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EAGLES' HALL BAR EVADES THE LAW

Legality of Club Conducted by City Officials is Questioned

Plain Facts in the Case of the Saloon
Foisted Upon Lodge by City Attor-
ney and Two Trustees With Aid of
Members From Other Cities.

Ordinance No. 1 of Imperial County is a rigid prohibition law. It is effective outside of the incorporated cities, and in so far as it forbids the sale of liquor it is sustained by public opinion in the county. Each of the incorporated cities has a no-license ordinance more or less rigorous. There is no question that the people of Imperial County and its cities intended to forbid traffic in liquor under any pretence or subterfuge and to prohibit the establishment of saloons, openly or furtively conducted.

The liquor ordinance of El Centro is less rigorous than the county ordinance and does not attempt to prohibit a citizen from keeping liquors, wine or beer in his house for his own use. It is ordinance No. 6, drawn by City Attorney M. W. Conkling and passed by City Trustees, Pearson, Brown, Hamilton, Buttress and Pellet. Section 1 of the ordinance reads:

"Any person, firm or corporation, club or association, who within the city of El Centro establishes or keeps a place where spirituous, vinous, malt or mixed liquors are sold, furnished, distributed or given away in any quantity, or who, within the city of El Centro, either as owner, employe, agent or otherwise, sells any such liquors or intoxicating drinks, except for the purposes herein specified, shall be guilty of a misdemeanor."

The exception is the sale of liquors by druggists on prescription for bona fide medical purposes.

Section 3 says: "Every person who lets, leases or rents any place to be used or permits the same to be used in violation of this ordinance shall be deemed guilty of a misdemeanor." Also it is made the duty of the City Marshal to seize and destroy liquors kept in such places if the owners refuse to abate the nuisance for five days after notice is served upon them.

The ordinance seems plain and unequivocal. City Attorney Conkling said, when he presented it to the board of trustees, that it would be effective against "blind pigs" and all other devices for evasion or violation of the law.

City Attorney M. W. Conkling, Mayor H. B. Pearson, City Trustee J. C. Blackinton (vice Buttress, resigned) Albert Casner and others are, and have been since May 8, 1909, keeping a place where liquor is sold over a bar. J. C. Blackinton lets and permits to be used a place for the sale of liquor contrary to the express terms of the ordinance. The place is a part of the premises occupied by El Centro Aerie No. 1559, of the Order of Eagles, in the Blackinton building. The persons named operate under the title of the "Eagles' Hall Association" purporting to be legally incorporated under the laws of California "for the purposes of building and maintenance of a hall, gymnasium, reading room and social quarters for the use of its members." The by-laws provide that any member of the Fraternal Order of Eagles may become a member of the Association and that the directors "shall be subject to the wishes and directions" of the Aerie.

Liquors are sold at retail to persons having access to Eagles' Hall. The proceeds or profits do not accrue to the Aerie. Members of the lodge say they do not know where the profits go, but presume that the bar is conducted for the pecuniary bene-

fit of M. W. Conkling, H. B. Pearson, J. C. Blackinton and Albert Casner. Hired bartenders are said to have absorbed some of the profits in ways known to bartenders. L. W. Hollis was a bartender at one time, and a person described as a "tin-horn gambler" from Imperial was one of his successors.

A few weeks ago the El Centro members of the Aerie, at a regular meeting, by decisive vote, ordered that the sale of liquors in Eagles' Hall cease, and for a few days the bar was closed. The directors of the association called another meeting, summoned Eagles from Imperial and Calexico to help them, reversed the action of the El Centro members and reopened the bar in Eagles' Hall against the energetic protest of El Centro members. The bar has been running ever since.

El Centro Aerie recently appointed a committee to investigate and report upon the legal status of the "Eagles Hall Association," the relation of the association to the lodge and the relation of individual members of the lodge to the association. That committee has submitted some questions to officers of the Grand Lodge, among them this: "May a few members get together, without any regular meeting of the Aerie, form themselves into an association and make all members of the Aerie ipso facto members of their association?"

In the opinion of an attorney, who is a member of the Aerie, the Eagles Hall Association is not legally incorporated, members of the Aerie are not ipso facto members of the association, and the bar conducted by M. W. Conkling, H. B. Pearson, Albert Casner and J. C. Blackinton is nothing but a "blind pig."

In the opinion of many citizens of El Centro, the bar in the Blackinton building is a nuisance and is doing injury to persons who are tempted to spend there more time and money than they can afford.

