

Crook County Journal

CITY OFFICIAL PAPER FOR CITY OF PRINEVILLE

VOL. XIX

PRINEVILLE, CROOK COUNTY, OREGON, THURSDAY, MARCH 11, 1915.

NO. 16

SHORT TERM OF CIRCUIT COURT

Grand Jury at Work Only Two Days

Peters Was Not Indicted

Only 101 Cases on the Docket; Half Are Left for Judge Duffy

Circuit court opened Monday of this week for what is perhaps the shortest term during the past half dozen years. The grand jury were: E. E. Gillenwater, foreman, Chas. Boyd, Walter Ruble, Harley M. Saunders, J. R. Post, J. W. Stanton and John Gilchrist.

The grand jury were at work less than two days, and brought five true bills and one not true bill. Four of the above mentioned indictments were against W. H. Meacham for passing bad checks, and the fifth charge was brought against Emil Stolte for the larceny of a heifer belonging to C. M. Elkins. Stolte entered a plea of guilty and was fined \$300 which he gladly paid.

John T. Peters of La Pine, who was held to the grand jury charged with shooting Henry Tweet, was not indicted. The grand jury held that there was no evidence other than circumstantial and did not see fit to bring a true bill.

W. H. Meacham was indicted on four different counts by the grand jury for obtaining money by false pretenses in passing checks in the city of Bend drawn upon the First National Bank of Boyne City, Michigan. District Attorney Wirtz moved for a continuance until the next term on the ground that to go to trial at this time was impossible on the part of the state without some office from the Eastern bank to testify for the state. Judge Bradshaw continued the case and yesterday allowed Meacham to go upon his own recognizance, but Meacham was at once rearrested by Sheriff Knox on two warrants held by him issued in Wasco county and Meacham will be taken to Wasco county tomorrow to answer a similar charge preferred against him there.

The local authorities will know by the time court convenes in Wasco county in May whether or not it will be possible to get the witness necessary to convict Meacham. The process of this state is not good outside of the state and the attendance of witnesses from other states must be entirely voluntary. Until May Meacham will then be required to remain in jail at The Dalles, and after that time, if not convicted there, may be brought back to this jurisdiction and held until court convenes next September.

The report of the grand jury was one of the shortest on record, the only important recommendation being the statement that bedding in the jail was unfit for use and should be replaced with new.

The grand jurors as well as the remainder of the panel are simply excused and not dismissed, and are subject to the call of the court for duty at any time the court, which is Judge Bradshaw until May 21, and Judge Duffy after that date, sees fit to issue a call. The more important cases on the civil docket are given in another column.

Wait for Me

Coming to Prineville soon. Please watch for my arrival.—Dr. I. A. BEHRENDT, Baker, Ore. 2-25-3t

Jefferson County to Remain Neutral

Jefferson county will not bring suit against the treasurer of Crook county as was contemplated for a time. Instead however, District Attorney Wirtz and District Attorney Meyers of Jefferson, have jointly requested Attorney General Brown for his opinion in the matter of payment of warrants with the funds that are being paid in from Jefferson county.

The Jefferson county court decided that it would be improper to commence suit at this time and that a more friendly manner of adjusting the difficulty can be arrived at, which no doubt will result from the present plan.

J. M. Elliott Strikes Best Gusher Yet

John M. Elliott has the best artesian well that has yet been drilled in the Prineville country. This well, which was completed Tuesday by Wagoner & Company threw out a bushel or more of boulders when the flow was struck. Some of the gravel which came up weighed two and a half pounds. The well has a flow of over 21,000 gallons per hour, and throws a stream a foot above the casing. The flow comes up through 247 feet of six inch pipe, the casing extending a couple of feet above the surface of the earth at that point, making the strata containing the artesian water about 245 feet beneath the surface.

It is estimated by those that have seen both wells that the flow is about five times as great as the A. J. Noble well which is a wonderful well itself.

