

STATE ALONE CAN ENFORCE 'DRY' LAW

Federal Court Frees Man Sentenced Under Eugene Ordinance.

C. F. KUTHE WINS FIGHT

Violators of Local Option Order in Oregon Must Be Prosecuted in State Court Is Interpretation of Judge Wolverton.

In granting Charles F. Kuthe, of Eugene, his freedom from confinement in the Lane County Jail, Judge C. E. Wolverton, of the United States District Court, handed down an opinion yesterday which clearly draws the line between the powers of city councils and state courts in the matter of enforcing the provisions of the local option law of 1904.

In 1903 the Legislature granted the City of Eugene a charter which provided that the City Council should have the control of licenses issued for the sale of malt liquors. In 1904 the State of Oregon adopted the local option law, and in 1906 Lane County voted on the question of prohibition in the county. It was carried and the sale of malt beverages was prohibited.

In 1906 the City of Eugene was granted a new charter, and immediately passed an ordinance by which the City Council attempted to prohibit the sale of "non-intoxicating malt liquor" and it was alleged that Charles F. Kuthe was one of the residents of Eugene who persisted in selling the beverage known as "near beer." He was arrested, found guilty in the Police Court for violating a city ordinance and turned over to the Sheriff of the county for confinement.

A writ of habeas corpus was asked from the United States Court, and yesterday the Sheriff was commanded to give the prisoner his liberty. Judge Wolverton held that in granting the charter of 1906 to the City of Eugene the Legislature had only renewed the provisions of the local option law of 1904, and that the powers of the City Council so to regulate the liquor traffic were annulled by the adoption of the charter of Lane County by adopting county-wide prohibition. The court held that the city had no power to regulate the sale of any kind of malt liquor, and that the conviction of Kuthe for the violation of a city ordinance was an error.

This case had been previously passed upon by the Circuit Court for Lane County and the decision therein rendered was identical with that of the United States Court.

HABEAS CORPUS WRIT DENIED

Conley Must Stay in Jail Until Extradition Is Arranged.

James Conley, wanted in Vancouver, B. C., was yesterday refused a writ of habeas corpus in the United States Court, and he will be compelled to remain in the Multnomah County Jail until Secretary of State Knapp shall issue an order for his extradition. Judge Bean set aside all the technical objections against extradition which were raised by the attorneys for the alleged bunco-steerer.

In company with two associates, Conley is said to have operated a fake pool-room in Vancouver and induced two Swedes from the logging camps to bet on the races which they pretended to handle. After losing the money the loggers found that they had been swindled and caused the arrest of the confederates of Conley, one of whom turned King's evidence. Conley had escaped to the United States and it is said he was assisted by Seattle confidence men among whom he operated during the A-Y-P explosion.

DUPONT WOMAN CAPTURED

Will Be Tried Here for Securing Citizenship Papers by Fraud.

A telegram received by Deputy United States Attorney Evans yesterday afternoon advises that Seattle authorities have succeeded in capturing the woman known as Dupont under arrest. The woman will be brought to Portland to answer a charge of perjury in connection with her application for citizenship papers. She applied for citizenship at Astoria and swore that she had been a resident of the state for one year and as a woman of good character. Her witnesses were Andrew C. Anderson, now serving a term in the County Jail, and his brother, Joseph Anderson. Both men are to be witnesses for the Government against the woman.

Miss Dupont has been in the country too long to be subject to deportation, having resided here three years. She was indicted by the Federal grand jury in November.

NO CHANGE IN WAGE SCALE

Seattle Employing Printers Insist Old Schedule Is Adequate.

Seattle Post-Intelligencer, Dec. 19. Extended conferences between representatives of employing printers of Seattle and other Northwest cities were held here yesterday for the purpose of considering demands of the union. The result was a determination to abide by the old scale of prices, which provided for an eight-hour day and minimum wage scale of \$24 a week, and written notice to this effect was sent to officers of the union at the conclusion of the conference. Information at hand showed that in Eastern states the weekly wage scale for job printers varied from \$17.50 to \$19.50; that on the Coast Los Angeles has a scale of \$21 a week and Portland for several years past has paid \$23.50, as compared with \$24 in Seattle.

The original demand from the Seattle Typographical Union was \$27 a week for a seven-and-one-half-hour day; this was afterwards modified by restoring the eight-hour day as heretofore.

Committees for the union and employing printers have had frequent meetings during the past ten days without reaching an agreement. At one conference the employing printers tendered an offer in writing proposing to increase the scale from \$24 to \$26.50 a week, but this was refused by the union.

