

From the Richest and Best Part of the State

# NEWS FROM NEARBY VALLEY POINTS

By Capital Journal's Special Correspondents

## MILLER AGAIN SEEKS DAMAGES FROM WOODBURN

N. Miller is once more moving into litigation against the city of Woodburn in an amended complaint filed yesterday in the equity side of the supreme court, in which he asks for \$7500 damages against the city, and for permanent injunctions against the city from allowing it to discharge its sewage and street scrapings in such a manner as to pollute Miller's land and also to enjoin it from dumping its sewage in such a manner as to accelerate the flow of Ferrier creek and thus continue to ruin his land, as he alleges the flow has already done.

The damages sought are from February 23, 1924, the period which has elapsed from the time when he was seeking damages in his prior suit which was tried in law side of the circuit court. In that action he asked for damages

amounting to \$20,500. The testimony was heard before a jury and a vast amount of evidence was introduced, the trial of the cause covering a period of several days, expert witnesses being called in, and many farmers and others making their appearance for both sides of the controversy.

Under the new proceedings the suit will be tried before a judge, rather than before a jury, and it is likely that the whole ground will be gone over which was covered in the first action, although the question of the statute of limitations which played such a prominent part in the law action will be eliminated from the present suit.

Should Miller's contentions prevail in the new suit it would mean that the city of Woodburn would have to entirely cease its present plan of handling its sewage, and probably would need to look for some new outlet for it, as Miller not only asks for damages, but he seeks to enjoin the city from accelerating the flow of the creek, which virtually means that the city would have to abandon the use of the creek entirely.

Miller's lands are situated about a mile and a half north of the city on Ferrier creek, which handles the sewage from the city of Woodburn and which cuts

through them. He claims that his lands are of high quality, however, and that sewage from the creek caused by sewage has so percolated through the soil it has rendered it unfit for crop purposes and consequently he has lost a high rental value from the soil.

While the present suit is getting under way in equity, it is understood that steps toward perfecting an appeal from the findings in the \$20,500 damage action are going ahead. The damages alleged to have accrued in the first instance cover a different period of time than that involved in the new suit, and as a result, it is claimed, the two proceedings conflict in no manner.

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## ESPEE EMPLOYEES HOLD PICNIC AT SILVERTON

Silverton, Aug. 17.—(Special)—Thirteen coaches and one baggage car brought several hundred Southern Pacific employees to Silverton Saturday for the annual Southern Pacific picnic. The picnic was held in the city park. Water sports and dancing amused the visitors during the day.

## NEIGHBORHOOD NEWS ITEMS

### FALLS CITY

Falls City, Aug. 17.—R. L. Griewood and family accompanied by Miss Ordeella Dunlap and Viola Lane motored to Newport Sunday and spent the day.

Mrs. E. B. Watt and sons, Joe and John, drove to Manning near Forest Grove Sunday, taking Mrs. Chester Benefield and baby to their home. She has visited her parents for the past two weeks.

Arnold Muck spent the week end at Garibaldi beach.

Mrs. Lella Meyers and daughter, Helen, of Salem visited relatives in Falls City Sunday.

Mrs. Henry Griffen came up from Portland Friday evening and will spend a few days here visiting with her mother, Mrs. Walter Clark.

Mrs. and Mrs. Charles Cochran moved Sunday to their new farm two and one half miles south of Sheridan.

The Cochrans have made Falls City their home for many years and shall be missed from the community.

H. M. Smith made a business trip to Valdez Saturday in behalf of the Falls City bank. He was accompanied by Mrs. Smith.

Mr. and Mrs. Jody Rhoades and family were Salem shoppers Thursday.

A. F. Courier made a business trip to Portland Thursday and returned Friday.

Ensign Courier is away on his vacation this week. He plans to visit in Tacoma and Seattle.

Mr. and Mrs. W. W. Hill spent the week end visiting Mrs. Hill's parents, Mr. and Mrs. Alex Cooper.

Mrs. Emmet Bainter and Eda Watt spent Saturday evening and Sunday at Willamina visiting Mrs. Bainter's relatives.

There is a dog and pony troupe in town that's causing lots of curiosity among the young generation.

### SILVERTON

Silverton, Or., Aug. 17.—(Special)—Mrs. Gilbert Underdahl entertained at a little afternoon party Friday honoring Mrs. J. F. Randall, who has been spending the summer at the home of her mother, Mrs. O. S. Hague, and who will leave for her Arizona home the first of September. Guests for the afternoon were Mrs. Randall, Mrs. Dan Dybbetter, Mrs. John Goplerud, Mrs. O. S. Hague, Mrs. Esther Weaver, Mrs. Anna K. Jensen, Vivian Bunes, Mrs. Christine Hansen and Mrs. B. Sundvold.

