

OREGON'S GOVERNOR THROWS THE GLOVE TO POWER

WARNED BY THE GOVERNOR

LEGISLATURE MUST REMEMBER THE REFERENDUM

Right of the People to Pass on Laws Will Be Protected, Says Democratic Chief Executive.

SALEM, Or., Jan. 18.—(Special).—The right of the people to exercise the referendum power is to be protected by Governor Chamberlain and notice to this effect was today served upon the two houses of the legislature. In a special message the Governor told the members in plain language that they are attaching emergency clauses to many measures which are not designed to meet real emergencies and that he will feel bound to disapprove such bills if passed in that form.

The Republicans of the two houses have agreed to override the Governor whenever by shall veto on account of emergency clauses in a measure deemed by them unreasonable. The Governor's message admonishing against too frequent use of the emergency clauses was received with surprise by Republicans. They have promised one another to back to such clauses only in case of actual emergency and are determined to judge for themselves if an emergency exists sufficient to put an immediate veto in action and to stand together to make up the necessary two-thirds vote. As they number five-sixths of each body, they will have no difficulty in defeating vetoes when they stand together.

In order to prevent the Governor from holding back vetoed bills until after adjournment, Republicans will endeavor to put through important measures early in the session. Bailey of Multnomah spoke in support of Republicans today in the House when the subject was brought up in discussion of the emergency clause in the bill. He declared other emergency clauses might exist than those mentioned in the Governor's message. The message is as follows:

Gentlemen of the Senate and House of Representatives: Under the amendment to the constitution of the State of Oregon adopted June 2, 1902, the people reserve to themselves power at their own option to approve or reject by ballot any act of the Legislative Assembly. This power is known as the "referendum," and may be ordered except as to laws necessary for the immediate preservation of the public peace, health or safety, either by the petition signed by five per cent of the legal voters of the Legislative Assembly as other bills are enacted.

Petitions to refer acts passed by the Legislature must be filed with the Secretary of State not more than 90 days after the adjournment of the Legislative Assembly which passed the bill on which the referendum is desired.

The plain intent of this reserve power was to enable the people of the state to have their say on the constitutionality of any act of the Legislature which in the opinion of at least a few per cent of the legal voters of the state is not in their judgment on the statute-books of the state, except as to laws necessary for the immediate preservation of the public peace, health or safety.

The Supreme Court of this state has practically held that it is the legislative privilege to declare in an emergency that emergency acts are necessary for the immediate preservation of the public peace, health or safety, and in the exercise of this privilege it is not necessary that the Legislature should avoid attaching an emergency clause to laws which are not clearly and distinctly for the purpose of preserving the public peace, health or safety of the people.

My attention has been called to the fact that many if not a majority of the bills which have been introduced in both the House and Senate have an emergency clause attached to them. It is my duty to give my assent to any act containing the emergency clause referred to unless it is clearly apparent that the emergency clause is within the intent of the amendment to the constitution. The people of the state should have the right to avail themselves of the referendum power and the constitution in all cases except those clearly intended to be embraced within the emergency clause.

SENATE PASSES BILLS. Protection for Black Bass to Be Removed—State Fair Aided. SALEM, Or., Jan. 18.—(Special).—The Senate was called to order at 10 A. M. A message was received from the Governor announcing that he will veto all bills which are not for the immediate preservation of the public peace, health or safety, but which have emergency clauses attached.

DIRECT VOTE ON SENATOR

SENATE DEFEATS JOINT RESOLUTION FROM HOUSE.

Haines of Washington Says Such Memorials to Congress Are Productive of No Good.

SALEM, Or., Jan. 18.—(Special).—The Senate today defeated the House joint resolution asking Congress to call a Constitutional convention for the purpose of adopting an amendment providing for election of United States Senators by direct vote of the people. When the vote was taken Senator Haines explained his negative vote by saying that while he favored election of United States Senators by direct vote, he believed that such a measure had been adopted by Legislatures for many years, without any good being accomplished thereby. Other than this there was no discussion of the subject.

ASA-Avery, Booth, Brownell, Carter, Cook, Croston, Croston, Maloney, Miller, Pierce, Smith, Wright, Mr. President—13. Nee-Spokane Co. Park, Blaine, Hobson, Hedson, Holman, How, Lasko, Loughery, McDonald, Nottingham, Rank, Stibel, Tuttle, Wessalon—16. Ayes—39. Nays—16.

