

INTERSTATE LIQUOR TRAFFIC ASSAILED

Kenyon Bill Almost Sure to Pass Senate but House May Delay Vote.

NO PENALTIES PROVIDED

Constitutionality of Measure Is Attacked by Opponents but Probability Is It Will Be Carried and Then Tested in Court.

OREGONIAN NEWS BUREAU, Washington, Jan. 27.—Beyond all question of doubt, the Senate, on February 10, will pass the Kenyon liquor bill, drawn to prevent the shipment of intoxicating liquor into "dry" states, and the bill will also pass the House of Representatives if brought to a vote in that body. But as yet there is no certainty the bill will be voted upon in the House before March 4, and therefore its fate is in doubt.

The Kenyon bill is the result of long agitation on the part of prohibition leaders in those states that are now "dry." It is designed to prevent the shipment of liquor into such states, except it be shipped direct to the consumer. In other words, it is intended to aid the states in enforcing their "dry" laws, and to make it practically impossible for illicit liquor dealers to continue in business, for the bill provides that when liquor crosses the border and enters a "dry" state, they shall become subject to the laws of that state, just as if manufactured within its borders. But the bill goes further and prohibits the shipment of any liquor into a "dry" state in violation of the state laws which may be enacted by the state in the exercise of its police powers.

Constitutionality Is Attacked.

There are two grounds upon which the Kenyon bill is attacked, but in spite of this opposition the bill is sure to pass, once it gets to a vote. The first and most general criticism of the bill is that it is alleged to violate the interstate commerce clause of the Constitution, in that it gives "dry" states jurisdiction over liquor crossing their borders before such liquor is delivered to the consignee. It has long been the contention of the courts, that interstate commerce is not completed until the article shipped reaches the hands of the consignee.

Proceeding on this ruling of the courts, the criticism is made—and partly by friends of the "dry" states—that the Kenyon bill undertakes to interrupt interstate commerce by giving the states control over such liquor before it reaches the consignee, and therefore it is contended that if the bill is enacted, it will be overturned by the Supreme Court, when its constitutionality is brought into question.

Questioned Clause.

That clause of the bill held to be unconstitutional provides: "That all distilled and other intoxicating liquor transported into any state, or remaining therein for use, consumption, sale or storage therein, shall, upon arrival within the boundaries of such state and before delivery to the consignee, be subject to the operation and effect of the laws of such state enacted in the exercise of its reserved police powers, to the same extent and in the same manner as though such liquors had been produced in such state, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise."

The question as to the constitutionality of this clause is being used by some as reason for voting against the bill, but the advocates of the bill maintain this is no legitimate objection, for the courts alone can say whether the law is constitutional or unconstitutional, and the only way to test this feature is to pass the law and give the courts an opportunity to rule. They are willing to risk the bill in court, and ask the opposition to join, even though they think the bill will be held unconstitutional.

No Penalty Is Carried.

The second criticism of the bill is aimed at the other section which, robbed of legislative verbiage, prohibits "the shipment of any intoxicating liquor into any state, which liquor is intended to be received, kept or used in violation of any law of such state enacted in the exercise of the police powers of such state." This section provides no penalty for those violating its provisions, and it has many times turned out that prohibitory laws that carry no penalty are practically inoperative. In other words, anyone violating this section of the bill could do so without risk of punishment, for no punishment is provided. And as far as that goes, the other section of the bill provides no penalty, and would best allow the "dry" states to confiscate any liquor which was discovered crossing their borders.

There is another statute, now in force, requiring persons shipping intoxicating liquors from one state to another to make such shipments in containers which bear on their surface a complete description of the contents, both as to the kind of liquor, and the quantity, so it is no longer possible legally to ship liquor in private commerce without those handling the packages knowing what they contain, and any attempt to ship liquor under some other designation is punishable by a heavy fine or imprisonment upon conviction. The Kenyon bill would therefore, be materially aided by this previous law, but in itself it provides no penalty worse than the confiscation by "dry" states of any liquor shipped into them.

IOWA TEMPERANCE MEN WIN

House Legislators Approve Kenyon-Sheppard Measure.

