

La Grande Evening Observer

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President Wilson Insists On Speedy Eight Hour Legislation

UNIQUE RULING BY LOCAL JUDGE UPHELD IN TEST

SUPREME COURT HANDS DOWN DECISION IN FAMOUS ENTERPRISE DAMAGE CASE

COMPANY NOT EMPLOYER, SUED FOR DAMAGE MONEY

Decision of Far-Reaching Consequence Handed Down At Salem Sustains Ruling of Law Made by Judge Knowles—Widow Recovers Damage From Owners of Electric Station.

Salem, Dec. 5.—(Special)—One of the most far-reaching decisions handed down by the Supreme court of Oregon in years, was delivered today by Justice Bean, when the case of Ella Clayton vs. Enterprise Electric company, appellant, appealed from Wallowa county, was decided in favor of Mrs. Clayton, and the law points ruled by Judge Knowles, sustained.

The company leased some land for a sub station from Carl Roe, stalled some appliances in building. Clayton was an employee of the Electric company, and was killed while he was alone at the station of the company on Roe's land, and while on Roe's business. Instead of suing his employer, Roe, the widow brought action against the electric company, claiming the death was due to negligence on the part of the electric company in failing to provide all proper safety appliances for the protection of life and property in the use and delivery of its electricity at the station. The case was one brought under the State Employers' Liability act, and the question before Judge Knowles was the first time an Oregon court had been called upon to rule as to whether a member of the public, not in the employ of the company could bring an action directly against the company, under the Liability act, in the determination of which he necessarily was without Oregon precedent. Judge Knowles' ruling in favor of recovery on the part of injured parties is important and far reaching in its consequences. It is known that Judge Knowles gave a great deal of time and attention to the decision of the legal question involved and the apparently unanimous decision of the Supreme court in affirmance is pleasing to all friends of the judge.

FLAG RAISING ON THURSDAY

Hour Delayed So That School Children May Be Present at Ceremony

The hour of raising the new flag over the city hall has been changed from 2:30 Thursday until 3:30 so that the school children may be present for the occasion. The ceremony of raising the new flag will be a patriotic one, under auspices of the W. R. C., who give the flag, and the G. A. R. Both of these orders have been called to meet at 2 o'clock that afternoon that they may prepare for the ceremonial.

BUCHAREST'S FALL IS NOW NEARER REALITY

Berlin, Dec. 5.—(United Press)—MacKenzen has crossed the Bucharest railroad and gained a foothold in the lower Argues Valley. He defeated a numerically superior force.

POTATO PRICE MAY GO DOWN

Washington, Dec. 5.—(United Press)—The agricultural department has lifted the Canadian potato embargo. The action is expected to reduce the prices. Canadians must obtain permits of the federal horticultural board.

Dick Perrine's Body Shipped With Honors

Fellow Bandmen Play Funeral March as Procession Moves in Funeral Trend to the Depot at Night.

While a biting wind whipped the pavements at 10:30 last evening, the Elks' band, members of the Barbers' union, and friends of the late Dick Perrine wended their way from the Henry Undertaking parlors to the depot from whence the remains of the young band member were shipped to Portland for funeral. It was an impressive, solemn cortege.

Playing a funeral march, the procession progressed with slow, solemn step. Heads were bowed along the sidewalks as the procession passed. Reaching the depot, the band assembled on the platform and there played "Nearer My God to Thee." The plaintive notes of the funeral march, and the distressing circumstances for which they were played, so touched the hearts of even the total stranger that the near-midnight ceremonial will not soon be forgotten. The mother, aged and gray, and the father, tall and elderly and both broken hearted, followed the band through the waiting room, and while the hymn was being played, both unrestrainedly gave way to their grief. The music over, Mr. Perrine called to him the members of the band and the Barbers' union, and these men—heads bowed and bowed—listened to a benediction from the grief-stricken father that none will forget.

