# Corvallis Times.

Official Paper of Benton County,

CORVALLIS, OREGON, FEB. 11, 1903.

The crime of Assassin Lyons is one of the most despicable that can be committed. A sheriff in the discharge of his duty is the personification of the people's authority. When he attempts an arrest, it is in the name of all the people. The arrest is itself the act of all the people. Resistance to it, is resistance to the people and insult to their authority of a sheriff in the act of making an arrest is the most contemptible form of villainy. Lyons' foul deed places him beyond the pale of condonement, mitigation or sympathy, Culpable with him, are his guilty accomplices who made opportunity for him to assassinate. Every whit of penalty the law provides, should be measured out to each.

Withers was an extraordinary man. His deputy fled with public funds, and Withers paid back to the county the last farthing. Five hundred reward was due him for the capture of Ben Tracy's murderer, but Withers declined to accept it, saying he had only done his duty. When named for office, party lines were obliterated, and he became candidate, not of a part, but of ail. Men like this one are rare, and his taking-off should have its fitting the street committee. sequel.

### COMPLAINTS OF PATRONS.

Say Mail Boxes are not Properly Located-Monroe Route.

Editor TIMES:

issue in regard to complaint of subscribers of your paper, will say it is impossible not to make some mistakes but the carrier endeavors to do his duty. The parties who are kicking do not do as the law requires, some of the boxes are placed in mud holes' and they seemingly don't care how much trouble to the question and they should take ionable and polite. some pains to fix their boxes so team led the organization. Another

A. R. Norwood. Bruce Ore.

SERVED ONE TERM.

Withers' Assassin was Once in the Pen -Yates Convicted him.

Lyons, the slayer of Sheriff Withers, has served a term in the state penitentiary. While district attor-ney, W. E. Yates prosecuted him in Judge Fullerton's court in Eugene for embezzlement of public funds. The case resulted in a conviction, and a sentence of one year in the penitentiary was pronounced by Judge Fullerton March 13th 1897,

The embezzlement consisted of misappropriation of public money that Lyons had collected in his capacity as deputy tax collector. The amount of the defalcation was small. A question in the case was whether or not Lyons was a legally constituted deputy. The act was committed in Lane county, during the administration of Sheriff Johnson. Lyons served out his term and survived for the subsequent crimes that have made his name despised.

# Notice for Bids.

Notice is hereby given that the County Court of Benton County, Oregon, will receive sealed bids for an opening of a change in the Kings Valley-Wren Wagon road as follows: A 60 foot right of way, beginning at a point in the center of the County road where the Kings Valley-Wren road crosses the south line of the D. L, C. of H-S, Hallock & wf being Cl, No. 59 T. II S R 6 West Will. Mer. th. S 30° East 12 chs more or less to the center of the West end of the bridge, across a smail stream of water running West, All bids for opening same to be filed with the County Clerk and will be received up to Wednesday, March 4, 1903; at I o'clock P. M. The Court reserves the right to reject any and all bids.

VICTOR P. MOSES. County Clerk.



Dated Feb. 10, 1903.

### STONE'S DE YE ?

Wants Site for it-New Grade for Ferry-And Other News Items.

Mrs. J. O. Wilson returned Sunlay from Portland. Her sister Leona is expected today.

The Afternoon Reading Club wer. entertained yesterday by Mrs. J. F

Miss Addie Shupp of Albany, is the guest of Miss Mary Sutherland. She arrived Saturday.

D. A. Osburn has returned from a business trip to Idaho.

Mrs. J. L. Gibson with her two children left yesterday for Southern California, to join her husband who took his departure some time

Mrs. Ray L. Carter, whose husband has a position . in Horning's store, is the author of a number of pieces of instrumental music. The compositions are described by those who have seen them as very meri;torious. One of them, entitled "Sweetheart Waltz" has been published by a Chicago house, and is to be found at Gerhard's station-

W. S. McFadden and Sheriff Burnett went to Eugene yesterday to attend the funeral of the late Sheriff Withers.

Henry Stone figures on building fruit drier along the wate. front. At the council Monday night, he asked for a lease on a strip of land near the C & E turn table for t e purpose. The land lies at the foot of Washington street on the river bank, and is about thirty feet in width. The matter was referred to

In time a second grade is to be established et the Corvallis ferry. It is desired for facility in getting on and off the boat, and for use when the river is at a high stage. The city council Monday night, adopted the report of the street committee, granting authority to Seeing your article in recent the county to make such excavations as may be necessary to make an approach to the landing direct from Van Buren street, the city to incur no expense in the matter.

