

The Daily Capital Journal

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SPECIAL SESSION IS AN OREGONIAN PIPE DREAM

NO REASON FOR AN EXTRA SESSION SIGNED BILLS PROVE THEMSELVES

TALK OF MISSING RECORDS THE VERIEST "FLAPDOODLE" SAYS ATTORNEY GENERAL

He Didn't Say It in Those Words, But Insisted That the Records Had Nothing to Do With It, That, Even If Lost or Destroyed, It Would Have No Effect--The Bills Being Properly Signed Are Ipse Facto Held Properly Passed by All the Courts, and Would Have to Be Affirmatively Attacked.

With the assurance of John P. Hunt, who is now checking the senate journal with the house journal, that, so far, he has found no discrepancies which would warrant the calling of a special session of the legislature, the assurance of Chief Clerk Corey, of the office of the secretary of state, that wherever discrepancies have been found none are sufficient to vitiate any of the bills passed; and finally, with the assurance of Attorney-General Crawford that, even though the records were mutilated beyond recognition, or wholly lost, that an extra session would not be necessary, as the signature of the president of the senate and the speaker of the house are prima facie evidence that the bills were regularly passed, and that to make them void an affirmative showing must be made to the contrary, it begins to look decidedly as though the stories wafted about by a certain newspaper, and cut from new cloth, to the effect that an extra session will be necessary because of defects in the senate journal, are but the continuation of a quarrel between Chief Clerk Flagg and the committee appointed to assist him in revising the journal, and of which politicians have taken advantage to create sentiment in fa-

vor of a special session, so that certain bills vetoed by Governor West might be passed over his head.

Lots of Imagination.
Mr. Hunt, when seen today, admitted that, "while he had found some discrepancies, they were of a minor character, and that he had found absolutely nothing which, in his humble judgment, would warrant the calling of a special session." The appropriation bills so far, he states, were regular, and when questioned as to articles appearing in a certain newspaper relative to the calling of an extra session, he pronounced them the product of imagination. He stated that there remained three days' work yet to be done on the journal, and until it was completed he would not say whether, in his judgment, a special session would be necessary as he did not know what might develop. He was emphatic, however, in the statement that, so far, the irregularities were not sufficient for such action.

Chief Clerk Corey, who employed Hunt to check over the journal, was of the same opinion. Discrepancies, he admitted, had been found, but none of them were of sufficient to vitiate any bill passed, and unless something should develop he was of the opinion that an extra session would not be necessary.

Attorney-General Gives Opinion.
That the signature of the president of the senate and speaker of the house is prima facie evidence that the bill has regularly passed, and that in order to make it void an affirmative showing must be made to the contrary, either by the records themselves or by other evidence, was in substance the opinion of Attorney-General Crawford on the subject.

Attorney-General Crawford takes the position that the records of the journal might be mutilated beyond all recognition, or they might be lost, and still they would have no effect in invalidating a bill. A bill, in his opinion, can only be invalidated by an affirmative showing by the records themselves, that it was not regularly passed, or some external evidence. Any bill having the signature of the president of the senate and speaker of the house attached to it is, in his opinion, presumed to have been passed and to be a law, and that legal presumption can only be overcome by affirmative evidence to the contrary, and not by a showing that certain records, and which might be considered evidence that the measure had passed, are mutilated or missing.

A Political Game.
That the stories afloat relative to the special session are but a continuation of a quarrel between Chief Clerk Flagg and the committee appointed to assist him in revising the senate journal, and of which advantage has been taken by politicians for selfish purposes, is the opinion of those conversant with the subject.

The senate appointed a special committee to assist Flagg in revising the journal during the session, and, upon adjournment, another was appointed to assist him to complete the work. Flagg contended that the committee was mutilating the records, and that it was the cause of discrepancies creeping in, and that the last appointment was contrary to

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The Oregon Is Ready.
Bremerton, Wash., March 13.—With a million dollars worth of repairs practically completed the famous battleship Oregon can be sent to sea prepared for active duty within ten days, according to naval officials here today. Nearly 200 men to man her are available on the training ship Philadelphia, and in an emergency more sailors could be recruited from the training stations of California.

Diaz Will Try Shooting.
Mexico City, March 13.—That the determination of President Diaz to exterminate the revolution will result in even more drastic steps than the suspension of personal guarantees under the constitution was the general belief here today. It was expected that the order refusing civil trials to persons charged with the destruction of property, and ordering disturbers shot, would have quieted disorder. As far as could be learned here, however, the depredations of the lawless element continue.

QUARANTINE AGAINST THE CHINESE PLAGUE
Honolulu, March 13.—Steamship and shipping companies here are in possession today of notification by United States quarantine officials that a quarantine would be imposed upon all vessels arriving or clearing from here because of plague conditions in the Orient. The Pacific Mail liner Mongolla, from Yokohama, was the first vessel to be subject to the inspection.

FISHER IN AND BALLINGER OUT
Washington, March 13.—Walter L. Fisher took the oath of office today as secretary of the interior. R. A. Ballinger, his predecessor, will remain here until Fisher shall have become familiar with his duties. Following this Ballinger will go to Seattle, with the announced purpose of filing his threatened suits for slander.

COUNCIL TO AWARD THE PAVING BIDS
AN AGREEMENT HAS BEEN MADE WITH THE BITULITHIC COMPANY AND BIDS HELD WILL BE AWARDED TONIGHT.
The street paving campaign for the coming season is expected to be launched this evening when bids will be considered by the city council for the paving of Asylum avenue and Twenty-fourth street with bitulithic. The bids for the paving of these two streets were rejected several weeks ago, because the Warren Construction company failed to agree to guarantee the paving for five years. It is understood now, however, that they will agree to this, and the contracts will no doubt be awarded.

