

BERRY CASES BEING TRIED

Old Phez-Salem Fruit Union Cases Have Right of Way in Circuit Court

The Phez-Salem Fruit union cases are holding the right of way in the circuit court this week. On Monday the plaintiffs presented their case with several witnesses and rested, while the defense started in on the presentation of testimony. Two witnesses for the defense were heard Monday.

It is anticipated that the case will last several days. It might not be finished this week, though it is generally believed that it will be of not longer than a week's duration.

Debutant Witnesses Coming

The plaintiffs will have their witnesses for rebuttal by Wednesday morning. Yesterday they wired for Frank Schmidt, one of the old Phez company officers, who is now in San Francisco, to come at once, to be ready with his rebuttal testimony.

The case represents many interesting legal phases. The first suit brought by the Phez company against the Salem Fruit union and its individual stockholders, for alleged breach of contract and for failure to deliver loganberries under their contract, was won by the plaintiffs as to the Salem Fruit union. The lower court, however, sustained a demurrer as to the sufficiency of the evidence to bind the individual stockholders, while allowing the case to be tried against the Salem Fruit union.

Original Case Appealed

This case went on to a verdict for the Phez company against the fruit union. The case was appealed to the supreme court and the judgment was affirmed, making it valid against the union property. The total assets of the union, however, are understood to be far less than the amount of the claim—something like \$75,000, whereas the full claim was for four times that sum. The plaintiffs, therefore, not seeing any possibility of collecting their judgment, appealed to the supreme court for a ruling on the validity of the demurrer that had exonerated the individual stockholders of the union from responsibility. The supreme court reversed the decision of the lower court and called for a retrial with the individual stockholders as defendants. This is the matter that is now being tried.

New Trial Vital

It is understood that the judgment stands and is final as to the fruit union, with all its holdings to be credited on the amount of the judgment. This new trial of the stockholders will determine whether the Phez company can make up the rest of its claim from the loganberry growers whom they claim benefited by the violation of the old sales contracts. The case has two courts to run through, the circuit and the supreme court. The supreme court decision does not say or intimate that the individual stockholders are "guilty," but merely that they should fight it out in court and determine the case on the evidence.

Congressman Hawley Will Be Club Speaker Tonight

The Salem Six O'clock club will hold its first supper for this season in the Sunday school room of the First Methodist Episcopal church this evening between 6 and 8 o'clock, with Congressman W. C. Hawley scheduled to give the principal address.

The membership of the club is non-sectarian and is so elastic as to include all men of Salem and vicinity interested in good fellowship. All men are invited whether previously members of the club or not.

C. P. Bishop will introduce the speaker of the evening and it is understood that Representative Hawley will discuss the public service. He has been a member of the national house of Representatives since March 4, 1907.

and on November 7 was elected to serve his ninth term in that body, where he is now serving on the major committee on ways and means.

This will be the last public appearance of Mr. Hawley in the state for some months as he plans to leave Portland early Wednesday morning for Washington, D. C., to attend the special session of congress called for November 20, 1922.

Berlin Students Without Lodgings at University

BERLIN, Nov. 5.—Hundreds of students attending the University of Berlin are without lodgings, according to the rector of the institution, who has issued an appeal to citizens of Berlin to take in the homeless young men who have gathered here to attend the fall term.

The enrollment at universities in Germany this year has reached a total of 90,000, the highest since shortly after the armistice. Forty thousand students last summer engaged in manual labor to meet their living expenses, 15,000 of them finding employment as miners.

EXHAUSTED FROM GRIPPE COUGH

La grippe coughs rack and tear the sufferer to a state of exhaustion. "Would get completely exhausted from violent grippe coughs," writes R. G. Collins, Barnegat, N. J. "Tried Foley's Honey and Tar and the cough ceased entirely." Used by three generations for coughs, colds and croup, throat, chest and bronchial irritation. Foley's Honey and Tar has stood the test of time. Contains no opiates—ingredients printed on the wrapper. Largest selling cough medicine in the world. Sold everywhere.—Adv.

Evidence on Phone Case Heard by Federal Judges

PORTLAND, Nov. 13.—Three federal judges began to hear evidence on the contention of the Pacific Telephone and Telegraph company that the recent emergency reduction in rates ordered by the Public Service Commission is unconstitutional.

The company seeks to prevent the reduction on grounds that it is a confiscation of property. Judges Gilbert, Wolverson and Bean listened to affidavits from several company officials stating that increase in costs had more than equalled the growth of rates.

NATIONAL GUARD NOT TO BE CUT

General White Receives Letter from Weeks Explaining Federal Policy

Denial of reports that there is any intention on the part of the war department to reduce present national guard allotments to the states, or any plan to upset present regulations affecting the national guard as the mainstay of the first line for national land defense is made in a letter from Secretary of War Weeks to Brigadier-General George A. White, head of the Oregon national guard.

