

The Tillamook Herald

E. E. Crombley, Editor

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Advertising Rates

Legal Advertisements	Each subsequent insertion, line	.05
First insertion, per line	Resolutions of Condolence and Lodge notices, per line	.05
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Notices, per line		.05
Cards of thanks, per line		.05
Locals, per line, first insertion		.75

STATEMENT OF OWNERSHIP

E. E. Crombley, Editor, Publisher and manager. First National Bank of Tillamook, mortgage holders.

FRIDAY JUNE 26, 1914.

COMMUNICATION

Editor Herald:

The writer of the communication last week seems more familiar with the cover of his Bible than any other part. Not only does he misquote, but misinterprets and misapplies.

The partial quotation "Whomsoever will, let him come," is evidently the one found in the last chapter of Revelation, and continues,—"and take of the water of life freely," and is generally interpreted to refer to conversion or regeneration. I fail to see where even world wide prohibition could force the conversion of one person—or wherein it would seek to do so. It may be my brother calls "booze" the water of life, but if so he has stated his case backward.

The sixth chapter of first Timothy contains the quotation "The love of money is the root of all evil." Money itself can hurt no one, and may even be the source of great blessings, as many an incident in the Bible and every-day life shows. Did you ever see a match set a house on fire, or an automobile, or house, or flying machine walk up to a man and kill him? What causes nine-tenths of the accidents with these self same dangerous articles? Isn't it liquor? Even a gun isn't particularly dangerous or liable to be "loaded" unless a drunk man has it. Eliminate the cause and you know the effect. If the manufacture and sale of all these articles were prohibited it would leave quite a gap in our civilization as there are no substitutes for any of them in their peculiar uses.

But is there one useful use to which alcohol is put that some other comparatively harmless substance cannot be used to advantage? Name one.

Another thing—how can a preacher make people dead to sin? Sin dies out as we let Jesus in and in no other way. No preacher in the world has control of the process they merely lead us to where we can "let Him in" and the rest of it is up to us and God.

Thank God that the preachers are studying present issues as well as past history and taking their stand for righteousness and truth and so hastening the day when "the world shall be full of his knowledge and glory as waters that cover the sea."

Mrs. J. H. Tucker.

CLUB MEMBERSHIP STANDING

Tillamook City is proud of its Commercial Club rooms. They are the equal of any on the Pacific Coast, and the city and the county is getting much free advertising, not only throughout Oregon, but in California over our cheese. Every business man should esteem it an honor to belong to the club. More of our citizens should join and help support it. A city without a live commercial club is known as a dead place and new people with money to invest shun it. Every business and professional man, who have the good of the city at heart, and their own welfare, should support it for a commercial club needs their assistance and co-operation. All club members are invited to the meeting to be held next Monday evening, when a new president and treasurer are to be elected. There will be a lunch and cigars and general discussion how to boost the city and county.

For the information of those who are desirous of knowing who are now supporting the club, we give below the names of those who are in good standing. There are a number of members who are behind in their dues, but their names are not included in the following list:
Bacon, Ralph Ray Feed Co.
Baker, Fred C. Tillamook Headlight
Baker, W. F. Tillamook Headlight
Barnes, C. S. Ramsey Hotel
Beals, F. R. (Mayor) real estate
Beals, B. L. Sr. County Treasurer
Beals, B. L. Jr. cashier Tillamook County Bank
Buel, Gail student
Botts, H. T. attorney
Case, A. K. machine shop
Chase, O. W. fish merchant
Clausen, E. J. attorney
Clough, C. I. druggist
Crenshaw, H. sheriff
Dolan, A. T. cement contractor
Dwight, W. G. financial broker

