

Monmouth is Located in the Best Section of the Best Valley of the Best State in the Nation

Items of Interest At Oregon Normal

The first faculty meeting of the year will be held in Room 29 at 3:00 o'clock next Saturday afternoon, at which time it is expected that all the members of the faculty will be present. The meeting is called for the purpose of outlining the work for the ensuing year.

Registration of pupils will begin at 8:00 o'clock next Monday morning and the regular classroom work will begin at 8:00 o'clock Tuesday morning. The first chapel will be at 9:45 Tuesday morning.

The pupils who are coming from the direction of Portland or Salem are strongly advised to take the train leaving Portland at 4:05 and 5:15 from Salem and purchase tickets through to Monmouth by way of Dallas and check baggage accordingly. The special train, by way of Dallas, should reach Monmouth between 7:30 and 8:00 Sunday evening. It is suggested that householders with whom students reservations have been made, meet this special train for the purpose of assisting students to their homes.

All repairs, including a new floor in the gymnasium, have been completed. The interior of the buildings have been renovated and everything is in shipshape for the opening.

The attendance in all probability will be somewhat larger than last year. However, many prospective students have withdrawn their names for the purpose of "darning" which will diminish the total enrollment somewhat.

Miss Jessica Todd, Dean of Women, returned from her eastern trip last Saturday evening and reports a very enjoyable vacation.

Miss Lola E. Records, Third and Fourth Grade Critic at the Monmouth Training School, arrived last Monday and the other members of the faculty are expected every day.

Miss May Levis, Assistant Dean of Women, has returned from her vacation at Bayocean. She had planned to accompany Miss Arbuthnot to Crater Lake but she reported that Bayocean was so attractive that she decided to remain there the whole of the time.

President Ackerman, Mr. Parker and Mr. Swenson motored to Salem, Monday morning to listen to the address of Governor Cox. They do not report whether the Republicans of the party were converted to Democracy or whether the Democrat of the party has made up his mind to vote Republican. The whole party seems to be non-committal as to that, but the public can draw its own conclusions.

Dentists of Three Counties

Dr. M. J. Butler of Monmouth and Dr. Barrick of Independence attended the meeting of the Tri-County Dental League in Newberg last Friday night. The association at its monthly meeting is planning a series of lectures of instruction which during the year will keep its members up to date in regard to the latest practices and appliances of dentistry. At Newberg the lecturer was Dr. Rossman of Portland who gave a demonstration on "Conductive Anaesthesia" a new idea in painless dentistry. Dr. Adams of Portland also lectured on General Practice. The meeting closed with a banquet in the Imperial hotel. The next monthly meeting of the association will be held in the hotel Marion in Salem, the first Friday in October.

W. D. Butters is absent this week in Washington looking up the prospects in that state.

HOW EOHIPPUS GREW UP INTO A HORSE



According to Prof. J. N. Gidley of the Division of Paleontology, United States Museum, the horse at one time was a little animal, known as Eohippus, shown above. Through the ages it slowly developed into the Mesohippus, Hypohippus, Merychippus, Hippohippus, and then to the well-known animal of today, the Equus, or better known as the Horse. Now it looks as though our Equus were going to develop into what will be known to future ages as the Atochippomobilebus.

Rumored, Reported Concocted, Collected

The executive committee of the Polk County Fair board have laid plans for the fair, the dates of which are placed at October 7th 8th and 9th. The Siletz Indians have been secured to perform dances similar to last year. The grain and vegetable exhibits promise to be better than a year ago.

At the annual convention of the Rural Mail Carriers held in Corvallis recently, Ed Wunder of Independence was elected first vice president and Percy Dickenson also of that city, was elected as a delegate to the national convention, which is to be held in Dallas, Texas, September 21. Mr. Wunder is carrier on route one and Mr. Dickenson on route two out of Independence. Mr. Dickenson left yesterday for Texas and expects to be absent four or five weeks. He is among the oldest carriers in the state having been in active service on his route for more than fifteen years.

Rev. Chas. Johnson, Methodist minister, is to leave Dallas to accept a position as secretary of the College of Puget Sound at Tacoma, Wash.

Floyd D. Moore, county clerk, who has been in a hospital in Portland, is reported as improving and will soon be back to work.

