

DO MUCH WORK

The Olympia Legislators Are Kept Busy.

TALK ON WHEAT AND OYSTERS

Bill Passed Which Secures Revenue From Seed Oysters—Durham Grain Inspection Bill Is Killed in the Senate.

OLYMPIA, Wash., March 3.—(Staff correspondence.)—The two bills which the Washington Legislature handled more important legislation today than has come before them in any previous day this session. In the Senate the farmers from east of the mountains expressed their misgivings about the west side with learned or unlearned discussions of wheat grades, etc., and in the House the fishermen and oystermen told the burchesters of the necessity for some kind of legislation that would protect the oyster beds and tax the fish traps. The Senate repealed the bill, passed the fisheries bill, and after a very hot debate refused to have any more Supreme Court. The House also put the local option bill of Reformer Lewis, of King County, out of business by passing a resolution with amendments that it can never carry.

The discussion over the state's oyster lands was precipitated by a consideration of a bill which provides for the creation of a State Oyster Commission, defining its duties and powers, providing for the protection and management of the state oyster land, etc. Senator Pierce of Pierce county introduced the bill and made such a strong presentation of the case for the state that it eventually passed without much opposition. The bill provides that the state shall receive 25 cents per sack for all oysters taken from state lands. As the state has about 10,000 acres from which 500 sacks per acre can be taken, the revenues expected will be quite large. In fact, there are estimated to amount to about \$5,000 per year. Senator Lewis of King County introduced a bill which would give the state a share of the revenue from the oyster beds. The bill provides that the state shall receive 25 cents per sack for all oysters taken from state lands. As the state has about 10,000 acres from which 500 sacks per acre can be taken, the revenues expected will be quite large. In fact, there are estimated to amount to about \$5,000 per year. Senator Lewis of King County introduced a bill which would give the state a share of the revenue from the oyster beds. The bill provides that the state shall receive 25 cents per sack for all oysters taken from state lands. As the state has about 10,000 acres from which 500 sacks per acre can be taken, the revenues expected will be quite large. In fact, there are estimated to amount to about \$5,000 per year.

Williams' Amendment Lost.

Both spoke on similar lines, and Williams of Pacific County contended that seed oysters should be furnished free, and when he could not obtain the majority, he proposed, offered an amendment making them 15 and 25 cents per sack on Puget Sound and 5 and 10 cents in other parts of the state. The amendment was lost.

Williams of Pacific is right at home when discussing fish, and he was offered a second opportunity a few minutes later when Morrill's bill, which would exempt pound nets and set-net fishing locations subject to taxation came up for final passage.

Both of whatness, who had warmly supported the oyster bill, took an attitude regarding fish traps, and Williams opposed the bill and threw considerable energy into the fight, so much so, in fact, that the bill failed to pass, and both Morrill and Williams were defeated in a vote on the motion to reconsider.

Stevenson of Skamania, who has some fish traps and wheels, made his maiden speech on this matter, and declared that he had his fighting clothes on today, said there was no more sense in exempting the 1200 fish traps in the state from taxation than there would be in exempting the same number of farms.

The Durham grain inspection bill was killed in the Senate this morning and all hope of relief from the compulsory inspection law was shattered. The bill was held up in the House for several weeks by friends of the men who are holding fat jobs at the expense of the wheat shippers and farmers, and was introduced in the Senate this morning. It was held up in the House for several weeks by friends of the men who are holding fat jobs at the expense of the wheat shippers and farmers, and was introduced in the Senate this morning. It was held up in the House for several weeks by friends of the men who are holding fat jobs at the expense of the wheat shippers and farmers, and was introduced in the Senate this morning.

The King County delegation, with the exception of Senator Moore, who did not vote, lined up solidly against any plan of interfering with the compulsory act. Pressure from grain-buying firms in Seattle was so strong that the members of the delegation could not ignore it, and such a number of them pledged themselves to support the bill were released. The bill was introduced in the Senate by Senator Davis of Pierce County. It failed of passage last week, 16 to 12. At that time Senator Hamilton introduced a motion to reconsider and he called the bill up this morning. By a rising vote, 15 to 11, the vote was reconsidered.

Angle precipitated the debate over the bill by inquiring as to the merits of the bill. "I voted for the bill last week, but I would like to have some of the friends of the bill explain to me why before I vote for it again," he declared.

