

# The Semi-Weekly Democrat

WAL. H. HORNIBROOK,  
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TUESDAY, SEPTEMBER 9, 1913

PLEASE HELP THE JUDGES.

In an address delivered before the American Bar Association yesterday, Ex-President Wm. H. Taft went on record as being strongly opposed to the idea of electing judges and urged that they be appointed for life.

The Democrat fails to see wherein any honest candidate for the bench needs to fear the will of the majority as expressed at the polls. We fail to agree with the ex-president in the assertion that the judiciary has lost much of its influence and that the intellectual standard of the men on the bench is lower since the system of appointment has given way to that of making the selection at a general election. We do not believe that any candidate for the office of judge loses caste by seeking the nomination for a judicial office at the primaries.

You can't make an intellectual giant out of a pigmy by merely naming him for a judicial office, and you can't make a saint out of a rogue by the same process.

A proper respect for the courts is essential. The position of judge is an honorable one and fortunate is the lawyer who is given this distinction. However, many forget that it is the man and not the office that is either deserving or fails to merit the respect of the public. A talented and honorable judge is a credit to the bench. An incompetent or dishonorable man is a disgrace to the legal profession. The former invariably finds the people respectful and the latter has no cause to complain if they are not. There is nothing divine about a man merely because he has been elevated to the bench. He is still a human being, made of the same stuff and eating the same food as the men who assisted him in attaining his ambition. The wings seldom begin to sprout from the shoulders of a judge before he has passed on to eternity and as far as we have been able to ascertain he has received no commission from his creator making him any better than his fellow man.

Every few weeks some disciple of the old order of things goes about the country shedding tears because of the deplorable condition of the courts as a result of the amendment and gone by these wily gentlemen in facing a primary and general election. To hear them talk one would suppose that they were compelled to take in washing for a livelihood. Still there appears to be no shortage in the supply of candidates. Think of it, readers, a judge actually being compelled to ask the people for his commission of office. In the old days he asked the railroad president and got it without any question. The humiliation of facing a primary election is truly terrible to the mind of the veteran jurist.

**A PREDICTION.**

Notwithstanding the persistent campaign of misrepresentation conducted against Governor West by his political opponents, the Democrat predicts his re-nomination and election. Moreover, many of those who have been keeping bright the fires of opposition to his policies will be placed in a position where they will be compelled to acknowledge West as the Moses to lead the hosts of conservatism from the flaming forests of single taxation. Strange as this may seem, W. S. Uren of Oregon City and the policies which have made him a national character, will play an all powerful part in the political drama which will be staged in Oregon next year.

Uren is an avowed candidate for the Republican nomination for governor. He will have the backing of a man who is both able and willing

to edit the overdraft department of his campaign and may therefore be depended upon to make a fight such as this state has not seen in many a moon. In addition to the active or passive support of men who are well known in the Republican politics of the state, he will have a strong backing from the labor unions, socialists and single-taxers. Those who have found pleasure in persuading themselves that Uren will not be a factor in the next campaign will have an opportunity to change their mind for the single tax evangelist from Oregon City will be much in evidence and bids fair to keep the organization guessing from the time the first shot is fired until the awful news of his nomination is conveyed to the anxious but misguided leaders of the Republican party.

The nomination of Uren means an open stampede of conservative Republicans to the man who has the best chance of defeating the single-taxer at the polls. That man is West and the wise ones in the Republican organization concede it.

Should Uren receive the Republican nomination, or after failing in the primaries, proclaim himself an independent candidate, the Democrat believes that the Oregonian and other strong party papers will find much to commend in the administration of Governor West. Stranger things have happened in Oregon politics, and the next campaign promises to produce some extraordinary situations.

## PERSONAL AND NEWS NOTES FROM HALSEY

J. E. Dawson, the blacksmith, had business at Eugene on Saturday.

Mrs. H. W. Dryden and Miss Lucindy McCullum were in from the farm Saturday.

