

BARBER LAW IS HELD INVALID.

Judge George Says Commissioners Cannot Prescribe Qualifications.

Judge George, of Portland, has held that the state barber law is unconstitutional and void.

The constitutionality of the law was called into question by Attorney Frank S. Grant, of Portland, at the trial of the case of the state against H. L. Briggs on a charge of conducting a barber school contrary to law. Grant argued in defense of his client that the law was invalid for the reason that it was unconstitutional. The court, however, found Briggs guilty of the violation of the law, but allows him to go upon an arrest of judgment, for the reason that the law which he is found to have violated, is void.

After observing some of the qualifications necessary to a physician or a dentist mentioned in the statute empowering boards to pass upon the eligibility of applicants in these professions, Judge George continuing, in part, says:

"The barbers' law, however, is scant of any requisite prescribed by the legislature. It not only fails to prescribe any test, but attempts to delegate this whole matter to a board of three barbers, instead of fixing at least something itself. Nowhere in the act does it prescribe any qualifications for proper capacity for a barber, but instead, in section 2, it says: 'The board shall prescribe the qualifications of a barber in this state.' This power, to my mind, must be exercised by the state and cannot be delegated. The Legislature ought, itself, to fix some reasonable qualifications, and a board is merely a tribunal to pass upon the fact as to whether the applicant possesses what the Legislature holds as essential to the practice of barbering. The act says the board shall proceed to examine the applicant 'but what in, or to what extent, is not prescribed, and, being satisfied (in its own mind) as to his qualification, shall issue a certificate allowing him to work.'"

"Unless a barber has a certificate he cannot follow his existing occupation, and will be subject to fine and imprisonment if he does. This is a very arbitrary power to confer upon three men of that or any other trade or profession—the opportunity or arbitrary power to say that any other barber can or cannot work at his trade, unless these three men are satisfied that he possesses such qualifications as these gentlemen composing the board may prescribe at their own pleasure."

"Our act does not even lay down the qualification of knowledge of barbering. It prescribes absolutely no qualification as deemed by the Legislature to be essential and sufficient, but on the contrary, leaves, delegates, as it were, all to the pleasure of a selected few barbers to shut out the many barbers (if it so please the few) from laboring at a lawful, useful and largely mechanical occupation."

The court goes on to say that the board might grant to one and refrain to all others, and then quotes that part of the constitution which says "No law shall be passed granting to any citizen or class of citizens privileges or immunities which belong to all citizens." This was also quoted by the supreme court in deciding the sailor boarding house case.

Continuing, the court says: "While barbers' act speaks of danger to the public health, unless the act goes into effect at once as a police regulation, yet nowhere does the Legislature fix any qualifications as to even sanitary knowledge or knowledge of disease of the face or skin, or in the cleanliness in work on the part of the applicant, but leaves everything to the notion or whim, preference, or whim of whoever may be appointed members of the licensing board."

"A law which in itself undertakes to invest in any board or body of officials a discretion which is so purely arbitrary and which may, on the face of the law, be exercised in the interests of those the board may see fit in their own pleasure to favor, strongly seems to my mind to be invalid."

The court further says that the examinations of applicants, as far as the law prescribes, may be limited to a merely personal view of the applicant, an inspection or sizing up of his individuality, and mere conclusion of the board reached as to his fitness for a barber, with no record kept of the proceeding. In closing he says: "The law seems elementary that the state cannot grant power that is arbitrary on the face of the act upon any board or upon any inferior tribunal in matters of this kind."

A PROMINENT CITIZEN GONE.

George W. Grace Died Tuesday Night After Lingering Illness.

George W. Grace, a highly respected citizen and prominent business man of this city, died at his home here Tuesday evening, January 26. Death resulted from cancer of the stomach, from which the deceased suffered for many months. Mr. Grace was aged 49 years and 11 months.

