

**BENTON, ALIAS DUBOIS,
BEFORE JUSTICE OF PEACE**

**Young Man Accused of Taking
Away Mabel Conrad for Immoral
Purposes Will Be Examined
Thursday**

Floyd Benton, alias DuBois, who was arrested at The Dallas a few days ago on a warrant issued out of Justice of the Peace Bryson's court in Eugene, charging him with taking away Mabel Conrad, of Marcola, a girl under the age of 16 years, without the consent of her parents for the purpose of concubinage and prostitution, was taken before the justice Saturday evening. He pleaded not guilty and the time for deciding whether or not he wished a hearing was set for 10 o'clock this forenoon. This morning he appeared with his attorney, L. Bilyeu, and decided upon a preliminary examination, which was set for Thursday at 1 p. m. The penalty for the crime is imprisonment in the penitentiary from one to two years, imprisonment in the county jail from three months to a year, or a fine of from \$100 to \$500. Benton's step-father, Dubois by name, is here to arrange for his defense.

**NEWS FROM THE
COUNTY CLERK'S OFFICE**

REAL ESTATE TRANSFERS.
J A and Alma M Sears to James H and Amelia S Shortridge; lot 2 and west half of lot 1, blk 1, D G McFarland's 4th ad to Cottage Grove. \$1100.
Frank and Emily L Finney to B Lurch; certain land in sec 33, tp 20, s r 3 w. \$1200.
Idaho P Campbell, administrator estate of Ira L Campbell, deceased, to T W Harris, trustee; 100 acres in sec 23 tp 17, s r 4 e. \$1.
Directors of school district No 82 to Lulu D Wood; 1 acre in sec 33, tp 19, s r 1 w. \$5.75.
Albert B Seales to J N Stam; eighth lot in 10 acres in sec 2, tp 17, s r 4 w. \$75.
Eugene lodge No 11, A F Z A M to J P Ramsey; lot 373, Masonic cemetery. \$12.
J K and Mary E Ellis to D E Stitt; west half of lot 2, blk 46, Springfield. \$100.
H H and Jessie I Fisk to Harriet Richards; lots 7 and 8, blk 1, and lots 1, 2, 3, 4, 5, 6, 7, 10 and 12, blk 8, Fisk's 1st ad to Glenada. \$195.
Walter E and Francis L Fisk to Harriet Richards; lots 8 and 9, blk 8, Fisk's ad to Glenada. \$50.
Lucy J and Enos Sprague to Oregon Eastern Ry Co; right of way. \$300.
W J and Ella Royce and Hannah J Peterson to Oregon Eastern Ry Co; right of way. \$1.
Frank E and Lena Dunn to T W Harris, trustee; 80 acres in sec 23, tp 17, s r 4 e. \$1.
U S to Andrew E Tower; 76.21 acres in sec 2, tp 16, s r 7 w. Patent.

PROBATE COURT.
Guardianship of John and Anna Marie Torkelson, minors; Berge Torkelson appointed guardian.
POWER OF ATTORNEY.
Julia A Norris grants power of attorney to T W Harris.
NOTARY PUBLIC.
Notarial commission of W C Washburne, of Junction City, filed.
Notarial commission of J N Harbaugh, of Eugene, filed.
MINING LOCATION.
J R Richardson locates Fraction mining claim, Boehmia district.
CIRCUIT COURT.
S B Eakin, trustee, vs Silas Yarnall; to determine ownership of certain property. Woodcock & Potter, attorneys for plaintiff.
W B Andrews vs Edith B Linton; to recover money. Woodcock & Potter, attorneys for plaintiff.
MARRIAGE LICENSES.
Louis J Flock, farmer, aged 23 years, of Douglas county, and Lina A Warner, housekeeper, 20, of Fall Creek; T E Glasspey, witness.
B Kramer Deal, 31, and L May Browning, 28; O L Ford, witness.
Jesse W Campbell, farmer aged 21, of Junction City, and Tina Bowers, housekeeper, 17, Junction City; S Bowers, witness.

A. O. U. W. Attention!
Ivy lodge No. 70, Degree of Honor, requests the pleasure of your company Wednesday evening, October 10, at A. O. U. W. hall. All visiting A. O. U. W. and Degree of Honor members are cordially invited.
MRS. DORA SOVERN,
Recorder, D. of H.
MRS. NETTIE HUNTER,
C. of H.

Subscribe for the Daily Guard.

