

## SECOND DIVORCE GRANTED CARYS

Lula B. Cary and John A. Cary Have Been Divorced Twice in Less Than Year.

## WERE FIRST MARRIED OVER SIXTEEN YEARS AGO

"The Other Woman" is Cause of It All—Wife Told Not to Marry Him Again.

After nearly 16 years of happy married life, Lula B. Cary and John A. Cary of near Stayton have had an eventful seventeenth year of matrimonial turmoil, in that they married each other twice and have been divorced twice. The second divorce was granted this morning by Judge Galloway and the wife was told that if she married Cary again she need not apply to him for another divorce.

To be divorced, remarried and divorced in less than one year after previously living happily together for 16 years, forms an out of the ordinary coincidence. "The Other Woman" is the cause of it all. Mrs. Cary was granted her second divorce from the same man on practically the same grounds she secured her first, that of desertion for another woman and she is named in the complaint as Mrs. M. V. Vernon, formerly of near Stayton, but now of Washington state. The wife will have the custody of their 11 year old daughter.

The couple were married the second time in Albany on June 24, 1913. The first divorce was granted in the fall of 1912. After several months of separation they came to Albany, secured a license and inquired of the clerk where they could find a justice of the peace. At that moment Justice Swan stepped into the office. Standing practically where they stood when the license was issued, they were married on the spot in the presence of the clerical force of County Clerk Mark's office.

Here the spotlight went out until a short time ago, when the second divorce complaint was filed. In it is set up that they were first married May 27, 1896. They resided peacefully on a farm until two years previous to June 1913, when it is alleged the defendant became intimate with Mrs. Vernon, a neighbor. It is claimed that for nearly a year after the defendant continued to visit her and when the plaintiff protested, would become angry, telling her he didn't care for her but that he thought more of Mrs. Vernon. Mrs. Cary asserts she suffered great humiliation and that the acts of her husband undermined her health, so that she became a nervous wreck.

After the first divorce was granted in the fall of 1912, it is claimed that the defendant and Mrs. Vernon moved to Chehalis, Washington, where the former remained until June 1913. Returning to his former wife, it is asserted, he represented to her that it was his intention to lead an honest life. She forgot and forgave and they were married before the month was over.

It is claimed that after returning to their old home, the defendant seemed ashamed to be seen by any of the old neighbors in company with the plaintiff and treated her coldly, until July 2 when he went to Salem, saying he was going to purchase a wagon. Not returning until 9 days later upon inquiry from the plaintiff, it is alleged, informed her he had been to Chehalis to see Mrs. Vernon and when she protested, he became angry, saying he was a fool to ever marry her and that he loved Mrs. Vernon more than he ever did her. On July 15, it is claimed, he deserted his wife and has since not resided with her. Attorney S. H. Hietzel represented the plaintiff.

## WILL CELEBRATE 60TH WEDDING ANNIVERSARY

Mr. and Mrs. Hiatt of East Albany Will Observe Day Tomorrow.

To be congratulated by scores of people and old time friends of this city, Mr. and Mrs. Henry Hiatt of Oregon, will tomorrow observe the sixtieth anniversary of their wedding at their home on Geary street.

No particular celebration will mark the observance of the day. However many friends are planning to visit the aged couple informally during the day.

Mr. and Mrs. Hiatt were married in Indiana December 17, 1853. They have lived here continuously for about 35 years. Before settling here they lived in various other places in the Northwest. They are the parents of three children, all of whom are married. They are grandparents, great grandparents and great great grandparents. Mr. Hiatt's age is given as 84. He served in the Civil War and is a member of McPherson Post G. A. R.

John P. Kennedy of Eugene was a visitor in the city this morning.

## HARRISBURG LOCAL OPTION CASE TO COME UP TODAY

Two Score of Witnesses Are to Testify—May Take Two Days.

To come up for trial before Circuit Judge Galloway sometime this afternoon, the Harrisburg local option contest case will be fought out between W. B. Holman a saloonkeeper of Harrisburg, and the county court, with nearly two scores of witnesses to testify on both sides.

