MITCHELL FAILED

Second Effort to Get Democratic Vote Defeated.

CAUCUS AGAIN PICKED SMITH

The ex-Sentaor's Candidacy Was Brought Up and Met Strong Opposition-Republican Minority Will Not Caucus.

SALEM, Or., Feb. 5.-John H. Mitchell renewed his effort to capture the Democratic cancus, and scored another failure The Democrats decided once more to stand by William Smith. The candidacy of Mr. Mitchell was freely discussed, and several Democrats, like Watson of Mult-nomah and Edson of Washington, en-deavored to make it clear that there was an implied pledge upon at least such Democrats as were elected by "citizens" to vote for Mitchell. But this position was vigorously combated by Democrats like Senators Sweek and Inman, of Mulinomah. Senator Wade, of Union and Wallowa, said he had been elected by the aid of Remphison votes but he felt under no of Republican votes, but he felt under no obligation whatever to help elect a Reublican Senator. The Mitchell scheme is to persuade the

causis to agree to a secret ballot as to the Senatorship. By this brilliant meth-od it is figured that the Democrats will be able to conceal from each other and from the public just who votes for Mitchell, and that the responsibility will be trans-ferred from the individuals to the party as a whole. All phases of the plan were discussed, and it encountered such vigor-ous opposition that it was not further pressed, and did not reach a vote or even a formal motion for its adoption. The same thing was suggested last night, and it resulted in a declaration from Chairman Waltney that, in his judgment, the mi-nority could not be bound by the majority to vote for a Republican. No Democrat could thus be read out of his party. Sen-ator Inman and others said they would not recognize any such attempted action. It was intimated tonight that the Mitchell Republicans had appointed a committee of five to wait on the Democrats and endeavor to agree on some basis of action as to the Senatorship. The caucus had no objections to similar action, that is to say, no harm could come from a conference, and the chair was empowered to ap-point a like committee, which he will do

The developments as to the Democrats show that there are a few who would like to vote for Mr. Mitchell, but they are so far unquestionably in a minority. The ex-Senator has pushed his claims hard the farm and is not satisfied with one or with them, and is not satisfied with one of two rebuffs. He has declared to various Republicans. He has declared to various Republicans that he has or can get 20 Democratic votes, and these, with 28 Republicans, will be enough to elect him. To the Democrats whom he personally interviews he declares that he has at least 28 Republicans, and all he needs is a score from the opposition party. At the present time he is very much shy in both parties, and he knows it. What is worse for Mr. Mitchell, everybody else knows it. In a nutshell, Mr. Mitchell is playing his old game with the Democratic and amendment was passed when Frank D. his old game with the Democratis, and trying to be the Democratic candidate even before he has a single Republican vote cast for him in the open Legislature. Through him the Republican minority is openly according with the Democrats for the purpose of combining with them to defeat the Republican majority.

Republican Majority Cancus.

The Republican majority caucus had meeting tonight for the purpose of re-ceiving the report of the committee of five appointed to confer with the opposi-

cept our invitation. We are therefore compelled to state that, in our opinion, the minority will not now, or at any time, perform their clear duty as Republicans of siding the Republican majority in cau-cus to select a candidate for United States After some discussion of the situation,

The House committee on railreads held

samion tonight to give the railroad of panies a hearing on the Carter. Colvig and Butt bills relating to freight and pan-senger rates. It is expected that the committee will report upon these bills in a

Anti-Cancus Forces Conferred,

The anti-cancus forces also assembled onight. It did not transpire that anything was done except to agree inform to continue in the course of opposition the majority. It does not tonight seem probable that there will be any change in the vote tomorrow.

IN THE SAME OLD RUT. The Mitchell Boom Fails to Put in Appearance.

SALEM, Or., Feb. 5.-The joint convention today did not break its habit of electing no Senator. At noon, Tuesday, Feb. 5, was to be the day and the hour when John H. Mitchell made his formal entry into the contest. The event had been advertised far and wide, and every faconing train for the past 24 hours has rought in prominent politicians from all arts of the state. The Federal push i at hand (though some of its most lithing lights are not bere) and is or has seen supporting Mr. Mitchell and Mr. Mc-Bride with equal impartiality. Indeed, the lobby today was the largest of the session. Early this morning the crowd began to make its appearance in the cor-ridor and rotunds of the capitol, and by seen, it had reached large dimensions. But there was no great excitement. It had become generally known that Mr. Mitchell's effort to become the Democratic candidate had utterly falled in the caucus last night, and there was no hope or expectation that his name would be sprung. And it was not

At noon the Senate filed into the House and the customary preliminaries of get-ing ready for the joint ballot were speci-y disposed of. As the roll was called and the various members responded in the some way, dropping into the rut of the old deadlock, the lobby gave up its last faint hope that there would be anything-done. The ballot resulted as follows:

MULTNOMAH AFFAIRS.

