

## THERE ARE OTHER WHISKIES BUT ONLY ONE YELLOWSTONE

It means perfection to connoisseurs. Give it a trial.

ROTHCHILD BROS., Portland, Oregon, Sole Agents

# A CAMERA

Is always an appropriate and acceptable Christmas gift. We have them all styles and prices—from \$1.00 to \$250.00.

BLUMAUER-FRANK DRUG CO. 142-146 FOURTH STREET

DR. FOWLER'S  
**MEAT** and **MALT**  
MAKES MUSCLE  
"There's Life and Strength in Every Drop"  
A BEVERAGE OR A MEDICINE  
For Sale by all Druggists.  
BLUMAUER & HOCH, Sole Distributors, Wholesale Liquor and Cigar Dealers  
PHIL METSCHAN, Pres. C. W. KNOWLES, Mgr.

## Imperial Hotel Co.

SEVENTH AND WASHINGTON STREETS, PORTLAND, OREGON  
CHANGE OF MANAGEMENT.  
European Plan \$1.00, \$1.50, \$2.00 per Day

## You May Live Fifteen Years

on the new carpet. Better buy where you can get the widest selection and the most perfect workmanship.  
EXCLUSIVE CARPET HOUSE.  
**J. G. MACK & CO.**  
80-88 THIRD STREET, Opposite Chamber of Commerce.

## YOUR WIFE EXPECTS

a box of writing paper with her monogram engraved on it for a Xmas present from

**W. G. SMITH & CO.** Third Floor Washington Building  
Wedding and Visiting Cards Engraved

## THE PORTLAND

PORTLAND, OREGON

American Plan Also European Plan. Modern Restaurant.  
**\$3 PER DAY AND UPWARD**  
COST ONE MILLION DOLLARS.

HEADQUARTERS FOR TOURISTS AND COMMERCIAL TRAVELERS  
Special rates made to families and single gentlemen. The management will be pleased at all times to show rooms and give prices. A modern Turkish bath establishment in the hotel. H. C. BOWERS, Mgr.

### DECLARES WOMAN IS SHAMMING

Detective Says She is Only Blind and Paralyzed When in Court.

CHICAGO, Dec. 3.—(Special.)—If testimony given today by a female detective in a damage suit is substantiated, there will be unearthed a most daring and unusual attempt to mulct a street-car company out of a small fortune. Five years ago Inga Hansen, a member of the Salvation Army, was injured by a street-car, from the effects of which she appears to be blind and paralyzed permanently, and she has brought suit against the City Railway Company for \$30,000. The trial has been in progress for some time, and she has daily been brought into court on a stretcher and has appeared the most pitiable object to the jury and spectators.

A sensation came today in the testimony of Mrs. Jennie C. Nararoon, a woman detective, who testified that for ten weeks she has been watching Miss Hansen and Dr. Celestia B. Messenger through the keyhole of their room door in the Sherman House, and discovered that Miss Hansen was neither blind nor paralyzed, but on the contrary, as soon as they were within the room and supposed themselves unobserved, Mrs. Hansen jumped and skipped about the room, read the newspaper accounts of her trial, and with Dr. Messenger laughed at the sick way they were fooling everybody. Five books of closely written stenographic notes, taken during the ten weeks she was watching and listening to their conversation, was printed as evidence by Mrs. Nararoon.

Miss Hansen arrived in this country from Norway in 1891 and worked as a serving maid until she joined the Salvation Army. It was in 1898 that the accident occurred, which she alleges caused her afflictions. It was to Dr. Messenger's home in Lake Bluffs that she was taken at the time of the alleged accident.

The railway company alleges to have proof that she visited her native town of Arendel, Norway, in 1900, although she says she has been blind and paralyzed for four years.

## LISTEN TO PLEAS

### Referendum Before Oregon Supreme Court

### VALIDITY IS QUESTIONED

### Decision Will Settle Fate of Radical Amendment.

### ADOPTED BY POPULAR VOTE

### Construction of Sections of the Oregon Constitution Regarding Amendment Will Also Be Made by Judges at Salem.

#### FOUR PRINCIPAL QUESTIONS.

First—Whether the procedure set forth in the constitution is mandatory and must be strictly followed.  
Second—Whether the four amendments already proposed dropped out of existence because the Legislature of 1897 failed to organize.  
Third—Whether the courts have the power to inquire into the validity of the adoption of an amendment after it has received the favorable vote of a large majority of the voters and has been recognized as legally adopted by the other branches of the state government.  
Fourth—Whether the amendment is in violation of that provision of the Federal Constitution which guarantees to every state a republican form of government.

