

NO LEGAL OPTION

Senate Has No Use for Such Reform.

SHARP DEBATE OVER MEASURE

Mulkey and McGinn Cross Swords, and Matter is Finally Disposed of by Indefinite Postponement.

SALEM, Or., Feb. 12.—(Staff correspondence.)—Senator Mulkey's local option bill agitated the minds of the Senators for three-quarters of an hour this afternoon, and then the members of that body relieved themselves of a troublesome question by indefinitely postponing the bill.

Although the bill received prominent attention in the press of the state at the time it was introduced, many of the Senators had evidently forgotten its purport or neglected to read it when placed upon their desks.

When the bill was read the third time, few Senators were listening to the reading. Senator Mulkey started to explain that his bill proposed to give the people of every city an opportunity to decide for themselves whether liquor shall be sold in their cities or towns.

"What was the report of the committee on this bill?" inquired Senator McGinn, getting intensely interested.

"It was reported without recommendation," answered the Senator from Polk.

"By what committee?" demanded the Senator from Multnomah.

"On printing," was the reply.

"Of which committee you are chairman," came back a prompt response.

"Then I move, Mr. President, that this bill go to the committee on judiciary, so that the matter of it may be reported and we can have a report without any dodging."

The motion was seconded, and was about to be voted on, when Senator Mulkey, after consulting the speaker, secured recognition from the chair.

"If the chair will permit me," he said, "I would like to say that the committee on printing had no desire to do anything when it made its report. We could not agree on a favorable or an unfavorable report, and so agreed to report it without recommendation. I am willing to go on record as to my position on the bill, and the Senator from Multnomah won't find me dodging. The committee could not agree on the bill, so we left it to be discussed and decided by the whole Senate."

"The motion is objected to," said the Senator from Polk.

"My reason for objecting to the motion," said Mulkey, "is that it is not best for the Senate to be working under the order of business of 'third reading of bills' when the Senators are working on the order of 'first reading of the Oregonian.'"

A few moments later a recess was taken.

Senator McGinn's bill for the amendment of section 27 of the code, relative to parties to actions, passed the Senate today. It provides:

Persons severally liable upon the same obligation or contract, including the parties to bills of exchange and promissory notes, or to the same debt, or to the same cause of action, or to the same injury to person or property, or their legal representatives, shall be deemed to be joint debtors, and may, all or any of them, be included in the same action at the option of the plaintiff.

Before the bill passed Senator McGinn explained the purpose of it to permit persons to make insurance companies parties defendant where they are interested in the subject-matter of the suit.

The lawyers in the Senate pretty generally voted against Senate Bill 150, by Mays (by request) to require judges to render decisions within 90 days after a case has been submitted under the provisions of the Marsters bill.

state land in certain purchasers; postponed.

IN THE HOUSE.

Passage of Pierce's Bill for Eastern Oregon Experiment Station.

SALEM, Or., Feb. 12.—(Special.)—The House was called to order at 10 A. M. by Speaker Harris.

S. B. 186, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.

S. B. 191, Mulkey—To authorize local option elections on the sale of liquors; indefinitely postponed.

S. B. 188, Rand—To create Baker County the Eighth Judicial District; passed.

S. B. 23, Kuykendall—To reduce the appropriation for the Oregon National Guard from \$45,000 to \$25,000; read the first time.

S. B. 187, Rand—To create the Tenth Judicial District composed of Union and Wallawa Counties; passed.

S. B. 190, Mays—Request—To require Judges to render decisions within 90 days after a case is submitted; passed.



AGAINST CHILD LABOR.

Substitute Senate Measure Passes the House.

SALEM, Or., Feb. 12.—(Special.)—The House this morning passed unanimously a bill (S. B. 156, substitute for S. B. 52, McGinn) to regulate child labor.

The measure went to passage without debate. Eddy was the only member who spoke on the question of passage.

"Employment of child labor," said he, "is a great abuse in our state of the Union. We need legislation in Oregon before this evil is fastened upon this state. The bill does not contain radical provisions. It will prohibit employment of children under 14 years of age during school hours.

