FAIR BIG SUCCESS

Medford Moves to Make Event an Annual Occurrence.

WILL RAISE $25,000 FUND

Business Men Declare Sales of Past Week Have Been Largest in the City's History—Five Thousand People Witness Races.

MEDFORD, Or., Oct. 3.—(Special.)—This was the third and the last day of the Southern Oregon District Agricultural Fair, and from morning until late tonight the city was crowded with visitors. All appeared to enjoy themselves to the utmost. At the races this afternoon fully 50000 people were in attendance.

The fair here, which was the first time it has been held in this city, was a pronounced success. The visitors and the exhibitors are more than pleased with the treatment they have received. The merchants report that they have had the largest week's business they have ever known.

A movement is now on foot to organize a fair association and to purchase land for permanent grounds and to erect buildings so that an annual fair can be held here. It is expected that $25,000 can be raised for that purpose.

The following were the results of today's races:

Free-for-all trotting and pacing, half-mile heats—David Harum (Ed Purdy) first, Tinderette (William Lawton) second; time, 1:15 1-2.

Half-mile dash—Decatur H. won, Pansy second; time, :51.

Relay race, five miles, with nine changes of horses—G. R. Moore won, W. Tull second; time, 12:54.

SUNDAY LID IS LIFTED

(Continued from First Page.)

law, section 1968, is attacked as unconstitutional because of showing discrimination among tradespeople and amusement people of the same class. It is branded as obsolete because of applying to conditions that existed 50 years ago. Enforcement of the law is declaimed against as a denial of equal protection and a confiscation of property without due process of law. And finally the contention is made that the business of the various parties affected are conducted, not against, but in accordance with the purposes of the law—namely, Sunday recreation.

All these points are elaborated upon in great detail. Much is made of the last point, the idea being put forward that the day is one of recreation, since the law recognizes no religion, and that in ministering to the lawful and normal wants of the public the caterers are acting in furtherance of the very law itself.

Violation Is Not Crime.

No arguments on the question were heard yesterday. Judge Gantenbein read the complaint and issued the order on the basis that violation of the Sunday law in this case is not a crime in itself but merely a law of order or a police regulation in its nature.

The plaintiffs named in the complaint are M. A. Gunst, the Hart Cigar Company, Sig. Sichel & Co., C. E. Ernst and Mrs. R. A. Van Garden. The injunction, in applying to these people, reaches all others similarly affected. The law provides that where there are a multiplicity of plaintiffs all asserting a common right, names of all need not be included, but may be indicated as similarly affected by the issues of the case. Hence, all those retailers who have joined the anti-Sunday closing organization are affected by the injunction. The list includes cigar dealers, shopkeepers, a few bootblacks, poolroom and billiard hall keepers, several real estate agents, druggists who deal in incidentals, fruit stand owners, confectioners and bathhouse keepers.

In order to take no chances of having the law enforced by some person not affected by injunction, Messrs Logan and Bristol overlooked none in the official line. Not only were Cameron and the Chief of Police restrained, but all Cameron's deputies, all the captains and sergeants of police, Municipal Judge Van Zante and Sheriff Stevens.

Saloons Are Not Affected.

Saloonkeepers, of course, are given no opening by the injunction. The law as regards saloons is under a separate section, and it is unmistakable clear and concise. The police will exercise their usual vigilance over the saloons of the city today.

Much depends on the outcome of the hearing tomorrow afternoon. If the retailers fail to secure a permanent injunction, it is possible that District Attorney Cameron will proceed to have warrants issued against those who have kept open. He said last night he might follow that course, although he wasn't sure. Should the retailers fail in establishing that the law is unconstitutional they will be in a predicament, indeed, should Cameron see fit to have the law enforced. The only remedy would lay with the coming Legislature, which could be asked to repeal the law.

Essential allegations of the retailers' complaint follow:

Points Made by Retailers.

That the businesses, trades, avocations and pursuits of these plaintiffs and all others similarly situated are lawful in purpose and not for any purpose of labor but for lawful traffic in those classes of commodities only which make for, contribute and conduce to the recreation, solace and nourishment of the individual citizen.

