

PEACOCK RECEIVES HEAVY SENTENCE

Must Pay Fines Amounting to \$1000; and Serve 90 Days in Linn County Jail Here.

COURT PAROLES HIM ON TWO CHARGES AGAINST HIM TODAY

Judge Galloway Gives Peacock Some Excellent Advice Before Imposing Sentence.

Continued from Saturday, Nov. 23.

With the courtroom well filled with residents of this city, Judge Wm. Galloway this morning at 10 o'clock sentenced Al Peacock to pay fines of \$1000 and serve 90 days in the county jail for the various convictions secured against him by the district attorney's office for violation of the local option laws. If Peacock fail to pay his fines of \$1000 he will be compelled to remain in the county jail for a period of 90 days or nearly a year and a half.

On the first two charges upon which Peacock was found guilty this week, he was sentenced to pay a fine of \$250 and serve 30 days on each one. On the case which was appealed from Justice of the Peace Swan's court, Judge Galloway upheld the sentence imposed by Judge Swan and the fine of \$500 and thirty days in the county jail which was imposed by Judge Swan on Peacock last spring, was allowed to stand. This made a total of \$1000 and 90 days in the county jail in sentences imposed this morning by Judge Galloway.

In the case of the City of Albany against Peacock, for indecent exhibition which was appealed to the circuit court, Peacock was sentenced by Judge Galloway to serve 30 days in the city jail but sentence was suspended and the defendant paroled with the understanding that the minute that he violated any of the city ordinances or the local option laws in the future, he would be arrested immediately and compelled to serve out the 30 days.

In the case of Oregon vs. Al Peacock for violation of the local option law to which Peacock plead guilty yesterday, he was sentenced to serve 30 days in the county jail. Sentence in this instance was also suspended and the prisoner paroled with the provision that should he at any time in the future violate any of the laws of the city or county, he will be arrested and compelled to serve it out.

Before imposing sentence this morning on Peacock, Judge Galloway asked Judge Whitney, whom he appointed a few days ago to defend Peacock, if he had anything to say in behalf of the defendant. Judge Whitney arose and said:

"I had a talk with Mr. Peacock yesterday and he promised me that if he was given a chance by the court, he would never again engage in the sale of intoxicating liquor and would not apply to the government for further license. He told me that this had been a lesson to him and if the court would deal with him as a good citizen, I have known his father for years and he comes from an excellent family and I believe that there is still good in him and that if permitted he will make good."

"I believe in enforcing all of the laws in the criminal statutes and every good citizen wants them enforced, and I will leave the defendant to the mercy of the court."

When Peacock was brought before the court to have sentence pronounced, Judge Galloway said:

"The court is satisfied that you have been given a fair and impartial trial. I hold no ill will against you. You undoubtedly know and feel that there are others in Albany just as guilty as you are and the court believes that you are only a little in advance of them and that they will be brought before the bar and made to suffer the penalty for their wrong-doing."

"You have admitted to your counsel that you have violated the laws, which shows that you still have some manhood, and your resolutions are good, but at this time, Mr. Peacock, I feel that you are too weak to be trusted and if I thought for a minute that you would keep your word and strive to be a better citizen, I would consider paroling you on the other charges."

"After you have served your sentence in the county jail and step forth again a free man, your heart will probably have been strengthened and you will be better able to face the bar and become a good citizen. If you show your relatives and the people of Albany that you really want to make good, they will help you in every way. I am sure, and assist you in any way they can. When you are free again forget your evil associates, and endeavor to recover your standing in the community. You can do it if you will."

Judge Galloway also made it plain this morning that violators of the law who are convicted in the lower courts can expect absolutely no leniency from him should they appeal their case to the circuit court. He also warmly complimented the people of Albany for having the most efficient officers of any town in the state and stated that they were men who were striving to uphold the laws to the letter. Judge Galloway paid special tributes to Judge Swan, District Attorney Hill, and the city officials.

Peacock was placed in the county jail this morning and will begin his sentence immediately.

ALBANY SCHOOLS WILL BE CLOSED ALL NEXT WEEK

School Kids to Take Vacation While Teachers Attend the Corvallis Institute.

Owing to the fact that the Linn and Benton Teachers' Institute will be held at Corvallis on Monday, Tuesday and Wednesday of next week and that Thursday is a legal holiday, the public schools of this city will remain closed all next week and the school kids are happy over the prospect of forgetting their books and studies for seven big days.

The teachers' convention at Corvallis will be one of the most important held in the Willamette Valley for several years and all branches of school work will be discussed by the most prominent educational men in the state.

A number of noted speakers from other parts of the country will also be in attendance, including Preston W. Search of Clark University, Massachusetts.

E. P. Carlton, assistant state superintendent of public instruction; P. L. Campbell, president of the University of Oregon; J. H. Ackerman, president of the Oregon State Normal school; C. W. Boettcher, city superintendent of the Albany public schools; Lloyd A. Marquam, principal of the Albany High school, and other prominent instructors of the state will be in attendance.