Mr. and Mrs. Alvin Legard were honor guests at a dinner party at the home of Mrs. Legard's parents, Mr. and Mrs. Walter Larson, Friday evening. Following the dinner a number of friends surprised Mr. and Mrs. Legard at the Larson home. The group of friends left a mahogany end table as a remembrance. Dinner guests were Mr. and Mrs. Legard, Orval Larson, Merl Larson, Miss Cora Satorn, Miss Lillie Madsen, Victor Madsen and Harold Larson. Those calling during the evening were Mr. and Mrs. Adolph Haugen, Mr. and Mrs. Andrew Hall, Mr. and Mrs. Otto Legard, Mr. and Mrs. Dan Dybbetter, Mr. and Mrs. Lawrence Larson, Mr. and Mrs. M. G. Jacobsen, Rev. and Mrs. George Henriksen, Mrs. J. F. Randall, Mrs. Esther Weaver, Mr. and Mrs. Elmer Olson, Theodore Grambrick, Harry Larson, Ethel Larson, Sylvia Larson, Marcelle Knerr, Myrna Salthe, Victor Salthe, Clayton Benson, Anne Hanson, Jerald Cluser, Harold Cluser, Lulu Goplerud, Ingeborg Goplerud, Dora Henriksen, Louise Henriksen, George Haug, LeRoy Moe, Thoo Jensen, Esther Tove and Mr. and Mrs. Melvin Riveaux.

Mrs. Dan Steffen was the inspiration of a party Friday afternoon. Guests included Mr. Steffen, Mrs. Martin Hattberg, Mrs. Hans Jensen, Mrs. C. Balle, Mrs. Sina Torvold, Mrs. Louis Hall, Mrs. Andrew Hall, Mrs. George Steffen, Mrs. Carl Schmiedicke, Mrs. C. Litany, Mrs. P. Steffen, Mrs. A. Steffen, Mrs. C. Schubert, Ellen Steffen, Mrs. Pickens, Mrs. Lela Sall, Mrs. O. Steffen, Mrs. A. J. Titus and Bernice Stevens.

Mr. and Mrs. John Ludvick are visiting at Belknap springs and the Crater lake country. They will also go to Bend before they return to Silverton. They expect to be gone several weeks.

Julius Gehring, who for a number of years has operated a farm south of Silverton, will leave in about a month for San Francisco,

### BROOKS

Brooks, Or., Aug. 17.—Mrs. Dan Cronin was paid an unexpected visit by her three brothers, Earl, George and Frank Miller from Gooding, Idaho. They came in Wednesday night from the north having stopped in Tacoma for a brief visit. The original party consisted of two cars, a Ford coupe and a Buick eight, but near Kalama, Wash., the Buick caught fire and burned to almost a total loss. The rest of the journey was made in the coupe which was too crowded for them to carry out the original plan of returning with Mrs. Cronin and family for a visit with her people in Gooding. They left Saturday morning on the return trip.

R. E. Hayes drove over from Tillamook for a Sunday visit with Carl Aspiwall. Mrs. Hayes, who has been visiting her daughter, Mrs. Carl Aspiwall, will return with him.

Jay Vibbert of Salem spent the week-end with his brothers, R. D. and James Vibbert.

Ray Robinson of Portland drove out for a Saturday and Sunday visit with friends in Brooks. His wife, two daughters, Ruth and Jean, and son Jack, accompanied him. His entertainment included a picnic at Simons' Landing.

### BRUSH COLLEGE

Brush College, Or., Aug. 17.—The ladies of the Brush College Helpers club are entertaining their husbands and children at a picnic supper to be held at the Brush College picnic grounds Tuesday evening, August 18, at 6:30 p. m., committee for entertainment and sports will be in charge of the evening and a fine time is expected.

A very successful meeting of the Federated Clubs of Polk County was held at Brush College on August 12.

The Brush College Girls Cook-club met Wednesday afternoon at the home of Mrs. F. Ewing, their leader. They enjoyed a profitable afternoon.

Nina Tansey is visiting her aunt, Mrs. Miller of Salem.

Mr. and Mrs. L. A. Grote and some Lucy and Francis, spent a few days at Newport.

Walter Johnson and family of Corvallis were visiting Mrs. Johnson's parents, Mr. and Mrs. Singer of Brush College.

Mr. and Mrs. Blankenship and family of Salem were guests of Mrs. Oliver, Sunday.

Mrs. Goraline is entertaining her sister, Mrs. Smook of Portland.

Mr. and Mrs. Olmstead of Salem were guests of Mr. and Mrs. Tenney, Sunday.

The Brush College Sunday school members enjoyed the fine report brought back from the Epworth league convention by their delegates, Miss Lois Goraline and Miss Evelyn Munson.

