



## LOCAL OPTION

### No One Would Recognize the Jayne Bill.

### AMENDED TO DEATH

### Liquor Dealers and Brewers Are Knocked Out in the Last Round.

### LAW WORSE THAN BEFORE

### As a Last Resort the Bill Was Referred to the Committee on Judiciary in the Senate and the Indications Are It Will Sleep.

Salem, Feb. 16.—Senator Malarkey made an ineffectual effort this morning to have the Jayne local option bill taken out of the committee on education and handed over to the judiciary committee, of which the Multnomah senator is chairman, claiming there was an effort to smother the bill. While he failed in his plan, the senate instructed the committee which has the bill to be ready to report by 2 o'clock this afternoon. It was something of an effort to test the feeling in the senate. The liquor men felt they should have received a report earlier, and when it was not forthcoming they decided to force an issue. Senator Malarkey was selected to lead the movement to get the bill into other hands, but his action was forestalled by Senator Booth, who moved as a substitute that the committee on education be instructed to report not later than 2 o'clock.

After working practically all day on the Jayne local option bill, the committee on education this afternoon reported back the measure, with amendments that are supposed to be a compromise, although they will hardly be entirely satisfactory to the liquor interests. As a matter of fact, the bill as amended is far different from the Jayne bill. There are five principal amendments by the committee, as follows:

- First—Interloping elections are to be cut out.
- Second—The percentage for a petition is cut from 30 per cent, as desired, to the 10 per cent that obtains under the present law, with the exception that the "500" clause is cut out, making it necessary to secure the entire 10 per cent in the case of Portland.
- Third—It exempts breweries, distilleries and factories.
- Fourth—It provides for three groupings in voting—the precinct, the county and groups.
- Fifth—The election desired for next June is cut out.

These are the features of the amended local option bill, which would hardly be recognized by the man who introduced it. The fangs are drawn to a large extent. In this form it seems probable the bill will secure the support of many who have heretofore been against it.

The bill was again amended by not allowing municipal corporations to have any say as to the sale of liquors cities being governed the same as precincts in the question of local option. After some discussion the bill was referred to the judiciary committee, where it will probably be put to sleep in the legislative boneyard.

### New York Brokerage Firm Suspends.

New York, Feb. 16.—The suspension of Ellingwood & Cunningham, brokers,

was announced on the stock exchange today. The firm made an assignment yesterday. A member of the firm today said they expected to resume business next week.

### NO MORE SCALPING.

### Legislature Passes Bill Prohibiting Scalpers.

Salem, Feb. 16.—With 43 voting for and but 3 against, Senator Malarkey's anti-ticked scalping bill passed the house this morning. Speaker Mills left the chair to support the measure. He said such a law would protect both the people and the railroads. The roads, he said, had promised to give reduced rates, and there appeared no longer a demand for a scalper.

The bill passed prohibiting anyone from opening a ticket brokers' office or engaging in that class of business. It also requires that railroad companies must redeem half-used round-trip tickets by refunding the amount over the one-fair price. The bill encountered no opposition.

### JAY COOK DEAD.

### Noted Financier Died Near Philadelphia Tonight.

Jay Cook, whose fame as a financier in the world, died tonight at Ogontz, a suburb of this city, aged 63 years. He had been suffering from general debility as a result of old age. His condition was not considered serious, however, and death tonight came rather suddenly. Last Monday he entertained as guests 125 young ladies who were attending the Ogontz school, and their friends. On that occasion he appeared to be in good spirits and was the last to leave the reception room.

## SENATE BOODLERS

### California Legislature Investigating Charges.

### W. R. HEARST DENOUNCED

### Bitter Arraignment of the Four California Senators Alleged to Have Accepted a Bribe, and of Wm. Randolph Hearst.

Sacramento, Feb. 16.—In one of the best considered and most convincing arguments ever delivered before an investigating body convened in the state of California, Gavin McNab summed up last night the evidence against the four boodling Senators—Emmons, Bunkers, French and Wright.

