

The Polk County Observer

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(THE HOME PAPER)

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(TWICE-A-WEEK)

NO. 25

FINE POINTS INVOLVED

FIGHT OVER BOWERS CHILD GOES TO SUPREME COURT.

Multnomah County Juvenile Court Wants Higher Tribunal to Determine Its Rights.

The outcome of the appeal from the judgment of the circuit court of Polk county in the matter of the application of Mrs. Mollie Bowers for a writ of habeas corpus is awaited here with no inconsiderable interest, inasmuch as it has to do with the four-year-old child of Rollin C. and Mollie Bowers, now in possession of Mr. and Mrs. Milt B. Grant, over which there has been no small amount of contention, and which is claimed by the appellant, the juvenile court of Multnomah county, to be lawfully under the jurisdiction of that tribunal as its ward. The case is of especial interest from a legal standpoint, as the verdict will decide whether or not a juvenile court of one county has jurisdiction over a ward after that ward has been removed into another county of that state.

In this case it is alleged that on or about November 10, 1913, Mrs. Bowers brought the infant child in question, a ward of the Multnomah county court, to this city and arranged with the Grants for its care, the consideration to be monetary. In February, 1914, according to the appellant's abstract of record, the petitioner, Mrs. Bowers, demanded possession of the child from the Grants, which possession was refused on the ground that remuneration for their services in caring for the infant had not been forthcoming as per agreement. Mr. Grant having appealed to the county court, and that court having issued an order for the retention of the child, he further relied upon that judgment as giving him the right to hold the offspring of the petitioner. This order was made on September 25, 1914, and is still fresh in the memory of readers of The Observer, the case at that time having attracted much newspaper publicity.

The juvenile court of Multnomah county, which on July 1, 1913, declared Marion Bowers, the infant in question, a dependent child, each of the parents alleging that the other was unfit and improper persons to care for it, by reason of its order under that date, holds that it still has sole jurisdiction over its ward of that time. The order referred to made the child a ward of that court, and gave the mother its custody until further order. Several orders were issued by the juvenile court subsequently, but none of them took the custody of the child from the mother, nor relinquished its claim as ward. Its endeavors to regain control of its ward having proven failures thus far, the juvenile court of Multnomah, through its representatives, instituted habeas corpus proceedings in this county for the recovery of the body of the child, but the judgment of Judge Belt was for the defendant, and it is from this decision that an appeal was taken.

Briefs in the case have been prepared by attorneys for the appellant and respondent, and will be filed with the Supreme court within a few days.

MAY REVIVE YEOMAN LODGE.

Only Thirteen Members of Once Flourishing Order Remain.

Henry E. Wirth, district manager for the Brotherhood of American Yeomen, is in Dallas this week soliciting members to the local homestead, which now has a membership of only thirteen and has held no meetings during the past six months. Aside from being a co-operative life and accident insurance association, the Yeomen society endeavors, through its local homestead and the membership, and by its general practice, "to aid and instruct its members along moral and civic lines; to encourage co-operative measures when practicable; to care for the children, and to create such public sentiment as will result in the abolition of child labor and the education of every child; to care for the sick, encourage the despondent, lift burdens off human shoulders, and do all things possible to extend fraternalism to all peoples and all lands."

During his stay in Dallas Mr. Wirth has secured several applications for membership, and in all probability the local homestead will be resuscitated in the near future.

Dallas Company Rating "Fair."

Company M of Salem is the highest ranking company of the Third regiment of the Oregon National Guard according to the summary of the report of Captain J. H. Page, of the 21st Infantry, U. S. A., and Colonel Cleland McLoughlin, who made the annual inspection of all the companies of the regiment March 3. The rating of the Dallas company is "fair."

Building Prune Dryer.

Nathan Hughes and his son of the Oakdale neighborhood have commenced work on a prune dryer, which will care for their crop the coming season. Messrs Hughes will have a large yield this year, their trees being loaded with fruit. They have the only orchard in that locality of which this may be said.

