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EFFECT NOT WIDE

Medford Decision Wont Affect Other Towns

LOCAL OPTION LAW HOLDS

Where Not Heretofore Annulled by Specific Act of Legislature—Medford "Drys" Busy

Further details of the decision of the Oregon Supreme Court, Tuesday, in the Medford local option case, are as follows:

The supreme court holds that though a general statute will not implicitly repeal a special law previously enacted, the rule is well settled that if the special statute is the later enactment, it necessarily operates to circumscribe the effect of the previous general act from which it differs.

A similar case is pending a decision of the supreme court involving the question of local option in the city of Dallas.

"Where a general local-option law has by a majority vote," continues the court, "been made applicable to a specified territory, of which a city formed a part, a subsequent amendment of the municipal charter authorizing the council to license the sale of intoxicating liquors impliedly repealed the prior local-option law, so far as the city was concerned."

"The amendment of section 2 of article 11 of the Oregon law, empowering the legal voters of every city and town to enact and amend their municipal charters, subject to the constitution and the criminal laws of the state, is not self-executing, and operates prospectively only, so that the adoption of such an amend-

ment (the clause in the Medford charter empowering the council to regulate the liquor traffic, irrespective of any general law of the state on the subject enacted by the legislature or by the people at large) did not alter the charter of the city of Medford, as enacted by the legislative assembly, February 7, 1905.

"The amended charter having repealed the provisions of the local option liquor law, so far as the city of Medford is concerned, no error was committed in overruling the demurrer and in granting the relief awarded."

"The court also holds in this case that a writ of review would have afforded the plaintiff a legal remedy for the injury he might have sustained in the manner indicated (the recovery of damages to stock and trade). A court of equity, according to the facts alleged in the complaint, also had concurrent jurisdiction of the subject matter of the suit and was authorized to grant a temporary injunction."

The court further says: "It is quite probable that the attempt to exempt the cities of Condon, Estacada and Medford from the provisions of the local option law, and to prevent any further encroachments thereon impelled the amendment (in 1900) of section 2 of article 11 of the organic law of the state, so as to prohibit the legislative assembly from enacting, amending or repealing any municipal charter, and also induced the granting of such power to the legal voters of every city and town, but limiting their authority; in such enactments as might contravene the Constitution or subvert the criminal laws of the state. The local option liquor enactment has been held to be a criminal law, the provisions of which cannot be violated by the electors of a municipality in legislating in respect to a city charter."

The opinion also holds that the amended Medford charter expressly repeals the local option law so far as it applies to Medford and that it would have such effect by implication if it did not expressly.

Decision Not of Wide Effect. The decision of the Supreme Court in the Medford liquor case is not of very wide effect, since the decision can apply only to Medford, Condon

and Estacada. These were the only cities that had charter bills passed in 1905 giving them control of the liquor traffic, and since that time it has been impossible for any other city to secure a charter of that kind. In 1905 the amendment was adopted giving cities exclusive power to adopt their charters, "subject to the Constitution and criminal laws of the state."

The supreme court has held that the local option law is a criminal law, and no city charter adopted since 1906 can evade the local option law. Even these three cities can be voted "dry" by an amendment to their charters.

The Anti-Saloon people have taken great interest in the Medford case, assuming that the decision that would be rendered by the supreme court would be of sweeping effect. It is said that the Anti-Saloon people spent considerable money fighting the case and that they are considerably wrought up over the decision. As a matter of fact, the decision is of consequence and can be of consequence in only the three cities mentioned. To illustrate the situation under the law and the decisions that have been rendered:

Special Privilege Limited. Albany is a city in a "dry" county. If the city should attempt to amend its charter so as to authorize the sale of liquor, the charter would be invalid in that respect, because in contravention of that section of the Constitution which provides that city charters must be "subject to the Constitution and criminal laws of the state." In the case of Fouts vs. Hood River, the supreme court held that the local option law is a criminal law. If a large number of cities had obtained charters in 1905 granting them the power to license the sale of liquor, regardless of the local option law, the decision would have had a wide effect, but a search of the records shows that only these three cities, whose charters were enacted in that year, contained the clause granting this power. There were several cities whose charters of that year authorized the licensing of saloons, but they did not expressly annul the effect of the local option law, and the supreme court holds in the case of

(Continued on page 4.)