To give taxpayers the power of initiating county seat contests, and taking this power away from the entire membership of the purpose of S. B. 106, introduced today by Senator Laycock, of Grant County. The present law requires that in order to raise the question of changing a county seat, a petition must be presented to the County Court signed by three-fifths of the legal voters. The proposed law requires a petition signed by one-half the taxpayers of the county to be presented to the County Court, and that a majority of three-fifths shall be necessary at the election to change the county seat is retained in Senator Laycock's bill.

TO AMEND THE EDDY LAW.

Identical Bills Are Brought to Both Houses.

SALEM, Or., Jan. 18.—(Special).—A strenuous effort will be made at this session to amend the Eddy corporation tax law, and to that end two bills were introduced in the Legislature today. The bills are identical, one being by Representative Croston, of Multnomah, and the other by Senator Coe, of Multnomah, and are for the purpose of exempting certain mining companies from the payment of the annual license tax. The bills provide that if the gross receipts of a mining company are less than \$2000, they shall be exempt from the payment of the annual tax. Friends of the Eddy law, however, are opposed to the change, and the bill is expected to be defeated.

PROTECTED BY THE RAIN. Tillamook and Clatsop Exempt From Forest-Fire Law. SALEM, Or., Jan. 18.—(Special).—Tillamook and Clatsop Counties succeeded in having themselves exempted from the new forest-fire law passed by the House of Representatives today. The committee will bring back to the House tomorrow the bill for the protection of forests against fire. The bill was drafted by timber interests and provides that between June 1 and October 1 no brush or clearing fires shall be started without permit of the County Clerk, and between August 1 and September 15 such fires shall be prohibited.

NEW JUDICIAL DISTRICTS.

Joint Resolution Introduced in the House by Kay of Marion. SALEM, Or., Jan. 18.—(Special).—For better apportionment of the state into judicial districts, Kay of Marion introduced a joint resolution in the House today. The resolution calls for a joint committee of five who shall draft a bill for carrying out the recommendations. As the districts stand some Circuit Courts are overworked while others have time on their hands. It is the opinion of Kay that better apportionment can be obtained than by simply dividing districts as business becomes too great for one court.

Cup Rush at the University.

UNIVERSITY OF OREGON, Eugene, Jan. 18.—(Special).—Today was cup-day at the university and for an hour the freshmen and sophomores rushed on the campus for supremacy. The contesting classes were evenly matched, but in the end the youngsters tied the sophomores and won. Senate Investigation Clerks. SALEM, Or., Jan. 18.—(Special).—The Senate clerkship apportionment committee has made the following appointments: Von Casey, Douglas, assistant, endorsed bills committee; Jennie Booth, Marion, stenographer for chief clerk; Walter Moore, Wasco, chief, committee on investigation of Secretary of State; Henry Blackman, Union, chief, committee on investigation of State Treasurer; Frank Weaver, Marion, chief, committee on investigation of Auditor General; J. M. Mann, Multnomah, expert, committee on State Printer; F. Thompson, Yamhill, assistant, committee to investigate Secretary of State; R. O. Virtan, Josephine, and E. Neil, Union, assistants, committee to investigate Secretary of State; J. S. Ashbaugh, Polk; Henry Keyes, Multnomah; Millie E. Smith, Clatsop; Miss G. Marshall, Multnomah, and Miss Ora Smith, Multnomah, assistants, committee to investigate State Treasurer; Will Taylor, Smith, Yamhill, assistant, Penitentiary; J. M. Mann, Multnomah, and Miss Jewell McClure, Multnomah, not assigned.

THREE BILLS PASS HOUSE

BANCROFT ACT IS EXTENDED TO ALL INCORPORATED TOWNS.

Corporation to Act as Administrators—County Courts to Appropriate Lands for Road Purposes.

SALEM, Or., Jan. 18.—(Special).—Three bills passed the House today without opposition, as follows: To extend the Bancroft act allowing for sewer and street improvements to all incorporated towns, by Representative Bingham of Lane. To empower corporations to act as administrators, executors, receivers, guardians and trustees, by Representative Mears of Multnomah. To authorize County Courts to appropriate lands for road purposes, by Representative Jagger of Clackamas.

FIGHT OVER NEW COUNTIES

Third House Receives Large Reinforcement from Eastern Oregon.

