

Usual Turmoil and Tangle Witnessed in the Closing Hours of Legislative Session

SENATOR'S BLOW AT OLCOTT RECALCITRANT PARDON EFFORT

W. W. Banks Thwarted in Attempt to Collect Attorney's Fee in Case of Convict.

State House, Salem, Jan. 17.—Senator W. W. Banks, in his capacity as attorney, failed to win Governor Olcott's approval of an attorney fee for \$500 for his efforts on behalf of Marshall S. Sikes, alias Marshall S. Irwin, a paroled convict for whom a pardon was sought.

Subsequently the governor announced that he would consider no applications for pardons presented by attorneys who were being paid for their services.

Did these transactions have any bearing on the resolution introduced Friday, calling upon the governor to resign that a successor might be named at the next general election?

PRISONER PAROLED

Irwin was sentenced to the penitentiary from Douglas county May 25, 1915, on a charge of larceny in a dwelling, and was paroled on May 25, 1918, by Governor Withycombe. During his incarceration Irwin inherited about \$3000 from a grandfather who had died at Delavan, Ill. Irwin was inclined to be a drug addict and was not of high mentality. In addition, he was reported by the authorities to be a spendthrift. For those reasons, when he was paroled, the disposition of his funds was placed in charge of Ben Selling of Portland.

PARDON IS SOUGHT

Early in April, 1919, Irwin expressed a desire to secure a full pardon, to be given his funds and be allowed to go to Illinois to be with an aunt. Banks appeared before Governor Olcott as Irwin's attorney, verbally making application for such a pardon. It was represented that it would be better to allow Irwin to return to Illinois and get away from his associates in Portland, as Irwin was said to have returned to the drug habit. Governor Olcott referred the matter to Selling, who stated that under all the circumstances it would be better for Irwin to be paroled to Illinois under the guardianship of his aunt. After conferring with Selling and District Attorney Evans, the governor consented to allow Irwin to return to Illinois, however, to still be under the supervision of the state parole officer, his parole to be entered to give him permission to leave the state.

ADJUSTMENT MADE

Banks suggested to the governor that Irwin had contracted some debts in Portland, that he owed Banks himself a fee for doing some work for him and that Banks would consent to clean up Irwin's debts, buy him a ticket to Illinois and send Irwin back home, providing Irwin's money was turned over to Banks. The governor declined to do this, saying that he would desire to see Irwin and District Attorney Evans to settle up Irwin's accounts, whatever they might be. In addition, the governor telegraphed to the leading bank at Delavan, Ill., asking the bank to designate some reputable citizen to act as a guardian for Irwin's funds. The bank designated such a citizen.

CLAIMS SETTLED

In the meantime District Attorney Evans telephoned to the governor's office, saying in effect that Mr. Banks had appeared at his office with a letter in which Irwin had agreed to pay Mr. Banks \$500 in event Irwin secured a full pardon. Immediately upon receipt of this information the governor declared that all negotiations would be off insofar as the matter of an attorney's fee was concerned. As a result Mr. Selling and District Attorney Evans went ahead and settled up the various claims against Irwin, with the exception of the attorney's fees.

Irwin was given permission to leave the state to go to Illinois and be under the guardianship of his aunt and the conservator of his funds, who had been designated by the Illinois bank. Irwin is still in Illinois and still reporting to the parole officer.

Several weeks after the occurrence of this transaction Governor Olcott issued a statement to the effect that he would in the future consider no applications for pardons that were presented by attorneys who were paid for their services.

District Attorney Walter Evans of Multnomah county and Ben Selling do not openly attribute to Governor Olcott Banks' animus toward Governor Olcott because of his refusal to honor Banks' claim for \$500 from the inheritance of Marshall S. Sikes, alias Irwin, following his return to Illinois. Banks' claim was promptly disapproved, Selling declares.