C. C. Marks, who formerly lived south of this city, but moved to Canby, had his farm buildings destroyed by fire. While he was away with a threshing outfit a brush fire got beyond control and caused the damage.

Mrs. J. Q. Thomas is spending a few days in Portland with her sister, Mrs. Bacon from Idaho.

Prune Picking and Prune Prices

By the first of next week prune drying will be well under way. So far, little damage has been reported because of the heavy rain the first of the week. Most of the prunes were not ripe enough to be injured although there is still time for the fruit to crack if weather conditions are right. Travelers through the country report much corn down which will make the crop harder to harvest. There are many good corn fields in the country. Hop men also report damage because of the rain and wind. In the McLaughlin, Lewis and Walker yards a number of acres of hop vines were blown down. With favorable weather no damage will result although it will be harder to gather the hops.

The Oregon growers co-operative shipping association through its salesman, Robert C. Paulus, has issued a statement giving the prices which growers will ask of the packers this year.

The statement of prices for bulk dried prunes which ranges from 7 cents for the 90-100 class to 15 cents for the 30-40 class, is qualified with the statement that the price has already declined from one to one and a half cents on the various grades.

The association's estimate of the quantity of prunes grown in Oregon and Clarke county, Washington, is 60 million pounds, a reduction from the first estimate of 80 millions. Mr. Paulus does not believe the damage from rain will be great although some pessimistic growers assert they will lose one half.

While there are still unsold stocks on hand from last year it is believed the high cost of sugar during the past summer has kept housewives from canning the usual amount of fruit and this fact will result in a greater demand for dried fruit about the first of the year. At present there is very little exporting.

Buyers are hesitating about investing in this year's crop and very little has been bought. They decline to take the risk of a drop in prices later on and prefer the grower should take the chances. Mr. Alsip, the local dryer, plans to charge for the drying instead of buying the green fruit from the grower.

its part of the understanding for nearly a year before this suit was instituted. It had expended large sums of money in carrying out the work and the improvements had progressed to a considerable degree.

The plaintiffs had stood by and observed the progress of the work without interposing any objections until this suit was instituted, by which it is sought not only to enjoin the further progress of the work and have the arrangement described declared unauthorized and invalid but to secure for Polk county all the improvements thus far made.

The inequity of the plaintiff's position imputes to Polk county a breach of faith. There seem to be authorities holding that under circumstances similar to these shown in the evidence in this case plaintiffs are guilty of laches. However that may be, the lack of equity in favor of the plaintiff's necessarily prompts the court to inquire searchingly into the rights of plaintiff to maintain this suit at all. This is what is ordinarily referred to as a taxpayer's suit. In such proceedings it is necessary that plaintiff plead and prove that some act has been committed, or is threatened, or imminent which will

Another Suit Started

Late last Saturday papers were filed in Dallas for a suit in the Circuit court in another attempt to break up the plans of the highway commission in the matter of locating the highway in Polk county. John W. Kaste, Portland attorney, filed the suit in behalf of the following people from Independence: M. W. Mix, S. H. McElmurry, Max Goldman, John N. Conn. Defendants are named as follows: the state highway commission, the Warren Construction Co., the Oregon Independent Paving Co., and the county court of Polk county.

result in some material injury to himself for which there is no adequate remedy at law. It is not sufficient that he apprehends injurious consequences which neither actually exist nor are threatened.

Fanciful, speculative, or even possible evil results are too remote and indefinite upon which to call in, to requisition the restraining processes of a court of equity. . . . The plaintiffs in this case fail to bring themselves within the rule established by the foregoing cases. The evidence shows that, if any difference, the route adopted by the highway commission will be less expensive than any other that might be adopted.

In the absence of pecuniary injury to a citizen, the state only through its law officers, has the right to institute a suit to enjoin public officers from acts constituting a deviation from the strict letter of the law under which they are acting. This rule applies equally whether the deviation be in the matter of conduct or from the prescribed route of a public highway.

In this suit the law officer of the state, instead of instituting and prosecuting, is defending the same and exerting himself to uphold the action of the highway commission. Indeed, it appears from the evidence that the action of the highway commission was taken upon the advice of the attorney-general that the same was in conformity with the statutes.

