

THE LANE COUNTY NEWS

Continuing the Springfield News and Lane County Star, Which Were Consolidated February 10, 1914.

Published February 10, 1916, at Springfield, Oregon, second-class matter under act of Congress of March 3, 1879.

SPRINGFIELD, LANE COUNTY, OREGON, THURSDAY, FEB. 10, 1916.

VOL. XV. NO. 4.

CHRISTIAN CHURCH PLANS ROOMS FOR SUNDAY SCHOOL

Acting upon instruction of the annual church meeting of last January, the church board of the Christian church Monday evening discussed preliminary plans for an addition to the church building to cost approximately \$1000. Sketches have been drawn for an extension of 30 feet to the northward on the main building, and if these meet the approval of the congregation, work will be gotten under way at an early date.

The plans call for the excavation of a basement under this portion of the building, to provide space for the heating plant, a kitchen and dining room and Sunday school room. The floor of the whole of the addition is to be 2 1/2 feet above the present floor level, making the addition the rostrum, with the baptistry to the rear. The main floor of the addition will also contain two Sunday school rooms. Moving the pulpit and the choir loft into the new part will increase the seating space, and necessitate a reseating of the main auditorium. Increase in Bible school attendance has made the addition of rooms imperative.

OAKRIDGE LINE REOPENS AFTER THREE DAYS WORK

Train No. 98 from Oakridge arrived Wednesday morning the first time since the previous Saturday, having been delayed by slides along the route. The line is now open and today's train was practically on time.

The train Sunday morning encountered a slide at Lookout, 10 miles this side of Oakridge. At first it was thought the delay would be temporary, but by evening it was seen more time would be required. Other slides developed at different points, and the section crews of Springfield, Eugene and Marcola were not able to cope with it, so a work train was brought from Portland with workmen. This outfit completed its work and was back in Springfield at 9:30 Tuesday evening.

LAYMEN'S MISSIONARY MEETING TO BE HELD

The national convention of the Laymen's Missionary Movement will be held at the White Temple in Portland February 13, 14, 15 and 16. This is a meeting of the men of the various denominations for the discussion of the needs and outlook of the churches with special reference to foreign and home missions, evangelization and social questions. At a banquet at the M. E. church in Eugene Tuesday night committees were appointed to get a large delegation from Eugene and vicinity.

This movement was started nine years ago for the purpose of supporting the large number of college men who were en-

listed in the Student Volunteer movement for missionary work in the foreign field, and as a result of its work, missionary donations have increased from 7,000,000 in 1909 to \$17,000,000 in 1915. With the breakdown of the European churches owing to the war, a larger opportunity and burden is laid on the American churches.

REGISTRATION OF THE VOTERS CONTINUES

Registration of Springfield voters at the office of Registrar Herbert Walker had reached an even hundred at noon yesterday. Of these 74 are republican, 13 democrats, 4 prohibition, 4 socialist and 2 progressive.

Mail Carrier Meets Trains in Spite of The Flood Waters

Rising rivers that covered the roads to a depth of several feet did not deter Ira Young, who has the contract for carrying mail from the Springfield postoffice to the trains. Several of these trains have to be met at Springfield Junction, a mile away, and Monday morning at 2:30 when he started for this trip, he found the Willamette spreading over the greater part of the space between Springfield and the Junction. He was not to be turned back, however, and taking the locked pouches over his shoulder he crossed the river by the railroad bridge and truded along the ties to the meeting point. He met all these trains in this way until the water had gone down enough Tuesday to allow of his returning to the use of his buggy.

"Grandma" Bryan Called to Reward

Mrs. Lucinda Bryan, known lovingly by her friends as "Grandma Bryan," died shortly after noon yesterday at the home of her son, Joseph J. Bryan here. She was aged 82 years 8 months and 25 days, and had been ill for many months. The funeral services were held this afternoon at 2 o'clock at the Walker chapel, and interment was made in the Laurel Hill cemetery. Rev. E. C. Wigmore conducted the services.

