

The Weather - OREGON - Rain with moderate temperature and strong northeast to east gales along the coast. Wednesday - Max. 48; Min. 40; River 12.9 falling; Rainfall .36; Atmosphere cloudy; Wind west.

The Oregon Statesman

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SEVENTY-FOURTH YEAR

SALEM, OREGON, THURSDAY MORNING, FEBRUARY 12, 1926

PRICE FIVE CENTS

PIERCE LOSES CONTROL OVER FISH MEMBERS

Senate Removes Appointments From Governor By Vote of 16 to 14 After Heated Debate

FOURTEEN SENATORS BACK OF EXECUTIVE

Necessary Two-Third Majority to Over-Ride Veto Is Not Yet in Sight

Fourteen senators yesterday afternoon refused to obey the edict that Governor Pierce must be shorn of his patronage and be left the last two years of his administration a lonely, forlorn man, politically.

Fourteen senators said they would not be parties to this act, so unwise politically, so suicidal to the political fortunes of those who pursued the governor so relentlessly.

The house vote was expected but the real fight was staged in the senate and there the final chapter will be written.

The 14 senators are the kind who stick. They are not the ones to be cajoled or driven into positions they do not deem tenable.

Position Prepared

This showdown came after weeks of sparring for position, after long councils on plans and after every possible effort had been made to line up the republicans as a party on the proposition of depriving Governor Pierce of his only opportunity of trying out even in part the mandate given him by the people.

The last chapter will probably be written quickly as the governor is not expected to lose too much time in sending in his veto of SB No. 94.

Unless every sign in political life falls the bill will fail and the long, fruitless fight will be over. The senators who rose above party and voted unarmageddon were: Senators Beals, Brown, Eddy, Fisk, Garland, Hare, Johnson, Joseph, Kinney, LaFollette, Strayer, Taylor, Toose, Zimmerman.

Fight Unrelenting

Seemingly unrelenting in its warfare on Governor Pierce, the senate passed Bill No. 94, removing the power of the governor to make appointments on the state fish commission, and placing the matter in the hands of the state board of control.

The measure was passed by a vote of 16 to 14, after a debate in which only three senators took part. The bill was introduced by W. G. Thompson, president of the Columbia River Packers' association. Senator Ritter opened the argument.

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WEDNESDAY IN WASHINGTON

Congress in joint convention certified the election of Coolidge and Dawes.

The senate refused to cut the \$1,000,000 appropriation for prosecuting war fraud cases.

The house commerce committee declined to report the Gooding long and short haul bill.

The senate passed the appropriation bill for the state, justice, commerce and labor departments.

The naval appropriation bill with request for another arms conference was signed by the president.

Production of petroleum in the United States decreased two per cent last year, the geological survey reported.

House and senate agricultural committees hear testimony from members of President Coolidge's agricultural conference.

The senate post office committee voted to substitute the senate bill for the postal pay and rate increase measure passed by the house.

Republican insurgents began a move to prevent any steps by administration senators to defer action at this session on the nomination of Charles B. Warren to be attorney general.

ABRAHAM LINCOLN



ABRAHAM LINCOLN, the 16th president of the United States, was born in 1809 and died in 1865, the victim of an assassin. This afternoon at 2 o'clock, Col. W. G. Mercer, of Eugene, chaplain and sergeant at arms of the senate, will speak upon personal reminiscences of the martyred president at a joint meeting of the house and senate in the house of representatives. Col. Mercer was at one time a member of Lincoln's personal body guard and was with the executive the night of the battle of Bull Run.

Salem is making no official observance of the day. The banks will remain open while appropriate exercises will be held in the schools.

FARM OUTLOOK HELD BRIGHTER

Report of Federal Reserve Board Puts Agriculture on Better Basis

WASHINGTON, Feb. 11.—With the senate and house agricultural committees once more occupied with the problem of drafting farm relief legislation for enactment by the present congress, the federal reserve board reported today that agriculture had climbed to a better balance with other industries than any time since 1920.

The agricultural inquiry gives no indication, the board's monthly report said, of receding from its present economic position which has been reached by a gradual advance beginning in the late summer of last year.

A similar outlook was presented to the senate committee by William M. Jardine, a member of the president's agricultural conference.

