

### DOUBLE A PLAN FOR LAW PLANNED

Foes Would Invoke Referendum on Malarkey's Public-Service Commission.

### CHARTER IN FIGHT, TOO

Opponents Aim to Have People Vote at Next Election to Obtain Local Body Instead of State-Wide Board.

Efforts to obtain the referendum as applied to the public utility bill adopted recently by the State Legislature and the adoption of the coming city election of an amendment to the Portland charter to provide for the creation of a local commission are said to be contemplated by enemies of the new law.

The question being asked by many concerning the position of the City of Portland in case the amendment to the charter is adopted at the coming city election. Lawyers agree that the state law would prevail in the end and that no amendment to the city charter could nullify the mandatory edicts of the state law. But it is declared by the friends of Dan Kellahan, who sought the bill in the Legislature, that he was going ahead with his proposed plan to submit an amendment to the city charter.

### Step Termed Illegal

"It will be absolutely illegal," said Senator Malarkey. "The state law will be the law for Portland. It must be submitted and I do not think that opponents of the state law would be foolish enough to submit such an irregular proceeding."

C. W. Fulton said that he had not read the law, knew nothing about it and would not like to express an opinion as to the merits of the measure until he examined it.

The Malarkey bill provides for the State Railway Commission to have control of the street railways and the street lines of cities in the state. It provides for almost absolute jurisdiction, and is the power which will interpret franchises granted to transportation corporations that operate within the city limits.

### Home Rate Foes' Basis

The opposition to the measure bases its contention on the theory of home rule. It was argued that the people of Portland should have the final say as to whether they should control their own streets. "The Commission has for several years successfully and satisfactorily regulated and controlled all public service corporations of every kind in the state by and through a state commission of three members, one of whom recently was appointed to fill a vacancy upon the United States Interstate Commerce Commission," said Senator Malarkey. "The City of Milwaukee in the State of Wisconsin is much larger than our Portland and Wisconsin has many cities and towns outside of Milwaukee that are larger and are better than we have in Oregon outside of Portland."

### Larger States Use Plan

"In the manner all public service corporations in the state are managed satisfactorily and controlled by one state commission—generally composed of three members in Georgia, Maryland, New Jersey, Oklahoma, Nebraska, North Carolina, Virginia, Vermont and Nevada. All these states, but the last two, are larger than Oregon. There is no more reason for Portland to be exempted from the jurisdiction of a state commission in Oregon than there was or is for the leading cities in these other states to be exempted. The Committee on the Yearly Session is sometimes quoted as a precedent for the Portland Commission, has been misrepresented by some and misconstrued by others. The New York Legislature divided the state into two districts and provided separate commissions for each district. One district embraces New York City and the other district embraces the remainder of the state, but both commissions have the power and the prestige of the entire state behind them and are co-ordinate and co-operate in their workings."

### Logic Is Attacked

"There was no special reason for the creation of a separate commission for New York City. The commission took over the work of building subways from the Rapid Transit Commission and incidentally there was given to a Republican administration of that commission, with the expenditure of millions of dollars formerly enjoyed by Tammany Hall. Regardless of that reason, it is unnecessary because the City of New York with its 4,000,000 people has a separate commission, the City of Portland needs one."

### WIFE DENIED ADMITTANCE

Citizen's Papers May Be Denied Bar-better on That Account.

Because his wife has a disease of the eye and has three times sought in vain for admission to the United States, Agostino Vintrilla, a barber, may be denied United States citizenship papers. Vintrilla is the old, old story of one spouse being admitted to the United States and the other being barred because of physical unfitness.

Vintrilla appeared in the State Circuit Court yesterday to secure his second citizenship papers, but because one of his witnesses had not known him for five years, as required by law, he did not succeed. The fact that Vintrilla's wife has sought admission to this country, and that it is largely to secure her admittance that Vintrilla is seeking papers, did not develop at the hearing. Immigration Inspector Hazard says he has the proof of her attempts to enter the country, once in disguise. If Vintrilla secures citizenship papers, his wife also becomes a citizen, and may come into the country in spite of the protest of immigration officials. It is for this reason that Vintrilla is seeking papers. He is earning between \$10 and \$125 a week, it is said. He is a native of Italy.

