

## COUNCIL TO TAKE ACTION

Has Instructed Committee to Investigate Manner of Conduct of La Tosca Saloon.

LICENSE MAY BE REVOKED

City Engineer Is Criticized By Mr. Lebeck, But Defended By Messrs. Belland and Nordstrou.

At the adjourned meeting of the council last evening the committee on health and police was instructed to investigate the manner in which the La Tosca saloon is conducted and report to the council. The proposal was brought up in the shape of a resolution, which was introduced by Councilman Lebeck and adopted by vote of all of the members present, Messrs. Belland, Hansen, Kaboth, Lebeck, Leinenweber, Morton and Nordstrom. The resolution follows:

"Be it resolved by the common council of the city of Astoria, That the committee on health and police be and the same is hereby directed to investigate the facts and report at the next meeting of the council as to whether or not the La Tosca saloon is or has been conducted as an orderly house under the ordinance licensing bars, rooms and drinking shops and places where liquors are sold."

The action of the council is the outcome of the case of "Lighthouse" Nelson, who is now serving 100 days in the city jail for disgraceful conduct. The case provoked much unfavorable comment and members of the police commission took cognizance of it. As to whether or not the proprietors of the saloon should be made to suffer for the incident is questioned, but it is felt by city officials that steps should be taken to prevent recurrence of the outrage.

If the committee's report is unfavorably, the license of the saloon may be revoked.

Councilman Lebeck has lately developed into a reformer on a mild scale, and has brought up the question of the right of a liquor dealer to do business under a license issued to another person. A few days ago Charles F. Wise bought the Wigwam saloon from R. J. Owens. Mr. Owens' license has not yet expired, but under the law Mr. Wise would be required to secure a new license, that issued to Owens expiring when he sold his place of business. However, it has been the practice to permit the purchaser to continue to do business under the old license, but Mr. Lebeck says "we need the money," and therefore is trying to bring about enforcement of the law. City Attorney Smith is now investigating this question and will report at the next regular meeting.

**City Engineer Criticized.**  
City Engineer Tee, who is ill, came in for some criticism at last night's meeting, and also was stoutly defended by councilmen. Monday night Mayor Surprenant called attention to the fact that a fill was necessary at the site of the new city hall and said the work could be done cheaply if done at once. It was agreed that plans for the fill ought to be prepared. Last night Mr. Lebeck wanted to know if the mat-

ter had been attended to, and was informed that plans had not been filed. "I'd like to know why the surveyor doesn't attend to his business," declared Mr. Lebeck. "We can seldom get any information from his office. It seems to me the office should be conducted in a businesslike manner. This fill must be made some time, and considerable money can be saved the city if it is made now."

Mr. Belland declared that the practice of roasting the city surveyor had grown upon some members of the council, and that the engineer was often unjustly censured. He pointed out that there was no definite instruction to the engineer at the previous meeting, and that the fault rested with the council, and not with Mr. Tee. Mr. Belland said further that Mr. Tee was too ill to be at his office and very plainly intimated that he did not admire "roasts" under such circumstances. Mr. Nordstrom expressed a similar view. He added that Mr. Tee, alone of Astoria's engineers, had put the office in shape, and that it was now possible to secure information there.

A resolution directing the surveyor to prepare the plans was then drawn and adopted.

**Ordinance Is Corrected.**

A new ordinance providing for the improvement of Franklin avenue was introduced and passed under suspension of the rules. The ordinance provides for an improvement that will not run through the sliding ground at the west end of the improvement district.

Resolutions providing for a drainage system in the east end were called up, but went over for two weeks because of the objections raised to the work. An ordinance accepting the improvement of Thirty-sixth street from Duane street to Franklin avenue was passed under suspension of the rules, but an ordinance to accept the improvement of Franklin avenue from the west line of Adair's Astoria to Thirty-sixth street was laid over. A remonstrance against acceptance of this street was filed last night by property owners, who declare they will not pay their assessments because the street has not been improved according to the ordinance. The protest has been referred to the street committee.

**ASTORIA ELKS ARE INVITED.**

Asked to Attend Dedication of Elks Home at Aberdeen, Wash.

Astoria lodge No. 180, B. P. O. E., of this city has been invited by Aberdeen lodge to attend the dedication of its new home, which event will take place at 4 o'clock Saturday afternoon, September 24, and to participate in a warm social session Saturday evening, at which Al Calder of Seattle will preside. It is expected that most of the Elk lodges in the northwest will send delegations to Aberdeen among which will be a large representation from Astoria, and preparations have been made by the Aberdeen Elks to take care of a large crowd.

The building to be dedicated is a substantial and elegantly appointed two-story brick and stone structure owned by Grays Harbor lodge No. 593, B. P. O. E., of Aberdeen, and occupied exclusively by lodge and club rooms of that order.

