

THE ST. HELENS MIST

VOLUME XL.

ST. HELENS, OREGON, FRIDAY, DECEMBER 2, 1921

No. 51

DOUBLE TRAGEDY AT CLATSKANIE

One Bullet Thought to Have Killed Two Men—Ben Birkenfeld, Clatskanie Marshal, and O. D. Hicks Meet Tragic Death—Inquest Today

Ben Birkenfeld, aged 70, night marshal of Clatskanie, and O. D. Hicks, a resident of Clatskanie, are dead, the result of an accident or incident that cannot be satisfactorily explained. The tragic occurrence which resulted in the death of the two men happened about five o'clock Thursday morning in Clatskanie.

According to reports given The Mist by Judge Martin White and Sheriff J. H. Wellington, who went to Clatskanie yesterday to investigate the tragedy, it seems that Hicks had moved into the apartment above the Page store late Wednesday afternoon. In order to get a piano into the apartment it was necessary to take off a portion of railing which was at the head of the stairway leading to the upstairs apartment. A brother-in-law of Hicks told the officers that he intended to get up early Thursday morning and had set the alarm for 4:30 o'clock. He awoke and thinking that the alarm might have sounded and he had not heard it, turned on the light to see the clock. Seeing that it was not time to get up he left the light burning and went back to bed.

It is supposed that Birkenfeld saw the light burning, and not knowing that the apartment was occupied and possibly thinking that burglars were trying to get into the store which is underneath the apartment, went up to investigate. It is said that the man who was in the apartment in the darkness of the early morning and not knowing the railing on the platform was gone, it is presumed that he meant to lean on the railing and fell to the ground a distance of about 13 or 20 feet.

Mr. Hicks and his brother-in-law ran out to investigate and Hicks went to the rescue of the marshal who was lying in a pool of water and groaning. The son of Mr. Hicks, a lad of about 15, was aroused by the commotion and flashed a light on his father and Birkenfeld. He stated to the judge and the sheriff that his father was holding Birkenfeld on his knee and Birkenfeld's head was resting on his father's shoulder. Hicks called to his son to go for a doctor and asked his brother-in-law to bring a pillow so the injured man could be made more comfortable. Hardly had they started on their respective errands when a shot rang out and the brother-in-law (whose name The Mist understands is George Cannon) though this cannot be confirmed hastened out of the house with the pillow. He stated to the officers that Hicks called out, "I am shot" and then fell, dying almost instantly.

It is the supposition of both the judge and sheriff that Birkenfeld was semi-conscious after his fall and when Hicks went to his rescue, he having the idea of burglars on his mind and in his dazed condition, thought that he was being attacked and when Hicks attempted to lift him he drew his pistol and fired at what he thought was his assailant. He did not raise the pistol high enough for he shot himself under the left eye the bullet coming through the back of his head and piercing the jugular vein of Hicks.

Mr. Birkenfeld had been night marshal of Clatskanie for several years and was well known to many Clatskanie county citizens. He is survived by three daughters, Mrs. Anna Lewis, Mrs. Emma Juvonville, and Mrs. Flora Garrison, and one son, Paul.

Mr. Hicks, who had lived in the Clatskanie section for a number of years, is survived by a widow and 19 children. He was about 38 or 40 years of age, according to Rev. S. Barlow Johnson, who knew the deceased very well.

Judge White who has known Birkenfeld for many years, said, "Ben was a man who would shoot as he went and I believe that he thought he was being attacked and his first thought was to protect himself."

Both men were well known in the Clatskanie country and the unfortunate tragedy which resulted in the loss of their lives cast a gloom over that section and was the cause of much excitement.

PROPOSED BUDGET TO BE PUBLISHED

The budget of county expense as prepared by the county court and the budget advisory committee will be published next week, according to a statement of County Clerk J. W. Hunt. It is understood that the budget committee recommended an eight-mill road tax instead of a ten-mill tax as was levied last year. The budget meeting will be held the latter part of this month and in the circuit court room in the court house. It is expected that a large number of taxpayers will be present. Judge Martin White will preside at the meeting.

