

SUNDAY CLOSING LAW UNDER FIRE

Cases of "Saloonkeepers Arrested by Police Are Submitted."

ARGUED AT GREAT LENGTH

C. E. S. Wood Contends That City Charter Is Superior to State Statute—District Attorney Upholds the Contrary.

Which has the power to compel the saloons of Portland to remain closed on Sundays, the state or the city? This question was argued for two hours yesterday before Presiding Circuit Judge Cleland by District Attorney Manning and his deputy, Bert E. Haney, representing the state, and Attorney C. E. S. Wood, counsel for five saloonkeepers who demur to information charging them with violation of the Sunday closing law.

Mr. Wood contended that the charter of Portland adopted after the state statute was passed and approved by the Legislature abrogates the state law and places liquor selling entirely under the jurisdiction of the City Council. The lawyer vehemently declared that the word "regulate" used in the charter provision referring to the liquor traffic, meant "fullest control" and sufficed to make the Legislature "step down and out."

District Attorney Manning answered this point by saying: "If the framers of the charter had intended to give exclusive powers to the City Council they would have said so. If there is a doubt it must be resolved in favor of the law."

On Horns of Dilemma. Deputy District Attorney Haney contended the saloonkeepers are on the horns of a dilemma. "If," he said, "the charter of the City of Portland abrogates the state law, it is unconstitutional, and therefore the saloon men must take the other horn, the state law, or fall by clinging to the opposite."

The demurrers entered by Mr. Wood for the saloon men are based on two grounds—that the information do not state facts sufficient to show the commission of any crime, and that there is no law of the State of Oregon in force in the City of Portland prohibiting the acts set forth in the information.

These two objections were merged into one in Mr. Wood's argument upholding the demurrers filed by his clients. The only point raised by him was that the City Council of Portland and not the State of Oregon, had jurisdiction.

District Attorney Manning and Deputy District Attorney Haney based their objection to the demurrers on two points. These were that the Legislature did not intend when providing a permit to grant to the City Council of Portland absolute power over saloons, and that if the charter abrogates the state law it is unconstitutional.

The District Attorney admitted that the city has authority to grant liquor licenses and revoke them, but asserted this power did not extend to degree permits. The City Council to allow saloons to remain open Sundays.

Manning Is Confident. District Attorney Manning is confident the demurrers of the saloon men will be overruled, as an identical case has been decided by the Supreme Court of Oregon in favor of the state. This is the case of the State against Burchard, where it was decided by the Supreme Court that city laws could not supersede the laws of the State.

DAILY CITY STATISTICS

Marriage Licenses. MILLER-RICHARDS—Charles Bertrand Miller, 22, Milton, Or.; Hessel May Richards, 19, city. STEARNS-LANDAUER—Ralph M. Stearns, 25, city; Ottilie B. Landauer, 21, city. DONALDSON-WOODWARD—Robert E. L. Donaldson, 29, Tillamook, Or.; Daisy V. Woodward, 21, city. LAURENT-VALERIE—Frank H. Lambert, 29, Trenton, N. J.; Philippine Tetwiler, 21, city. MASTER-WEVLEY—Frank W. Master, 20, city; Margit J. Wevley, 20, city. MCKINNON-HUMPHREYS—William Angus McKinnon, 23, city; Mary Jane Humphreys, 18, city. NEWMAN-MILLER—James L. Lank, 30, Castle Rock, Wash.; Stella Lank, 30, city. DOLAN-SCHLAFER—Thomas J. Dolan, 20, city; Agnes S. Schlafel, 20, city. BONTLY-LEVIN—Fred Bontly, 24, Marquette, Wash.; Nellie Levin, 22, city. EHRNST-ADMAN—Eric Ehrnst, 45, city; Frieda Adman, 37, city. HOPKINS-CAMPBELL—W. S. Hopkinson, 47, Westport, Wash.; Mrs. Margaret Campbell, 41, city. SWANSON-MILLER—E. Swanson, 22, city; Marie Miller, 20, city. SHONTELL-ALLEN—Benjamin N. Shontell, 30, city; Abbie E. Allen, 27, city. MELVIN-WALLING—Eugene Melvin, 23, city; Emma Walling, 19, city. WEBER-STACY—James M. Weber, 35, Astoria, Or.; Alberta Pearl Stacy, 22, city.

