

Downers Grove Reporter
Editor: J. H. STAATS
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POSTI-Don't Knock

without including overdraft in the current installment of 1912, \$12,474.88. The fact is, it is costing us \$1,359.81 in interest charges yearly that the overdraft automatically increases that much each year.

Special assessments have not guaranteed by the village. They read, "This bond and interest to be paid solely from the taxes collected in the particular installment of the particular special assessment when collected."

Before the contractor accepts the bond in payment of his contract he satisfies himself that there is sufficient tax levied to pay the bonds and a legal expense. In fact, the final confirmation shows cost of improvement, cost of legal expense, and an item of interest. The village acts as trustee, and as trustee must use diligence in the collection of said tax and is then held responsible only for the money that comes into its hands.

On the theory that had no money been misapplied a sufficient amount would be in the installment for their payment, I will say this suit is not for money not collected, but for money collected and misused. The statement I made regarding the money turned over to Mr. Davis, Treasurer, is true, and not misleading, which is true, but misleading.

I was treating the special assessment fund. The monies turned over to Mr. Davis was \$23,056.00 in cash and the securities he mentions, but it belonged to different funds as follows:

Table listing financial items: Special assessment fund \$1,982.80, General fund 581.60, Street and alley fund 1,293.79, Water fund 746.39, Light fund 379.37, Library maintenance fund 749.88, Sinking fund 25.41, Reconstruction fund (money received from the sale of general improvement bonds to be used to rehabilitate the water and light plant) 18,200.00.

Now this special assessment money, \$1,982.80, was the total in the special assessment funds, and the \$9,800.00 we received from the County Collector in July, 1914, for delinquent payments was all we received, which, with the amount received from the Treasurer was all we had to pay the bonds and interest amounting to \$23,056.00, due August 1st, 1914. We prorated this amount after it had been apportioned to the assessments to which it belonged.

ANSON BACKUS, Village President. Downers Grove, July 27, 1915. To the Downers Grove Reporter, Downers Grove, Ill.

Referring to the communication which appeared in your issue of July 27, which purports to be an answer to a communication of the writer, which appeared in your paper under date of July 12 last: This communication, which Mr. A. B. Snow is the author, sets forth that it is an answer to my communication above referred to. The trouble with Mr. Snow's answer is that it does not answer.

The editor states that all communications on this subject must be limited to 200 words. I am of the opinion that Mr. Snow's communication of July 22 could be answered in three words without a very serious breach of the rules of ethics. But it is not always advisable to be too brief.

Mr. Snow states that the writer never called attention to the special assessment matters of the village of Downers Grove. Therefore, in order to refresh his memory, I desire to call his attention to the evening on which he was notified of his first appointment as village attorney to succeed T. H. Stusser. Mr. Snow on that night called the writer on the phone and advised him that the appointment as attorney for the village had been tendered him and he was very frank to confess that he had not had any experience in village affairs and asked the writer's advice as to whether or not he should accept the appointment.

These appointments, he never been stated personally except by such names as he was allowed by the village board.

Mr. Bunge asks why I defaulted payment in bonds and interest in Special Assessment 25. For the reason that all of the collections for the current installment had been paid out in overdrafts excepting \$215.00. We did not have \$4,700.00 in the 10th installment and never did have, for the levy was only \$4,692.00, against which \$1,100.00 in bonds had been issued and a voucher for \$842.93 drawn on the first installment had been paid from the 10th installment, which seems strange in view of the fact that \$1,592.49 had been transferred from the first installment to the general fund. In this special assessment \$41,225.00 was levied from the second to the 10th installment inclusive, and \$41,100.00 of bonds issued.

In this assessment several pieces of property have been forfeited yearly. In fact, some on the first installment. There has been collected on the Ducat Estate's assessments only the first, second and sixth installments. The other five installments that are due are being taken to the Supreme Court by the trustee of this estate. The total of the amount of the claim against the Ducat Estate which has been appealed to the Supreme Court, is \$3,512.75, and interest for several years.

I did offer the bondholders of the seventh installment bonds to exchange their bonds for bonds issued against that portion of the 10th installment for which no bonds had been issued, but they demanded payment of these bonds. We did not have the money, so suit has been brought for their collection.