"You are all strangers to us," Mr. Perrine sobbed, "but we love you all. You have been good to our boy. May the songs of God be upon you always; may you remember to treat all your companions in time of distress as you have treated our loved one." His words were spoken with his hands outstretched over the heads of his new-found friends, and though there were 100 on the depot platform who were total strangers to the interested parties and the proceedings generally, it is doubtful if there was a dry eye in the vicinity. Still muttering their thanks and appreciation to the La Grande people who in one way or another had befriended them and theirs, the couple was led away to shelter from the wind to await the coming of the delayed train.

Mr. Perrine, who was a barber by trade, and a solo trombone player in the Elks' band, died early yesterday morning after having made his home in this city several months.

The shock was so extremely severe to the parents and friends because none realized he was so critically sick. The young man died before his parents could reach the bedside.

P. O. E. Officers At Enterprise Today

Society Establishes Chapter at Sister Town, State and La Grande Women Officiating As Installing Officers.

Officers of Chapter L. P. O. E., a society of college women with altruistic purposes and principles, accompanied the state organizer to Enterprise this morning and tonight will install a new chapter in that city. Mrs. Dorothy Seymour, of Portland, is the state organizer, and she was greeted this morning by the officers of the La Grande chapter, and all journeyed to Enterprise on the morning train. The La Grande women to go include: Mrs. H. S. Brown, Mrs. J. K. Wright, Mrs. J. W. Knowles, Mrs. L. C. Stanchfield, Mrs. Bidwell, Mrs. E. E. Kiddle and Mrs. G. T. Darland.

NEW EXPRESS AGENT HERE

G. H. Black Goes to Wallace and Portland Man Comes to La Grande. F. P. Rhoades, traveling agent for the American Express, is in La Grande today checking out G. H. Black, for the past several months express agent here, and installing H. F. Boggers, of Portland, as agent. Mr. Black is transferred to Wallace and will make his home there.

The new agent in La Grande hails from St. Paul originally, having been in Oregon but a relatively short time.

Ruth Ardrey Home. Miss Ruth Ardrey, is at home spending the holidays with her parents, Mr. and Mrs. J. C. Ardrey. She has been attending the Portland Business College and will return to complete her studies soon after the first of the year.

HASTY STRIKES WITHOUT FULL INVESTIGATION OF MERITS HELD TO BE UNJUST AND IMPROPER

PRESIDENT'S MESSAGE DEALS ALMOST WHOLLY WITH STRIKE ISSUES—ASKS FOR RIGHT TO DRAFT RAILROAD CREWS TO HANDLE TRAINS—"POWERFUL BODIES SHOULD NOT STOP INDUSTRIAL PROCESSES BEFORE NATION HAS HAD TIME TO INVESTIGATE AND JUDGE THE MERITS," SAYS EXECUTIVE.

Washington, Dec. 5.—(United Press)—Addressing congress today, President Wilson said: Gentlemen of the Congress:

In fulfilling at this time the duty laid upon me by the Constitution of communicating to you from time to time information of the state of the Union and recommending to your consideration such legislative measures as may be judged necessary and expedient I shall continue the practice, which I hope has been acceptable to you, of leaving to the reports of the several heads of the executive departments the elaboration of the detailed needs of the public service and confine myself to those matters of more general public policy with which it seems necessary and feasible to deal at the present session of the Congress.

I realize the limitations of time under which you will necessarily act at this session and shall make my suggestions as few as possible; but there were some things left undone at the last session which there will now be time to complete and which it seems necessary in the interest of the public to do at once.

In the first place, it seems to me imperatively necessary that the earliest possible consideration and action should be accorded the remaining measures of the programme of settlement and regulation which I had occasion to recommend to you at the close of your last session in view of the public dangers disclosed by the unaccommodated difficulties which then existed, and which still unhappily continue to exist, between the railroads of the country and their locomotive engineers, conductors, and trainmen.

I then recommended: First, immediate provision for the enlargement and administrative reorganization of the Interstate Commerce Commission along the lines embodied in the bill recently passed by the House of Representatives and now awaiting action by the Senate; in order that the Commission may be enabled to deal with the many great and various duties now devolving upon it with a promptness and thoroughness which are, with its present constitution and means of action, practically impossible.

