

Sunday Lid Is Attacked

TEMPORARY INJUNCTION IS ASKED FOR

COUNSEL SET OUT REASONS PROMPTING APPEAL FOR SUCH AN ORDER.

DONT WISH TO BREAK LAW SAY PLAINTIFFS

Circuit Court has Under Advise- ment Proposition to Lift Lid Temporarily—Trial Brief Filed by Counsel for Plaintiffs, Covering matter in full Detail.

CRUX OF COUNSEL CONTENTIONS IN PRAYER FOR INJUNCTION.

The plaintiffs in this suit are not asking the court to enjoin the enforcement of the law. They desire to obey the law, and they are simply asking the court to interpret the law and say whether or not their keeping open their stores on Sunday and the sale of their goods is necessary for the people at large to enjoy Sunday as a day of rest and recreation. And if so they ask the court to enjoin threatened prosecutions of them so that they may not be repeatedly annoyed by a multiplicity of suits and actions.

Effort of a concerted sort to have the Sunday closing lid on Union county lifted on the grounds that its enforcement interferes with peaceful enjoyment of the Sabbath day, was begun this morning in circuit court when counsel representing practically every business house in the city began argument before Judge Knowles on an injunction suit filed late last night. The matter has been taken under advisement and until answer is handed down, there will be no difference in the tightness of the lid, it is understood.

District Attorney Colon R. Eberhard, against whom the injunction suit is aimed, appeared to answer the arguments of plaintiffs' counsel. The whole proposition was gone over in toto, ending with the court taking the matter under advisement.

Jay Van Buren is the only plaintiff mentioned in the case, but as a matter of fact, with probably one exception, all storekeepers and business houses of all kinds are virtually plaintiffs in the case.

T. H. Crawford and F. S. Ivanhoe, counsel for the plaintiffs in the case, filed with the suit, a trial brief in which they set out their special reasons for asking for the injunction. In this brief counsel go on to say:

We do not desire to consider the question of the constitutionality of Section 2125 L. O. L. further than to show that there is a real question touching its constitutionality to be determined in the suit pending in the Supreme Court of the United States.

In this connection, we desire to call the courts attention to the fact that this section as it now exists and has existed since 1864 does not purport to prohibit labor or traffic on Sunday or to make Sunday a day of rest and recreation. The language of this section is: "If any person shall keep open any store, shop, bowling alley, billiard room, or tipping house, for the purpose of labor or traffic, or any place of amusement, on the first day of the week, commonly called Sunday, or the Lord's Day, such person upon conviction thereof shall be punished by a fine of not less than \$50.00 nor more than \$500.00; provided, however, that the above provision shall not apply to theaters, the keepers of drug stores, doctor shops, undertakers, livery stable keepers, butchers and bakers; and all circumstances of necessity and mercy may be pleaded in the defense which shall be treated as questions of fact for the jury to determine when the offense is tried by jury."

It thus prohibits the keeping open for labor or traffic any store, shop, bowling alley, billiard room, tipping house, or place of amusement, on Sunday, and exempts from the operation of the section theaters, the keepers of drug stores, doctor shops, undertakers, livery stable keepers, butchers and bak-

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WAR BULLETINS

War News Of One Year Ago

A new Austrian offensive was developing in Galicia, Berlin admitted the loss of one of the Zeppelin fleet that raided English coast towns; also the loss of the armored cruiser Bleucher in the North Sea. Artillery duels marked the fighting in Flanders.

Berlin, Jan. 29.—(Wireless to Sayville.)—Germans won nearly a mile of French trenches in Artois, captured the village of Frise, a thousand yards of trenches south of the river Somme, with 1200 prisoners, it is officially announced. A double offensive, the greatest along the western front in months, was launched early yesterday. Several French attacks near Neuville failed, though they occupied Mine Craters.

Paris, Jan. 29.—After hours of fierce bombardment Germans attacked south Somme yesterday. They were repulsed each time, a communique said. The offensive was staged along a front of several miles from Somme to Frise. Desperate fighting is reported near Arras, particularly from Neuville to Givenchy. Near Villenuef the French artillery fired the German ammunition depot.

London, Jan. 29.—African liner Appam is listed today among the ships that have vanished. Growing fear is felt that others sunk in a storm which raged for three days off the Moroccan coast.

JAMES M'KAY DEAD.

Former Lumber Company Employee to Be Buried Here Sunday. James McKay, formerly an employee of the George Palmer Lumber company, who has been in a Portland hospital for some time, died early yesterday morning and interment will take place in this city tomorrow from the Bohnenkamp chapel at 2:30. The family home is at Benton street and North Alder. Phillip McKay is a son, and Mrs. McHugh and Mrs. Guy Warren are daughters. The widow, these mentioned, and other near relatives, survive.

