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GOVERNOR

Will Not Call Special Session Of the Legislature Soon if He Calls It At All.

Governor Lord was asked whether he intended to appoint a senator, and, if so, whether he thought his appointee would be seated. He said: "I shall appoint a senator, but whether or not he will be seated I cannot say. The decisions are conflicting, and the result will depend somewhat on the temper of the senate. Legislative decisions do not carry the weight and binding force of judicial decisions; they are sometimes partisan, and the doctrine of state decision has but little application to them. There is no case that has been decided by the senate that is parallel with the Oregon case. It is only by some sort of specious analogy that the facts in the Oregon case can be brought within the principle recently declared by the senate."

"I understood that the latest ruling of the senate is to the effect that, where the legislature fails to elect a senator during its session, the power of the governor to appoint is denied. But this power to appoint a senator stands on a different footing where there is no session of the legislature, through inability of its members to organize and become a legislative body, in consequence of which a senator cannot be elected. In such case, the conditions never have existed in which a legislature could exercise its power to elect a senator."

"To my mind, a vacancy in the senate caused by reason of a failure of a legislature to organize and become a competent body to elect a senator is a very different matter from the failure of a duly organized body to choose a senator. In the first case there is no legislature to exercise the power of election to fill the vacancy, and the failure to do so must be always due to the dereliction of its members."

"Do you think that you will call a special session of the legislature, and, if so, can you indicate about the time?" "I do not know at what time or if at any time I shall convene a special session of the legislature. The fact that I will appoint a senator indicates that I have no present intention of calling the legislature together, at least for some time. Recent occurrence indicates to many cross-purposes to hope for co-operation among the members to secure needed legislation."

"I suppose that there will be some effort made to induce me to call a special session, arising probably as much out of political consideration as a desire to furnish needed relief to the state, but you know letters and signatures to petitions are quite easily obtained, and are by no means indicative of the trend of public thought. I understand the needs of the state and its condition, and I regret the failure of the legislature to organize and furnish the people the relief promised and needed. But this is a condition of things for which I am not responsible, nor would it justify me in incurring the expense of convening the legislature without being convinced that beneficial results would accrue to the state."

SENATOR.

H. W. Corbett Is Appointed, Represented Oregon in Congress From 1867 to 1873.

Following sketch of Hon. Henry W. Corbett is from the pen of Secretary of State Kincaid, and found in his official report recently published: Henry W. Corbett, of Portland, was born in Westboro, Massachusetts, February 18, 1827. In 1850 he came to Oregon by way of Panama. He located at Portland and engaged in merchandising, a business with which he has been very successfully connected up to the present time. From 1880 to 1881 he took a very prominent and active part as chairman of the state central committee in organizing and promoting the success of the Republican union party in Oregon. At a state convention held at Eugene he proposed and secured the appointment of John H. Mitchell, who afterwards defeated him for re-election to the United States senate, as chairman of the Republican committee. In 1895 he secured the contract to carry the United States mails between Sacramento, California, and Portland Oregon, and carried on a daily stage line until he was elected United States senator, when he threw up the contract. In 1896 there was a prolonged contest in the Oregon legislative assembly over the election of United States senator. Governor Addison C. Gibbs was the Republican caucus nominee over John H. Mitchell, who had almost as many votes in the caucus as Gibbs. The Republicans had but a small majority on joint ballot, and Dr. J. R. Bayley, John White, and perhaps one or two more of Mitchell's supporters bolted the caucus and refused to support Gibbs, which made his election impossible. The matter was finally settled by the election of Henry W. Corbett as a compromise candidate. In 1869 Mr. Corbett joined with Henry Failing in purchasing the First National Bank of Portland, which has become a great financial institution, the leading bank of Oregon and one of the greatest on the Pacific coast. In the senate Mr. Corbett was a member of the committee on finance, and with John Sherman and others took a prominent part in establishing our financial system and in laying the foundation for specie payments. In 1872, after a very long and exciting contest, extending through nearly the entire session of the legislature, Senator Corbett was beaten for re-election by John H. Mitchell. Since retiring from the senate Mr. Corbett has applied his energies to his numerous business interests and to the upbuilding of Portland and Oregon. He is very wealthy and has long been recognized as the most liberal giver in Oregon, to all worthy charities, to promote the interests of the political party whose success he believes to be for the best interests of the country, and to carry on all useful enterprises. He is usually a delegate in county and state conventions, and was the member of the Republican national committee for Oregon from 1898 to 1872, and attended the Republican national convention in Philadelphia in 1872 as a delegate from Oregon. Henry W. Corbett has been a prominent and influential character in Oregon for nearly forty years, and is now one of the most useful and highly honored pioneers in the state.

THE APPOINTMENT MADE. PORTLAND, March 6.—Governor Lord today appointed Ex-Senator H. W. Corbett United States senator to fill the vacancy caused by failure of legislature to elect.

