

SPECIAL CHARTER MAY SAVE KEOKUK

Interesting Point has been raised by Saloonkeepers Which is Favored by the City Commission.

ACTION IS DEFERRED

Report That Saloons Would be Reduced to Fourteen Before Saturday Night is Brand as Untrue.

Latest Developments In Saloon Matter

City Commission denies report that Keokuk saloons will be reduced in number to 14 on or before Saturday night. Attorneys for saloon men see loophole in Moon law for Keokuk in that it does not apply to special charter cities.

The Gate City today submitted the question of whether or not special charter cities are effected by the supreme court decision in the Moon law cases, because Keokuk comes within this class. At 2:45 o'clock this afternoon a telegram was received from Des Moines which stated that Attorney General Cosson was not in the city, and his assistants decline to give an off hand opinion.

That the Moon law, limiting saloons in cities and towns of Iowa to 1 to every 1,000 inhabitants, is not applicable to cities under special charter, is the point raised by attorneys for Keokuk saloonkeepers and appears to be the most formidable loophole that has been presented as yet.

Nothing was done either way by the city commission today pending the arrival of a copy of the supreme court decision. It was stated that the contention of attorneys, which is the biggest thing in favor of the saloons, is generally leaned to, and will be raised before any action to close twenty-five of the thirty-nine saloons now existing in the city is taken by the council.

Other cities of Iowa which are acting under special charter have raised the point. The special charter cities are Des Moines, Cedar Rapids, Burlington, Fort Dodge, Marshalltown, Sioux City and Keokuk.

About Special Charter Cities. Section 933 of a charter having to do with special charter cities says that the provisions of it shall apply only to cities under special charter, and that no provision of the Iowa code nor laws hereafter enacted, relating to the power, duties, liabilities or obligations of cities or towns shall in any manner effect or be continued to affect cities acting under a special charter unless same have special reference or are made applicable to special charter cities.

In the Moon law no special reference is made to cities acting under special charters as provided in the laws governing privileges to the special charter cities and attorneys contend that Keokuk and many other cities are not affected by the supreme court's ruling.

Another Point Raised.

However, the point as to whether the Moon law can be construed as a criminal statute, has also been raised. The county attorney's office does not hold that it is a criminal statute and that the saloonkeepers have another point in their favor.

The report that action closing twenty-five of the thirty-nine saloons now in Keokuk would be taken before Saturday night is without foundation, according to authoritative information gained today. The commissioners are not yet clean on the matter and they declare they will test the special charter contention raised before making any move. City Attorney Ralph B. Smith was in Fort Madison today.

Nels J. Lee's Opinion. That all saloons in Iowa cities of

Original Allegretti Chocolates

A two or three pound box will make that girl happy.

Wilkinson & Co.

G. Arthur Kiedalech, Mgr. Keokuk's Biggest, Busiest and Best Drug Store. 422 Main Street.

The first and second classes in excess of the 1 to 1,000 ratio fixed by the Moon law must close immediately, is the opinion of Nels J. Lee who is assistant in the office of George Cosson, attorney general, who says that in all cities the saloons are operating under petitions of consent approved since April 15, 1909.

Several interesting questions have arisen from the decision of the supreme court filed yesterday sustaining the Moon law.

How will the city councils decide which of the saloons that have been operating legally shall be cut down to the required number? This question is left to the different city councils to decide, it is said.

Will saloons existing under petitions of consent that do not expire for two or three years, continue to operate, although in excess of the allotted number in a community, until the general consent petition expires? This is the most important of the new questions, it is believed.

In Full Effect by 1911. When the thirty-first general assembly fixed the five year period for the limit of the life of a general petition of consent secured from the voters, it fixed July 4, 1911, at the date when all petitions existing under the law was passed, should expire.