Road Work Being Prosecuted.

Work on the roads in the Spring Valley district is being vigorously

pushed in spite of the heavy rains of the last few days. Since the work of grading had to be discontinued on account of the mud, clearing out the brush along the new grade has progressed rapidly. Part of the road is now ready for the grader. The volunteer work promised is being used in the preparatory work. Contract work will be employed when it comes to the crushing and hauling gravel.

LUMBER INTERESTS ORGANIZE.

Willamette Valley Manufacturers Hold Meeting at State's Metropolis.

At a meeting of lumber manufacturers of the Willamette valley, held in Portland recently, tentative plans were formed toward the organization of the Willamette Valley Lumber Manufacturers' association. About 20 mills were represented at the meeting, the daily capacity of which would aggregate 1,500,000 feet. It was the general consensus of opinion of those present that the local problems confronting Willamette valley manufacturers justified the new organization. In a general discussion of the subject each one present signified his willingness to become affiliated with the proposed association. Jay S. Hamilton, of the Jay S. Hamilton Lumber Co., Portland, Oregon, presided at the meeting, and George T. Gerlinger of the Willamette Valley Lumber company of this city acted as secretary. A committee on re-organization was ordered appointed by Chairman Hamilton and another meeting called at an early date. About 20 were in attendance.

LEWTAS TALKS OF WAR

GETTING TO THE FRONT NOT AN EASY MATTER, HE SAYS.

Hundreds of Thousands Soldiers Assembled in London When War Correspondent Arrived.

An interesting and instructive discourse was that delivered at the Methodist church Tuesday evening by the Rev. John Lewtas, war correspondent. The audience was not as large as had been expected, probably due in part to the inclement weather, rain falling copiously during the earlier part of the evening. Accompanying the lecturer were some two hundred lantern slides, which pictured many of the scenes described by Mr. Lewtas. The lecturer told of his trials in reaching Paris, he having to first secure a passport at Tacoma, to which was attached a photograph of the person to whom it was issued by Secretary of State William Jennings Bryan. The passport served the purpose without difficulty in boarding the steamer at New York and also at Liverpool, but to gain admittance to France, whither the speaker was bound, was a different proposition. The passports had to be viced at the French consulate, and for stamping it was necessary to deposit \$2. At the railway station at Calais secret service men not only inspected luggage but the pockets of the passengers, even to private correspondence. No steamers sailing for Calais, Mr. Lewtas went to Boulogne. The night before the same steamer had been torpedoed, but fortunately was missed by some thirty feet. Two powerful lights at Boulogne search the seas on either side to protect approaching vessels from the deadly submarine.

After having again been examined Mr. Lewtas started for the very base of the expeditionary force, and found that English girls were working like beavers in making and disposing of soup and sandwiches to the soldiers as they came and went, both being subject to contributions in any sum desired by the recipients of the food. Here the speaker witnessed hundreds of thousands of British soldiers, innumerable automobiles, buses, aeroplanes, armored trains, everything conceivable to the war game. Military hospitals, temporary barracks and soldiers were all about the London station, reaching into the distance. Trains of Red Cross nurses were hurried in and out of the station. An officer told Mr. Lewtas that he was expecting a million soldiers to arrive there within the ensuing twenty-four hours. This was in March.

The speaker told of how when a soldier is wounded he is rushed to the base and if his injuries are not too serious he is home in England within forty-eight hours. The transportation of the troops is wonderful. Up to the time Mr. Lewtas left that country not a single soldier had been lost through this method. From Bristol to London is 120 miles, and the lecturer made the distance by train in exactly 120 minutes without a stop. The speaker described, briefly, battles, trenches, ruins and devastation, and told how 60,000 Catholic priests had taken off cord and cassock in France and gone to the battle field in defense of their beloved country, showing by this act that they were ready to take up the arms material and with the arms spiritual become a force that shall elevate the moral life of France.

The Dallas band held its first practice of the season on Wednesday evening. The attendance was large, and the new director feels greatly encouraged over the prospect.

