THE OREGON SUNDAY JOURNAL, PORTLAND, SUNDAY MORNING, JANUARY 1, 1911.

ARE ADJUDICATED

THOMPSON

FOR SPEAKERSHIP

Bowerman in Senate and an

Assembly Program Includ-

ed in Plan.

Jay Bowerman for president of the

senate, W. Lair Thompson for speaker

tive program for both branches of th

These are the big stakes for which

They are using the old tricks

the old crowd of manipulators are play-

practiced so successfully in the days

beginning to pull hidden cards from

their sleeves and these cards reveal the

and Thompson in the saddle and organ-

legislature.

ing.



ing to Bridge Obstructionists Takes Firm Stand for Initiative and Referendum.

Along with the rout of the Broadway bridge obstructionists by the denial of their potition for a rehearing of the case of Frank Klernan against the city of Portland, the state supreme court yesterday handed down a unanimous opinion giving new and decided affirmance to the initiative and referendum, emphasizing the doctrine that the Ore gon system is not contrary to the federal guarantee of a republican form of government.

The decision is the judicial valedictory of Justice Will R. King, who wrote the opinion, as he will retire in a few He gives forcible expression to davs. the judgment of the court that the initiative and referendum is on safe After citing Oregon cases in ground. which the system of progressive laws of this state have been upheld, Justice King cites the United States constitution and federal authorities, continuing:

"We have an illustration of the principles announced in Luther vs. Borden, the admission of Oklahoma as state.

Oklahoma in Line.

"Before its statehood was recognized Oklahoma had adopted, as a part of its constitution, the initiative and referendum law-making system, patterned after the Oregon plan; regardless of which its senators and representatives were admitted into the councils of the Union, and the authority of the government under which they were appointed, as well as its republican char acter, is recognized by the proper con stitutional authority, thus determining state, with its comparatively new legislative system, to be republican in form. This historical precedent should, itself, be adequate to set at rest the temporarily mooted question in hand.

After giving a definition of "republican form of government," as adopted by the courts, Justice King says:

'Measured in the light of the above, it is difficult to conceive of any system of law making coming nearer to the great body of the people of the entire state, or by those comprising the various municipalities, than that now in use here, and being so, we are at a loss to understand how the adoption and use of this system can be held a departure from a republican form of government.

Must Answer to People.

was to escape the oppression re sulting from governments controlled#by the select few, so often ruling under the assumption that 'might makes right,' that gave birth to republics. Monarchical rulers refuse to recognize their accountability to the people governed by

times office are at all answerable, either directly or indirectly, to the people, and in proportion to their responsibility

in Decision Denying Rehear- New York Bankers Express Optimistic Sentiments in Money Matters for Coming Year of 1911.

> (United Press Leased Wire-) New York, Dec. 31.—Optimism in the banking outlook for 1911 is expressed by representative bankers of the counry, a symposium of whose views is pubished in today's Evening Post. The following are some of the expressions: David R. Forgan, president of the

lity Bank of Chicago: 'We look for some more trade reac ion, leading to an easier money condition and thereafter a gradual recovery, of course, confidence and enterprise This country has not gone to the dogs. Ralph S. Stacy, second vice president of the National Bank of Commerce, Se

"The best feature of the present out look is somewhat better demand for We do not look for a great umber. evival in business conditions during 911

Want Better Currency Bill. C. H. Huttig, president of the Thir. National Bank of St. Louis:

"One of the most encouraging features is the probability that congress will at its spring session pass a sat sfactory currency bill. The money mar ket prospect is for an abundance of

oanable funds. A. C. Jones, vice president of the First National bank of Kansas City "I do not look for any material re ival of Business during 1911, but am of the opinion that conditions will run along very much as they are now until after andther crop shall have been har of the church, will conduct the vested."

F. O. Watts, president of the First National bank of Nashville: "Big crops of every kind, the slow-

ing down in manufacture that is pres ent, and the slight degree of persona Virginia in 15. and general economy that trails such a Pacific coast immediately after the war period as 1910 will more than likely nd has been a pioneer of Oregon for make easier money markets during 43 years. During the war Mr. Craw-1911. ford enlisted in the confederate navy

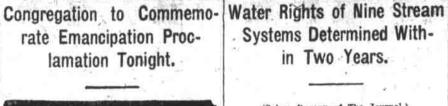
Extravagance Checked.

