

The Semi-Weekly Democrat

VOL. XLIX

ALBANY, LINN COUNTY, OREGON, FRIDAY, OCTOBER 10, 1913.

No. 21.

SCHMITT FILES SUIT AGAINST COMPANY

Charges Oregon Title and Trust Co. with Failure to Carry Out Contract.

THE SALE OF LINN MONT ADDITION IS INVOLVED

Plaintiff Asks for Decree Requiring Defendants to Turn Over Contracts and Money.

Charging that the Oregon Title & Trust Co. has failed and neglected to advertise and properly push the sale of town lots in Linnmont Addition, that they have failed and neglected to make reports of sales or money collected as per an alleged agreement, Alfred C. Schmitt has filed suit in the circuit court against the company, for a decree declaring the contract terminated by reason of the failure of the defendants to perform their part.

According to the complaint the plaintiff and defendant entered into an agreement on October 6, 1910, whereby the defendants were appointed agents of the plaintiff for the purpose of disposing of a tract of land belonging to the plaintiff and known as Linnmont Addition, located just south of the city limits. That the plaintiff should pay, minus the commission, to the defendant, for the services of making sale of said land the sum of five per cent to be deducted from each payment made and ten per cent to be deducted in amounts equal to one-half of each payment on said lot until the said ten per cent on the price of the lot has been fully paid.

It was further agreed, according to the complaint, that the defendant should use all influence to sell the lots, collect all payments, make all deals and contracts, to pay for all advertising, sign all receipts, keep accurate records of all sales, deduct all commissions and make an accounting to the plaintiff on the first of each month.

ALBANY COLLEGE TO BE REPRESENTED BY TEAM

Work of Developing Football Team is Progressing Rapidly.

That the Albany College will be represented on the gridiron this year with a football team for the first time in several years, is indicated by the work now progressing for the development of a team, which has been under way for the past two weeks.

That the team will be made up of good material is the opinion of many enthusiasts. No big games will be played this year, as this year will be devoted to a revival of football in the institution. Games have been scheduled with teams of the inter-scholastic class.

The team is being coached by H. E. Whitney, an Albany business man, and Professor Hans Flo, of the college faculty. There are many candidates for the team, some old players, some from last year's crack high school team while others are new at the game. Those who are showing up good are: Hudzie, of the college's last year team, Bruce and Looney, of last year's high school team, Stewart, French and Dresser, men of experience and Cushman, Blair, Hunter and Naper, all new men.

Estate Accountings Filed.—Second semi-annual account in the estate of the late F. M. Gatta, and first semi-annual account in the estate of the late Mattie J. Hoke were filed this afternoon with County Clerk Marks. F. A. Eggerley and Sam Garland are executors.

Natal Commission Recorded.—Saturday afternoon E. R. Fox recorded his natal commission with County Clerk Marks.

News on This Page is from Daily Democrat.
MONDAY, OCTOBER 6.

FAST FOOTBALL TEAM WILL REPRESENT HIGH SCHOOL

Season To Be Opened Next Saturday With Game With High School Alumni.

Albany High School will be represented on the gridiron this year by the fastest team in its history, is the statement of Professor Lloyd Marquam, principal of the school, who is coaching the team. Mr. Marquam realizes that this is saying a good deal for the local high school has had several teams during the past few years that have made good records and has always been a strong contender for championship honors.

The season will be opened next Saturday in this city with a game with the alumni. A schedule has been arranged for games with Salem, Eugene, Lebanon, Corvallis, Brownsville and other places, including possibly a team of one of the Portland high schools. The team will play the O. A. C. "freshies" on October 25, in Albany. November 1 it will play Salem there, in Eugene on the eighth and here with Corvallis on Thanksgiving day.

Out of 20 to 25 lads turning out the following are making particularly good: Monteith, Archibald, Briggs, Hart, McKee, Ritchie, Rexford, Gloor, Leach, Beals, Campbell, Cleveland, Bass, Gildow, Looney and Davis.

HARRISBURG WILL VOTE ON LOCAL OPTION QUESTION

"Drys" Want Town to Be Restored to Its Former Order; Sweet Home to Vote.

Harrisburg is to vote on the local option liquor question this Fall, by virtue of a petition filed this morning with County Clerk Marks, asking for an election to determine whether intoxicants will be permitted to be sold there.

