The Semi-Weekly Democrat

WM. H. HORNIBROOK,
Editor and Publisher

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FRIDAY, OCTOBER 31, 1913.

From Yuba Dam to Yonkers the man of backbone conquers, where spineless critters fail; all obstacles o'ercoming, he goes along a'humming, and gathers fame and kale. No ghosts of failure haunt him, no grissly boggies daunt him or make his spirits low; you'll find him scratching gravel wherever you may travel; from Butte to Broken Bow. From Winniped to Worcester you'll see this cheerful rooster, this model to all men; undaunted by reverses he wastes no time in curses, but digs right in again. His face is always shining though others be repining; you cannot keep him down; his trail is always smoking while cheaper men are croaking about the old dead town. From Humboldt to Hoboken he leaves his sign and token in buildings high and grand; in factories that flourish, in industries that nourish a tired anaemic land. He brings the work to toilers and fills with bread and broilers their trusty dinner pails; he keeps the ripsaw ripping, the big triphammers tripping, the workman driving nails. All honor to his noblets! We drink to him in goblets of grapejuice rich and red—the man of spine and gizzard who hustles like a blizzard and simply won't be dead!—Walt Mason.

A "knocker" should be treated with more Christian charity. He suffers from acute liver trouble and needs calomal instead of censure.

When boiled down and stripped of falsehood, social success means the ability to make people believe that you are pleased when in fact you're bored.

There is nothingunder the sun more mournful than the old fashioned organ or the modern piano when the latter is punished by an unskilled musician.

The difference between a burglar and the fellow who is trying to break into society is that the burglar usually gets something after he gets in.

What's this city election about, anyway?

Strange how the other fellow always happens to choose the easiest vocation in life.

Some of these long-winded banquet speakers ought to be recalled.

The Democrat congratulates Mr. Pankhurst. He is dead.

WORKMEN'S COMPENSATION ACT.

Here are a few arguments advanced by the friends of the Workmen's Compensation act:

Number One: A careful examination of the statistics of the twelve largest liability companies for the last two years obtainable, viz: 1910 and 1911, reveals the fact that only 43.9 per cent of the premiums paid went to the injured.

Number Two: This 43.9 per cent is paid grudgingly and every obstacle is placed in the way of an injured workman seeking just redress. Usually the burden is placed on him of taking the rich liability company into court.

Number Three: When the injured workman has paid the lawyer and other costs, it is a certainty that not more than half this 43.9 per cent is left. In other words, probably not more than 20 percent of the total premiums is actually going for the relief of the injured.

Number Four: The remaining 56.1 per cent of the premiums is eaten up in expenses and profits. Instead of going to help the injured, it goes to swell the coffers of the insurance companies. As a general rule, liability companies pay handsome dividends.

Number Five: The employer of labor would like to see the whole of the premium he pays go to the injured. Under the present system he is helpless and to protect himself he has to accept any terms the insurance companies offer him.

Number Six: Every workingman who, in the course of his regular employment is injured, is entitled to receive compensation.

Number Seven: The Workmen's Compensation Law proposes that workmen who are injured in the course of their employment shall automatically, and as a matter of right, receive adequate compensation without interference or intervention of lawyers or courts.

Number Eight: The total cost of administering the law in Washington during the first year of its operation was under 10 per cent of the total premiums. It will be less this year.

Number Nine: It is an indefensible, economic waste to spend fifty-six per cent of the gross income of a business when experience proves better results can be obtained by the expenditure of less than ten per cent of the gross income.

Number Ten: With the passage of the Workmen's Compensation Law, the employer knows that all the money he pays is going for the relief of the injured; the workman knows, in the event of injury he and his dependants are immediately provided for; the citizen knows that the poverty which often accompanies disability or death will be relieved. The workmen's Compensation Law will work a grave hardship on the casualty companies and on the accidental lawyers.

No. 211.

REPORT OF THE CONDITION of the BANK OF SHEDD

at Shedd in the State of Oregon, at the close of business October 21, 1913

Resources.

