

Polk County Observer

SEMI-WEEKLY

DALLAS, OREGON, FRIDAY, AUGUST 8, 1913

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BODY IS EXHUMED BULLET IS FOUND

Soft-Nosed Missile Killed Mrs.
Eliza Stewart

CASE IS STILL PUZZLING

Defense Now Has Clear Road to
Base Shooting of Agee As In Self
Defense; Case Will Be Feature of
Present Term of Circuit Court;
Agee Recovering.

Exhumation Tuesday afternoon by
order of Judge Webster Holmes of
the body of Mrs. Eliza J. Stewart
allied to have been shot and killed
at Ballston June 30 by Louis W. Da-
vis resulted in the finding of a soft
nosed bullet, caliber evidently .32.
Davis in his affidavit filed in court
the same morning stated that the bul-
let which killed Mrs. Stewart was of
22 caliber and accidentally fired by
G. M. Stewart, the husband.

The exact result of the recovery of
the bullet in reference to the case,
is of course, problematical, yet it is
certain that the little leaden missile
will form an important feature in
the defense of Davis. Neither coun-
sel for state or attorneys employed
in the defense of Davis permit them-
selves to express opinions as regards
the case. Whether Davis possessed
two guns, or as Davis alleges, the fa-
tal shot was fired by Stewart are
questions to be brought out in the
trial.

The case although not expected to
occupy more than three days, will
feature for interest the present cir-
cuit term. Since the day of the trag-
edy when Davis was brought to Dal-
las up to the filing of affidavits by
Davis Tuesday, it was the general
presumption that the man's plea
would be insanity, yet the sudden
shifting in events discloses that Da-
vis will base his action for the shoot-
ing of Ben Agee as self defense and
will plead innocent of the killing of
Mrs. Stewart.

Review of Case.
Louis Davis who was released from
the state insane asylum a short time
before the tragedy visited Ballston
Sunday, June 29, after an absence of
some time. About 6 o'clock Monday
morning he entered the Stewart home
where his wife, daughter of Mr. and
Mrs. Stewart, was staying. He en-
countered Mr. Stewart at the door,
and was ordered away. Davis, later
said he called there to effect a re-
conciliation. Thinking to secure as-
sistance, Stewart went to the Agee
home a short distance away and re-
quested him to accompany him. When
they entered the room Davis began
shooting at Agee, hitting him four
times. It was then, so the state al-
leges, that Davis fired the last shot
at Mrs. Stewart. Agee did not hesi-
tate and he together with Stewart
and several other neighbors securely
tied Davis. He was brought to Dal-
las the same afternoon. Mrs. Stew-
art was buried in the cemetery at
Anity two days later.

Agee is in the city today and is
expected to be one of the state's first
witnesses to take the stand. Two of
the bullets fired at him by Davis still
remain in his body. Wednesday one
of the bullets, which passed nearly
through his body was cut out. Asked
as to his condition, Agee replied that
he was improving rapidly and
would soon be able to resume his
work.

