

La Grande Evening Observer

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CITY WINS AND COUNTY LOSES IN LAW SUIT

JUDGE KNOWLES HANDS DOWN IMPORTANT DECISION IN JACKSON CASE

CITY STREET LIENS HELD PRIOR TO MORTGAGE

But County Taxes Levied First Against Personal and Then Against Real Property Are Not Allowed Because Law Was Passed After Mortgage Was Recorded.

Judge Knowles handed down an important decision today in the case of Mary Shaw Jackson vs. The Grande Ronde Cash Co., the city of La Grande and Union county.

The questions involved in the case were these: Mary Shaw Jackson sued the Grande Ronde Cash Co. to foreclose a mortgage and made the city of La Grande defendant, because the latter claimed that its street liens were prior to the mortgage, and Union county because the latter claimed that its tax liens were superior to the mortgage. The sheriff had levied the liens against the personal property and not paid.

Judge Knowles decided that the street liens of the city were prior to the mortgage under the Bancroft bonding act under which they had been assessed, but held that the tax claim of Union county was not a prior lien, inasmuch as the law under which the sheriff had acted had been passed after the date of recording the mortgage and if enforced would impair the obligation of contract and virtually be an ex post facto law.

So far as affecting a mortgage recorded before the passage of the law he declared that part of the law unconstitutional.

Germans' Onward Sweep Unchecked

Five Towns in Roumania Are Captured—Galatz, Most Important City Not in Hands of Germans, Is Menaced.

Berlin, via Sayville, Jan. 6.—(United Press)—The onward sweep of the Teutons is described in an official statement, announcing the capture of five towns, and the arrival of German troops at outpost on the Sereth river, a new menace to Galatz, the most important Roumanian city now in the hands of the Russians and Roumanians.

Details of the advance movements by the Teutons in the Carpathians are given. Rimnicul, Tartaru, Oloneasca, Gullianes and Maceni are now in German hands.

Petrolite Case to Be Settled.

Washington, D. C., Jan. 6.—(United Press)—A settlement satisfactory alike to the United States and Austria has been reached in the case of the Austrian shelling of the Standard Oil tanker Petrolite is predicted soon after the arrival of the new ambassador, Tarnowski, according to hopes expressed by officials.

British Make Advance.

Berlin, Jan. 6.—(United Press)—A British night attack at Serre on the Somme front entered the German advanced trenches.

Deny He Received Peace Terms.

Copenhagen, Jan. 6.—(United Press) Lokal Ansieger and Vossiech Zeitung unite in denying that President Wilson received Germany's peace terms from any official source.

America's Attitude Discussed.

BY CARL W. ACKERMAN.
Berlin, Jan. 6.—(United Press)—Discussion in congress at Washington of America's international relations following peace notes has resulted in the belief in some quarters in Germany that the United States and the Allies are drifting together, rather than that the United States and neutrals are really co-operating for peace.

Irrigation Bonds Sold.

Portland, Ore., Jan. 6.—(United Press)—The first bonds sold under the Oregon irrigation district law were purchased today by the Lumbermen's Trust company when the Warm Springs issue was sold at 95 1-4.

LA GRANDE POSTOFFICE SHOWS A HEALTHY GAIN OVER PREVIOUS YEAR

Money Order Receipts Increase \$89,849, or 23 Per Cent in Year—Postal Savings Bank Deposits and Postal Receipts Also Show An Increase—Postoffice Makes Profit.

The volume of money order business at the postoffice for the year ending December 31, 1916, was \$489,538.11, and for the year ending Dec. 31, 1915, was \$399,688.16, an increase of \$89,849.95, which is about 23 per cent.

The increase in the postal Savings bank deposits during the past year over the year 1915, amounts to about 24 per cent.

The postal receipts increased 8 per cent during 1916 over the year 1915. And the quarter ending December 31, 1916, showed an increase of 8 per cent over the same period of 1915.

The total volume of business in the postoffice, including the postal savings bank, postal receipts and money order business, both domestic and international, for the year 1916 amounts to over a half a million dollars, or to be exact, \$524,203.34.

The actual amount netted from the sale of stamps after the expenses were all paid, for the year, is \$7695.53 and the amount of fees on money orders was \$1240.64, making a total of \$8936.17, which represents the profit to the postoffice department for the entire year so far as the local office is concerned.