When Sikes' affairs were being

Bills Passed by the Senate

- State House, Salem, Jan. 17.—Senate bills passed:
1. Bill—Relating to bank examiners' appointment by banking board.
 2. Patterson—Amending the code relating to corporations.
 3. Huston—Establishing courts of domestic relations in counties containing a population of over 200,000.
 4. Strayer—To amend section 1, chapter 381, general laws, 1919, creating a board of engineering examiners.
 5. Committee on irrigation—Relating to drainage districts organized under the provisions of chapter 340, general laws for 1916.
 6. Multnomah county delegation—To amend section 1, chapter 25, general laws of Oregon for 1917, relating to independent districts having more than 20,000 children of school age.
 7. Porter—Providing indemnity money for certain diseased livestock which have been slaughtered.
 8. Multnomah county delegation, granting powers to municipal corporations known as "ports."
 9. Multnomah county delegation—Amending sections 73 and 74, chapter 264, general laws for 1919, relating to state institutions for children.
 10. Nicholson—Providing for compensation of county surveyors and their deputies.
 11. Hurler—Regulating the grading of non-resident-owned livestock upon unenclosed lands.
 12. Ritter and Shanks—Providing for the recording of discharge papers of discharged soldiers.
 13. Bell—Amending chapter 99, laws of 1919, relating to remedy monument fund for ex-convicts.
 14. Norblad—Prohibiting the publishing of news items in any but the English language.
 15. By committee on ways and means—Appropriating money for the investigation of salaries of state county officers.
 16. By J. B. Smith—Designating certain county roads as post roads.
 17. By J. B. Smith—Creating a post road in Jackson county.
 18. Eddy—Creating a post road in Douglas county.
 19. Patterson—Designating certain Polk county roads as post roads.
 20. Baldwin—Designating certain Clatsop county roads as post roads.
 21. Committee on roads and highways—Designating part of Clatsop and Tillamook county roads as part of the state highway system.
 22. Patterson—Designating certain Polk and Yamhill county roads as part of the state highway system.
 23. Lachmund—Designating road for Marion county as state highway.
 24. By committee on ways and means—Providing for the construction of a state road in Columbia county.
 25. Judiciary committee—Providing punishment for murder in the first degree.
 26. Judiciary committee—Providing for enforcement of death sentences.
 27. Judiciary committee—Providing penalty for treason.

HOUSE IN PUSH TO FINISH JOB

Steering Committee Sifts Bills; Memorial for Treaty Ratification Again Beaten.

State House, Salem, Jan. 17.—With the clock stopped and its hour of adjournment a half day gone into the past, the house started its staggering way towards midnight and Sunday morning, when the members straggled into the hall at half past seven in the evening, and went into the work of passing senate bills, with some fifty measures from that side of the assembly staring them in the face.

But before the got far, Smith of Baker rose in his place to a question of personal privilege to correct false statements carried in the report of the day's proceedings by the Portland Telegram.

SAYS THEY WERE MISQUOTED

Gallagher, Moore, Bean and others joined in the discussion and the house, in response to the request of Smith, gave public expression to the fact that not only Smith but various other members of the house were misquoted and misrepresented during the session by that paper.

After this flurry the house went to work as rapidly as it might get into the big mass of business stacked in front of it. It had calmed down somewhat from the storm that shook it during the closing hours of the afternoon session, during which it looked for a time like the legislative ship was about to go onto the rocks of final adjournment with all of the senate business untried and the work of the whole session in an unenviable tangle.

KUBLI STARTS SOMETHING

Kubli started all the trouble along about 10 o'clock by suddenly rising in his place and shouting himself heard above the general din and confusion, and proceeding to read the riot act to the members of the house.

"I am willing to stay here as long as I can, but I don't want to be here if you don't want to be here," he said, "I don't want to be here if you don't want to be here." He then proceeded to read the riot act to the members of the house.

Smith of Multnomah added to the storm by moving to reconsider the vote by which the house adopted the senate bill of Baker, which he called attention to the fact that there was danger of invalidating legislation passed since noon, and argued that to take the room record of the members to proceed more calmly to finish up the work of the session.

Scheubel jumped into the fray with a written resolution which he started to read, which had been incorporated in the record, would have shown in the record that the house was in session subsequent to the time it had agreed to adjourn. He met with such a storm of friendly protest that he never concluded reading his resolution and it was not introduced.

BEAN JOINS IN FIGHT

Bean also got into the fight. "I served notice on the house when it adopted the resolution to adjourn that it meant what it said, it was not wise action, and it has proved not to be wise now," he said.

"Put your clock back in your pocket and let's get to work," Gallagher told Scheubel from across the hall.

Smith of Multnomah said that the house was either going to reconsider the motion to adjourn or he was going on a strike.

Scheubel told the resolution that it was not the result of the resolution, but of the members that the session had devolved into such a tangle.

