

La Grande Evening Observer

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LA GRANDE, UNION COUNTY, OREGON, FRIDAY, JUNE 3, 1910

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UNION WELCOMES THRONG

FARQUHARSON IS LOSER IN WRIT OF REVIEW

PORTIONS OF LOWER COURT'S DECISION IS UPHELD AND OTHER NOT.

LIQUOR ILLEGALLY SPILLED

Case Which Created Considerable Interest Several Months Ago When James Farquharson Was Arrested, Found Guilty and Sentenced for Selling Liquor, Has Another Chapter Added to It.

INFANTS VICTIMS OF BAD MILK

Police court sentence against James Farquharson for selling intoxicating liquors, handed down by City Recorder Cox several months ago, and appealed on a writ of review, was sustained in a lengthy decision handed down by Circuit Judge Knowles today. On the other hand, an order emanating from the recorder's court confiscating and destroying several barrels and cases of high grade liquors, is declared by the decision illegal. The decision is an important one, and is the climax to a series of trials, jail sentences, and rather exciting incidents. Farquharson was found guilty, and sentenced and when his time for appeal had expired, was jailed in the city prison for a short period, being allowed his freedom when the appeal was perfected. The opinion in full as handed down today, follows:

In the Circuit Court of the State of Oregon for the County of Union:—James Farquharson, plaintiff, vs. the City of La Grande, a municipal corporation, and D. E. Cox, Recorder of said City, plaintiff.

The above cause is before this court upon a Writ of Review to review the action of the Recorder's Court of the City of La Grande, Oregon, in sentencing the defendant to pay a fine of \$50.00 for a violation of Ordinance No. 442, Series of 1910, in maintaining a liquor nuisance in the City of La Grande, Oregon, and further ordering certain liquors claimed to belong to the defendant in said action in the Recorder's court, the plaintiff in this proceeding, to be destroyed.

It is contended by counsel for the plaintiff that the conviction of the plaintiff is illegal for the reason that the record certified to this court does not show that Ordinance No. 442, Series of 1910 was ever passed by the Council of the City of La Grande, Oregon.

Section 43 of the Charter of the City of La Grande adopted by the legal voters of the City June 22d, 1909, the same being the Charter under which Ordinance No. 442, Series of 1910, was enacted in prescribing the duties of the Recorder among other things provides, "He shall keep accurate minutes of all proceedings of the Council," etc.

In the case of Portland vs. Yick, 44 Or. 439, the Supreme Court of this State holds that the courts will not only take judicial knowledge of the passage of an ordinance of a municipality but that they will examine the journals of the Council to ascertain if the requirements of the Charter have been observed.

It will therefore be necessary for this Court to examine the proceed-

ings of the Council of the City of La Grande, to ascertain whether the Recorder has observed the mandates of the Charter requiring him to "keep accurate minutes of all proceedings of the Council" so far as this Ordinance is concerned.

The complaint alleges that Ordinance No. 442, Series of 1910 was passed by the Council of the City of La Grande on the 12th day of January, 1910. A copy of the minutes of this meeting is certified to this Court by the Recorder as a part of the Return to the Writ issued in this case and we find in said minutes the following:

"Prohibition Ordinance was read for information and after considerable discussion it was moved and seconded that the ordinance be read the third time and placed on its final passage. The motion carried and the ordinance was read the third time, the

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ARRESTS MAY FOLLOW LONG STRING OF FATALITIES.

Spokane Rescue Home for Children Scene of Many Deaths.

Spokane, June 3.—Impure milk is blamed for the death of five babies at Brittenon Rescue home within a week. Fifteen others are sick. The milk inspector says cows have either eaten poison weeds or adulterates were placed in the milk. Arrests may be made.

BITTER FIGHT IS IN SIGHT

RAILROADS STOP IMPROVEMENT AND LAY OFF MEN.

Shipperson Other Hand Are Preparing For a Bitter Fight.

Chicago, June 3.—Railroad shippers are today completing their plans for a big struggle over the rate question. Following the filing of a rate increase by the roads yesterday, Eastern and Western shippers are preparing measures to prevent the rates from going into effect.

That the senate is with the shippers is evident today, too, when the senate ordered a special committee to bring samples of 100 commodities that would be affected by the rise.

