

# POLK COUNTY OBSERVER

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DALLAS, POLK COUNTY, OREGON, FEBRUARY 15, 1910.

NO. 1

## NEW GOODS

### SPRING 1910

Percales, Gingham, White Goods, Waistings, Embroideries and Laces are ready for your inspection. We will be pleased to show you the new things. We are showing a better line of Embroideries than ever. Our prices are always right.

## A. S. CAMPBELL

Successor to CAMPBELL & HOLLISTER

DALLAS, OREGON

## FURNITURE

Here we are at it yet--selling furniture every day--except Sunday. We treat the people right and they will buy from us. Ask your neighbor where he buys his Furniture, Carpets, Wall Paper etc., he will tell you

## Sterling Furniture Company

DALLAS, OREGON

## Housekeeper's Day

On Monday of each week we will display and advertise four specials which we hope will meet with the general approval of our customers. These specials will only be on sale Monday of the week as advertised.

- 5 Bars White Linen Soap, 1 10 cent size bar of Capitol Scouring Soap, 1 10 cent size bar of Mineral Hand Soap. These three items will be sold for 25 cents Monday only, this means you get 45 cents worth of goods for 25 cents.
- 2 pounds Fancy Dried Peaches for 25 cents.
- 4 pounds Fancy Dried Prunes for 25 cents.
- 4 10 cent Number 2 lamp chimneys for 25 cents.

Don't forget the 25 cent sale Monday the 21st.

## CRIDER'S GROCERY

## Lafayette Nursery Co.

Trees Trees Trees

Are YOU wanting to plant TREES? ORCHARDISTS are realizing as high as \$1000 per Acre NET PROFITS

We grow ALL the STANDARD Sorts  
APPLE PEAR PEACH CHERRY WALNUT PRUNE ETC.

All orders receive prompt attention.  
Your trade Solicited.  
Address, Lafayette, Oregon

## Farm, City and Town Loans

Five Per Cent interest, Nine years' time with privilege of paying at any time. Return payments monthly, quarterly, semi-annually or annually, to suit borrower. For particulars, The Jackson Loan and Trust Co. 310 Century Building Denver, Colorado

## JURY FAILS TO AGREE

### CASE AGAINST BINGER HERMANN MUST BE TRIED AGAIN.

#### Nearly Forty-Eight Hours Spent in Endeavor to Reach a Verdict—Brief History of Case.

PORTLAND, Or., Feb. 14.—(Special to Observer.)—The great Hermann trial is ended, as far as the first trial is concerned, with a hung jury.

The case was important in many respects and especially interesting in view of the prominence of persons charged in the indictment. Mr. Hermann was tried alone, others charged in the indictment with him having been either committed or dismissed.

The charge, divested of its legal verbiage, was that in 1901 Binger Hermann, F. P. Mays and others conspired to purchase a lot of State land in the Blue Mountains, then create a Forest Reserve, and thus, having their land taken from them, get scrip in its place worth about \$6 an acre.

The plan as claimed by the Government was that Mays would purchase a large lot of State land at \$1.25 an acre, pay one-third down, get a reserve created out of their land, thus entitling them to the scrip. It was within the special jurisdiction of Mr. Hermann, as Commissioner of the General Land Office, to create forest reserves.

To this indictment, Mr. Hermann entered a plea of not guilty. The trial was begun January 16 and ended February 14. The Government was represented by Francis J. Heney, and the defendant by Mr. Worthington of Washington, D. C., and John M. Gearin, of Portland. A full report of all the points made would fill a whole page, so the Observer will give only the salient points in the case.

#### Hermann's Political Ambition.

Mr. Heney claimed that Hermann was ambitious to become United States Senator from Oregon; that he was very anxious to secure the political support of Mr. Mays; that this could be secured by placing Mays under personal obligation to him; that to do so, Hermann must be inattentive to the Government interests by doing a lawful thing for an unjust or illegal purpose. In other words, that it was perfectly lawful for Mr. Hermann to create a forest reserve, but that it was evidently a "stand in" to create one in the exact spot where Mr. Mays had accidentally (?) purchased a large lot of State land, worth but little in the market and of still less value for private holding, but very valuable when it became represented by scrip that could be used in securing from the Government an equal number of acres of valuable land elsewhere and used by the holder in securing title to such land. The Government did not claim that Hermann was to benefit financially, but rather, incidentally in furthering his political ambition.