What is said to be the highest office structure yet built is a concrete wireless tower, 660 feet high at Toyon, Japan.

Beethoven's father made him learn the notes on the piano before he was five years old.

CITY COUNCIL IN BUSY SESSION

The minutes of Recorder Godfrey give the following account of the business transacted at the meeting of the council on Monday night.

McDonald reported on a light on Hemlock street near O'Connor's residence; that it should be allowed. Moved by McDonald and seconded by Flynn that a street light be installed on Hemlock street on the pole nearest to James O'Connor's residence and that the recorder be instructed to notify light company to install the same. Carried.

Moved by McDonald and seconded by Flynn that the Royal Legion be allowed to use the city hall on December 17, 1921 for the purpose of having a Christmas tree, free of charge. Carried.

Moved by Flynn and second by McDonald that the marshal be instructed to see that no more lunch, pencil or other refreshments be served in the dance hall. Carried.

Moved by Flynn and second by O'Connor that a committee be appointed to arrange a schedule of rates to be charged for the use of the city dock or as wharfage. Carried. Committee appointed O'Connor, Flynn and Barnett. Building permits: A permit was granted J. W. Starkey to build a house 28x34 on Lot 16, Block 29. A permit was granted V. A. Smith to erect a chicken house 16x24 in West St. Helena.

The following bills were read and on motion made and carried were ordered paid by warrants on the city treasurer: J. W. McDonald, labor, putting woodshed, \$4.50; George Potter, roll of roofing paper for woodshed, \$3.50; S. E. Smith, labor on streets, etc., \$16.00. Total, \$24.00.

Glass making is one of the great national industries in Belgium. There is scarcely a civilized nation in the world that is not more or less dependent on Belgium for window glass, mirrors and table glass.

AMERICAN LEGION MEETS MONDAY NIGHT

Election of Officers and Important Business Matters to be Considered—Auxiliary will Serve Lunch After Meeting.

Columbia Post 42, American Legion, will have a specially important meeting Monday night for the meeting is called, primarily, for the purpose of nominating and electing officers for the ensuing year. In addition to this very important matter, Post Commander, J. H. Wellington, informs The Mist that several matters of great importance to the members of the legion will be brought up at the meeting and he and other officers of the local post desire a full attendance. The meeting will be called to order promptly at eight o'clock in the county court room in the court house.

On the same night and at the same time, the Ladies' Auxiliary of the Post will meet in the Circuit court room. They, likewise, will elect officers for the coming year and in all probability, dispatch their business before the session of the legion is finished. At any rate, a committee from the auxiliary will be at the I. O. O. F. hall and have a nice dinner prepared for the hungry members of Columbia Post when they conclude their deliberations.

Commander Wellington urges each member of the post to attend the meeting, take part in the program for the coming year's work and, but not least, to partake of the good dinner which the auxiliary will respond and after we have finished with our business meeting we will "go over the top" to the I. O. O. F. hall and sit down to partake of the good dinner which we know will be served. Instead of charging the kaiser's trenches or running down a submarine, we are going to make an onslaught on the "chow" table, and I know that every member of Columbia Post 42, American Legion, will aid in this rush.

The Mist does not doubt the statement of Commander Wellington and believes that after the business session is concluded, the rush to the dinner table will surpass the drives in the Argonne, the Meuse or St. Mihiel so far as quick action is concerned.

SCHOOL ENTERTAINS AT BACHELOR FLAT

BACHELOR FLAT, Dec. 1.—(Special)—The pupils of the Bachelor Flat school will give an entertainment Saturday evening, December 3. It will be a musical and literary program. Teachers and scholars have worked diligently for the past two months in rehearsing the program which will undoubtedly please a large audience expected to be present.

At the conclusion of the program refreshments will be served. The proceeds from the entertainment and supper will be used to buy some necessary articles needed by the school. A cordial invitation is extended to all to attend the entertainment.

The school board meeting was held at the school house on Tuesday evening, November 29th. The budget for the coming year was adopted and a special tax of \$1,715 was voted, a portion of which sum will be expended on the new school building.