Loans and discounts	$17,295.00
Overdrafts, secured and unsecured	1.85
Bonds and warrants	14,827.50
Banking house	2,960.78
Furniture and fixtures	2,256.68
Due from approved reserve banks	10,165.26
Checks and other cash items	159.65
Cash on hand	3,149.47
Expenses	1,099.99
Other resources	8.37
Total	$60,924.45

Liabilities.

Capital stock paid in	$15,000.00
Surplus fund	750.00
Undivided profits, less expenses and taxes paid	399.65
Individual deposits subject to check	41,283.36
Demand certificates of deposit	994.46
Cashier checks outstanding	40.00
Time certificates of deposit	2,456.98
Total	$60,924.45

State of Oregon ( )ss.
County of Linn (

I, W. M. Beals, Jr., cashier of the above named bank, do solemnly swear that the above statement is true to the best of my knowledge and belief.

W. M. BEALS, JR.
Cashier.

Subscribed and sworn to before me this 28 day of October, 1913.

C. J. SHEDD,
Justice of the Peace.

Correct—Attest:

S. S. MYERS,
W. D. PORTER,
Directors.

SUMMONS

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

Forest G. Davis, Plaintiff,
vs.
Miles Tetherow and A. B. Tetherow, his wife, Omer Tetherow and C. D. Tetherow, his wife, Anna Wier and John Wier, her husband, Effie Pierce and E. F. Pierce, her husband and Clyde Tetherow, unmarried, Defendants.

To Effie Pierce, E. F. Pierce, Clyde Tetherow, Anna Wier and John Wier, the above named defendants.

In the name of the State of Oregon: You are hereby required to appear and answer the complaint of the above named plaintiff in the above entitled court now on file with the Clerk of said Court on or before the 12th day of Dec. 1913, and you are notified that if you fail to appear and answer said complaint as hereby required, the plaintiff will apply to the court for the relief demanded in said complaint, to-wit:

That plaintiff's title to the following described real property stand:

Beginning at the south boundary line and W. 40 Chs. distant from the S. E. corner of the D. L. C. of Jesse W. Pugh and wife same being Not. 3040 and Claim No. 45 in Tp. 12 S. R. 3 W. of the Will. Mer. Oregon, and running thence E. along said boundary line 10.84 chs. thence S. 18.42 chs., thence W. 14.67 chs., thence N. 16.94 chs., thence E. 3.83 chs., to a point due S. of the place of beginning, thence N. 1.48 chs. to the place of beginning, containing 26.30 acres, be more and being in the County of Linn, State of Oregon, be forever quieted and that without be decreed the said defendants and persons in for simple, free from the claim of the defendants and each of them and that each and all of the defendants be perpetually enjoined and debarred from hereafter asserting any claim or lien, in or to said premises or any part thereof and for such other, further and general relief as to equity may seem meet in the premises.

This summons is served on you by publication in the Semi-Weekly Democrat by order of the Honorable D. B. McKnight, County Judge of Linn County, Oregon, made the 29th day of Oct. 1913.

The date of the first publication is the 31st day of Oct. 1913, and the date of the last publication is the 12th day of Dec. 1913.

L. G. LEWELLING,
Attorney for Plaintiff.
o31 n7-14-21-28 D5-12

Notice of Road Meting.

Notice is hereby given by the undersigned, resident tax payers of Road District No. one of Linn County, Oregon, being more than ten per cent of the tax payers of said Road District, that a meeting of the tax payers of said Road District will be held at Lemke Store at Ninth and Elm St. in said Road District on Saturday, the 29 day of November, 1913, at the hour of 2 o'clock in the afternoon of said day, for the purpose of levying such additional tax on all the taxable property in said road district as may be deemed advisable by the majority of such tax payers at such meeting to improve the roads of said Road District.

This notice isposted this 28 day of October, 1913. o31 n7-14-21-28

Referee's Notice.

