

NEAR BEER TO FIGHT TO END

How Near Can Near Beer Come To Beer Without Being Really Near Beer

How far must near beer be from beer before it can boast of not coming near beer, or of being near beer, or of bringing about beery results? Such is the momentous question which must be decided in the Circuit Court of Vale next week when the prosecuting attorney for Malheur County comes to open war, and when the vendors of near beer draw up their phalanxes in line of battle to repel the assault.

Here we have the prosecuting attorney declaring that an analysis has proven the near beer sold in Vale to contain 3 1/2 to 4 per cent of alcohol, which fact is an infringement of the law. Therefore it looks like the aforesaid prosecuting attorney had a cinch, or, in proper legal phrase, that the defendants did not have a case—that is a legal one, not a beer one—but said defendants do hereby affirm and make answer as follows, to wit: The prosecuting attorney does not know what he is talking about and they further affirm and allege that said prosecuting attorney paid too much attention to the 3 1/2 and 4 per cent product to the utter neglect of the much milder form of the vice that glories in the name of landover. In a nutshell, the vendors of near beer claim that landover contains less than 2 1/2 per cent of alcohol and its sale is therefore not a violation of the law. This kind of near beer they say will be sold exclusively by them in future, if it has not been in the past. They also state that their defense will consist in part of evidence given by several to prove that a man could punish a barrelful of the liquid, sold under the harmlessly enticing name of near beer without altering in the least the position of his center of gravity, or without affecting in any way the equilibrium maintained by him at church.

The case will come up next week probably and the matter will then be decided one way or the other.

Making Jury List

The County court was occupied yesterday in the selection of a jury from the tax payers list for service during the three terms of the circuit court to come after the one beginning next week.

Big Store Trade Erisk

The Big Store of the Vale Trading Company reports that business recently has been unusually brisk along all lines, especially in the clothing department. In this department the company is now conducting a big special sale in all kinds of mens suits, and remarkable bargains can be obtained. The stock is a remarkably complete one but the prices prevailing are more remarkable still. The clearing out of the suits has been decided upon, however, in order to make room for more. During the holidays and the time immediately preceding the business in the big establishment reached such large proportions that a hull was confidently expected later on. This expectation has been completely shattered and the trade never seemed to pause a moment. This fact is believed to be due in some measure to the natural growth of the city's business, although of course the great reduction made in the price of men's suits must be given the greater part of the credit.

Negro Minstrels Coming

Culligan and Hockwald's real negro minstrels, who will appear at the Grand Opera House here on Friday January 14, are certainly preceded by most flattering notices of their entertaining ability. Clippings from newspapers in towns where they have appeared speak very well of them. Each is said to be able to sing and dance and the aggregation is credited with keeping the audience applauding all the time. Quartettes, choruses, solos, and other minstrel items will make up the program.

Osborne buys lots

S. H. Osborne, engineer, has purchased seven lots in Hadley's Second Addition. It is his intention to build a residence on the property in the spring.

If number 860 does not show up by Feb. 1 there will be a new drawing. O. W. Propst, the Jeweler.

DEEDS RECORDED

State of Oregon to Ray W. Logan, \$400; NE 1/4 section 36, tp 19, South Range 44.

Roy W. Logan to Howard Davis and E. Wheeler, NE 1/4 of NE 1/4 section 36, tp 19, South Range 44.

L. Belle Lees and Wm. E. Lees, \$1,000; lots 1, 2, 3, 4 and 5, block 43, and lots 6, 7, 8, 9, 10 block 174, also lots 9, 10 block 111, Ontario.

E. J. Patch to W. J. Thomas; NE 1/4 of SE 1/4 Sec 29 tp 15 SR 47.

Henry C. Wilson to Harry M. Plummer; \$3000; lot one sec. 5 tp 19 SR 47.

J. H. Farley to Maude M. Glenn; \$2500; E 1/2 (60 feet) lots 11, 12, 13, 14 block 24 Ontario.

Communication

D. H. Ashton, the engineer, who has had much experience in oil fields has made the following statement at the request of the Enterprise:—

As I understand the oil question, so far as it has been determined the conditions are about as follows.