BANQUET AT SIX TONIGHT

Owing to the large number of out-of-town guests the invitations to the banquet which will be held at the Elks' Temple this evening at six o'clock will be limited to the presidents of each university and two representatives, the president of the Albany Commercial Club, mayor, and editors of the two local newspapers. A reception to the visitors will be held at the Commercial Club rooms at 5:30 this evening at which every business man is urged to be present.

SOCIETY.

Gertie Taylor, Society Editor.

Two enjoyable evenings of this week were spent at the Chrysanthemum Fair, which was held under the auspices of the Modern Travelers' Club. The first evening the program was under the direction of Mrs. Hans Flo with numbers rendered by the Treble Clef Club and the Junior Treble Clef Club. The latter were attired in Japanese costume and were especially fine. Miss Waggener and Miss Clement gave a finished piano solo while Mrs. Flo sang the classical selection "Nirvana" in her usual and pleasing artistic style. The second evening Miss Rice, instructor in music in the public schools, presented a most pleasing program. She was assisted in drilling the pupils by other teachers. The numbers were very unique, especially the "Japanese Song," "Rainy Day," and "Doll Song." The little song by the Davis sisters was very much admired. The chrysanthemums occupied the west end of the large room, there being some very fine plants. The booths containing coffee and sandwiches, chocolate and wafers, ice-cream and cake, candy, and domestic science, were artistically decorated and made an attractive setting for the sale of toothsome viands. The art gallery of beautiful water-colored paintings was an interesting feature. The palmist was a great attraction and scores hung upon her prediction of future weal or woe. Both her gypsies and herself were beautifully attired. "The Rocky Road to Dublin" was more than its name indicated—ghosts, hobgoblins, and many varied obstructions awaited the victim at every turn. The negro minstrels were taking. The audiences were very large and appreciative and the Modern Travelers are to be congratulated upon the success of their undertaking. The amount cleared is expected to reach about one hundred and fifty dollars, which will be handed over to the Library fund.

Mrs. J. J. Collins entertained about forty of her friends at "500" on Monday afternoon. Mrs. A. W. Bowersox was winning lady and received a beautiful bunch of yellow chrysanthemums. Several songs were rendered during the afternoon by Miss Blanche Hummel and Mrs. Frank Powell, which were especially enjoyed because of the excellent voices both. The hostess was assisted with her duty by Miss Hammet and Miss Alina Parker.

Guests at the Tuesday Club which met with Mrs. Charles Cusick this week were the Mesdames J. W. Cusick, Harry Cusick, Tom Hopkins, R. C. Hunt, Will Barrett, H. M. Nelson, and the Mesdames Carothers and Flora Mason.

On Tuesday afternoon Mrs. C. Clinton Pure entertained at cards in honor of Mrs. Glen Junkin who has assisted with the music for the dancing class given under the auspices of the Episcopal guild. Mrs. Junkin was presented with a piece of silver. The hostess was assisted by her daughter Marion and Miss Alina Parker served an elaborate dinner.

The H. D. W. Embroidery Club was entertained by Mrs. J. McClesby this week. Mrs. A. Austin and Mrs. Elmer Cook were the invited guests.

The Misses Elsie Bain and Winnie Austin have been spending the past week out of town; the former a guest at the Kappa Alpha Theta sorority in Eugene and the latter the house guest

MRS. SMITH TELLS STORY TO COURT

Woman Arrested Yesterday for Using Obscene Language Is Released.

TELLS HOW SHE CAME TO BE LIVING AT MRS. MERRILL'S

Says She Was Employed by Woman as Housekeeper for Past Three Weeks.

With the arrest yesterday afternoon of Mrs. W. H. Smith, who with Mrs. E. Merrill, was charged by Mrs. Etta Cochel of 337 East Second street with creating a disturbance and using vile and obscene language in a residence in that vicinity on Thursday evening, several startling incidents in the life of the Merrill woman were disclosed when Mrs. Smith told her story to the court.

According to Mrs. Smith, she was until recently a resident of Salem. A few weeks ago she noticed an advertisement in a newspaper to the effect that Mrs. Merrill wanted a housekeeper and was willing to pay the sum of \$25 a month for such service. Mrs. Smith's husband, who is a cement contractor, having recently hurt his hand while at work, was thrown out of employment and Mrs. Smith decided to answer the advertisement.

Mrs. Smith stated that she wrote to Mrs. Merrill regarding the position and told her the circumstances about her husband hurting his hand, making it necessary for her to secure work. Mrs. Smith stated that Mrs. Merrill answered her letter and told her to come to Albany and bring her husband with her, that she would not charge him anything for his board while he was out of employment.

They came to Albany about three weeks ago, Mrs. Merrill telling them upon their arrival here that her husband was away so much of the time that it was necessary for her to secure a housekeeper. Since their arrival in this city the Smiths have been living at the residence of the Merrill woman which is located on the north side of Second street between Montgomery and Railroad.

