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WELL DONE, JERRY, WELL DONE.

Union and Wallowa counties feel very fine over the success of Hon. Jerry Rusk, who was chosen leader of the house yesterday. It is a recognition of Eastern Oregon and more especially these two counties. But it must not be forgotten that Mr. Rusk deserves considerable credit for this success, and it is also something to remember that Senator Johnathan Bourne's influence was felt in no small degree when it came to landing the speakership. By this we mean the friends of Senator Bourne, for the senator himself is not in the state.

Mr. Rusk has always been a Bourne man. He has consistently aligned himself with those who have believed as the senator believes, hence the assertion just made that Bourne had a great deal to do with his election. But Bourne need never be ashamed of his choice for Jerry Rusk will make a presiding officer that will be respected and he will take hold of the speakership in a manner that will leave no room for criticism. Had he not been this kind of a man the voters of Union and Wallowa would have refused to send him to the legislature.

As the matter stands with Rusk as speaker and Representative Church as one of the strong, level-headed men of the house the delegation from here will be consulted on all matters of state importance. They will receive credit for good legislation and they will be blamed if bills are allowed to go through which jeopardize the state's interests.

THE GOOD ROADS BILL.

For the benefit of those who have not read the good roads bill proposed for passage at this session of the legislature, the Evening Observer herewith reprints it. This will be followed from day to day with other bills comment upon same as may seem proper:

STATE AID.

Section 1.

There is hereby appropriated the sum of six hundred and eighty thousand dollars to be used as provided in this Act, one-half of which shall be available in the year 1911 and the remainder in the year 1912.

Section 2.

Each county as now organized in this state, shall be entitled to receive ten thousand dollars of the money appropriated by Section one (1) of this Act for the year 1911, and ten thousand dollars for the year 1912, to be used in the construction of permanent roads in that county as provided in this Act.

Section 3.

Whenever any county shall desire to accept the money as mentioned in Section two (2) of this Act it shall

provide and make available as needed, a fund of twenty thousand dollars to be used with the five thousand dollars mentioned in Section two (2) for the construction of a permanent road in that county. After having so provided such fund the county court shall select the particular location of the road to be constructed and shall designate the place of beginning and definitely describe the location of the road, all of which shall be entered on the journal of the court. Such road shall begin at one of the principal market places of the county or shall connect with a permanent road leading to such place, and shall be so located as that when constructed, as herein provided, it will constitute one of the main traveled roads to the place from whence it starts.

Section 4.

All roads constructed under the provisions of this Act shall be constructed by and under the exclusive direction and control of the State Highway Commissioner. Whenever the county court shall have complied with the requirements of Section (3) three of this Act it shall notify the State Highway Commissioner of that fact and at the same time shall render him assurance that it has or will procure when needed such machinery, tools and appliances as they may determine will be needed in the construction of such road, but no part of the fund of twenty thousand dollars mentioned in Section three (3) of this Act shall be used for the purchase of machinery, tools or appliances or for any other purpose than the construction of such road. Necessary engineering and supervision work shall be deemed construction. As soon as the State Highway Commissioner shall be satisfied that the county court has complied with the requirements of Sections three (3) and four (4) of this Act he shall commence the construction of such road at the place of beginning thereof as designated by the county court and proceed with such construction as expeditiously as possible. As the work of construction proceeds the cost thereof shall be paid as follows: At the end of each calendar month, or oftener, in the discretion of the State Highway Commissioner, he shall prepare an itemized statement in triplicate showing the amounts due on account of the construction of such road and the persons to whom it is owing. One of these statements of account shall be delivered to the county court, one to the Secretary of State, and the other he shall keep on file as a part of the records of his office. As soon as the county court receives such statement of account it shall cause warrants to be drawn according to such statements for sixty-six and two-thirds per cent thereof, and as soon as the Secretary of State shall receive such statement of account he shall, in the same manner draw warrants upon the State Treasurer for thirty-three and one-third per cent thereof, and in this way shall such payments proceed until thirty thousand dollars shall have been expended.

Section 5.

All roads constructed under the provisions of this Act shall be constructed according to the best and most scientific methods, and so as to make them as durable and permanent as possible, and no part of such road shall be constructed upon greater grade than seven per cent except by direction of the State Highway Board.

Section 6.

If any road, or any part thereof, constructed under the provisions of this Act shall be constructed by contract specifications showing what is

to be included in any such contract so as to enable any one of ordinary understanding in such matters to understand the same shall be prepared in duplicate, one of which shall be delivered to the county court and the other shall be kept on file by the State Highway Commissioner as a part of the records of his office, and both of which shall be open to the inspection of prospective bidders. After the preparation of such specifications notice inviting bids according to such specifications shall be printed for at least two weeks in two newspapers printed in the county, or if there is but one such paper then in it, and also by posting one copy of such notice at the court house door. All bids shall be publicly opened by the State Highway Commissioner at the office of the county judge or at such other room in the court house as may be designated in the advertisement for bids, at such time as may be specified in such advertisement. The contract shall be awarded to the lowest possible bidder, but, other things being equal, citizens of the county shall be preferred. The county in which the work is done shall have the right to bid and the Commissioner may reject any and all bids.

Section 7.

Whenever any work is done under the provisions of this Act other than by contract, citizens of the county shall be given preference as far as is reasonably possible.

Section 8.

Any county which does not take advantage of the provisions of this Act during the year 1911 may use its entire allotment under this Act during the year 1912, and in that event the work of construction shall proceed as provided by Section four (4) of this Act until sixty thousand (\$60,000.00) shall have been expended.