TAXPAYERS APPROVE 1922 CITY BUDGET

Recommendation of City Fathers and Advisory Committee Meets With Approval of Few Taxpayers Who Attend Meeting.

A meeting for the adoption or rejection of the budget of city expenses was held in the council chamber Saturday night. The meeting was called to order by Mayor Edison I. Ballagh, and in the absence of Recorder J. B. Godfrey who was ill, S. C. Morton acted as Temporary Recorder. The proposed budget was read, item by item. W. W. Blakenly, Edwin Ross and Magnus Saxon inquired as to certain items of estimated expense. After the matter had been fully explained they withdrew their objections.

Saxon, however, discussed the appropriation for the library board, namely, \$1,000. He explained that it was about one-seventh or one-eighth of the total assessment or levy for the city. Councilman McDonald, likewise, didn't approve of such an appropriation for he said: "The expenses of the library are going up each year. Two years ago it was \$500, last year \$750 and this year it is \$1,000. I understand that the librarian is now paid \$540 per year and the janitor \$60 per year as against \$300 two years ago." Mrs. L. R. Rutherford spoke in behalf of the library. It was an "educational" affair, she said, and that she paid taxes to maintain it along with many other property owners in St. Helena. There was no negative vote against the \$1,000 appropriation, though Saxon said that he thought 50¢ per capita was too much for the purpose.

There was considerable discussion as to certain items, but when A. F. Barnett moved that the budget be adopted as read, and the motion was seconded by J. H. Flynn, there was not a dissenting vote. The budget calls for approximately \$15,000 of a levy which is a slight reduction from the previous year.

Several items were discussed, but when A. F. Barnett moved that the budget be adopted as read, and the motion was seconded by J. H. Flynn, there was not a dissenting vote. The budget calls for approximately \$15,000 of a levy which is a slight reduction from the previous year.

LATE HAPPENINGS ABOUT THE CITY

Slight Accident at Mill—The shaft on the friction drive at the St. Helens Lumber Company's mill broke at 10 o'clock this morning necessitating the shut-down of the mill for several hours. Operations were resumed in the afternoon.

Card Party—Another interesting card party is scheduled for Thursday evening, December 8th. It will be given by the Ladies' Social club of the Catholic church at St. Mary's hall. A valuable prize is again offered. Large numbers have enjoyed these parties.

The Sign of the Cross—On the spire of the Catholic church is a golden cross which will be lighted with electric spotlights next Sunday evening. This is the latest adornment added to the new building.

Returns From California—Frank Thompson returned to St. Helena Saturday after an absence of several weeks from this city. He accompanied Mr. and Mrs. Fred Watkins on their auto trip to Los Angeles. The trip was made in six days, he said, and the only difficulty experienced was a punctured tire. Enroute to Los Angeles the party stopped at Turlock, California, and visited Mr. and Mrs. W. A. Harris and Mr. and Mrs. E. C. Laws for a short time. Frank says Los Angeles seems prosperous and a good place to live in but he prefers St. Helena and possibly that is the reason he returned to St. Helena.

OREGON PIONEER DIES SUDDENLY

John Hunt, Stricken with Apoplexy Succumbs—Was the Father of County Clerk J. W. Hunt, of St. Helena.

John Hunt, resident of Westport for the past thirty-eight years, died Monday night. Apoplexy was the cause of his death. He left home in the forenoon and drove his car to Marshland, a distance of about six miles. He was in Marshland for several hours and started to return home. Several hundred yards from the Marshland store his car was found on the east side of the highway. It is the supposition that deceased felt the stroke coming on and turned his car off the main highway.

Shortly afterwards the driver of the Astoria-Portland bus noticed the car to the side of the road and the limp form of Mr. Hunt. He and the passengers of the bus went to the relief of the stricken man, who was unconscious. He was taken to Clatskanie and then rushed to a hospital in Astoria. He passed away at 10 o'clock that night without having regained consciousness.