Delegation Considering Far-Reach-

ing City and County Changes. SALEM, Or., Feb. 5.—The Multnomah delegation has under consideration Drisdelegation has under consideration Dris-coll's bill to remove the present Board of County Commissioners and to restore the County Judge to his place on the board. Two men are to be named in the bill to

plum picked out for his father-in-law, J.

J. Allard. The Multnomah delegation in the Senate is said to favor J. W. Shattuck and Tyler Woodward for Commissioners. Opponents of the bill have printed a circular letter containing a list of 1857 cases pending in the Probate Court as illustrating that the County Judge of Multnomah County has more business now on hand to transact than he is able to hand to accomment to make that plum picked out for his father-in-law, J handle, and the argument is made that for this reason it would not be wise to restore the County Judge to his place on the Commissioners' Board. This circular has not yet been generally circulated among the members of the Legislature, but it is doubtless the purpose of those interested in its publication to do so. The other duties of the County Judge

are also pointed out as follows: "To hear and determine all complaints of insanity, and make all commitments to the State Insane Asylum. "To pass upon all applications for adop-tion of children and change of names, "To hear petitions and determine what disposition to make of minors whose par-ents are unfit or incapable of bringing Boys' and Girls' Ald Society and like in-

Equalization.
"Has jurisdiction to the amount of \$500.

"Has jurisdiction to hear and determine uestions arising on 'habeas corpus.' " Certain members of the Multnomah dele. gation take exception to a recent state-ment that the delegation has decided to remove the present beard and supplant it with Democrats. They say that the bill has not been considered by the delegation, and that it is hard to say what it will do when it does act.

STILL DEBATING THE CHARTER. Portland Bill Awalts Recommends.

tions-Will be Many Changes. SALEM, Or., Feb. 5.—The Multnomah delegation has held frequent meetings to consider the Portland charter, but members are generally noncommittal as to what occurred at these gatherings. Senator Mays states that the delegation been waiting on the Taxpayers' League for recommendations co League for recommendations concerning street improvement matters and some other things. City Auditor Deviln and Attorney H. W. Hogue are said to have prepared the bill for the league, and A. T. Mills corresponded with the delegation concerning it Monday night, Representatives Story and McCraken were not present at the meeting long tonight. Mr. Story states that he can attend if he desires but says the charter is a he desires, but says the charter is a long, typewritten document; that a page is read and turned over and then another one, and that he has not ascertained much of the contents of the charter by attending the meetings, and pre-fers to wait until the bill has been in-troduced and printed, when he can di-gest it at his leisure.

That the charter will contain numerous

changes from the present charter is a foregone conclusion. As previously stated, the present Police and Fire Comment to the present charter. The sa amendmant was passed when Frank Hennessy occupied the hench of Municipal Court. There will probably other changes. Representative George M. Orton, while he has attended the numerous meetings of his delegati has not seen anything of the charter since he left Portland.

Public Administrator Bill.

Judge Cake, whose bill for a public dministrator was reported upon today administrator was reported upon today by the committee on judiciary, was evi-dently promptly informed of the action, as he arrived on the afternoon train, and immediately began an agitation to resurrect the measure, which, he asserts, five appointed to confer with the opposition members. The following report was
submitted and adopted:

"Salcm, Or., Feb. 5 1991.—We, your committee appointed by Chairman Howe, of
the Republican cancea, for the purpose of
walting upon the Republican minority and
inviting them to join with us in our conference, her leave to report:

as he arrived on the afternoon train,
and immediately began an agitation to
resurrect the measure, which he asserts,
is a meritorious one and intended to cause
a final settlement of a certain class of
estates, which he has not power as Probate Judge to bring about. The desire
of Judge Cake is to have the bill referred
to the Multnomah delegation, where he "That we have individually and sever-ally interviewed all the members of the

STATUETTE OF COLONEL BAKER. House Bill for Its Purchase-Inscription Thereon.

SALEM, Or., Feb. 5.—A statuette in commemoration of Colonel E. D. Baker, to cost \$250, is the subject of a bill in-troduced by Representative McCraken, Accompanying the measure is a petition the caucus adjourned subject to the call from Mrs. Caroline Baker Stevens, daugh from Mrs. Caroline Baker Stevens, daughter of the late E. D. Baker, stating that her father fell in battle at Balis' Bluff in 1881, while fighting in the defense of his country. "No single thing." It is stated, "marks the grave of E. D. Baker to commemorate his distinguished life and gailant death, and it is sminently fitting that the state which he represented should purchase this tribute."

