

# REFERENDUM ON MALARKEY BILL FORMALLY FILED

### Dan Kellahe, Ben Riesland and J. B. Ziegler Go to Salem to Turn in 8000 Signatures; Kellahe Still Bitter.

(Salem Bureau of The Journal.)  
Salem, Or., May 18.—Ben Riesland, Senator Dan Kellahe and J. B. Ziegler arrived in Salem shortly before noon today and this afternoon went to the state house to file with the secretary of state the Malarkey referendum petition, calling for a vote of the people on the public utility bill. The petition purports to contain 8000 signatures.

"The issue at stake," said Senator Kellahe, father of the referendum petition, "is one between state control of corporations or home rule. We have a law providing for a Portland city commission, to be voted upon in June. If this law is adopted at the polls it will become effective at once and will be in no way interfered with by this state measure until after the general election anyway, for the referendum will hold the state out of complete abeyance."

"In our Portland bill we provided for a commission of three to be appointed by the governor. These will hold office until the next regular election thereafter, when they shall be elected by people subject to recall. Our measure is also accompanied by two sister ordinances providing for 3 per cent refund to the city on all gas, and light and power franchises, which will materially lessen the burden of taxation on the people of Portland."

"It is the city which has to deal with corporations and therefore cities should have the power to regulate them."

Attacking the Malarkey bill, which he hopes to have defeated at the polls, Senator Kellahe declared that it would send the Portland Light & Power company, that it bore the semblance of the Wisconsin law with the essential features of the latter cut out.

"It is full of omissions and jokers, and is similar to one put through by the Nebraska house but killed in the senate," he said.

# SAFEGUARD ORDERED ON SPRINGWATER LINE

(Salem Bureau of The Journal.)  
Salem, Or., May 18.—Unless the Portland Railway, Light & Power company voluntarily accedes to the recommendation of the Oregon State Railway commission made today to install an automatic block signal system on the Springwater division, the commission will formal action to compel the safeguard to be installed. This action was taken because of the collision between a freight and passenger near Hogan, May 3, and a similar collision near Barton May 14.

# DERELICT AT ASTORIA DRINKS UNTIL HE DIES

(Special Dispatch to The Journal.)  
Astoria, Or., May 18.—An unidentified man who has been about the lower portion of the city for several days was picked up by the police yesterday in a helpless, intoxicated condition and taken to the city jail. He was placed in a cell, where he died during the night. Coroner Gilbaugh took charge of the body and a postmortem examination will be held this evening to ascertain, if possible, what caused the man's death. Every effort to discover his identity has so far proved futile.

# Scientist in Guatemala

(United Press Leased Wire.)  
Los Angeles, May 18.—After a six weeks trip through the swamps of Guatemala in search of archaeological specimens, Charles F. Lummis, scientist and author, is in Los Angeles today. Among other trophies Lummis brought back a complete set of costumes of nearly every species of Guatemalan Indian. He also is the jubilant possessor of a splendid specimen of "quetzal," the Guatemalan bird of freedom.

Lummis' young son Quimu accompanied him on the expedition.

# SPECIAL FRIDAY & SATURDAY LADIES' TAILORED SUITS \$12.50

Regular \$20.00, \$25.00 and \$27.50 values; about fifty in the lot. On sale positively Friday and Saturday only. ALTERATIONS EXTRA; NONE CHARGED.

# MEN'S SUITS \$8.88

Regular \$15.00 to \$22.50 values. Special sale Friday and Saturday only. Cash Only, None Charged.

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# DUNIWAY EXPLAINS MESSAGE HE SENT

### Avers No. False Statements Made by Him About the Broadway Bridge.

To the Editor of The Journal—In an editorial in your issue of May 17, 1911, you ask this question: "Along with his other telegrams to them, has Lawyer Dunaway wired eastern buyers that the circuit court has enjoined the further vexatious litigation against the Broadway bridge?" I wish to answer that question, and as you ask it in your editorial, I submit, that in fairness, you ought to print my answer. On May 13, 1911, I sent the following telegram: "Storey, Thorn-dyke, Palmer & Dodge, 235 Exchange building, Boston, Mass. Circuit court denied preliminary injunction except as to future vexatious or frivolous suits, and whether any future suit in frivolous or vexatious will be decided when question arises. I am sending you by mail, report of the decision taken by official reporter and extended. Ralph R. Dun-way, attorney for Frank Kiernan."

