

COURTS TO DECIDE CLOSING ORDER LEGALITY

SUITS ARE BROUGHT AGAINST POOL HALL MEN IN THE CAPITAL CITY

ATTORNEY GENERAL RULES

Mayor of Boise Bucks State Board of Health in Edict to Check Spanish Influenza

While S. H. Hays, mayor of Boise, was questioning the legality of the state board of health's closing order, to prevent spread of Spanish influenza, and suspended the order in Boise, until the attorney general ruled whether or not the board could issue such drastic edict, T. E. Edmundson, mayor of Grangeville, promulgated a closing order, at the request of the state board of health, which closed even the mayor's own motion picture theatre.

Grangeville has shown a disposition to respect the order, without questioning its legality but Boise, has not. Because Boise has raised an objection, the courts must decide whether the state board of health acted within its powers in issuing the order, for at least ten complaints, according to word from Boise, have been filed charging the defendants, pool hall operators, with failure to observe the edict. The complaints were filed by the attorney general's office.

Walters Rules for Board.

"Other municipalities in the state are warned to observe the order, because it will be enforced," said Attorney General Walters. "The state board has power to issue such an order under the statutes, and municipalities cannot suspend orders made pursuant to statute."

In support of his view, the attorney general quoted the following language from a legal authority:

"General provisions for the preservation of the life and health of the people of the state are no more suspended in a municipality comprised within a municipality than are the criminal laws of the state. It would be obviously unwise for a state to delegate to any municipality full and complete control of matters pertaining to the public health. The municipality might in the preservation of sanitary conditions in its own territory work incalculable mischief to the health and comfort of people living in adjacent territory. To prevent this being done, it is primarily necessary that there shall be one central authority clothed with the power of affording equal protection to all."

Fines Up to \$300.

Failure to observe an order issued by the state board of health pursuant to statute is punishable as a misdemeanor, and persons convicted are subject to fines of not less than \$50 or more than \$300, or imprisonment of not less than 30 or more than 90 days in the county jail, or both fine and imprisonment.

"The board's authority," said the attorney general, "to issue orders to prevent disease is set out in section 1086 of the state statutes." This section is, in part as follows:

"Whenever the state board of health shall have cause to believe that there is any danger of cholera, smallpox or other contagious or infectious disease invading this state or country, it shall be the duty of said board to take such action, and adopt and enforce such rules and regulations as may be necessary to prevent the introduction of such infectious or contagious disease within the state, and any persons or persons or corporations refusing or neglecting to obey such rules and regulations shall be deemed guilty of a misdemeanor."

CLEARWATER

(From last week.)

Horace Hornaday is out from New-some, where he was hostler for the stage company during the summer. Mr. Hornaday will resume his former job as hostler at Switchback for the winter.

Cattlemen are rounding up their cattle from the summer range. All report range was very short. Most of the cattle are coming out in poor condition.

Several young men from this section have been called to Grangeville for physical examination for the army.

Elmer Higgins has returned here after spending the last eight months at outside points.

The Red Cross chapter has received its sewing and will continue the work

which had been discontinued for lack of material during the summer.

San Calder is here from Hot Lake, Ore., where he took his son, Lyle, for treatment. He reports Lyle as slowly improving. Mr. Calder will send his daughters to California for the winter.

William Houston is here from his property in the mountains for a few days.

William Farris is here from the mountains where he had been herding cattle all summer.

Fred Hunt of Grangeville is in this section buying cattle.

PIANO WANTED—To rent, inquire Free Press office. 19-1f

NOTICE FOR PUBLICATION.

Department of the Interior, U. S. Land Office at Lewiston, Idaho, October 15, 1918.

Notice is hereby given that Michael Meyer, of Lucile, Idaho, who, on June 5, 1915, made Homestead Entry, No. 06151, for SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13 Township 25 North, Range 1 East, Boise Meridian, has filed notice of intention to make three year Proof, to establish claim to the land above described, before Henry Telcher, Clerk of the District Court, at Grangeville, Idaho, on the 19th day of November, 1918.

Claimant names as witnesses:

Joseph Klever, Marion Kraner, Oliver O. Gordon, Henry J. Elfers, all of Lucile, Idaho.

Henry Heitfeld, Register.

NOTICE TO CREDITORS.

In the Probate Court of Idaho County, State of Idaho.