Senator Tolman declared two years ago the grain exporters had made a fight before the Legislature to repeal the grain inspection law and were now renewed by that contest by an attempt to kill the act by making state inspection optional on the shippers. "This bill passes inspection," he said, "and it means that it will deny state inspection for the reason that there will not be sufficient fees to permit the employment of regular deputies." Senator Tolman declared, "For weeks at a time there has been a big rush that would necessitate the employment of a number of deputies. Such an effect upon the business is a virtual repeal of the grain inspection law. Certainly the vast majority of the farmers and the small grain merchants are not asking for the repeal of this law."

Half Lost Better Than None. Senator Cornwell in a previous session opposed to grain inspection and he explained that this is not the fault of the Legislature but the fault of the commission. An equitable grade can be established for 50 and 60-pound wheat. This amendment in the act does not attempt to correct this defect. The bill under the present law the grain commission can not only fix the grades of wheat but they can go upon the docks at Seattle and inspect the grain. The shippers can get the oats shipped in from Skagit County to pay their just proportion of the tax. I would not advocate killing a measure unless I had something better to offer. When the warehousemen who are objecting to this grain inspection law bought their wheat in the interior they bought it subject to the grain inspection charges and it is only fair that the amount shall be turned into the grain inspection fund.

Senator Hamilton, defending the bill making inspection optional, went upon the fact that oats shipped to Seattle from Skagit County evaded the tax, and declared: "If ten cars come from Eastern Washington into Seattle, and they are compelled to pay 75 cents inspection fee upon each car, but if 1000 cars are shipped, by fatboat no inspection charge is made against them. You may take care of the tax but you have given relief for the man who buys his own wheat, puts it in his own warehouses and ships it

in his own ships, yet who is compelled to pay a fee to have this wheat inspected." Senator Hamilton insisted there were three reasons for the passage of the amendment for 1903. The farmers of Eastern Washington were not asking for the retention of the law; the people who escaped the tax are the ones who are defending it; and on account of the injustice perpetrated upon the buyer and owner of wheat.

Senator Crow, of Spokane, read a petition from Spokane millers, who wheat buyers asking that the law remain unchanged. The proposed amendment, it was declared, would practically destroy the protection and benefits of official grain inspection. Those who signed the petition are: Washington Grain & Milling Company, J. R. Clifford & Co., Centennial Mill Company, Inland Empire Flour Company, Washington Flour Elevator Company, F. J. Frandsell & Co., W. B. Forster, V. T. Case & Co. and the Spokane Cereal, Feed & Coal Company.

The bill failed of passage by the following vote: Ayes—Baker, Clapp, Davis, Earle, Hamilton, Herrick, Le Cron, Ruth, Stewart, Sumner, Tamm, Tolman, Tuck, Noes—Angle, Cornwell, Crow, Garber, Hallett, Hurley, Kinross, McKenny, Moultray, Palmer, Potts, Randa, Reaser, Reser, Sharp, Smith, Tolman, Tucker, Vandewater, Warburton, Welby, Wilson, President Smith—23.

Absent or not voting—Baumeister, Graeve, Halley, Hammer, Moore, O'Donnell. Printing Committee to Report. The joint committee which has been investigating and discussing the printing matter probably report tomorrow. They have finished their investigation and partially prepared their findings, but owing to a slight disagreement with the printer, they are not yet got them in shape for publication. It is reported tonight that Levy will make a separate report from that of the other members of the committee, who are unable to find such strong symptoms of collusion as are apparent to the King County man.

The joint appropriation committee met this evening and discussed the printing matter at length. The project of turning the state printing over to the charge of the State Board of Control finds favor with some of the members, but no definite action was taken. The appropriation committee made a few cuts in state salaries of minor importance, but have not yet put the knife very deep into the pockets of the state employees. The judiciary committee tonight made a favorable report on Senator Rand's bill providing for the organization of mutual fire insurance companies. The bill, which is drafted on similar lines to those of the Boston Marine and Fire Insurance Company, and on Rand's bill regarding fire insurance, was passed by a vote of 23 to 12.

The committee on revenue and taxation made a favorable report on Senator Rand's bill providing for a tax commission. E. W. W.

IN THE SENATE.

Heated Debate Over Bill to Increase Judgeships. OLYMPIA, Wash., March 3.—(Special.)—The Senate today killed the bill providing for a permanent increase of from five to seven judgeships on the Supreme Court. The debate on the bill was acrimonious. As amended the bill provided that the increase should not take effect for two years. This will prevent Governor McEwen from appointing any new judgeships. Senator Moore, of King, Democrat, said the Supreme Court needed immediate relief, and that he was opposed to jobbing the Supreme Court for political purposes. He did not object to members of the Senate, but said that on the outside the lawyers were opposed to appointment because they feared some appointed judge might make a record which would result in his reelection two years hence, when they wanted the nomination themselves.