W. H. Bucholz, vice president of the Omaha National bank:

"A decided check in extravagence and Merriman is a graduate of Talladga colconclusion to curtail speculation are ege and of Rush Medical college, Chincouraging features of the outlook. ago. H. B. Wilcox, president of the First National bank of Baltimore passed the examination given by the "One of the most helpful features is Oregon State Board of Medical Examin the fact that our bankers have been ers in 1903. preaching a doctrine of 'go slow' far some time past, which, we think, is having its effect " Mississippi and Oklahoma, will act as

hairman of the evening Francis B. Reeves, president of the Girard National bank of Philadelphia: "I consfiler the most helpful feature of the outlook is God's generous reward Joda D. Lewis; invocation, Rev. to honest labor in the large returns to be expected from our crops and mines. Mrs." W

mistress of ceremonies, Miss Claudia cism of the initiative and referendum: selections from Bohemian Waughn: In a republic the converse is the be exercised by Portland in the con- and Grace Logan; reading of the Em-"All the prerogatives attempted to Girl, violin and plano, Misses Louise rule, the tenure of office may be for a struction of the Broadway bridge could ancipation proclamation, Mrs. Laura formerly have been granted by the leg- Jones, trombone solo, Lewis Mills; duet, islature, and the power to provide thereselected, Mrs. V. E. Keene and Mrs. H for, having been delegated to the city M. Gray; Lincoln's address at Gettysamendment to our organic laws. Miss Marcenia Hankins: burg is valid, and the right to exercise such solo, Mrs. D. Parrish; reminiscences of powers will continue until such time slavery days, Reuben Crawford; Battle as changed by general enactments of Hymn of the Republic, audience, led by the law-making department of our state, Colonel W. H. Carter; address, Dr. provision for which may be made by James A. Merriman; Star Spangled the legislature by general laws, apply- Banner, audience, led by Mrs. V. E. ing alike to all municipalities of that Keene, soprano; announcement and beneclass, or by the people through the initiative, by the enactment of either Pearl Miller will be the accompanist. tem, of the machinery by which it general or special laws on the subject (citing authorities).



(Salem Bureau of The Journal.) Salem, Or., Dec. 31 .- An order was ntgred today by the board of control, of the house and an assembly legislaadjudicating the relative rights to the waters of Squaw creek and Tumalo in Crobk county. This makes nine stream systems for which all water rights initiated prior to the adoption of the new water code have been determined in less than two years. They are all in the eastern division of which Saxton of Baker is superintend-F. M.

The fees collected by Mr. Saxton this year in these cases more than equaled the entire appropriation for the maintenance of the board. The average cost to each claimant was about \$16. For this he will receive a water right cortificate from the state as soon as the decrees of the board are confirmed by the circuit court. With these two cases disposed of, the work in eastern Oregon is in good shape to turn over to George T. Cochran of La Grande, who uccoods Mr. Saxton as superintendent of that division. James T. Chinnock On January 1.

will succeed H. L. Holgate as superintendent of the western division. State Engineer Lewis, who is ex-officio chairman of the board of control has been elected to succeed himself. No time will be lost by virtue of this change in the membership of the board, and steps will be taken immediately upon organization to proceed with the determination of rights on the Umatilla river, Crooked

river. Rogue river, Althouse and Sucker creeks, Little Butte creek, Willow creek in Malheur county, and North Powder river in Baker county. Work is well under way on all of these streams.

streets. Rev. W. W. Mathews, pastor Seventy-flve ditch rights were involved in the Squaw creek determinaces, which will consist of addresses tion for which an order was entered by prominent churchmen and women. today. These ditches serve to irrigate Reuben Crawford, an octogenarian, at present over 6000 acres, and rights will tell of some reminiscences of slavare claimed to irrigate many additional Mr Crawford was born in acres

The Tumalo creek adjudication was the most complicated that has so far come before the board for determina-It involved the right of the Cotion. lumbix Southern Irrigating company to divert sufficient water for 27,000 acres which is being reclaimed by the state under the Carey act. Many of the settlers filed separate claims. The company had in addition sold water to lands not included within the segregation. practitioner in the northwest, having The greatest practical difficulty was the inadequacy of water supply. Sixtyone contests were filed in connection with this determination.

