

SOLOONS WRANGLE OVER RACING BILL

Pyrotechnics at Olympia as Anti-Racetrack Bill is Brought to Fore.

MAY CLOSE THE MEADOWS

Wordy War Results When Bill is Taken From Committee and Made an Emergency Measure by Senate.

OLYMPIA, Wash., Feb. 2.—(Special).—The Senate today by a vote of 15 to 11, ordered the Judiciary committee to lift its lid off Oie Hanson's anti-racetrack bill and send it back to the Senate tomorrow morning. With the appearance of the bill in the Senate the final fight on the measure is promised, and while at this time there seems to be little doubt as to the passage of the bill, strong objection is expected from some of the Senators to the enactment of the emergency clause putting the law into effect as soon as signed by the Governor. Although the bill was originally sent to the Judiciary committee after a distinct announcement had been made by Chairman Graves that it would be held subservient to the forthcoming criminal code, which embraces similar provisions, sentiment in the Senate for an anti-racetrack gambling law that will prevent the opening of the track at The Meadows, near Seattle, this Spring, has been growing. Today's discussion, revived around the necessity for such legislation carrying an emergency, Graves reiterating his declaration of a few days ago that to enact a new criminal statute with an emergency clause is an "outrage," and unprecedented.

Fight on Resolution.

The resolution to withdraw the bill from the committee was not adopted in peace and harmony. Graves' assertion that if the resolution carried he would favor reporting back all criminal bills that are now being held up on account of the preparation of the complete code, caused both Cotterill and Paulhamus to retort that such threats were childish, the former characterizing them as similar to the childish threat to take one's doll-rags and go home.

Among those who voted to send the bill to the committee originally was Stevenson, of Columbia, who explained a change of attitude by saying Graves had the effect that the Judiciary committee approved the entire bill, with the exception of the emergency clause. Stevenson insisted that the Senate should decide itself whether the bill should take effect immediately or not until June 1, the latter course giving the Seattle racetrack an opportunity to run for a partial season.

Graves led the discussion against the resolution. He promised that the criminal code would be ready for submission to the Senate by next Monday, and said that if the end of the session drew dangerously near without the adoption of the code, he would then vote for the Hanson bill. He appealed for "orderly and coherent" action on matters of legislation and insisted that the resolution was an "outrage and an insult."

Ruth Explains Stand.

In the latter he was supported by Ruth, president of the Senate who in voting "no" on the resolution said he expected to vote for the bill, but opposed the resolution because he did not wish to insult the Senator from Spokane. Ruth made his explanation from the President's stand and aroused the ire of both Paulhamus and Stevenson. Paulhamus demanded that if the President wanted to "scotch" his colleague he should relinquish the gavel to some other member and come down on the floor to do it. Stevenson characterized Ruth's explanation as drawing a fine line in avoiding an insult to one member of the Senate at the expense of insulting 25 others. Stevenson's remarks caused an uproar of applause in the galleries which only subsided when Ruth threatened to have them cleared.

The bill passed the House without a dissenting vote, and it is likely to do the same in the Senate, but with a split-up when the second roll is called on the emergency clause. To pass the latter a two-thirds vote is required, or in all, the vote on today's resolution indicates that 25 are insisting on the emergency, and friends of the bill say that when it comes to the point of going directly on record, enough others will fall in line to put the act into effect immediately.

Contractors Must Lose.

OLYMPIA, Wash., Feb. 2.—(Special).—In an opinion to the Prosecuting Attorney of Pacific County, the attorney-general has decided suit cannot be brought against the former Commissioners of that county to recover for overpayment on a state road contract. The Commissioners in 1904 let a contract for road work and provided for payment per yard of earth on contract. The Commissioners in 1904 let a contract for road work and provided for payment per yard of earth on contract. The Commissioners in 1904 let a contract for road work and provided for payment per yard of earth on contract.

Monhundro for Examiner.

