

ALL PLUMBERS NOW BREAK STATE LAW

**PENALTY CLAUSE ATTACHED TO
LEGISLATIVE ACT OF 1903 MAKES
VOCAATION ILLEGAL—HARRAS
COURT PROCEEDINGS IN STATE
COURT DISCOVER FACT.**

Any man who conducts a plumbing shop or works in one in the state of Oregon is subject to a fine and imprisonment. This is the plain reading of the penalty clause in the act of 1903 providing for a board of plumbing examiners and the issuance of licenses. The text of the penalty clause of the act reads as follows:

"Any person who works at the business of plumbing, or maintains or conducts a plumbing shop, in any incorporated city or town in this state containing more than 4,000 inhabitants, or otherwise violates any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof in a justice court shall be punished by a fine of not less than \$10 or more than \$100."

The question came before Presiding Judge George in the state circuit court yesterday in habeas corpus proceedings relative to H. Clausenius, Jr. He was arrested for breaking the law and fined \$25 in the police court. With a view to testing the law, the fine was not paid, and Clausenius applied for a writ of habeas corpus through the law firm of Paxton, Beach & Simon. The writ was made returnable before Judge George yesterday afternoon, when the facts in the case came out.

"Who was the legal luminary that drafted this law?" queried Judge George after the punitive section had been read him during the argument as to the unconstitutionality of the statute.

Nobody seemed to know to whom the honor belonged. One of the lawyers suggested that it might have been written by a walking delegate, who didn't quit walking long enough to discover any errors in his wording.

Attorney Simon declared the act was also unconstitutional, because like the barbers' license law, which was poked full of holes by Judge George, the legislature delegated its powers to a board. Arthur C. Spencer, the assistant district attorney, answered that the law is not vulnerable in this respect, as the qualifications of a plumber are specified.

Judge George took the matter under advisement. In view of the wording of the statute, only one decision is looked for—that the law is unconstitutional. Otherwise all plumbers in the state must go out of business.

SHE HAS FAITH IN A NATIONAL THEATRE



MRS. FISKE IN THE LAST ACT OF "MARY OF MAGDALA."

Mrs. Fiske, who comes to Cordray's next week, is an enthusiastic believer in the possibility and profit of a dramatic company composed of players of equal rank with singers of the Metropolitan Opera company in New York. "Call it a national theatre if you will," she said. "I shouldn't care what it was called, so long as we could organize such a company, a rank where it would place the United States in the world of art! To help I'd do anything in my power. And it isn't the idea of a visionary, or a dreamer. Apart from the artistic benefit to the country it would be a great business venture. It would pay as well as the opera, if not better. There could be stockholders to back it and subscribers to support it, as there are at the Metropolitan opera house. There must be a solid backing to secure actors against loss, many of whom, stars, would be compelled to give up profitable tours. But if I were honored by being asked to play in such a company, I would gladly play without a guarantee of any kind, just taking an actor's share of the profits. And this is neither enthusiasm nor nobility nor foolhardiness on my part. I say it merely to show my confidence in the financial success of the undertaking."

SEES SUCCESS IN LOCAL MILLS

**EASTERN REPRESENTATIVE PORTLAND
WOOLLEN MILLS WILL BRING IN
GOOD RETURNS—THINKS THE
WOOL STATES SHOULD BE THE
HOME OF SUCH INDUSTRIES.**

Preparatory to the opening of the Portland Woolen mills, announcement of which was made in The Journal yesterday, representative of the firm from the east are arriving in Portland to secure contracts for modern machinery which is to be installed. The work of rebuilding the mill will begin as soon as a site is decided upon.

F. E. Fisher of Worcester, Mass., representing a syndicate of builders, arrived yesterday. Mr. Fisher is enthusiastic over the prospects of a modern and thoroughly equipped mill in Oregon or anywhere on the coast, for that matter. "The Portland Woolen mills is certainly going at the proposition in the right way," he said today. "It has wonderful opportunities, and from the plans with which I have been made acquainted, they are preparing to take advantage of them. A modern, up-to-date mill in Portland could do an immense business, in my estimation, and would be able to make good returns on the investment in a very short time."

Coast Is Ideal Location.
"In many ways the coast is better adapted for such industries than the east, though at present there are comparatively few woolen mills in the west. Oregon and California are great wool-growing states and for that reason alone a woolen mill should pay well. There is no wool produced superior to that raised here and in California."

"And your weather here, though rainy, is better than ours for the manufacture of woolen goods. Labor conditions here as in the eastern cities. The cost of labor may possibly be higher, but the difference is trifling."

"As it is the people of Oregon and wool and woolen goods are prepared for use. They could just as easily and much more profitably do the work themselves and save the cost of sending it across the continent in its crude form and having it sent back again prepared."

