

ANOTHER SNOW STORM VISITS THE VALLEY

R. & N. Tied up Blockade Between Timber and Mays

STUCK IN DRIFT TUESDAY

Lines Moving More or Less Trouble Over Weather Conditions

Several inches of snow the first of the week, with a heavy rain following Tuesday, put the Hillsboro line in bad. The freight train stuck in the mountains, and the passenger train, with one engine, was stuck in the mountains, and it should be a success financially, as well as professionally.

For sale: Registered Holstein bull, 3 years and 8 months old. Fine animal. Must change head of herd. Will sell reasonable.—Fred Goetze, Cornelius, Route 2, Phone Hill 525, Cornelius, Central.

A man giving the name of Hozn forced two checks on the Cornelius State Bank, last Saturday evening, passing one on Wells' for about \$31, and one for about \$20 on Reynolds' store. He received in cash the sum of \$50, and some merchandise. The transfer was made after banking hours, and it was late in the evening before suspicion was aroused. An attempt was made to locate the party in Vancouver and Portland, but the description was so meagre that it was next to impossible.

The following numbers are to be given at the Evangelical Church, on Wednesday, Feb. 9, at 7:30 p. m.: Stereoscopic production of Alaskan life and scenery; character solo, Ray Sigler; monologue, by Mrs. J. W. Shute; duet, Ray and Miss Gussie Sigler; solo, A. U. Davis; club singing and wand drill, Evelyn Parent; character solo, Mrs. Myra Stauffer; duet, Miriam and Russell Stauffer; quartette, Ray and Gussie Sigler, Mrs. Stauffer and A. U. Davis.

The city inspector on the sewer work at the Grove had trouble with the Greeks working on the excavations, and as a result there was a mixup and arrests for assault. Fifty dollars bail was put up for the Greeks, by the direction of Mr. Elliott, the contractor. A. B. Smith, who is interested in the work, was down Tuesday, looking after the cases, and while here was greeting his oldtime Hillsboro friends.

Services at Baptist Church, Sunday, Feb. 6th, E. A. Smith, pastor.—Sunday School at 10 a. m., J. W. Brock, Superintendent, Preaching at 11 a. m. This will be communion service, and the sermon will be in keeping the day and service. Young Peoples Meeting at 6:30; preaching at 7:30. This will be a union service of the Baptist people and all who care to come to it. Good music and a cordial welcome to all.

August Blank, of Tualatin, was up to the city yesterday. Mr. Blank procured a marriage license for his son, Edward A., and Miss Gladys Byrom, daughter of J. L. Byrom, and the young couple will be wedded next Sunday. They will reside on a farm which the prospective groom is conducting near Tualatin.

Is there a millennium? If there is what is it, and what is its purpose? Is it to Evangelize? Beyond Death What, Probation or Retribution? You are invited to the joint service of the Evangelical and Methodist churches, Sunday night, at the Methodist church to hear these questions discussed.

The juvenile court has taken up the matter of delinquency of two little girls, Freda and Eva Gritzmacher, of Orengo, and the hearing will take place at the county seat, Saturday. The claim is that the two are instrumental in the recent Orengo school troubles, about which the less is said the better.

C. C. Nelson, mail carrier between Bacons and Timber, was in town yesterday, and says that four feet of new snow was the feature in his section, this week. On Tuesday it took him six hours to make the 8 miles between Bacons and Timber.

Laura Beard has sued A. Edgar Beard for divorce, alleging that they were married at Salinas, Cal., in 1908, and that the husband has cruelly mistreated her, making false accusations without cause whatsoever. Get your home-made candy at the candy booth in connection with the great Art Exhibit next Thursday and Friday, American National Bank Bldg.