Harrisburg voted upon this question at the last election and the "wets" won while the town was dry. The coming election will be an effort on the part of the "drys" to defeat the "wets" and restore the town to its former order. Over ten per cent of the voters of that town are signers of the petition.

Two Linn county towns are to vote on this question. While Harrisburg is voting, with the town wet, Sweet Home will be voting with the town dry. A petition for an election at Sweet Home, to determine whether the sale of intoxicants will be permitted there was filed with the county clerk a few days ago.

CITY NEWS

"Rural Ladies Club" Met.—The Rural Ladies Club met the middle of last week with Mrs. Ella McFarland for their semi-monthly meeting. The rooms were beautifully decorated with ferns and cut flowers. On account of the Salem fair, there was only a small attendance. After a pleasant social time, the hostess served ice cream and wafers. Mrs. D. W. Shirley and Mrs. Frank Kapf, were honor guests.

Take long Motorcycle Trip.—Leaving Saturday afternoon, Bill Salisbury and Ed Peterson went to the Alsea country to intend to locate and inspect a homestead, with a view of filing on it. Incidentally they went well equipped to fish and hunt.

Services Held.—With a large congregation present, Rev. J. D. Cummins, the new pastor of the Episcopal church, conducted his first services yesterday morning. He also conducted services in the evening.

Get-to-Gether Meeting Postponed.—According to a statement made this morning by T. G. HockenSmith, chairman of the entertainment committee of the commercial club, the big get-to-gether meeting planned at the last meeting of the club, will not be held this evening as intended. Owing to the inability of the committee to prepare the details of the meeting and to the fact that many are out of town, are the reasons assigned.

The date has not yet been decided upon but it will be held sometime in the near future. An announcement will be made later.

Club Meeting Tonight.—The executive board of the Commercial club will meet tonight in regular weekly session. It is hoped that as large an attendance as possible will be had. All clubs are invited to attend.

Lebanon Pavement Completed.—According to a statement made this morning by a Warren Construction Co. employee, the paving of the main street of Lebanon was completed Saturday, and the company is planning to move most of the equipment to Astoria to complete paving operations there soon.

KING OF WOMEN HATERS IS FOUND

Chicago Man Confesses to Killing 14 Women Because He Didn't Like Them.

SPENCER ADMITS TAKING LIFE OF MILDRED REXROAT

Gloats over the Fact That He Has Taken So Many Lives. Gives Details to Police.

(By United Press Association)
Chicago, Oct. 6.—"Women, damn 'em, I hate 'em. I killed them just like one would swat a fly." This statement was made today by Henry Spencer, who according to his own confession, not only killed Mrs. Mildred Rexroat, a teacher of dancing, last week but murdered thirteen others during the past fourteen years. Spencer slept like a child last night. After breakfast he was questioned by Chief of Police McWeeny and Assistant State's Attorney Sullivan. He reiterated details of the murders he had committed and apparently showed no remorse. He gloats over the fact that most of his victims were women and asserted again that he hated the members of the female sex. The chief of Police believes that Spencer murdered at least four of the persons mentioned in his confession.

O. H. Cole, of Stayton, attended business matters here Saturday.

A. W. Morgan, of Toledo, was a week-end visitor here.

D. B. Smith, of Gates, transacted business here this morning.

George Looney, of Salem, attended business matters here Saturday.

John Marvin and wife, of Eugene, are guests at the Hotel Vandran.

CIRCUIT JUDGE GALLOWAY HOLDS COURT HERE TODAY

Grants Three Divorces and Passes Upon Many Other Matters.

Passing upon several orders and disposing of several cases, including divorces, Circuit Judge Galloway has been holding court here today and will continue intermittently during the rest of the week.

Three divorces were granted on the grounds of desertion. They were Chrisman against Chrisman, Kolb against Kolb and Watkins against Watkins. Attorneys S. H. Hetzel, Elmer Richardson and W. R. Bilyeu represented the plaintiffs in each of the cases respectively.

Judge Galloway entered an order overruling the motion in the case of the First National Bank against the Oregon Title & Trust Co. Various other matters of more or less importance were disposed of and many more matters are awaiting the disposition of the court during the week.

RHODES SCHOLARSHIP TESTS TO BE HELD HERE SOON

Examinations for Schooling at Oxford University to Be Held at Albany College.

