

## Suit Filed Against Two Policemen

A wrongful death suit has been filed in Columbia County Circuit Court, asking damages of nearly a half million dollars on behalf of the estate of Zella Kappert, Goble, who died as the result of a one-car accident in December, 1972 at the junction of Highway 47 and the Scappoose-Vernonia Highway.

Named in the complaint are Steven Poetter and Ray Lamping, in addition to William Jacob, driver of the car in which the young woman was riding at the time of the accident. Poetter, now with the St. Helens Police Department, was then a member of the Vernonia Police Reserves while Lamping was, and is, a member of the Vernonia Police Department.

The complaint, filed by Loren Kappert, a representative of Miss Kappert's estate, alleges that the three men were negligent. It covers the events leading up to the crash, beginning at approximately 2:45 a.m. on December 2, 1972 when Jacob's vehicle, in which Miss Kappert was riding, passed the police station on Bridge Street in Vernonia. It was at this time that it is alleged Poetter and Lamping believing a violation of the local noise ordinance had been violated, entered the Vernonia Police car and pursued the Jacob automobile.

Suspecting the operator of the Jacob vehicle might be under the influence of liquor, the complaint continues, and after following for approximately 12 miles, the officers attempted to stop Jacob by using the flashing lights of the police car.

When Jacobs didn't stop, the complaint contends, the officers chased the car on a narrow winding road, in a rainstorm, at speed ranging up to 100 miles an hour for between 3 1/2 and four miles until the Jacob vehicle ran off the road and Miss Kappert suffered injuries which resulted in her death.

According to the complaint Jacob was negligent in attempting to elude the police and in the manner in which he operated the car. Poetter and Lamping were negligent according to the complaint, because they acted unreasonably to the suspected offense; they pursued the Jacob vehicle for more than a mile without lights; they failed to attempt to stop Jacob promptly after observing the violation of the basic rule; and that they operated the Vernonia police car on Highway 47 at speeds up to 100 miles per hour during a rainstorm.

The complaint further contends that the officers failed to take into consideration that there were other people in the car besides Jacob; that the vehicle was occupied by juveniles who might be frightened by what was occurring and that they used unreasonable and excessive force in pursuing the vehicle and deprived Miss Kappert of her civil right to be secure and free from unlawful arrest and unreasonable harassment.

Further, the complaint states that Jacob and Poetter engaged in a race on the highway and that Lamping, by not objecting, acquiesced to the conduct. If any defendant had broken off the race, the complaint alleges, the death would not have occurred.

Damages in the amount of \$500,000 are asked as a result of Miss Kappert's death from each defendant as well as \$1,678 in medical and funeral expenses from each.

Three other occupants of the vehicle, including the driver, Jacob's were injured in the accident.

## Police Cadets Plan Program

The Vernonia Police Cadets will be the hosts for law enforcement cadets from throughout the area on Monday September 16.

The Cadets have arranged for the Military Police to present a talk and film showing aimed at showing the possibilities of a career with the military police law enforcement group.

The program will start at 7 p.m. at the Vernonia High School gym. Those interested in beginning a career in law enforcement (or a related field) are urged to join the Police Cadets. Membership is open to young men and women 14 to 20 years.

All are welcome to the program.

## Chamber of Commerce Changes Meet Date

The Chamber of Commerce has changed its meeting time to the second Tuesday of each month. Several of the directors are also volunteer firemen so as to enable them to attend the firemen's meetings on Monday evening the change was made.

Bill Crabtree, representing Brunsman's Hardware, was appointed to fill a vacancy on the Chamber board.

Work has begun to repair the Vernonia sign near Staley's Junction as it was found the oval plywood sign had deteriorated to the extent they would need to be replaced. New lettering and painting of the whole sign is also planned.

# Vernonia Eagle

VOLUME 52, NUMBER 37

VERNONIA, OREGON 97064 — 10c Per Copy

THURSDAY, SEPT. 12, 1974

## Proclamation

### HUNTING AND FISHING DAY

Because of the outstanding contributions that America's hunters and fishermen have made to conservation, recreation and the economy, they are deserving of special recognition.

Since the turn of the century, hunters and anglers have been the leaders in nearly all major conservation programs. These sportsmen-conservationists are responsible for the founding of state fish and game departments in all 50 states. They asked that they, themselves, be required to buy licenses and that money collected be used to support state conservation agencies. In the last 50 years alone, these sportsmen have provided \$2.5 billion for conservation programs.

