the benefit of the taxpayers who will be asked and have an opportunity to sign them. In discussing the merits of the bill last evening Messrs. Holmes said:

"The owners of land under the government grant of 1866 have been enjoying the ownership of the land for several years and have not been as-

suming their share of the burden of taxation. This state of affairs is looked upon as a gross injustice by the taxpayers and they have arrived at the stage of desperation where they can tolerate it no longer and have decided to take the matter into their own hands. These back taxes are really looked upon as an indebtedness to the state and the legislature has the power to pass a law of this character that will reach back for any period of time that it sees fit. These laws have been universally upheld by the courts of last resort, and, consequently, if the legislature had such power the people under the initiative have the same power."

"This law would not apply to any class of property whatever except that which had never been heretofore assessed or taxed in any manner or placed upon any tax roll for the purpose of taxation. It would only effect such property as has never been assessed because there is no record of title and the assessors have not been able to list it to the proper owners. All property subject to the provisions of this bill will be assessed by the attorney general within the county wherein it lies at the time of assessment, notwithstanding it may have existed in another county previously by reason of the changing of lines. We have looked upon numerous authorities upon this question and find that, without exception, the identical law has been upheld upon several occasions when carried to the United States supreme court. One case in particular which I can cite is an appeal from the state of Michigan in which this question is raised and decided in the affirmative."

The petitions have been practically completed and it is only necessary to have them printed before they will be ready to put in circulation. Those who are prominently connected with the movement say they hope to be able to send them out to all parts of the state within the week. It requires 8 per cent of the total vote cast for supreme judge at the last general election to incite the initiative upon the bill, and those who have the matter in hand feel assured that there will be no trouble to secure more than the requisite number of names within the required time limit, which is 5 o'clock on the evening of May 18.

## DUCK "IN DUCK"

LEADER OF HIP SING TONG HAS BEEN SEEKING TROUBLE AGAIN.

This Time Arrested in Connection With "Chink" Highbinders' Work in New York—Called Before Jerome and Given "Third Degree."

NEW YORK, March 20.—Mock Duck, said to be the head man of the Hip Sing Tong, the Chinese secret society, was arrested today on a warrant issued by District Attorney Jerome, and was brought to that official's office for questioning. Coincidentally with his arrest, Tom Lee and Gin Gum, respectively chief secretary of On Leong Tong, a rival society, came out from hiding, where they have been since Duck returned from his trip out of town.

Unknown Highbinders attempted to murder a Chinaman Friday night, and today mysterious placards appeared on the walls of Chinatown houses warning Tom Lee and Gin Gum that they were to be murdered. They, with the counsel for their society, complained to District Attorney Jerome that Mock Duck instigated the attempt to kill the Chinaman, and posted the warning placards. It has been reported in Chinatown for several days that Mock Duck had recently returned from San Francisco, and about that time also appeared four members of the Chinese society, whose members accepted only commissions to kill. Duck has twice been tried on the charge of murder, and is at liberty on his own recognizance under that charge at present. He said today, when asked, that he had never been in California in his life.

Duck was committed to the tomlis prison to await a third trial on an old indictment accusing him of killing Ah Fee in this city in 1900.

## HE NIPS PLOT

SHERIFF FRUSTRATES BOLD ATTEMPT AT JAIL BREAK.

HE SENDS A LEADEN MESSAGE

King, a Noted Crook, With Four Other Prisoners, Plan Daring Escape.

Saws Window Bars With Steel Taken From His Shoe—Was Work of Week Completed Yesterday, When French Leave Was to Be Taken.

Had the earth threatened to drop upon him and crush him into eternity, C. P. King, a prisoner in the Marion county jail, could not have been seized with a more severe chill than he was yesterday afternoon when a bullet from Sheriff Culver's revolver crashed through the window pane uncomfortably close to his head, where he was at work sawing the bars. This act upon the part of the sheriff frustrated an attempted jail delivery, and it came none too soon as one bar had already been cut off and a pry was being applied to the adjoining bars by which means an opening, sufficiently large to admit the body of a man of more than average size, would have been made in but a few moments. Sheriff Culver, however, had been keeping close watch on his "boarders" and his faithful vigilance, and that only, prevented a break. Four of the eight male prisoners in jail took part in the plot and it was their intention to make their escape shortly after 5 o'clock as soon as the county officers had departed for their homes.