POLK GETS A BOUQUET

SCHOOL SYSTEM AT EXPOSITION APPLAUDED BY MANY.

Its Showing in Oregon Building Being Patterned By Prominent Educators of Country.

Mr. E. F. Carlton, first assistant state superintendent of public instruction, visited the Panama Pacific exposition and in commenting on the display made there by the schools of Oregon remarks that it is attracting widespread attention from visitors. He reports that an Indiana educator of prominence, after having carefully examined the Oregon exhibit, had this to say regarding the work:

"In Oregon, through your standard for rural schools, your boys' and girls' clubs, and playgrounds, you are doing a work equal to that which the federal government is doing for the schools in the Philippine Islands, and this work is attracting the attention of educators in all parts of the world."

And this praise is, practically speaking, universal, for the assistant superintendent names no less than a dozen leading educators from various sections of the United States who approve most heartily of this branch of educational work, and who wish to adopt the system in their rural schools. An Iowa teacher is quoted as saying that this plan for standard schools is just what is needed in the schools of the entire country. This particular teacher spent many hours in making notes and asking questions as to how best to get the standardization system into actual practice.

These things must be particularly gratifying to the people of Polk county, inasmuch as the standardization system now in use was first introduced here, and from the further fact that a large part of the school exhibit in the Oregon building at the exposition is from this county. In fact Dr. Dunmore, the official representative of Polk at the fair, has said that the display from this county exceeds anything being shown, both as regards quantity and quality. And why not? Superintendent Seymour has made this branch of educational work a study, and has been extremely active in spreading his knowledge not only among the youngsters of his domain but among the teachers as well, urging upon them the need of such educational work. There is occasion for the county of Polk to throw out its chest and assume an additional air of importance over the word brought back home by Mr. Carlton.

There is further reason why we should feel proud. A Polk county school building, being that at Bridgeport, has been selected by the national government as the model one-room school house of the United States. The miniature of this building is on exhibit at the big show, and is also attracting attention of those engaged in rural school work. And this reminds The Observer that of the more than seventy school buildings in Polk county there are at this time only three that are not of modern type. And these three are likely to be remodeled within a short time to meet the requirements to make them of the approved type. Mr. Seymour, during his incumbency as superintendent of county schools, has given much attention to this particular line, and is to be congratulated upon the success with which he has met in modernizing and improving rural school properties. It is, in his opinion, as well as in the opinion of the state department, an important factor in educational work.

RESTRAIN SOCIAL EVIL

AIM OF MEN'S CONFERENCE AT COURT HOUSE TUESDAY.

Hon. A. F. Flegel of Portland and Prominent Dallas Citizens Scheduled to Speak.

Mayor E. C. Kirkpatrick will preside at a conference of Dallas physicians, educators and others on social and moral hygiene at the court room next Tuesday evening, the gathering to be under the auspices of the Oregon Social Hygiene society, which will be represented here at that occasion by Mr. A. F. Flegel, a prominent Portland attorney. While it has been announced that admission will be by invitation, the male public generally will be welcomed, the purpose of the meeting being to inaugurate a campaign of education along this line in this community. A comprehensive program has been prepared by a local committee consisting of Messrs. Eugene Hayter, U. S. Loughary and H. C. Seymour, and includes the following subjects: "The Prevalency and General Seriousness of Venereal Diseases and their Effect upon the Individual and the Home," by A. B. Starbuck, M. D.; "The Four Sex Lies and Other Causes. Remedies," by A. F. Flegel, Portland; "What Can We Do For Dallas?" by George T. Gerlinger.

The program as outlined touches the life of every home, and this being the case the attendance of fathers should be large. The Oregon society is one of the foremost of its kind in the United States, and is carrying on this great work in the interest of humanity at its own expense. No admission fee will be charged next Tuesday, and neither will there be a collection.

1915 CLASS IS LARGE

THIRTY STUDENTS TO GRADUATE FROM HIGH SCHOOL.