Cupid is Defendant In Circuit Court

There were seven divorce cases on the docket in Judge Bradshaw's court Monday morning. The docket in these cases this forenoon read as follows:

- C. H. Fry vs. Ivy M. Fry, decree granted.
- Wilhelm R. E. Voight vs. Amelia Voight, decree granted.
- Dessie F. White vs. Edward N. White, motion to modify decree.
- Nellie Sharp vs. Clarence S. Sharp, case with referee.
- Lavina Jones vs. G. W. Jones, case with referee.
- Lurana Winkle vs. Orland Winkle, continued.
- Mary Hensley vs. Ed L. Hensley, with referee.

Judge Bradshaw Honored by Bar

Judge Bradshaw was presented with tokens of appreciation and regard by members of the bar last night at the adjournment of court. A score or more of attorneys from all parts of the state who have been before the court on various matters, together with the court officers, were present in the attorney's rooms on the third floor of the courthouse when the judge was told by a bailiff that he was wanted in the attorney's rooms.

Upon being ushered into the presence of the bar, he was presented with a box of cigars of his favorite brand, a briar pipe and humidifier of his favorite tobacco. The judge thanked the donors with considerable feeling for the honor shown him, and said that he would recall his visits to Prineville with pleasure.

You can find what you want in the classified ads on page 7.

Springer, Brown, Bailey Circuit Court Defendants

Judge G. Springer, County Commissioners Willis W. Brown and R. H. Bailey are each to be defendants in suits that are to be brought against them by District Attorney Willard H. Wirtz during the next few days.

The suit against Springer and Brown will be of the same nature and will be brought in the circuit court as ouster proceedings, the district attorney taking the stand that both these gentlemen are residents of Jefferson county. While this suit has been considered for some time it was not definitely decided that suit would be taken until yesterday when the announcement was given the Journal that action will be started during the next week.

At present, although H. J. Overturf has been appointed and is acting county commissioner, Brown has not resigned and it appears that this action is necessary to reduce the commissioners to the legal number. At the same time this suit is brought, action will be brought against Judge Springer on the grounds that he is a resident of Jefferson county. This promises to be an interesting contest, and the opinion of the various attorneys seems to be divided as to whether these proceedings will be successful. There seems to be no doubt in the minds of the attorneys, however,

as to the outcome of the suit against Brown.

The action against Former Commissioner Bailey will be of a different nature. The county court at the March term ordered District Attorney Wirtz to bring suit against Bailey for an accounting of funds.

Mr. Wurtz says that during the last year and a half of Mr. Bailey's term of office he was paid a total of \$30,800.66 for use on the roads on the west side of the county.

There has been no accounting of these funds and the efforts of the court to force an accounting from Mr. Bailey have as far been unsuccessful so the members of the court have stated.

It is known however that \$7,150 of the above amount was returned and the warrants were cancelled, and there has been more of the amount partially accounted for. The amount Mr. Wurtz thinks that has not been accounted for is some \$13,510, and this money was deposited in the bank subject to Mr. Bailey's check and a large amount of it was checked out by men who built roads under Bailey, especially in the vicinity of Bend.

Each of these actions will be brought as civil suits in the circuit court, and will perhaps be tried out in The Dalles before the law goes into effect creating our judicial district.

Circuit Court Civil Docket

There were 101 cases on the docket in the circuit court for consideration at this term. Sixty of these cases were either settled out of court, settled and dismissed after action was started, or continued for the term. Of the remaining forty we give a list of those cases that have been settled by trial or are now pending.

- H. W. Carlin vs. Fred and T. E. Stroud. Order to sell attached property.
- E. C. King vs. Cecil Wolfer. At issue.
- W. C. Barnes vs. Mary Olive Stewart. At trial.
- W. T. Cowran vs. Ada R. Johnston. At issue.
- A. J. Kreeonest vs. Bend Milling & Warehouse Co. Confirmation granted.
- Madras State Bank vs. C. W. Waugh. Demur filed.
- Black Butte Land & Livestock Co. vs. A. R. Wilson. Default and decree.
- Wilber A. Stevens vs. J. O. Hansen. Default and decree.
- Crook County vs. R. E. Alexander. Default and decree.
- Harrison Latham vs. G. M. Cornett. Non-suit granted.
- Portland Mercantile Union vs. Charles O. Pollard. Case pending.
- C. Combest vs. Alexander Hamilton. Continued on page 8

