

La Grande Evening Observer

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SOUTH FOURTH STREET ASSESSMENTS KNOCKED OUT

ASSESSMENT MADE BY THE CITY ILLEGAL

SUPREME COURT HANDS DOWN OPINION IN NOTED LITIGATION.

ADVERSE DECISION WAS EXPECTED BY OFFICIALS

If Decision Reads as Is Expected, City Will Be in Position to Re-assess Under New Charter Provisions Which in Turn Will Be Tested Out by Court.

Salem, Dec. 14.—The supreme court today handed down a decision in the South Fourth street litigation at La Grande. Also it affirmed the judgment of Judge Knowles in the case of William Miller, appellant, vs. J. R. Weaver appealed from Union county. This was action over a deed.

The other case was that of George S. Birnie et al appellant vs. City of La Grande, involving validity of street improvements. Justice Bean wrote the opinion and reversed Judge Knowles' judgment.

Assessments made by the South Fourth street are illegal. The city cannot enforce against abutting property where improvements have been made under the old charter. Briefly stated, South Fourth street is in the same status as North Second. If the new charter is legally waterproof, the city can now re-assess however, and make the liens good.

This statement holds if the supreme court based its opinion on the assessment phase alone. If the decision, complete text of which will be received here tomorrow, knocks out the contracts with the Warren people, that company loses all involved in building the street, about \$40,000 and interest.

The specific case involved in this decision was begun when George Birnie et al refused to pay their assessments and brought up a review in court after temporary restraining orders had been granted. In the lower court the judgment was that the assessments could be remade after the improvement was completed. Later the North Second street case was decided contrariwise and now this, identical in principle but differing somewhat as to points raised, is decided likewise by the supreme court.

"We didn't believe at the time that we could win this case before the supreme court," said City Attorney Slater this afternoon when advised by the Observer of the decision. "We took a chance, of course. The two streets are now identical, and if the new charter is sound, we can proceed to re-assess the property and collect the pay. That is all there is to it." The city alone was defendant.

The decision today hurries preliminaries for the final set to. That the city could do nothing in the matter of re-assessments until the decision came down was apparent. Now that it has been promulgated, it is presumed the city will proceed with the re-assessment plans. On the other hand, it is presumed that Attorney Oliver will lead a fight against the re-assessments which will in the end test the validity of the new charter.

"We raised as our chief point that the contracts with the Warren people were illegal and void. I don't know that this point was decided in today's opinion," said Turner Oliver today in speaking of the decision. If we won the case on that point, there is nothing more to do—the Warren people are the losers and the city the gainers."

While he didn't state that proceedings would continue if the other point alone was passed on, such promises were made prior to the election. City Attorney Slater felt certain the validity of contracts with the Warren people was in no wise considered by the supreme court.

Facts About Well Known People.

Detroit, Dec. 15.—Henry Ford seldom wears a hat. Only in the most formal occasions does the auto king don a head piece while he is in Detroit.

PAY RECORD PRICE.

Blockland Bros. Set the High Mark for Blooded Stock

At the stock sales at the International stock show in Portland Saturday, Blockland Bros., of Island City, set the record for the highest price paid for a single animal when they took George Chandler's Debonair 33rd for which they paid \$600. But this transaction is nothing new for the Blockland Bros., since it was not long ago that they paid a thousand dollars for a yearling bull from the east.

At the Portland sales the largest purchasers were the Stiles company of Fort Yates, North Dakota, who paid \$2895 for eight of head of hereford's. The total sales of holsteins amounted to \$21,360.

Andrew Blockland and daughter attended the show and Mr. Blockland says that the show this year was admittedly the best that has ever been held in Portland.

IMPEACHMENT INSTITUTED

New York District Attorney Attacked by Congressman.

Washington, Dec. 14.—Impeachment of Federal District Attorney Snowden Marshall of New York, on a charge of misconduct in office, is sought in a resolution introduced in the house by Buchanan of Illinois. The charges are that Marshall failed to prosecute persons illegally shipping explosives, that he slandered and defamed innocent persons and violated the eight-hour law.

BIG DEAL PENDING.

Hood River Man Intimates Telephone Merger Will Materialize.

San Francisco, Dec. 14.—"I will complete negotiations by the end of this week or early next, and then I will be glad to divulge information. Publicity now would be premature and embarrass me in the dealings."

W. M. Winter, Hood River, Ore., telephone official, thus disposed of questions regarding details of the proposed merger of 25 telephone companies in Oregon, Washington and British Columbia, involving a \$1,000,000,000 capital. Winter is here financing the proposition.

MURDER PROMPTERS MAILED.

Government Accused Californians with Fostering Crimes.

