

SCHEDULE WRANGLE ASSURED SATURDAY

Tacoma Meeting May See Fight as Result of 'Iron Man's' Proposal.

M'CREDIE TO HAVE VOICE

Split Series Plan at Seattle, Which Did Not Prove Successful, Will Come In for Warring on Part of Portlander.

With Tacoma and Victoria demanding more games and an even break with the other clubs in Seattle, Spokane compelled to fight for as many games as last season and Joe McGinnity, the new Tacoma manager, advancing his four-game series theory, the Northwestern League are due for an extended schedule wrangle at the annual meeting called for Tacoma next Saturday afternoon.

McGinnity's Eastern schedule ideas will receive little attention at the hands of the Northwesters, who tried out the expensive scheme several years ago. The Pacific Coast cities are accustomed to full-week baseball series and there is no demand for a change.

But the Tacoma and Victoria demands for more games in 1913 unquestionably will receive consideration both as to home games and clashes with the Seattle champions in the remunerative Dugdale park. Spokane proved such a poor town the greater part of last season that Joe Cobb must play a strong political hand, in addition to presenting a series of convincing arguments, if he is to win more than 12 weeks at home in 1913.

The split series system at Seattle, which did not prove successful last year, will come in for much belaboring, with W. W. McCredie, of the Portland Club, one of its persistent opponents.

"If Seattle and Tacoma and San Francisco and Oakland, with a fair percentage of Tacoma's population in Seattle, McGinnity's team could play in Seattle against a foreign team with financial success," says President McCredie. "But the comparison is not there; Seattle draws big against other clubs, but the Tacoma Indians turn out even passably well when two outside squads play there."

"I would like to see about 120 games in Seattle, with Tacoma and Victoria the weaker teams, pitted against Seattle more frequently, instead of Spokane and Vancouver, which do not need the money."

A clash over the 1913 schedule was presaged when the directors met in Portland last Fall. The owners talkers over a prospective meeting, but it was impossible to reach any kind of an agreement. President McCredie, the schedulemaker of the Coast, has decided not to present his annual map at the meeting, as he is certain that it would not be adopted.

The season may open next year on Sunday April 12, but in any event the Portland opening will be on Monday, May 5, three weeks after the Coast League season.

Fleider Jones issued a call for the annual meeting yesterday, naming the Tacoma Hotel, at Tacoma, at 2 o'clock on Saturday. The meeting will be of officers will be the chief topics of discussion.

Jones is a passive candidate for reelection to the presidency, deciding to accept the berth for another season at the earnest solicitation of every member of the league directors. His administration last season was an ideal one and the demand for his retention is unanimous.

"We won a big moral victory at Milwaukee even if we didn't get an A class rating," Mr. Jones commented yesterday on the recent activity at the minor league convention. "We are permitted to expend \$500 monthly in salaries, while the league as a whole is entitled to pay out only \$100 more."

"There would have been nothing to it if the Coast League people had given us any support in the keeping of the game. The Northwestern League would be a Class A organization today but for the opposition. However, all recognized our right to recognition and were willing to concede us the extra \$1000 for salaries."

With the salary controversy the entering wedge the Northwesters will make an effort to break into the A ranks at the Fall National Association gathering of 1913.

President Jones intimates that he will make one or two changes in his staff of umpires next season. He declared yesterday that the staff would be the same as in 1912, but qualified this with the remark that he had no right to talk as he had not been named president for 1913.

George Van Halstrom, the veteran of the squad, is the favorite selector must likely to go, unless Moran or Tomman have secured other berths. Several of the managers howled long and hard against Van's selection, the general opinion being that his eyesight was not equal to the arduous duties of umpiring.

MULTNOMAH MEN ARE OUT 'Fireman' Knowlton and Gay to Appear in Bout.

Two 135-pound boxing and 125-pound and heavy-weight wrestling bouts will comprise the interclub mitt-mat program between Multnomah Amateur Athletic Club and the Seattle Athletic Club in Portland on Friday night, January 17. The "smoker" will be the second of the Winged "M" season in Portland, and the first clash of the season between the rival clubs.

