

DECISION FALLS TO DAUNT LEADER

President Campbell, of University, Declares Work Will Be Pushed With Vigor.

VOTE OF PEOPLE NEXT

Initiative Position is Talked and Some Hope for New Complaint by "Competent" Plaintiff Expects—Campaign Continues.

UNIVERSITY OF OREGON, Eugene, Or., April 23.—(Special)—Fronted today with the conviction that the Supreme Court of Oregon had reversed the Galloway decision in the University referendum case, P. L. Campbell, president of the University of Oregon, made the following statement:

"Naturally we are deeply disappointed. The university is in dire need of the building and equipment that the legislature has appropriated today. But the university work will be pushed forward with as cheerful vigor as possible and every effort will be expended to carry the appropriation measures in the November election. I feel confident that the people of the state desire the university to have the money and that they will endorse the almost unanimous vote made by their representatives in the last Legislature.

Campaign to Be Vigorous.

As knowledge of the decision was flashed across the campus a hushed chill was felt, but, although discouraged, the students and local alumni have by no means lost heart. The campaign to carry on the vigorous campaign and, if called upon by the advisory forces, will stand ready to take the stump in support of their contention that the university deserves more liberal support.

When the referendum check roll handed to the university in 1907, the university's campaign was successfully managed by a committee of five alumni, Homer I. Kenney, Lewis W. Calderman, Clifton N. McArthur, Allen H. Eaton and Homer D. Angell.

Just what the aggressive policy of the administration is to be will not be known until the board meets in its executive session. President Campbell said today that the board would undoubtedly meet soon, probably within two weeks, and that no official announcement of plans could be made until such time. The regular meeting scheduled for January 16 was postponed awaiting the board's decision and it is practically certain that the adjourned meeting will be held before the next regular session, June 18.

For some time there has been agitation in certain quarters over the state for a permanent statewide tax on a mileage basis, which is not a new one, whether the movement will crystallize into an initiative petition or not.

Since the court decision merely declared the incompetency of the particular plaintiff, S. H. Friendly, some hope remains that a new complaint may even now be filed in the Circuit Court by some plaintiff who is not the defendant under the court interpretation. It is held by some that the limitation of time before the impending election is the only obstacle to such a course.

Fund of \$125,000 Available.

The annual maintenance fund of \$125,000 is still available to the university, so that the faculty members will not have to suffer for lack of money, as was the case during former troubles. This is the third referendum battle that President Campbell has faced since his ascendancy to the university's executive chair and he is facing the coming struggle with the same fortitude and cheer that has in former difficulties won him the lasting support and sympathy of all university students and alumni.

DECISION SEEN AS BLESSING

Attorney in Case Says People Now Can Eliminate Politics.

CORVALLIS, Or., April 23.—(Special)—H. J. Parrish, the Portland attorney who was so prominently identified with the University of Oregon referendum movement, and who is here as one of the attorneys in the Humarty case, said tonight concerning the Supreme Court decision:

"I have not seen the opinion of the Supreme Court in the referendum case and know nothing about it other than that Judge Galloway's decision has been reversed. Knowing all the facts and the law in the case presented by Attorney-General Humarty, C. E. S. Wood and W. S. U'Ren for the state, I felt certain that the decision of Judge Galloway would be reversed for want of jurisdiction or upon the merits of the case.

"The decision is a blessing to the people of the state and to the higher educational institutions of Oregon. The voters can now consider the broad questions which caused the referendum to be placed upon \$569,348 of the appropriations made by the last legislative assembly. Those interested in taking the university and Agricultural College out of cheap log-rolling politics in the legislative assembly and in placing our schools on a higher and on a dignified basis will now propose a law and constitutional amendment which will propose the consolidation of the university and Agricultural College at Corvallis, and to support the combined institutions by a direct mill tax upon all the property of the state.

REFERENDUM SUIT UPSET

(Continued From First Page.)

day before that officer would certify to the ballot title, and thus balk the whole people in the exercise of their constitutional reserve power to reject any law passed by the Legislative Assembly.

Remedy of Injunction Limited.

"The principle is sound and well settled, that as against public officers, where their action involves purely public or political rights, the drastic remedy of injunction can be invoked only by the state acting through its proper officers.

To sustain plaintiff's suit when he shows no injury to his private rights would be a pronounced example of a government by injunction.

"This conclusion renders unnecessary

the consideration of the other questions raised at the argument.

