

LEGISLATURE WORKS SLOW

HOUSE ADOPTS MEASURE TO CATCH UP DELAYED ROUTINE

SENATE BILLS ARE NEGLECTED

Malarkey's Bill to Limit Hours of Railroad Employees Travels Rough Road

Smith Bill Providing for Publication of Bills Before Convening of Legislature Comes Up and Representative Linticum Enters Vigorous Protest

(From Wednesday's Daily.)

A uniform tendency on the part of the members of the House of Representatives to catch up in their delayed routine work characterized yesterday's session of the Twenty-third Legislative Assembly.

For several days the self-satisfied Senators have openly expressed their dissatisfaction over the tardiness of the members of the House in fully outlining their plan of procedure to meet the existing conditions.

The Senators' chief reason for resentment is that the House until yesterday has failed absolutely to consider the Senate bills that have been submitted for passage.

The unacted for condition of affairs was remedied yesterday morning when the House adopted amendments on the rules which have governed the organization. A committee was appointed Monday to change the rules as thought advisable.

The changes approved by the committee which were adopted by the House yesterday morning dispense with the regular order of business. The rules have been so complicated that by the time the regular routine of the House business had been completed, it was time for adjournment.

Through this method the Senate bills were never brought forth for even their first reading.

As amended, the Senate bills can be taken up at any time. Another important amendment was adopted which will save considerable time. Bills which have been reported unfavorably by the committees, are to be settled immediately upon the submitting of the report.

Heretofore all bills were sent to be engrossed and enrolled whether the report of the committee was favorable or not. These amendments enable the House to save time and to attend to important measures which require immediate action.

A bill introduced last week in the Senate by Malarkey has been traveling a rough road ever since its presentation. The measure is to limit the hours of service of certain railroad employees. This applies particularly to trainmen. The railroads have made a strong fight against this measure ever since its introduction and will continue to make every effort within their power to secure its defeat.

When the bill came up yesterday morning to receive a report upon its merits, it was found that two of the committee were for the measure and two were against it. It was decided to make a special order of the bill for this afternoon, when its fate will be decided. The Senate adjourned at 11:30 a. m. yesterday until this morning to allow the committee to investigate into state institutions sufficient time to make their reports.

The Linticum-Smith controversy was renewed in the House yesterday during the forenoon session. When the Smith bill to allow the publication of bills before the convening of the Legislature came up for final settlement, Linticum took the floor and vehemently and vigorously protested against its passage. He harangued up on the subject and made a speech which would do credit to Smith. His opponent, Smith, took the floor and answered the Multnomah lawyer but he did not strain his eloquent powers as he did last Friday when he was upholding his stand in submitting a minority report favorable to the bill. The bill was indefinitely postponed.

An organized and substantial movement was made during the morning session to reconsider H. B. 30, Hudson, which would raise the marriage license fee from \$3 to \$5. Linticum spoke at length in favor of the revival of the bill but he was ably answered by Kay of Marion, who took a determined stand against allowing the bill to be voted upon the second time. This in favor of the bill. It would mean an additional revenue of \$20,000 to the state, but the majority of the members of the House seemed to be of the opinion that it was taking advantage of the good nature of a man who was about to be married and the motion was lost. The failure of the motion brought another burst of applause from the opponents of the bill similar to the display of enthusiasm evoked by the defeat of the bill Monday.

Linticum, however, was undaunted and by good generalship combined with a flowery speech at an opportune time, secured the passage of his bill to appoint a commission to supervise the libraries of the state. There was strong opposition to this bill, a number of the members of the House taking the floor declaring the appointment of such a commission would only result in a needless expenditure of the state fund and that the benefit derived by such a board would be immaterial. The declaration of their convictions proved unavailing as the bill was passed by a vote of 33 to 23.

