

The sixth amendment to the Constitution, being applicable in Alaska, was controlling on Congress in legislating for Alaska; so it follows, says the court, that the provision of the act of Congress un-der consideration depriving persons ac-cused of a misdemeanor in Alaska of a Government Gets Reright to trial by a common law jury was repugnant to the Constitution and Vold. The decision of the lower court, the District Court of Alaska, was reversed and the case remanded with direction bates From Railroads to grant a new trial. FOR IBRIGATION WORK INDIAN HAS RIGHT TO DRINK WASHINGTON, April 19 .- The Su-Departments Join Issue on preme Court of the United States in an opinion by Justice Brewer, granted the

Interstate Law. petition of Albert Heff, of Kansas, for a writ of habeas corpus. Heff was prosecuted and convicted in the Dis-HITCHCOCK ON DEFENSIVE

Controller of Treasury Condemns Obtaining of Rebates on Materials for irrigation Work as Seing Illegal.

BREAKS ITS LAW

WASHINGTON, April 10 .- The Control ler of the Treasury has rendered a decision in which he criticises the proposed antion of the Secretary of the Interior in accepting relates from the Southern Facific Railroad on freight of contractors engaged in work in the West under the arightion and reclamation act. In a communication to the Controller on March 29 lasi, the Secretary of the Interior says:

Ou October 13, 1906, the department approved instruct with the Southern Facility Company providing for certain uncessions to contractors under the periametion act in the freight rates on their plant, and materials shipped to and from the work on the projects. Other contracts of similar character since have been negotiated with the principal roads. These concessions in rates are brought to the attention of all bidders on the work of the reclamation service, in order that they may make due allowsince for such concessions in their bids,

The attention of this office has been called in a request of Sheerer & Co., contractors on the Salt River project, who desire to be advised whether they can obtain the benefit of concessiens on some shipments soon to be made by These contractors made their bids be fore any concessions had been arranged with the Southern Parific Company, so their bids do not provide for any benefit to the United States accordingly this office has decided that contractor is not entitled to such benefits. The communication goes on to state that the railroad company, however, is willing to make the concession to help along the work on the project as much as possible in case the benefits of the all labor, because some labor must concession of rates on the shipments may be taken by the Government and credited to the project.

No Authority to Obtain Rebates. The Controller, in the course of his re-

ply, says: If I may be permitted to express an opicion as to the legality of such transactions when considered in relation to sections 2 and 22 of he interstate commerce acts of February 4. 887 and 1880, I would say that it is extremely outsful if either can be maintained. Hy what authority the Government can contract with a railroad that a contractor's plant shall receive a relate in freights not applicable to other shippers is beyond my comprehension. If this right exists, it might as well extend hour, hay and other commodities and the es used by a contractor in making delivery to the Government. But, granting such sight exists when covered by contract, and such rebate taken into consideration when the truct is made, by what stretch of autho can the Government step in where the contract en it and the contract bas been en

of the fifth, six and seventh amendments, FINE and that the act or acts of Congress purporting to extend the Constitution mere considered as declaratory merely of a result which existed by the operation of the Consti AT LOW PRICES

see the nice pianos and the low prices we are making this week. If you need Supreme Court Holds Land in Severa piano, now is the time to get it. In alty Makes Him Citizen.

theory that Butler was still a ward of the Nation. The case was brought

to the Supreme Court in an original

action, on the ground that in becoming an allottee, the Indian became a citi-

We are of the opinion that, when the United

States grants the privileges of citizenship to an indian, giving to him the benefit of and requiring him to be subject to the laws, both civil and criminal, of the state, it places him outside the reach of police regulations on the

part of the Congress; that the emancipati from Federal control thus created cannot be set aside at the instance of the Government without the consent of the individual Indian

and the state, and that the emancipation fro

Federal control is not affected by the fact that the lands it has granted to the Indian are graned subject to a condition egainst aliens.

tion and incumbrance, or the further fact that

tions on the canal were discussed. Afterwards Mr. Wallace met those members

of the commission who are in the city.

