

Polk County Observer

J. C. HAYTER, EDITOR AND PUBLISHER. Published Weekly at One Dollar per Year. Strictly in Advance.

DALLAS, OREGON, JULY 21, 1908. The way to build up Dallas is to patronize Dallas people.



As it appears to be in order for the state press to comment on the failure of the Portland police to put a stop to the hold-up business, the Observer would suggest that Mayor Williams do with Chief Hunt as Jack Marshall has done with Manager Vigneaux—play the chief on the bench. The Browns have met with pronounced success in battling with the enemy since the great and only Sammy has been benched.

NEW RURAL MAIL ROUTE

Service Between Dallas and Smithfield to Begin September 1. Postmaster C. G. Coad received notice from the Postoffice Department in Washington this week that service on the new rural mail route from Dallas to Smithfield will begin September 1. John Shaw, of Polk Station, has been appointed carrier. This route will be known as Rural Route No. 2.

The petition and recommendations for a route between Dallas and the Luckiamute country have been held up by the Department, for the reason, it is claimed, that there are not a sufficient number of families living along the line to justify the Government in establishing free delivery. The rule of the Department is that each route must give service to as many as 100 families. The map of the Luckiamute route, as prepared by the agents of the Department, shows that there are only 90 houses along this line. The map is doubtless correct as far as the actual number of houses in sight of the road is concerned, but there are many houses back in the timber that are not shown. Persons familiar with the country between Dallas and Bridgeport say that there are not less than 115 families that would receive their mail by this route. The farmers are anxiously clamoring for this service, and the business men of Dallas should lend a hand in helping them to secure it. The Observer believes that when a correct showing is made to the Department the service will be promptly granted.

Roy, the 9-year-old son of Mr. and Mrs. Lee Belien, of Bridgeport, is seriously ill with typhoid fever.

M. G. Flynn, manager of the Benton County Lumber Company, was in Dallas on a business errand this week.

Mr. and Mrs. F. A. Stiles and family, of this city, and Mrs. Ida Grant, of Portland, are camping on the La Creole above the Hallock mill.

State Senator B. F. Mulkey, president of the Ashland Normal School, visited friends in Dallas yesterday. He was accompanied by Mrs. Mulkey.

Harry Connaway, formerly an operator in the Southern Pacific office at this city, has been promoted to be agent at Hillsboro.—Albany Herald.

C. E. Shaw purchased H. M. Brown's interest in the confectionery store of Brown & Son this week. Mr. Shaw has many friends in Dallas, and the new firm will enjoy a large patronage.

Mr. and Mrs. J. H. Townsend have moved to their farm near Perrydale for the summer. It is hoped that the pure air and quiet life of the country will benefit Mr. Townsend's health, which has been falling for several months.

Messrs. Ellis & Keyt, who recently leased the J. W. Crider building adjoining their store, and who will hereafter occupy both buildings, are moving and re-arranging their stock this week. The room in the Brown building heretofore occupied by their dry goods department will be fitted up for a grocery department, and the small room from which the groceries are being moved will be rented for some other line of business. The Crider building has been refurbished and renovated throughout, and will be used for the main store room. The ladies' furnishing goods, cloak and jacket department will be up stairs in this building. When the stock is placed in shape in its new quarters, the firm will have one of the largest and best stores in the Willamette Valley.

What are Humors?

They are vitiated or morbid fluids coursing the veins and affecting the tissues. They are commonly due to defective digestion but are sometimes inherited. How do they manifest themselves? In many forms of cutaneous eruption, salt rhum or eczema, pimples and boils, and in weakness, languor, general debility. How are they expelled? By Hood's Sarsaparilla

which also builds up the system that has suffered from them. It is the best medicine for all humors.

175 Pays for the OBSERVER and the Weekly Oregonian one year. In order to take advantage of this liberal offer, your subscription to the OBSERVER must be paid up to date. Now is the time to subscribe.

PEACOCK WILL NOT HANG

Governor Chamberlain Commutes Sentence of A. S. Kerr's Slayer to Life Imprisonment.