The Portland Woolen Mills company seems to have reached about the same conclusion and is preparing for the erection of a thoroughly modern and up-to-date plant. According to their plans there will be no equal to it on the coast in point of equipment, and indeed there will be few better anywhere in the country."

DOCK PREPARED FOR FIRST TEST

**ST. JOHN'S DRYDOCK WILL BE SUB-
MERGED AND TESTED
TESTED PRIOR TO TAKING OF
THE SCOOCHER TALBOTT—SHE
FORCE NOW WORKING.**

Preparatory to taking on the schooner W. H. Talbot the hull of the new drydock will be submerged tomorrow afternoon. Although this part of the work can be done in 10 or 15 minutes, Contractor Wakefield will have charge of the first docking concluded it best to make a start tomorrow afternoon in the matter of taking on the Talbot. He is also desirous of having the machinery tested sufficiently in advance to preclude any possibility of the event being delayed. All who have inspected the machinery and the dock say there is no doubt whatever that everything is in perfect shape for the Saturday test.

Many residents of Portland are planning to go down to St. Johns tomorrow to witness the submerging part of the program. The commissioners will make the trip on the steamer McCracken, and it is understood that they will be accompanied by many of their shipping friends. The Talbot draws about 17 feet of water, and it is likely that the dock will be sunk about 21 feet. It is possible to put it down 20 feet, even during the low water period.

Double the usual number of mechanics have been employed about the drydock this week in order to bring the work to a speedy conclusion. Several of the commissioners have put in nearly all their time there, urging the several contractors to rush things. As a result of the persistent appeals made by them for the contractors to hurry up, the work is now practically completed, and the dock is ready for the test.

MILLS TO RESUME

(Continued from Page One.)

It was soon apparent that the interior mills, cut off as they were from water shipments and low rates, could not compete with Portland mills on rough lumber and as this was the main reliance of the interior mills many of them were forced to shut down and many of the smaller mills not only suspended operations, but their owners lost their all by the forced idleness.

When Mr. Stubbs arrived in the city last week the interior lumbermen went after him in force and laid the case before him without waste of words. It was after conference with outside and local interests and a thorough canvassing of the situation that Mr. Stubbs decided to afford relief by cutting the interior rate on the cheap green lumber, for which the Portland mills had a water outlet, and this decision has been hailed with joy by the interior mills.

This morning the chief lumber interests of the city were notified of the proposed rate by the Southern Pacific officials and after an explanation the lumbermen in many cases announced that they were satisfied with the new tariff. This approval is believed to be the only thing lacking to insure the success of the new rate and the prosperous conditions it will bring to the state at large.

BOOTH-KELLY MILLS TO RESUME

(Special Dispatch to The Journal.)
Eugene, Or., April 21.—R. A. Booth, manager of the Booth-Kelly Lumber company, today announced that in view of the lower rate on lumber granted by the Southern Pacific railroad his company, with mills at Colburg, Wendling, Springfield and Saguinaw, all in Lane county, capable of cutting about 500,000 feet of lumber a day, would resume operations at once after an idleness of several months.

It is possible that the Wendling mill may still remain idle during the summer, as it is not certain that cars can be secured for the output of that plant. It will, however, be put in operation in September.

SUPPRESS AMERICANS

(Continued from Page One.)

The Russian war department is said to have at least arrived at the conclusion that nothing but a vastly superior force on both sea and land can end the war in favor of the czar's cause. With this in view it is probable the Port Arthur forces will be ordered to hold on to the last, even though entirely out of both land and sea as now seems probable.

Skrydloff today continued the detail work of forming his staff and arranging as near as possible the plans for his future naval moves at Port Arthur. There is still nothing to confirm the report that Alexeff is to either be removed or suffer a reduction in power.

Art Talk.
From Cincinnati Commercial-Tribune.
"Character is pyrography."
"What do you mean?"
"Reputation is painted on; character is burned in."

IS ACCUSED OF FORGING CHECKS

On a charge of forgery, Ray Pearl, a stranger to the local police, was arrested by Detective Welner. He was arraigned in the municipal court yesterday and was held to the grand jury. Checks alleged to have been passed by Pearl so far secured number three. To all of them the name of Edward King was signed, and they were drawn on the United States National bank of Portland. The name of W. E. Jones of the Willamette & Columbia Towing company was forged to each check.

