

LIQUOR ELECTION TO BE CONTESTED

Harrisburg Saloon Man Brings Injunction Suit Against Linn County.

CLAIMS THAT ELECTION WAS ILLEGALLY HELD

Wants County and City Officers Restrained from Declaring City "Dry".

Continued from Friday, Nov. 14.

Alleging that the local option election held November 4 at Harrisburg was illegal, W. B. Holman, a saloon-keeper of that city, has filed an injunction suit in the circuit court against the county and city of Harrisburg, to restrain any attempt to enforce any result arising out of the election.

The defendants named in the complaint are D. B. McKnight, county judge; O. H. Russell and T. J. Butler, county commissioners; O. B. Long, mayor of Harrisburg, and Jake Marguth, R. L. Weatherford, R. W. Wright, Vivian Cartwright, R. H. Sherrill, and McMahon, constituting the city council of that municipality.

According to the complaint, a pretended election was held in that city on November 4 last to determine whether intoxicating liquor should be sold within the city and that the election is illegal and of no force and effect whatever for the reasons that it was not held at any general election authorized by the state laws, that no petition was presented to the city council or proper authorities, that no notice of such election was ever given by the proper officers of the city, that the city did not make an order that the same should be held, that no judges or clerks or other officers for the election were appointed by the proper officers of the city.

For further reason the plaintiff alleges that the election was a state affair and was a special election for the express purpose of enabling the people of the state to vote upon certain measures. It is set up that the Home Rule bill amended the first local option law to the effect that each municipality had the right to determine for itself whether liquor should be sold. For this reason, it is alleged, that the county court or the state had no legal right to call the election.

It is also alleged that the judges and clerks were appointed by the county under the special election ordered by the legislature and that they had no authority to act by the city of Harrisburg in the local option election. It is claimed that the judges and clerks were appointed for North and South Harrisburg precincts and that they embraced territory within and without the city limits. It is set up that there is only one polling place in the city. The plaintiff claims that he has about \$5000 invested in his business and that unless the county court is restrained from declaring Harrisburg dry, all of his property will become worthless. Attorneys A. C. Woodcock and G. O. Holman represent the plaintiff. The former resides at Eugene and the latter at Dallas.

NEWS NOTES FROM CRABTREE AND COUNTRY ABOUT

Crabtree, Or., Nov. 13.—(Special to Democrat.)—Mark A. Freeman, one of Crabtree's merchants and D. Wm. Hatch, transacted business in Albany Saturday.

S. B. Alexander is tearing away the old building preparatory to the erection of the new hardware store.

Mr. and Mrs. Creswell are occupying the house vacated by the Conditis this spring. Mrs. Creswell arrived Friday evening, accompanied by her mother.

It is desired to be stated for the benefit of those who understood that the Halloween party was given by the school, that they were misinformed. The Library Society planned the party, furnished the entertainment and refreshments and were also responsible for the dance which followed. The library is composed almost wholly of members outside of the school. The new house of Geo. H. Smith near Gilkey crossing, is nearing completion. Mrs. Chas. Pierce of St. John's is

SAYS LAND OFFICE HAS ACCEPTED TOWNSHIP SURVEY

E. C. Webber, One of 70 Homesteaders in Section of Linn Praises Land.

That the land office at Washington has accepted the survey of township 12 south of range 4 east of the W. M., was the statement made this morning by Edward G. Weber, who said that he was told this in Portland.

Mr. Weber was in the city enroute from Portland, where he had been attending business matters, to his claim located in that township, 10 miles northeast of Whitcomb. He left this noon for Lebanon and from there will proceed to his home.

"I am one of the 70 homesteaders who settled in that township two years ago," said Mr. Weber. "I have been in Portland on business for the past 10 days and while there I was told that the survey of the township was accepted on October 29 by the land office at Washington. The settlers have lived on their claims for two years and have built good log houses and about 15 miles of trails, besides bridging the creeks. Many have cultivated fine gardens and everyone is busy clearing land and complying with the homestead laws.

Mr. Weber displayed a picture of a splendid log cabin, showing considerable cleared land. It was a picture of his home. When he came down 10 days ago he brought fine specimens of potatoes, turnips and other vegetables that showed how the land yields. Mr. Weber said he has set out a patch of strawberries and expects a good crop next year.