SALEM, Dec. 3.—(Special.)—Probably never before in the history of the Supreme Court of Oregon has there been tried in that tribunal a case that attracts so wide attention as that which is heard today. The case of Kadderly vs. Portland, involving the validity of the initiative and referendum amendment, was on trial.

The case is important, because the decision of the Supreme Court will either sustain or overthrow an amendment which institutes a radical change in the state government. It is also important because the decision will construe those sections of the constitution which prescribe the manner in which the constitution may be amended.

#### Four Amendments Pending.

The referendum amendment, adopted by an overwhelming majority at the polls in 1897, reserved to the people the right to propose laws and enact them by popular vote, and to demand by petition that laws passed by the Legislature should be submitted to the people for their approval. The constitution provides that while one or more amendments are awaiting the action of the Legislature or of the people, no additional amendment shall be proposed. At the time the referendum amendment was proposed, there were four other proposed amendments which had not been submitted to the people.

The principal questions presented are whether the procedure set forth in the constitution is mandatory and must be strictly followed; whether the four amendments already proposed dropped out of existence because the Legislature of 1897 failed to organize; whether the courts have the power to inquire into the validity of the adoption of an amendment after it has received the favorable vote of a large majority of the voters, and has been recognized as legally adopted by the other branches of the state government, and whether the amendment is in violation of that provision of the Federal constitution, which guarantees to every state a Republican form of government.

#### Points Well Brought Out.

Every phase of every question involved was ably presented before the Supreme Court in the arguments made today. The trial was opened by Ralph R. Dunway, of Portland, attorney for appellant Kadderly. He contended that the amendment was legally adopted; that the sections of the constitution prescribing the manner of amending the constitution are directory, and that when an amendment has been proposed and indorsed by a large majority; such adoption is conclusive in a collateral attack. Mr. Dunway admitted that if the Legislature were proceeding irregularly a direct attack might be made in an injunction suit to prevent the Secretary of State from submitting the question to a vote of the people, but he argued that when a Legislature has proposed an amendment in such a manner that every member had a chance to be heard and knew what he was doing, when such amendment has been indorsed by the succeeding Legislature in the same manner, and when the proposed amendment has been submitted in such a manner that the people have a full opportunity to express their sentiments, the result of their vote stands in the position of a judgment rendered by a court having jurisdiction of a case and cannot be set aside upon collateral attack, because of immaterial errors in the proceedings.

#### Denies Errors in Proceedings.

Mr. Dunway contended that there had been no errors in the proceedings, for the reason that at the time the referendum amendment was proposed the amendments previously proposed had lapsed. As to the effect of an emergency clause, he contended that the courts have the power to go behind the declaration of the Legislature and inquire whether the preservation of the public health plan or

safety required that the act take effect immediately. Tilton Ford, of Salem, spoke in behalf of the validity of the amendment, and as a representative of a number of prominent citizens, who, as friends of the court, had filed a brief supporting that view. Mr. Ford contended that the section of the constitution providing that when one amendment is pending no additional amendment shall be proposed, means that no additional amendment shall be proposed on the same subject.

#### Purpose to Avoid Confusion.

He argued that the purpose was to avoid confusion. Since the constitution permits any number of amendments to be proposed at the same time, there is no reason why they should not be proposed at different times, provided they are not upon the same subject. In this view of the meaning of the prohibition he contended that the referendum did not constitute an "additional" amendment.

#### Power of the Legislature.

J. P. Cavanaugh, of Portland, Deputy City Attorney, appearing for the City of Portland, argued that the Legislature has power, under the amendment, to put an act in force immediately by declaring that it is necessary for the immediate preservation of the public peace, health or safety. This argument was based upon the view that the amendment was legally adopted, a view which the attorneys for the city did not indorse.

#### Point Not Taken Up.

The question whether the referendum amendment gives Oregon a Government not Republican in form, was not discussed, except that Mr. Dunway contended that this is a question which Congress alone can decide. Mr. U'Ren asked permission to file a supplemental brief upon the point.

The Supreme Judges followed the arguments closely and frequently interrupted the attorneys to ask questions regarding their views of the law.

#### Many Hear Arguments.

As a rule trials in the Supreme Court are attended only by the attorneys in the case. Not even the parties to the litigation attend. The trial today was an exception, however, for there were a considerable number of citizens present during the discussion. Among those in the courtroom were Circuit Judge R. P. Boise, who was a member of the constitutional convention and who is a strong advocate of the referendum amendment; Governor Chamberlain, Ex-Governor Geer, Secretary of State Dunbar, Attorney-General Crawford, L. H. McMahon and others.