DES MOINES, Iowa, Jan. 27.—The temperance advocates in the lower House of the Iowa Legislature won a decisive victory today when the vote was taken on the memorial to Congress asking for the enactment of the Kenyon-Sheppard bill prohibiting the shipment of liquor into "dry" territory. The resolution for the memorial was adopted by a vote of 10 to 24.

The Senate designated tomorrow as "suffrage day," when it adopted a concurrent resolution to hear Mrs. Grace Wilbur Strout, president of the Illinois State Federation of Women's Clubs, on the subject.

Lincoln Memorial Arranged.

The social service department of the Portland Railway, Light & Power Company will hold a Lincoln memorial service at the Hawthorne Club rooms on Lincoln's birthday Wednesday, February 12, at 8 o'clock P. M. The meet-

ing will be for both men and women and the following programme has been arranged: Singing of old-time songs by the audience, W. Platt, director; Miss Irene Hunt, pianist; clarinet and saxophone duet, Colonial Pastimes; "An Incident in the Life of Lincoln," W. T. Buchanan, managing editor of "Farmers," reading; "Old Joe," Frank Chadbourne; address, "Abraham Lincoln and His Public Services," Wallace McCannant.

LIGHTS ON SANDY WANTED

Electrifiers From Burnside to East Seventy-Second Proposed.

Ornamental street lighting for Sandy Road is the scheme of the Rose City Park Club and was the principal subject of discussion at its last meeting. The proposition is to illuminate the boulevard with electrifiers from Burnside to East Seventy-second street, and the matter was fully covered in a special committee, of which Clinton B. Smith is chairman. The report recommended the use of single-phase electrifiers placed approximately 117 feet apart.

With detailed estimates, bids were shown from the Portland Railway, Light & Power Company and by the Portland Gas & Coke Company, the bid of the former showing a cost of \$48.60 a post ready for service and the latter \$44.60 for the same service. The cost of maintenance of the electric post a month was \$1.90 while it would cost

NORTH BEND DEBATERS WIN COOS COUNTY HIGH SCHOOL CHAMPIONSHIP.



SUCCESSFUL BANDON TEAM, JOHN KRONENBERG AND MISS KATE CHATBURN.

RANDON, Or., Jan. 27.—(Special).—After a series of high-class debates by the high schools of Coos County, North Bend High School wins the county championship. The Bandon team won a decisive victory at Coquille over the Coquille team.

The question discussed in all the meets was: "Resolved, That immigration to the United States should be further restricted by an educational test." The Bandon debaters were Messrs. Earl Watkins and John Kronenberg, and Misses Kate Chatburn and Pearl Crain. Miss Chatburn and John Kronenberg won at Coquille, and Earl Watkins and Miss Crain at Bandon in contest with the North Bend team.

375 per month to supply the gas post.

The Rose City Park Club will endeavor to secure the co-operation of all districts which are served by Sandy Road, but the exact cost of raising the necessary funds will be decided at the next meeting. Under the present ordinance it is impossible to secure the benefits of the proposed plan, but it is hoped that some legislative action may be taken whereby the burden of the proposed plan fall directly upon the property benefited and would not become a general tax, while the improvement would not be made except upon petition of a certain per cent of the property owners. The cost of maintaining such a lighting system would amount to approximately \$1.60 a lot a year.

PACIFIC INTERIOR ON WAY

Grants Pass Camp, No. 1, Moved Five Miles Further From City.

GRANTS PASS, Or., Jan. 27.—(Special).—Camp No. 1 on Allen Creek, of the Pacific Interior Railroad Company, will be moved five miles further from this city next week. The right-of-way crews are advancing rapidly toward the Applegate Valley. Most of the work is being done by contract, the contractors using powerful donkey engines with the cable system to draw the trees out by the roots, which readily yield during the wet weather. The right of way is cleared from 60 to 100 feet in width. The contractors with the Pacific Interior Company have been turned over to the city.

The city is in charge of the state that it is possible that trains will be running to Wilderville, owing to little work having to be done across the valley from Grants Pass to that place.

In the event this is accomplished a grand celebration will be held at the end of the first unit.

TOBACCO CENSUS IS TAKEN

Eugene High School Pupils Hear "Cheating" and "Narcotic" Lectures.