SCOTT RELATES VISIT TO SAND RIDGE GRANGE

Says Fair and Basket Dinner Will Be Held There in December.

On last Saturday myself and wife visited Sand Ridge Grange where we found a good attendance and a very busy day's work before them.

Nine applicants were elected to receive the first four degrees of the order and three more applications were received and referred to the committee.

This occupied the time until the dinner hour arrived, when a recess was taken and all were invited to the hall where a fine repast was awaiting our arrival. All being seated a half hour was spent in eating and discussing the good things set before us.

Afternoon session called to order by the master, Perry Parker, who asked a visiting member to preside during the time of conferring the degrees. A class of nine, consisting of five men and four women were instructed in the mysteries of the first two degrees. County Deputy, A. C. Miller, then gave a short address followed by others, expressing their surprise and pleasure at finding this grange in such a flourishing condition. Visitors were present from Western Star and Tangent granges.

Their next meeting will be held the second Saturday in December which will have the four degrees to confer and the regular election of officers for the ensuing year will take place, besides other business.

Sand Ridge grange will hold a fair on Saturday, Nov. 15, to which all are cordially invited to come and bring things which they have to help the fair along. The fair will open before noon, and at 12 o'clock a basket dinner will be served, furnished by those who attend. No doubt this will be a pleasant affair and is something which other granges should take up as it would cause many people to take more interest in farming and gardening. J. H. SCOTT.

Mrs. R. E. Dawson returned last night from Eugene where she attended the 26th annual convention of the Degree of Honor.

Show Troupes Stopping at Hammel.—Several members of the Sis Perkins company and the Dixie Quintette are stopping at the Hotel Hammel. The former company appears at the Bligh theater this evening and the latter will appear at the First Christian church this evening as the second number of the Y. M. C. A. lecture course.

making an extended visit at the home of her parents, Mr. and Mrs. Miller. Members of the Literary met at the school house and parts were assigned for two plays which will compose, largely, the program which the society is preparing to give in the near future.

AGGIES EXPECT HARDER GAME WITH PULLMAN

Great Contest Will Take Place at Corvallis Saturday Afternoon.

O. A. C., Corvallis, Or., (Special to Democrat.)—Football talk on the campus is divided between the game at Albany and the coming contest with Washington State College here next Saturday. Dr. Stewart and Carl Wolff, the coaches, believe that Pullman will be a harder nut to crack than was Oregon. It was the individual work of Cornell and Parsons that enabled Bezedek's team to tie the score and not team work, while Pullman has a heavy and fast aggregation whose team work has been developed slowly but surely as its improvement over its first game, when Idaho won by a 3 to 0 score, showed in its contest with Whitman last Saturday. Pullman won 23 to 0.

Local football experts are discussing points of the Albany game that escaped the average spectator's eye and have called attention to the stellar work of Anderson, of Albany, at center. This is his first year on the varsity team and he has been playing center but a few weeks, yet he more than stood off his veteran opponent, Abraham is another Albany boy who is showing remarkably well and is fulfilling the predictions of those who saw his play when a member of the Albany High School team. He is already a strong player and another year under Dr. Stewart will make him a remarkable performer.

The showing made by O. A. C. last Saturday justifies the steadfast faith of the college students in Dr. Stewart. He is physical director and refused any additional compensation for coaching the team. He can talk training rules effectively because he practices them himself. He never drinks and never uses tobacco. He is a gentleman on and off the field and never needs to use profanity to give force to what he says.

The football team this year has been developed after a series of handicaps that can only be appreciated by those on the ground. The "bear" stories that have been sent out have been true stories. There were many reasons for Oregon being the favorite in the wagers made.

Everybody here expects a great game Saturday and there are few willing to predict the result. All realize that Washington state has a strong team and many, and those best versed, believe that if Debie is to be humbled this year it will be Bender's team that will do it.

E. J. Sweeney left last night for Jefferson.

George E. Sanders, manager of the Bell Telephone company, left this noon on a business trip to Halsey. He will return tonight.

H. S. Queche, of Elkhorn, is a business visitor in the city today. He is at the Vandrann.

Elmer Holmes, a well known business man of Baker, Or., is in the city today transacting business matters.

A. W. Williamson, of Corvallis, transacted business here this morning. He will return home this evening.

R. F. Gettris, of Siletz, is a visitor in the city. He is attending business matters and will return home today.

William Wiatt, a prominent resident of Mill City, transacted business here this morning, returning home this afternoon.