Second, the establishment of an eight-hour day as the legal basis alike of work and of wages in the employment of all railway employees who are actually engaged in the work of operating trains in interstate transportation.

Third, the authorization of the appointment by the President of a small body of men to observe the actual results in experience of the adoption of the eight-hour day in railway transportation alike for the men and for the railroads.

Fourth, explicit approval by the Congress of the consideration by the Interstate Commerce Commission of an increase of freight rates to meet such additional expenditures by the railroads as may have been rendered necessary by the adoption of the eight-hour day and which have not been offset by administrative readjustments and economies, should the facts disclosed justify the increase.

Fifth, an amendment of the existing federal statute which provides for the mediation, conciliation, and arbitration of such controversies as the present by adding to it a provision that, in case the methods of accommodation now provide for should fail, a full public investigation of the merits of every such dispute shall be instituted and completed before a strike or lockout may lawfully be attempted.

The second and third of these recommendations the Congress immediately acted on: it established the eight-hour day as the legal basis of work and wages in train service and it authorized the appointment of a commission to observe and report upon the practical results, deeming these the measures most immediately needed; but it postponed action upon the other suggestions until an opportunity should be offered for a more deliberate consideration of them. The fourth recommendation I do not deem it necessary to renew. The power of the Interstate Commerce Commission to grant an increase of rates on the ground referred to is indisputably clear and a recommendation by the Congress with regard to such a matter might seem to draw in question the scope of the Commission's authority or its inclination to do justice

when there is no reason to doubt either. The other suggestions,—the increase in the Interstate Commerce Commission's membership and in its facilities for performing its manifold duties, the provision for full public investigation and assessment of industrial disputes, and the grant to the Executive of the power to control and operate the railways when necessary in time of war or other like public necessity,—I now very earnestly renew.

The necessity for such legislation is manifest and pressing. Those who have entrusted us with the responsibility and duty of serving and safeguarding them in such matters would find it hard, I believe, to excuse a failure to act upon these grave matters or any unnecessary postponement of action upon them.

Not only does the Interstate Com-

merce Commission now find it practically impossible, with its present membership and organization, to perform its great functions promptly and thoroughly but it is not unlikely that it may presently be found advisable to add to its duties still others equally heavy and exacting. It must first be perfected as an administrative instrument.

The country cannot and should not consent to remain any longer exposed to profound industrial disturbances for lack of additional means of arbitration and conciliation which the Congress can easily and promptly supply. And all will agree that there must be no doubt as to the power of the Executive to make immediate and uninterrupted use of the railroads for the concentration of the military forces of the nation wherever they are needed and whenever they are needed.

This is a programme of regulation, prevention, and administrative efficiency which argues its own case in the mere statement of it. With regard to one of its items, the increase in the efficiency of the Interstate Commerce Commission, the House of Representatives has already acted; its action needs only the concurrence of the Senate.

I would hesitate to recommend, and I dare say the Congress would hesitate to act upon the suggestion should I make it, that any man in any occupation should be obliged by law to continue in an employment which he desired to leave. To pass a law which forbade or prevented the individual workman to leave his work before receiving the approval of society in doing so would be to adopt a new principle into our jurisprudence which I take it for granted we are not prepared to introduce. But the proposal that the operation of the railways of the country shall not be stopped or interrupted by the concerted action of organized bodies of men until a public investigation shall have been instituted which shall make the whole question at issue plain for the judgment of the opinion of the nation is not to propose any such principle. It is based upon the very different principle that the concerted action of powerful bodies of men shall not be permitted to stop the industrial processes of the nation, at any rate before the nation shall have had an opportunity to acquaint itself with the merits of the case as between employee and employer, time to form its opinion upon an impartial statement of the merits, and opportunity to consider all practicable means of conciliation or arbitration. I can see nothing in that proposition but the justifiable safeguarding by society of the necessary processes of its very life. There is nothing arbitrary or unjust in it unless it be arbitrarily and un-

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La Grande Sending A Big Boys' Delegation

Conference in Baker Attracts Many

Who Want Conference to Come to La Grande Next Time—Speakers Going Too.

