



IS FILED IN LK-Road CASE

Object to Highway ing South From Monmouth

that the proposed location of the highway is not in the best interests of the county, and that the county court is not authorized to contract for the highway.

an indebtedness in excess of \$5000, an action was filed in court at Dallas last Saturday for a restraining order against the performance of three contracts recently awarded by the highway commission for road work in Polk county. The Polk county court, the state highway commission and the contractors are the defendants. The plaintiffs are Ernest Ziesch, P. H. Brandt, G. A. Dickinson and S. H. H. Brandt.

action is resultant from contracts entered into May between the Polk county court and the state highway commission. The first contract, designated as county court agreed to as a market road the highway leading south from a point about one-half mile of the Luckiamute river, to the commission \$43,000 market road fund of the county to cover the expense of grading, building necessary bridges, work to be done either by contract, and highway commission agreeing to hard surface this stretch.

second contract designated an agreement is made by the highway commission and the Polk county court, whereby the commission is authorized to construct necessary grades and bridges for permanent improvement of the highway of the west side Pacific in Polk county lying between Holmes Gap and Rickreall and between a point approximately one-half mile south of the river to a connection with the highway.

third contract Polk county obligated to repay to the state this money on or before four years, with interest at 5 1/2 percent, to be paid as follows: from the auto license money collected by the secretary of state for four years, and \$15,000 interest out of the general fund of Polk county.

plaintiffs, through their attorney D. E. Fletcher of Independence, contend that both contracts are illegal because the highway commission is not authorized to contract for the highway, and that the county court is not authorized to contract for the highway, and that the highway commission is not authorized to contract for the highway.

contentions are based on the fact that the grading contracts were carried out, Polk county would acquire an indebtedness in excess of the \$5000 limitation of the vote of the people, and that the highway is not lawfully established by the highway commission.

the latter contention the court says: "That in pursuance of the act of 1917, establishing the highway commission, the highway commission of Dallas, Monmouth, Independence and Corvallis, and the county court of the said act by the legislature of the state, and by the highway commission established by an order duly made, the highway commission through the Pacific highway through the towns, and in a direct line from Independence to Corvallis, and subsequently to the said order establishing the said highway, the highway commission, without authority, attempted to establish the said highway through Polk county by an order of the route both Dallas and Independence, which last highway

is the highway that the said defendants are attempting to now have graded and constructed. That the pretended establishment of said highway, particularly from Monmouth south, leaving Independence off of the main line, is without authority, because the legislature has established the highway, and the commission is not authorized by any law to change said highway, except to make local changes, and that the establishment of the new highway is not a local change, but is a radical departure from the highway established by law."

While there is no litigation over the Dallas-Salem post road, the state highway commission lost no time in giving out an announcement in which it was declared that the contract for completing that work would be held up until the other litigation could be brought to a head. This action, of course, is in line with the policy which has been pursued by the highway commission in its relation with Polk county matters. Notwithstanding the announcement, it is more than probable that this work will be undertaken this season.

PATCHING OUTFIT IS PURCHASED BY CITY

The city of Independence has purchased from a Portland concern a street patching outfit at a cost of \$470, consisting of a pouring pot with burner, a smoother and tamping. Immediate delivery of the outfit is to be made, and the purpose is to use it in making all necessary repairs in the paving. The purchase was made at a special meeting of the city council Wednesday evening.

The only other business transacted was the apportionment of the cost for the improvement of the alley and Third street.

MRS. A WILSON IS SUMMONED

Resident of This City For 45 Years and Survived By Large Family

Mrs. Lydia M. Wilson, wife of Andrew Wilson and a resident of Independence for more than 45 years, died at the family home here Tuesday, after an illness of approximately four years, during which time she has been tenderly cared for by members of her family.

Funeral services were held from the Presbyterian church Thursday afternoon, the pastor, Dr. H. Charles Dunsmore officiating. Interment was made in the Odd Fellows cemetery. The pall bearers were: Al. Cook, D. E. Fletcher, J. S. Bohannon, C. M. Baker, W. G. Grant, and G. W. Walker.

Beside her husband, Mrs. Wilson is survived by three daughters: Mrs. J. W. Ball and Mrs. E. A. Simmons of Portland and Mrs. F. A. Green of Cottage Grove, twelve grand-children and two great grandchildren.

Mrs. Wilson, whose maiden name was Lydia M. Crouse, was born May 8th, 1849 in Wayne county, Ohio. She was married to Mr. Wilson September 9, 1874, in Nebraska, coming to Oregon that same year, two years later, to Independence, where she had since resided.

Mrs. Wilson was a member for many years of the Presbyterian church and of the Woman's Relief Corps. She was a woman of many endearing qualities and was held in high esteem by a large number of neighbors and other friends.