SALEM, Or., Jan. 18.—(Special).—Three delegations working for or against the creation of Cascade and Jefferson Counties are now here, and a fierce fight will open in a few days. Delegates from Antelope and its vicinity arrived late tonight to urge the passage of the bill of Burgess of Wasco creating Jefferson County. Postmaster J. M. Hamilton, H. C. Rooper, W. Bolton, Frank Irvine, C. R. Durbin, P. A. Kitchener, Max Luedemann and R. L. Hunt and A. E. Lake and F. W. Wilson, of the Dalles. Opponents of the delegation are: County Judge Bell, of Crook; Manager Edwards, of the Baldwin Sheep & Land Company; Sheriff C. Sam Smith, Will Warrweiler, L. V. Geesner and Timothy Brownhill, all of Crook County. They reached the scene first.

Satisfied With Fish Laws.

OREGON CITY, Or., Jan. 18.—(Special).—Forty local fishermen at a meeting here today adopted a resolution asking the State Legislature to have the fish laws enforced, and requesting rigid enforcement of existing laws for protection of the fishing industry. George A. Brown and M. A. Magone, chairman and secretary respectively of the meeting, were constituted a committee to convey the resolution to Salem, and present the same to the committees on fishing industries through the Clackamas County delegation.

ARRESTED FOR EMBEZZLEMENT

Ex-Treasurer of Hoquiam Believed to Have Taken Large Sum.

HOQUIAM, Wash., Jan. 18.—(Special).—Ex-City Treasurer Fred G. Tiley was arrested late this afternoon, charged with the embezzlement of city funds of about \$2500. The exact amount has not been given. The Council had a meeting this afternoon, but nothing definite was done. The Council will hold a meeting tomorrow night, and the expert book-keeper who has been called to Hoquiam, is an undertaker in this city about five years, and has run a large furniture store for several years. Every one believed him to be an upright, honest business man, and he had been in the city several years, and his stock increased very rapidly. He has a wife, but no children. He is a man about 30 years old, and is a native of Oregon. He has a number of relatives in the city, and has several relatives. He has been selling out his goods at cost, in an attempt to raise the money due the city, but has failed.

PRISONERS BREAK JAIL.

Wanted in Portland on Charge of Store Robbery. SALEM, Or., Jan. 18.—(Special).—Walter Farrell and Mike Penfold, two prisoners confined in the City Jail and wanted in Hood River, broke out of the jail today. The hardware store of Frederick H. Johnson on January 11, tore a 2x4 crossbeam from the screen in front of the toilet room and pried their way to liberty. The jail is situated on the corner of Third and Fourth streets, and the prisoners crawled through the hole which they crawled. These are the two men arrested in Albion, Idaho, at the instance of Chief of Police Corbett, and brought to Salem yesterday by him. Efforts to connect them with the robbery of the Bank failed, and they were turned over to Detective Kerrigan for return to Portland. All efforts to locate them have so far failed.

Local Option May Be Inoperative.

HOOD RIVER, Or., Jan. 18.—(Special).—The suit of Fouts vs. The City of Hood River will be heard before Judge Bradshaw of the Circuit Court next Monday. Fouts is suing for return of saloon license rebate, which he declares is due because of the local-option order closing saloons in this city. The city is basing its defense on the ground that the local-option law is inoperative in cities working under the special act regulating the sale of liquor in incorporated cities. In the meantime the Hood River liquor shops continue open.

Arm Nearly Shot Off.

PENDELTON, Or., Jan. 18.—(Special).—While loading a wagon at his home near Tokum today, Bert Hopkins, aged 18, and who is a member of the Balmby club, was shot in the arm by a shotgun. The gun was leaning against the wagon, when Hopkins stumbled over it and fell. The contents entered his left arm, and almost severed his arm. He will recover.

Pendleton's New Light Service.

PENDELTON, Or., Jan. 18.—(Special).—Pendleton was today connected with the new electric light service of the Washington & Oregon Power Company. The service is not connected with all parts of the city yet, but the system will be entirely completed in ten days. The city will now be supplied with both electric power and light day and night.

"A Delightful Sea Voyage"

Good ship, spotlessly clean, officered by good fellows; cuisine equal to the best hotel. Tahiti, French Polynesia, Balmby climate, a variety of scenery. One meets a delightful people, kindly and generous, who extend the most cordial welcome to this favored land. S. S. Mariposa, for Tahiti, February 1—reduced rate for the round trip. \$50 per person. Circular, 90 Market street, San Francisco.

DEMOCRATIC MEMBER FROM

JOSEPHINE CAPTURES HOUSE.

Oregon Delegation Is Instructed to Back Roosevelt in the Railway Legislation Battle.

