



LOCATION SUIT IN SUPREME COURT

Plaintiffs Appeal Judge Kelly Decision as to Location Issue

Judge Martin R. Pipes and D. E. Fletcher, representing the plaintiffs, have appealed that portion of Judge Kelly's recent decision in the Polk case which affects the location of the Pacific highway from Monmouth south. In the decision Judge Kelly says:

"The decision of the Multnomah county circuit court holding that the location of the Pacific highway, as made by the commission, omitting from the route the towns of Dallas and Independence, is a legal and valid establishment of such highway, was not modified, reversed or vacated, and has all of the validity of a decision of the supreme court."

One of the contentions of the plaintiffs in this suit is that the ruling of Judge McCourt in the Multnomah county court, given from the bench, does not conform to the opinion which was prepared by the state highway commission's attorney, Jay Bowerman, and became the record in the case.

The suit was filed Friday, and cites that the highway through Polk county was statutorily defined to location.

It is expected that this case will iron out the Polk county muddle. It will probably be several months before a decision can be secured.

LAD'S LITTLE PAULINE AWARDED SIGNAL HONORS

Salem—Lad's Little Pauline, a dewlike little Jersey cow owned by E. J. McKee of Independence has just been awarded a signal honor, shown by the following telegram received Tuesday:

"G. G. Hewitt—Congratulations. Lad's Little Pauline, champion register of merit cow for the year 1921. Must have by return mail special delivery, good photograph for front page of 1921 Register of Merit Volume. Notify McKee and wire reply. "American Jersey Cattle Club."

Lad's Little Pauline had a record of 15,996 pounds of milk and 941.59 pounds of butter fat, as a junior 4-year-old. She has just now produced the living calf, carried for at least 150 days of her lactation period, that gives her the distinguished honor just now awarded.

The cow was bred by G. G. Hewitt of Independence, and sold two years ago to J. S. McKee, a neighbor for \$1010 at a public auction. Mr. McKee sold one of her bull calves to Chester L. Mulkey, the famous breeder of McMinnville, for \$1000 last winter. The cow has produced one heifer calf, St. Mawes Lad's Lucy, that as a 2-year-old cow produced 708.67 pounds of butterfat.—Statesman.

MEMBER PARLIAMENT HERE ON VISIT TO PARENTS

Hon. J. J. Thurston of Fenelon Falls, Ontario, is here on a visit to his parents, Mr. and Mrs. J. H. Thurston, who reside just south of Independence. Mr. Thurston is a member of the Canadian parliament, and is a former resident of Polk county. He is a farmer, and it is needless to say, a successful one in the Ontario country and received a very handsome endorsement at the time of his election.

Mr. Thurston is accompanied by his family and will remain here during the month of August.

SUIT TO ENJOIN SALE OF BONDS TO BE FILED

The necessary papers are being prepared by Judge Martin L. Pipes and D. E. Fletcher to enjoin the county court from selling \$40,000 of road bonds of an issue voted several years ago. It will be contended that the bonds are illegal.

Due to an error in the notice of sale, the proposed sale of these bonds has been postponed until August 26th.

INDEPENDENCE NATIONAL ADDS SAVINGS DEPARTMENT

The Independence National bank had added a savings department. Application was made some little time ago to the comptroller of the currency, the necessary regulations complied with and the department was formally launched August 1st.

RETURN FROM FISHING TRIP TO VALSETZ COUNTRY

M. W. Walker, accompanied by G. H. Wilkes of Florence, Col., returned yesterday from a few days' fishing trip with Valsetz as headquarters. They fished both the Luckiamute and Siletz, but neither is enthusiastic over results.

Mr. Wilkes, who is an attorney in Colorado, accompanied by Mrs. Wilkes, is spending a vacation in Independence, Albany and other points in the valley. Mrs. Wilkes is a daughter of Mr. and Mrs. J. B. Thompson of Albany and is a niece of Mr. Walker.

In recognition of the birthday of Mrs. Wilkes, a dinner party was given at Hotel Beaver one night last week. The guests were: Mr. and Mrs. J. B. Thompson, Mr. and Mrs. J. H. Wilkes, Dr. and Mrs. Rupert of Florence, Col.; W. H. Walker of Albany, Sam E. Irvine and M. W. Walker of Independence.