With the skill of one trained in every point of the law, McNab spoke dispassionately, picking to pieces and brushing aside the arguments of counsel for the bribe-takers. He tore from the shinking scoundrels the last vestige of their pretenses and conveyed to the mind of every man, woman and child in the crowded senate chamber a clear understanding of the guilt of the four men who bartered away not only their own honor, but the honor of the senate and of the state. He brought to the senators present a convincing sense of the necessity of that action which alone can cleanse the tarnished escutcheon of the state the expulsion of the boodlers from office and their isolation from association with decent men.

McNab dealt almost entirely in an analysis of the damning and overwhelming testimony against Emmons, Bunkers, French and Wright. The course of his argument was diverted from the main subject only once, when he took into the limelight that venal and vicious newspaper, the Examiner, and its more venal, vicious proprietor, William Randolph Hearst.

"Whether one man may agree with Mr. Hearst or differ with him is a matter with which you cannot concern yourselves.

"It makes no difference to you whether he (Hearst) can feed fat his

(Continued on page eight.)

## A BOLD COUP

### Executed Today at Joint Session.

### AINSWORTH IS CHOSEN

### Will be a Member of the Commission of the Port of Portland.

### SMITH IS IGNORED AGAIN

### Both Houses of the Legislature Went into Joint Session Today to Elect Commissioner for Portland and Boat Puller for Astoria.

Salem, Feb. 16.—By a coup cleverly planned and utterly confounding the anti-machine forces, the organization in the two houses today at noon went into joint session—under the pretext of election of a boatman at the Columbia river bar, and before the unsuspecting "minority" could catch its breath and in the face of repeated motions to adjourn, elected J. C. Ainsworth of Portland to succeed Captain E. W. Spencer on the Port of Portland commission. The program went through without a jar, and he it said that never did "Czar" Reed in congress rule more damagingly to the minority than did William Kuykendall over the joint assembly today.

It was just a few minutes before noon when the announcement rang through the hall that "the president and members of the senate of Oregon are ready to go into joint session."

Speaker Mills was all prepared and a certain senate bill in course of third reading, went out of commission in a second, while the senate filed in and the sensation of the session started in. President Kuykendall announced that it was the duty of the assembly, under the law, to elect a boatman for the Columbia river bar. Jay Tuttle, the senator from Clatsop, was on his feet in a second and nominated James Keating, and the clerk was instructed to cast the ballot for Keating. Kuykendall said that it was also the duty of the assembly to elect a member of the Port of Portland commission, to fill a vacancy under the law.

Senator Smith, democrat, of Umatilla, moved to adjourn just as Bailey of Multnomah arose. The president refused to hear Smith, and "the Gentleman From Multnomah" followed.

Bailey nominated J. C. Ainsworth to fill the vacancy. Then up rose Senator Nottingham, with fire in his eye, and wanted to know "if this body had the power to take such action." He went on to say that the method in process by the machine men shows how "utterly underhanded and small they are."

"The senator from Multnomah is out of order," said President Kuykendall, but the senator from Multnomah kept on.

"The senator from Multnomah will sit down," roared Kuykendall, as the mallet resounded with a thump.

"I review my motion to adjourn," shouted Smith of Umatilla, but the president again refused to hear him.

The vote was then taken and a storm of "ayes" swept through the hall.

Another storm of "noes" followed, about equal in volume, it seemed, but J. C. Ainsworth was declared elected.

"Move we adjourn," said someone, just as Holton reached his feet and shouted for recognition, but he was too late. The senator refused to tell what he intended to move, while the assembly broke up. Then the house adjourned till 1:30 o'clock.

