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## ALBANY COLLEGE BULLETIN REPRINTS COURT DECISION

### Full Text of Opinion of Supreme Court of Oregon Is Published in College.

In the Albany College Bulletin, mailed yesterday to those interested in the college, the decision in the recent supreme court case affecting the title to the present college campus is published in full.

The decision is too voluminous to publish in full in these columns, but we reprint below the introduction to the decision as prepared by college authorities.

"It has always been the opinion of the writer that a Christian business man should avoid litigation. Even more should a college closely connected with a church. Nevertheless, Christian business men are forced into litigation; so also are colleges from time to time.

"Albany College recently brought suit to quiet title to its present campus. Less legally phrased, the institution desired to know whether the present campus, inadequate for the best development of the college, could be sold and the proceeds devoted to the purchase of a new campus or to endowment of buildings. Suit was instituted. In the Circuit Court Judge Galloway decided that the deed gave the college the property for college uses with the instructions that it must never pass to any other religious denomination and that the proceeds must be devoted to college uses. Judge Galloway's decision was counted by lawyers a very able document.

"On Tuesday, March 11, the supreme court of Oregon, the opinion being by Justice C. J. McBride, affirmed Judge Galloway's decision."

## THE ELEPHANT IS DEAD

Pictured only a few months ago as the nurse-maid for the steel trust, the party wrecker, the egotist, the demagogue and the man who placed his personal and selfish ambition above the welfare of his party, Theodore Roosevelt was by the same editorial writer in the Sunday edition of the Morning Oregonian, proclaimed "the greatest moral and political force of our generation."

This is more than an intellectual retreat. It is a complete rout—an editorial surrender which places the Denizen of Oyster Bay in complete and absolute command of the fortifications. The "saving" clause contained in the last paragraph of the editorial is meaningless. The editor of the Oregonian reserves the right to keep his sword and will thus forgo much of the humiliation of capitulating to Colonel Roosevelt but the fact remains that the white flag has been raised by a leading exponent of the forces which dominated the Chicago convention. The demagogue and the egotist of yesterday has become the statesman and the patriot of today. The Elephant is dead—long live the Bull Moose.

Neither President Wilson nor the Democratic leaders in congress expect to draft a tariff bill which will be satisfactory to everyone. They are not going to try to accomplish the impossible task of trying to please everybody. What they are going to do is to enact a tariff measure which will afford some relief to the consumer and at the same time raise the necessary revenue to maintain the various departments of the federal Government.

## SULZER DECLARES WAR

More than 150 newspaper editors from all parts of the State cheered their approval when, at the banquet of the Democratic Editorial Association of New York State, Governor Sulzer reiterated that he was State leader and announced a declaration of principles in regard to the distribution of patronage he would follow in treating with Tammany Boss Murphy.

It was a strong address and is an open declaration of war against Tammany Hall by the new Democratic Governor.

The Governor said in part:

"The record of that which I have done thus far is straight. I shall fight on to keep the record of my administration straight, I was the candidate of a united party and an unshackled convention. 'Soon after I became Governor I realized the deplorable conditions in the State affairs and promptly made up my mind what to do. The cause was the cause of the State, and I determined to shirk no responsibility in my efforts to secure in the public service a greater economy and more efficiency; to uproot official corruption; to eliminate graft, and to raise higher the standard of civic righteousness and official integrity.

"What I have done thus far speaks for itself, and I have only begun. No man realizes more than I do the obstacles that are put in the way. But I see clearly the right, and have concluded to go forward without hesitation, and with the determination to do my whole duty fearlessly, regardless of the political future, or personal consequences.

"As the Governor, I knew, from the experience of the past, that in order to succeed I had to be the Governor in fact as well as in name. I have never been an agent, and I never will be. No man, no party, and no organization can make me a rubber stamp. I am the Governor. Let no man doubt that."

## LEBANON COMMERCIAL CLUB AFTER PORTER BROTHERS

### Have Arranged a Meeting for April 22nd, and Will Present Cities Claims.

At a committee meeting of the Commercial Club last evening it was decided to invite the officials of the Southern Pacific, the Oregon Electric and the Porter Brothers to Lebanon on April 22 for a "get acquainted meeting." It is hoped by this time we will have some good roads and it is the desire of the committee to have some autos and take the visiting officials around over the surrounding country and show them what we have here to make a city, and in the evening to have a big banquet at the Hotel Lebanon, at which time we will hear from our distinguished guests and what they think of our part of the country.—Express.