Today is the day set by Judge Galloway for the hearing of the case, after it came up a few days ago, when the Judge sustained a demurrer interposed by Attorney Mark Weatherford that the city officers of Harrisburg could not be involved in the suit because they were not parties to the election. At that time the judge also granted time to the plaintiff to file an amended complaint and received another demurrer interposed by County Attorney Gale S. Hill, of a legal technicality that there were no grounds for the case. This was taken under advisement.

Judge Galloway is at present hearing the injunction suit of Gooch vs. Galloway and the local option case is to come up immediately upon the completion of this case. It is expected that it may take two days to complete it.

## FOR CONTEMPT OF COURT RICHARDS TO SERVE 10 DAYS

Charged He Sent Daughter Away When Cited to Bring Her in Court.

Charged with contempt of court, Edward Richards, a laborer, was yesterday afternoon sentenced to 10 days in the county jail on the grounds that he disobeyed an order of the court served on him last week to bring his 13 year old daughter, Pearl, into the juvenile court.

Six weeks ago a complaint was filed charging that the girl was dependent and should be taken away from her father. Judge McKnight allowed Richards to keep the girl pending good behavior. More complaints were made last week and a new hearing was ordered. When the citation was served on Richards he sent the girl out of the jurisdiction of the court. Inquiry as to where she is, brought a response that she was in Tillamook residing with relatives.

## CITY NEWS.

Petition to Probate Will.—Upon petition of Elizabeth Rice in the matter of the estate of Nathaniel G. Rice, she will be appointed executrix of the estate and the will will be admitted to probate. The estate is valued at \$42,000 and is to be divided between five heirs.

Grand Wrestling Exhibition.—on Thursday, Dec. 18, under the auspices of the Albany Military Club, C. A. R., Bob Peterson, 180 pounds, champion of Alaska and Jack O'Neil 186 pounds Champion of the northwest will wrestle. Two preliminaries, in which two Albany boys will contest against O. A. C. talent will take place before the main match. At the Army, at 8 p. m. The admission will be 50c and 75c. Tickets on sale at all cigar stores.

Pavement Slippery.—Owing to the extreme slipperiness of the pavement, one horse of a farmer's team coming down Second street this morning slipped and fell heavily. It regained its feet immediately with no damage done anywhere.

Married in Portland.—Harry L. Moe and Miss Mjane Washburn were married in Portland on December 13, at the home of the bride's parents. The bridegroom is the son of Mr. and Mrs. E. Moe.

Basketball Court.—A new basketball court has been laid out on the Central school grounds. It is on the west side of the building and is for the use of the girls. The boys' court will be maintained as heretofore in front of the building.

Auto Smashed Up.—While turning around the corner at Ellsworth and Fourth street this noon the auto driven by C. P. Peebler in delivering milk, skidded on the slick pavement into the curbstone, resulting in the left front wheel being smashed and a small walnut tree being broken down. The wheel was literally reduced, every spoke being torn out. The tree was growing in front of the J. K. Haight home. No other damage was done to the machine.

Weather Report.—The range of temperature for 24 hours ending at 8 o'clock this a. m. was 43 to 34. The rainfall for the same period was .91 inches. The river is 2.8. The weather prediction is fair tonight and tomorrow.

Fountain Fixed.—The fountain of the Albany State Bank has been supplied with a proper spout and now affords a better drink. The spout that has been in use during the past few days was only temporary until the present one was secured.

Decree Favors Plaintiff.—Judge Galloway rendered a decree in the case of Martha Houston against Orpha Greener, favoring the plaintiff. The case involved alleged defrauding of the plaintiff's father and the defendant's grandfather, by the latter out of land, which it was claimed rightfully belonged to the plaintiff through inheritance. The case was of a mother virtually charging her own daughter of fraud.

## COLLEGE-SCHOOL DEAL CONSUMATED

Acked by Vote and Lawyers Advice School Board Will Make Transfer.