"On what ground did you refuse to recognize a motion?" was asked of

### RESCUERS ARE ALSO INJURED

### Lieut. H. G. Good, Commander of the Vessel, Was Blinded and Lieut. Skinner, Who Was Injured, Died from Injuries.

Queenstown, Feb. 16.—Four men were killed and 14 injured as a result of an explosion on board the British submarine boat "A 5" in the harbor today. Lieutenant H. G. Good, the commander of the vessel, was blinded, and his condition is critical. Lieutenant Skinner, officer in the submarine boat, was seriously injured and subsequently died of his injuries. Only one man of the entire crew escaped uninjured. First explosion is believed to have occurred while the crew was engaged in filling the gasoline tank preparatory to proceeding outside of the harbor. "A 5" caught fire after the explosion. When this explosion occurred a number of the crew of the torpedo boat Hazzard volunteered to go to the rescue of the men on board of the submarine boat. They had hardly got aboard when the second explosion took place and all of the rescuers were more or less injured. The submarine boat was afterwards docked and an official statement issued this evening says the vessel is not injured. An inquiry as to the cause of the explosion is in progress.

### Pupils Strike.

North Yakima, Wash., Feb. 16.—Thirteen members of the senior class at the high school went on strike at noon today and were suspended. They refused to recite in physics under a new instructor, on the ground that a change in method in the middle of the term is not fair to them. The new instructor is Charles Schnele of Vancouver, Wash., who came here yesterday to be assistant principal. Principal J. K. M. Berry was forced by the board to resign Monday, he claiming he could not manage the school. Berry has the sympathy of the public. The trouble is not yet over.

Kuykendall, after the noise had died away.

"On no ground, I simply ignored it," said the president in great show of candor, and then, probably repenting, he asked with a quizzical look in his eye: "Was there a motion to adjourn?"

"Yes; two of them."

"Well, I didn't hear them; you know it's a long way up to the speaker's chair."

"Whose place is this to fill, mine or Thomas?" asked Captain E. W. Spencer, who was an interested onlooker at this strange proceeding, after the deed was done.

### GEARHART PARK SOLD.

Purchased Yesterday by the Krause Catering Company.

A deed was filed for record yesterday afternoon in the office of the county clerk whereby M. J. Kinney sells all of the Gearhart donation land claim of 440 acres, including Gearhart park, the hotel, furniture and fixtures to the Krause Catering Company of Portland. The consideration was \$25,000. The new company will make extensive improvements on the grounds and in the hotel, and with all the restrictions that have heretofore existed eliminated, it is certain to become a popular summer resort. Attractive features will be added for the accommodation of the large number of eastern visitors that will come to Clatsop county this summer.

A dispatch received by the Astorian last night from Salem states that the bill providing for a patrol boat at Astoria and a deputy fish warden for Southern Oregon had passed.

### Reilly Knocked Out.

Spokane, Feb. 16.—Jerry McCarthy of Spokane knocked out Jack Reilly of California in the seventh round in a 20-round contest tonight.

## FOUR MEN KILLED

### Two Boiler Explosions on British Submarine.

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## PANAMA CANAL

### Mann Canal Bill Passes House.

### SENATE AMENDMENTS

### President to Have Control of the Canal Zone Until Next Session.

### SENATE PREPARES THE BILL

### Bill Provides That the United States Government Shall Control the Isthmus, But Shall Be Exercised to Protect Inhabitants.

Washington, Feb. 16.—The Mann bill providing for a government for the canal zone passed today without further discussion. The bill gives all right to govern the zone to the president until the end of the next congress, but also provides that the government shall be exercised so as to protect the inhabitants in the free enjoyment of their liberty, prosperity and religion.

It abolishes the isthmus canal commission and places the work of construction in the hands of the president and such persons as he may appoint and employ. It also provides that persons employed by the president, both in the government canal zone and in charge of the work of construction shall make annual estimate in detail as far as possible of the items needed for ensuing fiscal year and says that after June, 1906, no money shall be expended on the canal or canal zone by the government except in accordance with the appropriations hereinafter to be made.

The senate today instructed Senator Kittredge to prepare a new bill for the committee and introduce it in the senate, which was done. The provisions of the Mann bill authorizing appointment of isthmian commission and fixing its duties and powers are eliminated from the senate bill, and the entire question covered in the first section, which extends present canal acts. Several new features are also added, one of which extends the authority of the president to control the same.