The opinion of Justice Burnett in full is as follows:

This is a suit to enjoin the Secretary of State from certifying to the County Clerk the ballot title formulated by the Attorney-General to be printed on the ballot for the general election to be held in November, 1912, wherein the election is upon the referendum of House bill No. 210, passed at the twenty-ninth regular session of the Legislative Assembly.

History of Case Outlined.

The plaintiff alleges: "That for more than 20 years past the plaintiff has been a non-resident inhabitant and taxpayer in the city of Eugene, Lane County, Oregon, and during all of said time the plaintiff has been a citizen of the United States of the State of Oregon and a legal voter therein." The complaint seeks a restraining order and injunction against the defendant from certifying to the County Clerk the ballot title formulated by the Attorney-General to be printed on the ballot for the general election to be held in November, 1912, wherein the election is upon the referendum of House bill No. 210, passed at the twenty-ninth regular session of the Legislative Assembly.

No New Principle Established.

When the case is brought to the attention of the court, the plaintiff is placed in the position of a plaintiff who prepared a ballot title for the purpose of being put on the ballot at the election mentioned and that the defendant accepted and will, if not enjoined by this suit, furnish to the County Clerk the ballot title and will place on the ballot to be used at the election the signatures of 6125 legal voters as required upon a petition to effect the referendum of the act in question, but the plaintiff alleges that in truth and in fact the petition does not contain enough signatures to specify any objections to the petition in any form, but is a mere forgery and that many of the signatures are fraudulent and forged in such numbers as to render the petition invalid. The substance of the prayer is that the defendant be enjoined from certifying to the County Clerk and from doing anything to cause it to be put on the ballot.

Circuit Court Overruled.

The defendant's demurrer, on the ground, first, that plaintiff has no legal capacity to bring the suit and, secondly, that the facts alleged are sufficient to constitute a cause of suit against the defendant, was overruled by the Circuit Court. The plaintiff's demurrer to the defendant's demurrer was also overruled. The court thereupon granted the plaintiff's motion for a writ of mandamus to compel him to do so. It is held that the plaintiff is entitled to a writ of mandamus to compel him to do so. It is held that the plaintiff is entitled to a writ of mandamus to compel him to do so.

Plaintiff Fails to Show Injury.

The plaintiff does not show that he will be injured in any property or civil right by the contemplated action of the Secretary of State in certifying to the County Clerk the ballot title. It is held that the plaintiff has failed to show injury.

Issue Lodged, Says Slater.

ATLANTA, Ga., April 23.—(Special)—Attorney for University Plaintiff Declares Statute Was Avoided.

SALEM, Or., April 23.—(Special)—Judge Slater tonight in commenting on the result in the University of Oregon referendum case, declared that the Supreme Court dodged the issue and failed to go into the merits of the case. Judge Slater represented S. H. Friendly for the university.

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KLECKITAT CHIEF IS PRESIDENT'S GUEST

Skokum Wal-li-hee Pleads to Prevent Sale of Indian Recreation Grounds.

Taft PROMISES TO HELP

Famous Red Is Presented by "White Chief" With \$150 and Ring. He Is Struck by Automobile on Street in Washington.

GOLDENDALE, Wash., April 23.—(Special)

—Skokum Wal-li-hee, hereditary chief of the remnants of the once powerful Kilekittat Indian Tribe, returned today from Washington, where he has been to confer with President Taft about the disposition of the Indian lands in the Cascade Mountains, now a part of the Yakima Indian reservation.

Skokum is now a wealthy farmer and stockman in the Big Kilekittat Canyon, near Lyle, where he owns a large ranch and is one of the best-known Indians in the Columbia River basin. When he learned of the proposed plan to sell the Indian patches and Indian race track, in the Mount Adams country back of Trout Lake, he was much aroused and set out at once for Washington to make a personal protest to President Taft.

President Shows Interest.

Skokum says that he had several long talks with Mr. Taft about the matter and that the President agreed to do all in his power toward the conservation of the Indian recreation grounds that have been a favorite summer resort for all of the Indian tribes east of the Cascades in Washington and Oregon since the days of their forefathers. There the squaws pick bunches of berries for winter use and the bucks run horse races, engage in athletic contests and gambol on the greensward. The Indian youths supply the camps with fish and venison.

While in Washington Skokum wore the regalia of his chieftainship, consisting of a fancy beaded buckskin suit and elaborate headgear made out of eagle feathers. In trying to get out of the road of one automobile on the streets of Washington he was struck by another and knocked down, but not seriously injured. The police arrested the chauffeur of the car that struck him and wanted Skokum to remain in custody and appear as a witness against him, but Skokum declined to do so.

