

Main Sewer Pipe Line Must Go

JURY AWARDS PEARE RIGHTS HE SUED FOR

ADDITIONAL DAMAGE MONEY IN
SHAPE OF \$175 AWARDED TO
THE PLAINTIFF.

TWO COURSES OPENED

If Jury Verdict Stands Finally, City
Will Have to Remove Pipe Line or
Come to Agreement With Owner of
Abutting Lane—Public Right to
Travel Remains Uninfringed.

Sewer pipe leading from La Grande's extensive system of laterals and mains east to the disposal tank have been ejected from K street by a circuit court jury verdict brought in at noon today after the jury had been out but two or three hours. The case was decided after considerable close attention to the verdict, as the jurors came back two or three times for additional instructions. It is gathered from remarks dropped by the jurors while seeking further instructions, that there was little or no doubt but that the case would be decided in favor of Mr. Peare but there was a disposition to avoid the possibility of the street being shut out for traffic by such a verdict. Judge Knowles' instructions made it clear that the public could not be denied the right of any or all of the street, and the verdict eventually reached provided that Mr. Peare be given free use of the south side of the street—meaning ejection of the pipe line, with the proviso that the public always be entitled to free use of the property.

Two conditions develop from the verdict, which if sustained, after probable appeals, which are, that the city must remove the pipe line by removal or lowering, both extremely expensive—if possible at all—or reach an agreement with Mr. Peare whereby they would pay for the privilege of using the strip of land over and in which the pipe rests. This in turn would probably lead to outright purchase of the property.

In addition the jury awarded Mr. Peare \$175.000 damage money.

Thatcher Case up.

Action to recover about \$400 damages on an automobile which William Wilson, Jr., and W. R. Kivette, Jr., are alleged to have hired from him and damaged, is brought by Claude Thatcher as the second case up in the present term of court. A jury was secured and evidence taken this afternoon. Attorney R. J. Greene represents Mr. Thatcher and Attorney Kitchen of Union is defense counsel.

READING ROOMS PROVIDED

Checkers, Coins, Reading and Visiting Room Provided.

One of the first fruits of the formation of the Triangle club, a unit working with the Y. M. C. A., is to announce that commencing at once, the Y. M. C. A. rooms on Depot street will be open from 7:30 until 10 every evening. Anyone in the city is invited, stranger or native, to come there and read, play checkers, coins or make it a visiting room. People in from adjoining towns for the night are most

cordially invited to spend the evenings there. Members of the Triangle club will be constantly in attendance.

COL. PURDOM DEAD.

Father of Mrs. F. E. Moore Passes Away Yesterday in Kansas City.

Telegraphic information received here yesterday afternoon from Kansas City by Mrs. Jay Van Buren from Mrs. F. E. Moore, of Portland, conveys the intelligence that Mr. Moore's father died six hours before her arrival yesterday morning. She was called to Kansas City by the fatal illness of her father last week, but she didn't arrive until after his death. The funeral is set for Thursday. The deceased was Colonel Hez Purdom, a veteran newspaper man of Kansas and was 80 years old at the time of his death.

Berger Urges Action.

Washington, Feb. 5.—Congressman Berger has urged the house rules committee to rush a report on his resolution recommending a congressional investigation of conditions which led to the strike of the garment workers in New York.

10 COMMISSION MEN INDICTED

PRODUCE ASSOCIATION ALSO INDICTED.

Portland Federal Grand Jury Brings Indictments Against Many.

Portland, Feb. 5.—Charged with conspiracy and unlawful combination in restraint of trade under the Sherman law, the federal grand jury has returned indictments against ten commission companies and members of the Produce Merchants association. The indictment is in two counts, one charging conspiracy, the other unlawful combination. The association is charged with restraining trade by refusing to permit wholesale jobbers doing business in Portland who are not members of the organization. It is alleged that membership to the organization is denied without the consent of three fourths of the members and payment of an excessive membership fee.

Five produce brokers are alleged to have a stand in with the association and who control 90 per cent of the sales of the produce in Portland are mentioned as having directed all the shipments for association members to the exclusion of independent wholesalers, by reason of the perishable nature of the shipments it is said independent dealers cannot themselves purchase supplies of fruits or vegetables in carload lots.

Ball Bosses to Meet.

The baseball moguls of the Western Tri-State will meet at Boise Friday and Saturday of this week.

It is reported that Pendleton may not have a representative present, because the local directors are still sore over the way President W. N. Sweet is alleged to have mistreated the Buckaroos last season in several controversies. Pendleton may refuse to enter the six-club league this season, it is said.—Pendleton Live Wire.

Explorer Wants Assistance.

Ottawa, Feb. 5.—A personal appeal to the Canadian cabinet to give financial assistance to his plan for a three year expedition to the "last unknown" territory of Canada, is made by Stefansson, the discoverer of "white Eskimos." The government will probably aid him.

