

It Will Cost You Nothing

If Rexall Liver Salts does not relieve you, and do exactly what we tell you they will do, your money is refunded.

If you have any liver ailments or other trouble caused by faulty liver action, we recommend

Rexall Liver Salts

because we have faith in them and believe they will relieve you. Remember your money back if not satisfied.

PUTMAN'S DRUG STORE

The Rexall Store

Christian Science Lecture

—By—

William R. Rathvon

OF DENVER, COLORADO

Member of the Board of Lectureship of the Mother church, the First Church of Christ, Scientist in Boston, Mass.

—At—

Methodist Episcopal Church

Corner Spring and Fourth St.

Tuesday, February 8, 1916 at 8 o'Clock P. M.

Public Cordially Invited,

No Admission

LID RETAINED.

(Continued From Page Five)

that reason. Justice Burnett in writing the opinion of the court in this case says:

"It is by virtue of that potent and flexible authority known as the police power that the legislative branch of the state government assumes to control citizens in the transaction of their daily affairs. It finds its sanction in the right of the state to provide for the public health, peace, welfare and safety. The only restriction which affects the question is that the legislation have some reasonable relation to those elements of public concern, and must be uniform in its operation upon all persons similarly situated. The principle rendering it lawful to forbid the pursuit of an occupation on Sunday is settled in this state by the case of Ex Parte Northrop, 41 Oregon 489, 62 Pac. 445, where this court sustained the statute making it a misdemeanor to carry on the business of barbering on that day. The underlying reason for the rule is the propriety of providing a day of rest, and relaxation for those who are

engaged in certain employments."

The Supreme court of the State of Washington, has also upheld the constitutionality of the law of that state very similar to the Oregon Sunday closing law. In its decision in the case of State vs. Nichols, (It seems that this man Nichols is a very frequent offender against the Sunday closing law) reported in the 69th Pacific at page 272, the Supreme court says, "In Bloom vs. Richards, 2 Ohio State 387, the Court by Judge Thurman, observed of Sunday law, 'We are then to regard the statute under consideration as a mere municipal or police regulation, whose validity is neither strengthened nor weakened by the fact that the day of rest it enjoins is the Sabbath day. Wisdom requires that men should refrain from labor at least one day in seven, and the advantages of having the day of rest fixed, when so fixed as to happen at regularly occurring intervals, are too obvious to be overlooked. It was within the constitutional competency of the General Assembly to require this cessation of labor and to name the day of rest.' Mr. Justice Field in ex parte Newman, 9 Calif. 502, referring to the same subject says, 'Its requirement is a cessation of labor. In its enactment the legislature has given the sanction of law to a rule of conduct which the entire civilized world recognizes as essential to the physical and moral well-being of society. Upon no subject is there such a concurrence of opinion among philosophers and moralists and statesmen of all nations, as on the necessity of periodical cessation from labor. One day in seven is the rule found in experience and sustained by science.'"

"* * * The prohibition of secular business on Sunday is advocated on the ground that by it the general welfare is advanced, labor protected, and the moral and physical wellbeing of society promoted."

There is also cited in the opinion the decisions of many courts of last resort in different states to the same effect. The opinion in the Oregon case of State vs. Nichols would not indicate that the court passed upon the question that the law was invalid because it was intended to prevent Sabbath breaking, and therefore places a restriction upon a person's religious freedom. Undoubtedly a law enacted for such a purpose would be unconstitutional. Counsel for the plaintiffs set forth in their brief that the original act passed in January, 1854, was entitled "An Act to Prevent Sabbath Breaking;" but their brief also

shows, that this act was repealed, and that in 1865 the legislative assembly enacted the present law under the title, "An Act to Amend an Act to provide a code of criminal procedure and to define crimes and their punishment" approved October 22, 1864. There is nothing in this title to indicate that is an act to prevent Sabbath breaking, and if such was the original intention, of the legislative assembly in passing the law, it has been modified and amended so as to eliminate any such intention. The present law permits theatres to be carried on, which would negative any intention of placing a religious restriction upon a person. It is argued that the law unjustly discriminates against the plaintiffs because it permits drug stores to sell the same articles that plaintiffs are prohibited from selling. Judge Burnett says in his opinion, "The question of whether an institution which vends both drugs and candy is a drug store or a candy shop, is not before us."

