

THE OBSERVER

BRUCE DICKINSON, Editor and Owner

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ALWAYS AS TWINS.

With Union and Wallowa counties only separated by an imaginary boundary line and the two counties being practically one and the same it was but natural for the Merchants in session here recently for the purpose of selecting a date for the Oregon Retail Merchants' convention to choose the month of July because at that season it is possible to make a trip to Wallowa lake.

Exhibiting Wallowa county's great resources is as important to La Grande as to exhibit the resources of Union county. When the merchants from over the state meet here and a special train carries them to the lake Wallowa county will benefit from that excursion because many Western Oregon people have never seen the richness and possibilities in Wallowa and have never let their eyes rest upon that great body of water known as Wallowa lake.

This will be a great treat to the retailers, and along with the many things La Grande and the Grande Ronde valley can show, a trip to Hot Lake where Dr. Tape will act as host, a side trip to Union where a bunch of good fellows will do the social honors, all combined will make an occasion that the merchants will long keep in mind.

La Grande as a meeting place is becoming very popular. In planning for the Oregon Retailers do not overlook the state teachers' meeting here in November and the Oregon-Idaho meeting of the Farmers' Union in December.

MUNICIPAL POWERS DEFINED.

By H. C. Finn.

Objectors to the proposed charter advance the theory that it is in derogation of some imaginary legislation, therefore could not be enforced. The history of such legislation is that prior to 1906 all municipal charters were enacted, amended or repealed by the legislative assembly, but the people of the state by the initiative amended the Constitution of the State of Ore-

gon to read as follows:

Art. XI, Sec. 2.—The legislative assembly shall NOT enact, amend or repeal any charter or act of incorporation for any municipality, city or town. The legal voters of every city and town are hereby granted power to enact and amend their municipal charters—subject to the constitution and criminal laws of the State of Oregon.

So that if the legislature cannot amend or repeal any charter directly, that body is prohibited from enacting any law that will indirectly interfere with or cripple the charters of cities enacted by the people thereof, except as to the criminal code.

The legal voters of the City of La Grande, then, can enact in their charter anything for the welfare of the city, provided it does not conflict with the constitution or criminal laws of the State.

This constitutional provision has been fully discussed and upheld by the Supreme Court of the United States in the case of the City of St. Louis against the Western Union Telegraph Co., which is found in the 149 U. S. Rep. at page 465 wherein it is expressly decided that such a charter is the organic law of the municipality and the city becomes thereby as to its local laws "imperium in imperio."

But to enjoy such powers the will of the people of such city must by its charter enact, define and declare them and they thus become within the city limits superior to any law passed by the legislature, not of a criminal nature.

Thus, the constitution of this state provides who shall be legal voters, but makes no provision as to registration. Had our present charter provided the manner of registration of voters as to its municipal elections, the registration law enacted by the legislature at its last session would not be in force in this city at the coming special election.

Now, the proposed charter had the defect in mind and provides for city registry of voters and permits such registration up to the time of voting, thereby giving every one the chance to register and vote and saves the trouble and annoyance of "swearing in" on election day.

Further, the constitution provides for the recall of state and county officers for dereliction of duty, but is not in all respects self-operative.

The present charter does not provide for such right within the city of La Grande, hence, there is no power of recall of city officers. But the new charter contains the power of recall of city officers and explicit methods for its exercise.

So, also, it is part of the constitution that the people reserve to themselves the power and right to initiate laws and amend the constitution and to have objected after statutes enacted by the legislature referred to legal voters of the state for approval or rejection. The same power is provided by the constitution to the legal voters of a municipality as to their local laws, but cities and towns to enjoy the privileges "must provide for the manner of exercising the initiative and referendum powers as to their mu-

nicipal legislation." The present charter is silent upon this subject, there being no provision therein for the exercise of these important provisions and rights. But the new charter proposes to reserve such powers and provides fully how they shall be exercised within the city for local purposes.

Again, what is known as the Bancroft Act, adopted by the legislature provides for the payment of bonds by installments running through various periods of time, yet this provision does not apply to street improvements or sewer construction within an incorporated city, and while our present charter has made no provision for such rights and powers the council exercises by ordinance such statute. It could not be enforced and is subject to litigation, were it not prevented by requiring the applicant to waive the lack of power, all defects of the improvements, and methods of same, by contract. The new charter has all the beneficial provisions of the Bancroft Act applied to city improvements and bonds—with more and better methods of enjoying the same.

Finally, the present charter attempts to restrict the municipal indebtedness to a sum certain, but defeats the object of it by providing any excess to be validated by an issue of time warrants. Where then is the benefit of any limitation? To obviate this flagrant abuse of the limiting law—the new charter not only provides a limit of indebtedness of the city, but should the commissioners so far neglect their sworn duties as to authorize the issue of excess warrants, the warrants are void, and they may be prosecuted as for the commission of a misdemeanor and duly punished.

These suggestions are offered to enable the voter to fully observe and appreciate the necessity of the adoption of a new charter, one up with the times and progress of affairs, and for the welfare of the city.