F. M. Kizer, whose farm is out toward Harrisburg, sent us a Gravenstein apple the last of the week which measures over thirteen and one-half inches in circumference and is a perfect specimen in very particular.

L. R. Falk of near town is another of our progressive farmers to get an auto. His is a Ford 20, five passenger and is of the latest out, having some new features which makes it an especially desirable machine for his purpose.

Mr. and Mrs. Jasper Gulliford came down from Eugene Thursday and have been enjoying visits with Mrs. E. C. Allen, sister of Mr. Gulliford as well as his niece, Mrs. Vincent Holgate, and nephew, C. E. Gulliford, and numerous friends.

G. T. Kitchen and family and Mrs. Waddle returned from their outing at Newport on Thursday, and on Friday afternoon took a train for Eugene where they will spend a portion of their vacation. While at the beach they took a ride on the steamer Ollie S., going up the coast 16 miles to Waldport. On this trip they saw several whales, one being very near the boat and which was fired upon by some of the passengers.

B. T. Sudtoll went to Junction City on business Friday afternoon.

Mrs. J. J. Corcoran and daughters went to Harrisburg Saturday to pick hops for awhile.

Mrs. Dick Wright went to Albany Friday to see her sister, Mrs. P. I. Troutman, who we understand is still improving.

Mrs. C. A. Bonnett and son, Charley, of Eugene, came down Saturday to see her daughter, Mrs. R. A. McCullum, and new grandson Charles Roland.

Frank Wilson is back from his trip to Kansas City, Missouri. He says the weather was a little bit too warm for him, and that he is glad to be back in Halsey.—Enterprise.

Miss Esther Leech, daughter of Rev. D. H. Leech, went to Corvallis this morning where she will resume her duties as preceptress of Waldo Hall of the Oregon Agricultural College.

**SUMMONS.**

In the Circuit Court of the State of Oregon for Linn County:  
M. Bussard, Plaintiff,  
vs.  
S. O. Rice, Defendant.

To S. O. Rice, the above named defendant:

In the name of the state of Oregon you are hereby required to appear and answer the complaint of the above named plaintiff now on file with the County Clerk in the above entitled cause in the above entitled court on or before the 21st day of October, 1913, the same being the last day of the publication of this summons and you are further notified that unless you appear and answer said complaint as herein required the Plaintiff will take judgment against you for the sum of \$7600 with interest thereon at legal rate since Aug. 16, 1911, and for costs and disbursements of this action and will also take an order of said Court directing the sale of real estate heretofore attached in this cause and described as follows, to-wit:

The south west quarter of section 36 in township 16 south, of range 6 west of the Willamette Meridian, Oregon, and containing 160 acres in Lane county, Oregon.

The date of the first publication of this summons is Sept. 9th, 1913, and the last date of such publication will be October 21st, 1913.

This summons is published in pursuance of an order of Hon. D. B. McKnight, County Judge of Linn County, Oregon, dated Sept. 6th, 1913.

J. N. DUNCAN,  
Attorney for Plaintiff.  
49-16-33-30-197-14-21

## FORMAL OPENING OF NEW BANK TOMORROW

### Officials of First National Will Be Hosts to the Public During Afternoon and Evening.

An event of more than usual interest in the business circles of Albany will take place tomorrow afternoon and evening when the formal opening of the new First National Bank building will be held.

The doors will be thrown open promptly at 3:30 p. m. and the officials of the bank will be hosts to the people of this city and vicinity until six p. m. Again at seven o'clock the bank will be opened and will remain open for the inspection of the public until 9 p. m.

The music will be furnished by Wilson's orchestra and each lady who attends the reception will be presented with a beautiful carnation. Every resident of Linn county is invited and from all indications the invitation will be generally accepted.

## TRAIN RUN OVER A HORSE NEAR HARRISBURG

An evening Oregon Electric train enroute from Portland to Eugene, was delayed nearly three quarters of an hour, after it ran over a horse that had fallen through the trestle near Harrisburg Tuesday night.