The patition also recites that the state.

The putition also recites that the stat-nette is the work of Horatio Stone, the artist who made the statue of Colonel Baker piaced in Statuary Hall, Washington, and is a fac-simile, and contains an inscription from the reply of Colonel Ba-ker to the speech of Senator Breckento the speech of Senator Breeken-in the United States Senate, as

follows:
"There will be some graves recking
with blood, watered by tears of affection;
there will be some privations; there will
be some loss of luxury; there will be somewhat more need of labor to procure the necessaries of life; if we love the country, the whole country, the Union, the Constitution, free government, with these will return the blessings of civilization; the path of the country will be a career of greatness and glory such as our fathers in the olden time foresaw in the dim visien of years jet to come; and such as would have been ours to-day, had it not been for that treason for which the Senator (Breckenridge) too

ASTORIA SENDS LOBBY.

Will Urge the Passage of Charter Changes Agreeable to Council. ASTORIA, Or., Feb. 5.—The City Council at its meeting last evening appointed a special committee, consisting of Councilmen Cook and Scherneckau and City Attorney Smith, to go to Salem and urge the passage of the bill amending the city charter as prepared by the Council, also that amendments presented by other perthat amendments presented by other per-

sons be not entertained.

The reason for this action is that the Council has been informed of an attempt by certain individuals to amend the charby changing the method of cor ing the city indebtedness, so that the limit would already have been passed and the municipality forced into the hands of a Other amendments that are feared are one placing a property quali-fication on voters and one appointing the fication on voters and one appointing the head of the city government for life with power to name all subordinate officers. The committee left for Salem today to begin its work

Big Price for Polk County Farm. MONMOUTH, Or., Feb. L.-J. H. Moran, real estate agent, reports the sale of one of the best farms in Polk County, situated three miles north of Monmouth, to a

FOR A NEW CONSTITUTION

SENATE PASSED BILL AUTHORIZ ING CONVENTION.

Thirty Thousand Dollars Is Appro printed for It, and There Are to Be Sixty-one Delegates.

SALEM, On, Feb. 5.-The state have a Constitutional Convention if the bill passed by the Senate today runs the gauntlet of certain House objection. Last week, when the Brownell measure came week, when the Brownell measure came up, there was a lively debate, in which the orator from Clackamas made one of his illuminative starry-flag speeches in its favor. But he was beaten. Undannted he kept up the fight and managed to get a vote for reconsideration. Today the bill came up on special order, and Brownell again made an carnest plea for a new Constitution. He was warmly seconded by Mays and Booth.

It appears that certain amondments.

seconded by Mays and Booth.

It appears that certain amondments had been made by which the cost of the convention would probably not be over \$10,000, though the bill appropriates \$20,000. There seemed to be an impression on the part of the Senate that so high-minded and uncommon a body as a Constitutional Convention would not spend as much money as the state placed at their disposal, and so the Senate passed the bill by the following vote:

Ayes—Adams, Booth, Brownell, Hunt, Inman, Johnston, Kelly, Kuykendall,

Inman, Johnston, Kelly, Kuykendall, Mays, Morrow, Porter, Proebstel, Smith (of Baker), Smith (of Multinomah), Smith (of Yamhill), Sweek, Williamson, Mr. ident-18,

Nays—Cameron, Howe, Marsters, Mul-ter, Stelwer, Wada, Wehrung—7. The Brownell bill provides that the The Brownell bill provides that the convention shall meet in Salem, at 12 noon, the second Monday in September, 1992. It shall consist of 61 delegates, of whom Multnoman shall have 11. Provision is made for electing the delegates at the June election, 1992. Other sections set forth how the convention shall be organized, and how many cierks it shall have. The session is limited to 20 days, and the per diem to 22 per day. The and the per diem to \$3 per day. The constitution shall be submitted for adop-tion or rejection in June, 1904. The bill appropriates \$30,000, or so much thereof as

shall be necessary.

The bill is not likely to pass the House. The act introduced by Representative Story, of Multnomah County, regarding the selection and sale of school lands, has for its object the curing of a defective law on the same subject passed two years ago. This bill provided that where the state cannot make title to school lands for which they have issued certificates to purchasers, the state shall return the principal and interest, and 5 per cent in-terest on the money for the time the state has had possession of it. The United States government has refused title to the state to lands on some bases used by the state, including timber lands. The Attorney-General pronounced the act of two years ago to refund to purchasers faulty, and it is believed the present act will stand the legal test. The School Land Board is willing to refund these moneys.

