

JUDGE PHILIPS IS VERNONIA VISITOR

Judge Philip called Saturday, and in his sincere, easy manner enlightened us on several Columbia county matters. We called his attention to the Rock Creek bridge in the city of Vernonia. This, a county bridge, is built crossways with the street. It is a one-way bridge, built for a county road instead of a thriving, busy city of 2000 energetic people. The bridge isn't wide enough nor does it set straight with the street, making it awkward to connect sidewalks with. Well, the judge promised to think about it, and we hope the whole court thinks about it hard enough before the spring traffic to enlarge and straighten it. Then, in our conversation Judge Philip told us of his recent visit to Marion and Clackamas counties. At Astoria the people are awake. They are paving the road of the Inland Loop highway this way at the rate of five miles a year. In Clackamas county they have some roads that are giving satisfaction with a nine-foot cement pavement and nine-foot rock road, making a good highway, built so that on meeting a car one can turn out in the gravel without hardly knowing it or with little difficulty. The experiment is worth trying, and the judge wants to build here on the strip starting at the east city limits and running east to the Nehalem bridge. Should this be done this spring we believe it would prove so satisfactory that in another year about five miles more would be built. The only change in the plans that we could mention would be a scheme whereby the new road would start at the west city limits and be built through the city of Vernonia. It might be possible for the city property owners and the county to get together and pave through town. Anyway, we agree that the judge has a good proposition.

A traveling library has just been received from the state library. This is one of the sections of the state's free lending libraries, sent for six months, and free for the use of everyone, both in town and in the country. These books are kept at Vernonia grade school in care of the librarian.

These books are for you. Make use of them. Look over the list given below and select the books which you wish to borrow next time you visit your library. You will notice that there are books for men, women and children, both fiction and interestingly written books of information.

If you do not find the books you want in this list, ask the librarian to send to the state library, Salem, for books on any subject in which you are interested. Lists of books on agriculture, child care, fiction, business, trades and best books for children will be sent you by the state library upon request and you may select books you wish from these lists. Several of these lists are at your library and may be consulted there.

Traveling Library No. 95
The Guns of Bull Run, The Guns of Shiloh, The Light in the Clearing, The American Boys' Book of Bugs, Butterflies and Beetles, Boyhood Stories of Famous Men, The Camera Man, The Boys' Book of Firemen, The Grizzly King, Baldy of Nome, Christmas Stories, Blithe McBride, The Human Side of Trees, Rhymes of Our Valley, Tramping Through Mexico, Guatemala and Honduras, Treasure Flower, Practical Things with Simple Tools, Adventures in Contentment, The Short Cut, Tales of the Labrador, Sons and Daughters, Jan and Betje, The First Hundred Thousand, The Story of the United States, The Magnificent Adventure, Early Days in Old Oregon, The Manager of the B. & A., A Maid of 76, Chloe Malone, The Last of the Barons, Chandra in India, Black Sheep: Adventures in West Africa, The Steadfast Princess, The Boys' Book of Hunting and Fishing, Famous Days and Deeds in Holland and Belgium, The World for Sale, Tales of a Poultry Farm, Efficient Living, Filling His Own Shoes, With Sam Houston in Texas, Brave Deeds of Union Soldiers, The Boarded-Up House, Emmeline, On Parole, Colonel Carter's Christmas, Penrod and Sam, The Birch and the Star, The Real Story of the Whaler, Our Little Armenian Cousin, El Supremo, Still Jim.

Rains last week raised Rock Creek, with other streams, causing part of the large, new dam, recently constructed to wash out. This sent a wall of water down stream, carrying many big logs with the flood. At the power plant of the Vernonia Light Co. the rush of water washed out about 100 feet of trestle under their pipe line, which will take a few days to build. Consequently, it will probably be the latter part of the month before we get electric service in Vernonia.

That wide, level part of Vernonia between the two school buildings and along Keasey road is covered for blocks with new buildings. One nearly loses oneself among the new houses. Building in this desirable residential section refuses to be quiet and the more they build the better they look. Some of the new houses are yet unpainted, but as soon as the paint is spread, it will improve the appearance and homes in this district are in demand.