Passengers expressed themselves as surprised that the train was not thrown from the track and over the trestle. The horse had wandered onto the long trestle that is the approach to the Harrisburg bridge over the Willamette. Its feet slipped on the wet ties and all four legs dropped down between leaving the animal stretched helpless across the track.

The train a few minutes later hit the animal square in the shoulders, cutting it open and throwing the horse to the side of the track where the conductor later shot him.

**Motor Runs Gasoline Engine.**—Frequently when a gasoline engine breaks down people fix it, but the cement contractor on the Barnard building that is being erected at the corner of Oak street and Ninth avenue, west, has a novel plan to make a gasoline engine run whether it wants to or not. Yesterday the gas engine that runs the concrete mixer broke down and as the work could not be delayed the contractor connected up a powerful electrical motor to the engine and as he did not want to change the pulleys to get the right speed he simply put the right sized pulley on the off side of the gasoline engine, threw on the drive belt of the motor and turned on the "juice."—Eugene Guard.

**News on This Page is From Daily Issue of FRIDAY, SEPTEMBER 5**

**Application to Register Title.**

In the Circuit Court of the State of Oregon for the County of Linn.

In the matter of the amended application of William Bogue to register the title to the following described premises, to-wit:

Beginning at a point in the center of the County Road leading from Corvallis to Kendall's bridge, said point being West 11.04 chains and S. 45 degrees E. 2.80 chains distant from the N. E. corner of the Donation Land Claim of Joseph Robnett and wife, Not. No. 2007, Claim No. 51, in Tp. 12 S. R. 4 W. Willamette Meridian, Linn County, Oregon, said Claim corner being also the S. W. corner of the Claim no. 38 in said Tp. and R.; thence S. 45 degrees E. 27.10 chains along the center of said Road, thence S. 36 degrees W. 36.51 chains to the center of Muddy Creek, thence down the center of said Creek to the South boundary line of said Claim No. 51, thence N. 53 degrees 15 minutes W. 10.71 chains to the S. W. corner of said Claim, thence following the meander line of the Willamette River down stream in a North Westwesterly direction to a point which is S. 54 degrees W. 45.80 chains distant from the point of beginning, thence N. 54 degrees E. 45.80 chains to the point of beginning, containing 16400 acres.

Applicant and plaintiff,  
Charles Commins, and "All Whom it may concern," defendants.  
To All Whom it May Concern:

Take notice, that on the 22nd day of August, A. D. 1913, an amended application was filed by said William Bogue in the Circuit Court of the State of Oregon for Linn County, for initial registration of the title to the land above described. Now, unless you appear on or before the 27th day of September, A. D. 1913, and show cause why such amended application should not be granted, the same will be taken as confessed and a decree will be entered according to the prayer of the amended application, and you will be forever barred from disputing the same.

Witness my hand and the seal of said Circuit Court, this 22nd day of August, A. D. 1913.

W. L. MARKS,  
County Clerk and ex-officio Clerk of the Circuit Court of the State of Oregon for Linn County.  
(SEAL) By R. M. RUSSELL,  
Deputy.

J. F. YATES,  
Applicant's Attorney.  
Date of first publication hereof is August 26, 1913. a26 a29-16-23

## PHYSICIANS HELD MEETING AT EUGENE

They Read Papers on Important Subjects Last Evening.

Dr. J. R. WALLACE PRESIDED AS SESSION

Eugene Doctors Hosts to the Members of Willamette Valley Medical Ass'n.

Eugene, Or., Sep. 5.—Meeting in Eugene last evening, twenty-eight physicians from various parts of the valley, members of the Willamette Valley Medical Association, held the quarterly session and were banqueted afterward by the Eugene physicians.

The meeting and banquet were held in the parlors of the Eugene Commercial club and were considered wholly successful by those present, because of the important papers read by members of the association.

Dr. J. B. Bilderback of Portland, spoke on "Congenital Pyloric Stenosis in Infants," in which he told of giving doses of bismuth, which so covered the stomach with metal, as to make possible X-Ray photographs. He displayed photographs which he had taken. His paper marked an important advance in the progress against a serious disease to infants. He spoke of three cases which had been operated upon, and two of these had recovered.