Deceased was 67 years of age and is survived by his widow, Janie E. Hunt, two daughters, Nora E. Hunt of Westport, and Lila A. Hunt, of St. Helena, and three sons, James W. Hunt of St. Helena, Earl E. Hunt of Kerry and John M. Hunt of Westport.

Funeral services were held at Westport Wednesday afternoon and interment was in the Westport cemetery, a large concourse of friends gathering to pay their last respects to the pioneer citizen.

SEVERAL DISTRICTS VOTE SPECIAL TAX

Road District Meeting Held Throughout the County—Some Vote Special Tax; Others do Not—All Reports not yet Received.

Road meetings were held in practically all of the sixteen road districts in the county on Saturday, November 26, with the exception of Road District No. 4 (Deer Island) and in that district the meeting was held on Monday, the 28th. Up to Thursday night, County Clerk J. W. Hunt had received reports from only five districts.

Road District No. 12, St. Helena, held their meeting at the city hall in St. Helena. Frank George was chairman and Dr. Edwin Ross secretary. About forty freeholders were present. W. B. Dillard moved that no special tax be levied. The motion was seconded and carried by a unanimous vote. A motion to adjourn followed and carried. The meeting was in session almost nine minutes.

Road District No. 3 held their meeting at Yankton. There was a large attendance, it was stated. It was voted to levy no special tax this year. For the past several years this district has voted a special tax of 10 mills and apparently the property owners in that district thought it time to take a breathing spell.

Road District No. 4, Deer Island, voted that no special tax be levied. The secretary's report states that 23 voted "no" and 5 voted "yes." The meeting was an interesting one, so it is reported.

Road District No. 5, which is known as the Goble district, voted a seven-mill tax which amounts to approximately \$11,200. The amount was apportioned on the several roads in that district. A considerable portion of this district has been logged off and there are many settlers who realize the necessity of good roads and they have voted special taxes for several years past.

Road District No. 6, which is known as the Rainier district, held its meeting at the Hudson school house. They voted to levy a special road tax of 8 mills which amounts to \$13,600. A committee was appointed to distribute the funds on seventeen roads in the district. The vote for levying the tax was 69 yes, 17 no.

Road District No. 14, the City of Rainier, voted a special tax of \$1,500 and designated where the money should be spent. A number of representative citizens and property owners of Rainier attended the meeting. It was stated.

When all the reports of the meetings have been received by the county clerk, The Mist will publish a detailed statement of the proceedings, the amount of money expected to be raised by the special tax and where it will be expended.

There has been some discussion as to whether or no a road district meeting could legally fix a tax for the district since the legislature passed a law which, apparently is not understood by the voters and probably not understood by a majority of the legislators who passed it. In the Oregonian of today appeared the following article which should set at rest any agitation or misunderstanding because Judge Bingham's ruling is very explicit:

"To say that by a legislative fiat you can make a municipal corporation out of a road district is now constituted is the equivalent of saying that you can make a silk purse out of a sow's ear."

This was the statement made by (Continued on page 10)

ENGINEER FRANCIS SERIOUSLY INJURED

Dock & Terminal Company Engineer Tangles with Tree Hanging Across Track—Engine Cab Partly Demolished—Steam Pipe Broken.

Charles Francis, locomotive engineer for the St. Helens Dock & Terminal company was seriously injured this morning when a fallen tree which was projecting over the railroad track tore off a part of the cab of the engine he was driving. Kit Conyers, superintendent of the St. Helens Dock & Terminal company was riding in the cab with Francis. Both Conyers and Francis noticed the tree which had fallen close to the track. Conyers was on the "fireman's" side of the engine. He saw the tree and called to Francis that it would be "better to slow down because we can't clear." The engineer slowed down, put on the brakes and shut off the steam but in some unaccountable way the throttle opened and the engine went ahead.

The fallen tree struck the cab and tore loose a steam pipe and the cab was filled with steam. Conyers jumped and thought Francis had jumped. When he saw the locomotive gaining headway he jumped in, closed the throttle which had been opened by the protruding log and brought the train to a standstill. It was evident that Francis had jumped for he was found alongside the track. He suffered a severe scalp wound and was slightly burned by the escaping steam. Dr. L. G. Ross was called and administered first aid and the injured man was sent to a Portland hospital.