Rev. Curtis Will Preach Baccalaureate Sermon and Supt. Churchill Will Address Class.

The fourth annual commencement exercise for Dallas high school will begin on the evening of June 6, and will extend throughout the week. The largest class in the history of the high school will be graduated this year, when thirty students will receive their final honors from the school. All the exercises of the week will be held in the high school auditorium. Rev. Curtis, of the Christian church, will preach the baccalaureate sermon, and Supt. J. A. Churchill will deliver the address to the graduating class.

The rapid growth of the high school is indicated by the increase in the size of the graduating class from year to year. In 1912 there were five graduates, in 1913 thirteen, in 1914 thirteen, and this year thirty. The members of this year's class are Fay Dey Armond, Florence O. Walker, Vera M. Wagner, Edward Preston, Elmer W. Baldere, Herbert H. Shepherd, Ray G. Grounds, Willis H. McDaniel, Lucile B. Hamilton, Oscar H. Peterson, Gertrude R. Wilson, Sarah Gertrude Toews, Muriel Olivia Grant, Oda M. Blodgett, A. Marjorie Bennett, J. Russell Shepherd, Lola Gertrude Ramsey, Georgia Vae Curtis, Miriam Gertrude Hart, Leonilla L. Smith, Elsie Echo Frizzell, Dorothy Sarah Bennett, Mille Alice Skerries, Florence Vernon Allen, Susie Ethel Ramsey, Joseph Norman Helgeson, John B. Eakin, Alfreda Garner, Ernest D. Hoisington, Marie V. Griffin.

The schedule for the week is as follows: June 6, baccalaureate sermon; June 7, program by Adelpian society; June 8, program by Philogian society; June 9, junior-senior reception; June 10, senior class-day program; June 11, graduating exercises; June 12, alumni banquet.

Must Have Living Price.

From present indications strawberries will be cheap again this year, when the crop fully matures. The berries are now selling at \$1.50 per crate, the same as at this time last season. Mr. Fisher, who is probably the largest grower in this section, last year sold a large part of his crop at fifty cents per crate, a price below the cost of production. This, however, he will not do this season. If the market rules under a dollar a crate as the season advances, he will discontinue picking and permit the berries to go to waste.

Pulmotor Saves Child.

Emma Williams, 3-year-old daughter of S. Williams of Salem was saved from death through the use of a pulmotor. The child fell into Mill creek. Her companions called for help, and after the girl had floated several hundred feet, she was taken from the stream by B. F. Dimeler. A pulmotor was rushed to the scene on a fire truck, and firemen worked over the child more than an hour before she was resuscitated.

Track Meet Off.

The track meet between the Dayton and Monmouth high schools, scheduled for Saturday, May 29, at Monmouth, has been called off for the present. The meet will probably take place in a couple of weeks, but if such is the case due notice of the event will be given—Herald.

YOUNG MAN LOSES ARM

CECIL OUDERKIRK'S HAND IS CAUGHT IN LIVE ROLLS.

His Fellow Workmen Extricate the Victim of the Accident With Some Little Difficulty.

Cecil Ouderkirk, aged about twenty years, suffered the loss of his right arm immediately below the elbow at the mills of the Falls City Lumber company in Falls City Tuesday afternoon by having his hand caught in the bevel gear on a section of live rolls. The arm was horribly mangled, and those who witnessed the unfortunate affair say that it is surprising that the young man was not drawn into the rolls to the shoulder. When the accident happened a number of workmen hard by rushed to his assistance, stopping the rolls and hastening to extricate Ouderkirk. It was necessary to completely remove one of the rolls before this could be accomplished, the performance requiring several minutes. The victim of the accident was brought to the Dallas hospital on the evening train. The young man has been a resident of Falls City for some time, his parents living at that place.

Many Tourists Are Coming.

Seventy-five per cent of the tourists who visit the California exposition and do not intend to remain in the southern state for a long period of time, will return home through the Pacific northwest, according to prominent Shriners returning to Seattle from extended trips through California.

