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No. 40

GOV. WEST PARDONS ALBERT PEACOCK

By Terms Local Option Violator Is to Leave State to Prove Citizenship.

HAS SERVED 382 OF 590 DAYS SENTENCE

Judge Galloway Explains Terms of Pardon--Paroled on 80 Day Sentence.

His hair slightly unkempt, his face shining white under a short growth of black beard, his hands soft, and bearing other marks of his imprisonment, Albert Peacock, sitting upright with his head bending forward, listening intently to every word Judge Galloway said, in the presence of Sheriff Bodine, County Clerk Marks and Deputy Russell, Judge Whitney, his attorney and the members of the local press and was pardoned as the clock struck twelve today by Governor West, after serving 382 days of a total of 590 he was to serve. Peacock had previously been paroled on separate 30 and 80 day sentences. Martin Bilyeu was also present in the court room. Judge Galloway explained the terms of the pardon at the request of the governor.

Before turning the pardon papers over to Sheriff Bodine, Judge Galloway gave Peacock a wholesome heart to heart talk, in which he clearly defined the case, the attitude of the governor and resorted to a plea for Peacock to lead the straight and narrow path hereafter. By the terms of the pardon Peacock will be required to leave the state not to return until he has proven himself a law abiding citizen.

Judge Galloway said in part: "The governor has asked the court to explain the terms of the pardon and I can say in behalf of the governor and the good citizens of this state, that the desire is to assist, reform and elevate the men who have violated the law and to have them obey and state upon oath that they will not break any other law. It is conceded that for breaking the law you have been amply punished. The governor is firm in his belief that you will not betray the trust he has imposed in you, that you would faithfully obey the laws hereafter and that you would live down the past and become worthy of your respectable parentage, and yet make a useful law abiding citizen.

This pardon is granted you upon condition that you must fulfill the promises to him. If at any time you violate a law you will be recalled and will suffer the term of the additional eighty days, of which you are paroled. Mr. Peacock, as a friend and in behalf of the governor, I want you to understand that the court has the kindest feeling towards you. In your case I feel that the cause justifies the cure. You have been thirteen months in jail, upon conviction in a series of local option cases. When you were on the stand in one case, you as much as said you had an uncontrollable taste for drink and that you oftentimes drank enough to kill an ordinary man. Now by your term in jail you have shown that you can get along without it and I think you have a bright chance to continue to show it. You have a father who maintains the deepest affection for you and if you would have seen him the other day tell me with tears in his eyes that he wished that you could have let liquor alone, it should have been enough for you to forget it. Now I want you to remember that you have been released with all of the confidence of the governor that you will prove a worthy citizen. Remember if you ever get back into the courts, you will be called upon to complete the unexpired term and the additional eighty days. I believe or at any rate I sincerely hope that you will never be up before a court again."

When Judge Galloway finished, Peacock, smiling faintly, strode briskly up to the bench and grasped the judge's hand. Returning to his seat he was surrounded by those present, and was warmly wished good luck between handshakes. When Sheriff Bodine handed him the pardon paper, Peacock stood and read every word silently. When he finished he handed the paper back to the sheriff and a bright smile dawned on his countenance. He then turned and with the sheriff and others walked slowly out of the court room a free man as far as the terms of the pardon signified.

Peacock was sentenced on November 23, 1911, after a series of trials and convictions by juries, to pay a fine of \$1000 and serve 90 days. The fine was not paid, hence he was to serve one day for each \$2 of fine, making 500 days. Previously he pleaded guilty to a separate charge, and was given 30 days and on another charge was sentenced to the city jail for 50 days by the city recorder. All of the cases were for violation of the local option liquor law.

HARRISBURG CASE NOT TO BE TRIED UNTIL DECEMBER 16

City Officers Will Not Be Named As Defendants; Not Parties to Election.

After granting the plaintiff time to file an amended complaint, and receiving two demurrers, one from Gale S. Hill, representing the county, and the other from Mark Weatherford, representing the city officers of Harrisburg, Judge Galloway dismissed the local option contest case of Harrisburg, W. H. Holman, against the city officers and city, as far as the city officers are concerned, on the grounds that they were not parties to the election, and set December 16 as the date for the trial of the case, with Holman and the county court as plaintiff and defendants.

