

PIPES CONTENDS BEAN BILL DID NOT HAVE 31 VOTES AS REQUIRED

Arguments Heard in Suit to Keep Measure From Ballot in Election June 4.

DECISION DUE THURSDAY

Judge Pipes Cites Court Decisions Holding Constitutional Requirements Must Be Met.

Arguments for and against the suit brought by District Attorney Max Gehlar of Marion county to enjoin County Clerk U. G. Boyer of Marion county from placing the "Bean bill" on the June 4 ballot were heard Tuesday night before Circuit Judge George Bingham of Marion county, who is now holding court in Portland.

The case was presented on behalf of Mr. Gehlar at 9 o'clock by Judge Martin L. Pipes, while Frank S. Grant and L. E. Bean, the author of the bill, opposed the injunction.

Only 23 Votes for Bill.

Judge Pipes, in presenting the argument for the injunction, contended that the constitution of the state required a total of not less than 31 affirmative votes in the house of representatives before a measure could be constitutionally enacted.

He pointed out that the journal record of the house shows that the Bean bill, after having been passed in its original form, had been amended by adding a provision to the title, together with a new section providing for its reference to the voters at a general or special election.

Amendment Changed Bill in Place.

It was contended by Judge Pipes that the amended bill as passed by the senate was, in law, an entirely separate and distinct measure, and that, under the constitutional requirements, it must receive at least 31 affirmative votes to enact it legally.

He illustrated this point by arguing that unless this constitutional provision were upheld, it would be possible to pass a bill through the house appropriating \$100 for some purpose, to amend this in the senate by raising the amount to \$10,000, and then put this big appropriation through the house with less than 31 votes.

Grant and Bean, in opposition to Judge Pipes, argued that the constitution did not require a roll call on occurrence in an amendment, and made exhaustive reference to the records of past legislatures to show that it was the common legislative practice not to take a roll call.

Court Decisions Cited.

Judge Pipes, in closing, answered this contention by citing the decisions of many courts, universally holding that the legislative record was presumed to show full compliance with all constitutional requirements, unless it affirmatively showed failure to comply.

Under the legislative record, Judge Pipes showed that the mere statement of the record that either house had concurred in an amendment carried the legal presumption that there had been the number of affirmative votes required by the constitution, which, in the Oregon house of representatives, was not less than 31.

He then showed that in the case of the Bean bill the house journal, both by the recorded roll call and by the protest filed by Representative Allen Eaton of Lane county, clearly showed that the bill had not received the requisite number of votes, and therefore had never been legally enacted.

CASH WHEAT IS SOLD IN CHICAGO 63 CENTS UNDER RECORD MARK

(Continued From Page One.)

their notice," was accepted by big dealers and millers as having "killed the speculators and dealt hysteria a death-blow." Restrictions on May corn and oats also were extended indefinitely.

W. Farnia, Says Griffin

In a formal statement Griffin referred to the board's action as "declaring martial law" in grain trading. "The problem has been solved, the cure found," he said. "There isn't any famine in anything. We have enough wheat and can spare some to the allies."

"Our so-called 'experts' have intimidated governments all over the world. Most of the figures and figures are lies."

"Farmers are loosening up; they've got the grain. If we could only get better service from the railroads."

"For four months we have been pleading with the government to order a preference in the moving of food-

stuffs. So far, neither the authorities nor the railroads have responded. Coal and steel are the things that move—profit, not foodstuffs, has been given the preference.

"Shutting Up" Will Help Most.

"What we are doing is revolutionary and perhaps in violation of constitutional rights, but we have declared military law."

"Newspapers, groceries, college professors and school teachers can help most by shutting up."

There were various rumors afloat concerning the real mission of the committee of three sent to Washington last night by the 31 grain men who attended the conference. One persistent report was that the committee—composed of John H. MacMillan of Minneapolis, E. C. Andrews of Chicago, and C. T. Pierce of Chicago—would ask the government to curb grain buying by the allies. It was officially announced, however, that the committee was to confer and cooperate with government officials and the committee of grain exchanges in aiding the council of national defense.

Master Bakers to Meet.

