

\$65,000 TO REPAIR
ROAD DAMAGES CAUSED

Cost of Special Session
Mounts to \$220,000.

\$15,000 FOR ELECTION

Fish Plants Declared to Have Been
Hard Hit as Result of Recent
Storms.

STATE HOUSE, Salem, Or., Dec. 24.

House Joint Resolutions

Legislative expenses, estimated,

Special election, \$15,000.

Repairs to fish plants, \$65,000.

Total, \$220,000.

Fish Bill Is Opposed.

The bill appropriating funds with

which to repair state fish hatcheries

was sponsored on the floor of the

senate late this afternoon by Rep-

resentative Hurd's bill authorizing an

appropriation of approximately \$65,

000 with which to repair damage to

state fish plants as a result of the

recent storms, the cost of the special

session of the legislature to the state

amounted to \$220,000.

The appropriation bills passed were

as follows: The special session ex-

penses, \$20,000.

Flax bill, \$30,000.

Louise home, Portland, \$5000.

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viators of the act of congress of the

United States entitled "An act for the

promotion of the welfare and hygiene of

maternity and infancy, and for other pur-

poses.

H. J. R. 3, by Kubi—Providing for

amendment to constitution of state of Oregon

providing for an exposition and financ-

ing the same.

H. J. R. 4, by Belknap—To amend sec-

tion 11 of the constitution of the

state of Oregon.

House Joint Resolutions:

H. J. R. 1, by Belknap and Overturf—

Memorializing congress to pass the Mc-

Nary-Smith reclamation bill at the pres-

ent session.

H. J. R. 2, by committee on mining—

Memorializing congress to defeat H. R.

7534 known as the Armit mining bill.

PETITION MADE ON ROADS

Columbia River to Wallula High-

way Not Wanted in Primary Class.

STATEHOUSE, Salem, Or., Dec. 24.

(Special)—Twenty members of the

legislature, representing districts east

of the Cascade mountains, this after-

noon signed a petition addressed to the

state highway commission urging that

the proposed road running along the

Columbia river from Umatilla to

Wallula, Wash., be not designated on

the Oregon map as a primary road.

The names of the signers follow:

Roy W. Rittner, Colm R. Eberhard,

Jay H. Upton, O. B. Robertson, Bruce

Dennis, Charles E. Ellis, W. H.

Strayer, Herbert Egbert, George W.

Hyatt, S. A. Miller, P. J. Gallagher,

C. E. Woodson, A. R. Hunter, H. J.

Overturf, Denton G. Burdick, A. M.

Wright, F. L. Hubbard, Albert S.

TAX ON GASOLINE

FOR FAIR IS PASSED

Senate Vote of 15 to 14 Is

Questioned, However.

DEATH LEAVES VACANCY

House Concurs in Legislation After

Rejecting Amendments—Legal

Opinions Differ.

(Continued From First Page.)

Idea caused that plan to be abandon-

ed, a state income tax was consid-

ered, and a poll tax would have

defeated the bill before the people.

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Wright, F. L. Hubbard, Albert S.

Roberts, R. J. Carner, J. R. Nickel-

son.

GIRL FUGITIVE IS BEATEN

WITNESS IN STATUARY CASE

ATTEMPTS ESCAPE.

Inmate of House of Good Shepherd

Recaptured by Others Held

in Institution.

May Parker, 16 years old, and in-

mate of the House of the Good Shep-

herd, was badly beaten by other girls

at the institution Friday night when

she attempted to escape from the

home, according to a report yester-

day at police headquarters. The girl's

injuries were said to have been such

that she was taken to St. Vincent's

hospital. Hospital authorities

admitted she was a patient there, but

declined to give any other informa-

tion.

The purpose of the appeal, ex-

plained Senator Banks, was to make

proper record in the senate to deter-

mine later in the course of the opin-

ion of the attorney-general is correct.

He said that he believed the senate

had made a great error and wanted

it corrected.