San Francisco, Dec. 14.—Direct charges that Baron von Brincken, C. C. Crowley and Mrs. Margaret Cornell sent mail matter intended to incite Louis J. Smith at Detroit to burn the Aetna Chemical company plant at Aetna and the Aetna explosive plant, are made in indictments made by the federal grand jury. Additional charges are that the trio sent mail intended to "incite arson, murder and assassination." The trio is now formally arrested on these counts.

ARREST MERIT DOUBTED.

Cheyenne Officials Scout Justice of Arrest Last Night.

Cheyenne, Wyo., Dec. 14.—Chief of Police Embury said today he does not believe the man giving his name as William F. Smith, is George Bartholomew, wanted in Portland in connection with the murder of John Lind, whose body was found in a trunk in the Willamette. He is sending Smith's photographs to Portland. Smith was held last night on suspicion.

The Dalles, Dec. 14.—Inquiry has failed to uncover knowledge that Smith, who told Cheyenne police he was at The Dalles the day the murder was committed in Portland.

NEW BOOKS RECEIVED.

Books Come for the Library at the O. W. R. & N. Employees' Club

One hundred additional volumes have been received to add to the library at the O. W. R. & N. employees' club headquarters. These are principally works of travel and current fiction. The library is a feature that has been in existence but a short time and is being augmented as rapidly as circumstances will permit and the books just received makes the total somewhere near 500 in all. The club is also liberally supplied with newspapers and periodicals in which those pertaining to railroad affairs predominate.

WAR NEWS OF ONE YEAR AGO TODAY.

German cruisers shelled the British northeast coast towns of Scarborough, Whitby and Hartlepool, killing 31 non-combatants. A great Russian battle south of Grocow was predicted. Serbian soil was clear of the enemy. Allies tried to advance from Neuport under cover of a fleet bombardment.

CHARTER AMENDMENTS ARE ADOPTED BY 303 MARGIN

UNOFFICIAL ABSTRACT OF YESTERDAY'S ELECTION.

For Commissioner—		1st ward	2nd ward	3rd ward	4th ward	T ¹ 1st	T ¹ 2nd
H. E. Coolidge	First Choice	37	128	200	60	425	
	Second Choice	16	55	76	37		184
J. D. McKennon	First Choice	81	170	232	146	629	
	Second Choice	17	45	96	11		109
B. E. Morehouse	First Choice	29	22	25	67	143	
	Second Choice	19	33	19	14		85
Charter Amendment—							Total
For		54	267	336	108		765
Against		98	64	124	176		462
Total		152	331	460	284		1227
Majorities for		*44	203	212	*68		303

*Against
Summaries by Wards—
First ward, majority of 15 for McKennon.
Second ward, majority of 20 for McKennon.
Third ward, majority of 7 for McKennon.
Fourth ward, majority of 19 for McKennon.
Total majority for McKennon 61, 30 more than enough to elect on first choice. Plurality for McKennon, 201.

La Grande's charter is amended. Yesterday voters voiced their approval of the proposed amendments which not only rectify certain clerical errors, but make possible re-assessment for improvements where errors crept in originally. Without considering legality of the new charter, it is presumed that abutting property owners on North Second and South Fourth will be re-assessed and that the general fund will not have to carry the whole burden of either. This in spite of the fact that the city has created a levy to care for the \$18,500 involved on North Second street.

While the vote was a surprise to both pros and antis, the total vote cast was comparatively light. Out of 1822 registrations, 1227 votes were polled yesterday. Betting was generally carried on during the evening when voting became brisker, that the charter would be beaten, and that the majority against it in the North side would be anywhere from two to three to one. The first ward, home of principal leaders against the amendment, was divided, and neither there nor in the fourth ward, the only two to give negative votes, were majorities as large as generally conceded.

What Future Holds.
As the situation now stands, Judge Knowles holds warrant holders on North Second have a "Good case" for damages against the city. Should final judgment be rendered against the city, the commission can re-assess North Second.

New Powers Provided.
But under the new charter the city must re-assess the property owners only for the value of the benefits—no more. The original cost has nothing to do with it. Through this clause many see a chance for amicable settlement of differences on North Second as it is generally agreed the pavement is not worth what was paid for it. If the assessment is made less than the cost, the city will have funds on hand to pay the difference.

South Fourth in Court.
No re-assessments can be made on South Fourth until the case now in court is decided. A decision is now due.

Russian Losses Listed.

London, Dec. 14.—Prussian losses to date are 2,244,246 according to Rotterdam dispatches which said Saxons, Bavarians and Murtensbergian figures are unavailable.

BATTLE RAGES IN GREECE

Athens, Dec. 14.—Artillery struggles are raging on the Serbian frontier. Bulgarian shells are falling on Greek territory, but to date have done no damage. Unconfirmed Saloniki reports say:

Bulgars are five miles within the Greekian border. The main Anglo-French force is entrenched on Greek soil. The teutonic pursuit has apparently halted however, pending a conference, though the artillery is active. Allied wounded are pouring into Saloniki.