The deceased was born in Cole county, Illinois, February 26, 1854. When he was a child, his parents moved to southwestern Missouri, where he was raised. In May, 1880, accompanied by his brother, Hon. W. E. Grace, of Baker City, he came to Oregon, locating in Clackamas county, where he has been successfully engaged in surveying, stockraising and the general merchandise business. In August, 1883, he married Miss Julia May, of Clackamas county, who died a few years later, and in August, 1891, he wedded Miss Florence Fairclough, who with four children survive him. The children are: Georgia May Grace, Roy Grace, Florence Grace and Mary Ellen Grace, all of this city. He is also survived by two brothers and a sister, who are: Hon. W. E. Grace, of Baker City; Jas. T. Grace, of Clackamas county, and Mrs. R. L. Ringo, of Clackamas county.

Mr. Grace was at all times a public-spirited man, who was always active in promoting any project that tended to promote the interests of Clackamas county. While he always took an active interest in public affairs, he never participated in politics to any extent, although he efficiently served as sheriff of Clackamas county for one term, 1890-8, resigning just before his term expired to go to Alaska. At the June election, 1902, Mr. Grace ran unsuccessfully for state senator from this county, being opposed by Senator Brownell.

The deceased was one of the most

highly respected citizens of this community, against whose public and private life nothing ill could be said. He belonged to several fraternal orders, including the Masons, I. O. O. F., Woodmen of the World and Eastern Star. The funeral services, which were conducted at 1 o'clock Thursday afternoon at the First Presbyterian church under the auspices of the Masonic fraternity, were largely attended. Burial took place at Mountain View cemetery.

TO WORK FOR OREGON CITY.

Local Board of Trade Arranges for Business Men's Banquet.

Oregon City and its interests are to be properly advertised through the agency of the Board of Trade which has reorganized and is preparing for active work. As a preliminary step to enthrone the business and professional men of the community in the project, it has been decided by the Board of Directors of the commercial body to give a business men's banquet within the ensuing two weeks. It will be a dollar per plate affair when there will be a general discussion of the city's needs and the best way to supply them. The club means business and should receive much encouragement in the task it is undertaking.

The date for the banquet has not been definitely settled but will be determined by the executive committee which is composed of Harvey E. Cross, Mayor Grant B. Dimick and John Adams. The event will take place in about ten days. Other committees in connection with the proposed banquet were named as follows: Banquet—Dr. W. E. Carril, J. E. Hedges, W. A. Hunter and Judge T. F. Ryan; reception—Franklin T. Griffith, J. H. Westover, Geo. A. Harding, Frank Busch, Sol Garde, G. L. Hedges and Dr. E. A. Sommer; programme—E. G. Canfield, C. H. Dye, J. J. Cooke, John Adams and Senator Brownell; invitations—Mayor Grant B. Dimick, L. L. Porter, C. H. Canfield, C. D. Latourette and C. G. Hantley.

Red Men Entertain February 8th.

It goes without saying that when the Red Men entertain, a certain barbaric splendor will accompany the performance. Some years ago the Red Men gave a night at the Portland Exposition that brought forth thousands of spectators to one of the greatest displays ever made in the old exposition hall. For a month or six weeks, now, the Red Men of Oregon City have been rehearsing the same spectacular scene from Cooper's "Last of the Mohicans," to present it at the Armory in Oregon City for the benefit of their red sister, Sacajawea. When schools and ladies' seminaries, and women's clubs and Copper Kings join in celebrating the heroism of an Indian maiden the Red Men are not disposed to take a back seat, and, in fact, there is reason to believe that the movement will become general and the Red Men of the entire Lewis and Clark range of states will take up the cause of the bravest princess in our history. Not only was Sacajawea the salvation of Lewis and Clark, but Indian women, the wives of trappers and traders and fur hunters from St. Louis to the Pacific did more than any one else to give this country to the white man. But for their offices in the beginning, no white man could have gained a foothold in this western country.

In addition to the warriors in the wigwam and on the war path, on Monday evening, February 8th, the Red Men of Wacahoe Tribe will have a brilliant program of Indian club swinging, recitations, solos, quartettes and addresses preceding the character play of "The Captive's Reprieve" in which such noted chiefs as Uncas, the Last of the Mohicans, Tammany and others will appear. The play is named, and other chiefs and warriors will try by council and prepare to execute a beautiful captive maiden on whose fate hangs the thread of the story.

What's In a Name?