THE STORE NOTED FOR THE BEST GOODS AT LOWEST PRICES

Ladies' and Children's Underwear Sale

FRIDAY AND SATURDAY ONLY

The "Defender" Muslin Underwear is not to be compared with any other line of goods that are offered at half the prices we are selling at. All garments nicely trimmed in lace and embroidery—and are perfect in make and finish. Our prices are less than the cost of the material. Here are garments at prices that appeal to the thoughtful woman without the varnish brush of the sweet boy graduated ad. writer:

Skirts
Range in price from \$2.65 down to
45c

Corset Covers
Range in price from \$1.00 down to
10c

Drawers
Range in price from \$1.75 down to
21c

CHILDREN'S DRAWERS
Extra Specials, 15c and
10c

Chemise
Range in price from \$1.75 down to
45c

Gowns
Range in price from \$2.95 down to
45c

Bazar Patterns 10c
McAllen & McDonnell
Modes Patterns 10c

The Only Exclusive Dry Goods Store in the Northwest—TAKE SWELL ENTRANCE ON THE CORNER

PRESBYTERY CLOSES BIENNIAL SESSION

The closing session of the Presbytery of Portland was held this morning in Marshall street Presbyterian church. Rev. Harry H. Pratt, moderator, presided, and the absence of Rev. E. T. Allen, A. J. Montgomery acted as reporting clerk. A petition signed by 53 people was read, asking that a church be organized at Clatskanie. Rev. J. B. Milligan, Rev. W. S. Holt and Rev. Levi Johnson were appointed a committee to visit the field and organize the church, should conditions prove favorable.

Rev. E. D. Allen was received into Portland Presbytery from the Presbytery of Kendall. The standing rules of Presbytery were revised.

The fall meeting of Portland Presbytery will be held at Fairview at the Smith Memorial church.

An approximate statistical summary for the Presbytery ending May 1, showed the following: 18 churches, 27 deacons, admitted by experience 184, by certificate 242, dismissed 145, deceased 34, total 3,548, adults baptized 50, infants 75, Sunday school membership 4,153.

FIGHTS SALOONS, AIDS THE FALLEN

"I have to act in various capacities," said Rev. Dr. J. Whitcomb Brougher, pastor of the White Temple, who was present in the municipal court this morning to do what he could to assist George T. Easte, charged with larceny, to have to fight the saloons that sell the liquor, and then I have to do all I can for those who get drunk."

The case was called before Judge Hogue, who set next Tuesday as the date for the trial. It was through the request of the prosecutor at Colfax, Wash., that Dr. Brougher was present this morning to see if he could help the young man. Easte claims he was intoxicated when he took the belongings of another.

WAREHOUSE SITE SOLD FOR \$14,000

Arthur D. Marshall has sold a half block on Hoyt street, between Tenth and Eleventh streets, for a consideration said to be \$14,000. The name of the purchaser has not yet been made public, but an abstract has already been prepared. It is said to be the intention of the purchaser to build a large brick warehouse. At present the property is unoccupied. Mr. Marshall says that he has several other deals under way in that district.

Baby Grand PIANOS thrown on the market at wholesale price. Read about it on page 3.

Friday Special

AT
The Store that Saves You Money

**THIS POLISHED CRYSTAL
SALAD OR BERRY BOWL
JUST LIKE PICTURE**

20c 20c

REGULAR PRICE 40c
Size 8 1/2 inches

Powers Furniture Co.

190 First Street

WATCH FOR SATURDAY NIGHT SPECIAL

There Is Not Much Rain Today

And a sun umbrella would answer every purpose, perhaps. WE HAVE THOUSANDS OF THEM AT OUR TWO STORES

286 Washington, and Stearns Blk, Morrison near 6th

JOHN ALLESINA

Tel. Main 2040 Manufacturer of High-Grade Umbrellas, Sun Umbrellas and Parasols.

Portland Liquid Paints

MADE AT HOME—ADAPTED TO THE CLIMATE

Our goods are not manufactured by secret formula. They are simply pure white lead, pure fine ground in pure linseed oil, thinned ready for use, and we give you such a guarantee with every can. Our goods, considering the quality, are sold cheaper than any competitive brands sold on the coast.

Fisher, Thorsen & Co.

Everything in Paints. 160, 162, 164 Front St.

DATES NAMED FOR FAIR TICKET SALES

and return on account of the St. Louis world's fair on sale three days in each month as follows: May 11, 12 and 13; June 16, 17 and 18; July 1, 2 and 3; August 5, 9 and 10; September 5, 6 and 7; October 3, 4 and 5.

The rate named from Portland to St. Louis and return via any of the direct lines will be \$67.50. To Chicago and return via direct lines will be \$72.50. The rate to St. Louis and return via Chicago will be \$75. If passengers desire to return through California to Portland the round trip will be increased by \$13.50.

A. D. Charlton, assistant general passenger agent of the Northern Pacific, who is at present at Santa Barbara, Cal., in attendance at the meeting of the Transcontinental Passenger association, telegraphed his office yesterday that it has been decided by the association to place tickets to St. Louis

Ladies!

If you have not attended our \$10,000 CLOSING OUT SALE of CHILDREN'S CLOTHING it is not too late. Every suit is marked down regardless of cost. This is an opportunity to save from ONE-THIRD to a HALF on your children's clothing.

Famous Clothing Co.

Corner Morrison and Second Streets