Other addresses were "Hospital Associations," by Dr. G. S. Beardsley, of Eugene; "Some Unique Cases," Dr. T. W. Harris, of Eugene; "Retraction and Retroflexion of Uterus," Dr. W. H. Dale, of Harrisburg.

The meeting was provided over by Dr. B. R. Wallace, of Albany. The other officers of the medical society are Dr. Gullion, vice-president, and A. H. Ross, of Lebanon, secretary-treasurer.

The members present were Drs. E. A. Loomis, Mabel; C. W. Ross, Lebanon; C. H. Newth, Philomath; B. R. Wallace, Albany; W. H. Dale, Harrisburg; J. E. Bridgewater, Creswell; T. K. Johnson, Halsey; William H. Ellis, Albany; A. H. Ross, Lebanon; J. B. Bilderback, Portland; W. H. Neal, P. J. Bartle, W. Kuykendall, P. E. Selover, T. W. Harris, O. R. Gullion, F. W. Comings, C. W. Southworth, C. E. Loomis; G. S. Beardsley, H. Garrjohst, W. L. Cheshire, E. L. Zimmerman, T. H. Miller.

A. H. and C. W. Ross of Lebanon were in the city yesterday afternoon painting goff Maple School finished. —Frank Dannals has just completed the work of painting the Maple school. The building now presents a neat and attractive appearance.

**Called to Nevada.**—Mr. and Mrs. W. C. Burkhardt have been called to Nevada by a telegram announcing the critical illness in the family of Mrs. Burkhardt's sister. Her two children are seriously ill and one of them is not expected to live.

**Administrator's Notice.**

Notice is hereby given that the undersigned have been by the County Court of Linn County, Oregon, duly appointed administrators of the estate of Mary Gill, late of said county, deceased. All persons having claims against the estate of said deceased are hereby required to present the same with the proper vouchers, to the undersigned, at the office of Hewitt & Sox, First National Bank Building, Albany, Oregon, within six months from the date of this notice. Dated this 26th day of August, 1913.

W. GILL,  
Administrator.  
Hewitt & Sox,  
Attorneys for Administrator.  
a26 a29-16-23

**ORDER.**

In the County Court of the State of Oregon for Linn County.

In the matter of the guardianship of Anna Anderson, a minor.

Now on this 22nd day of August, 1913, this cause coming on to be heard upon petition of H. H. Hewitt, guardian of the above named minor, for license to sell, at private sale, all the interest of said minor in the following described real property, to-wit: The South West quarter of Section 29, in Township 9 South, Range 4 East of the Willamette Meridian, in Linn County, Oregon, containing 40 acres, it appearing to the court that it is necessary that such real property be sold, it is ordered that the next of kin of said ward, and all persons interested in said estate, be and appear in the County Court of Linn County, Oregon, at the Court Room thereof, in the City of Albany, in Linn County, Oregon, on Monday, the 29th day of September, 1913, at the hour of ten o'clock in the forenoon, to show cause why a license should not be granted for the sale of such estate as prayed for in said petition, and that this order be served by the publication thereof once a week for three successive weeks in The Semi-Weekly Democrat, a newspaper published in said Linn County, Oregon, and circulating therein.

D. B. McKNIGHT,  
County Judge.  
a26 a29-16-23

## KIRKLAND LOOSES CASE TO MRS. AL PEACOCK

### Jury Decides in Favor of Plaintiff and Gives Her Damages in \$640.

Tried before Circuit Judge Gallows yesterday and going to the jury at 5:30 o'clock, which reported with a verdict at 6:15 o'clock, the case of Ella Peacock against John W. Kirkland et al. to recover money, was won by the plaintiff in the sum of \$640.

