

# SENATE REACHES ORGANIZATION

## Kuykendall Elected President—Two Marion County Men Slated for Senate Places Ballots for President—Routine.

The Legislative Assembly met at the hour of adjournment yesterday morning, the House to begin business as a regularly organized body; the Senate to pass the day in wrangling over who should be the President of that body. The minority held out as the day before, voting nine for Carter.

After a few ballots in the morning, the Senate adjourned till 2 o'clock, but because known to the Carter men that Senator Squire Farrar of this county, had felt the pressure of his constituents and that he intended to vote with the majority, he seeing the futility of further backing the Senator from Jackson. There was no doubt at all that if Senator Farrar were to cast his vote for Senator Kuykendall, that the matter so long pending would be settled and it was the intention to take a ballot immediately after dinner yesterday, but rumors came to the leaders of the Kuykendall forces that a couple of their supporters were apt to make a break away from their candidate, and therefore there was no objection on the part of either party to a motion for a recess. A short time after the first recess was called it became evident that a settlement of the difficulties was about to be made and one recess after another was called, until at 5 o'clock the session finally got together for the final ballot which resulted in the election of Senator Kuykendall as President of the Senate.

The result met with general satisfaction and the feeling was that the proper thing was done by all those who had been holding out. Their final action was Republican if their first was not. The Senate after adjournment arranged for a caucus of the Republican Senators to nominate minor officers of that body and the final organization of that body will occur this morning.

### Senate Caucus.

The Republican members of the Senate held a caucus last evening in one of the rooms in the Senate chamber. They selected the following candidates: S. L. Moorhead, of Junction City, for chief clerk; Frank Motter, of Portland, reading clerk; Frank Turner, of Salem, calendar clerk; G. P. Terrell, of Marion county, sergeant at arms, and William Smith, of Clackamas county, doorkeeper. The pages for the Senate will be nominated by the President when the body convenes in the morning.

The proceedings of the caucus passed off with a noticeable absence of friction and the selection of the above candidates for the positions caused no disagreements or wranglings whatsoever, as their choice was unanimous in each instance. The caucus lasted about one hour. The selection of these men assure their election.

### The Election of President.

Immediately after the caucus between the Carter and Kuykendall factions yesterday afternoon, the members repaired to the Senate Chamber. The roll was called and the temporary President announced that the sixty-fifth ballot for the selection of chairman of the Senate would be cast, whereupon Senator Carter stood up and said in part: "Mr. President: For two days this Senate Chamber has been the scene of a very stormy and noteworthy factional fight, in which the two contending forces have been deadlocked. I have been the candidate for the President of the Senate in opposition to Senator Kuykendall. I thank my supporters for their efforts to effect my election and while I will not admit defeat, have no desire to hold up the legislation and I now withdraw my name as a candidate for the Presidency of the Senate."

The sixty-fifth ballot was taken and Kuykendall was unanimously elected as President. He was sworn in by Justice Bean of the Supreme Court, and in his speech of acceptance said: "I find myself upon becoming President of the Senate, owing a debt of gratitude that I can never repay to my fellow-Senators who have so faithfully and unflinchingly supported me in my candidacy, for those who opposed me I will say that they have caused me many sleepless nights. I admire their courage and persistency and desire to thank them for coming to my rescue. In entering upon my duties as President of the Senate I do so with a determination to serve my comrades with my fullest ability and I sincerely hope that the confidence and trust imposed in me was not done without justification. I am the mouthpiece of a body of men who I believe are trying to eliminate factional quarrels and antagonism, and trust that the expiration of the time allotted for us to endeavor to do our duty by the people, will be noteworthy as the closing of one of the most harmonious and entirely successful sessions of the Senate in the history of the state of Oregon."

LEGISLATIVE COMMENT. Eminent Domain Right for Counties. Representative Jagger of Clackamas county, yesterday introduced a bill for the exercise of the eminent domain right by townships in the establishment of county roads. This bill is in line with a suggestion made at the good roads meeting here in December.