TURKS ASSUME OFFENSIVE IN BALKAN FIGHT

MONTENEGRINS CAPTURED AND
AMMUNITION WAGONS ARE
TAKEN OVER.

SHELLING IS RESUMED

Adrianople's Battle Said to Be Resumed With Full Vigor Again — Various Battles Raging in Balkan War Zone—Turkey Finds It Necessary to Become Offensive Army.

Constantinople, Feb. 5.—Furious fighting at Tchatalja with Turks taking the offensive for the first time is predicted coincident with the departure of Mahmoud Shekhet Pasha, for the front. It is generally known that the policy of defense is abandoned and that hereafter the Turks are to become offensive. This decision has been forced upon the Turks by the serious situation at Adrianople.

Turks Capture Montenegrins.

London, Feb. 5.—Official announcement from Constantinople says that Scutari Turks have made a sortie capturing two battalions of Montenegrins and four hundred carloads of ammunition. Montenegrins are reported to have been disarmed and paroled until after the war is over.

Bombardment Continued.

London, Feb. 5.—Bombardment of Adrianople, reported by Sofia dispatches to have been stopped for 24 hours to allow the Turks an opportunity to surrender, was resumed today according to later dispatches to a local news agency. While there is no explanation to support the theory that the Turks refused to surrender, the Bulgarians reopened the fire. It is expected to terminate with a determined attempt to carry the fortress. This made in a few hours.

Other Battles Raging.

Vienna, Feb. 5.—Desperate fighting between Turks and Bulgars at Gallipoli peninsula is reported to have started at sunrise today. Both sides are sustaining heavy losses.

Scutari Not Fallen.

London, Feb. 5.—Constantinople dispatches deny that Scutari has fallen or that Turkish commanders are negotiating for peace.

Churchworker Suspected.

Douglas, Ariz., Feb. 5.—After living a year as a banker and church worker, J. T. Wilson is under arrest by federal authorities who say he is J. M. Sims, under \$8,000 bonds to answer a charge of using mails to defraud in connection with sale of stock in the American Trust at Memphis. The arrest followed a chase of fifteen months. Wilson declared he is the victim of mistaken identity.

Salary Small; Steals.

Tacoma, Feb. 5.—Russell Jennings, a former teller in a local bank, was taken to McNeill's Island today to serve a sentence of five years following his plea of guilty to embezzlement of \$4,000. He said he took the money because he couldn't make his salary meet expenses.

NIGHT-LONG REVELRY SETS DECENCY ASIDE

PHILADELPHIA AGHAST AT UN-
LIMITED EXTENT OF BALL
ROOM PRACTICES.

TIGHTS ONLY GARMENT

Staid Old Philadelphia's "Best" Society Out in Force to Wear Tights and Fringes—Dances Indulged in Make Turkey Trot Mere Conventional Waltz.

Philadelphia, Feb. 5.—Wearing tights of the real article, with Rob-inhood capes drooping to the region of the knees, Philadelphia society women have William Penn's staid city gaping today over the biggest fad sensation—the principals call it a "Ballmasque"—that has ever been held here.

The scandal started last night at the Horticultural club and continued until daylight without a sign of letup. Only a few of the society women wore dresses at the ball, and those who did were regarded with scorn. "Eye" Gowns Prevail.

The dancers were stopped shortly after daylight when the superintendent of the building extinguished the lights and refused to let the dance continue.

Some debutantes and even matrons wore what they called "Eye" costumes but it is reported that the masquers brought along only the fringe and tights and left the rest of the costume at home.

Morning Hours Scandalous.

Along towards morning, it is said, the revelry broke loose all strings of convention and it is hinted that some of the dances indulged in made the "turkey trot" look like a conventional waltz. The whole affair has started Philadelphia a-clucking and the principals come from the leading society circles of the society burdened city.

TRIO ON RAMPAGE.

Under Intoxicated Conditions Two Girls and Man Land in Jail.

Yesterday a well known drummer and two women, all apparently under the influence of liquor attempted to board the Baker local. They were very noisy and sought to force their way by the brakeman who refused them admission to the car. Officer Avant was on the scene and took the three of them to the city jail. While he was jailing one of the women and the man the other woman who was left in the vestibule of the jail made her escape. She made little headway and her capture soon followed after a chase through the alley. All of them were arraigned in the city recorder's court on drunk and disorderly charges and paid their fines and were released. The women are said to have come from Weiser or Baker.

Know Cabinet March 4th.

Trenton, Feb. 5.—Woodrow Wilson has intimated he may not give out the names of his cabinet members until after the inauguration. He denied the currency program contemplates guarantee of bank deposits.

PRIVATE BRANCH INSTALLED

Rapid Growth of La Grande Seen in Telephone Register.

