

# THE HILLSBORO ARGUS.

## INJUNCTION SUIT AGAINST PAVEMENT

Filed in Circuit Court by Rose Cave, Friday Evening

ALLEGES COUNCIL PROCEEDINGS VOID Ask That Court Restrain City and Company From Further Work

Attorneys Bagley & Hare late Friday evening filed an injunction suit against the City of Hillsboro and the Warren Construction Company, asking the circuit court to restrain both from proceeding with the paving of Washington Street, in front of the Cave property, between Third and Fourth Streets, on the grounds that gravel bitulithic is a patented pavement, and that the Warrens and other paving concerns conspired to and did prevent bidding on the work.

The complaint alleges that in 1911 about \$45,000 worth of paving was laid in Hillsboro without competition; that gravel bitulithic is a patented pave, with a charge for royalty that is prohibitive to prospective competitors; that the Warren Bros., Warren Construction Co., Clark-Henry Co., and Elwood Wiles, all paving concerns, conspired together to maintain the price of paving, with bitulithic in the state of Oregon, and that they agreed together that the Warren Construction should bid \$1.60 for the East Washington Street project, and that such bid was a general plan to create a monopoly. The instrument also alleges that the city council knew that bitulithic was a patented pavement, and that therefore, being in the nature of a monopoly, all council proceedings are void.

The court is therefore asked to declare null and void ordinance No. 380 of the City of Hillsboro, and that all contracts be declared void, and that city and company be restrained from proceeding with the improvements. Inasmuch as the Forest Grove case was not further contested by the court it appeared that all litigation was dropped, but the new filing shows that there is still a battle ground in the imminent future. East Washington Street is now partially graded, and the curb has already been laid.

### Notice to the Public

Notice is hereby given that the Oregon Nursery Company, doing business at Orenco, Washington County Oregon, on Friday, August 2, 1912, amended Article Seven (7) of its Articles of Incorporation, and the same has been filed with the Secretary of State, at Salem, Oregon, and a copy of said amendment has also been filed with the County Clerk of Washington County, at Hillsboro, Oregon, said amendment increasing the number of directors of said Oregon Nursery Company, to: M. McDonald, President, John A. McGee, Secretary, Oregon Nursery Company, Orenco, Ore. Dated this 8th day of August, 1912.

REV. MERRITT C. DAVIS

Rev. Merritt C. Davis, aged 45 years, died at his home in Boulder Creek, Cal., Thursday evening, August 8, 1912, from an attack of heart failure. Rev. Davis was born in Portland, June 25, 1867, the son of Perry Davis, his mother, Mrs. Davis-Patton, died at San Diego, June 30. Mr. Davis left here several months ago and went to California. He accepted a pastorate in the M. E. church at Boulder Creek, and moved his family there. He was universally beloved, and was a man of rare scholarship, and a fine speaker and expounder. Twenty-five years ago the Davis family moved to Washington County. Rev. Davis was married about fifteen years ago, his wife's maiden name being Ethel Newman. The widow and six small children surviving. Interment was at Boulder Creek, and Mrs. Davis and the children will move to Hillsboro in a short time and reside on their home in East Hillsboro. Of his immediate family he leaves two brothers well known here, Wendell Davis, recently returned from California, and who left the dead brother a week ago Monday, three days prior death; and Virgil Davis, of Shady Brook.

G. H. Carter and wife, of South Hillsboro, departed the first of the week, accompanied by their children. They first go to Knoxville and vicinity, Tennessee, and after a short stay there, the guests of relatives, they will go to Plant City, Florida, where they will remain through one crop season. Mr. Carter still holds his Hillsboro property, and says he will come back to this city in case he does not find something better. They went East over the Oregon Electric and the Hill lines.

I saw cordwood, poles up to 12 inches in diameter, fence rails, and boards of all kinds, into stove-wood lengths. Will go into the country. Write, phone or call on me. Carl Skow, Oak St., between First and Second, Hillsboro, Oregon. Phone, City 515.