With the approach of the April term of circuit court and five prisoners in jail awaiting their fate, with terms in the penitentiary staring them in the face, Sheriff Culver and his competent deputies have felt more or less uneasy during the past few weeks, fully realizing the unsafe condition of the old jail and for that reason they have kept a close watch on the jailbirds, both day and night. At 4:15 o'clock yesterday afternoon Sheriff Culver went into the recorder's office to look up some records and while there thought he heard a peculiar grating noise coming from the jail. He immediately summoned his deputy, H. P. Minto, and looking out of the window of the recorder's office he saw what seemed to be a file being operated upon the bars below. It was but a moment until he saw a pry being used to pry up the bars, and it was then he brought his revolver into play and caused the prisoners to desist from their work while Deputies Minto and William Esh ran down stairs, entered the jail and locked the desperate men securely in their cells.

Use Shoe Steel.  
A thorough search of the jail was at once made and in the water tank over the toilet was found the file, or rather steel blade which was used in severing the window bar. The tool consisted of a steel brace taken from the instep of a shoe, which had been provided with a strong wooden handle. With this improvised blade on which was left practically a smooth edge, a wrought-iron file, measuring in thickness, had been cut clean as can be seen from a photograph. The work of sawing was commenced one week ago and had just been completed when the sheriff took a hand. The work was done on the middle window of the north corridor at a point on the bar immediately under the cross plate where the cut could not easily be detected. Two iron bands had been cut from two other bars in order that they could more easily be sprung. The pry used on the bars was taken from a bid knuck in one of the cells. In the cell occupied by King and his cellmate, Roy Conklin, was also found a window weight which had at some time in the past been removed from one of the window frames and carefully secreted for future use.

Four Prisoners in Plot.  
After the jail had been thoroughly searched the nine occupants, one by one were put through the sweating process and it was soon found that four of the prisoners were implicated in the attempted break. C. P. King, Ray Conklin, Arthur Freeland and Lou Wah Lee, a Chinaman.

King is known to be a desperate crook. In November 30 of last year he was bound over to the circuit court under \$300 bonds upon the charge of larceny from a building. He had been arrested for stealing an overcoat from the office of the Oregon Nursery Company, on Twelfth street. His case was to come up at the January term of the circuit court but owing to the illness of the prosecuting witness the case was continued until the April term.

Ray Conklin is serving a six-month term for larceny from the person. He stole a watch from one J. P. Williams during last state fair week and was convicted at the October term of court. Arthur Freeland was bound over under \$500 bonds by Justice of the Peace H. H. Turner on February 2, being charged with the larceny of a cow from Deputy Warden J. S. Smith of the penitentiary. A few weeks prior to the time when he committed his last crime had finished a two-year term in the penitentiary for larceny.

Lou Wah Lee is the "chink" who on January 30 was caught in the act of stealing liquors from the wholesale liquor store of E. Eckerlen. He, too, had served a term in prison. He is an American-born Chinaman, his birthplace being California. King was the leader of the quartet in the plot and is said to have laid all of the plans for the escape.

John Watkins, who is serving a six-months' term for selling liquor to a minor in Turner precinct; Carl Long, under four months' sentence for assault upon Henry Cameron of Butteville; Joseph Bordune, who is awaiting the action of the circuit court upon a charge of obtaining money by false pretenses, and Mrs. Minnie Beecher, bound over to the circuit court by Justice W. H. Queener of Stayton precinct, for the crime of larceny.

These five inmates unhesitatingly told the sheriff all they knew concerning the plot hatched by the other four and their stories all agreed as to the general details. Mrs. Beecher, who occupies the woman's cell in the northeast corner of the building, watched the work of the would-be jail breakers daily, as she commanded a good view from her cell window of the bars which were being sawed. Although she kept mum while the work was in progress, she was the first to reveal the identity of the guilty parties when questioned by the officers.

The frustrating of this attempt at jail delivery reflects much credit upon Marion county's popular sheriff, who, during his brief career as such has in many ways proven himself to be a most efficient officer. But for his unceasing vigilance the plot which came to light yesterday would no doubt have been carried out successfully and his prompt and efficient action showed that he was equal to all occasions and ready to deal with the criminals in his charge without fear or hesitancy. From now on to the lay of their trial the three prisoners who were interested in the deal yesterday and who are awaiting the action of the circuit court, will be kept closely confined in their cells.