Hunters and fishermen asked for the establishment of regulated seasons and bag limits so that sportsmen could harvest the annual crop of game and fish without damage to the basic breeding population. The result has been that there are now more deer, elk, antelope and wild turkey in the United States than there were 50 years ago. Further, sportsmen's programs have benefited numerous species of non-game fish and wildlife through habitat development.

Hunters and fishermen are unique in all America, asked that their fishing and hunting equipment be taxed and that the money be used for land acquisition, research and habitat management for fish and wildlife for the enjoyment of all Americans.

Through their publications and organizations such as the National Wildlife Federation, Ducks Unlimited, Izaak Walton League of America and many others-hunters and fishermen have led the nation in the battle for a better environment and the wise use of our natural resources.

Therefore, I Sherman Fisher, Mayor of the City of Vernonia, Oregon, do hereby proclaim September 28, 1974 as National Hunting and Fishing Day and that this day be an annual observance the fourth Saturday of each September. I urge all of our citizens to join with sportsmen-conservationists in a rededication to the wise use of our natural resources and their proper management for the benefit of future generations. Further, I urge all citizens to take part in National Hunting and Fishing Day activities on September 28 to learn more about conservation and outdoor skills.

Sherman S. Fisher  
Mayor of City of Vernonia

## Local EMT's Teach CPR

On September 3, Tom Bruce, Ray Lamping and Jack Cunningham held a class in Cardiopulmonary resuscitation (CPR) at the Hamlet Rural Fire Department (Seaside). The department, composed of women as well as men, are in process of securing emergency rescue equipment.

CPR is an emergency procedure in basic life support. The classes in CPR are taught free to any group, in an effort by the Oregon Heart Association to save lives in cases of sudden death caused by heart attack.

The course is approximately three hours in length and upon completion of the class, those passing, are issued an identification card by the Oregon Heart Association.

Those interested in a CPR class for their club or area may call 429-5141.

## Council Decides Thumbs Down On Mobile Home Placement

The regular meeting of the Vernonia City Council was called to order Monday, September 3 by Mayor Sherman Fisher following a special meeting regarding outside water hookups which was continued to September 9 when the engineer is to report on the city water supply and whether there is an adequate amount to service all outside requests. In attendance at the session were councilmen Bud Atkins, Ed Miller and Lucille Tomlin with councilman Todd Bowerman absent. AISO present was city attorney Allan Coon.

Following the reading and approval of the previous minutes, the mayor called for business from the floor. Fire chief Don Webb announced that the city should receive the new fire truck on Monday, September 9. Tommy Bruce is to attend a test of the truck at Cornelius September 6.

A lengthy discussion ensued over housing for the fire truck; a subject which also involved the ambulances as both the fire apparatus and ambulance units need covering in the winter. One possible answer to the dilemma was reactivating the furnace in the old city hall where both ambulances could be housed.

Council decided to study the cost for said reactivation and meeting the requirements of the state law. Council requested that attorney Coon see about acquiring the railroad property from Bridge to Cougar streets, between Rose and Weed, for a new fire station. He is to submit his report the first part of October.

Representatives of General

## VHS FFA Boys Reap Awards

Members of the Vernonia High School Chapter of Future Farmers of America placed well at the 1974 Oregon State Fair with three individual blue ribbons and four blue's awarded the chapter; and ten red awards (second place) for individuals with the FFA Chapter reaping two reds also.

Individuals taking blue awards were Jerry Rumbolz, sawhorse; Rick Rinks, sawhorse; and Chris Cameron, machine tools.

Red awards went to Fred Bergerson, large implement trailer; Randy Ellison, large implement trailer; Fred Bergerson, all metal utility trailer; Greg Brewer, portable engine hoist; Scott Ellis, metal gate; Dale Webb, metal gun sighting gauge; Jim King, fishing poles and display box; Jerry Rumbolz, rung ladder; Rick Rinks, rung ladder; and Bob Brooks, floor creeper.

The chapter, as a whole, took a blue ribbon for wood stepladder; small tractor trailer, two fishing poles, and their forestry display booth; and red awards for their large implement trailer and motor stand.

Vernonia placed fourth in the State Ag. Mechanics Contest during the state fair with a team composed of Terry Buckner, who was overall eighth place winner; Mike Smiley, overall sixth place; and Scott Ellis.

The FFA chapter placed tenth out of the 54 chapters displaying in the Oregon Banker display contest.

According to their leader, Donald Kabler, former teacher at Vernonia High School, who retired this past year, only two trailers were sold at the fair this year from the enormous display. One was sold by a Gervais boy for \$900 with the other, made by Randy Ellison, going for \$650.