JUDGE BAGLEY DIS-SOLVES INJUNCTION

Says Two Courts Have Held Law is Constitutional

STORES MUST SHUT IF COUNTY

Says Court Should not Substitute Policy for Law

Judge Geo. R. Bagley Monday morning denied a permanent injunction in the case of G. C. Frick et al versus District Attorney E. R. Tague and Sheriff J. E. Reeves, and the result is that confectionary and cigar stores, garages, etc. must close. In his decree the court says: "The Supreme Court in State v. Nichols, 151 Pacific, page 473, in an attack made upon the section quoted, declared that such law is not discriminatory nor class legislation and its enactment was and is within the police powers of the state. In the federal case the District Court of the United States for the District of Oregon, in an opinion concurred in by three Federal Judges and announced by Justice Wozner, it is held that the law does not contravene the constitution of Oregon nor the constitution of the United States; is not class legislation; within the police powers of the State; and is not discriminatory and cannot be attacked upon the ground that it is religious legislation. The Circuit Court of Multnomah County through Judge Gantenbein, has pending a vote of the electorate of the state under the initiative and referendum, in November, 1916, upon an initiative bill for the repeal thereof, enjoined the enforcement of the section mentioned, principally upon the ground that it has and does in fact work harsh and unnecessary discrimination and has been allowed through indifference of the people and officers, to remain in almost innocuous desuetude for a period of seventy years, and an additional eight months of desuetude can be endured without injury.

It is observable therefore that the court of last resort in the State of Oregon after careful and pains-taking investigation and in a well considered opinion, had determined that the particular section is constitutional and not class legislation and within the police powers of the State; and the federal court has also held likewise, and also that it is not vulnerable to the claim that it invades religious liberty and contravenes any constitutional rights in that respect.

Whenever the people have, through or under the initiative or through their duly constituted representatives, adopted a law and the courts of last resort, a co-ordinate branch of the government, has declared that law to be constitutional, to be within the police powers of the State and in all respects a proper subject of legislation, the people who adopted the law and the officers and trial courts should, and of right ought to be, bound thereby. The constitution and laws by which we are governed prescribe the method of legislation to be followed and also prescribe the method of repeal to abrogate laws that are in existence which may be found to be obnoxious or obsolete or unjust, and that is the only method whereby laws may be repealed or abrogated. The courts have no such power. If the law-making branch of the government does not transcend its powers, in the enactment of laws under the constitution, the courts cannot interfere. If it were otherwise and the courts should of right have the power, or should without right assume the power upon grounds of policy or for any other reason, to repeal laws or to legislate and should be subject in that respect to popular clamor or public sentiment, the fixity and stability of the government would not depend upon the laws but rather upon the character of judges who are elected to office, and we would have a government of men rather than a government of law, a government unstable in its very foundations, and a return to that autocratic power of government sought to be and which was overcome by the adoption of the form of government under which we are now living.

I appreciate, that under the injunction issued by Judge Gantenbein stores and confectionary stands will be allowed to operate in Multnomah County; that in some of the other counties of the State, the law, through issuance of injunctions and also through the passiveness of the prosecuting officers, will not be enforced pending the Fall election, which in itself will cause a discrimination as between residents of the State. I also appreciate that public sentiment and popular will, in a large majority, is

against the enforcement of the particular section quoted, because it in fact works harsh and unfair discrimination, and because of its age and antiquity and the conditions existing at the time of its passage, so entirely different from the present day condition, make its enforcement harsh and also ruinous to certain classes of business and in a sense harmful to the general welfare, and from a moral standpoint should not be enforced until the people of the State have an opportunity to repeal the same. But these are all arguments which should be addressed to the legislative branch of the government. The law has been in existence for something like 70 years. The people of the state have had many opportunities through their legislative representatives to repeal the same or to make needful amendments thereto to make it meet present day conditions, and since the adoption of the initiative and referendum have had ample opportunity at each biennial election to repeal the same, but nothing in that respect has taken place, and at this time the courts should not be expected to override, not only the plain provisions of the constitution, but the decisions of the court of last resort of the State and the Federal Court and enjoin the operation of what is classed and characterized as a valid constitutional provision of the statute. No court should substitute policy for the law; to do so would be but to invite confusion, chaos, and inevitable internal revolution.