Mr. and Mrs. Wendell Davis and Mr. Patton, who have been residing at San Diego for some time, arrived in the city Friday morning, direct from Boulder, Cal., where they visited with Rev. Merritt C. Davis, the well known Methodist minister. They had barely arrived in the city when they received a telegram announcing the death of the California brother.

The Shute Savings Bank pays its depositors over \$10,000 yearly for interest on Savings Deposits. If you do not participate in this start an account, \$1.00 is all that is required. Its what you save, not what you earn that makes you rich.

W. G. Walker, of Roy, was in town Friday. He will soon move into Banks and make that place his home for a time. He still owns his farm, and aside from a short time at Forest Grove, at school, has lived 46 years, continuously, on the farm. He has a notice of sale in another column.

Notice to Hop Pickers—Regular pickers who pick at the Bagley hop yard are requested to register at once, so list can be taken care of early. Wm. Bagley Sr.

William Livesley, just returned from a trip to New York, was here the last of the week, a guest of his father, Samuel Livesley, of Oak Park. The visitor is a brother of Thos. Livesley, the hop buyer well known to Washington County growers.

General blacksmithing, horse-shoeing and woodwork. All work guaranteed. At Grove-land, on the United. O. Wilson. 19-32

A dance will be given at Helvetia Hall, August 17, by some of the charter members of the Bachelor Girls' Club, viz: Elsie Berger, Bertha Schmidt, Elsie and Anna Grossen, Lesa Moor and Beatrice Tunstall.

Smokers want the best—therefore call for a Schiller or a Grand Marea, when you want to see the blue wreath curl.

President I. M. Walker, of the Behrke-Walker Business College, Portland, was in the city Saturday, and called on the Argus. Many Washington County pupils attend his college every year.

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Herbert Jordan, of North Hillsboro, departed the last of the week for Chicago, over the Electric and Hill lines. His destination is South Bend, Indiana, where he will visit with relatives, returning this fall.

C. F. Brown, farming on the Hay-Hoyt place, below Newton, was an Argus caller, Friday afternoon. C. F. had his grain all in shock in time to catch the rain of the middle of last week.

Sam J. Raffety, above Mountaintale, was a county seat visitor Friday. Sam says that venison is one of the delicacies of the bill of fare up his way these days.

Fred Pritzlaff, of Gales Creek, was in town Friday. Fritz says that ranching beats life in Portland working for a machinery house, anyway.

The rains the last of the week stopped threshing and baling. The oldest settler still observes: "Never saw weather like this early in August."

D. Tschabold, of Helvetia, was a county seat visitor Friday afternoon.

J. C. Beach, of North Plains, was in town Friday.

John Loftis, of beyond North Plains, was a city visitor Friday.

Anton Pautmeier and wife, of near Farmington, were in town Friday.

## ANNEX CONTRACT TO BE FINISHED SOON

Contractor Foster Says all will be Completed in October

FACE BRICK NOW BEING LAID

Absolutely the Best Structure in Washington County

Contractor William Foster stated Monday morning that he expects to have the court house annex building completed some time during September, and at the latest by October 1. He is now having the face brick and terra cotta laid, and the exterior walls will present a beautiful external.

Workmen are now busy with the plastering, and the big heating plant is installed and being connected.

This is one of the best structures in the county, being absolutely fire-proof. Delay in getting material shipped in has been very annoying; and only for this the structure would now be ready for occupancy.

The room is badly needed by the court house officials, and there will be a general moving about when all is completed. Mr. Foster says the specifications for wiring and heating are of the best, and that part of the county capital will be better equipped than any other court house in the state.

### Oregon Agricultural College

This great institution opens its doors for the Fall semester on September 20th. Courses of instruction include: General Agriculture, Agronomy, Animal Husbandry, Bacteriology, Botany and Plant Pathology, Poultry Husbandry, Dairy Husbandry, Horticulture, Entomology, Civil Engineering, Veterinary Science, Electrical Engineering, Mechanical Engineering, Mining Engineering, Highway Engineering, Domestic Art, Commerce, Forestry, Pharmacy, Mathematics, Chemistry, Zoology, Physics, English Language and Literature, Public Speaking, Modern Languages, History, Industrial Pedagogy, Art, Architecture, Physical Education, Military Science and Tactics, and Music. Catalogue and illustrated literature mailed free on application. Address, Registrar, Oregon Agricultural College, Corvallis, Ore. School Year Opens September 20.

