

PRICE FIXING IS CHARGED IN MILLS TRANSACTION

HEAVY DAMAGE ACTION FILED AGAINST FIRM

Silverton—A complaint has been filed in the circuit court for Multnomah county in which Louis Fischer, plaintiff, appears against Ed A. Haight, Paul Benson, J. T. Kirkup, L. A. Tate and Cereal Products company, a corporation, as defendants, with five separate allegations. The plaintiff demands judgment for \$100,000, together with costs and disbursements incurred therein.

The fifth allegation stipulates the acts of the defendants as a conspiracy for the purpose of bringing the milling company to a state of wreck, "its credit ruined and the same is now being forced into liquidation, and the capital stock thereof is of no value whatsoever, and the plaintiff has been and is damaged on account of said conspiracy and the overt acts of said defendants in carrying out said conspiracy, in the sum of \$100,000 over and above the amount necessary to pay all claims and obligations due and owing by said corporation."

The preceding allegation intimates a general summary in which the plaintiff claims that the defendants, and believed them to be true and that defendants were acting in good faith until the plaintiff discovered the real purpose and intent of the "conspirators." That the defendants' sole purpose was to destroy the credit and standing of the milling company to such an extent that the milling company would be forced into liquidation and the defendants might acquire the property and the plaintiff would be compelled to lose all interest in and to the same.

The third allegation stipulates 12 "overt acts" which were committed, states the allegation, in carrying out the conspiracy. There several "acts" mentioned. Kirkup, Benson and Benson were instrumental in effecting an agreement between the Fischer Flouring mills and the Cereal Products company whereby the cereal company would market the manufactured products of the Fischer Flouring mills, and the prices for selling were "fixed" so that the Fischer Flouring mills were forced to operate at a loss of \$3,000 per month.

Another designation of the third allegation involves Haight in his relation with the presidency of the First National bank of Silverton, which on August 1 closed its doors. The accusation is that Haight appropriated the funds left by the cereal company at the bank for purchasing used by the milling company, to apply on the indebtedness of the milling company to the bank, and thereby destroyed the source of funds for purchasing power of the milling company.

Concerning Benson, as bookkeeper for the milling company and also officer and director for the cereal company, "wrongfully and fraudulently concealed from the plaintiff herein the fact that said milling company was grinding from grain in the warehouse belonging to individuals who held said warehouse receipts."

That the plaintiff must transfer his milling stock to the bank to obtain credit as was represented by the defendants, and that plaintiff believing this to be true, did assign such stock to the bank, and that thereafter these same certificates of stock were transferred to Benson and Kirkup without the knowledge of the plaintiff or without his consent.

That the defendants threatened to prosecute the plaintiff and to send the plaintiff to the penitentiary if the plaintiff would not give the defendants a mortgage on his farm, and that they threatened to dishonor a check which had been given to the milling company by the products company over to Eyre & Company, one of the creditors of the cereal company, and the defendants further threatened that if the plaintiff would not mortgage his farm to the defendants, that they would commence action against the plaintiff and attach his property and assets. That these threats were carried out, and thereby precipitated other litigations.

That Haight refused to cash checks when the milling company had funds on hand to do so. That defendants named milling products "Tosco" and had the name registered in the name of the products company.

That Benson fraudulently concealed the true conditions of the accounts of the milling company, and misrepresented it from time to time.

That the defendant conspirators have conspired in the institution of litigation against the milling company to embarrass it and put plaintiff in a position where he would be willing to accede to the dictates of said conspirators as above set forth and alleged.

That the interests of the milling company and the cereal company were adverse and the said conspirators so manipulated said affairs that they had control of both organizations.