Warburton fiercely attacked the bill. "Certain Republicans on this floor," he said, "will be tempted to testify that the law as it now stands provides for the work of the Supreme Court because they don't like the Governor. It is infamous. The Supreme Court needs immediate relief, and this bill is a political ploy." Senator Hamilton charged Governor McEwen with promising a Supreme Judgeship in case of an increase, in order to secure votes for his railway commission. He said that the Governor had promised to do this, and that he had broken his word. On vote the bill was defeated. It had four votes in its favor and 22 against. Both factions united in slaughtering it.

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GOVERNOR HAS HIS WAY.

Bill for State Depositories Passes House, 26 to 20. BOISE, Idaho, March 3.—(Special.)—The contest between the Governor and the State Treasurer over the bill providing for state depositories came to an end in the House today in a victory for the former. The bill was passed by a vote of 26 to 20.

There has been a great deal of feeling aroused over the matter. When this administration came in there was nearly \$500 in the treasury. The Governor recommended in his inaugural message that a measure be enacted providing for care of the funds, and the contest has been in progress ever since. The opponents of the bill held the House against it. It has been amended, but they were badly defeated there. Then they rallied their forces in the House and the fighting was fast and furious. Last night the body was in on the bill, and it has been amended and the friends of the bill were seeking to reconsider those amendments, and it might be impossible to get the bill through the Senate.

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CAN EVADE REFERENDUM

IMPORTANT OPINION BY ATTORNEY-GENERAL CRAWFORD.

Emergency Clause in Form Used Prior to Adoption of Amendment Is Still Effective. SALEM, Or., March 3.—(Special.)—Attorney-General A. M. Crawford today rendered an opinion in which he holds that the emergency clause in the constitution does not preclude the Legislature from putting an act into immediate effect by attaching to it an emergency clause, the Legislature may do so, and the act shall take effect until 90 days from the end of the session, at which time the same shall have been passed, except in case of emergency, which emergency shall be declared in the preamble or in the body of the law. Section 1 of article 4, as amended, provides among other things: "The second power (reserved by the people) is the referendum, and it may be exercised by the Legislature in order to preserve the public peace, health or safety, either by petition signed by 5 per cent of the legal voters or by the Legislature, and no other bills are enacted. Referendum petitions shall be filed with the Secretary of State not more than 30 days after the final adjournment of the session of the legislative assembly, which shall be the bill on which the referendum is demanded."

The opinion of the Attorney-General, after setting out all the facts, says that the question which arises is whether the Legislature has the power to put the act into immediate effect, under the two sections of the constitution just quoted. He first lays down the well-known rule that in construing the constitution, effect must be given to the whole instrument if possible, and that the effort must be to ascertain the intent of its framers. The opinion then says that in construing the constitution, it is the duty of the court to construe it according to its language, and that the language is unambiguous. The court is not at liberty to conjecture what may have been the intention of its framers.

Applying the foregoing principles to said referendum, the Attorney-General reads the point under consideration they read: "The second power reserved by the people is the referendum, and it may be exercised by the Legislature in order to preserve the public peace, health or safety, and except as such laws as are passed with an emergency clause as provided by section 28."

The Attorney-General says that the bill in question is a law necessary for the public peace, health or safety, and except as such laws as are passed with an emergency clause as provided by section 28. He says that the bill is a law necessary for the public peace, health or safety, and except as such laws as are passed with an emergency clause as provided by section 28.

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EDITOR IS ARRAIGNED.

Charges of Criminal Libel Against Baker City Herald.

BAKER CITY, Or., March 3.—(Special.)—Manager Hill and Editor Livermore, of the Herald, were arraigned before Judge Eakin in the Circuit Court this morning on 13 indictments charging them with criminal libel. To each of the 13 indictments they entered a plea of not guilty. The Judge fixed their bonds at \$50 each, which they furnished. The cases against them will probably be tried at this term of court. The trial of the cases will be watched with considerable interest. Attorney Green, of Portland, will conduct the prosecution. The attorney for the defense has not yet been announced.

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A MOTHER'S LOVE.

Oh, Woman, Mother, Woman, Wife, The sweetest names that language knows.