Everything is in the name when it comes to Witch Hazel Salve. E. C. DeWitt & Co., of Chicago, discovered some years ago how to make a salve from Witch Hazel that is a specific for Piles. For blind, bleeding, itching and protruding Piles, Eczema, cuts, burns, bruises and all skin diseases DeWitt's Salve has no equal. This has given rise to numerous worthless counterfeits. Ask for DeWitt's—the genuine. Sold by Geo. A. Harding.

A Business Proposition.

If you are going east a careful selection of your route is essential to the enjoyment of your trip. If it is a business trip time is the main consideration; if a pleasure trip, scenery and the conveniences and comforts of a modern railroad.

Why not combine all by using the ILLINOIS CENTRAL, the up-to-date road, running two trips daily from St. Paul and Minneapolis, and from Omaha to Chicago. Free Reclining Chair cars, the famous Buffet-Library-Smoking Cars, all trains vestibuled. In short, thoroughly modern throughout. All tickets reading via the Illinois Central will be honored on these trains and no extra fare charged.

Our routes are the same as those of inferior roads—why not get your money's worth?

Write for full particulars. B. H. THUMBELL, Com'l Agent, Portland, Ore. J. C. LINDSEY, T. F. & P. A., Portland, Ore. PAUL B. THOMPSON, F. & P. A., Seattle, Wash.

Congratulations.

John H. Collier, editor of the Garland, Texas, News, has written a letter of congratulations to the manufacturers of Chamberlain's Cough Remedy as follows: "Sixteen years ago when our first child was a baby he was subject to croupy spells and we would be very uneasy about him. We began using Chamberlain's Cough Remedy in 1887, and finding it such a reliable remedy for colds and croup, we have never been without it in the house since that time. We have five children and have given it to all of them with good results. One good feature of this remedy is that it is not disagreeable to take and our babies really like it. Another is that it is not dangerous, and there is no risk from giving an overdose. I congratulate you upon the success of your remedy." For sale by G. A. Harding.

R. L. Holman, leading undertaker Oregon City, Oregon. March 27-4

Social Events

The members of the Derthick Musical and Literary Club and their friends to the number of 75 were recently very pleasantly entertained at the home of Mr. and Mrs. Chas. H. Canfield. In the entertainment of the company, Mrs. Canfield was assisted by Mesdames P. K. Hammond, C. G. Miller, Clark Ganong and R. L. Holman. Progressive finish was played, first prizes going to Mrs. J. W. Moffitt and Harry Draper and the boobies to Mr. and Mrs. J. E. Hedges. An informal musical programme was followed by the serving of refreshments and dancing in which the ladies selected partners. The affair was one of the pleasantest the Club has held this winter.

The Bashful Girls scored a success in their leap year dancing party at the Armory Wednesday evening. Over fifty couples were in attendance and for once at least the young ladies had the privilege of selecting partners for the dance programme which included twenty numbers. This they did after an approved style, and temporarily divorced themselves from that timidity and backward disposition that usually finds expression from them at such affairs. The party was a real credit to the Bashful Girls.

Blanchard-Hayhurst.

Thomas B. Hayhurst and Blanche Maud Blanchard, both of this city, were married at 8 o'clock Wednesday evening, January 27, at the home of the bride's parents, Mr. and Mrs. R. L. Blanchard, at Canemah, Rev. Frank H. Misset, pastor of the First Presbyterian church, officiating. Sixty of the relatives and invited friends of the young people witnessed the ceremony.

The Blanchard home had been attractively decorated for the event, which was one of the prettiest home weddings of the season. Miss Echo Samson played Lohengrin's wedding march as the bridal party entered the parlor where the ceremony was performed. The bride was gown in white crepe de chine and carried a bouquet of white carnations. She was attended as bridesmaid by Miss Louise Follenweber, who was habited in blue silk tulle and carried a bouquet of violets. The groom was supported by Mr. Carl Christensen, of Portland, as best man. Just before the bridal party entered the parlor, Miss Grace M. Marshall sang "O Promise Me," the air of which was softly continued throughout the ceremony. Following the tying of the knot, congratulations were offered and refreshments were served.