Petroleum is largely composed of hydro-carbon, is scarcely ever found above the coal horizon and not often below what is termed the Trenton limestone stratum, which is located just below the metamorphic or changeable rocks. These rocks are what geologists call the secondary age, but often extend down into the Palaeozoic, which includes the carboniferous formations.

Oil is most often found in slate, shale or sand.

Gas is usually encountered with oil, but may be found where oil is not.

In the state of Penn, the morgantown sand stone 200 feet below the gr at Pittsburg coal-bed is the highest stratum which has ever produced oil.

The oil of Colorado, Wyoming, Dakota, Montana, New Mexico and no doubt Oregon comes from the cretaceous beds which are in the secondary age. That of California comes from the Tertiary Strata only, which is still higher horizon.

Water, oil and gas are usually together.

While asphalt or mineral pitch originates in asphaltic petroleum, all petroleum do not form Asphalt.

Asphalt does not in any case originate from Cycline paraffine petroleum, but Ozokerite does, and is quite different in its characteristics from Asphalt.

Grahamite is an asphaltic deposit changed, does not melt on the application of heat but intumesces or swells up.

Albertite, which resembles coal is a further changed asphalt and insoluble in any medium.

Artesian Water Struck

A flow of artesian water was struck last Monday on Spain and Company's Claim in Section 27, township 20 Range 43.

Marriage

Edwin M. Jacobs of Ada County Idaho, and Mrs. Bertha M. Carman were married at the Drexel Hotel last Wednesday by Judge Richardson.

CITY COUNCIL WILL NOT PAY FULL LIGHT BILL

Because there were no lights for part of the time during the month of December the city council refused to pay the full bill presented by the light company last Thursday evening. The bill amounted to \$75, but after a discussion in which it seemed to be the opinion of the majority of the members that the city had no lights or very few of them during the first quarter of last month, Councilman Mueller moved and Councilman Lawrence seconded that the bill be reduced by 25 per cent, leaving it, \$56.25.

This motion was unanimously carried. R. C. Carter of the Electric Light Company attended later, and when told of the council's action in the matter he requested that the payment of the bill be postponed until next meeting, as the intervening time will afford him an opportunity to determine exactly the period during which the city was without lights.

This request was granted.

JUDGE WOLVERTON STAYS WORK ON WILLOW CREEK

Engineers working on the Willow creek Irrigation project of the Willow River Land & Irrigation company, covering thousands of acres of valuable agricultural land in Malheur county, are restrained from proceeding with work by a preliminary injunction granted by Federal Judge C. E. Wolverton today.

In connecting with the granting of the restraining order, Judge Wolverton handed down a decision in the matter of the application of the Eastern Oregon Land company for a permanent injunction against the Willow River Land & Irrigation company, which is building a great dam in Willow Creek canyon, reserving the waters of the stream for irrigation.

Malheur county is greatly affected by the decision of Judge Wolverton and the granting of the preliminary restraining order. The Eastern Oregon Land company, in its bill of complaint against the Willow River company, alleges it is owner of agricultural lands and riparian rights along the course of the creek, from the mouth of the canyon to its junction with the Malheur river.

In the bill of complaint the plaintiff company explains that the flood waters of the creek are depended upon, between February and May, for what is known as the spring freshet, to irrigate its lands, and that the dam now being built by the defendant company impounds flood waters and causes land in the river bottom to be of little value. Judge Wolverton held that the Willow River company had no right to impound waters and preventing the annual overflowing of such waters over the lowlands, that it might irrigate lands not adjacent to the stream.

The preliminary injunction was ordered to issue upon the execution of proper bond in the sum of \$10,000.—Portland Journal Jan. 3.

PERSONALS

L. J. Hadley and Mrs. Hadley left for California last Monday and will not return before March 1.

Gerry Snow shipped eight carloads of cattle to Carstens, Tacoma, on New Years day.

Miss Florence Dunlop returned to Salem last Sunday.

Misses Bessie Hope and Norma Hope have gone back to Forest Grove. Miss Grace McLaughlin went to Weston last Monday. Miss Hazel Edmond has returned to Portland.