CHEER 14 MINUTES

Bryan's Reception in New York a Record-Breaker

STRONG TIDE TO DEMOCRACY

Taft Unfriendly to Labor—Members of Cleveland's Cabinet on Platform With Bryan

NEW YORK, Oct. 27.—William J. Bryan held one of the most remarkable political meetings on record at 4 o'clock this morning in City Hall park, when he addressed several thousand night workers whose hours made it impossible for them to attend regular meetings.

Bryan stood upon the steps of the city hall and the crowd gathered in the park about him. The men from power houses, telegraph offices, streetcar headquarters, all-night restaurants, morning newspapers and other places where work never stops. The meeting was held at the request of a committee of morning newspaper men.

In his address Bryan confined himself to much the same arguments as he made at the monster meeting at Madison Square Garden last night. He dwelt on the labor question and explained points in the Democratic platform favorable to labor and discussed the anti-injunction proposition. The night workers gave him a rousing reception and cheered like college rooters.

With the glimmering of lights from windows here and there in the towering office buildings, the early morning cry of the newsboy, the uncertain half-light of the early morning and the scene in the park where the enthusiastic crowd cheered the candidate, the meeting was one to be remembered long by all who attended it.

Bryan retired about 5 o'clock. He was up again, apparently refreshed, at 10 o'clock and delivered an address to the Broadway business men at the headquarters of the Order of Acorns, where he was given a warm reception. He then went at once to Brooklyn to address a labor meeting and took up his program for the day, which includes 13 other speeches.

Record-Breaking Meeting. Bryan reached Madison Square Garden at 10:15 last night, after one of his most busy days. The cheering on his entrance continued 14 minutes. The immense auditorium was packed to its capacity with enthusiastic democracy and he was repeatedly urged to "go on," when he mentioned the lateness of the hour. He spoke until 11:55, re-inspired by the cheers of his vast audience.

As a manifestation of intense devotion the meeting last night has never been excelled at Madison Square Garden, and scarcely in American history, bar no epoch, whatever. Bryan has addressed Garden audiences in his two previous campaigns, but none to be compared in numbers nor in enthusiasm with that which last night almost rivaled the record demonstration in the great auditorium at Denver on the night last June when he was nominated.

The crowd was clamoring for admittance hours before the time for opening the doors. A police cordon was flung far out and only ticket holders were allowed to pass.

With Bryan on the platform were ex-Governor Francis of Missouri and Governor Hoke Smith of Georgia, both of whom had served as secretary of the Interior in President Cleveland's cabinet. Lieut. Gov. Chanler, democratic candidate for governor of New York, was also on the stand. All these distinguished democrats made addresses.

Labor Issues Emphasized. The candidate emphasized the issues raised by labor in this campaign. He declared that Gompers had never criticized the court more severely than Roosevelt himself had. He charged that the president was now issuing a daily bulletin assuring the people that Mr. Taft was a friend of labor. "My friends," he said "there is a certain mutuality about friendship; both sides have to be consulted and Mr. Roosevelt consults only one side when he discusses Mr. Taft as the friend of labor. I care not what he may say about Mr. Taft's friendship to labor. Mr. Taft's record shows that he is not in sympathy with those who toil in this country."

Bryan quoted Taft's decision in the case of Thomas vs. The Cincinnati, New Orleans & Texas Pacific railway company, authorizing the receiver to make a cut of 10 per cent in the wages of employees and denying their right to appeal.

He said that in the west Taft was running on his amendments to the Chicago platform, while in the east

he was running on the official platform.