Would File Statement With Treasurer. Smith of Josephine, presented a bill to the Legislature yesterday morning to the requirement of the Secretary of State to file a statement with the State Treasurer of all the moneys and funds received by all officers.

The bill also provides that the statement issued by the Secretary of State shall become a public record.

To Regulate "Machines." One of the most interesting of the bills introduced before the House yesterday morning was the bill presented by Smith, of Josephine, requiring "political machines" to file with the county clerk a full report of the financial workings of the organization.

It stipulates that a report of the contributions and expenditures of the organization must also be published in

at least two newspapers. The violator of this law would be liable to a charge of felony.

If such a law should be passed the people could tell exactly the source of the contributions which form the campaign funds of the different political parties—perhaps!

### To Fix Boundary Line.

Frank Jagger of Clackamas county, introduced a bill yesterday morning before the House to define the boundary line between Marion and Clackamas counties. It is stated that the true line between the two counties is in doubt and that public safety requires that the matter be attended to at once.

### For Game Protection.

The growing sentiment in favor of a game license law took a form of action yesterday morning when a bill was presented to the House by Robert Burns of Coos and Curry counties. The bill would make it unlawful to capture or kill any game bird or animal without first procuring a license.

By this bill the license fee for residents would be \$1.00 and for outsiders \$2.00. The money derived from the license would be used in payment for services rendered by deputy game wardens. It is understood that several more bills of this nature will be introduced and those who have canvassed the matter say that this bill or a similar one will have a good chance of adoption.

Representative T. B. Kay, of Marion, introduced in the House yesterday morning his "flat salary" bill, calling for a stipulated regular compensation for certain officers of the state, and requiring that all fees be paid into the State Treasury.

The Governor would receive \$5000 per year; the Secretary of State, \$4500; State Treasurer, \$4500, and the Attorney General, \$3600.

Under the constitution of the state the Governor received a stipulated salary of \$1500. This in addition to the salary he receives from different boards of which he is a member, brings his total compensation up in the neighborhood of \$5000.

This is the same as the measure introduced by Mr. Kay two years ago, but which failed of passage then.

Against Mineral Reservations. Among the bills introduced in one by Smith (Josephine) declaring illegal the reservation in deeds to real property of mineral rights to the grantor of the deed.

Afternoon Bills. Most important of the bills introduced in the House this afternoon and to which there is some special significance attached:

Smith, of Josephine county, presented a bill which would allow the members of the Legislature to file their resolutions and bills with the secretary of state before the convening of the Legislature. The resolutions and bills would also be sent to the printer so that they would be in printed form at the first reading.

A bill was introduced by Vawter to provide for the condemnation of property, water courses, water and riparian rights by the state for public use, and to also determine the extent of the necessity of such steps should they be contemplated.

H. Von Der Hellen presented a bill prohibiting the installation or maintenance of telephones in any house or building used for immoral and unlawful purposes. Both the corporation and the contracting party would be held responsible on the charge of misdemeanor if the bill should become a law.

For a Girls' Dormitory. W. G. Cole introduced a bill for the appropriation of \$25,000 from the general fund for the erection of suitable buildings for a girls' dormitory at Eastern Oregon State Normal School at Weston. The bill also has a provision for the furnishing of the buildings when erected.

Introduction of Bills. The following bills were introduced and read first time by title:

H. B. 1, Steiner. To utilize several lakes for irrigation purposes.

H. B. 2, Vawter. Regulating sale of school bonds.

H. B. 3, Vawter. To permit state land board to execute satisfactions of mortgages.

H. B. 4, Vawter. To enable corporations to condemn land to improve rivers.

H. B. 5, Laws. Authorizing Clatsop county to levy special tax for construction of buildings.

H. B. 6, Lathicum. Providing for Oregon library commission.

H. B. 7, Smith. For the establishment of state board of mines.

H. B. 8, Smith. Regulating fishing in Rogue river.

H. B. 9, Smith. A bill against issuance of passes.

H. B. 10, Smith. To regulate compensation of the state treasurer.

H. B. 11, Smith. Declaring illegal any reservation in deed of real property reserving to grantor metals and minerals.

H. B. 12, Burns. To provide game license.

H. B. 13, Burns. Amend section 3142, relating to poll taxes.

H. B. 14, Burns. To fix salaries of county officers in Curry county.

H. B. 15, Burns. Repeat act protecting salmon industry in Curry county.

H. B. 16, Burgess. Create county of Jefferson.

H. B. 17, Jagger. To define boundary between Clackamas and Marion counties.

H. B. 18. To amend Hood River charter.

H. B. 19, Smith. To fix duties of candidates in certain cases.

H. B. 20, Smith. To regulate taking of depositions in certain cases.

H. B. 21, Cooper. To protect employees of manufacturing companies.

H. B. 22, Edwards. To incorporate Junction City.

H. B. 23, Burgess. To amend Dallas charter.

H. B. 24, Dobbin. Relating to chattel mortgages.

H. B. 25, Dobbin. To provide for fire-proof jails.

H. B. 26, Smith. To amend code.

H. B. 27, Smith. To regulate hours of railroad employes.

H. B. 28, Von der Hellen. To regulate practice in justice courts.

H. B. 29, McLeod. For salmon fisheries regulation.

H. B. 30, Smith. To fix flat salary of printer.

H. B. 31, McLeod. Regulating examination of pupils of eighth grade.

H. B. 32, Kay. Flat salary bill.

H. B. 33, Steiner. Amending criminal code.

H. B. 34, Moyer.

H. B. 35, Jagger. Regulating automobile traffic in county roads.

Adjourned to 3 p. m.

Afternoon Session. Temporary Chairman Bailey called the House to order at 3:05 in the afternoon.

H. B. 36, Settlement. Amending code.

H. B. 37, Shook. To incorporate the town of Klamath Falls, Klamath county.

Richie, by unanimous consent, introduced resolutions asking for copies of rules. Adopted.

H. B. 38, Smith. Providing for filing of legislative measures with the secretary of state.

H. B. 39, Chamberlain. To incorporate the city of Athena, Umatilla county.

H. B. 40, Jagger. For the appropriation of lands for road purposes.

H. B. 41, Vawter. Relating to water right.

H. B. 42, Barnes, of Washington, by request. Relating to change of place in trial of criminal cases.

H. B. 43, Burns. For the protection of Salmon.

H. B. 44, Cole. To appropriate money for normal schools.

H. B. 45, Carter. To fix the salary of the county judge and school superintendent of Benton county.

H. B. 46, Moyer. To amend code.

H. B. 47, Smith. To provide for trial by jury in municipal courts.

H. B. 48, Burns. For the regulation of construction of dams and obstructions in streams.

H. B. 49, Von der Hellen. Relating to telephone service and prohibit granting telephone service to houses of ill fame.

H. B. 50, Muir. To quiet titles in certain cases.

The committee for the selection of clerks met after the adjournment of the Legislature, but will not report until after the general committees are announced by the Speaker.

(From Thursday's Daily.) The two bodies of the Legislature, the Senate and the House, met in regular session yesterday morning. The Senate completed the organization by electing the chief clerk and other officials. The House proceeded to the introduction and reading of bills.

Robert G. Smith, Democratic representative of Josephine county, is the most active introducer of bills and resolutions in the House. He is in a class by himself. On Tuesday Mr. Smith introduced twelve bills, more than any other two men of the House presented.

Mr. Smith wants to prohibit the issuance of railroad passes and would also like to see a bill passed requiring a public report of all contributions to campaign funds. These are the most sensational of his bills.

COMMENT. To Rebuild Tillamook Court House. W. T. West, of Tillamook and Yamhill counties, will introduce a bill in the Legislature in the next few days that would enable Tillamook county to erect a new and modern court house in the place of a temporary box building, which now contains the present quarters.