CIGARETTE SMOKING AMONG THE YOUTHS UNDER 21 YEARS ILLEGAL

Members of the St. Helens W. C. T. U. inform the Mist that they have reason to believe that there is much cigarette smoking among the young boys and they wish to enlist the aid of officers of the law and parents towards breaking up this habit. A pamphlet containing extracts from chapter 24, General Laws of Oregon, has the following regarding the matter: "It is unlawful to sell, offer for sale or give away to any minor any cigarettes, cigarette papers, or any substitute thereof in Oregon. The penalty for the first offense is not more than \$100 fine; second offense not over \$500 or less than \$250 fine, or imprisonment in the county jail not over thirty days, or both fine or imprisonment."

It is also unlawful for any minor to smoke, use, or be in possession of any cigarettes, and it is unlawful for any proprietor or employer to permit minors to use cigarettes on their premises. Minors using cigarettes must tell from whom they were obtained when asked by parent, teacher or officer of the law. There is a penalty of \$5 for the refusal to give this information. Another provision of the law is that any officer failing to perform his duty in connection with the cigarette law shall be guilty of a misdemeanor.—Mist.

THIS AND THAT

Much of this present day whiskey is said to be aged in the wood, but the undertaker furnishes the wood.

The doctors can cut out your tonsils and your appendix for you but you have to cut out your own foolishness.

The hardest thing some politicians have to overcome is to keep people from laughing at them.

Still another trouble with the world is there are too many women raising Cain when they ought to be raising babies.

Two men can live together for a year and remain good friends. Why can't a man and a woman do the same thing?

The girl who won't get very far on the matrimonial road is one who uses a lipstick oftener than she uses a broomstick.

Our advice to the young men is to stick to their jobs. By working hard 8 hours a day they may get to be boss and then they can work 12 hours a day.

A Washington editor says Henry Ford is another Lincoln. Maybe he can't tell the difference between a Ford and a Lincoln, but any garage man can.

What has become of the old-fashioned father who could always manage to get his hands on a razor strap when one of his kids showed a streak of temper?

The world has never known a family so well behaved and elegant but that there were two things to disgrace it—a family clock that is never right and a family piano that is never in tune.—Milwaukee Review.

PRIVATE SERVICE PREFERRED

A total of 24 cities and towns in Oklahoma, which previously operated municipal plants, have given up the manufacture of electricity in their own plants, within the last two years, and have given franchises to privately-owned companies for electric service, or have arranged to purchase the current at the city limits.

SPEED BOYS WOULD LIKE A LITTLE TRIP LIKE THIS

If all the electric energy now generated in the United States in one year could be hooked up to a modern passenger train, and locomotive, it would spin an express train like the Shasta Limited, the crack Southern Pacific train, 80,000 times around the globe at the continuous rate of 60 miles an hour.

TH' OLE GROUCH

THERE GOES TH' GUM WHO BORROWED \$20 FROM, ME TWO YEARS AGO AN' AIN'T PAID IT BACK YET! HE'S STEPPIN' OUTA HIS NEW CAR! IN A MINNIT HELL BE STOPPIN' MY FIST WITH HIS NOSE!



COURT UPHOLDS PATENT SALE

U. S. Suit Against Chemical Foundation Dismissed by Judge Morris.

CONSPIRACY CHARGE FAILS

Conduct of Chemical Foundation Praised in Use of Former German Patents for Benefit of American People.

Wilmington, Del.—In a sixty-two page decision which swept away every one of the Government's major contentions as being without basis in fact or law, Federal Judge Hugh M. Morris dismissed its suit to set aside the sale of seized chemical and dye patents by the Allen Property Custodian to the Chemical Foundation, Inc.

The decision rebuked the Government for including in the bill of complaint a series of conspiracy charges unsupported by evidence at the trial and refuted by the defense as well as by documents filed by the Government.

In declining to compel the Foundation to restore the disputed patents, numbering some 4,700 and bought for \$271,000, from the Government, Judge Morris held there was no evidence bearing out allegation of a conspiracy by American manufacturers to effect a monopoly through the Foundation. The court ruled that there was no evidence of fraud or deceit practiced on President Wilson, Mr. Polk, Under Secretary of State; Attorney General Palmer and other high officials of that Administration.

