

COURT ACTION HALTS FLOOD CONTROL WORK

**Timber Companies Restrain
Election Board From Cer-
tifying Returns to State**

VOTERS WANT DISTRICT

**Flood Control Plans Carry,
1891 to 767 at Tuesday's
Election**

Final organization of the flood control district was abruptly stopped Wednesday morning shortly after announcements had been made of the district victory when the Sound Timber company and the Weyerhaeuser Timber company took legal action in the superior court here.

A temporary order preventing the election board from canvassing Tuesday's election and certifying the returns to state officials was granted by Superior Judge A. Joiner. The judge set December 28 as the date when state and county officials must appear before him to show cause why the temporary restraining order should not be made permanent.

The complaint holds the election null and void on the alleged grounds that E. F. Banker, director of state conservation and development, had acted in excess of his authority in recommending that a district be created.

The two companies further claim that the district is not economically feasible since the federal PWA refused to make any contribution for flood control work and that no such funds will be available.

The cost of the improvement is estimated at \$2,426,852, of which \$508,000 may be raised by assessment, complainants say. The remainder would have to come from state and federal sources.

The complaint also asserts that the district gives the commissioners power to subject the property of the two companies to double taxation in contravention to the fourteenth amendment to the U. S. constitution.

W. E. Heidinger, who appeared as attorney for the Sound and Weyerhaeuser timber companies, is a former resident of Mount Vernon, having practiced law in this city many years ago.

How County Voted

Attorney W. V. Welts, who has had a large part in bringing the matter to a vote, said today that he did not think the court proceedings would prevent organization.

Final election returns give 1891 votes for and 767 against the flood control district, which is estimated to be about one-fourth of the registered vote in the district. The Mount Vernon vote was unexpectedly light.

Conway cast the largest precinct vote for the proposal, 153 against five noes. Fir went 124 for and two against. Burlington S. E. voted 144 for and 10 against. Two precincts voted unanimously against: Montborne 27 and Kavanaugh 10.