There has been no vexatious litigation against the Broadway bridge. There has been no false statements made about the bridge, or the litigation, by me. The friends of the Broadway bridge, including the newspapers, have seen fit to make a great many incorrect assertions about what I have been doing, and am doing, as the attorney for Frank Kiernan. Everything that has been done by me as attorney for Frank Kiernan in the Broadway bridge litigation, has been rendered necessary for me to do by reason of the acts of the friends of the Broadway bridge, and not by any act of mine. You ought to be fair to me. It was expressly held by Judge Gantenbein that the injunction was dissolved as to everything, except: "It is allowed as to vexatious and frivolous suits, and of course, as to what is a vexatious and frivolous suit will depend upon the particular suit or action. Of course it will not apply to the appeal taken from this department to the supreme court in the case of Burrell against the city of Portland." No suit that has been filed has been adjudged by any court to be either vexatious or frivolous. What the decision of Judge Gantenbein means, I am at an utter loss to understand. No one is enjoined from bringing any suit that he wishes. As I understand it, there is an injunction against every kind of vexatious or frivolous suit of any and every kind, which injunction is enforced by the court in which the vexatious or frivolous suit is filed, promptly dismissing the suit and awarding costs against the plaintiff. I understand the decision of Judge Gantenbein in this wonderful suit brought by the city, to be idle words. I have, at the office, copies of numerous telegrams and letters which have not been published, and if you think they are of enough interest to publish them, I will gladly furnish them to you for the purpose of publication, and also am ready, able and willing to prove the truth of every statement therein whenever called upon to do so.

RALPH R. DUNIWAY,  
Attorney for Frank Kiernan.

# STATE CAN STOP DREDGING BY U. S.

### Attorney General Says It Controls Bed of Navigable Streams.

(Special Dispatch to The Journal.)  
Salem, Or., May 18.—That the state has the right to prevent dredging of navigable streams by the government is the substance of an opinion given out today by Attorney General Crawford in reply to a letter from R. E. Clanton, master fish warden, asking if his department could prevent dredging the bed of the Columbia where it is used for drift net fishing.

"The only question is who has the right to exercise this authority, whether the state land board has the agency of the state to which is entrusted the control of all state lands, or whether the legislature must act in the matter," says the opinion.

# WILL FORM CLASSES IN MANUAL TRAINING

Plans for the opening of the Ladd school during the vacation period are rapidly taking form in preparation for action by the mass meeting Saturday night. It is proposed to organize classes in manual training, in domestic science and in team play. A number of clubs devoted to literary work and oratory will be conducted by teachers who are making a specialty of these lines.

Estimates of cost of equipment and materials have been made, showing that the expense of the experiment will not be heavy, when it is considered that the interests of 800 children are to be guarded.

The meeting at Ladd school Saturday night will consider the whole problem of activities at the school and the action taken will determine the fate of the first effort in Portland to establish vacation playgrounds at the several schools.

**Kelley Case Continued.**  
(United Press Leased Wire.)  
San Francisco, May 18.—S. Foster Kelley, the former banker of Seattle, who left there with Mrs. Iva May Henry, coming to flee from the reach of a court order with the two Henry children, appeared before Police Judge Shortall this morning, charged with having assisted in the evasion of a court order.

Attorney Cochran asked for a dismissal of the matter today, but as none of the attorneys for the prosecution was present, Judge Shortall continued the case until Saturday morning.

# DEMOCRATIC PARTY WILL WIN

### White House Is Goal—Calls Wilson More Popular Than Bryan.

A Democratic wave that will put a president of the new minority party in the White House is assured next year, according to the view of John Reginald Burton of New York, assistant secretary of the Democratic national committee. He is traveling with Governor Wilson's party, but will part company with the New Jersey leader in Seattle and return east by way of California.

Mr. Burton, a former newspaper man, has been for several months on a pleasure trip, during which he visited Mexico. When the revolution became hot he crossed the border and is making a leisurely survey of the west, looking into political conditions.

He will not predict the next Democratic nominee, but says he has great admiration for Governor Wilson and everywhere where Wilson has gone he has been received with enthusiasm.

"He has been drawing crowds even better than Bryan," said Mr. Burton. "He is a high minded and intellectual man. Whether the popular fancy will hold to him I cannot say, but he is now making a strong impression with the people."