The funeral will be under the auspices of Modern Woodmen, of which order deceased was a member.

Little News Of The Day.

St. Paul, Minn., Jan. 29.—Former Chicago White Sox Pitcher Roy Patterson has a Hockey team at the Northwest meet here today.

Kalamazoo, Mich., 28.—This is McKinley Carnation Day, which was established by Joseph Adams of this city. Adams died in 1891. The Carnation was President McKinley's favorite flower.

BABE SAVED FROM FLAMES

NEIGHBOR RISKS LIFE TO REACH CHILD.

Telocaset Family Left Destitute by Destruction of Home.

Telocaset, Jan. 28.—(Special)—Fire early Thursday morning destroyed the home of William Wilson of Telocaset. The mother was a short distance away and was unable to reach the little home before it was a mass of flames. Two children were in the house; a boy aged four and a girl aged one year. The boy ran from the building but the baby who was asleep was overcome by smoke. M. B. Cooper rushed into the flames and rescued the baby with difficulty. It is believed the child was but slightly burned.

Four older children were in school at the time. As nothing was saved the family is almost destitute and will be cared for by neighbors until help can be given them. The origin of the fire is unknown but thought to have been caused by a defective flue.

COLD WIND ANNOYS.

But in Spite of Cold Wind, Shopping Is Brisk During Day.

One of the coldest winds that has prevailed in this winter of cold winds, kept people on the street shivering today. In the face of a severe wind that followed a night of seven above zero, shopping was brisk all day down town. Thawing weather didn't develop—a condition that has been equalled but once or twice this year.

COMPETITION OUTLINED.

Imbler Colt Show Entries Are Classified for the Show.

Officials of the Imbler Colt Show to be held a week from today, have issued details so far as possible, as to the arrangement of competitive classes.

All full blood draft animals will be entered according to their breed. Shires, Clydes, Percheron, Suffolk Punch, etc., and the colts of one breed will not compete with those of another breed except in a sweepstakes prize for the winners.

Grade colts will be classed according to the breed of their sires and each breed will contest separately in the grades as well as in the full bloods.

Ages of the competitors shall be as follows: Colts under one year, colts one year old and under two, colts two years old and under three.

A special class is made for entries of standard bred animals of any age. Special colt show ribbons will be awarded for a showing of teams of draft mares three years old and over. Special prize of \$50.00 is offered by W. R. Ledbetter for the best colt exhibited sired by Gores Fashion.

Special prize of \$50.00 is offered by John Wells for the best colt exhibited sired by Highland Chief. Special prize of \$25.00 is offered by the State bank of Imbler for the best grade colt under one year of age.

Other specials will be announced later.

FLOODS VISIT LARGE AREAS

ARKANSAS, WHITE AND ST. FRANCIS SWELL.

Hundreds Homeless and Seven Already Drowned. Arkansas City, Jan. 29.—Severe known to be dead in floods along the Arkansas, White and St. Francis rivers. Hundreds are homeless. Conditions promise to be worse before night. The rivers are at the highest stage ever recorded and are still rising.

San Diego, Jan. 29.—Cavalry detachments have searched the devastated Otay valley for bodies of 50 believed to have been drowned when the Otay dam broke and sent a 40-foot wall of water over a range of groves and little ranches and which swept the valley clean. Everything is gone.

Returning from the search later in the day, the troops reported the entire valley is a morass of groves, ranches, houses, and dead bodies. The water evidently traveled with express train speed and everything in its path was doomed. A dreary party of refugees, who heeded early warnings, fled. They started for San Diego surrendering hope of finding remains of their families.

Since Tuesday night when the dam broke, a handful of refugees remained nearby, not sending any word of the catastrophe to the outside.

Home From Portland.

Mr. and Mrs. Harley Smith have returned from a 10-day visit in Portland.

WILSON CONTINUES APPEAL FOR PREPAREDNESS SUPPORT

Pittsburg, Jan. 29.—Before cheering thousands of people in Memorial Hall, President Wilson today struck a new blow for his preparedness program. "As your servant, representative that I am, I should not dodge responsibility," he said, and continued: "It is the duty of a public man to hold frank counsel with the people he represents. I love peace, but peace costs something. The best way to maintain it is to gain the respect of other nations. It is hard to keep cool judgment when the world is running red with blood, and keep passion of sympathy under control of judgment. While we admire the zeal of professional enthusiasts, I wouldn't wish to have him guide me."

He reiterated his views that the nation must stand with her Southern neighbors against aggressions on the western hemisphere. He declared America does not seek territorial aggrandizement.

CLUB WORK PROGRESSES

Union County Schools See "Movies" in Relation to Pig Clubs.

L. J. Allen, assistant state leader

SENATE TORN OVER JUSTICE APPOINTMENT

BITTER FIGHT TO KEEP BRANDeis OUT WILL BEGIN AT ONCE.