While the past winter's "crop" of tourists has not been up to the usual

standard, due to business conditions, the tide has already turned and immediately after June 1 the hordes will begin to roll in. The European war has compelled many to turn westward for their travel and the entire north-west will benefit immeasurably from it this summer. At least 100,000 nobles with wives and children will visit Seattle in July for the Imperial Council session of the Shrine, and many of these will pass through the Willamette valley by automobile.

PER CAPITA TAX HEAVY.

Citizens of Oregon Last Year Contributed Vast Sum of \$36,328,000.

Taxes in Oregon last year, including government, state and city taxes, amounted to \$36,328,000, \$45.41 per capita, according to H. E. Reed, county assessor of Multnomah county. "This sum," he said, "would buy food and fuel for one year for 82,350 families of five persons in the three principal cities of the state of Washington, according to the average of their cost of living as computed by the state labor commissioner. Calculated in terms of labor the effect is quite startling. The tax burden last year would mean the labor of 29,230 men for one year."

Permits to Wed.

The following marriage licenses have been recently issued by the county clerk: S. Raphael Skeels and Clara L. Emmitt; Raymond Turrell and Katharine Voth; Bennie Bell and Sadie Haynes; Joel L. Guild and Lois L. House.

CHARGED WITH MURDER

CHARLES BURSSELL FORMERLY RESIDED IN POLK COUNTY.

Information Lodged Against Him Alleges That He Shot and Killed Chas. Zimmerman.

Charles Bursell, who is charged with having killed Charles C. Zimmerman near Silverton on Tuesday, was a former resident of Polk county, where he lived about six years. Sixteen years ago he and his brother, Louis Bursell, road supervisor of a district between Dallas and Monmouth, and one of the best known men of the county, came to Dallas with a view to locating, and Henry G. Campbell sold the former a tract of land near Bridgeport. Mr. Campbell says the man charged with murder was a most peaceable fellow, and this statement is corroborated by others who knew him. Consequently the information lodged against him comes as a complete surprise. When arraigned on the charge for preliminary examination Bursell declined to plead, but will enter a plea in Salem today.

According to Sheriff Esch of Marion county, Bursell and Zimmerman reside across the road from each other near Silverton. For several years ill-feeling has existed between them, and on Tuesday, when they met in the road, they became involved in a quarrel. Bursell is said to have been armed with a .22 calibre rifle and to have opened fire on Zimmerman. The latter is said to have wrested the rifle from Bursell, and Bursell is said then to have opened fire with a .32 calibre revolver and to have shot Zimmerman three times. Zimmerman is said to have been unarmed. Although several persons saw the shooting they were not near enough to hear what was said between the two men.

MEMORIAL DAY OBSERVANCE.

Exercises Will Be Held at Armory Next Sunday Afternoon.

Notwithstanding the fact that a general order has been issued by the grand commander of the Grand Army of the Republic that when Memorial day falls on Sunday it shall be observed on Monday, Dallas will disregard this instruction and reverently apply itself in honoring the heroic dead on Sunday afternoon at 2:30 o'clock by assembling at the armory and listening to the patriotic exercises arranged for this annual occasion. During the morning hours members of the local post, accompanied by school children and friends and marines, will go to the cemeteries and there decorate the graves of comrades with the choicest of spring bloom. Those having flowers for this purpose are requested by Commander Greenwood to leave them at Staffin's drug store by 8 o'clock of that day.

Rev. Tapscott of the Baptist church will address the veterans at the afternoon meeting at the armory. The musical program is under the direction of Miss Gertrude Irwin. On Monday the post will attend the Memorial exercises at Monmouth, in which the Independence post will also join.

New Teacher Is Elected.

At a meeting of the school board on Tuesday last Miss Gertrude Pollock was elected a teacher in the public schools to succeed Miss Mitchell, who has accepted a position in the schools of her home town in Eastern Oregon. Miss Pollock was, on the previous day, elected to teach the fifth grade in the Garfield school of Salem. Which position she will accept is not known at this time. Miss Pollock will graduate from the Normal next month.