Slight damage was done to the locomotive according to the report of Superintendent Conyers.

DIDN'T DIM LIGHTS; PAYS A \$5.00 FINE

It cost Robert Brown \$5.00 because he didn't dim the lights on his automobile. Unfortunately for Mr. Brown, Speed Cop Hofmiller was going in the opposite direction and on the highway between St. Helens and Houlton when he noticed that Mr. Brown had his big lights aglare. Mr. Brown told Judge Godfrey that he tried to dim the lights but on account of his having on heavy gloves the light switch didn't work or the gloved fingers did not find it. The judge told him how serious an offense it was to fail to dim the headlights when meeting an approaching car and imposed a fine of \$5, which Mr. Brown dug up and promised that in the future the gloved hand would not interfere with the switch light board.

DIPHTHERIA HERE CAUTION URGED

Dr. L. G. Ross, city and county health officer and Mayor Edison I. Ballagh held a conference this morning relative to such precautionary measures which should be taken on account of the prevalence of diphtheria in St. Helena. It was decided to enforce a strict quarantine and to endeavor to stamp out the dread disease which, as yet, has gained little foothold. Dr. Ross stated that there were several "suspicious" cases but with proper precautionary methods there was no fear of the dread disease spreading. The mayor and Dr. Ross urge the citizens to promptly report any cases of sore throat or a case where the indications point toward the disease mentioned.

During the past ten days there has been two deaths, presumably caused by diphtheria. In two cases submitted to the State Health Officer, diphtheria was his diagnosis. It will pay to be careful Dr. Ross said.

LUMBER SHIPMENTS HEAVY THIS WEEK

Lumber Conditions Improving is Indicated by Volume of Business—Several Offshore Cargoes and Rail Shipments Add to Volume.

During the month of November a large volume of lumber orders have kept the local mills running to capacity and the shipment of this lumber has made St. Helena harbor a scene of steady activity.

During the month five offshore vessels loaded a total of 2,737,147 feet at St. Helena. A large percentage of this material was consigned to Japan and consisted mostly of Japanese lumber. Most of this lumber being carried by McCormick Steamship Line vessels.

Orders for delivery by rail showed a slight falling off for November. 54 cars were shipped for a total of 586,672 feet, as compared with 724,298 feet shipped during October. The total water shipments for November were 9,630,603 feet and show a marked increase over that of October when the water shipments totaled 5,745,371 feet. These figures show a noticeable improvement in the volume movement of lumber over the month of October from St. Helena. Taking into consideration the fact that at this time the lumber business is always more or less affected by a period of seasonal inactivity the volume of business done is very encouraging and indicates a steady revival of the industry in general.

It is the opinion of local officials of the McCormick company that the advent of 1922 will show a continued increasing demand by the trade and that this added activity of the market will be reflected in a slight general price increase for lumber products.

Shipments for this week were the steamer Siskiyou with 335,000 feet for San Pedro; the steamer Tamalpais with 300,000 feet for San Francisco; the Ohio Maru with 765,000 feet of Jap squares for the Orient, and the Celtic, scheduled to sail Saturday night with 865,000 feet of lumber for San Pedro. The Erie Maru and the Taiaki Maru are scheduled to arrive during the coming week to take on 1,100,000 feet of squares for delivery at Kobe or other ports in the Orient.

EMBRYO MOONSHINER PAYS FINE OF \$100

Hjalmer Nystrom, who lives near Birkenfeld, plead guilty to a violation of the prohibition laws and was assessed a fine of \$100 in Judge Hazen's court Thursday. When Sheriff Wellington and two of his deputies arrived at a quantity of mash, about two barrels of it, and it was found in a two barrels which before being used for such a purpose, had been used by a well known oil company for grease. After the mash had been poured out there remained in the barrels some of the grease. It is possible that the grease was another ingredient of the "moonshine" mash but was the first time, so Mr. Wellington stated that he had discovered such an ingredient. A thorough search of the premises was made but the still could not be located and it is the supposition of the officers that the still had not been put in use but so that no time would be lost when it was set up the mash had been prepared in advance of its arrival. Attorney Walden Dillard represented the defendant.

