The Lane County News

W. A. DILL, Editor and Mgr.

Published Every Monday and Thursday by the Lane County Publishing Association.

RATES OF SUBSCRIPTION

One Year	$1.50
Six Months	.75
Three months	.50

Advertising rates furnished on application.

Member of the Willamette Valley Editorial Association.

THURSDAY, FEB. 17, 1916.

A GOOD TIME TO BUILD

Decision of the taxpayers of this district to go ahead now with the construction of a public school building, it seems to us, is an exceedingly wise one. And one of the principal reasons that this is the best time was not brought up in the meeting and that is the cost of material, particularly the lumber that must necessarily go into the construction of the building.

The price of lumber is advancing rapidly. Just what it might be a year, or two years from now is uncertain, yet men in touch with the lumber market feel safe in putting the increase at at least one thousand dollars on the bill of lumber such as would be required in a building of the size proposed. And that would not be on a basis of return to the high prices of 1910-12.

Another item of lesser cost at this time is that of labor. Wages are at a low point, and this, from the taxpayers' view, makes it a desirable time to build. From the workingman's standpoint, a $2.50 job now, when he needs the work, is far better than a $3 job in that hoped-for era of prosperity when every holder of much land might be willing to pay taxes for a high school.

This, indeed, is the economical period for the district to build. The need for more room is urgent, and the desirability of improving the appearance of public building and the necessity of providing more safety for students are indeed pressing.

PRINTING COUNTY STATIONERY

Under the heading, "Sentinel is Another," the Cottage Grove Sentinel reprints the News' comment on the awarding of the county printing to a Eugene firm. There is no particular reason why all the county business should be hogged by the county seat. There are a half a dozen at least of well equipped printing offices in the county. Eugene has no monopoly on the ability to use printers' material. And the country offices haven't been in the habit of charging unusual prices for county work. It would give a better impression of desire to save the people money if offices generally had been asked to bid, instead of sending the word privately to one or two offices at the county seat.

The awarding of the county printing and the action of the county court in reducing the price to be paid the official papers bids fair to cost the county considerable this year, over the expense of years past. For many years the papers have been paid four cents a line, under the law which allows "not to exceed five cents per line" for the publication of the delinquent tax list, county court proceedings, etc. This year the court notified the papers it would pay only three cents a line, and refused to make any advance on that price. The official papers turned to the law, and they find that the law requires that ALL the proceedings of the court be published in the official papers, whereas in Lane county, only the bills allowed have been published in the past.

We wonder if the awarding of the contract to supply blanks, and some other printed matter might not work out as another example of false economy. We have heard of sewer contracts in which the bidder's price for manholes and catch basins more than made up for his lower price for the main pipe.

Are there some catchbasins lost in the printed stationery award?

Possible, or probable increase in taxes due to bonding for a new high school would depreciate all property in the district, according to one of the speakers at the meeting last evening. By that line of reasoning, it would enhance the value of the town property if the school tax were cut down entirely and the schools eliminated.

CHURCH NOTICES

Methodist Church.

Corner Second and B streets James T. Moore, pastor, phone 117-W.

Next Sunday—10 A. M. Sunday school.

11 A. M. Sermon. Subject, "Which Take Precedence."

2:30 Childrens meeting conducted by Miss Alice Hawthorn.

6:30 P. M. Epworth League.

7:30 Miss Alice Hawthorn of Tacoma Field secretary of the Woman's Home Missionary society will speak. Do not miss this service.

Tuesday 7:30 the Gleaners will give a Community Sing in the church. Refreshments and program. Admission 10 cents. All welcome.

Wednesday, 2:30. Ladies Aid society.

Wednesday, 7:30 p. m. Choir rehearsal.

Thursday, 7:30 p. m. Midweek prayer meeting.

First Baptist Church.

Rev. Will N. Ferris, minister. Bible School at 10:00 A. M. Subject of lesson, "Christian Brotherhood." We hope to see a large increase in attendance. Let every member try and bring another. Gilbert Miller, Supt.

Divine Worship at 11:00 A. M. Pastor Ferris expects to preach Theme will be—"Things that accompany Salvation."

6:30 P. M. Senior and Junior meetings.

Evening service of song and sermon. Dr. Keeney-Ferris at this time will give the postponed reading, entitled, "Billy Sunday in Action, as seen by Hogan." You will laugh at this but you will sober up when Rev. Ferris tells "Why God Hates Sin," and you will like the message.

All are cordially invited. Strangers always welcome. Chorus choir will sing.

CITY ATTORNEY FILES MOTION FOR HEARING

(Continued from page 1)

to examine the charter amendment construing it strictly and using only the words found therein.

"The common council shall have power

1. To levy assess and collect taxes not to exceed 1 per cent except as otherwise provided and ect.

The power to levy taxes is expressly granted.