It appeared from the testimony of Henry Meldrum that Hermann entered into the arrangement with Mays. The defense claimed in this connection that Hermann had published in the Oregonian an interview in which he took strong ground against the creation of any more forest reserves, and also had in evidence the reports of Mr. Hermann to Congress against the creation of reserves.

#### Meldrum's Testimony Important.

The Government attorney contended strenuously for the truth of Meldrum's testimony; in fact, this testimony was the storm center of the case. The defense sought to attack it by various means. One witness was very positive that no conversation was had by her and Meldrum, except she said: "I applied once for a position in Meldrum's office, I never talked with him but once, and all of the conversation was simply asking him if he had a place for me. He said 'no.' I told him good-bay and never called again." The prosecution had proved some very damaging things as having been said by this witness to Meldrum and the witness was confronted with letters written by Hermann in which he referred to her letters to him about having called twice to see Meldrum and about a lengthy conversation she reported to Hermann as having had with Meldrum.

All through the case, to every little contradiction, apparent or real, the respective attorneys directed their argument. Nothing escaped either side. Much amusement was created by some of Hermann's letters to Brownell, Loomis and Ormsby, in which he asked their support for Senator.

#### Weakened by Cross Examination.

Mr. Hermann's cross examination weakened him quite materially—not in any one thing he said, but in his seeming lack of frankness, if innocent, Heney made much of this. The defense devoted much attention to Meldrum and bitterly assailed his testimony as that of one still having two indictments hanging over him.

The defense had many of the leading men of Oregon testify as to Hermann's good reputation for honesty, and it also pressed home with effect the evident intent of two of the Government witnesses to force Mr. Hermann out of public life. One witness who was very damaging in his testimony, if believed, was shown to have been in the employ of Hyde and Benson, land fraud men, while holding a confidential position in the land office under Hermann. This man was clearly shown up to be a scoundrel, not only by his own confession but by documentary evidence.

dence in Hermann's acquittal.

In his charge to the jury, Judge Wolverton said it was not necessary that there should have been an express understanding among Hays, Hermann and others to constitute a conspiracy, but that if there was a tacit understanding that Hermann would do certain things for his part in the furtherance of the common purpose, that would be sufficient evidence of a conspiracy.

#### Jury Out Two Days.

The jury retired at 11 o'clock Saturday morning, and after nearly forty-eight hours deliberation, its members found themselves unable to reach a verdict. A discharge was accordingly ordered by Judge Wolverton yesterday morning, and the deliberators, after having been kept virtual prisoners for nearly five weeks, were permitted to depart for their respective homes.

Attorney Heney says he is ready to prepare for a new trial. The defense, on the other hand, having confidently expected acquittal, has made no plans. Attorney Worthington had already purchased his ticket to Washington, and Judge Wolverton ordered court convened an hour earlier yesterday morning to permit the distinguished lawyer to leave for the East at 10 o'clock.

#### Hermann's Long Public Record.

In many ways, the case against Mr. Hermann is a sad one. For nearly fifty years the defendant has been a well-known public man. He came to Oregon when a boy, worked on a farm, taught school, and educated himself for a law. He was a Deputy Collector of Internal Revenue, a State Senator, Receiver of the Land Office at Roseburg, and a Congressman from Oregon for twelve years. He was appointed Commissioner of the General Land Office by President McKinley. Resigning this office, he returned to Oregon and was elected to fill out the unexpired term of the man who had defeated him for Congress in 1896. Was again elected to Congress, but before his term expired, was indicted by the United States Grand Jury on a charge of conspiring to defraud the state and Government. For five years this indictment hung over him, and after a trial of five weeks, he must undergo the ordeal again.

During all of the years of his endeavor, no one has ever charged that Hermann was not honest in all of his financial dealings. No one has ever claimed that he used his various offices to make money out of them, except the Government attorneys sought to weave around him a chain of circumstances indicating, as they claimed, his guilt. Yet it was a relief to know that these attorneys disclaimed any purpose of Mr. Hermann to gain money by what they asserted was a plan on his part to sleep at his post of duty while his political friends put dishonest dollars in their pockets.