Garvan's Course Upheld

The opinion praised Francis P. Garvan, president of the Foundation, and its trustees, as having met the most severe of tests in their conduct of the Foundation—"the test of actual trial." They were declared by the court to afford, through their high integrity and unquestioned patriotism, a thorough assurance of loyalty to their trust. "It has kept the faith," said the court of the Foundation's work.

Judge Morris found without merit the Government's contention that the criminal laws were violated in that Mr. Garvan, as Allen Property Custodian and thereby a public trustee, sold to himself as president of the Foundation the patents in question. He had acted by direction of President Wilson and his acts, supervised by the President under the latter's wide war powers granted by Congress, could not be brought to court. Congress had not delegated legislative powers to President Wilson, as maintained by the plaintiff, and the courts could not pass judgment on the wisdom or lack of wisdom of Presidential war acts.

Judge Morris recited that although Colonel Thomas R. Miller, present Custodian, who had approved two of the sales involved, verified the complaint, in his testimony he admitted that he could not enumerate any of the facts alleged to have been withheld and suppressed from him.

"In view of this testimony and the obvious fact that the power to charge persons with fraud and conspiracy is a weapon with which serious irreparable injury may be done to innocent persons if such charges are lightly made, it is difficult to understand why the specific charges to which the foregoing testimony relates were made," wrote the court. "Yet the remaining like charges were equally lacking in evidential support. In fact, at the argument, the plaintiff seemed no longer to press these charges against the persons alleged to be conspirators, but it sought to have the charges sustained as against the officers of the Government who formulated and carried out in the public interest the plan of sale. . . . While I know of no case where by implication of law the duty of clearing itself from imputed fraud rests upon the defendant, yet the defendant has met even this burden."

Holds Wilson Had Full Power

While the Trading With the Enemy Act at first merely authorized custodianship of German properties in this country, it was later amended, recalled the Court, to give power of sale under such conditions as the President, in the public interest, should determine upon. In effect, this made the President, as agent of the nation, possessed of powers as broad as though he were absolute owner of the seized properties. Under the provisions of the act, the President was empowered to make any conditions of sale he considered necessary in the circumstances.

The sales in dispute were not made by the Custodian in his capacity as a common-law trustee, but under the extraordinary powers devolving upon him as the President's representative, under the additional sections of the act. "Because a trustee with only the usual powers may not ordinarily sell trust property at private sale for less than its fair monetary value, it by no means follows that the Custodian, acting under supervision and direction of the President, may not do so," held the Court. "Obviously, the primary purpose of the act was the protection of the nation, not the benefit of the enemy. The trust was for the benefit of the nation—a public, not a private trust. The statute re-

quires the President to consider the public interest. Public interest is not a synonym for money."

In this relation Judge Morris quoted from President Coolidge's message to Congress on the Muscle Shoals problem, that "while the price is an important element, there is another consideration even more compelling. . . . If this main object (low-priced nitrates for farmers in peace and the Government in war) is accomplished, the amount of money received for the property is not a primary or major consideration."

Referring to German-owned property, the court said:

"Much of this property was not innocently held or held solely for trade and commerce. Information acquired by German-owned companies had been transmitted to Berlin, and there indexed and made available to German competitors and the German Government. The files of one company were filled not with business papers, but with pan-German literature. It was a distribution centre for propaganda in this country."

Upholds Confiscation of Patents

Judge Morris pointed out that when America entered the war she adhered to the international convention for bidding poison gas, "but it soon became apparent that America would be fighting on disastrously unequal terms unless she should make use of all the dread weapons being used against her by the foe. When Germany persisted in her attempts to destroy her opponents with poison gas in contravention of all international agreements, she made it manifest that America's future safety lay in America's chemical independence. The amendment to the act was passed in the darkest days of the war (allowing the sale of seized properties). It was thought Paris was about to fall and the Channel ports be taken." These were the circumstances, said the opinion, "which impelled Congress to grant the President the broad powers of almost absolute ownership. It was the intent of Congress to subordinate mere property rights to the welfare of the nation."