Since December 8 the date set by the union in its demand for a new scale, practically every union shop in town has been operating with foreman and an apprentice. Several employing printers have ceased taking orders until the wage dispute is settled.

Speaking of local affairs, a well-known Seattle employing printer said: "Seattle job proprietors simply cannot meet the demands of the union. The old scale, \$24 a day for eight hours work, is all that can be paid under existing conditions. There are approximately 150 job

XMAS and the Other 364 days

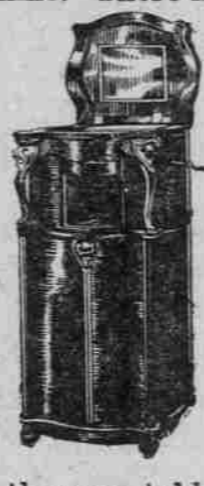
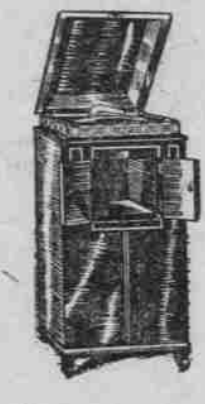
Not only on Xmas morning, but every day in the year and many years to come—will be brighter and merrier with the aid of a Talking Machine. There is more real entertainment—and a greater variety—in a modern Talking Machine than in any other musical instrument. The voices of the world's greatest singers, the most famous bands, orators, monologists, etc., etc., may be heard under your own roof, at a cost so nominal as to be hardly noticeable.

Make your selection at Headquarters, where all the best makes of Talking Machines and Records are shown and tested impartially side by side.

Here will be found the very latest product of the Columbia factory—the Grafonola, with or without the receptable for Records. Prices \$100, \$200 and \$225. Other Columbias from \$10 up.

Also the finest Victor product—the Victrola, with or without the receptable for Records. Prices \$125, \$200 and \$250. Other Victors from \$17.50 up. Also the latest machines from the factory of that wizard, Thomas A. Edison. \$12.50 to \$200.

All are purchasable on terms of as low as \$1.00 a week. Come in and hear your favorite selections. Any machine selected now will be delivered as an Xmas gift if desired.



Store Open Every Evening



Rent a Pianola for the Holidays

353 Washington St., at Park.

A selection of Pianola Rolls would please a Pianola or Pianola Piano owner on Xmas morning.

establishments in Seattle, more than half of which are nonunion and operating at vastly less expense than is possible with union shops. Competition from the East is keen and growing more active. Much work that should be kept in Seattle is given to concerns in St. Louis, Minneapolis, St. Paul, Chicago, Detroit, Hannibal, Kansas City and other points where labor is cheap, and to undertake to make Seattle merchants and business men pay increased printing charges at this time is out of the question. The majority of job offices in Seattle have been operated for years without profit, as the financial reports of Dun and Bradstreet and the court records of this county will prove. It is the wrong time to ask for increase of wages, already much higher than elsewhere."

From authoritative inside sources it is learned there is a growing disposition on the part of employing printers at all points on the Coast to surrender the union label and declare for the open shop in the near future.

Burkett Aids Homesteaders.

OREGONIAN NEWS BUREAU, Washington, Dec. 20.—Senator Burkett today introduced a bill permitting homesteaders on Government irrigation projects to assign at the end of five years, after proving the requisite residence and cultivation,

CITY AGENT OPPOSED

DEVLIN AND BAKER DON'T LIKE MAYOR'S SUGGESTIONS.

Plan to Appoint Purchaser of Supplies Fails to Make Hit With Two Councilmen.

No purchasing agent will be appointed to take charge of the vast amounts expended yearly by the city departments for materials for operation, if the attitude of Chairman Devlin, of the ways and means committee of the City Council, and of Councilman Baker, a committee member, prevails in the Council. They expressed themselves as strongly opposed to the suggestion of Mayor Simon, that some one be provided to oversee this

HUMIDORS.

Every smoker loves his cigars to be in good condition. One of our Humidors will give that satisfaction at little cost. We have them in Oak, Mahogany, Rosewood, Crossian Walnut, all sizes. Just the thing for Christmas. SIG. SICHEL & CO., 92 Third Street. BRANCHES: Third and Washington, and Wells-Fargo Building.

Chamberlain's Cough Remedy is not a common, every-day cough mixture. It is a meritorious remedy for all the troublesome and dangerous complications, resulting from cold in the head, throat, chest or lungs. Sold by all dealers.

