

Ferris Bill Vigorously Attacked by President Thompson in Debate in the Senate

SENATE REFUSES TO GIVE GOVERNOR RIGHT TO NAME DELEGATES

Chief Executive May, However, Name Day for Big Convention.

SLAP IN FACE, CHARGED

Discussion on Measure Providing for Meeting to Be Held Here Next Fall Leads to Hot Words.

(Salem Bureau of the Journal.)

Salem, Or., Feb. 5.—Ignoring charges that it was taking a slap at Governor Whitcomb, the senate yesterday afternoon refused to authorize the governor to appoint delegates from Oregon to a convention of representatives of the 11 northwest states to be held in Portland some time next fall. The convention is to be for the purpose of formulating a policy for the development of the water power possibilities of the northwest and present it to congress for consideration.

The resolution adopted by the senate provides that the senate shall name two and the house one representative to represent this state. The governor is to be permitted to name the date for the convention.

Before taking this action the senate voted down the Kellaher memorial to congress urging the passage of the Ferris bill, the purpose of which was stated to be to unwork the water resources of the west and permit development.

Memorial Debated at Length.

Practically the entire afternoon was consumed in debating the memorial and the resolution that had been substituted for it. There was a maze of motions and amendments and more than a dozen amendments were introduced in the proceedings. At times some of the senators also became quite irritated.

Before the senate committee made an adverse report on the Kellaher memorial and submitted the substitute resolution providing for the appointment of delegates to the convention, a viva voce vote the adverse report was adopted.

President Thompson made a vigorous attack on the Ferris bill. He declared it was an attempt on the part of the federal government to get control of the water power that now belongs to the state. He declared that the principle had been laid down in the resolution that the beds of navigable rivers and the waters of the state belong to the state and are not to be sold to the federal government.

He said if the Ferris bill should be adopted in its original form it would be a deadly blow to the development of the west.

Senator Butler and Senator Moser declared that what the state wanted was an opportunity to develop the water power that now belongs to the state and not an opportunity to give it away to the federal government, which they said would be the effect if the Ferris bill became a law and developed as he undertakes under its provisions.

"We have had too much federal government already," said Senator Bingham. "We have had too much Pinchotism."

Senator Kellaher declared something has to be done to protect the interests of the people. In the past, he said, the legislatures have been giving away the people's rights in about everything that was loose. He pointed out the fact that the power assets have of the proposed public utilities bill, for the development and use of hydro-electric power.

"Why not let the governor appoint the delegates to this convention?" he asked. "Don't play politics. Don't give the governor the glad hand and hold a knife in the other."

He made a motion to re-refer the resolution to the committee with instructions to insert a provision allowing the governor to name the delegates.

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gates. This motion was seconded and became the storm center.

"The resolution is drawn in the proper form," asserted Senator Day. "I don't believe the senate will consent to change it."

"Mr. President," interrupted Dimick, "I am getting peeved over the discussion."

"Well, what is it?" he demanded of Dimick. "In a beligerent tone of voice, 'I don't want to disturb you at all, go ahead,' he replied."

Day contended the question was a legislative matter and that it was not intended that the conference should be made up of the personal representatives of the various governors.

"Thompson said that similar conferences in the past, where the governors had appointed the delegates and were not representative of the people, had done no good for this section and have no use for Pinchotism, which has locked up our forests," declared Dimick. "But I think the provision for a divided session of the senate is a slap in the face of the governor for this legislature to log roll and say that we will only appoint men that will suit us on this delegation."

"I am in favor of this resolution," said Day. "I am in favor of the governor naming the delegates. We all say we have great confidence in the governor. Let us appoint the delegates."

"Suggestion is Resented." Butler said he resented the suggestion that this was a slap in the face of the governor.

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DIVIDED SESSION OF LEGISLATURE FINDS FAVOR WITH SENATE

Fifteen Days to E lapse Between Twenty-Day Business Periods.

BUTLER IS THE CHAMPION

Resolution Provides for Submission to Voters Constitutional Amendment; People's Demand, Says Sponsor.

