

# E M & M flour mill burns down a century ago

## 100 YEARS AGO

January 23, 1919

With a high southeast wind blowing last Friday, the old planing mill burned down. Sparks and cinders were carried many blocks and were sprayed over buildings and yards. The E. M. & M. flour mill, only a block from the planer was in the direct path of the wind and the sparks, and was in constant danger of burning, but escaped unharmed, thanks to a couple of streams of water and the efforts of men with buckets.

School was reopened in Enterprise on Monday, and will be kept going unless the influenza should reappear in far more serious form than heretofore. The physicians said there was not a case of the flu in town the first half of the week, but no one believes the disease can be kept out entirely.

Dr. S. D. Taylor has a supply of the anti-influenza serum originated at the Mayo Brothers hospital. The treatments are \$1 a "shot", and it is recommended that a person take one a week for three weeks.

## 70 YEARS AGO

January 20, 1949

Andrew Landforce, 31, Joseph, was chosen as Junior Citizen for 1949 at ceremonies Saturday evening. The annual award is made by the Wallowa county Junior Chamber of Commerce. The award was made on the basis of community service.



Enterprise wrestlers, year unknown.

Chieftain archives

Announcement of a new agency here to handle the sale and servicing of Pontiac cars was made this week by Irving Nuss who has arrived here from Kansas to make his home. Negotiations for a building to house the concern, which will be known as the Nuss Pontiac Co., are nearing completion.

The Enterprise bird club has started a feeding project at the city park to help carry the birds over the critical winter period. A large number of wintering birds and about 25 pheasants have been attracted to the suet and seed.

The Wallowa County Creamery association has been busy the past week moving the vats and other equipment from the cheese factory at Enterprise to the creamery's plant at Wallowa. A pasteurizer capable of handling 10,000 pounds of milk per hour is being installed at

the Wallowa plant.

## 50 YEARS AGO

January 23, 1969

A sizeable contingent of Stockgrowers attended the executive board meeting of the county stockgrowers to discuss the announced increase in the grazing fees on Forest Service land and on BLM lands.

Wallowa county suffered its fourth Vietnam battlefield casualty last Friday when

Sp-4 Ronald Forrest Neal was killed by an enemy grenade while serving with the army near the Cambodian border.

The Savage wrestling team won both of their weekend matches, traveling to Kamiah Friday and then Clarkston the following night. Jawn Stockdale and Bruce Weimer remained undefeated.

Acquisition negotiations for a portion of the former

Pallette ranch on the upper Imnaha under the Land and Water Conservation Act of 1965 have recently been completed. The owners of the upper Pallette ranch still retain about 300-400 acres including the buildings and adjacent meadows around the old Pallette ranch headquarters at the mouth of Crazyman creek.

## 25 YEARS AGO

January 20, 1994

Biologist Vic Coggins of Enterprise spent a recent week capturing Rocky Mountain bighorn sheep in Montana. Up to 50 will eventually be caught and transplanted to northeast Oregon to supplement existing herds.

Wallowa County Fair Board member Nancy Carlsen of Lostine has been elected to represent Eastern Oregon on the Oregon Fair Association board of directors.

Ferguson Ridge Ski Area opened January 8 with fair to good conditions prevailing. An increasing number of winter sports enthusiasts have been taking to the slopes; Saturday, 130 lift tickets were sold, Sunday there were 186, and Monday 173.

Five environmental groups have filed a notice of intent to sue the Forest Service for alleged violations of the Endangered Species Act, and their attorney is threatening injunctions that if successful would put an end to all livestock grazing on public lands in Wallowa County.

# County prevails in "meritless" Talbott property lawsuit

By Steve Tool

Wallowa County Chieftain

In a tersely worded decision, Oregon 10th Judicial District Judge Thomas B. Powers, found in favor of Wallowa County for payment of \$97,444 in attorney fees after an unsuccessful lawsuit filed by citizen Dave Talbott regarding the return of property.

In the Oct. 17, 2017 suit, Talbott claimed that he had a right to "reimburse" the county for the return of more than 1,000 acres the county foreclosed on in 2007 due to non-payment of property taxes. He legally had two years beyond the foreclosure date to challenge the county's actions.

In August 2018, Judge Powers found that Talbott's

entire suit had no objectively reasonable basis and that Talbott and his attorneys "knowingly recorded two invalid claims of encumbrance against the subject property (two title notices)." He also dismissed the suit with prejudice, which means it cannot be brought again.

Talbott's attorneys then filed a motion for a new trial. Judge Powers denied the motion and proceeded to decide the amount of attorney fees to award to the county as the prevailing party.

On Aug. 21, the county

asked for costs of \$370 and a statutory prevailing party fee of \$85. The county also asked for an additional \$97,444 in court fees, and for the additional legal work performed for the county after the county prevailed on the four defense claims.


Talbott and his firm did not dispute the reasonableness of the rates charged, the amount of time spent on the work or the work performed. They also didn't dispute the \$370 and \$85 costs but did challenge the county's right to any reimbursement for the rest.

Powers set the record straight for the plaintiffs over the 17 following pages of his decision, finding against Talbott and his firm on nearly every point of law. Powers then proceeded to note that the claims as a whole were unreasonable for a number of reasons, including the faultiness of the original claim. The judge used the words "word-smithing" and "creatively framed" to describe a large part of the suit's claims, that even implied irregularities, omissions and defects on the county's part when it took


possession of Talbott's land.

The county is still awaiting Judge Powers' decision on awarding the \$55,000 paid into the court on Talbott's behalf.

The Hostetter Law Group represented Talbott in the suit while attorney Bruno Jagelski of Ontario represented the county.



**Births**  
A daughter, Mariah Noelle Bostedt, was born January 9, 2019, in Enterprise to Dan and Tiffany Bostedt of Joseph. Grandparents are David Hay & Gaynor Baker, and David & Georgia Bostedt.



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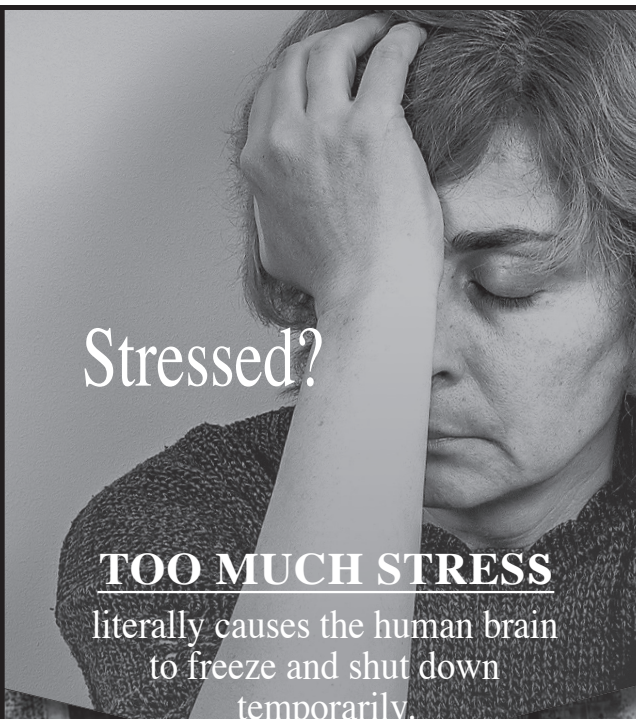
- Doctor of Osteopathy, Des Moines University, Iowa
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