### ELECTRIC SCHEDULE

The Oregon Electric is experimenting with a new train schedule, and a new train has been placed on the Portland-Forest Grove run. The time at present is, from Hillsboro:

To Portland	From Portland
6:35 a. m.	7:50 a. m.
7:20 a. m.	8:35 a. m.
8:45 a. m.	10:00 a. m.
10:30 a. m.	11:45 a. m.
1:15 p. m.	2:30 p. m.
4:00 p. m.	5:15 p. m.
6:25 p. m.	7:40 p. m.
8:20 p. m.	9:35 p. m.
10:05 p. m.	11:20 p. m.

### AUCTION SALE

I will offer for sale at my farm, 2 1/2 miles southeast of Banks and three-fourths mile northeast of Roy, on

SATURDAY, AUGUST 31

Sale beginning at 10 a. m. sharp, the following described property: One mare, 6 yrs. old, wt. 1275 lbs., sound and true, gelding, 4 yrs. old, wt. 1500 lbs., sound and true, brood mare, 16 yrs. old, wt. 1400 lbs., Belgian B.V., 1 yr. old, one three-months-old Belgian mare colt, full sisters; 7 graded Jersey cows, 6 will freshen in September and October, one in March; graded Jersey heifer calf 8 months old; 2 brood sows; Deering binder, Osborn mower, McCormick hayrake; disc plow, Oliver sulky plow, Oliver walking plow, both 14 inch, double shovel garden plow, rolling disc harrow, spring tooth harrow, grain drill, three-section spike-tooth harrow, lead roller, 3 1/2 inch Hickory wagon, steel truck wagon, surrey, rubber tired top buggy, open buggy, Chatham fanning mill; 2 horse power International gasoline engine, No. 9 grain chopper, 2 log chains, 2 sets double work harness, scythes, forks, hoes, etc., chickens, carpets and other household furniture.

FREE LUNCH AT NOON. Terms of Sale:—All sums under \$10, cash. Sums over \$10, 8 months time at 8 per cent. interest on approved notes. 2 per cent. off for cash on sums over \$10.

W. G. Walker, Owner. J. W. Hughes, Jos. A. Moore, Auctioneer. Clerk.

S. A. D. Meek, of North Plains, was in town Saturday.

O. S. Bruster, of South Tualatin, was in the city Saturday.

Will Lichty, of below Elmtonia, was in town the last of the week.

J. B. Campbell, of above North Plains, in town Monday.

Richard Sandford, of North Plains, was a Hillsboro visitor the last of the week.

Chris. Johnson, of the Maple Hill district, was down to the city Monday morning.

Geo. S. Robinson, of the South Tualatin section, was a city caller the last of the week.

C. C. Nelson, of the Bacona section, was a city visitor Saturday.

Gilgian Hager, of above Mountaintale, was a city caller last Friday.

F. E. and Bert Rowell, of Scholls, were transacting business in town the first of the week.

Chas. Russel, of Gaston, on the job as game warden, was down to the city last Thursday.

Lou Myers, of Chehalem Mountain, transacted business in the city Saturday afternoon.

Frank Weisenbach and wife, of Witch Hazel, were city callers, Saturday.

W. L. Batchelder, of near North Plains, was in town the last of the week.

C. H. Malcolm, of near West Union, was a city visitor Monday afternoon.

W. J. Ingram, the Farmington hop grower, was in town Monday. His yard has a fine growth this season.

Arthur Knox, of Scoggin Valley, where they have rock roads worth while, was down to the city Friday afternoon.

Peter Hoffman, of Bacona, was in the city Saturday, enroute home from a business trip to Portland.

Ben Brown, of Laurel, was over town last week. Ben still takes an interest in the national game, but says he now gets out of the way for the youngsters.

