

WEATHERFORD WON SUIT FROM PAUL

Jury Gives a Local Attorney Judgment As Asked for—\$2000 with Interest.

VERDICT REACHED WITHIN ONE HOUR'S DELIBERATION

Case Was Tried Before Judge Kelly Yesterday; Grew Out of Law Suit.

Judgment given identically as asked for.

It was the verdict in substance of the jury in the case of J. K. Weatherford against W. S. Paul, a suit to recover \$2000 on a promissory note, growing out of services rendered by Mr. Weatherford sometime ago in a lawsuit for Paul, which was carried to the supreme court. The plaintiff asked judgment in the sum of \$2000 with interest and secured a verdict for all he asked.

The case was tried before Judge Kelly yesterday and went to the jury at 8:30 o'clock last night and after an hour's deliberation they returned with a verdict.

The jurors were: Asa Baker, Lebanon; A. G. Propst, Price; S. Freerksen, W. Albany; S. H. Elliott, Lebanon; R. C. Burkhardt, N. Lebanon; Harry Muller, Santiam; H. C. Harkness, Albany; Thomas H. Quigley, Shelburn; G. W. McGuire, Knox Butte; A. A. Bender, Tangent; John Shimaneck, Scio; J. W. Barton, W. Albany.

The attorneys were Mark Weatherford and Gale S. Hill of this city for the plaintiff and W. C. Winslow and F. M. Endicott, both of Salem, for the defendant.

According to the complaint the defendant executed a promissory note in behalf of the plaintiff on June 17, 1910 for \$2000 payable one day after date but had not paid any part of said note.

In reply to the complaint, the defendant alleged that he relied upon the representations of the plaintiff in the matter of conducting the suit, admitting executing the note but claimed that the price was unreasonable.

ALLEGED BAD CHECK MAN ARRESTED NEAR HARRISBURG

Fred Hardman Wanted in Salem on Charge of Passing Worthless Check.

Wanted in Salem, Fred Hardman, an alleged bad check artist, was arrested yesterday afternoon near Harrisburg by Deputy Sheriff M. Hawk, and brought to Albany. The prisoner was turned over to Sheriff Bodine and Sheriff Esch of Marion county, arrived last night and has taken Hardman to Salem to answer the charge pending against him there.

According to the officers Hardman is wanted on a charge of passing a worthless check on a Salem merchant yesterday morning. It is said that the man skipped from the Capital City as soon as he secured the money and word was sent out in all directions for his apprehension with the result that the arrest was made near Harrisburg.

Z. A. French, of Airlie, was in the city this morning transacting business matters. He will return home this evening.

CITY MARSHAL JOHN ZELLER OF GERVAIS SHOT BY UNKNOWN MEN

(By United Press Association) Gervais, Or., Dec. 5.—City Marshal John Zeller was shot and perhaps fatally wounded early this morning by one of two unidentified men whom he found lurking along a roadway. The bullet took effect in Zeller's neck. The men escaped and no trace of them has yet been found, although the country is being scoured far and wide in an effort to discover their whereabouts.

Word was received here today by Chief of Police Austin by wire warn-

HARRISBURG MAN CHARGED WITH ILLEGAL PRACTICE

John Cartwright Posted Anonymous Placards Advocating "Wet" City.

Indicted by the grand jury on a charge of illegal practice in violation of the corrupt practice act, John Cartwright, a prominent resident of Harrisburg, has given bond in the sum of \$100 for his release. His bondsmen are J. C. Hammel and E. D. Cusick.

According to the indictment, Cartwright is accused of posting placards on the day before the recent local option election at Harrisburg in the business district of the town advocating that the city remain "wet."

The posters did not bear the name of the author or publisher so were in violation of the corrupt practice law. The matter was called to the attention of the grand jury with the result that Cartwright was indicted. He was arrested yesterday and brought to Albany this morning. By furnishing bonds he secured his release and will be arraigned before Judge Kelly later.

The placards posted by Cartwright, called the attention of the people of the town in big letters, to-wit: Voters: and then went on to say that Harrisburg had so much in its treasury, that no city tax would have to be levied, that the city was in a prosperous condition, etc., etc., winding up with "Why worry how to Vote?"

NEW GRAND JURY HAS BEEN CHOSEN FOR CIRCUIT COURT

Judge Kelley Has Completed Docket of Present Term; Jurors Discharged.

Winding up the trial docket of the present term of court last night, Judge Kelly drew the grand jury to serve for the December term out of the jury list recently announced by County Clerk Marks, and discharged all the rest of the jurors except three local men, who are retained in case of an emergency.

Members of the new grand jury are: Thomas Quigley, of Shelburn; M. Story, of Sweet Home; Asa Baker, of North Lebanon; Henry W. McElmurry, of Albany; R. C. Burkhardt, of North Lebanon; S. H. Elliott, of Lebanon; and A. L. Norman, of Lacomb.

The three Albany men retained are: J. W. Barton, N. D. Conn and H. C. Harkness. Reason for choosing Albany men is that they reside in the county seat and can be called upon without unnecessary delay.