Backache, Rheumatism, Sleeplessness. Result from disordered kidneys. Foley Kidney Pills have helped others, they will help you. Mrs. J. H. Miller, Strouds, N. Y., says: "For a long time I suffered with kidney trouble and rheumatism. I had severe backaches and felt all kinds of ailments. I used the pills and within a few days my back was better and my sleep restored. I can now rest and feel like a new man. I would like to tell you that I have had several backaches since I used the pills. It is a wonderful medicine. I have told my friends and they all tell me 'I would like to try them now.' Sold by all druggists."

### MEMBERS OF ELKS' 1912 CONVENTION COMMITTEE WHO ARE HUSTLING SUBSCRIPTION LISTS.



Several additional committees of the Elks' 1912 campaign reported collections amounting to \$245 to Treasurer Van Schuyver. A number of the committees, when turning in their collections, announced that they regretted their inability to have joined in the canvass sooner, but gave praise of the Elks for their success. All, however, agreed to busy themselves with the canvass during the early part of the week.

The campaign managers are confident that the money required will be raised, but they are not certain when the complete amount can be announced. The failure of a number of committees to make any kind of a report, and of others who have made but meager or impartial reports of their soliciting, if all the committees were busy and devote one entire day to the canvass the work can be cleaned up in short order, according to the officials in charge of the Elks' campaign.

Henry E. Reed, secretary of the campaign committee, yesterday announced that he would issue notices for a meeting of the general committee within a few days, and he will request each member to be on hand with a complete report at that time. If the amount subscribed at that time does not meet requirements, all committees failing to turn in complete canvasses will be instructed to work until their respective districts have been covered. The failure to cover the districts a number of persons desiring to contribute to this fund have called up the Oregonian asking when they were to be "done."

The subscription list now has over \$24,000, exclusive of the donation of the Portland lodge, and the committees are actively engaged in their canvassing and who have failed to report progress are likely to face the famous Elks' kangaroo court at that time. The next requirement of the holding of these sessions are always fruitful of a great deal of merriment to the members of the order, and all the committee men who have not care to be made the butt of the jokes and the victims of the court fines are warned by the officials to get busy with their lists and make a report by the end of Thursday night.

The canvass up to date includes the following subscriptions:

Perry C. Graves Co.	\$20.00
Souls Bros.	20.00
E. R. Steinhilber	100.00
Bush & Lane Piano Co.	20.00
Lawrence Bros.	20.00
Lieberling & Co.	10.00
Shirman & Co.	40.00
Gilbert Music Co.	10.00
Henderson Piano Co.	20.00
Concordia Piano Co.	20.00
Read-French Piano Mfg. Co.	20.00
Osio Piano Mfg. Co.	20.00
W. J. Thompson	20.00
Sidney S. Lathrop	10.00
W. J. Doolittle	20.00
L. R. Bailey	20.00
Morgan, Pfister & Hayes	20.00
E. A. Stephens	20.00
W. R. Johnston	20.00
McNamee & Stewart	20.00
Charles J. Jacobs	10.00
W. J. Doolittle	20.00
H. E. Smith	20.00
W. J. Doolittle	20.00
M. J. Sheehan	20.00
St. Scott Cemetery Co.	20.00
Herman Metzger	20.00
Baltimore & Annapolis	10.00
Hassan Grille	10.00
H. H. Moore	20.00
W. J. Doolittle	20.00
Royal Bakery & Confectionery	10.00
Oregonian Restaurant	20.00
G. W. Justice	20.00
The Hot Brand	20.00
W. J. Doolittle	20.00
Posselt's Cafeteria	10.00
W. J. Doolittle	20.00
Grunt & Zadow	20.00
L. J. Shell	20.00
H. J. Johnson	20.00
Harvey Wells	10.00
G. W. Justice	20.00
Blunden & Greenberg	20.00
Primer Brothers	20.00
W. J. Doolittle	20.00
H. J. Johnson	20.00
E. J. Ray	20.00
W. J. Doolittle	20.00
Bay Bros.	20.00
L. K. Hendrix	20.00
W. J. Doolittle	20.00
O. J. Hendrix	20.00
G. J. Hendrix	20.00
H. J. Johnson	20.00
Butterfield Bros.	20.00
L. W. Hensley	20.00
W. J. Doolittle	20.00
H. A. Forbes	20.00
Mrs. J. G. Grossman	20.00
Fred D. Flora	20.00
W. J. Doolittle	20.00
Marx & Bloch	20.00
Jager Bros.	20.00
W. J. Doolittle	20.00
Henry Friedenstein & Co.	20.00
E. W. Spencer	20.00
Remond Hotel	20.00
Past Van Fridah	20.00
Total	\$32,968.50