### At The Opera House.

A vaudiville treat is in store for the theatre patrons of Corvallis in it is to the carrier to deliver mail, the forthcoming visit Friday and besides he takes up letters for de-Saturday of the Weston and Her-Mrs Rosendorf's about \$200. There livering in post office which he bert show. This clever organizadoes not have to do, but does simply tion of players are top liners in the to accommodate them. So please vaudeville world and are giving an inform them, that there are two sides entertainment that is refined, fash-

they can be reached without miring | special feature is Hugh J. Emmett the world-renowned ventriloquist and mimic. There are eight other big acts with the show, all of which day night. The sport will be basand 5oc.

# Bids for Wood

Notice is hereby given that the Courty Court will receive sealed bids up to one o'clock P. M. Wednesday, March 4, 1903, to furnish 50 cords of grub oak wood four feet long, not less than three inches nor more than lo inches in diameter; 25 cords old growth body red fir wood four feet long, or 25 cords of sec. ond growth fir wood four feet long all to be well seasoned, The court reserving the right to select either old or second growth fir wood, or to reject any and all bids. Said wood to be delivered at the Court House, in the City of Corvallis, Oregon, between June 1st and August 1st, 1903, and the same to be paid for in county orders when accepted by the Court.

Dated Febr, 9, 1903. VICTOR P. MOSES. County Clerk.

# The Poetry of the Orange

It appeals to you, when the fruit hangs ripe and sweet on the trees in February or early in March. Then the blossoms break out and the trees are yellow with golden globes. and white with orange flowers. It may be that a flurry of snow has whitened the mountain tops, and then you have an artistic back ground for a tropical forest. The air is full of sunshine, and | heavy with fragrance as the night comes on, and then if the moon be shining, you may hear at midnight through open windows the song of the mocking bird in the scented grove, and it never seemed so melodious

An experience like this is possible every winter, and it is worth a journey of a thousand miles, while you can have have it, by taking the scenic Shasta route through the grand and picturesque Siskiyou and Shasta mountains to Southern California. Complete information about the trip, and descriptive matter telling about California may be had from any Southern Pacific agent or W. E. Coman.

Gen. Pass. Agt S. P. Co- Lines in Oregon Portland, Ore.

### DISCUSSED MANAGER GROVES.

Council did it Again-Because he Hasn't Obeyed That Body's Mandate.

Manager Groves was discussed at a meeting of the city council Monday night. One or two of the members paid their respects to his opera house in plain terms. Some time ago the council ordered the mana- dered by Attorney General Crawappliances for escape of audiences tion over which there has long in case of fire in the building. These been contention, viz that if a child embraced the provision of an entrance on the north side of the doors so they would swing outward in either of the latter, it may do so from the gallery. One speaker as-serted that none of the requirements had been observed, and he district where it attends school, the insisted that the manager should be made to respect municipal author-

demand in the form of an ordinance is as follows: "The board of dirand that such a step would be nec- ectors of any district may transfer demand could be legally enforced. The member rejoined that a resoluaction being taken.

It is said that Manager Groves long ago procured the doors required by the council, and that he now has them at the Opera House, but sive, would say it is diffiawaits the time when the city cult to determine what the fathers shall speak to him in trumpet tones.

### TWO VICTIMS.

Of a Contractor-Gibson Left Without Formality of Adieus.