RECALCITRANTS ARE SCORED

"You all know," he shouted, "that there was going to be a special session a month before you got here. You all knew it was to be an emergency session and that emergency legislation was all that ought to be considered. You ought to have had your emergency legislation ready when you got here, but you have come here to act like a bunch of boys and kids with all sorts of kid bills."

At this juncture Woodson worked his way through the milling herd up close enough to the speaker's desk to make himself heard above the tumult and shout that he was going to resign. He was to be five by appointed by the speaker to take all bills before the house and arrange them in the order of their importance, reporting back to the house.

The motion was carried and Speaker Jones appointed Woodson, Scheubel, Graham of Washington, Smith of Baker, and Smith of Multnomah. The committee gathered up the litter of bills from the desk of the chief clerk and sought refuge in the speaker's office to make the arrangements.

KILLED SECOND TIME

While the house was shifting from one foot to the other, waiting for the steering committee to make its report, Burdick and Graham called for a memorial to congress, killed earlier in the day, which urged the president and senate to compose their differences, partly the memorial called for by the memorial to congress, particularly approving the reservation to Article X of the League of Nations covenant. It was explained by the speaker that the purpose of the resolution was to commend the speaker taken from the desk of the chief clerk and sought refuge in the speaker's office to make the arrangements.

The vote was finally put, members demanding to know, out of the turmoil, what they were voting on. When the smoke cleared and the vote was announced it was discovered that the memorial had been given but 13 affirmative votes, so it died the second time.

Held for Investigation

Vincent Edwards, 20, said to be an ex-convict from a California prison, was arrested Saturday night by Inspectors Howell and Morak and is detained for investigation. The inspectors believe Edwards knows something about recent holdups.

Bills Passed by The House

- State House, Salem, Jan. 17.—House bills passed:
1. By committee on Labor and Industries—To repeal Chapter 495, Oregon laws, for creating a fund for industrial and reconstruction hospital.
 2. By committee on Labor and Industries—Providing additional compensation for injured workmen.
 3. By committee on Labor and Industries—Providing for rehabilitation of workmen.
 4. By Gallagher—Designating certain roads in Multnomah county as part of system of state highways.
 5. By Gallagher—For payment of interest by state on irrigation and drainage district bonds.
 6. By Jones (Lincoln and Polk)—To extend time during which United States may appropriate funds for Roosevelt highway.
 7. By Kubiak—To amend section 674, Oregon laws, providing for the acquisition, ownership and control of property by incorporated cities and towns within or without their corporate limits.
 8. By Hughes—To authorize county assessors and deputies to administer oaths.
 9. By Hughes—To authorize inclusion of lands belonging to state irrigation or any incorporated towns in irrigation or drainage districts.
 10. Lachmund—Relating to fire insurance association meetings.
 11. Norblad—Amending the code relative to the powers of municipal corporations designated "ports."
 12. Nicholson—Repealing chapter 41, general laws, 1919, and making it crime to send a prisoner to the gas chamber.
 13. Howell—Amending section 685, I. O. L., as amended by chapter 257, general laws, 1917, providing for maintenance of state highways.
 14. Union county delegation—Relating to salaries of Union county officers.
 15. Pierce and I. S. Smith—Amending the school law relating to the state educational law.
 16. Eberhard—Prohibiting employment of exempt alien persons in the state.
 17. By committee on roads and highways—Amending section 31, chapter 237, general laws, 1917, providing for maintenance of state highways.
 18. Committee on medicine, pharmacy and surgery—Relating to the practice of medicine and surgery.
 19. By Horn—To amend section 5050, Oregon laws, relating to the collection of fees due the state of Oregon from inspectors of factories, mills and workshops by the labor commission.
 20. By Horn—To amend chapter 48, general laws 1911, fixing salaries of deputy labor commissioners.
 21. By Edwards—Giving authority to the state for the construction of a bridge across the Multnomah river.
 22. By committee on Labor and Industries—Relating to the state industrial accident compensation act.
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Educational Levy Bill for Assistance Of Blind Is Passed

Salem, Or., Jan. 17.—Representative Horne made a valiant and successful fight to save his bill providing for a millage tax for the establishment of a vocational educational bill for the blind of Oregon.

The bill came into the house with an adverse report from the joint committee on ways and means. Horne went to its support and asked why the house refused to permit the people to vote on the question of establishing such an institution when it voted so generously for good roads, and all other things of similar character, while hundreds of blind were pleading for an opportunity to make themselves self-supporting.