EUGENE, Or., Jan. 27.—(Special).—A "tobacco census" taken by the Eugene High School Club, composed of young men of that institution, banded for intellectual and moral betterment, shows that of the 215 young men enrolled in the school 131, or 61 per cent, do not use tobacco in any form; 12 or 5 per cent, are occasional users, and 71, or 33 per cent, are habitual users of tobacco.

A lecture course conducted this year has included "Cheating and Grading," "Tobacco and Narcotics," by such speakers as Charles M. Sheldon, of Topeka, and L. B. Rhodes, of Portland.

Federal Grand Jury Indicts Six.

True bills were returned yesterday by the Federal grand jury against Anna Schons, charged with perjury in the recently prosecuted white slavery case against Harry Schloss, and against Charles Ryan, charged with having unlawfully taken Lela Atwood from her home at Seattle. Four other indictments which were secret were also returned. Not true bills were returned in the case of C. C. Courtney, arrested on the charge of forging a post office money order, and Lou Pijau, arrested on the charge of selling liquor to Indians.

CARNEGIE HELD TO BE TROUBLEMAKER

Steel Companies Unable to Regulate Rail Prices Before Retirement.

REASON FOR MERGER TOLD

"Gentlemen's Agreements" to Maintain Prices Said to Be Valueless as Long as "Laird of Skibo" Remained as Factor.

NEW YORK, Jan. 27.—Testimony in support of the contention of the Government that Andrew Carnegie was a trouble-maker in the steel trade and that the Carnegie Steel Company was

taken over by the United States Steel Corporation because of his refusal to abide by agreements was heard today in the Government suit to dissolve the corporation, under the Sherman anti-trust law. It was given by Walter Scranton, former president of the Lackawanna Steel Company and other independent competitors of Carnegie.

Mr. Scranton told of the various steel pools which existed in the steel trade before the corporation was organized, in which the Carnegie Steel Company invariably was a member. It appeared from his testimony that Andrew Carnegie was responsible for the dissolution of most of the pools.

Methods Displace Manufacturers. "Did Andrew Carnegie's method of competition give rise to any feeling on the part of manufacturers against his continuance in the business?" asked H. E. Colton, of counsel for the Government.

"There was a general feeling that it would be a golden if Andrew Carnegie was out of the business," replied Mr. Scranton, with a laugh. In one instance, dating back to 1897, the Carnegie Steel Company, according to the witness, had "an inside agreement" with the Illinois Steel Steel Company, which did not come to the knowledge of the other members of the pool until the two companies quarreled. Then the pool broke up. Ralls sold down to \$14 a ton after the break," said Mr. Scranton, "which was below cost."

The dissolution of this pool, he said, led to a plan to organize the Empire Rail Company, which was to be a selling agent for all the manufacturers, but the plan fell through.

Carnegie Held Responsible. "What individual was responsible for that?" asked Mr. Colton. "Andrew Carnegie. He couldn't agree with the other members," replied the witness.

Subsequently another rail pool was organized, in which Charles M. Schwab represented the Carnegie Company and Judge Elbert H. Gary, now chairman of the Federal Reserve Bank, represented the Federal Steel Company.

"We would meet and suggest a price as among gentlemen, but as often we didn't sell at the price agreed upon," explained the witness. This was in 1900. The steel corporation was organized in 1901 and Mr. Colton wanted to know, if by the acquisition of the Carnegie, the Federal and the National Steel Companies, all consolidations in themselves, the steel corporation didn't acquire "a percentage of the rail capacity of the country sufficient to control the price of standard rails."

"I don't think they could control the price, but their suggestions would be favorably considered," said the witness.

Price Is Now Stable. Mr. Colton pointed to the fact that since the organization of the corporation the price of rails had not varied from \$28 a ton.

"I should think that indicated that some understanding existed," said Mr. Scranton.

That one-fourth of the fortune of William E. Corey, former president of the corporation, is invested in United States Steel securities, was brought out today while Corey was winding up his testimony. The information was elicited for Mr. Corey by himself by the Government counsel in an apparent effort to show that the witness had been actuated in giving his testimony by considerations favorable to the corporation, and an animosity toward the steel corporation.

Mr. Corey announced that he was "naturally in favor" of the success of the corporation in the present suit.