Widespread reports that sweeping changes were under consideration affecting the national guard of the United States were under consideration affecting the national guard of the United States were caused by the action of the war secretary in calling for a board of officers to sit in Washington this month for the purpose of revising allotments, the letter states. The real mission of this board, with which General White is invited to sit, is merely to rearrange allotments, if necessary, where states are not able to meet their obligations under the national defense act.

"An impression seems to prevail in some quarters," the letter says, "that the contemplated study of national guard strength together with related questions of allotment of units to the national guard component of the army of the United States implies an intention on the part of the war department to make general changes of a disconcerting nature in the structure of the present national guard organizations which have been allotted to and built up by the states. This is not the case and in order to allay any uneasiness in this connection, it is desirable that you be so informed."

That the revision of future allotments of companies will benefit Oregon, was the opinion expressed by General White. "Oregon has raised its entire quota of national guard troops to date," he said, "and is able to establish as many additional units as may be assigned by reason of the failure of other western states to maintain units at the required state of efficiency. We have been

allotted some additional infantry by reason of such failure of other western states and complete an entire additional regiment if authorized, as well as additional coast art field artillery. Our present force is distributed in 20 Oregon cities and twelve counties. During the past two years these citizen soldiers have brought over \$425,000 in federal military funds into the state. So, in addition to being a good builder of sound citizenship, the national guard is a payroll industry in one sense. If some other states fail to keep pace with the requirements of the national defense act, then Oregon ought to take up their shortcomings and profit thereby. We are already assured of the allotments of three additional units."

SCOTTS MILLS

SCOTTS MILLS, Ore., Nov. 11.—Mr. and Mrs. S. M. Bennett were in Portland Tuesday on business.

Mr. and Mrs. H. E. Masee were Salem visitors Monday. Harry Shields left for Portland Tuesday where he expects to spend the winter.

J. Amundson and Mr. and Mrs. Albert Rich went to Eugene Friday where they expect to spend the week-end with their daughter who is attending school there.

Allan Bellinger and Franklin Shepherd were in Portland Wednesday attending the stock show. Frank Arnold who was operated on at a Portland hospital a few days ago is reported as getting along well.

T. J. Moloy has gone to Portland where he expects to work this winter.

Mr. and Mrs. John Waibel and daughter Marion and Ray Telfer made a trip to Siletz Wednesday.

E. Pias and sons John and Vernon were in Salem Wednesday on business.

Miss Clara Larson spent the week-end with her parents in Silverton.

J. R. Payne spent the week-end with his family in Salem.

LIVESLEY NEWS

LIVESLEY, Ore., Nov. 11.—The G. T. club met at the home of Mrs. Fred J. Lanson in Salem for the first meeting of the year last Thursday.

A number of Livesley folks attended the convention at Hall's Ferry last Sunday.

Mr. A. G. Hallin moved to her home in Salem last week. Mrs. W. A. Burns and family

spent Friday and Saturday with her sister, Mrs. H. B. Carpenter. Miss Mable Duncan spent Tuesday night in Salem with friends.

Mrs. H. B. Carpenter spent Sunday and Monday in Portland visiting her friend, Mrs. J. C. Bay. Leonard Zielke has purchased a Fordson tractor.

Several friends gathered and surprised Miss Emma Higgins on her birthday Monday.

Mrs. P. A. Henningsen gave a party for her Sunday school class Saturday afternoon at the social hall of the church.

Mrs. J. W. Thomas is visiting with her sister at Detroit, Ore.

W. E. Barnett has rented the farm belonging to Mrs. Julia Henningsen.

Mrs. Julia Henningsen has moved to her new home which she recently purchased from Gust Heyden.

The beautiful Collie dog belonging to Paul Johnston died from distemper last week.

Rev. Mr. and Mrs. McAbee have moved into the house recently occupied by Mrs. A. G. Hallin.

Gust Heyden has just finished harvesting a large crop of corn. J. P. Blankenship is recovering from a severe attack of grip.

Armor Plated

George Ade, the humorous philosopher, was discussing the modern girl at the Chicago Athletic club.

"She is an athlete, certainly," he said—"a hale, hearty, open-air creature—and yet you can't kiss her without running the risk of painter's colic."

TURNER NEWS

TURNER, Ore., Nov. 11.—William Steel is very sick at his home.

The Turner-Marion road is receiving a coat of fine gravel.

Mrs. B. I. Neal has been in attendance at the Portland stock show.

Mrs. Sam Thomas and daughter are sick with grip.

J. N. Duncan and wife were in Turner Tuesday.

The freshman class gave a party at the high school building Tuesday evening.

Miss Gayette Davis will spend the week-end at the H. R. Barsford home in Salem.

Mr. and Mrs. B. E. Bear of Mill Creek, Ind., are visiting their son, Charles and family. Mrs. Ora Bear returning at the same time from her extended visit in the east.