Notice is hereby given that the undersigned was by an order of the Circuit Court of the State of Oregon for Linn County, Department No. 2, in that certain suit wherein Mary E. Wilson and G. W. Wilson, her husband, F. B. Powell and S. M. Powell, were plaintiff and Martha Marrs and John Marrs, her husband, Horace M. Propst and Jane Doe Propst, his wife, Alvis L. Proust and Mary Roe Proost, his wife, Nina P. Proost and Dale D. Propst, were defendants, duly made and entered of record on the 23rd day of October, 1913, appointed sole referee to make sale of the following described real property, to-wit: Beginning at a point 5 chains west of the northeast corner of the Donation Land Claim of Samuel Simpson, Not. No. 1862, in Township No. 11 South, Range No. 1 West of the Willamette Meridian, Oregon, same being the northeast corner of the tract of land set apart to Rebecca Powell by decree of the Circuit Court of the State of Oregon for Linn County, made and entered on the 16th day of November, 1904, and running thence west 120 rods; thence south 66 2-3 rods, thence east 120 rods, thence north 62 2-3 rods to the place of beginning, containing 50 acres, more or less, in Linn County, Oregon.

Now Therefore, in in pursuance of said order and of the Statute in such cases made and provided, I will on Saturday, the 29th day of November, 1913 at one o'clock p. m., of said day, at the front door of the Court house in the City of Albany, Oregon, sell at public auction, to the highest bidder for cash in hand, all the right, title, interest and claim of the parties, plaintiffs and defendants, in and to the real property above described.

Dated this 27th day of October, 1913.

M. V. WEATHERFORD,
Sole Referee.
o31 n7-14-21-28

SUMMONS

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

Bertha Wapas, Plaintiff,
vs.
Frank Wapas, Defendant.

To Frank Wapas, the above named defendant:

In the name of the State of Oregon: You are hereby required to appear in the above Court to answer the Complaint of plaintiff, filed against you in this cause, on or before the 13th day of December, 1913. The date of the first publication of this summons is October 31st, 1913, and the last day of publication is December 12th, 1913; and you are notified that if you fail to appearand answer the Complaint in this suit as herein required the plaintiff will take a decree against you for the relief prayed for in said Complaint, To-Wit: for a decree of said Court dissolving and annulling the marriage contract now existing between you, said defendant, and the said plaintiff.

This summons is published by order of Hon. D. B. McKnight, County Judge of the County of Linn, State of Oregon, made and dated at Albany in said County, October 27th, 1913.

McFADDEN & CLARK
Attorneys for Plaintiff.

Date of first publication to be October 31st, 1913.

Date of last publication to be Dec. 12th, 1913. o31 n7-14-21-28 d5-12

Referee's Notice.

Notice is hereby given that the undersigned, was by an order of the Circuit Court of the State of Oregon for Linn County, in Department No. 2 in that certain suit wherein Andrew Shearer was plaintiff and Ida Pugh, P. P. Van Fleet and Mary Elva Van Fleet, his wife, George W. Huffman, a minor, Emma Junkin and David Junkin, her husband, Mary A. Wright, James A. Pugh and Charlotte E. Pugh, his wife, Annie E. Kendall and M. Kendall, her husband, Ada Jackson and Henry Jackson, her husband, Omer Tetherow and C. D Tetherow, his wife, Miles Tetherow and A. B. Tetherow his wife, Clyde Tetherow, Anna Wier and John Wier, her husband, Effie Pierce and F. Pierce, her husband, and M. A. Shough, were defendants, duly made and entered of record on the 30 day of July, 1913, appointed referee to make sale of premises hereinafter described, to-wit:

Beginning at a point which is north 871 chains distant from the southwest corner of the Donation Land Claim of Jesse W. Pugh and wife, Not. No. 3040, Claim No. 45, in Tp. 12 South, Range 4 West of the Willamette Meridian, Oregon, and running thence north 3.38 chains; thence east 26.30 chains; thence south 3.35 chains; thence west 26.39 chains, to the place of beginning, containing 8.88 acres, more or less, in Linn county, Oregon.