High flour prices, resulting from the unprecedented wheat situation, are having their effect on bread. The Sloan Baking company, one of the largest concerns in the city, closed its plant today, announcing it was losing money on the present 10 and 15 cent loaves.

Delegates from all states are arriving for the special convention of the National Association of Master Bakers, which will hold a two-day session. It is believed they will also go on record for federal control of wheat and flour supplies.

HUGE DEFICIENCY BILL HAS HEARTY SUPPORT OF BODY OF SENATE

Measure Provides Funds for Carrying on Warfare Upon U-Boats of the Kaiser.

Washington, May 15.—(I. N. S.)—The greatest appropriation in the nation's history, the army and navy urgent deficiency bill, carrying a total of \$3,350,946,381.82, and commencing all the shipbuilding facilities and materials of the country to defeat the submarine warfare, was reported to the senate and its immediate passage recommended by the appropriations committee Tuesday afternoon.

Regulation of Plants Covered.

The bill authorizes the president, in addition to all other existing provisions of law, to place orders for ships and materials not to exceed \$750,000,000, and in case of any person, firm or corporation, to place orders for the government to take possession of any factory of such contractor.

Government May Fix Prices.

It would empower the president to compel the owner of shipyard or factories making ship building material to place their plants at the disposal of the government and to deliver all or part of their product to the government at prices to be determined by the president.

Of the \$750,000,000 authorized expenditures for ships, \$405,000,000 will be immediately available. The bill as passed by the house carried \$2,827,000. The committee added a total of \$563,000,000.

Farm Loan Bonds Will Be Sold Soon

Washington, May 15.—(I. N. S.)—A substantial issue of farm loan bonds, probably \$50,000,000, will be placed on the market within a month or six weeks, it was announced Tuesday by the farm loan board. They will bear 4 1/2 per cent interest.

Loans to farmers under the farm loan system have passed the \$1,000,000 mark. They are now being made at the rate of \$150,000 a day, which means that the total will reach \$3,000,000 by the end of the month. Applications for \$90,000,000 in loans have been received from individuals who have not formed farm loan associations and it is indicated that the loans made during the first year the system is in operation will total \$150,000,000.

Yakima River Now Is at Flood Stage

North Yakima, Wash., May 15.—The Yakima river has reached flood stage and is discharging about 15,000 second feet over the dam at the intake of the Sunnyside canal. The gauge showed 9.3 feet Sunday morning, while 8.1 feet is considered the beginning of the flood stage. The river fell 12 feet Monday owing to the cooler weather, but is expected to go higher until the early summer runoff is completed. It is estimated that a third of the snow on the lower levels went off last week during the three hot days.

Frisko Schoolboys To Aid Farm Work

San Francisco, May 15.—(P. N. S.)—The board of education Tuesday gave its unqualified support to the movement to mobilize high school students for work on the farms.

Responding to the request of Superior Judge Thomas F. Graham, chairman of the county council of defense, the school board decided to permit students in good standing to leave school before the close of the term to do farm work, their early departure not to interfere with promotion or graduation.

Pony Herd Given to American Red Cross

San Francisco, May 15.—(I. N. S.)—A. W. Foster, broker, railroad man and regent of the University of California, has donated his entire herd of famous Frisko ponies, valued approximately at \$10,000, to the Marin county chapter of the American Red Cross to dispose of as it sees fit. The Frisko ponies are famous over the United States and there is hardly a horse show of any consequence in the country where they have not been shown. Many are holders of prizes.

No Rate Increase On Cans to South

Salem, Or., May 15.—The public service commission today continued the suspension of the Southern Pacific's proposed increased freight rates on tin cans from Portland to southern Oregon points, but approved the increases in the rates on bags, burlap, gunny or gunnys.

When the railroad company filed supplementary tariffs showing heavy increases in the rate on cans, practically all the shippers in the Willamette valley and southern Oregon protested. The commission suspended the proposed increases until May 25, and today's order continues the suspension of the increased rate on cans until August 25.

Harry K. Thaw Sent To Insane Asylum

Philadelphia, Pa., May 15.—(I. N. S.)—The insane asylum again claims Harry K. Thaw. Presiding Judge Martin today signed a decree authorizing Thaw's removal from St. Mary's hospital to the insane house. Thaw is in the hospital recuperating from razor wounds, self-inflicted while detectives were trailing him on charges of dogging Peter Gump Jr. of Kansas City, in New York.