At 10 o'clock Tuesday morning, Governor Chamberlain heard the arguments for and against the petition for the commutation of the sentence of W. P. Peacock, who is now occupying the death cell at the Penitentiary under sentence of death for the murder of Alexander Kerr, at Parker station, on May 18, from that of death to one of life imprisonment. Oscar Hayter appeared for the condemned cripple, while District Attorney J. N. Hart appeared for the state. At the request of the Governor, Drs. J. F. Calbreath, superintendent of the Asylum; W. T. Williamson and L. F. Griffith, first and second assistant physicians; Harry Lane, of Portland; J. D. Shaw, the present prison physician, and W. A. Cusick, former prison physician, all made examinations of the prisoner, and every one of them pronounced him a paranoiac and hopelessly insane. There was also the petition for the commutation of sentence, numerous signed by residents of Independence, Monmouth and Dallas, and a remonstrance signed by a number of people of Parker Station, where the prisoner and his victim lived, and where the crime was committed. The Governor heard both sides of the case, and, after due deliberation, commuted the sentence of death to that of life imprisonment in the following language, yesterday: "Application is made to me for the commutation of the death sentence of William P. Peacock, who is to be executed at the state prison on August 7, for the killing of one Alexander S. Kerr, in Polk county. The ground upon which the petition is urged is mental irresponsibility of defendant at the time of the commission of his crime. "The petition is numerously signed by many of the most prominent people of Polk county, including county officials, lawyers, doctors, merchants, editors, business men generally and farmers. In addition to this I have received many letters from various persons urging a commutation of sentence. On the other hand, vigorous protest has been filed against exercising executive clemency by a very large number of wealthy and influential citizens of said county of every avocation of life, most of them residing in the neighborhood where the killing occurred. Immediately upon the presentation of this petition, having been somewhat familiar with the case from the time of the commission of the crime until final judgment was rendered against the defendant, I addressed letters to the following physicians and alienists, namely: Drs. J. F. Calbreath, W. T. Williamson, L. F. Griffith, Harry Lane and W. A. Cusick, asking them to thoroughly examine into the mental and physical condition of the defendant and to give me their opinion as to his responsibility, and in addition to suggest what should be done with the defendant. In case they should advise and I should see fit to exercise executive clemency. Each of these physicians and Dr. J. D. Shaw, the prison physician, as well, have complied with my request and each and all of them concur in the opinion that defendant is and was at the time of the commission of the crime irresponsible, and urge executive clemency in his behalf. All of them, with the exception of Dr. W. T. Williamson, advise his retention in the penitentiary because of the fact that no provision has as yet been made for confinement of the criminal insane. In addition to the gentlemen named, the following physicians signed the petition addressed to me for commutation of sentence imposed upon defendant: Drs. E. J. Howard, B. H. McCallon, L. N. Woods, William S. Cary, O. D. Butler and E. L. Ketchum. "Arguments for and against the petition have been addressed to me by Oscar Hayter, representing the defendant, and J. N. Hart, representing the state. I have given this case the most careful consideration and have on two occasions visited the condemned man and spent a considerable time in conference with him at the prison. I have not much patience with a plea of insanity as a defense to crime, and ordinarily would not be disposed to interfere with the verdict of a jury or the sentence of a court where the defense had been presented and disposed of adversely to defendant but in the present case I feel that I would be a party to a judicial murder if I refused to interfere with the imposition of the death penalty. Defendant is a physical and mental degenerate, as is evidenced not only by the opinion of the physicians but by the appearance of the man himself. A more horrible, mis-shapen and deformed specimen of humanity my eyes have never beheld. Not only is he a hunchback, his shoulders being elevated almost as high as his head, but he has what is termed a "pigeon breast," which protrudes in front of him out beyond his chin, so that his head sets virtually between his shoulders and his breast, hardly resembling when stripped a human being, whilst the distance between the point of his breast and the highest point on the hump of his back is almost as great

"I sleep well enough at night, And the blameworthy appetite Ever mortal man possessed."

Riley's farmer is the very picture of a man advanced in years, yet with the enjoyment of perfect health. A good appetite, good digestion and sound sleep, are the chief factors in a vigorous old age. Life is sustained by food, when it is properly digested and assimilated. When digestion fails, there is a loss of nutrition which soon shows itself in physical weakness, nervousness, sleeplessness, etc.