Sad, indeed, it was! A man, nearly 70 years of age, surrounded by his wife and children, sitting in the courtroom while the attorneys for the Government charged him with betrayal of his trust to gain political influence. How rapt his attention to every word! He turned to watch him as his attorneys went over the testimony, building up their theory that all he did was for the public good, showing up the motives of those who sought his ruin. What could have been his thoughts as the jury filed out of the courtroom, and he knew that in the hands of these twelve men rested all his fate. Would it be McNeill's Island and disgrace, or would it be freedom and his home in Roseburg?

Gully, Binger Hermann's punishment has been great. Innocent, the wrong done him can never be righted.

## MAY USE CONCRETE

### Independence Plans High School to Cost \$15,000.

It has been practically decided that the new high school building in Independence will be built of concrete blocks. Those who have expressed an opinion on the matter are enthusiastically in favor of the best that money will build. Fully half of the people favor a bonded indebtedness of not less than \$25,000 for the purpose of providing funds with which to build the structure. Others favor a still larger sum. The position which was circulated during the week calls for bonds to the amount of \$15,000. This amount is thought to be ample to buy the grounds, pay for the construction of the buildings, and provide the heating plant.

The basis of estimates of costs are made from information procured from the architect who planned the high school building at Junction City. This building has six rooms and two laboratories. Its cost is said by the architect to have been \$5500. The heating plant was to have cost \$1500, but it is understood to have been in excess of that amount—or about \$1800. The Junction City high school building is a frame structure.

It is believed that an eight-room building can be erected here at a cost of \$7500, or concrete block structure at an increase of one-fourth of this amount, or about \$9500. To this is added the cost of heating plant, about \$2500, and \$1500 for fixtures for high school work, besides \$1500 for furniture and \$1250 for grounds. These amounts make a total of \$14,850. It is believed the expense can be kept within these figures.—Independence Enterprise.

#### Will Retire from Ministry.

Rev. Ernest J. Sias, who is the brother of Mrs. Charles Hulman and Miss Sias, of this city, and brother of Rev. A. C. Sias, of Dallas, former pastor of the Christian church here, has announced his intention to retire from active ministry and devote his time to the platform and lyceum work. Mr. Sias will be remembered as having delivered a lecture here about a year ago. He is now pastor of the Christian church at Frankfort, Indiana.—Forest Grove News.

## CALLS STATE ASSEMBLY

### REPUBLICANS WILL MEET IN PORTLAND JULY 21.

#### Counties Will Name 1248 Delegates—Proxies Are Eliminated by Unanimous Vote.

Without a single discordant note, the members of the Republican state central committee, at a meeting in Portland Saturday, authorized Judge M. C. George, the newly elected chairman, to call a state assembly to be held in Portland, Thursday, July 21.

This assembly will consist of 1248 delegates apportioned by the committee among the 34 counties of the state on a basis of one delegate to every 50 voters or major fraction that were cast for R. Butler for Presidential elector in November, 1908. Twenty-seven counties were represented at the meeting, the proceeding of which were marked by uninterrupted unanimity.

#### No Dissenting Voice Heard.

The large and representative state assembly was indorsed by the committee without a dissenting voice on the recommendation of a sub-committee of five members which had been appointed to prepare and submit some method of procedure for calling and holding such an advisory gathering. The members of this committee were: R. E. Williams, of Polk; C. T. Early, of Hood River; H. T. Bots, of Tillamook; C. S. Moore, of Klamath, and C. E. Cochran, of Union.

In counties outside of Multnomah, it was recommended that delegates to the state assembly be selected by county assemblies and that delegates to the county gatherings be chosen by majority vote only at mass meetings of the voters in the different precincts, these meetings to be called by the county central committee. Saturday, July 9, is the date recommended for the precinct mass meetings, with the date for the county assemblies fixed for the following Saturday, July 16.

#### Multnomah County Excepted.

From this plan of organizing county assemblies and electing delegates to the state assembly, Multnomah county was excepted. In this county the committee found that it would be impracticable, because of the large number of voters, to hold precinct mass meetings. It was voted to leave the matter to the county central committee with the understanding that it would exercise its judgment in adopting some plan calculated to produce the best results.