Both of these young people have hosts of friends, who are unstinted in their wishes for much happiness. The bride is a highly esteemed young woman of Canemah, where she has lived for some time, while the groom has for a number of years held a responsible position in the Barlow grocery. Mr. and Mrs. Hayhurst will reside at Canemah.

Brutally Tortured.

A case came to light that for persistent and unmerciful torture has perhaps never been equaled. Joe Golobick, of Colusa, Calif., writes: "For 15 years I endured insufferable pain from rheumatism, and nothing relieved me though I tried everything known. I came across Electric Bitters and it's the greatest medicine on earth for that trouble. A few bottles of it completely relieved and cured me." Just as good for liver and kidney trouble and generally debility. Only 50c. Satisfaction guaranteed by Charman & Co., druggists.

A writ of habeas corpus issued Tuesday from Judge Ryan's court to compel the appearance before him of the Sister Superior of the St. Agnes Foundling Home near Park Place, and show cause why Peter R. Emerson, a 2½-year-old child should not be taken from the home and placed in charge of the child's aunt, Mrs. Mary McIntyre, of Salem. The latter filed a petition on Tuesday before Judge Ryan asking to be appointed guardian of the child, as she was its nearest living relative. The petition was granted, but upon the letters of guardianship being exhibited at the foundling home where the child was being cared for, the Sister Superior refused to allow the child to be taken away. A writ of habeas corpus was then issued directing the managers of the home to appear before Judge Ryan Wednesday. At that time the final consideration of the subject was postponed until next Monday. It is claimed that upon the death of the child's parents in British Columbia, about two years ago, a priest now residing in Spokane was made guardian of the child, and it was placed in the home at Park Place.

Over-Work Weakens Your Kidneys.

Unhealthy Kidneys Make Impure Blood.

All the blood in your body passes through your kidneys once every three minutes.

The kidneys are your blood purifiers, they filter out the waste or impurities in the blood. If they are sick or out of order, they fail to do their work. Pains, aches and rheumatism come from excess of uric acid in the blood, due to neglected kidney trouble.

Kidney trouble causes quick or unsteady heart beats, and makes one feel as though they had heart trouble, because the heart is over-working in pumping thick, kidney-poisoned blood through veins and arteries. It used to be considered that only urinary troubles were to be traced to the kidneys, but now modern science proves that nearly all constitutional diseases have their beginning in kidney trouble.

If you are sick you can make no mistake by first doctoring your kidneys. The mild and the extraordinary effect of Dr. Kilmer's Swamp-Root, the great kidney remedy is soon realized. It stands the highest for its wonderful cures of the most distressing cases and is sold on its merits by all druggists in fifty-cent and one-dollar sizes.

You may have a sample bottle by mail. Home of Swamp-Root, free, also pamphlet telling you how to find out if you have kidney or bladder trouble. Mention this paper when writing Dr. Kilmer & Co., Binghamton, N. Y.

I. SELLING CLEARANCE SALE I. SELLING

Opportunities Offered During Our Clearance Sale

Wrappers Flannelette, well made and trimmed, regular \$1.00 value, at 78c each

Flannel Waists of all wool material, colors red, blue and black, choice at the very low price of \$1.10

Flannelette Waists, Good patterns and materials, reduced to 39c

Eiderdown Dressing Sacques, \$1.00 quality for 79c

Dress Goods

Regular value \$1.25, on sale at 99c

Regular value \$1.50, on sale at \$1.20

Regular value 50c, on sale at 39c

Regular value 25c, on sale at 21c

Men's Suits—Our all wool \$10.00 values in all sizes at the very low price of \$7.85

Umbrellas—A big reduction during our Clearance Sale, regular \$1.25 values, special 98c

Boys' Suits—ages 6 to 15 years, all wool material, reduced to \$2.95

Boy's Norfolk Caps reduced from 50c to 39c each

Women's Underwear — Heavy weight vests, the best 50c grade, for 39c

Women's Combination Suits, seamless, glove fitting, values 65c, special 48c

Boys' Bicycle Hose—Our regular 25c quality, at 18c

Saxony Yarn—in colors, special at 3 skeins for 10c

All Men's Clothing radically reduced

Ladies' Jackets, Ladies' Walking Skirts at surprisingly reduced prices

Take advantage of Price Reduction during this Sale

I. SELLING

Suspension Bridge Corner

SEVENTH AND MAIN STREETS

SOMETHING FOR NOTHING

Naturally induces trade. We do not do business on that basis but do give value received for every cent you spend at our store. Here are some bargains:

3-lb can Brandenstein's Mocha and Java coffee .. \$1.00
5 lbs Brandenstein's Carob-head Rice..... .50
Good brand bulk Coffee, per pound..... .12
Green Java Coffee, per lb. .15
Fine bulk Syrup, per gallon .50

A full line of the very best in the grocery line at

The ELECTRIC Grocery

D. M. KLEMSSEN, Prop.
Main Street next to Albright's Market

Teachers' Examination.

Notice is hereby given that the county superintendent of Clackamas county will hold the regular examination of applicants for state and county papers at Oregon City, as follows:

FOR STATE PAPERS.
Commencing Wednesday, February 10, at nine o'clock A. M., and continuing until Saturday, Feb. 13, at four o'clock P. M.

Wednesday — Penmanship, history, spelling, algebra, reading, school law.
Thursday — Written arithmetic, theory of teaching, grammar, book-keeping, physics, civil government.

Friday — Physiology, geography, mental arithmetic, composition, physical geography.

Saturday — Botany, plane geometry, general history, English literature, psychology.

FOR COUNTY PAPERS.
Commencing Wednesday, Feb. 10, at nine o'clock A. M., and continuing until Friday, February 12, at four o'clock P. M.

FIRST, SECOND AND THIRD GRADE CERTIFICATES.
Wednesday — Penmanship, history, orthography, reading.

Thursday — Written arithmetic, theory of teaching, grammar, physics.

Friday — Geography, mental arithmetic, school law, civil government.

PRIMARV CERTIFICATES.
Wednesday — Penmanship, orthography, reading, arithmetic.

Thursday — Art of questioning, theory of teaching, methods, physiology.

Truly yours,
J. C. ZINSEB,
Supt. of Schools.

Bodily pain loses its terror if you've a bottle of Dr. Thomas' Electric Oil in the house. Instant relief in case of burns, cuts, sprains, accidents of any sort.

Clearance Sale

Men's fine wool Underwear, \$1.00 value for 75c
Men's Wright's Health Underwear, cut to 72c
Fleece Underwear, cut to 37c
Big lot sample overshirts at 25 to 33 per cent reduction
Gloves reduced—now 9c, 19c, 27c, 38c up
Heavy leather Mittens cut to 55c
50c suspenders cut to 37c; 40c suspenders cut to 25c
25c suspenders cut to 14c and 18c
Corduroy pants cut to \$1.33
50 pairs Men's Pants, cut prices, at \$1.14, \$1.37, \$1.88
Men's all wool suits cut to \$5.65, \$8.67, \$9.73

Our Clearance Prices on Good New Clothing are quite as low as the old stuff is at so called cost sales.

Neckwear at 5c, 10c and 18c that sold at 15 to 25c
Jewelry, both cheap and good, ½ off
Men's 40c wool socks 30c, 20c grade 14c
Misses' wool hose, our bargain 20-center, now 15c
Cotton hose for Children and Ladies, 9c up
Corsets—\$1.25 Corsets at 89c; 75c grade 50c, and some at unusual price of 34c and 22c
Millinery now at nominal prices—French hats, 50c up; untrimmed 10c up. Trimmed hats, 50c up
10c Ribbons up to No. 12 for 5c; Fancy Ribbons, Nos. 12 to 16 cut to 3c per yard
Cut prices on Yarns, Dress Goods, Notions, etc
Sample Shoes at ¼ to ½ off price
Rubbers—odds and ends—10c

100 lbs Stock Salt..... 50c
50 lbs Fine Salt..... 45c
6 lbs Arm & Hammer Soda .. 25c
3 lbs same, bulk 10c, 8 lbs..... 25c
Fine hard wheat flour..... \$1.05
Coffee 7c, 10c, 12½c to..... 20c
Compare our 20c Coffee with 35c grades elsewhere
Oranges and Lemons 1c each
17 lbs Rice..... \$1.00
9 lbs fine Mush..... 25c

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