Special rates have been arranged on the Northern Pacific between all points having Elk lodges and Aberdeen as follows: Pay full fare a your Northern Pacific station, taking a receipt for the money; this receipt will be countersigned by the secretary of the Aberdeen lodge, and will entitle the holder to one-third regular fare returning home.

## TROUBLE TO DRAFT JURY

Only Eight Acceptable Men Found to Serve For Grimberg Damage Suit.

THIRD TRIAL OF THE CASE

Court Spends Entire Day In Vain Attempt to Complete List—Grand Jury Still In Session.

Judge McBride and the attorneys representing the interested parties spent yesterday trying to empanel a jury to try the \$5000 damage suit of Mrs. Charlotte Grimberg vs. the Columbia River Packers' Association. After examining all the Jurymen that the sheriff could bring into court, Judge McBride adjourned late in the afternoon will be made to secure the four fore will be made to secure the four Jurors necessary to complete the required number. Mrs. Grimberg is suing the packers for \$500 for the death of her husband, who was killed by falling from the rigging of a ship under charter to the corporation. She alleges that the negligence of the association was responsible for the death of her husband.

Eighteen jurors were examined yesterday and 10 of them were excused. The following proved acceptable to the attorneys and were selected: S. B. Howard of Walluski, Arthur F. Hills of Svensen, Jacob Sture of Knappa, David Keefe of Fernhill, D. M. Stuart, city; R. J. Owens, city; A. J. Gragg, city, T. C. Bell, city. This morning the attorneys will make an effort to secure four other jurors, and when this is accomplished trial of the case will be begun.

The difficulty in securing jurors results from the fact that the damage suit is now being tried for the third time. Twice before the jurors failed to agree upon a verdict and were discharged. Now the case will be fought over again.

**May Report Today.**

It is expected that the grand jury will report today to the court, although it may not succeed in finishing the work before it. The grand jury usually examines the hospital, city and county jails and all criminal cases on the docket, and occasionally finds it expedient to report upon conditions existing in city and county. Just how far along the jury has succeeded in getting could not, of course, be learned, but it is expected to report some time during today's session. The criminal docket comprises five offenders, Walter Hubert, charged with rape, having been arrested on Sunday. The jury has been taking evidence in the case of the state against Willie Cook, but whether or not it had been decided to indict the lad is not known.

**Music for the Fair.**

A movement is on foot to organize an orchestra of southern Oregon musicians to play at the Lewis and Clark fair in Portland next year. Prof. F. H. Applehoff, director of the Roseburg orchestra, is at the head of the movement. He is now corresponding with a number of musicians living in Oregon towns south of Roseburg with a view to interesting them in the proposition. It is proposed to limit the instrumentation to 30 pieces, using the Roseburg

orchestra of 11 pieces as a nucleus. Collective practice will begin in Roseburg as soon as the required number of musicians enter into the project.

**ARRAIGNED ON SECOND CHARGE.**

Mrs. Botkin Must Answer to Another Murder Allegation.

San Francisco, Sept. 26.—Cordelia Botkin, under sentence of life imprisonment for the murder of Mrs. Deming, appeared in Superior Judge Dunne's court today to answer the charge of having murdered Mrs. Ida H. Deane. The case was continued until October 4.

## PRIMARY LAW IS DEFECTIVE

Under Its Terms Practically All Voters Are at Least Temporarily Disqualified.

The direct primary law is proving all and more than even the most fanciful of the dreamers claimed for it. The law not only absolutely prohibits independent voters from expressing their choice at primaries, but under its terms practically every voter in the state of Oregon is disqualified from exercising his right to vote at the primaries to be held between this date and the date when relief is afforded by the legislature. The defect was discovered at Portland yesterday.

The provision in the primary law which has caused this latest trouble reads as follows:

"No elector shall be qualified to vote nor permitted to vote at any such primary nominating election required by this law, and it shall be unlawful for him to offer to do so, unless he shall be registered as above required as a member of one of the political parties choosing and nominating its candidates for public office under the provisions of this law at such nominating election."

In plain English (which does not characterize the law), this clause means that no voter shall be permitted to vote at a primary election unless he shall have first registered at the office of the county clerk and registered as a member of the political party (democratic or republican) to which he claims allegiance. The registration books will be sent to the polls, and no man will be allowed to vote unless those books show that he has registered and has declared his political faith.

Now, men who voted at the last state and county election, in June, have already registered. The registration books have just been opened again by the various county clerks, but only for the purpose of registering those voters who did not register for the June election. The books will be open for only 30 days. The men registering during the 30 days will declare their political faith, but the men who registered for the June election did not do so, and consequently will not be permitted to vote at the fall primaries. Indeed, unless the forthcoming legislature passes a new bill, all those cities and towns holding elections before June, 1906, will be up against the provisions of the direct primary law.

W. S. U'Ren and Thomas G. Greene, who were instrumental in the framing of the law, are now considering this particular feature of it, and probably will dream a way out of the dilemma in which they have placed the misguided voters of the state of Oregon.

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