

News from the Surrounding Country

By Our Correspondents

Wenatchee Park

Winter is here in the Park now, only thirty inches of snow.

Mr. and Mrs. A. B. Peters were visiting their son Marvin last week.

Homer Weimer left last week for New Mexico. Earl Deerdoff takes possession immediately.

Mr. Baker and family spent last week visiting Mr. and Mrs. Earl Maust.

Clarence Hertzog has returned home after fruit harvesting in Wenatchee.

Mr. and Mrs. Rupel gave a musical party last Saturday evening which was well attended.

Mr. Ellis and family have moved to the Park on the tract which they purchased from Ernest McMillan.

John Peters returned to Wenatchee last Thursday after pruning his orchard.

Marvin Peters and family are gladdened with the arrival of a baby girl.

Earl Young is building some more barn room.

Peshastin

Mr. and Mrs. Fax Chambers are the proud parents of a big boy, born Nov. 23rd, 1915.

Mr. and Mrs. Lee Boblett of Palsades, Wash., were recent visitors at the home of the latter's parents, Mr. and Mrs. J. N. Hobson.

Mrs. Wm. Love is in a Wenatchee hospital where she recently had an operation performed. Her friends hope she will be able to return in a short time.

Thomas Cannon and family spent Thanksgiving in Wenatchee with relatives.

George Sussex, Jr., who purchased the old water system which supplies about forty families in and around Peshastin, has just completed a big job which he started several weeks ago with a force of men. As the old system was supplied from a spring on the Anderson ranch in Booth canyon and has never furnished an adequate amount the year round, Mr. Sussex decided to tap several other springs down the canyon, and by so doing he has secured more water than a small city could consume and a pressure which the water users never dreamed of getting.

Miss Maud Stewart, one of our teachers, spent her Thanksgiving vacation with relatives in Bellingham.

Trouble has already started at the big rock cut, as several snow slides have completely closed the road. Men are shoveling snow, but cannot gain much headway, as one slide follows another at short intervals.

Del McCoy will close his store at six o'clock during the winter months.

Since the Great Northern has pulled off trains 3 and 4, Nos. 25 and 26 are doing their business. Peshastin now gets mail from the west on 26, which arrives at 3:32, but is not a local train. No. 45, with the eastern mail, is due here now at 4:19.

Mr. and Mrs. M. W. Stark are at Soap Lake sanitarium, where they expect to remain several weeks and enjoy the baths.

Mr. and Mrs. Walter Craig are receiving congratulations from their many friends this week. The newly married couple are living at the Chas. Meeker place for the winter. Walter has been handing out choice cigars to the boys, but that didn't buy them off, and as usual Mr. and Mrs. Craig were charivariated a few nights ago.

The little daughter of Mr. and Mrs. John Bergren is ill with pneumonia.

The Misses Arbogast, who have been visiting with friends in Spokane for several weeks, returned Wednesday to their home in Peshastin.

Friday evening Dec. 3, the Ladies Guild of the Community church will hold a sale and serve supper in the old Mercantile store, down stairs, commencing at 5 o'clock. Everybody come. If you miss this you will regret it.

Eagle Creek

Miss Ruth Rees spent Thanksgiving with her parents at Malaga.

Miss Ruth Sharpe called at the H. A. Anderson home Sunday afternoon.

The pupils of our school gave a Thanksgiving program Tuesday afternoon which was greatly enjoyed by all present.

Mr. and Mrs. P. W. Van de Grift and family spent Sunday in Leavenworth with the latter's mother, Mrs. Lancaster.

Mr. and Mrs. Martin Christenson entertained at a six o'clock Thanksgiving dinner. Two large tables groaned under the weight of good things to eat. After dinner the remainder of the evening was enjoyed dancing and playing cards. Those present were Mr. and Mrs. P. W. Van de Grift and family, Mr. and Mrs. McDonald and family, Mr. and Mrs. Ray Sharpe and family, Mr. and Mrs. J. H. Sharpe and daughter Ruth, Mr. and Mrs. Ted Maillette and daughter Bennie, Mr. and Mrs. H. A. Anderson and sons Herbert and Wayne, S. J. Van de Grift, Frank Van Grift, Harry Berger, Curtis Chase, Mr. and Mrs. Cahill and family and Fred Cahill.

