

CRAWFORD SEES DEFECT IN COURT

Justices Slater and King No Legal Status as Supreme Court Members.

LEGISLATIVE ACT IS VOID

Attorney-General Argues That Legislature Exceeded Constitutional Rights in Increasing Number of Judges From 3 to 5.

SALEM, Or., Oct. 16.—(Special.)—In a motion for a mandate to affirm the judgment of the Circuit Court for Multnomah County in the case of State vs. Sam Cochran, Attorney-General Crawford this afternoon attacks the appointment of Justices Will R. King and W. T. Slater as unconstitutional and void, for the reason, as alleged, that the Legislature had no power to add two more judges, and the Governor no authority to appoint.

Only Advisers, Crawford Says.

First, that Justices Eakin and Moore have a majority of the Supreme Court. Second, that Justice T. A. McBride is a minority of the Supreme Court. Third, that Will R. King and W. T. Slater, who have for some time been acting as Justices of the Supreme Court, are only advisers and are not lawful members of said court, and are not entitled to vote on any question coming before the court for decision, nor to sign any opinion as members of the Supreme Court.

What Constitution Says.

The argument continues: "In construing provisions of a constitution, it is a universal rule that where the language is plain and unambiguous, it must be taken in its general sense, that is, in the way in which the people at large understand, or understood it, at the time of the adoption of the constitution." "I think it impossible for any court to hold that the people at large understand, when they adopted the section of the constitution referred to, understood it to mean three or more Justices. The doctrine that where a statute enumerates the persons or things to be affected by its provisions, there is an implied exclusion of others, is applicable to the question under discussion.

Muddle Should Be Cleared.

After quoting many authorities the argument continues: "We respectfully submit that the great importance of the question at issue demands its decision. There should be no doubt in the minds of the members of the bar, or of the people, as to whether our courts are legally established. No one should be allowed to establish three Justices of the Supreme Court have the right to affirm a judgment of the trial court to condemn a man to suffer the death penalty, or by their decision to deprive a people of their rights and property. As long as any doubt exists as to the legality of a court, the confidence of the people in the court and its decisions is lessened, and to that extent the powers of government are weakened."

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Supreme Court Upholds New License Regulations.

TAPS SOUNDS FOR FAIR

of what the dividend will be, but admit that it will be a small one. "Our stock subscriptions," said President Chibberg today, "were made without any expectation of a return. The money was contributed as an advertisement for the city and the Northwest and we believe that a full return for the money invested has already been given and that the stockholders feel the same way."

Eastern States that the railroads were unable to handle them comfortably. The Exposition was financed by the people of Seattle. An appropriation by the state, derived from the sale of state lands in this city, was expended for the permanent buildings, which revert to the State University, on whose land the Exposition was held. The grounds were parked at a cost of \$200,000, the walks and other improvements being permanent. More than 25 buildings and all the fountains, trees and shrubbery will be retained by the university and the buildings not destroyed will be removed and the surface planted in grass. The grounds will be maintained permanently in such their present condition, probably at the joint expense of the city and state.

It is said to have been the most brilliantly lighted fair ever held and the most beautiful in its setting, with two lakes, lapping its boundaries and mountains rising on two sides. No liquor was permitted to enter the grounds or within two miles.

Distinguished Men Are Visitors.

The Exposition was opened at noon June 1, with exercises in which American and Japanese flags, President Taft and his family participated, and during its course the fair has entertained the President of the United States and a large number of the distinguished people of the world. The late Governor Johnson, of Minnesota, delivered his last address here and Governor Hughes, of New York, made two speeches that added greatly to the interest of the fair.

Argument Advanced That Any Rural May Take Northern Pacific After Feeder of North Bank Make Territory Hill Preserve.

SEATTLE, Wash., Oct. 16.—(Staff Correspondence.)—Having attempted to connect up the North Coast Railway with almost every Western line of importance except the Great Northern and having met with more or less indifferent success, the railroad promoters of the Northwest are now theorizing on the possibility of James J. Hill being engaged in a railroad coup of great magnitude. The theory in brief is that Hill acquired control of the Northern Pacific in order to keep it out of rival hands until he could entrench himself thoroughly in the state of Washington. It is that this entrenchment is being accomplished through the construction of the North Coast and North Bank railways and of the stripping of the Northern Pacific of its territory, and that when the time is ripe Hill will sell out his holdings in the Northern Pacific without caring into whose hands they fall.

Mission Amply Fulfilled.

Beginning Sunday there will be a post-exposition period of perhaps six weeks, when visitors will be admitted at reduced rates, but during that period workmen will be removing exhibits, many of the buildings will be dismantled, the raucous voice of the Pay Streak speller will be stilled, work of demolition will be under way, and the evening illumination will not be provided.

Proceeds Slowly, but Surely.

What has occasioned the greatest amount of puzzling is the manner of holding the \$50 million in bonds. Although in the field with construction forces as early as, if not earlier than, the Chicago, Milwaukee & St. Paul, Strahorn has progressed slowly, building a patch of road here and there, fighting for and winning rights of way across other railroads, contesting for passes, buying up terminals, all apparently with the object of capital to carry out the ultimate plans.