That there are various hotels and public caravansaries in the City of Portland holding therein and having situate therein, automatic cigar stands and other accessories dealing in confections of like kind and character as dealt in by plaintiffs herein, which are in nowise prevented, interfered with or restrained from prosecuting their pursuits as hotels and public caravansaries with such accessories on the first day of the week, commonly called Sunday, notwithstanding the alleged enforcement of the law claimed by the defendants to be had, and there are other and various classes of business of like kind and nature which are and have been allowed to remain open and to conduct notwithstanding what is claimed to be the law by the defendants, all under and pursuant to that certain act hereinafter mentioned.

XIV.

That for a long time since the organization of the State of Oregon there were various and sundry laws upon the statute books expressing the legislative purpose in respect of general cessation from work, labor and trade on the first day of the week commonly called Sunday; but these laws have from time to time, by the consideration of the Legislature, suffered changes and modifications and afterward, to wit, and as late as February 24, 1903, the Legislature of the State of Oregon, together with the people of said state, made and that the people of said state and the Legislature of said state in making said law, and the said defendants in enforcing said law, abridge the privileges and immunities of these plaintiffs, citizens of the United States, and deprived these plaintiffs and others similarly situated of liberty and their property without due process of law, and said state and the people of said state and the defendants deny to these plaintiffs and others similarly situated with them the equal protection of the laws, for that it is provided in the 20th section of the Bill of Rights of the Constitution of Oregon that no laws shall be passed granting to any citizen or class of citizens privileges or immunities which upon the same terms shall not equally belong to all citizens.

That all persons in this community do not observe and keep, by common custom or unanimous consent a Sunday of strict puritanical observance, nor do they observe or keep by like common or any consent the same day of the week for rest and recreation.

Result of Popular Clamor.

That the first day of the week, commonly called Sunday, is a day of rest and recreation and on that day large numbers of persons, before prevented by their daily occupations and pursuits from frequenting or patronizing the businesses, trades and avocations of these plaintiffs, do so on that day; that actuated by the tyranny of public opinion and popular clamor in diverse quarters, aroused by persons disposed to moral crusades and reforms, without consideration of the peace and order of the community or of good results to society or of damage or of loss to these plaintiffs, defendants have threatened notice and given out that they will arrest, and, in default of bail, incarcerate in jail, as they have before done with others, plaintiffs and all others similarly situated unless their places of business are closed on Sunday and unless plaintiffs and all others similarly situated discontinue and cease their business, trades, pursuits and avocations upon said day, while at the same time and on said day permitting, aiding and allowing other businesses and avocations not works of necessity or mercy to continue open and to run; that this city is variously populated and comprises maybe not less than 275,000 people of cosmopolitan grade, of whom more than one-half are occupied during six days of the week in avocations, trades and pursuits ceasing on Sunday and from whom for the most part plaintiffs and all others similarly situated derive the greater portion of their business on Sunday to the extent of not less than three times as much business as upon any other day in the week; and to said city there also come large numbers of strangers, transients, travelers and sojourners to spend their time and remain amongst us for rest and recreation on said first day of the week in said city, and for whom and with whom on Sundays a large amount of patronage accrues to and business is done by plaintiffs.

That the threatened and enforced abstention from the trades and avocations of plaintiffs is not for nor does it contribute to the moral or physical well-being of this community for the trades, callings, businesses and avocations of these plaintiffs are in this day and time contributary and necessary to the moral and physical well-being of the community and are agencies through which the same are brought about.

Police Will Obey Order.

On being served with a certified copy of Judge Gantenbein's restraining order last night, Chief of Police Gritzmacher issued the following order to his captains:

Captains of Police: Attached hereto find restraining order issued by the court this afternoon which prohibits this department from enforcing section 1968 of the Laws of Oregon. You will therefore instruct all police officers of the several reliefs on detective details not to arrest any one keeping open in violation of that law on this Sunday. All orders to the contrary and in conflict herewith are hereby rescinded. This order in no way interferes with the operation of section 1794, relating to the closing of the saloons, which will remain in full force and effect. (Signed) C. GRITZMACHER, Chief.

FROM YELLOW SOURCE

Story of Merry del Val's Retirement Pronounced False.