## OREGON ELECTRIC FREIGHT LINE FORMALLY OPENED

### First Freight Train Over New Branch on Water Street This Morning.

The first train to pass over the new branch of the Oregon Electric freight line on Water street, was the Eugene & Portland merchandise train, which traversed the branch this morning at 2 a. m., bound for Eugene and way points, with a full load of general freight.

The new branch is now formally opened to traffic and all of the regular freight trains of this road will arrive and depart in this city by this route. The trains are composed of the regular box cars and are hauled with the powerful electric locomotives of the Oregon Electric system.

The new branch saves considerable time on the freight schedule. Heretofore in order to depart from this city for the south after discharging freight at this point, Oregon Electric freight trains have had to switch back from the freight depot to the junction of the main line outside of the city in the east end. But now this condition has been eliminated and the trains have a direct route.

After leaving the west end of Water street, the trains travel for a considerable distance on a high and substantial trestle over the south end of Bryant's park. The line rejoins the main line near the Calapooia river.

P. R. Forbes, of Shedd, arrived in the city this morning and is spending the day attending to business matters.

## BRICKLAYING ON CIGAR STORE STARTED TODAY

### Will Be Most Modern and Up-to-Date Establishment of the Kind in Valley.

Brick masons commenced their work this morning on the splendid little building which is being erected on First street across from the First National bank by Peter Paulus for M. McAlpine.

The material being used in its construction is red and white pressed brick. The building will be two stories high and the front will be constructed entirely of white pressed brick.

It is planned that the place will be ready for occupancy within the next two months, at which time Mr. McAlpine will remove his present cigar store and billiard and pool hall to the new location. The place will be modern and up to date in every respect and new equipment, including new pool and billiard tables have been ordered for the new establishment. It is understood that Mr. McAlpine intends to install modern bowling alleys on the second floor, and when fully completed the new place will represent one of the most modern and up to date cigar stores in the valley.

It is rumored that upon the vacancy of the old store now occupied by McAlpine a similar concern will establish its business there. However, this could not be authoritatively confirmed.

## RIVER REACHES MAXIMUM HEIGHT THIS MORNING

### According to Gage at Foot of Broadalbin Street, Highest Stage Is 21.4 Feet.

Pursuant to the prophesy made yesterday by F. M. French, local weather forecaster and displayman, the river reached its maximum height of 21.4 feet today. These figures were recorded at noon, when the rise of the river was at a standstill. This morning at 7:30 o'clock the gage at the foot of Broadalbin street registered 21.3, so it can be seen that the displacement has practically been at a standstill all morning.

Mr. French stated that according to the rule, the water will remain at a standstill for perhaps one or two hours before beginning to recede. It is expected that by tomorrow the water will have receded considerably. H. E. Morton, of the Oregon Power Co., reports this morning that the Calapooia river has reached the 20.5 foot stage, according to the gage at the power plant of that company, but that the water had begun to fall shortly after 8 o'clock.

## COURT HOUSE NOTES

### Warranty Deed.

J. F. Bradshaw et ux to C. A. Taylor, Jan. 27th, 1913. 136.78 acres in Claim 64, Tp. 11, S. R. 2 West. \$10.

E. H. Engberg & wife, to G. A. Epperly, Feby. 18th, 1913. Lot in Block 2 in J. M. Ralston's 4th Add. to Lebanon. \$10.

H. M. Dorman, to Geo. H. Smith, Jan. 11th, 1913. Lot in Block 36, in Cotton's 1st Add. to Lebanon. \$1.

Marion Crabtree & wife, to John T. Edwards, March 27th, 1913. Lands in Sec. 1, Tp. 12, S. R. 1 West. \$1600.

I. F. February, to P. J. Chladek, Jan. 30th, 1913. 80 acres in Sec. 35, Tp. 11, S. R. 1 West. \$5000.

The Shaw Company to Ella May Flatman, Feby 15th, 1913. Tracts in Shaw's Add. to Mill City. \$300.

Ed. DeYoung & wife, to Marion D. Lindsay, Feb. 19th, 1913. Lands in Sec. 20, Tp. 10, S. R. 1 East. \$1.