From that date until April 15, 1909, when the Moon law was signed by the governor and the ratio clause became law, it is certain that a number of general consent petitions throughout the state were approved by the county board of supervisors. Some of the petitions may run as late as 1914, but in any event, if it is decided that such petitions shall give a saloon legal life, the Moon law will be in full effect in 1914.

There was no publication clause in the Moon law. The supreme court held that the ratio clause became law in fact when it was signed by the governor. The liquor interests held that it did not become operative until July 4, the date fixed for all laws to become operative by the constitution, when not otherwise specified. Between April 15 and July 4 of 1909 a great many resolutions of consent were granted, anticipating the operation of the law to begin July 4. The high court's ruling makes invalid all saloons operating under such resolutions where they exist in excess of the ratio.

Effect on Small Towns. It is interesting to recall that the Moon law provides that one saloon may be legal in a community of less than 1,000 population, but that it requires a population of 2,000 to make two saloons legal.

In towns of a small population, where several saloons exist to a population of, in some cases less than 1,000 people, the question of the life of a general consent petition issued after the law passed by the thirty-first general assembly was enacted, and before the Moon law became operative April 15, 1909, is considered of the greatest moment.

In Lee county the towns of Montrose, Donnellson, West Point and Franklin will be limited to one saloon each.

Saloon Partnership Hit. The decision of Judge Lawrence De Graff of Des Moines, which has been handed down from the district court, holding that saloons cannot be operated by a partnership, a corporation, or by any one except a qualified elector, will not affect any of the saloons in Keokuk, according to information gained from the city clerk's office today. There is not a single saloon license in Keokuk at the present time which is being held by other than an individual, who is a qualified elector.

It is said this decision will affect many saloons over the state, including thirteen in Des Moines.

Odle Wants Action. Attorney Odle, the Des Moines lawyer who is prosecuting many saloon cases, including a number in Keokuk, believes the effect of the Moon law decision is to make illegal every saloon in the state at once.

Yesterday he was in Burlington and asked Judge Withrow whether the court would consider an application at this time to close them up on the authority of the new opinion.

Judge Withrow replied that it could not be determined what could be done under the decision until the court became informed more fully just what the decision is.

Mrs. P. G. French has returned from Granger, Mo., where she has been visiting her sister, Mrs. W. H. Overholt.

Dr. E. G. Woollenweber was called to Farmington today on professional business.

Society

Next Week's Dance Calendar. Monday—S I X Club. Tuesday—Knights of Columbus. Wednesday—Miss Weaver. Thursday—Messrs. Johnstone and Huiskamp. Friday—S I X Club. Saturday—Episcopal Club, Warsaw. The foregoing engagements will be played by the Agne orchestra.

An Hundred Couples at Woodmen Dance.

The first of the holiday week dances was given by the Woodmen last night and was attended by an hundred couples. The complete Agne orchestra played and two other musical features, the Press City Trio and the Colonial theatre singer, favored with vocal numbers.

Degree of Honor's Sociable.

A social time followed the weekly meeting of Lotus lodge No. 25, Degree of Honor last evening, one of the "secret committees" having planning the good time.

Surprised Doctor Courtwright.

Mrs. H. L. Courtwright invited about fifteen of her married lady and gentlemen friends to her residence, 1123 Franklin street, last evening, as a surprise for her husband, Doctor Courtwright. Yesterday was the doctor's birthday and the social time on the evening which his friends spent with him, was in keeping with the occasion.

Society of Interest Locally.

From this morning's Hawk-Eye of Burlington: Miss Harriet Brooks entertained the Branigan-Little bridal party with a luncheon at the Golf house yesterday. Covers were laid for twelve. The centerpiece was dark red roses and the place cards were in the form of love birds balanced on the rims of the tumblers. The guests were: Miss Branigan, Misses Ethel Branigan, Adeline Moir, Marie Blaul, Miss Little, of Unionville, Mo., and Miss Brooks; Messrs. Little, Lyman Guest, Earl Mitchell, Beverly Hobbs of Keokuk, Waldo Branigan and Robert Little of Unionville, Mo.