A. D. Hughes spent Christmas in Baker City and New Years in Payette. He returned home last Monday.

Dr. W. W. Looney of Vale and formerly of Portland has been drawn on the grand jury for the state.

George McKnight returned this week from his sheep camp.

Miss Ester Nelson who visited Vale in the interest of the pure literature league has left to continue her work.

Miss Addie Thebaud has been visiting here during the past week from Payette.

Miss Smith of Ontario spent New Years in Vale.

Mrs. Dunlop won first prize, for the second time in one week, at the pleasant whisky party given by Mrs. Hadley and Mrs. Caviness at the Drexel Hotel on New Years Day.

P. F. Cummings has returned to Vale after an absence of some weeks.

H. C. Carter, president of the Electric Light Company came back to Vale last Tuesday after an extended trip.

P. W. Francis and A. B. Pomeroy of California are guests at the Drexel Hotel. They are here to "look around."

Engineer Ashton, accompanied by Mrs. Ashton and children, has returned to Vale, where they will take up their residence and live during the construction of the road west.

M. E. McCormack, superintendent of the Butterfield Live Stock Ranch at Weiser came to Vale last Thursday.

Vale Boy Gets Prize From Evening Post

Corsten Mueller, son of C. C. Mueller, is the proudest boy in Vale because of the fact that he has just received a prize of two dollars from the Saturday Evening Post for having sold a greater number of tnat periodical, in proportion to the population of the community, than any other boy in the state of Oregon.

T. T. Nelson, Vale's leading Furniture Store.

IN THE COUNTY COURT OF THE STATE OF OREGON, FOR MALHEUR COUNTY.

In the Matter of the Estate of L. B. Dull, Deceased

Notice is hereby given to the creditors and all persons interested in the above entitled estate, and to whom it may concern:

That the undersigned administrator of the said estate, now in the process of settlement in said court, will at the next regular term of said court, to-wit: on Monday, the 7th day of February, 1910, at the hour of ten o'clock in the forenoon of said day, at the County Court room in Vale, Malheur County, Oregon, present to said court his resignation of his said trust, accompanied by a petition asking for the acceptance of the same, and the appointment of an administrator, and for the settlement of his accounts with said estate.

All persons are hereby notified to present their objections, if any, thereto, at said time and place.

COY E. DULL, Administrator of the Estate of L. B. Dull, Deceased. (1-8, 4)

Malheur Clothing Co.'s



GREAT JANUARY SALE

Suits, Overcoats, Shirts, Shoes

Visit Our Dollar-Making Sale

Cold Weather Specials at Reduced Prices

Corduroy Suits, Mackinaw, Sheepskin Lined Coats, Leather Coats, Heavy Chinchilli Reefer Coats, Sweater Coats.

Oregon Best Wool Blankets - - \$1.00 per lb.



MALHEUR CLOTHING CO.

Wholesale and Retail Dealers in Men's Wear

STOCK INSPECTOR IS QUARANTINED

The remarkable case of a veterinary who was about to examine stock for disease, being quarantined himself has just occurred in this neighborhood. Dr. Lytle being the man and Pendleton the place.

Some time ago Dr. Silverwood was summoned here to examine horses which were said to be afflicted with glanders and Dr. Lytle was to have joined him in the work, but the latter on reaching Pendleton was believed to be suffering from small pox and he was quarantined. Dr. Silverwood was summoned here by Mr. Lawrence, who had a suspicion that some of his horses had glanders, and who was public spirited enough not to hide his suspicions but to take steps to have the dangerous disease eradicated if it existed.

However it was found that no disease existed on his ranch.

NATIONAL WOOLGROWERS IN SESSION AT OGDEN

The National Wool-growers are now in session at Ogden, Utah, where the Convention opened on the sixth. The session was to occupy three days so that the end will come this evening. Several Oregon and Idaho sheep men are in attendance including George W. McKnight, President of the Woolgrowers Association of the State of Oregon.