The next regular term of Judge Kelly's court will convene on the first Monday in March. For the next few days his time will be occupied with entering orders.

CITY NEWS.

Weather Fair.—The range of temperature for 24 hours ending at 8 o'clock this morning was 33 to 39 degrees. The river is 5.1 feet. The weather report says cloudy tonight and Saturday. Probably rain.

Came Near Snowing.—Although it didn't snow last night or even rain, contrary to yesterday's weather prediction, it is conceded today that it came very near it. A statement was made this morning by a person who happened to be up late last night that he noticed a few flakes falling. Whether this can be relied upon is to be decided.

Climatological Service Report.—The report for September, 1913, of the Climatological service for District 12, Columbia valley, as compiled under the supervision of Edward A. Beals, district editor, of the United States Department of Agriculture's

ing local officials to be on the lookout for the men who shot the Gervais city marshal, descriptions of whom have been furnished.

Salem, Dec. 5.—A man with a bullet in his shoulder applied to the sheriff's office today for medical assistance. He was immediately arrested by Deputy Sheriff Needham on suspicion of being one of the men who shot Marshal Zeller of Gervais this morning. The man gave his name as Ray McCarolly.

SHE SAYS REPORT WAS INCORRECT

Miss Hulbert Denies Facts Contained in Newspaper Article of Her Engagement.

SHE AND PROF. FOWLES FRIENDS OF LONG STANDING

Albany Girl to Wed Wisconsin Man Next June; Culmination of Romance.

That an article appearing in this morning's Oregonian, of the announcement of her engagement to a Milwaukee, Wis., man, was entirely incorrect, was the statement of Miss Essa S. Hulbert, of this city, when interviewed by a Democrat representative.

The article bearing a Milwaukee date line is as follows: "Teachers and musicians of Milwaukee were surprised today by the announcement of the engagement of Professor F. Stanley, Powles, West High school faculty, to Miss Essa S. Hulbert, of Albany, Or., a daughter of Levi Hulbert, a manufacturer. Miss Hulbert is an accomplished musician. The wedding will take place soon, the date being kept a secret."

"Professor Powles has been a member of the West High School faculty for several years, teaching mathematics and has been prominent in Milwaukee musical circles.

"It was while appearing as a soloist in a Chautauqua in Oregon during the summer vacation that he met Miss Hulbert."

"I knew Prof. Powles in the East long before I came West with my parents," said Miss Hulbert. "We have been friends for a long time. I have been residing in Albany for the past four years. Two years ago Prof. Powles was in Albany visiting with us. He was here during the Chautauqua assembly and was asked to sing on several occasions during the local talent entertainments. I cannot understand how such an incorrect report could have gotten out. While our engagement has not been formally announced, it has been a pretty well established fact, among our friends. The wedding will not take place until next June. I suppose it will be here but we will make our home in the East."

However, Miss Hulbert is not in the least worried over the report and takes it humorously. Miss Hulbert is well known here among a host of friends.

Weather bureau, has been issued and a copy is on file at the Commercial club.

Modern Travellers to Meet.—The Modern Travellers club will meet tomorrow afternoon at the home of Mrs. C. B. Winn on West Fourth street. The hour will be 2:30 o'clock. Mrs. H. N. Boutley, of Jefferson, formerly of Albany, and a well known member of the club, will be hostess. All the members are urged to be present.

Sent to Asylum.—John Doe was this morning committed to the state insane hospital by Judge McKnight, following an examination conducted by Dr. Robnett. Doe is a foreigner and has been confined to the county poor farm for some time. It was thought he would recover there but becoming suddenly worse yesterday he was decided to had an examination. Nobody could understand what he said, hence he had to be committed as John Doe.

Emerson to Speak.—Leaving this afternoon for Jefferson, Rev. F. W. Emerson, pastor of the First Christian church, of this city, will tonight address the Marion County Sunday School convention which is being held in that city today and tomorrow.

Elks Hold Social Session.—After the regular meeting of the Elks lodge last night the members enjoyed a social session, including a program which had been prepared by a committee consisting of Walter M. Parker and John Collins. The best amusements from the various picture shows and vaudeville houses were secured and the program was one of the best ever held in Albany. The attractions from the Bligh and Rolfe were exceptionally good.

News on This Page is From Daily Issue of FRIDAY, DEC. 5, 1913.

ARRESTED FOR VIOLATION OF BUILDING ORDINANCE

T. I. Terrill Will Have to Remove Structure and Appear in Court.

Charged with violating the building ordinance, T. I. Terrill, a Lyon street restaurant proprietor, was arrested this morning by Building Inspector Griff King and is to appear in court tomorrow afternoon to receive the action of Judge Van Tassel.

Meantime Terrill is to have a structure he erected on East First street near Lyon, removed. It is a one-story frame building, with dimensions of 16 by 12 and is practically completed. It was being built as sleeping quarters for an aged man who is employed by Terrill, who conducts the Oregon Restaurant.

In constructing the building Terrill violated the building ordinance, as wooden structures within the fire limits are restricted. Hailed in the municipal court this morning, Judge Van Tassel continued Terrill's case until tomorrow at 1 o'clock when judgment will be pronounced.