JOHN C. PAYNE



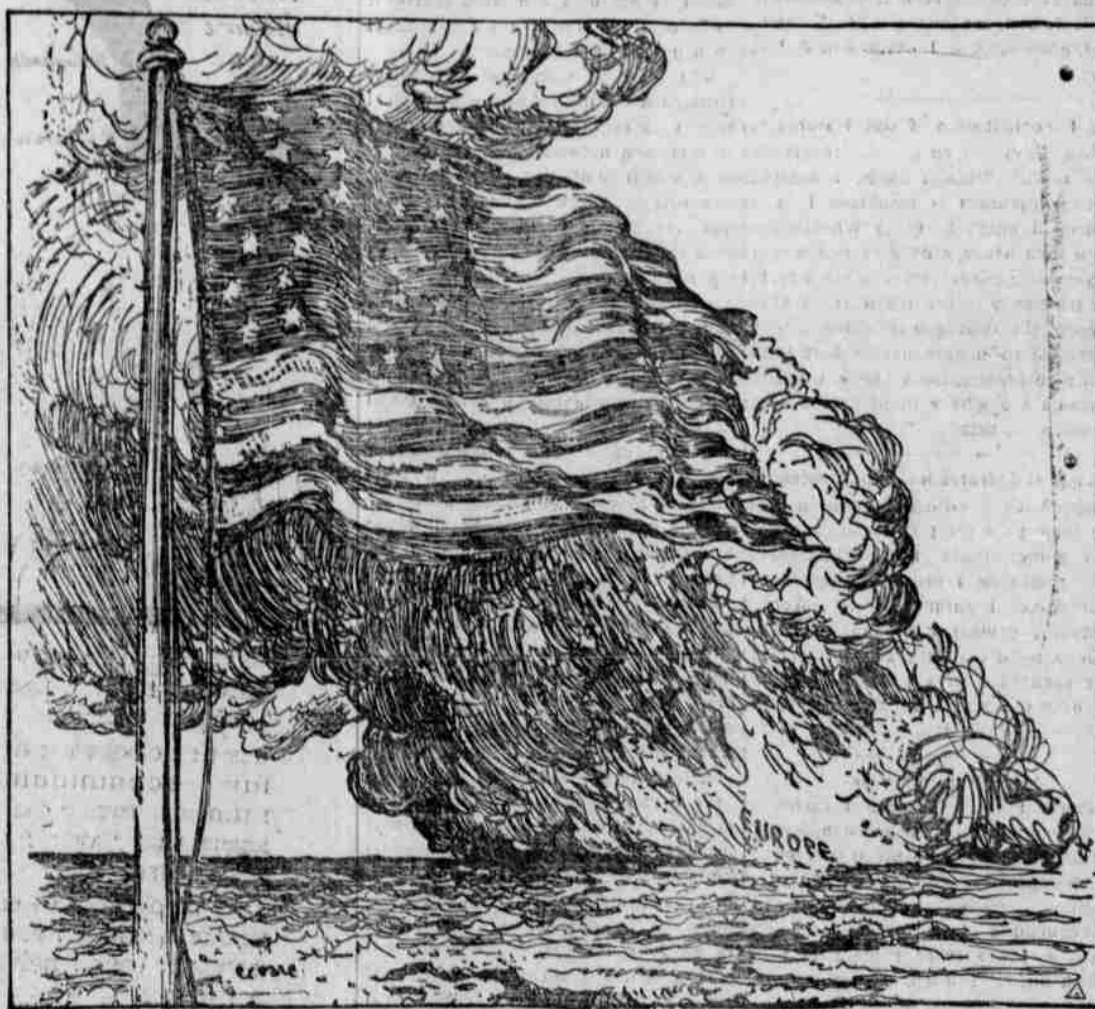
One of the vocal wonders of the day is the double-voiced singer with the California Jubilee Quartet. He appears in a handsome gown, decollete, with all trimmings, and looks very "fetching." His numbers are particularly well adapted to his voice and are selections of which any prima donna might be proud. He scores his biggest success in carrying the soprano to some of the more difficult classics. Mr. Payne is advertised as the only impersonator of "Black Pattie" on the Pacific Coast, and if the press is to be considered the judge, he must be far beyond the ordinary, for the papers give him the warmest praise. It is no uncommon thing for this singer to trill up and down the scale like any of our best sopranos or to start a piece in one of his voices and finish it in the other. People can't do him justice in telling you of his qualities. You must hear and see for yourself.