Will King In Baker.

Judge Will R. King, of the Oregon supreme court, who was recently appointed by President Wilson as chief counsel of the United States reclamation service at a salary of \$6,000 a year, for the purpose of studying conditions of the service in relation to Oregon, is in Baker. He has been spending several weeks looking over various projects in which the state and government are interested. Judge King and family were former residents of Baker and his visit here is welcomed by a large number of close friends.—Baker Democrat.

Municipal Ownership Wins.

Columbus, O., Sept. 23.—One other victory for municipal ownership was given today when the state supreme court dismissed the suit filed by W. B. Drum, to restrain the city of Cleveland from issuing \$1,000,000 worth of bonds for a municipal lighting plant.

OBSOLETE PLAN.

(Continued from Page 1)

man gives it up in disgust, and curses the whole bunch when nobody is to blame but a mistaken principle of division of authority and hence a lack of responsibility on anybody's part. This method may have been right when it was first adopted, according to the conditions that existed then, but at this stage of the game according to the doctrine of "determinism" to continue such a system would be the height of folly.

The old system is obsolete, out of date, and not in harmony with the spirit of the age in which we live. It is surely an economic travesty and a great waste of time, money and energy.

Centralized Authority.

The objection against centralized authority is not well taken. In the executive branch of any business or government, or in commanding an army there must be some person to command men and direct affairs. To

Deafness Cannot Be Cured

by local applications, as they cannot reach the diseased portion of the ear. There is only one way to cure deafness, and that is by constitutional remediation. Deafness is caused by an inflamed condition of the mucous lining of the Eustachian tube. When this tube is inflamed you have a rumbling sound or imperfect hearing, and when it is entirely closed, deafness is the result, and unless the inflammation can be taken out and this tube restored to its normal condition, hearing will be destroyed forever; nine cases out of ten are caused by Catarrh, which is nothing but an inflamed condition of the mucous surface.

We will give One Hundred Dollars for any case of Deafness (caused by Catarrh) that cannot be cured by Dr. J. C. Chamberlain's Catarrh Remedy. Sold by Druggists. P. J. CHAMBERLAIN & CO., TULSA, OKLA.

Have You Been Looking For Your SUIT or COAT this Fall?



Now is the time —our stock is full of the latest creations.

A full line of junior coats -- this is our

first season to show them. Misses Suits, Extra Size Suits. No trouble to get what you want, and no trouble to show goods.

MILLINERY IN KEEPING WITH OTHER LINES

E. E. KIRTLEY

LADIES' READY-TO-WEAR

The Relishable Kind Of Soda



is the kind we serve from our fountains—cool, cheering, thirstappealing. The first drop and the last are equally pure and tempting—perfectly delicious. Flavored to suit all tastes and fancies, and just enough ice cream to make it positively refreshing at all hours. This is the healthiest drink one can take in the summer time and likewise the most economical.

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La Grande.

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Cherry's New Laundry, Inc.
GEO. GILBERT, Manager.

La Grande National Bank

Organized in 1887.

DESIGNATED DEPOSITORY OF UNITED STATES GOVERNMENT.
UNITED STATES POSTAL SAVINGS DEPOSITORY.

Capital \$100,000.00
Surplus \$130,000.00
Total Resources \$1,000,000.00

For twenty-six years, in all kinds of financial weather, we have successfully catered to the monetary wants of the people of La Grande and the Grande Ronde Valley.

We respectfully solicit your business.

La Grande National Bank

La Grande, Oregon

Sheriff's Sale.

Notice is hereby given, that by virtue of execution and order of sale and decree of foreclosure of herein-after described mortgaged real property, issued out of and under the seal of the circuit court of the State of Oregon for the County of Union, bearing date the 11th day of September A. D., 1913, which judgment was duly rendered, entered of record and docketed in said court on the 2nd day of September, 1913, in a suit where-in Lydia A. Moore was plaintiff and W. R. Campbell, Irene Gratton Campbell and C. A. Tomassene were defendants, said judgment being in favor of the said plaintiff and against said defendants, for the sum of \$9016.00 with interest thereon at the rate of 7 per cent per annum from the 11th day of September 1913, the further sum of \$500.00 attorney's fees and plaintiff's costs and disbursements

taxed at \$23.95. I will on Wednesday the 15th day of October, 1913, at the hour of 3 in the afternoon of said day at the front door of the court house in the City of La Grande, Union County, Oregon, sell at public auction to the highest bidder for cash to satisfy said plaintiff's judgment, interest, costs and disbursements and accruing costs, all the right, title, and interest of the said defendants W. R. Campbell, Irene Gratton Campbell and C. A. Tomassene in and to the following described real property to-wit:

The N½ of the SW¼ of the NW¼ of Section 29 in Township 2 South of Range 39 E. W. M., containing 20 acres more or less in Union County, Oregon.

Dated at La Grande, Oregon, this 16th day of September, 1913.

AUGUST HUG,
Sheriff of Union County, Oregon.
Sept. 16-23-30; Oct. 7-14.