The bill should pass.

On the question of passage not a single negative vote was recorded. The bill provides in substance as follows:

"No child under 14 years of age shall be employed in any factory, store, workshop or mine, or in the telegraph, telephone or public messenger service. No child under 14 years of age shall be employed for wages or other compensation during school hours. Attendance at school shall be compulsory on children under 14 years, and on children under 15 years who are not employed.

No child under 16 years of age shall be employed before 5 A. M. or after 7 P. M., or more than 10 hours a day, or more than six days every week. Minors under 16 years who are employed shall be allowed 30 minutes for luncheon at noon. Children under 15 years shall not be employed who cannot read or write, while a school is maintained in the town or city in which minors reside.

Employers of children under 16 years of age shall keep a complete record of such employes, their name, age, date of birth and place of residence. Such employes are to be required to secure affidavits from the parents or guardians of such minors, containing the above information, and the name of the places where the children attended school. The Governor is to appoint five persons who shall constitute the Board of Inspectors of Child Labor. This board shall serve without compensation, and its members shall hold office for one, two, three, four and five years, respectively. They are to draw lots to determine the lengths of their terms."

The penalties for violation of the act are fines from \$10 to \$25 for the first offense, and from \$25 to \$50 for the second offense, and imprisonment from 10 to 30 days for the third and each succeeding offense.

NO CHANGES YET REPORTED.

Irrigation Committee Has Amendments Under Consideration.

SALEM, Or., Feb. 12.—(Special.)—Despite the fact that it is acknowledged by men who defend the present arid land law that it is defective and should be amended in some particulars, the committee on irrigation has thus far made no reports upon the bills in its hands.

With the exception of the representatives of the Columbia Southern Irrigation Company, every person who has appeared before the committee to oppose the Williamson bill for a new arid land law has expressed the opinion that the present law should be amended so as to promote the early reclamation of desert land.

The sentiment of individual members of the committee is in favor of a repeal or amendment of the section of the law giving the irrigation companies possession of the land from the date of the contract. The reason for this is that if the companies can get no use of the land they will hasten its sale and reclamation.

The consensus of opinion also seems to be in favor of requiring either a term of residence or reclamation of a certain proportion of the land before deed issues by the state, this provision having for its purpose the purchase of arid land by actual homesteaders.

Representative Phelps has a bill on this subject, at the instance of Sam White, a member of the Legislative committee of the State Irrigation Association. After providing for the repeal of section 6 of the present law, giving the companies exclusive possession of the land, the bill

has the following on the subject of purchase of arid land:

"Sec. 10. Any citizen desiring to purchase any unsold quarter section of desert land on which there is a lien for the cost of reclamation shall pay to the holder of said lien such proportion of the amount of the entire lien as the true value of the tract bears to the true value of the whole tract subject to liens; provided, that the State Land Board having control of these lands shall designate the proportion of the amount of the entire lien which the desired tract bears to the whole tract subject to the lien; provided further, that the settler upon such tract shall be allowed to pay such lien in ten equal annual payments, and upon the full and complete payment thereof shall be entitled to have the tract of land so paid for released from the lien by the holder thereof, and it shall be the duty of the State Land Board to deed such tract to the purchaser without further payment upon such proof being made to said board, as it may require, that the settler has actually resided on said tract of land for a period of five years and has in actual cultivation and under irrigation at least one-fourth of said tract of land."

Sheriffs Form Organization.

SALEM, Feb. 12.—(Special.)—Sixteen of the Sheriffs of the state held a meeting in this city Wednesday night and effected the organization of the Sheriffs' Association of Oregon. The purpose of these officers in banding together is to promote a better acquaintance among the Sheriffs of the state and by a full consideration of mutual interests advance the administration of laws in the apprehending and returning of all evildoers to their respective sections. Sheriff W. A. Storey, of Multnomah, was made president of the organization, and Sheriff B. B. Colbath, of this city, was named for secretary. The Sheriffs' Association will meet in this city next September during the session of the State Fair, although the president is authorized to call a meeting at any time the interests of the members may require.