CAR OVER EMBANKMENT; DALLAS WOMAN KILLED

Mrs. Amos Holman of Dallas died in a hospital at Hood River Wednesday morning as a result of injuries received by a car in which she and her husband were riding going over an embankment near White Salmon, Wash., a few days previous. The automobile rolled over three times, striking a stump and landing right side up. Both of Mrs. Holman's legs were broken and her skull crushed. Mr. Holman's face and head were cut and he received injuries to his back. They were taken to the Hood River hospital. The body has been taken to Dallas for interment.

Mrs. Holman was a former resident of Buena Vista, and was well-known throughout the county. She was about 70 years old.

LOCAL WINDOW DISPLAY GETS NATIONAL RECOGNITION

A "Gold Dust" display made in the window of the J. G. McIntosh grocery about two months ago by J. G. Henderson has been awarded a prize in a national contest which was conducted by the Gold Dust manufacturers and open to the dealers of the United States and Canada.

Mr. Henderson received the only Oregon recognition and naturally is feeling elated over the accomplishment.

"BIG FRITZ" DRAWS FINE OF FIFTY BUCKS

"Big Fritz" Thame, a timber faller, drew a \$50 fine in police court Wednesday, on a drunk and disorderly charge. He was gathered in by Chief of Police Parker Tuesday night, lodged in the city jail, and the following morning was taken before R. W. Baker, deputy city recorder.

"Fritz" had been working at Valsetz. He stopped here while enroute to the Silver Falls lumber camp and became tangled with moonshine. As a timber faller, Fritz is said to be a whirlwind, but he expressed the opinion that shines are high here.

REO J. RUSSELL BUYS C STREET MEAT MARKET

Reo J. Russell has purchased of Peter Stock the C street meat market, taking possession August 1st. As soon as he winds up his business interests here Mr. Stock intends to go to Seattle to locate. Mr. Russell was formerly in the employ of the City market, and for the past few weeks has been selling meat in the rural sections, operating a truck. He has a ranch south of town, and is planning to build a slaughter house there.

AUDITING CLAIMS PRINCIPAL WORK OF CITY COUNCIL

Auditing about the usual batch of monthly claims was the principal business to be considered by the city council at the regular meeting Wednesday night.

ODD FELLOWS ELECT OFFICERS FOR HALF YEAR

Valley Lodge, Independent Order of Odd Fellows, has elected and installed as officers for the ensuing six months' term:

N. G.—F. P. Bush.
V. G.—Adam Baskin.
Secretary—W. E. Craven.
Treasurer—C. W. Irvine.

SUPREME COURT JOLTS COMMISSION

Market Road Funds Cannot Be Used To Build State Highways

"The Pacific highway was established by law. The market road fund is established for a specific purpose, and the money cannot be used for any other purpose than provided by the statute. We think the law in question is a plain expression of the will of the law makers of the state and there is little necessity for construing the act."

Such is the decision of the supreme court in affirming a decree of Judge G. F. Skipworth of the Lane county circuit court, in which he held that there is no provision of law whereby market road money may be expended in the construction and improvement of state highways.

The case originated when the Lane county court, some time ago, made provision to expend \$23,000 of market road funds in the construction of a bridge on the Pacific highway near Cottage Grove. S. M. Calkins objected to the proposed expenditure and filed injunction proceedings against the Lane county court and the state highway commission.

"The state highway commission has no authority over the construction of market roads," said Justice Bean's opinion, "except that the commission is required to furnish plans and specifications therefor upon the request of the county. It does not change the matter that the county court of Lane county has by resolution designated a portion of the Pacific highway as a market road. This does not authorize the county to construct the same out of the market road fund."

The Skipworth decision is in line with the one which was recently handed down by Judge Kelly in the Marion county court relative to the unlawful use of market road money on the highway south from Monmouth, and affects Polk county to a greater extent than Lane county.

In the Polk case, the county court, after attempting to designate the stretch of highway between Monmouth and Benton county line a market road, contracted to turn over to the state highway commission \$43,000 from the market road fund for grading and building bridges.

The greater part of this has been turned over to the state, and the grading of the highway to the Steele place beyond the Luckiamute has been completed.

According to Judge Kelly's decision, which in reality is confirmed by the supreme court's decision in the Skipworth case, it will be necessary to have this money returned to the Polk county treasury.

FORTY BUSHELS WHEAT TO ACRE ON FAWK FARM

Frank Fawk, well-known Rickreall farmer, is very well satisfied with his crops this year. He has just finished threshing. He had one field of wheat which yielded 40 bushels per acre, and another field which returned 30 bushels. It was all fall grain, Mr. Fawk being fortunate enough not to have any spring grain.