GJEDSTED FORFEITS ARMY COMMISSION

Efficiency Board Holds Him Unfit for Officer; Court Martial Asked

Major Charles E. Gjedsted was relieved of his commission as an officer Wednesday upon approved findings of an efficiency board which found him unfit to hold a commission. Gjedsted was discharged by the military department of the state after he had attempted to bring charges of petty irregularity against the adjutant general. He commanded a coast artillery battalion.

Although the general staff recommended his trial by a general court martial, Adjutant General George A. White held out for a milder form of trial by the efficiency board which takes away his status as an officer but leaves him his citizenship. The board found that his conduct was due to a desire for revenge.

Members of the efficiency board were Col. H. U. Welch, commanding the 186th Infantry; Col. Eugene Mosberger, commanding the 162nd Infantry and Lieutenant Col. Eugene C. Libby, of the 186th Infantry.

SPEED TRAPS FROWNED UPON

Practise Barred By Legislation Passed; Traffic Officers to Get Raise

Two senate and one house bill pertaining to regulation of traffic laws were passed by the house Wednesday. Another measure, putting teeth in the present law for conviction of driving while intoxicated, was referred back to the committee, objection being raised to the section relating to the holding of the vehicles after conviction.

Speed traps on public highways as set forth in SB No. 6, are prohibited, but only after considerable debate, with Representative Bennett leading the field of objectors. The measure hits at small communities such as Gold Hill and Drain, who received much unfavorable publicity as a result of activities along the line of speed traps during last summer.

Under SB No. 34, the salary of the chief state traffic officer is raised from \$200 to not to exceed

VALE RELIEF BILL SIGNED BY PIERCE

Emergency Appropriation Passed; Winslow Casts Only Negative Vote

An appropriation measure of \$25,000 for the relief of Vale and the immediate vicinity was introduced and passed in the house Wednesday afternoon with Representative Winslow raising the only protest. He voted against the measure.

The bill was introduced in the senate by Senator Davis, and was passed unanimously during the morning session. It becomes a law upon being signed by the governor, as an emergency, rising out of the flood of February 5, exists at present, and immediate action is necessary.

The bill was opposed at first upon the ground that it was illegal because it had not originated in the house. This difficulty was swept aside when it was explained that only bills covering revenue were so included.

BUCK PASSING ACTION TAKEN BY COMMITTEE

Bill Dumped Into House Yesterday Would Place Child Labor Amendment Up to Oregon Voters

RESOLUTION KILLED IF BILL IS PASSED

Woodward Charges Members of House With Effort to Evade Responsibility

Citizens of Oregon will be called upon to reject or ratify the federal child labor amendment under provisions of HB No. 426, dumped in the house of representatives yesterday as a substitute for House Joint Resolution No. 1 by Representative Woodward.

The bill dropped out of a clear sky as far as backers of the 26th amendment to the constitution were concerned. It was understood that the resolutions committee would report the matter during the afternoon session but no limitation was given regarding the substitution until the bill was offered up for first reading.

Representative Woodward attempted to speak during roll call for a suspension of rules as a prelude to placing the bill upon its second reading but was ignored by Denton G. Burdick, speaker of the house. The rules were not suspended and the measure will come up again this morning.

Charges that individual members of the house are seeking to evade responsibility for voting upon the proposed amendment were made by Representative Woodward, who was very bitter in his remarks on the stand taken by the resolutions committee.

"We want those opposing the measure to come out in the open and make themselves known," he declared. "At the very least it appears that members of this house are seeking to cover their actions under the subterfuge of placing the measure before the people of the state."

Representative Woodward declared that the bill be reconsidered at the opening of the session this morning. The results of this motion, he said, would be sufficient to get the names of those opposing reconsideration upon record so that those in favor of ratification may know just who it is that is opposing the ratification.

Decided in 1926

The measure substituted for the resolution, if passed, will bring before the voters of the state at the next biennial election which will be held early in November, 1926. The resolution placed the responsibility for final action and expression of the sentiment of the state upon members of the legislature.