Pete O'Hara, of Sumpter, arrived in the city this morning to attend "business" matters. He will return home tomorrow.

C. B. Roth, of Route 4 was in the city today subscribing to the Democrat.

News Beginning With This Head Is From the Daily Issue of SATURDAY, NOV. 15, 1913.

"Death of Moses" Subject.—The subject to occupy the attention of all the local Sunday schools tomorrow will be "The Death of Moses." At 11:45 tomorrow morning at the Methodist Sunday school Miss Ora Harkness, the well known reader, will recite the piece entitled "The Burial of Moses."

G. Fleming, of Salem, was in the city yesterday attending business matters.

Mr. and Mrs. H. O. Pankhurst, of Independence, were in the city yesterday visiting friends. They returned home this afternoon.

F. P. Allen, of Eugene, is a business visitor in the city today.

P. H. James, of Salem, transacted business here this morning, returning home this noon.

O. P. Wigle and family, of Brownsville, were visitors in the city yesterday. They stopped at the St. Francis.

REBELS BADLY WHIP FEDERALS

Enter City Disguised As Federals and Overpower Garrison in Streets.

STEAL MARCH ON SLEEPING ENEMIES IN CITY JAUREZ

Rush from Three Sides; Establish Provisional Government.

(By United Press Association) El Paso, Nov. 15.—Reports confirming this morning's rumors of a fierce battle between the rebels and federals were received later. General Pancho Villa, at the head of 2500 rebels stormed and captured Juarez early today. The siege began at 2 p. m.

Federals Surprised.—The federals, taken completely by surprise and off their guard, fought fiercely in the streets but were routed by Villa's forces. Immediately at the end of the fight, General Villa authorized the United Press to announce that American life and property would be protected. One American, named Harrington, was killed by a stray bullet while in an automobile on the streets. While it is not as yet known, the casualties are believed to be light. Rumors are afloat that Villa will execute his prisoners, but this is not known.

Come Disguised as Federals.—The rebels arrived on a train disguised as federals. They detoured under cover of darkness, and appeared on the outskirts of three sides of the city. Wasting no time, they charged, firing briskly. Before Castro, the federal general, was able to organize his forces, the rebels had gained strong positions in the city. From 2 a. m. to 4 a. m. the battle raged with the rebels steadily forcing Castro back. At 4:30 the city was entirely in the hands of the victorious rebels.

Established Provisional Government.—General Pancho Villa immediately established a provisional government at 7 a. m. By 9:30 the city was quiet. During the course of the conflict hundreds of bullets whizzed high over El Paso, Texas, but no one was injured in the border city. General Scott took charge of the American border patrol and prevented all Americans from entering the danger zone.

150 Killed in Battle.—El Paso, Texas, Nov. 15.—Three Americans were killed in the fight which preceded the capture of Juarez. The body of one, C. G. Saggerson, has been identified. The federal garrison included about 1500 men, of these 900 escaped to the United States. The total casualties were placed 150 killed and 300 were wounded.

El Paso, Nov. 15.—Colonel, commander of the defeated federals, was not captured by the rebels. He was found at noon hiding under a bed in a room in the rear of a store in El Paso. He was turned over to General Scott, of the American border patrol.

J. R. Weber, of Portland, arrived in the city this morning to attend to business.

William Anderson, of Portland, arrived in the city this morning and is transacting business here.

W. R. Shinn, M. D., diseases of eye and ear a specialty. Eyes tested and spectacles guaranteed a perfect fit. Any style of lens or frame. Office over Cusick bank. wk s91f

Fisher, Braden & Co.
FUNERAL DIRECTORS AND UNDERTAKERS
Undertaking Parlors, 2nd and Broadalbin
LADY ATTENDANT Both Phones

Are You Going to Build?
Let Us Save You Money on Your Mill Work
Cameron's
IS THE PLACE

SUPERVISOR HULBURT MAKING GOOD ROADS

Chuckholes Being Filled in and Gravel Placed at Many Points on Public Highway.

In company with Judge McKnight, Commissioner Russell and Road Supervisor Warren Hulburt, a Democrat representative made a trip over the latter's road district this morning.