The above volume of business is transacted by a force of 13 people, as follows: the postmaster, assistant postmaster, five clerks, four city carriers and two rural carriers.

Volley Ball League Plays Opening Games

Pecans Defeat Almonds; Walnuts Beat Hickories; First Team Goes to Baker on January 9 and is Busy Practicing.

The first series in the new volleyball league of the Y. M. C. A. businessmen's class were held yesterday afternoon. They were attended by a very large number of players and every game was interesting and close. The Pecans with S. D. Crowe as captain, defeated the Almonds with Linden McCullough as pilot, by the scores of 21 to 16 and 21 to 7; the Walnuts with Elmer Stoddard as captain, won over Dr. Graham's tough Hickories by the score of 21 to 17 and 21 to 8.

After the games the first team that will go to Baker on the 9th put in a little time practicing, the team that will go to Baker is composed of the following players: Dr. Graham, Elmer Stoddard, Linden McCullough, S. D. Crowe, Chas Harding and Don Scott.

John Hueghens Wins Jump.

The high jump contest held for the juniors this morning at the Y. M. C. A., was won by John Hueghens over a field of thirty or more boys. Hueghens is developing into a very capable jumper and cleared the stock at four feet with apparent ease. Gene Taylor was the runner up in the contest.

Lloyd George in Rome.

London, Jan. 6.—(Special)—Premier Lloyd George and Viscount Milner, a member of the British war council, with their official advisers, have arrived in Rome, says an official statement issued today.

They will participate with the French and Italian governments in an exchange of views on the general situation.

300 Killed in Earthquake.

Tokio, Jan. 6.—Three hundred persons have been killed and many injured in an earthquake in Central Formosa, according to special dispatches from Toihoku, the capital of Formosa. It is estimated that 1000 houses have been destroyed.

The city of Nanto has been damaged extensively by fire.

The island of Formosa lies between the Philippine Island and Japan and is owned by Japan. The city of Nanto is in the central part of the island, about 100 miles south of Toihoku.

Oregon To Be Given \$128,111 for Roads

Washington, D. C., Jan. 6.—(United Press)—In allotting the million dollars to be spent in the coming years in constructing roads and trails Secretary Houston announced Washington's share \$91,944; Idaho, \$107,730; Oregon, \$128,111.

LATE NEWS BY WIRE

American Firms Outbid on Projectiles By British Firm.

Washington, D. C., Jan. 6.—(United Press)—Advocates in Congress of government manufacture of munitions denounced American manufacturers, who were outbid two hundred dollars per projectile by a British firm. The navy department had called for bids for sixteen-inch shells.

London, Jan. 6.—(United Press)—The bid of the British manufacturer of shells for America had a limitation. It was contingent on the war ending. The plants of the United Kingdom are now under government control. The American shell contract specified delivery in sixteen months.

Germans Deny Executing Boy and Woman in Nassehn.

Berlin, Jan. 6.—(United Press)—"Absolutely untrue," was the denial of the press bureau to the report in foreign papers that a woman and thirteen-year-old boy had been recently shot as spies in Nassehn, Belgium. No boy was shot. A woman was sentenced to death but pardoned.

Deutschland Is Expected To Arrive At New London.

New London, Jan. 6.—(United Press)—Indications are that the Deutschland is expected. Orders given to await her arrival have been given to negro stevedores, who are now unloading merchandise on the wharf of the Eastern Forwarding Company, owners. Cargo mostly of rubber and nickel is expected.

OREGON FRUIT MEN CONFER

SELLING ORGANIZATION WITH 11 BRANCHES HOLDS MEETINGS OF DISTRICT HEADS

The Oregon Fruit company, of this city, with 10 branch houses scattered throughout the state celebrated the first anniversary of its birth shortly before the first of the year by holding a convention in Portland. The district heads met at the Benson hotel, Dec. 28, had luncheon at the hotel, and in the evening the visitors, together with the Portland officials, attended the Baker theater in a body. The next day was the conference of branch managers with the head of the company was resumed and at 6 o'clock in the evening a banquet was served, also at the Benson, at which some prominent entertainers were present.

