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SUNDAY CLOSING LAW DECLARED VALID

Judge Wolverton in Federal Court Says Oregon Enactment Does Not Violate the State or Federal Constitutions as Plaintiffs Contend.

SAYS RELIGIOUS ISSUE NOT INVOLVED IN CASE

"Nor Does the Fact That the Law Has Been Little Enforced Require Its Nullification Now," Says Portland Jurist in His Decision.

Judge Wolverton in federal court on Monday, sustained the Oregon Sunday closing law as in accord with both federal and state constitutions. His ruling came with a denial of the application of the Bruswick-Balke-Collendar company for an injunction against District Attorney Evans and other Oregon district attorneys to prevent them from enforcing the law. "That the law is sometimes called a Sunday law," says Judge Wolverton, "does not alter the question, and the interpretation must be had by a consideration of the act itself." This was in reference to the contention that the law is in contravention of religious liberty.

Nonenforcement No Bar.

"Nor does the fact that the law has been little enforced require its nullification now," says the decision.

Points of the decision are that the law does not violate the fourteenth amendment of the federal constitution, or the twentieth amendment to the state constitution.

Quotations from Judge Wolverton's decision touching on moot points are as follows:

"The practice of amending by reference to a section of compiled laws has been judicially approved. 'Repeal and enact in place thereof' and 'amended to read as follows' amount to the same thing. The true purpose was to amend and the effect of the legislation was to amend.

It is within the police power of the state to suspend certain activities on Sunday. Laws relating to Sunday are enacted in the legitimate exercise of the police power of the state.

State's Police Power Recognized.

"The fourteenth amendment to the constitution of the United States is not intended to interfere with the power of the state, generally termed its police power, to prescribe regulations to promote the health, peace, morals, education and good order of the people, unless so extravagant and unreasonable as to interfere with the property and personal rights of citizens unnecessarily and arbitrarily."

On the point that the law interferes with the free exercise of religious belief, Judge Wolverton says:

"This is purely a state, not a federal question. The constitution of the United States makes no provision for protecting citizens in their religious beliefs; nor does it impose any inhibition in this respect on the states.

"Laws setting aside Sunday as a day of rest are usually upheld by the courts, not to compel religious observance but from a desire to protect all persons from the physical and moral debasement which comes from uninterrupted labor.

Enacted for Public Welfare.

"We need only look at the law in question to determine that it is not designed to restrain or coerce any religious observance of Sunday, but rather that the inhibition

was imposed in the exercise of police regulations for the public welfare.

"It does not comprise all individuals and occupations, but such only as the legislature, in its wisdom, thought to be detrimental to the health and morals of the community if kept open on Sunday. If it were designed to promote Sunday observance as a religious rite, one would expect the law to be general so as to affect all persons and individuals, and not only the few occupations named and the persons engaged therein.

Not Religious in Character.

"The act, therefore, is essentially civil in character, and not religious; nor does it pertain to religious observance in any particular."

The opinion goes on to say that the fact that modifiers classed the measure under the head "Profanation of Sunday" and similar heads makes no difference in the actual character of the legislation.

Judge Wolverton's opinion is diametrically opposed to that of Circuit Judge Gantenbein, who held the law repugnant to the state constitution on the ground that it is religious legislation, this chiefly because Sunday is spoken of in the act as "the Lord's day."

CONGRESS HAS MANY CIVIL WAR VETERANS

Former Soldiers of Union and Confederacy Now Fourteen.

Washington.—Scattered through the membership of the house of representatives, so far as autobiographies in the Congressional Directory disclose, are three men who served in the Union army and three men who served in the Confederate army. In the senate there are five former Union soldiers and three former Confederate soldiers. A few years ago a much larger percentage of the house and senate members was composed of veterans of the war of '61 to '65. The latest directory furnishes the names of the old soldiers as follows:

Representatives Ebenezer J. Hill of Connecticut, Isaac R. Sherwood of Ohio and David A. Hollingsworth of Ohio, all of whom served in the Union army.

Representatives Albert Estopinal of Louisiana, J. Fred C. Talbot of Maryland and Charles M. Stedman of North Carolina of the Confederate army.