The case of the Government, which began in October 1911, probably will be completed tomorrow. The taking of testimony by the defense will not be begun until after a recess to allow counsel for the defense to arrange plans for calling witnesses. These probably will include Judge Gary, James A. Farrell, president of the corporation, and a number of the defendants whom the Government did not subpoena.

German complaints of stagnation in the material market. They blame the high cost of living.

Manufacturers' Rummage Sale

An Event Unparalleled in Portland's Merchandising History. Taken Advantage of Yesterday by Thousands of Wise Homefurnishers

\$20,000 Worth of Furniture and Homefurnishings at Less Than Manufacturers' Cost

The Combined Sample Lines of Leading Manufacturers, Together With Many Sample and Odd Pieces Gathered From Our Own Stocks, Assembled Here for Disposal at Prices That Command the Attention of the Most Thrifty Homefurnishers. From Day to Day as the Sale Progresses the Stock Entered Therein Will Be Replenished With Items Equally as Interesting as Those Which Were Announced for Yesterday. Positively No Goods Will Be Sold to Dealers. No Exchanges. Delivery Will Be at Our Earliest Possible Convenience. Among the Manufacturing Concerns Who Are Contributing to This Sale Are the Doernbecher Furniture Manufacturing Co., Heywood Bros. and Wakefield Co., Oregon Furniture Manufacturing Co., Portland Furniture Manufacturing Co., Carman Furniture Manufacturing Co., Portland Stove Works and Others.

An Apology

To you who yesterday responded to our announcement of this sale, and who did not receive as prompt attention as we would like to have had you receive, we tender our apology. Even with a liberal increase in our sales force we were unable to give the service as has always been our policy to give, owing to the unexpected and generous response to our announcement.

\$9.65 For This \$24 Library Table

One of the most exceptional offerings of the sale is this solid oak table, with 28x48-inch top and heavy 1 1/2-inch square legs. In either dull or golden finish.

\$35 Large Chiffonier in golden oak finish, for \$12.25

\$79.50 Solid Mahogany Combination Wardrobe and Cheval Mirror now for \$32.75

\$47 Full Size Brass Bed for \$25.75

\$18 Fumed Oak Hall Seat, \$8.75

\$12.50 Solid Oak Library Table, in fumed finish for \$5.70

\$19.75 Mahogany Arm Rocker for \$9.75

\$19.00 Oak Arm Chair, in early English finish, for \$6.65

\$90.00 Large Chin Cabinet, in weathered oak, for \$32.75

\$16.50 Chair to Match for \$5.75

\$15 Weather Oak Book and Magazine Stand, \$5.75

\$23 Solid Mahogany Arm Rocker, with leather seat, for \$8.75

Some Further Rummage Offerings

From the Carpet Department

9x11 feet Wool Velvet Rugs, 4 good patterns, worth \$15, for \$10.87

9x12-ft. Brussels Rugs, 3 patterns to choose from, \$13.50 value, for \$9.65

9 1/4 yards English Inlaid Linoleum, worth \$2.25 yd., at, yard \$1.29

10 yards Inlaid Linoleum, \$1.75 yd., for, yard 99¢

8 1-3 yards Inlaid Linoleum, worth \$1.75 yd., for, yard 87¢

5 1-3 yards Inlaid Linoleum, worth \$1.50 yd., for, yard 79¢

12 yards Inlaid Linoleum, worth \$1.85 yd., for \$8.9¢

\$2.50 Velvet Rugs, 27x54 inches, for \$1.63

\$3.00 Axminster Rugs, 27 x54 inches, for \$1.77

\$5.00 Axminster Rugs, 36 x72 inches, for \$2.79

Doors Open At 9 o'Clock

\$34 Weathered Oak Hall Seat, for \$11.25

\$44.00 Fumed Oak Hall Seat, with leather upholstered seat, \$15.75

\$6.50 Solid Oak Arm Rokers for \$2.94

\$90 three-piece Solid Mahogany Living-room Set, leather upholstered seats, \$39.75

\$13.00 Shaving Stand in golden oak, \$3.95

\$80 Weathered Oak Hall Set, seat and glass, for \$29.00

Doors Open At 9 o'Clock

\$6 Mahogany Bedroom Rocker for only \$3.25

\$16 Weathered Oak Large Arm Roker for only \$5.60

\$36 Music Cabinet, in Circassian walnut, now at \$16.75

\$21.50 Chiffonier, in white enamel finish, \$9.75

Extraordinary Rummage Bargains in Lighting Fixtures

Prices do not include hanging.