OLYMPIA, Wash., Feb. 2.—(Special).—Acting Governor Jay today signed the commission of J. L. Monhundro as State Bank Examiner, to succeed Abraham W. Engle. Both are of Seattle. It is stated at the Governor's office that this appointment was made by Governor Cosgrove before he left the state, and that Hays sole connection with it is to sign the commission at Cosgrove's request.

JOKER IN PEOPLE'S BILL

(Continued from First Page.) These principles may be applied by law to nominations by political parties and organizations.

There are now elected in Multnomah County 12 representatives. Under present laws, under the title for the office of Representative, the instruction is given on the ballot, "Vote for 12." Under this new amendment, though there are 12 places to be filled, a voter will be permitted to vote for only one person under the title for that office.

When Mr. U'Ren, author of the proportional representation amendment, was in Salem a few days ago his attention was called to this sentence in the amendment and he replied that under its provisions a voter could mark his ballot for but one candidate for Representative when there are 12 to be elected in a district. He also admitted that the argument of the People's Power League was misleading to the extent that it represented that the Legislature would be free to adopt any plan of proportional

representation. The last sentence in the argument printed in the pamphlet distributed to voters says:

Voters Were Misled.

"This amendment is not intended to provide a system, but if it is approved, the voters of the state can then enact laws for any plans that will get the fairest results in Oregon." There are many plans of proportional representation, but Mr. U'Ren admits now that the Legislature is precluded from adopting any plan which permits a voter to mark his ballot for more than one person under the title for each office. That this is true is also asserted in the explanatory portion of Senator Sellings' proportional representation bill, S. R. 97, wherein it is said on page 11: "It is very desirable that a law for proportional representation should be made at this session, because the constitutional amendment, adopted last June, is now effective, and hereafter no voter can vote for more than one candidate for Representative or Senator in the Legislative Assembly. In every district of two or more Representatives, the minorities are sure of one; in any district of three or more members, the smaller parties are sure of one; they may easily get more, and are certain to get more than their share if no law is passed at this session."

Hands of Legislature Tied.

It thus appears that what was represented to be an amendment merely permitting the Legislature to enact a proportional representation law in effect makes such enactment necessary unless the minority parties are to be given an unjust share of representation. The only alternative seems to be the enactment of the Grange bill, dividing the state into 29 Representative and 30 Senatorial districts, with one member from each district. Under such a division of the state, each voter would mark for only one person under the title for each office and the amendment would thus be complied with without enacting a proportional representation law. If the Legislature undertakes to enact a proportional representation law, it will find that it is not free, as represented, to enact any plan it may deem best.

RAISES FRAUD CRY AGAIN

MACBETH RENEWS ATTACK ON IDAHO CAPITOL.

Says Legislature of 1905 Was Bunched—Other Measures Were Brought Up.

BOISE, Idaho, Feb. 2.—(Special).—Senator Macbeth this morning submitted his charges against the Capitol Building Commission. The main issue made by Macbeth is that deceit was practiced at the time the Legislature in 1905 was induced to let the state capital at Boise, and make an appropriation for the new building. Macbeth says that the Legislature was induced to take such action on representations that the building would not cost to exceed \$600,000, which amount could be obtained from the sale of lands in the public buildings grant. He points out that \$300,000 has already been expended, that \$200,000 more is asked to complete the central portion, not including the cost of the dome, and that it is estimated that fully \$1,000,000 more will be required to build the two wings. He quoted Governor Brady's message, which states that the resources of the state through the land grants have been exhausted.

Immediately prior to the reading of Macbeth's charges Senator Hart had read a letter from the members of the Capitol Building Commission, suggesting that Macbeth be given both time and clerical assistance in making an investigation and formulating charges, but demanding that a rigid investigation of the administration of the commission be made by the Legislature.

The bill to do away with the party emblem on the ballot came to a vote in the Senate, resulting in a tie. Lieutenant-Governor Sweetser asked for time in which to investigate the merits of the measure. He was granted 24 hours. There was considerable discussion in the House over the bill compelling County Assessors to have published the names of those assessed, character and location of property, and values placed on the same, and mail a copy of the publication to each taxpayer in the county, prior to the time when taxes are payable. The bill was passed.