G. H. Crowell, of the Oregon Title and Trust Co., went to Lebanon on the morning train.

## NOTICE OF FINAL SETTLEMENT

Notice is hereby given that the undersigned Administrator of the Estate of Ed Zeiss has this day filed his Final Account in said estate matter with the County Clerk of Linn County, and the Judge of the County Court has fixed Monday, April 7th at the hour of one o'clock P. M. as the time for hearing objections, if any there be, to said account and the settlement of said estate.

## JUDGE THOMPSON ADDRESSES CLUB

### Preaches Interesting Gospel on "Good Roads" Before Local Commercial Body.

## DRAINAGE IS FOUNDATION FOR ALL PROPER HIGHWAYS

## Lane County Judge Gives His Own Practical but Conservative Experience.

Declaring that good roads are essential to the growth and upbuilding of a community and that the foundation of all road building is proper drainage, County Judge H. W. Thompson, of Lane county, delivered a forceful address before the Commercial club, upon the subject of "How to Build and Maintain Good Roads."

A number of local good road advocates and others who are interested in the movement recently inaugurated by the Commercial club, were present, including County Judge Bruce McKnight and County Commissioner O. H. Russell, of Linn county.

The speaker was introduced by President Van Winkle, who explained the purpose of the meeting, stating that it was the earnest desire of members of the club that this county should have good roads as circumstances permit, and that to this end may the Commercial Club co-operate with the county court and other good road factions, in harmony, that this object may become an early realization.

"We realize the necessity of good roads," said Mr. Van Winkle "and we want to lend all the assistance we can to accomplish the object at issue through the co-operation with the county court and enthusiastic citizens. Everybody is invited to take part in this matter. We of the Commercial Club are not selfish. We fully realize that Albany cannot have all of the good roads of the county but what we would like to see is a start towards good road construction in this immediate section. We are willing to go to other cities of the county and conduct similar meetings as this in order to educate the people and instill interest in the proposition, that they may familiarize themselves with road construction, and what it will mean to the community."

Judge Thompson is a splendid speaker and his address was intently listened to by those present. It was a good sound practical talk, based upon the Judge's conservative experiences as the chief road builder of Lane county. He graphically expressed his opinions of what he considered as an ideal road, giving his definition of such and telling of his success in carrying out the road policies of his court. He explained in detail the workings of the Lane county court in reference to the road question and told of the success that had attained the efforts of the court along this line.

"The fundamental principle of road construction," he said "is proper drainage and this is the foundation of all road building. To have a good road, it should be well drained and this applies to practically any kind of road. The cross contour of a road should be of a curved shape and the highest point should be directly in the middle. Proper ditches should be constructed along each side of such road to properly drain off the water. If this is done common sense will tell you that road conditions will have been materially bettered. This condition easily lays the foundation for any surface material desired on the road. I do not claim to be a road engineer and I feel that all of the roads I have been instrumental in causing to be built, have been mainly erected by my mouth. It has been said that we should build roads to accommodate the many tourists who travel through the valley by automobile in the summer, among them rich Californians, but this is not the primary purpose I have in view when I announce that I am strongly in favor of good roads. While the tourists would be strongly attracted to this section in this event, and they spend a good deal of money in the cities and at the hotels, my wish for universal good roads in this section is for the benefit of the farmer, that he may haul a load of apples to town without making apple butter out of them."

During the course of his speech, Judge Thompson dwelt largely on the commercial advantages of good roads and how they would better conditions for the farmers. He held that while a little stretch of macadam road four or five miles long would look very small compared to several hundred miles of raw roads, that it only required a beginning to start the good road work rolling and he suggested that a main highway out of this city be placed in this condition sometime soon, that the people may realize what it will mean. He vouchsafed to say that within a short time the people would be demanding more such roads, citing his auditors to a similar instance at Eugene.