In the opinion of the City Attorney, the bar in the Blackinton building is a perfectly legal institution. He says it is not a violation of the law, and as he prepared ordinance No. 6, it is to be presumed that he knows what it was intended to mean and what sort of blind pigs it was intended to suppress.

Deeds to lots in the townsite of El Centro contain a clause providing for forfeiture in case the sale of liquor on the property is permitted. The title to the land upon which the Blackinton building stands appears to be subject to attack.

DUNKARDS WILL BUILD

Church of the Brethren to Organize
and Erect Meeting House in El
Centro This Fall.

The Church of the Brethren, generally known as Dunkards, will erect a meeting house in El Centro this fall. It will be the only one of this denomination in Southeastern California.

Elder W. M. Platt, minister in charge of the mission work being carried on in El Centro, has returned from a two months' vacation spent at Julian, San Diego County, and has resumed his ministerial labors here. Mr. Platt reports that the mission board of this district, which includes Southern California and Arizona, will support the work here until it is thoroughly established and will assist in the erection of the meeting house.

The denomination now has a membership of thirty-five in this vicinity. The first Sunday in October a regular church organization will be effected.

UNION CHURCH CONFERENCE

The Union Christian Sunday School will meet in Holt Opera House tomorrow forenoon at 10 o'clock. All interested in the Union Christian Church are requested to meet for conference at the same place at 11 o'clock.

VALLEY INTERESTS NEED PROTECTION

Menaced by Contradictory Contentions of United States Attorneys

Legality of Assignments of Desert En-
tries Denied in One Case and Af-
firmed in Another—Settlers Should
Be Represented in Hearing on Ap-
peal From Wellborn's Decision.

At a special meeting of the standing committees of the El Centro Chamber of Commerce, last Saturday, Phil D. Swing called attention to some cases in the Federal Courts of vital importance to land-owners in Imperial Valley. In two criminal cases Judge Wellborn has decided that assignments of desert entries before final proof are not legal. In one case the effect of that decision was adverse to the government; in the other it sustained the district attorney's contention higher court on appeal and in order to win the government must convince the appellate court that assignments of desert entries before final proof are allowed by law.

But the Federal prosecutors consider the second case of more importance, and in order to secure conviction they must maintain the contrary of their contention in the first case. It is suspected, therefore, that the brief on appeal in the Hammers case is likely to be a perfunctory effort and that no strong argument for the validity of assignments will be made by the government's attorneys.

Considering the vital importance of the matter, Mr. Swing suggested that the people of Imperial Valley should be represented in court and that the law of assignments should be set forth in a brief to be prepared and filed by an attorney as a friend of the court.

The County Chamber of Commerce will be asked to take the matter up and arrange for employment of an attorney.

INSTITUTE OPENS

The fall term of the Imperial Valley Collegiate Institute at Heber opened Tuesday with an attendance on the first day of 20. The college began its first term last year with only eight students, so that the institution shows a growth of 150 per cent in one year. The teaching force, in addition to H. W. Moorehouse, the principal, consists of Instructors Booth, Bliss and Williams.

HIGH SCHOOL TERM BEGINS

Increase in Enrollment of Pupils—Re-
ception to New Teachers and
Students.

High School opened Monday morning according to the schedule for the year, with all the teachers on hand; twenty-five old students were present, two transfers entered from other high schools, four first-year pupils from the 8th grade of local grammar schools, and two from outside 8th grades. Not all of the old students have yet returned and there are other transfers yet to come; also another entrance examination is to be given next Monday and Tuesday. The transfers are Miss Velma Parker, from Calexico, who has attended the Orange Union High School for three years; and Walter Wilkinson, who comes from Goldfield, Nevada, High School. The first year students are: Beatrice Jones, from the 8th grade in Bakersfield; Forrest Fisher, from the

8th grade of Deming, New Mexico; Estella Brooks, from Eucalyptus 8th grade; and Robert Boman, Edwin Pearson and George Forester, from the El Centro Grammar School 8th.

The work on alterations and repairs is not yet complete but is being carried on without seriously interfering with the school sessions. Several patrons of the high school were welcome visitors Monday morning. The principal and the teachers extend a cordial invitation to the public to come and visit the school to gain at first hand an idea of how the work is carried on.

The students are much pleased with their school facilities and are starting in with their studies in a most earnest manner. The second year class organized on Thursday by electing Miss Lenna Mayfield, president; and Miss Pauline Adair, secretary. They are planning to give a reception to the new teachers and to the newly entered students.