Mr. Fawk was in Independence Wednesday attending to business matters.

RECORD TIME AT FOSTER MILL

Planing Mill Rebuilt and in Operation in Three Weeks' Time

The Foster Lumber company planing mill at Kings Valley started operations, Tuesday, with a crew of 65 men. Destroyed by fire a few hours after operations had been started, record time was made in rebuilding the mill. Work was started on the new plant July 6th. It is equipped with three fast feed American machines, resaw and edger, and has a capacity of 150,000 feet per day.

It is located on the site of the old plant. The only part of the old equipment which was not destroyed were the three boilers. One is being used for the new planing mill. The company has 10,000,000 feet of lumber in the yard, and shipments to the east will be started at once.

No action has yet been taken in regard to the replacement of the sawmill. It is probable that it will be rebuilt as the company has a large amount of standing timber, and it is likewise probable that it will be located either at the old site or still farther in the timber.

W. H. Biggers, who is in charge of operations at the mill, was in Independence, Monday.

VERD HILL AND PARTY VISIT SCENIC SPOTS

Verd Hill, accompanied by Wendell Deminger, Misses Vera Johnson and Martha Hill, arrived home Monday from a two weeks' auto trip through the southern part of Oregon and northern California. They visited the Oregon caves in Josephine county, drove through the rugged and scenic country of Coos and Curry counties into the Del Norte redwood district of California; spent two days delving into the mysteries of Crater Lake; drove to Klamath Falls, winding along the west side of Upper Klamath Lake; from there to Bend and then home over the mountains by the way of the McKenzie pass.

"It was all new scenery to me, and much of it wonderful," says Mr. Hill. "I had read much concerning Crater Lake and had seen many paintings of it, with the result that I expected that the pictures had been overdrawn. They had not been. The deep blue of the water, the ruggedness of the shores and the other evidences of nature's forces, create a lasting impression upon your mind, and you want to linger. We stayed there two days, and feel that it is Oregon's greatest attraction."

HOP HARVEST STARTS EARLY NEAR SILVERTON

Hops are being picked in some of the yards located between Silverton and Mt. Angel. While on a car trip through that section, Tuesday, C. W. Penkle, Ross Nelson and Virgil De Coster were amazed to find that hop picking is well under way in some of the yards. No examination was made of the hops to determine whether they are ripe enough for picking.

It is nearly three weeks ahead of the customary time for picking early hops and more than a month ahead of the cluster harvest.

NORMAL ACTIVITY IN STATE WIDE CAMPAIGN

Monmouth—Plans were laid during the closing days of the six weeks summer session at the normal for the organization of a greater normal committee for the purpose of conducting a state-wide campaign in behalf of the school. At a student body meeting the motto "A greater and better Oregon normal school" was chosen and the following objectives, as suggested by President J. E. Landers, were adopted for the campaign: Increase of the Ackerman memorial student fund, a training school building in Independence, dormitories for both men and women, an administration building, greater faculty and increased facilities, and a program looking forward to a four-year teachers' college.

The executive committee, which will confer with the administration and outline and organize a state-wide campaign consists of the following members: Chairman, B. A. Johnson of Corvallis; secretary, Susie Bonner of Eugene; W. A. Davenport of Salem, F. M. Roth of Springfield and Beulah McCord Bovingdon of Oakland. Committees have been appointed for every section of the state and further work of organization will be effected at the county institutes next fall.

DATE SET FOR FORD MOTOR CARAVAN HERE

A caravan, under the direction of the Ford Motor company will be in Independence on Tuesday, August 22, and give demonstrations of what can be accomplished with Ford machines.

The caravan is on a trek through western Oregon and is furnishing attractive, interesting entertainment. There are to be radio concerts, lectures, movies and other features.

C. A. Elliott, manager of the Stewart Motor company and representative of the Ford interests in Polk county, is making arrangements for the caravan's visit here.

The ground in the rear of the Isis theatre has been cleared and it is probable that the tents will be pitched there.

It has been termed an industrial, power and farming exposition.

SUITS FOR COLLECTION OF MONEY ARE FILED

Dr. George C. Knott has brought suit in Justice Baker's court against Ed. Stewart, employed at the George Werline hop yard, for a medical claim of \$50 and an assigned claim of \$29.06 from the McIntosh grocery. A car belonging to Mr. Stewart has been attached.

Dr. F. G. Hewett has brought suit against H. M. Witherow for \$14 and costs for medical services.

