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PROGRESS OF LANG CREEK WATER SYSTEM PROJECT

City Council Employs a Consulting Engineer to Make Preliminary Survey, Estimates and Superintend Construction

The city council met in special session Monday evening for the purpose of receiving a statement regarding the plans and specifications for the construction of a pipe line from Lang Creek to Cottage Grove to increase the city's water supply, and to also employ a consulting engineer to superintend the work. Engineer W. J. Roberts of Medford, was present, and stated that a preliminary survey and estimate of the cost of this pipe line and new water system should first be made. He stated further that he was willing to contract to perform all of the duties required of a consulting engineer on the job for \$5,000 or would make the preliminary survey and estimate for \$1,000, he to furnish all the necessary help in the engineering department, blue prints, plans and specifications for the entire work. The council took the matter under advisement and adjourned until the next evening, and also to attend a joint meeting with the Commercial Club.

TUESDAY EVENING SESSION.

The city council met in adjourned session on Tuesday evening to receive a written proposal or contract from Engineer Roberts for serving the city as consulting engineer in the construction of the Lang Creek water system.

Mr. Roberts presented his proposition and it was read by the Recorder and ordered placed on file.

MR. ROBERTS' LETTER.

To the honorable mayor and city council of Cottage Grove, Or.

Gentlemen:—Complying with your request for an estimate of the value of the engineering services required to properly lay out and construct your gravity system from the most feasible point on Lang creek, I have the honor to submit the following proposition:

I estimate the value of the services and expenses necessary in making a preliminary survey, preparing profiles and maps, and a report covering the estimated cost of the completed works at \$1000 and will undertake the same for that sum.

I estimate the value of the services required in preparing plans and specifications, attending the letting of the contracts, supervising construction and final tests paying for inspection and all engineering at \$4000 and will undertake the same for that sum.

These estimates are based upon a line 18.8 miles long with the intake at a point where Lang creek crosses the Willamette Meridian. If it is your wish that the first surveys, estimates and report cover the 3 1/4 miles to the mouth of Juniatta creek, I will undertake the same for an additional \$150.

If after the first surveys, estimates and reports are completed you find that the best interests of the city are to be conserved by an extension of the pipe line up Lang creek as above, 3 1/4 miles, I will perform all the services enumerated in item No. 2 for \$600 additional for this extension.

If retained by you on the terms named, I would ask you to allow the amounts in No. 1 and 3 upon

their completion. I would ask that payments for services in item No. 2 (and item No. 4 proportionately) be made as follows:

\$1000 on filing plans and specifications with recorder, \$500 at the time of letting the principal contract, \$500 on the first of each month succeeding the one in which the work is begun, and the final payment of \$500 to be retained by you until the completed works are accepted and tested.

In case of the failure to sell the bonds of the city, then items No. 2 and 4 shall be null and void. Respectfully submitted.

W. J. ROBERTS,
Consulting Engineer.

COUNCIL'S RESOLUTION.

Following the reading of Mr. Roberts proposal the following resolution was introduced and passed by the city council:

Be it RESOLVED, by the Common Council of the city of Cottage Grove, that the said city of Cottage Grove, through its Mayor and Common Council hereby employ as a consulting engineer in the construction of a pipe line from Lang creek to connect with the present water system of the city, and the Mayor and Common Council be and they are hereby authorized to enter into a contract with W. J. Roberts from Nov. 10, 1909, until the work is completed. For the consideration of five thousand dollars (\$5000), \$1000 for preliminary survey and reports and \$4000 for services as consulting engineer and for superintendence and inspection, including all surveys, plans and specifications, until final completion. In case of failure to sell the bonds of the city of Cottage Grove, Engineer shall receive \$1000 only for making preliminary surveys and reports.

Signed by Mayor and Recorder. The mayor and Recorder was instructed to enter into a contract with W. J. Roberts for his superintendency as consulting engineer

(CONTINUED ON LAST PAGE)

CITY OF EUGENE CAN PROHIBIT ALL LIQUORS

County Seat's Nuisance Law is Sustained by the State Supreme Court in Mahew Case. Few Other Court Decisions.

Salem, Ore., Nov. 9.—Holding that it was a proper and just course of law to enact an ordinance abolishing a nuisance in a city notwithstanding that a local option law was in force in the city, the supreme court affirmed the judgement of the circuit court of Lane county today, in which the appellant, Charles Mayhew, was tried and convicted of conducting a place where liquor was handled, and sentenced for the crime.

The defendant appealed from the sentence of the lower court upon bases which have been decided by the Oregon supreme court many times. It was contended in the defense of Mayhew that the ordinance adopted by the city of Eugene conflicted with the general local option law. The supreme court holds that in so far as a conflicting municipality law would be void and null, a city has the privilege to enact laws abolishing nuisances, and that the Eugene ordinance was competent as a safe-

guard against all local nuisances, whether due to liquor traffic or from any other source, as long as it had been actually established that a nuisance exists.

Furthermore, the court reiterated the point that a man has not been in jeopardy where he has been prosecuted under both a state law and a city ordinance. Mayhew contended through his counsel that having been prosecuted once under the local option law he should not be amenable again for the same offense under a city ordinance.

Though in this instance the city ordinance varied from the state law, for it declared the sale of liquor to be a public nuisance, nevertheless, it is held by the supreme court that a man may be punished both under a city ordinance and a state statute for the same offense and the plea of former jeopardy will not stand.

The opinion was written by Justice McBride and contains many points of law in reference to local and state laws.

EASLEY BROTHERS WIN THEIR CASE

"The jury in the case of the A. C. Bohrnstedt Company, vs. Ralph and Frank Easley, to recover money, returned a verdict in favor of the defendants Wednesday. The plaintiff sought to recover money paid for a team of horses which, it was claimed, was not as good as the defendants agreed, to deliver to the plaintiff."