Examinations to choose a representative from Oregon to Oxford University, under the Rhodes scholarship plan as established by Cecil Rhodes, will be held at Albany College on October 14 and 15. Six young men, it is expected will take the tests and representatives from the University of Oregon, Willamette University, McMinnville College, and Albany College, will compete.

Committee of selections consists of P. L. Campbell, president of the University of Oregon, chairman; Fletcher Homan, president of Willamette University; C. J. Bushnell, president of Pacific University; L. W. Riley, president of McMinnville College and H. M. Crooks, president of Albany College.

Directors to Meet.—The directors of the Albany Retail Merchants' Association will meet tomorrow noon at the St. Francis hotel for the purpose of making arrangements for a meeting later in the week.

POLICE CLASH WITH SUFFRAGETTES

Successor to Mrs. Pankhurst Lodged in Holloway Prison After Battle with Officers.

HUNDRED WOMEN BATTLE TO RESCUE MILLITANT LEADER

Police Hide in Wings of Theatre and Rush Upon Women While Making Radical Speech.

London, Oct. 6.—After a terrific fight between the police and Suffragette Annie Kenne, leader of the militant women during the absence of Mrs. Pankhurst, was locked up in the Holloway prison. She was scheduled to speak at a suffrage meeting at which it was expected she would map out a fresh program of militancy. Anticipating the plans of the suffragettes, Chief Inspector O'Brien and twenty policemen hid in the wings of the pavilion as Mrs. Kenne began to speak the policemen rushed to the platform and a pandemonium reigned for full five minutes. The suffragette leader tried and as he did so the suffragettes stormed the platform. Chairs were thrown at the officers and a hundred women and a few men rushed the police in an effort to rescue the militant leader. The police were mauled by the women's fists, were beaten by umbrellas and stabbed with darts. O'Brien's finger was badly bitten. After Annie Kennedy was taken to the curb she was placed in a taxi while hundreds of screaming suffragettes followed. They were soon outdistanced and the women were lodged in jail. Miss Kenne's clothing was torn off in the struggle at the pavilion and when she reached Holloway prison was clad only in her tattered underclothing.

ATHLETIC INSTRUCTOR FOR Y. M. C. A. HAS ARRIVED

H. J. Campbell and Family Arrived Saturday Night to Make Their Home Here.

Arriving Saturday night, H. J. Campbell, wife and three children are here from Emporia, Kan., to make their home, Mr. Campbell having been engaged as athletic instructor for the Y. M. C. A.

Mr. Campbell says he is favorably impressed with Albany thus far and already says he is here to stay. He will enter upon his duties immediately and by the middle of the week, expects to have the Y. M. C. A. gym fully organized. Regular class exercises and other athletic activities will be conducted by the instructor and it is the plan to make the gym one of the liveliest and most interesting places in the city, under the direction of Mr. Campbell.

Aside from having experience in instructing in gymnastics, Mr. Campbell has had considerable experience in coaching basketball teams. There is a probability that he may be engaged to coach the teams of the high school and college.

FORESTS OF LINN COUNTY HAVE SUFFERED NO LOSS

Thorough System of Patrolling Timbers Keeps Flames Out of Districts.

That for the first time in the history of Linn county a summer has ended without a destructive forest fire, was the statement of John Marrs, of Lacomb, chief fire warden of the county, who declared that not a single acre of green timber was burned in the county during the past year.

Warden Marrs says that only two forest fires started in Linn county during the summer and that both were confined to dead timber and brush, in the hills southeast of Mill City. He attributes this record to a thorough system of patrolling the timber and warning all hunters and campers to extinguish fires carefully. A system of trails and telephone lines has been developed whereby prompt warning can be given in case of a fire and preparations made to fight it at once, is responsible for the decrease in loss to the forests, says Mr. Marrs.

FLOOD CONDITIONS WORSE IN TEXAS.

(By United Press Association)
Austin, Tex., Oct. 6.—Flood conditions along the lower Rio Grande are growing steadily worse. The Rio Grande in many places is over its banks, and a great deal of damage is reported. Matamoros, Mexico, is inundated in water from two to six feet deep.

BITS OF NEWS FROM CRABTREE AND VICINITY

Crabtree is proud of its better show.

Berkeley Riley of Portland is attending the Crabtree school.

This section of the country has been in good roads and several teams are busy hauling gravel.