Chairman Shonts is expected to be pres-

ent at the meeting tomorrow. Secretary Tuft has been advised that

Great Britain and Germany will design-

nate an engineer to act as a member of the advisory board of engineers of the

Commission. It is expected that France

The Secretary of War and the execu-tive committee of the isthmian Canal

Commission tomorrow will outline a plan of procedure to be submitted to the full

also will make a designation

committee later in the day,

ing as a Comp

our law does not apply to the canal

cluded as follows:

our east show window is a little beauty, only \$186. You can't duplicate it in this city short of \$250. On the Sixth-street side you will see a most beautiful exposi tion style, the price of which is \$450, but this week you can buy it for \$345. trict Court of Kansas for selling beer Another very handsome Empire style that at the town of Horton to a Kickapoo sells for \$400, new only \$23; one of our Indian named Wohn Butler, to whom has been granted in severalty. The prosecution was based upon the oak case that sells everywhere at \$300. oak case that sells everywhere at \$300. this week only \$238. We also have a large lot of good second-hand and used planes taken in exchange and back from rental that we will close our at about one-half zon of the United States. This view their real value. You will find some-was sustained by today's opinion, which thing to suit you ami prices range all thing to suit you and prices range all the way from \$75 up. If you will call, and inspect them we are sure you will have a plano in your home before the end of the week, for our easy-payment plan paves the way for immediate pos-

Take a look in our show windows and

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CORNER SIXTH AND MORRISON.

it guarantees to him an interest in tribal or other property. The District Court of Kausas did not have jurisdiction of the offense charged. ing made by J. Morgan Smith and his and therefore the petitioner is entitled to his wife, who are now under arrest in Cin-innati charged with conspiracy with Nan discharge from imprisonment Patterson in connection with the Young case. The Smiths are wanted here par-NO EIGHT-HOUR LAW FOR CANAL ticularly to be witnesses at the murder European Nations Will Appoint Entrial. The motion for a delay was

strongly opposed by Abraham Levy, chief counsel for the defendant. In granting gineers to Advise Commission." WASHINGTON, April 10 .-- Chief Enthe postponement, Recorder Goff said he did not think that the interests of the degincer Wallace, of the Isthmian Canal Commission, had an interview with Sec-retary Taft today, in which the condifendant or of public justice would be in terfered with because of a week's delay Miss Patterson was not taken to cour

today. As to the right of the commission to employ labor for more than eight hours per day, there is a belief that the eight-DR. HARPER AT WORK AGAIN

Health Being Restored by Constant X-Ray Treatment.

Chief Engineer Wallace says that it would very seriously impede work to have the eight-hour law in effect during CHICAGO, April 10 .- President William the construction of the canal. It would R. Harper, of the University of Chicago, be impossible to make uniform hours for arrived from New York today and went direct to his home. He was accompanied employed 12 hours, while 10 hours is the rule for most of the working men. The session of the Canal Commission specialists and surgeons who have been treating him. He was met by a few mem bers of the faculty and his immediate family, but at Dr. Harper's request there today was devoted to an explanation of existing conditions on the isthmus, en-gineering and otherwise, by Chief Enwas no demonstration. President Harper plans to return to his university labors as gineer Wallace, who attended the meetsoon as possible. satoner for the first time

The following statement was issued this afternoon by President Harper's secre-TRTY?

"In the four weeks of President Harper's absence he has regained a large amount of his usual strength. He will be unable to take up all of his duties, but will undertake as much of his work as his strength will permit. He will continue the X-ray treatment which was begun in the Presbyterian Hospital, and which he has been receiving during his absence The physicians are agreed that the X-ray tment has thus far proved very

Interstate Commission Overruled. WASHINGTON, April 10 .- In an opinion . Higher Standards for Doctors.

by Justice McKenna the Supreme of the United States today affirmed the ecision of the United States Circuit ourt for the Northern District of Ohio of education for physicians and surge and uniform entrance requirements and tuition fees for students were urged speakers at the annual meeting of n the case of the Interstate Commerce speakers at the annual meeting of the Association of American Colleges today. ommission against the Lake Shore Rallroad Company. The suit was brought to compel the raliroad company to comply Beventy of the principal medical colleges in the Unitel States were represented. with the order of the commission to incorporate certain particulars in its report The commission was overruled by the Five Men Drowned in the Hudson. ourt's decision.



Mark Twain Relates an anecdote of his first experience as a Mississippi River. pilot, and says it was obtained during one long. anxious night while the boat was anchored in mid-stream, a fact not known to him till the break of dawn. Many business craft are "moving" along today the same way-and their pilots don't know they're anchored. This store is on the move all the time. Just now there's an added briskness evident everywhere due to the near approach of Easter. Because of our splendid preparation to meet the wants of the Easter season, you'll find a manifest Spring awakening throughout the store. Every section has blossomed out with the richest materials, the smartest styles and the rarest bargains of the year. Everything needful to put one in accord with the spirit of joy that even Nature herself now assumes.