FAIR ASSOCIATION

A meeting of the directors of the Imperial Valley Fair Association was held Saturday, and a resolution was passed amending the articles of incorporation, conforming them to the requirements of the State law, so that the association may receive appropriations from the State for fair purposes.

A committee was appointed to secure the names of fifty petitioners, from the different towns of the valley. The committee appointed is as follows: H. T. Cory, Calexico; J. B. Parazette, Imperial; P. P. Hovley, Brawley; Geo. W. Belden, Holtville; E. E. Forrester, Silsbee, and D. D. Pellet, El Centro.

"THE GREEN AND WHITE"

The Green and White, Vol. No. 1, published by the students of the Imperial Valley Collegiate Institute, made its appearance this week. The book is of a high grade standard and reflects credit on the members of the student body who prepared the matter and drawings and outlined the design for the printer. The book was published for the students by the Imperial Valley Press.

LEG BROKEN

J. S. Martin, at Holtville, broke the small bone in his right leg, Wednesday, while hauling gravel, by being caught in a wheel of his wagon.

CALEXICO'S FORWARD STEP

Will Vote on Next Saturday to Bond
City For Municipal Improve-
ments

October 2 is the date set for a municipal bond election at Calexico. It is proposed to issue \$37,000 bonds for the acquirement of a city water system, the purchase of fire fighting apparatus, improvement and equipment of the city parks, purchase of a site and erection of a city hall and jail.

The matters have been thoroughly discussed by the Calexico Chamber of Commerce and the City Trustees and it is believed the bonds will be voted with but little opposition.

The election will be held in the City Hall, and the polls will be open from 6 to 6 o'clock. Z. Frank Little, George Thresher and Albert Carr are to constitute the election board.

SUNDAY CLOSING WANTED

Calexico has a Sunday closing ordinance for all places except restaurants, dining rooms and refreshment stands, but complaint is raised that "back door" trade flourishes in other lines, and citizens are making a demand for strict enforcement of the ordinance.

ADVISORY BOARD ON WATER SYSTEM

Representative Committee of Citizens to Work With City Trustees

Possibility of Boring Small Test Hole
to Prospect For Artesian Water at
Small Proportion of Estimated Cost
of Proposed Well.

The standing committees of the Chamber of Commerce met last Saturday morning to select a committee of five citizens to advise and cooperate with the Board of Trustees of El Centro in planning and constructing a municipal water system.

The members of the committee so selected are George A. Carter, president of the chamber of commerce, a banker and man of affairs in whose business judgment the people have confidence; C. N. Perry, a civil engineer, who is thoroughly acquainted with water affairs in the valley and has had much experience in construction of canals and water power plants; former Judge Ansel Smith, a learned lawyer and a man of ripe judgment; W. C. Whitescarver, a business man largely interested in industrial enterprises, and H. C. Griswold, representing the real estate interests, who has to be convinced of the merits of a project before he endorses it.

The board is thoroughly representative, and it is conceded that no better selections could have been made.

One of the questions to be considered by the trustees and the advisory board is the expediency of exploring for artesian water. It is estimated that a 12-inch well sunk to a depth of 1400 feet would cost \$10,000, but it is not certain that it would develop water. It is possible, however, to sink a smaller test hole at less expense. Operators of hydraulic rigs will undertake to drill and case a four-inch hole one thousand feet deep for a dollar a foot, providing that they do not strike rock. For drilling through rock they charge \$35 a day. In case of failure to find water, the city would be out only a dollar a foot for the hole, instead of \$10,000. Should water be struck, it would then pay to put down a ten-thousand-dollar hole.

WORK AT GAS PLANT

Actual construction on the gas plant of the Imperial Valley Gas Company was begun Monday. Laying of service pipes will start as soon as all of the material arrives, the first part of October.

HERSEE TAKES CHARGE

C. H. Hersee has come to El Centro to take personal charge of the El Centro Hardware & Implement Company, and will reside in the Colson cottage at Sixth and Olive streets. One of the first moves of Mr. Hersee is to inaugurate a big clearance sale in all departments of his concern, evidence of which is plainly visible in the page advertisement of the firm in this issue of The Press.

CHANGES AT HOTEL OREGON

Helms & Pellet have purchased the interests of Maxwell Brothers in the Hotel Oregon, and a deal is in progress whereby Helms & Pellet will transfer their interests to the California-Mexico Land & Cattle Company, which has extensive interests in Imperial Valley. The hotel will be put in first class shape and is certain to become the most prominent hostelry in Southeastern California.