Poor Man's Picnic Friday Night.

The Shamrock club's "Poor Man's Picnic" will be the "social attraction" at the Y. W. C. A. Friday evening. The party will commence at eight o'clock and it is the intention of the young ladies who are arranging the program, to make a "giving" party of it.

There will be several things to amuse the guests. For instance, a Christmas pie, peanut race, apples in the tub, long and short man's doughnut jump. Sandwiches, coffee, salad and candies will be served for refreshments.

It is intended by the Shamrock members to make one little needy child happy by giving it a number of gifts for himself and others on the evening of the "picnic."

Santa Claus Will Visit Keokuk's Poor Children Next Monday at the Y. W. C. A.

On Xmas day at 3 o'clock, thirty of the city's more unfortunate children will gather at the Y. W. C. A. rooms for a jolly Xmas party. A tree will be provided for the occasion, all kinds of games will be played, good things to eat will be prepared and best of all, old Santa Claus will be on hand to give each child the gifts of warm clothing, food and toys that the merchants and other kind friends have made possible for him to give.

Any person who wants to add to the Xmas spirit work is invited to communicate with the secretary of the Y. W. C. A.

SWITCHMAN HURT AT COAL CHUTE

Hurley Moore Taken to Graham Hospital After Back and Ankle Were Injured.

Hurley Moore, local C. B. & Q. switchman, had a severe fall at 10:05 Tuesday morning which caused his removal to the hospital. Mr. Moore was on a car at the coal chute near the "Q" round house when knocked to the ground and his back and right ankle suffered from the fall.

Switchman Moore was removed to Graham hospital where it is expected he will be confined for several days at least. It is stated by the physician in attendance that no internal injuries were received by the railroad man, so far as developments have yet proven.

Moore is a resident of Hamilton and has been one of the day switchmen of the Burlington for some time.

OLD COUPLE GETS MARRIAGE PERMIT

Man 82 and Woman 78 do not Think Themselves Too Old to Enjoy Married Bliss.

[Special to The Gate City.] CARTHAGE, Ill., Dec. 20.—F. C. Little, 82, of Pontoonoc, and Lydia M. Landon, 72, of Camp Point, do not think they are too old to enjoy married bliss. A marriage license was issued to them this week, which in point of age of the couple is believed to set a record for Hancock county.

Miss Carrie Vogt has returned to her home at Franklin after a pleasant visit at the home of Mr. and Mrs. J. C. Karle.

CITY NEWS.

—Chicken pie Y. W. C. A. Saturday evening, 25c.

—C. W. Randall, 518 South Twenty-first street, said today that he was rejoicing over the finest Christmas present given him in years. It assumed the form of a perfectly good looking baby girl which was born yesterday.

—Victor Victrolas \$15 to \$200. Lowenstein Music Store.

—Rain, sleet, snow flurries and a mixture of these elements, tested the tempers of wet holiday shoppers all day. The weather prediction calls for rain or snow. Clear weather with a half foot of snow is wanted for Christmas to make the season seem real.

—The Chicago and mail from the north was an hour and a half late in arriving this morning, delaying the city delivery until nearly noon in the business district.

—Chicken pie Y. W. C. A. Saturday evening, 25c.

—The Young Woman's Christian association of this city is doing a splendid work, the fruits of consistent, persistent and untiring efforts to do a great good being plainly evident.

—E. L. Trott, Tip Feeley, Allen Finney and Mike Shank, four tramp drunks, were sentenced each to thirty days in the county jail when arraigned in the superior court this afternoon. Barney Sullivan, the man who broke into the "Q" car on the levee this morning and was noticed while making entrance by one of the railroad men, was committed to the county jail for thirty days, also.

—Marriage licenses were issued today to Joe C. Fry and Hannah L. Doughty of Sutter, Ill., and James C. Curran and Rosella West of Keokuk. —Best piano values in the city. Lowenstein Music Store.