Immediately after court opened at 10 o'clock the plaintiff's attorneys got leave of time to file an amended complaint. A demurrer was filed to the complaint by Gale S. Hill, on a legal technicality that there were no grounds for case and the judge took it under advisement. Then Mark Weatherford filed a demurrer that the city could not be involved in the suit, because the city officers were not parties to the holding of the election. The demurrer was not opposed by the plaintiff and was sustained by the court.

WANTS COMPLAINT FILED BY TRUSTEE DISMISSED

R. Goldblatt Files Answer in R. Rogoway & Sons Bankrupt Case.

Filing answer this morning to the complaint of L. G. Lewelling as trustee in bankruptcy of R. Rogoway & Son, R. Goldblatt asks that the plaintiff's complaint be dismissed and that he have judgment for his costs and disbursements.

Each and every allegation in the complaint is denied except as alleged in a separate answer and defense. It is claimed that when the Rogoway partnership was dissolved the defendant was keeping an open running account with them. It is alleged that all these transactions were made in the regular course of business and were made without knowledge on the defendant's part of the insolvency of the Rogoway. Hewitt & Sox represent the defendant.

CITY NEWS

Much Cement Sold.—The Albany Commission company during the past season sold 42 carloads of cement. This is considered a big record and is indicative that much construction work has been going on in this section.

East End Merchants Active.—The merchants of East Albany have some exceptionally fine window displays, decidedly better than any seen in that part of the city heretofore.

Assumed Business Name.—Certificate of assumed business name was filed this morning for the National Collection Agency, of Brownsville, H. W. Bailey, proprietor.

Sale of Property Confirmed.—Judge McKnight yesterday issued an order confirming the sale of 275 acres of the estate of Herthel Hoffick, a minor, to A. W. Dockstader. Mabel H. Ruiters is the guardian of the minor.

Football Team to Be Banqueted.—The members of the Albany College faculty will give a banquet to the members of the college football team at the St. Francis hotel Saturday evening. Fourteen members of the team and Coaches Flo and Whitney will be the guests of all the members of the faculty.

PEORIA BUSINESS ENLARGING BY LEAPS AND BOUNDS

Peoria, Dec. 11.—(Special to Democrat.)—Peoria now has two first class general merchandise stores since C. F. Clayton started in the business last week. The town is undoubtedly growing, every house in and near town being occupied. Plans are under way for the building of a gymnasium and the school itself is to be soon divided and an extra teacher provided. It is rumored that another saw mill will soon be built here by James Mason and sons. C. W. Barcutt has installed a new Case automatic roller and chopper combined, the demand for mill feed being so great as to necessitate a larger mill.

News on This Page is From Daily Issue of THURSDAY, DEC. 11, 1913

CENTRAL BLOCK TO BE PURCHASED

City Will Acquire School Site in Heart of City for City Hall Building.

COUNCIL PASSED SCHOOL ORDINANCE LAST NIGHT

Price of \$22,000 to Be Raised Through Sale of City Bonds to Be Sold.

As a site for a \$20,000 city hall building, modern and up to date in every respect, the city of Albany will purchase the Central school block for \$22,000, possession to be given June 30, 1915.

An ordinance selecting and providing for the purchase of a site upon which to erect a city hall and providing for the amount to be paid therefor and the manner in which title shall be acquired, was passed last night by the council.

The property is described as block 29 in the city of Albany. The sum of \$22,000 is to be paid for the premises which is to be secured through the sale of bonds.

The foregoing provisions are contained upon the acceptance of the terms by the present owners of the property, which acceptance shall be in writing showing a clear title to said premises in fee simple free from incumbrances and shall be filed with the recorder within 10 days after approval of the ordinance.

When the city attorney reports to the council that the title to the property is free from incumbrance and upon the delivery of a good and sufficient deed of conveyance, containing all covenants, except a reservation that school district No. 5 will retain possession until June 30, 1915, for school purposes, a warrant shall be issued on the city hall fund for \$22,000 as soon as bonds in that amount are sold.