"It is a shame that Portland does not give more to the relief of the Chinese. We have always been regarded as liberal in Portland. I believe that we have a duty to do every time when called upon where distress was apparent.

"In China there is a condition which has no parallel in the world. I believe that it is our duty to subscribe for the relief of these people. I know that is the way I feel, and I am willing to back it up with my money. That is the reason that I hope Portland will come to the rescue to make the proper showing. We ought to raise \$5000.

"The heat at Seattle will sail in a few days and if we raise this money we can put the flour and the necessities of life aboard so they will arrive in Hongkong in 30 or 40 days and in time to relieve some of the distress. F. C. Lind, one of three arrested by Police Officer Royle at Merrill's Hall, last Sunday night, escaped with a fine of \$15 in Municipal Court yesterday, while his companions were assessed \$10. Royle attempted to arrest O. Erickson who was drunk and disorderly, and Lind and Herman Sember, an employee of Marx & Bloch, interfered. When placed under arrest, Lind demanded to go in the patrol wagon and was allowed to ride to the station in his automobile. Royle was abusive and compelled the influential citizens to take his place in the wagon. Lind was disposed to appeal the case, but when he found that in that event the fine would be increased to \$50, decided to accept the lower penalty.

"I heartily endorse Senator Selling's proposal to be one of several to contribute \$100 for the famine sufferers in China. I think it is the right thing to do. I may request the assistance of the Red Cross Society of the City, the Salvation Army and other charitable societies of recognized standing to aid in raising a creditable sum, as suggested in a letter which I received from R. E. Bray. We of wealthy Portland should do well by this fund, and I hope immediate action may be had, to the end that the needy may be relieved."

When buying a cough medicine for children bear in mind that Chamberlain's Cough Remedy is most effective for colds, croup and whooping cough, and that it contains no harmful drugs. For sale by all dealers.

### ELKS GO TO THE ELKS REPORT BIG GAINS

Canvass for Entertainment Fund Adds \$3265 in Single Day.

### CAMPAIGN GROWING WARM

Chairman Finds Many Who Have Not Yet Reported and Some Districts Not Canvassed—Kangaroo Court to Be Invoked.

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### PLAGUE FUND YET SMALL

Out of all of the letters sent out by the Portland Chamber of Commerce to the various persons engaged in the exporting business and those likely to give something out of their surplus funds for plague and famine-stricken China, one man responded by giving \$10. He not only gave the \$10 but carried it himself to the secretary of the Chamber, with the remark that he "was not in business but sorry for the starving in China, that I feel compelled to hand in my donation."

### SENATOR SELLING TRIES TO GET FUNDS FOR CHINESE.

One Man Responds to Chamber of Commerce Call by Giving \$10. Donations Are Urged.

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That was several days ago. \$60 far nothing more has been contributed to the Chamber of Commerce. Senator Selling, hearing of the lethargy in the matter of donations, started out just as soon as he returned from the Senate to put some energy in the campaign.

Yesterday, he called upon several persons who might be willing to donate. He started the ball rolling by giving \$100 himself. The next donation was given by the Corbett estate, which also was for \$100. A World gave \$25, making a total of \$225 which was added to the \$10 already received, making a grand total of \$235. It is proposed to secure today about sort of an organization which will produce a sufficient sum from Portland.

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### LIND ESCAPES WITH FINE

Patrolman Royle's Trio, Caught Sunday Night, Get Into Court.

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### FESTIVAL CANVASS BEGINS

East Side Plans to Excel Display at Last Celebration.