A bill appropriating \$20,000 to reimburse the state school fund was passed by the House yesterday. The state school fund holds a mortgage of that amount on the State Fair Grounds and as the school fund is irreducible, it was considered advisable to cancel the obligation by this appropriation as it entails no expenditure on the part of the state. It was simply a case of transferring that amount from one state fund to another. Although the success of this bill has been assured, its progress has been watched by the Salem people from the moment of its introduction, as the Fair Grounds are located on the outskirts of this city. The bill will undoubtedly be passed by the Senate and signed by the Governor, making the measure a law. A few of the skeptical have believed that this debt hanging over the head of the Fair Grounds would be to its disadvantage in the future, but they are now taking a more optimistic view of the matter.

The greater part of the afternoon session of the House was consumed in the first and second reading of the Senate bills which have been accumulating for days. A little time was taken, however, to pass a number of House bills. Among those that passed was H. B. 31, McLeod, to provide for uniform eighth grade examinations in the public schools. McLeod in launching the bill to receive the final vote upon it stated that the conditions in regard to eighth grade examinations were in the worst sort of an entanglement which was deplored by the most prominent educators of the state. He said owing to the present conditions incompetent and unprepared pupils could pass the examinations with ease provided they were favored by the teachers. He finished with a stirring appeal to the members of the House to support this meritorious measure, which was passed by an unanimous vote.

From present indications it seems as though the present Legislative Assembly will succeed in reducing the expenses materially.

Vawter introduced a bill for the appropriation of \$50,000 to meet the expenses of the present session. The meeting of the preceding Legislature resulted in an expenditure of \$55,000. Mr. Vawter said that his appropriation would be sufficient to meet all demands which were expected to be met during the session.

A motion to adjourn the House at 4 o'clock yesterday afternoon brought on a storm of indignation from a large number of Representatives who wanted to forge ahead of the business on hand instead of being continually behind. Their protestations proved to no avail, however, as they were outnumbered by a small majority and the House adjourned until 10 o'clock this morning.

HOUSE. Morning Session. The House was opened for business at 10:20 a. m. by prayer led by Rev. Price of the Friends Church. The committee appointed to revise the rules of the House submitted its report. The rules which were adopted forbid the introduction of bills during the last ten days of the session.

Third Reading of Bills. H. B. 58, Chamberlain. To provide for the publication of the laws made by the people. Passed by a unanimous vote.

H. B. 53, Smith (of Baker). To regulate the use and sale of blasting powder and fuse. Passed by a unanimous vote.

H. B. 119, Graham. To reimburse the common school fund for money loaned the State Agricultural Society. Passed by a unanimous vote.

H. B. 214, Caldwell. To incorporate Dayton. Passed by a unanimous vote.

H. B. 38, Smith (Josephine). To provide for filing proposed legislation with the secretary of state. Indefinitely postponed.

H. B. 64, Muir. To establish a board for promoting uniform legislation. Indefinitely postponed.

H. B. 92, Muir. To amend section 85 of Bellinger and Cotton's Code relating to the publication of legal notices. Bill passed.

H. B. 100, Vawter. To regulate the practice of attorneys in Oregon. Indefinitely postponed.

H. B. 21, Cooper. To protect employees in mills, etc. Passed.

H. B. 43, Burns (of Clatsop). A bill for an act to prohibit the driving and frightening of salmon in protected waters. The bill was passed without opposition.

H. B. 20, Smith (of Josephine). A bill for an act to amend section 826, Bellinger and Cotton's Code, relating to taking depositions. The bill was passed.

H. B. 6, Linticum. A bill for an act to create the Oregon library commission. Passed by vote of 33 to 23.

Afternoon Session. House convened sharply at 2 o'clock, the time set. The courtesies of the floor were extended to P. X. Matthews, the old pioneer.

Third Reading of Bills. H. B. 63, Muir. To amend section 743 of Bellinger and Cotton's Code re-

lating to proving records. The bill was passed by a unanimous vote.

H. B. 70, Mayer. To repeal sections 4150, 4131, 4132, 4134 of Bellinger and Cotton's Code, relating to the fishing bounty act. The bill was passed by a unanimous vote.

H. B. 31, McLeod. To provide for uniform eighth grade examinations. The bill was passed by a unanimous vote.

H. B. 127, Griffin. To amend section 5644, Bellinger and Cotton's Code relating to filing liens. The bill was passed by a unanimous vote.

H. B. 83, Crang. To amend the code relating to terms of court in the Fourth judicial district. The bill was passed by a unanimous vote.

