

JUDGE P. R. KELLY HANDS DECISIONS

M. W. Donaca Convicted on a Charge of Giving Liquor to Minor.

NEGRO SENTENCED TO SIX MONTHS IN JAIL

Another Damage Suit Up Today Trying to Collect Money From Sewer Co. and City.

The circuit court is still in session and will likely continue until the middle of next week. A good many cases have been disposed of and the work is finished with precision and dispatch, justice being meted out where it is due.

On the evidence presented yesterday the jury returned a verdict of guilty in the case of the state of Oregon vs. Mott W. Donaca, charged with giving liquor to a minor. The state brought out the evidence that Donaca asked a young widow, Bertha Jones, to go riding in a buggy. Driving from Lebanon they went to Waterloo, where they picked up Miss Bertha Wilcox, a minor aged 16, and took her along. A quart bottle of whiskey was produced and all three drinking, the Jones girl getting quite drunk and the Wilcox girl taking but two or three drinks out of the bottle.

The defense tried to prove that the whiskey was already in the rig, left there by Donaca's brother, that the girls drank of their own accord and that Donaca did not give it to them. However, the jury held to the technical theory of the giving of liquor to a minor constituted a violation of the law and returned Donaca guilty. Judge Kelly imposed a fine of \$150 on the defendant in lieu of which he went to jail to serve a period of 75 days.

Ray Pearl, convicted on a charge of forgery, was sentenced this morning to an indeterminate sentence in the state penitentiary of from two to 20 years.

Wm. Thomas, the negro who was convicted on the charge of assault on Mrs. Cora Comer, who lives near the gravel pit east of the city, was sentenced to six months in the county jail. In imposing the sentence the court informed the defendant that he ought to give him the maximum sentence, but out of consideration for the taxpayers of Linn county he would make it but six months.

The case of Adrian A. Villier vs. C. J. Steel, et al, to recover personal property, a motion to amend the complaint, was granted.

The case of Ida M. Davenport vs. E. B. McKinney, a case of replevin for the recovery of goods unlawfully held, was awarded to the plaintiff. The complaint charged the defendants with unlawfully holding a piano worth \$350. The defendant failed to appear and the jury awarded the piano and \$150 damages to plaintiff.

The case of Frank L. Little vs. the Jacobson-Bade Co. came to trial this

MUCH WILL DEPEND UPON SECOND ARABIC NOTE

Very Little is Needed to Make Permanent Rupture With Germany and Austria.

(By United Press) Washington, Sept. 11.—Hope for satisfactory settlement of the German submarine warfare controversy was based today on dispatches concerning the supplementary note handed Ambassador Gerard. Officials thought this might give "full satisfaction" promised by German Ambassador von Bernstorff, ten days ago.

The German-American situation today again overshadowed all other issues. Talk of rupture with both Austria and Germany, continued. It is considered significant that the administration has not attempted to deny or deplore widespread speculation, as previously done. The president and Secretary Lansing are studying the Arabic note, but no action is likely until the second German note is received.

Subs Would Begin at Once.

New York, Sept. 11.—War with America would follow in a few days after breaking off diplomatic relations between this country and Germany, Ambassador von Bernstorff is quoted as saying in today's New York Sun. "If relations are broken off" Bernstorff is quoted, "German submarines would be instructed to sink everything, and, of course, this would mean war with America."

To See Big Movie—

Rolla Ralston went to Portland this morning to witness the performance of "The Birth of a Nation," the big 13-reel photoplay now running at the Heilig theatre. Three hours are required to run this play, which is founded on the novel "The Clansman," a story of Civil War days. Over 18,000 people were required to stage the production. Many Albany people have seen the play and pronounce it the film-wonder of the age.

Motor Parties to City—

Among those going to Portland by auto this morning in the Hawkins and Simpson cars are Mrs. Mary Simpson, Mrs. Cecil Cathey, and children, Mr. and Mrs. J. M. Hawkins, Miss Lora Taylor, Miss Gertrude Taylor, and Harry Hawkins. They will spend the weekend in the metropolis, motoring up the new Columbia highway Sunday and returning to Albany early next week.