The commission was made out Friday at Salem in blank and signed by Governor Lord. He took it with him to Portland this morning to confer in regard to the form and date of the instrument, which were finally agreed upon. The appointment was tendered Mr. Corbett in person by the governor and accepted by him. He will go to Washington at once to take his seat. The senate is in almost continuous executive session. It is doubted by some whether he will be seated. The senate stands as follows (not counting the Republicans appointed from Oregon and Kentucky): Republicans..... 42 Democrats..... 33 Populists..... 7 Silver Republicans..... 4 Independent..... 1 Vacancies..... 1

WEATHER FORECAST—For Sunday, rain. Warmer temperature.

MARION COUNTY NEWS.

A. Bush heads the taxroll and pays 756.97. Breyman Bros. comes next with \$1,450.72.

Wm. M. Collard, Henry Meiring and Bart De Haven have been appointed to meet with the county surveyor on the 15th inst. to resurvey the county road to the road leading from the Champeer-and Salem road to the road leading from Parkersville and Matheney's ferry, also that part of the Parkersville and Matheney's ferry road from whence the said road intersects the same to where the Parkersville and Matheney road intersects the Salem and Matheney road as now traveled; several residents in that section having so petitioned.

School Superintendent Geo. W. Jones has issued diplomas to Quince Jarvis, Eunice Dayenport, Addie McKillop and Bert Geer, who recently graduated from the public school in district No. 85, better known as Center View, and taught by Miss Agnes Matlock. C. H. Simpson, Salem; J. S. Richie, Spotts Mills; W. S. McKee; A. J. Schumaker, Jefferson; H. J. Hadley, Mill City; have been appointed deputies by County Assessor Hobart.

A False Claim. The Statesman says it's the only Salem paper that receives dispatches. Then why didn't it have the inauguration news until the day after THE JOURNAL? THE JOURNAL presented McKinley's inaugural the day it was delivered, and presented his message in full to its readers. The Statesman has never even printed McKinley's inaugural, the most important news that has become public since the November election. If it were the only paper that receives dispatches it ought to be ashamed to say so, considering that it does not give them to the public.

Johnson Should Be Elected. Justice H. A. Johnson has been a member of the Salem Board of Education one term. He has been economical, faithful, honest, fearless, and courageous in the performance of his duties over a very trying period of several times, and by close figuring Salem schools have been run right along. Improvements have been made, the children have been accommodated, and yet the school taxes have not been increased. These are the plain and simple reasons why Mr. Johnson should be continued as director.

FOR INDIA.—Governor Lord today received a letter from the India Relief Fund of San Francisco, announcing that an appropriation has pressed the legislature to send a shipment of grain to the starving people of India, the secretary of state of California will charter a ship. Contributions are solicited from the people of Oregon. Any donations of grain or bread-stuff will be received by the S. P. Co., and delivered free at Port Costa, Cal., the point of shipment by water.

AT EUGENE.—The school board have decided to not allow the women to vote at that town Monday next. There is an exciting time expected as the women have been voting at school elections heretofore. At Salem the law has been held to allow all legal male voters to vote at school elections.

FOR LARGENY.—Lee Blanch, is the name of the individual who was arrested last evening by officer D. W. Gibson while in the act of carrying off some magazines and other periodicals that had been placed on sale in front of Patton Bros. book store. His case was set for 4 p. m. today.

CONTRACT LET.—At a joint session of the county courts of Linn and Marion counties, held at Albany last evening, the contract for building the bridge across the Santiam at Gates was let to J. E. McCoy for \$1237.

Notice of School Election. Notice is hereby given that there will be a school election held in Salem, Oregon, on Monday, March 8th, 1897, between the hours of 2 o'clock p. m. and 6 o'clock p. m. of said school district for the term of five years.

The polls of said election will be open from 2 o'clock p. m. to 6 o'clock p. m. of same day, at the following places, to-wit: First ward—Old No. 3 engine house, on east side of Liberty street.

Second ward—Savage & Reid's store, near north-east corner Cheumeketa and Commercial streets.

Third ward—Armory, near corner of State and High streets.

Fourth ward—Red Front livery stable, corner of Commercial and Trade streets.

By order of the board of directors of school district No. 24 of Marion county Oregon, the 2nd day of February, A. D. 1897. H. A. JOHNSON, Chairman of the Board. SCOTT BOZORTH, District Clerk.

LITIGATION

Will Cost This County Dearly Is the County Court Guilty of Constructing Litigation?

Friday's JOURNAL contained the action of the county court in ordering the county Treasurer to refuse payment of certain items of taxes claimed by the state, amounting in all to \$3845.76. This action of the county will lead to extended litigation.

NOTICE TO STATE TREASURER. Following is a copy of a letter drawn upon order of the court by George G. Bingham, and forwarded to State Treasurer Metzchan this date.