The decree protects the settlers in their water rights, as well as those who purchased water for outside lands. The company is protected in an equal ight to water with the settlers for the patented lands. The balance of the segregation was decreed a right to water subsequent, however, to the right of two lower ditches for approximately 500 acres.

WANDSBEK ARRIVES.

Old Trader Crosses Bar and Will Load Lumber Here.

On the tail end of a northwester the German bark Wandsbek, an old trader me reactionary legislation governor, whom they want on has begun to lo

the speakership fight within the last week, and is beginning to be regarded as one of the leaders in the fight. He has few votes pledged, but the under-current of standpatters is setting in toward him. To elect their man they must manipulate and concentrate. They become convinced nave apparently cannot win, and Thompson seems

to be the pick. Thompson lined up with Bowerman early in the assembly campaign. He came to Multnomah county about two weeks before the assembly and helped to make things solld. He comes from Lake county and is as eastern Oregon man, which at first would seem to be igainst his chances if Bowerman wins or president of the senate, as the combine has planned it. But the assembly idea is to pay no attention to geographical lines, boost Thompson along as the heir to votes of other assembly aspirants, and depend on Thompson's organizing abilities to do the rest.

Eaton is losing ground, and the Thompson ground swell promises to sweep him out of it. Rusk's following when progressives were few. They are is unbroken, composed as it is mostly of progressives. McKinnney serts he is holding his own. McKinnney also as-It is an plan behind. If they can put Bowerman interesting fight, complicated still further by the uncertainty as to whether ize the two houses at their leisure, they Bowerman or Ben Selling will hold the figure they can send up considerable gavel in the senate,

United Press Leased Wire.

Bellingham, Dec. 31 .- Fearing cal violence, the Rev. John Robe MacArtney, pastor of the High Si Presbyterian church of this city, obtained from the mayor and p chief a permit to carry a gun. application was made after rep threats had been made by writers

nonymous letters. MacAriney was one of the leader the dry fight waged lately, and livered some hot shot from his j pit. Other dry leaders have also i threatened.

> INTENSE COLD, DEEP SNOW, IN NEW YOR

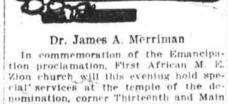
(Publishers' Press Leased Wire Saranac Lake, N. Y. Dec. 31 Placid reported 28 degrees below early today. Thermometers here istered 24 below and at Lake Clear below. The snow is 30 inches deep the woods, the heaviest December fall 32 years.

- - 1911! IsYour Office Properly Equipped With Modern Time and

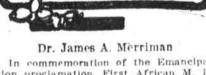
Money-Saving Devices and Necessities for the New Year?

things-TIME, TEMPER and MONEY. We can install such a System for you-a "Sensible System," mind you-whether you are a professional man with a limited amount of accounts or a corporation with accounts running even to the seven-figure mark.

We cordially invite you to visit our Office Furniture and Commercial Stationery departments. Ever since 1867-for forty-five years-GILL'S has been synonymous with "BOOKS-STATIONERY-OFFICE SUPPLIES," and by carefully studying the requirements and needs of the people of the West in general and this City in particular, we have, justly earned the title: "Portland's Leading Office Outfitters." Whether it be a Pencil or a handsome Office Desk, you can depend on it-"Gill's have it, and at the right price." Come in and let us get together. We will gladly put our time against yours-it is as much



days.



and helped to build the Merrimac,

liver the emancipation address.

James A. Merriman, M. D., will de-

Joda D. Lewis, a negro politician of

Following is the program to be giv

Remarks, chairman of the meeting,

PRAISE OF

(Special Dispatch to The Journal.) Natchez, Miss., Dec. 31.-Mrs.