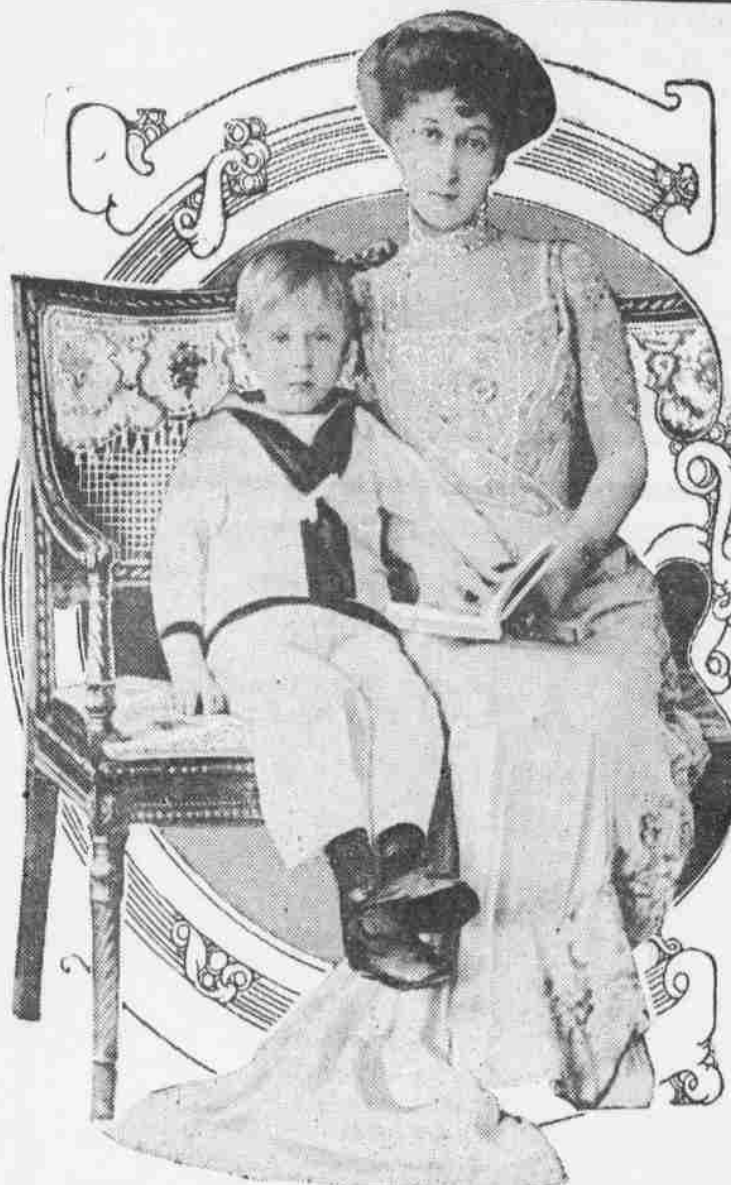
One Juror Secured.
The Davis trial began late yester-
day afternoon and when court ad-
journed shortly before 6 o'clock, but
one juror, J. G. VanOrsdel, had been
chosen.

SURPRISES THWARTED

Fickle Fate Plays Humorous Trick
on Thirteen Friends of Mrs.
Hugh Black.

To be thwarted in their carefully
laid plans, to have the tables com-
pletely turned by fickle fate, was the
surprise which met a merry party of
"surprisers"—13 lady friends of
Mrs. Hugh Black, Tuesday afternoon.
Tuesday being the birthday of Mrs.
Black, a pleasant surprise party was
prearranged. Guarding their secret,
the party visited the Black home
during Mrs. Black's absence. Every-
thing was in readiness to open the
surprise box when she returned. But
return she did not, and what is more,
could not be found. From a surprise
party the little group of anxious la-
dies was converted into a searching
party, but all efforts to find Mrs.
Black proved futile. Discouraged,
yet nevertheless determined, the
party returned and after due delib-
eration, decided it best to "eat while
it was good." But the surprise
was not altogether lost when Mrs.
Black returned to find only the re-
mains of a feast but a disheveled
house.

Queen Maud of Norway and Son She Fears May Be Assassinated



QUEEN MAUD of Norway is able to verify the saying, "Uneasy lies the head that wears a crown." She is the mother of Crown Prince Olaf, and recently there have been stories of plots to assassinate the boy. Queen Maud is a mother as well as a queen, and she does not find life comfortable when the fear of assassination is ever with her. She may leave Norway because of these tales of assassination. There is a bill now before the storting providing that if the present ruler dies without a male heir the country shall become a republic.

S. P. TO GIVE CUP TO COUNTY FAIR

SILVER TROPHY GOES TO WIN-
NER OF HORSE EXHIBIT.

Prospects For Big Success Grows
Brighter Each Day; Pomona
Grange Helps.

To further encourage the already
promising prospect of the Polk County
fair, the Southern Pacific railroad
has announced that it will present a
beautiful silver cup to the winner of
the best individual exhibit of blood
horses. The cup is given to the fair
association, and it has been decided
that the prize shall go to the winner
of this exhibit.

"The fair this year will far exceed
our most sanguine expectations," re-
marked acting Secretary Miles last
night. "It is the big event of the
year for Dallas, and the farmers are
for it soul and body. It is surpris-
ing to note the enthusiasm shown.
The exhibits are going to be far bet-
ter than they were last year, and
the live stock, poultry, domestic ani-
mal and other departments will be equal
to anything of its kind in the state."