The "Conscience" Issue. In conclusion Bryan spoke solemnly of the conscience factor in the campaign. He said:

"I have watched the progress of this campaign. I want now, as the campaign is drawing to a close, to leave with you some thoughts I believe worthy of your consideration before you vote. I charge that the republican leaders no longer lead the republican voters. I believe that our platform better expresses the real desire of a majority of the republicans of the United States than their desire is expressed in the republican platform."

"The republican party has claimed to be the party of morality. It has claimed to express the conscience of the nation. I charge that today it misrepresents the general sentiment of the country and betrays the conscience of the American people."

"There is a great question of conscience before the American people. It is honesty in politics. You cannot have honest government without honest principles, and the democratic party is inaugurating a new era in American politics. The investigations, the disclosures, the revelations have shown what enormous campaign funds have been secretly collected and corruptly used, and an awakened people demanded that that should stop, but the republican senate and house a republican national convention rejected the plank that was aimed at honesty in politics."

"Our committee applied the doctrine of the platform to the present campaign and has done what no political committee ever did before—it has taken the people into its confidence and laid bare the sources of its campaign contributions. The republican committee refused to do this."

From the Garden Bryan went to Cooper Union to address an audience that had waited for him for five hours.

LANDSLIDE FOR BRYAN. Predicted by Several Prominent Democratic Leaders.

CHICAGO, Oct. 27.—Claiming that Bryan will be elected by an overwhelming majority that will amount to a landslide, J. W. Tomlinson, chief organizer of the democratic national committee, has issued a forecast that he asserts has been compiled from accurate reports throughout the country. The forecast gives Bryan 501 electoral votes sure, and a possible 86 more.

In the list of states given as surety for Bryan are included the following: Indiana, Ohio, Idaho, Nebraska, Maryland, Montana, New York, Nevada, Colorado, South Dakota, Kansas, Connecticut, New Jersey and Delaware.

Wisconsin and Ohio. Democratic State Chairmen Manson of Wisconsin and Garber of Ohio are in Chicago today. Both reported conditions favorable to Bryan. Manson said:

"We just completed a poll of the state which shows Wisconsin is for Bryan. At first we feared LaFollette's perforatory indorsement of Taft might endanger the margin on which we had been depending to carry the state. Our advice is for his followers to remain firm and Bryan cannot be shaken loose."

LaFollette in his speeches dwells on the help Bryan gave him in Wisconsin, coming to Madison to ask the democratic members of the legislature to support the rate regulation bill which the LaFolletteites had offered, and which the stalwart Spooner republicans fought bitterly.

"The Wisconsin idea having been rejected by the republican national convention, our people refused to accept Taft. We'll carry the state for Bryan."

Garber insists Ohio is won for Bryan beyond possibility of the Taft people winning it back again. Desperate efforts are being made by throwing many speakers into the state.

Regarding New York a Chicago republican returned today from a trip to New York in an automobile, stopping all along the way sounding public sentiment. He devoted several weeks to it. He said:

"I began at Yonkers, just above New York city, visiting all classes, especially railroad employes, and my observations along the line convince me that New York, Ohio, Indiana and Illinois will probably go for Bryan."

These statements are representative of others. The newspapers carry big stories of the World's expose of Sherman's alleged connection with the land fraud scheme in New Mexico.

Hughes and that the whole presidential fight centers in New York state, former United States Senator W. A. Clark, is in Los Angeles today.

"New York will be the pivotal state in Tuesday's election," said Senator Clark. "In my opinion who carries it will be the next president."

"I feel sure that Bryan will carry Ohio, Indiana and Montana. Montana is a strong republican state ordinarily, but this year it will be in the democratic column."

"The election is a toss-up between Taft and Bryan, but I believe Bryan will be the victor."

"The cause of railroad torpidity is the fact that the railroads cannot borrow money from the banks. This is brought about by the Roosevelt policy of dominating everything and his threatened legislation against railroads."

SOCIALIST VOTE TO ELECT TAFT. Leading Socialists Admit That to be Expected Result.

