

SUNDAY CLOSING LAW IS UPHELD

Judge Cleland Decides Test Case Against Portland Liquor Dealers.

STATE STATUTE GOVERNS

City Charter Is Subordinate—District Attorney Will Clamp Lid Down Tighter—Clubs Must Not Sell Any Liquor Today.

District Attorney Manning's interpretation of the state Sunday closing law was upheld yesterday by Presiding Judge Cleland of the Circuit Court. C. S. Stephens, in whose case a test of the law was made...

How License Law Reads.

The state license law from 1891 to 1903 contains this clause: "Provided that the provisions of this act shall not apply to any city or town within this state now incorporated..."

Will Watch Druggists, Too.

The police will watch the saloons, clubs and drugstores tomorrow, and when they find a man selling or giving away liquor over a bar or selling it over a drugstore counter, arrests will follow.

Text of the Decision.

"Defendant (Stephens) is charged with the crime of selling intoxicating liquors on Sunday in the City of Portland, a dealer in such liquors, which is drawn under section 1974, Code, raises the question to be decided. It is claimed the present charter of the City of Portland, which is a part of the government of the sale of liquor that the state laws relating thereto are repealed, or suspended, in their operation within the city of Portland, in violation of the charter of the city."

Power Can Be Delegated.

"The granting of such licenses may be regulated by general law, or it is competent for the Legislature to delegate to a municipal corporation the exclusive power to grant licenses for the sale of intoxicating liquors within their limits. But such licenses, when issued under the general law, or by the municipal corporation, are subject to the control of the Legislature, which may by appropriate legislation modify, revoke or continue them, as it may deem proper."

Life-Net Fender Now on Exhibition.

A car-fender has been invented by M. L. Keizer, which he believes has solved the problem. He has attached it to a car in the Washington-street barn, where it is on exhibition. This is known as the "life-net fender" because of the rope net which is said by the inventor to "bunt" a body without injury, "gradually checking the force of the blow and preventing cutting, bruising and disfiguring, as well as broken bones."

nomah County shall apply to the sale or disposition of the same in the City of Portland.

Not a New Provision.

"This is not a new provision. The last charter (1883), after providing that no license should be granted by the City of Portland for a less sum than that fixed by the general laws of the state, concludes the subdivision in these words: 'Nor shall any provision of the law concerning the sale or disposition of any spirituous, vinous or malt liquors in Multnomah County apply to the sale or disposition of the same in the City of Portland.'"

Precedent Is Adhered To.

"The court adopts the construction that has obtained for almost a score of years and rejects the one suggested. Further, these statutes are criminal laws. The Supreme Court of Oregon in Baxter vs. State, 88, Pacific 674, uses the language: 'Section 1223, B. & C. Comp. defines a crime and it includes both felonies and misdemeanors and any offense either felony or misdemeanor defined and made punishable by general statute is one to which the municipal charters are subject.'"

MILWAUKIE FEARS RIOTING

Closing of Portland Saloons Sends Rough Element to Open Town.

The people of Milwaukie have been looking forward today with apprehension and what may bring because of the closing of Portland's saloons on Sunday. Last Sunday gave them a forecast of what they may expect today and henceforth. When the supply of beer was exhausted a large crowd of rough elements from Portland began to start for home, and then only when ordered out of town by the Marshal and Deputy. The bartenders at the two saloons could not hand out the beer fast enough after the saloons doors were opened at noon.

MONEY VALUE OF ROSES

Proposition That Perfume Be Made From Oregon's Flowers.

PORTLAND, June 22.—(To the Editor.)—The unspeakable pleasure I enjoyed by witnessing the Rose Show display made me reflect: How shall we part with these beauties? The rose of roses displayed in a few hours will be thrown away as rubbish. But it seems to me that in this utilitarian age, we ought to be able to save the perfume of roses. We also live in a practical age, and whenever intelligent people take notice, they quickly convert nature's products to the use of man, which then takes on a commercial value. What is waste today is value tomorrow.