TUESDAY, WEDNESDAY ONLY, \$18.50 and \$20 VALUES \$13.85

A fortunate purchase from a leading Eastern manufacturer by our resident New York buyer. The maker's season is over and he is starting on Fall business just as we are commencing the Summer selling. Our Mr. Shipley was fortunate enough to secure the balance of his Spring and Summer lines at drastically reduced prices, enabling us to give our patrons a saving of nearly a third off the regular prices. A timely offering indeed, and the suits are the prettiest and snappiest styles shown this season, all made up in exquisite workmanship, attractively trimmed-wonderful values-the best \$18.50 and \$20.00 Shirtwaist Suits in town. Materials include mohairs, etamines and fancy Panama cloths in a color line embracing blacks, navys, browns

and mixtures in brown and blue effects. Every suit in very latest style; skirts in the newest plaited effects, trimmings of fancy buttons and stitching effects. One must see the suits to appreciate the full meaning of today's sensational offering of suits that every woman needs for present and Summer wear. Not a value under \$18.50 and more at \$20.00. Just about enough for today's selling at \$13.85 Special showing of new Raincoats for protecting the new Spring gowns. from the plentiful raindrons that are bound to come with the April and May showers, and splendid, almost indispensable in traveling. The See Fifth-Street Window Showings.

Special Easter Sale Notions, Toilet Articles, Stationery

AND LEATHER GOODS-FIRST FLOOR SHOPS. 10c PINS 5c.

Best English Brass Pins, 360 count, three sizes, solid heads and fine points; our 10c value, special at, the paper 5c Best American Spool Cotton, for hand or machine sewing, 200-yard spools, black or white, all numbers; special at, seven spools for 25¢ 5c HOOKS AND EYES 1c.

Patent hump books and eyes, in black, medium size, two dozen on card; our 5c value, special at, the card 1c 15c DRESS SHIELDS 10c.

White nainsook covered dress shields, No. 3, medium size, white on both sides; our 15c value, special at, the pair 10¢ Best quality Sewing Machine Oil, in patent oil can, 4-ounce size; our

Fancy Turnover Back Combs, shell; our 20e value, special at, each 12c TOILET SUNDRIES. Toilet Paper, extra large size rolls, 16-ounce, fine quality paper; our

14e value, special at, the roll 10¢ Falcum Powder, violet perfumed, best quality; our 15c value, special9¢ at, the can ... Listerated Tooth Powder, large size bottles; our 25c value, special at,

Imported French Perfumes in violet, Japanese lily, lilac, crab apple lavender, verbena, etc.; our 25e value, special at, the ounce..... 10c Chamois Skins, extra large size, finest quality, perfect trimmed skins;

STATIONERY.

American Paper Napkins, plain, with decorated borders; our 10c value, special, the 1006¢ Black Writing Ink, best quality, 2-ounce cones; our 5c value, special at, Writing Paper, in boxes, fine, smooth finish, plain or ruled; our 20e rough finish, 120 sheets in package; our 25e value, special at, the package Net or Twine Shopping Bags; our 25e value, special at, each 19¢ POCKETBOOKS AND BELTS. Buster Brown Patent Leather Belts in red, white, navy, black and brown Ladies' Black Kid Leather Belts, crush leather, all sizes; our \$1.00 value Ladies' Combination Pocketbooks, in all fine black, brown and

EXTRA SPECIAL PRE-EASTER VALUES IN THE WARDROBE AND ART SHOPS-Annex, Second Floor.

\$2.00 Muslin Petticoats at \$1.37 Ladies' fine Cambric or Muslin Petticoats, extra wide and full, deep Snanish flounces with clusters of fine tucks, or hemstitched tucks ar Always on hand a full line of Fleisher's Knitting, Germantown, Zephyr, Saxony, Shetland Floss, Shetland Zephyr and Spanish Worsted. German applique centerpieces, 32 inches square, or 20x54-inch searfs with plain center or openwork, scalloped or hemstitched edges; regular Another shipment of Scott's perfect form-fitting invisible bustles ame in. We have them in all sizes. Colors, drab, black and white Size 4; regular 75c, special at..... 57¢

and the amount to be paid for the work, or for the work and materials is fixed and liquidated, and receive and take from the price a rebate is beyond my comprehension. The Government, above all others, should not be a party to a violation of either the letter or spirit of the intercommerce act as regards the question of rebates. It should not engage n questionable transactions in order that a ing of a few dollars may be had, especially en this saving results in the tearing down of a law which, experinnce proves, is very diff cult, if not impossible, to enforce,

Government Should Not Break Law.