H. B. 60, Cornett. To amend the school laws. The bill was passed by a unanimous vote.

H. B. 107, Mayer. To prevent fishing in certain streams in Columbia county. This bill provides that no hook smaller than a double O be used in fishing in certain streams. The bill was passed.

H. B. 111, Hermann. To incorporate Myrtle Point. The bill was passed.

H. B. 174, Vawter. To provide expenses of the 23d regular session, and to provide deficiencies. This bill appropriates \$50,000 for payment of the 23d Legislative Assembly. The bill was passed.

H. B. 37, Shook. To reincorporate Klamath Falls. The bill passed.

H. B. 175, Holcomb. To provide for the manner of approving and recording of additions to towns. Referred to Multnomah delegation.

H. B. 176, Holcomb. To provide for the levying of taxes. The bill passed.

H. B. 154, McLeod. To create the Eighth judicial district. The bill passed.

H. C. E. 21, Smith (Josephine). To appoint committee to investigate the reason of the distribution of passes on railroads.

H. B. 155, McLeod. To create the Tenth judicial district. The bill was passed.

The following Senate bills were read first and second times by title and referred to committee:

S. B. 57, Lavecock. A bill for an act to amend section 3098 of the code, relating to school district, city or town levies in Grant, Douglas and Clatsop counties. Rules were suspended and S. B. 57 passed.

S. B. 7, Smith. To establish the Third Eastern Oregon Agricultural Society and to define its duties and appropriate money therefor. Irrigation.

S. B. 9, Croisan. To reimburse the common school fund for money loaned to the State Agricultural Society. Agriculture.

S. B. 15, Tuttle. To repeal section 2027 of the code relating to black bass. Fisheries.

S. B. 16, Tuttle. To repeal section 4114 and amend sections 4115 and 4116 of the code, relating to protection of sturgeon. Fisheries.

S. B. 20, Croisan. To regulate the fee for recording deeds, mortgages, &c. Revision of laws.

S. B. 21, Croisan. To reimburse Mrs. Mary Nibble for meals and lodging to members of Companies F and H of O. N. G. while on duty in pursuit of convicts Tracy and Merrill. Ways and means.

S. B. 25, Pierce. To amend section 2023 of the code, relating to game east of the Cascade mountains. Game.

S. B. 26, Pierce. To amend section 5108 of the code, to enable cities to condemn land for levees, etc. Judiciary.

S. B. 27, Pierce. To authorize the transfer of estates in guardianship from one county court to another. Judiciary.

S. B. 28, Pierce. To amend section 2023 of the code, relating to prairie chickens. Game.

S. B. 30, Loughry. To authorize the district boundary boards to condemn lands for public school purposes. Education.

S. B. 31, Rand. A bill for an act to abolish the office of recorder of conveyances in Baker county. State and county officers.

S. B. 32, Rand. To fix the salary of the deputy county clerk of Baker county. Judiciary.

S. B. 34, Rand. To increase the emoluments of the sheriff of Baker county, and to provide an additional deputy therefor. State and county officers.

S. B. 40, Smith. To establish county and municipal boards of health. Irrigation.

S. B. 43, Smith. To create a commission to fix boundary line between Umatilla and Wallawa and Umatilla and Union counties. Special committee.

S. B. 45, Smith. To amend section 7 of an act known as Senate Bill No. 74, regular session 1903, approved by the Governor February 24, 1903, relating to the practice of veterinary medicine and surgery. Medicine and pharmacy.

S. B. 48, Croisan. To authorize the state to purchase such lands as will be necessary to make a proper enclosure for the monument erected at Old Champeo, Marion county. Special committee.

S. B. 53, Pierce. To empower execu-

tors and administrators to execute deeds in certain cases. Judiciary.

S. B. 57, Lavecock. To amend section 3098 of the code, relating to school district, city or town levies in Grant, Douglas and Clatsop counties. Judiciary.

S. B. 58, Brownell (by request). To incorporate town of Matwauke. Cities and towns.

S. B. 61, Malarkey. To amend section 5359 of the code, relating to the recording of deeds and mortgages. Revision of laws.

