

# ST. JOHN EXEMPT FROM STATE LAW

## City May Regulate Saloons In-Respect of Local Option Elections.

### SUPREME COURT SO RULES

#### Charter Provisions Are Same in Effect as in Medford, Majority of Court Decides—Justice Eakin Dissents.

SALEM, Or., Oct. 12.—(Special.)—The Supreme Court today rendered an opinion reversing the decision of the lower court in the case of the City of St. John vs. the State. The City Council of St. John will hereafter have the legal right to license saloons in that city. The opinion of the court was written by Justice King, concurred in by Justices McBride and Slater and dissented from by Justices Moore and Eakin. A dissenting opinion is written by Justice Eakin.

#### Power Left to Voters.

This power was left in the hands of the legal voters of the cities and towns. In 1907 the people of St. John by initiative, adopted an act to incorporate the city and to provide a charter therefor. At the general election on June 1, 1908, prohibition was adopted by the provisions of the general act on the subject.

The opinion notes that many of the legal principles involved were thoroughly covered in the case of Hall vs. Dunn. The legal effect of the words "prohibit" and "restrain," used respectively in Medford and in the charter of St. John, is practically the same. Quoting from the opinion of Justice King: "The Medford charter adds the power to license, but in the charter of St. John this power is included in the word 'regulate.' And the power to license is irreconcilable with the local option law, which when made effective in any locality, precludes not only the right to license, but totally prohibits the sale of any intoxicants whatever for beverage purposes."

### City Exempt From State Law.

The initiative charter enacted in 1907 is a reincorporation of the city, and largely a repetition of the provisions of the charter of 1905, leaving the subject of the subdivision now in question unchanged and unaffected by the re-enactment of the local option law. It was not an effort by the people to exempt the city from the operation of the local option law, which it has no power to do, but leaves the conditions relative thereto as they were prior to the adoption of the new charter, and the city being exempt from the operation of the local option law by the terms of the charter of 1907, the re-enactment amounted merely to another recognition of that law, and reinforced the position to which we adhere—that the prohibition order of June 10, 1908, cannot apply within the city.

#### Atwood Sentence Affirmed.

Upon a rehearing of the case of the state vs. C. H. Atwood and C. H. Atwood, the lower court was affirmed, and the Atwoods must serve out their full sentence for the offense charged. The case was passed upon by the Supreme Court last Spring after Justice Bean's retirement, the four members being divided two and two on the case. The present opinion is written by Justice Moore, concurred in by Chief Justice Moore and Justice Eakin. Justices King and Slater dissent, as they did on the first hearing of the case.

### MEYERS' PISTOL IS FOUND

#### Weapon Which Killed Officer Was Hid in Preacher's Barn.

SALEM, Or., Oct. 12.—(Special.)—Sheriff Harry P. Minto this afternoon found the gun with which George Meyers killed Policeman Tom Eckman. The weapon was found in a wheat bin in the barn on the farm of Rev. P. L. Larden, the Free Methodist Minister, to whom Meyers gave himself up. The gun was a quantity of cartridges tied up in a handkerchief.

### BAD CHECKS ARE COSTLY

#### Oregon City Business Men Find They Are Out Nearly \$200.

OREGON CITY, Or., Oct. 12.—(Special.)—R. A. Stewart is supposed to be the assumed name of a man who succeeded in working four Oregon City business men for \$67.50 each last Saturday night. He applied for work at the Willamette

Pulp & Paper Company two weeks ago and, after killing time for less than a day, he left and obtained a payroll check. Later developments have proved that this was the only thing he was after, for he has proceeded to gain access to some needy printer and has rather closely imitated the checks of the company.

### GOT \$500,000 BY SWINDLE

#### Banker and Broker Indicted on Charge Selling Worthless Stock.

CHICAGO, Oct. 12.—W. H. Hunt, a former banker, and Wallace H. Hopkins, a broker, were indicted today by the Federal grand jury, charged with having fraudulently obtained money through misrepresentations in connection with a stock company alleged to have been operated by them.