"Fireman" Knowlton and Larry Gay are the 135-pound Multnomah Club boxing nominations. Conville will represent the club in the heavy-weight grappling number, while the 125-pound man will be chosen from a trio composed of McCarl, Cliburn and Stevens. Fred Stevens, the old 115-pound club matman, is back carrying 125 pounds additional weight, and Eddie O'Connell expects to groom him for the coming programme.

The Seattle men named for the competitions are Rothus, 125-pound boxer, and Runchie, 125-pound wrestler. Portland retaliated by naming 125-pound boxing and heavy-weight wrestling as its half of the four headline bouts. The opponent for Rothus will not be named until the second lightweight boxer from Seattle is announced. Edgar Frank, Multnomah Club indoor athletics chairman, is anxious to use Knowlton and Gay against boys with the same style of mitting.

Conville, the heavy-weight wrestler, is a former University of Utah football and grappling champion, and star line-man of the Multnomah Club football team. Unless "Polly" Grimm, another football man, turns "pro" soon, he may be pitted against Conville in the coming matches.

In addition to the four interclub numbers, two or three special boxing

bouts will be presented on January 17. The programme will be open to the public.

The first official step in the movement to bring the annual Pacific Coast intercollegiate track and field meet of 1913 to Portland will be taken tonight at the meeting of the Multnomah Club board of directors. The board will be asked to authorize T. Morris Dunne, one of the best places in the country in which to hold an athletic gathering of this kind, and is splendidly situated from a Northwestern standpoint. Multnomah Club officials are confident that the meet will be staged here the latter part of May, 1913.

In addition to the Northwestern schools, Multnomah, Occidental, Santa Clara, St. Mary's, Nevada, California, Southern California and Stanford are among the colleges which annually send teams to the Coast championship meets.

Eddie O'Connell, pinocle champion of 1911, defeated by Morris Dunne, Saturday night in the annual Multnomah Club tourney. W. B. Streeter beat Edgar Frank, Sunday, but Frank hopes to beat Dunne, the prospective champion, having his claims for victory on the fact that he has Dunne's "goat."

Twenty-one players, a squad of grid-iron stars, sufficient to cope, numerically, at least, with the best that Tom McDonald's All-Stars can offer, will make the trip to Seattle, Friday afternoon, to represent Multnomah Amateur Athletic Club against the Seattleites in the big Saturday football struggle.

The following players are scheduled to make the trip, according to Dow Walker's announcement: Cherry, Carlson, Rogers, Conville, Hickson, Calli-craft, Rinehart, Clark, Wolf, Hubert, Keck, Ludlum, Burnett, Montague, Rupert, Duncan, Burton, Smith, Worsham, Latourette and O'Rourke.

Walker has reserved a berth for O'Rourke, hoping that the big tackle will change his mind and decide to stay with the game until after the bouts with the All-Stars. Trainer Doc Schmieder, Manager Pratt and Dow Walker will be members of the party.

Twenty-three Multnomah Club members have reserved a berth on the special train, in addition to many others who reserved berths at the railroad office. Lyle Brown, the Winged "M" yell leader, will boost the rotors at Seattle, giving them workouts at every station while on the way from Portland to the scene of the Saturday afternoon football struggle.

The train will leave the Union Depot at 2:45 o'clock Friday afternoon.

CHICAGO GAME SETTLED

WASHINGTON HIGH SCHOOL RETURNS SIGNED CONTRACT.

Thayer Probably Will Be in Line December 28, and Many Positions Are Speculative.

Final arrangements for the Wendell Phillips-Washington High School football game on Multnomah Field, December 28, were made yesterday, when the contract, signed by Principal Herdman, of the Washington High School, was returned to Chicago.

The game will be played under the same league rules which governed interscholastic games during the past season.

Some of the conditions which the Chicago team insisted upon having the Portland school agree to are: No player in the game shall be more than 21 years of age on the day of the game; all players in use must have been attending the school they represent at least since October 1, 1912, and those presumed to be ineligible by the respective principals.