JEWISH EXTRACTION IS CAUSING RADICAL DEBATE

Appointment Will Be Confirmed by the Smallest Majority that Ever Leapt a Justice on the Supreme Bench—LaFollette About the Only Member of Committee in Favor.

Washington, Jan. 29.—The senate will approve the appointment of Attorney Brandeis of Boston to the office of associate supreme justice, by the closest vote any justice was ever approved, it is reliably indicated today. A long fight, involving sectional and racial feeling, senatorial traditions and party politics, is sure to come.

Committee to Raise Trouble. It is practically certain the judiciary committee will hold hearings on Brandeis' qualifications. If his unfitness is not proven, Senator Weeks, of Massachusetts, is expected to object to the confirmation under the right of a senator to investigate any man of his state who is personally offensive.

Privilege Club Is Ready.

President Wilson is prepared to fight to sustain the appointment, and if necessary, will enforce the senatorial courtesy privilege to gain his end. Senator "Bob" LaFollette of Wisconsin, favors Brandeis. Weeks, Sherman and Smith oppose him.

It is reported the question of presidential aspirations enters into the consideration by these men.

Jewish Blood Opposed. The radical issue is bound to intrude because Brandeis is of Jewish extraction.

WOMAN IS WIZZARD.

Champion Orange Grower Weeds Overalls at Work.

San Bernardino, Cal., Jan. 29.—Miss Susie Stockschlaeder, formerly of Rochester, N. Y., who wears overalls while at work is generally regarded here as the champion woman orange grower of America. She is 22 years old. A few years ago she started ranching with five acres and nothing worth mentioning growing on it but herself. Today that land and other acreage she acquired is producing a nursery and fruit stock worth \$15,000 a year. She has 35,000 budded trees. Five thousand of them are city trees, ready for this spring's market. Ten thousand more of them are growing for a later market. When any of the mere men farmers are at "Susie." If they do what she says, less for information they go and ask usually they make money by it, they say. In the groves the girl wears overalls and a blue shirt, and does as strenuous manual labor as any "hand" on the place.

GERMAN CONTROVERSY SERIOUS AGAIN.

Washington, Jan. 29.—Diplomatic relations between America and Germany are graver than anytime since negotiations began, a high official has stated. Although Secretary Lansing denied the issuance of an ultimatum. It is known events of the past week brought Germany and America close to the breaking point. Wilson's action in rejecting concessions by Ambassador Bernstorff Tuesday created a grave situation. The German embassy said this constituted Germany's last words in the Lusitania case and Wilson has insisted on a complete disavowal.

ALONZO DUNN DEAD.

Pioneer Citizen, Aged 80, Dies Suddenly During the Night.

Death came suddenly about 1 o'clock this morning to claim the life of Alonzo G. Dunn, father of L. L. C. S., Ed and Will Dunn, and who was for many years a citizen of La Grande. The deceased was 80 years of age. He has been making his home chiefly with his sons Chas. and Lute, and it was at the home of the latter that he passed away.

The remains are now at the Bohnenkamp chapel, preparatory to shipment to Laramie for interment. That city was formerly the home of the deceased.

Though 80 years of age, Mr. Dunn was able to be about almost up to the time of his death, walking down town frequently for exercise. His death was a shock to his family and friends.

DIGNITARIES TO OFFICIATE

DEDICATORY SERVICES SUNDAY TO BE SOLEMN.

Elegant Vestments to be Used First Time—Program is Ready.

The new Catholic church of Our Lady of the Valley will be solemnly dedicated tomorrow morning at ten o'clock by the Right Rev. Chas. J. O'Reilly, D. D. Bishop of Baker, assisted by a score of priests from various parts of the state. The ceremonies proper to the dedication will be conducted privately at nine o'clock according to the ceremonial of the Roman Ritual. The doors will be opened at 9:40 and a solemn pontifical mass will be celebrated at ten o'clock.

Elegant Vestments Initiated.

On this occasion the set of vestments made of cloth of gold, costing \$1,500.00 presented to Bishop O'Reilly by the Catholics of Eastern Oregon, on the occasion of his silver jubilee will be used for the first time in La Grande. The dedication sermon will be preached by the right reverend bishop. The officers of the solemn pontifical mass will be as follows:

Many Priests to Participate. Celebrant—Right Rev. Chas. J. O'Reilly, D. D., bishop of Eastern Oregon diocese.

Assistant priest—Rev. P. J. O'Rourke of Heppner.

Deacons of Honor—Rev. Jos. Schmidt, Wallowa, Rev. John Wand, North Powder.

Deacon of the Mass—Rev. Thos. J. Brady, Juntura.

Sub-deacon of the Mass—Rev. Peter Heuel, Joseph.