### DUKE OF MANCHESTER ILL.

#### Noble Who Wed Miss Zimmerman in a Serious Condition.

NEW YORK, Dec. 3.—The Duke of Manchester, who wedded Miss Zimmerman, of Cincinnati, is reported by a World dispatch from London to be rather seriously ill at his Irish residence, Tangierstown Castle. It is believed to be suffering from diabetes.

### CONTENTS OF TODAY'S PAPER

Domestic.	Dowle will be forced to take the stand and give the financial standing of Zion City. Page 1.
Foreign.	John Mitchell advises Colorado miners to continue strike. Page 6.
National.	James L. Blair, the prominent St. Louis attorney, is indicted for forgery. Page 3.
Local.	Prominent men begin campaign for an Anglo-American arbitration treaty. Page 1.
Union of women's clubs formed to oust Senator Smoot. Page 3.	
Ex-Cuban official tells Senate committee that General Wood changed laws to meet his ends. Page 6.	
President Roosevelt will disregard the opposition of Western Senators to Secretary Hitchcock. Page 2.	
Foreign.	Chancellor von Bulow opens the Reichstag as the representative of Emperor William. Page 4.
German Foreign Office emphatically denies alarming reports of the illness of the Kaiser. Page 7.	
Japan is urging Russia to answer her latest American arbitration treaty. Page 1.	
T. P. O'Connor gives a dinner in London for W. J. Bryan. Page 1.	
Sports.	Multnomah Fair Association to give Spring meet. Page 7.
Washington football team arrives today. Page 7.	
Favorites take all but two races at Oakland. Page 7.	
Columbia eleven presents a silver cup to Captain "Dick" Smith, of Klamath Falls, Or. Page 7.	
Commercial and Marine.	Bull movement in coffee. Page 15.
May wheat advances over a cent at Chicago. Page 15.	
San Francisco produce quotations. Page 15.	
Boom in New York stock market. Page 15.	
Sensational advance in cotton at New York and New Orleans. Page 15.	
British cruiser Flora ashore on Vancouver Island coast. Page 14.	
Towing drydock pontoons to St. Johns. Page 14.	
Six hundred coolies sail on the Lothian. Page 14.	
Pacific Coast.	Supreme Court hears arguments on the validity of the initiative and referendum amendment to the constitution of Oregon. Page 1.
Text of opinion from Land Office saying state has no interest in Klamath swamp lands. Page 5.	
Robert Mattison, an actor, dangerously stabbed in realistic scene on Gervais stage. Page 5.	
Content of the will of the late Alexander Dunsmeur under way at Victoria. B. C. Page 5.	
Portland and Vicinity.	Municipal Association will ask that writ of mandamus issue directing city officials to close gambling. Page 10.
Board of Trade ejects officers at annual meeting. Page 10.	
City Council may pass ordinance prohibiting wooden crosswalks. Page 10.	
Trial of Asa B. Thomson, charged with soliciting bribe, will probably go to jury today. Page 10.	
County Commissioners may charge street-car company increased rental for use of Burnside bridge. Page 14.	
Favorable crop reports from Oregon counties. Page 10.	
Theatrical managers may test child-labor law. Page 12.	

## IT'S UP TO DOWIE

### Finances of Zion City Are to Be Known.

### COURT ORDER IS ENTERED

### He Is Retained as Manager to Keep Things Going.

### CHIEF INDUSTRIES DON'T PAY

### Suffering Likely to Ensur as Many of the People Are Living in Flimsy Houses and Are Using Straw for Fuel.

CHICAGO, Dec. 3.—John Alexander Dowle will be put on the witness-stand before Bankruptcy Referee Sidney C. Eastman, and, under oath, will be required to answer all questions regarding the financial affairs of Zion City. While the date for the inquiry has not been set, Judge Kohlsaat this afternoon entered the order which requires the overseer of the Christian Catholic Church to submit to an examination. This action was taken on motion of Attorney Samuel Ettelson, who filed the original petition in bankruptcy against Dowle.

"This application was not made for the purpose of harassing Mr. Dowle," said Attorney Ettelson. "The receivers are making an investigation of Dowle's accounts, and they will undoubtedly need his testimony to get a correct knowledge of his financial condition. It is for this purpose that Dowle will be called to the stand."

Federal Judge Kohlsaat today appointed Dowle temporary manager of Zion City. Dowle will be the agent of the receivers, and the arrangement will be discontinued if it is found that the interests managed by him are not made to pay.