(Salem Bureau of the Journal.)

Salem, Or., Feb. 5.—By a vote of 21 to 9, the senate yesterday afternoon passed Butler's resolution to submit to the voters a constitutional amendment providing for a divided session of the legislature. Senator Wood served notice that Senator La Follett would move to reconsider the vote.

The proposed amendment provides that the legislature shall meet the second Monday in January of each legislative year, and continue in session for not more than 20 days, when a recess of not less than 15 days shall be taken. Upon reassembling the second half of the session is not to be for longer than 20 days. The amendment places a limit of five bills that each member of the legislature may introduce.

Senator Butler declared that the people were demanding such a change, which would be a progressive movement and would increase the efficiency of the legislature. He said the bills proposed in so fast at the 1912 session that he did not believe there was a single member who even read them all, much less give them thoughtful consideration.

Senator Smith of Coos spoke in favor of the amendment. He said at the 1912 session he introduced 23 bills, and he noticed that Senator Moser had introduced the same number at this session. The vote on the resolution was as follows:

For—Barrett, Bingham, Bishop, Butler, Cusick, Day, Dimick, Farrell, Holter, Kellaher, Kiddle, La Follett, Langquist, Leinenweber, McBride, Moser, Smith of Coos, Smith of Josephine, Von der Hellen, Mr. President.

Against—Bills, Harke, Hawley, Perkins, Ragsdale, Stewart, Strayer, Vinton and Wood.

The senate indefinitely postponed S. B. 111, by Dimick, which was to repeal the 1912 law fixing the standard of seeds and relating to the sale of seeds. It also indefinitely postponed H. B. 207, by Olson, relating to the district courts at Portland.

Safeguard Widow's Pension.—Salem, Or., Feb. 5.—With an amendment that will safeguard the widows' pension from garnishment, the house committee on revision of laws last night passed favorably on S. B. 98, introduced by Senator Moser. Judge W.

N. Gates, Mrs. R. F. Bondurant, Mrs. A. E. Borthwick, Mrs. Bonham and Mrs. Hayhurst appeared on behalf of the measure, which is designed to limit amounts that have developed in the working of the present law.

Historical Appropriation Cut.—Salem, Or., Feb. 5.—Historical research work will have to be carried on with an appropriation of \$10,000 the coming biennium, according to the decision of the joint ways and means committee last night. The State Historical society had asked for an appropriation of \$19,836. The committee provided that retrenchment along this line should accompany retrenchments along all others, with the report showing that some \$2340 comes to the society in outside revenue.

Weekly Pay Day Proposed.—Salem, Or., Feb. 5.—A weekly pay-day for practically all classes of business, including the state, county and city, where many persons are employed, is provided for in a bill introduced by Senator Kellaher.

The bill provides that a weekly pay-day must be observed by all manufacturing, mining, quarrying, mercantile, railroad, street railway, telegraph, telephone, waterworks, and water conservation, and by all contractors engaged in public work.

Any employee who is absent from his regular place of work on pay day may draw his pay upon demand. The board of control is given authority, after a hearing, to exempt railroad companies, if it is found to be agreeable to the employees.

Divorce for Permanent Insanity.—Salem, Or., Feb. 5.—Permanent insanity is made the grounds for divorce by the provisions of a bill introduced by Senator Langquist. It provides that the persons must have been adjudged insane at least five years prior to the commencement of the action for divorce, and that the court must be convinced that the case is incurable.

Bill Abolishes Biologist.—Salem, Or., Feb. 5.—The office of state biologist is repealed by a bill introduced by Senator Hawley. The present state biologist is Albert R. Swain of the state university. The position pays no salary.

ILLS INTRODUCED IN OREGON LEGISLATURE

In the Senate.—S. B. 107, by Thompson—to create the judicial district out of Lake county and providing for the appointment of a judge. S. B. 108, by Smith (Coos and Curry)—Amending section 6313, relating to road districts.