Several Initiated

Candidates for initiation by the Royal Rosarians for the degree of Knight of Rosaria, were Governor Pierce, President Gus C. Moser of

(Continued on page 2)

WHEAT SEED BILL DISRUPTS HOUSES

Washington Legislature Revolts Against Governor Hartley's Program

OLYMPIA, Wash., Feb. 11.—The house of state legislature passed a joint resolution adjourning until 10 o'clock tomorrow morning. It will be submitted to the senate at 8 o'clock tonight.

This may prove an opening wedge in a breakdown of Governor Roland H. Hartley's program, in the opinion of observers here tonight.

From a docile and agreeable legislative body, ready to do the governor's bidding, the condition was changed today to almost open revolt among senators and representatives who opposed the governor's veto on the seed wheat bill.

The senate, however, sustained Governor Hartley's veto of the seed wheat bill by a 27 to 15 vote. As in the house, the majority of the speakers who discussed the wheat seed bill, favored its passage over the governor's veto. In the confusion which arose immediately after the vote was taken, likelihood of the defeat of the administration tax commission bill both houses seemed aroused. No initial objections to the principle of the bill and the assertion that it would benefit certain bankers were arguments presented by two King county senators, Houser and Grass, who sustained the governor's position.

Senator William Bishop, a farmer, led the discussion for passage of the bill. He called Governor Hartley's reasons for his veto "ridiculous" and said he thought the legislative branch of government could take care of its duties and accept its responsibilities without "necessity of the governor calling a bill."

Coincident with Lincoln's birthday, attention is drawn to an interesting badge in the possession of H. M. Peebles, 2085 North Fifth street. This badge bears the replica of the features of Owen Lovejoy who was the chief speaker at a Lincoln rally held nearly 65 years ago of Republicans from Macoupin, Greene, and Jersey counties in Illinois, who met forty miles south of Springfield, Mr. Peebles, who has now passed his 95th birthday, is one of the very few living who had the privilege of being in this campaign gathering. The badge, given only to those present on this day—July 20, 1869—commemorates the abolition speaker of the day.

Salem Man Has Memorable Badge in His Possession

Archie Cody, once convicted of the murder of Sheriff Goodwin of Malheur county will not pay for his crime on the gallows at the state prison a week from Friday morning.

Notice of a reprieve was received in Salem yesterday in the nature of an order from the supreme court for a new trial. The date for taking back to Vale has not yet been set.

LEGISLATIVE SESSION HELD IN BURLESQUE

Royal Rosarians of Portland Present Take Off on Law-makers at State House Last Night

HONORARY DEGREES CONFERRED ON FOUR

Each Individual Is Subjected to Mental and Physical Diagnosis

With gun-fire, accompanied by the shrieks of alarmed women, the grand reception of the Royal Rosarians of Portland given to the Cherrians of Salem opened at the house of representatives last evening when the "Rough House" session was called to order by Speaker of the House Jaeger, Royal Rosarian of Portland.

The fun was fast and furious and the more one knew of political life as it is in Oregon, the more were the many witty remarks of the presiding Rosarians appreciated.

Conservation of the tax-payers' money was the slogan of the evening. No time was wasted. Two portly Rosarians, serving as pages, were ordered to travel fast, and even, on the motion of Representative Woodward of Portland, bills containing the words of more than two syllables were not permitted.

White-Face Cow Present

W. W. Youngson, alias Billy Sunday, made complaint to the Washington authorities that Portland had been overlooked in the recent famous eclipse. And W. F. Woodward, alias Bob La Follette, introduced a bill providing that anyone coming to the state with \$5 should be free from taxes for 80 years.

And the white-faced cow was there in reality, although said animal was presented to Governor Pierce as emblematic of his ability to "shoot the bull." Even so, greater than the famous mayor of Portland who, in a letter, acknowledged that the governor of Oregon was one man greater than the mayor of Portland in this one effort for popularity.

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Flying Squadron Plan Suggested in Place of State Prohibition Head

Findings of Senators Hare and Eddy who were named by the Cleaver investigating committee to prepare a special report, will be submitted to the joint alcoholic traffic committee at 9 o'clock this morning for final approval.

Certain members of the committee advocate that the prohibition commissioner be replaced with a "flying squadron" to work under the direction of the attorney general and in cooperation with sheriffs and district attorneys of the various counties in the state.