Section 9.

Whenever the construction of any road under the provisions of this Act shall have been begun during the year 1911 such construction shall proceed until completion without reference to whether it shall be completed in that year and the same course shall be pursued as to work so begun in the year 1912. Any county which does not take advantage of the provisions of this Act before the end of the year 1912 shall forfeit all rights to any of the money appropriated by this act.

HIGHWAY COMMISSION

Section 1.

There is hereby created a State Highway Board and the office of State Highway Commissioner. The State Highway Board shall consist of three citizens of this state, who shall be appointed by the Governor, and who shall serve without pay. The term of office of the members of this Board shall be three years; but of those first appointed, one shall be appointed for one year, one for two years and one for three years. Each member of the Board shall hold after the expiration of his term of office until his successor shall have been appointed by the Governor. The duties of the State Highway Board shall be such as provided in this Act and by other laws of this state.

Section 2.

Within thirty days after the members of the State Highway Board shall have been appointed the Board shall appoint a State Highway Commissioner, who shall be thoroughly skilled in scientific road construction, who shall hold his office indefinitely at the pleasure of the Highway Board and shall discharge such duties as required by this Act and by other laws of this state.

Section 3.

All roads, any part of the cost of construction of which is paid for by the state, or in the construction of which any crushed rock, gravel or other material furnished by, or under the supervision of the state is used, shall be constructed under the exclusive direction and control of the State Highway Commissioner.

Section 4.

The State Highway Commissioner shall have general and advisory supervision of the construction of all roads the cost of which shall be paid for wholly or in part by money procured by any county under the authority granted by Section X or Article XI of the Constitution of the State.

Section 5.

The State Highway Commissioner shall compile statistics relative to the public highways throughout the state, and shall collect all information in regard thereto which he may deem

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important. He shall investigate and determine upon various methods of road construction adapted to different sections of the state, and as to the best method of construction and maintenance of roads and bridges, and such other information relating thereto as he shall deem appropriate. He may be consulted at all reasonable times by county officers having care and authority over highways and bridges, and shall advise such officers relative to the construction, repair, altering or maintenance of the same; and shall furnish such other information and advice as may be requested by persons interested in the construction and maintenance of public highways, and shall at all times lend his aid in encouraging and promoting highway improvement throughout the state. He shall co-operate with all highway officers and shall assist county authorities, and, when requested by them, furnish them with plans and directions for the improvement of the public highways and bridges, and when so requested he shall take full charge, management and control of the construction of any permanent road.

Section 6.

On or before the tenth day of each month the State Highway Commissioner shall make report to the State Highway Board of what he has done during the preceding calendar month and of the progress of all work which he may have in charge. On the first week day after the tenth day of each month the State Highway Board shall meet with the State Highway Commissioner at his office or at such other place as they may agree upon to consider such report and for the transaction of such other business as may be necessary.

Section 7.

The road supervisors, county courts and the county commissioners of any county, and all other officers who now have or may hereafter have by law the care and supervision of the

public highways and bridges shall, from time to time, upon the written request of the State Highway Commissioner furnish him with all available information in connection with the building and maintenance of the public highways and bridges in their respective localities.

Section 8.

The State Highway Commissioner shall keep an accurate and detailed account of all moneys expended in the construction of all roads which are constructed under his exclusive direction and control and shall keep a record of the number of miles so constructed in each county, and when it was constructed, the width of such road as constructed and the cost per mile of construction.

Section 9.

The State Highway Board and the State Highway Commissioner shall make a joint report to the Legislature of this state at each session thereof which shall fully set forth all that has been done by them during the period covered by the report and all money expended by them or any of them, or under their direction, all roads that have been constructed under direction of the Commissioner, and all roads in the construction of which the state has contributed anything, giving in each instance the number of miles constructed in each county and the cost per mile of construction. This report shall also include such statistics and other information as to matters falling within the scope of the duties of these officers as may be considered necessary by them, and also such suggestions respecting matters of legislation as they may deem necessary.

Section 10.

The State Highway Commissioner shall be furnished suitable offices at the expense of the state, which offices shall be located in the city of Salem, or the city of Portland, as the State Highway Board may determine, and said Commissioner shall also be fur-

nished for properly conducting his office.

Section 11.

The State Highway Commissioner may appoint one clerk, who shall act as his assistant and be subject to his control and direction, and who shall receive such salary as may be determined by the Highway Board, not to exceed one hundred and fifty (\$150.00) dollars per month, to be paid monthly by the state as other salaries are paid.

Section 12.

The State Highway Commissioner shall receive an annual salary of four thousand (\$4,000.00) dollars per year, payable monthly by the state, and his actual necessary traveling expenses in the discharge of his duties.

Section 13.

Each of the members of the State Highway Board shall receive his necessary traveling expenses in the discharge of his duties.

Section 14.

At the end of each month the State Highway Commissioner shall prepare a detailed account of his traveling expenses for that month and the cost of stationery and supplies purchased during the month, which shall be submitted to the State Highway Board with his report, as provided in Section six (6) of this Act. If the State Highway Board is satisfied that the account is correct they shall so indorse the same and upon presentation of such account with that indorsement the Secretary of State shall draw a warrant therefor.

Section 16.

There is hereby appropriated out of any money in the treasury of this state not already otherwise appropriated the sum of Dollars, or so much thereof as may be necessary, for the payment of salaries and expenses as provided for in this Act.

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