## PAPERS ARE MADE OUT, WAITING FOR ABSTRACTS

Clerk Tomlinson Stated This Afternoon That Deal Has Been Fully Closed.

Backed by the approval of a majority of the people who voted up the question and the opinions of several prominent attorneys of Albany, the school board and the Albany College authorities have had papers of conveyance drawn up for the exchange of the Central School site and two blocks of the Albany College campus.

Clerk Tomlinson of the school board stated this afternoon that the deal has been fully consummated and that the papers are being held in escrow, pending the bringing down of the abstracts.

As soon as this work is completed and the abstracts show clear titles the papers will be transferred and the school district will become in possession of the college property and the college trustees in possession of the school site. The former is to be used as a site for a new and larger school and the latter for a city hall site, as it is eventually to be taken over by the city for \$22,000. Bonds are now being advertised for sale to raise the money.

The following passage from the Oregon school laws for 1913, is cited as giving the school board full authority over and above anything else to consummate the deal: Section 113, Shall Buy or Sell Property.—Tax. If authorized by a majority of the vote of the legal voters present at any legally called school meeting, they shall purchase, lease or build school houses, buy or lease land for school purposes, furnish school houses with furniture, lights and apparatus and for such purpose may when so authorized, levy not oftener than once a year, a tax not exceeding five percent of the value of the taxable property of the district or issue or sell negotiable bonds as hereinafter in this act provided.

They may also sell, lease or otherwise dispose of any property belonging to the district when authorized to do so by a majority vote at any legally called school meeting, provided, that the call for such meeting shall have stated that such sale, lease or disposition would be one of the objects of such meeting.

## FUGITIVES WERE OVERTAKEN BETWEEN SHEDD AND HALSEY

Harvey Thompson and Harry Wright Re-captured and Returned to Albany.

Trailing them from Pirtle through fields, brush and swamps, down roads and up railroad tracks, it was not until yesterday afternoon, nearly six hours since the chase was taken up, that Sheriff Bodine and Constable Catlin overtook Harvey Thompson and Harry Wright, who broke from the county jail yesterday morning, beating it down the S. P. railroad track between Shedd and Halsey, nearly 12 miles farther south than where the fleeing prisoners were first heard. The boys were returned here immediately and are confined in a cell in the county jail, where they will in all likelihood remain most of the time until their case is acted upon by the grand jury. They are charged with burglary.

Constable Catlin stated this morning that the boys were making a very strategic getaway. He said they circled back and forth over the roads, went through fields and brush until quite a distance south, when they took to the S. P. right-of-way. The constable said he trailed them in many places where the earth was soft and found out that they walked according to a fashion of the Indian, step in step, in a great many places. They were fairly well tired out when overtaken and gave up peacefully. Piled into the rig, Sheriff Bodine brought them back while Constable Catlin took the train at Shedd.

Henry Ray, who has been in Portland the past few months, is in the city visiting friends and relatives—especially friends.

J. W. Swank of Tallman transacted business here this morning. He is stopping at the Vandran.

Civic Club Met Yesterday.—The ladies' Civic Improvement Club met yesterday afternoon at the Commercial Club and transacted routine business. Reports of various officers were received and the condition of the club was summarized. All of the reports were good. The meeting was well attended.

Assumed Business Name.—Certificate of assumed business name was filed this morning by Joseph McHargue and L. H. Briggs, as proprietors of McHargue & Briggs, of Brownsville.

## STUDENTS DECREASE AND INCREASE DURING YEAR

Many Towns of County Show but Little Gain While Others Have Big Increase.

Showing increases and decreases of attendance of school children in the schools of various towns of the county, Superintendent Jackson this morning announced his yearly report of the number of children of school age.

In the Albany schools there is an increase of only one student over last year, there being 1590 this year as to 1589 last year. In Lebanon there is quite an increase over last year, there being 712 this year as to 652 of last year. Halsey shows up with 150 to 134, and Harrisburg, 245 to 219.