Now Therefore, in pursuance of said order and the Statute in such cases made and provided, I will on Saturday the 15th day of November, 1913, at one o'clock p. m. of said day, 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 real property above described.

Dated this 10th day of October, 1913.

J. F. YATES,
Sole Referee.
o17-24-31 n7-14

C. B. SMITH HAS BEEN CAPTURED

Jail Breaker, Who Sawed Way Out and Bad Check Artist Recaptured at Frisco.

CHIEF OF POLICE WHITE NOTIFIES SHERIFF BODINE

Smith Broke Out of Jail Week Ago in Company with Charles Davidson.

According to word received here yesterday afternoon by Sheriff Bodine from Chief of Police B. A. White, of San Francisco, Charles B. Smith, who sawed his way out of the county jail and who escaped in company with Charles Davidson on the 20th, has been captured in that city.

Sheriff Bodine has had detectives on the trails of the fugitives since their escape and has spread the news broadcast. He has entered a request for requisition papers and left this afternoon for San Francisco.

Smith was being held here in the county jail in default of bonds, awaiting the action of the grand jury, on a charge of securing credit through a bank book showing a deposit. When the merchants, to whom he had tendered checks, attempted to cash them, it was found that Smith had no funds. Smith, it is claimed, operated extensively throughout the state, and Eugene and Albany were the scenes of his latest operations, which resulted in his arrest at Woodburn sometime ago, after he attempted to elude the police by a thrilling automobile ride from Albany.

CITY NEWS.

Eugene Still Leads.—Eugene Y. M. C. A. now has 2136 points chalked up to its credit in the membership contest with the Salem and the Albany associations. Both of the latter have been slow in reporting for some unknown reason and the time has been extended to Nov. 1. All new members taken up to this time will count in the contest. The local association is still working hard despite their apparent safe lead as it is not known what the other towns may spring in the shape of surprises.—Guard.

Returned From California. — Returning home Sunday night, Mr. and Mrs. G. W. Pennebaker, have visited in California during the past five weeks. They visited the Portola at San Francisco, and the Watsonville Apple Fair and the California Land Show. They also visited various orange groves and vineyards. They report a most enjoyable sojourn.

Funeral Held Today.—The funeral of Mrs. Dudley Gibson who died in Salem Saturday morning was held in Salem this morning and the remains were brought here this afternoon for burial in the city cemetery.

Marriage Licenses Issued.—Yesterday and today the following were issued marriage licenses: Roy A. Tyeer, age 21, Clare M. Finley, age 21, both of Brownsville, and Lawrence B. Thompson, age 29, Sweet Home, Frankie Philpott, age 22, Holley.

Attended Meeting of Typhographical Union.—Alva Beeson, a linotype operator of the Democrat, returned last night from Salem where he attended the 25th anniversary of the organization of the Salem Typographical Union. The anniversary was celebrated Sunday evening with a banquet at the Oregonian grill in Salem. Scores of printers were in attendance and a great session was held. Mr. Beeson visited friends and relatives at Canby before returning home.

Guardian's Sale.

Notice is hereby given that the undersigned guardian of Herthel Hoflich, a minor, will, pursuant to the order of the county court of Linn County, Oregon, duly made and entered in the matter of the guardianship of said minor on the 27th day of September, 1913, sell at private sale for cash in hand from and after the 1st day of November, 1913, the following described real property belonging to the estate of said minor, to-wit:

Beginning at a point in the center of a county road on the South boundary line of Perry Watson's Donation Land Claim No. 63 in Township 11 South of Range 4 West of the Willamette Meridian, Oregon, which point is 63 chains East of where the section line between Sections 26 and 27 intersects said south boundary line of said Claim No. 63 and running thence East 25.26 chains; thence South 3 chains; thence West 25.26 chains to the center of said county road; thence South 10 degrees West 2.85 chains; thence West 6.35 chains; thence North to the South boundary line of said Claim No. 63; thence East along said South boundary line, to the place of beginning containing 27.5 acres more or less all lying and being in Linn County, State of Oregon.