O. C. APPLIGATE HAS RESIGNED  
New Superintendent Named for Klamath Indian Agency School in Oregon.

WASHINGTON, March 20.—Horace G. Wilson, superintendent of the Winnebago Indian school in Nebraska, has been transferred to the superintendency of the Klamath Indian Agency school in Oregon, relieving Captain O. C. Appligate, who has voluntarily resigned.

## ALL NOW QUIET

NEWS FROM FRONT THAT INDICATES CESSATION OF HOSTILITIES BETWEEN ARMIES.

Russians Slowly Retiring and Guarding Their Rear—Destroying Bridges and Railroads in Their Wake—General Linevich Inaugurates Reforms.

GUNSHU PASS, March 20.—The last two days have been a terribly quiet one since the removal of the enemy to Kudzhui pass. The Russian rear guard is retreating slowly and engaging in occasional skirmishes. It has now reached a position twenty-seven miles north of Tie pass. The Japanese are slowly advancing without pressing the Russians. In the course of their retreat the Russians are destroying the bridges, railroad roadbed and highways and everything not portable. The reports of a wide turning movement by the Japanese are no longer being received.

The troops parted in sadness with Kuropatkin, whose labors in shaping the army are recognized and who was ever attentive to the wants of the soldiers in the matter of food, clothing and shelter. General Linevich, who also enjoys the respect and confidence of the troops as a fighter, has determined to initiate a reform by weeding out an overloaded staff and other administrative departments and taking such other steps as are believed to result in economy as well as in increasing the efficiency of the army.

JAPS ENTER KAIYUAN SUNDAY.  
TOKIO, March 20.—The following official announcement has been made: "Our detachment entered and occupied Kaiyuan Sunday morning at 4 o'clock. The number of guns captured near Mukden is increasing, owing to discoveries of those buried by the enemy before retreating."

## TAKES EVIDENCE

UNITED STATES DISTRICT ATTORNEY FOR NEW YORK TORNEW FOR NEW YORK BUSY INVESTIGATING.

Examines Witnesses for Government in Beef Trust Query—Much Secrecy Observed and Attorney Declares "It Is Worth While at Any Rate."

NEW YORK, March 21.—United States District Attorney General Burnett has taken evidence here for a week past in connection with the so-called beef trust investigation of the federal grand jury in Chicago. The list of witnesses is not made public, but it is reported to include the names of all the New York representatives of the big packing concerns. The taking of testimony began last Monday and continued until Thursday, when an adjournment was taken until next Thursday. The witnesses, it is said, were questioned with regard to the methods of the companies in adjusting their business east of Chicago, of the routes to large dealers, and the alleged "blacklisting" in the credit systems employed by the firms. All General Burnett would say was that what was being done was worth while, at any rate.

It is remarked that the Russians are now redeeming their long overdue promise to withdraw from Manchuria.

## FEARFUL HOLOCAUST OF OVER SIXTY PERSONS

### SACRIFICE FOLLOWS AN EXPLOSION

Shoe Factory in Brockton, Massachusetts Destroyed.

BUILDING COLLAPSES INSTANTLY

Employees Pinned Beneath Crumbling Walls Unable to Extricate Themselves and Left to Their Fate by Firemen, Powerless to Render Them Aid—Sixty Killed.

BROCKTON, Mass., March 20.—At least sixty persons were killed early today by the explosion of a boiler in a large shoe manufacturing establishment in the Campello district conducted by the R. B. Grover Company.

The explosion was immediately followed by a flash of flames which consumed the factory, a long four-story structure, as if it were a house of cards, and incinerated an unknown number of men and women who were unable to extricate themselves from the mass of tangled wreckage formed by the terrific upheaval in the boiler room. More than fifty employees in the building were maimed, burned or bruised by the time they reached safe ground.

Some had jumped from the roof, some the windows and others were injured in a mad rush to escape from the doomed factory, from which all parts emitted the heat of an inferno, driving back the band of heroic rescuers who, in a few minutes, had performed gallant service.

The fire extended from the factory to seven other buildings in the vicinity and destroyed them. One of these was a three-story wooden building, the others being cottages of small value, and a blacksmith shop. A wooden dwelling situated near the engine room was practically demolished by the flying boiler, but none of the occupants were seriously injured. The total financial loss is estimated at \$250,000.