Telephone Company reported on the fire department's request for a new phone installation system. The 12-phone private circuit would utilize their regular phones, all siren controlled, which would ring until the circuit was broken by all phones being replaced on the hook. The cost of the 12 phones would be \$114.60 per month with an installation fee of \$435. Council asked that quotations for less than 12 phones be submitted. Council will reach a final decision at the special September 9 meeting.

Both Harry Coleman and Essie Nance appeared to ask about drainage problems on their property with council requesting that the engineer look at both locations then submit a report.

Council then approved the supplementary budget including the federal library grant. Committee reports were then heard with Tomlin giving the police report followed by Mayor Fisher reading the building inspector's report and the public works report.

Next on the agenda were communications with a letter from R.E. Meyer, Engineers representative Zen Dutton regarding an eight-inch drain problem between Knott and Juniper. Council asked that he follow through to the party involved.

Under unfinished business the new garbage ordinance was signed by the mayor, effective immediately.

After discussion council agreed to follow the state regulations regarding military leave for city personnel.

Attorney Coon then reported that he had been in touch with the Department of Transportation regarding mobile homes vs. modular homes and they had informed him that the seal placed on all mobile homes cannot be tampered with and any attempt to remodel a mobile home to comply with building codes would be impossible, inside or outside. Council then

## Oregon Veterans May Be Due Money

Some Oregon veterans may be due some back military pay. A federal court recently ruled that a 6.14 percent military pay increase which started January 1, 1973, actually was retroactive to October 1, 1972. The court held that the president had illegally withheld a federal pay raise during the last three months of 1972.

H.C. Saalfeld, Director of Veterans Affairs in Salem said veterans who were on active duty during that three-month period should make a back pay claim, in the form of a short letter.

Saalfeld said the letter should include the applicant's full name, social security number, military service number, rank, current mailing address, date separated from service, and duty station between October 1, 1972 and January 1, 1973.

Depending on the branch in which the applicant served, the letter should be sent to: Army Finance Support Agency, FINCS-A, Indianapolis, Ind. 46249.

Commanding Officer, Navy Finance Center, Federal Building, Cleveland Ohio 44199.

Air Force Accounting and Finance Center, AFC 3800 York St., Denver Colo. 80205.

Marine Corps Finance Center, Examination Division, Kansas City, Mo. 64197.

Commandant, U.S. Coast Guard, G-FPA-2-71, Washington, D.C. 20590.

decided to uphold the city ordinance denying permanent placement of mobile homes within the Vernonia city limits.

Mayor Fisher had been in touch with Ruby Elliott regarding her request to postpone sewer hookup until a new home was completed. Discovering that building had not yet begun, her request was denied.

Next to be heard was new business with attorney Coon submitting a resolution amending the City Charter as follows:

To amend Section 13 reducing residency requirements from six months to 30 days for qualified legal voters at municipal elections.

To amend Section 32 thereby making jury trial permissible in the Recorder's Court;

and amending Section 139 requiring all city contracts to be subject to bid if said contracts are likely to exceed \$500.

Council voted to adopt the resolution and to present it to the voters in the November election. A voice vote of three yeas; no nays, carried the motion.

Council voted that the city recorder place the resolution on file for public inspection.

Upon payment of the bills, the meeting was adjourned with the next regular meeting of the city council scheduled for Monday, September 16 at 8 p.m. in the Vernonia City Hall.

Library  
University of Oregon  
Eugene, Oregon 97403

## Candidate's Fair Scheduled For Handicapped Sept. 15

Richard Ross, anchorman for KGW TV news, will moderate a Candidate's Fair and Voter Registration Drive for the Handicapped Sunday 15 from 1 to 5 p.m. at the Smith Memorial Center Ball Room, Portland State University.

The Fair will give the candidates for State and Federal office from Northwestern Oregon a chance to meet and talk with the approximately 300-500 handicapped people who are expected to attend. Deputy registrars will also be available so that handicapped people can register to vote at the Fair.

The Fair is sponsored by the Oregon Chapter of the National Rehabilitation Association, The Portland Chapter of the League of Women Voters, the Portland Federation of the Council for Exceptional Children, the Oregon Council of Organizations Serving the Deaf, the Oregon Registry of Interpreters for the Deaf, and the Portland Chapter of the Oregon Architectural Barriers Council. The Fair is the first of its kind in Portland.

Candidates who will speak include Robert Knudson, R. candidate for Labor Commissioner; Victor Atiyeh, R. gubernatorial candidate; Jesse Fasold, and Vern Duncan, candidates for Superintendent of Public Instruction; Les AuCoin, D. for Congress First District; Whipple D. for State Senate; Craig Berkman R. for State Senate and others.