The report to be made to the committee today is strictly one of findings and will bear no recommendations, this matter being left to the committee which conducted the investigation.

Under present viewpoints, it appears doubtful whether the committee will demand the removal of Mr. Cleaver as prohibition commissioner, but will saddle the matter of retaining or ousting him upon Governor Pierce and W. J. Herwig, superintendent of the anti-saloon league, where it is held the responsibility should be placed.

Ten members of the joint committee submitted five different reports. It was to work out a report in harmony with these that the committee of two was appointed. Some of the reports were drastic in their demands and others were far too lenient. The findings reported today will constitute a compromise between the two different factions of the committee.

TAX MEASURE LOSES FIGHT

Senator Dennis Changes Vote to Overcome Dead-lock; Contest Hot

With the vote standing 15 to 15, Senator Dennis killed the measure to abolish income and inheritance taxes in the state of Oregon, by changing his vote, and lining up on the negative side of the issue. Senator Dennis took that action when it became evident that the senate had reached a deadlock. It was the most hotly contested bill to come up before this session of the legislature.

In his introduction of the measure, Senator Dennis stated that the bill, which is closely patterned after the Florida plan, was an invitation and a direct bid for capital to come to Oregon.

"We have often heard the question 'What is the matter with Oregon?'" Senator Dennis said. "The only thing that is the matter with the state is that we legislate ourselves out of favorable opinion with those who would come here. It takes wealth to develop Oregon as it should be developed. Since Florida has passed the amendment to her constitution, abolishing income and inheritance taxes, the influx of wealth has been tremendous. Florida is now classed as having the best business conditions in the United States."

Senator Dennis read dozens of telegrams and letters from heads of the many large lumber industries, stating that if the resolution went into effect, they would take immediate steps towards establishing mills and factories in this state. "Oregon has every advantage that any other state has, but we are standing still." In summing up his argument, Senator Dennis said that the resolution merely asked both houses to give permission to the people of Oregon to vote on the adoption or rejection of the bill.

The first member to speak against the measure was Senator Garland, who characterized it as "cowardly and vicious." "In turning through the pages of the history of our state," Senator Garland declared, "you will find no more cowardly, vile, or vicious bill was ever introduced. Whoever framed the measure was a wizard at figures, and a genius at propaganda. It was drawn up, unconsciously on the part of Senator Dennis, I believe, in the interest of wealth, and for the millionaires to their heirs, without paying an inheritance tax, and who want to keep their money, without paying an income tax. I am pleading for the farmer who has to go to the bank to borrow money to pay his taxes, and for the small merchant and property owner. The burden of taxation will be on them. The big lumber interests must come to Oregon to establish mills—the timber elsewhere is gone. Believe me, Senators, if this bill passes, we will have on one hand a peasantry and on the other an aristocracy of wealth."

These voting for the passage of the bill as the roll call was read were Senators Banks, Garner, Clark, Corbett, Davis, Dennis, Hall, Hare, Joseph, Klepper, Miller, Ritter, Staples, Upton and Moser.

The senators casting the negative votes were Beals, Brown, Eddy, Fisk, Garland, Johnson, Kinney, LaFollette, Maglady, Strayer, Taylor, Toose and Zimmerman.

KINDERGARTEN BILL PASSED

Only First Class Districts Affected; Several Measures Are Approved

Amended to leave attendance optional with the boards, HB No. 204, providing for the establishment of kindergartens in school districts of the first class, was passed by the house yesterday after much discussion. The original measure sought to make attendance mandatory, but rather than have the bill defeated, the amendment was permitted. The measure was held a step in the right direction and is said to save one year in elementary schooling. Children of four years are included in the school census and should be given consideration, it was maintained.

Several salary measures were approved, including HB No. 314, raising the salary of the state printer from \$2400 to not to exceed \$3200 a year; HB No. 404, raising the salaries of the county treasurer and county school superintendent of Linn county from \$1200 to \$1500 and HB No. 318, raising the salary of the county treasurer of Tillamook county from \$1200 to \$1500 and allowing traveling expenses for the county judge and county school superintendent.