In both North and South Brownsville there is a decrease. The former had 258 last year and only 232 this year. The latter place has 203 this year as to 213 last year. Tangent shows a remarkable increase for a small place, having 115 to 100 last year. Sweet Home breaks even with 117. Crawfordsville has 100 this year to 86 last. Shedd shows 122 this year to 110 last year and Scio a decrease of one, 137 to 136. Oakville has 75 this year where it only had 62 last year.

## SEEKS INJUNCTION AGAINST DRAINING OF THE DITCH

Shelburn Property Owner Claims That Water Backs into Basement.

Because Caroline Galloway dammed a stream thereby causing, she claims, the water to flow in to the basement of his house, A. F. Gooch is seeking an injunction from Judge Galloway to make the defendant remove the obstruction. The case went to trial this morning shortly before 11 o'clock.

The parties involved are residents and property owners of Shelburn. Gooch claims the dam was placed across a ditch running through the town, by the defendant, on her property, and that it has caused the water to back into the basement of his house. He contends it is a natural waterway and drain and should not be hampered. On the other hand the defendant claims it overflows the land.

## ALBANY COLLEGE HAS TWO NEW TRUSTEES

Wheeler and Fuller of Portland Chosen at Meeting Held Yesterday Afternoon.

Meeting yesterday afternoon, the board of trustees of Albany College transacted a large volume of routine business and adjourned until the second week in January.

Two new trustees were elected yesterday by the trustees, the power to make the selection having been delegated to the board by the Synod John E. Wheeler of the Wheeler Lumber Company of Portland and F. L. Fuller, Vice-President of the Portland Railroad, Light & Power Co., were chosen by the board.

Judge Robert Eakin of the Oregon Supreme Court was elected by the Synod several weeks ago as one of the new members.

## 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

## HALSEY ELECTED NEW OFFICERS

S. G. Robertson Chosen Mayor Over Woman Candidate, Three Cornered Race.

## MRS. IDA CUMMINGS WAS DEFEATED BY 31 VOTES

J. W. Rector Was Elected Recorder and J. D. Wallace Chosen Marshall.

Halsey, Or., Dec. 16.—(Special to Democrat).—In a three cornered race, with one candidate a woman, S. G. Robertson was elected mayor of Halsey yesterday in the city election by a majority of 31 votes over Mrs. Ida Maxwell Cummings, while the third candidate polled on 14 votes. Mr. Robertson polled 66 votes, and Mrs. Cummings 35. Only 115 votes in all were cast.

In a two cornered race for recorder, J. W. Rector was elected by a majority of 4 votes, his opponent, Lee Davis, polling 58 to his 62. B. Taylor was the only candidate for treasurer and was declared elected. There were three candidates for marshal, J. D. Wallace being elected, polling 54 votes; W. C. Carey, 41, and E. M. Jewett, 18.

There were five candidates for councilman, of which three are elected. They are Frank Kirk, Riley Logan and George Taylor. The number of votes the various candidates polled are: Kirk, 78; Logan, 67; Taylor, 90; G. W. Mornhwing, 56, and Berry Cummings, 49.

It is estimated that at least 40 per cent of the votes cast were by women. Mrs. Ida Cummings, who was defeated for mayor, has the distinction of being the first woman to run for the chief executive's office of a city in this section. Two other Halsey women, Mrs. William Mahan and Mrs. C. E. Gylford, were nominated for places on the council but withdrew before the election. Several men also withdrew their nominations. A peculiar situation at one time was that Mrs. Mahan and her husband were candidates for the council.

## ORCHARD COMPANY SUED FOR MONEY RECOVERY

Asking judgment in the sums of \$480 and \$125, the latter being for attorneys fees, A. W. Smit this morning filed suit against the Linhaven Orchard company to recover on a promissory note, executed September 16, 1912, for the former sum and payable on or before January 1, 1913. It is alleged that no part of the note has been paid and that it was executed for valuable consideration. Attorneys Schmitt and Schmitt of Portland, represent the plaintiff.

L. S. Bennett, of Shelburn, attended business matters here this morning.

Mrs. H. E. Huebler of Mill City was a shopper in the city this morning.