A bill to repeal the building and loan association acts of 1891, 1895 and 1895, was introduced by Representative Notting-The laws in force have permitted these concerns, because they were operative, to loan money to member: a much higher rate of interest than is allowed by statute, under the term of premiums. Recently the courts have de-clared the interest charged by such companies to be usurious, no matter whether called premiums, or by any other name. Mr. Nottingham introduced the bill by request, and states that he will let it go before the judiciary committee to what they think of it.

Representative Mattoon, of Douglas, has introduced a bill providing for a bounty of from 3 to 5 cents on crow scalps. The law is to be a general one, covering nties in the state, and its object is to tect game birds. It is set forth in the act that crows are greatly destructive to birds' nests, and are much given to egg-sucking. Mr. Mattoon states that he has a petition signed by 1000 persons fa-

Word was received today from E. W. to Salem. It will be introduced tomor-row, and hurried to the elections com-

While the reading of committee reports as in progress this afternoon, Story, of was in progress this afternoon, Story, of Mulinomah, moved that bills introduced by the Mulinomah delegation be all print-ed, so that members could act intelli-gently upon them. This motion was the result of the introduction of lengthy amendments to House bill \$2, consoli-dating the offices of County Clerk, Re-corder of Conveyances, and Clerk of Cir-cuit Court in Mulinomah County. Noteult Court in Multnomah County. tingham and Watson opposed the mo-tion on the ground that it would be waste of time, but Siewart, of Jackaon, suggested that there were some members on his side of the House that would like to know what the bills were about. The motion of Story carried by a vote of 25 to 11, and all Multnomah delegation bills. yet printed, will have to be sent to

A bill amending the act creating the Eastern Oregon Agricultural College, was was introduced by Representative McAllster of Union this morning. It reduces the appropriation asked for from \$50,000 to \$25,000. A change is also made denominating the institution as an industrial instead of an Agricultural College, and providing for a School of Mines. For the erection of buildings, \$20,000 in saked, and \$5000 for maintenance. The state owns \$30 acres of land near Union, which was purchased to build was purchased to build a branch asyum upon. This is to be used for the college which is also to have any revenue which may be derived from the use of the lands. It is stated that the citizens of Union have promised to furnish an ample supply of water free of charge.

Whitney of Linn, acting upon the recommendation of Governor Geer, in his measure, has introduced a bill authorizing the sale of lands lying in Union County, purchased as a site for a branch insane asylum. The State Board is authorized to dispose of the property to the best advantage, and the money derived from such sale is to be returned to the same bind from which the original purchase price of the property was drawn. This is the same land that the people of Union County want devoted to an Industrial School or Agricultural College.

The Panhandle bill, taking from Union County considerable area and giving it to Baker County, was introduced in the House this morning. Grace, of Baker. fathers the measure, and the advance guard of "boosters" for the bill living in Union County, have arrived and are now at work in the lobby. The bill has not yet been read. In its general provisions it takes in all the Panhandie of Union County, and transfers it to Baker. Opponents of the measure say that its friends will find it very hard sledding to get it through the two houses.

Poorman of Marion has introduced a bill, providing that in event anyone engaged in trainrobbing should kill any person on a train while carrying out their design of robbery, he or they shall be deemed guilty of murder and punished by death. In cases of trainrobbing, when no one is killed, those engaged in the business, upon conviction, are to be given long terms of imprisonment in the penitentlary.

The committee on game has introduced a substitute for bill 11, for protection of systers an dlobsters. The new bill pro-Poorman of Marion has introduced

vides for an appropriation in aid of the State Biologist. It was read twice and took its place in the regular order.

took its place in the regular order.

The supporters of the present medical law scored somewhat of a victory in the Senate this morning when they had Senate bill No. 184 referred to the committee on medicine and pharmacy. This bill was introduced by Wehrung, by request, and proposes the repeal of the present medical law. When the bill was read the second time Senator Wehrung was absent and Senator Clem asked that the bill be referred to the committee on judiciary. Senator Josephi objected to this, saying that he had heard Senator Wehrung express the desire that his bill go to the committee on medicine. President Fulton stated that it was his understanding that the wish of Senator Wehrung was that the bill should go to the committee on medicine. the wish of senator wentung was that the bill should go to the committee on medi-cine, but since the Senator was absent he would refer the bill to the judiciary committee until Wehrung returned. Just before the noon adjournment Senator Wehrung came in and announced his de-sire that the bill go to the medical com-mittee.