In the Senate this afternoon the bill providing for municipal control of public utilities was referred back to the Judiciary committee, after lengthy discussion. The managers of various local public utilities corporations, on invitation, addressed the Senate in opposition to the measure. Announcement was finally made that the bill recommended by Governor Brady in his message and providing for a public utilities commission was expected to be introduced within a day or so.

MEDFORD TO PUSH ROAD

DELEGATION AT SALEM WILL WORK HARD.

Medford-Crater Lake Highway to Be Boosted by Over 50 Leading Business Men.

MEDFORD, Or., Feb. 2.—(Special).—A delegation of 59 of the leading business men of the city, accompanied by several newspapers, left Medford on the Southern Pacific shortly after 7 o'clock tonight for Salem, in order to push the matter of the proposed appropriation of \$100,000 for the building of the road from Medford to Crater Lake.

At a largely attended meeting of the Medford Commercial Club, held last night, it was decided to call upon the members to volunteer, and most of those present agreed to do so. The club also decided to send three special representatives in addition. The City Council at a special meeting held this afternoon decided to send three men to represent the city. In addition to the delegation from this city, there are several representatives from Ashland, Grants, Pais and Central Point, who are pushing the project. It is realized as a fact that the Crater Lake road is not altogether a Medford and Crater Lake project, but will prove to be a boon to all of Southern Oregon.

CALIFORNIAN IS SUICIDE

Man Believed to Be Horace K. Butler Dead in New York.

NEW YORK, Feb. 2.—A man registered as Horace H. Bird, and believed to be a Californian, was found shot in the temple in his room in the Hotel Roland here today and died shortly afterward. Clipped in his hand was a revolver with one chamber empty. He had contained the name of a San Francisco maker, and an examination of his effects indicated that his name was Horace K. Butler. Addresses on letters in his possession, showed that he had relatives in San Jose, Cal.

INITIATIVE LAW UPHOLD BY COURT

State Supreme Bench Decides Telephone Company Must Pay Tax on Earnings.

APPEAL TO FEDERAL COURT

Judge Bean Holds Initiated Law is Not Subject to Governor's Veto, and Declares Measure Constitutional.

SALEM, Or., Feb. 2.—In an opinion written by Justice Bean, the Supreme Court today affirmed the decree of Judge Cleveland, of the Circuit Court for Multnomah County, in the State, respondent, against the Pacific States Telephone & Telegraph Company, in which the constitutionality of the initiative and referendum amendment, adopted by the Legislature in 1902, and by the people in 1906, is upheld, and the company is required to pay the annual license of 2 per cent upon its gross receipts and to make annual statements to the State Treasurer. The case will probably be appealed to the United States Supreme Court.

In passing upon the points involved in the case, Justice Bean holds, as held in the case of the State vs. Kline, that the measures adopted by the people upon the initiative are not subject to the veto power of the Governor; that the annual license fee required by the act of 1902 to be paid by corporations is a business or excise tax on the right to be or exercise the powers of a corporation, and is in no sense a tax upon property nor a tax on the business or franchise which the corporation when organized may exercise.

"The right to be a corporation, or to do business as such, rests entirely within the discretion of the state, and it may, therefore, require it to pay a specified sum each year or at stated intervals for the privilege. The payment of such a fee or tax, however, does not exempt the corporation from other forms of taxation. It may also be required to pay a tax on its tangible or intangible property or franchise, the latter to be in proportion to its income or measured in any other way the lawmaking power may adopt. Among the elements of corporate taxable value are the franchise, capital stock in the hands of the corporation; the tangible corporate property and the shares of stock in the hands of individuals. All authorities agree that a tax upon the franchise, whether based on income or measured in some other manner, is not a tax on the tangible corporate property, is not double taxation."

FRIENDS OF BEER HEARD

HOPGROWERS WOULD AMEND LOCAL OPTION LAW.