Dryden

Miss Kate Patterson came up from Cashmere to spend Thanksgiving and several days with her sister Mrs. J. L. Campbell.

Mr. J. Dixon of Wenatchee spent Thanksgiving with Mr. and Mrs. J. L. Campbell.

Mr. Zorens came over from Seattle last Thursday to spend a couple of weeks here with his brother Mr. Wesley Zorens.

Mrs. Jim Dollar spent a few days in Wenatchee last week visiting Mrs. Jim Leeds.

Rev. Dean Hamilton of Spokane, Baptist pastor at large of the Big Bend district, preached at the North Dryden school house last Sunday afternoon.

Don't forget the Presbyterian Ladies Aid sale at Sherman's hall, Saturday evening, Dec. 4. All ladies are requested to bring basket lunches.

A crew is at work graveling the road in front of Mr. Sherman's store.

Quite a number of North Dryden folks had a union Thanksgiving dinner in the school house. After dinner all enjoyed a song-fest. All had a good time and plenty to eat. Outside guests were Miss Kate Patterson and Duncan Patterson of Cashmere and Mr. Jim Dixon from Wenatchee.

Urged to Paddle His Own Kanue

Fearing that his runaway son would carry out an often expressed desire to enlist in the United States marine corps, Morris Kanue, of Leopold, West Virginia, has written to the local recruiting office of the "sea soldiers" as follows:

"U. S. Marine Corps, Pittsburg, Pa. I hereby warn you not to employ or hire my son, Anthony Kanue, as a submarine of the navy. He has run away from home and I think he has gone to Pittsburg to enlist. He is only 17 years old, in proof of which I am only 39 myself. If he comes there while him within an inch of his life and send him back to me. His father, Morris Kanue."

Sergeant Michael DeBoo, in charge of the Pittsburg recruiting office of the United States marine corps, has assured the anxious parent that the boy will not be enlisted should he apply, but that "whaling" him is out of the question, and the father should "paddle his own Kanue."

Advertised Letters

John Calder, Luther Jordan 2, A. J. Baker, John B. Conway, Geo. Narino.

When calling for the above please say "advertised."

G. A. Hamilton, Postmaster.

Mrs. G. T. Walker, who has been visiting with friends in Seattle for two weeks, returned last Sunday.

There are a few people that change their minds—at the request of the other fellow.

SHALL CITY BRING SUIT

(Continued from First Page)

is beside the question under the law in the case.

The contract calls for the completion of these water works for a definite sum. The contract further provides that the council alone shall have the right to increase or decrease the work or alter it in any particular. There does not seem to be any increase or decrease except the ordering of the building of the bridge, which was provided for; therefore I believe that all payments made to Scaman & Quigg in excess of the contract price, both on the bridge and on the water works, were made without any authority of law, and that they can be recovered back both from Scaman & Quigg and the officers who voted them. In this connection, I call your attention to notations made by the city engineer on the letter of Arthur J. Cook, dated October 8th, 1912, and which Scaman & Quigg subsequently accepted as a basis for the "extras" they put in, where there appears to be no effort on the part of Scaman & Quigg to comply with these "extras," and it further appears that quite a little of the articles therein stated as "extras" was on the original plans. I believe the question of the right to recover even the \$4500 for "extras" could be gone into and they could not recover anything for the work they did not do.