ST. PAUL, Oct. 3.—Asked today what credence is given to the story taken from the Italian paper, The Avanti, and now widely circulated through the press of America, to the effect that Cardinal Merry del Val is soon to resign from the papal secretaryship of state, forced to that step in large measure by representations coming to the Pope from English and American prelates, among whom he himself is numbered by name, Archbishop Ireland said today in part:

"The story is a fabrication, made out of whole cloth. The Avanti is the chief representative of the 'yellow press' of Italy."

RE-ELECTED PRESIDENT OF STUDENT BODY AT ALBANY COLLEGE.

William H. Steele.

ALBANY, Or., Oct. 3.—(Special.)—To William H. Steele has been accorded the unusual honor of re-election as president of the student body at Albany College. Though two terms is unusual in that organization, Steele headed the student body so successfully last year that he was re-elected for this year in an election held last week. Steele is in his senior year at Albany College and has attended school here four years, spending one year in the academy and three in the college. He has been prominent in debating and led the college intercollegiate debating team last year. He is registered from Jefferson.

Reception to Dr. Ford.

Dr. T. B. Ford, pastor of the Sunnyside Methodist Church, who, at the recent conference, was transferred to Pendleton, Or., is to be given a farewell reception at the Sunnyside Church Monday night. Dr. Ford distinguished himself by building up one of the most stable parishes in the city of Portland during the time he has been associated with the Suppyside Church, and the many friends among his parishioners intend to show their appreciation of his work.

In 1905 the sum of $27,908,000 was expended by employers in Germany for the direct aid of their employes. More than two-thirds of this was given as voluntary contributions by private firms and individuals.

RULE THROUGH HIM

Sherman Tells How Bryan Would Have People Rule.

CROSSES TWO STATES

Breaks Record of Present Campaign for Long-Distance Stump-Speaking—Day of Real Old-fashioned Campaigning.

EVANSVILLE, Ind., Oct. 3.—Long-distance records for stump speaking during the present campaign were shattered today by James S. Sherman, the Republican Vice-Presidential candidate, and Congressman Nicholas Longworth, who traveled through two states delivering speeches. The party journeyed almost from the Mississippi River, across the northern part of the state, thence south from Chicago to Egypt, the so-called Democratic stronghold, winding up a day of real old-fashioned campaigning here in the Hoosier State tonight.

In his address here tonight Mr. Sherman replied to Mr. Bryan's question, "Shall the People Rule?" Speaking in part as follows:

"Shall the people rule" is declared by the Democratic platform and candidate to be "the overshadowing issue of the campaign." Seemingly it has displaced issues declared to be paramount. Why are those other issues of recent years omitted from Mr. Bryan's present platform? Why has he forgotten? Why seemingly so anxious that the people should forget his silver issue, his assault upon the courts, his issue of imperialism? Are any of these issues embodied in our statutes? If not, why are they not found in his present platform? If both honest and wise a decade ago, why are they now relegated to the political scrapheap? In reference to all these issues Mr. Bryan is sphynx-like and he startles an attentive people with this new query, "Shall the people rule?"

In his own personal experience Mr. Bryan furnished proof that the people do rule. His candidacy now is a protest against the popular verdict twice officially recorded. He is arraying his soaring ambition against the repeated decisions of the millions of electors.

Three Times and Out.

In 1904 a sort of truce was entered into and Bryan retired for the nonce as his party's candidate. The approaching cyclone drove the Nebraskan into the cellar of temporary retirement and Judge Parker led the forlorn hope of that year. Mr. Bryan invokes the old rule of three times and out. This and his own wishes control. His protest and appeal are heard above every other sound. He is his own advocate, his own witness, crowds himself upon the bench as his own judge, and then inquires, "Shall the people rule?"

The answer already given will be repeated in November and once again, in my judgment, Mr. Bryan will know that the people do rule. The people know their own minds and know how to make their wishes effective.