Other bills passed Wednesday were HB No. 285, a substitute for HB No. 47, giving Portland and Multnomah county the same rights enjoyed by other counties and cities in relation to agreements between county and city for road work; HB No. 70, relating to additional inheritance tax upon tax exempt securities. This bill is similar to one before congress last year that came within one vote of being passed and HB No. 229, which was reconsidered, relating to the dog license law. The collar is held a needless expense and between 20 and 50 per cent of the fees collected are uselessly ex-

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Light Falls

The electric light, placed in Collins' prison before the natural passage to the cave was closed by the earth's forces, went out this morning and noises heard in a sound amplifier and interpreted by experimenters to have been H. G. Lane, in charge of the plant, said that in his opinion either removal of the light from the socket or burning out of its filament had caused the failure of

(Continued on page 2)

SCHOOL AND DOG IS PLEA OF PIMI

House Rejects Seaside and Humane Society Pleas for Legislation

The Oregon Humane Society's measure prohibiting dogs from being carried on the running board, fenders or hoods of automobiles unless proper protection was given by means of a frame, was defeated in the house yesterday.

An effort to place the decision of a normal school at Seaside before the voters at the next general or special election was defeated by the house yesterday. The measure sought to establish the western Oregon Normal School or college and did not carry an appropriation.

In behalf of the measure it was pointed out that the site offered to the state free of charge; that housing facilities for 10 months of the year were such as to not need the construction of dormitories and that Seaside was an extremely healthy community.

Opposing forces held that while the need of additional normal school facilities was important, the first duty was to Monmouth and Ashland, where buildings were already constructed.

RESCUERS ARE NEAR COLLINS; SHAFT WIDENS

Rescue Workers Still Retain Hope of Reaching Floyd Collins Alive

Workers Say Entombed Man May Be Reached in "One Hour of One Day"; Draft Is Evident

UNCERTAINTY OF DEPTH OF TUNNEL PROVES BAR

CAVE CITY, Ky., Feb. 12.—(By The Associated Press.)—"We are nearing the end now," said the workers in the Floyd Collins rescue shaft early today. "We may find him in an hour or a day." They said they believed a noticeable down draft had started in the shaft, indicating an aperture was near at hand into some tunnel. The depth at 2 a. m. was 42 feet.

CAVE CITY, Ky., Feb. 11.—(By Associated Press.)—Hopes that the rescue shaft at Sand Cave was within 10 or 15 feet of Floyd Collins' under ground prison were expressed tonight by state officials in charge of the digging. After two hours of timbering, the digging was resumed at 8 o'clock. No additional evidence of an imminent break through the roof of Collins' cavern had developed.

Anything May Happen

When the diggers gave way to the timber workers at 6 o'clock the depth of the shaft was estimated at 45 feet.

H. T. Carmichael, in charge of the shaft, said tonight that they had reached a depth where anything might happen. Doubt that Collins would be reached tonight was expressed by M. E. S. Posey, Governor Fields' engineering representative at the rescue camp.

He said that unless a tunnel is discovered unexpectedly there was ten feet or more of dirt and rock yet to be penetrated before the level of Collins is reached.

Man's last means of communication with the place in Sand Cave where Floyd Collins has lain for almost 13 days—an electric light line—failed today while miners continued to dig a new shaft to Sand Cave.

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(Continued on page 2)

JAPAN VOICES HER GOOD WILL

Friendship Is Expressed in Telegrams Sent By Japanese Embassy

GENEVA, Feb. 11.—(By AP.)—Whatever the international opium conference may have failed to achieve, a new manifestation of friendship between the United States and Japan was given tonight by the exchange of telegrams between the Japanese and American delegates to the conference.

Sagataro Kaku, former civil governor of Formosa, and M. Sugimura, head of the Japanese delegation, telegraphed to Representative Stephen G. Porter at Paris, expressing profound appreciation for his courtesy and friendly collaboration at Geneva, and adding that the Japanese were delighted to associate with the American delegation in a united endeavor for the common good of humanity.

"It was your lofty idealism which inspired us," says the Japanese message. "We assure you that the government and people of Japan entertain the same sentiment, confident of the ultimate success of your endeavor which has not only the support of public opinion in the United States but \$100 in Japan."