Contractor J L Gibson, who came to Corvallis from the East over a year ago has flitted, and there are Corvallisites who mourn his going. He cut a considerable swath as a builder during his stay, having taken last autumn contracts for con struction of the Farra residence and a cottage for Mrs. Rosendorf. Financial matters about contracts got into a tangle several weeks ago and made the owners considerable

A week ago Sunday, Gibson went without bidding adieu to his friends generally. It is asserted that he took the Westside train at the crossing. Several days elapsed before the fact of his departure became generally known. Dr. Farra's loss is said to be about \$500 and are other creditors.

# TO PLAY EUGENE.

Happens Next Saturday Night in Armory-Basket Ball.

The agricultural college and state university will have a tussel Saturare equally interesting and enter- ket ball, and the game will be betaining. Seats are now on sale at tween the men of the two institu-Graham & Wellr. They are also tions. The college players expect playing at popular prices of 25, 35 it to be one of the hardest games of the season. On the University team are two crack players from last year's Willamette University team, and two others who played last season in Portland. Though the team has not played a game as yet this year, it is certain to present a formidable front.

Against this, is the fact that both Cate and Tharp, two of OAC's best men are out of the game for the season and that the college team will have to enter the struggle handicapped to that extent. However, it is calculated that the struggle will be close enough to be highly exciting. Play will begin at eight o'clock Saturday evening.

Joplin, Feb. 5.—The Venezuelan company, which organized here several days ago to enlist men for colonization in Venezuela, has, it was stated today, received over a thousand men, all with military training, and some of whom are stated to have held commissions in the United States army and navy.

Applications for membership are pouring in from all parts of the United States and Canada.

The company expects to secure large land grants from the Venezuelan government.

# Entertainment

Given by the young people at Oak Ridge Presbyterian church Feby. 14th, at 7-30 p. m. Music' singing. dialogues, recitations, graphaphone, splendid selections-Admission 20c., children, To to 15 years, 10c; under 10 years, free. Ladies bringing boxes of lunch free. Proceeds to be used in seating Oak Ridge school house. Stable room for horses if stormy.

# CASTORIA For Infants and Children. The Kind You Have Always Bougi Bears the

### AND TAKE THEIR MONEY

Children Residing in One District May Attend School in Another.

Though residing in one district school children may attend school in another district and take their school money with them. That is the purport of a decision recently renger to provide certain precautionary ford. The decision settles a quesresiding in a district adjoining Corvallis, Philomath, Monroe or building, and the hanging of all other places desires to attend school besides providing two means of exit under certain conditions and at the same time have transferred from the district in which it resides to the amount of the school money to which it is entitled.

The decision was rendered at the Somebody then raised the point request of Superintendent Ackerthat the council had not put its man. The law affecting the case essary before the full majesty of the to another district any child, together with all school money due by apportionment to such child, tion of the council was ample under whenever the parent or guardian the circumstances. After some shall present a written request, acdiscussion, the matter gave way to companied by a written permit other business without definite from the board of directors of the adjoining district.'

Concerning the law, the attorney general says: "As to whether the same is mandatory or only permisintention of the legislature was in enacting said subdivision without being informed as to the facts or conditions which existed to prompt the framer of the law to draft the same. However, I can conceive of a state of facts or conditions existing where a man with his family might live one or two miles from the school house in his district and near the line between his district and the adjoining district and the school House in the adjoining district be much nearer his residence, for instance onefourth of a mile. It would be difficult and might be impossible for small children to attend in their own district and the law seems to be intended to give parents and guardians the right to send them to the nearer school."

The attorney general further discusses the question, citing various decisions to establish the fact that the word "may" in the law is to be construed to mean "must" or "shall" and thereafter con-cludes: "Such child, by its parent or guardian, has an interest and an interest of greatest importance,-its education, in the exercise of the power conferred upon the directors, and there is no question but that the board of directors constitute a board of officers, a court or a tribunal to act upon all matters within their jurisdiction. There fore, I am of the opinion, when a parent or guardian shall present written request, accompanied with a written permit from the board of directors of the adjoining district, that it is the duty of the board of directors of the district in which the child resides to transfer it to the district.