With reference to the right to recover for the work not done in accordance with the plans and specifications—for instance, reinforcing of the hydrants, called to my attention when in Leavenworth, and which the city was not aware of; that is too plain for argument or to require the citation of any authority. It was a fraud upon the city, perpetrated by Scaman & Quigg, and whether or not with the approval of the engineer makes no difference. I find this action may be instituted by the city or by a tax-payer. Section 950, volume 1, and section 7671, volume 2, of Remington & Ballinger's Codes and Statutes of Washington, give the city the right to maintain this action, and the right for a tax-payer to maintain this action is treated in a note to the case of Walker vs. Dillonvale, vol. 19, American and English Annotated Cases as page 776. This rule is further announced in the case of Russell vs. Tate, 13 Southwestern Reporter, page 130. In the latter case the rule is announced that you can bring an equitable action to cancel the warrants not paid, and in that action make any necessary parties to finally adjudicate the question. In this case it would include Scaman & Quigg, and the members of the city council who voted away the money of the city for what practically amounted to a donation, inasmuch as there was no liability on behalf of the city to Scaman & Quigg for anything over and above the contract price.

That this action can be maintained against them, I cite in addition to the authorities already cited to you, Heath vs. Albrook, 98 Northwestern, page 619, where speaking of money paid out to parties unauthorized by contract or by law, they say:

"In legal contemplation, therefore, the defendant stands as one holding money without right or title thereto. We have no occasion to determine what would be his right in the premises, had the amounts drawn by him been legally due and owing to him from the country. We are required to go no further than to hold that the moneys having come into his possession under the circumstances shown, and having reached the conclusion that, as matter of legal right, he was not entitled thereto, we cannot sanction his resistance to the demand for repayment, made solely on the ground that both he and the county officers labored under a mistaken notion as to the legal effect and scope of the contract under which he claimed to have been acting."

Further citation is found in the case of Webster vs. Douglas County, 77 Northwestern, page 885, a Wisconsin case, and in Weston vs. City of Syracuse, 53 Northwestern, page 12. This latter case also goes to the authority of the tax-payer to bring an action. The Arkansas case heretofore cited (Russell vs. Tate) announces the rule not only of the right of the tax-payer to bring suit, but that the contractors and all of the councilmen who participated in this are liable.

My advice to the city council is, if there are any warrants outstanding that

have not been paid, an equitable action be immediately brought to cancel those warrants and include in that action all of the members of the city council and Scaman & Quigg, and ask for judgment against all of them for the moneys wrongfully appropriated.

I am enclosing under separate cover the papers submitted to me in this matter.

My bill for services rendered so far is the sum of \$100 and \$20 expenses.

I hope this information may enable you to take such steps as you desire in this matter.

Very truly yours,
Richard W. Nuzum.

School Notes

The Physics class is taking a few days course in music.

The Laboratory period Thursday was devoted to a concert by the Senior orchestra, which was enjoyed by all of the Physics class. "Music hath charms to soothe the savage beast."

Carl Andersen and Gerald McCoy are furnishing chests made from Spanish cedar.

Roswell thinks he will be a man when his buffet is done.

The boys in the mechanical drawing department will finish orthographic projection before Xmas. They will then devote their time to architectural and machine drawing.

After spending the first twelve weeks in mechanical drawing department, the 8th grade boys have started shop work.

The basket ball team will go to Wenatchee Saturday night to play with Wenatchee boys.

In a ball game Saturday night with a Wenatchee team, our boys won on a score of 35 to 21.

The 9th grade girls are making Xmas candies and trying their experiments on Mr. Bickel and 9th grade boys.

Instead of having a candy sale the Domestic Science girls are taking orders for candies and fruit cake, which will be filled any time before Xmas.

PHILOMATHIAN PROGRAM

December 3

Chorus School
Recitation Marie Swartz
Duet Marguerite Frank
Will Frank
Declamation Chas. Hathaway
Girls Chorus
Genevieve Fitzpatrick Iva Rust
Minne Rost Gladys West
Mavorie Korn May Hauck
Marion Duren Helen Moore
Etta Hauck

DEBATE

Resolved:—"That Intercollegiate Athletics should be abolished."
Affirmative—Barton Bolton Etta Hauck
Negative—Daryl Mottelet, Minne Rust
Vocal Solo Helen Nicholas

SKETCH:
The Premature Proposal
Cast of Characters:
Peter Doughty Donald McIntosh
Patience Mabel Reeves
Mrs. Hastings Iva West
Betsey Ann Jennie Dillon
Chorus School

Winter Activity at Blewett Camp

J. W. Reynolds, secretary of the Amalgamated Mining & Milling Co., was here Monday and bought a load of provisions and had Duda Brown convey them to Blewett.

