



## JUDGE GANTENBEIN DECIDES ON SUNDAY CLOSING CASES

### Law Is Declared to Be Unconstitutional

### SUNDAY LID IS LIFTED

### Billiard and Pool Rooms May Open But Saloons Must Remain Closed

### INJUNCTION IS PERMANENT

### Judge Declares the Law is a Violation of Religious Liberty, is Unjustly Discriminating and is an Unjust One.

PORTLAND, Oct. 12.—Judge Gantenbein rendered a decision this morning in the injunction case against District Attorney Cameron enforcing the Sunday law.

Judge Gantenbein decided: That the Sunday-closing law is unconstitutional because its purpose is to prevent the profanation of the Sabbath, and is in violation of the constitutional guaranty of religious freedom.

That the Sunday-closing law was not passed in the exercise of the police power.

That the law is unconstitutional because it is an unjust discrimination against certain kinds of business.

That the law is unconstitutional because the exemption of theatres is unreasonable and arbitrary.

That the injunction preventing the District Attorney from prosecuting under the law be continued in effect.

That the injunction will not permit saloons to open Sunday.

That billiard and pool rooms, though not included as plaintiffs in the injunction, may keep open Sunday because the law against them is void.

The Sunday lid was effectually and finally lifted in the Circuit Court this morning when Presiding Judge Gantenbein held the Sunday law unconstitutional as a violation of the guaranty of religious freedom, and continued in effect the injunction which prevents District Attorney Cameron prosecuting persons who keep open their places of business Sunday.

The effect of Judge Gantenbein's decision was to sweep the Sunday closing law, section 1968 of the code, from the statute books. Saloons, however, will continue to have a Sunday lid, there being another section of the code, section 1974, which is devoted exclusively to a prohibition of the sale of liquor Sunday.

## IS DOUBTFUL THAT BRYAN CAN WIN

### Chairman Hitchcock Can See No Justification for the Belief That Bryan Can Carry Ohio

NEW YORK, Oct. 12.—Chairman Hitchcock of the National Republican committee says he can see no justification whatever for the hope of the democratic success in Ohio. He said the state as a whole will more than offset any local disaffection and that Republican success is assured. Chairman McKinley said that he had heard from every Republican congressional committeeman in Indiana, and that all had reported to him that

District Attorney Cameron said this morning that he has not decided whether he will appeal to the Supreme Court.

In concluding the judge said that if the next legislature desires to pass a law for the purpose of providing a day of rest and recreation, they should give the Idaho Sunday closing statute careful study. He commended the Idaho law to them as a model.

### PROPOSED CONFERENCE

BERLIN, Oct. 12.—News that Great Britain is willing to have international conference meet for rearrangement of "Near Eastern Affairs," was received in Berlin today after the foreign office had closed. It has been understood for several days that Germany is agreeable to the conference if the other powers are united in favoring it. No official communications with reference to the conference have been exchanged between Germany and Russia.

## SHERIFF'S POSSE GETS THE MAN WANTED

### MURDEROUS ASSAILANT HAS PITCHED BATTLE WITH PURSUERS AND LOSES.

### IS RIDDLED WITH BULLETS

### Man Who Was Undoubtedly Insane Shoots Man and Wife and is Pursued by Sheriff and Posse—Trouble Was Over Land Deal.

AUBURN, Cal., Oct. 12.—J. P. Garred, who shot and wounded Louis Fallar and wife at Dutch Flat was riddled with bullets this afternoon by a posse which was out in the brush hunting him and upon whom he opened fire from a ditch. Sunday Garred fired upon Fallars hitting Mrs. Fallar in the hip and Fallar in the hand. Early this morning a posse headed by Sheriff McCauley started in pursuit and searched the brush in vain until about three o'clock, when it was decided to retire from the hunt and try another plan. The sheriff and his deputy took the train for Auburn and a few minutes afterwards as the posse was passing an old hitch Garred opened fire on them. One shot hit a young man named Wagner in the leg. The posse returned the fire and riddled Garred with bullets. It is said that Garred had no real cause for shooting Fallars and that he undoubtedly was insane. There had been some dispute between the parties over some land which Garred had sold to Fallars.