When President Taft was in Port-

land the last time he told Skokum that if he would come back to Washington and see him he would provide him with return transportation. In making good this promise Skokum says that the President gave him \$150 for return expenses and in addition made him a present of a fine ring.

Skokum is a taxpayer in this county and therefore a voter. He will be present at the Republican county convention held in this city May 4, and insists on being a delegate to the state convention in order to support President Taft, whom he considers a great friend to his people.

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MEDIATION ACCEPTABLE ONLY IF ITALY LEAVES TRIPOLI.

Integral Sovereignty of Sultan in Disputed Territory Must Be Maintained, Says Porte.

CONSTANTINOPLE, April 23.—The Turkish Government has replied to the offer of mediation by the powers in the hostilities with Italy by thanking them and accepting their offer as in the best interests of both belligerents.

The acceptance, however, the Porte points out, must be conditional on the maintenance of the effective and integral sovereignty of Turkey in Tripoli and the evacuation of that country by the Italians.

WATER FAMINE THREATENS

Hood River Lawns May Suffer Until Filters Arrive.

HOOD RIVER, Or., April 23.—(Special)—According to a report of the fire and water committee of the City Council, Hood River is facing a serious water shortage. Hugh Smith is quoted as saying that unless some additional source of supply is secured it will be impossible to sprinkle lawns until after June 1, at which date it is planned to have installed a filtering system of 150,000 gallons.

As a means of preventing a famine for sprinkling purposes it was suggested that the city government secure the use of a ten-acre tract, which has been used before for such purposes, purchase ten inches of water from the Farmers' Irrigation Company and flood

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TO ALL COMPETITORS IN THE

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Free your feet from the prison of high shoes at the first touch of Spring and let them revel in the cool comfort of our Oxfords.

Here are tans, calf, enamel, \$3.50 to \$5, and of course, the necessary Spring socks.

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Men's \$4 and \$5 Shoes and Oxfords—sale price. \$2.65

Boys' \$3 and \$2.50 Shoes and Oxfords—sale price. \$1.85

These are left-overs from last season; if your size is here, you'll surely save money.

\$100 Photo Contest

Owing to the inclemency of the weather and the difficulty many have experienced in getting their films developed, the expiration of the Contest will be

Extended to Friday 6 P. M.

If you are unable to get your films developed by that time, leave them and get a receipt. Enter the receipt with us instead of the prints and deliver the print as soon as possible thereafter.

Wiley B. Allen Co. Morrison at Seventh

UNIONS FIGHT OPEN SHOP

General Strike Is Predicted in Spokane.

SPOKANE, Wash., April 23.—(Special)—Organized labor will stand by its closed shop arrangements of the building trades to the end, according to the decision of a meeting of the workers last night.

A statement was adopted giving the attitude of the labor unions in the fight against the open shop. The defense was entrusted to the organization committee, consisting of W. J. Coates, president of the Central Labor Council; Fred Maddux, A. Olson, Frank Deegan, A. J. Germain, Byron Vikrage and H. A. Jarvis.

The committee will work with representatives of the building trades in carrying on the fight against the open shop. The statement passed by the unions condemns the contractors for the action, although admitting it was expected. Hot words and a general strike is predicted.

Shakespeare's Anniversary Observed

At an entertainment held last night in the Unitarian chapel, Shakespeare's 343rd anniversary was celebrated under the auspices of the Shakespeare club of the Women's Alliance. Some aspects of Shakespeare's genius were dwelt upon in an address by Edward O. Tabor, Clarence Young and Edward Colman gave the quartet scene from "Julius Caesar." Miss Gove gave a scene from "King John." Scenes from "Hamlet" and "Richard III" were given by John D. Stevens. Musical selections were contributed by Mrs. Clyde B. Atchison, Miss Mona LaMont and Miss Frances Sheehy and John Claire Monteth.

In the year 778 of our era nine-tenths of the population of Gaul, the France of our day, were slaves.

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TO LOS ANGELES \$37.90 AND RETURN VIA THE SOUTHERN PACIFIC

Sale Dates April 30, May 2, 3, 4. Return limit 60 days from date of sale.

Fares open to all stop-overs in each direction.

On account of the Annual Pilgrimage of the Nobles of the Mystic Shrine, to be held at Los Angeles from May 4 to 12, the above low round-trip fare has been made by the S. P., open to all.

Call on O. W. Stinger, City Ticket Agent, for reservations, further information, or write to JOHN M. SCOTT, General Passenger Agent, Portland, Oregon.

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