WANTS ITS FRANCHISE ON FRONT STREET RENEWED, AND IS WILLING TO ACCEPT A COMMON USER CLAUSE TO OBTAIN IT.
SITUATION VERY DELICATE
A Complication That Will Be Used to Delay Action by the City Council and May Defeat the HRL System Getting Into the Wholesale District--There Is a Battle Royal on, and the Council Meeting Tonight Will Be Interesting.

There will be a battle royal tonight at the city council when the Oregon Electric franchise comes up for passage. The Southern Pacific has awakened to the fact that it means a competitive line on Trade and Front streets, the wholesale and manufacturing districts of the city, and the big men of the Harriman lines will be out in full force to delay action.

THE SITUATION DELICATE.
The Southern Pacific franchise on Front street expires by limitation September 8, 1911, and then the Welch franchise on the center of the street for 25 years goes into effect. According to its terms, clause 10 contains the following words: "Shall not be assigned to any person or corporation without the assent of the common council of the city of Salem, expressed in appropriate resolution or ordinance."

WORTH FIGHTING OVER.
By no fault of the Oregon Electric franchise the Southern Pacific would be down and out, unless they could get the Welch franchise transferred on Front street. Whatever the conflict of interests between the Southern Pacific and the Welch franchisees, the people on Front street are not objecting to the Oregon Electric franchise, and the business men of Salem rejoice at the prospect of a competing line on Front and Trade street. It means competition for the jobbers and big shippers, and that is what they want.

DELAY MEANS THOUSANDS.
Delay in granting the Oregon Electric franchise means thousands of dollars to the Southern Pacific. Defeat of the franchise means retaining a monopoly of the traffic of this city, which amounts to hundreds of thousands of dollars annually, and the business men who are figuring on lower rates at present, and have a rate expert employed to carry a case before the railroad commission, will

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FLEET EXPECTS TO DASH DOWN COAST AND LAND MARINES AT MAGDALENA

IS THERE AN UNDERSTANDING.
Mexicali, Mex., March 13.—Twenty rurales, accompanied by all the Mexican customs officers, who were driven out of Mexicali by the insurrectos, are today on their way to Yuma, Ariz., over American territory. They received instructions from the Mexican government to report at Yuma and there meet a force of Mexican troops, who will attempt to take possession of Algodones and hold it against the rebels. The statement was positive that Mexican troops would meet the rurales at Yuma, on American soil.

ARMY WILL GO TO AMERICAN TIA JUANA, AND GENERAL BLISS WILL ESTABLISH HEADQUARTERS THERE--IF NOT ACROSS THE MEXICAN LINE--THE CONVICTION THAT SOMETHING MORE SERIOUS THAN THE MEXICAN DISTURBANCES HAS CAUSED THE MOBILIZING OF TROOPS GROWS DAILY STRONGER.

ARMY WILL BE ADVANCED.
In support of the prediction that General Bliss' headquarters will soon be at Tia Juana--(if not across the Mexican line--is cited the fact that military officers for days have been collecting information as to routes and water supplies in Diaz land. All of yesterday was put in by Captain James Longstreet, of the Eighth Infantry, chief ordnance officer and chief engineer, and other officers along the Mexican line. Captain Longstreet wore uniform on his mission, but carried no side arms. These activities of the army men have con-

THEY SHOWED THE JAPS HOW TO FLY
Osaka, Japan, March 13.—Prince Kuni Yoshi Kuni, grandson of the Mikado, today complimented "Bud" Mars and Captain Thomas S. Baldwin, American aviators, who yesterday gave the first demonstration of aviation in Japan. The aviators made three flights before 400,000 persons.

CONGRESS MAY MAKE INQUIRIES
ADMINISTRATION IS FLEEING TO FORESTALL ANY FOOLISH QUESTIONS CONGRESS MAY ASK CONCERNING THE "MANEUVERS."
Washington, March 13.—Plans to forestall a congressional attack upon President Taft as a result of the "military maneuvers" are being considered today by the administration supporters. In order to avert resolutions of inquiry, the war department probably will announce details of the administration's version of the mobilization.

THANK-OFFERING SERVICE AT FIRST M. E. CHURCH
The Woman's Foreign Missionary society of the First M. E. church of this city will hold the annual Thank-offering service Tuesday at 2:30 p. m., in the lecture room of the church. Three young Japanese students of Kimball college, will be present and address the audience. Chinese tea and cakes will be served by young ladies dressed in costume. An interesting program has been prepared. Every one cordially invited.

THIRD SET OF TEETH.
Dixon, Calif., March 13.—Going Dame Nature one better and discarding precedent, Tom Elbe is cutting his third set of teeth. Some time ago his teeth became so loose that he pulled them out with his fingers. Immediately a new set began to grow.

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San Diego, Cal., March 13.—Despite the usual dearth of official information, every indication in both the army and naval branches of the mobilized American forces here today is that action is expected within a few hours, at most. What the action will be it is still problematical, but the advance of part of the army forces to the American Tia Juana, the dispatch of the destroyer fleet down the Mexican coast, and the landing of the Bucaio's 500 marines with 14 days' provisions at Magdalena are only some of the rumored developments soon to come.

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EVERY time you buy an ordinary suit you take big chances of disappointment.
EVERY time you buy a BISHOP'S READY TAILORED SUIT you guard against disappointment.
LET us show you these clothes and prove the truth of this assertion.
Prices \$10.00 to \$35.00

Salem Woolen Mill Store