

BARBERS' LAW UPHOLD

Anti-Sunday-Shaving Act Upheld by Supreme Court.

DEPRIVES NO MAN OF HIS RIGHTS

Law Outing Fish Commissioner Repeals Former Act by Implication—Act Creating Boundary Boards Inoperative.

A law prohibiting barbering on Sunday is not in violation of the constitutional guarantee of equal rights, nor does it deprive a barber of liberty or property without due process of law.

Authority to an administrator to borrow money on a mortgage carries with it power to execute note in the usual form.

Repeals by implication are not favored, but when the whole subject-matter of an act is revised by a subsequent act, so that it appears that the Legislature intended the later act to be a substitute for the earlier act, it will be held to be repealed.

SALEM, July 7.—The Supreme Court today rendered opinions upholding the barbers' Sunday closing law and construing the new fishery law so as to repeal the law authorizing C. Reed held the office of Fish Commissioner. Four decisions were rendered, as follows:

F. C. Reed, appellant, vs. F. I. Dunbar, Secretary of State, respondent, from Marion County, R. P. Boise, Judge: affirmed. Opinion by Chief Justice Bean.

This was a mandamus proceeding to compel the Secretary of State to draw a warrant for plaintiff's salary as Fish Commissioner for the month of March, 1901. The defense was made by the defendant on the ground that the office of Fish Commissioner was abolished by the Legislature of 1901 and ceased to exist on March 1 of that year.

On appeal to the Supreme Court, the plaintiff sought to secure a reversal on a technical ground, but the Supreme Court says that the entire subject of the plaintiff's salary is not to be determined by a technical ground. It is doubtful whether the plaintiff's alternative writ states a cause of action.

The court chose to disregard technicalities and to give effect to the real question involved. F. C. Reed held his office under the act of 1893, which was a law regulating the fishing industry.

It was argued that the striking out of the repealing clause of the act of 1901 and the passage of a separate act at the same session, providing for the payment out of the money collected by the Fish Commissioner of a county for killing seals, etc., manifests a purpose not to abolish the office of Fish Commissioner.

W. M. Northrup, appellant, vs. State of Oregon, from Multnomah County, John B. Cleland, presiding Judge; C. George and Alfred F. Beane, Judges: affirmed. Opinion by Justice Wolvert.

The Legislature, at its last biennial session, enacted a statute making it an misdemeanor for any person or persons to carry on the business of barbering on Sunday in Oregon.

The effect of the act in controversy is to take the business of barbering out of the category of the occupations which prohibit absolutely the prosecuting of such business on Sunday.

The opinion reviews prior legislation on the subject, showing that by the act of 1853, all secular business, other than works of necessity and mercy, were prohibited on Sunday.

The opinion quotes from a decision of the Federal Supreme Court upholding a similar law, and also from decisions of state courts, and concludes with the opinion that the law is valid under both the state and Federal constitutions.

School District No. 10, appellant, vs. County Commissioners for Linn County and W. L. Jackson, County Superintendent, constituting the District Boundary Board for Linn County, Linn County, respondents, from Linn County, R. P. Boise, Judge: reversed. Opinion by Justice Wolvert.

WORK ON BIG MILL BEGUN

VANCOUVER PLANT WILL BE IN OPERATION SEPTEMBER 1.

Output Will Be 140,000 Feet of Lumber Per Day, and 200 Men Will Be Employed.

VANCOUVER, Wash., July 7.—The Columbia River Lumber Company today began construction on a sawmill here that will give employment to 200 men.

James Taylor et al., respondents, vs. Gilbert C. Lapham, appellant; appeal dismissed.

NO FRAUD IN LAND ENTRIES. Commissioner Decides Oregon Cases in Favor of Entrymen.

OREGON CITY, Or., July 7.—The Land Office today received an order from the County Office to issue a patent for 400 acres of choice timber land, representing 25 timber claims, which were held up in the United States Land Office by Special Agent Green.

Special Agent Green was here a few months ago, and discovered what he believed to be evidence of fraud in a large number of applications. He made a report to the Interior Department, and the General Land Office ordered a thorough investigation on the cases conducted by the Oregon City officials.

NEW COUNTY OFFICERS IN CHARGE Men Elected in June in Clackamas Assume Their Duties.

OREGON CITY, Or., July 7.—The newly elected county officers took the oath of office at noon today. Commissioner J. R. Burdett presided, and was succeeded by William Brobst, Commissioner; John Lewelling, succeeds Commissioner Morton as chairman of the board; Judge Thomas P. Ryan succeeds himself; Sheriff J. C. Cooke and Deputy Sheriff J. J. Baker were succeeded by Sheriff J. R. Shaver and Deputy Sheriff E. C. Hackett.