Articles of Incorporation. BUREKA IRON & STEEL COMPANY, Portland, capital \$500,000, for steel, mining and smelting, incorporated June 17, 1907, by W. A. Roberts, Theodore Dun, Elliott & Construction Company, Portland, capital \$100,000, object, manufacture of cement and concrete blocks, incorporated, C. L. Elliott, F. C. Resan, W. W. Gibbs. Births. COHN—To the wife of S. Melvin Cohn, 520 1/2 Commercial, June 17, 1907, a son, KUCHELE—To the wife of Harry Kuchel, 14 Buelch street, June 17, 1907, a daughter. NAFE—At Rose City Sanatorium, June 15, to the wife of David Nafe, Hawaiian, of 143 1/2 Sixth street, a daughter. STOUT—To the wife of Charles E. Stout, Columbia Heights, June 1, a son. UNDERWOOD—To the wife of E. J. Underwood, 720 Powell street, June 12, a daughter. YODER—To the wife of Hilda Yoder, Japanese, 33 North Fourth street, June 10, a son. Deaths. ATWOOD—At 250 East Third street, June 11, Charles N. Atwood, aged 58 years, 11 months and 2 days. CHARLIE—At 32 1/2 Front street, June 17, Rosina Charlie, native of Italy, age not given. CROOKS—At 437 East Fifteenth street

We make fine Window Shades. We carry in stock John King's Imported Scotch Hollands, as well as a large number of colors in hand-painted oiled opaques. We have the very latest machines and the best workmen. Our shades run straight, wear well, and shut out the light.

WE ARE ALWAYS GLAD TO SUBMIT ESTIMATES. J. G. MACK & CO. 86-88 THIRD STREET. EXCLUSIVE CARPET HOUSE

Imperial Hotel Co. Seventh and Washington Streets, Portland, Oregon. European Plan. \$1.00, \$1.50, \$2.00 per Day.

Table with columns: Station, Direction, Wind, State of Sky, Temperature, Barometer. Includes stations like Baker City, Blumack, Blumack, etc.

LEAVES FOR COOS BAY Bishop Scadding Maps Out Itinerary for the Coming Month.

EASTERN EXCURSIONS. The next dates of sale for special excursion tickets to Eastern points are July 2, 4 and 6. Make your reservations now.

DAILY METEOROLOGICAL REPORT. PORTLAND, June 18.—Maximum temperature, 84 degrees; minimum, 59 degrees. River rising at S. A. M. 1 1/2 feet; changes in last 24 hours, fall 1/2 foot. Total precipitation, 0.5 P. M. to 5 P. M. none; total precipitation since September 1, 1906, 43.52 inches; normal precipitation, 43.08 inches; deficiency, 1.56 inches. Total sunshine June 17, 12 hours, 31 minutes; possible sunshine, 18 hours, 45 minutes. Barometer (reduced to sea-level) at 5 P. M., 30.11 inches.

AUCTION SALES TODAY. Furniture, at the P. M. C. L. Ford Auction, 211 First st. Sale 2 P. M. C. L. Ford Auctioneer.

CLASSIFIED AD. RATES. Following rates will be given only when advertising is ordered to run consecutive days. The first insertion, 10 cents per line for each additional insertion.

AMUSEMENTS. MARQUAN GRAND. Presenting Victor Herbert's Pronounced Success, "THE FORTUNE TELLER".

Baker Theater. Phone Main 5. Geo. L. Baker, Gen. Mgr. Tonight—All Week—Matinee Saturday. ZINN'S MELODY—"The Charming Nurse".

THE STAR. Phone Main 5496. Entire Week of June 17. The Reorganizing Stock Company Presents Nat Goodwin's Roaring Farce "400 BLOOMING BROS".

LYRIC THEATER. Phone Main 4885. This Week—All Week—Company Presenting Marie Walworth's greatest success, "SHALL WE FORGIVE HER?".

PANTAGES THEATER. Grace Courtland, Psychic Phenomenon. Low Cost Shadowgraphist. "THE HUNGARIAN HUSSARS".

THE GRAND. Special Added Feature. Herro Seana. Presenting, James and Bonnie. Headed by Maud Inghel and Estelle and Company.

THE OAKS. SPECIAL CONCERTS. By the incomparable Schlozsky's HUNGARIAN HUSSARS.

BASEBALL. RECREATION PARK, Corner Vaughn and Twenty-fourth. Portland vs. Oakland.

Ladies' Day Friday. ADMISSION 25c. GRANDSTAND 25c, CHILDREN 10c.

PRINCE RUPERT. Have a first-class acreage proposition close to Prince Rupert, the Pacific terminal of the Grand Trunk-Pacific Ry. Money-maker.

THE CANADIAN TRUST CO., LTD. P. O. Drawer 731, Vancouver, British Columbia. Can Furnish.

NEW TODAY. Portland Heights Lots \$10 PER MONTH.

For 30 days only; graded streets; Bull Run water; gas; electricity. On car line, best service in the city. No draw bridges.