Visiting Ruth Fisher—

The Misses Inez Lemke, Hazel Hoekensmith, Eulah Hand, Caroline Wright, and Elsie Bain left this morning for Talbot where they will spend the day with Miss Ruth Fisher.

Return to Nebraska—

Mr. and Mrs. Walter Palmer, who have been guests at the home of Judge H. M. Palmer, left last night on their return to their home in Nebraska, going by the way of San Francisco, to stop off at the exposition.

Indiana People Here—

Emmett Tohl, and family, have as their guests R. V. Brady, a cousin of Mr. Tohl, and Mrs. Brady, of Warsaw, Indiana. The Bradys have been making an extended tour of the west, coming out over the northern route, through Yellowstone Park, and will return via the fairs in California.

100,000 MEN ARE LOST BY GERMANY

The French Report in An Attempt to Pierce the Lines of the French.

CLAIMS NO ADVANTAGE GAINED BY CAMPAIGN

(By United Press) Paris, Sept. 11.—The German Crown Prince's attempt to pierce the French lines in Argonne have failed with enormous losses, it is officially claimed today. The Crown Prince has not obtained a single strategic result of importance, the communique said. It is declared the Prince has lost over one hundred thousand men in an attempt to pierce the lines of the French. It is admitted, however, that the Germans penetrated the French trenches in Wednesday and Thursday attacks; but the statement declared the German losses were out of all proportion compared with the ground gained.

Rate Increase Denied.

(By United Press) San Francisco, Sept. 11.—The rate for increases sought by express companies was denied today by the state railroad commission, which in so ruling killed the increase authorized by the federal interstate commerce commission.

ALBANY HAS NEW MANUFACTURING INSTITUTION

It is the G. & L. Waterless Soap Factory and It is Good One Deserving Success.

Albany has a new factory here, a good one, without any promotion or brass band attachment, a soap factory, which is to be hoped grows into a big thing. It deserves to be called the product is undoubtedly first-class, a fine thing. The proprietors are Goltra & Lowrie, and the factory is on Main street. The product is called Waterless soap. It is put up in cans of different sizes and sold for 25 cents, 60 cents and \$1, according to size of can. The manufacturers are hustling young men, who mean business. They have recently been demonstrating the goods at the county fair and other places in the valley, and expect to have it on sale at all the places in Albany as well as in the valley generally, eventually further than that. It is an Albany product and should be called for.

Motion Filed—

A motion to strike out portions of the complaint of the Albany Retail Merchants' association was filed today by the defendant, Ella Hoska.

German Victories.

(By United Press) Berlin, Sept. 11.—Gen. Von Hindenburg's right wing captured Lunno, while the Austrian forces captured Alba, and are now approaching Kosovo.

R. R. President Died.

(By United Press) Montreal, Sept. 11.—Sir William Van Horne, aged 72, former president of the Canadian Pacific Railroad, died here today.

Warranty Deed.

D. A. Hatfield and wife to Samuel F. Lane and wife, July 19, 1915. Land Sec. 6, Tp. 14, S. R. 2 west, 80 acres, \$10.

TEACHERS TO MEET HERE MONDAY IN INSTITUTE

Public Is Urged to Turn Out For Reception Monday and Lecture Tuesday.

GENERAL CLEANUP FOREIGN AGENTS

Government Proposes to Rid Country of Austro-German Conspirators.

GUILTY REPRESENTATIVES MUST GO AT ONCE

Those Participating in Munition Conspiracy Will Be Prosecuted Criminally.

Skidel Captured.

(By United Press) Berlin, Sept. 11.—Field Marshall Von Hindenburg has captured Skidel, 20 miles east of Grodno, after a three days battle in which the Russians lost heavily, according to official announcement today.

Mlle. Jomelli Will Sing in Albany Soon

Noted Grand Opera Singer to Appear Here; Also Good Vaudeville Shows.