The Easley Brothers alleged that Bohrnstedt, came to the field where they were plowing, contracted for one of the teams they were working and upon its delivery paid for it. Later Bohrnstedt claimed that one of the horses delivered had been substituted for the one he had purchased and sought to annul the deal and recover the price paid for the team. The Easley Brothers introduced evidence to the effect that they had never

owned nor had they in their possession now such a described horse as Bohrnstedt claimed to have purchased from them and did not receive.

The jury deliberated but a few minutes before reaching a verdict for Easley Brothers. Attorney J. S. Medley was counsel for defendants, Easley Brothers.

Verdict of Guilty in Matlock Case.

Tuesday afternoon about 1:40 o'clock the jury in the case of the state vs. Joseph F. Matlock, charged with assault with intent to commit rape, brought in a verdict of guilty, after having been out since 11 o'clock. Judge Harris announced that sentence would be pronounced Friday. L. Bilyeu, attorney for Matlock, announced that he would file a motion Thursday morning for a new trial.

GROWTH AND PROGRESS IN THE CITY SCHOOLS

Debating Tryout at the Armory Next Friday Evening Eighty-two New Volumes Received for Library Besides Encyclopædia.

The reports of the teachers at the close of the second month shows an increased enrollment. In the High school the enrollment has reached 89, in the entire school 502.

In the High school there were 60 pupils who were present the entire 20 days during the month. In the eighth grade 26 pupils, in the seventh grade 23 pupils, in the sixth grade 24 pupils, in the other departments 133 pupils. This is a fine showing. Whooping cough among the children of the lower grades has lessened the attendance some.

Three rooms, Mr. Inlow's, Miss Purvance's, Miss Wilson's, had no tardy marks and retained the flags they had won the first month. The fourth flag goes to Miss Moore's room which had only one tardy mark. The rooms of Miss Riley, Miss Hazleton, and Miss White had two tardy marks each.

The pupils of the High school and seventh grade enjoyed the talks given in the assembly room by Misses Gurrin, Burdick and Wilson.

Miss Currin gave an interesting account of her trip to the Bohemia mining district. Miss Burdick took Cottage Grove, county seat of Nesmith county to be, for her theme and spoke of its early history and growth in a very pleasing manner. Miss Wilson being an eye witness of the fall of the large meteor near Oregon City a few years ago, entertained the pupils by giving a fine description of the meteor, showing some of the flakes that came from it. These assembly talks occur on Monday morning and the parents and patrons of the school are cordially invited to attend.

The new set of International Encyclopedias recently purchased has arrived and "fills a long felt want." The pupils and teachers are truly grateful for this useful and valuable set of books.

For practice work the "fire

alarm" was sounded the other day at the west side building, and the 228 pupils who attend there occupied only 60 seconds in leaving the building.

The 268 pupils at the east side building reached a place of safety in the same time, 60 seconds.

This speaks well for the efficiency of the teachers in drilling the pupils on the manner and promptness in leaving the buildings.

We feel warranted in stating that the danger of fire at our school buildings is reduced to a minimum. Both janitors are careful, cautious, watchful men and the furnaces and pipes appear to be in as good condition as can be planned in wooden buildings.

In the near future it is our intention to bring on an entertainment of some kind to secure funds for the purchase of a piano for the assembly room. When it is secured it will add much to the enjoyment of the literary exercises and assembly meetings.

Much interest has been aroused in the preparation for the "try out" debate. This occurs on Friday evening, Nov. 19, at the armory hall. An admission of 25 cents will be charged to defray the expenses of securing books, pamphlets, etc. for the debaters.

Questions for debate are the following:

Resolved, That the constitution of the United States should be amended so as to elect U. S. senators by a direct vote of the people.

Affirm, Ernest Anderson, Harry Kime, Deny, Elmer Spencer, Melvin Jordan.

Resolved, That Lincoln was a greater man than Washington.

Affirm, Myrtle DeSpain, Laurette Atkinson, Deny, Allie Phillips, Audry Langdon.

Resolved, That music has had and does have a greater power over mankind than oratory.

Affirm, Myrtle Kem, Armored Sutcliffe, Deny, Benny King, Ethel Chrisman.

Resolved, That history warrants the conclusion that woman has exerted a greater power and influence in the world than man.

Affirm, Pearl Gray, Vera Cochran, Deny, Maude Hooper, Gladys Farley.

The time allotted to each speaker is 8 minutes. Good music during the evening will be a pleasant feature of the occasion. Everybody come and enjoy the exercises.

During the present week Miss Robinson of the second primary room has been confined to her home on account of sickness. Miss Eunice Van Denburg has had charge of her room at school.

E. K. BARNES, Supt.

Special School Meeting.

Notice is hereby given to the legal voters of School District No. 45 of Lane County, State of Oregon, that a special school meeting of said district will be held at the east side school building on the 20th day of November 1909 at 2 o'clock in the afternoon, for the following object: To vote a tax of ten mills for school purposes.

Dated this 6th day of November 1909.
OLIVER VEATCH,
Chairman Board of Directors.
J. K. BARRETT, District Clerk.

NOTICE, NESMITH COUNTY CITIZENS

We are always busy. Every day gets busier.

We are always right and are getting righter.

Get in line and get yourself right. How will you do it? Get one of those Nifty PARISIAN SUITS.

Get one of those Nobby Hats.

Get a pair of those Snappy Shoes.

Get Staley Underwear.

Get Everwear Hosiery.

Get them all at Wheeler-Thompson Co's. and then you will be getting right. You know that when you want something good and right you have to come to us. We always have been leaders in these lines and always will, or bust a hame-string.

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