### M'MAHON STARTS SUIT

#### Objects to S. P. Repairing Sidetrack on His Property.

SALEM, Or., Oct. 12.—(Special.)—Attorney L. H. McMahon filed the papers today in an action for \$500 damages against

### MAGNIFICENT HOTEL IN EUGENE WILL COST \$100,000.



### NEW HOSTELRY WILL BE READY FOR OCCUPANCY BY MARCH, 1910.

EUGENE, Or., Oct. 12.—(Special.)—It is expected that the new Osburn Hotel will be ready for occupancy by February or March of 1910.

### ROCK PILE HAS TERRORS

#### Hoboes Find It Convenient to Give Cheahalls Wide Berth.

CHEHALIS, Or., Oct. 12.—(Special.)—Life will have few joys for the festive hobo in these parts this winter if the Lewis County Commissioners carry out a plan they have under consideration. It is proposed to send all the prisoners committed to the County Jail to the county rock quarry and crusher, at Meakill.

### CAFE REEK, OFFICER ACTS

#### Health Authorities at Yakima Close Japanese Restaurant.

NORTH YAKIMA, Wash., Oct. 12.—(Special.)—Owing to filthy conditions in the Acme cafe, a Japanese restaurant, City Health Officer Nywening this morning ordered the place closed and there will be little trouble to keep the new confined. Of late, since the local officials have been more diligent in rounding up hoboes in order to keep the rockhills, hippoants, monkeys and beasts which would still be roaming the wilds of Africa but for the invasion there of ex-President Roosevelt, arrived in Brooklyn yesterday. They were taken from the Anchor Line's steamship Italia. Every case was marked:

### SHIP ROOSEVELT TROPHIES

#### Consignment of Exhibits for Museum Arrives From Africa.

NEW YORK, Oct. 12.—Sixty-four cases, every one big and bound with iron bands and filled with all that remains of lions, elephants, hippoants, monkeys and beasts which would still be roaming the wilds of Africa but for the invasion there of ex-President Roosevelt, arrived in Brooklyn yesterday. They were taken from the Anchor Line's steamship Italia. Every case was marked:

### Company Fights Death Suit.

SALEM, Or., Oct. 12.—(Special.)—The Circuit Court has been engaged the most of the day in the trial of a death suit against the Portland Railway, Light & Power Company. The heirs of David Smith are suing the company for \$5000 damages for the death of Smith, who was run over by one of the company's cars nearly a year ago.

### Governor Benson Will Hunt.

SALEM, Or., Oct. 12.—(Special.)—Governor Benson today took out a hunting license and accompanied by Master Fish Warden McAllister will go out Friday afternoon on a short expedition in search of Chinese pheasants.

The European capitals are just being connected by telephone

# FAIR OPENS TODAY

## Gresham Will Show Products of Eastern Multnomah.

### EXHIBIT BOOTHS ENLARGED

#### Fruits, Vegetables, Livestock and Poultry Will Attract Many Visitors—Ample Accommodations Are Provided.

GRESHAM, Or., Oct. 12.—(Special.)—Undaunted by the fact that tomorrow is the 13th day of the month, the Gresham fair will open its gates for the third annual exhibit of the varied productions of Eastern Multnomah and Clackamas Counties. With a continuance of the present good weather the attendance will be heavy, and those who come will find an excellent display of the best of great interest in every department.

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# Great Annual Woolen Goods Sale

The sale has now been in progress almost two weeks, and is an unqualified success in every way. We're away ahead in sales as compared with the woolen goods sale of last year, and everybody tells us that the values are positively the best ever. Have you ever been here? If so, you bought. If you have not been here, it's for your own good that you come as soon as you can.