Senators John H. Bankhead of Alabama, Benjamin R. Tillman of South Carolina and Thomas B. Catron of New Mexico are the members of the senate who fought on the side of the south.

The senators who served in the northern army were John D. Works of California, Henry A. du Pont of Delaware, Knute Nelson of Minnesota, Nathan Goff of West Virginia and Francis E. Warren of Wyoming.

Senator Thomas S. Martin and Representative William A. Jones, both of Virginia, were cadets at the Virginia Military Institute during the war and were called out for service in some of the Virginia campaigns.

Every congress naturally has a "kid member," and that honor in the Sixty-fourth congress has fallen to Representative Sydney E. Mudd of La Plata, Md. Mr. Mudd was born June 20, 1885, and, therefore, is thirty years old. He is the youngest member of congress. But Mr. Mudd is not the youngest man to be elected to a congress.

Representative Pat Harrison of Mississippi, a member of the present house, was only twenty-nine years old when he came to Washington in his official capacity the first time. He is now only thirty-four years old, though he is entering upon his third term.

California has more political parties represented in its delegation in congress than any other state. In the house the Pacific coast state has three members who describe themselves as Republicans.

There are three Democrats, one Independent, two Progressives, one Progressive-Republican and one Prohibitionist.

Blows Up Money.

Ashland, Ore.—Workmen employed on the ditch of the Rogue River Canal company recently set off a charge of dynamite under a stump, and the air was filled with dollars and half dollars. The blast uncovered a money cache that had been buried there since the early sixties.

DEMOCRATS PUT CURB ON WILSON

Party Oppose a Drastic Submarine Policy, Advise Americans to Keep Off Belligerent Ships

Washington, D. C. Jan., 6.—President Wilson has been notified by leaders of his party in congress that they will not stand behind him in any drastic action he may take on the submarine issue.

The notification, which was given to the President privately two weeks ago, was served publicly on the floor yesterday. While Senator Stone, of Missouri, spokesman of the President on foreign affairs, sat quietly in his seat, other Democratic Senators, O'Gorman of New York, Owen and Gore of Oklahoma and Hitchcock of Nebraska, plainly manifested their objections to Americans sailing on belligerent merchant vessels, particularly those which are armed, or even on neutral vessels carrying contraband of war.

Republicans Chief Defenders

Only two Democratic Senators rallied to the defense of the Administration—Reed of Missouri and Robinson of Arkansas. The real bulwark of the Administration's defense was furnished by Republicans—Lodge of Massachusetts, Nelson of Minnesota, Borah of Idaho, Poindexter of Washington.

Mr. Stone significantly closed the debate by observing that it had been valuable in developing the sentiment that existed, and he moved an executive session.

It is apparent from what took place yesterday and from the talk of many of the Democratic Senators that they are not in favor of extreme measures by the Administration on the submarine question. They certainly are opposed to any step that may lead even to a rupture of relations with the central powers.

Restriction of Americans Urged.

It is further evident that many of the Democrats feel the Government should not permit Americans to travel on belligerent merchant ships and that if they do so they should be deprived of protection. Senator Gore, of Oklahoma, offered a bill today requiring Americans to make affidavits that they will not take passage in belligerent ships or on vessels, even American, carrying contraband, and if they do so they will receive no protection and be subject to penalty. Masters of ships carrying passengers making such affidavits also will be penalized. A bill along the same lines was introduced by Senator Jones, Republican, of Washington.

It is apparent to the Administration that these measures and the criticism visited on it today are symptomatic of the attitude of many of the members of the Senate.

Consul's Right on Ship Denied.

Senator O'Gorman argued that United States Consul McNeely had no business to sail on the Persia. He should have taken a neutral ship, said the Senator. Some of the Senators believed that the United States should impose an embargo on munitions of war. They stuck to their position in spite of the observation of Senator Lodge, repeating substantially what President Wilson said to Germany, that an embargo would be in favor of Germany and against the allies, and, therefore, would be unneutral.

A debate such as occurred today

(Concluded a page 2)

MARRYING SQUIRES BUSY.

So Busy They Want to Put an End to "Runners" in Jeffersonville, Ind.