It may never be known just how many persons perished in the wreckage. No one knows exactly how many persons were in the factory. The number has been estimated at 400 but Treasurer Nelson said tonight that he doubted whether so many were at work. Two hundred and fifty have been accounted for, and at midnight the remains of fifty bodies had been recovered from the ruins, the search being continued all night. Fragments of human frames, which possibly might belong to bodies other than those removed have also been found. Few of the remains have been identified. The head in nearly every instance is missing, and, except in a very few instances, it is impossible even to distinguish the sex.

Chief of Police Boyden, at a late hour tonight, expressed the opinion that some of the employees had not reached the factory at the time of the explosion and undoubtedly a number of those living in nearby places, who were among the injured, had gone home without reporting their injuries. It is thought many of those unaccounted for, more than 100 in number, were among these.

The disaster was attended by many harrowing scenes and thrilling rescues. An inspection of the wrecked boiler by the state boiler inspector showed a sufficient supply of water in it. The cause of the explosion is not known.

Brockton (2 a. m.), March 21.—At this hour the remains of fifty-three persons have been recovered from the ruins of the Grover & Co. factory. Seven bodies have been identified, but only three positively. Fifty-three persons are known to be missing still, the names of thirty-one of whom have been obtained. Many others are reported missing, but it is considered possible that some of them are at homes in the nearby towns. Two hundred and fifty-three survivors have been accounted for. The estimates of the dead range from sixty to eighty and the injured from fifty to a hundred.

## GET FIVE YEARS

LEBANON BANK ROBBERS GET LIGHT DOSE FOR THEIR NIGHT'S WORK.

Found Guilty of Crime on Circumstantial Evidence, Dunn and Crossley Given a Five-Year Sentence at State "Pen"—File Motion of Appeal.

ALBANY, March 20.—Eli Dunn and J. A. Crossley, convicted of the Lebanon bank robbery on Saturday were sentenced to imprisonment in the penitentiary today for a term of five years each. The motion by their attorneys for a new trial was overruled and a notice of appeal was given. The men were taken to the state's prison today, just forty days after the commission of the crime.

Dunn and Crossley were convicted on circumstantial evidence of robbing the bank of Lebanon on February 8.

THEY WENT SIX FAST ROUNDS.

Newton's Fast Little Schoolboy Shows California Lad the Way

PHILADELPHIA, March 20.—Jimmy Walsh of Newton, Mass., and Monte Attel of California, sparred six fast rounds tonight. Walsh appeared the stronger of the two at the finish.

The surest way to satisfy yourself that OUR PRICES ARE RIGHT ON

## Novelty Dress Goods

is to examine the same goods at other Dry Goods Stores. The ladies tell us that we have an exceptionally fine assortment, equal to any in the city. They are surprised at the wonderful difference in prices on the identical fabrics. Those LADIES' JAUNTY MANNISH SHIRTS are the fad of the season.

We're Showing A NOVELTY IN LADIES' FOOTWEAR which has genuine merit. It is

## "Brown's Process" turn sole shoes

It has the appearance of a "Goodyear Welt" with all the flexibility of the turn sole, but having no insole it is lighter than welt shoes. It's worth trying. We have two grades.

Prices, \$2.60 and \$2.95

Barnes' Cash Store  
E. T. Barnes, Prop.

OUR TRADE IS CONSTANTLY INCREASING BECAUSE WE UNDERSELL "REGULAR STORES" ON RELIABLE MERCHANDISE

## SOUGHT PEACE

AT LEAST RUSSIA IN JULY ASKED TO CONFER WITH VIS-COUNT HAYASHI.

M. Witte Sent Embassy to Jap Minister at London, Asking Letter to Meet Him to Discuss Peace—Hayashi Ready to Comply, but Nothing Done.

PARIS, March 20.—In the course of an interview in the Matin today, Viscount Hayashi stated that M. Witte, when in Berlin last July, sent an embassy to London asking the Japanese minister there to meet him to discuss peace. Hayashi consented, but received no further communication.

FANNY CROSBY'S ANNIVERSARY  
Famous Blind Hymn Writer Is Honored by Visits of Hundreds of Children.

BRIDGEPORT, Conn., March 20.—Fanny J. Crosby, the famous blind poet, author of more than 8000 hymns, celebrated her 85th birthday at her home in this city yesterday. Scores of churches all over the country honored her by setting apart her birthday as "Fanny Crosby Day." There is scarcely a church edifice in any part of the world that has not echoed her sacred hymns.