Ole Olson, of Garden Home, was a county seat visitor Saturday. It will not be long until Mr. Olson will have an electric line service from his home on the S. P.

The Oregon Electric has a crew surveying in the Beaverton-Oregon country, hoping to get a better grade, both for the main line, and the Hillsboro-Forest Grove branch, out of Portland.

F. F. Knight, of Forest Grove, who likes Oregon a little better every year, was down to the city Saturday. Mr. Knight still owns some property in the Dakotas, but he finds Oregon better to his liking.

H. H. Herdman, principal of the Washington High School, Portland, was in town Monday enroute home from the coast. Mr. Herdman has written some very good articles along magazine lines.

Lightning has played many pranks in the timber section, this season, and many trees have been shattered. Old mountaineers say that more trees have been struck this season than the sum total of the past 25 years.

Senator Jonathan Bourne Jr. has for distribution a number of copies of bulletins issued by the Bureau of Mines and of particular interest to managers of power plants, coal mines, metal mines, or quarries, and he will be glad upon application to send a copy to any person interested therein.

G. E. Jacobs, who left Hillsboro for Santa Cruz, Cal., last year, writes that he is now engaged in plastering at Dos Palos. He says that California is a fine state, but in all his travels he has never seen anything that beats the old Willamette Valley, for fine crops, vegetables, and weather that is superb.

Carl Berggren, of above North Plains, was in town Monday. He started for town early on a bicycle, intending to see a dentist, and before he arrived he found it necessary to see a physician. He fell off a bicycle, and badly sprained a shoulder. Dr. Wood attended the injury, and Berggren will think a "couple of times" before he tackles another bicycle.

Homer Emmott and son, Ray, departed Monday for the Siletz and Salmon river, making the trip overland. They will camp in the Salmon country, and expect to be absent several weeks. Before returning they will drive clear into the Newport country. Homer will buy some of the fat cattle in the Salmon River and Siletz valleys.

## TUALATIN FENCE ROW SETTLED BY \$75 FINE

Two South Forest Grove men Plead Guilty to Violation of Law

GET FROM TWO TO FIVE YEARS

Judge Paroles Them During Good Behavior and Reports to Court

The celebrated Tualatin fence trouble, which has kept the little city in a whirlwind of excitement for a year or so, has at last been allowed time enough to run its course. Judge McBride heard the case of the State of Oregon versus Janey McE. Galbreath, Wednesday and Thursday of last week, and the jury brought in a verdict of guilt as charged.

The court imposed a fine of \$75 which was paid. This is the second fine over practically the same case, the defendant having paid a \$100 fine for shooting in the close proximity of workmen who were tearing down the fence put up by Mrs. Galbreath. The jury finding the verdict of guilty: Fred B. Clerk, Chas. Liebermann, J. F. Brandt, Gus Grabhorn, B. K. Denny, J. C. Corey, Henry Cop, Dan Baker, Pem Patton, M. C. Lincoln, T. H. Carter, C. Rehse.

J. Sonnen and H. Krueger were fined \$25 each on pleas of guilty.

Gus Angeles and Chas. Poel, of South Forest Grove, each paid a fine of \$60 and costs for selling liquor in a dry precinct. Both of these men also pleaded guilty to a charge of perjury, and for this Judge Campbell sentenced them from two to five years in the penitentiary. They were paroled, however, during good behavior, but future violation of the law will mean serving of the sentences imposed. Each must also report to the court every month for a year. Any improper conduct will mean a withdrawal of the parole extended, and it is safe to say that Messrs. Poel and Angeles will walk the straight and narrow path.

### AUCTION SALE

The undersigned will sell at her residence 2 miles N. W. of Hillsboro, on the Hillsboro-North Plains road, a mile north of the Kineman brickyard, at 1 p. m., on

SATURDAY, AUGUST 24

6 tons hay, in mow, 1/2 acres of growing kale; 1 acre potatoes; 2 sets harness; springtooth harrow, top buggy, plow, spray pump, 5 doz. chicken, fork, shovels, 2 milk cans, X-cut saw, buck-saw, log chain, lantern, several cords fir wood, sacks, 15 thoroughbred Rhode Island chickens, wheelbarrow, and numerous other articles.