Manager Ayres, of the Globe Theatre, announces that Mlle. Jeannie Jomelli, the grand opera singer who has created such a furor in Portland this summer with her wonderful singing, will be heard in Albany within the next two weeks. Mr. Ayres received a telegram from Jomelli's manager this morning, and will go to Portland to complete arrangements for the booking of this noted vocalist. Albany music lovers will welcome her heartily when she appears.

A Pretty Display—

John Neely, manager of the Albany Gun store, has arranged an attractive window display in the east window of the store. Autumn leaves, red berries, China pheasants, shotguns and shells reminds the hunter that the festive game season for the ring necked bird will open Oct. 1st, and he begins to get out the old shot gun and limber up for the sport.

Here from Tacoma—

Miss Ella Hoska, of Tacoma, is visiting with Miss Bertha Lee, at the home of Dr. W. H. Lee. Both Miss Hoska and Miss Lee will teach in Brownsville high school this year.

McFarland-Gibbons Fight—

The celebrated McFarland-Gibbons fight, to take place in New York City tonight, will be given on the screen at the Globe tonight. This is the most talked of fight of the year.

The Devil—

At the Rolfe last night a good sized crowd enjoyed The Devil, a play full of intensely interesting situations. Some great action is shown, with scenery to match. It will be given again tonight.

MAN WHO BUILT FIRST LINN CO. CABIN DEAD

Robert Earl recently died at Nez Perce, Idaho, at the age of 81 years. He was one of Linn county's earliest settlers, living at Albany and near here during the earliest days of the city, a pioneer of '45 or '46. He has been credited with building the first house, or cabin, in Linn county, on the Santiam near Knox Butte. Who actually built the first one has been a matter of dispute; but Earl was about as near it as any one. He resided in Albany for a good many years, a few years ago going up into Idaho to spend the remaining days of his life with relatives.

Violent Earthquake.

Rome, Sept. 11.—Aquila was shaken by a violent earthquake last night, but no deaths are reported.

GUARDS AT INDEPENDENCE AGAINST FIRE BUGS

(By United Press) Independence, Sept. 11.—Hopgrowers today placed guards armed with shot guns about their hopyards. The Southern Pacific warehouse is heavily guarded. There has been no further fires.

RUSSIANS SAY THEY ARE HOLDING GERMANS

Report Third Defeat of Austrians Within Three Days and 5000 Prisoners.

Some Corn Stalk—

(By United Press) Petrograd, Sept. 11.—After several days quiet, fighting about Riga has been renewed. General Von Beseler is directing a heavy German attack from Friederichstadt to Dvinsk. Thus far the Slavs have been able to repulse Von Beseler, but the violence of the German pressure is becoming greater. Headquarters officials expressed confidence that General Ruskay will be able to hold the Dvina line without reinforcements. The official statement today told of the third defeat of the Austrians within three days at Trembowla and Chertkogg, when 5000 prisoners were taken. Russians and Germans are fighting bitterly for the possession of Skidel, 20 miles southeast of Grodno. The Teutons were checked by the artillery and machine guns. Around Vilkoir the Germans are strongly on the offensive also.

Miss Mason in Portland—

Miss Flora Mason went to Portland this morning to visit at the home of Mr. and Mrs. G. F. Nevins, who leave next week for the east to take their niece, Miss Elizabeth Peacock, to Wellesley college.

Mrs. Turner Here —

Mrs. Hattie Olson Turner, of Portland, arrived last night on a visit at the home of her mother, Mrs. Chris. Howland. Mrs. Turner is a former employee of the Democrat office for several years.

Sheldon at Portland—

S. L. Sheldon, of the Hamilton store, returned last night from Portland, where he made a study of the latest in dress goods departments for a couple of days. Either on the train just before getting off or on his way home from the train Mr. Sheldon lost his Elk's tooth, with initials on it, L. S. S.—Found later on the train.