First and only time lots in Portland Heights for such prices: \$500 each; \$10 per month.

THE KEASEY COMPANY. RESIDENCES. \$4500 Eight rooms, situated on the West Side, within 15 minutes' ride by car. Can't be duplicated for \$6500.

\$5800 Seven rooms, modern in every particular, situated on Williams Street Heights. \$7500 Eight rooms, modern, Best neighborhood on North Hill, south of Irving street.

PORTLAND HEIGHTS. If you are thinking of buying in this favored section, come in and see us, as we have two propositions which are well worth looking into if you want to build.

F. V. ANDREWS & CO. 8 1/2% Net on \$13,000. North Portland Business Property, 2 stores and 20 rooms.

Goldschmidt's Agency. 253 1/2 Washington, cor. Third. Lumber Mill MEN.

Net Profit \$1800 A MONTH. Kennedy & Hickok. 325 Lumber Exchange.

BASIS OF ALL WEALTH. City Property and Land. The EAST SIDE has the GREATEST population, is growing the most RAPIDLY, and the GREATER PORTLAND DISTRICT and WILSON there. In 1906 there were 621 residences built on the EAST SIDE to 100 on the West Side.

HOLLADAY'S ADDITION. Is the geographical center of the city, and is the most DESIRABLE residence district and much of this will become BUSINESS property. Do not overlook these facts when making investments, and call and inspect the property; for seeing is believing.

H. W. LEMCKE COMPANY. Sixth and Washington Streets. Phones: Main 550, A 2537.

WEST SIDE Waterfront. 2 1/2 acres within city limits; railroad passes through property. Free fuel from adjoining mill and surplus steam power for almost nothing.

Louis Salomon. 223 Stark St., near Second. Jonesmore. New addition; right on carline; all improvements, streets, sidewalks, etc. complete; Bull Run water. Call us for particulars. GEO. D. SCHALL, 224 Stark St.

AN Exceptional Bargain ON Portland Heights.

A nice 8-room house on ground 87 x 100 feet very slightly and one block of carline.

Title Guarantee & Trust Co. Corner of Second and Washington Sts.

INCOME 30% NET. On the cash you invest, 11 per cent on the total investment.

W. B. STREETER. 114 THIRD STREET. THIS BEAUTIFUL HOME \$9000.

MODERN 10-ROOM HOUSE, ELEGANT FIXTURES, HOT WATER HEATING PLANT, BEAUTIFUL LOCATION. A DECIDED BARGAIN. DON'T DELAY IF YOU WANT A NICE HOME. KEY AT OFFICE.

LAMONT & HARRIS. NO. 306-7 SWELLAND BLDG. UNCLE MYERS' Loan Office, 148 1/2 St. near Alder; established 1870; old and reliable; all kinds of watches, diamonds, jewelry and sealstains.

FOR SALE—REAL ESTATE. TWO fine, new, modern built houses, close in, near Hawthorne st.; fully worth \$4000, but to sell for \$3000. For homes they can't be beat. Will sell separate or chicken ranch on carline; real snap; only \$1250.

WEST SIDE. Homes on easy monthly payments. Your choice of 281 Guild st., \$4000, \$3500 down. \$3300, \$3000 down. \$3000, \$24th st., \$3750, \$3000 down. \$3000 per month.

WHY BUILD?—First-class 8-room house, with bath and toilet both up and downstairs; full cement basement, stationary wash tub, furnace, everything complete to situate home in best neighborhood in city; very close in, \$5000 range; down \$1250. Inquire 351 11th st. Home telephones 4431, 0209.

HOLLADAY PARK RESIDENCE. I have modern 7-room house, \$5000 corner, nice lawn, choice rose, good car service, etc. Call on Holladay, 1225 Commercial, on premises, 541 Broadway.

FOR SALE—Modern 8-room house in fine corner, stationary tub, cement cellar, fruit trees, etc. Call on Holladay, 1225 Commercial, Union Ave. cars, owner leaving city. Apply 718 Chamber of Commerce.

FOR SALE or will trade for Portland property—6-room house, 4 big lots, \$2000. Call on C. R. ARNOLD & CO., 1225 Commercial, 301 1/2 Morrison st. Phone Main 3113, 301 1/2 Morrison st.

\$1575—Large 6-room house, fireplace and bath, full lot or 100x100 ft. desired; elegant assortment of roses and tropical plants; fruit trees; berries and vegetables; \$225 down, balance \$100 per month. See owner, 1225 Commercial, Holladay Green Station, St. Johns car.

I HAVE 10 lots in St. Johns at a sacrifice price for cash if taken quick; can clear 50 per cent in 60 days. See me today, 31 W. Henderson, 243 Stark st.