An ordinance was also passed authorizing a loan for a term of years, providing for the manner of paying the same and authorizing the sale thereof, in order to secure the money to pay for the city hall site. The bonds will be dated January 1, 1914, numbered from 1 to 44 inclusive, each for the sum of \$500 payable in January 1913, and drawing 5 per cent interest.

Although the city charter only allows the city \$40,000 for the purchase of a site and erection of a city hall building, it is estimated that the building will be built fully at a cost of \$20,000, as the city has property which will not be needed when the building is built and which could be sold to make up the difference. Then to \$22,000 more than half of the \$40,000 the city is getting a whole block for a city hall site. When the site is purchased only \$18,000 will be left as authorized by the charter for the building but it has been pointed out as an easy matter to raise the rest of the necessary amount through the sale of minor city property.

Gun Club to Hold Shoot.—Tomorrow afternoon commencing at 2 o'clock if it is a good day, the Albany Gun Club will hold their regular once a month shoot at the range. It is the desire that all the members compete in this contest. Be on hand early.

Introducing New Chocolates.—J. E. Monteith, representing the Pacific Coast Riscuit company, of Portland, is in the city today, introducing a new brand of chocolates known as "Thomson's." They are manufactured by the "P. C. B. Co." Mr. Monteith says that if you want to get in right with your girl get her a pound box.

WANTS DIVORCE FROM HIS DESERTING WIFE

Charging desertion, Francis M. Randall has filed suit for divorce in the circuit court against Lydia L. Randall. The couple were married on September 24, 1887. There are two sons, both of age.

It is alleged that at the time of the desertion the couple were living at Blackfoot, Idaho. It is claimed that the wife willfully deserted the husband in September, 1911. It is alleged that at the urgent solicitation of the defendant, the plaintiff left Blackfoot and came to Oregon and that in December, 1911, in answer to a letter from the plaintiff, defendant wrote back that she did not want him back. Later, it is claimed she wrote again stating she had not changed her mind in the least. L. L. Swan represents the plaintiff.

ALBANY HAS PAID FIRE DEPARTMENT

Ordinance Passed by Council Virtually Wipes Out Volunteer Organization.

ALL MEN BUT CHIEF ARE TO LODGE AT QUARTERS

Nine Men As a Result Are Placed on City's Pay Roll; Six Firemen.

By virtue of an ordinance passed by the city council last night, the Albany fire department is practically reorganized, and will be composed of chief engineer, assistant, an engine man, auto driver and six firemen, all of whom will receive pay. All other acts in conflict with the ordinance are repealed.

The engine man and the auto driver shall lodge at headquarters and remain on duty all the time. The assistant chief and the city teamster, who is to drive the engine, and the six firemen shall lodge at the fire house quarters and shall be subject to calls at all times.

Such are the important conditions of the ordinance and through it Albany will virtually have a paid fire department. However, it is understood that as much volunteer help as available will be accepted.

The members of the department will meet annually on the first Monday of January and elect a chief and assistant. The council by a majority vote will have a right to either confirm or disapprove these selections. Whenever there is a vacancy the council by a majority vote will appoint a person qualified for the position.

Upon assuming office the chief and his assistant will be required to subscribe an oath to perform their duties to the best of their ability.

The chief is to receive a salary of \$200 per year, payable quarterly, the engine man will be \$75 per month, and the assistant chief and the six firemen will receive \$10 per month but will receive their lodging in the fire house quarters gratis.

Relative to the duties of the chief, he will be required to make a report within five days after a fire to the council, giving a detailed description, as to cause, loss, giving the name of owner and amount of insurance, etc. He will also be required to report to the council at the last meeting in December, the number and location of all cisterns within the city limits and the condition of the fire department. Upon his failure to perform these duties, as prescribed by the ordinance, his office will be deemed vacant.

French Soldiers Clash With Moors.—(By United Press Association) Morocco, Dec. 11.—Fifteen Frenchmen were killed and twenty wounded in a clash in which the French column captured the town of Aingalaka from the Moors.