On the theory that had no money been misapplied a sufficient amount would be in the installment for their payment, I will say this suit is not for money not collected, but for money collected and misused.

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On that very evening the writer advised Mr. Snow that there was nothing complicated about the village affairs of which he had any reason to be afraid, but that if he accepted the appointment he would have to watch the special assessments quite closely, of which there were a large number then in process of collection. At the same time Mr. Snow asked the writer if he could count on the writer's assistance in case he needed it, and I assured him at that time that I would be only too glad to assist him any time when he would call upon me to do so. Mr. Snow never called upon me to give him any assistance of any kind and it was certainly not for me to force my advice upon him. It would have been the height of folly and a serious breach of the rules of ethics.

There appears another excuse in his communication why the present condition has come about and that is that the treasurer's books of the village of Downers Grove were in such shape that it was impossible for him to ascertain just how the village stood. The treasurer advised me that Mr. Snow, during his term in office, had been very conscientious in his absence and that he does not recall that he ever called at his office to examine his books. Furthermore, the system of bookkeeping of the treasurer had been in vogue with the village for

nearly half a century and all the transactions connected with the former administration evidently did not experience any trouble at all in ascertaining from the books how the affairs of the village stood. It must certainly reflect upon a person who holds the position of village attorney to make a statement of this kind.

Mr. Snow in his communication seems to be possessed of the idea that when the writer suggested to him that he would be willing to give him any assistance he wanted, that the writer should have submitted to him full specifications as to the nature, kind and character of the services which he was willing to give. The fallacy of the argument is apparent to any person, even though he may not be a lawyer. This is especially true in the legal profession and it would have been against the fundamental principles of legal ethics if, after volunteering services, I should have demanded compensation from the village for such services. I had no intention of doing anything of the kind and Mr. Snow knows it.

In reference to Special Assessment No. 25, Mr. Snow admits that his attention was called to the fact that there was a surplus in the tenth installment against which bonds could have been issued in order to take care of the default, which the village made in August, 1914, in the payment of bonds issued against that assessment, but he gives as an excuse that the bonds could not be sold, for the reason that the village had defaulted in the payment of its bonds as heretofore stated, and, consequently, its credit was ruined and the sale of its special assessment bonds made practically impossible. But the question is, why, after Mr. Snow had held this office for nearly two years, did he not discover that there was sufficient money in the tenth installment of Special Assessment No. 25 to take care of the bonds that had been issued against that assessment?

It was certainly his duty of the writer, after his connection with the village had been severed for nearly three years, voluntarily and without compensation, to perform the duties which are incumbent upon Mr. Snow.

The facts remain that if the special assessment bonds had been issued against the tenth installment of Special Assessment No. 25, at that time, some disposition could have been made of the bonds, and in the telephone conversation which I had with President Backus one Sunday I made suggestions to him how they could be disposed of and on the evening when both Mr. Backus and Mr. Snow were at my house last winter discussing this proposition I assured them that there was some way of disposing of the bonds and that if they were unsuccessful in doing so, I thought I could assist them, and I will reiterate in this statement that if the board will take the trouble of issuing the bonds even at this time, I am satisfied that I can dispose of these bonds for them.

What I am criticizing in the apparent inactivity of the administration to meet the conditions as they confront them. In a recent conversation with several bondholders I have been advised that some of the officials connected with our present village administration have stated to them that the largest amount they could expect in payment of the bonds which they are holding would be 50 cents on the dollar.

I am satisfied that the readers of this paper will agree with me when I say that the obligations and the credit of our municipality are as sacred as those of any individual and should be jealously guarded.

Mr. Snow further criticizes the writer for not taking steps to levy supplemental assessments when he was in office. This statement is in line with other allegations made by him in his communication. It would certainly have been the height of folly to create an indebtedness and compel the property owners to pay interest thereon three or four years in advance of the time at which the money was needed.