Trespassers

By C. B. LEWIS
Copyright, 1904, by E. C. Parcell

When Captain Ben Golden retired from the sea and bought a place on the Connecticut shore he made only careless inquiries as to who were his neighbors. As a matter of fact, he did not care. As he explained it:
"I am a man as attends to my own business and expect other folks to attend to theirs. I shall have a housekeeper and a servant and live very quietly. My nephew, George Lee, may come down from the city now and then to stay over Sunday, but that's all the company I shall have."
Two weeks later, in buying and taking possession of the property adjoining Captain Golden's on the west, the purchaser, who was a man of sixty and rather crusty, had said to those who sold to him:
"I don't care who lives around here. All I want of them is to mind their own business and let me mind mine. If I catch any of them trespassing on my land they won't do it a second time. I shall live here quietly, with my niece to manage the house."
There were no fences dividing the property, but for the first few weeks Captain Golden and Mr. Bingham, who was the man with the niece, were too busy to walk abroad much. They saw each other from a distance, but made no effort to get acquainted. One day they were tramping through the shrubbery near the dividing line and came face to face. Both were there for the same object. Each one of them had been thinking of putting up a line fence to shut the other out. There was some embarrassment for a moment, and then Captain Golden, being the more jovial of the two, called out:
"Good day, neighbor; glad to meet you."
"Good day, sir," replied the other as he drew himself up in an icy manner. "Being we are neighbors—"
"We are not neighbors, sir. You simply happen to live near me. That is no



"YOU ARE AT LEAST FOURTEEN INCHES ON MY LAND."
excuse, however, for you to trespass on my property."
"Who's a trespassing?"
"You are, sir. The line runs this side of that beech, and you are at least fourteen inches on my land."
"Then I'll get off your land, right off!" exclaimed the captain, as he began to bristle up. "Yes, sir, I'll get off—I am off—and if you are that sort of a man I warn you not to set foot on my property."
"I will be careful not to. I will see about a fence at once."
"I shall also see about it at once."
"I shall build the fence."
"Sir," said Mr. Bingham, "I forbid you to put up a fence here!"
"And I forbid you!"
There was further emphatic and even violent language, and they finished up by almost threatening the shotgun in case of further trespass. When Mr. Bingham reached his house his face was so red and his manner so perturbed that his niece, Miss Jennie Gray, was forced to take notice of it and ask if he had been attacked by tramps. He thereupon explained what had occurred, favoring his side of the case as much as possible, and concluded with the declaration:
"I am not going to let that old brute of a sailor bluff me, and if you let him scare you off you are no niece of mine."
"I've taken a great liking to rambling through that shrubbery," replied the niece, "and now I've got to be very, very careful not to get even one toe over the line."
"You go right ahead and ramble just where you want to, line or no line, and if that old lump of salt says anything to you make faces at him. I told him I'd build a fence, but I won't. He may build one and pay for it. It's curious how the Lord lets some folks continue to live."
Miss Jennie Gray had lived with her uncle long enough to know how hot headed and irascible he was and that if there had been any trouble he had done his full share in provoking it. But she also felt it her duty to stand by him, right or wrong. More than that, she also felt it her duty to trespass up

on Captain Golden's land because trespassers had been forbidden.
The old sailor was also in an angry mood when he reached his house, but he did not explain matters to his housekeeper. He waited until his nephew came down a week later, and then he told the story and added:
"George, I don't want no trouble with anybody, but if that old fossil drives me to the wall I shall drive him under ground. I said I'd build a fence, but I won't do it. He can build and pay for it if he wants to. I've warned him to keep off my land, and if he don't do it—"
George Lee, civil engineer, had a warm heart for his bluff old uncle, and it was only natural that he should espouse his cause. He arrived at the house on Saturday evening, and soon after breakfast Sunday morning he set out for the shrubbery with a cigar in his mouth and a cane in his hand to look the ground over. He found a belt of shrubs and trees about forty rods wide and extending from the highway back to the shore. He could walk there and almost imagine himself in a forest. The ground was clear of any tangle and the whole thing was a happy thought carried out between neighbors.
Young Mr. Lee had left the house feeling somewhat belligerent, but he lost it all soon after entering the grateful shade. A rabbit ran away, squirrels chattered at him, and he caught sight of birds' nests among the branches. It was a place of good will and peace, and he was feeling so when he heard a suspicious noise on the other side of a heap of brush lately cut and stacked. He thought he heard the movements of a man. If it was a man he was a trespasser. If he was a trespasser he must be sent about his business.
"Hey, you, beyond the brush, what are you doing there?" called the young man.
There was no answer, but he heard a movement. He advanced and gave the heap a whack with his cane and shouted:
"Come out and show yourself, you skulker!"
The skulker made no response. The silence aggravated Mr. Lee, and, drawing his cane up to his face like a gun, he continued:
"If you don't come out of that before I count ten I'll fire a charge of buckshot into the brush."
"You'd better not!" replied a voice that jumped him a foot high, and he circled around the heap to find a young lady standing there with a freshly gathered bouquet in her hand. He looked at her with open eyes and mouth. She looked at him with her chin stuck out and a glint of defiance in her eyes.
"Good Lord, but you really must excuse me!" gasped Mr. Lee after a long minute.
"You can go ahead and shoot now," replied the girl.
"But I—I didn't think to find a woman—a girl—here."