signedly or from lack of ability it is immaterial and unnecessary for the Court to decide. And it also shows there is internal dissatisfaction among the stock holders all of which contributes to the jeopardizing of the interests of the corporation, and if continued, would render it absolutely insolvent. And the evidence shows to the satisfaction of the Court that the defendant corporation was tending upon insolvency, and hardening upon insolvency at the time of the trial of this suit. The old rule was stockholders, minority stockholders, had practically no relief. That they were at the mercy of the majority stockholders, but the trend of modern decisions has been to relax this rule and further to give the Courts of Chancery jurisdiction to protect the interests of all the stockholders and the interests of the corporation, and preserve it, and this modern rule is founded upon common sense and good reasoning. It is a mere matter of law to hold that the minority stockholder has no voice in the affairs of a corporation. While the corporation itself is the owner of all the property of the corporation, yet the stockholders' interest therein is represented by the shares of stock which he owns, and in a way his rights and interests are analogous to that of a partner, and it would be simply depriving the rights of the minority stockholders who are being imposed upon or subjected to the loss of their property for a Court to refuse to take jurisdiction and protect their rights and interests. And it appears to the Court from the evidence adduced that P. J. Worrall individually, is unfitted for the management of the affairs of the defendant corporation, that he has heretofore held in contempt the orders of this court made heretofore made in this suit, and that he is not fitted by nature to have the management of the hotel, not being adapted to meet and make friends with the patrons of such a place, all of which tends to jeopardize not only his own interest, but that of the other stockholders.

It is also claimed, and was testified to by P. J. Worrall that he had a contract with the defendant corporation whereby he was to receive a salary of one hundred dollars a month, board and lodging and what liquors he might personally see fit to consume, but the records of the corporation introduced in evidence, fail to show any such contract and such a contract could only have been entered into, if at all, by the act of the majority of the Board of Directors, which should appear upon the minutes of the Directors. And it would amount to a fraud upon the stockholders for a Director, being in control of the majority of the corporation, either as owner himself or in combination with other stockholders or directors, to vote himself a salary board and lodging and the right to consume liquor which would be in excess of the earning capacity of the corporation to stand, and the evidence shows that P. J. Worrall consumed for his own individual use in liquors, the property of the defendant corporation, between \$65 and \$75 per month, without any right so to do, there being no contract to that effect with the corporation, all of which would amount to a fraud and imposition upon the stock holders of the corporation. And under the state of facts of this defendant corporation, it was too great a burden for it to bear and lose, and it appears to the Court after a consideration of the evidence in the case, that the only way to protect the interests of this corporation is for the court to appoint a receiver, until such time as this corporation can be put upon a solid financial basis, and a Board of Directors can show to the Court that the receiver is no longer needed when he will be discharged.

And it also appears from the evidence that P. J. Worrall has received without any authority and in contravention to the orders of this Court, the sum of \$100 at one time and \$30 at another time, and that he should account to the corporation therefor, and that he has received as pretended salary the sum of \$100 a month since the opening of the hotel until the temporary receiver was appointed herein, and the Court finds that the sum of \$100 will be more than his services were worth during that time, and will not compel him to account therefor to the corporation, at this time. And the defendant Anna Worrall has received the sum of \$35 per month as salary and it appears to the court she has fully earned that sum of money and has in reality earned a much larger sum, but has received no more than \$35 per month and she should be allowed to retain that. And it appears to the Court that Miss Worrall has received certain sums of money at the rate of \$25 per month as secretary, and she will be allowed to retain that as it appears her services were reasonably worth that sum. But since the opening of the bar, the time being uncertain but fixed about Aug. 17th 1913, and from that time until the time of the appointment of the temporary receiver, herein, the

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defendant P. J. Worrall will be required to account and pay over to the defendant corporation at the rate of \$65 per month, on account of liquor consumed by him for his own personal use, the property of the defendant corporation, without any right or authority so to do. And the Court finds he is indebted to the corporation in the aggregate sum, at the said rate of \$65 per month, during that period from the 17th day of August, 1913, and the date of the appointment of the temporary receiver. And it appears to the Court further that the defendant directors should be restrained and enjoined perpetually from interfering in any manner with the management of the said hotel so long as it is in charge of and in the hands of the Receiver to be appointed by the Court in this suit, and during all of said times until the said Receiver is finally discharged. And it appears to the Court that A. H. Gaylord is a qualified and suitable person to be appointed as Receiver in this suit and he is hereby appointed Receiver until further order of this court and his bond will be fixed until the further order of this court in the sum of five thousand dollars. And plaintiff will recover in this suit his costs and disbursements against the defendants P. J. Worrall, Anna Worrall and Charles Kunze.



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A WELL MADE HARNESS
will not only improve the appearance of your horse, but contribute to your safety as well. Many a runaway could be avoided if the old Harness had been discarded in time.
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The Same Price to Everyone

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Abstractor
Tillamook County Bank Bldg.

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