Master of Ceremonies—Rev. H. J. Marshall, Jordan Valley.

Thurifer—Rev. P. J. Driscoll, La Grande.

Mitre bearer—Rev. P. F. Joye, Pendleton.

Acolytes, Rev. A. J. Loeser, Baker, Rev. J. F. Costello, Portland.

The children's choir will sing and the offertory solo, "Ave Maria" Miss Henrietta Foley.

Structure is Magnificent. The church of Our Lady of the Valley was commenced in September, 1914. The corner stone was laid October 29, of the same year. The structure is built of pressed brick with terra cotta base and trimmings. The style of architecture is the modified Norman Gothic; \$40,000.00 has been spent in the erection and equipment of this beautiful church. There are seats for 400 people.

The stained glass windows donated by members of the congregation are harmonious and beautiful.

HOLLOWELLS COMING AGAIN

People Whose Music Have Often Delighted La Grander, Rebooked. Once more the Hollowell Concert company is coming to La Grande. The Elks have taken them on for February 7th, and announce that dancing will follow the concert until 1 o'clock. This company has been here often enough to convince the most skeptical that they "have the goods."

Cold Delays Plunge. Because of the prolonged cold weather and general shortage of water, the Y. M. C. A. plunge will not be refilled for several days.

COLLEGE DAYS OPEN MONDAY; STAGE IS SET

GATHERING OF FORCES TO GUIDE DESTINIES OF WEEK TO COMMENCE MONDAY.

FARMER SMITH FIRST BIG SPEAKER LISTED

Commercial Club Awaits Date When Biggest Thing of Its Kind Begins in This City—Important Events of the Week Stand Out Above Others—Song to Start Wheels.

All details are now fully arranged for the Farmers' and Homemakers' week beginning next Monday. During the past week Fred B. Curry, secretary of the Commercial club has visited nearly all the outside localities and has been assured of the interest and co-operation of the residents of the county as far as it is practicable to render aid toward the success of the meeting. Barring unusual conditions there is certain to be a large attendance from all localities in the county.

Monday's Program. The opening day's session will begin at 2 o'clock in the afternoon and the following is the program for the first day:

1:00 p. m.—Music—Baritone and Soprano Duet, "Still of the Night," (Gotsz)—Mr. and Mrs. Birnie.

Address of Welcome—Mr. F. J. Lafky, City Manager.

Response—Prof. R. D. Hetzel, Director of Extension Service, Oregon Agricultural College.

Address of Welcome—Mrs. Geo. Gilbert, President of La Grande Neighborhood Club.

Response—Miss Anna M. Turley, Extension Specialist in Home Economics O. A. C.

7:30 p. m.—Music—Piano Solo—Miss Harriet Young.

Address—"Home-Making"—"Farmer" Smith Agriculturist of the O.-W. R. & N. Co.

Note—All meetings Monday will be held in the auditorium of the Methodist church.

Good Roads Day. In connection with the general ideas in regard to farming and home-making, one of the important days of the week will be Friday when the "Good Roads" movement will have full swing. At this time there will be formed a permanent good roads organization for Union county. This is to be the sequence of the recent preliminary meetings in behalf of the good roads movement. At this time, also, will be read the essays from the school students and the prizes for the same will be awarded.

O. A. C. Day Saturday. Saturday, the last day of the meeting is to be especially an O. A. C. day. At this time President Kerr will be present and a committee of the O. A. C. alumni have the Saturday specialties in charge. Test committee consists of Hugh McCall, Roscoe Neal and Chas. Reynolds. They have sent out circular letters to all former O. A. C. students and alumni in which they call for a meeting and re-union. It is expected that there will be a general response. This re-union feature is to close with a banquet in the evening at which time there will be speeches by President Kerr and other prominent O. A. C. people. The circular closes with this important injunction:

"Since Oregon is dry and we are unable to get the liquid spirits why not get the old O. A. C. spirit and be on hand with your Zip! Boom! Bee!"

Plates for the banquet will cost the sum of fifty cents.

Arrangements have been made whereby those who enter babies in the eugenics contest, which will be conducted Friday all day on a basis not before attempted in Eastern Oregon, can pay their 25 cent entrance fee when they register at the show Friday.

Men Break Safe: Seen Dubois, Pa. Jan. 19.—W. W. Haven, of Summerville, Jefferson County, works nights and was on his way home from work in the morning when he discovered two robbers in the act of breaking into the post-office. The robbers held Haven up at the point of a revolver while they bound and gagged him.

Then they drilled the safe before Haven's eyes and blew it up with so much dynamite that the interior of the building was badly wrecked.

The robbers gathered up \$100 in money and stamps, forced Haven to accompany them to the outskirts of the village, and then set him free. He spread the alarm at once, but the safeblowers made their escape.

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