The Interior Department replied to this letter, insisting on the legality of its proposed action, and stating that the rebates

CINCINNATI, April 10.-J. Morgan Smith and wife, in charge of Special Dis-trict Attorney Garvin and three detec-tives, left here for New York over the Big Four at 6:30 tonight. They agreed in question probably would amount to a million dollars in the next seven years. In the course of his response to this letter, the Controller says that the amount of these rebates being large is a cogent to drop all opposition to the extradition proceedings under the agreement that reason why the Government should make no mistake by being a party or a benethey are to answer only to the conspirficiary of the violation of the law prohibacy charges.

iting the giving of discriminating relates, He says:

I advise that before you take relates fro railroads on the carriage of property belonging to the Government contractors, shipped by them and paid by them at the regular sates, you hay all the facts before the Attornet-General and procure his opinion as to the legality of such transaction. Let-me repeat. I attach no significance to the willburgess of the railroads to grant the rebates in question.

ALASKA JURY LAW INVALID Supreme Court Holds Twelve Men

Must Compose Jury.

WASHINGTON, April 10 .- The Supreme Court of the United States today held that portion of the Alaska code providing for a Jury of six men to be unconstitutional. The opinion was by Justice White, and was based on the ground that Alaska is a part of the territory of the United States in the full sense of the

The case in which the decision was rendered was that of Fred Rasmussen vs. the United States. Rasmussen was indicted for keeping a disorderly house, and took exception to being triad by a jury of only six members. Justice Brown ilssented from the finding of the cour and Justice Harlan, while concurring in the result, delivered an independent opin ion in which he announced wide diverg-ence from the reasoning by which the result was arrived at.

The question at issue was whether Con-gress had power under the sixth amend-ment of the Constitution to deny to one accused in Alaska of a misdemeanor the right of trial by a common law jury of 12, and the court decided that it had not such a right.

court said the contention that Alaska is not incorporated into and a part fthe United States is devoid of merit and therefore the doctrine as to unh corporated territory is inopposite and lends no support to the contention that Congress in legislating for Alaska has nuthority to violate the express comnands of the sixth amendment.

second point traised was: "Even if Alaska was incorporated into the United States, the provisions of the sixth smendment were controlling in Congress. in view of the fact that Alaska was not an organized territory." The court held that "unsoundness of the proposition is conclusively established by a long lin of decisions." Justice White added:

Without attempting to examine in detail th opinions in the various cases, in our judgmen if clearly results from them that they substan-tially rested upon the proposition that, when y was a part of the United States, the ante thereof are entitled to the guaran

SMITHS ON WAY TO NEW YORK

Stop Fight on Extradition, Provided drowned Only Conspiracy Is Charged.

> Much Is Expected of Us

OREGON OPTICAL CO.

EYESIGHT SPECIALISTS

Positively cured by these

Little Pills.

They also relieve Distress from Dyspepsia,

Indigestion and Too Hearty Eating. A per-

fect remedy for Dizziness, Nausea, Drowsi-

ness, Bad Taste in the Mouth, Coated Tongue

Pain in the Side, TORPID LIVER. They

Small Price.

Small Dose.

Regulate the Bowels. Purely Vegetable.

Small Pill.

The adjourned hearing on the writs of habeas corpus had been set for today in the Common Pleas Court. One of the points made last week on behalf of the prisoners was that the extradition paper

PATTERSON TRIAL POSTPONED

Fight of Smiths on Extradition Is tation for accuracy, promptness, the Cause.

low prices and square dealing. NEW YORK, April 10 .- The trial of Nan Patterson on the charge of killing Caesar Young, which was to have begun before We are anxious and prepared to prove this to any person in need Recorder Goff in the Court of General Sessions today, was postponed for one week upon request of the prosecution. of our services.

te postponement was granted on ac The postponem

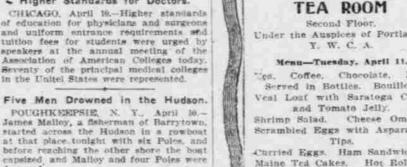
Distress Y. M. C. A. Bldg. Fourth & Yamhili After Eating

Nausea between meals, belching, romiting, flatulence, fits of nervous headsche, pain in the stomach, are all symptoms of dyspepsia, and the longer it is neglected the harder it is to cure it. Hood's Sarsaparilla

and Pills

Radically and permanently cure itstrengthen and tone the stomach and other digestive organs for the natural performance of their functions.