About the first of 1914 an idea crept into the head of S. C. Dalton and after considerable pondering was communicated to the late W. B. Glafke. It was, in brief, that the buying and marketing of fruit and vegetables could be greatly facilitated by the formation of branch houses throughout the state which would eliminate the duplication of expense and enable them to sell to the trade such products as they might care to handle, at lower prices than otherwise would be the case. At the same time the producer would benefit. The result was that, fathered by Mr. Glafke and Mr. Dalton, a branch house was opened at Corvallis and later other houses sprang up at Eugene, Salem and Albany. Each of these was known under the firm name of W. B. Glafke company.

This was in the spring of 1915 and

(Continued on Page Eight.)

A servants' union has been formed in Duluth.

New Contention Against International Peace Leagues to be Voiced at Meeting of the National Civic Federation.

New York, Jan. 6.—(Special)—Opposition from a new source not only to the League to Enforce Peace, but to the peace movements whose programs exclude the idea of force, is fore-shadowed by the National Civic Federation in a statement issued today, presenting the contention that the principles underlying international and industrial strife are identical, and that the same reasons which cause the failure of compulsory industrial arbitration will therefore preclude the success of any attempt at compulsory international arbitration.

This view, which injects a new element into the peace problem, will be developed at the annual meeting of the federation, in the Hotel Astor, New York city, on January 22-23, by

Death of Mrs. Mary E. Chambers Last Night

Mother of Mrs. J. F. Phy Who Suffered a Paralytic Stroke Passes Away—Mrs. Chambers Was a Member of McIntyre Family Who Served in Revolutionary and Civil Wars.

Mary E. Chambers, mother of Mrs. J. F. Phy, suffered a paralytic stroke and died yesterday, evening at the Phy residence. She was past eighty years of age and for the past six months has been practically helpless.

Mrs. Chambers was born in Buffalo, New York, and spent most of her life before marriage, in Northern Ohio. She crossed the plains with her husband, William Chambers, in 1862, and they were among the first settlers of Powder River Valley. He died two years ago. There were seven children born to them, only three now living. Edgar E. Chambers of Baker, the oldest son has a family of eight children, and the two youngest are Mrs. James Cavin of Baker, and Mrs. Phy of La Grande.

Mrs. Chambers' grandfather was William McIntyre, an aide to Washington from 1775 to 1783, the close of the war. Her father, Major McIntyre, joined the cavalry at the age of 21, and served through the war of 1812. Four brothers fought in the Civil War, only two returning.

PENDELTON MEN ARE VICTIMS

'Death Valley Garnets' Sent C. O. D. Declared Practically Valueless.

Pendleton, Or., Jan. 6.—(Special)—Several Pendleton residents have been the victims of the scheme of a Goldfield, Nev., concern. Packages marked \$1.05 C. O. D. have been received here through the mail and when opened were found to contain a little brown, crudely cut stone, labeled "Death Valley garnet from the Death Valley Garnet Company, of Goldfield, Nev."

The stones are not worth 15 cents, according to local jewelers.

JUDGE C. H. FINN BACK FROM THREE WEEKS' TRIP TO CALIFORNIA

La Grande Attorney Visits Petaluma Where He Taught School 49 Years Ago and Also San Francisco, Los Angeles, San Diego, Pasadena and Ti Juane—Will Use Smudge Pots As Result of His Trip.

Judge C. H. Finn will use smudge pots at his orchard to head off frosts as the result of his trip to California, from which he has just returned.

"The weather was raw and cold in California," said Judge Finn today, "and I had an opportunity to witness the use of the smudge pots. Oranges cannot stand lower than forty degrees. The United States weather bureau sent out warning that the temperature was going to fall and the orange men got busy with their smudge pots and saved their crops. It showed me their value, and I am going to prepare to use them at my orchard in case of necessity this spring."

"I stopped at San Francisco, Los Angeles and San Diego, and also visited Petaluma, where I taught school forty-nine years ago, and saw some of my old pupils. I saw Mrs. Clark, with whom I used to board, and also A. C. McMeans, school superintendent, who gave me my certificate. At Petaluma D. E. Cox, former city recorder of La Grande, is located. He has a chicken ranch, and is doing well, having gone there on account of his

(Continued on Page Five)

Renews Charges of Leak to Wall Street

Washington, D. C., Jan. 6.—(United Press)—Representative Gardner, of Massachusetts, supported his emphatic charge that a leak of advance information to Wall street regarding contents of the president's note had occurred. He read a dispatch sent by the Jones Stock Ticker at 2 o'clock in the afternoon before the note was released for publication. Subpoenas were issued to the entire Washington staffs of the Wall Street Journal and Financial American.