DUMA LEADERS REJECT TERMS FOR COALITION SCHEME

(Continued From Page One.)

Acceptance of the duma's government of coalition force to restore governmental order. The terms of the council's acceptance were not made public, except it was hinted that they had demanded Paul N. Milukoff, minister of foreign affairs, must not appear in the reorganized cabinet.

From the government's rejection of the proposal today, it appears the council went much further than mere demand for Milukoff's head and possibly insisted upon formal renunciation by the new coalition government of certain agreements with the allies.

Internal Anarchy Feared.

The duma government's rejection declared it was impossible to expect Russia to renounce the principles enunciated on April 9. The government further insisted, the council was told, that it was necessary to confirm the unity of all forces on all allied fronts and to wage an energetic struggle against internal anarchy.

Terms of Peace Cause Split.

The soldiers' and workmen's council has heretofore strangely demanded a policy of "no annexation and no indemnities," and it is presumably this rock of indemnities on which the two forces in the Russian situation have now split. Before the second split, the most vigorous efforts were made by both sides to induce M. Gutchkoff, minister of war, to reconsider his resignation and participate in the coalition government as "minister of national defense."

Previous Vote Is Reversed.

Coalition was decided upon by the workmen's and soldiers' council by a vote of 41 to 19, thus reversing the 22-to-23 vote by which the executive committee of that organization previously rejected such a proposition from the provisional leaders.

The meeting at which this action was taken was a secret one. It was known, however, that the council was impelled to its resolution by the gravest reports of disintegration of Russia's armies. Speakers recounted the series of resignations of high army commanders, beginning with the minister of war and including yesterday's resignation of commanders as Generals Brusiloff and Gurka, and detailed wholesale desertions of soldiers themselves.

Milukoff Resignation Expected.

It was recognized that Russia's foremost bulwark was in the army and the council decided to take forceful steps in checking such an alarming growth. Milukoff's elimination from the government has been expected. He has lacked support from the army and the workmen ever since his statement of war aims. He had been under fire of demand that he publish a "secret" treaty in existence between Russia and the allies and for his reported action in giving blanket endorsement to all compact previously entered into with other nations by Czar Nicholas and the old regime.

Publicity of Terms Promised.

Publicity for these treaties within two weeks was promised a group of soldiers' delegates from the front today in a speech by the soldiers' and workmen's leader Seretell. He frankly expressed his previous opinion of the business apparent in the army and urged his auditors to return and work for unity of action.

Seretell was later commissioned by his colleagues of the soldiers' and workmen's council to negotiate with Gutchkoff and urge him to return to his post as minister of war. At the same time, it was made known that the resignation of a number of other high army commanders was impending.

APPEAL FOR AMERICA TO SEND VOLUNTEERS COMES FROM PETAIN

French Chief Urges Training Units at Once for Preparing Later Troops.

Washington, May 15.—(U. P.)—Here is the so-called Roosevelt amendment to the selective service army bill: "The president is further authorized to raise and maintain by voluntary enlistment, to organize and equip, not to exceed four infantry divisions; provided that the organization of said force shall be the same as that of the corresponding organization of the regular army; and provided further, that there shall be no enlistments in said force of men under 15 years of age at time of enlistment; and provided, further, that no such volunteer force shall be accepted in any unit smaller than a division."

A Gentle Thrust.

From the Baltimore American. Miss Oldgirl—I remember when the girls married much younger than they do now. Miss Pert—Yes, so grandma tells me.

ately," in an interview with Whitney Warren, noted architect, published by the New York Times today.

Asking for volunteers at once, Petain says: "These volunteers would at first be organized with French units, but still respecting the autonomy of America. It is understood that it is a moral necessity that they fight under their own flag, but there is also necessity for a period of transition or instruction when quicker and better results could be obtained by the above method."

Petaun points out that those volunteer units could later be used to skeleton organizations for the bigger American armies.