The complaint classifies the respondents as: The Cereal Products is a corporation; that the Fischer Flouring mills is a corporation and has an authorized capital stock of 1,250 shares, par value of \$100 each, and that the plaintiff had been, until he was deprived thereof, fraudulently, the owner of 1,248 shares of said stock; that Haight was the president and general manager of the First National bank of Silverton, now closed; that Paul Benson was the bookkeeper of the milling company, and an officer, director and stockholder in the Cereal Products company; that

Rams Are Shipped For Annual Sale; Breeders Numerous

Monmouth—Lincoln rams from the herds of James and Ed Riddle of this section were shipped to Pendleton this week for the annual ram sale.

This is the first shipment of stock from this region to the state-wide sale which draws breeders from all parts of the inland empire.

REVIVAL STILL HOLDS INTEREST

Silverton—Crowds continue to attend the evangelistic services under direction of Edith Wilson-Clark, and are deeply interested in the excellent song service and messages in sermon by Mrs. Clark or her assistants. Mrs. Clark suggest that Sunday will be "High Day in Zion," with her afternoon sermon on "The Return of the Jew to Palestine."

The evangelists do not hold services Sunday morning out of respect to the local churches, but the subject for Sunday night, "Behold the Man," will be discussed, and S. K. Clark, husband of the evangelist and possessor of a remarkable male soprano voice, will sing as a special, "I'm a Pilgrim."

Those regularly attending the meetings are looking forward to Wednesday evening when W. H. Pope of the Calvary Tabernacle of Portland will be a guest speaker, and plans are for Edith Gerth who specializes on the golden-voiced harp, to accompany him. Friday evening Mrs. Clark talked on "What Time Is It?" and Saturday evening is given over to a short sermon, special music and divine healing.

Mrs. Clark's daughter, Mary, is at Lyons this week, as singing evangelist with the girl preacher, Lydia Gillispie of Portland, who is conducting a series of meetings, there. She plans to be here for the last week of the services.

Wood Carver Wins Prize In Contest

Mt. Angel—Henry Butsch, a farmer living about a mile north of Mt. Angel is the winner of a \$50 prize given by the Popular Mechanics magazine in a wood carving contest. His entry was judged the third best from thousands received from all parts of the United States, possessions, and Canada. Butsch was also notified that because of the unusual skill exhibited, he would also receive a certificate of special recognition.

Dark Will Preach At Summit Church

West Salem—Rev. C. L. Dark, who returned this week from a two month's vacation, will preach at Summit Sunday morning at 9:45 o'clock and in Ford Memorial church at 11:00 a. m. and at 8:00 p. m.

The subject of the morning's discourse will be "Reclaiming the Hopeless" and of the evening's, "Great Needs Fully Met."

There will be special music at both services.

The Young People's meetings will be at 7:00 p. m.

Altar Group Host

Silverton—A successful "500" card party was given by the members of the St. Monica Altar society of the St. Paul's Catholic church in the hall Wednesday evening, with Mrs. L. B. Schurack in general charge and Mrs. T. Belling, local chairman, assisted by Mrs. Felix Goyette, Mrs. William Fry and Mrs. Frank Gaffke. High scores went to Father Charles Raymond and Annville Bowen, with low scores going to F. Goyette and Mrs. Anna Cross.

Grounds Improved

Independence—S. J. Hoover has made his hop camp grounds very attractive for his campers by adding several new shades and has built a large entrance arch to the grounds bearing the name "Rio Vista," as the name of his ranch. This ranch was formerly the Burton estate ranch and several modern improvements in the way of buildings and drying equipment. The buildings have been newly painted this year and are quite attractive to the tourists.

RETURNS TO MINNESOTA

Silverton—Mrs. Ben Roben and small son, Duane, left Thursday for their home in Montevideo, Minn., after an extended visit here with her parents, Mr. and Mrs. Albert Sather. Mrs. Roben came west primarily to attend the wedding of her sister, Marguerite Sather to Dr. H. E. Johnson, which was an event of August 10. Mrs. Johnson accompanied her sister and nephew to Portland for a short visit with their aunt, Mrs. Forrest West before Mrs. Roben goes on to Minnesota.