The Washington contract called for a guarantee of \$1000. A separate contract was made with each school and those presumably agree to provide \$1000, while the Astoria High is supposed to pay \$500.

The tickets for the game will be on sale soon at several central locations. The students of the "prep" schools of the city will be able to get the tickets for half price until Wednesday before the game, when the price on all will be \$1.50 for the reserved seats and \$1 for the general admission.

The team under the direction of Coach Karl is holding practice sessions daily. Two new men, Thayer and Casey, are expected to upset the lineup which represented the school at the close of the interscholastic season.

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IMPERIALS INCREASE LEAD

Three Straight Taken From I. X. L. Team in Bowling League.

The Imperials increased their lead in the Big "D" bowling league last night, taking three straight games from the I. X. L. team, 24:3-23:40. The Telegram five defeated the Shoe Dogs two in the best of three, 21:6-20:9. Incidentally, the Shoe Dogs won their first game of the season. Stever, of the Imperials, rolled 204 for high score of the evening. The scores:

Table with 4 columns: Name, 1st, 2nd, 3rd, Total Av.

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LEGAL ATTACK ON RATE BILL BEGINS

Harriman and Hill Attorneys View Initiative Measure Not Constitutional.

FEDERAL JUDGES EN BANC

Attorney-General Crawford in Making Defense Asserts Act Comes Clearly Within Rights of Electors and Urges Test.

Counsel for the Hill and Harriman lies, at a hearing in the Federal court yesterday, joined in a vigorous legal assault on the constitutionality of the Medford rate bill, the initiative measure adopted by the people in the November election. By the railroad lawyers the law was pronounced invalid, because it proposed arbitrary class legislation as to rates, destroyed the equality of the railroad companies, and determined the reasonableness of rates and discriminated against the small shipper in favor of the large shipper.

An argument touching on the constitutionality of the bill was heard by United States Judges Gilbert, Wolverton and Bean, sitting en banc, in connection with a consideration of the application of the Southern Pacific Company for an interlocutory decree of the court suspending the enforcement by the state authority of the penalties provided therein, pending a final decision not only as to the constitutionality but as to the real meaning and effect of its provisions. The court announced, following the hearing, that a decision as to the application of the railroad company would be made in two or three days.

Initiative Rights Defended. Attorney-General Crawford, appearing for the state, urged that the enactment of the measure came clearly within the rights of the electors of the state under the initiative. He contended that its purpose was to encourage the movement of freight from points within the state to other points in the same territory in carload lots without interfering in any way with commodity rates. Mr. Crawford argued that the Western classification of freight rates was a tariff was not a rate, and that the initiative act, although it was not specifically named.

Mr. Crawford also claimed for the bill that its purpose was to effect a wider difference in the classifications as to freight moves within the state. Although admitting it was not known what the effect of the operation of the bill would be, Mr. Crawford contended the only way to ascertain that fact was by an actual test. The railroads, he said, in this case were objecting to any changes in the rate classifications because some other authority than the carriers themselves, had proposed the bill. In other words, emphasized the Attorney-General, the railroads were objecting to a proposed modification of rates by the people—a privilege the railroads under the law exercised at their pleasure.

Before concluding, Mr. Crawford admitted that the rate bill should not have become operative on the day it was enacted by the people, but that probably 60 days should have elapsed to give the railroads a privilege of opportunity to revise their tariffs to conform to the requirements of the measure. As to the charge that the measure would discriminate against the small dealer by encouraging carload shipments, Mr. Crawford maintained that this was only in keeping with the general policy of the railroads, which in every way encouraged heavier shipments by giving a better rate on carload shipments than on less than carload consignments.

Arthur C. Spencer, who opened the argument for the railroads, charged that the bill was inspired by certain jobbing interests of Medford and Baker, who expected through its enactment to secure for their sections unfair and unreasonable advantages which nature had not given them. He pointed out that the Railroad Commission, only a few weeks prior to the adoption of the law, had fixed over the complaining company's lines what the Commission regarded fair and reasonable rates.