Drew; America, audience, led

Peek.

R

He was the first licensed negro

He came out to the

Dr

D

by

soprano; remarks.

SPECIAL SERVICES

IN ZION CHURCH

those for whom they may be the public agents, and the nearer the power to enact laws and control public servants lies with the great body of the people, the more nearly does a government take unto itself the form of a republic-not in name alone, but in

"From this it follows that each republic may differ in its political sysmoves, but so long as the ultimate control of its officials and affairs of state remains in the people, it will, in the eye of all republics, be recognized as a government of that class.

Nearer to Republican Form.

"Of this we have many examples in Central and South America. It becomes, ther, a matter of degree, and the fear manifested by the briefs filed in this case would seem to indicate, not that we are drifting from the secure moorings of a republic, but that our state, by the direct system of legislation complained of, is becoming too democratic advancing too rapidly toward a republic pure in form.

This, it is true, counsel does not concede, but, under any interpretation of in that an act passed by the first may, which the term is capable, or from any immediately on the convening of the view thus far found expressed in the writings of the prominent statesmen-who were members of the constitutional convention, or who figured in the early upbuilding of the nation, it follows that the system here assailed brings us to a state republican in form.

Further discussing what the court terms the "absurdity" of the contenions raised by R. R. Duniway, attorney for Kiernan, the opinion says

This system of direct legislation has been in common use throughout the various state governments since their inception, but who would assert that an amendment to the constitution of a state, depriving the legislature of a law making power held by it at the adoption of the national constitution, is void on the grounds of being inconsistent with a republican form of govern-The absurdity of such a contention would at once he obvious.

Effect of Argument.

But, viewed from any stardpoint, such is the logical sequence of the contention made by appellant in his brief, and the supplementary observations accompanying it, where it is, in effect, asserted that because the people have reserved unto themselves by constitutional amendment the exclusive right

to enact special legislation concerning municipalities, and by constitutional amendment have dejocated thereto the right to exercise such powers as before were only within the province of their representatives, violates the provision antees to, our state a republican form . of government

"In other words, it is contended that the right of the city of Portland to leg- fallacy of this suggestion (like many islate upon matters of municipal concarn, to provide for the exercise of its right of eminent domain, to build discussed) is obvious. bridges, etc., would be in harmony with the above provision of the federal constitution, if delegated by the people through their representatives ... but not so if done directly by them through the initiative.

'In brief, the effect of this argument is that the people may legally do indi-rectly, by the mere enactment of a what they cannot do directly by constitutional amendment. The statement of this contention should be sufficient for its answer."

Sustains City's Position.

Can Repeal All Laws.

424.

"In the public address prepared by Honorable 'Frederick V. Holman, attached to and filed as a supplement to petitioner's brief, it is argued that our previous holding in Hall vs. Dunn, 52

Or., 475, and Straw vs. Harris, 54 Or., to the effect that we have but one law-making department, composed of two separate and distinct law-making bodies: (1)-The people, acting directly through the initiative; and, (2)-The people acting indifectly through the legislature, either of which, netia T. Chamberlain, mother of United in a manner provided by law, may undo States Senator Chamberlain of Oregon. the work of the other, and necessarily

died here yesterday. Senator Chambermust lead to disastrous results, etc., lain arrived today to attend the funeral. "I would like to see George, my son immediately on the convening of the before 1 dio. He has always been good legislature, he repealed, and one en- to me, I die happy because I know acted by the legislative assembly muy justice was done him in the matter of also be rescinded through either the his election to the United States senate. initiative or the referendum. They said he would not be elected, but I never had any doubt." Such was Mrs.

But that objection applies only to the question of expedicicy, with regard Chamberlain's last statement. to which the Lawmakers, and not the courts, are concerned. It might not be her son's election was in doubt in Oreinappropriate, however, to observe that gon, and while she expressed confidence the same objection may, with equal apply to all legislative bodies, force when she heard the returns. Our legislature to convene next week can, if it so chooses, repeal all the laws of age, was hale until a few days ago. that included in constitutional amendments) macted at the November elec-She helped prepare the Christmas dintion, and thus, undo the work of the last legislative assembly.