\$3300—Beautiful new six-room home, completely modern; \$800 cash, \$250 monthly, 853 East Main, save commission. Owner, East 622.

FOR SALE—REAL ESTATE. BARGAINS IN HOMES AND LOTS—\$2700—Fine lot on carline; improved street; cash balance to suit. \$700—2 lots, 1/2 acre, in cultivation; due for chicken ranch and gardening; three blocks from carline; your own corner.

\$1000—6-room home, full lot, with small fruit, shrubbery, etc.; terms easy. \$2000 for 8-room home, close in; this is modern, not a carline; your own corner. 2 worth more money; \$200 cash, balance easy. \$2500—6-room, slightly modern, corner, 2 lots, 2 fine lawns, full cement basement, with summer kitchen, complete; terms easy.

F. J. STEINMETZ & CO. The Homeowners' Home. J. M. CAMERON REALTY CO. Small new 6-room bungalow cottage; full concrete basement, nice attic for a drying room, daily reception hall, fireplace, modern pantry and kitchen, attractive bathroom; with shower bathroom, adjoining rooms all tiled; 6x100 corner lot. This cottage is artistic in appearance, strictly modern in design and right location. One block from carline. Price \$2400, on terms.

Two exceptionally beautiful places. 6-room Queen Anne cottage, finished in elegant style; a regular little palace; E. Gillan; well part of city; \$5000. 6-room, 6x100 lot, ground, on E. Alder, corner; 6x100 lot, ground, on E. Alder; several mammoth cherry trees and other fruit; a paved walk; a station school; price less than building cost; \$2500; easy terms.

\$1500—5-acre tract in 2-year-old strawberries, 1/2 mile from station, No. 2 car, two acres. \$2000—10 acres, all cleared and seeded. 2 minutes' walk to station, school and churches; \$5 fare.

\$2200—A 6-room modern cottage in Sunnyside, with concrete walk, a nice 4-room cottage, with concrete floor and walls; electric fruit trees and roses; if you have \$500 you can select your lot and we will give you a home on easy monthly payment plan. McKenna Real Estate Co., 1155 Belmont, near 10th St. Take Sunnyside or Mount Tabor car.

SELLWOOD TOWNSHIP CO. Take Sellwood car and see the many new homes, with walks and lawns, in the suburb. Bull Run water, fine car service. \$2000—House from \$1000 to \$2000. Inquire, H. F. Palmer, 222 Falling Blk.

ONLY A FEW MORE DAYS. Then the price will advance, \$2000, and 6-room modern house, with beautiful yard; near school and Union Ave. For this and other bargains see ZIEGLER, HARRIS & VAUGHAN, Main 1678, 303 Buchanan Bldg.

ON EASY PAYMENTS—East Yamhill st. full built house of 8 good rooms and full basement, with concrete floor and walls; bath, gas; streets improved; bearing fruit; easy terms. \$2000. Inquire, 222 Chamber of Commerce.

A SIGHTLY residence lot, 6x100 ft., with Bull Run water, 200 ft. wide, and 100 ft. deep; paid for, and less than two blocks from carline; only 25 minutes from heart of the city. \$450. Call on C. M. Thompson, 223 Chamber of Commerce.

\$3750—32x100, corner, Front and Hooker sts.; a good location for fruit; a good buy. \$400—30x100, corner, Front and Clay st.; near 14th; nothing as cheap in this vicinity. W. O. WADDELL, 317 Lumber Exchange.

WOODLAND HEIGHTS. Lot 62x100 facing east on 28th and 29th streets, with concrete street and sidewalk improvements; part cash, balance easy terms. \$2000. Inquire, 222 Chamber of Commerce.

IMPROVED ACREAGE—5 1/2 ACRES, HOUSE, all fenced and in cultivation; fruit, near North Hill. Inquire, 222 Chamber of Commerce. Pligott, Finch & Bigler, Attorneys-at-law, Rooms 4 and 6, Mulkey Bldg., NE. Cor. 22 and Morrison sts.

SOMETHING NEW IN NEH Hill district; new, modern 8-room house, lot 50x100, 200 ft. from Van Ness. Inquire, F. J. ARMER & CO., Room 30, Washington Bldg.

10x120, between Hancock and Schuyler, near 10th and 11th streets, with concrete street and sidewalk improvements; part cash, balance easy terms. \$2000. Inquire, 222 Chamber of Commerce.

WEST SIDE SNAP. \$2700—for a good modern 7-room house, with concrete floor and walls; 100 ft. wide; 100 ft. deep; nothing as cheap in this vicinity. F. FUCHS, 22 1/2 Morrison St.