PEACH HARVEST STARTS

Brooks—Peach harvest began this week in the orchard of Carl Aspinwall, whose land lays just west of the Brooks postoffice on the Wheatland road. Aspinwall has a fruit stand at his orchard and operates another at the Brooks four corners on the Pacific highway.

J. T. Kirkup was a stockholder and officer in the Cereal Products company; and that L. A. Tate was an officer and stockholder in the Cereal Products company.

The specified time during which the "conspiracy" was entered by the defendants, is designated as sometime during the summer of 1931, the exact date not known to the plaintiff.

JERSEY CATTLE DISPLAY SLATED AT STATE FAIR

Independence—At a recent meeting of the Polk county Jersey cattle club it was decided that Polk county is to have a Jersey herd at the state fair, M. N. Tibbles and S. H. Robinson were appointed as a committee to interview breeders in the herd project.

The club also signified a desire to cooperate with the American Legion in plans which may be formulated for showing visitors at the National convention in Portland next month. County Agent Beck was delegated to confer with county posts for suggestions as to methods of procedure.

A number of local breeders attended the summer picnic of the Oregon Jersey cattle club at the George Bierford farm near Cornelius last Sunday. A meeting was held also in connection with the picnic. Those attending from here were W. S. Bartlett, secretary of the club, Harry Hill an dairyman, Mr. and Mrs. N. H. Mattison, L. A. Hulbert, S. H. Robinson and family, W. B. Allen and family and County Agent Beck.

VARIED SERVICES SUNDAY SCHEDULE

Jefferson—The following services will be held at the local churches Sunday: Methodist—Sunday school at 10 a. m., with Mrs. J. O. Van Winkle, superintendent in charge. Preaching services at 11 a. m. by the pastor, Rev. F. A. Ginn. The theme being, "The Reasonableness of the Christian Life." Epworth League will meet at 7 p. m. with Geraldine Davis as leader. Evening service at 8 p. m., the theme, "Listening to God's Call." Choir meeting will be held Thursday evening at 8 o'clock.

Church of Christ—Sunday school at 10 a. m. in charge of W. F. Gatchell, superintendent. Preaching services at 11 conducted by the minister, Rev. F. A. Ginn. At noon a basket dinner will be served followed by a brief business session. Christian Endeavor will be held at 7 p. m. Regular evening service at 8 p. m.

Evangelical Sunday school in charge of Miss Helen Kihl, superintendent, will be held at 10 a. m. Preaching services at 11 a. m. by the pastor, Rev. G. F. Lanning, Jr. Christian Endeavor at 7 p. m. Preaching services at the Fruitland church at 8 p. m.

Payroll Increased By Railroad Action

Mt. Angel—Charles Persyn of Mt. Angel, foreman of the maintenance of the way division of the Southern Pacific, increased the crew stationed at Mt. Angel to nine men and put on a five-day a week basis instead of the three-day basis, which was previously in effect. At the same time the section was enlarged to include the right of way from Mt. Angel to Salem, an addition of some 12 miles of track. The former boundary was about four miles south of Silverton.

McKee—Mr. and Mrs. LaVerne Norton of the Grassy Pond district were given an old-time noisy charivari by their friends.

Pensions Still Allowed Eight Persons Result Of Early American War

Independence—Although 120 years have passed since the close of the war of 1812, there are eight persons entitled to receive pensions on account of service rendered by soldiers in that war and Independence has the distinction of having as a resident for the past 30 years one of these persons, Mrs. Esther Hill-Morgan. She is the daughter of the late John Hill, who was the son of Jediah Hill.

The pensioners include six widows, a remarried widow, and a daughter. The daughter is Mrs. Morgan.

PICKERS WILL BE PLENTIFUL

Independence—The early hop harvest is well under way and satisfactory progress is being made. Two of the larger yards in this district, C. A. McLaughlin, and the Wright ranch will begin the first of the week, and this will lead up to the late harvest. There will be a short lull in picking between the two crops. The date of beginning on the earliest varies from the first to the fifth of the month, and growers are planning to notify their pickers by mail or otherwise before that time. E. C. Horst company has set the time as of September 5. Others have signified their intention of beginning a few days earlier.