### WANTS CONFERENCE

LONDON, Oct. 12.—M. Iswolski, Russian foreign minister, has succeeded in impressing upon Sir Edward Grey, British secretary of foreign affairs, the necessity that not only should a conference of powers be held to settle the crisis in the near East but this conference should take under advisement other questions besides those involved in annexation by Austria of Bosnia and Herzegovina and declaration of Bulgarian independence. This change of front on the part of Great Britain which has caused great surprise, was announced by the foreign office at the conclusion of a long conference between Sir Edward Grey and M. Iswolski, after a meeting of the cabinet, in which Sir Edward set forth the position he had taken and explained the views of the Russian minister. Further than the bare announcement noting could be ascertained officially as to the questions M. Iswolski desires included. In fact it is doubtful if it has yet been decided what shall be taken up in addition to questions which brought about the crisis.

### BRYAN TALKS TO STUDENTS

LINCOLN, Oct. 12.—In an address at the State University this afternoon Colonel Bryan attacked the arguments of Governor Hughes of New York in defense of the Republican platform, dwelt on the difference in the two platforms relating to the publicity of campaign contributions and discussed the propriety of President Roosevelt's supporting Taft. It was delivered forcibly and in Bryan's best style. His speech was repeatedly cheered by the University students. In attacking the position of the Republicans on the tariff situation he delivered epigrams which kept the students cheering. During the speech he took a vote of the students who are for and against the election of Senators by a direct vote.

### HEBREWS MERGING

NEW YORK, Oct. 12.—At a meeting attended by several hundred persons representing all the Jewish organizations in New York City, steps were taken to form a permanent association to advance the interests of the Jewish residents of the city and protect them in their rights. In the resolutions it was pointed out that although New York possessed what was called "The largest Jewish col-

ony in the world," numbering 1,000,000 or more persons, yet its position was "so exposed and so weak" that it was "almost powerless against attack from without and dissolution from within." The sentiment was general for the formation of a permanent central Jewish body, but without definite action an adjournment of the conference was taken until tonight.

### BEVERIDGE AT SALT LAKE

SALT LAKE, Oct. 12.—That if Bryan is elected president his administration will be fought by a powerful element in his own party was the principal argument of Senator Beveridge here tonight before an immense audience at the Salt Lake theatre. Beveridge predicted that if a poll of democratic senators were taken it would show a greater opposition to Bryan's policy than has ever been seen to the policies of any presidential candidate since Andrew Jackson's day.

### SCHOOL APPROPRIATION

SALEM, Or., Oct. 12.—The State Normal School regents today appropriated approximately \$350,000 for the Normal Schools. The board adhered to the policy of three schools for the state, though W. B. Ayers of Portland will file a minority report objecting to more than three schools.

### DROWNS IN WINE

SANTA ROSA, Cal., 12.—Mrs. George Colier, wife of a rancher, at Occidental, was drowned yesterday in a vat of wine.

### TAFT AT AKRON

AKRON, O., Oct. 12.—Seventeen Ohio towns heard and saw Judge Taft today. He talked from Cincinnati to Akron through a portion of the state conceded to have been a Foraker stronghold, with a portion of the territory democratic. The candidate was listened to by large crowds.

### WASHINGTON LETTER

WASHINGTON, Oct. 12.—Prof. Irving Fisher, the eminent political economist of Yale University, who in one of his papers before the recent International Tuberculosis Congress in Washington declared that consumption costs the people of the Uni-

## LA GRANDE BANK DID NOT OPEN ITS DOORS YESTERDAY

ted States more than a billion dollars a year, is preparing an exhaustive report for the National Conservation Commission, which will contain not only these figures but similar data on the economic loss to the country from all other preventable diseases.

Prof. Fisher is a member of the National Conservation Commission and for many years has been carrying on studies along these lines. The Commission received letters from physicians all over the country urging it to consider the bearing of public health on the economic efficiency of the nation in its efforts to ascertain the resources of the country.

The Commission from the beginning has contemplated reports on the economic aspects of several phases of the Conservation movement which affect the duration and effectiveness

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## THIRD GAME OF SERIES GOES TO DETROIT

### THE CUBS LOSE TO TIGERS AT CHICAGO BY A SCORE OF 3 TO 3.

### VISITORS ONTO PFEISTER

### Crowd Asks For Retirement of Pfeister But Captain Chance Ignores Request—Three Men Are Passed and 13 Hits Made.

CHICAGO, Oct. 12.—Detroit became a real contender for the world's baseball championship today when it defeated Chicago in a decisive fashion by a score of 8 to 3. Manager Jennings achieved this result with a change in his line up.