The demurrer will be sustained and the complaint dismissed and the temporary injunction dissolved.

A. W. Keehn was up from Orengo, Tuesday.

Jay Leedy, of Tigard, was in town Tuesday.

E. T. Turner, of Laurel, was a city caller this morning.

Art exhibit, for benefit of the public schools, American National Bank Building, Feb. 10 and 11.

See the Art Exhibit next Thursday and Friday, American National Bank Building. Benefit public schools.

J. J. Krebs is marooned here and can not get back to his home at Rockaway. Pinoche is about his only consolation.

The county court this week designated the Argus and News-Times as the county official papers.

John Peters, formerly of Hillsboro, was out from Portland the last of the week, calling on friends.

An old-fashioned milk shake brought up to date with an electric mixer makes a mighty swell drink. Buy them at Koerber's Confectionery.

Mr. and Mrs. Carl Banks, of Yamhill, passed through town Saturday, enroute to Banks for a week-end visit with Mr. Banks' mother.

Lost, between uptown and condenser—package containing 24 yards woolen goods; pattern of Norfolk suit for boy, of 10 years. Finder please call E. T. Turner, Laurel.

The subject at the Methodist Church Sunday morning is "The Chief Function of the Church." This is the last of the series. Come and hear it.

For rent: Six and one-half acres, 6-room house, barn and outhouses, one mile east of Hillsboro. Per year, cash rent, \$75. Address H. D. Schmeltzer, Hillsboro, Ore. 34tf

Elmer Johnson, of the Wilkes Abstract Co., departed Monday for Oakland, Neb., in response to a telegram announcing the death of his mother. He will be absent several weeks.

Hot cakes for breakfast made with Schulmerich's buttermilk and spread with Schulmerich's famous creamery butter is the latest fad. For sale at Hillsboro Mercantile Co.

Dr. W. D. Wood, state senator for this county, has filed his declaration of candidacy with Secretary of State Olcott. His slogan is to give the acid test to all appropriations, and a watchful economy.

For rent: 150 acres, 4 miles east of Gaston; 4 acres first-class fruit; 20 under plow; spring water piped to house, barn and garden.—W. Thayer, Hotel Menlo, Portland. 46

Phoenix Lodge No. 34 held an interesting meeting last Monday evening, and a committee on membership for the usual Winter's campaign was selected. Next Monday the lodge will have something important up for consideration.

Owing to shortage of feed, I am compelled to sacrifice the following stock: Three Jersey cows, to freshen in about three months; Durham cow, coming fresh in a week. All are young cows and good milkers.—Frank Greener, Road bridge, 3 miles southeast of Hillsboro, R. 5, Phone Farm R51. 46-8

TAX ROLL OPEN FOR COLLECTION FEB. 15TH

First Half of the Tax Can be Paid by April 5, Under New Law

SECOND HALF GOOD TILL OCTOBER 5

Interest at One Per Cent. Per Month is Charged if Not Paid

Sheriff Reeves will have the tax roll in his hands for collection by Feb. 15, under the provisions of the law of 1913. The first half can be paid by April 5, and the last by October 5. Provided the first half is not paid by April 5 there will be an interest charge of one per cent. per month. If the second half is not paid by Oct. 5 then one per cent. will be charged each month until Nov. 5, when a penalty of five per cent. must be charged. The Sheriff is issuing the following tax notice, which taxpayers will be interested in perusing:

NOTICE TO TAXPAYERS

Notice is hereby given that on Tuesday, February 15, 1916, the tax rolls for the year 1915 will be opened for the collection of taxes. The first half of all taxes shall be paid on or before April 5th following, and the second half on or before October 5th following. Interest shall be charged and collected at the rate of 1 per cent. per month or a fraction of a month until paid. "Interest at said rate applies to the first half if not paid by April 5th, and to the second half if not paid by Oct. 5." All taxes remaining unpaid on Oct. 5th shall become delinquent, and on Nov. 5th a penalty of 5 per cent. will be charged and collected thereon in addition to the interest provided herein. Any day after the expiration of six months after the taxes charged against real property are delinquent, the Sheriff shall have the right, and it shall be his duty upon demand to make out and issue certificates of delinquency against such property. Certificates of delinquency shall bear interest at the rate of 15 per cent. On or as soon as practicable after Oct. 5th, the tax collector shall proceed to collect all taxes levied against personal property, and which shall have been unpaid, and shall levy upon sufficient goods and chattels of delinquent tax payers and sell same to satisfy said tax, or said Sheriff shall charge said personal property tax against real property and said tax shall become a lien upon said real property, and shall be enforced in the same manner as other real estate tax liens.

J. E. Reeves, Sheriff of Washington County, Oregon. By J. C. Applegate, Deputy.

SURPRISE

On Monday evening a number of young people of Bethany Pres. Church surprised their pastor and family, at their home, the evening being enjoyed with games and songs. At midnight a luncheon was served. Those present were Emma, Verne and Fred Dyle; Zelma, Bertha and Alfred Linder; John, Albert, Marie and Ida Meier; Alfred and Walter Hamel; Freda Wismer; Fred and Theresa Kehrl; Alfred, Herman and Leon Schindler, Harry and Jesse Hanson.

COFFEE CLUB

The Coffee Club meeting has been postponed on account of the storm, and will not meet until Saturday, Feb. 12, when they will convene at the home of Mrs. E. C. McKinney.

REAL ESTATE TRANSFERS

J E Tumbleton to Mary Muller & Rosa Sears, lot 5 blk 1—Stokes at O Grove.....\$900

E E Archerd to F J Stone, 25 a at Scholls.....4000

C J Wilson to L G Selfridge, 5000 sq ft at Banks.....950

Estacada Bank to Haley Land Co, 40 a sec 20 t 2 n r 2 w 10

Truman Delano to C M Robbins, 1 a J L Hicklin d l c 500

Geo W Clarke to Margaret Johnson, 17.02 a same d l c 10

Robt Hulme to Same, 17.02 a in lot 23 N Tigarville.....700

N P Johnson to Clara Irwin, 5.376 a lot 23 N Tigarville.....1344

Kate Wagnitz to H J Sirard, 5 lots blk 39 Cornelius.....10

Shaw Fear Co to W R & Herbert Shaw, 7.02 a Beaver Reedville Acreage.....10

Lizzie Adamson to L Tompkins, tr blk 1 Humphrey ed 450

Chas Schamburg to Minnie Schamburg, wife, 4 lots in Second Electric ad Tigar. 1

H J Sirard to M Susbauer, 4 lots blk 39 Cornelius.....10

J P Magruder to J D Fleury, 99x105 ft blk 3 Humphrey F G Voegelien to E J Voegelien, 30 a S Richardson die W G Walker to A Meeuwsen 37.82 a near Roy.....9000

M Jacobs to F J Horton, 60 ft off tr 2 blk 6 Finney ad E L Mauretts to R Postill, 5x20 chs sec 22 t 1 n r 2 w 10

For sale: Seed peas. The Thomas Laxtan and the Gradus, the two earliest wrinkled peas grown.—John A. Hobbs, Cornelius, R. 1, Telephone Cornelius Exchange, East 3. 45-7

Mr. and Mrs. W. C. Keehn, of Orengo, have sold their Elmonica ranch to Peter Zuercher. The tract was a good one and embraced 30 acres.

WASHINGTON COUNTY

The county commissioners' court Tuesday morning sent a family back to Albany, after the husband and wife and small children had arrived here hoping to find relatives. The wife alleged she was the daughter of a man by the name of J. Powell, who several years ran a fish wagon. The husband was a "breed," and the entire cash fund of the family was five dollars upon reaching the city. The court sent to the hotel, and the next morning had them on their way back to Linn County. The man and woman were both willing to work, but it either was a case of returning them whence they came, or sending them to the poor farm, or otherwise taking care of them.