UNION GETS THAT \$20,000

EXPERIMENT STATION TO HAVE GOOD APPROPRIATION.

Gault Leads Fight on the Measure, but is Defeated by a Large Vote.

SALEM, Or., Feb. 12.—(Staff correspondence.)—The bill to appropriate \$20,000 for the experiment station at Union passed the House this morning, and will now go to the Governor. It passed the Senate January 7, where it was introduced by Pierce of Multnomah.

Five members of the lower chamber voted no—Galloway, Gault, Hale, Hines and Kramer. The appropriation of the last Legislature was \$10,000. A short debate preceded the vote. Gault of Washington leading the onslaught on the measure. The bill was considered in committee of the whole, Read presiding, and was amended in minor details. After the action appropriating \$20,000 had been adopted, Gault moved for a lower sum.

"Rise to a point of order," exclaimed Eddy.

"The point of order is well founded," responded Chairman Reed, and Gault subsided. After the committee of the whole had reported, a motion by Shelley to refer the bill back to the committee and means committee stirred up Burleigh of Wallawa to protest energetically.

Eddy spoke against recommitting the measure. "We should continue the work of that experiment station," declared Eddy. "It is a good work."

Kay, chairman of the House committee on ways and means, preferred to have the bill considered by the whole House. The motion to re-refer was lost, and the bill was then up for debate.

"That experiment station," asserted Burleigh, leading off the discussion, "has done a great work for Eastern Oregon. The people of that part of the state are much interested in the station. The appropriation asked for is approved by the regents of the Agricultural College, who direct the management of the institution. The sum of \$20,000 is the least with which the station can carry on its work. When an appropriation is needed, I say, we can afford to vote for it. There is no better way to spend \$20,000."

Gault did not perceive why the appropriation should be made just because the station carried on its work.

"Those regents," he proclaimed, "perhaps see only one little channel of industry. They should pinch along as we have to do in our private affairs. It seems to me blind policy to spend so much money and to pile up taxes so high that immigrants will be kept out of the state."

Owll of Jackson urged the passage of the bill. Wheelon, of Wasco said the appropriation was greatly needed.

"The station can carry on its work," said Hale of Josephine, who strongly opposed the appropriation. "It seems to me," said Hale, "that this appropriation is unwise. I am absolutely opposed to building up institutions all over the state in order that they may come back for reduced appropriations. Already this season we have made an appropriation of \$165,000 for the portage road, which will cost \$1,000,000 if the road is ever finished. I mention this to show you what we are opening up for the taxpayers of Oregon to carry."

Reed argued for the bill, saying the station at Union was as essential to Eastern Oregon as the one at Corvallis is to Western Oregon. Gill also favored passage.

Phelps of Morrow said that the enlarged appropriation was to enable the station at Union to extend its work. The bill then carried by the following vote:

Ayes—Bailey, Bilyeu, Blakley, Both, Burgess, Burleigh, Carnahan, Corneil, Danneman, Davey, Eddy, Edwards, Emmitt, Fisher, Gill, Ginn, Hahn, Harris, Hawkins, Hodaan, Hudson, Hume, Hutchinson, Johnson, Jones of Multnomah, Kay, LaFollett, Murphy, Nottingham, Owll, Phelps, Purdy, Reed, Riddle, Shelley, Simmons, Webster—28.

Noes—Galloway, Gault, Hale, Hines, Kramer—5.

Absent—Adams, Banks, Cantrill, Claypool, Cobb, Hanabrough, Hayden, Harman, Huntley, Jones of Lincoln, Judd, Malarkey, Miles, Orton, Robbins, Test, Wheelon—17.

Senator Rand today secured the passage of Senate bill 188, to create Baker County the Eighth Judicial District. That district is now composed of Baker, Union and Wallawa Counties. He also secured the passage of a bill, which is a necessary consequence of the first measure, to create the Tenth Judicial District composed of Baker and Wallawa Counties.

The present bill will continue to hold their offices in the district composed of Baker County, while, if the bill passes the House, the Governor will appoint a new Judge and District Attorney for the new district.