The medical committee is composed of three doctors: Josephi of Multnomah, Smith of Lincoln, Tillamook and Yambili, and Smith of Mulinomah. All are of the debate in favor of the motion, "regular" achool and consequently supporters of the present law. the debate in favor of the motion, "e don't want to override the tution," he said; "it is our guard a

The committee on education, having House bill 121 under consideration, has reported the following as a substitute, taking the place on the calendar of the original bill:

Section 1. All pupils of state normal schools and chartered institutions in Oregon, who graduated from such institutions before September 1, 1899, under the provisions of acts in force on February I, 1809, shall be entitled to receive a state diploma or state life diploma on compli-ance with the provisions of the acts in force on February 1, 1809. Sec. 2. The State Board of Education

is hereby empowered to issue state di-plomas or state life diplomas to all such graduates on compliance with all the con-ditions set forth in the acts in force Feb-

An emergency is hereby declared to ex-ist and this act shell be in force and effect from and after its approval by the

In reply to House concurrent resolution 4, the clerk of the State Supreme Court today submitted the following report: Salem, Or., Feb. 4.—To the Honorable House of Representatives of the State of Oregon: Complying with the requirements of House concurrent resolution No. 4, relating to the business of the Supreme Court, I respectfully report: That on January 1, 1839, there were pending and un-determined, 251 cases; on January 1, 1900, 219 cases; on January 1, 1901, 203 cases.

The number of cases disposed of during the past two years about equals the new cases filed here and at Pendleton during

the same time.

An indicating the present condition of the business of the court, it might be proper to add that the transcript in the case of Mayes vs. Stephens was filed September 19, 1899, and the abstract and briefs of the respective particular transcript. of the respective parties within the time allowed by the rules, so that the cause was entitled to be transferred to the tri-docket for hearing on November 9, 1889, was heard in its regular order on the 19th day of December, 1900, and decided by the court this 4th day of February, 1901. Respectfully submitted, J. J. MURPHY,

House bill in introduced by Grace, providing for punishment for poisoning do-mestic animals was passed in the House, It is as follows: If any person shall put out or place any

by any horse, cattle, sheep, hog, ther domesite animal of value, or other domesite animal of value, the property of another, with intent to polson such animal, such person upon conviction thereof shall be punished by imprisonment in the peltentiary not less than one year nor more than five years, or by imprisonment in the county fail not less than three nor more than 12 months, or by fine of not less than \$100 nor more than \$1000.

Thomson of Umatilla, having in view the possibility of anyone in Oregon seek-ing to emulate Pat Crowe, who success-fully kidnaped a son of the wealthy Cud-aby family, has introduced a bill providing for the punishment of anyone who engages in the crime of kidnaping. The act is amendatory to the present law, and is as follows:

and is as follows:

Every person who mallclously, forcibly that the bill has been transmitted salem. It will be introduced tomorband and hurried to the elections combined.

and hurried to the elections combined to the election person having the lawful charge of such child, shall, upon conviction thereof, he punished by imprisonment in the state penitentiary not less than one year nor and passed. more than 25 years, and by fine not exceeding \$10,000.

Inasmuch as the penalty now provided by law for this offense is wholly inadequate, an emergency is hereby declared to exist, and this law shall be in force and effect from and after its passage,

The present law fixes the age of the child at 12 years, with punishment not more than 10 years in the penitentiary, or a fine not exceeding \$500. The bill is now in hands of the committee on judiciary, and will be reported this week.

The Story bill creating the office of Public Administrator in Multnomah Co ty was reported upon unfavorably by the House judiciary committee today, and the bill is therefore dead.

EFFORT TO AMEND SCHOOL' LAW Proposed to Allow Superintendents Traveling Expenses.

SALEM, Feb. 5.—Some little discussion was aroused in the Senate this morning by a motion by Marsters to amend the Daty school bill so as to allow County Superintendents in certain countles to re-ceive from the county sums not to exceed \$200 per year to cover their traveling expenses. Senator Kuykendall raised an ob-jection to the amendment on the ground that the proposed change would not effectually exclude the counties not named. Senator Marsters understood this to be an objection to the merits of his amend-ment and took the floor in support of his plan. He said among other things that the County Superintendent of Douglas County does not perform his duty in the matter of visiting schools, and he thought it would be wise to provide for the pay-

it would be wise to provide for the pay-ment of the traveling expenses of such officials, thus giving them an incentive to perform this part of their work. Brownell of Clackamas agreed with Marsters and said that the County Super-intendent of his county should be paid enough above his salary to cover his traveling expenses. The County Superin-tendent he said is assured of his salary traveling expenses. The County Superin-tendent, he said, is assured of his saiary whether he visits the schools or not. As his expenses come out of his saiary, there is nothing to encourage him to visit schools. Brownell said that it does not pay to keep a County Superintendent sit-ting in his office with his feet up on the table.