The third big private telephone branch exchange to be installed in La Grande is now in service at the Palmer mills. The Home Independent Telephone company has just completed an exchange there that reaches every department of the big plant and is one of the best in this section of the county.

The Home Independent Telephone company has had a busy winter, and the rapid growth of the city is felt in telephone circles. Since the last directory was added in December, 60 telephones have been installed by the company. As a reflection of the city's growth during the winter months this stands as a sure indication.

L. Remmillard Dead.

Late this afternoon, about 3 o'clock L. Remmillard a pioneer of La Grande died suddenly of heart trouble. He has been in his customary health until attacked by the stroke.

MERCHANTS HEAR SPEECHES

STORY OF JUNKET IS TOLD AT LUNCHEON.

Merchants Enjoy Delightful Spread at the Foley Grill.

Forty of La Grande's merchants sat down to luncheon in the Foley grill last night and took a retrospective view of the junketing trip, or got the details of the trip from those who attended. It was not as well attended as could have been but those who were present made up for the absence in numbers by enthusiasm and the boosting spirit. Walter Pierce of Hot Lake reviewed the trip for the La Grande people who could not attend in person and the recital was all-embracing. Some of the side remarks were well taken. Fred Halsten dwelt on the proceedings of the convention proper and gave a comprehensive resume of the more important doings. Joe Carr and G. L. Harrison delivered themselves of spirited speeches. Both showed surprising spurts of oratory and would have looked well in the capacity of legislators.

The luncheon put up by P. A. Foley is the talk of a number of the merchants. "We had some fine dinners and the like on the trip," said J. G. Snodgrass "but the manner in which the Foley grill served the dinner was worth mentioning. The food was tastily prepared and the waiters and waitresses did their part in the real metropolitan style. 'Pat' is to be commended for the fine spread."

It is the aim of the officers of the Merchants association to make the luncheons a monthly affair, at which time some business man of the city will discuss some feature pertinent to the business in this section. All told, the affair was very successful.

Commercial Club Elects Officers.

Oregon Agricultural College, Corvallis, Ore., Feb. 5.—Officers of the Oregon Agricultural College Commercial club just elected for the second semester are as follows: President, W. W. Winslow, Okmulgee Okla.; vice-president, W. E. Metzger, Latourell; secretary, Cora Hubler, Corvallis; treasurer, C. E. Montague, Arlington; assistant treasurer, S. F. Durkheimer, Portland; Barometer reporter, O. Ballhorn, Hammond; corresponding secretary, A. J. Wilson Albany; sergeant at arms, Rollin Dobell, Corvallis.

TRAINS MEET UNDER QUEER CIRCUMSTANCE

STRAIGHT TRACK, DAYLIGHT
WRECK UNMARKED BY IN-
JURY TO PASSENGERS.

OCCURS NEAR LOSTINE

Approaching Freight Sees Coming Passenger, and Stops, but Passenger Engineers Don't See Freight and Ram It Going 15 Miles an Hour—Investigation Called—Delay Is Material.

Queer mid-day straight track collision records were established yesterday at the first telegraph pole east of the east switch at Lostine when the La Grande-Joseph, double-headed passenger train rammed into a freight train trying to make the Lostine switch. No one was hurt (the nearest approach to an accident in this respect being a slightly scratched knee on the part of the brakeman on the passenger. Passengers were dumped from their seats and thrown to the floor of the coaches but fortunately none were hurt—the excitement was keen for a time but soon righted itself. The only damage to physical property was the injury done to the three engines, and the delay occasioned to traffic. Blame for the odd accident is to be fixed at an investigation set for this afternoon, sometime.

The passenger, Conductor Grady, Engineers Thiesen and Barnwell, was leaving the Lostine yards headed for Enterprise and had reached a speed of 15 miles an hour when, through some reason as yet unexplained, they collided with the freight train, Conductor Stacy, Engineer Cook, Reports filed by both conductors with local O. W. officials say that Stacy's train failed to reach Lostine in time to get on a siding, and that the passenger train was pulling out of Lostine on time. Engineer Cook on engine No. 176 saw the passenger pulling out on the straight track out of Lostine and came to a stop just east of the switch. Conductor Stacy and Conductor Grady both claim that engine No. 111, on the passenger train, was leaking steam, obscuring the view of the track and that this accounts for the fact that the engineers on the passenger train failed to see the freight train which in the few moments to work in, had no time to back up. The wreck occurred at 2:19 p. m.

Five hours' delay was occasioned at the time, the wrecker being needed but eventually rigs and sleds were used by the company to haul the passengers at Enterprise, bound out, to Lostine and there en trained them and allowed the outgoing No. 32 to become 31. Incoming passengers were taken back on the sleds. Early this morning a big crew of men were on the scene to have the obstruction righted, this being made up principally of the pony trucks being off center on one engine. The two engines rammed together, demolishing the pilots of both engines but doing little real damage.

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