Said sale to be made subject to confirmation by said county court.

MABEL H. HUITER,
Guardian.

L. G. LEWELLING,
Attorney for Guardian.
O3-10-17-24 31

JUDGE DUNCAN DECLINES TO RUN FOR MAYOR

Gives Out Formal Statement to Democrat Stating Position in Regard to Candidacy.

That Judge Duncan will not be a candidate for the office of mayor became known today when he issued a formal statement to the Democrat declining to enter the race.

As stated in yesterday's Democrat, petitions had been prepared and were being circulated on behalf of the former county judge. It was understood that the judge had agreed to run but it now develops that he had not given his formal consent to the proposition.

The statement issued is as follows:

Editor Democrat:—Referring to your item in last night's Democrat stating that the undersigned had become a candidate for the office of mayor of this city for the coming election. I am sorry this impression got out.

As stated to a number of friends who spoke to me about becoming a candidate, I had made plans for the coming year that would prevent my giving the time and careful attention to the office in case of election that I felt this place should have.

Possibly I should have been more positive but thought I made it plain that I could not serve as much as I appreciate the confidence reposed in me by them. I will have to decline.

J. N. DUNCAN.

LARGE CLASS INITIATED IN KNIGHTS OF PYTHIAS

Most Enjoyable Session Held; Lebanon and Corvallis Brothers Visited.

In the presence of 65 members of the Knights of Pythias, including members of the local lodge, the Lebanon and Corvallis lodges, twelve candidates were initiated into the rank of esquire last night. Ten of the candidates were of Albany and two were of Corvallis. This is perhaps the largest class that has been received into this rank in the local lodge since its organization. The ceremonies were most impressive and were splendidly solemnized by the officers of the local lodge.

Included among the visitors were many prominent men of Corvallis and Lebanon, and the members of the local lodge were the recipients of many flattering comments by them, as to the way the work of the lodge was carried on and the progress now being made by the Knights of Albany, referring to the magnificent new temple now under course of construction at Lyon and Third streets.

After the business session of the lodge a splendid lunch was served, during which a general social session resulted. It was not until a late hour that the session adjourned. The Corvallisites came over in an auto track, and extended a most hearty invitation to the Albany Knights to visit them at an early date.

Work on Car Track Progressing.—Work of laying cement between the car tracks is progressing rapidly. At present the work is practically completed to Fourth street, with only two more blocks to finish. When the work is completed the track bed will be very substantial.

Albany Hotel Man at Salem.—J. C. Hammel, proprietor of the new Hammel hotel at Albany, was in the city Saturday on business. He returned to Albany late Saturday evening.—Statesman.

Died in Portland.—U. B. Dolan, of Portland, a brother of Samuel Dolan, a member of the O. A. C. faculty, died of Brights disease Saturday at his home, 208 East Clay street. Mr. Dolan was about 31 years of age, and besides his brother here leaves a widow, one son and three sisters to mourn his early demise. Prof. Dolan went to Portland to attend his brother's funeral. The deceased was a brother of Mrs. Eagles of this city.

Summons.

Oregon for the County of Linn.
Cora Stiles, Plaintiff,
vs.
Fred M. Stiles, Defendant.

To Fred M. Stiles, the above named Defendant, in the name of the State of Oregon you are hereby required to appear and answer the Complaint of Plaintiff filed with the Clerk of the above entitled Court against you on or before the first day of November, 1913, and if you fail to so appear and answer said Complaint for want thereof, the Plaintiff will apply to the court for the relief demanded in the Complaint, to-wit: For a decree of the Court disolving the bonds of matrimony now existing between Plaintiff and Defendant and for further decree changing Plaintiff's name from Cora Stiles to Cora Best, and for a judgment against the defendant for the costs and disbursements of this suit.

This summons is served by publication upon you by order of the Hon. D. B. McKnight, made on the 16 day of September, 1913, which said order requires a first publication to be made on the 19th day of September, 1913, and the last publication to be made on the 30th day of October, 1913, and that you appear and answer on or before the 1st day of November, 1913.