'Again, two years later, or earlier, a special session of the legislature might be called and enact many laws, and day following its adjournment the the newly elected logislature might convene and repeal all the laws that went into effect the preceding day. The same may also be said of congress, but this is seldom, if ever, urged as an argument against a representative system. or alluded to as indicating that our form

Fallacy of Suggestion.

SYStem. Tegislative bodies in place we have four of two the legislature; second. was made only to legal departments of the state, and not to municipal or other

others which we are called upon to no "The contention made in the appendix

to counsel's brief, that under the interextent, if desired, of condemning state property (such as capitol buildings, etc.), has no justification either in the

a language of the amendment or anything said by this court in the interpretation thereof."

People's Forum .- The People's Forum One provides for the pensioning of men this evening will consider the matter of 60 years of age who have been Distinct affirmance of the position of of "How the Oregon Farmer Regards the corporation service 20 years, if the the city in the Broadway bridge case thit Single Tax" This will be presented employe desires to retire. The other is given in the following excerpt, the by H. D. Wagnon, followed by other provides for compulsory retirement at court also taking notice of objections speakers. Medical building, Park and the age of 71; with a pension if the employe has been 20 years in the service.

here, arrived in over the bar at 1 o'clock company.

Par

and she loaded wheat out. She has been here several times since being bought by the Germans, and on her last voyage to this port in 1909 she took out a cargo of wheat in the month of December She ish vessel of 2115 tons net register, and is in command of Captain Kohnke, who is also well known here.

> Editor "Ed" Howe Retires. (By the International News Service) Atchison, Kan., Dec. 31,-Ed Howe, for years editor of the Atchison Globe, today retired from the editorship of the His quaint philosophy and hupaper. mer made the paper famous throughout the world.

> > SUPERIOR STEEL RANGES

REZNOR GAS HEATERS

Charles In

CLARK JEWEL

GAS RANGES

ner for her family, which was one of the best known in the south. Her descendants are prominent in social, business and political circles.

OREGON MAN WEDS GIRL HE MET ON MOUNTAIN

Mrs. Chamberlain was ill at the time

the result she was much relieved

Mrs. Chamberlain, although 90 years

(Special Dispatch to The Journal.) Roston, Mass., Dec. 31.—After a most romantic meeting in the top of one of the highest mountain peaks in Caligovernment is becoming unrepublican in fornia, where they met as members of different mountain climbing partles, the

engagement is announced of Dorothy "It is also suggested that under our Binney of Strafford, Conn., and George repreted by this court, Palmer Putnam of Bend, Or., son of J. Bishop Putnam.

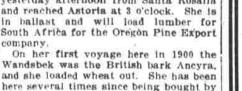
The bride to be was a student here the people of the whole state; third, the when she met her fiance on the mounpeople of a municipality; fourth, the tain. She was noted here as an athlete, common connell or commissioners. This excelling in basketball and water sports, of the federal constitution which guar-that in the above cited cases advertence, versity of California. versity of California. Miss Binney's father is Edward Bin-

ney, member of the firm of Binney & Smith of New York and London,

George Palmer Putnam has been en gaged in newspaper work in the Deschutes country for the past year, and is a writer of considerable ability. He pretation given by this court to the has been one of Bend's best boosters, charter amendments cities may invade and his newspaper and magazine artithe domain of state legislation to the cles have been sent all over the worlds

Pensions for Steel Employes.

New York, Dec. 31 .- With the beginning of the new year the United States teel corporation will put into effect pension system for the benefit of its Steel



The I. K. Gill Co. THIRD and Portland's Leading Office Outfitters THIRD and ALDER



to your interest as ours-come.



WOOD SUPERIOR HEATER

GREETING

We wish to thank our many patrons for their liberal patronage during the past year and wish them a

HAPPY NEW YEAR As in the past, our endeavor shall be to show quality goods only at prices that are right, and we solicit a continuance of patronage during the coming year.

GARLAND WATER HEATERS "EVERYTHING IN KITCHEN WARE"

GARLAND GAS RANGES





PERFECTION