Mrs. Bryan came to Springfield in 1909 with her husband, and together, on January 5, 1910, they celebrated their golden wedding here. They had come to Oregon in 1864 and had settled near Philomath, in Benton county, where they lived on a ranch for many years. She was born in Kentucky and her husband in Missouri, both in the same month and year. They were married in Missouri. Four children were born to them, of whom J. J. Bryan of Springfield and Judge Edward L. Bryan of Caldwell, Idaho, survive her.

Astoria wants a first class wholesale grocery house.

SPRINGFIELD LOSES STEVENS TAX CASE APPEALED TO THE SUPREME COURT

Holding that the purported charter amendment of December 3, 1906 to increase the maximum general fund tax levy, is "so indefinite that it cannot be enforced with certainty," Chief Justice Moore of the Oregon supreme court, Bean, Benson and McBride concurring, on Tuesday affirmed the decision of the Lane county circuit court in the case of Welby Stevens, Emily P. Stevens, Carrie Stevens, Peter Gorder, Ida Stevens, A. J. Perkins, Sadie M. Perkins, Charles Rivett, J. J. Bryan, Lucinda Bryan, Maude T. Bryan, J. E. Cross, Eva J. Long and J. W. Machen, vs. S. W. Taylor, treasurer; J. C. Parker, sheriff of Lane county, Oregon, and the Town of Springfield, a municipal corporation.

The suit grew out of the refusal of the plaintiffs to pay certain of the taxes levied in 1913. While the suit was pending, the council submitted another amendment, covering the same ground, and this was approved by the people at the election in November, 1914. This decision, therefore, applies only to the tax of 1913 in question, and affects amounts totaling some \$200. Following is the

Logs Again Are Coming Freely

Two carloads of logs arrived yesterday from Fischer's camp near Marcola, the first under this company's contract with the Booth-Kelly company. Two strings of cars, one from Hyland's and one from Nettie's were also received yesterday.

Plans had been made to begin hauling of logs from Cushman, near the mouth of the Siuslaw, next Monday, but slides on the Willamette-Pacific make it very doubtful if this can begin at this time. The Booth-Kelly Co. has 29 steel flat cars at their Wendling shops to have log bunkers installed.

HIGH SCHOOL NOTES

A large number of Freshmen were welcomed into S. H. S. on Monday morning. A number of the upper classmen were sent into exile in room 3 to make room for the new students in the assembly hall.

A new teacher, Mr. Heckart, has joined the High school force. He is a graduate of the O. A. C. and the University of Oregon. He will teach classes in English, algebra and history.

Miss Lola Barr visited us on Tuesday.

Mr. Stroud is having a hard time in arranging the second semester program so that every one may have a chance to take the subjects he wants.

Mrs. Dillard from Goshen visited school Wednesday afternoon.

A freshman fell down stairs this noon greatly straining his imagination.

Unfortunately for the S. H. S. students the river didn't wash away the high school.

The students of the High school have again plunged into hard studying after a day or so of confusion, preparing the schedule for the following semester.

full text of the supreme court's decision:

This is a suit to enjoin the collection of a part of the taxes attempted to be levied by the Town of Springfield, Oregon. The complaint alleges the corporate capacity of the town and of Lane County of which it forms a part; that the defendants S. W. Taylor and J. C. Parker are respectively the treasurer and sheriff of that county, describes the various lots owned by the several plaintiffs in that town, and avers, in effect, that on November 26, 1913, the town attempted to levy a tax for the different funds for the ensuing year of 15 mills as follows: general, 5; sinking, 5; light and water, 3.5; bond, 0.5; and street improvement, 1; and thereupon endeavored to certify such pretended levy to the county clerk of that county; that by its charter the town is prohibited from levying or collecting more than 5 mills for general purposes and has no right to levy or collect taxes for "the fund of light and water, or for bond; that in pursuance of such notice there was entered on the tax roll of that county what purported to be a tax of that town of 15 mills on every dollar of the assessed valuation of the taxable property therein; that the taxroll containing such entries, was placed in the hands of the county treasurer for collection; that the sums so entered on the roll as charges against such assessable property are illegal, as to the attempted levy of a fund for light and water, and for a bond; that each of the plaintiffs has paid all the taxes so extended, except as to the funds last mentioned; that unless enjoined, the county treasurer and the sheriff will attempt to collect such invalid taxes as delinquent; and that by reason of the entry thereof on the tax roll a cloud is thereby cast upon the title of the several parcels of real property so owned by the plaintiffs in that town.