Jeffersonville, Ind.—Some of the six justices of the peace now split their fees, which only in exceptional cases amount to more than \$3. One result of the competition has been the cutting of fees. Many eloping couples get married for \$1 and some for "six bits." Secret weddings generally cost the elopers a little more, and a twenty-five dollar fee shows up once in awhile.

The chief benefit would be the elimination of the "runners," with whom the justices of the peace now split their fees, which only in exceptional cases amount to more than \$3. One result of the competition has been the cutting of fees. Many eloping couples get married for \$1 and some for "six bits." Secret weddings generally cost the elopers a little more, and a twenty-five dollar fee shows up once in awhile.

TOMBSTONES AS GUIDES.

Some Changes Are Made as a Result of Ore Boom in Nevada.

Reno, Nev.—Tombstones are being used for location monuments in the new mining district near Sodaville, where a supposed fabulously rich ledge of tungsten ore was discovered, according to reports brought to Reno by men who answer the call of the desert and mark the boundaries of their claim.

One miner located the village cemetery, and as there were no rocks near he used some of the best looking tombstones to mark the boundaries of his claim.

Others soon followed suit, and now the relatives of the departed, interred three years ago, would have a hard time recognizing one grave from another.

OPERATED ON 131 TIMES.

Patient in St. Louis Hospital is Still Cheery at All Times.

St. Louis.—Harry Smyth, forty-two years old, of 2656 Laclede avenue is one of the most cheerful patients at the City hospital despite the fact that 131 surgical operations have been performed on him. Tuberculosis of the bones have made these operations necessary. Since childhood Smyth has passed most of his time in hospitals.

To occupy his time Smyth took up sewing and crocheting, and he is now an expert with the needle. He is always good natured.

BACK HOME AFTER 36 YEARS; THOUGHT DEAD

Returns in a Feeble and Needy Condition.

Pittsfield, Mass.—After wandering for thirty-six years all over the country George Churchill has returned to this city. In this interval of years all of his relatives have died except an aged sister, Mrs. George Murdock.

Churchill, after leaving Pittsfield, never communicated with his relatives. They believed him dead. In 1881 Mrs. Murdock read in the newspapers of the death of George Churchill in Ohio. His body had been buried, and the family here believed that the missing George Churchill of Pittsfield was the person who had died.

Recently a gray haired, bearded stranger revealed himself to the old family physician of the Churchills as the long absent George Churchill. From the physician he learned his sister was still living and was eighty-one years old, but in feeble health.

The physician prepared the sister for a meeting with the brother she had so long believed to be dead. Churchill, now aged sixty-nine, and his elder sister, so worn with age that she is being cared for, were brought together again. Mrs. Murdock was greatly shocked by the reappearance of her brother.

Churchill's story is one of wanderlust. He was a woodworker when he went away, and he followed his trade for years. New processes of labor saving machinery forced him to abandon his trade. He turned his hand to cooking, and for a long time worked in hotels and restaurants.

"All the years," he said, "I have been wanting to come back to see the folks. I couldn't get started. Now I'm old and worn out and there seemed to be no other place for me to go."

Churchill's health is broken, and he can no longer work. He will be provided for by friends of the Churchill family.

Bagged Fifty-two Pound Wolf.

Balaton, Minn.—Two boys, Evold Brylander and John Bollman, bagged a fifty-two pound wolf recently in rather a novel way. They were out hunting, one boy on a motorcycle and the other with a gun in the side car, when they spied the wolf and gave chase. After a wild ride of several miles they made a successful long shot.

January Bargains Are Now Prevailing at Our Store

Blankets on sale.

Sweaters on sale.

Ladies and child's cloaks on sale.

Raincoats now on sale.

A whole table of remnant bargains.

A table of dishwear at 10c.

Various other bargains you will find by a visit to our store.

SELIG'S,

Falls City's Largest Store.

HOME TRADE

Without home trade every merchant in Falls City would be forced out of business. That many dollars are sent out of town is not questioned. There are reasons for such a condition and whether good or bad they have the effect of hurting the growth and development of the town. A concerted action on the part of the merchants should be inaugurated to keep trade at home.