Orders for improvement have been countermanded and it is said that the Santa Fe is ready to drop 2,000 men from its list of employees.

TAFT BOOSTS GOOD ROADS.

President Sends Message to Albany, Oregon Advising Good Roads.

Albany, Ore., June 3.—President Taft today placed himself on record as a good roads booster by wiring a message from the White House to Oregon threshermen who are in session at Albany. He said he hoped their work would result in good road making and putting Oregon to the front in this work.

Tacoma Machinists.

Tacoma, June 3.—Between 200 and 300 machinists are striking today as the result of shop owners refusing to give eight hours laws.

GIGANTIC SUIT IS FILED AGAINST RAILROAD

MAKES THE LARGEST SUIT EVER FILED IN A COURT IN OREGON BY RECORD.

INVOLVES MANY MILLIONS

Southern Pacific Made Defendant in Suit at Portland Which Involves Title to Forty-five Million Dollars Worth of Land Between Ashland and Portland—Railroad Circles Contend Land Was Its Very Own.

Portland, June 3.—A government brief was filed today in a suit brought Thursday against the Oregon and California railroad which is the Southern Pacific, to set aside grants of 1866 and 1870, at a value of \$45,000,000.

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ARE YOU TRUE TO THE GRANDE RONDE VALLEY

Today there is gathered together many people from the Grande Ronde valley. They are celebrating the gala day at Union—the Stock Show. And while this crowd of substantial citizens is together would it not be well for each to ask himself this question:

"Am I true to the Grande Ronde valley?"

A man may be true to himself, true to his family, true to his friends, yet be a weak supporter of his supporter. He may rejoice at such events as given in Union, delight in seeing the country push forward, but absolutely refuse to do his part. Sometimes this occurs because the matter has not been forcefully brought to his notice. And that is the purpose of this editorial.

What are you doing to aid your community?

Are you buying stock in some foreign corporation with your earnings, when the choicest opportunities for safe investment in the world lie right at your door?

Are you buying a residence lot in some addition to a foreign city when with the same money you could make the first payment on a piece of land in the Grande Ronde valley?

Are you sending out your money to strangers in the mercantile business when if you only try you can get a square deal with the home man?

If you are doing any of these things you are not aiding to build the Grande Ronde, but you are tearing it down as fast as a kind and ever faithful providence can build it.

These are important matters—subject of the most vital interest and it behooves every man to take them home and think over them.

Not a single town in this valley can live without the farmers. To take away the support of the people who till the soil would mean empty store buildings, grass in the streets and a true illustration of the "deserted village."

On the other hand the farmer cannot get along without the towns of the Grand Ronde valley. They need every trade center, which makes this valley one great community proposition proving conclusively that any thing which benefits one portion of the valley benefits all.

When it comes to the campaign for advancement there is no La Grande, no Union, no Elgin, no Imbler for all resolve into one great effort for the Grande Ronde valley and Wallowa county.

The next time you are invited to invest in any proposition outside of this valley remember the pastures look green far away, and stick to the bridge that has carried you safely over, for you will travel miles and never find another such a community as this one—ripe, dead ripe for the investor and the man who is willing to work.

CHINA TREMBLES AT DANGERS TO ITS PEOPLES

ENGLAND ASKED TO PROTECT THE FOREIGNERS FROM DEATH IN REVOLT.

NO PROTECTION FOR ANY

All Whites in China in Danger and Embassies Have Been Notified to Beware—Triad at Bottom of Impending Bloodshed Because China Is Now Open to Commerce—Bomb Throwing in Japan Feared.

London, June 3.—All legations and consulates of China have been warned today of an impending outbreak which it is feared will surpass the Boer uprising. Missionary societies are demanding that England intervene and save the lives of whites in China.

Chinese revolutionary leaders have sent out a warning to the effect that they will be powerless to protect foreigners when the uprising starts.

Triad at Work.
The secret society which is at the bottom of the impending bloodshed, is known as the Triad and has been preparing for months for the outbreak in hopes of overthrowing the Manchu dynasty for opening China to commerce and for instituting governmental reforms.