El. Mortimer, a relative of John Heavner, who died at Blewett last summer, was here the first of the week and gave out the information that he would shortly prospect the Heavner & Johnson mining claims near Blewett and if the investigation proves satisfactory he will develop the property next summer. He took a load of provisions to Blewett.

Leroy Thurmond, owner of a valuable placer claim in the Blewett mining district, was here Monday and laid in a winter's supply of groceries which he had L. P. Pitschow transfer to the mining camp.

Mr. Warner was here this week and said the three thousand feet of steel cable hauled to his property in the Blewett district recently has been installed and will be used in transferring the ore from the mine to an ore bin located on the road at the foot of the mountain.

Scott Halferty, of Cashmere, was in Leavenworth Wednesday. This was his first visit since his long and severe spell of sickness. He still shows the effect of his illness but says he feels better and hopes for entire recovery with the coming of warm weather next spring.

LEAVENWORTH MARBLE FOR STATE CAPITOL

Strong Probability that Product of Local Quarry Will Be Used for New Structures at Olympia

The dispatches from Olympia last week say that the state capitol commission are now endeavoring to sell the \$4,000,000 bond issue authorized by the last legislature for the erection of new state capitol buildings at Olympia. These bonds, which will no doubt soon be sold, are to provide funds for a group of probably five elegant structures, in accordance with plans already drawn by the architect and approved by the state capitol commission. When completed they will probably cost nearer six million dollars than the four million already granted. This bond issue runs against the state capitol land grant, which consists of about 100,000 acres, mostly timber lands in Jefferson, Clallam and other counties of Western Washington, and is estimated to be worth from ten to twelve million dollars.

The law requires that all these capitol buildings be constructed of the same kind of exterior material and that all the materials, inside and out, shall come from the state of Washington and not elsewhere. It also provides that the exterior material shall be either marble, granite or sandstone. It is presumed that the capitol commission, as well as the people of the state, wish these buildings to be of marble, if possible to get good marble in the state. Sandstone is not wanted, because it is homely in appearance and soon blackens and streaks in the damp climate of Puget Sound. Granite has the same fault and is very hard to work. There are no marble deposits other than our Chikamin creek marble near Leavenworth, owned by John D. Atkinson, to be found in the state, possibly fit for these capitol buildings, or any commercial marble uses. All other marble quarried in the state contains magnesia and will not weather in buildings, inside or out—such as those in Stevens county, which have been classed by the state geologist in his first annual report as a sort of serpentine. Besides, the state architects have informally reported upon this Leavenworth marble as being perfectly suitable and the only marble found in the state fit for these buildings.

Consequently it would seem to be a practical certainty that Mr. Atkinson's Leavenworth marble will be used for the purpose—for the interior, at least. And for buildings well marbled in the halls and rooms, as the architects have designated, the interior cost at current prices would amount to approximately \$500,000. The cost for exteriors would be from two to three times that sum, which may possibly be too expensive in the minds of the commission. They may be inclined, it is rumored, to use for exteriors a sandstone from Pierce county, as people of Tacoma are making a hard pull for the use of that stone. Yet the people of the state would not take kindly to the use of a common colorable stone, which is bound to look shabby for ages to come, if it is possible to procure an aristocratic, fine, white, weathering marble, which would be a monument to the state for centuries to come, like the marble capitols of New York, Pennsylvania, Massachusetts, Minnesota and some other eastern states, which are liable to stand for a thousand years. And this Leavenworth marble has been tested and pronounced by some of the best marble men in the United States to be a harder, better weathering and better all-around marble than that in any of the capitol buildings or other buildings of eastern states.