REPAIRS TO POSTOFFICE

Plans Come From Washington and Bids Will Be Called.

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tion 7, in terms repeals the state laws mentioned including Section 1974. Such a provision could not be maintained, because none of the laws are mentioned or described. Counsel does urge that they are repealed by implication.

"It is a rule of construction that statutes not expressly repealing others are, if possible to be so construed as to suffer both to stand. The construction already given permits both statutes to be in force and each to accomplish as important part in the scheme of government. No necessary connection exists between a statute creating a city government and the repeal of the Sunday law or the law forbidding the sale of liquor to minors."

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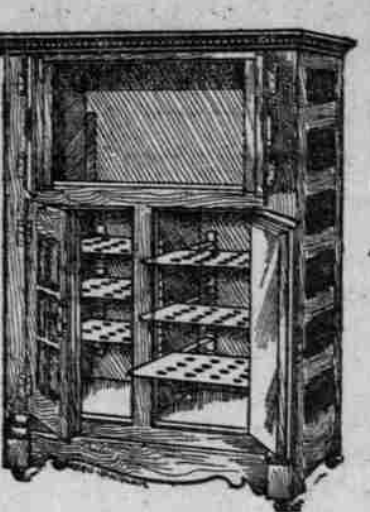
EXTENSION WINDOW SCREENS—LAWN MOWERS—GARDEN HOSE



"LINEN FIBRE" SUMMER FURNITURE

The restful pieces in the "Linen Fibre" will appeal to those who desire outdoor furniture that is both artistic and durable. Being made from hemp fiber, twisted into cords or braided into strands, it is very strong and pliable, and takes a most beautiful finish in the following shades: "forest green," "dark oak," "Flemish," "natural" and combination colors. For comfort the "linen fiber" furniture is unsurpassed, and our showing of this includes settees, arm chairs, rockers, lounging chairs, tables, etc. The designs of the various pieces are entirely apart from the severe and plain designs of the ordinary porch and lawn furniture, and the novel finishes suggest a pleasing and harmonious effect for outdoor furnishing.

DR. PERKINS SANITARY REFRIGERATORS



The Dr. Perkins principle of food preservation is a departure from the old and unsanitary methods so common in the ordinary refrigerators. The system of the Dr. Perkins sanitary refrigerator is a positive and continuous circulation, which is at all times forcing pure, fresh air into and expelling impure air from the refrigerator. The unquestionable economy of the "Sanitary" should be given due consideration by those who contemplate buying a satisfactory refrigerator. We show these in a number of sizes. Terms \$1.00 down, \$1.00 a week.



SPECIAL SALE WOOL BLANKETS

For tomorrow and Tuesday our Bedding Department will place on sale the entire stock of two patterns in six-pound fleece all-wool blankets, full size, just the color and weight for the beach or Summer camp.

BASEM'T SPECIALS

Regular \$7.50 values in plain gray Blankets, special, per pair \$3.90. For tomorrow only our Basement Department offers the following items for economical buying. Nickel-plated teakettles. Special 50¢. Mrs. Potts' Sad Irons, three in set, special, per set \$1.95.

WALL PAPERS IN NOVEL AND ARTISTIC DESIGNS--DECORATIVE DEPT.

TULL & GIBBS COMPLETE HOUSE FURNISHERS. Includes text about 'NEW PROCESS GAS RANGES' and 'BASEMENT DEPT.' with a small illustration of a range.

MAGIC IS OUTDONE

Telegraphone Puts Witchcraft Out of the Running.

WORK OF DANISH EDISON

First of Marvelous New Inventions Brought to Portland—Combination of Telephone and Phonograph Works Wonders.

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THE PURE FOOD PROBLEM

A PRACTICAL LETTER FROM DR. E. B. PICKEL.

President of the State Board of Health Suggests Source of Reform.

To the Public: Even as all great reforms have sprung from the will of the people, so must the reform regarding pure foods; legislation can do little, not backed up by interest and co-operation of the masses.

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