Dr. J. N. Smith, of Marion, and J. H. Worsley, of Wasco, asked that the same discretion be left to the county central committee of their counties with the result that, following some discussion, the original report of the committee was amended to the extent that in other counties where it was deemed advisable the method of procedure in electing delegates to the state assembly might be determined by the county central committee.

Proxies will not be allowed in the state assembly if the recommendations of the state committee are adhered to. On this subject the committee took no compromise position. It voted to eliminate from the state gathering all proxies. The committee did recommend, however, that the vote of absent and duly elected delegates in the state gathering shall be cast according to the majority opinion of those present at and acting from the same county. This method, it was contended, will insure the polling of the full vote of every county in the assembly and at the same time be expressive of the wishes of the particular locality interested.

As to Congressional and district assemblies the state committee recommended that assemblies for the recommendation of Congressional and district offices be held during the recess of the state assembly; that the delegates to the Congressional and district assemblies be the same delegates as shall represent those districts at the state assembly; that all recommendations of the Congressional and district assemblies be reported back to the state assembly.

#### Fall to Modify Report.

Under the plan of apportionment made by the committee, Multnomah will have 254 delegates out of a total of 1248 in the assembly. This was made the target for an attack by George Chisler, of Baker, and A. C. Marsters, of Douglas, who charged that the representation allowed that county was too great. They failed in an attempt to modify the report by providing for an assembly to consist of 10 delegates at large from each county and one additional delegate for each 100 votes cast for Presidential elector. This would create an assembly of about 750 delegates.

The Marsters amendment was opposed by C. E. Cochran, of Union; G. C. Fulton, of Clatsop, and R. E. Williams, of Polk, who maintained that any other basis of apportionment than that recommended by the committee would be unfair to Multnomah, which contained nearly one-third of the votes of the state. They insisted that the only fair and equitable plan of apportionment of delegates was that recommended by the committee and that any other representation would deprive that county of the representation in the assembly which it was entitled. The motion was defeated and the report of the committee, making the following apportionment, was adopted:

#### How Representation Stands.

No. Delegates	Counties
24	Baker
24	Benton
25	Clackamas
28	Clatsop
25	Columbia
27	Cook
17	Crook
5	Curry
42	Douglas
16	Gilliam
15	Grant
9	Harney
15	Hood River
41	Jackson
13	Josephine
12	Klamath
9	Lake
22	Lincoln

## OUR MARKET LETTER

### Receipts and Sales at Portland Union Stock Yards.

PORTLAND, Or., Feb. 12.—Light receipts in all branches have characterized the week's market. Prices have been steady and strong, there being 1116 cattle, 55 calves, 2461 sheep and 289 hogs received.

There is a tendency on the part of shippers who come to this market to send their offerings forward in a haphazard and uncertain manner. This has a tendency to render uncertain the supply and make the buyers take advantage of the over-supply that arrives on certain days. If the shippers would disregard the suggestion made by people whose knowledge of the market is limited and would ship their live stock when it is ready to come forward, the supply would be more evenly distributed and there would not be the breaks in the market which have characterized one or two days' business.

A load of fancy top steers sold for \$5.75 Thursday and again Friday, but this is not thoroughly indicative of the general market. There has almost been a famine of hogs and one indifferent load sold for \$9.25. This is a very high range and there is a very active demand at strong prices for all the hogs that can be sent to the market.

Sheep have been in fair supply but the market could have taken more without in any way affecting prices. Following are quotations on all classes of live stock: Best steers \$5.25 to \$5.75; fair to good \$4.75 to \$5; best cows \$4.25 to \$4.50; fair to good \$3.25 to \$4; calves, light cost \$5.50 to \$6; heavy \$3.75 to \$5; sheep, best wethers, \$5.50 to \$5.75; fair to good \$4.50 to \$5.25; ewes \$4.25 to \$4.50; top hogs \$9 to \$9.10; fair to good \$8.75 to \$9.

## PLEASANT AFTERNOON

### Ladies' Aid Society Entertains at the Home of Mrs. A. S. Campbell.

The Ladies' Aid Society of the Methodist Episcopal Church entertained the ladies of the church at the home of Mrs. A. S. Campbell last Friday.