The answer denies the material averments of the complaint and for a further defense alleges in substance that the common council of the town of Springfield prepared and adopted amendments to the municipal charter which alterations were submitted to the legal voters of the town at a regular election held therein December 3, 1906, at which such amendments were ratified by a majority of all the votes cast thereon, whereby the charter was duly amended and the town was thereupon authorized to levy a general fund tax of ten mills upon the assessed valuation of all the taxable property therein, and that a copy of the official records of the town, relating to such amendments is made a part of this answer and marked "Exhibit A;" and that pursuant to such authorization the town has usually levied a general fund tax of more than five mills, setting forth the levies of all funds for the years 1906 to 1913 both included. A copy of the records of the meeting of the common council of Springfield, held November 19, 1906, as far as important herein is as follows: "The following amendment was drafted for the purpose of amending Chapter 8, section 50, Article (1) of the charter of the Town of Springfield be amended so as to read: 'To levy, assess and collect taxes not to exceed (1) per cent, except as otherwise provided and etc.'"

A demurrer to the separate answer, on the ground that it did not state facts sufficient to constitute a defense to the suit, was sustained. A stipulation, signed by counsel and admitting some of the averments of the complaint, was filed and based thereon the plaintiffs rested their case. Thereupon the defendants' counsel moved for a nonsuit on the ground that no evidence had been offered by the plaintiffs tending to show that the items of the tax, undertaken to be levied, were in violation of the provisions of the charter. This motion was denied, whereupon the defendants' counsel offered testimony tending to establish the remaining controverted averments of the answer. Most of such testimony was rejected, and a decree having been rendered, granting the relief prayed for in the complaint, the defendants appeal.

Moore, C. J. A charter, granted by the legislative assembly to the Town of Springfield, was filed in the office of the Secretary of State February 10, 1893. Laws Or. 1893, pp. 245-277. The clauses of such act are consecutively numbered from 1 to 142. It will be kept in mind that the answer avers the common council of the Town of Springfield prepared and submitted to the qualified electors of that municipality an alteration of its fundamental

law, as follows: "Chapter 8, Section (50), Article (1) of the charter of the Town of Springfield be amended so as to read: 'To levy, assess and collect taxes not to exceed (1) per cent, except as otherwise provided and etc.'"

Section 50 of the charter, granted by the legislative assembly, is not found in chapter 8 thereof, but in the preceding chapter. Article 1 of Section 50 of the legislative charter, reads: "The common council shall have power and authority within the corporate limits of the Town of Springfield,—1. To levy, assess, and collect taxes not to exceed one half of one per cent, except as otherwise provided in this act, upon all tangible property, both real and personal property, within the corporate limits of said town, and all goods, wares, and merchandise kept for sale in said town, by whomsoever owned, but no notes, accounts, credits, or bills receivable shall be taxed."

Whether or not the reference in the proposed amendment to Chapter 8 of the charter should be eliminated and the attempted alteration limited to an amendment of Article 1 of Section 50 of the Organic law of the municipality, it is not necessary to determine. The contemplated change is so indefinite

(Continued on Page 4)

A. F. & A. M.

Banquet Feb. 22

The annual banquet of the Springfield members of the A. F. & A. M. will be held at 7:30 p. m., Tuesday, February 22, 1916, at the Stevens hall. Members of the the Masonic lodge living in Springfield met last evening to make the plans for this annual event, and appointed the following committees to make the necessary arrangements:

Banquet—Harry W. Stewart, C. E. Wheaton and C. E. Swarts. Decoration—W. L. McCulloch, Sam Young and A. Middleton. Reception and Entertainment—B. A. Washburne, J. C. Holbrook and L. M. Beebe. Finance—Jack Machen.