There has been an abundance of pickers for the early harvest and it is expected that there will be no shortage for the later from all present indications. Local people are being given preference where possible. The crop is coming down considerably lighter than at first estimated, although the picking is faster than last year on account of less foliage. The quality of the hops is excellent and little trouble is being experienced in getting clean hops picked.

Catholic Society Had Card Affair

Mt. Angel—The Catholic order of Foresters held their monthly meeting at the home of Mrs. Paul Buchholz. Miss Mary Wacker was appointed to assist Mrs. Buchholz. After a short business meeting "500" was played by the members. Mrs. Mary Schwab was awarded first prize and Mrs. Leo Barr received the door prize. At a late hour luncheon was served by Mrs. Buchholz and Miss Wacker.

World Views Will Be Shown Sunday

Woodburn—The Austin Evangelistic company of Ontario, Calif., will give an illustrated lecture at the Church of God, Third and Grant street Sunday evening at 8 o'clock. There will be a display of views and various scenes and peoples of the world. The lecture will be accompanied by an unique song service. The pastor, J. L. Green, extends a cordial invitation to every one.

COAST CALLS GROUP

Silverton—Mrs. Carl Stamey, her two children Maurice and Muriel, her cousin, Miss Imogene Johnson, Mrs. J. P. Oeder and children Bobby, David, Maxine and Gene, left Friday for Ocean Lake for three days on the coast at the Oeder cottage. Making the trip on Saturday evening are Mr. Stamey and son Dean and Mr. Oeder. The group plan to return home Sunday night.

BOARD DECIDED ON FAIR BOOTH FOR 6TH TIME

Auburn—An enthusiastic group of Sunday school workers were in attendance at the annual executive board meeting of the Haystack Sunday school district Friday evening. The meeting was held at the home of the publicity and display secretary, Charles W. Cady, who has charge of the Sunday school display booth at the state fair. It was to make plans for the booth that the meeting was called.

A hymn was sung with Miss Katherine Shart of Middle Grove, at the piano. Mrs. Uriah Lehman, delegate for Brush College, led in prayer. Delegates from the various Sunday schools reported display work under way, and quite a number raising asters for distribution. Several committees were appointed. Fred DeVries of Pratum, Orsa Fagg of Fruitland and Guy Looney of Hazel Green and Homer Leary of Pratum will decorate and arrange the display letters. W. F. Colvard of Clear Lake will furnish a step ladder. Committee on cleaning and preparing booth are delegates from Pratum, Middle Grove, Menonite and Fruitland. Mr. and Mrs. H. F. Shanks will furnish flower baskets. Mr. Cady read reports from 42 letters sent throughout the United States.

Reception committees to be at the booth during the fair are Monday, Brooks, Macley and Pratum; Tuesday, Pratum Menonite, Hazel Green; Wednesday, Labish Center, Middle Grove, Salem Japanese; Thursday, Kelsey, Fruitland, Hayes; Friday, Red Hills district; Saturday, Eldredge, Clear Lake.

It was suggested the newspaper be kept for future reference concerning the schedule and committees. Delegates and others present were Mrs. William Shart, Middle Grove; Miss Katherine Shart, Middle Grove; Rev. H. R. Scheuerman, Salem; Orsa Fagg, Fruitland; Mr. and Mrs. H. F. Shanks, Salem; Mr. and Mrs. W. P. Colvard, Clear Lake; Mr. and Mrs. Uriah Lehman, Brush College; Mr. Harry Boehm, Labish Center; Mr. and Mrs. Joe Bartruff, Kelsey; Miss Ida Denney, Hayesville; Miss Grace Klampe, Labish Center; Fred DeVries, Pratum; Miss Gladys C. Brown, Eldredge; Mrs. Guy Looney, Hazel Green; Mr. and Mrs. Charles W. Cady, Auburn; LaVern Cain, Auburn; Manley Reading, Salem. Light refreshments were served by Mrs. Cady.