### JEFFERSON

Jefferson, Aug. 17.—Mrs. Jennie Remlinger and two daughters of Portland are visiting Mr. and Mrs. Chester Miller.

### RODEO CHAMPS APPEAR IN FILM

Fifteen of the Universal ranch riders, expert horsemen and rope twirlers, who have been conspicuous in many Universal westerns, are happy as kids these days.

They've been to Pendleton, Oregon, with Hoot Gibson and Edward Sedgwick where "Let 'er Buck." Hoot Gibson's big rodeo special, which comes to the Bligh theater tomorrow, was filmed.

Hoot makes the picture in the town where he first gained fame and which led to his entering pictures. He won the world's championship in the annual Pendleton rodeo several years ago and in several of the events has remained undisputed master. He attended the past year's big round up of the west with his entire "gang," Ed Sedgwick directed. He made the past twenty Gibson productions.

Some of the riders include Tommy Grimes, steer roping champion of the world, and Benny Corbett, holder of the bull dogging championship. Many of Hoot's company entered the rodeo events on their ability.

### MANHUNTERS NOT TO QUIT SEARCH YET

(Continued from Page One)

nificantly yesterday that the men are not within the short distance of their starting point that had been calculated. This conclusion, however, does not prove that the men are not hiding in the vicinity, for they have had plenty of time to move from the first ravine across an open space of about half a mile and into a second heavily wooded section.

The party of 13 national guardsmen who beat out the ravine district yesterday was under the command of Captain Paul Hendricks. Starting into the canyon at the bridge just north of Victor Point, their former headquarters, they made a systematic search of the entire canyon. George L. Cleaver and the bloodhound from Portland followed space with the foregoing party on the road so that if live clues were

### REED THROWS LAMB TWICE

Silverton, Aug. 17.—(Special)—Robin Reed threw Jim Lamb of Portland in a wrestling match held at Silverton Saturday evening. Reed got the first fall off from Lamb in 28 minutes and 15 seconds. At the end of the first three minutes of the second round Reed put Lamb through the ropes. Lamb was unable to come back and forfeited the match to Reed.

In a preliminary Jack Reynolds of Salt Lake City got one fall in 30 minutes from "Kid" Simmons of Illinois. In a second preliminary between Bruce Wheeler of Silverton and "Katie" Baxa, also of Silverton, each of the men received a fall, making the bout a draw.

Quite a number of wrestling fans witnessed the bouts.

## HERE HE IS: "BIG BILL" WORLD'S RAREST ANIMAL



Of all the thousand and more animals of the Ringling Brothers and Barnum & Bailey menagerie, many of whom rejoice in high-sounding names, "Big Bill," the rhinoceros, is easily the prima donna.

Bill is the star of the zoo for the simple reason that he is the only one of his kind known to exist. There may be other East Indian, armored, one-horned rhinoceros somewhere in the jungles, but if so, none has been sighted during the past several years. Commonplace as it is in his name, Bill is the Koel-hoos among beasts. One of the New York zoos has made an offer of \$25,000 for him. The Ringling Brothers value Bill at \$50,000, and would not sell him even at that figure.

Big Bill is not prepossessing. In fact, no other so nearly approaches the pre-historic monster in appearance. He is considered by scientists to be the most interesting of known living animals.

In his famous "Outline of History," H. G. Wells pictures and describes the Triceratops and the Titanotheres. Both of these monsters trod the earth nearly forty million years ago and yet in general appearance they did not greatly differ from Bill. Indeed there are savants who state that the present rhinoceros is a descendant of the mysterious unicorn so often mentioned in the Bible and of which the Book of Numbers says: "He hath, as it were, the strength of an unicorn." Savants also of the country is there such a traveling zoo as that carried by this great combined show. In direct contrast with Bill are such exclusive features as a family of hippopotami, an entire herd of giraffes and a collection of giant apes. A full hour will be allowed visitors to visit the menagerie before the circus begins when the show exhibits here Saturday, August 29.

Entrance of the ravine and search of it followed four days of merely watchful waiting while the men waited on the outskirts for the men to come out of their own will.

Officials view with concern a report from Portland police late Saturday that Tom Kelly, cousin of Ellsworth Kelly, one of the escaped convicts, who had been employed as a taxi driver in Portland, had left his job Thursday morning for the announced purpose of visiting his mother in Turner, whom he said was seriously ill. He asked his employer for and obtained \$25 back pay before leaving Thursday morning. Saturday morning he notified the taxi company to send his keys and the remainder of his pay due him to the Eden Home apartments in The Dalles.

From this report it seems safe to presume that Tom Kelly has gone somewhere, probably in the district under guard, for the purpose of waiting for the exit of Ellsworth from his hiding place.