#### Factories Will Not Close.

It is not probable that any of the industries of Zion City will be closed, as in such an event thousands of persons would be deprived of a means of livelihood. This is said to be one of the main reasons why Dowle is retained as manager of the business under the direction of the receivers. The receivers realize Dowle's strong hold on his followers, and wish to prevent any turn in events which might turn Zion City into a deserted village.

Federal Judge Kohlsaat also issued an order to the receivers, authorizing them to place \$100,000 insurance on the Zion plants, none of which have heretofore been insured, and to employ such help as is necessary in order to continue the operation of the factories. The receivers were also instructed to enforce the Zion City ordinances so as not to offend the residents.

This afternoon Judge Kohlsaat ordered that the receivers report on the condition of the business of the Zion City industries within one week, in order that the court may determine whether three receivers should be continued. It was further ordered that all coupons issued by Dowle to laborers and wage-earners in Zion City outstanding before December 1 should be accepted at the discretion of the receivers.

That Zion City's two chief industries, the lace works and candy factory, are not paying expenses, was officially disclosed today in an examination of the plants by Chief Custodian Redieski. After questioning closely the managers of both concerns Mr. Redieski said:

"If Dowle relies on the industries of Zion City to pay his indebtedness, the town will still be in the hands of receivers a year from now. Neither the lace works nor the candy factory is on a paying basis. In the case of the lace works, I understand that lack of raw

material is to blame. No one seems to know what is the matter with the candy factory."

Mr. Redieski is now skeptical concerning Dowle's ability to vacate the receivership. He says, however, he believes Dowle is better off financially than any bankrupt he has ever known.

#### May Have Money Up His Sleeve.

"Dowle may have a million or two up his sleeve for all I know," he said, "but I have been unable to see any evidence of financial strength in Zion City."

The lace factories, lumber mills and other industries continued in operation today and, contrary to expectations, Dowle trade checks were taken instead of money at the general store, a Dowle institution in the hands of the Federal receivers.

There was a rush for the general store. Many who had exhausted their ready supply of money and were unable to purchase provisions with trade checks yesterday, were in extreme need of food.

Receivers Blount and Currie arrived at Zion City today and took up the work of examining into the condition of Dowle's finances. The receivers are at a loss to understand where they can get the money to pay workmen employed in the factories. Dowle, however, declares his people will work for nothing provided they are furnished with food. While there are enough provisions in the city to feed the people for a week, now that scrip is being accepted, it is feared by the receivers that hard times may come when these are gone.

A prominent canning and provision company has refused credit to Zion agents, and announced that cash would be required for all provisions furnished in the future. This is said to be the attitude of other supply houses with reference to Zion City.

Whether Dowle's home, Shiloh House, is connected with the administration building, 25 feet away, by an underground tunnel, is a question that is puzzling Custodian Redieski. Dowle had an appointment with Redieski, and while the custodian was standing at the door of the administration building, waiting for Dowle to appear, he was notified that Dowle was awaiting him inside. Dowle kept another appointment today in the same mysterious manner, and then Redieski came to the conclusion that Dowle must be possessed of an underground passage between the two buildings. Not once since the receivers seized Zion City has its founder been seen outside doors, yet he has held conferences both at his home and at the administration building.

#### THEY BEGGAR THEMSELVES.

### Many of Zionists Live in Flimsy Houses and Use Straw for Fuel.

CHICAGO, Dec. 3.—Investigation shows that the fuel supply of many families in Zion City is reduced almost to nothing. The extent to which the people of Zion City have beggared themselves is shown by a trip through the town. Many of the poorer people, the men and women who work in the factories, live in houses flimsy in construction and unfit for shelter through a Chicago winter. The walls of some are merely strips of tarred paper nailed on wooden frames. Other houses are simply tents made of canvas. Not a few are partially constructed of earth, something after the fashion of a dugout. A shovelful of coal and a dozen or two sticks of wood comprised the entire visible fuel supply of most of the people, from whom Dowle is asking \$50,000.

Others still less fortunate, possessed neither coal nor cordwood. In several instances the occupants had gone back to stumps and roots and piles of dried grass and straw, as the sole protection against freezing. To such straits have some of these enthusiasts been driven that instead of chopping down trees they dug them up by the roots, so as to have additional fuel.

#### WORLDLY FOLK MUST STAY OUT

### Dowle Orders Police to Admit None but Federal Officials to Zion.

CHICAGO, Dec. 3.—"All who have not Zion in their hearts cannot come into Zion," is the order promulgated today by John Alexander Dowle through his Chief of Police. The order to the Zion guards the police force in the Dowletown of Zion City, continues as follows:


"From now on arrest or escort to the city limits every person who is not of the faith or of the United States official. We will bow to the Government alone."