Senator Eddy explained that he

voiced against the chair that the

question might be tested and that the

legislature have an opportunity to

bring the matter up at the next

session and go home. Senator Haro

expressed his belief that the supreme

court will support the ruling of the

chair, but as Senator Banks had called

on friends of the fair to rally to the

appeal he was doing so.

"The record shows that Senator

Hume is dead," began Senator Moser,

an ex-presiding officer of the senate,

having his hand toward the bouquet

of white carnations on the vacant

desk.

Legal Opinions Differ.

"This leaves 23 senators members

of this body. In the call for the ap-

pell election, all elected in the pri-

mary session were entitled to seats.

With death, there are now but 23. The

senate today has never been called

to decide this question. The best

legal minds in the country differ and

the United States supreme court some-

times decides against the senate and

gives the tribunal an opportunity to

consider this problem."

"I know that there are only 23

senators," replied Senator Ryan, "but

phatically," and a decision should be

made by 15."

"Every man in this room knows

how Senator Hume would vote if he

was here," added Senator Staples.

"While I would rule as the chair

has done," explained Senator Vinton,

himself an ex-president of the sen-

ate, "I want to see the courts de-

cide it."

House Rejects Amendments.

The house refused to concur in the

senate amendments in the naming

of the personnel of the exposition com-

mission. The senate amendment named

John Doe and Richard Roe for the

first and second congressional districts

and enumerated the five men in the

Portland charter provision. Speaker

Bean appointed as a conference com-

mittee Representative Overturf, Car-

ter, McDonnell and Leonard to meet

with a similar committee in the sen-

ate. President Rittner named Senator

Moser, Hall, Patterson and Upton.

These conferees arranged their work

and voted their position assumed.

Friday afternoon and up to mid-

night the filibuster was carried on

in the hope that the bill could

be broken into. Then when there was

no change this morning, a new cam-

paign was outlined and by parlia-

mentary procedure, carried out punc-

tually and with every word care-

fully recorded.

Normally the senate is composed of

30 members.

Twenty-nine Members Left in Senate.

Wilson T. Hume, senator from Mult-

nomah, died a few weeks before the

special session was called. This left

29 living members. The friends of

the fair had 25 votes; the group op-

posed to the gasoline tax method of

financing had 14. There was an im-

portant question of the fair took

the position that 15 is a major part

of 29, and therefore 16 votes were

not necessary to pass the constitu-

tional resolution and the revenue bill.

In pursuance of this theory the sen-

ate passed the fair legislation, sent

it to the house with amendments,

which were concurred in, and the

measures were formally enacted. It

was not the province of the house

to inquire into the vote of the senate

or the fair bills any more than of

any other measure sent over with

the message that they had passed.

It was after the filibuster of

Friday night that the question of

whether 15 or 16 senators made a

constitutional majority was raised.

Midnight had passed and there was

no break in sight on either side.

Senator Ryan, discussing the general

situation, recalled that when Joseph

McIntosh was presiding officer sev-

eral years ago and there were 29 senators

present he had ruled that 15 made a

majority and made his decisions stick.

This recollection of ancient history

at once aroused the interest of law-

yers and when the point was put to

President Rittner, the latter got into

commotion with the attorney gen-

eral and asked for an opinion.

Plan Carried Out Promptly.

Even in the ranks of the solid 14

there were lawyers who expressed

trying to care for a second son

and in despair over desertion by his

wife, who took with her an older

child, reported the case to county

authorities. Accompanied by Mr.

Charles Seely, County Health Nurse

Blakeley found the man and infant

living in a dingy back-shed. The baby

was sleeping when the women entered

the unsanitary structure and it was

so dark they had difficulty in find-

ing the child. A beautiful, blue-

eyed, golden-haired youngster, he now

being cared for by the family of De-

puty Judge Hasbrouck has set for

Tuesday a hearing to determine the

disposition of the baby. Several local

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