NEW LANE OFFICERS INSTALLED. EUGENE, Or., July 7.—The installation of the newly elected county officers at the Courthouse today had very little effect upon the business of the various departments.

INCREASE IN INSANE PATIENTS. Number at Salem Now Largest in History of the Asylum.

SALEM, July 7.—The monthly report of Subsequent to the report for June shows that the number of patients increased from 127 to 129 during the month, the latter number being the greatest in the history of the institution.

PRICE FOR FISH GOES UP. Cold-Storage Man at Astoria is Paying Eight Cents Per Pound.

ASTORIA, Or., July 7.—Lindenberg has raised the price of large salmon to 8 cents per pound, which is a 1-cent advance. None of the other cold-storage people have met this price, and at present are not expected to do so.

Cold-Storage Man at Astoria is Paying Eight Cents Per Pound. Link C. Burton, Deputy Fish Commissioner for the State of Washington, has returned from a month's trip to the Upper Columbia.

First 16-Cent Hop Contract. SALISBURY, July 7.—The first 16-cent hop contract to be recorded this year was filed this morning.

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ASTORIA LIKELY TO HAVE REGATTA. ASTORIA, Or., July 7.—Since the Fourth there has been considerable talk about holding a regatta this year, and as there is an almost universal sentiment in favor of a regatta, a movement to that end will be started by some of the leading business men in a few days.

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APPEAL DEFENDANT, AND THAT ON ACCOUNT OF THE MURDER BY TRACY AND MERRILL, HE ESCAPED CONVICTION.

CHURCH CONFERENCE AT SILVERTON.

SILVERTON, Or., July 7.—The Pacific Division of the Northwest and Danish Evangelical Lutheran Church of America will hold its conference in Silverton, July 8-10.

NEW COUNTY OFFICERS SWORN. SALEM, July 7.—The newly elected officers took possession of their offices in the Courthouse this morning.

NOTES HELD BY DEFUNCT BANK SOLD. FOREST GROVE, July 7.—A. Hinman, in charge of the Bank of Anton Pfanner, which failed here a few years ago, today sold the public assets aggregating about \$500 for \$150.

REPUBLICAN CONVENTION. Candidates Pledged to Vote for Anti-Railroad Man for Senator.

COLFAX, Wash., July 7.—The Republican county convention here today adopted a platform warmly approving the policy of Governor McBride in fighting the railroad, and a heavy majority in favor of a state railway commission.

SEALERS UNABLE TO GET HUNTERS. VICTORIA, B. C., July 7.—Only 12 of the 21 schooners which outfitted for a seal hunt in Behring Sea will get away, eight of them having been unable to get Indian hunters.

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WHY PRESIDENT CHOSE HIM. Littlefield Will Frame an Anti-Trust Law That Will Stand.

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FOR ALASKAN QUARANTINE STATION. WASHINGTON, July 7.—The Secretary of the Treasury has asked the Interior Department to transfer the jurisdiction over the office at Sledge Island, near Nome, Alaska, from the Interior Department to the Treasury Department for use as a quarantine station for smallpox patients.

WANTS MURDER TRIAL CONTINUED. SALEM, Or., July 7.—J. F. Markley today pleaded not guilty to the charge of murdering J. D. Fain, the Champoux merchant, and asked for a continuance of the trial until October.

THE PARLOR MASSAGE. Has renovated her massage parlors and has two young girls as assistants. Found people only 25th St. Phone West 173.

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NEW THUNDER MOUNTAIN STRIKE THE BEST YET MADE.

Former Baker County Mineowner the Discoverer—Pincers Are Yielding \$20 a Man Per Day.

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Family cares and duties do not weigh down the well woman, and the children are never in her way. But when the womanly health fails, and there is a constant struggle with weakness and pain, household duties are a burden almost past bearing, and children are a ceaseless annoyance and worry.

Good enough for anybody! ALL HAVANA FILLER. TORPID LIVER. Radway's Pils. "Puck" Rye. Dr. Lyon's Tooth Powder.

Advertisement for TORPID LIVER medicine, including a testimonial and product image.

Advertisement for "Puck" Rye, describing its medicinal purposes.

Advertisement for Dr. Lyon's Tooth Powder, an elegant toilet luxury.

Large advertisement for H. FLECKENSTEIN & CO. featuring 'DISEASES OF MEN' and 'VARICOCELE' treatments.

Small advertisement for 'THE PARLOR MASSAGE' with contact information.