"Not to exceed 1 per cent, necessarily implies the legality of a levy of that amount.

"Except as otherwise provided;" This expression in one form or another is common to most charters and is never construed to be in derogation of the general grant previously made, but as removing the arbitrary limit so as to permit special levies in addition thereto for such purposes as are otherwise specially authorized.

It is elementary that such purposes must be authorized "in the charter" for a city has no powers outside its charter.

To hold that it is necessary to add the words "in the charter" is to say that in the opinion of the Court the city has indifinite powers of taxation "outside the charter" which must be expressly excluded.

It seems clear to us that the words "in the charter" are necessarily implied as a matter of law.

If we were seeking to justify the levy for sinking fund or for roads which were made at the same time, and which are in excess of the general limit of 1 per cent, would not the Court require us to put our finger on the particular chapter and verse "in the charter" which granted the authority we were exercising: ergo, the Court construes the expression "except as otherwise provided," to mean "in the charter."

Since the levy complained of comes within the limit of 1 per cent it is clearly authorized by the words, "the common council shall have power to levy taxes not to exceed 1 per cent," and unless the phrase "except as otherwise provided" is construed to limit or take away that power, it is immaterial what view the Court takes of it.

"And ECT" The word ect, has no commonly accepted meaning; it is not a law term, and it is not to be found in any dictionary of the English language that we have examined, what shall be done with it?

Three courses are open to the Court, all in harmony with the strictest rules of statutory interpretation.

1. The intention of the law being to permit the levy the Court may construe the term in harmony therewith and make it read, as in the original section, "in this act" treating it as a typographical error.

2. The Court may read it "and etc.," meaning "and the remainder," thereby implying that the balance paragraph remained unchanged.

3. The Court may properly say that it has no meaning and that though either of the two meaning suggested were given to it, the legal intendment of the amendment would be unaltered, and as no other conceivable value can be placed upon ect. it may be rejected entirely.

The construction of the amendment for which we contend is in harmony with the requirements of sections 716 and 715 L. O. L. which provide "In the construction of a statute the intention of the legislature is to be pursued if possible, and the office of the judge is simply to ascertain and declare what is, in terms or in substance contained therein, and where there are several provisions, such construction is, if possible, to be adopted as will give effect to all."

That it was the clearly understood intention of the voters to increase the tax limit by said amendment is evident from the return of the election board, found in exhibit A.

That such was the practical construction placed upon it by the officers who acted under it is shown by exhibit B.

That upon a re-examination of the question the Court will determine that our construction of the amendment is reasonable, logical, and in harmony with the strictest rules of statutory construction, and render a decree in harmony therewith is our confident expectation.

Respectfully submitted,
J. H. BOWER,
City Attorney.

Church of Christ

9:45 A. M. Sunday School, Mr. Ferguson, Supt.

11:00 Junior Christian Endeavor Mrs. Lansbury, Supt.

11:00 a. m.—Communion and morning sermon.

6:[illegible] P. M. Christian Endeavor

7:[illegible] P. M. Evening Services.

Wednesday 7:30 P. M. Prayer Meeting.

Thursday 7:30 Choir Rehearsal.

E. C. WIGMORE, Pastor.

Free Methodist Church.

Sabbath School at 10 a. m.

Preaching services at 11 a.m.

Prayer and praise service at 7 P. M., preaching at 7:30 P. M.

Tuesday, 7:30 P. M., Young people's prayer meeting.

Midweek prayer meeting on Thursday at 7:30 P. M.

A cordial invitation is extended to all.

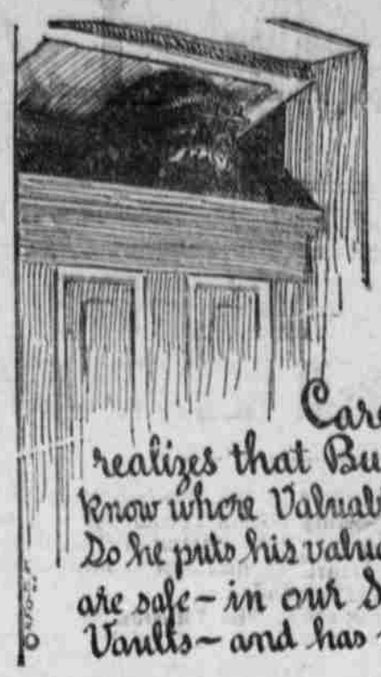
M. F. CHILDS, Pastor.

ROBERT BURNS Lodge, No. 78, A. M. F., Ancient and Accepted Scottish Rite, Universal and Symbolic Free Masons meets first and third Monday evening in W. O. W. hall. Visiting brothers welcome.

P. A. Johnson, Secretary. L. K. Page, R. W. M.

Vancouver, B. C.—Jitneys have cut down 1915 city revenues from street cars $38,000.

Klamath County reduced county debt by $124,577. Out of



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