"On my way east I shall stop to see Mr. Bryan, and will also see Governor Harmon before my return home. I am making this trip on my own responsibility, combining business and pleasure, and not as an emissary of the national committee."

"The Democrats will win hands down next year. I find public sentiment runs that way throughout the country. The tariff will be one of the big issues. The main thing now is to crystallize the warring elements of the party. They are now largely united, and the united party will sweep the country."

"The Republican candidate? I would not attempt to predict who he will be, but I believe Taft is losing ground. Taft may capture the nomination, but in the far west there is much more talk of Roosevelt than of Taft."

# JAIL FOR "TRUSTS" GORE'S PROVISION

### Introduces Bill in Senate Amending Sherman Act; Provides Penalties.

(United Press Leased Wire.)  
Washington, May 18.—Senator Gore, Democrat, Oklahoma, today introduced in the senate a bill amending the Sherman law by providing that every contract, combination or conspiracy in restraint of trade which was declared illegal by the Sherman law shall be presumed to be and shall be adjudged "unreasonable."

The amendment further provides that no such restraint shall be construed as reasonable, and that any one involved in bringing about such restraint of trade shall be imprisoned for not less than two nor more than 10 years.

# CAMORRIST CHIEF ARRAIGNS PRESS

### Camorra Misrepresented, He Says, in Newspapers; Publishers Sell to Enemies.

(United Press Leased Wire.)  
Viterbo, Italy, May 18.—Enrico Alfano, alleged leader of the Camorra today made a vitriolic attack upon the press, asserting that the Camorra had been misrepresented in the newspapers, and that the publishers had sold themselves to the enemies of the defendants. He said that unfounded stories published in the Italian press had tended to inspire a feeling of hostility toward him on the part of the jurors.

When interrogated today, Tommaso de Angelis, accused of complicity in the Cuocolo murder, smilingly confessed that he was a thief and enumerated scores of larcenies in which he said he had engaged in partnership with Cuocolo. He denied that he was implicated in Cuocolo's murder.

# MILL RUNS SAWDUST INTO WATER; \$50 FINE

(Special Dispatch to The Journal.)  
McMinnville, Or., May 18.—J. F. Cole of Fairvale was arraigned here yesterday in the justice court upon complaint filed against him by Deputy Game Warden O. B. Parker, charging him with running sawdust into a stream. He pleaded guilty and was fined \$50 and costs. He is the second person this spring to pay a fine for violating the game law in this manner.

# MRS. L. G. WELLS, WELL KNOWN PIONEER, DIES

Mrs. Lucinda Goodwin Wells, wife of Dr. G. M. Wells, died Wednesday, May 17, after a protracted illness. She is survived by her husband, Dr. Wells, all of her eight children and 16 grandchildren. The former being Dr. J. Hunter Wells, who is a medical missionary of the First Presbyterian church at Purgury, Korea; Dr. John Milton Wells of Boston, Mass.; Florence Wells West, Frank Maug Wells of New York city; William Pike Wells, Mrs. Emma Wells Blandford, Mrs. Fred Hiram Strong and Oscar Schiller Wells.

Born in Roanoke county, Virginia, of old Revolutionary stock, she was married to Dr. Wells during the last year of the Civil war in Richmond. They came to California in 1875 and to Portland in 1881, where they have since resided.

# Old Country Editor Starts Over Again



(Special Dispatch to The Journal.)  
Centralia, Wash., May 18.—Thomas Harlan, who is probably the oldest county editor in the northwest, has just concluded a business visit to Centralia where he was engaged in making preparations to start a new paper in Lytle Klickitat county. Although Mr. Harlan is nearing 80 years of age, he is entering his project with great vigor and enthusiasm.

The veteran editor has had a varied career. He has been attorney, politician, land agent, publisher, farmer and justice of the peace in his time, and has held various offices under three presidents. Under President Grant he served two terms in the United States land office and was later appointed special agent in the land office under President Cleveland, who removed him during one of the political upheavals of the day. President Harrison restored Mr. Harlan to office where he was instrumental in bringing out the exposure of the Herman and Mitchell land frauds.