### RICHARD CROKER HEIR.

### Estate of Son Frank Croker Goes to His Father.

New York, Feb. 16.—The estate of Frank H. Croker, son of Richard Croker, ex-leader of Tammany Hall, who died from injuries received in an automobile accident in Florida, amounts to \$400,000. His father will under the laws of New York state inherit the entire estate, and would have been entitled to letters of administration. He has, however, waived this right in favor of his son, Richard S. Croker, whose application for letters of administration will be presented to Surrogate Thomas today or Monday.

He has offered as security for the due performance of his duties as administrator a bond of the United States Fidelity and Guaranty Company for \$500,000.

### LAWYER KIDNAPS SON.

### Goes from Vancouver to Bay State for the Purpose.

Athol, Mass., Feb. 16.—Journeying 3500 miles to obtain his 11-year-old son, R. H. Back, a wealthy lawyer of Vancouver, B. C., a former resident of Athol, arrived here this afternoon and kidnapped the boy from under the very eyes of the wife and mother, who screamed without avail for help. Mr. Back and the boy are now on their way back to Vancouver, and the husband declares that his wife will never see the boy again.

### FISH LAW BILL PASSES.

### Provides for Uniform Legislation by the Two States.

Salem, Feb. 16.—Mayer's bill regarding the fish laws, to produce uniform legislation between Washington and Oregon, was passed, as was also the house measure that provides for \$5000 of the funds voted the Lewis and Clark fair by the state for the entertainment of visitors, and also for turning the forestry building over to the city of Portland at the conclusion of the fair.

Sailors on a Strike.

Eureka, Feb. 16.—The war between the sailors and the longshoremen of this port may result in a strike that will tie up northern shipping interests. The strife is due to the recent organization here of a sailors' union in opposition to the longshoremen's association. The agent of the new organization has made several demands on the captains of vessels arriving in this port. They have not been complied with, the skippers standing by the old union. It is said the agent has threatened to call the sailors out on strike unless he is recognized.

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Back arrived in Athol on a noon train, and within an hour seized the boy from companions on the street, stuffed a handkerchief in his mouth, and jumping into a sleight, drove rapidly away. Five hours later the owner of the sleigh received a telephone call from Winchester, N. H., and Back, talking, told the owner to inform Mrs. Back he had the boy and she would never see him again. Back and his wife had trouble in 1903 and they separated.

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## BURNS LIBEL SUIT

### R. D. Hume Defendant in \$15,000 Libel Suit.

### DEFAMATION OF CHARACTER

### Hume, the Rogue River Salmon Packer Circulates a Letter in the Legislature Defaming the Character of Representative Burns.

Salem, Feb. 16.—Because he declared Robert Burns representative from Coos and Curry counties, to be "a sneaking, cowardly rascal and unfit to associate with honorable gentlemen," R. D. Hume, the salmon packing magnate of the lower Rogue river district, is defendant in an action for libel in the sum of \$15,000 damages alleged to have been incurred through a circular letter distributed among the members of the legislature by Mr. Hume during the present week. The complaint was filed here today by Attorneys P. H. D'Arcy and W. E. Richardson, who are acting for Mr. Burns in the matter.

The whole trouble rises out of the alleged monopoly held by Hume over the fishing industry in the lower Rogue by owning all the tideland along the Rogue from its confluence to about eight miles up stream, and by the right given him in an act of the legislature in 1889, to fish along his tideland frontage in this river. The question has been the bone of contention in Coos county for the past few years, and was the primary reason why Mr. Hume was defeated as a candidate for the legislature during the last campaign through the instrumentality, as Mr. Hume claims, of Representative Herrmann.

During the early part of the session Mr. Burns introduced a bill repealing the act of 1889, which gives Mr. Hume all of his vested rights for fishing in Rogue river, but the bill, although it passed the house, was smothered in committee in the senate and never saw the light of day since it was referred to that committee. Mr. Burns, however, has not considered himself his cause defeated by this disposition of

(Continued on Page 2.)