For funds today to carry out the part of the East Side to take in the June Festival, the territory has been divided into three districts—East Burnside, East Morrison and Hawthorne avenue. H. R. Gellinsky, Louis Geyerts and W. H. McMonis form the committee to look after the East Burnside district and C. A. Bigelow, H. A. Calef and C. C. Hall for the central or East Morrison district. The committee for the Hawthorne district has not yet been appointed and that part may be assigned to the East Morrison committee.

Last year \$1400 was raised for the East Side display, and nearly all the fund was used in paying for decorations, building the stands on Grand avenue, for the fireworks and drilling club for the parade.

One day of the Festival will be assigned to the East Side in the week. Some of the features which will be retained this year, but enlarged and changed. The general plans for the day will be taken up at the next meeting of the club, and a committee of arrangements will be appointed.

Multnomah Camp No. 77, Woodmen of the World, with a membership of nearly 200, will take on the grand tour of the city, under the leadership of J. O. Wilson, clerk of the lodge, said that he was confident that the camp will lend its aid in making the East Side the finest one of the most important in the Festival.

### TOURIST TRAVEL SOUGHT

CANADIAN PACIFIC TO ROUTE FROM CALIFORNIA.

Railway Seeks Large Part of Business and Will Give All Stop-overs in Portland.

Last year thousands of California tourists through Portland into Canada is the elaborate scheme set on foot by the Canadian Pacific Railway, who was in the city yesterday, has in mind and which he hopes to work out on a trip to the southern state for which he started last night.

This is the first attempt the Canadian Pacific has made to take in the tourist trade out of California.

"Whatever success we have in the matter," said Mr. Foster, will be shared by Portland, as this city is the gateway to the Northwest and to Canada. We tried it in an experimental way last year and were well pleased with the results. It has been a great success. California, yet has not been able to get to California, yet everyone went home well pleased and we have heard many inquiries from the same source this year.

This has been determined to engage extensively in this class of business, exchanging with the Southern Pacific in the city in handling it north and south.

"All our schedules will be so arranged that our passengers will be allowed a stopover of a day or two in Portland." Mr. Foster reported excellent results from the Canadian Pacific's immigration methods practiced in Western Canada—placing settlers upon "ready-made" farms. The railroad plans to place a piece of land to build a house and barn, stock it and supply it with implements, and put it out in its first year of grain. The colonists are given about two years to pay for the land and the improvements. Most of this kind of land is under irrigation and is of big value from the start. It attracts a desirable class of immigrants from England, Eastern Canada and Eastern and Central United States.

There was a great increase last year, reported Mr. Foster, of a number of colonists from the Eastern Canadian provinces and from certain parts of the United States to the southwestern provinces. A great rush already has started this year.

Canadian people have acquired the habit of spending a part of each Winter along the Pacific Coast and the United States. Many of them come to Portland to remain all Winter, returning to their own homes for the more agreeable weather of the summer.

Mr. Foster was accompanied on his trip to Portland by H. W. Brodie, general passenger agent with headquarters at Vancouver, and E. G. McNeill, district passenger agent at Calgary.

### ANDREW J. FREEMAN DEAD

Victim of Grip Succumbs When Recovery Seems Near.

Andrew J. Freeman, formerly in the dairy business in East Portland, died at his home, 748 Gaston avenue, at 12:30 yesterday. He had recovered from an attack of grip, and had a sinking spell at noon. He had been suffering for several years with Bright's disease.

Mr. Freeman was well-known in Portland, having been in the dairy business in Highland, just east of Beech street, before the section was built up. He retired in the 90's.

He was born at Vicksburg, Miss., May 21, 1832, and came across the continent in 1855. He spent about two years at the mines in the Boise Basin, and then came to Oregon. He settled first on Suvie's Island, moving then to Portland. He married Miss Julia A. Morgan, January 3, 1870.

He is survived by the widow, three sons and a daughter, Mrs. Mary P. Richardson of Court St. Alene Place, near Los Angeles, Cal. The sons are William M., Edward and Franklin A. The latter is assistant cashier of the Lumbermen National Bank.

### EAST SIDE DEPOT URGED

Business Men Ask General Manager O'Brien for Freight Station.