<b>Men's Wool Underwear</b>	<b>Men's \$20-\$25 Suits, Overcoats and Raincoats</b>	<b>Gray and Mottled Blankets</b>
This Woolen Mill Store is the best place for buying it. Highest quality and lowest price.	These Suits, Overcoats and Raincoats cannot be matched elsewhere under \$20 to \$25.	Big heavy fellows—full of warmth and comfort, no matter how cold it gets to be.
Men's \$1.00 wool Underwear.....75¢	<b>\$15</b>	\$4.00 gray and mottled Blankets \$3.00
Men's \$1.25 wool Underwear.....\$1.00	<b>Boys' All-Wool Oregon Bu'skin Wear Guarant'd Knicker Suits</b>	\$4.50 gray and mottled Blankets \$3.50
Men's \$1.50 wool Underwear.....\$1.25		\$5.00 gray and mottled Blankets \$4.00
Men's \$2.00 wool Underwear.....\$1.50	<b>\$5</b>	\$6.50 gray and mottled Blankets \$5.00
Men's \$2.50 wool Underwear.....\$2.00		\$8.00 gray and mottled Blankets \$6.00
<b>Cashmere Knit Socks</b>	<b>Sweater Coats</b>	<b>White Wool Blankets</b>
"Cold feet?" Nonsense! Buy some of the Socks we have that are just like "mother used to knit." The cost is small.	Big assortment of them, all highest possible quality at their respective price.	Made of the finest Oregon lambswool—that means that these Blankets are the very best to be had.
20c cashmere Socks, 2 pairs.....25¢	\$1.50 Sweater Coats.....\$1.25	\$ 7.00 white Blankets.....\$5.50
25c cashmere Socks, 3 pairs.....50¢	\$1.75 Sweater Coats.....\$1.50	\$ 8.00 white Blankets.....\$6.50
35c cashmere Socks.....25¢	\$2.50 Sweater Coats.....\$2.00	\$10.00 white Blankets.....\$8.50
50c cashmere Socks.....35¢	\$3.00 Sweater Coats.....\$2.50	<b>Blankets Washed</b> Customers of the
75c cashmere Socks.....50¢	\$4.00 Sweater Coats.....\$3.00	bought "Brownsville Blankets" of us can bring them here now for washing, rebind-
25c heavy knit Socks.....20¢	<b>Blue Flannel Shirts</b>	ing and refinishing at the mill. The charge for this service will be actual mill cost.
35c heavy knit Socks.....25¢	The quality of the "Brownsville" Flannel Overshirt is known far and wide. In the first place, the fabric is absolutely all pure wool, and then they are cut extra wide and long and perfectly made.	Remember that this is the only time during the year that the mill has time for this.
50c heavy knit Socks.....35¢	\$2.00 Brownsville flannel Shirts \$1.50	<b>\$4.50 to \$6.00 Indian Robes \$4.00</b>
75c heavy knit Socks.....50¢	\$2.50 Brownsville flannel Shirts \$2.00	Nothing more desirable for couch covers, cosy corners or lap robes. Big line of very handsome and rich designs.
	\$3.00 Brownsville flannel Shirts \$2.50	<b>Men's Flannel Night Shirts</b>
	\$3.50 Brownsville flannel Shirts \$3.00	Made like you'd have them made—long and wide and full.
		\$1.25 Night Shirts.....\$1.00
		\$1.50 Night Shirts.....\$1.25
		\$2.00 Night Shirts.....\$1.50
		<b>Medicated Underw'r Flannel</b>
		This Underwear is made of all pure wool Brownsville medicated flannels, and is recommended by us as a cure for rheumatism; it comes in red and brown colors
		\$1.50 flannel Underwear.....\$1.25
		\$2.00 flannel Underwear.....\$1.50

**Third and Stark** **Brownsville Woolen Mill Store** **Third and Stark**  
Clothiers Mill to Man

### SHEEP ARE IN FINE SHAPE

Winter Outlook Discouraging Because of High Price of Feeds.