Dr. Pierce's Golden Medical Discovery cures diseases of the stomach and other organs of digestion and nutrition. It strengthens the body in the only way possible,—by enabling the assimilation of the nutrition extracted from food. "I used ten bottles of Dr. Pierce's Golden Medical Discovery and several vials of his 'Pleasant Pellets' six weeks ago this spring and have had no trouble with indigestion since," writes Mr. W. T. Thompson, of Townsend, Broadway Co., Montana. "This fall I feel how thankful I am for the relief as I had suffered so much and seemed that I could do no more. I got down in weight to 125 pounds, and was not able to work at all. Now I weigh 160 and can do a day's work on the farm. I have recommended your medicine to several, and shall always have a good word to say for Dr. Pierce and his medicine. The Common Sense Medical Adviser, 1008 pages, in paper covers, is sent free on receipt of 21 one-cent stamps to pay expense of mailing only. Address Dr. R. V. Pierce, Buffalo, N. Y.

as the distance from a point of his shoulder to his hipjoint. In height he is only about four feet, whilst his weight does not exceed 110 pounds. I question if he is heavy enough to dislocate his neck if he were dropped from a scaffold, unless a weight were tied to his feet. Besides all this, his limbs are deformed, and whilst he appears to be bright, there is no question in my mind from evidence before me that he was constantly haunted by the idea that deceased was conspiring both to injure him and to take his life. Though there was absolutely no motive for the commission of the crime, yet to him in his diseased condition of mind, the taking of the life of the deceased was as necessary and the provocation as real as though the necessity actually existed. "Taking the history of the life of the defendant into consideration, his deformity of body, the circumstances attending the killing of the deceased and the opinion of the physicians who have examined him, I cannot but believe that the defendant was irresponsible at the time of the commission of the crime; that he acted upon circumstances which, to his mind, justified the taking of human life, and even at this time he claims that he was justified and is apparently without remorse. "It is unfortunate that there is no provision made by the laws of this state for the confinement in a proper place of the criminal insane. The defendant ought to be confined in such a place. His type of insanity is incurable, and in case of commutation of his sentence he must be confined either in prison or in the asylum. "After giving the defendant's case my most careful consideration I feel that it is my duty to commute his sentence of death, and because of the fact that there is no place for the proper confinement and treatment of the criminal insane and because of the recommendation of a majority of the physicians named above, whose opinions were asked in the premises, I have concluded that the defendant should be confined for life in the penitentiary of the state."

The grain harvest has become general in Eastern Oregon and in the southern part of the state, and is well started in the Willamette valley. The weather has been exceedingly favorable for filling and ripening grain. The heads are of good size and the berry plump, but the stand is thin, and consequently the yields are falling below the average. Oats promise better yields than either wheat or barley.

The ball game Sunday at Salem between Salem and Eugene resulted in a defeat for the latter team by a score of 5 to 1. Great interest was taken in the contest by the 1500 persons present, as the victory will give the Salem club the Valley League pennant this year. Roseburg has a chance to the Albany for first place, however, by winning two postponed games, one with Eugene and the other with Salem. Both games will probably be played in Eugene to-morrow. Kostal and Engle, cast-off pitchers of the Portland Browns, will do the twirling for Roseburg. At Independence, last Sunday, the home nine defeated the Sheridan ball team by the close score of 4 to 1. A large crowd was in attendance.

The Willamette Valley Prune Association met in Salem last Saturday. Besides a large attendance of members of the association there were a number of delegates from Linn, Lane, Douglas, Benton, Polk and Yamhill counties, and Vancouver, Wash. The meeting was a most enthusiastic one. The principal subject under discussion by the meeting was the organization of associations in all the districts represented at the meeting, all of which were to be under one secretary, so as to avoid competition as between the fruit-growing districts of the Pacific Northwest, and to eliminate the probabilities of one district underselling the others. The price of prunes for this year was fixed upon a basis of 25 cents per pound for four sizes.

DYSPEPSIA CAN BE CURED by using Acker's Dyspepsia Tablets. One little Tablet will give immediate relief or money refunded. Sold in handsome tin boxes at 25 cents. Belt & Cherrington, Dallas, Oregon.

COURT HOUSE NOTES

PROBATE. Guardianship of Ethel P. Brown, a minor—final account filed and guardian discharged.

Estate of Sarah Fisher, deceased—sale of real estate confirmed.

Estate of A. K. Wilson, deceased—final account approved and estate closed.

Estate of S. S. Cox, deceased—final account set for hearing August 29, 1908, at 10 o'clock a.m.

REAL ESTATE TRANSFERS. D. H. Deardorff to Mary E. Moore, lots in Monmouth, \$1.

Polk County Land Company to Martin Sacre, 35.34 acres, t 8 s, r 4 w, \$1934.70.

G E Lewis, admr, to Jerry Graham, 67.48 acres, t 7 s, r 3 w, \$1545.14.

G E Lewis, admr, to F A Erixson and C A Gray, 19.45 acres, t 7 s, r 3 w, \$481.40.

G E Lewis, admr, to T J Gardner, 26.70 acres, t 7 s, r 3 w, \$774.30.

