

NEWS FROM COUNTY SEAT

Court House Notes.

PROBATE

Estate of Margaret D Campbell, deceased. Petition of Kenneth Campbell for allowance of claim against estate, which was reduced by the executrix, filed and set for hearing January 31, at 11 a. m. claimant to have ten days' notice of such hearing.

Estate of Volney Holmes, deceased. Final account heard.

Estate of Martha Jane Hagedon, deceased. Petition of all heirs for closing of estate and discharge of administratrix, granted.

Estate of David S Martin, deceased. Petition to probate will; Ira C Powell, notary public, appointed to take testimony of Laura M Tacheron at Monmouth as subscribing witness of said will.

Estate of A W Werner, deceased. Bond filed and approved.

Estate of David S Martin, deceased. Will admitted to probate; C. Lorence appointed administrator with will annexed; approved bond in sum of \$500 filed; letters to issue; John S Fuller, George Shew and M Stewart appointed appraisers.

Estate of A M Werner, deceased. Ordered that John S Parker, Scott Bennett and Glen Zumwalt be appointed appraisers.

Guardianship of Charles Nelson Thary, an incompetent person. Petition for appointment of guardian instead of W E Craven, resigned, granted and on filing approved bond in sum of \$1000 letters to issue.

Estate of Amanda S Doughty, deceased. Final account filed and approved and estate fully and finally closed; administrator discharged and bondsmen released.

Estate of August Martin Werner, deceased. Inventory and appraisal filed and approved.

Guardianship of Gould T Cressy, a minor. Final receipt of Gould T Cressy, guardian discharged and bondsmen released from further liability.

Guardian of Charles Nelson Tharp, incompetent. Bond in sum of \$1000 approved and filed; ordered that Clare W Irvine, Pearl Alexander and J L Hanna be appointed appraisers; letters of guardianship to issue to R R DeArmond.

Guardianship of Lola Pauline Jerry, a minor. Petition to sell real estate belonging to ward filed and set for hearing February 19, at 10 a. m.; notice and citation to be served by law.

Estate of David S Martin, deceased. Inventory and appraisal filed and approved.

REAL ESTATE

L E Jones et ux to J B Hayes, half interest in 34.23 acres tp 6 s, r 6 w, \$10.

John J Williams et ux to Mathew R Richards, lots in Independence, \$1.

Thomas C Chandler to Martha Ellen Cole, 40 acres tp 9 s, r 8 w, \$10.

Silas Orchard to H W Quiring, lot in Dallas, \$1.

A J Barham et ux to James B Hutchins, lots in Dallas, \$350.

Jennie A Brosseau to C H Webber, 160 acres tp 7 s, r 7 w, \$10.

C H Webber et ux to Nelson P Wheeler, same \$10.

Charles A Rice and wife to M M Diel, land in tp 9 s, r 4 w, \$16,800.

W H Cameron et ux to H A Ostrander and wife, 164.67 acres, tp 9 s, r 6 w, \$1.

Bessie Gooch to A A Emmott, land in Dallas, \$10.

A FUNDAMENTAL PRINCIPLE

By EMERSON TROWBRIDGE

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A mass meeting was called in the mining town of Tenderfoot to take measures for organizing a city government. The citizens had got tired of lawlessness and Judge Lynch. A lawyer named Jenkins, from the east, was the instigator of the movement.

A case came up before the court the very day after the organization. John Decker had an altercation with Silas Green about a mining claim and shot him dead. Decker was arrested and tried. Jenkins had given the judge a few elementary law points for his guidance. "The fundamental principle," said the lawyer, "is that an accused person is to be considered innocent till he is proved guilty." The judge did not even grasp this idea, and when the trial commenced the lawyer discovered that he would have a hard time keeping his honor on the judicial track. No sooner had Decker been brought into the court than the court itself seemed inclined to follow the path to which he had been accustomed.

"You, John Decker, you're goin' to have a legal trial. You're goin' to be considered innocent of this shootin' till you've been proved guilty. Now, the first thing I want to know is whether you shot Si Green accidentally or a purpose."