Went to Alsea—

Burr Sloan, L. G. Lewelling and Dennis W. Merrill left this morning for the Alsea to look after the remaining deer of that part of the state. They went in the Sloan car.

Went to Eugene—

Mrs. F. H. Shackelford went to Salem this afternoon to spend the week end with friends, after a visit of several weeks at the home of her father, N. D. Conn.

From the House of David—

At the corner of First and Broad-Elbin streets today a well dressed couple appeared, and the gentleman at once began playing a cornet, with skill. This drew a crowd. Another thing that helped draw was the long hair of the man, with curly whiskers to match. The first thought was patient medicine; but, instead it was religion. The couple are here in the interest of the restoration of the House of Israel, or as one pennant reads, the House of David. Besides a talk, numerous pictures were shown of the Benton Harbor, Mich., plant of the people, where besides their church they have a park, where large crowds gather to hear their band and enjoy the pleasant surroundings.

CITY NEWS

NEW RECORD OF 1:04 FOR TRACK MADE

Albany Baby Won First Place in Eugenics For Boys, Lebanon For Girls.

Scio, Sept. 11.—A full day of events

brought to a close the three day program of the Ninth Annual Linn County Fair yesterday. A thunderstorm followed by a downpour of rain marred the final racing of the three day meet but the judging and awards were all completed in morning. Late last night weary officials experienced the first relax they have had for weeks in the preparation and many details of the fair.

A record was established over all previous attempts at making the fair an institution of particular interest to the farmers. On Thursday, the second day all tickets of admission were sold. Yesterday another big crowd flocked to the fair grounds.

This year's display is said to be far superior to any other ever given in the county. Representatives of large stock papers have praised the exhibits to the skies and have remarked upon the rapid increase in the quality of the stock during the past four years. Great credit is given to the fair for this improvement.

F. H. Sherman owner of the Ideal Garden Ranch near Scio captured first prize in the general farming exhibit. Second prize was won by Leonard Gilkey, owner of the Banner farm at Lebanon and third place went to Leo Zeller of Thomas.

The children's farm exhibits of so much interest to Governor Withycombe who visited the fair on Thursday, was divided into sections for children over and under 12 years of age. In the first division Orville Pepperlin of Scio was awarded the blue ribbon. Floyd Umerhofer of Lebanon was second and Leslie Thayer of Scio third. The little ones under twelve were headed by Herman Zeller of Thomas, Amy Liskey of Scio and Orville Powell of Crabtree.

In domestic art exhibits Scio won over Lebanon while in exhibit of manual training Albany was first with Lebanon second. Scio has no manual training department.

The general exhibit of fine arts and textiles attracted a great deal of attention from the ladies. Hundreds of entries from the finest specimens of needlework to knitting, tatting, rope work and matching, each drew their various first, second and third prize ribbons. One exhibit of the work of ladies over 60 years of age was a tie between present day accomplishments and the carefully exact forms of the days that are gone. Exhibits were entered from Portland, Salem, Eugene, Springfield, Albany, Tammant, Lebanon, Shedd's, Fox Valley.

GIBBONS AND MCFARLAND TO FIGHT AT N. Y. TONIGHT

New York, Sept. 11.—Mike Gibbons of St. Paul, who is generally credited with being the cleverest fighter in the ring today, and Packey McFarland of Chicago, who was generally credited with all that two or three years ago, will come together at the Brighton Motorrome tonight. The fight is scheduled to last ten rounds, and there is no reason to doubt that it will be any shorter, barring lucky punches.

The pugilistic world has been fed up for a month for this bout. Past records have been delved into, almost everyone who ever heard of a boxing glove has speculated on its outcome, and when it is all simulated down this big feature stands out above the rest—that no one, not even McFarland or Gibbons themselves, knows any more about it than anyone else. And that is nothing!

At Hospital—

Mrs. J. J. Gallagher, who lives west of town, underwent a dangerous surgical operation in the hospital in Albany yesterday for fibroid tumor. The operation is reported to have been successful and she is getting along as well as can be expected.—Lebanon E. A.