SEVERE STORM HITS ST. HELENS

Wind Attains Much Velocity and Torrents of Rain Falls—Some Damage Done in St. Helens and Forest Damage is Large.

A wind and rain storm of unusual severity was experienced in this section Thursday afternoon. The storm broke upon the city at about 2:30 o'clock and continued for two hours. The velocity of the wind was estimated at 40 to 45 miles per hour and was accompanied by a heavy downpour of rain. No accurate measure of the precipitation is obtainable but it is certain that Old Jupo Papyrus turned the bucket up and spilled the entire contents. The streets were flooded and the level part of this section inundated.

So far as can be ascertained comparatively little damage was done. Several trees which could not stand the onslaught of the wind were uprooted and fell across the electric light wires near West St. Helena and that portion of the city was in darkness until linemen repaired the damage. In several places in the city the wind leveled fences and damaged small buildings and in Columbia Park addition trees yielded to the wind and fell across the electric light and telephone wires. Telephone service to some parts of the city was demoralized for several hours. Early this morning linemen began making necessary repairs and by tonight or Saturday morning it is expected that both electric light and telephone service will be restored to normal conditions.

That the wind played fanciful pranks in some localities is indicated by reports reaching The Mist office. Down at the Russell ranch near Deer Island the roof of a chicken house was lifted and carried a distance of about 100 feet. The roof covered a large chicken house. The building was not damaged and the fowls in it suffered no inconvenience. It was stated by having the top portion of their house carried away.

L. D. Werdon who lives in the Spitzenburg section was in St. Helena this morning and reported that the wind storm was something like a hurricane. Many trees were uprooted or broken off, he said, and fell across the Warren-Spitzenburg road. It was impossible to drive to St. Helena in his car, he stated, so he made the trip on horseback and many detours were necessary in order to get around the fallen trees.

Mayor Ballagh with several other hunters were on the "plains" on Sauvie Island when the storm broke. They heard a rumbling and began to feel the force of the wind. "It seemed like one of those Kansas cyclones," he said, "so we threw ourselves on the ground and held on until the force of the storm had passed." He stated that it was impossible to stand up, for the gale, accompanied by the heavy rain, came with such force that no one could withstand it.

Charles Lope, superintendent of the St. Helena water works was out in the Milton Creek section when the storm began. He and several of his helpers hurried to a nearby clearing and from there they saw trees falling and heard the crash and the wind hurled them to the ground. He and his men were fortunate he said that the clearing was so close by when the storm broke for if they had not reached this place of safety it is probable that the flying branches of the trees torn loose by the wind would have struck some of them and inflicted serious injuries.

A section about 20x30 of the roof of the mill was blown away and it is reported that a section of the roof of the Columbia County Lumber Company's mill was also carried away and that minor damage was done to some of the buildings in that section.

Along the waterfront in St. Helena the storm did slight damage but furnished considerable excitement especially among those who occupy houseboats. Several of these were torn loose from their moorings and after having been driven up stream by the gale were carried down stream by the current. It is reported that two of the houseboats were picked up below the old St. Helena quarry and towed to a mooring place near Columbia City.

Incomplete and unconfirmed reports from several places in the county state that the damage to standing timber has been considerable, for it seems that the storm covered a wide sweep of territory. No casualties have been reported.

A report from Astoria stated that 2,000 feet of the S. P. & S. railroad between Burnside and Fern Hill had been washed out by the high tide which was somewhat augmented by the strong wind. Passenger service, though somewhat interrupted, is being carried on but a transfer is made necessary on account of the condition of the track. Agent Gilby informed The Mist that the track had been repaired and the trains were running through this afternoon.

Judge Martin White stated that he had not received any reports as to damage to the highways in the county with the exception of a report that numerous trees had fallen across the paved highway between Clatskanie and Astoria. It was stated that a force of men were at work clearing away the debris and that the road was open.