Obligations which a municipality has incurred in good faith and bonds of the village which individuals have taken in good faith should not be treated as claims against corporations. We are cognizant of the fact that claim adjusters representing corporations have only one thing in mind and that is to settle the claim for the smallest amount of money possible irrespective of its merits. Those methods, however, do not apply to the case of the village of Downers Grove. In the adjustment of such claims by such corporations the conclusions that are formed as a rule by the claim adjuster are entirely based upon a fringed premise and it may be that our village attorney should be excused by reason of that fact in assuming a wrong premise concerning the issues

involved in this controversy. He states that property owners would come in and object to a supplemental assessment if one was attempted. It goes without saying that it is one of the great American privileges that we enjoy under our system of government to object to any legal imposition or to any other demand whatever, but when Mr. Snow transfers to the general fund, water and light fund and street and alley fund, I must simply say that he is mistaken, and my answer to that proposition was fully set forth in my communication addressed to the Reporter under date of July 12 and it is not necessary to repeat it here.

Mr. Snow seems to be of the belief that a great wrong has been done to the village of Downers Grove by reason of the fact that several suits were started against the village by parties whom the writer is representing as attorney. In these suits nothing is asked of the present village administration except to perform the duties, with which the law charges it, and if the board is proceeding according to law, as Mr. Snow intimates, he has no fault to find and no harm will be done. There is only one underlying idea in the litigation and that is to bring about action on the part of the village authorities by which they will discharge the just obligations of the village. The statute is very plain on this proposition and what is surprising to the writer is the fact that a gentleman of the learning of Mr. Snow does not comply or at least make recommendations to the present village authorities to comply with the statute.

Mr. Snow's somewhat personal criticism in the closing of his communication assumes that the writer is possessed of a belief that he has superior knowledge. He is just as much mistaken in his premise in this behalf as he is in the others that have been heretofore referred to.

G. H. BUNGE. Fishermen's Guide. The plover fishermen of Cornwall watch the movements of gannets; for as soon as they see a flock they know that a shoal of plover is at hand and get their nets ready. By their flight they know whether the fish are at the surface or deep down. For True Prosperity. When every man is true to himself, when every one strives to realize what he thinks the highest rectitude—then must all things prosper.—Herbert Spencer. Mighty Amazon River. The Amazon is 3,944 miles in length, rising within 70 miles of the Pacific ocean and flowing clear across the continent. Self-Sacrifice. The Young Man—"As a matter of fact I think I've done rather well. You see, I've given four cousins and an uncle to the army, three nephews to the navy and a sister and two aunts to the Red Cross organization." Chinese Sugar Cane. One variety of Chinese sugar cane is raised for chewing in its natural state and kept in good condition for months by being buried in the ground. Wisdom From Uncle. "Dar ain' much 'erance fob a man out o' work," said Uncle Eben, "when he reads everything in de paper except de 'help wanted' advertisements." Deck That Floats. A recent English invention is a ship with an upper deck which can be released from the hull and will float when the vessel sinks. All the Difference. Whether a man has excusable or inexcusable faults depends almost entirely on whether you happen to like him or not. Cynically Incited. "Genius is said to be an infinite capacity for taking pains," said the near-philosopher. "Just so," replied the man with a grouse. "And my definition of optimism is an infinite capacity for taking punishment." Needed Again. "Now, I hate to remind you, Dibbles, but that ten you owe me—" "My dear Johnson, I can't sleep at night for thinking about that ten." "Conscience trouble you?" "No, I wish I had it back."

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CLASSIFIED ADVERTISING
FOR SALE—New house, six rooms, attic and cement basement. Everything up-to-date, lot 50 by 132 feet; number of fruit trees, chicken yard and chicken house. Call and see, open for inspection. Would consider clear lot and some cash as first payment. H. Jory, 8 Lincoln Ave. 3p

PLACE WANTED to do housekeeping. (preferably people and no washing.) Call 123 Highland Ave., phone 1191. Downers Grove, Ill.

FOR SALE CHEAP—Four-burner gas stove with oven. Cost \$30.00 new. Address J. D. McVean, R. F. D. No. 2, 16-3-P

WANTED—Maid for general housework, competent only need apply. Phone 25. 123 W. Maple Ave. 7-30-1-C

NURSING WANTED—BY COMPETENT, responsible lady. Phone 168-W-1. P. O. Box 57. R. F. D. No. 2. 7-2-3p

LAWN MOWERS SHARPENED AND REPAIRED. G. H. Ware, 138 N. Main St. Phone 125-W. 11-c

HALLER'S REAL ESTATE NEWS

Seven-room house, bath, stove heat, cement basement, lot 57x159. Price \$2,500.