Senator Williamson thought the provis ion for expenses should apply to all the County Superintendents. Kuykendall did not care to have Lane County included, and Fulton asked that Clatsop County be

Hunt of Multnomah raised an objection to the merits of the proposed amend-ment and said that if the County Super-

BARBERS CARRIED THE DAY

HOUSE REFUSED TO RECONSIDER SUNDAY CLOSING BILL.

Week - Day Shaving Will Be the Order as Soon as Governor Signs the Measure.

SALEM, Or., Feb. 5.—Th... was barbers' day again in the Legislature. They routed the constitutional lawyers in the house, horse, foot and dragoons, and as soon as the Governor signs the bill, the great reform of week-day shaving only will be an accomplished fact, unless the Supreme Court takes a hand. In the Senate the barbers' commission bill, making certain more desirable provisions as to apprentices, and imposing a license fee of E per annum on barbors, was passed. In the House the Sunday bill was taken up this afternoon on motion for recon-sideration. Dresser of Clackamas led in

present their views.

o compel the Southern Pacific to fall into

Speaker Reeder ruled that the motion

Speaker Reeder fued that the motion in its present form would require a twothirds vote to carry, whereupon Colvis moved that the question be divided. This was agreed to, and the first division of the question "Shall the committee be relieved from further consideration of the bill?" was put but found but few votes to the free the motion to relieve the

in its favor. The motion to relieve the committee was lost. Most of the morning session was devoted

Anest or the morning assistion was devoted to hearing reports from the various committees, and just before the noon hour 34 new bills were introduced.

The following new bills were introduced today in the House:

By Hume-Providing for expenditure of may reported balance in the salmon provider.

unexpended balance in the salmon protec-tion fund.

By Story-Amending act providing for

By Nottingham—Reparing acts grant-ing the toan of money by building and toan associations to their own stockhold-ers only; repealing act regulating incor-

poration of building and loan and savings

and escheated estates. By Whitney-Authorizing sale of land in Union County purchased for branch in-

By Smith of Marion-Authorizing em-

State Insune Asylum. By Eddy-Amending charter of Neha-

By Edson, by request-Regulating fra-

Gilliam County, By Miller-Providing for sinking arte-

sian wells in Eastern Oregon, and appro-priating \$5000 therefor. By McAllster-Amending act creating

ern Oregon agricultural societies. By Mattoon, by request-Amending act creating Southern Oregon agricultural so-

By Mattoen-Providing for a bounty on

By Mattoon (by request)-Repealing law for collection of state poll tax and road

tax under the present system.

By Roberts—Amending act creating Eastern Oregon agricultural societies.

By Grace—To protect contractors furnishing labor on public buildings.

By Grace-Te annex a portion of Union County to Baker County.

By Merrill-Amending charter of Ver-

By Poorman-To punish train-robbers,

By Dresser-Abolishing private seals. By Dresser-Amending law regarding custody of stolen property. By Harris-Making it a misdemeanor to

sell intoxicating liquors on the state fall

rd of Horticulture,

By Harris-Amending act providing for ayment of certain fees to County Clerks. By Briggs-Amending act creating State

ent of additional physicians at the

selection and sale of state lands.

of Oregon and with the railrouds.

'e don't want to override the consti-tution," he said; "it is our guard and our safety. It is our duty to stand by it and only such laws as do not infringe

Mr. Dresser then referred to the several decisions given pro and con for the closing of barber shops. In Minnesota he showed that there was a general law prohibiting all occupations being followed on Sunday, and that the business of barbering was neither a case of necessity or of charity. It was on this that the decision was given by the Supreme Court of Minnesota, and on appeal to the United States Supreme Court the judgment of the lower court was affirmed. But the only thing affarmed was that Minnesota had a general law prohibiting all kinds of labor on Sunday processity or charday, except in cases of necessity or charity, and that the business of a barber was not of such class. Other decisions were quoted extensively and commented upon. "Here in Oregon," he said, "we have no general law against laboring on Sunday, and if this proposed law be enacted it would be class legislation. If we can legislate so that barbers need not work on Sunday we can just as well pass a law saying they cannot vote. That is just the situation we are in today. It would end with our Supreme Court, in the light of all the authorities presented, saying such a measure was null and void. The barbers are asking us to give them some-thing we have no right to give away.

They might as well ask us to give them the Southern Pacific road."

Barrett of Grant County opposed the law and favored the motion to reconsider, because the people of his part of the state did not want it. The argument made to him by friends of the measure that violations of the law in Eastern Oregon would not be noticed, but that the intent was to force the closing of shops in Portland, was He was opposed to the bill. If not fair. they did not want barber shops opened Sundays in Portland, let them provide by ordinance for shutting them up.

