

La Grande Evening Observer

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EDITORS AND PROPRIETORS

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THE MEDFORD LIQUOR CASE.

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 1906 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 had 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 league has 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 only in the three cities mentioned. To illustrate the situation under the law and the decisions that have been rendered:

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, the supreme court holds in the case of Benshaw vs. the City of Eugene, that these charters were merely re-enactments of existing charters and did not take the cities out from under the limitations of the local option law.

All charters enacted prior to 1905 were superseded by the local option law, so far as control of the liquor traffic is concerned in a town in "dry" territory. All charters enacted since 1905 are controlled by the provision that all charters must be "subject to the criminal laws of the state." Only those charters enacted in 1905 which expressly exempted the cities from the provisions of the state liquor laws had the effect of evading the local option law, as shown above, there were three of these, Medford, Condon and Estacada. The people of these three cities can make them dry by amending their charters, so as to make them subject to the criminal laws of the state.—Oregonian.

Three large cases of library books were received by Superintendent Bragg yesterday, and will be forwarded to the respective districts in the county. The supplying of libraries in

the public schools, rural and city, in the state of Oregon, is proving to be of inestimable value. Oregon, through taxation and other sources such as the sale of state lands is more than liberal in educational matters. However, to our shame, we permitted our school fund to be robbed out of millions of dollars. The state of Washington profited by our losses, and although a much younger state, has a larger irreducible school fund than we have. No larger than we should have had.

HALLOWEEN TOMORROW NIGHT

Story of Pagan Day of Fun, Frolic and Vandahism.

Hallowe'en, the evening of the 31st day of October, has always, from time immemorial, been a holiday looked forward to with happiest anticipation by the younger people of the Anglo-Saxon race.

It is a relic of pagan times, however, and during the earlier years of England, Scotland and Ireland the time was associated in the popular imagination with the prevalence of supernatural influences. November 1 is Hallowe'en day.

In the north of England Hallowe'en is known as nut-crack night. At this time the young people of the middle classes hold certain ceremonies, evening affairs where nuts were cracked and apples were pared. The initials formed by the paring were considered the initials of the future husband. Another way to ascertain the name of the future suitor of the young lady arranging the scheme would float to the surface of the water. In Scotland the ceremonies of the eve were formerly regarded in a highly superstitious light, and Burns' "Hallowe'en" gave a humorous and rightly imaginative presentation of the usual ceremonies as practiced in Scottish rural districts in his day. The principal object of curiosity in consulting the future was to discover who should be the partner in life. Popular belief ascribed to children born on Hallowe'en the faculty of perceiving and holding converse with supernatural beings.

In some places today the old innocent tricks that were played in the olden times have been changed into destructive pranks by boys, in the cities especially, who do not seem to think or consider that their jokes are not right and proper.

Hallowe'en is the night when brownies are supposed to be abroad, and brownies never did a destructive trick. They were always kind and helpful, working in the night, helping some one haul wood, or doing some kind act. In these later years boys have been prone to carry away gates from residence property. This would not be a bad trick if in every instance the gates were found again, but sometimes they are not located at all.

This year in La Grande it is hoped that brownies will try and help some deserving person in some way. This will cause the participants to remember the event with pleasure and not dread to see the city police officer the next morning?

BALLOT BOXES DISTRIBUTED.

West Side of County Receives the Presidential Ballot Boxes.

Ballot boxes for use in the Kamela, Hilgard, Perry and Starkey precincts, were sent out this morning to be delivered today. The officers of Union county enjoy the distinction of having the ballots in their possession earlier than any other county in the state.

Heavily Loaded Train.

The westbound passenger train this morning was the heaviest in several weeks, according to the statement of those who keep close watch of immigration. Fifteen coaches, including baggage, mail and express cars, were included in the heavily loaded train.

Notice of Dissolution of Partnership.

Notice is hereby given that the partnership heretofore existing between the undersigned, under the firm name of Roesch & Bunker, is this day dissolved by mutual consent, the said Walter E. Bunker retiring, and the said Herman Roesch continuing the business, and the said Herman Roesch will pay all debts owing by the firm, and collect all accounts due the said firm.

Dated at La Grande, Oregon, October 24, 1908. Oct 24th
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MARSHAL'S HEROIC ACT.

Saves Valuable Cement Plant and Part of Washington Village.

Anacortes, Wash., Oct. 30.—To save the city from what seemed like certain destruction by fire, Marshal J. T. Millett, and Charles Leon, responding to a call for volunteers, this morning took a rowboat, and after a hard battle with flames enveloping the oil-laden steambort Energy, towed the burning craft from the dock out into the harbor. The Energy was drifting to the wharf of the New Russian cement company. Had it reached there it would have destroyed a million dollar plant. The boat was entirely burned.

Well Known Churchman Ill.

The Dalles, Oct. 30.—Rev. M. E. Bouton, pastor of Zion Lutheran church in this city, and well known in Lutheran circles of Oregon, is dangerously ill at a local sanitarium. His recovery is doubtful. He suffered with a hemorrhage of the stomach Thursday.

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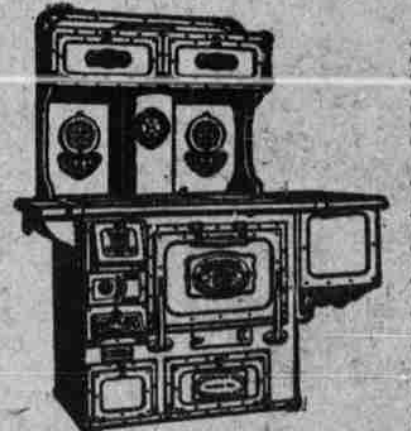
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