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MANY BILLS ON THE WANE

MALARKEY FOURTEEN-HOUR BILL PLACED ON DOUBTFUL LIST.

OPPOSITION BEGINS TO TELL

Croisan's Attempt to Make Highway Robbery Punishable by Death Falls

Miller Bill to Abolish State Health Officers at Seat Ports Makes Good Progress—Most Important Bills Have Not Put in Appearance as Yet.

(From Thursday's Daily.)

Those who predicted a quiet and unsensational session of the Legislative Assembly are rapidly undergoing a change of conviction. Every day witnesses the introduction and agitation of numerous important measures which are of vital importance to the best interests of the state.

S. B. 57, Lavecock. To amend section 3098 of the code, relating to school district, city or town levies in Grant, Douglas and Clatsop counties. Judiciary.

S. B. 58, Brownell (by request). To incorporate town of Matwauke. Cities and towns.

S. B. 61, Malarkey. To amend section 5359 of the code, relating to the recording of deeds and mortgages. Revision of laws.

S. B. 66, Miller. To require teachers in public schools to give thirty days' notice of resigning. Education.

S. B. 68, Nottingham. A bill for an act to prevent the sale of adulterated oil. Health and public morals.

S. B. 69, Nottingham. To amend section 4024 of the code relating to the transfer of stocks of goods. Revision of laws.

S. B. 83, Lavecock. To amend section 2325 of the code, defining the boundary of Grant county. Counties.

S. B. 88, Smith. To amend charter of Pendleton. Cities and towns.

S. B. 96, Malarkey. To authorize the Lewis and Clark Fair to condemn private property. Judiciary.

S. B. 108, Pierce. To amend the charter of Iona. To cities and towns.

S. B. 13, Loughry (by request). To authorize county superintendents of schools to dispense with annual county institutes for the year 1905. Education.

S. B. 137, Haines. To incorporate the town of Cornelius. Cities and towns.

SENATE.

Morning Session.

Called to order at 10 o'clock. No minister being present, prayer was dispensed with.

S. B. 50, Pierce. A bill for an act to allow employes to maintain an action against employers or insurance companies. Rand moved that the further consideration of the bill be indefinitely postponed. Carried. Pierce asked for a division, but the President did not consider his demand. Rand moved to reconsider, which was adopted.

Pierce made a strong plea for the passage of the bill. Rand again moved for an indefinite postponement. This motion was carried, 19 to 9.

First Reading of House Bills.

H. B. 29, McLeod. A bill to protect salmon.

H. B. 36, Settlement. To amend certain sections of Bellinger and Cotton's Code relating to the National Guard.

H. B. 52, Kuney. To authorize district boundary boards to condemn lands for public purposes.

H. B. 56, Linticum. To amend section 5054 of Bellinger and Cotton's Code relating to corporations.

H. B. 65, Muir. To define the duties of executors, etc.

H. B. 76, Mayer. To amend the Lewis and Clark Fair act.

H. B. 89, Welch. To regulate the collection of taxes by the sheriffs.

Second Reading of House Bills.

papers. To revision of laws.

H. B. 54, West. To fix the salary of the county school superintendent of Tillamook county at \$1000. To public buildings.

H. B. 62, Bailey. To amend labor bureau act. To mechanical industries.

H. B. 69, Richie. To regulate the state library. To public buildings.

H. B. 71, Kay. To pay state employes monthly. To education.

H. B. 124, Satz. To incorporate the town of Westfall. To municipal corporations.

S. B. 60, Malarkey. To limit the hours of service of certain railway employes. Report of committee was two for passage and two against. A motion to refer bill to railroad committee was lost. Made a special order for 2 p. m. Wednesday.

S. B. 8, Coe. To amend section 1760 of the criminal code. Special order postponed to 11 a. m. Wednesday.

Introduction of Senate Bills. S. B. 157, Coshov, by request. To regulate water rights.

S. B. 158, Nottingham. In regard to sentences and when they may terminate.

S. B. 159, Bowerman. To amend code in regard to judgments of decrees.

S. B. 160, Pierce. To organize Fourth District Fair Association.

Adjourned until 10 o'clock Wednesday morning so as to give the fast-fasting committee time to work.