\$ 8.75 Mission Dome, \$2.75

\$ 6.50 Brass Lamp, \$2.95

\$ 6.75 Brass Lamp, \$2.98

\$ 9.75 Brass Lamp, \$3.25

\$11.00 Bracket Lamp, \$3.95

\$10.50 Mission Dome, \$5.00

\$12.00 Bracket Lamp, \$4.75

\$19.50 Ceiling Fixture, \$6.75

\$25 Dome and Chain, \$9.75

\$30 Dome and Chain, \$9.75

Extraordinary Rummage Bargains in Lighting Fixtures

\$65 Large Dresser, in birdseye maple, for \$37.75

\$79 Large Princess Dresser, in quarter-sawn golden oak, for \$42.75

\$33.00 Full-size Bed, in satin walnut, for only \$13.75

\$49 Brass Bed, three-quarter size, priced at \$22.75

\$68 Cheval Mirror with quarter-sawn golden oak frame, for \$22.50

POWERS

THE STORE THAT SAVES YOU MONEY

DIGNIFIED CREDIT FOR ALL — THIRD & YAMHILL

RECEIVER IS NAMED

Taft Nominates P. A. Worthington for Burns Office.

CONFIRMATION NOT LIKELY

Senator Chamberlain Binds Himself to Act in Accord With Democratic Policy of Holding Up Civilian Selections.

WOMEN SUSPECTS TAKEN

Railway Conductor Gives Tip That Leads to Arrest.

Vigilance of a Southern Pacific conductor resulted in the uncovering yesterday of what was thought to be a white slave case, involving a middle-aged woman giving the name Clara Sullivan. Conveying Vera Palmer, alias Esther Newland, a young girl, the woman was taken into custody early yesterday by Patrolman Ralston, and after they had been questioned by him and Sergeant Van Overn at the Police Station, both were held for investigation by the department for young women indulgence in cigarettes and lewd language while on the way from San Francisco caused the women to be suspected by the conductor and as soon as the train arrived at the Union Depot, he notified Ralston, who trailed the pair to the Hewson Hotel and there took them into custody.

For Loss of Hair

We will pay for what you use if Rexall "93" Hair Tonic does not promote the growth of your hair.

In all our experience with hair tonics the one that has done most to gain our confidence is Rexall "93" Hair Tonic. We have such a founded faith in it that we want you to try it at our risk. If it does not satisfy you in every particular, we will pay for what you use to the extent of a 30 day treatment.

If Rexall "93" Hair Tonic does not remove dandruff, relieve scalp irritation, stop the hair from falling and promote a new growth of hair, come back to us and ask us to return the money you paid for it, and we will promptly hand it back to you. You don't sign anything, promise anything, bring anything back, or in any way obligate yourself. Isn't that fair?

Doesn't it stand to reason that we would not make such a liberal offer if we did not truly believe that Rexall "93" Hair Tonic will do all we claim for it—that it will do all and more than any other remedy?

We have everything there is a doctor can tell you is a different brand. We are more satisfied with the growth of hair. Rexall "93" Hair Tonic than any similar preparation we sell.

Start a treatment of Rexall "93" Hair Tonic today. If you do, we believe you will thank us for this advice. Two size bottles, 50c and \$1. You can buy Rexall "93" Hair Tonic at this community.

By Special Appointment to the Late King Edward VII

PHILIP MORRIS CIGARETTES

The only high-grade Cigarettes blended exclusively of the best Turkish Tobaccos for sixty years.

"THE LITTLE BROWN BOX."

PHILIP MORRIS & CO., LTD.

Established Sixty Years

Sold only by THE OWL DRUG CO. Portland, Ore. Stores in Portland, Seattle, Spokane, San Francisco, Oakland, Los Angeles and Sacramento. There is a Rexall Store in nearly every town and city in the United States, Canada and Great Britain. There is a different Rexall Remedy for nearly every ordinary human ailment especially designed for the particular ailment for which it is recommended. The Rexall Stores are America's Greatest.