"The foundation of American volunteer units," he said, "will comprise two periods. First, constitution and instruction in France. The construction and formation of officers is all-important and is especially what is lacking in the case of the English. Officers should be very numerous, enough for at least 100 divisions. They should be taken from your regular army or militia, from among regular soldiers and young men who have a certain amount of education. Send at once as many colonels, majors and captains as possible to be stationed with French officers at the front."

Petaun expressed confidence in America's ability for the "herculean effort" of raising and equipping a big army by selective service, and said this huge army must be trained both at home and behind the lines.

There was no disguising the general recognition of the seriousness of the Russian situation here today. It was realized the chancellor baited his hook with very enticing words to the new Russian government, but the belief was expressed that, despite disorganization in Petrograd at the present moment, the differences in government there would be ironed out and the trickery of the German proposals be apparent to the new democracy.

Mint of Republic Recalled.

England does not expect German Socialists supinely to take Hollweg's rebuff to their plans. Interpreting the

HOLLWEG SPEECH IS CONSIDERED BAIT TO GAIN RUSSIAN PEACE

Possibility Seen That German Socialists May Be Roused to Drastic Action.

London, May 15.—(U. P.)—Formal admission that Germany is angling officially for a separate peace with Russia was the main point in Chancellor von Bethmann-Hollweg's reichstag speech that struck the British press and public today. Otherwise the address was regarded as a mere recapitulation of previous outlines of Germany's aims, but an outline which possibly may arouse the German Socialists to drastic action.

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chancellor's pleas as a practical surrender to Junkerdom, British press and public attention was centered on the socialist hint of a republic in the event of a peace.

The immediate effect of the chancellor's sharp words, it was expected here, will be to add strength to the Ledebour-Haase Socialist group, and correspondingly to decrease the influence of the Scheidemann pro-government, pro-peace faction. The Ledebour-Haase group is scarcely a month old.

It was formed when Scheidemann centered all his attention on agitating the Stockholm "Socialist peace conference," and when rumors of tacit government backing to that effort began circulating in Germany. Ledebour is a Socialist of the extreme Liebknecht type, and it is a coincidence that he represents Liebknecht's old district in the reichstag.

Herlin dispatches, however, indicated that even Scheidemann, with his pro-government sympathies, was greatly

angered by the complete refusal of the chancellor to grant any part of the Socialist request for clear definition of war aims. He apparently went just as far as Ledebour in warning the government of a popular uprising if Germany did not more clearly specify her war ideals.

Guns of Milwaukee Going to Washington

Santa Rosa, Cal., May 15.—(U. P.)—Six guns from the United States cruiser Milwaukee, which stranded near Eureka, Cal., January 14, are being shipped to Washington by railroad. The guns, in a covered gondola car, have passed through here. They weigh 115,000 pounds and to ship them the government paid \$4200 freight charges.

—what will stop a wife from running away??? See "THE WEB OF DESIRE" at the STAR

Marguerite Clark In "The Valentine Girl" This wonderful photoplay has taken the town by storm. If you have not yet seen it—by all means come Tonight At the COLUMBIA The Theatre Beautiful

A WORLD PICTURE ETHEL CLAYTON "The Web of Desire" with including ROCKEFELLES FELLOWES

High society life, high financial circles, a fashionable gambling-house—all these figure in this film and have much to do with bringing things to the sensationally thrilling climax. Scenically it would be hard to excel this offering. From all angles it is a superior attraction. You will enjoy

"The Web of Desire" The programme includes lovely Mollie King in the absorbing, gripping "Mystery of the Double Cross" ST A R Washington at Park Charlie Chaplin Next Sunday

ST R A N D THEATRE PARK AT STARK ST. 4 DAYS ONLY TODAY THURSDAY FRIDAY SATURDAY 4 DAYS ONLY BLUEBIRD PRESENT DOROTHY PHILLIPS IN "The FLASHLIGHT" With LON CHANEY and Wm. Stowell and same cast as "HELL MORGAN'S GIRL." A Dramatic and Baffling Mystery of the Big Woods. VAUDEVILLE Totito & Co. Juggling Equilibrist Jack and Marie Gray Varied Vaudeville Bell & Sinclair Banjo King and Prima Donna Ted Ullmark Singing Comedian

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