A year ago in November, the court house at Tillamook City caught fire and was burned to the ground. The origin of the fire has by many been attributed to incendiaries. The county was heavily indebted at the time, so much so that they had exceeded the limit. A new court house could not be built, as the banks in the county would not honor the warrants.

As a final extremity the Legislature will be appealed to to legalize the levying of a tax to create a special fund to be used in the construction of the new court house. The tax will cover a number of years. The presentation of the bill by Representative West under the instigation of the Tillamook county court will undoubtedly assure its passage.

Have Their Stamps. The members of the House received yesterday morning their allowance of 200 stamps and 100 newspaper wrappers, the issuance of which came in the form of a resolution which was adopted Tuesday morning.

House May Take Recess. There is talk among the members to the effect that the House and the Senate will adjourn until Monday immediately after the reading of the Governor's message today at 11 o'clock. It is said that the necessity of such is to give time for the committees to make their reports.

For Local Institutes. One of the most important of the bills presented to the House yesterday morning was the one introduced by F. D. Carnett, of Linn, to authorize the county school superintendents to hold local institutes. The local institutes, or educational gatherings, would be held at least three times a year, and would attract the attendance of school officers, teachers and parents.

The institute would be held in various places; no one particular town in each county would thus be favored. It would legalize the appropriation of part of the school fund for defraying the expenses attached to the holding of the institutes. It is proposed as a means of bringing the school officers, teachers and parents into closer relationship.

Being Corporations Powers as Executors. N. M. Means introduced a bill authorizing a corporation of not less than

\$100,000 to have power to act as executor and administrator of wills and estates. They could also be appointed to act as guardian over children or invalids.

To Protect Streams. Many believe that a step in the right direction has been taken by G. G. Moyer, who presented a bill making it a misdemeanor for the proprietor or operator of a sawmill to throw sawdust and waste lumber in Oregon streams and rivers.

It is said that while waste lumber and sawdust are not extremely detrimental to public safety, it muddies the streams and detract from their natural beauties.

To Elect Road Supervisors. G. G. Moyer also introduced a bill for the election of road supervisors in all election precincts in which there is one or more road districts.

For Librarian to Give Bond. John S. Richie, of Marion, was the introducer of a bill which requires the librarian of the state library to give a surety bond of \$1000 for the faithful performance of his duty. It also provides that the library shall be free to all inhabitants of the state and to persons visiting the same.

Want Protection Against Smoke. A joint memorial from the managers of the Lewis and Clark Exposition was presented by Bailey, of Multnomah, asking for a more adequate system of protecting the timber and lumber interests of this state from fire.

To Prevent Losing Bills. To obviate all possibilities of mysterious disappearances of bills, Cornett yesterday introduced a bill which would make the chief clerk of the Senate and the House responsible for all bills and resolutions after they have passed into their hands.

It provides that the chief clerk of either body in transmitting bills to the other must receive a receipt.

To Reorganize National Guard. The passage of H. B. No. 36 is practically assured, as it was presented by J. H. Settlement, of Marion county, upon the special request and recommendation of the war department at Washington. The bill was introduced on Tuesday, and after the regular routine of procedure it is expected to be unanimously adopted by both the House and the Senate.

The purpose of the bill is to amend certain sections and provisions of Bellinger and Cotton's Code relating to the National Guard. The changes are all approved by the war department, which called Adjutant-General W. E. Finzer's attention to the matter some time ago.

A board of officers from the National Guard was appointed and a thorough investigation of the conditions and of the law has resulted in their favoring important amendments in the present statute for the purpose of making it conform more with the federal law now in force.

The board of officers consisted of Adjutant-General W. E. Finzer, Colonel G. U. Gantshiner, Colonel Gordon Verheis, Lieutenant Colonel J. M. Poorman and Major J. L. May. They all unite in the belief that the present law relating to the National Guard needs changing.