Judge Thompson paid a splendid tribute to the people of Albany, congratulating them on the appearance of the city, making particular mention of the paved streets and the magnificent new buildings recently completed and now under course of construction. He said that as he understood the meeting it was a get-together meeting of the citizens in order to assist the county court on the road

## MARY T. SETTLE PASSED AWAY AT SWEET HOME

### Was an Oregon Pioneer and a Daughter of Well Known Linn County Resident.

Mary T. Settle was born Jan. 22, 1829, in the state of Indiana, later moved to the state of Iowa, there April 4, 1850, married John W. Gilland, and in the year 1852 they emigrated west to the state of Oregon. Their first stopping place was Portland, remaining here only two months thence coming in the fall of 1852, and settled upon the place known as the Tell Gate ranch, located near the town of Foster, Ore.

They lived on this place fifty five years, and they were numbered of the first settlers in the Sweet Home and Foster Valley.

And died Mar. 27, 1913, at the home of her daughter, Mrs. Henry Slavens, Sweet Home, Ore., where she has made her home for the past five years. Mother Gilland was 84 years, 2 months, 5 days old.

Her husband preceding her in death 17 years, also two sons and one daughter.

Mrs. Henry Slavens, of Sweet Home, Mrs. W. Meeks, of Harrisburg, one sister, Henrietta Nye, Sweet Home, Ore., and Jake Gilland, of Grand View, Ore., also a number of grand children are those living to mourn the loss of their sainted mother.

## NEWLYWEDS ARE NOW AT HOME IN THIS CITY

### Mr. and Mrs. John Catlin Returned Saturday Night After Protracted Honeymoon.

Mr. and Mrs. John Catlin returned late Saturday evening from their honeymoon trip to points on Puget Sound. They visited all of the important cities of Western Washington, including Seattle, Tacoma, Hoquiam and Everett and reported having a most pleasant sojourn.

The couple visited with relatives of the bride most of their time in these places. Mr. Catlin reports that there is not much commercial activity prevailing in Tacoma as in other places on the sound. He said that Hoquiam was fairly alive with business, there being lots of work and much shipping going on at that place.

Mr. and Mrs. Catlin are now at home, corner Ellsworth and Water streets.

## MISFITS

Contributed by F. P. Nutting.

(Reminiscence No. 24.)

The opening of the Northern Pacific was the beginning of a new era in the Northwest. The first train over brought to this northwest country new life and blood, as well as vigor and confidence. Previously one had to get here by steamer or stage or wagon. The event deserved the attention it received and our people generally had a right to shout. Among those on the first train was A. Hammer, a leading Albany merchant.

A visit to Albany in September, 1883, by Henry H. Garfield, suggests a career that is worthy of notice. Mr. Garfield was then reading clerk of the U. S. senate, a position he had been holding for awhile. On account of his efficiency and personal popularity he kept in the office for many years, then promoted to chief clerk of the senate. Perhaps no public man in the U. S. is more intimately acquainted with the leading men of the nation than Mr. Garfield, an Oregon "boy."

A prominent U. O. student was Milt Miller, then editor of the U. O. column in the Oregon State Journal of Eugene. Mr. Miller is now regent of the university, one of our state senators, a prominent candidate for collector of customs, also mentioned for some foreign post, and has been prominently mentioned for governor.

A couple of births in September, at this city, were two girls, one on Sept. 22 to Mr. and Mrs. R. Thompson, and on the 29th to Mr. and Mrs. G. E. Chamberlain.

In October an old folk's party was held, with fourteen present. The youngest one in it then, Mrs. W. Q. Stewart, is now the oldest and the only one of the number alive. All of the others have gone after playing their parts well in the upbuilding of character in this western country.

The murder of Mrs. Jas. Finlayson in November caused great excitement here. Her mutilated body was found. Investigation followed, resulting the arrest of her grandson, Charles Finlayson, who confessed; but before anything was done with him he hanged himself in the county jail. The deed happened at the Finlayson farm, five miles from here, afterwards sold to Jas. Hunter.

Dr. J. C. Booth, one of Lebanon's busy physicians, was in the city last evening.

question and that he was very glad to be of assistance in the public cause.

At the conclusion of Judge Thompson's speech the following were called upon for short talks: County Judge Bruce McKnight, Dr. M. H. Ellis, Ed. Cusick, and Ubbie Peters.