WEATHERFORD & WEATHERFORD,
Attorneys for Plaintiff.
s19-26-O3-10-17-24-31

CLAIMS PARTNER TOOK BUSINESS

Rudolph Orth Charges That S. Prichard Deprived Him of Interest in Concern.

THEN IT IS CLAIMED HE SOLD IT TO ANOTHER

Wants Accounting Taken and Order to Collect Residue, Alleged Due Him.

That S. Prichard took exclusive possession of property, owned and conducted on a co-partnership basis with him, took possession of the books and accounts and prevented him from having anything to do with the business, is the substance of a case that is being tried before Circuit Judge Galloway.

And that the said S. Prichard sold the plaintiff's interest to one F. A. Pietrok, after a period during which Prichard conducted the business without the say of the plaintiff, is another allegation made in the complaint.

Virtually charging the defendants with swindling him of his interest in the property, Rudolph Orth, is the plaintiff in the case against Prichard and Pietrok, in which he is seeking a decree for an accounting to be taken, restraining the defendants from disposing of the property and for the collection of the residue he alleges is due him.

In February 1910 Orth and Victor Small, as set up in the complaint, entered into a co-partnership for the purpose of erecting a saw mill and engaging in a general logging and milling business. In May, 1910 they purchased machinery and erected a structure near Lyons. The business was continued until July, 1910 when Orth's partner sold his interest to S. Prichard. The business was then conducted until May, 1911 when, it is alleged, Prichard took possession of the business and deprived Orth of his right in the concern. Later, it is claimed, the defendant sold the latter's interest, to Pietrok, and it is alleged that the sum of $3000 was received.

Judge Galloway took the case of Houston against Greener, which was tried yesterday, under advisement.

One of Hammel's Latest. — "Did you hear about the accident at Astoria this morning," asked J. C. Hammel, manager of the Hotel Hammel, this afternoon. "No, what about it?" was the inevitable bite, when "Reddy" is springing a joke. "The wind blew up the Columbia river," replied Hammel as he turned and walked hurriedly away. Everybody has been biting on that joke today.

Police Looking for Stolen Auto.—The police today have been looking for a stolen automobile, which is said to have been taken yesterday or the day before from a garage in that city. The authorities at Salem have sent the news of the theft to all of the valley police. The car is described as a 1911 fore dore Cadillac, number 33982 Oregon license number 1310.

Died at Knox Butte.—Mrs. Viola Idelia Cornett died this morning at her home near Knox Butte at the age of 50 years. The deceased was born in Oregon, February 23, 1863. Arrangements for the funeral have not been made yet but announcement will be made later.

News on This Page is From Daily Issue of TUESDAY, OCTOBER 28.

Notice of Final Settlement.

Notice is hereby given that the undersigned Executrix of the last Will and Testament of W. H. Kaltrider, deceased, has filed her final account as such Executrix of said Estate, with the County Clerk of Linn County, Oregon; and the Judge of the County Court for Linn County, Oregon, has fixed November 3rd at the hour of 10 o'clock a. m., for the hearing of objection of said Estate if any, and further settlement of said Estate.

Dated this the 25th day of September, 1913.

LOLA M. SHAW,
Executrix of said Estate.
WEATHERFORD & WEATHERFORD,
Attorneys for Estate.
O 3-10-17-24

Notice of Guardian's Sale.

Notice is hereby given that pursuant to an order of sale made and entered by the County Court of Linn County, Oregon, in the matter of the guardianship of Aura Anderson, a minor, on the 29th day of September, 1913, the undersigned guardian of said minor, will from and after the first day of November, 1913, sell, at private sale for cash in hand, all the right, title and interest of said minor in and to the following described real property, to-wit: The Southwest quarter of the Southeast quarter of Section 29, in Township 9 South, Range 4 East of the Willamette Meridian, in Linn County, Oregon, containing 40 acres, said sale to be made subject to confirmation of said court.

H. H. HEWITT,
Guardian.
o 3-10-17-24 31