The bill passed will mean the discontinuance of the office of chief engineer and assistant aides-de-camp of the Governor's staff at the expiration of the term in which they are now serving. It also provides that all non-commissioned officers and enlisted men receive a graded rate of compensation, whereas at the present time the non-commissioned officers and enlisted men receive the same pay.

To Protect State Fair. Senator E. M. Croisan yesterday presented a bill in which all Salem and Marion county are interested for the purpose of transferring a sum sufficient from the state general fund to the state fair board of agriculture and which is under mortgage to the state board of school land commissioners. The bill is of such importance that its early presentation is to be commended.

Senator Wheatdon's bill for a bureau of mines is about the same bill as the one he got passed at the last Legislature and was vetoed by the Governor. All the objectionable points have been omitted this time. It is the same as the California law.

To Reduce Filing Fees. Senator Croisan introduced a bill yesterday providing for a reduction of fees in certain cases in the office of the county recorder. The present fee for recording a deed or a mortgage is 25 cents per folio, and his bill would reduce that to 20 cents per folio. Then again the cancellation of a mortgage now costs 50 cents, and he would reduce it to 25 cents. The recorder's office in this county makes a profit for the county now of about \$1500, by overcharging those who have instruments to record, and Senator Croisan says in his opinion the office if self-sustaining is all it should be expected to be.

SENATE. Morning Session. The Senate was called to order at 10:05 o'clock by President Kuykendall, and the roll call found all Senators present except Mays.

The election of officers was immediately taken up with the following results and no opposition:

Chief clerk, S. L. Moorehead, of Lane; assistant chief clerk, E. L. C. Farrin, of Coos; sergeant-at-arms, G. P. Terrell, of Marion; doorkeeper, W. W. Smith, of Clackamas; calendar clerk, Frank Turner, of Marion; reading clerk, Frank Motter, of Multnomah; mailing clerk, J. E. Barnett, of Wasco; pages, George Martin, Lowell Alderson and Joe Hallcock.

On motion of Senator Rand a special committee consisting of Senators Rand, Smith and Malarkey were appointed.

S. C. R. 1, Pierce. To amend rules of Senate. Adopted.

S. C. R. 2, Coe. To appoint a com-

mittee to examine and investigate the books and accounts of the state treasurer.

In behalf of the Oregon Historical Society, Senator Brownell presented a gavel to the President of the Senate, recounting in a very pleasant and interesting manner the history of the wood from which the gavel was made.

On motion of Senator Brownell the ministers of Salem were invited to be present each morning and open the Senate with prayer.

On motion of Senator Farrar, the Governor was invited to meet with the House and Senate Thursday at 11 o'clock and deliver any message he might wish to impart.

S. C. R. 3, Croisan. To appoint a committee to examine the books and accounts of the state penitentiary.

S. C. R. 4, Hobson. To appoint a committee to examine the affairs of the state insane asylum.

S. C. R. 5, Smith. To appoint a committee to investigate the Soldiers' Home.

S. C. R. 6, Bowerman. To appoint a committee to examine the books and accounts of the clerk of the state land board.

S. C. R. 7, Loughary. To appoint a committee to investigate the books of the state land agent.

S. C. R. 8, Malarkey. To appoint a committee to investigate the books and accounts of the secretary of state.

S. C. R. 9, Wheatdon. To appoint a committee to examine the books and accounts of the secretary of state.

S. R. 1, Hobson. To authorize the printing of a calendar. Adopted.

S. R. 2, Miller. To extend curtesies of the Senate to the press of the state. Adopted.

S. R. 3, Wheatdon. To furnish five daily papers to each member. Adopted.

S. R. 4, Pierce. To furnish set of codes to each member of the Senate. Adopted.

S. R. 5, Malarkey. To allow each member one clerk in addition to those already allowed by the rules. Adopted.

S. R. 6, Rand. To instruct the secretary of state to furnish each member 200 2-cent stamps and 100 newspaper wrappers. Adopted.