To those who are planning exhibits,
special attention is called to the de-
sire of the association for aid in the
general exhibits. Specimens of tim-
ber, grain, hay, clover, wheat and
oats are needed first of all not only
for the general exhibit but for deco-
ration. Included in the general ex-
hibits will be every variety of vegeta-
ble grown in Polk county and this
is hoped will be one of the features
of the exhibit. Everything for the
general exhibit should be given to
Secretary Miles under whose direc-
tion the products will be arranged.
Pomona Grange members are as-
sisting materially in the general ex-
hibits, and have arranged to give
appropriate prizes to exhibitors.

AGED DEFENDANT FREED FROM SEVERE CHARGE

Alexander Bayse Acquitted By Jury
After Ten Hours Delib-
eration.

After being out from 3:30 Wednes-
day afternoon until 1:30 o'clock
Thursday morning the jury in the
case of the State vs. Alexander Bayse
returned a verdict of not guilty.
Bayse was indicted several terms ago
on a charge of having had improper
relations with a young girl who had
been for years in his family.

YOUTH SENTENCED IS THEN PAROLED

ROSS HEWARD GIVEN FREE-
DOM IF HE QUILTS LIQUOR.

Unique Feature of Parole Results of
Recommendations of District At-
torney Upjohn.

Sentenced to one year in the com-
munity jail and paroled from the bench
under condition that he absolutely
abstain from intoxicating liquors for
the term of his sentence; that he
continue on good behavior and report
monthly with accompanying certifi-
cates of two prominent citizens of
Ballston, was the fate of Ross Heward
before the circuit court Tuesday
afternoon. The sentence administered
to Heward by the court was on the
recommendation of District At-
torney Upjohn, as was the unique
feature of the parole.

A showing was made by G. O. Hol-
man, appointed by the court as at-
torney for Heward, that while Heward
was not under the influence of
liquor, he is a hard worker and com-
petent.

He was arrested several weeks ago
as the result of a brawl in which a
number of men living near and in
Ballston participated. It was charged
at the time that Heward flashed a
razor and threatened to cut the
man who struck him.

AUTO OBJECT OF WONDER

Local Men Surprise and Interest Lin-
coln County People.

That the good ranch people resid-
ing in the vicinity of Rose Lodge in
northern Lincoln county are strangers
to the sight of modern vehicles was
plainly evidenced during the early
part of the week when Lou Muscott
and Horace Webster made the trip
to Rose Lodge in the former's auto
truck.

"They evidenced most pronounced
surprise and interest," said Muscott
in relating the trip. "We were told
that many of them telephoned to
their neighbors along the road to
watch us pass and at one place the
school teacher dismissed school to al-
low the children to see the machine."

After spending three days fishing
on the Salmon river the two returned
bringing back the catch limit each.

Building Being Moved.

The wooden structure occupied by
the Belvedere saloon on Main street
is being moved to its new quarters
on Mill street. The building has been
raised about five feet. Work on the
new bank building is expected to be-
gin within a few days.

BETTER RAILROAD SERVICE NEEDED

Commercial Club Promises to
Seek Relief

MORNING PORTLAND TRAIN

Believes City is Entitled to Better
Service to Rose City; Good Road
to Cooper Hollow to Be Taken Up
Again; Meeting is Small But En-
thusiastic.

Consideration of the improvement
of the train service between Dallas
and Portland as well as the improve-
ment of the Cooper Hollow road,
were the two matters of importance
taken up at last night's meeting of
the Dallas Commercial club. The
meeting was not largely attended as
many members of the organization
were out of the city.

The chief topic of discussion was
the matter of securing if possible a
morning train service between this
city and Portland. Following the
transfer of the morning train to
Corvallis, leaving Dallas with only
one daily train to Portland which
leaves the city in the afternoon, the
situation was discussed and was re-
ferred to the railroad committee, but
so far no indication has been re-
ceived from the company of any
change being considered in the pre-
sent schedule. Last night several
members went on record as favoring
immediate action, even to taking the
matter up with the state railroad
commission. Numerous complaints
have been made to the present way
of reaching Portland, which neces-
sitate a change at Gerlinger, in order
to make the trip in the morning. Fol-
lowing a lengthy discussion, the mat-
ter was placed in the hands of the
committee on railroads with the re-
quest that the exact situation be
placed before the proper railroad of-
ficials.

Cooper Hollow Road.
Owing to the present almost im-
passable condition of the Cooper Hollow
road an effort will be made by the
club to interest the county commis-
sioners in placing it in a good con-
dition. Recently a number of farm-
ers from the Cooper Hollow district
have visited Dallas for the express
purpose of interesting the business
men here and it is now thoroughly
realized that some concerted action
should be taken in this direction.