The constitutionality of the act was discussed at considerable length by J. R. Kerr and A. C. Hart, representing the Hill lines, and Robert Service, of Baker, supplemented the remarks of Attorney-General Crawford.

Act Viewed as Invalid. W. D. Fenton, counsel for the Southern Pacific, made the concluding argument for the railroads and summarized the reasons upon which the company sought an order of the court suspending an enforcement of the penalties imposed in the act pending a final determination in the courts of the constitutionality of the law. In presenting this summary, Mr. Fenton said: "The act is invalid because it is arbitrary class legislation discriminating in favor of carload shippers of certain commodities and against less than carload shippers of the same commodities, and in favor of certain weight cars used against a less weight of cars used in different classes, and in favor of certain kinds of commodities of less value and equal risk to carry and against other commodities of greater value and equal risk to carry."

"The act is invalid because while not fixing maximum or any rates, it does effect a discrimination in favor of the Railroad Commission or the courts to determine whether particular or any rates are reasonable. Under this act, if the carrier fixes rates under class one upon certain articles, the statute would then operate to apply a percentage of that rate to articles classified in the remaining classes, and would fix an arbitrary rate without any opportunity to any one to apply the statutory rule that all rates must be reasonable. Such a rule is taking property without due process of law and a denial of the equal protection of the law required by the Constitution of the United States.

Penalties Called Excessive. "The act is void because the ballot title reads: A bill for an act fixing the percentage that freight rates on less than carload lots shall bear to carloads and to establish minimum rates and maximum freights, and providing penalties for violation of the act." While the title of the act is in substance to provide for a uniform percentage in the relationship of the classification ratings to the remaining classes, and to fix the maximum rate on basis of less than carload rate and minimum carload weight that may be carried on carload shipments of property, and defining the rating upon which the carload rate shall be computed, and there is not one word in the act which fixes a rate for a single commodity, while the initiative petition signed by the voters as the initial step in the establishment of uniform freight rates. The act is therefore void under Section 20, Article 4, Constitution of the State of Oregon.

The act is void because of the excessive penalties possible and because these penalties became effective on the evening of November 5, 1912, when the polls closed, the act being then in effect, if valid, before any shipper, or carrier, of freight had been notified of its operation. It was a law, and allowing no reasonable time for anyone to observe its provisions.

Discriminations Pointed Out. "The act is void for uncertainty in this, that it does not define or adopt any standard of classification, but does adopt a standard of rates measured on percentages of all classes in their relation to first class rate, and is a discrimination in favor of wholesale dealers as against retail dealers engaged in the same business at the same place, giving to the one a rate of 50 per cent of first class, depending upon the size of the car, and the other a rate of 25 per cent of first class, thus denying to men engaged in the same business at the same place the equal protection of the law.

The act is not a regulation, but is an attempt upon the part of the state to exercise the rights of ownership or operation of railroad lines without compensation, without change of ownership of property."

The hearing was attended by Commissioners Atchison, Campbell and Miller of the Railroad Commission; numerous rate experts and a number of lawyers from Eastern and Southern Oregon.

Good, Useful Christmas Suggestions

At The "HOUSE OF COATS" Store Open Evenings Until the Holidays Till 9 o'Clock Men's, Ladies' and Children's

Annual Pre-Inventory Sale Raincoats

AT 1/2 Price and Less Extra Special

350 Men's and Ladies' tan and gray \$5.00 Slip-Ons, today and Wednesday \$1.90

Goodyear RAINCOAT COMPANY 343—WASHINGTON—343 One door west of Seventh

Justice has no way of shutting out the women entirely. One woman in particular invariably has been present in all the courtrooms when there was any evidence of a sensual character and she has never been deterred by having to stand. The seating capacity of the courtroom is only about 50.

OFFICER IS ASSESSED \$30

Deputy United States Marshal's Zeal Proves Costly.

