

COURT UPHOLDS SKAGIT'S STAND

County Not Liable For Improvement Bonds, Says the Supreme Court.

Bonds issued under the Donahue road act as it now exists are not general county liabilities but are payable out of the special improvement funds, the state supreme court ruled Saturday in a rehearing on an action brought by W. F. Hardin and others against the Klickitat county commissioners.

To make the bonds a direct and primary obligation of the county would mean that most of the counties in the state would be far in excess of their limitation of indebtedness and the bonds would become void, the opinion added. This would be true of Skagit county, if the first decision had stood.

The court held that the assessed value of property must be used as the basis for apportioning assessments and not the actual value, which the plaintiffs contended was correct. The decision affirms the Klickitat county superior court.

The original action was brought by Hardin on behalf of himself and other taxpayers against the commissioners of Klickitat county to restrain them from creating an illegal indebtedness by issuing bonds to cover the construction of the Trout Lake road, the estimated cost being \$411,311.82. The Klickitat county court held that the assessed value was the correct basis for determining the bond issue, but ruled that only 50 per cent of the issue was a county liability. In the first appeal the supreme court reversed the lower court on the latter point but did not take the first point under consideration.

Skagit county then intervened in the case, praying that the court reconsider its decision, declaring that Skagit county had issued hundreds of thousands of dollars' worth of bonds believing that the county was liable for half of them, and if the decision held, the county had greatly exceeded its legal indebtedness. The intervenor also stated that many other counties were in a like predicament.

Skagit county was represented in this matter by Thos. Smith, Wilbraham and W. L. Brickey, prosecuting attorney.

NELSON NAMES THE COMMITTEE

Seven Men Will Investigate the Problem of Flood Protection In Skagit County.

The second step toward flood protection in the Skagit valley was taken this week by the appointment by J. Z. Nelson, of a committee of seven to form an organization for the improvement of the Skagit river. Mr. Nelson was named chairman of a mass meeting held here last week and was instructed to name this committee as soon as possible. After studying the problem carefully he has announced the following as composing the group for investigation of the problem: H. L. Willis, Mount Vernon, chairman; John Finstad, Conway; Charles A. Nelson, LaConner; Augustus Brawley, Mount Vernon; Hiram Stump, Edison; Charles Callahan, Burlington, and Will Knutzen, North Avon.

It is planned to have this committee meet at the Mount Vernon Commercial Club rooms soon and talk over the proposition with the various dike commissioners, county engineer, and others who may have a working knowledge of the situation in this county. By obtaining the views of these men, it is hoped to devise a plan for the prevention of high water. Another public meeting probably will be held for further discussion, it is said.

RUBY CREEK DAM AS SKAGIT AID

Seattle Engineer Would Show Pictures Here of Project.

County Engineer Frank Gilkey is in receipt of a communication from C. F. Uhden, engineer in charge of the Ruby creek dam feature of the Skagit project now under construction by the city of Seattle, expressing appreciation of the interest being taken by Mount Vernon people in the project as it effects the flood situation of the Skagit river.

Mr. Uhden also expresses a willingness to come here in person and demonstrate the Ruby creek project to Skagit county residents through the medium of a lantern slide lecture and explain in what ways this dam may assist in controlling flood waters of the Skagit.

Engineer Gilkey intends to take the matter of Mr. Uhden's visit before the Commercial club and interested individuals with a view toward having the meeting and lecture held at an early date, at the same time doing away with the necessity of making the proposed trip with Mayor Moody to Seattle as proposed at the last meeting of the Commercial club.