Currency Law By Dec. 20th.—(By United Press Association) Washington, Dec. 11.—Democratic leaders predicted today that the currency bill will pass by December 20th, after which, it is said, congress will adjourn for the holidays.

Weather Fair.—The range of temperature for 24 hours ending at 8 o'clock this morning was 49 to 40 degrees. The rainfall for the same period was .02 inches. The weather report says cloudy tonight and Friday, with probable rain.

Mrs. Eliza Crabtree of Seio is visiting in the city at the home of her sister, Mrs. Rebecca Meyers. She will return home tomorrow.

Mrs. Mary Roe Palmer arrived last night to visit her father, Frank Roe, and for a month's visit with Mrs. Nell Dawson.

CLARK WAS ARRESTED IN SALEM THIS MORNING

Charged with obtaining money under false pretenses, S. D. Clark was arrested this morning in Salem by Constable John Catlin, and brought to Albany. He is held in the county jail awaiting trial in Justice Swan's court.

V. C. Bilyeu is Clark's alleged victim. The case grew out of the sale of a barber shop, located on Lyon street near the S. P. depot, which until a few days ago was operated by Clark. It is alleged in the complaint that a contract of sale was drawn up between the two men, whereby Bilyeu paid the other \$175 for his interest in the shop. Later it developed, according to the allegations, that a mortgage rebellion is in own hands.

CITY BONDS FOR TWO CAUSES ARE TO BE SOLD

Council Passed 2 Ordinances Last Night Authorizing the Sale of Bonds.

Meeting last night the city council passed two ordinances for the sale of city bonds. One is to raise money for street improvement and the other is to secure \$22,000 for the purchase of a city hall site.

The ordinance authorizing the sale of city bonds to raise money for the purchase of a city hall site was passed after an ordinance authorizing the purchase of the site was passed.

The bonds will run for twenty years. They are in denominations of \$500 and are numbered from one to forty four inclusive, and will draw 5 per cent interest. They will be dated January 1 and will be payable in January 1934.

The other ordinance authorized the issuance of improvement bonds to secure money for the improvement of alleys running through blocks 7, 8, 9, 10, 16, 17, 18, and Sixth street from the west curb line of Baker to west curb line of Jefferson and a block of Water street, according to the plans and specifications as compiled and filed by the city engineer.

CAPTAIN SLOVER MUST GO SAYS PORTLAND MAYOR

Many Officers of Police Be Discharged As Result of Charges.

- (By United Press Association)
- Portland, Dec. 11.—As a result of the civil service investigation of the charges that members of the police department were gambling and that certain high police officials protected underworld characters, Mayor A. L. Bee dismissed Captain Slover, former Chief of Police Riley, Sergeants Casey, Presser and Rupert and seven patrolmen, for conduct unbecoming an officer, and for the good of the service.

W. S. Smallwood, of Portland, arrived last evening and is visiting with his parents, Mr. and Mrs. O. Smallwood.

CITY NEWS

Made Big Shipment of Cattle.—Dave Savage, of Willhelmina, made a big shipment last week of cattle from Junction City to the Portland Stock Yards. Mr. Savage passed through Albany yesterday.

Mandate from Supreme Court.—A mandate was received today from the state supreme court by County Clerk Marks, of the order in the case of Maggie S. Sullivan against Griff King, which was appealed from the circuit court.

Knut Knutson Band Played.—The band accompanying the Knut Knutson play, which will be at the Bluff theater tonight gave a concert on the streets this noon. Scores of people were attracted. It is evident that the band is composed of competent musicians. It is a splendid musical organization. The band will give another concert tonight. The whistler will also appear.

Harrisburg Official Here.—Recorder T. J. Anderson of Harrisburg is a business visitor in the city today. Mr. Anderson was re-elected to his office in Monday's election for the twelfth consecutive term.

MEXICAN ARRESTED ON CHARGE OF TRESPASSING

Charged with trespassing, Francis Romao, a Mexican, was arrested this morning by Constable Catlin, about 5 miles south of Albany, upon complaint of Y. Ashton, a farmer of that section. Brought to Albany, Romao was placed in the county jail and taken before Justice Swan this afternoon for a hearing. The case was in progress at the hour of going to press.