Spelled Her Beauty. Harriet Howard, of 209 W. 34th street, New York, at one time had her beauty spoiled with skin trouble. She writes: "I had salt rheum or eczema for years, but nothing would cure it until I used Bucklen's Aches and Pains. A quick and sure healer for eczema, burns and sores. Don't let P. Fry's drug store

receive. Notwithstanding the delay, all indications point to the unanimous passage of the bill.

The members of the House suffered a shock this morning when H. B. 11, Smith (Josephine), was shelved without so much as a protest from its author. Smith has always taken advantage of such opportunities to make long speeches, in which he invariably contended his opponents. But after two weeks of strenuous antagonism he looks as though the Josephine Representative has talked himself out. His admirers say his indisposition is only temporary as he has a bad cold and is unable to talk at length. Others take a different view, however, and say he has worked himself out.

Unexpected Happens. That the unexpected will happen when least looked for, was evident yesterday when the House passed the Croisan joint resolution to appoint a committee to investigate the land and timber holdings of the Northern Pacific in Oregon.

Although there may have been opposition working against the resolution through underhand methods, it did not show up when the resolution came up for settlement. It was passed by an unanimous vote to the utter surprise of those who held right along that the resolution would meet a sad end. It is now whispered around that the real fight against the bill will be made in the Senate and the outcome looked upon with much anxiety by those who are foremost in the attempt to curb this powerful railway corporation.

The Northern Pacific Railway Company owns 400,000 acres of very valuable timber land in this state which it acquired through the issuance of scrip by the government. The value of this land is approximated at \$40,000,000, yet this corporation only controls forty miles of trackage in the state. With their scrip the railway company has taken lands in advance of the surveys, ousting hundreds of squatters who were located upon claims with the object of taking up homes. It is claimed that as fast as the government lands become subject to settlement, the railway company secures it. The bona fide homeseekers have absolutely no show except through the court which is rejected by the corporation as undesirable.

If the resolution is accepted by the Senate a committee will immediately be appointed to report whether it is possible to prevent the Northern Pacific Railroad Company from obtaining additional lands. It is also to ascertain if there is any way for the state to recover the land which, it is alleged, has been wrongfully acquired. There is also a provision in the resolution to memorialize Congress to step in and right in the injustice that it is claimed has been done the people of the state.

Governor's Mansion.

Judging from the natural course of events things have taken during the past several days, it appears as though definite action will be taken by the Legislature for the establishment of a gubernatorial mansion in Salem. Bailey, of Multnomah, introduced a bill in the House yesterday to appropriate \$14,500 for the purchase of the Cook residence, to be used by the Governor as a home. The Salem people have been advocating such a step for years, claiming that inasmuch as the Governor has his official office here, he should also have his home in this city. The acquisition of Bailey to the inevitable is considered as a forerunner of a sweeping victory to be achieved by the Salem citizens. It is understood that the entire Multnomah delegation favors the passage of the Bailey bill. The Portland newspapers have been figuring the proposed purchase of a gubernatorial mansion ever since it was first suggested. It is natural therefore that the turning of the Multnomah delegation is a source of a great deal of gratification on the part of the Salem residents.

When H. B. 55, Miles, came up for final passage yesterday afternoon there was found arrayed against it a combination that only made a partial display of its strength. The croppings of the opposition such as appeared was sufficient, however, to have the bill postponed until today. This bill is for an act to further the protection of the forest and timber of this state. It provides that the county courts shall, upon application by timber owners, authorize the appointment of fire rangers. The expense of the maintenance of these rangers is to be sustained by the timber owners exclusively. It also provides for a permit season from the 1st of June to the 1st of October and a closed season from August 1 to September 15. During the longer restricted season persons clearing timber lands would be required to secure a permit from the county court. During the dry period from August 1 to September 15 the clearing by fires would be prohibited.

The opponents to the bill claim that such a law would be the most iniquitous imposition upon the people imaginable and that their constituents instructed them to fight to the utmost extremity any measure of such a nature. A canvass of a number of