Bomb Throwers Arrested.
Tokio, June 3.—Shusui Lotoku, the writer, is under arrest here alleged to be the leader of a band of anarchists who are plotting to assassinate Marquis Katsura and other cabinet members. Several women have been arrested charged with making bombs.

HUGHES STIRS UP MORE GRAFT

NINETEEN INDICTED FOR ALLEGED COUNTY GRAFTING.

Supervisors, Contractors and Plumbers Among the Arrested.

Schenectady, N. Y., June 3.—Thirty-seven indictments are on file today, involving nineteen persons as a result of an extraordinary term of the supreme court called by Governor Hughes to investigate alleged graft and corruption in Schenectady county. The defendants include supervisors, ex-supervisors, contractors and plumbers. Seventeen are arrested.

GILLETTE SICK OF PRIZE FIGHTS

REITERATES HIS STATEMENT OF YESTERDAY REGARDING THEM.

Storms of Protest Go up From Fans Throughout Country.

Chicago, Ill., June 3.—Governor Gillette, after branding the Johnson-Jeffries prize fight as a fake Thursday afternoon, is traveling west today. "I am sick of the whole business," was his final interview. The governor's declarations started a storm from fight fans. Sporting writers comment on the interview and say the fight will be watched very closely. The governor admitted that his views as expressed were private and not official, as these sometimes differ.

Seventy Revolutionists Killed.

Constantinople, June 3.—A summary execution is today awaiting seventy leaders of the Albanian revolts. The leaders were arrested this morning in Constantinople, Maonst and Salonike by officers of the Young Turks' regime. Other arrests are occurring and quick death is sure for all who are caught.

Marriage License Issued.

The county clerk's office, today, issued a marriage license to Zetta B. Williamson and John C. Niederer, both of Elgin.

Goes to Portland.

Roscoe Doane the druggist at the Hill road store has gone to Portland where he will take treatment for his eyes.

HORSE SHOW AT UNION DRAWS THOUSANDS

PARADE MOST MAGNIFICENT OF THE KIND EVER HELD IN THIS PART OF THE STATE.

CENTRAL TRAIN IS STALLED

Thousands Flock to Union Today to Witness Inspiring Sights—Parade at One O'clock Is Record Breaker in Magnificence—Union's Glad Hand Extended to Everyone—La Grande Delegation Large.

Union, June 3.—Staff Correspondence—With banners flying and bunting festoons on every light post the city of Union began their day of welcome in a splendid manner. At the midnight hour last night the merchants and shop keepers could be seen putting finishing touches to the decorations. All business houses present a handsome appearance today, but the feature that overtops everything else is the Union hospitality. President Vogel of the Commercial club has shaken up the bones of the old timers and has things started on the right road. His slogan "Smile, damn you, smile," has brought results, as shown by today's meeting. A profusion of electric lights were strung to assist in making the program each evening a success, and every citizen is supposed to be a committee who is anxious to extend the cordial Union welcome.

By eight o'clock this morning people began to crowd the main streets of the city and fine stock was in evidence. Well groomed horses greeted the visitors' eyes from all sides. At the fair grounds judges began their work early in the day.

Union Looks Prosperous.

Few cities in the country the size of Union have a better appearance. Every merchant seems satisfied with conditions and not a complaint can be heard. The city council has ordered cement sidewalks over a large area and grading and macadamizing in portions of the city will soon follow. The present administration is progressive in every way and anything that will aid Union finds consideration at their hands.

The excursion train carrying La Grande's delegation which was augmented by Elgin and Hot Lake people arrived here at 11:30 o'clock and was met by a most enthusiastic crowd of Union people headed by the Union band. Everywhere the yellow badges bearing, "La Grande is with you," fluttered in the soft breezes, and the Chautauqua tags were a close companion of the badge. "La Grande" was on the lips of everyone. High tribute was paid the county seat town for sending such a crowd to Union.

The train carrying the visitors was stalled for more than hour on the Oregon Central. Much disagreeable wait was occasioned, and even when the train was started, it was in sections and it was noon before all had reached Union. The trip was a tedious one.

Judges Delayed.

Owing to the poor train connections, Prof. Potter, of the Oregon Agricultural college, who is the stock judge, failed to reach the city until 10 o'clock this morning. This delayed all events for the judging was slated to start at 8 o'clock.

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