During the meeting a number of
bills were allowed and a number of
communications read and referred to
the proper committees.

RICKREALL HAS SPIRIT

Boosters Visit Rich Farming Section
and Are Given Rousing Reception;
Independence Next.

One more rousing booster meeting
was added to the long list of success-
ful gatherings throughout the county
last Tuesday night when a large Dal-
las delegation, comprising members
of the Commercial club and the band
left Dallas for Rickreall. About 30
cars loaded to capacity conveyed the
crowd.

The meeting was held in a grove
near the town, and program was all
that could be desired. Rickreall peo-
ple evidencing their enthusiasm in
many different ways. Secretary
Miles and Dr. McCollan made inter-
esting addresses, and the readings by
Misses Ruth Campbell and Bertha
Serr were received with hearty ap-
plause. The musical numbers by the
band were especially good.

Next Trip to Independence.
Owing to the fact that harvest
season is rapidly approaching, the
boosters have decided to postpone
their trip to Independence for at
least two weeks. Many members of
the Commercial club are out of the
city and as it is planned to go to the
neighboring city en masse, the delay
was thought advisable.

Council Holds Session.
For the purpose of granting R. E.
Williams a permit to tear up a por-
tion of the paving on Court street to
install pipes for the proposed heating
plant, a special session of the city
council was held last night and the
permit granted. An adjourned ses-
sion of the council will be held Mon-
day night at which time contract will
be let for the construction of con-
crete curbs on Academy street. Other
matters of importance are expected
to be brought before the meeting.

To Improve Roads North.
More good roads for Polk county
resulted yesterday in a visit of the
board of county commissioners to the
Mays place on Salt Creek several
miles north of Dallas. The big rock
crusher will be transferred to a point
near that place and work improving
the roads will begin immediately.

Big Central Heating Plant To Be Installed by R. E. Williams

New and Modern System Calls For
Expenditure of Big Sum; Plant to
Have Sufficient Capacity to Supply
Heat to All Business Blocks on
the West Side.

Installation of a central heating
system with capacity sufficient to
supply every business house in the
city with steam heat is the plan to
be carried out by R. E. Williams.
The contract was let Wednesday
night to Wesley Vaughn. The in-
stallation of the plant alone will
cost about \$12,000, but with the se-
curing of contracts from practically
every business house in the city, sev-
eral of which have already been se-
cured, the expenditure will reach
considerably more.

The central station will be in the
rear of the Dallas City bank on Main
street. Engines with a capacity of
360 horse power have been ordered
and the present small plant will im-
mediately be remodeled and greatly
enlarged. The machinery which will
be purchased from the Gould com-
pany of Portland has been contracted
for and will be shipped from the
East at once.

While the plan for a more ade-
quate heating service has been con-
sidered for some time it was not un-
til after the arrival of President R.
E. Williams that concrete plans were
made. It is the desire of Mr. Wil-
liams to have the work accomplished
as quickly as possible because of the
wish of property owners on Court,
Main and Mill streets to connect

with the service. It is estimated that
the work will be finished as soon as
the new Dallas City bank is complet-
ed on Main and Mill streets. The
work of laying pipes and connecting
other business houses, however, will
require a period of nearly one year.

Work Begins.
The first work began yesterday
morning with a crew of 10 men. In
order to place the pipes connecting
the plant with the two banks a small
strip of paving must be removed on
Court and Mill streets but as soon as
the piping is placed the streets will
be repaired which will probably be
in about two weeks. The pipes will
run north and south in the alley be-
tween Court and Mill street crossing
Court in the center of the block. This
service will connect the business
houses between the postoffice and the
Dallas National bank. Running
north from the plant the mains will
pass along the alley and cross Mill
street. As soon as the pipes are laid,
every business house on the west side
will be in line of the heating system.

"The system will be thoroughly
modern in every particular," says
Mr. Vaughn. "We have gone over
the plans thoroughly and find that
the plant, when completed, will be
sufficient in capacity to supply heat
to every business house on the west
side and at a minimum cost. I do
not know what arrangements the
banks will make, but am sure that
heat can be furnished by the new
plant at a cost far below prices now
being paid for individual heating
service."

The fact that the contract was
awarded Mr. Vaughn, and that Mr.
Williams made no effort to secure
prices from outside firms is sufficient
evidence of the local firm's ability
to satisfactorily complete the work.