"No. Neither did I think to find a young man ready to do murder. Do you know that you are a trespasser, sir? You are on my uncle's land, and as his representative I warn you off. The dividing line is two feet behind you."
Mr. Lee slowly moved over the line, and his face betrayed such astonishment and perplexity that the girl could not prevent a smile.
"Can't I say anything to explain this unfortunate occurrence?" he begged.
"Nothing except that you wanted to shoot me."
"But you know I didn't. You know that I hadn't the slightest idea of your presence. I came out here to—to—"
"To shoot my uncle. I infer that you are stopping with the sailor and hearing of the little dispute of a few days ago, you volunteered your services as assassin. Very kind of you, I'm sure."
Mr. Lee looked at the girl in a helpless way. He didn't believe there were words enough in the English language to set him right, and yet he felt a great longing to be forgiven. She maintained a stony, accusing front for a minute and then melted enough to say:
"I see my uncle coming in search of me, and if you don't slay him you may explain things to his satisfaction."
A track man would have made it a 100 to 1 shot against, but he would do it, and there was Captain Golden to placate as side issue, but the "assassin" has become a devoted husband and the "skulker" a loving wife, and the two old men walk arm in arm through the shrubbery and find no excuse for quarreling.
Not a Fly Cop.
"Well, I declare! Brown is pinched by poverty at last."
"Poverty! What heat does he travel?"
Bright Thing to Do.
"Would Columbus know what to do with a modern boat?"
"Sure. Sell it to the trust."
New Today
FOR SALE OR RENT—A good stock and grain ranch. Wm. C. Barbour, 336 East Thirteenth street, Eugene. 615

S. L. LONG 50 East Ninth Street
Phone Red 1271
HARDWARE AND IMPLEMENTS
EXPERT PLUMBING, TINNING AND ROOFING
GOOD WORK AT PRICES RIGHT

**Eugene Theatre
Wednesday
October 10
Frank B. Marsh's
Powerful Melodrama
"The
Fireman's
Mascot"**
Filled with Pathos and Heart Interest, bubbling with Bright and Sparkling Comedy.
Company carries its own Band and Orchestra and Special Scenery. The most Realistic Fire Scene ever presented on any stage.
Prices:
25c, 35c, 50c, 75c

STUDENTS!!
University Texts,
Drafting Instruments,
Fountain Pens.
Schwarzschild's
Book Store,
586 Willamette Street.

Hollenbeck & Cartmell's
REAL ESTATE
Bargains

FOR SALE Lease on Rooming House, situated on corner of Salmon and 7th streets, Portland, Oregon. 17 rooms, all nicely furnished and occupied, clearing \$100 a month. Price \$1800 or \$2000 in trade for Eugene property.

FOR SALE A thoroughly modern nearly new, 10-room house. lot 100x170. All kinds of shrubbery and fruit. Located within 2 blocks of First National Bank. This is a beautiful home. Price \$5000.

FOR SALE A five-room house almost new, nicely papered and painted, plenty of fruit for family use, within one block of the University, well worth \$1000; if sold in the next five days \$800.

FOR SALE New house, 7 rooms, close to good school, situated in the best part of the city. Price \$2000.

FOR SALE 7-room house, almost new, plastered down stairs and cloth and paper up stairs, electric lights in lower part of house, city water in yard and good well on back porch. Located on lot 60x150, situated in good part of the city. Price 1400.

For Farms, Stock Ranches, Orchards and Hop Lands call on
Hollenbeck & Cartmell
Office 487 Willamette street, opposite Eugene Theatre

**OVERTON
PAINT & WALL PAPER
COMPANY**

Satisfaction is what you want when you paper or paint. If you want satisfaction in Wall Paper or Paint call on an exclusive Paint and Paper House and obtain money values from a firm that understands the Paint and Wall Paper business.

**OVERTON
PAINT & WALL PAPER
COMPANY**
Phone Red 1171
41 West 8th Street