In the matter of the estate of Alvin R. Harris, deceased.

Notice is hereby given by the undersigned administrator of the estate of Alvin R. Harris, deceased, to the creditors of, and all persons having claims against said deceased to exhibit them with the necessary vouchers, within four months after the first publication of this notice to the said administrator at the office of Fred E. Butler, Lewiston National Bank Building, Lewiston, Idaho, the same being the place for the transaction of the business of said estate in the state of Idaho.

Dated this 7th day of October, 1918.

JOHN SCHMIDT, Administrator.

First publication Oct. 10, 1918. 21-4

NOTICE FOR PUBLICATION.

Department of the Interior, U. S. Land Office at Lewiston, Idaho, October 4, 1918.

Notice is hereby given that Nettie B. Carpenter, of Grangeville, Idaho, who, on August 16, 1917, made Homestead Entry, No. 07125, for Lots 1 and 2, and S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 7, Township 30 North, Range 4 East, Boise Meridian, has filed notice of intention to make Commutation Proof, to establish claim to the land above described, before Henry Telcher, Clerk of the District Court, at Grangeville, Idaho, on the 15th day of November, 1918.

Claimant names as witnesses:

Bert Baker, Frank S. Munro, Joseph Himmelspak, Patrick H. Leach, all of Grangeville, Idaho.

Henry Heitfeld, Register.

NOTICE OF SHERIFF'S SALE UNDER A WRIT OF EXECUTION.

In the District Court of the Tenth Judicial District of the State of Idaho in and for the County of Idaho.

Geo. L. Esh, plaintiff vs. Samuel Muldrow, William Cooper, J. B. Brown and Alex Bills individually, and as co-partners, defendants.

Under and by virtue of a Writ of Execution issued out of the District Court of the Tenth Judicial District of the State of Idaho in and for the County of Idaho, on the 27th day of September, 1918, in the above entitled action, wherein Geo. L. Esh, the above named plaintiff, recovered judgment against said defendants, on the 26th day of September, 1918, which said judgment was docketed in the Clerk's office in the said county, on the 27th day of September, 1918, for the sum of \$784.60, lawful money, with interest thereon at the legal rate from date, of said judgment, costs and accruing costs.

I have levied upon all the right, title and interest which the said defendants jointly, and as co-partners, had, or the said defendants, William Cooper, J. B. Brown and Alex Bills, individually had on June 21st, 1918, at the time of the levy of a Writ of Attachment thereon, in the above entitled action, or which they had therein, at the time the said judgment was docketed on September 27th, 1918, or at any time thereafter, in the following described lands and real estate situated in the Dixie Mining District, Idaho County, Idaho, to-wit:

The Free Gold, the Free Gold No. 1, the Free Gold No. 2, the Free Gold No. 3, the Free Gold No. 4 lode mining claims, the location notices of which are on record in the office of the Recorder of Idaho County, Idaho, in Book 58, pages 31, 41, 37, 39 and 40 respectively of Mining Locations, of the records of said county, (subject, however, to a judgment and the lien of same recovered by W. N. Seales, as plaintiff, against said J. B. Brown, as defendant in the above entitled court on March 19th, 1915, for the sum of \$2522.25, and docket in said Court, on March 23rd, 1915, said court then being the District Court of the Second Judicial District in said County.)

Public Notice is Hereby Given, That on Saturday, the 2nd day of November, 1918, at the hour of 10 o'clock, a. m. of said day, in front of the Court House door, in the City of Grangeville, Idaho County, Idaho. I will in obedience to said Writ of Execution, sell all the right, title and interest of the said defendants, jointly, and as co-partners, as aforesaid, or of the said defendants, Brown, Bills and Cooper, individually, as aforesaid, in the above described lands and real estate (subject to the said lien of said judgment recovered by W. N. Seales), or as much thereof as may be necessary to satisfy said judgment herein, with interest and costs, to the highest and best bidder for lawful money of the United States.

Dated at Grangeville, Idaho, October 7th, 1918.

L. R. YATES, Sheriff.

BY T. E. QUINLAN, Deputy.

HUNDREDS OF U. S. SOLDIERS DIE AS SHIP IS SUNK

VESSEL GOES DOWN IN COLLISION NEAR SCOTTISH AND IRISH COASTS

372 MEN MAY HAVE PERISHED

Leap to Deck of British Destroyer, but Many Are Crushed to Death Between Two Boats.