SAN FRANCISCO, Oct. 27.—Upon the heels of the author of "The Jungle," is here, resting from his literary labors. With him is H. Gaylord Wilshire, whose magazine converted the author to Socialism. The two writers are being entertained by their friends of the literary set and the local Socialist colony. Sinclair has consented to speak at a Socialist meeting here Thursday night.

Sinclair is staying at the Fairmont hotel, the rich man's hotel of the town, but he says he is just as good a Socialist as those who stay in mean cottages.

Sinclair will be here four days and the Socialists have secured his promise to speak at several meetings. The author says the Socialists will poll over a million votes and that Haggan will poll almost as many. He says this will elect Taft.

Sinclair is to go to Carmel-by-the-Sea for a visit to George Sterling, the poet, and then to ride to Los Angeles on horseback.

He announced today that he would shortly write a book dealing with Tammany Hall.

Umatilla For Bryan.

PORTLAND, Oct. 28.—County Chairman Peterson, of Pendleton, who was here today, arranging for meetings in his county, says it is his belief that Bryan will carry Umatilla county by a safe plurality.

Makes Homely Women Pretty. No woman no matter how regular her features may be can be called pretty, if her complexion is bad. Orino Laxative Fruit Syrup aids digestion and clears yellow blotched complexions by stimulating the liver and bowels. Orino Laxative Fruit Syrup does not nauseate or gripe and is mild and pleasant to take. Remember the name Orino and refuse to accept any substitute. Red Cross Pharmacy.

G. O. P. IS SCARED

Frantically Trying to Raise Money For Taft

FEAR OF BRYAN TIDALWAVE

Portland Firms Asked to Contribute \$200 to \$500 Each—Receipts Not Known

Special to The Review.

PORTLAND, Or., Oct. 28.—Led by very alarming reports from republican headquarters in the east, frantic efforts are being made here to raise funds for use by the Taft campaign managers in New York, Ohio and Indiana. Dr. Henry Walden, who has headquarters at the Hotel Portland, has requested large business houses in this city to contribute to this fund, asking them for from \$200 to \$500 each. It is not known how much money for that purpose has been collected here.

Bryan is Confident.

PEERSKILL, N. Y., Oct. 28.—Leaving New York city early this morning, Hon. W. J. Bryan is today covering the ground traversed by Hon. W. H. Taft during the past few days. During his address to an immense crowd here, Mr. Bryan said he believes the democrats will carry New York, Indiana, Ohio, Kentucky and Rhode Island. At Poughkeepsie today Bryan denounced Roosevelt's activity in this campaign, declaring that it should be impossible for any president to choose his own successor—that the presidential office belongs to the people, who alone should select its occupant.

A very serious accident was narrowly averted when the Bryan special stopped at Tarrytown. Another train took the same siding that was occupied by Mr. Bryan's train, backing the latter for some distance. At that moment thousands of people had gathered at the rear of the Bryan train to hear his address and several persons were knocked down and injured before the train was stopped by an emergency signal. Just at that time Mr. Bryan appeared on the platform and quieted the crowd, which was on the verge of a panic.

Advertisement for Coopers Spring Needle Underwear. Text: 'Good Underwear Is an important factor in the health and comfort of every man—especially at this time of the year.' Includes image of a man in underwear and a woman with a sign.

Advertisement for Josephson's Dry Goods. Text: 'Josephson's ESTABLISHED 1877 SINCE 1877 WE'VE BEEN TREATING PEOPLE SQUARE THE FOREMOST DRY GOODS ESTABLISHMENT OF SOUTHERN OREGON'.

Advertisement for Masquerade Ball. Text: 'GRAND Masquerade Ball HALLOWE'EN EVE., FRIDAY, OCTOBER 30, 1908 Given by Roseburg Orchestra'.

Advertisement for Roseburg National Bank. Text: 'ROSEBURG NATIONAL BANK Established 1908. CAPITAL, \$50,000.00'.