The case arose when a writ of execution was issued following the granting of divorce and alimony to Mrs. Peacock from Al Peacock. On the writ the sheriff attached the Peacock livery barn. Kirkland then brought a replevin suit against the sheriff claiming he was the owner of the attached property. While the case was pending he secured the property and furnished bond. When the case of Kirkland against the sheriff was tried the defendant won, the jury deciding Peacock was the owner of the barn when attached. Meantime Mrs. Peacock alleged that the property had been used by Kirkland, being decreased in value, so she brought this action against Kirkland and his bondsmen to recover the value of the property.

The jury in the case was as follows: George Taylor, Grant Bellinger, John Bingham, M. C. Jenks, J. T. Funk, E. S. Buchner, E. Dow, E. L. Gilbert, R. M. Goodrich, James Nanney, J. V. Pipe and A. W. Cowder.

## CITY NEWS.

**Its Own "Father" McCune.**—Born at 9 o'clock this morning to Mr. and Mrs. E. H. McCune, a daughter, Mrs. McCune and the child are both getting along nicely.

**Returns from Loma.**—Obtaining a five months leave of absence from her homestead near Loma, Montana, Miss Doris McClain yesterday returned to Albany and will not return to her homestead for several months. Miss McClain says that there are nearly forty members of the Albany colony at Loma and all of them are well satisfied with their prospects. She likes homesteading herself and claims that it is the best kind of an outing.

**Is Now in Seattle.**—John McDermott, the sign painter, is now residing in Seattle where he is engaged in sign painting. In a letter just received he states that he is just about to land the contract for the lettering of windows in a 10 story structure in that city. Mr. Telkin, the helper whom he employed while here, is still working with Mr. McDermott.

**Albany Educator Returning.**—After a year at Heidelberg University Miss Laura Anderson, professor of German and French in Albany College, sailed from London this week enroute to this city, where she will resume her work in the college here this month. Miss Anderson has been a member of the faculty of Albany College for five years, taking a vacation during the past school year to study abroad.

**Raises Six Inches in 24 Hours.**—Either the old Willamette river is becoming touchy or it has been raining heavier than is generally believed, as the stream jumped up six inches in the past 24 hours and is still coming. Generally, during the summer months, a perfect downpour will not affect the river, owing to the condition of the ground being such that the water will not reach the stream, but the present rains seem to be running off instead of sinking in.—Capital Journal.

**Moon Indicates Dry Weather.**—The rain following the new moon of August indicates a dry week for the Oregon state fair, September 29 to October 4. The next new moon comes Saturday, October 4, the closing day of the fair.

**Remodelling Front of Store Room.**—Workmen are busily engaged in remodelling the front of the store room vacated by the first National Bank and replacing it with a new front to be equipped with plate glass windows. The room will be occupied by the Albany Art Craft.

Miss May Jones left this morning for Eugene to visit with friends.

**SHERIFF'S SALE.**

By virtue of an execution and order of sale to me directed issued out of the Circuit Court for Linn County, Oregon, in the suit wherein W. F. Hines, is plaintiff, and E. F. Gillett, Jennie Gillett and E. J. Frasier are defendants, I will on Saturday, September 20, 1913, at the hour of one o'clock p. m. at the front door of the Court House in Albany, Linn County, Oregon, sell at public auction to the highest bidder for cash in hand the following described property, to-wit:

The Osgood Mining Claim and the Eureka Mining Claim together with the forty-horse power sawmill and planer complete, situate on said Osgood Mining Claim, and all improvements on said claim, together with the tenements, hereditaments and appurtenances thereon belonging or in anywise appertaining.

To satisfy the judgment in favor of the defendant E. J. Frasier against the other defendants in the sum of \$375.20 and also to satisfy the judgment of the plaintiff, W. F. Hines, against the defendants E. F. Gillett and Jennie Gillett in the sum of \$122.70, and the costs and disbursements of this execution and sale.

Dated this August 19, 1913.