The East Side Business Men's Club has taken up the subject of obtaining a freight depot for the East Side, but definite plans will not be made before the return of General Manager O'Brien, of the O.-W. R. & N. Company.

A letter was addressed to Mr. O'Brien last week, setting forth the need of freight facilities for the warehouse district. C. G. Sutherland, assistant manager, in reply, said Mr. O'Brien will no doubt take up negotiations for the freight depot on his return.

### ELGIN JEWELER WEDS MISS YECK

The wedding of Miss Yeck and Mr. Elgin Jeweler was held at the home of the bride's parents, Mr. and Mrs. Mattie Yeck, the wedding taking place February 5.

### Makes Home Baking Easy

Royal Baking Powder helps the housewife to produce at home, quickly and economically, fine and tasty cake, hot biscuit, puddings, the frosted layer cake, crisp cookies, crullers, crusts and muffins, fresh, clean, tasty and wholesome, with which the ready-made food found at the shop or grocery does not compare. Royal is the greatest of bake-day helps.

ROYAL COOK BOOK—800 RECEIPTS—FREE. Send Name and Address.

ROYAL BAKING POWDER CO., NEW YORK.

### LAW HELD FAULTY

City May Not Enforce Vehicle Tax Ordinance.

Flaws alleged to be in the new vehicle tax ordinance, which the Council recently passed, caused Deputy City Attorney Jones and the city council, yesterday, to ask Judge Gantenben to suspend the hearing of the injunction case against the city until today, to permit him more carefully to study the law. Mr. Benbow explained to the court that he would not go on with the case in the face of the evident flaws in the ordinance, unless he found that they had been misstated to the court.

The sentiment expressed by Mr. Benbow was to the effect that the city would probably give no proceedings in the case against it, and would pass a new ordinance with the flaws removed. This is the third time that the city has tried to enforce a vehicle ordinance since the new ordinance was passed. It is the opinion of the latest ordinance is just as invalid as those which have preceded it.

The stock barons from whom Jones and the development company secured their land and which they had divided into a city of 40-acre tracts to enclose 88,600 acres of Oregon range. Upon these tracts they had erected a fence. The Government brought both criminal actions and civil suits to have the fence torn down. William Hanley was convicted in the lower courts, but the United States Circuit Court of Appeals recently reversed that decision on the ground that Judge Wolverton's instructions to the jury were in one point illegal. Jones was convicted and fined \$50.

Jones represented that the fences have now been abated, and when he and the company consented to the signing of the injunction all the suits against Jones and the company are finally disposed of.

### FENCES TO BE REMOVED

Permanent Injunction Forbids Bot-tling Government Range.

William Jones and the Harney Valley Development Company consented in Federal Court yesterday morning that Judge Bean sign an injunction forever restraining them from erecting or maintaining fences about the public range in Harney County. With the signing of this injunction all the suits against Jones and the company are finally disposed of.

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### SCALES BROKE OUT

AL- OVER HER BODY

Scalp Affected, Hair Began to Fall. Hands So Disfigured She Had to Wear Gloves All the Time. Two Hospital Unable to Assure Cure.

First Application of Cuticura Soap and Ointment Allayed Itching. Psoriasis Has Disappeared.

### PERMIT MISTAKEN FOR KNOT

Couple Married at Once, Learning Error After Six Months.

Believing that a marriage license was a marriage certificate and that they were lawfully married when the license was issued, Michael Calabris and Livi Antonella lived together since August 1910, until they discovered yesterday that they were not married. They hurried at once to the Courthouse to make inquiries, and were advised to marry immediately. Judge Cleaton performed the ceremony.

"I am still using the Soap and Ointment and now feel that none other is good enough for my skin. The psoriasis has disappeared and I everywhere feel better. My hands were so disfigured before using the Cuticura Remedies that I had to wear gloves all the time. Now my hands and face are looking fine." (Signed) Miss Sara Burnett, 2135 Fitzwater St., Philadelphia, Pa., Sept. 30, '10.

Cuticura Soap (2c) and Cuticura Ointment (8c) are sold throughout the world. Send to Potter Drug & Chem. Corp., sole prescriber, 135 Columbus Ave., Boston, for free book on affections of the skin and scalp.