G E Lewis, admr, to John Ferguson, 13.07 acres, t 7 s, r 3 west, \$326.75.

United States to Sarah Buell and heirs of Elias Buell, 550.96 acres, t 7 s, r 6 w, patent.

Mary, Kate and Nancy Wilson, 15 acres, t 7 and 8 s, range 5 w, \$1000.

Nancy and Kate Wilson to Mary C. Wilson, 320 acres, t 7 s, r 3 w, \$1.

James M. Wilson et ux to Kate and Nancy Wilson, tract in Dallas, \$1.

James M. Wilson et ux to Kate and Nancy Wilson, und. one-third int. 320 acres, t 7 s, r 3 w; also, 2.01 acres in Dallas, \$1000.

Jerry Graham et ux to C H and Ida Templeman, 10 acres, t 7 s, r 3 w, \$350.

G W Gardner et ux to J D Williams, 25,941 square feet in Falls City, \$160.

J D Williams et ux to G N Graham, 25,841 square feet in Falls City, \$160.

G O Grant to Ahee O Grant, 123.94 acres, t 8 s, r 7 w; also, lot 3, block 8, Levens' LaCreole Hill, add to Dallas, \$1.00.

I M Simpson to Dennis C. McNeill, 63 by 165 feet in Monmouth, \$150.

R. W. Swink et ux to Jennie Jasperson, 20.87 acres, t 8 s, r 4 w, \$500.

H P McNary et ux to Paulina Moyers, lots 1, 2, 3 and 4, Orchard Co. add. to West Salem, \$1050.

FARM HOUSES BURNED

J. R. Moore's Home North of Town Destroyed Tuesday.

J. R. Moore came to town Thursday and informed friends that his house, five miles north of Dallas, was completely destroyed by fire Tuesday morning at 11 o'clock while he was away from home. The place is known as the J. A. Baxter farm and is located on Salt Creek. The fire started in the roof of the kitchen, but it was not due to a defective flue. Mrs. Moore was at home alone at the time, but the flames spread so rapidly she was unable to save anything. Three boys, living in the neighborhood, were attracted by the smoke and went to Mrs. Moore's assistance. One of them tried to check the fire on the roof. While thus engaged the flames were making great headway underneath, and the plucky young man was lucky in escaping with his life, as the roof gave way a few seconds after he jumped to the ground. Mrs. Moore says the loss is complete. He does not feel the loss of the household goods so much as the destruction of family heirlooms. An old Bible, once used by Mr. Moore's father, old photographs and enlarged pictures of the family and other relics of a similar nature went up in smoke, and the loss of these articles is what causes Mr. and Mrs. Moore to deeply regret the occurrence. There was no insurance on the property. Mr. and Mrs. Moore are old residents of this county and they have many friends in this section.

W. O. Cooper's Residence.

The residence occupied by W. O. Cooper on the J. N. Skaffe farm, near Zena, was burned to the ground Wednesday afternoon. Mrs. Cooper was alone in the house when the fire started. She rushed to the telephone and called for the fire department. She had half a mile distant. Mrs. Sheppard called to some men who were passing in a wagon, bound for the coast, and asked them to go to Mrs. Cooper's assistance. The men ran back to the burning house, and, by prompt work, saved everything on the lower floor. The fire is believed to have started from a defective flue. The loss of the building is placed at \$1000, with no insurance.

Notice of Final Settlement.

Notice is hereby given that the undersigned administrator, with the will annexed of the estate of R. L. Skinner, deceased, has this day filed in the County Court of the State of Oregon for the County of Polk, his final account as such administrator, and the same has been fixed Tuesday, the 1st day of September, 1908, at the hour of 2 o'clock p. m. of said day at the time and one county court room in the County Courthouse in Dallas, in Polk County, Oregon, as the place for hearing said final account and all objections thereto.

Dated at Dallas, Oregon, this 30th day of July, 1908.

GEO. E. LEWIS, Administrator with the will annexed of the estate of R. L. Skinner, deceased.

Just About Bedtime.

Take a Little Early Rise—it will cure constipation, biliousness and liver troubles. DeWitt's Little Early Risers are different from other pills. They do not gripe and break down the mucous membranes of the stomach, liver and bowels, but cure by gently arousing the secretions and giving strength to these organs. For sale by Belt & Cherrington.