Mrs. H. L. Earl and Mrs. G. R. Robertson were shopping in Salem on Tuesday.

The W.C.T.U. will meet next Wednesday with Mrs. George Moore.

Mrs. George Morris is entertaining her sister Mrs. Eber Cornelius of Colfax, Wash.

Mrs. Theissen spent Tuesday in Portland.

RICKEY

Mr. and Mrs. Murphy and Mr. and Mrs. Bud Long of Portland were guests of Mr. and Mrs. L. D. Dickman last Sunday.

County School Superintendent

Mrs. Fulkerson visited the school Thursday.

Harvey Lindsay is visiting Mr. and Mrs. W. D. Horner.

Floyd Gray has gone to Cloverdale where he expects to purchase a dairy farm.

Adolph Gesner attended the International Stock Show in Portland.

Mr. and Mrs. A. W. Binegar have disposed of their Crooked Finger property and purchased part of the D. A. Harris farm.

A family dinner and reunion were enjoyed at the D. A. Harris home Sunday. All the children and their families were present.

Those present were Mr. and Mrs. D. A. Harris, Mr. and Mrs. A. W. Binegar, Mr. and Mrs. M. M. Magee and daughters Margaret and Hazel, all of this place; Miss Hazel Harris of Portland, and Mr. and Mrs. A. L. Baker and Frank Harris of Mill City.

These folks as it treats the ills of the body.

Sympathy Also Needed

The Red Cross roll call, now ready to go on for the support of the organization during the year to come, calls for your sympathy backed by your money. It's a golden investment in good deeds, an insurance policy for self respect, a pleasure in good citizenship.

When they call for your Red Cross contribution, be sure to

YOUR DOLLAR WANTED BY THE RED CROSS (Continued from page 1.)

have it ready. Or, better bring it in.

GOLDS GRIP

Fortify the system against Colds, Grip and Influenza by taking

Bromo Quinine

which destroy germs, act as a tonic laxative, and keep the system in condition to throw off attacks of Colds, Grip and Influenza.

Be sure you get

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The genuine bears this signature

E. W. Brown Price 30c.

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These Are Our Regular Everyday Prices See Our Special Money-Saving Prices

We believe our customers are entitled to all advertising allowances given us by the manufacturer. We guarantee our regular prices to be the lowest in the Northwest-quality considered.

REGULAR PRICES		Postum Cereal		Royal Club Peas, 1 can	
Breakfast Foods	 23c	 22c	
Large pkg. Albers Oats, reg.		2 for 43c		6 cans \$1.20	
1 pkg. 26c, two for	49c	Small Instant 26c, 2 for	49c	Del Monte Peas, can	20c
10 lb. sack Peacock Rolled		Flour		6 cans	\$1.05
Oats, 1 sack 47c, two for	90c	Vim, regular price	\$1.85	Allowance from factory for Special Tuesday, Wednesday and Thursday—Items Listed Below.	
Shredded Wheat, 2 for	25c	Crown, reg. price	\$1.85	10 Crystal White Soap and 1 bar Cream Oil	49c
4 for	48c	Diamond C Family	\$1.40	Fancy Utah Canned Tomatoes	regular price 20, special 2 for 29c
Kellogg's Corn Flakes, pkg.		Tree Tea, black or green, 1/2 lb.	29c, 1 lb. 52c	Canned Hominy, large white grains, special per can	12c
10c, 3 for	28c	Golden Gate Tea, 1/2 lb.	30c	1/2 gal. Wesson Oil, regular price 98c, special	90c
Puffed Wheat	13c	1 lb.	52c		
2 for	25c	Sugar, 25 lbs.	\$1.85		
Ralston's Bran	17c	Alaska Salmon, 2 cans	25c		
2 for	32c	4 cans	47c		
H. O. Oats, 19c, 2 for	35c	Columbia River Chinook Salmon, 1 lb. can	33c		
Crown Oats 26c, 2 for	49c	2 cans	61c		
Roman Meal 35c, 2 for	67c	Canned Goods			
Large pkg. Pearls of Wheat	29c	Golden Bantam Corn, 1 can	25c	We believe flour will be 20c per sack higher in a very short time.	
2 for	55c	6 cans	\$1.30	The specials listed in this ad is to advertise these commodities and for quick sales.	
10 lb. sk. Olympic Pancake	7c	Del Monte Corn, 1 can	20c		
Flour 69c, 2 for	\$1.22	6 cans	\$1.02		
Postum, large Instant	45c	Lily of Valley Corn	25c		
2 for	85c	2 cans for	45c		

EVENTUALLY BUSICK'S

C. M. Roberts GROCERIES

BEST SERVICE Come To Our Store This Week RIGHT PRICES and let us show you samples of our canned goods which we have now open for your inspection. Let us tell you of our very attractive proposition this week only.