

The Evening Herald

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THURSDAY, FEBRUARY 27, 1919

HAVE WE PROHIBITION?

The following from Harvey's Weekly will throw some light on the controversy now starting throughout the nation and which promises to increase in vehemence as the time approaches for the enforcement of the constitutional amendment placing the country in the dry column.

The New York Sun, an advocate of prohibition, lays its finger on a weakness in the recently ratified prohibition amendment to the Constitution which promises amendment to the Constitution which promises indefinite delay in giving vitality to the measure, even if it does not result in its ultimate defeat.

The joint Congressional resolution just endorsed by the Legislators of forty States, four more than necessary, as a Constitutional amendment, makes no provision for enforcement. That must be provided by other legislation. But there is no provision designating the legislators who are to enact these enforcement laws. This vital question is left in a state of such confusion that the temptation is strong to regard as deliberate the actual inaptitude in that respect of the Joint Resolution as it was passed by both houses of Congress.

The Congress and the several States shall have concurrent power to enforce this Article by appropriate legislation. Concurrent action between the House and Senate of Congress and between the Houses and Senates of the several States is understandable. It means entire agreement on every detail of any measure introduced. It means that House and Senate must separately pass identically the same bill. But how is this concurrence between the Federal Congress and the Legislatures of the several States to be established? Is an enforcement act passed by both branches of Congress to go from Congress, as an Upper House to forty-eight State Legislatures, as a Lower House for concurrence? And suppose all these forty-eight Legislatures do not act as one, but as forty-eight? Suppose each one of them enacts an enforcement law different from all the others, and none of them in agreement with the Federal law? That is not beyond the bounds of possibility, even if it is more improbable than that only a State here and there fails to approve the Federal measure. In either case there would be failure of Congress and the several States to "concur," and without that concurrence in methods of enforcement there would be failure of power to enforce, for power to enforce is conferred by the Joint Resolution on the specific condition of concurrence.

If an enforcement act passed by the Federal Congress went to each of the several States for concurrence, might it not by each of them be sent back to Congress with amendments to be discussed and debated, tossed back and forth from Federal House to Federal Senate, until accepted or defeated as the case might be? In that event there might be amendments from each of the forty-eight States to be thus disposed of, and each of the forty-eight States might make not one, but a dozen, amendments, each one to go thru Congress on its own merits in the usual routine of procedure. In such case, were we living in the days of Methuselah, some of us might possibly survive long enough to see the Prohibition Amendment enforced. But it would be rash to wager even on that.

Exploring the bewildering perplexities of the question along other lines, the Sun asks:

Does it mean that if Washington

enacts one law and Albany fails to concur, or if Albany passes its law and Washington fails to concur, there shall be a failure of legislation altogether; as happens when the Senate passes a bill or a resolution and the House does not concur? In that case the attempt at concurrence between the Nation and the State would nullify the principle of the amendment so far as that particular State was concerned.

Does it mean that a law enacted by Washington shall have force only where the States have not otherwise provided? That interpretation of the amendment is scarcely conceivable.

The Sun is authority for the statement that there are Constitutional lawyers in Congress and elsewhere who believe that a second amendment is necessary to relieve the mix-up of non-related authorities and to define, intelligibly, ways and means of enforcement. This would imply that the entire Prohibition Amendment legislation and ratification would have to be done all over again.

Just why so faultily drawn a measure was permitted to pass is either very mysterious or very self-evident. If the statesmen who drew it and the statesmen in Congress who enacted it did not see it confused futility, that is indeed a mystery, for there are a score of lawyers in Congress as may be found in the country. If it was drawn and passed to serve a makeshift political purpose with the set intention of rendering enforcement an impossibility, then the reason for working the amendment as it stands is obvious. This theory, too, might possibly throw some light of explanation on the astonishing spectacle of forty State Legislatures fairly tumbling over each other in their exultant eagerness to ratify a measure which every one of the scores of bright lawyers in such legislatures must have known was fatally handicapped, so far as enforcement is concerned.

It is not a pleasing spectacle from any angle of observation. It suggests that the legislators involved were dolts or hypocrites. It further, more betrays a disheartening levity of intelligence or character, or both, in approaching so serious a matter as amending the Constitution of the United States.

The War is Not Over for Harry.

Jane Willis—"You look as if you had lost your last friend. What is wrong?"

Marie Gillis—"I've just discovered that Harry is false to me. He wrote me from France that he wasn't even looking at any other girl and now I see in the paper that he has just been decorated for gallantry."—Chicago News.

See Charles S. Hood, Klamath Agency, the real estate agent. He will write your contracts and other legal papers. 12-1f

Beware of Counterfeits! Some are Talcum Powder.