OREGON REPRESENTATIVES AT LAND SHOW ADVERTISE

Distribute Unique Cards Bearing Names and Titles—"Oregon Is the Place"

Unique cards were received yesterday by Miss Beulah Hinkley from Manager Stewart who is an Oregon representative at the Chicago land show, bearing the names of the Oregon representative and delegation of Indians who visited the Oregon exhibit.

The Oregon representatives' cards are printed on orange colored paper. On the face is a large black oval circle, in which is inscribed: "Oregon is the place for you." Writing the circle on each card is the following: "C. H. Stewart, Secretary Albany Commercial Club, President Willamette Valley Exposition Association, Albany, Oregon"; "C. C. Chapman, Secretary Oregon Development League, Oregon State Immigration Agent, Manager Portland Commercial Club," "J. M. Duryea, manager Eugene Commercial Club, Eugene, Oregon," "M. E. Smead, manager of Exhibits, Portland Commercial Club." On the back of the cards is inscribed around another black circle: "Buy your ticket (1915) via Oregon." They are used as business cards by the representatives and are passed among the visitors at the show.

The Indians came from Glacier National Park, and were sent to the show by the Northern Pacific. Their visiting cards bear their respective names and titles: Bird Rattle, guide; Chief Calf, interpreter; Fish Wolf Robe, dancer; Medicine Owl, medicine man; Judge Wolf Plume, chief-tain; and the following: "Meet me Glacier Park next summer. Much trout—good medicine—hear fun."

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 591f

MONEY

We are prepared to furnish money on farm loans in the Willamette Valley at the lowest current rates of interest. Will give five years time and allow the borrower liberal options of prepayment. If you can make more money from your farm by adding livestock and new machinery and new buildings we will let you have the money for that purpose. If you want to dispose of your place, the quickest way to make a sale is to add substantial improvements. When in need of funds call on us. We are the only established company making long time loans in this county.

The Oregon Title and Trust Co.

ALBANY, OREGON

F. Binding, of Tangent, was in the city yesterday afternoon transacting business.

T. L. Taylor, of Medford, was in the city this-morning. He is at the Hammel.

Robert P. DePoe, of Siletz, was a business visitor in the city yesterday, returning home this morning.

J. N. Duncan returned this morning from a visit to his farm near Jefferson.



Look For Your Number

New Numbers Put on Monday

Visit This Christmas Store

Look over this guide. It is printed to help you make your gift buying easier.

How often have you wondered—"What shall I give mother?" and in fact every one else. The problem very often becomes perplexing. Make your gift buying a real pleasure by consulting this list, then come to our store and make your selections.

Gifts For Ladies and Misses

Check Here

Fur sets \$1.50 to \$110.00
Fans 50c to \$1.00
Jewelry novelties 10c to \$3.00
Cut Glass \$1.00 to \$3.50
Coats \$4.50 to \$25.00
Kimonas \$1.50 to \$7.50
Hosiery 10c to \$2.00
Gloves 50c to \$3.50
Handkerchiefs 3c to \$3.50
Umbrellas 75c to \$6.00
Combs 25c to 75c
Waists 75c to \$10.00
Neckwear 25c to \$3.50
Table Linens \$2.00 to \$7.50
Shoes \$1.50 to \$5.00
Bath robes \$2.50 to \$9.00
Slippers 50c to \$2.50

Then too, we have:

Needle Art Deptmt Trimming Depart.
Notion Department Ribbon Department
Underwear Deptmt Rugs & Draperies

Gifts For Men

Umbrellas \$1.00 to \$4.50
Bath robe \$3.50 to \$9.00
Hose 25c to 50c
Suspenders 75c
Combination set, hakf., tie, safety razor 75c
Slippers 50c to \$3.50
Handkerchiefs 10c to 25c
Card cases 50c to \$1.25
Cigar cases \$1.50 to \$2.50
Neckties 25c to \$2.00

Gifts For Children

Mittens 15 cts to 25c
Gloves 15c to 50c
Dresses 75c to \$5.00
Slippers 50c to \$1.50
Shoes \$1.00 to \$2.50
Hosiery 10c to 25c
Ribbons 5c to 75c
Sweaters \$1.00 to \$2.50
Coats \$1.50 to \$6.50

This list prepared in a spirit of helpfulness. We have tried to print here only a general list of gift things for for Xmas, with a price range of each item. However, we want to impress upon you that we could not possibly list even a starter of all the good things in store for you, nor could we possibly convey to you on this printed page, the worthiness of the values provided in gift goods of every nature. Give us a personal inspection.

YES—Everything in the Drygoods Line

Wherever YOU BUY BUY EARLY



14 SHOPPING DAYS BEFORE CHRIST

YOU ARE LOSING MONEY Unless You Get the Benefit of Wholesale Lumber Prices Now Quoted

by the ALBANY LUMBER CO. Both Phones.

SURVEYING?

See PENLAND & EATON

Room 5, Newew Bligh Bldg.

Bell 535-R.