In upholding the constitutionality of the law upon the objection that it permitted drug stores, doctor shops, undertakers, butchers, bakers and livery stable keepers to conduct their business on Sunday, but prohibited others from conducting their business, the opinion says, "A good reason for this may be found in that fact that drug stores, doctor shops, undertakers, butchers, bakers and livery stable keepers, minister to the wants that are more imperative as a rule, than those supplied by the general run of business in the occupations named; while theatres afford mental diversion, conducive to rest and relaxation."

It certainly would be an unjust discrimination to a person conducting a cigar and confectionery shop from selling cigars and candies, and permit drug stores, undertakers and livery stable keepers, to sell the same article on Sunday. I do not believe that the legislative assembly ever intended such an absurd thing that a livery stable keeper could sell a loaf of bread on Sunday and claim his exemption under the law. To my mind the only reasonable construction to place upon the excepted classes, is that it permits drug stores to sell drugs, and nothing else on Sunday, that it permits butchers to sell meat on Sunday, and bakers to sell bread, etc., and livery stable keepers to feed horses, and rent horses and teams for hire. Another construction will drive the courts to hold the entire law void as being an unjust discrimination.

It is contended that the business of the plaintiffs is of such a nature that the courts should declare it a matter of law that if arrested they could not be convicted because they would have the right to plead all circumstances of necessity and mercy in defense, and that their arrest would simply amount to the persecution of the plaintiffs. While the court might perhaps have the right to hold that to sell any person a dish of ice cream upon a hot day in August when the thermometer is one hundred degrees in the shade, or selling a man a cigar, who had sworn off smoking for six months was a "circumstance of necessity and mercy" yet each individual sale must be governed by its own peculiar circumstances, and the courts would not have any right to declare in advance that any and all sales the plaintiffs might make would not be a violation of the law and especially under the provisions of the law that the circumstances of necessity and mercy "shall be treated as questions of fact for the jury to determine when the offense is tried by a jury."

The Supreme court of this state has declared the law constitutional upon some of the objections raised by counsel for the plaintiffs in their brief, and three federal judges sitting en banc have declared the law constitutional upon all the objections, as I understand it, urged by counsel for the plaintiffs in their brief; and it seems to me that under such circumstances it would be the height of arrogance for this court to hold the law unconstitutional. For the above reasons the application for a temporary injunction will be denied.

FROST WELCOMED.

(Continued From Page One)

labor in shoveling snow and the railroad company has been the principal patron in this respect, although the city and many individuals have been to great expense on account of the snow.

The railroad company has had for several days about all the force they could get and there was still further crews sent to the scenes of trouble on the branch line.

Superintendent Bollons said this morning that no figures were at hand to show how many men had been employed during the blockade but there had been paid out from the La Grande station \$2500 for snow shoveling and there is as much more that has not yet been paid. This is for labor outside the regular railroad forces. "And there is no way to tell," continued the superintendent, "how much more it will cost to get the road to Joseph opened."

Many of the young men around and near town, including some of the high school boys, have been enabled during the past few days to earn quite a respectable sum. Several have earned from \$15 to \$25 in the past five or six days. At first 40 cents per hour was the rate paid, but this has since been reduced to 25 cents, with board and room included. And there is no loss of time in going to and coming from work.

Train Troubles Anew.

Seattle, Feb. 8.—Small avalanches are re-occurring frequently in the Cascades and caused apprehension in railroad offices. Teh Great Northern has abandoned its efforts to route trains over its own tracks and is detouring them via Portland, the Milwaukee trains are reported behind two slides near Koechelus. Two were killed last night when a mud slide buried Howard Gurney, killing him and his wife.



BUY YOUR SHOES AND HOSE FROM US ONCE AND YOU ALWAYS WILL AGAIN

We Have a Shoe for Every Foot---A Price for Every Pocket Book---You can fit the Entire Family Here and Still Have Money Left.

New Spring Shoes now on our shelf for your inspection—newest snappy dress shoes for all—single sole or half double soles or full double soles in work shoes for men—boy shoes full of boy wear. Having bought our shoes in heavy quantities for all of our 125 stores long before the rising leather market—we are still in a position to give you high grade leather shoes at our usual low prices.