Of the value of the patents sold, Judge Morris held, in accordance with the testimony, that while Dr. Carl Holderman, a German, asserted the Haber patents were worth \$17,000,000 to the Germans, "the evidence is overwhelming that they were and are without substantial affirmative value to American citizens. Had these patents been sold to Americans at public rather than private sale and only the net proceeds paid to their former enemy owners these owners would have suffered an almost total loss in the value of their property."

Praises Work of Foundation

As to allegations that the sale was not to obtain a fair value, but to promote the interests of the chemical and dye industries and that the transaction was in legal effect granting a subsidy to private industry, the Court commented, "this challenge to the motives of the officers making the sale is supported, I think, neither by the facts nor the law. Mr. Polk determined the public interest would be best served by a wide use of the inventions covered by the patents. If the property was sold under terms and conditions that assured its being devoted to the public use it matters not what benefits or detriments may have flowed as incidents therefrom."

"The property is in the keeping of men who have in its management no selfish interest to serve and whose devotion to the public interest has been established," continued the opinion. "No better plan for devoting the property to public use has been suggested. The plan has stood the most severe of all tests—actual trial. The defendant has kept the faith. This it has done, not only by granting licenses in furtherance of the purposes for which it was chartered, but also at its great expense, by distribution of books and pamphlets showing the national necessity for practical development of chemical science in America. If, perchance, those heretofore engaged in the industries have derived an incidental advantage from the plan, that incidental result cannot invalidate a transaction lawfully consummated in the public interest. The same charge would lie against the validity of every tariff act. . . . The sale was in effect to America and its citizens, not to those then engaged in chemical and allied industries."

Judge Morris ruled that if the executives entrusted by Congress with power of sale acted within the scope of that power "their acts are not subject to judicial nullification or review. Invasion by the courts to determine whether the public interest required the property be sold otherwise than under the statutory conditions prescribed and to set aside the sale should the judgment of the court be different from that of the President would be a judicial nullification not only of the President's act but also of the act of Congress conferring on the President the power to determine what the public interests required. What the public interest requires depends upon the conditions existing in the nation. Courts do not understand the 'state of the Union' and as I apprehend, are not equipped to ascertain it. . . . The statement of the reasons actuating the President does not make his act any the less an act of discretion. It is conceded the President cannot be brought into court to substantiate his reasons. The statute does not require him to disclose to the purchaser the evidence upon which his reasons were based. The statute does not limit the Executive in the assignment of reasons to such as may be supported by legal evidence or by facts available to the public."



A Scene from "The Hunchback of Notre Dame"

YOU ARE INVITED

Each of the Eagle subscribers are invited to visit our newly equipped shop, witness the operation of a model printing plant. Ladies and children, school children, try to call Wednesdays or Thursdays, preferably Wednesdays, and the operator will explain the workings of the wonderful typesetting, typesetting linotype machine. On the afternoon of Washington's birthday, February 22, will be open house at the Eagle office or "visitors' day." Call and get a linotype slug with your name on it.

THE VILLAGE COMPLETE

Stopping in a small town a traveling man said to a prospective customer:

"It has been twenty years since I was here last. Many buildings gone up since then?"

"No," replied the resident, "none that I know of."

"Any gas or electric company here?"

"No."

"Planning for any?"

"No."

"Well," said the traveling man, "I've been all over this country, and this is the first town I have seen that is what you might call actually finished."

BOBBED HAIR AND BUSINESS

When "sweet young things" began to bob their hair, a tremendous furor arose throughout the country, but nobody has heard the electrical appliance trade holler very loud about the new fad. The reason is that a survey of the situation shows that bobbed hair has increased the sale of electric curling irons about 150 per cent.

SHOOT 'EM

Blasting life into holly berries is a far cry to Christmas wreaths but this very thing takes place at the great holly orchard near Kirkland, Washington, owned by Edward P. Tremper of Seattle. Few people in the Pacific Northwest realize that such an industry as a holly orchard exists. Holly trees usually are associated with a few individual specimens in nurseries or formal gardens. But at Kirkland the only orchard in the United States consisting entirely of holly trees is maintained.