Mr. Atkinson, who is in Seattle at present, is arranging plans and expects to have finances in shape by early spring to begin quarrying operations. He also purposes to utilize all waste products for ground limestone and in the manufacture of nitrogen of lime for fertilizers, for which there is a good demand. For the making of nitrate of lime there are four different processes used in Europe, and the industry is new to America, but it is being urged and encouraged by government authorities. It requires a high class marble lime rock and cheap, abundant water power. Mr. Atkinson estimates that he can develop approximately 20,000 horse water power with a high pressure head on and near his properties. He

also has plans for a cement plant to be located at Leavenworth, and has found an excellent quality of shale to go with the lime rock needed for that purpose. By tests he finds it will make a cement whiter and in many other respects superior to any yet manufactured in the United States.

A Fishy Story From Minnesota

The Leavenworth Brotherhood of Engineers sent two delegates to a conference to be held with the G. N. railroad authorities over some labor trouble. One of the delegates was that irrepressibly dry joker, (that is, his jokes are dry) the first letter of whose name is John McKinnon. The other delegate who, for obvious reasons shall be nameless, sends the following account of his fishing experience:

Minnesota has long been famous for its many and beautiful lakes, and many people from the east, west and south make pilgrimages yearly to spend their summers here to escape the extreme heat, for Minnesota is fast coming into its own as a summer resort, and her climate is unexcelled.

In these beautiful Minnesota lakes fish abound in plenty and many an Isaac Walton has enjoyed the sport of fishing in Minnesota's lakes that are almost legion.

Last Saturday, Nov. 20th, a party from the state of Washington, among whom were Engineer John McKinnon of Leavenworth and Engineer C. A. Fisher of Hillyard, embarked on a little fishing expedition to Lake Minnetonka, there to indulge their taste for the sport for a couple of days, having heard so much about both the variety and abundance of fish which inhabit this great body of water.

In the way of bait they took two well loaded bags, for they wished to be sure of their quarry and did not wish it said that they came away empty handed. These bags contained, as we learned upon inquiry a large quantity of "hops"—frogs being very plentiful. Pressed for an explanation, however, Mr. McKinnon volunteered the information that fish were always caught that way in the state of Washington—that in fact they were brought up on a bottle. After angling for two days they quit in disgust, having discovered that bait that might tempt Washington fish made no impression on the Minnesota variety.

However, to make a long story short, the following day it was noted that they indulged in a real fish dinner at their favorite restaurant, the "Fadden," and the writer observed that their second course was fish, and to his knowledge it is the first time in the history of Minnesota that smoked herring has been caught in any of its many waters.

R. R. Notes—New Schedule

Conductor A. V. Jones and white have returned from a visit to White Fish, Mont.

Mr. J. H. O'Neill, general superintendent; Mr. F. D. Kelsey, superintendent of the Spokane division, and Mr. W. R. Smith, superintendent of the Cascade division, were in town Wednesday night and Thursday.

The heavy fall of snow has made it necessary to use a work train in the yards for several days to remove the fleecy obstruction.

Herbert Hagler is quite sick with the grippe.

A new time table went into effect Nov. 28th: Nos. 1 and 2, no change; Nos. 3 and 4, taken off; new train No. 25 will pass Leavenworth at 2:15 a.m., about No. 3's time; No. 26 will run east on No. 4's time, 4:25 p. m.; No. 43 will go west at 4:35 p. m., and No. 44 goes east at 3:35 a.m.

Home Talent Minstrel Show

Remember December 15th, the day of the home talent minstrel show. This entertainment promises to be the best of its kind ever given in Leavenworth.

The following are among the leading artists: Mrs. L. C. Brender, Mrs. J. E. Cullen, Miss Fern Lynch, Miss Edna Featherstone, Mrs. Hal H. Starks, Mrs. Atwood, Miss Mullin; Messrs. M. A. Marley, Arthur Babst, Hal H. Starks, C. Warren Reed and Dick Simons.

Special numbers will also be given by Dr. C. E. Briggs and ten of the leading young women and men.

A fine orchestra will be present and everybody anticipates a high class entertainment. Get your tickets early; prices \$1.00, 75 and 50 cents. Gallery seats 35c. For reserved seats ring up Mrs. L. J. Nelson, phone 15.

Some people are very kind and generous indeed, but it is always at the expense of the other fellow.

Butter Wrappers at the Echo Office.