CITY COUNCIL MEETS BUT VERY LITTLE DONE

The regular meeting of the city council was held last Thursday evening, after the usual trouble in getting the members to start work. When the councilmen did finally convene desultory conversations, about cutting off some eighteen dollars from the light bill, and also about a cow that had been impounded, as well as the moving of the stones of the proposed church building from the street were the total results. It was decided to order the rock removed. In the matter of the impounded bovine the council unanimously voted to have the money acquired from her sale lodged with the recorder. After the vote it suddenly dawned on Mr. Bert High that the cow was his, but the harm was done.

Married At Nyssa

Willis J. Megorden and Miss Nellie E. Pounds were married on Wednesday December 29, at the home of the bride's father, L. C. Pounds of Nyssa. The ceremony was performed by Rev. G. W. Morrison. Only the relations of the bride and groom were present at the ceremony but they alone meant quite a houseful. A fine wedding dinner was served, immediately after the ceremony and the happy couple left for a little trip to Boise. They will set up housekeeping in Nyssa just as soon as house is ready to receive them.

MISS MAUD GLENN BECOMES MRS. HIGH

A most interesting ceremony to the people of Vale took place at 8:30 P. M. New Years Day when Miss Maude Glenn and Mr. Arthur E. High were united in bonds of holy matrimony by Reverend B. Meredith at the home of the bride.

On the day following the marriage the happy couple left for a short honeymoon trip to Boise, followed by the congratulations of their very numerous friends.

National Wool Growers' Convention

Ogden, Utah, January 6, 7 and 8, 1910. Reduced rates via Oregon Short Line. Tickets on sale from Utah stations, January 5, 6, 7 and 8. From all other points, January 4, 5 and 6, 1910. Ask agents for rates and further particulars.

Cold At Burns

When the thermometer at Vale registered 8 below, the thermometer at Burns registered 27 below, according to a message received by Geo. W. Hayes from his son.

List your property with the Vale Realty and Investment Co.

Four Babies Born

No less than four babies were born in and near Vale between Tuesday night and Friday morning. The little arrivals are girls and are is a boy. During the rush it was hard to obtain doctors enough to attend to all the births, but the mothers' children are all reported to be progressing most favorably.

One girl was born to Mrs. B. Carter. Dr. Roberts attended. Another girl came to the home of Mrs. J. W. Lynd, Dr. Printing Ontario being in attendance. The third little lady is the daughter of Mrs. John Boswell both of whom are very well according to Dr. Looney who attended them. The boy is the son of Mrs. Boyd.

Grand Opera House

ONE NIGHT Friday, January 14

Culligan & Hockwald

REAL NEGRO MINSTRELS AND Nashville Students

Band and Orchestra Street Parade at 11

YOUR CHANCE

To get a Good Suit of all Wool Clothes at First Cost. We Don't Need the Room. We Didn't Catch a Big Manufacturer Short of Cash. We Are Not Going to Move. We Are Not Reducing Stock.

Cash Only	No Alterations
\$9.90	\$16.60
All Suits marked \$15, \$16 and \$17 must go at	Any Suit in the house marked \$22, \$24, \$25 yours for
\$9.90	\$16.60
\$13.30	\$13.30
All Suits marked \$18.00 and \$20.00 now	
\$13.30	\$13.30



Pants All our \$3.50 to \$4.00 men's pants, your choice for 2.65 THE BIG STORE VALE TRADING CO. Boy's Suits \$3.00 suits, \$2.00 \$4.50 suits, \$2.60 \$6.50 suits, \$3.90

IMPORTANT

All Medicine

Which is prepared in our Prescription Department can be relied on to be skillfully and conscientiously compounded from the purest and highest quality materials—exactly as prescribed by the doctor. No unauthorized changes. Absolutely no substitutes. Charges always reasonable, never high.

Sick Room Necessities

We can supply, at lowest prices, Hot Water Bottles, Fountain and Bulb Syringes, Bed Pans, Ice Caps, Feeding Cups, Air Cushions, Fever and Bath Thermometers, Medicine Tubes, Surgical Dressings, and all other Sick Room Requisites. Send, or telephone, or write, or come. The price will be the same anyway—always low.

THE DREXEL DRUG CO.

Pure Drug Druggists B. R. FRICK, Prop. Vale, Oregon