Accept no substitute for Hood's! "I had dyspepsia twenty-five years and took different medicines but got no help until I began taking Hood's Sarsaparilla. Have taken four bottles of this medicine and can now est almost anything, sleep well, have no cramps in my stomach, no burning and no distress." Mas. WILLIAM G. BARRETT, 14 Olney St., Providence, R. I., Nood's Sarsaparilla promises to cure and keeps the promise.



Maine Ted C

Bread

School of Domestic Science

Bell Boy, The Norton
M. & A. Shogren
Knight Shoe Co
Periland Delivery Co 30,105 ARTHUR LINDBORG,
Lindborg Grocery 6,238 P. H. BATTIN,
Wadhams & Kerr Bros 4,220
465,139 Scattering
Total 545,169

RESULT OF L C. SCHOOL

VOTE AT 5 P. M. VESTERDAY.

REGINALD CARTER

A, GREAT SPECIAL

Linen Napkin Sale Starts Today IN THE LINEN STORE-First Floor.

Hotels and Restaurants as Well as Housekeepers Are Interested in This Event.

0

CE.

This is one of the plums in the lines nie. When we arrange our year's programme of linen selling we scatter through it bargain epochs that help to make this store famous for its character bargains-just as the cook drops a raisin here and there in the pudding-to help along the flavor. Here's one of the biggest raisins in the year's puddingstick in your thumb and pull out your share of the plum.

500 dozen-that's all, won't last long-Richardson's famous Irish Linen, full bleached and warranted best wearing qualities. While they last, you may select-

\$1.50 values, special, the dozen \$1.08 \$1.75 values, special, the dozen \$1.20 \$2.00 values, special, the dozen \$1.42 \$2.25 values, special, the dozen..... \$1.62 .\$1.83 \$2.50 values, special, the dozen.....

DISTINGUISHED Easter Millinery STYLES IN

BIJOU SALONS. Annex-Second Floor.

Being always on the alert to catch the whims of Dame Fashion, we are enabled to get the first inkling of her newest fads and fancies; thus it is that this store produces and shows first, without exception, the very latest in shapes and materials. as well as finished creations in charming millinery. Being imbued with a practical knowledge of the millinery business from inception to finish we are always enabled to not only maintain



our position as leaders in exploiting newest authoritative styles, but to strengthen it by distancing competition farther every day. Weeks ago we predicted that blocked shapes would be "it" this season. The fact is now established among Eastern millinery houses of style repu-tation. Our resident New York buyer sent us a shipment of the newest shapes, received Monday. On sale today, extremely smart and fetching-Prices range\$1.00 to \$8.00

Women's Knit Underwear and Hosiery Bargains

First Floor. SPECIAL FOR THE WEEK.

hildren's black lace striped lisle hose; finely finished, sizes 5, 51_2 , 6 61_2 , 7, 71_2 , 8, 9; values to 35c pair, all sizes, special, pair 19
lisses' black lace lisle hose, finished foot, assorted patterns; values t 35c, pair
roken liges in children's black cotton hose but all sizes in the line values 25c, 30c, 35c, all special at, pair
Vomen's fine black gauze cotton hose, spliced heel, double sole; 40 values, pair
Vomen's black cotton hose with embroidered boots; our O. K. stock an big values for 50c, special, pair
Vomen's 35c black cotton hose, with white double sole; special, pr. 23
Vomen's black cotton hose, with ribbed tops, double sole, spliced heek O. K. brand; 50c values for, pair
stock; values run from 75c to \$1.25, special, pair

Women's white cotton vests; the Merode, long sleeves, short sleeves, sleeveless; values best for the money, each
Women's sleeveless vests, white cotton Richeiien ribbed, neatly trimmed, each 15c, 121/2c and10c
Women's fine white cotton lisle vests, sleeveless, Swiss and Richelien ribbed, plain and lace yokes, beauties: each
Women's white, pink and blue Swiss and Richelien sleeveless vests; lisle, silk tape and neat crochet trimmed, each
Women's white lisle sleeveless vests, crocheted yoke, silk tape, beauty
Women's white lisle vests, sleeveless, a great assoriment of patterns; each \$1.25, \$1.00 and75¢
Women's white cotton union suits, sleeveless, knee length, lace and plain knee; suit
Women's white cotton union suits, high neck, long and short sleeves and low neck, sleeveless, knee length; each
Our Merode line of women's union suits in all styles and prices ranging from 85e to \$2.25 suits, now complete. See them.

having been signed in blank by Governor Herrick and then filled in by a clerk during the Governor's absence from the state was not valid. On Saturday the Gaver nor returned to Columbus, and new pa pers were secured in order to obviate this objection. Because we have gained a repu-