Six-room house—north side, steam heat, all up-to-date, hardwood floors. This house is in good repair and well built. Location one of the best. Price \$4,500. Make offer.

Six-room bungalow, new, best street in town, extra large lot, bath. Price \$4,500. Make offer.

Six-room flat for rent, all modern, \$18.

Seven-room house, steam heat, oak floors down stairs, bath, lot 100x132. Price too low to put in figures. Ask me about it. Real bargains. This property can be bought on your own terms. Act quick.

Seven-room house on the north side, cement basement, furnace heat, laundry, gas, bath, gas and electric lights, in fact everything is strictly modern, large shade trees, best neighborhood, small barn, lot 100x111. Price only \$2,500. About \$500 cash, the balance on your own time.

Eight-room house in the best of condition, south side, bath, gas, electric lights, hot water heat, large porch, faces south, lot 50x250. Price \$5,000.

Nine-room house on Maple avenue, best all modern, large barn, appointments good in full. Price \$3,000. Make offer.

Seven-room house, cement basement, hot water heat, bath, gas, electric lights, oak floors on lower floor. This property is in A-1 condition. East front. Price \$2,500. Make offer.

Six-room house, all modern, just newly painted, this house is only seven years old, has cement basement, furnace heat, laundry, gas, bath and electric lights, in fact everything is strictly modern, large shade trees, best neighborhood, small barn, lot 100x111. Price only \$2,500. About \$500 cash, the balance on your own time.

Two-acre farm, new five-room house, fruit trees, chicken house, one mile from depot. Price \$2,500.

Seven-room house and bath, cement basement, hot water heat, small barn, lot 50x132, facing three blocks from depot. Price \$2,500.

Don't forget I write Turbido and Fire Insurance. No earthly building has ever been or ever will be erected sufficiently strong to resist the KNEELING OF WINDS. STORMS. Now is the time. Do not LET IT BY. BUT ACT TODAY.

SIX ROOM house, cement basement, furnace heat, large porch with screens, good well, gas, lot 100x132, near corporation hills. This house is in A-1 condition. Price \$2,500. Make offer.

30x111 foot lot, north Forest Ave., water, gas and electric light, only \$250.00. Let me show you some. Made avenue, lots if you are figuring on building this year.

Four and one-half acres of land, eight-room house, good condition, barn, chicken house, fruit trees. Must be seen to compare the price. \$2,500. Make offer.

How can you duplicate this one? Six-room house, new, cement basement, laundry, furnace heat, large living room, electric, open stairway, up to date bathroom, two porches, paved street. Lot 50x120. Price \$2,500.

Six-room house, furnace heat, bath, house just newly painted, large barn. Lot 62x150. Price \$2,500. Easy terms.

If you are looking for acre property within one or two blocks of corporation hills ask me about easy terms.

Nine-room house, all modern, in A-1 condition, large barn, fruit trees, one of the best locations in Downers Grove. Lot 100x200. Price \$7,500.

6-room house, modern, in good condition, on best street in Downers Grove. Price \$2,700. Make an offer.

8-room house, hot water heat, bath, chicken house, fruit trees, green electricity of shade trees, paved street, north side of lot location. Lot 75x142. Price \$3,500.

Another beautiful 7-room house, all modern, on paved street, 100x142. Price \$2,500.

If you are looking for a bargain let me have a talk with you, and if you have a house or lot you want to sell I shall be pleased to bid it.

You will find me at 35 South Main St. Telephone 113R.

Chas. Haller 35 S. Main Street Phone 113-R



Now is the time to decorate your lawn with a nice Cement Flower Vase, delivered and put up for \$7.00. H. MacPherson Shop Phone 211-R

FRED FINK LIVERY Carriages for Weddings, Funerals, Etc. 11 Grove St. Phone 63-J

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