The home was prettily decorated with red carnations and Oregon grape, and hearts were used to carry out the Valentine effect. A short musical and literary program was greatly enjoyed by all. The numbers of the program were readings by Mrs. W. R. Howe and Miss Perkins, and songs by Mrs. J. C. Uglow and Mrs. George Conkey, of Independence. A guessing contest, entitled "The Floral Love Tale," was won by Mrs. Will Greenwood.

About sixty ladies were present. The out-of-town guests were Mrs. George Conkey and Mrs. Claude Skinner, of Independence. Mrs. Theo. Farington and Mrs. J. A. Lynch assisted Mrs. Campbell in receiving the guests. Light refreshments were served and added greatly to the enjoyment of the entertainment.

#### Company Attention!

Headquarters, Company H, 4th Infantry, O. N. G., Dallas, Oregon.  
Company Orders No. 7—Company H, 4th Infantry, O. N. G., is hereby ordered to assemble at the Armory, Dallas, Oregon, Tuesday evening, February 15, 1910, at 8:15 for Annual Inspection provided by the rules and regulations of organized militia of Oregon.

#### L. A. BOLLMAN,

Captain of Infantry,  
Commanding Company H, 4th Infantry, O. N. G. 2-8-21.

#### The New Style Hat.

Joe Cohn, the Spokane magnate, has brought some curved hats from Chicago with which the batter is supposed to hit the ball with the inside of the curve. Some of the White Sox used the hat last year. It is the invention of a Chicago man. When a player wants to worry a pitcher, he will probably turn his curved bat the other way and hit fouls for ten minutes.

Ice cream at George Cook's.

## Hughes & Bird Land Company

329 Acres—100 acres cleared, price \$30 per acre  
240 Acres—100 acres cultivated, " \$35 " "  
146 Acres—60 acres cultivated, " \$40 " "  
Nice city property for sale.  
List your farm with us. Homeseekers are arriving every day and we want to show them the place you have for sale.

## HUGHES & BIRD LAND COMPANY

## BROOMS

are high, but we want to say that we can sell you many things in the Hardware line at better prices than ever before.

We watch the market and buy in quantities large enough to demand a low price and we get it. The result is that which you have experienced—"That We Sell The Same Grade of Hardware at a Less Price than Others do."

If you have never traded with us, we would suggest for our mutual benefit that you give us a chance on the next bill you intend buying.

Special—See our new arrival of 750 pieces of fancy glassware on the 10 and 15 cent counter.

## Guy Brothers Hardware and Plumbing

## ELECTRICITY FOR LIGHTING

Is only expensive to people who are wasteful and careless. To you who are naturally careful, it does not come high.

It is economical because it can be quickly turned off when not needed. With gas or kerosene there is the temptation to let light burn when not needed to save bother of lighting and adjusting. In some homes the electric light bills amount to only one or two dollars per month. You can probably get some kind of artificial light for less money than electric light, but does it save you anything when it limits opportunities for work and recreation—ruins your eyesight—smokes your walls—mars decorations and increases household work. You could probably save a dollar tomorrow by going without your meals but it wouldn't be economy. It is not so much what you save, but how you save that counts.

WILLAMETTE VALLEY CO. RATES—Residence on meters, per Kilowatt 15c; Residence, flat per meter, 15c per Kilowatt up to 10 drops; over 10 drops per drop and 5c per Kilowatt. A drop figures 15c or less. For power rates apply at the office. We are always ready to explain the "ins and outs" of the lighting proposition to you, call on us or phone to us, we are never to busy to talk business.

## Willamette Valley Company

E. W. KEARNS, Manager for Dallas.  
Office on Mill street, just north of the Court House. Phones Bell 421, Mutual 1297.

## Just Received a Full Line of Heating Stoves

Prices from  
**\$1.50 to \$16**  
FALLS CITY HARDWARE CO.  
FALLS CITY, OREGON

## DALLAS' POPULAR GROCERY

We carry the famous DIAMOND "W" brand of Extracts, Spices, Coffee, Tea and Canned goods. Fresh bread daily. The very best of fruits and vegetables can always be found at our store.  
Simonton & Scott Dallas, Oregon