"One moment, your honor," the lawyer interrupted. "The accused is not bound to answer any question that would incriminate him."

"You mean," said the judge, looking at the speaker, surprised, "that if I shoot any one that's interfering with me wrongfully I can't stand up like a man and say I done it?"

The lawyer was puzzled. He wished to explain the matter to the judge, but didn't know how to get so technical a point through his honor's thick skull. So he simply said:

"No, you can't. I, as public prosecutor, must prove that this prisoner is guilty under the law. If I choose to put him on the stand to speak in his own defense I may do so, but I am not compelled to do so."

"Waal, you go right on and do the provin'. That's what you're here for."

It so happened that there were no witnesses of the actual shooting. Jenkins adhered to legal customs, explaining to the court that it was a case of circumstantial evidence and he must convince the jury by certain matters closely connected with the affair that Decker killed Green. If he could not do this Decker must go free. The judge told the attorney to "fire away." Jenkins produced the ball that did the murder, showed that it was of the same caliber as Decker's revolver, proved that but one shot was fired by Decker and there was but one chamber of his weapon empty immediately after the shooting. This being all the actual evidence he had to bring forward, he was obliged to be content with it.

A young man named Stiggs, who had copied letters in a law office, had been appointed attorney for the defense. He proved that the revolver on which Jenkins had framed his theory of the prisoner's guilt was not the one used in the fray. This took the prosecutor flat-a-back, and he didn't know what to say.

"What's the next thing to do?" asked the judge.

"Why, the next thing is for you to charge the jury. You must tell them that if they think that according to the evidence, mind you, Decker killed Green they must bring in a verdict of guilty; if not they are to acquit him."

"What does the jury think about it?" asked the judge. "According to the evidence, did John Decker kill Si Green or not?"

"Accordin' to the evidence," said the foreman, "John Decker didn't kill nobody."

The trial had come to a standstill. Everybody looked at Jenkins, who had inaugurated the new order of judicial proceeding, and Jenkins looked embarrassed. The judge came to his relief.

"This yere trial," he said, "has been on the theory that the prisoner is innocent till he has been proved guilty. Is there any other way o' doin' it?"

"In some countries," stammered the lawyer, "they reverse the process. The accused is regarded guilty till he has proved himself innocent."

"All right," replied his honor. "Now we'll try John Decker on that air theory. You, John Decker, how y' goin' to prove y' didn't kill Si Green?"

"I hain't a-goin' to prove no slich thing," replied the prisoner. "I done it, and if Si Green was hein' and tried to beat me some more I'd do it ag'in." The eyes of the judge and the spectators were turned once more upon Jenkins in inquiry as the next step.

"The prisoner confesses his guilt and declines to put in a defense, which is equivalent to putting in a plea of guilty. This saves the town

the expense of a trial, and in such cases the guilty one usually expects a lighter sentence."

"Is there any lighter way o' killin' the prisoner than hangin'?" asked the judge.

Jenkins smiled a sickly smile and said he didn't know of any unless shooting might not be so objectionable.

"Take him out and shoot him," were his honor's final words.

After that in Tenderfoot criminals were considered guilty till proved innocent.

THE PRINCESS IRENE

By EVELYN SAYBROOKE

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The king was troubled. The crown prince had come to a marriageable age, and it seemed quite probable that there was no one coming within the law of the land for him to marry. He must unite if at all with one of royal blood, and it so happened that among all the unmarried daughters of sovereigns there was scarcely one of suitable age for the heir to the throne. Some of these girls had died in infancy, some had retired to convents and some had grown to be old maids.

The prince was a fine fellow, the idol of the people and a distinguished soldier. At the time of his coming of age he was in the army on the frontier fighting the battles of his country. He had given himself no concern at taking a wife, preferring the tented field to "peeping aimly in a lady's chamber." His father, not knowing the condition of the royal matrimonial market, instructed one of his ministers to find a wife for his son. The minister looked the field over and was astonished to find that among all the royal families there was but one princess a suitable match for the crown prince, and she was not of royal blood on her mother's side. A proposition for an alliance was dispatched to her father, and the king, not dreaming of a refusal, wrote his son informing him that a wife had been provided for him.