**Recent Scientific Discovery!**

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Take HY-PEP-SEN, the Liver Tonic and System Cleanser, is the advice of druggists today to those who suffer with Chronic Constipation, indigestion, Indigestion and Torpid Liver. There is no longer any need of using hard purgatives and cathartics as HY-PEP-SEN, the new scientific combination of Hydrastis, Pepsin, Senna and other valuable ingredients, is bound to function the bowels and liver regularly, thus cleansing the system of impurities and poisonous matter.

A tablespoonful of this syrup after each meal and at bedtime—that's all that is necessary, no nausea, no griping, no distress whatsoever. Next morning your liver is active as the entire digestive tract is purified and refreshed. Your mind is naturally invigorated and you feel just fine, with a hearty appetite for breakfast. Eat what you like—everything tastes good and agrees with you.

By getting the bowels to function daily as Nature intended, the entire system is naturally invigorated. Blood circulates better, nerves become refreshed, dull eyes become bright and pale cheeks glow with the bloom of perfect health. Sleeplessness, nervousness, lack of energy, tired, worn out feeling—all become things of the past.

HY-PEP-SEN is sold and guaranteed by Capital Drug store, 405 State street.—Adv.

### Footprints Reported

The most substantial information received Sunday was the report of Captain Paul Hendricks of the Oregon national guard at 10:30 o'clock in the morning that footprints had been found where a man had crossed a small creek running through the Henry Jacquet place, a half mile east of Victor Point school house. He declared that the tracks were fresh and that the person who made them had hob nails on the left shoe. A truck was rushed to the district from the prison and national guardsmen who had been scattered over a considerable area were brought together for a concentrated search on this lead.

At 3 o'clock Captain Hendricks reported the discovery, near the Jacquet place, of a pair of discarded cotton work socks found near a barn in the direction of Union Hill. One of the socks had been patched crudely and by means of a piece of pillow ticking similar to that used in the prison and the other with a piece of muslin. This evidence was rushed to the prison for identification and inspection by guards.

The socks are not the usual kind worn by prisoners but were of a type worn by a few convicts who have purchased some articles of clothing outside. It was said here that the patching might easily have been done by the convicts before they left, for such work is permitted of prisoners in their cells and beyond the inspection of guards.

Carried Extra Socks.

A fact which adds further weight to this discovery is that prison officials believe that each of the escaped men took an extra pair of socks with him. The basis for this belief was the finding of the Zinn taxi of a clean, unused cotton sock which had been left in the machine by the men in their escape.

Reports from the hospital this morning indicate that Lute Savage, wounded guard, will recover. He was said to be making very satisfactory progress.

A steady stream of automobiles carrying curious sightseers passed by the prison today in an almost unbroken line. Traffic became so

### congested outside of the walls that it was necessary to station a guard there throughout the entire day to keep the line moving and to prohibit parking.

Reports from the Oregon state that hundreds of cars poured into the city yesterday with confectioners and restaurant men reporting a record breaking business.

Indicative of the dozens of "leads" that officials have received, traced and found worthless was the report yesterday from Sublimity that a truck driver had encountered a suspicious looking man. The truck driver was three miles from Sublimity on the Sublimity-Silverton road when he sighted a lone man standing on a hill about a half mile distant looking about him. The truck driver descended and started in pursuit. The man saw the driver approaching and broke for the brush on the far side of the ridge. When the truck driver arrived at the top of the hill he found the position where the man had been, he stopped to listen. He then heard distinctly a man whistle three times. The incident was reported to the prison by telephone and a posse rushed to the district.

Hours of effort revealed that the suspicious character was a boy hunting for biras out of season who had taken the truck driver for a game warden. The last warning despite the fact that warnings have been broadcasted through every possible medium forbidding people to hunt in that region and advising that they do not appear more than is necessary and especially while carrying a gun. Had an inexperienced armed guard witnessed the boy's break for the brush it is possible that another tragedy might have been added to that of the prison break.

### Use Cuticura Soap And Ointment To Heal Sore Hands

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## Hoot GIBSON

He Smashed All Records at the world famous Pendleton Round-Up of 1924, when he rode one day to victory at the risk of his life in the bareback, chariot and Deadwood Coach races, he set a record that no living man could approach. Here's the picture of thrills you've been waiting for.

## "Let 'er Buck"

Actually photographed right in the heart of the Pendleton Round-Up.  
**BLIGH**  
Eues. Wed. Thurs.

## At Kafoury's NEW SILKS

For Fashionable Fall Dresses and Gowns

Rich and Lustrous are the new Satins, Charmuese and Canton Crepes for the making of fall frocks for afternoon and evening wear, Sheer Georgettes in smart new colors are favored by fashion. Complete assortments in all the new tones are showing in complete variety, here and prices that invite comparison.

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Put one on—the pain is gone