The expression of the family follows: "We're very lonesome, Mother, since you're gone,

Sort o' makes our lives all wrong
Not to hear your voice or see
Things the way they used to be.
We miss the way you used to smile,
Eyes quite sober all the while;
We miss the songs you used to sing—
Guess we miss most everything,
Gets so dreadful lonesome, too,
Waiting for the time when we'll meet you."

Among those who came here to attend the funeral services were: Mrs. F. A. Green of Cottage Grove, Mr. and Mrs. J. W. Ball, Mr. and Mrs. E. A. Simmons, Mrs. W. F. Ball, Mr. and Mrs. Harry J. Simmons, L. K. Simmons, Kenneth L. Simmons, Miss Vesta Simmons, Mr. and Mrs. W. H. Ball, Roy Ball, Mr. and Mrs. T. H. Wilson of Portland.

GUARD GOES TO CAMP; 56 STRONG

Fine Showing Is Made by Company K for Encampment

With 56 officers and men, company K, Oregon National Guard, left Tuesday afternoon for the annual encampment at Camp Lewis, Wash., to remain until June 30th, for intensive training. In point of attendance, the company is over the top and then some for the first time in the history of the organization. This was due to a lot of energy on the part of Capt. Emerson Groves and others interested in having the company fully represented, and the more stringent guard rules this year that only dire necessity would be allowable as an excuse.

Tuesday noon the boys formed in line at the armory and marched to Hotel Beaver for lunch, the guests of the Retail Merchants' association, and the afternoon was spent in preparation for departing on the 5:45 Southern Pacific for Portland, where the company joined other units of the Oregon guard for the Washington camp ground.

The members of the company in attendance at camp are: Captain Emerson Groves, First Lieutenant Mix, Second Lieutenant Byers.

Sergeants, Smiley, Baker, Powell, Partridge, Sorg, Stewart.

Corporals, Henkle, Ward, Birkholz, Compton.

Privates, first class, Anderson, Burright, Woods, Cole, Graves, L. Jordan, R. Smith.

Privates, Chown, Ballard, Baskin, C. Bullis, W. Bullis, Bump, Maynard Carter, Markel Carter, Davis, DeArmond, Edwards, Flood, Good, Hanna, Harris, Hill, B. Jordan, Landers, McKinsey, Mattison, Morland, Mulkey, Neil, Parsons, Pengra, Purvine, Saunders, Shipley, W. Smith, Steptoe, Wamsley, R. Wilson, M. Wilson, Wilcox, Arrant, Cobine, Young.

"COLTS EASILY DEFEAT BROWNSVILLE HERE

With Shields and Loy as the battery, the Independence "Colts" pulled another victory on the local ground last Sunday, defeating Brownsville to the tune of 7 to 2. The local boys did very effective work all through the contest.

It was the last game of the "Colts" on the home grounds for a considerable period, as they are now scheduled to play return games with Falls City, Turner and Brownsville. The Falls City game will take place next Sunday, Turner the Sunday following and on Thursday, June 23, the "Colts" will play Brownsville at Brownsville, which will be the second day of a big three-day gathering to be held in the woolen mills town.

LARGER WATER MAIN FOR SOUTHWEST PART OF CITY

The Mountain States Power company is spending about \$800 in improving the water service in the school district in Independence. The three-inch water main is being replaced by four and six-inch mains and tied together, so that there will be a better service over that entire part of the city.

HOMER LODGE WILL ENTERTAIN JUNE 27

Homer Lodge, Knights of Pythias will entertain the Pythian Sisters at an open meeting to be held June 27th. Grand Chancellor Clarke, Grand Keeper of Records and Seal Gleason and District Deputy Grand Chancellor Lenon will be present and speak on subjects of interest to the two orders. There will also be a short musical program and a lunch.

At Monday evening's meeting, the lodge voted to contribute \$5 to the pulmotor fund.

Major and Mrs. W. Lewis Rose are spending a couple of weeks at Newport. They drove through and are accompanied by Gordon Plant, son of Mr. and Mrs. Walter Plant.

Miss Opal Hewett is assisting in the Williams Drug company's store during school vacation. She has just completed her first year's work in the Oregon Agricultural College in the pharmaceutical course.

OAK POINT FAIR IS BIC SUCCESS

Community Club Work Is Accomplishing Big Things

The community spirit is developing to a very noticeable degree in the Oak Point district, north of Independence. It permeates the school, over which Mrs. Gertrude F. Collins has been the presiding genius during the past three years, and it enters the home of practically every resident.