Butt of Yamhili spoke against the mo-tion, and said that if it should ever be brought before the Supreme Court the bill would be upheld. Rice of Douglas made an elaborate argument in defense of the suffering barbers, and Whitney of Linn had just raised up to catch the eye of the Speaker, when Nichols of Benton moved the previous question. Dresser claimed the right to reply to the argu-ments raised, but the Speaker put the mo-tion and declared the previous question carried, to the disgust of several who had been pluming their feathers for a proper cratorical flight. The motion to reconsider was then voted upon. The resuit showed a large majority of votes being in favor of the barbers, a number of whom had been during the entire day busy as anis among the House members, seeking votes against reconsideration.

Several Bills Passed - More New

Mensures SALEM, Or., Feb. 15.—The Senate was called to order at 10 A. M., and opened with prayer by Rev. John Parsons, of the First Methodist Episcopal Church. Senate Bill No. 176, by Wehrung, to amend the charter of Cornelius, was read three times and passed.

Senate Bill No. 177, by Johnston, to have read three times and passed.

Senate bill No. 41, by Fulton, to amend the usury laws, was read the third time

Senate bill No. 52, by Sweek, to hiblt barbering on Sunday, was laid on Senate bill No. 62 by Williamson, au-thorizing the State Treasurer to employ his cierks, and fixing their salaries, was

his cierks, and fixing their salaries, was laid on the table.

Senate bill No. 44, by Steiwer, relating to terms of Circuit Court in the Seventh Judicial district, was passed.

Senate bill, No. 55, by Smith, of Multnomah, to regulate the practice of dentistry, was passed.

Senate bill, No. 66, by Daly, for the sale of swamp lands, was passed.

In the afternoon Senate bill No. 58, by Brownell, for holding a constitutional convention came up in special order on revention came up in special order on re-

ention, came up in special order on re-onsideration. After discussion the bill

Senate bill No. 68, by Mulkey, to amend he barbers' commission bill, was passed Senate bill No. 70, by Sweek, to amend

Senate bill No. 110, by Wehrung, rel-Senate bill No. 116, by Wehrung, relative to veterinary surgery and creating a state veterinary board, was read and laid on the table.

Senate bill No. 181, by Johnston, to incorporate Hood River, was passed.

Bills were introduced as follows:

By Brownell—To provide for the expenditure of the Salmon industry fund.

By Smith, of Baker—To define fraiernal beneficiary societies and to provide the

eneficiary societies and to provide the nanner of their incorporation. By Wehrung-To amend the charter of

By Johnston-To incorporate Wasco. By Kelly-To amend sections 2561, 2562 and 2563 of Hill's Code. By Kuykendall-To amend section 2955 By Hunt-To amend the Australian bal

By Ways and Means Committee-To rovide for sale of state pilot schooner. By Sweek-To amend section 283 of Hill's

Hunt-To amend section 2538 of By Fulton-To amend the Astoria char-By Fulton-To reduce the legal rate of

IN THE HOUSE. A Spirited Discussion Over a Rail-

road Bill. SALEM, Or., Feb. 5.—Hev. Mr. Powell spened the House session with prayer this morning.

A feeling of uneasiness had prevailed

among some of the members over the accumulation of bills now in the hands of the various committees waiting for the regular order of business to be reached. Speaker Reeder called for reports, and nearly every member of the House was promptly on his feet flourishing a report he wished to be filed on the Clerk's deek. There were 1st bills in the hands of the several committees, and the Speaker called for the reports in alphabetical or-der as the casiest mode of getting all the reports in

the reports in the reports in Colvig, of oJsephine asked that House bill 15, providing for the reduction of pas-senger fares on rallroads be taken from the railroad committee and it be relieved from further consideration. He claimed

there was no further need of delay, and Unpledged for Senator. the bill should be surrendered to the House for consideration. He moved that such action be taken, the rules sus-pended and the bill made a special order

Because one or more members of persect and the dot made a special oracle for this afternoon.

Story, chairman of the railroad committee, opposed this proposed action, saying that this was not the only bill of its kind under consideration, there being two oththe Multnoman delegation to the Legislature, elected on the Citizens ticket, are voting for Mr. Corbett for Senaunder consideration, there being two others. Mr. Story stated that the committee was to hold a meeting this everfing, at which the railroad people were to be given a final bearing. These people were coming from different parts of the state, as had been previously agreed upon. They might convince the committee their views were correct; also, they might not, but it was only fair that they be given a chance to present their views. tor, they have been charged with unfaithfulness to pledges. Now the fact is that all the candidates on the Citizens ticket were specifically unpledged as to United States Senator, in these

words: We accept the comfrations tendered us upon the "Citizens Ticket" without having to present their views.