Kodol Dyspepsia Cure Digests what you eat. This preparation contains all of the digestants and digests all kinds of food. It gives instant relief and never fails to cure. It allows you to eat all the food you want. The most sensitive stomachs can take it. By its use many thousands of dyspeptics have been cured after everything else failed. It prevents formation of gas on the stomach, relieving all distress after eating. Disting unnecessary. Pleasant to take. It can't help but do you good Prepared only by E. C. DeWitt & Co., Chicago

WHO WANTS TO GO?

Dallas Asked to Send Representatives to Trans-Mississippi Congress.

The fourteenth annual session of the Trans-Mississippi Commercial Congress will be held in Seattle, August 18, 19, 20, 21. This organization is second in importance only to the Congress of the United States, numbering among its officers some of the leading business men of the country. The session this year is of greatest importance to the commercial interests of the States west of the Mississippi River, and it is earnestly desired that the Pacific Coast States be well represented. New issues will be discussed affecting the prosperity of the people, and recommendations to Congress will include in their scope legislation affecting almost every commercial, industrial and maritime interest of this portion of the Republic. The Seattle business men and citizens are arranging to accord to the delegates a true Northwestern welcome. In the apportionment of representation, Polk County is entitled to one delegate; the city of Dallas to one delegate, and the Dallas Board of Trade to three delegates. It is important that Polk county be well represented in the meeting, and to that end Judge Sibley, Mayor Hayter and President Ellis of the Board of Trade announce that it is their desire to appoint as delegates men who will attend. If any citizen wishes to go, he should make the fact known to these officers at an early date. Low railroad rates have been granted, and the trip will be a pleasant one.

IF a woman is in love, That's Her Business. If a man is in love, That's His Business. But if they are both in love, and want a wedding ring, That's My Business!

C. H. MORRIS, JEWELER and OPTICIAN. Legal blanks for sale at this office.

DUNN'S GROCERY SOAP. Biggest Bars in Town For A Nickel. You can't afford to buy elsewhere. Main St., Dallas, Ore.

A Vacation and a KODAK should go together. You can have your Vacation as soon as you get your Kodak of PFENNIG JEWELER & OPTICIAN Wilson Block, Dallas

HARNESS AND SADDLES. I have just received a Fine New Stock of Harness and Saddles and invite you to call and examine them as to style, workmanship and price. I have the finest line of saddles ever shown in Polk county. They are strictly "down-to-date" in every respect.

HORSE BLANKETS. A big assortment—prices according to quality—all fitted with "Double Surcingle," a new feature which every horseman will readily appreciate. Come and see them.

HARNESS OIL, Best Grade, WHIPS and ROBES. Frank A. Stiles MAIN ST., DALLAS, ORE.

Grove's Tasteless Chill Tonic has stood the test 25 years. Average Annual Sales over One and a Half Million bottles. Does this record of merit appeal to you? No Cure, No Pay. 50c. Enclosed with every bottle is a Ten Cent package of Grove's Black Root Liver Pills.

WHITE GOODS

Shirt Waists, Ladies' Neckwear, Summer Dress Goods and the like are going to be sold and out of the way before we move

Do you want your share of these?

REMEMBER That prices cut no figure. In a case like this it is not 34 cents and up.

We are going to sell them ELLIS & KEYT Main Street DALLAS OREGON

VANORSDEL, HAYES & Co. DEALERS IN Real Estate FARMS, STOCK RANCHES, TIMBER LANDS AND CITY PROPERTY. ROOM 1, (upstairs) Wilson Building, Dallas, Ore.

WAGNER BROS. CARRY A COMPLETE LINE OF Single Shovel Plows, Double Shovel Plows, Wing Shovel Plows, Five-Tooth Cultivators, Disc Cultivators, Peg Tooth Harrows, Spring Tooth Harrows, Disc Harrows, reversible with Extension Head. All kinds of Plows, Harrows, Cultivators and everything needed to cultivate a hopyard or orchard. COR. OAK AND MAIN STREETS. DALLAS, OREGON.

CENTRAL MARKET Haldeman & Murrell, Prop'rs. FRESH AND SALT MEATS of All Kinds. Fish, Game and Chickens ICE FOR SALE. Farmers will find it to their advantage to bring us their Poultry and Eggs, as we pay the highest cash price for same at all times. EAST SIDE OF MAIN STREET Dallas, Oregon.

Grove's Tasteless Chill Tonic has stood the test 25 years. Average Annual Sales over One and a Half Million bottles. Does this record of merit appeal to you? No Cure, No Pay. 50c. Enclosed with every bottle is a Ten Cent package of Grove's Black Root Liver Pills.