Propose to Let Precincts Vote on Question of Selling Beer in Dry Counties.

STATE CAPITOL, Salem, Or., Feb. 2.—(Special).—Ministers and hopgrowers tonight appeared before the House committee on revision of laws and discussed the bill proposed by the hopgrowers and dealers of Marion County exempting beer from the local option law. The bill provides that a special election shall be held when the people of a precinct shall decide whether or not the sale of beer shall be allowed in their precinct. The measure probably will be recommended favorably by the committee.

P. W. Durbin, H. B. Thielens, E. Hofer, C. P. Bishop, F. P. Baumgartner and Conrad Krebs, top of the importance of the hop industry to this state and urged the enactment of the bill that the people might decide for themselves the question whether or not they wished to sell in their precinct in which they lived. Mr. Krebs said that during the last ten years this industry has brought into the state \$50,000,000, but that since 1906 and the enforcement of the local option law 8000 acres had been plowed up. The harvesting of the crop alone, he said, furnished employment annually to 100,000 persons.

Rev. W. H. Selleck, of Salem, and Rev. A. F. Lacy, of Lebanon, represented the temperance interests and insisted that the Legislature should keep its hands off the bill that was enacted by the people, who had twice defeated by increased majorities attempts to modify its provisions. The speakers insisted that the proper course for the hopgrowers to follow was to go directly before the people with their bill and not compel the Legislature to take the initiative.

SMELTER FOR GOLD CREEK

Favorable Progress Reported by Mine Directors at Albany.

ALBANY, Or., Feb. 2.—(Special).—A smelter for the Gold Creek mining district this summer is assured by the action of the board of directors of the Black Eagle Mining & Milling Company today. Following the meeting of the stockholders of the company at Gates, yesterday, in which the directors took official action authorizing construction. About 30 stockholders of the company attended the meeting at Gates and elected the following directors: R. F. Shier, present president and manager of the company; S. C. Sorenson, of Gates, one of the original locators of the mine; William H. Looney, of Albany; E. W. Ansel, Jr., who recently came here from Michigan where he was interested in a mine and invested in the Gold Creek district; and J. H. McConnell, of Shedd. The directors re-elected Shier president and manager and elected McConnell vice-president; Angel, secretary, and Sorenson treasurer.

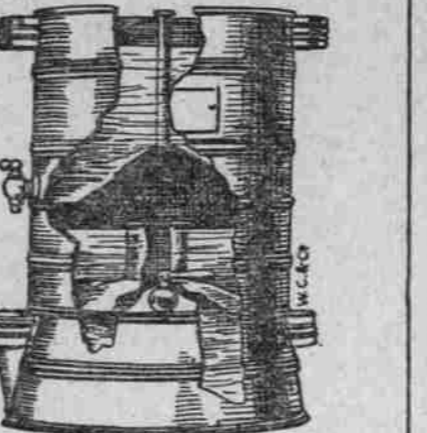
APPLE CROP NETS \$275,000

Hood River Growers Report Prosperous Year Just Completed.

HOOD RIVER, Or., Feb. 2.—(Special).—From H. M. Huxley, manager of the Hood River Apple-Growers' Union it was learned today that the total shipment of apples by the union for the season will be about 225 cars. While several thousand boxes of apples are still in storage here they are all sold and will be sent to their purchasers who ordered. The number of cars of strictly fancy apples shipped by the union this season is 200.

Don't Drink DISEASE!

All over the land are those who cannot be sure of the purity of the water they drink.



The "Woodlark" Water Still Price \$8.00.

Placed on the kitchen stove will give an abundance of pure distilled aerated water at less than two cents a gallon. We'll send one, charges prepaid, to any railroad station in the Northwest.

Woodard, Clarke & Co.
Portland, Oregon.

the other 25 cars being fruit that is placed on the market as choice. The total amount of money received for the apple crop handled by the union is about \$275,000.