Mr. Colvig said every other railroad company in Oregon had voluntarily reduced passengers rates to I can't per mile, and it was the duty of this Legislature exprensed or having been asked our pref-erence for any candidate for the United States Senate. We most solemnly avow we each promise that we will, if elected, exercise our best judgment as to whom we will support; and, being uninfluenced by any selfish consideration, will, when Whitney of Lam, also a member of the railroad committee, spoke in favor of giving the railroad people an opportunity to explain why it would be dealing unfairly with them to reduce rates or fares. It is the purpose of the committee, he said, to deal exactly right with the State the time comes, vote for such person as in our individual opinions is best fitted to represent the interests of the State of Oregon in the Senate of the United States, necessary for the committee to secure all the information possible. "I don't wish to cripple any railroad," he said. "neither do I want to grant them any special

R. D. Inman,
Andrew C. Smith,
Alex Sweek,
H. A. Smith,
G. W. Holcomb,
D. M. Watson,
A. J. Knott,
C. W. Nottingham,
F. A. Heitkemper,
J. T. Milner.

The question is for each member of the delegation to decide whether he is voting, as he pledged himself, "for such person as in our individual opinions is best fitted to represent the interests of the State of Oregon in the Senate of the United States.

improperly constructing barbed wire

By Emmett-Providing for license tax n stock grazing in countles other than is which they are assessed.

By Emmett-Amending act providing for soldiers' home at Roseburg.

By McQueen-Authorizing construction Slushaw & Eastern Rallway & Naviga-By McCraken-Authorizing purchase of statue of E. D. Baker and appropriating

By McCraken-Making Vancouver ave nue a county road.

House Bills Adversely Reported. SALEM, Feb. 5.—The following bills were reported back to the House with the recommendation that they do not

H. B. 13-Colvig-Fixing terms ternal beneficiary corporations.

By Hahn—Amending law regarding suits ounty Assessors.

H. B. 29-Pearce-Amending law in re-By Hahn-To amend Astoria charter, By Hume-Amending law regarding the gard to taxation of property. H. B. 45-Story-Creating office of Pubic Administrator. H. B. G.-Nottingham-Providing for reerving of jurors.

By Miller-Providing for deputy clerk in

covery of penalty or forfeiture.

H. B. 58-Kirk-Regulating fees of fustices of the Peace.

H. B. 184-Peace-Providing for distriution of school funds. H. B. 185-Pearce-For benefit of Ellen

avage. H. B. 204—Cattenach—Amending act roviding for State Board of Agriculture. H. B. 209-To provide assistance to the

supreme Court. Timber Lands Bring Good Prices.

CHEHALIS, Wash., Feb. 5.—The sale of three timber claims on the summit of the Coast Range of Mountains at the head of Elk Creek on the eastern border of Pacific County has just been closed at the Pacific County has just been closed at the highest prices over paid for timber hads in this section. The purchaser was the State Bank of Centralia, as agent for the McCornick Lumber Company, of Rock Creek, in this county. The sellers and prices paid were: J. G. Winshelmer claim, \$4500; Rube Corbin, claim, \$500; Oren Armstrong claim, \$500.

Sawmill Will Be Moved.

CHEHALIS, Wash., Feb. 5.-Harry lawkins, who has been cutting road lank in eastern Lewis County for the ounty, is about to move his sawmill to By Bernard (by request)—Repealing act regulating practice of medicine and surgery in Oregon.

By Emmett—Providing punishment for creased to 20,000 feet daily.



Nervous Heart

Like all other organs of the body, the heart is controlled and regulated in its action by the nervous system. So absolute is this nervous control of the heart, and so readily does it respond to im pulses of the mind, that its pulsations are fast or slow, strong o weak, according to the emotions that are in control. Fear anger, sorrow, worry, anxiety, care, low spirits and mental o bodily overwork have a very depressing effect on the heart nerve Those persons whose nerves are so weak or so exhausted that th heart's action is disturbed on every slight occasion, or who are irr table, nervous, restless and cannot sleep at night, will find quic and lasting relief in Dr. MILES' NERVINE.

> "I was very nervous and restless and my heart would flutter so bad that it made me faint, and I would fall down unconscious. I tried many remedies with no good results and at last I began taking Dr. Miles' Nervine. I found instant relief and a permanent cure in this wonderful nerve MRS. L. J. FARLEY, Craig, Neb.

Makes weak nerves strong, builds up the worn-out brain-cel and nourishes, fortifies and refreshes the entire system. To-day is the best time to begin.

Sold by druggists on a guarantee. Dr. Miles Medical Co., Elkhart, In