Rabid Coyote Bites Imperial Boy

Elmer Douglas of Imperial, was bitten by a rabid coyote while chopping wood at his home Friday. He killed the brute with his axe and started for Portland at once taking the head with him. He is receiving pasteur treatment.

Leslie Priley has been in the city during the week attending court.

MAY THE SPARKS NEVER REACH IT.



—Cesare in New York Sun.

MARCH TERM OF CO. COURT

Suit Against R. H. Bailey Is Ordered

Supervisors Eliminated

Next Meeting of the County Court is Set for the Sixth of April

In the county court of the state of Oregon for the county of Crook. Be it remembered that a regular term of the county court of Crook county, state of Oregon, was begun and held in the courthouse at Prineville, Oregon, on Wednesday, the third day of March, 1915, the same being the first Wednesday in said month and the time fixed by law for holding a regular term of said court; when were present at the hour of 10 a. m.: G. Springer, judge, presiding; J. F. Blanchard, H. J. Overturf, commissioners.

Whereupon the following proceedings were had to-wit:

Hearing on indemnity for tubercular cattle. Hearing held on the claim of W. E. Guerln, agent for H. G. Coghlan, for indemnity on tubercular cattle slaughtered under the 1913 law, Chapter 14. Order W. E. Guerln, agent, entitled to indemnity in the sum of \$347.50; warrant to be drawn in his favor in the sum of \$173.75.

Hearing held on the claim of George C. Truesdale for indemnity on tubercular cattle slaughtered under Chapter 14, Law 1913. Order George C. Truesdale entitled to indemnity in the sum of \$25; order warrant drawn in his favor in the sum of \$12.50.

Order requesting Fred A. Rice, former surveyor for Crook county, to furnish all his original field notes on surveys of county roads to the county for the benefit of the present surveyor in checking road records.

In the matter of county roads. Petition to open L. S. Rickard road denied for lack of funds.

Redmond-Powell Butte county road. County surveyor instructed to survey and prepare a proper map of the best practical route from Redmond to Hall's Corner, Powell Butte, for the establishment of a county road.

C. J. Sundquist road. Hearing continued until May 5th, 1915. Proper notices ordered given of said hearing.

C. V. Barto county road. Viewers ordered out on C. V. Barto road on — day of —, 1915. H. J. Overturf and R. B. Gould appointed viewers for said road.

In the matter of the vacation of Hampton Butte Townsite. Petition of the Oregon Central Improvement Company for the vacation of Hampton Butte Townsite denied, no certificate having been filed showing payment of taxes, nor a proper map as required by law.

Order warrant drawn in the sum of \$50 in favor of C. J. Sundquist for work done in opening C. J. Sundquist county road.

General overseers of county road. It was agreed that J. F. Blanchard should have supervision of road districts Nos. 44, 7, 25, 36, 13, 24, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 37.

H. J. Overturf should have general supervision over road districts Nos. 12, 28, 40, 39, 32, 47, 41, 46, 5, 35, 27, 43, 34.

On account of this arrangement the following petitions for appointments as road supervisors were denied: L. C. Young and Cole E. Smith for district No. 12, John Peters for district No. 47, K. P. Madsen for district No. 39, and R. L. Thurston for district No. 39.

Court convened this fourth day of March, 1915, at the hour of 8:30 a. m. Same officers present as yesterday.

In the matter of county roads. Petition of R. King et al for the establishment of a county road. Opinion of district attorney showed lack of jurisdiction in court.

C. E. McDowell county road. Resolution adopted directing county surveyor to make preliminary survey on C. E. McDowell county road. S. V. Hardin, No. 2. Resolution adopted directing county surveyor

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