Mt. Angel—Albert Wilde and Joseph Ficker returned Thursday from a several days camping trip to Table Rock and Bagnby mineral springs territory.

LYONS LODGE MEETS

Lyons—The regular meeting of Faith Rebekah lodge was held in the hall Thursday night. The birthday party which was planned at the last meeting was postponed until after bean picking.

Creswell Honored By Birthday Dance At Home In Zena

Zena—An old-time dance was given at the Creswell home in honor of the birthday of H. J. Creswell with a number of persons present from distances. Midnight lunch was served.

Present were the honor guest, H. J. Creswell and Mrs. Creswell, Mr. and Mrs. Clarence Delph and daughter of McMinnville, Miss Margaret Dickson, Joe Cathcart and Richard Huddle of Portland, J. P. Rolow of Salem, Mr. and Mrs. R. A. Clark, John Thompson and Herman Snow of Sheridan, Ernest Hayes, Jake Hayes, Mrs. Babe Hayes, Ed Cudley and family, Miss Marjorie Cudley, Mrs. Robert Austin, Mr. and Mrs. J. Rolow and family, and W. H. Card, all of Bethel, N. A. Gramer and Ole Berg of Amity, Mr. and Mrs. Carl Worthington and daughter Betty of North Spring Valley, Mr. and Mrs. Frank Olson and Fred Olson of Brush College, and Mr. and Mrs. Ray Alfred and son Elmer, Mr. and Mrs. N. R. Holstad and daughter, Laverne, Ted Horton, Olga Horton, Easter Oin, Ted Mosier, Dale, Bessie and Lorraine Creswell, all of Zena.

BEDFORDS ARE HOSTS

West Salem—Dinner guests Friday evening at the J. R. Bedford home were Mr. and Mrs. B. H. Smith, Miss Aldene Smith and Richard Smith, Miss Smith is hostess in the Oregonian office but is having her vacation.

Lyons—Mr. and Mrs. Clyde Lewis and family and "Grandma" Lewis spent the first of the week in Portland at the Bill Bidwell home.

EVANGELISTIC CAMPAIGN ENDS

Woodburn—Interest continues unabated in the services conducted by the Duff Irish trio at the Presbyterian church and the church is filled each night by those who enjoy hearing these gifted young people. A feature of the service is the enthusiastic choir of young people who assist, known as the "Sunshine choir." A special program by the young people was given Friday night with a story by Jack Rea as a special feature.

Saturday night a "free and easy" service will again be held with each member of the trio giving a short talk. Huldane Duff, the youngest member of the group who leaves next week for school in California, will be the main speaker.

Sunday evening the evangelist, Walter Duff, will preach a sermon entitled "Excuse Me." There will be special music both Saturday and Sunday nights by local talent. At the Sunday night service Mrs. Paul Pemberton and Miss Helen Woodfin will sing a duet. Arrangements will be made to seat everyone comfortably and a record crowd is expected. Monday night will be the final service at which time the meetings will close.

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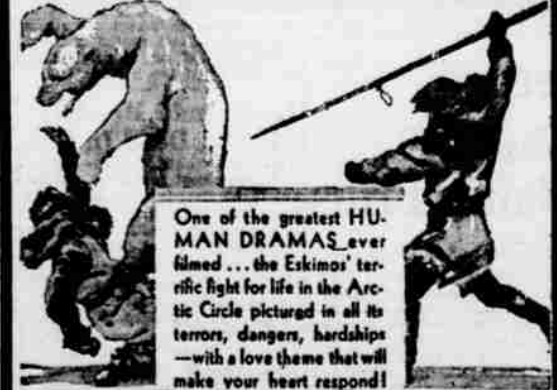
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