In that orchard more than 1,000 holly trees are growing. But although Western Washington soil and climate are almost ideal for the growing of holly trees, Mr. Tremper found in 1921 that some of his trees were not making the growth they should. Some of the trees had begun to show scraggy tops and others had stopped growing. Beside these sickly specimens were strong, sturdy trees.

To discover if possible the reason for this condition and to provide a remedy, Mr. Tremper called in an explosive expert—a man who had made a specialty of tree-doctoring—George E. Willman, of E. I. du Pont de Nemours & Co. For the last 24 years Mr. Willman has been in the employ of the du Pont concern as an expert in the use of explosives for all purposes.

Mr. Willman looked over the holly orchard and prescribed blasting to revive the dying trees. His method was to send down a two-inch driving bar to a depth of three and one-half feet, four feet distant from the trunk of the tree to be treated. What is known as 20 per cent blasting powder was used in these holes.

Two charges, one on each side of the tree were used. Very little change was noted in the trees' appearance the first year, Mr. Tremper said, but during the second year and since, an all-around healthier appearance has been marked. Today Mr. Tremper says the sickly trees cannot be told from those that have been sturdy at all times. He explains that the blasting loosened the under soil so that the roots of the trees could get down into the moisture and obtain nourishment.

The trees were literally blasted into health, said Mr. Tremper and today are strong, healthy hollies making remarkable growth.

VERY NICE LETTER

Mr. Frank Warfield, Vernonia, Ore.—Dear Frank: I was very pleased indeed to receive the Vernonia paper which you kindly sent me and was much interested in reading the account of the great developments in the grand old Nehalem country.

You know, as a boy, Nehalem was our great camping place, and I have fished every hole all the way from the Lousignau place down to Vernonia. The Dallas place was one of our camping places in later times and Emma and I spent our honeymoon trip at a little camp on the Dallas place.

Fishing was good in those days, and we used to get fine baskets of trout, and I had to work pretty hard to beat Emma at the fishing game. I remember one time we went out and we caught fifty-five apiece and just as we got in sight of camp I threw my line in and pulled out another one in order to beat her. This she still thinks was a mean trick; I guess she was right.

Another time I remember we had a very interesting experience at a negro camp meeting down at Vernonia. That was a great attraction for the town in those days.

I was particularly interested in the description of the new big saw mill being put in and their up-to-date machinery. There have been great mechanical developments all along the lines of manufacturing processes and the old-time methods are being discarded all along the line.

It was certainly astonishing to see the character of paper which was gotten out by the Vernonia press, and he deserves the best of luck in his venture.

I am glad that things are going along so lively in that region as it will make your move there a good one financially, no doubt.

We are very well; the children, Margaret and Stewart, are off at school in the East. Mrs. Bradley's mother is with us this winter, and we expect to have my mother come on next spring. Mother writes she has enjoyed being at your place very much as she is very fond indeed of the children.

Give my regards to the boys, Mina, and all the family.

Very sincerely yours,
C. E. BRADLEY.

BAD BURNS FROM GASOLINE

The Old Oil Story

What might have been a fatal accident occurred last Sunday morning at the H. J. Buffmair home. Mr. Buffmair started to kindle the morning fire. He grabbed what he thought was the coal oil can to help speed the fire. It was the gasoline can he drew by mistake, and soon found out the difference. It luckily happened that the can was nearly empty, but at that it resulted in a serious accident quicker than one can tell it. The can was blown as flat as if hammered out. Mr. Buffmair received serious and painful burns on the chest, head and arms. The curtains and bedding caught fire, and by quick work of mothering, the fire was extinguished. A doctor was called to dress the burns and "Curley" will soon be himself again.

Although we think our lot is hard, Don't grumble, fret and shirk; Just thank the blessed Lord above For health and strength to work.

Some people go through life deformed, Some crippled and some lame; And yet the grit and vim they have Would put us all to shame.

So work away and praise the Lord For grace and strength to be A blessing and a help To all of those you see.
B. W. BUNN.