Against all these adverse decisions Mr. Bryan enters his protest and for the third time appeals to the people to nullify their deliberate judgment. He insists that the people do not rule unless they rule through him. He practices all the art of the trained promoter. He will sell his wares and will not take no for an answer. He keeps his own supply of lime-light and wraps it about him as a garment. No "get-rich-quick" scheme was ever pushed with more industry than he devotes to his canvass. In pulpit, on platform and stage, at fairs and picnics, he parades himself. All themes are alike to him, for the sum of each and all is the gentleman from Nebraska. His grand conclusion from every promise, from every argument, is that he must be master, else the people do not rule. Like the French King who said, "I am the state," he insists that his title shall be absolute. He will not admit that the people rule unless his candidacy is approved.

Raises Cry of Corruption.

Mr. Sherman recalled that Mr. Kern had been twice defeated for Governor of Indiana and continued:

In this manner, at least, he is fitted for the association with the expert in partisan disaster. He has had the same privilege to protest and appeal and the duet from these skilled artists, "shall the people rule?" will be their approximate requiem.

The pretext of this protest is that the ballot-box does not pronounce the true judgment of the electors, but that votes are bought and the result is tainted by corruption. A prosecutor must come into court with clean hands. The Denver convention had hardly adjourned before its candidate begged the partisan newspapers to call on everybody for money. Never before did a nominee for President hold out his platter so piteously for gifts. The chairman of his National committee boasts that there will be no lack of funds for the campaign. Mr. Bryan claims to have such information about political corruption funds. This is certain, that no other man in this country has been so long and so zealously engaged in the mysteries of partisan machinery as he. Without wishing to cast imputations upon Mr. Bryan I leave it to his conscience to determine in what manner the funds, large or small, for which he and his managers are so earnestly soliciting, shall be expended.

Fraud Fought by Republicans.

I am ready to speak for nearly 8,000,000 people who will cast their ballots for Mr. Taft. I am ready to assert that they are as pure and upright citizens as the Republicans boast. They are actuated by worthy motives and devoted to the welfare of the community and mankind. They love their country and rejoice in its institutions. They respect their honest neighbors and have faith in the purity of our elections. The cases of fraud and violence at the polls, the vicious practices in the count or fraud in the returns have been reduced to a minimum by Republican legislation and Republican enforcement of the laws. The exceptions are in a large degree where Mr. Bryan's party directs affairs. Imputation that any great number of our electors are venal or that money can determine the result in state or Nation against the popular sentiment is not well founded and any such assertion must be born of hopes thwarted and ambitions crushed.

The people rule in their own way, unbought, unterrified, above the deceits of demagogues.

A tradition prevails among lawyers that defeated suitors may always be permitted to "cuss" the court and jury who decide against them. Much is to be pardoned in Mr. Bryan for his rejection by the National convention of 1904 and for the popular condemnation of 1896 and 1900. The sight of political sores exposed is neither edifying, refreshing nor pleasing. To expose them shows how severe was the punishment endured.

The fourth chapter in the book is now under the pen of the ready writer. Who can doubt that the people will rule and confirm anew their decisions that they will not let Bryan occupy the chair graced by Washington and Lincoln? They will choose Taft as the ideal successor of McKinley and Roosevelt.

HARBOR SURE OF NEW ROAD

Milwaukee Surveyors Have Been About Aberdeen for Months.

ABERDEEN, Wash., Oct. 3.—(Special.)—The Chicago, Milwaukee & St. Paul Road is certain to come to Grays Harbor. There appears to be no dispute about this in railway circles. For months the company has had surveyors in the country north of Grays Harbor, and the preliminary survey of a route over which the road will be built has been finished.

This morning there started from Aberdeen and Hoquiam a number of surveyors and engineers, whose business it will be to go as far as the Hoh River, and perhaps beyond, to make surveys of timber tracts and the geological conditions of the lands. The purpose of this is to determine the value of the sections through which it is proposed to construct the Peninsula branch of the St. Paul.

Krupp Works Have Many Employes.

ESSEN, Oct. 3.—(Special.)—The annual report of the Krupp Works, Essen, states that the firm now employs 70,000 persons, and is truly the world's greatest employer of labor. The total is made up of 64,000 workmen and 6000 engineers, including the members of the designing and commercial staff. The Krupp Works devote $2,000,000 yearly to premiums for old age, disability and sickness insurance for the employes.