Mr. Harlan's newspaper activities include the founding of the Medford Mail 22 years ago, the proprietorship of the White Salmon Enterprise, the Vancouver, Wash. Herald, and his more recent publication, the Oakville Cruiser. He made his visit to Centralia by train, taking four days.

# HIGHWAYMEN GET \$3.80 AND ALSO 15 YEARS

(Special Dispatch to The Journal.)  
Roseburg, Or., May 18.—So far in the present term of the circuit court in this city five men have been given penitentiary sentences. Two highwaymen and one burglar were given maximum sentences.

John Walters and G. V. Clinger, convicted of assaulting and robbing S. V. Eakin on the railroad track, near Oakland, and one month ago were given the heaviest sentence written in the statute for that crime—15 years. The thugs secured only \$3.80 in money, a watch and pistol. Joseph Morinos was given five years, the maximum sentence for burglary. He was convicted of looting L. H. Riebold's Co. in May of this city. He was the leader in three attempted jail breaks while awaiting trial. Henry Allen, a self-confessed accomplice of Morinos, was sentenced to serve three years. James Stanley, convicted of burglary, was sentenced to three years.

# HOLLANDER TOOK TOLL FROM BOTH COUNTRIES

(United Press Leased Wire.)  
Washington, May 18.—Information relative to fees paid by the United States to the government of the Kingdom of Prussia in the case of Jacob H. Hollander of Baltimore while he was in the latter republic to adjust its fiscal affairs is causing considerable comment in official circles today.

When Assistant Secretary of State Wilson appeared as a witness before the house committee on expenditures he stated that Hollander was paid by both governments for his services, the total amounting to \$140,000. Of this amount, Wilson said, about \$40,000 was paid by the United States. It was also brought out that neither San Domingo nor the United States was advised that Hollander was paid by the other country.

# HOOD RIVER REFLECTS PRINCIPAL INSTRUCTORS

(Special Dispatch to The Journal.)  
Hood River, Or., May 18.—A recent meeting of the Hood River city school board several of the teachers for the ensuing year were elected. E. E. Coad, who is serving his second year as city superintendent, was re-elected. J. O. McLaughlin was re-elected principal of the High School. The Misses Mary Barton, Hattie L. Brunquist, Flora Furrow and Alice Horning were elected to positions on the High school staff. L. E. Gibson, who was formerly principal of the High school but who has been in California for several years, was also elected a High school teacher. Miss Maude Hoolbrook has been offered the principalship of the Park street school. The Seventh and Eighth grades will be transferred to the High school building next year in order to make room for the primary grades.

**Prize Winning Apple Trees Sold.**  
(Special Dispatch to The Journal.)  
Hood River, Or., May 18.—A land sale of considerable note was made this week when C. H. Sprout transferred 10 acres of his young orchard to W. C. Keck, who has been in the banking business in Nebraska. The larger part of the acre of Sprout's orchard took the world's award for prize last fall and was picked from this tract. A corner lot at the corner of Oak and Third streets sold this week to Mr. Clapp, a farmer in the valley, for the sum of \$22,000.

# DEBATING FINALS COME IN 2 WEEKS

### Pendleton and Grants Pass Will Compete for Oregon Championship.

(Special Dispatch to The Journal.)  
Pendleton, Or., May 18.—For the third consecutive year is the debating team of Pendleton high school to have the honor of contesting in the finals of the Inter-scholastic Debating League for the championship of the state. This privilege was secured last night, when a two to one victory was won from the two of the Hood River high school, champion of the Columbia River district. Pendleton will now debate with Grants Pass, champion of the Willamette Valley, and Southern Oregon districts, at the University of Oregon in about two weeks.

The contest last night was over the question, "Resolved, That national conservation of natural resources is preferable to state conservation." The local team upholding the negative. The discussion was warm throughout, but until the rebuttal of the affirmative, Pendleton had a slight margin. The closing speech of Lester Murphy, however, put the victory in doubt, and the decision gives evidence of the closeness of the battle.

The Pendleton team was composed of James Hartwell, Claude Hampton and Chester Egan, and the Hood River team of Lester Murphy, Forest Moeke and Earl Spaulding. The judges were J. G. Elliott of Walla Walla, Professor Dunsmore of Whitman college and Edgar W. Smith of Helix. James H. Gwinn presided.

Principal A. C. Hampton has coached all three teams which have won success during the past three years, and to him belongs the great credit for the almost unbroken string of victories.