SIX NATIONS SEND SHIPS

INTERNATIONAL ARMADA WILL ATTEND PORTOLA.

English, German, Dutch, Italian, Japanese and American Naval Men Meet in California.

Battle in Courts Hard One.

The question is asked, Why such slow construction if the Union Pacific, Northwestern or Canadian Pacific behind Mr. Strahorn? Why the secrecy? An answer has been offered to the latter question in the statement that possibly it was thought that rights of way, terminals, etc., could be acquired more readily if it were not known that a transcontinental road were building. If that is the correct answer the purpose of the secrecy has not been every move. It is always in the courts the fighting for rights through Washington, and for the Pacific conflict with rights of way of other roads.

Great Northern Extends Northward.

The North Coast entered the field soon after Hill became a power in the Northern Pacific. Its lines are projected into O. R. N. and Northern Pacific territory, but not into the Great Northern field. During the four years it has been constructing its patches of railroad the Great Northern has been extending feeders throughout Northern Washington and into British Columbia, but not southward.

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BOATER GAS HILL PROJECT, MADE

Latest Guess Ties Up Strahorn Secret Work With Great Northern Owner.

MOVE TO GOBBLE TRAFFIC

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Attendance Nearly 3,750,000.

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Boated and Sour Stomach

Need No Longer Be Endured by Sufferers from Dyspepsia.

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Specialty Shop

FOR Men and Women

Most any gentleman or lady would rather go to an exclusive shop for a suit or coat than to a store that tries to handle everything and is consequently unable to give particular attention to any line. Our business is to sell stylish clothes as good as money will buy. Our Chesterfield Clothes for Men are as fine as artistic designer and skilled tailors can produce. Priced \$20 to \$65

Gray's Ladies' Tailored Clothes cannot be made in better style or more perfect fitting. We solicit an opportunity of showing you late styles.

R. M. Gray

Ladies' Entrance 148 Fourth 273-275 Morrison Street

SOLDIERS WILL STUDY MILITARY TRAINING TO BE GIVEN IN BARRACK SCHOOLS.

Theoretical Features of Warfare Will Be Taken Up by Privates and Officers of Army.

YANCOUVER, Wash., Oct. 16.—(Special.)—Schools for special military training will be conducted at the Vancouver Barracks during the Winter months, when attention will be devoted to the theoretical rather than the practical side of military tactics.

TACOMAN IN THAW CASE

Prisoner's Mother Employs George, Man of Matrimonial Tangle.

WOODLAND SALES SHOW INCREASE.

WOODLAND, Wash., Oct. 15.—(Special.)—Woodland and the whole Lewis River Valley are showing a great activity in the exchange of farm and town property, and the great value of these lands for fruit, dairying and general farming is beginning to attract attention by people who want a home at a reasonable price within an hour of Portland by the Northern Pacific, with these trains each way daily, and also water transportation by the Lewis River with daily steamer. The new \$15,000 high school building will

Stolen Gems Land Him in Jail.

KALAMA, Wash., Oct. 16.—(Special.)—T. J. Boyd, a transient printer, who stole a valuable diamond ring from Editor Thornadyke, at Astoria, Or., and afterward pledged the same to the Kelso State Bank, was apprehended at Roseburg, Or., and returned here today, where he will stand trial for obtaining money under false pretenses. It is understood that he is wanted at Astoria to answer to the charge of grand larceny.

Nashville Bank to Liquidate.

NASHVILLE, Oct. 16.—The City Bank & Trust Company of this city closed its doors this morning for the purpose of liquidation.

"77"

Humphreys' Seventy-Seven Famous Remedy for Grip & COLDS

To reiterate, attend to the "first feeling" of a Cold; lassitude and weakness; by taking a dose of "Seventy-seven" at once, the immediate cure will be certain.

If you delay until the Sneezing, Coughing and Sore Throat set in, the cure by "Seventy-seven" will be just as sure but it may take longer.

Handy for everybody. Fits the vest pocket. All druggists 25c.

Humphreys' Homeo. Medicine Co., Cor. William and Ann Streets, New York.

A REAL TALKING MACHINE DEPARTMENT

There is a vast difference between our talking machine department and that of any other concern in the West. We are not merely the agents for one or another make of talking machine, but we handle all the various makes, side by side, and in this way are in position to afford buyers a definite opportunity for careful comparison; thus can be secured exactly the proper instrument for every particular purpose.

With the many conveniences in our talking machine department and particularly in the painstaking service and uniform courtesy which our patrons receive, we aim to surpass any like establishment on the Pacific Coast.

"All the latest records all the time" is the watchword here, and we live up to it. No waits, no delays, no inconveniences here. Ask for the latest real seal or Edison, or the "Twin records" (65c); any and all are produced instantly.

This service, together with a complete assortment of all the various disc and cylinder talking machines and cabinets are at your command.

The new Victrola, price \$125 (\$75 less than the former style), is proving very popular. Don't fail to hear it. All of our talking machines are sold on a convenient easy payment plan. Eilers Piano House, 353 Washington street, at Park (Eighth) street.

LEMAIRE OPERA GLASSES LEMAIERE Field Glasses BEST IN THE WORLD Used in the Army and Navy Illustrated Catalogue at all Dealers