WOULD UNITE COLONIES

Convention Hopes to Join Four British Protectorates in Africa.

CAPE TOWN, Feb. 2.—Progress is being made in the work of closer union convention which has as its object a union of the four British colonies in South Africa, the Transvaal, Cape Colony, Natal and the Orange Free State, the whole to form a great federation. It is agreed that the federal parliament will meet at Cape Town, while Pretoria will be come the administrative capital.

Second Horseman Trial On.

PENDELTON, Or., Feb. 2.—(Special).—With eleven jurors secured, the second day of the second Horseman murder trial was brought to a close this evening. The second special venire was exhausted late this afternoon and a third will be on hand in the morning. Horseman, was convicted of manslaughter for killing Clarence McBroom two years ago, was sentenced to 10 years in the penitentiary, appealed and was granted a new trial.

Barrains in bags. Harris Trunk Co.



Mme. Yale's Hair Tonic FOR CHILDREN AND ADULTS

Antiseptic and Hygienic

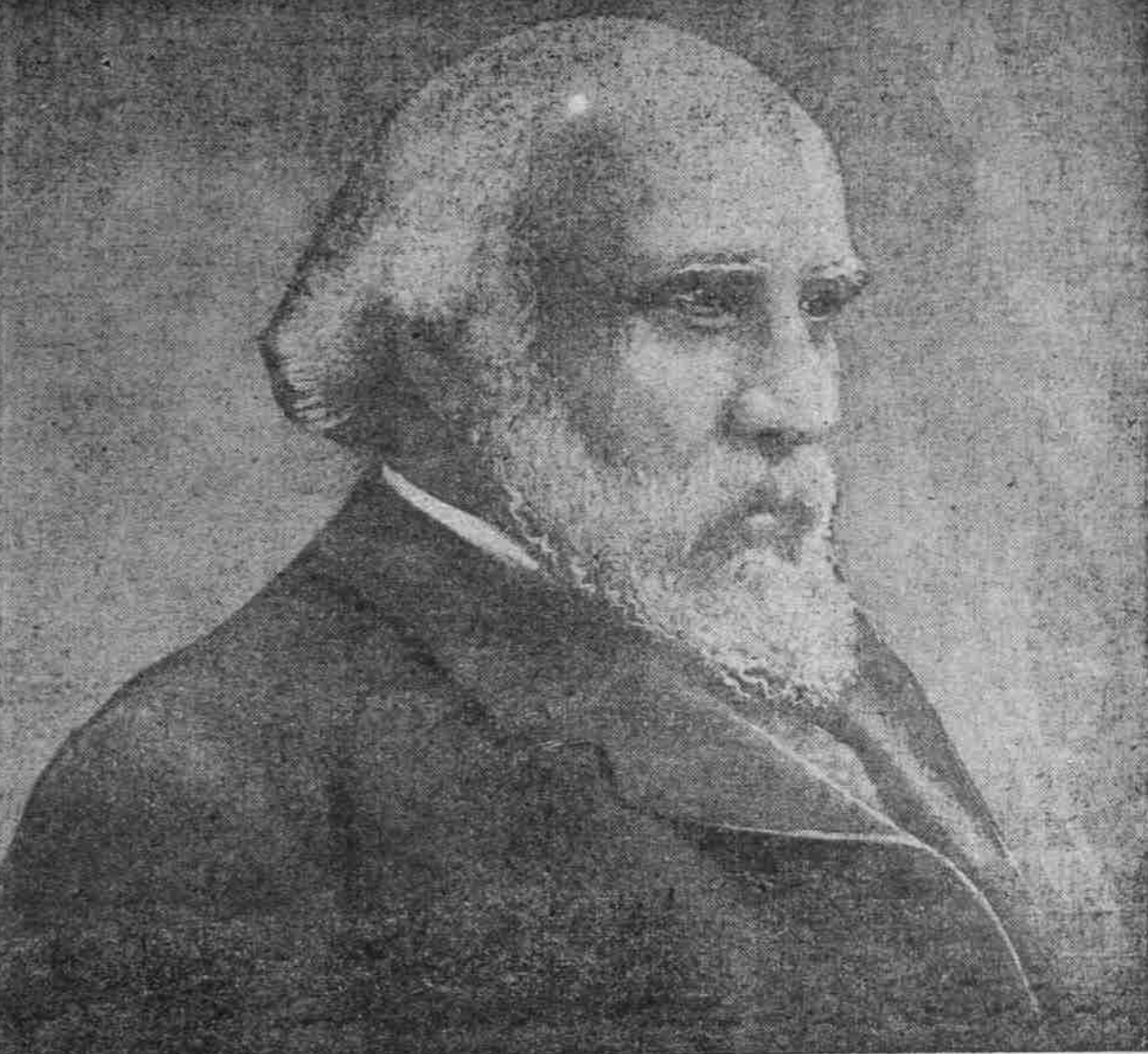
A Hair Invigorator—Just what its name implies. It supplies nutriment to the elements of growth, which when assimilated by the hair, restores and beautifies it in the same way that sap nourishes the foliage of a tree. Even where the follicles are seemingly dead, if the scalp is massaged daily with Mme. Yale's Hair Tonic, vigorous growth will be produced. It has honestly earned its title of "the great hair grower." It stimulates the most stunted growth and makes the hair magnificently healthy and beautiful. By its use, not only the hair, but the scalp, and all diseases of the hair, scalp and beard. One application usually stops hair falling. A nursery requisite; so mother should neglect to use it for her boys and girls; when the hair is made strong in childhood it remains proof against disease and retains its vigor and youthfulness throughout life.