PENDLETON, Or., Oct. 12.—(Special.)—Thousands of sheep are now on the trails leading from the Summer range in the forest reserves of the Blue Mountains to the Fall and Winter range on the foothills and lowlands. They are coming out of the mountains in as good or better shape than they have ever come out before, yet despite this fact the prospects for the Winter are not as bright as the growers of wool would like to see.

The grass in the mountains was unusually good this year. The limitations placed upon the number of animals allowed to graze in the National reserves by the Forest Service prevented the

# Columbia Lard

U.S. Gov. Inspected Est. 138.

### DEMAND THIS BRAND

Lard is the favorite, time-tried shortening. Columbia Lard is the best. Government inspected, made under modern scientific, sanitary methods, kettle-rendered. Always

### DEMAND THIS BRAND

# Union Meat Co

Pioneer Packers of the Pacific  
Portland, Oregon.

### Making the Standard Rye Whiskey of America, No. 4

### The Malt House.

The malt used in making the Standard Rye Whiskey of America is a strictly pure rye malt. No grain but the choicest rye being used. This is expensive, but it helps to make the rich distinctive flavor of

### Good old GUCKENHEIMER Pure Rye BOTTLED IN BOND

This malt is made by the most skillful of malsters, assisted by a trained crew, in which son has succeeded father for generations back. The malt is so superior that this country does not afford any rye malt approaching it in quality.

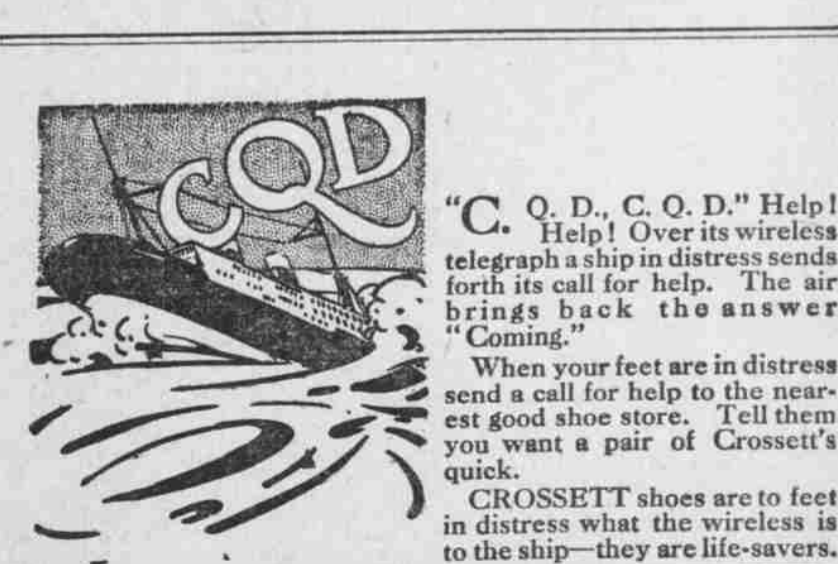
A. Guckenheimer & Bros., Distillers, Pittsburg. Since 1857

# GOLD DUST goes after dirt with a "big stick" and does all cleaning quicker and more thoroughly than soap or any other cleanser

GOLD DUST is more than soap—does more than soap. Soap merely cleans, GOLD DUST gets under the surface, kills every germ, washes out every impurity and sterilizes everything it touches. It is a sanitary cleanser and saves the housewife the toil of rubbing and scrubbing.

GOLD DUST shows what it's made of. GOLD DUST makes its own cleansing suds. It does the hard part of the work; you merely assist it.

Made by THE N. K. FAIRBANK COMPANY Makers of FAIRY SOAP, the oval cake.



# CROSSETT SHOE

"MAKES LIFE'S WALK EASY"

To tired, aching feet "Crossett" is a welcome answer. \$4 to \$6 everywhere. LEWIS A. CROSSETT, Inc., Makers North Abington Mass.