—Relatives, and friends here have received announcement of the birth of a son on Monday, December 11th, to Mr. and Mrs. William Edward Tinch, of 3090 West Grand boulevard, Detroit, Mich. The mother was formerly Miss Oreta Temme of this city, daughter of Mr. and Mrs. Fred W. Temme of this city. The new arrival has been named William Edward, after his parental parent.

ABROGATION OF RUSSIAN TREATY

House Concurred in Amendments of Senate on Sulzer Resolution This Afternoon.

[United Press Leased Wire Service.] WASHINGTON, Dec. 20.—When the senate resolution for the abrogation of the Russian treaty of 1832 was laid before the house this afternoon, Representative Sulzer, (Dem. N. Y.) chairman of the house committee on foreign affairs and author of the original abrogation resolution, moved that the house accept the senate amendments. He immediately began a speech on the resolution.

In no uncertain terms Sulzer discussed the actions of the president in the Russian imbroglio. After relating the circumstance of the adoption of the house resolution, he said: "There was not a line in the resolution requesting the president to communicate the resolution to Russia. But it evidently was communicated to Russia."

Here Sulzer reviewed the peculiar sequence of events that led up to the president's notification of Russia.

"On Dec. 13," he said "this resolution passed the house; the 14th, it went to the senate. On the 17th, the president, through our ambassador at St. Petersburg notified the Russian government that the treaty was to be abrogated. The people will not fail to appreciate this peculiar situation." On this side of the house we tried to raise the question above the plane of petty politics. And we succeeded.

"Why," if the president had the power to terminate that treaty, did he not do it before? That is the question that will be asked throughout the country. The president acted on the resolution of the house. Then he ignored this house by sending a special message to the senate. Then the senate ignored the president by sending the amended resolution back to the house."

House Accepts.

WASHINGTON, Dec. 20.—The house this afternoon by a viva voce vote concurred in the amendments of the senate to the Sulzer resolution, abrogating the treaty of 1832 with Russia. There was no demand for a roll call vote, and the amendments were accepted practically unanimously.

The action of the house completed the legislative feature of the situation and the president's note to Russia now stands as the officially approved action of the United States. It put the final stamp of certainty on the announcement that the Russian treaty of 1832 will be terminated on December 31, 1912.

The next step in the matter will be the reply of Russia to the president's note, which will be followed by plans for the negotiation of a new treaty.

Snake Runs the Ship.

[United Press Leased Wire Service.] BOSTON, Dec. 20.—Hidden in the cargo on the German freighter Katteram, is a great king cobra, which has already killed one sailor. It escaped from its cage and kept the East Indian and Malay crew in a state of terror all the way from Calcutta, where several cases of deadly reptiles were shipped to this country. It was hoped to start unloading at sunrise today, but only two longshoremen would sign for the job.

Give Practical Gifts To your friends for Christmas. We suggest Boots, Shoes or Slippers. Our range of styles contain all the wanted fashions. Come In and See Them Baur-Mullarky Co. THE NEW SHOE STORE 414 MAIN STREET

GOOD WEATHER OR NO GATE CITY

Warsaw Citizens Make Demands on Newspaper and Mr. Gosewisch of Weather Bureau.

Warsaw, through one of its leading citizens, threatens to quit reading The Gate City unless Mr. Gosewisch of the weather bureau, furnishes better weather. The following communication was received today:

To the Editor of The Gate City: If you do not have your weather man, Mr. Gosewich, have better weather for Xmas, we will quit your paper.

Yours for Christmas weather, J. B. WORTHEN. P. S.—He knows better, but don't think.

PROGRESS IN PACKERS TRIAL

Attorney Wilkerson Charges the Combine With Juggling Prices of Meat.