Hughes of Marion said it was a crime for the house to vote large sums of money to help educate able-bodied men and women and refuse to permit the people to say whether they desired to assist the blind.

"I don't know," Hughes said, "whether the bill was passed with 34 votes in its favor."

Appropriating money for repairs, alterations and furnishings for armory at Dallas.

44. Joint Ways and Means Committee—Appropriating funds for the payment of educational expenses of Oregon Agricultural College and Oregon State Normal school.

67. By Graham, Haine, Bean and Wheeler—Appropriating \$600 for compiling and furnishing women's building at University of Oregon.

By committee on Roads and Highways—Relating to use, leasing and sale of gravel.

76. By Mrs. Thompson—Defining a public dance hall and making provision for licensing the same.

48. Mrs. Thompson—To provide for a bond in the state institution for feeble minded and to appropriate money therefor.

Committee on Corporations—Extending corporate powers of private corporations.

74. Committee on Roads and Highways—To provide for the construction of a state road in Clatsop county.

77. Horn—Providing for a tax levy of one sixth mill for erecting and equipping an institution for the blind.

81. Joint Ways and Means Committee—Appropriating funds for maintenance and improvements at feeble-minded institution.

83. Joint Ways and Means Committee—

It is really surprising how much happiness and misery lies in the circle of a wedding ring.

AN ROYALTY BILL IS DEFEATED IN HOUSE AFTER LONG DEBATE

Measure Was Drawn to Prohibit Payment by the State on Patented Pavements.

Salem, Jan. 17.—The Hare anti-paving royalty bill was called up for consideration by the house and defeated when it reconvened at 1:30 Saturday afternoon, one hour and a half after the session of the legislature adjourned by the clock, but still in the morning by the record of the house.

Hare, the author of the bill, urged its passage by the house, contending that the purpose of the bill was simply to establish the rule that the state should not pay royalties on pavement where no valid patent required such payment. It was not idle legislation, he argued, but was of great importance to the people of the state in the carrying out of the road construction program.

VALIDITY IS QUESTIONED

He contended that there should be a definite determination of the validity of the patents for pavement used by the state, so that the state would not pay money for royalties without the necessity of law to compel it to do so.

Smith of Baker opposed the enactment of the law on legal grounds, contending that it was unwieldy under all the circumstances for the state to take the position forced upon the attorney general and the highway commissioner by the law. The discussion became a legal discussion as to whether the law would be effective or strategically sound from the standpoint of the highway commissioner.

At the end of a debate of two hours the bill failed by the following vote:

HOW BALLOTING STOOD

Yeas—Messrs. Ballagh, Brand, Childs, Crawford, Cross, Dedman, Edwards, Elmore, Fuller, Graham of Washington, Griggs, Haines, Hare, Hooford, Hughes, Idleman, Lafferty, Lofgren, Meryman, Richards, Roman, Scheubel, Sheldon, Smith of Multnomah, Thompson, Weeks, Wheeler, Mr. Speaker.

Nays—Messrs. Brand, Brownell, Burdick, Burnaugh, Coffey, Dennis, Dodd, Gallagher, Gordon, Gore, Graham of Lane, Horne, Hurd, Jones of Lincoln and Polk, Kubli, Lewis, Looney, Martin, McFarland, Moore, Sider, Smith of Baker, Stewart, Thomas, Thrift, Westerland, Woodson, Wright.

Absent—Hunter, Richardson.

Olcott Resignation Concoction Left to Die in Committee

State House, Salem, Jan. 17.—The Banks-Moser-Thomas-Howell concoction demanding the resignation of Governor Olcott was so obnoxious to the taste of the senate generally that the measure was permitted to die a natural death in the committee on resolutions.

The resolution made its appearance in the senate Friday night and was quietly slipped to the resolutions committee on Moser's hasty motion.

It called upon Olcott to resign his office effective with the expiration of his term as secretary of state in order to give the people of the state who were said to be dissatisfied with the supreme court upholding Olcott as governor for the full four year term, a chance to elect a new governor.

PARTY TICKET BILL PASSES BOTH HOUSES

(Continued From Page One)

something" and the clerk told him the number, senate bill 53.

Smith was the only speaker against the measure. He said it was a bill not in the interests of good government, and pointed out that it had come into the legislature time after time only to be defeated. The people everywhere, Smith contended, had passed by and discarded the system which the bill represented. It was not emergency legislation, nor good legislation, but was a political bill pure and simple. There was no demand for it, he said, the people had been working without it for a long time and the effect to put it back was not accounted for any desire for better government, but solely for political purposes.