VALSETZ MAN BURNS TO DEATH

William La Blanch of Valsetz was burned to death in an automobile accident which occurred near Eddyville on the road to Toledo early Thursday morning. He was in the company of John Shafer of Independence and Marvin Elkins of Valsetz. Only meager reports of the accident are available. The trio left here in Mr. Shafer's car about midnight Wednesday night. When some 17 miles this side of Toledo, the machine, which was being driven by Shafer, plunged down an embankment. It caught fire and was totally destroyed.

Elkins was cut about the head and otherwise injured and could give no coherent story concerning the accident. Shafer was missing. A deputy sheriff from Toledo started for the scene of the accident yesterday forenoon.

It is feared by the family of Mr. Shafer here that he was badly injured in the accident. It is thought that he may have been thrown clear of the machine when it went over the embankment. A message was received last evening summoning the mother of Mr. Shafer to Toledo.

La Blanch was about 30 years old and had been in the employ of Mr. Powell of the Cobbs & Mitchell company for several years. He came to Independence from Valsetz Wednesday morning in the company of Elkins and the two went with Shafer on a trip to the coast. Announcement of the accident brought tears to the eyes of Mr. Powell who spoke very highly of La Blanch.

INDEPENDENCE AT POLK CO. FAIR

Committee Is Named to Arrange for Exhibit This Year

Independence is to make an exhibit at the Polk county fair at Dallas this fall. It is to be a community effort, and is being fathered by the Retail Merchants' association under the direction of a committee headed by William Cockle. The other members are A. C. Moore and C. A. Elliott.

It is to be an agricultural and horticultural display. Last year, "Uncle Billy" Wright made a very fine showing at the fair, using only his own products. The desire is to have Mr. Wright co-operate in the project, as well as other farmers in the vicinity of Independence.

LEAGUE INSTITUTE AT FALLS CITY SUCCESSFUL

For the first time, the Institute this year was held at Falls City. For several years past it has been held in the park at Jefferson, Oregon, But, unable to acquire the grounds by lease or purchase, the management after visiting many places decided that the grounds at Falls City were best adapted for the work of the Institute and obtained a lease on the property for 99 years, so that for a few years at least the Epworth League will have a place for the meeting of the Institute.

The people of Falls City have been generous in their gifts of money and lumber, so that too much cannot be said in praise of the way in which the populace have taken hold of it.

On July 3 and 4 many Epworth Leaguers from Portland and Salem McMinnville and other places met on the grounds when with saw and ax and other carpenter tools they constructed a tabernacle where the main meetings are held, and a dining hall etc., which adds comfort to those who camp there during the glorious week of young people's work and frolic.

This institute is made up of young people of the Epworth Leagues of northern Oregon, other institutes being held in central and southern Oregon. Nearly 400 delegates were in attendance and a happier bunch of young people you never saw. The faculty is composed of men who have had wide experience in working with young people. A visit to some of the classes was an inspiration. Notably the classes in Bible study, foreign missions, christian citizenship, home missions and stewardship. Other classes were also held. The Bible class held by Dr. McCulloch of Portland had an average attendance of 168 for the week. The class in F. M. led by Rev. H. M. Pemberton of Salem was nearly as large. The theme was India, its people, religion and literature. Space will not permit me to say much of the other classes, all largely attended and all seemingly enthusiastic. The afternoons were mostly spent in quiet study, and in recreation. Such games as baseball, volley ball, tennis, being played. The evening meetings were inspirational. Dr. Doney of Willamette University was the speaker the first night of the week; Dr. Gilbert, D. S. of the Salem district, preached on Tuesday, Wednesday and Friday evenings to large audiences; Thursday evening a lecture on China was delivered by Rev. F. P. Jones, a returned missionary. It was a treat.

On Saturday evening, under the leadership of Dr. Powell, a pageant was put on, followed by a camp fire for all who wished to attend. The Sunday services were full of interest, many young people obeyed the call of God to a life of service for him and the world.

Those attending from here were Rev. F. S. Clemo and daughter Evelyn.

Mrs. J. W. Kelly, Mr. and Mrs. C. D. Smiley, Mrs. Carrie Smiley and daughter were Sunday visitors at the Institute and came back with a good report of what they had seen and heard. I am sure if the young people of our church here in Independence would attend such gatherings they would catch a vision of life and service that would be helpful to them in days to come.—F. S. C.

Miss Wilma Shafer entertained a number of young friends last Saturday evening, at her home, 6th and F streets. It was a lawn party and a delightful evening was spent.