Greeks Still Demobilizing.
Newspapers announced today that Greece will demobilize 50 per cent of her troops under an agreement with entente allies. The agreement provides a clear path to Saloniki for the retreating allies.

J. D. McKennon, retired rancher and stockman, was yesterday elected commissioner to succeed J. A. Russell, present dean of commissioners, whose term expires Jan. 2. When Mr. McKennon has taken his oath and becomes commissioner, John Gardner will be president, according to precedent.

The race between Mr. McKennon and Mr. Coolidge was generally a reversal of expected results so far as the third and second wards were concerned. Mr. McKennon conceded Mr. Coolidge a bigger vote in the second—his home ward—than Mr. Coolidge got, and visa versa in the third, home of Mr. McKennon. B. E. Morehouse was not a heavy voice getter in any of the wards.

New Law Stings.

Many La Grande people yesterday felt the teeth in the new full citizenship law passed by the last general election in this state when the voters at large declared no person not a full citizen shall be allowed to vote. The law has just recently been declared legal by the United States Supreme court.

American Born Deprived.

The right of suffrage under this law is therefore deprived of a large number of people. Yesterday a La Grande-born woman, daughter of a prominent pioneer family, but now married to a foreign-born businessman, lost her vote. Under the law Oregonians passed she is a "foreigner" because her husband is not a full citizen. Another gentleman who has voted in La Grande for years under the old law, cannot fill the requirements now because he hasn't his second papers. This is the first time La Grande has voted under the new law, and the experiences yesterday prompts a score or more to obtain their second papers at once that they and their wives may vote at the primaries next spring.

Registrations Slow.

One-sixth of those who voted yesterday, registered yesterday. Four officials were kept busy all day attending to this detail which voters were appealed to look to many days prior to the election. The failure to register created confusion all day. People on the extreme ends of the town in many cases had to come to the city hall, wait in line a long time, and then go back to their polls—all because they neglected to register prior to the election.

Captures White Coyote.

The Dalles, Ore., Dec. 13.—The hide of a pure white coyote was brought to the county clerk's office this morning by Charles Deckert, who trapped the animal near The Dalles, for scalp bounty. Mr. Deckert expects to have a rug made of the handsome fur. This is the first white coyote brought to the county clerk's office in many years.

SPECIAL SUBSTITUTED.

Train Will Take Knights to Elgin This Evening for Ceremonial.

Instead of automobiles, a special train will be used tonight to carry Knights of Pythias to Elgin. The La Grande lodge's Lesson of Friendship actors will be the chief honor guests at the Elgin meeting tonight when a class of 28 will be introduced to the first rank. It is expected that a considerable number will go but as the plans were switched at a late hour, many will be unable to attend through short notice of the fact a train would be provided them.

The train leaves at 6:45 this evening.

LA GRANDE GIRL CONTESTS

Entered in "Beauty and Brains" Contest of Film Company.

Miss Elsie Kenworth, 1611 10th street, this city, has entered the "Beauty and Brains" contest which is now being conducted by the Photoplay Magazine in conjunction with the World Film corporation.

The proposition is to send eleven young women to the studios at Fort Lee, New Jersey, across the river from New York City, where they will be given a thorough tryout as film actresses. All of their expenses will be paid on this trip and if they show any talent they will be given contracts for a period of not less than one year at regular salaries paid to stars.

No effort will be spared to make film stars of these young women. Miss Lillian Russell and William A. Brady are among the judges of the contest. Their experience and reputation alone assures contestants of every possible consideration based solely upon ability.

RABBITS FOR DISTRIBUTION

Eight Hundred Sent From North Powder to the Salvation Army.

The North Powder Rod & Gun club has forwarded to Ensign Childers of the Salvation Army, 800 of the rabbits secured in the hunt last Sunday. They are for distribution to those who can use them to good advantage. All that is needed is to cull at the barracks where they will be distributed to the best use possible.

The Salvation Army Christmas kettles have been suspended for several days at a couple of business corners and money is coming in fairly well. There is great need for more, however. Miss Childers asserts, and attention is called to the public of this philanthropic phase of the holiday attention to needy. These kettle donations are used exclusively for Christmas benevolences.

REGISTRATION LAWS NEW

One Card to Be Kept as Permanent Record of Registrations.

The new registration law goes into effect the first of the month and County Clerk Wright will open the Union county registration books on Monday, January 4, using for the first time the new card index system, supplies for which are now on hand.