In short speeches, the candidates will answer questions submitted to them in advance. The speeches will be interspersed by explanations of the State-wide ballot measures, and an explanation of voters registration laws and procedures by a representative of the Registrar

of Elections' office. Interpreters for the deaf will be provided. The candidates as well as various organizations of and for the handicapped will also have booths from which to distribute literature.

The Smith Memorial Center Ball Room is accessible to people in wheelchairs via Broadway St. entrance.

## Columbia City Awaits Results On Testing

City officials in Columbia City are still waiting for results of a complete analysis their water system following tests taken in August which showed evidence of fecal contamination of the city's water supply. Presently the city is using water from St. Helens.

The city is hopeful that an October election for a sewer system program for the community will be approved so that sewer construction can begin. In this way, the council hopes that the concentration of bacteria in the ground from septic tanks and drain fields will dissipate to the point that using the city well, located near the Columbia City civic building, would be possible.

Otherwise it is felt that consideration will be necessary regarding location of another water supply.

## Watermaster Due

Clayton J. Gardner, State Watermaster, will be on the top floor of the Columbia County Courthouse on Wednesday September 18, from 10 a.m. until 3 p.m. to answer any questions pertaining to water rights.



RUSS VINEYARD couldn't resist trying out the new Vernonia Fire Engine following its delivery Monday. The approximately 35 foot long white machine was built by Western State Fire Apparatus in Cornelius. Constructed on a Ford chassis, the vehicle is able to carry 1500 gallons

of water and weighs 35,640 pounds when fully loaded with water. It has a loud speaker system and an electronic siren, a 530 cubic inch engine which pulls 276 horsepower and cost the city \$37,229.

## Commissioner Recall Set For Election

An election to endeavor to recall the Columbia County Commissioners is now certainly with voters slated to cast their ballots Tuesday, October 1 on the matter, following the arrival at the Columbia County Clerk's office, of the now, state certified petitions which had been circulated throughout the county.

Friday, September 6 country clerk Roy Nelson took the petitions to Salem following 108 hours of work at the clerk's office to validate signatures. The petitions were certified by the state as perfected petitions and signed Monday, September 9 then returned to the clerk's office Tuesday morning.

The three Commissioners, Fred Foshaug, A.J. (Jay) Ahlborn, and Jack Minkoff, now have five days in which to resign, a move they have adamantly stated they will not

consider. If the Commissioners do not resign then an election must be held within 20 days or a total of 25 days in all.

An interesting sideline to the recall movement, which began last May of this year, is the legal description of how a recall petition is put into action.

According to Oregon state law, 25 percent of the total votes cast for all candidates for judge of the Supreme Court for that position for which the greatest number of votes were cast, are needed to initiate the petition and in order to find out how many signatures were needed, referral had to be made at the 1970 ballot, the last time voters in Columbia County voted for a

judge of the Supreme Court. Therefore a total of 1648 signatures were needed for each petition.

The recall began with the forming of a committee who felt that the Commissioners position on CRAG was in violation of the constitution.

## Immunization Survey Set

The Bureau of the Census will survey a sample of households in this area the week of September 16-20 to determine the extent people have been immunized against selected diseases. John E. Tharaldson, Director of the Bureau's Regional Office in Seattle, announced September 9.

The immunization survey conducted nationally every year, provides information on immunization against measles, influenza, smallpox, polio, diphtheria, whooping cough, tetanus, rubella, and mumps. This information is needed for administration of health programs geared to disease prevention.

These health questions are in addition to the usual ones asked in the monthly survey on employment and unemployment conducted nationwide by the Bureau for the U.S. Department of Labor.

Results of the monthly employment survey provide data on conditions in the labor force, prime indicators of the economic health of the country. For example, the Nation's unemployment rate was 5.3 percent in July; it was 5.2 percent in the previous two months and had held in the 5.0 and 5.2 percent range since the beginning of the year. Total employment was 86.3 million in July, essentially unchanged from June but up by 500,000 since April.

Information supplied by individuals participating in the survey is held confidential by law and is used only to compile statistical totals.

Census Bureau interviewers who will visit in this area is Nancy Autio, Astoria, Ore.



CONSTRUCTION continues on the new bridge being built approximately a quarter of a mile past the town of Mist, replacing the one severely damaged in the January flood. Work on the

steel reinforced concrete structure began approximately four weeks ago with completion slated sometime in the near future.