[United Press Leased Wire Service.] CHICAGO, Dec. 20.—United States District Attorney Wilkerson continued his statement of what the government expects to prove in support of their charge of criminal conspiracy to dominate trade against the ten million packers, when Judge Carpenter convened court today. The attorney's address today was largely technical, and constituted a complete picture of the activities of the beef trust in reaching out to control trade.

Counsel for the defense had not decided today whether their side would make the opening statement for the packers immediately following Wilkerson's address, or wait until the prosecution had concluded its presentation of evidence.

About 200 witnesses summoned here for the government were today ready to testify.

Wilkerson charged indirectly that the monopoly which the government charges was fostered by the "pool" of the ten packers, was responsible for the high cost of living.

"The great wealth of these defendants, aggregating nearly a hundred million dollars, enabled them to adopt gigantic plans," he said. "They restricted production of dressed meat, and thus created a false condition of scarcity, through which they reaped enormous profits. Their operations were of such magnitude as to affect practically all the markets of the world."

UNITED STATES OF CHINA FORMING

Foreign Consuls Present at Peace Conference and Demand That Anarchy Cease.

[United Press Leased Wire Service.] SHANGHAI, Dec. 20.—Tan Shao Wi, representative of Yuan Shi Kai in the peace conference, this afternoon announced that he was ready to accept a republic provided that was agreeable to the premier. A message was sent at once to Peking and the conferees are breathlessly awaiting an answer. The republicans are overjoyed with the prospects of having their fondest hopes realized. If Yuan agrees to a republic, he will undoubtedly be selected first president of the new United States of China.

The peace conferees decided upon an extension of the armistice from December 24 to December 31.

Tang Shao Wi was only won over to the republican idea after hours of argument by Dr. Wu Ting Fang, the rebels' representative, who declared that there could be a settlement on no other basis.

Tang Shao Wi has been greatly alarmed by the prospect of intervention by the powers. He is said to have urged Yuan Shi Kai to agree to the revolutionists' demands, rather than run the risk of interference from the powers.

Wu Ting Fang this afternoon expressed confidence that Yuan would yield, but this feeling is not shared by all the revolutionists.

Maxwell & Tumelty Insurance & Real Estate 12 North Sixth St. Nos. 12 and 14 South Third street, two story brick, steam heated business building, with two storerooms, both rented. Offered at reasonable price or will trade for farm property.

VISIT THE City Drug Store And see the elegant line of Leather Goods, Toilet Sets, Shaving Sets and other gift novelties. 700 Main St. Both Phones

Want Column WANTED. WANTED—Girl at Racey's restaurant, 28 South Fifth street. WANTED—Boy to wash dishes and run errands. Mission Inn. WANTED—Dining room girl. 22 South Fourth. WANTED—In Keokuk, live agent to sell Ideal Mail Boxes. Big money easily made. Agents Supply Co., Box 98, Muscatine, Iowa. FOR SALE. FOR SALE—Five room cottage, 1809 Times. Tel. 981-Red. FOR SALE—5 passenger car, top, etc., good condition. Price \$295. Sam'l W. care Gate City. FOR RENT. FOR RENT—Suite of office rooms, with modern conveniences; upstairs, 716 Main. Inquire Wm. Horn. FOR RENT—Six room house. Hot and cold water. In good repair. Rentable after first of the year. Call 530 Red or 1028 Des Moines street. MISCELLANEOUS. WOMEN—Sell guaranteed hose, 70 per cent profit. Make \$10 daily. Full or part time. Beginners investigate. Strong Knit, Box 4029, West Philadelphia, Pa. HAVE your rents collected through the Keokuk National bank without expense to you. VIAMI—Non-surgical home treatment. Grace M. Heizer, lock box 266, Ft. Madison, Iowa. urably liquidated, the war scare ended by friendly and definite diplomatic compact, and the return loss of capital repaired, not only by return in part of the French advances, but by huge loans from New York. These sufficiently well known facts present an afterglow an incident not wholly easy to understand. It means that further relaxation in the pace of trade activity is necessary.