The Oak Point Community club is directly traceable to the Red Cross. During war days there was a very active organization in the community. After its dissolution, the neighborly feeling which had been inculcated was missed to such an extent that the perfection of an organization known as the Community club was the logical sequence. From the outset, it took an active part in the social affairs of the community, with the school forming the center of activity. Money was raised and a room added to the school building for community gatherings. It has a fire place and is attractively furnished, and there is a kitchenette, which is used to furnish a hot lunch for the pupils and such refreshments as may be desired at the community functions.

The school has a good sized flock of chickens and on the school ground a considerable quantity of corn is raised. All of this work is done by Mrs. Collins and the pupils. Last fall at the Independence corn show, this school was awarded a long list of premiums, and quite a revenue is derived from the chickens.

In reply to a query as to the essential requirement for success in a project of this kind, Mrs. Collins said: "Hard work in which all must participate. It is almost wonderful how the children enter into the spirit of it. They share the labor and they share the pleasure, while we are endeavoring to inculcate lessons of usefulness beyond the requirements of the course of study."

This school is used as a training school by the Oregon Normal, and the teaching is by students from the Normal, with Mrs. Collins as directing instructor.

The Oak Point Community club held a country fair on the school grounds last Friday evening, which was well attended. The grounds were elaborately decorated with fir trees and ferns, while numbers of Japanese lanterns lighted the grounds and added to the attractiveness of the scene.

A supper was served, cafeteria style, differing from the ordinary affairs of this kind in that the patron bought his meal ticket by the yard; two yards, if he were especially hungry, then as he took his tray and passed along the booths laden with tempting viands, each and every one the last word in culinary art, the charming ladies in attendance tore off several inches of the ticket in payment of the food selected. No money was accepted at the counters, and if it so happened, as it often did, that the last inch of the ticket had been forfeited before the cake and ice cream were reached, there was a mad rush to the ticket booth for "half a yard more of ticket, please." Flower decorated tables were arranged among the trees, where guests were seated to enjoy the dinner.

There were side shows a plenty, a stock show, a wild woman, a fortune teller, and all of those concessions that go to make up a regulation country fair.

On a stage, with old glory adorning the drop curtain, a program was given by the pupils of the school. This included recitations, an original play showing the daily plan of the school work, which was novel and exceedingly well carried out, an oratorical contest by five eighth grade pupils, using Lincoln's memorable address, with the announcement that the winners would represent Oak Point in the contest to be held at Dallas this fall. Joy Harriet Collins was given first place, Edna Joy, second, and Isabel Kehe, third, the judges being County School Superintendent Wills, Dr. H. Charles Dunsmore and Z. C. Kimball.

In the school building was exhibited work of the school children in manual training and art.

There were several pleasing selections by an orchestra composed of G. G. Walker, Mrs. G. G. Walker,

Ed. Wunder, and Willard E. Craven. Miss Frank Hout, county librarian, met with the Oak Point community club on Thursday afternoon for the purpose of discussing plans for the establishment of a traveling library for Oak Point. The plans met with the approval of the club and arrangements were made to place the library in the school building and have an attendant in the building every Thursday afternoon from 2 to 4. The books will be returned to the county library at stated periods and a new lot received. This is the first rural district in the county to establish the traveling library and Miss Hout hopes to see every district take advantage of this splendid opportunity to have a library.

The election of officers of the Oak Point Community club followed: President—Mrs. E. M. Young. Vice Pres.—Mrs. M. J. Williams. Secretary—Mrs. Wood. Ass't. secretary—Mrs. C. L. Fletcher.

Treasurer—Mrs. Jesse Walker. Prof. Collins was present and took a picture of the 25 members of the club. Mr. Collins has been teaching at Bay City, Ore., and will spend the summer at the University at Eugene.

This was the last meeting until October. The fair netted \$100, making \$130 in the treasury with which to start the new year.

WALKER GETS JUDGMENT AGAINST PORTLAND MAN

M. W. Walker was awarded a judgment for about \$800 and costs in a suit which he brought in the Multnomah county circuit court in Portland last week against Dr. L. L. Hewett of that city.

A few years ago, J. A. Standfour, a former resident of Independence, sold to Dr. Hewett a cottage and lot on Tillamook beach on a contract. Mr. Walker subsequently purchased the contract. The government constructed a jetty near the property, with the result that the property in question became a prey of the waves. The cottage was moved to another location, and Dr. Hewett refused to make the concluding payments on the contract.

Suit was brought by Mr. Walker through his attorney, D. E. Fletcher, and the court directed that the jury return a verdict for Mr. Walker, for the amount due on the contract, together with interest and costs.