BIG TIME IN STORE FOR KIDDIES HERE

VISIT OF PORTLAND CHILDREN
PRACTICALLY ASSURED.

Members of Woman's Club Are Mak-
ing Careful Canvass; Twenty-five
to Be in Party.

With the appointment Tuesday af-
ternoon of a committee to make a
thorough canvass of Dallas and vi-
cinity, the work of securing places
for 25 Portland children, is now well
under way and according to the ladies
of the Woman's club, the plan prom-
ises to be a huge success. At the
meeting of the club, the following la-
dies were appointed on the commit-
tee: Mrs. Conrad Stafrin, Mrs. J. E.
Miller and Mrs. Lot Brown.
Word has been received from the
Associated Charities of Portland that
the organization will be prepared to
send at any time the children who
are anxiously awaiting the opportu-
nity to visit the country. While the
progress of the committee is encour-
aging, assistance is asked from those
willing to take the little visitors by
tendering their names to any mem-
ber of the committee.

Announcement has also been made
by the club that these children are
subjected to a careful medical exam-
ination before leaving the city. They
will also be neatly clothed and a sup-
ply of clean garments brought with
them. All they desire is plenty of
good fresh air, plenty of good food
to appease their hunger, and a rip-
ping good time.

Family Reunion.

A family gathering was held at the
Lyle farm the summer home of Mrs.
Harriet Veazie, last Saturday and
Sunday. The following members of
the family were present: Mr. and
Mrs. A. L. Veazie, Mr. J. C. Veazie,
Grace Ellen Veazie, Emily Veazie,
Harriet Veazie, Edmund Veazie, all
of Portland; Mr. Felix Comegys,
Mrs. Ann Comegys, Perrydale; Mrs.
E. R. Bryson, Miss Lyle Bryson,
John Bryson, of Eugene; Mr. and
Mrs. I. M. Glen, Harold Glen, Philip
Glen, and Juliet Glen, of Seattle.

Tracy on Way Home.
A telegram received last night by
E. C. Kirkpatrick announces that
County Treasurer Tracy Staats would
leave the same evening on his return
trip from Denver. The message also
states that all the present officers of
the W. O. W. were re-elected.

Gets Long Sentence.
Raymond Thornelyke was sentenced
by Judge Webster Holmes Wednes-
day afternoon for from three to 39
years in the state penitentiary after
having pleaded guilty to a statutory
charge.

Mrs. Woods Honored.

At Tuesday afternoon's meeting of
the Woman's club, Mrs. Harry A.
Wood was elected as secretary to
succeed Mrs. E. M. Smith, resigned.

CITY FIRM WINS IN DAMAGE SUIT

ELECTRIC SOCKET COMPANY
TO GET \$414.12.

Plaintiff's Case Non-Suited and Sa-
lem Company Lose; Notice is Given
For Appeal.

By returning a verdict for the de-
fendant for damages in the sum of
\$414.12, the grand jury in the case
of the Salem Iron Works against the
Dallas Electric Socket company com-
pleted one of the most complicated
damage cases in the history of Polk
county last evening. The court non-
suited the plaintiff's case, and notice
of appeal has been given by the Sa-
lem company.

The case involves the manufacture
of certain dies ordered by the Dal-
las company in the manufacture of
electric flat irons. The goods were
manufactured, but according to the
Salem firm only one payment was
made. The socket company then re-
fused to pay for the remainder of
the goods, and suit followed. The de-
fendants alleged they were not of the
quality ordered, that they had been
to considerable expense in not only
sending representatives to Salem but
by the delay in the manufacture of
their goods. They therefore asked
for the contracted price of the ma-
terial.

FAST GAME PROMISED

Crack Bradfords All-State Team to
Meet Dallas Boys; Visitors Have
Good Record.

Determined to give Dallas fans at
least one peppery game before the
close of the season and thus make up
as much as possible for the recent se-
ries of decidedly uninteresting com-
bats, Manager Ted Serr has secured
a Sunday engagement with the fast
Bradfords. This team is generally
known as one of the fastest teams in
Oregon. It is composed of ex-leg-
ions and comprise men picked from
every part of the state. The team
has played ball all summer and have
lost but few games, and for the rea-
son that they play six games each
week, there is no doubting their abili-
ty to put up a classy exhibition
Sunday afternoon at Rowell park.