Mr. Hulburt is considered one of the best road supervisors in the county and he prides himself on keeping the roads in his district in first class condition. He is now placing gravel at different points along the public highway which will be used during the winter months in filling up the chuck holes. Already a number of these holes have been filled in and the roads seen this morning certainly reflect much credit upon the supervisor and his assistants.

An inspection of the new steel bridge southwest of Albany and the county poor farm was also made. The former is completed and the grade is now being improved.

WITHOUT A BICYCLE FOR FIRST TIME IN 30 YEARS

F. P. Nutting Has His Wheel Stolen Last Night; Others Are Missing.

For the first time in about thirty years F. P. Nutting is without a bicycle. His wheel was stolen last night from the side of a porch on South Ferry street, where it had been left while a young man who borrowed it went to the Dixie concert. It is a Pierce, somewhat aged, with a good tire on the front and poor one on the rear. The handle bars are without hand grips. Being without a bicycle Mr. Nutting says he is like a cowboy without a horse, and would like information leading to the recovery of the wheel, with evidence that will send the sneak who stole it behind the bars. Several other wheels are also said to have been stolen recently, indicating the presence in the city of a bicycle thief.

Mr. and Mrs. J. M. French and son Jack left this morning to spend the week end in Portland the guests of relatives.

H. Holbrook, of the Oregon Electric railway, was a business visitor in the city yesterday. He stopped at the St. Francis.

H. G. Suttle and W. L. Sailer, of Note, Or., are in the city on business. They are at the St. Francis.

F. A. Stale, a business man of Portland, arrived this noon to attend to business matters. He is stopping at the St. Francis.

H. E. Van Ness, a business man of Eugene, was in the city yesterday attending business matters.

J. R. Benson, of Tangent, transacted business here this morning. He returned home this noon.

A. T. Larsen, of Independence, transacted business here this morning. He returned home this noon.

YOU ARE LOSING MONEY Unless You Get the Benefit of Wholesale Lumber Prices Now Quoted by the ALBANY LUMBER CO.
Both Phones.

A NEW DEAL
A local paper that covers the County, State and Nation with an accurate and reliable news service
The Albany Daily Democrat
Now Has a **Telegraph News Service**
Furnished by the United Press Association of New York City
Why take a Portland Daily when the Democrat will give you the news of the world and all of the local and county news for a less price
THE DAILY DEMOCRAT BY MAIL IS
\$3.00—per annum—\$3.00
1.50—six months— 1.50
.25—one month— .25

SURVEYING?
See **PENLAND & EATON**
Room 5, Neww Bligh Bldg. Bell 535-R.

HUERTA NEARING HIS FINISH FAST

Mexican Congress Met in Despite of Strong Effort to Disband It.

DECLARE NEITHER HUERTA NOR BLANQUET PRESIDENT

Washington Expecting News of Retirement of Huerta Late Today.

(By United Press Association) Mexico City, Nov. 15.—Huerta had not indicated at noon what his program will be concerning the congressional session scheduled to begin at 3 p. m. today. It is believed in some quarters that both houses will adjourn immediately after declaring the election of the president, vice-president and members of congress unconstitutional.

Hundred Families Flee.—Vera Cruz, Nov. 15.—One hundred American families arrived today from the interior bound for the United States. The Pearson company has ordered all of its employees in Mexico to report at Vera Cruz tomorrow.

Washington, Nov. 15.—Despite President Wilson's refusal to recognize it, Mexico's congress is scheduled to meet this afternoon. Huerta disregarded all pressure brought to bear on him to dissolve that body, but the belief here is that the lawmakers will attempt no action beyond declaring that neither president nor vice-president was legally chosen at the recent election and questioning the legality of the assembly itself, and to call a special election, will be passed. The administration here is admittedly expecting news at any time of the retirement of Huerta.

Delbert Clow of Mill City passed through this morning enroute to Portland to see the game.

Miss Crystal Shank, an Albany College student, left last evening on the motor for her home at Mt. Pleasant, to participate in the charivari of some recently wedded friends.

Tie Game at Corvallis.—The Central school football team of Albany and the second team of the Corvallis high school battled a tie game at Corvallis this afternoon according to word received over the telephone, the score being 6 to 6. Albany's lineup was: Eastburn, full; Chance, half; Boyes, half; Anderson and Miller, Nebergall, quarter; Larkin, center; Bilyen and Ryals, tackles, Pate and Eastburn, ends.