SALEM, Or., Jan. 18.—(Special).—As a usual thing Representative "Bob" Smith of Josephine is turned down every member should "aye" at the top of his lungs for him. The reasons committee reported favorably upon Sonnemans' resolution in regard to railway commission legislation. For the 12th time within an hour up rose Mr. Smith. He delivered a eulogy of President Roosevelt, declaring that if he succeeded in his plans regarding the railway commissions and the new legislation on the powers of the Interstate Commerce Commission would be the greatest man who ever sat in the White House.

House Investigation Clerks.

SALEM, Or., Jan. 18.—(Special).—The House clerkship apportionment committee has appointed the following as clerks for the joint investigating committee: State printing—E. Stinson, expert; Markon A. L. Hofer, chief; Martin; H. G. Kundert, George Funk, both of Multnomah; Roy Booth, Lane. State School Land Board—A. Y. Beach, expert; J. H. Smith, expert; L. Daniels, Clackamas; Mrs. Langford, Washington; Amy Bolock, Clackamas; H. H. Humphrey, Baker. Florence Crittenton Home—J. G. Florence, expert; Harry Stone, expert; State Library—Harry Stone, Douglas; State Land Board—J. H. Darling, Clackamas; L. Jones, Willamette. The School—Agnes, expert, chief; Multnomah; Mrs. Yost, Union. Asylum—C. B. Wilson, chief, Yamhill; E. W. Wallace, Marion.

Bills Reported Back to House.

SALEM, Or., Jan. 18.—(Special).—The following bills were reported back to the House today by committee: H. B. 40, by Jagger, authorizing County Courts to condemn lands for road purposes favorably. H. B. 29, by McLeod, to appropriate \$10,000 for salmon hatcheries; favorably. H. B. 79, by Mayer, to repeal bounty on fish; favorably. H. B. 45, by Burns, to prevent driving of salmon from places where fishing is prohibited; favorably. H. B. 191, by Smith, to lengthen term of present Labor Commissioner six months; favorably.

MURDERER SHAMMED INSANITY

One Night Tied Up in Straps Cured Him, and Now He's in Penitentiary.

COLEFAX, Wash., Jan. 18.—(Special).—Charles Martin, who shot and killed Frank Parker in Coifax Thanksgiving day, was today taken to Walla Walla to begin serving an indeterminate sentence in the penitentiary. Martin's defense at the trial was insanity. The jury returned a verdict of "Not guilty, because of insanity." Judge Chadwick ordered that Martin be confined in the penitentiary until he is sane. "This may mean a life sentence," said the night after the verdict was rendered and the order of the court made. Martin tore his blanket into strips and tore up all his bedding. He appeared to be violently insane, but Sheriff Canutt believed him to be shamming, and put the straps used in restraining insane persons on him and let him sleep on the rug in his bed on the jail floor. The next night the Sheriff prepared to repeat the operation, when Martin said: "Joe, if you won't put those straps on me I'll not tear up the bedding, and I will be good. I nearly froze last night with out any covering, and I've got enough of it." Martin has never shown any symptoms of insanity since that time.

Ballingier Is Chosen Captain.

PACIFIC UNIVERSITY, Forest Grove, Or., Jan. 18.—(Special).—Charles Ballingier, of Oregon City, was last night elected captain of the varsity basketball team. The first game was played in Forest Grove next Friday evening with McMinnville College. PACIFIC DEBATE WITH WASHINGTON. PACIFIC UNIVERSITY, Forest Grove, Jan. 18.—Pacific today decided to accept a proposal received from the University of Washington for a series of three annual debates, the first one to be held at Seattle about the middle of April.

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and all diseases and weaknesses of men, due to inheritance, habits, excesses, or the result of specific diseases. Every man who is afflicted owes it to himself and his posterity to get cured safely, his position without leaving any blight or weakness in his system. We make no misleading statements or businesslike propositions to the afflicted. We are successful in our practice in Portland prove that our methods are safe and certain. Call at our office or write, and if we find that you cannot be cured we will NOT accept your money unless we are personally satisfied. Established 1878. CURE in the shortest possible time, without injurious after-effects. Our charges will be as low as possible for conscientious, skillful and successful service. Consult us before consenting to any surgical procedure upon important blood vessels and organs. SPECIAL HOME TREATMENT. If you cannot call, write us. Always inclose ten 2-cent stamps for reply. OFFICE HOURS: 9 A. M. to 8 P. M.; SUNDAYS, 10 to 2 ONLY. THE DR. KESSLER

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