# Had Lived in Many States

Scotts Mills, Or., May 18.—H. L. Skirvin, who died at his home in Scotts Mills, was born in Kentucky in 1831. About the time of the civil war he moved to Texas; after a year he went to Iowa, remaining for four years; from Iowa he went to Nebraska, living there 13 years and then he homesteaded in Kansas, living in that state until 1890 when he came to Oregon. A widow and these six children survive: J. R. Skirvin of Scotts Mills, F. L. Skirvin of Silverton, H. E. Skirvin of Dillon, Mont., E. D. Skirvin of Marquam, Or., T. J. Skirvin of Gervais, Or., Mrs. W. S. Dennis of Fremont, Or.

**New Postmaster for Ukiah.**  
Washington, May 18.—Representative Lafferty has recommended E. G. Castel to succeed Jessie M. Gilbert as postmaster at Ukiah, Or.

# MOORHEAD WITNESSES KEEP STATE PUZZLED

(United Press Leased Wire.)  
Tacoma, Wash., May 18.—The Moorhead murder trial has developed into a contest over the veracity of witnesses—those of the state against those for the defense.

Attorney Lefebvre for the defense outlines the case as one of self defense. Harry Hill, a rancher living near the Moorhead home and Mrs. Frank Wing, his sister-in-law, were the best witnesses for the defense. It was at the Hill home that the Moorhead children stayed the night following the killing of Mrs. Sadie Buchanan, and Hill on the stand today told of the interview. Coroner Shaver and Deputy Sheriff Steno had with them the next morning. He said that Ralph Moorhead had told the coroner practically the same story as that related by the boy in court.

Young Moorhead threw the state attorneys into consternation Monday by giving testimony that alone was looked upon as sufficient to acquit his father, and the state by a ruling of the court, was allowed to call Coroner Shaver and others to impeach the boy's story. Hill's testimony today tended to discredit the story of Shaver. Mrs. Wing also was a good witness for the defense.

# REFERENDUM ON BENTON SALARIES

### People Themselves Desire to Decide, at Least 5 Per Cent of the Voters Do.

(Salem Bureau of The Journal.)  
Salem, Or., May 18.—That at least five per cent of Benton county folk do not favor the raise of salary granted county officials by the state legislature is indicated by the petition filed with the clerk of Benton county yesterday to refer the matter of the raise to the people of the county. Notice of the filing of the referendum was received today by Secretary of State Elliott. Among other increases of salary the county judge's annual stipend was boosted from \$720 to \$900, the treasurer's from \$800 to \$900, clerk's from \$1500 to \$1600, the assessor's from \$800 to \$1000 and the sheriff's from \$1600 to \$1800.

Journal Want Ads bring results.

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Have you seen the beautiful display of latest and best Player Pianos?

Have you seen the superb display of magnificent Baby Grands?

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Visit our new Talking Machine parlors (Second Floor). Complete display of every type of Victor, Victrola, Graphonola and all other makes of talking machines, and records for same.

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Have you heard the new Mary Garden records?

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Fifth St.

Ladies' Up-to-Date Suits, Dresses, Coats, Waists, Etc.

Better Goods for Less Money Here Than Elsewhere

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## Becker's Suit House

We open tomorrow with a sale that befits the occasion. We shall have no bands, no souvenirs, no expensive and useless decorations. We put the money that they would cost into what you will prefer—VALUES.

**They Are All New Models Made Up for This Spring**

WOMEN'S \$35.00 TO \$50.00 SUITS	\$25.00
WOMEN'S \$25.00 TO \$35.00 SUITS	\$17.50
WOMEN'S \$17.50 TO \$22.50 SUITS	\$ 9.95

### Exquisite Dresses

WOMEN'S \$37.50 TO \$50.00 DRESSES	\$27.50
WOMEN'S \$27.50 TO \$37.50 DRESSES	\$22.50
WOMEN'S \$20.00 TO \$25.00 DRESSES	\$13.95

Your choice of exquisite dresses made of the most fashionable fabrics, all designed for this spring.

### Ladies' Coats

Spring Coats in Pongee, Serge, Wool Mixtures, Black Taffeta, Black Satin, Etc., all reduced to a price that will appeal to you.

All other garments greatly reduced—Skirts, Waists, Wash Dresses, Etc. Come Early.

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