This shake-up however cannot be said to have had any material effect in winning the game for neither Schaefer nor Coughlin got hit, while Coughlin bungled one of his two chances.

Pfeister's left handed shoots for the most part failed to puzzle the Michigan batsmen. Besides passing three men he was hit safely 13 times, two of the clusters being doubles and six of them occurring in one inning. It was this inning, the sixth, which gave the game to Detroit. The crowd which, with exception of the minority from Detroit, which enjoyed the procession across the plate immensely, pleaded with vociferous unanimity for the retirement of Pfeister.

Despite the fact that the sun shone brightly today and the temperature was higher than yesterday, less than 14,500 paid admissions were registered.

### Depositors Form in Line to Start a Rush

### CREDITORS UNEASY

### City and County Funds Are Deposited in Bank, Also School Funds

### CASHIER IS UNSTRUNG MAN

### Action of Bank Officials Not Unexpected as Rumors of Trouble Had Been Afloat Since Saturday—Bank Examiner Expected Today.

LA GRANDE, Or., Oct. 12.—"Closed until the bank examiner arrives" was the sign that greeted a would-be rush on the Farmers and Traders National Bank this morning. The action of the bank officials was not unexpected; rumors of trouble had been afloat since Saturday.

Aside from the rumors of financial troubles are others of a more serious nature, but the alleged facts behind them have not yet assumed public form, and those interested are not saying anything.

It is impossible to say now how the finances of the institution stand, but judging from the recently published sworn statement there should be no great shortage.

The bank is incorporated for \$60,000 and thus far has been conducting an apparently lucrative business. The suspension came as a decided shock to La Grande.

La Grande itself has a large amount of money deposited and school and county funds are also in the bank's vaults. Before banking hours this morning depositors were in line to start a rush should the door open, but it failed to do so.

The Bank Examiner is expected here tomorrow morning.

Individual deposits and certificates of deposit two weeks ago were \$190,000 and the liabilities at that time were \$279,000. How much the bank's resources have deteriorated since that time will only be known after the Examiner gets here. Cashier Scriber is in the midst of a nervous breakdown and refused to be interviewed.

### PROGRESSIVE ITEM.

TOKIO, Oct. 12.—The Chinese-Japanese convention regarding the Port Arthur-Chefoo cable was signed at Tokio today.

## WATER FRONT OF BLAINE, WASH. IS THREATENED

### Fire Last Night Causes \$250,000 Damage and Is Not Controlled at Last Reports

### SEVERAL CANNING PLANTS ARE DESTROYED

### The Total Loss May Reach Beyond a Million Dollars—Origin of Fire Unknown—Firemen Are Assisted by Hundreds of Volunteers—Flames Visible in Bellingham

BELLINGHAM, Wash., Oct. 12.—

A special from Blaine says that flames broke out in H. R. Jenkins' Lumber Company's plant here at 10:30 o'clock tonight and at midnight practically consumed the entire plant valued at \$250,000. The flames fanned by a strong southwest wind are being carried toward the Erie Mill 100 feet away and the Morrison mill.

The plants of the Northwest Canning Company, the city dock and the Ainsworth and Dunns Canning

plant are threatened. Firemen are being assisted by hundreds of volunteers and desperate efforts are being made to save what is believed to be the possible destruction of the whole of Blaine's waterfront. If the plants are all destroyed the total loss will run beyond a million dollars. The origin of the fire is not known. The flames were discovered by the night watchman and rose to such a height as to be plainly visible in Bellingham. Jenkins' plant is one of the largest plants in the country.

## HIGSEN ALONE AT PORTLAND

### Inclement Weather and Absence of Leader Acts as a Deterrent to Many Who Would Attend

PORTLAND, Oct. 12.—Thomas L. Higsen, candidate of the Independence party for President addressed a gathering of about 2500 people in the Armory in this city today. Higsen's speech was an arraignment of both the old parties and a recital of his personal experiences in his fight with the Standard Oil Company. In-

cidental weather and absence of W. R. Hearst with "More letters" deterred many who would have otherwise been present at tonight's meeting. There were several attempts to break up the meeting but shouting names of Taft and Bryan but they were wholly ignored by the speaker and soon departed from.