BEHEADED BY LOCOMOTIVE

ENGINEER JESS RUSSELL LEAPS FROM RUNAWAY.

FALLS BENEATH WHEELS AND HEAD IS SEVERED FROM BODY.

Fireman William Lenz Escapes Without Injury—Train Gets Beyond Control of Engineer While Descending Grade.

Jess Russell, a locomotive engineer for the Spaulding Logging company at Black Rock, had his head completely severed from the body yesterday afternoon when he leaped from a runaway train which he was pulling. William Lenz, his fireman, jumped from the speeding engine and escaped injury. The remains of Russell, whose home is at McClay, Marion county, were brought to Dallas last night at 11 o'clock by Coroner Chapman.

About 4:30 o'clock yesterday afternoon the logging train with five loaded cars, left the railway for Black Rock. For about one hundred yards there is a 6 or 7 per cent grade, followed by a level place of about fifty yards in length. At the latter place it is customary for the train to stop to take on a brakeman to assist in holding the train on its descent. Before reaching the level place mentioned the wheels began to slide, and the brakes were eased off a little and again set, but the train continued to gain momentum, going faster and faster. When the level place in the road was reached it was impossible to stop the train, and down grade the train speeded.

Fireman William Lenz, who was on the downhill side of the cab, was the first to jump, alighting safely and with but few bruises. Gaining his feet he saw the engineer on the running board about to leap from the locomotive, and he hastened down the track. About 150 yards beyond he found the headless body of Russell beside the track, the head lying between the rails. The engineer had left the locomotive in a cut, and jumped toward the embankment, from which he was rolled beneath the wheels.

The five loaded cars were completely wrecked, but the locomotive was uninjured, as it did not leave the rails, coming to a standstill about half a mile from where the accident had occurred. Coroner Chapman was at once notified, and he went to the scene of the accident and brought the body of the unfortunate man to Dallas last night, arriving here about 11 o'clock. Russell was unmarried. His parents reside at McClay, Marion county.

Mrs. Gerlinger to Speak.

The annual meeting of the Pacific Northwest Library association will occur in Salem Monday and Tuesday of next week. This will be of special interest to librarians, their assistants, and members of library boards. It is expected that there will be a full attendance of the Dallas Library board. One of the members, Mrs. George Gerlinger, is scheduled to speak Monday afternoon on "The Budget of the Small Library." Other interesting topics will be, "Book-Buying for Small Libraries," "Book Mending," "Some Phases of Art Work in a Public Library," "The Untrained Librarian," "Further Co-operation With the Schools," etc.

Dallas Should Be Proud.

Mrs. Adella D. Wade, general organizer of Women of Woodcraft, was a visitor in Dallas Wednesday and Thursday of this week, looking after the interests of the order. Mrs. Wade found growing interest and enthusiasm among the members here, and reports growth throughout the jurisdiction—the nine western states. "Dallas may well be proud of its local circle," says Mrs. Wade. Women of Woodcraft are naturally somewhat elated to have one of their number elected queen of the Portland Rose festival.

Legal Separations Sought.

Mrs. May A. Bennett, wife of Chas. E. Bennett, formerly of Dallas, now publisher of the News at Sandy, has filed suit in the circuit court here for divorce, alleging cruelty and non-support. Other cases recently filed are: Ida E. Minnich vs. Charles W. Minnich, cruelty; May Sires vs. Arthur Sires, desertion; George Billings vs. Nellie Billings, adultery.

County Basile Deserted.

Hotel de Orr is without a single guest, and has been since the adjournment of the last session of the circuit court. The sheriff has had several criminals in his possession during this period, but they belonged to other counties and were incarcerated here only temporarily.

Dallas Engineer Appointed.

R. H. Meyer of Dallas has been appointed engineer at the Fort Berthold Indian Agency, North Dakota, and leave for that place within a few days.