Lansing to Testify.

Washington, D. C., Jan. 6.—(United Press)—Secretary Lansing is to appear before the committee investigating the leak in the peace note Monday, it was announced following an executive session of the rules committee of the house this afternoon.

La Grande Man Is Seriously Injured

Shirley Neuchashner Is Caught in Carrier—Both Legs and One Arm Broken and Internal Injuries Are Also Feared.

A distressing accident took place yesterday afternoon at the Palmer mill when Shirley Neuchashner, a young man of twenty-one, was caught in the carrier and was seriously injured.

The boy's hand was caught, dragging him into the carrier. Both legs were broken between the hip and the knee, one arm was broken and it is feared that he was injured internally.

He was rushed at once to the hospital where he was given immediate medical attention but he is in a serious condition. Drs. Bacon and Holt are the attending physicians.

Bank Messenger and Guard Robbed of \$9000

Tarentum, Pa., Jan. 6.—(United Press)—A bank messenger and guard, taking \$9000 to the Fluency Glass company's office to meet the weekly payroll was held up and robbed by three men. They leaped from an automobile, overpowered the messenger and guard and drove away.

The Weather

Portland, Ore., Jan. 6.—(United Press)—The United States weather bureau forecast follows:
Tonight and Sunday, generally fair in south; in the east, unsettled; probably rain in northwest portion; winds southerly.

BROTHERHOOD CHAIRMEN GO TO CHICAGO

CONFERENCE IS CALLED FOR JAN. 11—IMPORTANT MATTERS TO BE DISCUSSED

QUESTION OF STRIKE VOTE TO BE DETERMINED

National Officers and General Chairmen Are Restless Over the Course Affairs Have Taken, Over the Admanson Litigation and the Railroad Bills Now Pending in Congress.

Brotherhood general chairmen of the four orders have been called to Chicago for a conference, and the representatives of this district left last night.

An important conference will be held and the next steps in the fight for an eight-hour day will be discussed, and the question also submitted to the members of a strike vote.

Railroad brotherhood chairmen and the national officers are very restless over the course that affairs have taken. They are not pleased with the action of the railroads in throwing the Admanson law into the courts, and they are also concerned over the bills pending in congress which will make it unlawful for railroad men to leave their employment. These and other matters will be discussed at the Chicago conference.

That the four railway brotherhoods will take a vote whether to strike in the event eight-hour work day is not granted by the railroads was the declaration of the American Railway Employees Journal in the January issue published yesterday, as announced in The Observer last night.

According to the Journal the brotherhood chiefs have asked the 640 general chairmen to meet in Chicago on January 11. It says: "The meeting is for the purpose of consulting the general chairmen, to decide what line of action will be made necessary by the managers refusal to put into effect the eight-hour day. The entire matter will be placed with the rank and file for decision. The Journal has faith they will stand by their organization and bring the railroads to time."

Crushing Defeat To Villa's Forces Report

General Murgin, Carranza Commander, Reports 300 Villistas Killed, Six Hundred Wounded, Six Hundred Captured and Executed.

El Paso, Tex., Jan. 6.—(United Press)—Details of the irreparable defeat to Villa at Jiminez have been sent the Mexican consulate here by General Murgin, Carranza's commander. Three hundred Villistas were killed in South Chihuahua, six hundred wounded, six hundred captured and executed, according to the consulate's interpretation of General Murgin's report.

Total Eclipse of Moon Tomorrow Night

This Will Occur At La Grande At About 9:50 p. m., When the Moon Will Begin to Enter the Earth's Shadow.

Tomorrow (Sunday) night will occur a total eclipse of the moon. This does not often happen, as it is possible that there be no eclipse of the moon during the year, and often only a partial one, in which a part of the moon will enter the earth's shadow.

This eclipse will begin at La Grande about 9:50 p. m., standard time, when the moon begins to enter the earth's shadow, though for an hour or so, it will be growing darker, due to the earth's cutting off part of the sun's light until the whole of the sun is hidden by the earth. This is called the penumbra, or nearly a shadow. One of the most interesting things connected with a total eclipse of the moon is that notwithstanding the moon is totally inside the earth's shadow, yet it is visible as a dark reddish globe. We know there is no appreciable atmosphere.

(Continued On Page 5.)