In the House.—H. B. 451, by ways and means committee—Appropriating \$5000 for printing and distribution of legislative records. H. B. 452, by ways and means committee—Appropriating \$50,275 for Oregon State Training school.

H. B. 453, by Anderson (Wasco)—Defining qualifications for osteopaths. H. B. 454, by Blanchard—to protect people against "gas parties." H. B. 455, by Daves—to amend laws relating to mortgages.

H. B. 456, by committee on military affairs—Appropriating \$100,000 for Oregon naval militia. H. B. 457, by Barrow—to prevent stock running at large in certain precincts in Coos county.

H. B. 458, by Barrow—to permit connection of bridge connecting Handolph Island in Coos county with mainland. H. B. 459, by Barrow—to prohibit cities of certain size issuing bonds in excess of \$50,000 without majority vote.

WOULD DEFER DATE FOR CHANGING TIME OF TAX COLLECTION

Proposed Change From April 1 to May 1 Prior to 1917 Viewed as Menace to City.

SEE FINANCIAL SHORTAGE

Suspension From Duty of Half Force of Police and Fire Departments Feared.

(Salem Bureau of the Journal.)

Salem, Or., Feb. 5.—In addition to offering about 20 amendments to the present taxation code, a delegation of Multnomah and Portland tax experts last night offered to the assessment and taxation committee of both houses a vigorous protest against placing the time of tax collection at a later date, until 1917 at least.

They declared that to change the date from April 1 to May 1 prior to 1917 would disrupt the affairs of Portland and the Portland dock commission, that it would require the suspending from duty of half the fire department and police force, as well as other city employees and that it would bring about a chaos in the affairs of Portland practically impossible to remedy.

City Commissioner C. A. Bigelow pointed out that with the payment of the first half of the taxes it is necessary that the city should have a large share of the funds for expenses, and with the city operating at a cost of approximately \$250,000 a month, to put the date a month later would cause disaster.

Coupled with the charter provision of Portland that no warrants shall be issued because of lack of funds he believed that this condition would be impossible to overcome, but believed that if such a law became effective in 1917 the city would have an opportunity to so readjust its affairs as to meet the situation.

Assessor Maker Appeal.—Among the important amendments to present assessment and taxation laws, presented by Assessor Reed of Multnomah county, as endorsed by the assessors of Oregon and the Taxpayers' league of Portland, were some of import. Included in these is an amendment proposing that municipal, city or county property should be assessed the same as private property. Also it is asked that the city of Portland be sectionized into assessment districts for purposes of taxation; that all tax levies be made not later than December 20; that the county treasurer publish an annual report; that the county treasurer in one county may call upon the county treasurer of another county to collect delinquent tax on the personal property of a person who has removed from the one county to another, and also that the tax be made a lien on personal property.

Chief Deputy Huchaby of the treasurer's office, Clerk Auditor Barbur and R. H. Thomas, clerk of school district No. 1 of Multnomah county, all presented views on questions of assessment and taxation, as well as Assessors Calkins, Douglas county; Davis, Wasco county; Fall, of Lincoln, and West, of Marion county.

Champions Tax Bill.—State Tax Commissioners Galloway and Eaton, C. E. Spence, master of the state grace, Mr. Stumway of the Farmers' union and Robert Smith of Roseburg also spoke.

Senator Barrett made a valiant effort for his bill to place the time of tax collections at May 1, declaring it in the interests of the farmers, while Senator Bingham urged changing the law so that tax collections shall again be placed in the hands of the sheriff. It became practically the unanimous sentiment of those present that as simple changes as possible should be made in the collection laws, with a possible change of date and a semi-annual payment. The commission seemed to be divided on the question of tax penalties.

Senator Perkins, chairman of the senate tax committee, presided at the hearing.

Exhibit of Oregon Mines.—Salem, Or., Feb. 5.—Legislators from the mining counties of the state, particularly Josephine in the southern portion and Baker in the eastern part of the state, are very much interested in Senator J. C. Smith's bill providing for an appropriation of \$10,000 for a mining exhibit at the Panama-Pacific exposition.