Following this order the usual force of "Zion guards" was doubled, many of them patrolling the outskirts of Zion City with poles.

#### Steel Works Lay Off Men.

BELLAIRE, O., Dec. 3.—Twenty-five hundred men were laid off today at the plant of the National Steel Company, and the works closed down for an indefinite period. No explanation is given.

## PROMINENT ATTORNEY INDICTED FOR FORGERY



JAMES L. BLAIR, OF ST. LOUIS.

## BLOW TO WARS

### Move for Anglo-American Arbitration.

### HOT CAMPAIGN FOR TREATY

### Prominent Men in Washington Start the Ball Rolling.

### PRESIDENT GIVES APPROVAL

### Sentiment Throughout the Country is to Be Thoroughly Aroused—Scope of the Work Outlined by Leaders.

#### SPONSORS OF MOVEMENT.

GENERAL JOHN W. FOSTER.  
ADMIRAL DEWEY.  
GENERAL MILES.  
WAYNE MACVEAGH.  
THOMAS NELSON PAGE.  
GIFFORD PINCHOT.  
SENATOR PROCTOR.  
GENERAL H. V. BOYNTON.  
D. C. GILMAN.

WASHINGTON, Dec. 3.—The awakening throughout the United States of a popular sentiment, which it is hoped will develop into a National demand for an arbitration treaty between the United States and Great Britain, was the object of a gathering today at the residence of General John W. Foster, ex-Secretary of State. It is understood the movement has the hearty approval of the President. Among those present today were Admiral Dewey, General Miles, Wayne McVeagh, Thomas Nelson Page, Gifford Pinchot, Senator Proctor, General H. V. Boynton and D. C. Gilman.

Regarding the scope of the plan, which is to be pushed vigorously, in the hope of securing at an early date the conclusion of an arbitration treaty, following the general lines of the Hay-Pauncefote treaty of 1897, the Associated Press is authorized to make this statement:

"In April, 1896, a notable conference of the friends of international arbitration was held in Washington, attended by prominent and representative citizens from all parts of the United States. That conference declared in favor of an arbitration treaty between the United States and Great Britain, and it was followed in January, 1897, by the signing of such a treaty by Secretary Hay and Sir Julian Pauncefote. The treaty failed, by a close vote, to receive the two-thirds majority required for its ratification.

#### Objections Out of Way.

"It is understood that prominent among the objections urged against the treaty were the complications growing out of the Clayton-Bulwer treaty and the controversy over the Alaskan boundary. These having been disposed of, it is felt by the friends of international arbitration that the present is a favorable time to re-awaken public sentiment in favor of a new arbitration treaty with Great Britain. They point out that France has already taken the lead of us in this matter by the convention recently made with Great Britain, while the United States, as a kindred nation, should have set the example.

"At a meeting of the executive committee appointed by the conference of 1896, held last week in New York, it was decided to call a meeting of the National arbitration committee in Washington on January 12 next, to take this subject in consideration, and adopt such measures as may seem desirable to be taken. To advance these ends a local committee was designated for Washington, and it is contemplated to organize similar committees in other leading cities of the country."

#### Appeal to the Country.

A circular letter to this effect has been sent throughout the country. It is learned that Sir Henry Mortimer Durand, the new British Ambassador, who has just arrived in Washington, is an earnest advocate of international arbitration. While he is not associated with the movement in this country, of course, it can be stated that Sir Mortimer may be relied on to bring about in Great Britain the result which the National arbitration committee in the United States is working for.

#### GIVES DINNER FOR BRYAN.

### T. P. O'Connor Invites in a Number of British Solons.

LONDON, Dec. 3.—T. P. O'Connor gave a dinner at the National Liberal Club tonight in honor of William J. Bryan, at which a number of Irish and Liberal members of the House of Commons and several representatives of the English and American press were guests. There were no set speeches, but Mr. Bryan, in a purely informal, but eloquent, talk, referred to his experiences in England, told how he had profited by his visit, and how he had been impressed by the way in which the people here devoted themselves to the welfare of their country. Mr. Bryan said the ambition and pride of the people of his country should not be in saying that "our army and navy are the best in the world," but in having the best government in the world, and in being able to say that "our government stands for justice and humanity, and is so recognized in all parts of the world."

To that end Mr. Bryan said he would devote his life and hoped to bequeath to his children a legacy greater than any accumulation of wealth.