New York Style Show

Third Week of the Display of

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Made in New York by

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Come here to see real, not imitation, New York styles

Knox Hats

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SAYS GATUN DAM WILL FAIL

CENTRAL AMERICAN PREDICTS DISASTER TO CANAL.

Says Sun Will Disintegrate Dam and Flood Isthmus—Sea-level Canal Only Thing.

LOS ANGELES, Cal., Oct. 3.—(Special.)—That the Panama Canal project as now prosecuted must eventually be abandoned and that the great ditch will cost $700,000,000 instead of $350,000,000, and will probably not be completed for 20 years, is the assertion made tonight by J. Gabriel Duque, Central American multimillionaire and owner of three newspapers, including the largest in the canal zone.

Mr. Duque is visiting his brother in this city. He has been in Panama 32 years and bases his discouraging statement on expert knowledge of the natural conditions there. He declares the disintegrating action of the fierce sun will break the Gatun dam, release the impounded lake intended to form part of the ocean-to-ocean waterway, and force the Government to build practically a new canal in parts, on the sea level idea originally recommended by noted engineers of all countries. Mr. Duque is a warm friend of the canal.

CLACKAMAS FAIR CLOSES

Athletic Events Cause Great Interest on Last Day.

CANBY, Or., Oct. 3.—(Special.)—Clackamas County's second annual fair closed tonight after a successful three days' session. Public exercises were held in the big pavilion and Dr. James Withycombe, director of the experiment station of the Oregon Agricultural College, was the main speaker.

The attendance today was more than 2000, making a total of fully 5000 people on the grounds during the fair. Much interest centered in the scholastic relay race this afternoon. The Barclay High School team of Oregon City won, Canby was second and the Eastham School team from Oregon City was third. Five miles were covered by each team, and the ten boys from each school did their best to capture the main prize. In the half-mile running race Harry Hargreaves won the Burmeister & Andersen silver cup, and Millard Gillett was second, winning the C. G. Miller gun. Both boys are from Oregon City. In the free-for-all half-mile race Ralph Cox, of Canby, was first, winning the Price Bros. hat.

Canby took another game on the baseball field this afternoon from the Spantons, of Portland, with a score of 13 to 0. Anderson was in the box for Portland and was hard hit.

The Aurora band furnished music on the grounds and in the pavilion today. The success of the first fair to be held on the new permanent grounds near Canby is a fine indicator for years to come.

Crushed to Death in Logging Camp.

ABERDEEN, Wash., Oct. 3.—(Special.)—Fred Rudstrom, single, aged 24, died at Elma this morning from injuries received yesterday afternoon in Mack's logging camp. Rudstrom was struck by a log, which hit a stump and was hurled against his body. He was terribly crushed, but lingered in agony until death brought relief.

Long Neck Sign of Beauty.

London Globe.

Eastern standards of beauty differ, like the customs, from those of the West. In Malacca, we are told, the small waist and velvet eyes do not count, but instead the length of the neck is the criterion of beauty. The longer it is the more perfect the beauty. The girl of Malacca at a very early age is fitted with a metal collar which compels her to keep her head erect and as she grows the collar is increased in size, and so the neck is gradually elongated.

Chicago Clothing Co.

Store Closed All Day Monday

Men's Suits
Men's Overcoats
Men's Raincoats

$9.35

Is our price for Men's Suits, Overcoats and Raincoats, that we absolutely guarantee cannot be purchased elsewhere for less than $15.00. We give our patrons more in return for the prices asked than any clothing store in the City of Portland, in every sense of the word. We claim superiority in value-giving.

Youths', Boys' and Children's Clothing at Prices Decidedly to Your Advantage

CHICAGO CLOTHING CO.

The store that rights the wrong, which means Your Money Back If You Want It.

SOL GARDE, PROPRIETOR

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The Roof that "proves," sun-proof and rain-proof; needs no paint or repairs. Following are a few "Wont's" about Rubber Sanded Roofing:

Won't chip. Won't warp.
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Won't need any paint to preserve it.
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Won't cost as much, in the long run, as other roofing.

What Rubber Sanded WILL do is told of in our booklet "ROOF TALK," which will be sent free upon request, together with samples of the Roofing itself.

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and those afflicted with heart weakness can have their teeth extracted and filled without any pain or bad results.

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