For some reason the Panama-Pacific commission overlooked the mining industry when making up the exhibit for Oregon. The mining men feel that the industry is too important to the state to be thus neglected.

Senator Smith has been interesting various senators with samples of ore taken from the Orizole mine in Josephine county which he says came from a body of ore that will run \$10,000 to the ton. The ore is streaked with gold. He said this rich ore vein is four feet wide.

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Definition of Navigability.—The broad construction of the law on this subject is shown by the following definition, quoted by Brown:

"To make a stream a highway it must at least be navigable or floatable in its natural state at ordinary recurring water freshets long enough to make it useful for some purpose of trade or agriculture."

As to the authority of the state to lease the lake beds, the attorney general quotes the law and says:

The words "other such lands held by the state by virtue of her sovereignty," we have no reference to lake beds in the title. But notwithstanding the fact that lake beds have not been mentioned in the act referred to, the legislature has a right to assert its policy concerning the beds of lakes and to lease the same, provided always, that such lakes are navigable."

Ratification Is Urged.—Absolutely no opposition to the ratification by the legislature of the contract entered into by the state land board for the lease of Abert and Summer lakes to Jason Moore developed at the meeting.

The consensus of opinion in the committee is that the board should receive the entire amount of its estimated appropriation, minus a continuing appropriation for extraordinary economic exigencies the necessity for which no longer obtains.

Public Leads Committee Hears Arguments in Favor of Ratifying Contracts Entered Into for Lease.—Salem, Or., Feb. 5.—The opinion is that title to the beds of Summer and Abert lakes is vested in the state of Oregon. Oregon attorneys General Brown in a written opinion to the joint committee on public lands, made public today. "My reply is based upon the assumption that the waters of the lakes are navigable."

The attorney general discusses at some length opinions of the supreme court of Oregon and cites the subject. In one case the Oregon supreme court said:

"The navigability of bodies of water is a question of fact. The navigability in law can never exist independent of navigability. The navigable waters of the United States are such as are navigable in fact."

Those who know the situation at the lakes say that they are navigable beyond question and, in fact, there are several small boats used on them. The question was raised by Attorney Jay Bowerman of Portland in arguing in opposition to the Moore lease at a recent hearing. Bowerman insisted that the lakes were not navigable and the beds, therefore, belonged to the government and not the state.

Open Meeting on Social Hygiene.—Salem, Or., Feb. 5.—Social hygiene will be the subject of a big open meeting of the legislative joint ways and means committee next Monday night, when the question of an appropriation for the Social Hygiene society will be considered. Every legislator has been flooded with letters urging the extension of the work, with about as many asking that state aid be discontinued entirely.

One of the questions facing the committee is the desirability of putting the state's social education work under direction of the state board of health and enlarging the scope of that board. For that reason the appropriation to maintain the state board has been held in abeyance until after the Monday meeting.

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House Committee Blams Gate Through Law Schools Proposed by Representative Anderson of Clatsop.—Salem, Or., Feb. 5.—Young attorneys who seek admission to the Oregon bar will have to pass just as rigid an examination hereafter as heretofore, if the recommendation of the house committee on revision of laws is carried out by the house itself.

Representative A. A. Anderson of Clatsop county had introduced H. B. 248, which allows persons who have passed examinations of the University of Oregon law school or some other institution of equal standing to gain admission to practice simply on motion before the court.

Lawyers on the committee challenged the ethics of such a procedure, holding that the standard of the profession would be lowered if the examinations were waived. A delegation of young men students who will have to face these tests eventually appeared to urge the modification. The committee stood firm, however, and the same barriers that its members had to surmount will still remain to tax the coming generation.

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TITLE TO THE BEDS OF MINERAL LAKES LIES IN STATE, SAYS BROWN

Attorney General Quotes Supreme Court Opinion in Support of His Position.

LAKES ARE NAVIGABLE

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