"The opposite construction would render the law inoperative unless the consent of the directors of the district in which the child resides was also obtained, and if that were intended, it would have been inserted in the law. The legislature evidently never conferred the power upon the directors to be exercised or not at its discretion as it has nothing left for it to decide, except perhaps as to whether the request and permit are properly signed and sufficient in themselves to be a request and permit, and when sufficient papers are presented the power is called into exercise. and the transfer must be made. In my opinion the word "may" should be construed to mean "must" or 'shall' in the statute under consideration."

# **Valentines** Galore.

Card, Lace, Novelty, Drop, Parchment, and Celluloid Valentines, from I cent to \$3.00.

### Comic Valentines Big ones and lots of them. Twelve

Gross in all, at 1 cent each.

# Second Shipment

Just received from the factory. Come early and get your choice while the assortment is large. Positively the finest assortment ever brought to this city. Come and see them.

# C. H. Gerhard

Our store will close at 7 p. m. during January, February and march, Saturday evenings excepted J. H. Harris.

Rummage and Remnant Sale now running in full blast.

# Cudoma.

# Che Ox=Gall Soap for

Toilet, Bath, And Fancy Laundry.

Cudoma never shrinks Woolen nor Flannel.

FOR SALE BY HODES' GROCERY.

# We Do Not Live

to as high a standard as our desire would promote us, but see that you make no mistake in the house that keeps the higest standard of Groceries that is the

place to BUY

Fresh Fruits.

Fresh Vegetables,

fresh everything to be had in the market. We run our delivery wagon and our aim is to keep what you want and to please. Call and see

E. B. Horning. <u>xeneeneeneeneeneenee</u>

# Administrator's Notice to Creditors.

Notice is hereby given, that the undersigned has been appointed administrator of the estate of Kinman Vanderpool, deceased, and all persons having claims against said estate are hereby required to present the same duly verified as by law required to me at Wells, Oregon, or at the office of Yates & Yates, Corvallis, Oregon within six months from this date.

Dated at Corvallis, Oregon, this 7th day of February, A D, 1903,

Administrator of the estate of Kinman Vanderpool, deceased.

# Referee's Sale of Real Property.

On the 7th day of March, 1903, at the hour of one o'clock P M at the front door of the Court house in Corvallis. Oregon, I will sell at public auction to the highest bidder, for cash, the following described real estate towit: Lots nos. 107 and 114 in block no. 25 in the Cityof Philomath, Benton County, Oregon. Said sale is made under and in pursuance of an order, and decree of the Circuit Court of the State of Oregon, for Benton County in the suit of George H Burtch, et al Plaintiffs—vs—Jennie Churchill et al, Defendants, a proceeding for the partition and sale of real property.

M. P. BURNETT,

Referee appointed by the said court to sell said real estate,

The Kind You Have Alvays Pouga Bears the

# Notice of Final Settlement,

In the Matter of the Estate of James Marvin Applewhite, deceased.

Notice is hereby given that 1. E E Wilson, as administrator of said estate of James Marvin Applewhite, deceased, have filed my final account as such administrator with the clerk of the County Court of Benton County. State of Oregon, and the said Court has fixed Saturday the 7th day of March, 1903, at the hour of one o'clock in the afternoon of said day as the time, and the County Court room in the Court House in Corvallis, Benton County, Oregon, as the place for hearing any and all objections to the said final account and for settlement ther

Dated this February 7, 1903.

E. E. WILSON.

Administrator of the Estate of James Mar vin, Applewhite, deceased. In the Matter of the Estate of James Marvin

# Executor's Notice

In the County Court of the State of Gregon for Benton County.

In the matter of the Last Will and Testament of C. C. Vanderpool, deceased.

Nettee is hereby given that David Vanderpool is the duly appointed and acting executor of the Last Will and testament of C. C. Vanderpool, deceased, and all persons having claims against said estate are required to present the same with proper vouckers to me at Wells Station, Benton County, Oregon, or at the office of Yates & Yates, Attorneys, Corvallis, Oregon, within six months from this date-Dated this January 13, 1933.

DAVID VANDERPOOL, Executor,