What was the king's astonishment and disappointment to receive a reply from the lady's father saying that his daughter declined the alliance, since she was bent on devoting her life to the poor and would not marry. The king sent several emissaries to endeavor to alter the princess's determination, but each and every one of them came back foiled. Finally his majesty was obliged to write his son that the intended marriage had fallen through.

The princess—Irene was her name—was really a devoted woman. Every morning she visited the poor and the sick, ministering to both, and every afternoon she held a reception of those who were able to come to her to ask for assistance. At one of these receptions a young man appeared, his arm bound in a sling, walking with a crutch, his face pale and emaciated, his dark eyes forming a marked contrast with his white cheeks.

"What can I do for you?" asked the princess.

"Nothing—that is, nothing more than what you are doing in permitting me to gaze on you. I am a soldier who has been grievously wounded and, having also contracted disease by exposure, am rapidly going down to my grave. I have heard of your charities and have seen your portrait. It occurred to me that if I could look upon your face I might recover."

"If a mere trifle like that will cure you," said the princess, "you are quite welcome to come here every day at my reception hour and gaze upon me to your heart's content."

"Then in a short time I shall be strong again," said the soldier.

He remained till the audience was over, then withdrew. The next day he came again and the next—indeed, every day when the princess entered the audience chamber there was the young soldier sitting among the supplicants, his large, lustrous eyes turned always upon her. The pallor gradually left his face, he divested himself of his sling, threw away his crutch and in time stood erect. Then suddenly he appeared to lose all he had gained, and while his wounds had healed his health seemed to have suffered a relapse that would likely soon put him in his grave. The princess noticed the change and asked him if there was anything she could do to restore him.

"You can make me well," he said, "but you could not do that without making a great sacrifice, and that, even if you should consent, I would not permit."

The princess urged him to tell her what was this sacrifice, but he would not. Nevertheless he grew weaker and weaker every day and at last could only drag himself to the audience.

"Farewell," he said. "This is the last visit I shall ever be able to make you. I have not enough strength left to come again."

"I implore you," replied the princess,

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"To tell me of the sacrifice that will save your life."

"I will tell you," said the invalid, "but it will make no difference. I am dying of a desire to possess your love as I love you."

The blood came slowly into the princess's face, for she had discovered the young man's malady before he had spoken it. Their eyes met, and they understood each other.

One day the king, who had proposed to the princess for his son's wife, received a letter from the prince. He told his father he had been wounded and had been ill. His life had been despaired of, but he had been saved by a woman who had promised to marry him. He enjoined his father to prepare for the wedding.

The king, notwithstanding his disappointment that his son could not marry the only woman suitable to his rank, made the preparations. The prince returned from camp the day before the ceremony, and his intended wife arrived at the same time. The heir apparent led the lady to his father and introduced her:

"The Princess Irene."

A True Fisherman.

In the Catskill foothills a New York traveling man who was making a trip overland passed an old man who was fishing with hook and line in a small stream. As the drummer drove by in a buggy the old man never took his eyes off the bobber in the water. When the traveling man returned late in the afternoon he was greatly surprised to see the old man still in the same position with his eyes glued on the bobber.

"Hello, uncle!" he shouted. "Any luck today?"

Without taking his gaze off the cork which rested on the surface of the placid stream the old man replied:

"Had a nibble long 'bout noon."

—Judge.

When Robespierre Was "Stung."

Under the terror Robespierre used to play a peaceful game of chess at the Cafe Regence, and the story is told of a youth who once challenged him and beat him twice. Robespierre after his defeat asked how much he owed, no stakes having been previously fixed. The supposed youth, who in reality was a girl in man's clothes, presented an order for the release of her lover from prison, and Robespierre signed it. Napoleon Bonaparte during his consulship was seen at the famous cafe, but he showed himself no tactician at chess.

Happiness.

For ages happiness has been represented as a huge precious stone, impossible to find, which people seek for hopelessly. It is not so. Happiness is a mosaic composed of a thousand little stones which separately and of themselves have little value, but which united with art form a graceful design.—De Girardin.

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