## FULL BLAST GRIND IN CIRCUIT COURT

### Judge Galloway Runs the Bar Docket and Passes Judgment on Many Cases.

## SETS CASES, ALSO HEARS MOTIONS AND DEMURRERS

## Divorce Case of Braden Vs. Braden Is Set for Trial Tomorrow.

The entire morning and a portion of the afternoon was consumed by the hearing of motions and demurrers in Judge Galloway's department of the circuit court today. Several cases were set for trial and others were passed upon as follows:

Cases set for trial: Edna Braden vs. Carl Braden, divorce, was set for trial tomorrow morning. A. W. McGilvrey vs. M. E. Watson, foreclosure of lien, was set for Saturday, April 5, at 10 a. m. V. Caldek vs. George W. Poole, foreclosure of mortgage, was set for Monday, April 7, at 10 a. m. Joseph Liska vs. J. Moullet, to set aside contract, was set for April 11, at 10 a. m. The case of Ella Peacock vs. J. E. Kirkland, recovery of money, was referred back to department No. 1 of the court.

Judge Galloway will not hold court here all day tomorrow for he will go to Salem at noon where he will be detained during the afternoon in the trial of an important case in the court of Marion county. The judge will return here tomorrow morning to hold court Thursday and Friday.

When he ran the docket yesterday afternoon, Judge Galloway passed upon some of the cases as follows:

Oregon Electric Railway vs. Lois D. Bates, injunction, continued; Cora B. Driver vs. Ralph Driver, divorce, continued; Charles T. Oakley et al vs. Frank S. Oakley, partition, referee discharged; L. G. Freeman vs. J. M. Clark, to set aside deeds, dismissed on motion of plaintiff without costs to either party; M. E. Burkhart vs. Sam Garland, executor, et al, for admeasurement of dower, settled and dismissed; A. Hardesty vs. Myrtle Hardesty, divorce, dismissed on motion of plaintiff; J. M. Erskine vs. Carrie Erskine, divorce, dismissed; Ferdinand Preisinger vs. C. H. Corbin et al, foreclosure of mortgage, default and decree of foreclosure, State of Oregon vs. Albert Peacock, offering to bribe an officer, dismissed on motion of attorneys on account of absence of prosecuting witness; C. C. Galloway vs. George W. Sperry et al, to quiet title, H. H. Hewitt appointed guardian ad litem, decree; W. H. Brown vs. W. T. Fogle et al, foreclosure of chattel mortgage, demurrer overruled and defendant given 30 days in which to answer; Joseph R. Goodwin vs. Cassie Goodwin et al, to set aside deeds, demurrer argued and overruled, defendant given until May 1 to answer; J. O. Brown vs. D. G. Murray et al, foreclosure of mortgage, confirmation of sale; Charles J. Bedell vs. J. L. Gilbert, to set aside deed, contained; Mary Holub vs. Agnes Dotson et al, to quiet title, default of Agnes and Ben Dotson, Frank and Mollie Herman, Herman and Emil Holub entered, demurrer overruled and defendant given 30 days to answer; James Wigle vs. All whom it may concern, to register title, L. M. Carl appointed examiner; Edna Braden vs. Carl R. Braden, divorce, default; Emma Carleton vs. George W. Carleton, divorce, default; America Sherrill et al vs. F. M. Hyde et al, partition, plaintiff granted leave to file amended complaint; V. V. Gatts et al vs. Mary Gatts et al, partition, default entered as to Mary Gatts, W. M. Brown appointed guardian ad litem for R. Howard, decree, D. H. Bodine appointed referee to make sale.

## ARTISANS WILL JOIN CENSORED WORK OF ART

### Clergy Fights with Artists and Critics Over Chicago Painting; Judge Receives a Copy.

Chicago, April 1.—School officials, clergymen and the police art censor lined up against art dealers, artists and newspaper critics.

F. D. Jackson, a picture dealer, attacked in the court an order of the police censor requiring him to remove from his window a picture called "September Morn."

Judge Rooney accepted a copy of the painting as a present from Jackson and adjourned court until tomorrow.

The picture is a reproduction of a painting of a young woman bather, nude, ankle deep in water and hugging herself with both arms.

Dealers, artists and critics called by the defense declared the picture innocent.

Mrs. Ella Flagg Young, superintendent of schools, said that she considered the picture unfit for the eyes of children. The Rev. Father P. J. O'Callaghan, pastor of St. Mary's church, said that the picture was calculated to stimulate impure thoughts.

Mrs. Christensen, Christian Science healer, went to Junction City this afternoon.