Terms of sale: Under \$10, cash; over, 6 months bankable note at 8 per cent.

Mrs. M. E. Risner.

### FAMILY REUNION

Rev. William S. Gordon and wife and daughters, Evelyn and Helen, of Woodburn, Ore., stopped over in Washington county, last week on their way home from a trip to the Yellowstone National Park, and visited with Rev. Gordon's parents, Mr. and Mrs. H. F. Gordon, of Forest Grove, and attended a family reunion at the home of Mr. and Mrs. J. W. Gates, at which were present: Mr. and Mrs. H. F. Gordon, of Forest Grove, Mr. and Mrs. Frank Gordon, Forest Grove; Rev. Gordon, wife and children; Mrs. Coffeen, and Frederick and Ruth Coffeen, Yamhill; Mr. and Mrs. J. A. Leiter and children, Wilma, Virginia, and Joseph, Cornelius; Mr. and Mrs. J. W. Sewell, Hillsboro; host and hostess and their children, Roland, Gordon and Johnnie Gates.

Mrs. A. E. Benz and daughter, Miss Rose, of Sylvan, were in town Monday. They remembered the Argus with a fine box of plums, showing what a Sylvan orchard can do.

J. Frank Stroud, who is selling a great deal of Beaverton real estate to home seekers, was up to the city Monday, greeting friends.

Geo. K. Rogers states that the Keepfresh Co. is putting in another machine at the Hillsboro plant, in order to handle the products contiguous to the city.



**BRUSHES**

There Are Two Kinds of Brushes—One kind from which the hair falls out just as soon as it gets any hard usage, and the other kind which is built to maintain the reputation of this store.

We sell the last mentioned kind only—because we want you as a regular customer. You can absolutely rely on our brushes.

Here are some of our specialties:

- Hair brushes
- Cloth brushes
- Tooth brushes
- Lather brushes
- Flesh brushes
- Complexion brushes

**The Delta Drug Store**  
REXALL STORE

**Are You Thinking**

Of opening a **Bank Account**—the one sure road to best business? If you are, do not overlook the modern accommodations at the

**American National BANK**

Private desks for writing your business letter; for drawing your checks—and a big free telephone list in a private booth. Privacy for your safety deposit boxes. We can make you feel at home for we have all the modern conveniences.

Your patronage courteously received.

A. C. SHUTE, Pres. C. JACK, JR., Cashier

**American National Bank**  
Main and Third, Hillsboro.

**Resources Largest of any Bank in Washington County**

J. A. THORNBURGH President J. E. BAILEY Vice-President W. W. McELDOWNEY Cashier H. E. Ferrin, Ass't Cashier

**Forest Grove NATIONAL BANK**  
FOREST GROVE, ORE.

Statement of Condition on Thursday, April 18, 1912.

**Capital and Surplus \$500,000**

Loans	\$280,570.12	Capital	\$25,000.00
U. S. Bonds (at par)	25,000.00	Surplus	27,000.00
Other Bonds	57,160.00	Undivided Profits	1,317.33
Banking House	18,500.00	Circulation	25,000.00
Cash and due from Banks and U. S.		Deposits	450,995.23
Treasurer	148,082.44		
	\$529,312.56		\$529,312.56

**Reserve 84 Per Cent.**

**DIRECTORS**  
Thos. G. Todd John E. Bailey J. W. Fuqua  
Wilber W. McEldowney J. A. Thornburg

**If A Man Choose To Carry An Inaccurate Timepiece, THAT'S HIS BUSINESS.**

If he prefers to have it repaired and made accurate

**That's My Business**

And I know my business thoroughly. An inaccurate timepiece may cause one a world of inconvenience. It may cause the loss of many dollars or even the loss of life. That's why many great corporations require their employees to carry perfect watches. If yours is not satisfactory, let me make it so.

**LAUREL M. HOYT** JEWELER AND OPTICIAN  
First door west of the Delta.