Interrupted by continual cries of "vote, vote," by Gallagher and other members of the house, Smith concluded in the midst of a house in disorder with a vain appeal that the house have the courage to vote for what it knew to be just and right.

BILL PUT THROUGH

The vote was taken, resulting in 40 yeas for the bill, 6 against it, and 13 absent, as follows:

Yeas—Ballagh, Bean, Bolton, Brand, Brownell, Burdick, Childs, Crawford, Cross, Dedman, Dennis, Dodd, Fuller, Gallagher, Gordon, Gore, Graham of Lane, Haines, Horne, Hooford, Hughes, Idleman, Jones of Lincoln and Polk, Kubli, Lewis, Lofgren, Meryman, Martin, McFarland, Meryman, Roman, Sheldon, Sider, Stewart, Thomas, Westerland, Wheeler, Wright, Mr. Speaker—40.

Nays—Burnaugh, Hunter, Richards, Sider, Thompson, Thrift—6.

Absent—Coffey, Edwards, Elmore, Graham of Washington, Griggs, Hare, Lafferty, Moore, Richardson, Scheubel, Smith of Multnomah, Weeks, Woodson—13.

Smith of Multnomah, who had been sent out into the meeting of the steering committee and was busy there when the house passed the straight ticket bill, attempted to have the bill recalled from the senate when the house convened in the evening, but failed. He warned the members of the house that they were doing more to hurt the Republican party in the state by the enactment of the bill, than would be gained by passing it. The house voted over Smith's motion to recall the bill, and it went on to the enrolling committee without further difficulty.

HALL OF HISTORY RECALLED

Senator Gill reviewed the efforts made in the state 20 years ago for a correction of the ballot system then in effect and which resulted in the institution of the Australian ballot system, which had been in satisfactory operation since that time. The "political machine" opposed the reform in those days, as it demanded a return to the straight party ticket today in order that "any drunken voter could cast his vote by merely marking a mark in a circle under the eagle or the scorpion or whatever the party emblem might be," he declared.

Senator Pierce closed the arguments against the measure which, he declared, meant "party government," which was always corrupt government, whether it be Tammany New York, Republican Pennsylvania or Democratic New Jersey." He reviewed his record in the senate, and declared that the adoption

PLAN TO ELIMINATE SECRETARY OF STATE FROM GOVERNORSHIP

Senate Recalls Bill Passed Friday and Sent to House; To Make Amendment.

State House, Salem, Jan. 17.—The Banks-Moser bill defining succession to the governorship in the event of a vacancy in that office, which passed the senate late Friday night, was hastily recalled from the house this morning by Senator Moser, for the purpose of amending the measure eliminating the secretary of state from the succession.

The bill will be rushed to the resolutions committee immediately upon its return, and in its amended form will provide that in the event of a vacancy in the office of governor, the president of the senate shall assume the duties of that office until a new governor can be elected. In the event of the inability of the president of the senate to serve the office, the next in line of succession will be the next in line of succession.

According to Senator Moser, 10 states now have this method of succession, which will insure the presence of three members on the state board of control at all times.

The bill would not affect the status of the present incumbent if passed and adopted by the people.

"I believe," he insisted, declaring that the adoption of the bill as a party measure could not be expected to increase the confidence of the voters of the state in the party.

SENATOR PIERCE LAUDED

Thomas paid a glowing tribute to the record of Senator Walter M. Pierce in the senate and predicted that unless the Republicans looked to their laurels and nominated a clean, capable man as their candidate in the next election, the Democrats from Union county would sit in the executive office in 1923, although he served notice that he proposed to fight "him at the polls as far as clean politics would permit."

Senator Hurd expressed the opinion that the remarks of Thomas constituted "one of the best Democratic speeches I ever heard."

It sounded just like the usual Democratic cry of "out for the money. We have the man," he declared. "We have just as good men and a little bit better in the Republican ranks than have the Democrats in their ranks," he insisted. The measure sought only to simplify the ballot, he insisted, concluding his remarks by scoring those members of the party who registered as Republicans and then voted for Democratic candidates.

Vagrancy Is Charge

Trying to pass a \$1 bill for \$10 brought about the arrest of William Nelson on Saturday night in a restaurant at 287 Huron street. He is held for vagrancy and federal investigation.

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