"I am instructed by the county court of Marion county to say to you in answer to your letter of Feb. 27, 1897, that Marion county is not indebted to the state of Oregon in the sum of \$830 or any part thereof, or any amount on account of current expense tax 1896, or in the sum of \$549.62 or any sum whatever on account of interest state tax for 1895, and that Marion county will owe the state of Oregon \$31,976.05 on account current tax of 1896 which amount will be paid as soon as the tax is collected. Your charge of \$34,342.22 for 1896 tax is erroneous. The correct amount is as above given \$31,976.05."

The above is specifically drawn up as an answer and will precipitate litigation with the state. THE MINTO ITEM of \$549.62 came into existence by Treasurer Minto making remittances Saturday which were not credited until Monday, interest being charged in the meantime. Able lawyers hold that if the state treasurer had presented the checks to Minto to be cashed Monday the charge for interest in the interim might hold good, but as the checks were accepted Saturday the interest should have stopped.

THE MAIN ITEM that will cause litigation is a difference of \$2,466.17 on taxes of 1896 caused by refusal of the Marion county authorities to add the raise of thirty per cent on certain property made by the state board of equalization. As the courts have so far upheld the work of the state tax board, Marion county will have to pay in the end.

THE DISTRICT ATTORNEY. Is ordinarily the official who looks after such matters for the county, and the law allows him \$25 for each case. But in this case the county judge informs a reporter that the court has employed Mr. Bingham to assist, at the request of District Attorney Hayden, although no record or order is made on the county court journal of his being employed. Mr. Hayden denied having been consulted.

Mr. Bingham makes a specialty of county tax cases, but his auditing his own bill of about \$1500 in the Oregon Pacific tax case ought to warn the Marion county court not to enter upon such important legislation without at least a memorandum of an agreement as to fees. Judging from the experience of this county has had, this is one of these fast-and-loose arrangements where the county will gain nothing and the taxpayers will have a big bill to pay. If it is not, THE JOURNAL will be glad to stand corrected, but there seems to be no way to stop these raids in the name of protecting the county against loss but to call attention to them.

The State has no claim for the item of \$830 of 1896 taxes. If the state has a claim against this county on any item let the state press its claim in the courts and let the district attorney defend the county when such defence becomes necessary. That would seem to be a more rational procedure in place of beginning complicated litigation in advance.

Chief Justice of Samoa. WASHINGTON, March 6.—William L. Chambers, of Alabama, has been chosen by the three powers who are party to the Samoan agreement, as chief of Samoa, to succeed Mt. Ide, of Vermont. Chambers was one of the land commissioners of the United States in the settlement of the Samoan land titles.

INCORPORATED.—Victory Placer Mining Co., of Roseburg, stock \$5,000, by C. A. Schibred, J. M. Stevenson, and Wm. H. Taylor, incorporators. You should try Dawson's Bitters.

CUBA.

Insurgents Capture a Train, Other News of Insurrections and Demonstrations.

NEW YORK, March 6.—Delegate Palma has received a letter from Colonel Nestor Anguere, giving an account of the capture of a train running between Guanabacoa and Regia in the province of Havana, on January 16. Colonel Anguere says the Spanish captains, three first lieutenants, two second lieutenants, three soldiers and 60 passengers were captured, and in addition, eight soldiers were killed in the melee. One of the officers who was a Cuban was hanged, as one of the passengers, who was found to be a Spanish spy.

Lee To Olney. WASHINGTON, March 6.—Secretary Olney today received the following cablegram:

"HAVANA, March 6.—All quiet; no excitement here now. I hope to secure a prompt trial for all Americans imprisoned. Those found innocent are to be released, and those found guilty sent out of the island. Signed, LEE"

Weyler in Havana. HAVANA, March 6.—Captain-General Weyler has returned. He denied that he has resigned, and added that he had not even contemplated it.

Fitting out Warships. MADRID, March 6.—At the cabinet meeting last night, an extraordinary credit was agreed to for the purpose of fitting out six additional warships.

Americans Insulted. ST. LOUIS, March 6.—A special to the Globe-Democrat from Guadalajara, Mexico, says:

Almost a warlike spirit is aroused among the people of Mexico by the coming of Messrs. Bruce, Stone and Pierce, of Boston, to enter into negotiations with the Mexican government for the return of the flags captured by the Mexicans.

In the most incendiary language the people go so far as to demand of the United States at the canon's mouth, if necessary, the return of all the territory taken from Mexico. They specify California, Colorado, Nevada, Utah, Arizona, New Mexico and Texas as property stolen from this country.

So strong is the sentiment against Americans that ladies are openly insulted on the streets and in stores, and if their escorts resent the offense, they are dragged to jail and fined.

Trouble in Samoa. AUCKLAND, New Zealand, March 4.—Advises just received from Samoa, dated February 23. A strong body natives, under the leadership of Chief Tamasee, the ex-king, protesting by the absence of warships, are threatening King-Malletoa at Apia. Fighting is expected, and the foreign consuls are powerless to quell the disturbance.

NEW NOTARIES.—W. A. Cleland, P. S. Willis and R. A. Frame of Portland were commissioned today.



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