What promises to be one of the largest Boys' conferences ever staged in Eastern Oregon will be held at Baker December 8 to 10. La Grande will be exceptionally well represented and they will all go with the purpose in mind to bring the next Eastern Oregon and Eastern Idaho conference to La Grande. The invitation will be given, and from present indications it looks like La Grande, Should La Grande be voted as the next place, an effort will be made to make it a very successful conference. With the Joseph branch running out of La Grande, a bid will be made to interest every organization on the branch to send delegates to La Grande. It is expected that 175 delegates will be in attendance at Baker and if La Grande gets the conference for 1917, at least 200 delegates would be expected.

La Grande will be represented on the program by the following men: Rev. G. L. Clark, who has a very important part in the conference. Mr. Clark was also one of the chief speakers at the conference held last week at Eugene. Messrs. Geo. Gilbert, Ed. Jasper, and J. C. King will be on the program. J. C. King will also have charge of the recreation period. The following delegates are expected to attend: Ralph Poston and Clayton Ingle of the Presbyterian Sunday school; Phil Heinderich of the Christian Church Sunday school; Howard Stoddard and Audmer Playle, of the

UNION WOMEN OUTNUMBERED MEN AT POLLS

DAVID VAN HOUTEN REELECTED MAYOR IN BRISK COMPETITION

WALLOWA TICKET NAMED BY VOTERS YESTERDAY

Tony D. Smith Unopposed for Mayor of Union—Mr. Ferguson, Another Fight Center, Re-elected Street Commissioner—Councilmen Chosen, Three Being Elected.

Union, Dec. 5.—(Special)—An election that is unique in that women predominated at the polls, yesterday, saw spirited contests for two of the municipal offices to be filled for the ensuing year. The keenest interest centered not so much on the head of the ticket where Tony D. Smith was unopposed, but for marshal. David Van Houten was re-elected over C. W. Wright, J. N. Scarborough, Fred Perkins and William McCordie. The other chief fight was for street commissioner.

The ticket as elected is: Mayor—Tony D. Smith. Councilmen (Three years)—W. D. Hanks, William Wigglesworth. One year, G. H. Rollins. Recorder—L. Z. Terrall. Treasurer—Osborn Richens. Marshal—David Van Houten. Street Commissioner—John Ferguson.

Wallowa Election Uneventful

Wallowa, Nov. 5.—(Special)—The election here yesterday passed on an uneventful basis. There were some contests for councilman in the second ward, and competition for city recorder. A marshal will be appointed by the city council. The ticket as elected is: H. P. O'Brien, mayor; H. E. Morelock, councilman at large; George Rogers, Councilman first ward; L. F. Allen, councilman second ward; J. C. Baird, recorder; Mr. Searle, treasurer.

Y. M. C. A.; Alfred Johnson and Geo. McDonald, of the High School—Other organizations will send delegates. Messrs. A. C. Hampton, Linden McCullough, Albert Currey, and Rib't Eakin contemplate going.

PRESIDENT OF THE STANDARD OIL DEAD

Tarrytown, Dec. 5.—(United Press)—J. D. Archbold, president of the Standard Oil Company, died at 3:30 this morning. Complications followed an appendicitis operation November 21. His wife and children were present. He was aged 60. He will be buried in the family Mausoleum north of Sleepy Hollow.

Weather Forecast. Rain or snow, increasing southeasterly winds.

Ready for Carpenters.

Contractor John Mars has completed the concrete work on the new Roesch garage, and will be ready for the carpenters tomorrow. This is the beginning of the end of the complete construction of the big building which occupies what heretofore has been an idle corner.

LLOYD GEORGE HAS RESIGNED

London, Dec. 5.—(United Press)—It is learned on the highest authority Lloyd George has resigned. The resignation was drafted and sent to Premier Asquith after he received intimation Asquith was not willing to agree to a plan for a small war council. The Exchange Telegraph company announced the resignation and added a formal statement will be forthcoming tomorrow.