COURT SELECTS MARKET ROADS

Several Are To Be Put Under Supervision of State Officials

A number of roads in Polk county have been selected by the county court with the recommendation that they be adopted as market roads by the state highway commission. In doing this the court is following the provision of a 1919 act of the legislature, which provides that the plans and specifications of roads so adopted shall be furnished by the highway department and the work done by the county. The court announces that \$25,500 has been levied for market road purposes.

The roads selected by the county court are as follows: The Oakdale road from the Oakdale school house toward Dallas for a distance of two miles; Polk station road, beginning in the county road leading from Dallas to Salem in a northeasterly direction to the intersection of the Dallas-Polk station road in section 22, township 7; the Zena-Bethel road beginning near Zena to run in a northwesterly direction about 3 miles to the Kelly place; the road beginning at Crowley station on the S. P. and running west a distance of three-fourths of a mile; a road at Teats station to run east to connect with the Falls City road for three-fourths of a mile; the road from Parker station east connecting with the Independence-Corvallis road, about three-fourths of a mile; the Byerley road from Byerley corner to Perrydale; the road leading from Monmouth, 5 miles south, near the Luckiamute river; and the river road from Independence to Buena Vista; the Red Cross road between Independence and Buena Vista, a distance of one mile; and a road beginning at Lewisville blacksmith shop running northeast to a place near the Hollingshead bridge.

ONE CONVICTED; TWO DISCHARGED

Jesse Fox Is Fined \$250 and Gets 60 Day Jail Sentence

Jesse Fox, charged with the unlawful manufacture of intoxicating liquors, was found guilty by a jury in Justice Coad's court at Dallas Monday and was fined \$250 and sentenced to 60 days in the county jail. Fox was one of a quartet, arrested by Sheriff John W. Orr and deputies in a raid on a moonshining outfit near the Luckiamute river, on the road between Buena Vista and Albany, in the early morning of June 8th. B. F. Mills and Forest Brown, two other members of the party, were acquitted in the same court.

Wright Cooper, the 17-year old boy, gathered in by the sheriff, was turned over to the juvenile court, and has been bound out to an uncle living at Brooks, with the provision that he must write the county judge at least once a month and refrain from unlawful acts.

In the trials the defendants were represented by Oscar Hayter and Robert Kreason of Dallas, and Prosecuting Attorney Helgeson was assisted by B. F. Swope of Independence, who had been engaged by local people to assist in the prosecution.

Following the acquittal of Mills he was re-arrested on the charge of assault with intent to kill, Sheriff John W. Orr being the complainant. However, Justice Coad refused to bind Mills over to the grand jury, holding that there was not sufficient evidence to warrant such action.

COMMENCEMENT EXERCISES SUCCESSFULLY CARRIED OUT

The commencement exercises of the Independence high school, held in the Methodist church last Friday evening, were carried to a very successful finish. The selections by the high school orchestra, the vocal solos by Miss Dorothy Ruef and Mrs. C. W. Irvine, violin solo by Glenn O. Burright, were enthusiastically received. An excellent address was made by Prof. F. W. Bercholdt of the Oregon Agricultural College, and Prof. O. D. Byers appropriately presented the class. D. E. Fletcher, chairman of the board of education, presented the diplomas to the 16 graduates.

KILLED IN SAWMILL; BURIAL AT MONMOUTH

George T. Boothby, aged 21 years, and a nephew of G. T. Boothby of Monmouth, was accidentally killed in a sawmill at Tillamook, Monday. The remains were brought to the A. L. Keeney chapel here and funeral services were held from the Christian church in Monmouth yesterday afternoon, with interment in the Knights of Pythias cemetery.

The young man was a son of Mr. and Mrs. R. T. Boothby of Carrollton, Oregon, and was unmarried.

PIANO RECITAL IS HIGHLY SUCCESSFUL AFFAIR

The recital of the pupils of Mrs. Lottie Hedges McIntosh in the Methodist church Wednesday evening, was a highly successful affair, and was witnessed by a capacity audience composed largely of people deeply interested in the work of the pupils. The selections had been carefully made and the execution was not only pleasing but showed that great care had been taken in preparing the pupils for their respective parts.

The program was divided in parts, the first being for the younger ones and the second part for the more advanced pupils.

ATTENDS GRAND CHAPTER MEETING IN PORTLAND

Ben Smith attended the grand chapter meeting in Portland this week as the representative of Independence chapter, Royal Arch Masons. Mr. Smith was also the representative of Lyon lodge to the grand lodge convocation of the Ancient, Free and Accepted Masons.

Mrs. Anna Wilson of Long Beach, Calif., was a recent guest of friends in the city. Mrs. Wilson was for years a resident of this vicinity and took much pleasure in renewing acquaintance with old friends.