CHRISTMAS NOVELTIES.

New and up to date. E. W. Moore, photographer, Elks bldg., 7th and Stark sts.



This Large Oak Rocker \$3.75

Boston Leather Seat Finish: Weathered, Wax or Golden

Just Like the Picture.

No. 1440. Here is an exceptional bargain in 50 Rockers picked up by our Eastern buyer. They have spring seats covered with high-grade Boston leather; made of solid oak, weathered, waxed or golden finish; worth regularly \$7.50. Special this week \$3.75



Music Cabinet ONLY \$10.00

A fine assortment of Music Cabinets, in mahogany, birdseye maple or golden oak, polish finish, all styles and prices. One like the cut, in mahogany, for only \$10



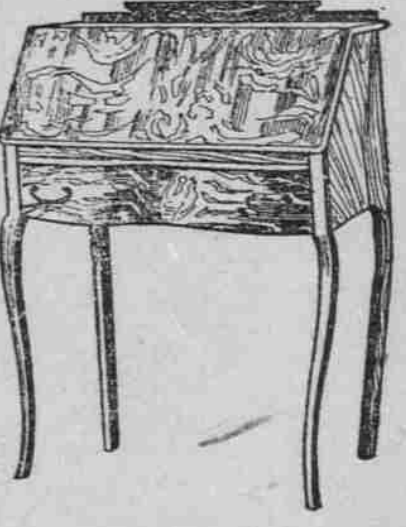
A Gold Watch for Christmas

What could give more pleasure to the recipient than one of our fine gold watches, with the 20-year guarantee, in Waltham or Elgin movement? WATCHES FOR MEN, WOMEN AND CHILDREN of standard makes, reliable movements and guaranteed in every respect. Prices from \$15 up. Make small cash deposit—then PAY \$1.00 A WEEK.

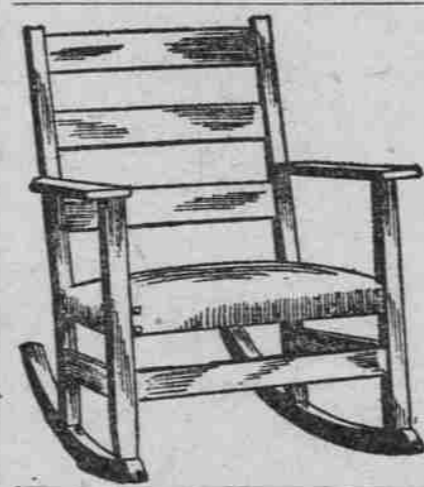
Writing Desks \$12

MAHOGANY QUARTERED OAK BIRDSEYE MAPLE

Beautiful models in the above woods. Suitable gifts for young or old ladies, men or boys. Prices range according to size. A desk like the one shown in the picture, with large drawer and drop leaf writing table, pigeon-holes, etc. \$12



Easy terms of payment—Pay \$1 down, \$1 a week.



Mission Rockers

A carload of Mission Rockers alone was unpacked last week and we are able to show a splendid line purchased especially for the Christmas trade. They make notable holiday gifts, and there is a wide price range—

No. 611. The one shown here is in waxed oak, fumed oak or in the Early English finish; genuine leather seats; worth \$12.00, special sale \$8.25



Diamonds-Jewelry

Sold on easy payments. Make a small cash deposit on any Ring or Diamond in the stock and pay weekly or monthly at your convenience. All transactions strictly confidential.

GEVURTZ & SONS

FIRST AND YAMHILL SECOND AND YAMHILL

great work and save discounts and in general get better results for the municipality, when the meeting was held yesterday afternoon. "I will never vote to have a purchasing agent," said Chairman Devlin, when the matter was being discussed. "There is too much opportunity for graft, and the experience of other cities in this respect is not such as to lead me to support a movement for such an agent in Portland."

propositions. The committee voted to postpone action and to ask Mr. Clemmons to appear before the next session and tell what he proposes to do.

LADIES' SUIT SALE. Just 28 sample suits, handsomely tailored, secured for 50 cents on the \$1; also, children's sample coats and ladies' fancy waists will be on sale today, second floor of McAllen-McDonnell, corner Third and Morrison. Closing out toys and dolls. Puntas Arenas, Dec. 15.—Sailed—Ab Susan, from Seattle, via Valparaiso, for Hamburg.