Washington County has about 18,000 acres of the S. P. land grant, which is tied up under the Supreme Court decision that the company has an equity of \$2.50 in each acre. Senator Chamberlain has a big bill before Congress disposing of this matter, and the Oregonian says the measure is meritorious, both for the government and the company. That paper states that it is the best solution yet offered, and if accepted at its worth will do away with litigation and mean a great deal for the state. Just why Hawley's bill is not accepted as the right thing the Oregonian does not say.

A number of Hillsboro people attended a dinner at 1241 Montana, Ave., Portland, Saturday evening, the occasion being the birth anniversary of George Bonner. Mr. and Mrs. Bonner, the latter of whom is a niece of Mrs. Andrew Jack, entertained the following party—Mrs. Andrew Jack, Mrs. D. E. Emrick, Calvin Jr., William and Miss Hettie Jack, Mr. and Mrs. Fred Cornelius, Chas. A. Lamkin, Harry Thompson and Mr. and Mrs. Guy Chapman. Host and hostess formerly resided in this county. Mrs. Bonner having attended school here when a girl.

Lewis Jurgens, of Tualatin, was granted a verdict of \$25 by a jury in circuit court, yesterday, the defendant being G. H. Snyder, who killed a dog belonging to the plaintiff. Jurgens asked for \$250. Many witnesses were in attendance. The Jury: C. Blaser, W. Prickett, Thos. Connell, J. K. Hayden, Geo. W. Miller, D. Burkhalter, O. Griebler, D. Rainwater, A. H. Thomas, J. T. Martin, Jacob Correll, J. F. Carstena. Emma Cooper was granted a divorce from L. C. Cooper. The Walther-Williams Hardware Co. were given a judgment against Morris Rodgers.

Fire caught between the walls of the Yaeger home, in which Ed. Schulmerich and family reside, on West Washington, Tuesday morning, and was soon extinguished, the home being close to the department headquarters. Mr. Schulmerich's own home was consumed by fire a few days ago, after having caught two or three times. As this is the third time Schulmerich thinks it will be the last. A defective flue is supposed to have been the trouble.

The reports to Supt. Barnes show that nearly 1,000 parents visited the public schools of the county. Barnes showed 62 visitors, with 51 at Orengo. Hillsboro's day was yesterday, and it was unfortunate that this was the case as the school in the High building was closed, owing to the storm. Fifty were in attendance at the old building, in the lower grades, making an excellent showing.

County school notes: Gaston High has a standard 4-year High, and Shady Brook is now standardized. The Manning school is now standard. At the June exams, 8th grade, a new plan of test will be provided, giving pupils a chance so that the pupil will be allowed to express in his own language his gleanings from history, American, and civil government.

Road District 19 has formed an organization to get better roads. The officers are S. M. Tunstall, president; J. C. Kadke, vice; L. E. Smith, secretary and W. J. Wismer, treasurer. The next meeting will be held at the Rock Creek school, Saturday evening, Feb. 26. All residents of the district are requested to join in the membership, with the view of getting better results on road work.—Communicated.

H. H. Porter, for 10 years a county resident, has sued Mary A. Porter for divorce, alleging unkind treatment and constant complaining by the spouse. There are two minor children, a boy of 8 and girl of 10. The couple were married at Austin, Minn., in 1893.

Quarterly meeting at the Free Methodist Church, Corner 5th and Oak, beginning Friday, Feb. 4, Franchising at 7:30 Friday and Saturday evenings and Sunday at 11 and 3. Elder F. J. Barnes will have charge. All are cordially invited.

Postmaster Lamkin has so far recovered from his attack of "zrip" that he has been at the office occasionally the past week.

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