D. H. BODINE,  
Sheriff of Linn County, Oregon.  
C. C. Bryant,  
Attorney. a19-26 a29-16-20

**Was in Albany.**—Superintendent T. L. Billingsley, of this division of the Portland, Eugene & Eastern, made a trip to Albany yesterday on official business. He returned to Salem in the evening.—Salem Statesman.

Mrs. Elmer Dannals left yesterday for Centralia, Wash., to spend the winter at the home of her brother, Rev. Doris.

**Administrator's Notice.**

Notice is hereby given that the undersigned have been by the County Court of Linn County, Oregon, duly appointed administrators of the estate of John W. Garland, late of said County, deceased. All persons having claims against the estate of said deceased are hereby required to present the same, with the proper vouchers, to the undersigned, at the office of Hewitt & Sox, First National Bank Building, Albany, Oregon, within six months from the date of this notice. Dated this 26th day of August, 1913.

MATILDA GARLAND,  
WILLIAM GARLAND,  
Administrators.  
HEWITT & SOX,  
Attorneys for Administrators.  
a26 a29-16-23

## RUNAWAY BOY AND GIRL ARRESTED

Melvin Peebler and Girl Companion Taken in Custody by Deputy Sheriff Slavins.

**BEING BROUGHT HERE TO FACE GRAVE CHARGES**

**Claimed They Stole 2 Horses, Buggy and Saddle; Were on Way to Eastern Oregon.**

Arrested this morning by Deputy Sheriff H. R. Slavins at Sweet Home upon telephone instructions from Sheriff Bodine, Melvin Peebler, age 15, of Albany, and a 15 year old girl by the name of Morgan, whose home is in North Albany, the principals of a remarkable escapade, are being brought here to face grave charges. They are alleged to have stolen a horse and buggy from the Albany Stables and another horse and saddle from two farmers living 3 miles east of here.

When arrested it is understood that they were making for the other side of the mountains on horse back, supposedly for Pendleton. The buggy had been left at Waterloo. It is said that the girl was dressed in boys clothing when the arrest was made.

The arrest was made this morning as the two were passing through Sweet Home on horseback. Deputy Sheriff Slavins immediately notified Sheriff Bodine, who instructed him to bring the prisoners here. Deputy Sheriff Slavins is now on the road with his young prisoners and is expected to arrive here sometime early this evening. He is bringing both of the horses and the rig. Goutd of the Albany stables sent Al McAlister, a hostler with another rig this morning to assist the deputy sheriff to Albany. According to the information received over the telephone, young Peebler takes his arrest calmly but the girl is resentful and has given the officer much trouble.

According to the story told at the Albany Stables, the youth applied there Wednesday night about 6 o'clock for a rig, stating that he would only be gone for about an hour. In the meantime, according to another story told, the girl had walked over from her home in North Albany and going to the St. Francis hotel went to her sister's room, where it is claimed she changed her clothes which were wet from wading through wet fields, for some of her sister's, while the latter, who is a waitress in the dining room, was discharging her duties there.

It is claimed she then joined Peebler who was awaiting her in a rig at the corner of Ferry and Second streets.

According to the information obtained at the sheriff's office this morning, the two stopped at the farm of John Jacobs three miles East of here, and evidently under cover of darkness, the lad entered the barn and took out a gray mare. It is said young Peebler was thoroughly familiar with the place, having been employed there by Mr. Jacobs. It is alleged that they then proceeded up the road a mile to T. C. Wallers place where a saddle was appropriated from the barn. It is claimed that tracks discovered in the road next morning led to these convictions.

It is believed that young Peebler and his girl companion then proceeded direct to Lebanon, thence to Waterloo, where the buggy was left. It is believed they spent the night there. It is claimed that they then saddled the horses, the girl attired in boys clothes when they proceeded to Sweet Home early this morning. Sheriff Bodine holds a warrant for the arrest of young Peebler.

It is understood that parents of the children are unable to account for this escapade of the youngsters. It is said that the girl has oftentimes displayed a spirit of the wonderful and that she has repeatedly threatened to leave home. On one occasion it is said she was intercepted from joining a carnival company while showing here.

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