Senator Wade, of Union, opposed the bill, saying that there is no need of a new district, but the new law proposes to make him the presiding Judge in Baker County, which would necessitate his removal to that county.

In his usual winning way Senator Rand explained the merits of his measure and won out with but one or two negative votes. He said that it is only by overworking himself that Judge Eakin is able to perform his judicial duties, and even then he is unable to keep up with the work before him. Senator Rand didn't deny that Baker County wants Judge Eakin, and, to all appearances, Baker County will secure the Judge as easily as it secured some of Union County's territory two years ago.

Senator bill 112, by Fulton, which passed the Senate today, proposes to add one subdivision of section 22 of the code relative to exemptions from execution. The section is left intact as it reads at present, but at the end of the seven subdivisions enumerating the classes of property that are exempt, this provision is added:

"In all cases, however, where advances of goods, wares, merchandise or money are made to, or labor performed for any person engaged in any trade, business, profession, avocation, occupation or pursuit, to enable or assist such person to carry on such undertaking, trade, business, avocation, occupation or pursuit, or money due such person growing out of or incident thereto, shall be exempt from execution on a judgment recovered for such advances or for such labor performed."

Senator Kuykendall has introduced a bill to cut the appropriation for the Oregon National Guard from \$45,000 per annum to \$25,000. When he introduced the bill, Senator Kuykendall said that the United States Government will under the terms of the Dick law pay all the expense of the annual encampment of the National Guard, and the equipment for the National Guard. It is estimated that the State Military Board will reduce the militia from two regiments to one. Senator Kuykendall says that he believes an appropriation of \$25,000 would be ample to put the amount at \$25,000, so as to provide an abundance for all needs. He said that he desired the purpose of the bill to be made public, so that all who are interested in the National Guard will know of the proposed amendment and have an opportunity to be heard if they wish. Because of the large appropriations for commercial and industrial purposes, he thought the Legislature ought to try to reduce this appropriation, which will no longer be needed.

At 11:30 this morning nearly every Senator was tipped back in his chair reading The Oregonian. The reading of bills, most of the Senators voting mechanically. Senator Kuykendall moved that a recess be taken until 12 o'clock, but to this Senator Hume objected.

"My reason for objecting to the motion," said Kuykendall, "is that it is not best for the Senate to be working under the order of business of 'third reading of bills' when the Senators are working on the order of 'first reading of the Oregonian.'"

A few moments later a recess was taken.

Senator McGinn's bill for the amendment of section 27 of the code, relative to parties to actions, passed the Senate today. It provides:

Persons severally liable upon the same obligation or contract, including the parties to bills of exchange and promissory notes, or to the same debt, or to the same cause of action, or to the same injury to person or property, or their legal representatives, shall be deemed to be joint debtors, and may, all or any of them, be included in the same action at the option of the plaintiff.

Before the bill passed Senator McGinn explained the purpose of it to permit persons to make insurance companies parties defendant where they are interested in the subject-matter of the suit.

The lawyers in the Senate pretty generally voted against Senate Bill 150, by Mays (by request) to require judges to render decisions within 90 days after a case has been submitted under the provisions of the Marsters bill.

Members of the State Board of Horticulture are recommending an amendment to the present law so as to permit members of the board to appoint up to five temporary members in isolated localities where a deputy can perform the work at less cost than will be required for the mileage and per diem of a commissioner, who might travel to the place where the service is required.

W. N. Gatens, secretary to Governor Chamberlain, wishes to announce that he did not try to influence the vote by which the bill for a labor commissioner was defeated yesterday. All Democrats but two voted against the bill, but Mr. Gatens, though a Democrat, says he was not interested in the bill for that reason.

The Senate judiciary committee today asked leave to reconsider Bailey's House bills for the prevention of deception in securing employes and discrimination against members of labor unions. These bills were indefinitely postponed yesterday.

The House today passed S. B. 80, Mays, appropriating \$5000 for the Oregon Historical Society. The Legislature of 1901 made the same appropriation, but the sum of \$