This system will simplify registration greatly and makes registration permanent. Everyone is obliged to register again, and the new law defining citizenship makes it necessary for foreign-born citizens to show not only their first naturalization papers, but their final papers as well. This rule applies to all naturalized citizens, whether registered previously or not. This means that naturalized citizens who have lost their papers will have to secure copies before they can register again. Sons of citizens naturalized before 21 years of age will have to show the papers issued to the father, although recognized as Americans citizens. Foreign wives of naturalized citizens are accepted for citizens for registration on presentation of the husband's credentials.

The new system will be much simpler. The voter has to sign the name but once, the card being filed in the registration records and containing reference on the reverse side for the use of election boards during election. It will no doubt result in a much larger registration of the feminine voters, as the ladies are not now required to give their ages.

No certificates are given out, one card only being signed up and that is retained on record. County Clerk Wright began the use of the card index last year but the new cards differ considerably under the new law.

Palmer Resigns.

Baker, Dec. 14.—Mayor Charles L. Palmer, under pressure of city business, which will keep him fully occupied the next year, with construction work on the new water system the main obstacle, will be unable to serve further as a member of the school board of district No. 5, and his resignation was accepted by the board last evening.

Mayor Palmer was on the board for many years and as one of the heads of the Baker public schools, always gave his best efforts for their advancement and in losing him, a good man is lost to the school board. However, with his excellent reasons for withdrawing at this time, the board could not but comply and accepted his resignation with expression of thanks for past services and regret that it was necessary for him to step out.

Attorney W. S. Levens was chosen as director in his place and is a worthy successor to a worthy official.

MINNESOTA OFF 'FRISCO.

Freighter Lies Off Golden Gate and May Come in This Evening.

San Francisco, Dec. 14.—Minnesota lying off the Golden Gate on account of shallow water. She probably will enter the bay tonight at high tide.

Federal District Attorney Preston will probably board her tonight.

THE ATLANTIC COAST TIED UP BY BIG STORM

FORTY THOUSAND MEN CLEAN NEW YORK STREETS OF SURPLUS SNOW.

GALE AND COLD SPELL PREDICTED BY BUREAUS

Large Number of People Injured When Train Plows Into Crowd on Street Crossing—Big Area Tied up and Communication is Well Crippled by the Blow.

New York, Dec. 14.—New York and much of the Eastern coast is snow-bound. Wire service is interrupted and trains are stalled generally.

There is no relief in sight, as weather bureaus predict more gales and colder weather.

Twenty were injured at Ottisville, New York, when a train plowed into a crowd crossing a track in the storm. Accidents are many in New York. Forty thousand are clearing the streets of snow. Damage is already heavy.

Philadelphia, Dec. 13.—One man was killed, several seriously injured and numerous minor accidents were the result of a snow storm which swept Eastern Pennsylvania today. Nearly seven inches of snow fell.

Troy, N. Y., Dec. 13.—The worst snow storm since February, 1914, hit Troy today. Tonight 12 inches of snow had fallen.

Poughkeepsie, N. Y., Dec. 13.—A blizzard which began today continues unabated. The fall already has reached 15 inches. No trolley cars are running. Trains on Central New England railroads are completely tied up.

CONVENTION DATE SET.

Republicans Will Convene One Week Ahead of the Democrats.

Washington, Dec. 14.—Chicago gets the convention.

Washington, Dec. 14.—The Republican National convention will be held June 7, a week before the Democrats. The date was fixed by a vote of 37 to 13, the minority favoring June 27 account of Maine and South Dakota primaries being scheduled after June 7. Chicago claimed to have a majority of the votes pledged for the convention city. It is expected San Francisco will receive a large complimentary vote on the first ballot. The committee ratified a reduction of 36 in the southern representation.

Accused Woman Jailed.

Baker, Dec. 14.—In custody of Special Deputy Sheriff Ray Preston, Mrs. Julius Heiberg, arrested at Great Falls, Mont., on information from Baker authorities charging that she obtained \$500 from the Citizens' National bank on false pretenses, was brought back to Baker Sunday evening. She is quartered in a local hotel under guard of a special officer. No action has yet been taken.

"The matter is up to Sanders," said District Attorney Godwin last evening. "The woman secured the money, posing as Sanders' wife shortly after her marriage to Heiberg. Her maiden name was Myrtle Parrott. She represented that she wanted the money for Sanders to use in his saloon to cash checks for lumbermen, and as she had often secured money for him, no questions were asked. 'I have not seen Sanders,' said the district attorney. 'If he assumes responsibility for her actions, that is all there is to it, so far as the state is concerned.'"

Mrs. Heiberg's husband, who is many years her junior, did not come back to Baker with her.

FEDERALS WITHDRAWING

This is Claim of New York Paper Regarding Big Wat.

New York, Dec. 14.—The Evening Sun published tonight an article declaring the great baseball war has been ended by the withdrawal of the Federal league or a merger with the Federal and the International. The paper says it has reliable information that the Federals will withdraw pending suit against organized baseball. Final arrangements will be made soon it is stated.