Mme. Yale's Hair Tonic is a colorless, fragrant, delightful hair-dressing; neither sticky, gritty, nor greasy; makes the hair soft, fluffy and glossy. Contains no artificial coloring. It will not soil and whitens hair; restores original color by invigorating the scalp and proper distribution of the live coloring matter. Beautiful hair restores the pleasant countenance, and anyone can secure it by using Mme. Yale's Hair Tonic. Now in three sizes. Our special price:

- \$1.00 size 75c.
- .50 size 39c.
- .25 size 21c.

We will give you free a copy of Mme. Yale's 96-page book on Beauty and Physical Culture. If you live out of town, write us and we will mail you a copy.

Lipman, Wolfe & Co.
Owl Out-Rate Drug Dept



JAMES J. HILL

He has shown his confidence in Portland by building the North Bank Road—In a recent interview in New York Mr. Hill stated that he expected unprecedented immigration to the Northwest in 1909.

Place Your Confidence in Portland!

And enjoy your share of the great prosperity that will visit this country in the next few years—Secure a lot in Fairport, the heart of the Peninsula, for the Peninsula is where the prosperity will be felt the first and most.

FAIRPORT

Lots \$250—\$10 Down—\$10 a Month

These prices will positively advance 10 per cent on Feb. 15—Buy now before the prices go up—Most of the world's richest men have made their fortunes in real estate—Build your future on a solid foundation—Take lesson from these men—Own real estate.

The Packing Houses Will Open July 1st

Then watch Fairport values leap ahead, for Fairport lies in the heart of the Peninsula. It is directly next to Kenton, the Swift townsite, where over \$650,000 is being spent today to build homes for the Swift employes, stores, banks, office buildings, etc. Every improvement for the Swift townsite is equally an improvement for Fairport, for they adjoin. When the Swift packing plant opens and the Peninsula is thickly populated, then Fairport lots will be soaring way up high, and you will regret then that you did not buy a lot here. At present you have the opportunity, but only for a short time, for there are few lots left and the prices on these will advance 10 per cent on February 15th. So come to our office and let us tell you the conditions on the Peninsula which warrant us in saying that

You Can Double Your Money in a Few Months

Call on us—we will show you Fairport in our automobiles—we make several trips every day. Write for free booklet on Fairport.

MIKKELSEN & TUCKER

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Fifth and Morrison Streets