BORDEN'S PIONEER BRAND

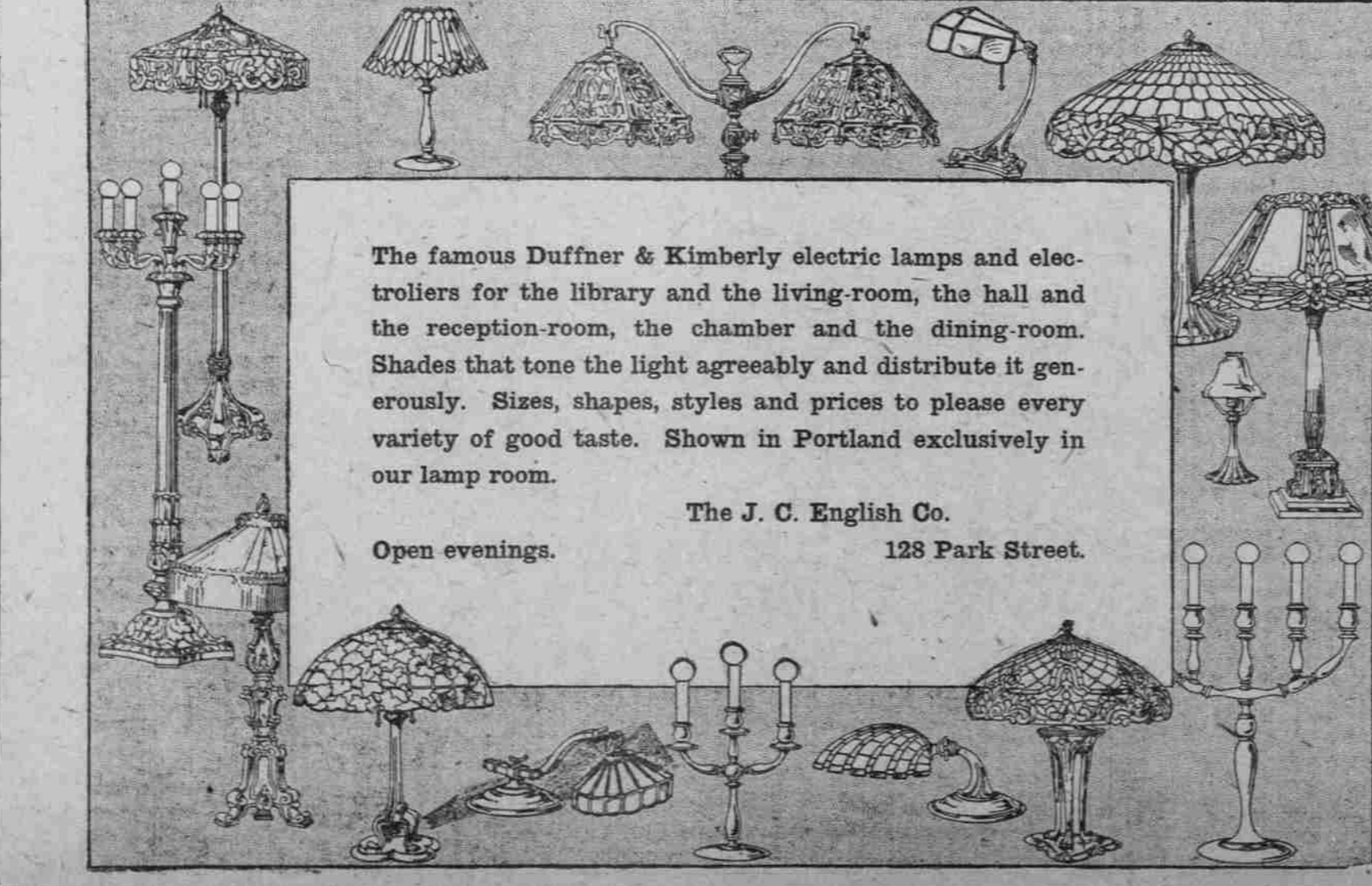
EVAPORATED MILK

BEST FOR ALL HOUSEHOLD PURPOSES

PURITY GUARANTEED



See that the Label bears the name of BORDEN'S CONDENSED MILK CO. "Leaders of Quality"



The famous Duffner & Kimberly electric lamps and electric chandeliers for the library and the living-room, the hall and the reception-room, the chamber and the dining-room. Shades that tone the light agreeably and distribute it generously. Sizes, shapes, styles and prices to please every variety of good taste. Shown in Portland exclusively in our lamp room.

The J. C. English Co. 128 Park Street.

Open evenings.