Members of both the Ancient Free and Accepted Masons and of the Order of Eastern Star will attend.

News and Springfield Merchants Launch A Big Voting Contest

ANY LADY OR GIRL MAY ENTER THE CONTEST—THE PRIZES GO TO THOSE WHO SECURE THE MOST VOTES

The Lane County News and merchants of Springfield hereby announce a grand popularity contest which we know will be of great interest to the young ladies and in fact the citizens of this section.

It will be known as the News' and Merchants' Popularity Contest. The grand prize is a \$400 Obermeyer & Sons' piano, augmented by valuable prizes donated by the merchants of this place, as stated in the big adv. in this issue of the News.

The contest commences with this issue and is to continue to noon, April 20, 1916. This movement is emphatically to stimulate the trade of the Springfield merchants by the giving of special inducements to patronize them, thus keeping the money at home instead of distributing it in larger cities.

The plan is for every merchant co-operating to give away coupons for every \$1 cash purchase, which will be utilized by

HONOR STUDENTS LISTED FOR FIRST HALF OF YEAR

Fifty-one students of the Springfield schools have been awarded honors for their studies for the first half of the school year. Of the total, 30 are girls and 21 boys. Following are the honor students:

- First Grade—Inez Nect Dorris Myers, Ester Kaurin.
- Second Grade—Wallace Darling, Earl Calkins, Bryon Cowart Third A—Lawrence Bruce, Chester Myers, Carl Lewis.
- Third B—Alice Tomseth, Brunhild Sparfeldt, Leland Montgomery.
- Fourth B—Florence Kizer, Hazel Jones, Mabel Roof.
- Fourth A—Charles Eyrk, Larue Stevenson, Crystal Bryan.
- Fifth B—Berdella Rose, Alice Mortensen, Theron Newman.
- Fifth A—Raymond Coe, Genevive Copenhaver, Ellen Tomseth.
- Sixth B—Mildred Miller, Vesta Larue, Doris Smith.
- Sixth A—William Wright, Roscoe Perkins, Sylvia Strubin.
- Seventh B—Velma Gore, Cliff Fandrem, Floyd Campbell.
- Seventh A—Thelma Crouch, Helen Stevenson, Ellen Webb.
- Eighth Grade—Dale Lorah, Jessie Coe, Lewis Gibbs.
- H. S. Freshman—Wanna McKinney, Lynn Grandy, Harold Wynd.
- H. S. Sophomores—Mary Harding, Floyd Kester, Lucille Smith.
- H. S. Juniors—Dorothy Miller, Josephine Lyons, Bertie Bruce.
- H. S. Seniors—Orson Vaughn, Roy Penny, Clarence Hill.

Swap Something?

4 LINES IN MONDAY'S ISSUE FREE!

If you wish to take advantage of The News' offer to run four lines free under the "Exchange" classification, in the issue of Monday, February 14, write what you have to exchange, and what you want on the attached blank and leave it at The News office before 6 o'clock Saturday evening. Don't be too late.

TO TRADE

.....

.....

.....

Address



WHAT TO GIVE HIM

That much mooted question is solved by a visit to our store. Just what he wants is sure to be found in our fine line of goods. Then, again, for any household requirements our extensive line of dependable hardware, utensils, etc., saves you time in shopping around. Price is right, too

Beaver-Herdon Hardware Company

NOMINATING BLANK

Springfield, Ore. 1916

I hereby nominate or suggest the name of

.....

Address

a lady worthy to become a candidate in your "Popular Voting Contest." I present this name with the distinct agreement that the management shall not divulge my name. This does not obligate me in anyway whatever.

Signed

25-VOTE COUPON

Send this vote to the LANE COUNTY NEWS Office within Fifteen Days from date and it will count for 25 votes

No money is required with this Coupon.

VOTE FOR

FEBRUARY 10, 1916.