"It follows that the preliminary injunction, therefore issued, should be dissolved and the suit dismissed and a decree will be entered accordingly."

Mrs. Singleton of Portland is a visitor this week with her mother, Mrs. Dewitt.

Symphony Orchestra Coming October 3rd

By a combination of citizens of Independence, Monmouth and the Oregon Normal School it has been made possible for this section to hear one of the great musical attractions of the season. Guarantees have been signed by the parties stated for \$1000 for the appearance of the Minneapolis Symphony Orchestra which will appear in the chapel of the Normal, Sunday afternoon, October 3, this being one of three programs which the orchestra will put on in Oregon.

Under the direction of Emil Oberhoffer, conductor, the Minneapolis Symphony Orchestra has achieved a national reputation. Wherever it has gone it has been acclaimed as second to none in the country. Under the leadership of its distinguished conductor, who has been its guiding spirit since its inception 17 years ago, with an artistic personnel gathered from the musical centers of the world, with adequate financial support and with 17 years of uninterrupted development and success, the Minneapolis Symphony Orchestra today has few equals and no superiors among America's great orchestras.

With the orchestra is the eminent prima donna of the Chicago Opera Company, Miss Florence McBeth; James Wilson, famous Welsh harpist; and J. Roentgen, master cellist.

Miss McBeth, soprano, is of Scotch ancestry and was born at Mankato, Minn. On her return to America after successive European appearances she was described as the Minnesota nightingale and hailed as one of the greatest coloratura singers this country has ever produced.

For the past three seasons Miss McBeth has been one of the brilliant stars with the Chicago Grand Opera Company, sharing with Mme. Galli-Curci the coloratura roles of the New York and Chicago seasons.

On behalf of local backers, Miss West went to Portland Thursday to make definite arrangements for the appearance of the orchestra here.

Mr. and Mrs. Floyd Bewley of Independence are rejoicing over the arrival of a baby boy at their home recently.

Highway Injunction Dissolved

The Herald naturally feels vindicated in the decision of Judge McCourt last Thursday, dissolving the injunction in the Pacific highway case. The text of the decision is all the more interesting as Judge McCourt at first was inclined to favor the Dallas-Independence claim in the matter, so much so that Attorney Kaste at the beginning of the trial declared he was positively confident that his side of the case would win because of conversations he had had with the judge. But when the commission's side had been presented and all of the peculiar angles of the matter had been placed before him, Judge McCourt not only changed his mind, but used language indicative of righteous indignation such as a man naturally might use who finds he has been deceived. He uses some strong language in the text of his decision given herewith and says things that have the sting of the snap of a whip lash.

After the decision, members of the commission stated that no further work would be done in Polk county until all legal matters had been cleared up. An appeal in the mandamus case is to go to the supreme court.

It is plainly apparent from the evidence that the route selected by the highway commission for the Pacific highway through Polk county will ultimately carry the great bulk of the through travel and this, whether the same be now diverted through Dallas and Independence or either of them by paved highways. Sooner or later, a road must be improved upon the direct route adopted by the commission. The highway commission is engaged in improving a system of state roads and the primary consideration for

the improvement of such a system is its utility for use by the general public.

The local benefits and considerations which naturally appeal to the municipalities of Dallas and Independence are secondary and were so recognized by the commission and by these municipalities when the latter withdrew their objection to the construction and improvement of the highway along the direct route. The arrangement, in a measure, provided for taking care of the local demands of Dallas by a paved road from that place to Rickreall and thence on to Salem, and likewise cared for the demands of Independence by a paved road between Independence and Monmouth.

If more was desired by these municipalities or either of them in the way of highways supplying their local interests, efforts should have been made toward securing branch or market roads extending from the highway to the respective cities, instead of attempting arbitrarily to ignore the arrangement by which the highway had incurred a large obligation and expended large sums of money in reliance thereon.

It is probable that by proper negotiations, some arrangement for co-operation between these cities, Polk county, the state and federal government, for the improvement of the desired branch roads might have been effected. Engagements between a county and a state should be observed with the strictest fidelity by the officers vested with the execution of such engagements, regardless of whether the same are evidenced by formal contract or writing. The highway commission has been engaged in carrying out