Ladies' Shoes

- New velvet Gypsy, \$5.00 value \$3.50
- New cloth tops Gypsies, \$4.00 value \$2.98
- New Cloth top Patents, \$5.00 value \$3.50
- Girls' new white sole patents, \$5.00 value \$3.50
- Ladies vici shoes \$1.49, \$1.98, \$2.25, \$2.49, \$2.98
- Ladies' gummetal shoes \$1.49, \$1.98, \$2.49, \$2.98
- Ladies' patent shoes \$2.49, \$2.98, \$3.50
- Ladies' comfort shoes \$1.49, \$1.69, \$1.98

Children's Shoes

- Babes' shoes, soft soles 25c, 45c
- Babes' shoes, hard soles 49c, 69c, 79c, 98c
- Girls' shoes, all styles 98c, \$1.15, \$1.25, \$1.39, \$1.49
- Misses' shoes, all styles \$1.25, \$1.39, \$1.49, \$1.69, \$1.89, \$1.98
- Young Ladies' shoes, all styles \$1.98, \$2.25, \$2.49, \$2.98
- Girls' button boots \$1.25, \$1.39, \$1.49, \$1.69, \$1.80
- Skuffer shoes \$1.49, \$1.79, \$1.98

Loggers' Shoes

The "original Chippewa Shoe" is the logging shoe we can stand behind you on.

- Men's heavy six inch top, double sole, outside counter, \$5.00 value **\$3.98**
- Men's heavy eight inch top, drivers, packet counter, \$6.50 value **\$5.90**
- Men's heavy ten inch tops, drivers sole, Three Lakes, \$8.00 value **\$7.25**
- Men's heavy ten inch tops, Pacs, all toes **\$5.50, \$5.90, \$7.50**



High Lace Boots

- Men's twelve inch tops, all leather, \$5.00 value **\$3.98**
- Men's fifteen inch tops, all leather, \$6.00 value **\$4.98**
- Men's twelve inch tops, waterproof leather, \$7.00 value **\$5.90**
- Men's fifteen inch tops, waterproof leather, \$8.00 value **\$6.90**
- Men's Eighteen inch tops, black all leather, \$8.00 value **\$6.90**
- Boys' high top boots, laced **\$1.98, \$2.25, \$2.49, \$2.98, \$3.49**



Boys' Shoes

- Button or lace, tan or black, all leather, and full of boy \$1.15, \$1.25, \$1.39, \$1.49, \$1.69, \$1.79, \$1.89, \$1.98, \$2.25, \$2.49, \$2.98.

Men's Dress Shoes

- R. J. and R. Star Brands or Crossetts, high grade, all leather shoes, we save you from 52c to \$1.02 a pair \$1.98, \$2.49, \$2.98, \$3.50, \$3.75, \$3.98, \$4.50.

RUBBER FOOT WEAR

- Ladies' Rubbers **49c**
- Girls' Rubbers **49c**
- Ladies' Toe Rubbers **49c**
- Child's Rubbers **39c**
- Misses' Rubbers **49c**
- Ladies' Rubber Boots **\$1.69**
- Girls' Rubber Boots **\$1.49**
- Child's Rubber Boots **98c, \$1.25**
- Ladies' Four-buckle Overshoes **\$1.25**
- Ladies' One-buckle Overshoes **98c**
- Men's Rubbers **69c**
- Men's Short Rubber Boots **\$2.98, \$3.49**
- Men's Halfhip Rubber Boots **\$3.49**
- Men's fullhip Rubber Boots **\$4.98**
- Boys' Short Rubber Boots **\$1.98**
- Boys' Rubbers **59c**
- Men's Four-buckle Arctics **\$1.98**
- Men's Two-buckle Arctics **\$1.69**
- Men's One-buckle Arctics **\$1.25**
- Men's Lumber Pacs **\$2.69**

"JANE"

The famous Chas. Frohman Comedy. Produced by the Oliver Morosco Photoplay Co.

LAST TIME TONIGHT



Wednesday and Thursday

Arcade

MONEY TO LOAN ON IMPROVED FARMS

Apply to H. B. LOGAN Baker, Oregon.

Agent for Balfour, Guthrie & Company.

YOU CAN ALWAYS DO BETTER AT

THE UNITED STORE J. C. PENNEY CO.

83 BIG BUSY STORES