Mrs. Gilbey left her home today for the Brownsville-Lebanon train and in it was her watch.

ALBANY MAN HAS COPY OF OLD NEWSPAPER

C. G. Rawlings Has Print of the Boston Gazette Published in March 1770.

C. G. Rawlings has a copy of a newspaper which is believed to date back to the oldest publications of the country and the copy he has is thought to be the only print in existence. It is yellow with age, shows the old time style of type, system of paper makeup and advertisements and contains articles of happenings of early days.

It is a copy of the Boston Gazette and Country Journal, of Monday, March 12, 1770, published six years before the signing of the Declaration of Independence. It is a small four page paper with three wide columns on each page.

Mr. Rawlings received the paper through the courtesy of an aunt, who resides in New York City. She found it in a house in which she is residing and sent it to Mr. Rawlings, as a curiosity.

It contains an interesting account of the destructive consequences of quartering troops at Boston in time of peace, upon the pretense of supporting the laws and aiding civil authority. According to the article some dispute came up, which resulted in an open fight in which several people were killed. The article airs the whole episode in an extremely plain and frank fashion.

ONE MAN HUNG JURY FOR NINE HOURS

W. H. Bowman, Holding for Conviction, Held Up Jury of Six.

TRIED CASE OF OREGON AGAINST GEORGE BLACK

Defendant Was Charged With Shooting Quail Out of Season.

Holding for conviction as charged, one man hung the jury of six for over nine hours, in the case of Oregon against George Black, charged with shooting quail out of season.

After deliberating from 2:30 Saturday afternoon until shortly before midnight, the jury was called on by Justice Swan and discharged, having failed to reach a verdict. After deliberating for that period it appeared that the jury was approaching Sabbath, the action of Justice Swan was prompted by the fact that he could not discharge a jury on Sunday. Date of the next trial has not been decided.

Black was arraigned in court Saturday morning for trial and the taking of testimony in the case was completed at 2:30 o'clock. Many witnesses were called and the case was hotly contested. Shortly after 2:30 o'clock the jury was excused.

Members of the Jury were B. J. Tucker, W. H. Bowman, W. H. Palm, Dr. Joseph Myers, E. L. McDaniels and E. E. Schultz. Attorneys in the case were Deputy District Attorney Dan Johnston and Charles H. Gloss, of Corvallis.

It was said that throughout the deliberations of the jury the ballot stood 5 to 1 for acquittal. All of the members of the jury, it is said, admitted the guilt of the defendant, but those holding for acquittal, it is claimed, maintained that the case was the result of a family quarrel and denounced a law that would punish a man for shooting a bob white. W. H. Bowman was the juror who stood conviction and is accredited with saying that if a man is guilty of violation of a law, he should be punished accordingly.

HIGH SCHOOL STUDENT BODY OFFICERS ELECTED

Orville Monteith Will Head Organization; Freshmen Reception to Be Held Friday.

Orville Monteith, a senior and captain of the football team was elected president of the Albany High School student body at the annual election held this morning. Other officers are as follows: Vice president, Raymond Archibald, secretary, Nellie Snyder, treasurer, Archie Leach. All the rest of the officers are seniors with the exception of Miss Snyder, who is a junior.

Election of officers for the athletic association will be held this afternoon at 3:40 o'clock, just prior to the closing of school.

The student body also elected two members of the Whirlwind staff, the high school paper, as required by the constitution of the student body organization. They were a business manager and a subscription manager. Two seniors, Belle Thompson and Delmer Gildow, were respectively elected. The latter is also president of the senior class.

Miles McKee has been chosen editor-in-chief of the Whirlwind by the faculty and sometime this week, the present members of the staff will get together and select the rest of the members of their staff with the exception of class editors who are elected by the various classes. The senior class has already elected officers and the other classes will hold elections during the coming week.

On next Friday evening in the auditorium of the high school the annual reception to the freshmen will be held. Members of all three of the upper classes will act as hosts on this occasion. This was decided at the meeting of the student body this morning. A program is to be arranged and refreshments will be served.

Mr. and Mrs. J. F. Powers of Portland were registered at the Haney today. Mr. Powers is a furniture man of the Rose City and paid a fine tribute to Mr. Hummel on the new hotel building. He said it was a big credit to Albany.

Rev. J. T. Sharp returned this morning from Shield where he conducted Sunday services.