A British Port—A large number of American troops have been lost as the result of the sinking of the transport Otranto in the north channel between the Scottish and Irish coasts in a collision with the steamer Kashmir.

The Otranto after the collision was dashed to pieces on the rocks off the south Scottish coast with a probable loss of 372 American soldiers.

Three hundred one men were taken to Belfast by the British destroyer Mounsey, the only vessel which made an attempt at rescue in the terrific gale when the Kashmir, another vessel in the convoy with the Otranto rammed the Otranto amidships.

372 American Soldiers Missing.

Of the 699 American soldiers on board the Otranto, 310 were landed. Seventeen were rescued alive at Islay, leaving 372 unaccounted for.

The Otranto struck the rocks Sunday night south of Saligo bay, Islay island, an uninhabited section where the coast line in many places rises straight out of the water to the rocky peaks many feet above.

As the destroyer neared the side of the Otranto the men began to jump from thirty to fifty feet from her decks. The more experienced sailors of the crew of the steamer had better sense than the soldiers, many of whom had never seen the sea until this trip.

As the destroyer steered toward the side of the steamer many of the men leaped too quickly and missed their reckoning and dropped between the boats. Some of these disappeared in the water, but others of them were caught and crushed to death between the boats and the life boats which had been lowered to act as buffers. The destroyer was badly battered.

Jump to Destroyer's Deck.

The captain of the destroyer, each time it was brushed away from the side of the Otranto, again would push near enough for many more men to jump to the deck of his vessel. He described as a veritable rain the number of men landing on the destroyer.

Many of those who reached the decks of the vessel suffered broken bones or otherwise were hurt. Those who missed the deck of the destroyer went to almost instant death.

Four times the battered destroyer came alongside and each time the previous scenes were repeated. At the end of the fourth trip she had 310 Americans, 236 of the crew, 30 French sailors and one British officer on board. The bow was full and, having done all possible, she started for port.

The survivors saw the Otranto drifting helplessly toward the rocks as they pulled away toward the Irish coast. The destroyer barely had time to send a brief message when her wireless was carried away. The little overloaded vessel had a rough trip to port.

Ge'mans Sink Passenger Ship.

Dublin—Of 150 women and children aboard the steamship Leinster when she was destroyed by a German submarine only fifteen have been accounted for. Several of these have died since they were brought to port. According to the latest estimate, 480 persons perished when the passenger liner Leinster was torpedoed and sunk by a German submarine. The vessel carried 687 passengers and had a crew of about seventy men.

FERDINAND

Richard Hayden arrived for a short visit with home folks Tuesday evening. In response to the draft call, Frank Hayden motored to Grangeville Wednesday for examination.

A surprise farewell party was given last Thursday evening at the home of Charles Strickfaden in honor of his parents, Mr. and Mrs. J. F. Strickfaden, who expect to leave shortly for California.

J. A. Winchester accompanied Dr. R. J. Alcorn to Grangeville last Wednesday.

O. E. Havens made a business trip to Lewiston Saturday, returning the next evening.

Mr. Henry of Nezperce, who had been taking inventory for the hardware com-

pany for ten days, returned to his home last Sunday.

Misses Beatrice Sasse and Melvina Tautfest are home on a short visit from Lewiston.

Miss Eva Wagner is reported seriously ill at the home of her sister, Mrs. Elmo Kincaid.

E. P. and W. E. Goodall transacted business in Grangeville Monday.

CITY LOANS, Geo. M. Reed. 1-1f

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And Refining Company is now drilling in the famous cushioning fields, Oklahoma, only 150 feet from the famous Gusher tract of the Lorette wells. Secure stock of this company by writing us for information and prices. This stock will soon reach par value, which is 10 cents. As the company is now drilling with double shift and are down over 500 feet.

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Grangeville, - Idaho

NOTICE, WATER CONSUMERS

Sprinkling season opens July 1st, and closes October 1st

An extra charge will be made for sprinkling out of season

SPRINKLING HOURS

North of Main St., 6:00 a. m. to 9:00 a. m.
South of Main St., 6:00 p. m. to 9:00 p. m.

Grangeville Electric Light and Power Co.

NOTICE, WATER CONSUMERS