Arrests by the United States Marshal's deputies must follow a certain prescribed routine to secure the actual costs of the work or otherwise the costs are taxed against the arresting officer. This was brought home to Deputy Marshal Griffiths yesterday when it was necessary for him to refund \$30 that he had expended in behalf of the Government to assist in capturing five men for whom he had warrants on the Umatilla Reservation.

From his experience in such work Griffiths knew that with five warrants to serve, as soon as he made the first arrest the others wanted would disappear, consequently he accepted the Indian police on the reservation to assist him and the five were brought to Portland at one time.

When the bill was sent to the Department of Justice it was approved, but one of the many auditors of the Treasury Department discovered that only a regularly deputized United States Marshal could be paid for an arrest or the expenses thereof. United States Marshal Scott bore half of the loss.

FRUIT PEDDLERS ARE HELD

Youths Expose Tricks in Vain Endeavor to Escape Charge of Theft.

To exonerate themselves of the graver charge of stealing a watch, Ray Smith and Arthur Matson, fruit peddlers, let the Municipal Court and officers into a few of the secret tricks of their trade, yesterday. By their own confessions, through city residents and professional peddlers, they ape in every way possible the garb and manners of the unsophisticated country youth, thereby giving the impression that their wares are fresh from the farm and lower in price by escaping the clutches of the "middlemen."

Detectives Vaughn and Hyde thought they had made a strong point against the prisoners when they proved a series of false statements made at the time of the alleged theft, but the accused youths met the issue squarely.

"Of course we said we were from the Dalles," said one. "We did it to make a sale."

TO RAISE \$8000 BEFORE JANUARY 1 TO KEEP OUT OF

Hands of Sheriff

Seems very easy now, the way 102 men bought Suits, Overcoats and Raincoats of me last Friday and Saturday.

Slaughter of Men's Suits Overcoats Raincoats

Profits Lost Sight Of I Forget All About Losses \$8000 Must Be Raised Before Jan. 1st.



Note These Prices

- Two Pairs of Pants With Every Suit WORTH OF CLOTHING On Sale \$25 Extra pair Pants to match each Suit. \$12.50 SUITS, OVERCOATS On Sale \$30 Schloss Bros. Co., Sincerity and Regal's Best on Earth. \$16.50 SUITS, OVERCOATS On Sale \$27 Nothing like these ever been offered before. \$13.50 Kenyon, Priestley's and Goodyear Raincoats. \$13.50 Second Floor Northwest Building Entrance 327 1/2 Washington Take Elevator or Walk One Flight

DAVE BUCK UPSTAIR CLOTHIER

Mrs. Josie Reed, keeper of a bakery on the East Side, complained that she had lost her watch when the two young men delivered apples and potatoes to her. More upon their general attitude than the direct evidence, they were held to the grand jury.

Seattle, Wash., Dec. 18.—Sailed—Steamers Minnesota, for Yokohama; Watson, for San Francisco; Nevada, for Salina Cruz; Nezahualcoyotl, for Southeastern Alaska; Humboldt, for Skagway.

Port Gambier, Wash. Dec. 16.—Arrived—Steamer Tiverton, from San Francisco.

Advertisement for W.H. McBrayer's Cedar Brook Whiskey, featuring a bottle illustration and text: 2,956,944 BOTTLES, Record Unequaled and Undisputed, OUR RECORD of 2,956,944 bottles of 7 to 8-year-old W. H. McBrayer's Cedar Brook Whiskey Bottled in bond in 1911 remains undisputed and unchallenged by all the distillers of the U. S.

Extra Trousers Free THIS WEEK ONLY To Keep Our Tailors Busy

Our Business Has Been Injured by the Marquam Building Blockade

With Every Suit ordered this week we will make an extra Pair of Trousers, of the same material, FREE. Our woollens are the classiest in Portland and consist of the highest grades of imported English Suitings, Scotch Tweeds, Blue Serges, Blue Cheviots, Browns and Grays in all the fancy mixtures. Our prices are at all times the lowest in the city, consistent with high-grade workmanship.

\$25 --- \$30 --- \$35

Suits made to order, and guaranteed to fit, with extra trousers free. All orders taken finished in four days.

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