R. O. Russell, of Polk county, was in the city this morning. He visited his brother Rufus Russel, deputy county clerk.

## \$12,000 JUDGEMENT GIVEN TO NATIONAL BANK

Judge Galloway this morning granted a decree of judgment for \$12,000 in behalf of the First National Bank against the Oregon Title & Trust company.

The suit was to recover on a note executed October 1, 1911. Interest to date is to be paid and \$500 attorney's fees. Several shares of stock of the Linn County Abstract company, a sub concern of the trust company, is involved in the suit, together with other securities.

News on This Page is From Daily Issue of TUESDAY, DEC. 16, 1913

**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, Neww Bligh Bldg. Bell 535-R.

## GRANGE INSTITUTE HELD YESTERDAY IN ALBANY

Two Prominent Grange Speakers Present; Plan of Cooperation Considered.

Convening yesterday morning at 10 o'clock at Woodmen Hall, with a large number of Linn and Benton county grangers in attendance, a grange institute is in progress during which a plan of cooperation is to be presented and general grange work, along instructive lines, will be discussed.

It is probable that other matters will be taken up, including the matter of a public market in Albany. It is expected that several resolutions of more or less importance will be passed. The meeting will not adjourn until this afternoon, late.

Every grange in Linn county was notified of the meeting and was urged to send as many representatives as possible. The granges of the territory immediately adjacent to Albany in Benton were also notified and urged to have a delegation present. A hearty response was accorded the invitations and grangers from Lyons and Foster and various other distant places are present. Granges close to Albany in both Linn and Benton counties are well represented.

Two main speakers, men prominent in state grange work, are to lead the discussions. C. E. Boanchar, of Grants Pass, a member of the statewide cooperative committee, will present a plan of cooperation. B. G. Leedy, of Corvallis, a member of the executive committee, led the discussion of general grange work, along instructive lines.

Many prominent local grangers entered into the discussions and the indications are that a rousing meeting is being held.

## PERSONALS AND NEWS NOTES FROM SHEDD

Shedd, Dec. 17.—(Special to Democrat)—C. S. Bliss of Silverton had business in Shedd last week.

Roy Duncan and Miss Fay Coney were Albany shoppers last week.

Messrs. N. Warmeth and O. Bond, of Halsey, had business in Shedd Tuesday.

Ernest True of Halsey was a Shedd visitor last week.

E. Dow was in from his ranch near Oakville Tuesday doing some shopping.

Geo. H. Moss of Tangent was in Shedd Saturday.

Geo. Maxwell had business in Albany last week.

F. M. Johnson of Tacoma had business here last week.

An Albany boys' ball team played a game of football with the Shedd high school on the Shedd gridiron, won by a score of 6 to 0. Features of the game were a touch down by Stone and the tackling by Walter Bouey.

N. R. Howard of Halsey had business calling him to Shedd Tuesday.

Thomson and Faber of Albany had business calling them to Shedd Monday.

Several young folks of Shedd attended the dance at Tangent last Friday evening and report a good time.

J. C. Davis had business calling him to Tangent Monday.

Mrs. A. Sutherland was in Albany two days last week visiting with her daughter Miss Katherine Sutherland.

Mr. and Mrs. Henry Freerksen were Albany shoppers last week.

C. H. Davidson had business calling him to Albany last week.

Mr. and Mrs. W. E. Catehall were Albany visitors Sunday evening.

Mr. Hurley Morgan and wife of Ft. Stevens were Shedd shoppers Tuesday.

## SHEDD AND HALSEY MEN BUY SHORT HORN CATTLE

Shedd, Dec. 17.—(Special to Democrat)—Mr. J. B. Cornett while at the stock show at Portland last week sold six head of shorthorn cattle, which averaged him \$180 each. He also bought a fine bull out of the Dunn herd. It would be worth anyone's time to go out and see Mr. Cornett's herd. He has as fine a herd as is seen anywhere.

Mr. P. T. Patton of Halsey also bought a young shorthorn bull out of the Dunn herd and had it delivered to Shedd with Mr. Cornett's shipment.