"We have been unfortunate in se-
curing fast opponents," said Man-
ager Serr yesterday, "and the aver-
age fan cannot be blamed for kick-
ing. However Sunday's game will
be different and if Dallas can even
give the visitors a fast game, I will
be satisfied. The Bradfords have
cleaned up Salem and a score or more
good teams. Dallas, however, will
have in uniform for Sunday's game
one of the fastest teams in the state.

NEWS OF COUNTY TOLD IN BRIEFS

Items of Interest in Country
Districts Interestingly Told

OBSERVER SPECIAL SERVICE

Observer Representatives Keep in
Touch With All Matters of Import-
ance in Their Part of the Famous
"Blue Ribbon" District of the
State of Oregon.

FALLS CITY

One of the W. C. T. U. public
drinking fountains has been installed
at the corner of Main and Third
streets near the hotel. Needless to
say it is well patronized. The other
fountain will be placed on the Mahr
corner.

Miss Margaret Flower of Salem,
spent several days this week with
her parents, Mr. and Mrs. J. H.
Flower of this city.

By far the best base ball game of
the season was played last Sunday
between the local team and a club
from Salem. At the end of the ninth
inning the score stood 2 to 2, it tak-
ing two more innings to decide the
contest. In the last inning one of
the Salem players biffed one over the
fence and let in three men which
gave them a lead of three scores.
Every one present was well pleased
with the game and are waiting for
more of the same class.

B. A. Lombard has leased his town
property to G. A. Garcia and left for
his new home in San Francisco Fri-
day. He will make his home with
his daughter who resides in that city.

Miss Alice Frink of Junction City
is visiting with relatives here this
week.

The Young People of the Metho-
dist Sunday school held a social in
the parlors of the church Friday
night. Some thirty were present. An
abundance of ice cream and cake was
the last thing on the program.

Chas. Hartung transacted business
in Portland Wednesday.

Mr. and Mrs. W. F. Nichols and
Dr. and Mrs. F. M. Hellwarth spent
a few days at the coast near Tillamook
this week, they making the
trip with M. L. Thompson in his
auto.

Austin Titus returned home Thurs-
day from Washington where he has
spent several months. While away
Austin went to Alaska with the mil-
lition on their annual encampment.

Several business houses in town
are receiving a coat of paint which
adds greatly to the appearance of the
city.

J. S. Ford left Wednesday for a
year's stay in Southern Oregon
where he will visit several old friends.
Sidney Trask of Corvallis, is visit-
ing this week at the home of his pa-
rents, Mr. and Mrs. C. H. Trask.

M. A. Marey and his company of
Boy Scouts are spending the week
fishing and otherwise enjoying the
time on the headwaters of the Big
Luckiamute.

Elmer and Lester Barnhart have
returned from Eugene summer school.

Miss Hammond and her music
students gave a recital in Wagner's
hall Tuesday morning. Quite a num-
ber were present. After the pro-
gram a lunch was served down by
the river.

A. E. Myers, of Salem, preached
in the Methodist church Sunday eve-
ning.

Mrs. Sadie Singleton is taking a
vacation this week, she having gone
to Seaside with S. Taylor Jones and
family of Dallas.

W. F. Nichols was a business vis-
itor in Dallas Tuesday.

MONMOUTH

A. H. Craven left Saturday for
Bandon, Southern Oregon, on a visit
and will be gone about two weeks.

Losket Lemiti club left for their
annual trip in the mountains which
they have made for some 20 years,
Saturday. Those in the crowd were
G. T. Boothby, J. B. V. Butler, Doc-
tor Willis Butler. They are headed
for the coast range and the deer and
the bear and cougar, and all other
game will suffer, and when they re-
turn you will hear some blood curd-
ling stories, which they may put in
book form. Willis Butler goes in the
place of Luther Grounds, whose
health will not permit him to go.

Phillip Mulkey and wife, teachers
in the high school of Arlington, are
spending their vacation at his wife's
parents, Mr. and Mrs. C. E. Force.

Mr. and Mrs. M. K. Bostman, the
newlyweds of Corvallis, as we men-
tioned in a former issue, are in town
looking after their interests here.

Mrs. Hunter left for Newport Sat-
urday for a season.

A. N. Poole and wife and sons
went to Corvallis on a visit Saturday,
returning home Sunday.
Mrs. W. W. Newman and children
went to Newberg Sunday on a visit.
Wm. Smith left last week for an

(Continued on Page Two)