It is claimed by Ashton that the Mexican took up his home in a vacant house on his farm and when told to move on, refused. The farmer claims that Romao was evidently a hobo as he was walking along the road, carrying a pack before taking his lodging in the house. Romao is a little fellow with bright eyes and a thin mustache. He does not speak English and it became necessary to secure an interpreter before the trial could proceed. Constable Catlin said that when he arrested Romao he thought he would have a regular Mexican rebellion in his own hands.

LINN PRECINCTS ARE RE-ARRANGED

Tentative Changes Were Announced This Morning By County Clerk Marks.

SEVEN INSTEAD OF THREE WITHIN CITY LIMITS

Calapooia Will Be Divided-- Might Be Some Re-adjustment at Later Date.

Tentative rearrangement of the precincts of Linn county was announced this morning by County Clerk W. L. Marks, who last night completed checking up the changes authorized by the county court.

Instead of three precincts within the city limits of Albany there will be seven under the new arrangement. Calapooia precinct just southwest of the city will be divided, Wright's addition remaining in Calapooia precinct and all the territory east of the Tangent road being placed in the new precinct which will probably be called Sunrise. This change has not been decided upon finally but at least a similar readjustment is probable. The territory in the eastern part of the city and immediately adjoining the eastern limits which is now in Knox Butte and Price precincts will be made into a new precinct.

Instead of two precincts at Brownsville as at present there will be four precincts, the present two precincts being divided by a north and south line near the center of the precincts. A new precinct which will be called Holley has been created out of the east end of Crawfordville precinct and a few sections off the corner of Sweet Home precinct.

A new precinct has been created at Rowland out of the eastern portion of North Harrisburg precinct, a corner of South Brownsville, and a portion of South Harrisburg precincts. A new precinct centering at the Providence church has been created out of a portion of Santiam and Laecab precincts and a tier of sections off the south end of Seio. Two new precincts have been created out of the territory adjoining Lebanon so that instead of the three Lebanon precincts embracing considerable territory outside of the city they will be included inside the city limits under the new arrangement. The new precinct south of Lebanon will be called Crowfoot and the one north of Lebanon either Tennessee or Gore precinct.

A new voting precinct has been created at Mill City, taking the west half of Rock Creek precinct and two sections off the east end of Fox Valley. A portion of the south end of Tangent precinct has been placed in Center precinct. Heretofore a small precinct, Center will now be a large one having received in addition to the portion of Tangent two sections now in Lebanon precinct, they having been added to Center in the creation of Crowfoot precinct; Waterloo precinct has been divided, the east portion of the precinct being placed in a new voting district called Berlin.

No changes were made in Knox Butte and Price precincts except to take the territory adjoining and close to the city limits off the west end of these precincts and place them in a new one.

No changes were made in Foster, Jordan, Kingston, Orleans, North Seio, Shelburn, Sodaville, Syracuse and Tallman precincts as they were small enough so that the increase of the votes incident to the adoption of woman suffrage will not make them too large.

Andrews Pleases Corvallisites.—That C. L. Andrews who will give a lecture here Friday evening at the U. P. church on Alaska, pleased the people of Corvallis with a lecture given there last night was indicated by a letter received here this morning. It stated that the church was packed like sardines in a box and that the lecture was one of the most interesting and stirring of its kind ever heard there.

Express Carried Free.—Wells Fargo & Company will carry and deliver free of all charges any donation or contributions for the flood sufferers in central and southern Texas addressed to Relief Committee, Municipal authorities in the flooded districts.

A. D. Cridge Here.—Here in the interest of the Home Tax Exemption League, Alfred D. Cridge, of Portland, secretary of the league, has been shaking hands with Albany people since yesterday. Mr. Cridge is a special writer for the Portland Oregon Journal.

Fined for Drunkenness.—Jack Rains was fined \$10 and costs in the police court this morning on a charge of drunkenness. He was arrested yesterday afternoon.