S. R. 7, Coshov. To furnish each member a copy of the session laws of the last regular and special sessions of the Legislature. Adopted.

S. J. R. 1, Coe. To authorize the appointment of a bill messenger to carry and be responsible for all bills transmitted from one house to the other. Adopted.

S. J. R. 2, Miller. To require that the general appropriation be printed at least seven days before the close of the session. Adopted.

S. B. 1, Laycock. To amend the code in regard to time of levying school tax. This was a local bill and on motion of Pierce it was read first and second times and referred to Senator Rand, as a member of the session's judiciary committee, with request to report in the afternoon. Adjourned to 2 p. m.

Afternoon Session. The Senate convened at 2 o'clock and roll call found all the Senators present except Bowerman and Mays.

S. B. 2, Brownell. To provide for a constitutional convention. Rules were suspended and read first and second times and will be referred to judiciary committee.

S. B. 1, Laycock. To allow all school districts that did not make special school levy by January 1st to be allowed to make such levy by February 1, 1905. This measure applies to this year only. Bill was read the third time and passed.

S. B. 3, Miller. To amend code. Read the first time.

S. B. 4, Miller. To appeal certain sections of the code. Read first time.

S. B. 5, Miller. To fix salaries of state officers.

S. B. 6, Haines. To amend charter of Hillsboro. Read first, second and third times and passed.

S. B. 7, Smith. To establish other judicial districts for Eastern Oregon. Read first time.

S. B. 8, Coe. To amend criminal code in regard to rape.

S. B. 9, Croisan. To reimburse school fund out of the general fund for mortgage on State Fair grounds. Read first time.

S. B. 10, Avery. To abolish certain office in Benton county. Read first time.

S. B. 11, Booth. To amend charter of Springfield. Read first time.

S. B. 12, Booth. To establish a bureau of mines at Eugene and appropriate money for the maintenance of same. Read first time.

The President announced that he had appointed Penumbria Kelly, of Multnomah, to act as bill messenger.

The House resolution by Richie to invite President Roosevelt to visit the Lewis and Clark Fair was read and adopted.

S. B. 3, Rand. To amend code. Read first time.

S. B. 14, Tuttle. To amend code. Read first time.

S. B. 15, Tuttle. To amend code. Read first time.

S. B. 16, Tuttle. To amend code. Read first time.

S. B. 17, Tuttle. Read first time by title.

S. B. 18, Wheatdon. For bureau of mines at Portland. Read first time.

S. B. 19, Smith. To amend code. Read first time.

S. B. 20, Croisan. To fix fees of county recorder. Read first time.

S. B. 21, Croisan. For the relief of Mrs. Mary Nibber. Read first time.

S. B. 22, Croisan. To amend code. Read first time.

S. B. 23, Croisan, by request. For the relief of Mrs. Amanda Herreu. Read first time.

S. B. 24, Pierce. A local bill to allow Heppner and Ione, in Morrow county, to provide against future floods. Read first time.

S. B. 28, Pierce. To amend code. Read first time.

S. B. 29, Pierce. To amend code in regard to game. Read first time.

S. B. 30, Loughary. In regard to

boundary board. Read first time.

S. B. 31, Rand. To allow clerk of Baker county to appoint a deputy \$1200 a year. Read first time.

S. B. 32, Rand. To incorporate the town of Haines. Read first time.

S. B. 33, Rand. To increase the salary of the school superintendent of Baker county from \$1200 to \$1500. Read first time.

S. B. 34, Rand. To allow the sheriff of Baker county to appoint one more deputy at \$75 a month. Read first time.

S. B. 35, Coshov. To amend code. Read first time.

S. B. 36, Rand, by request. To regulate and license peddlers. Read first time.

S. B. 37, Rand. To incorporate Hot Springs. Read first time.

S. C. R. 10, Bowerman. To examine state board of canals and locks. Referred.

S. R. 9, Rand. To appoint assistant doorkeeper. Adopted.

Adjourned to 10 o'clock a. m. Tomorrow.