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PERSONAL MENTION

LITTLE SIDELIGHTS ON LOCAL HAPPENINGS AMONG THE PEOPLE OF THIS CITY AND VICINITY. GOINGS AND COMINGS OF LOCAL FOLKS

Dr. G. C. Mitchell made a business trip to Dorris today.

James Wilson is among the recent arrivals from Portland.

J. P. Haggreen left on the train this morning for Chico, for a short visit.

C. A. Leatherman was a passenger on the stage this morning for Bonanza.

J. A. Maddox is in town on business from the Lone Pine Ranch in the Merrill district today.

A. B. Evans returned this morning to Dorris after a short business visit in Klamath Falls.

A. E. Gals, a rancher of the Loretta district, is looking after business interests in Klamath Falls today.

Louis E. Fisher is here on business today from his home at Modoc Point. He is a guest at the Hotel Hall.

W. L. Flavin came in last night on matters of business from Sacramento. He is stopping at the Hall.

See Charles S. Hood, Klamath Agency for health and accident insurance. 12-1f

HOUSTON'S Metropolitan Amusements

HOUSTON'S OPERA HOUSE DANCING SATURDAY EVENING JAZZ MUSIC

STAR THEATER

TONIGHT Select Pictures Corporation. Presents

"THE CODE OF THE YUKON" By ROBERT W. SERVICE.

Starring BIG MITCH LEWIS Star of the Barrier and Bar Sinister. A Stirring Fascinating & Mighty Drama of the Far North.

—Also— Two Reels of Fun, in "Mr. Briggs Closes the House."

Admission 10 & 25 cents. Show Starts 7:30 and 9:15.

TEMPLE THEATER

—TODAY— Triangle Presents DOUGLAS FAIRBANKS

—In— "THE MATRIMONIAL" Full of Fun and Pep.

—Also— Hearst Pathe News Latest Current Events.

Admission 10 & 15 cents Matinee 2.30. Evenings 7:30 & 9.

MERRILL OPERA HOUSE

MOTION PICTURES TUESDAYS AND SATURDAYS Merrill, Oregon

LIBERTY THEATER

"THE BEST IN PICTURES" H. W. POOLE, Owner

TONIGHT Pretty Peggy Hyland

— IN — "BONNIE ANNIE LAURIE" A Scottish Tale of Patriotism and Love

Sunshine Comedy "THE SUN OF A GUN"

FRIDAY

Bert Lytell in "NO MAN'S LAND"

From the Novel by Lewis Joseph Vance

Admission 10c and 20c

A child accompanied by parent admitted free with a 20c ticket, except Saturday night and Sunday night.

This Theater now properly Heated and Ventilated.

Fumigated every night

FISH and OYSTERS



WE USE NO FROZEN FISH Our smelt come direct from fishermen, 3 lb. 25c Little Neck Clams for steaming, 2 lb. for 25c. Fresh Salmon and Halibut Nice Large Crabs, 40c Extra Large Eastern Oysters. LARGE SHIPMENT SALMON EGGS, 30c lb.

PALACE MARKET

Klamath Packing Co.

PHONE 68 524 Main Street

Klamath County News

SHASTA VIEW.

If the snow continues to fall as it has for the past four days dry ranchers will feel that their prospects for a good crop the coming year will be much better than has been anticipated.

Our school opened Monday after being closed for two weeks on account of the illness of two of the teachers.

Ada and Hazel Hunt spent the past week visiting C. G. Hunt and family and C. W. Miller and family near Klamath Falls.

F. W. Sexton who resigned his position as teacher at Malin has moved to Klamath Falls. He has a position as Industrial Club leader.

O. E. Hunt recently returned home after spending about four weeks visiting in Portland, San Francisco, Los Angeles and several places in the south. He also visited J. L. Hale of Hood River and W. W. Bailey of Medford. His mother-in-law, Mrs.



A Player piano without rolls occasionally is a bad investment.

SHEPHERD PIANO DEPOT

Next door Postoffice

Cabinet Shop

10 Main Street General Furniture Repairing at Reasonable Prices KITCHEN CABINETS a specialty A. Mauritsch

C. C. Miller returned with him from Compton, Cal. where she had been with her son A. W. Miller for about two years. She is now visiting her son C. W. Miller at Klamath Falls. R. C. Short and wife visited at C. M. Kirkpatrick's Monday. Mrs. Kirkpatrick, who has been quite ill is convalescing.

TROTZKY PROCLAIMS PEACE.

STOCKHOLM, Feb. 27.—Leon Trotzky, bolshevik minister of war, has issued a proclamation at Petrograd declaring a desire to maintain peace with Finland.

At the same time he issued a warning that the soviet government will take measures if the concentration of Finnish troops on the Russian frontier continues.

These reports that the Prussian children are cheering for the Allied troops make it look as tho those Germans were trying to kid us along a little.—Mannia

See Chilcote & Smith for fire, life, accident and health insurance. 608 Main street.



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