According to Mrs. Smith's story, Mrs. Merrill came home Thursday evening in an intoxicated condition and mad because she had been ordered by the owner of the building to vacate immediately. She turned on Mrs. Smith with a torrent of obscene language, which kept up until interrupted by Mrs. Cochel, who threatened her with arrest if she didn't quit swearing. She then commenced calling Mrs. Cochel vile names, which resulted in the latter having a warrant issued for her arrest yesterday.

The police were unable to find Mrs. Merrill yesterday, she having evidently left the city before the warrant could be served. The charge against Mrs. Smith was dismissed, as she denied having any part in the swearing. She is past fifty years of age and of good appearance and evidently answered the advertisement for a housekeeper in good faith not knowing anything concerning her employer until recently, when she asserts she asked the Merrill woman for her wages so that she and her husband could return to Salem.

Mr. and Mrs. Smith returned to Salem yesterday, Mrs. Smith promising to return and testify against Mrs. Merrill should she be taken into custody again.

Besides the charges for using obscene language and being intoxicated which have already been made against the Merrill woman, it is probable that a charge of more serious nature will also be lodged against her should she return to this city, for it is said that the authorities have secured some damaging evidence of sensational character against the woman.

Mrs. Merrill is the woman whose rooming house was destroyed by fire at the corner of Second and Jackson streets in this city last spring.

THREE THOUSAND COMING FROM EUGENE TODAY

Trains to Hub City Are Loaded to the Guards; Big Crowd from Corvallis.

According to advices received this morning by E. H. McCune from Eugene, it was necessary for the Oregon Electric train to leave that city in sections, the first train leaving two hours earlier than was anticipated. It is estimated in Eugene that fully three thousand people from that city will attend the big game in Albany today.

Nearly the entire population of Corvallis will also be in attendance, many boosters for the O. A. C. having already arrived in the Hub City.

News Beginning With This Head Is From Daily Issue of MONDAY, NOVEMBER 25.

CHIEF POLICE RESIGNS; SPECIAL OFFICERS ALSO HAND IN THEIR RESIGNATIONS TODAY

Shakeup in Local Police Department Result of Mass Meeting Held a Week Ago at the First Methodist Church When Daughtry Was Called Before Gathering of Business Men and Resolution Read--Griff King Appointed Acting Chief.

The biggest shakeup that ever occurred in Albany police circles, happened this morning when Chief of Police Ellis Daughtry and Policemen John Webb and Frank McClung tendered their resignations to the city council and turned in their badges of authority. Special Policemen M. E. Bilyeu, W. F. Howard, George B. Cummings, and Herman A. Hecker also turned in their stars at the same time. The resignations of Chief Daughtry and Policemen Webb and McClung take effect immediately.

When Mayor Gilbert was informed that the entire police force had resigned, he immediately called a special session of the city council and at the meeting which was held in the council chambers at 10 o'clock this morning, Griff King was appointed acting chief of police to serve until the regular meeting of the council on Wednesday evening when the vacancies in the police department will be permanently filled. Acting Chief King this morning named Charles T. Thrasher and Henry Wentworth, both of this city, as his night policemen to serve until Wednesday evening. The officers appointed to serve until next Wednesday took the oath of office today and are now on duty.

At the special session of the city council which was held this morning, the following city officials were in attendance: Mayor Gilbert, Recorder Van Tassel, and Councilmen Lyons, Snell, Chambers, Cameron, Simpson and Hulbert. The resignations of Chief of Police Daughtry and Policemen Webb and McClung were read by Recorder Van Tassel and accepted by the council. Upon motion of Councilman Chambers, Griff King was appointed acting chief of police to serve until Wednesday evening and the council adjourned.

When two hundred local business men and residents of this city, summoned Chief of Police Daughtry to the Methodist church where a monster mass meeting was in progress a week ago yesterday, and read to him a resolution which had been adopted at the meeting and which read to the effect that the men present at the meeting were convinced that there were blind pigs running in Albany that could be put out of business with a determined effort, as well as four or more gambling houses which they asserted were running wide open, and also houses of ill fame, they aroused the ire of the police chief and this morning he tendered his resignation to the city council to take effect immediately and was followed immediately by Policemen Webb and McClung who also tendered their resignation.

Chief of Police Daughtry stated to a representative of the Democrat this morning that since the meeting he had considered the matter thoroughly and finally concluded to resign in order that the people that have intimacy that they can clean up the city without any trouble may have an opportunity to do so.

At the mass meeting held at the Methodist church a week ago, Daughtry was asked by Dr. J. P. Wallace, ex-mayor of this city if he would go immediately to the place conducted

by Jim Hart and throw out the furniture and fixtures. The police chief stated that he was ready to sign any warrant that the city attorney or the district attorney might draw up and present to him, but that he couldn't go into any establishment and make an arrest or destroy property without first having the authority to do so.

Dr. Wallace seemed to be of the opinion that Daughtry could go immediately to the alleged blind pigs and throw their furniture and fixtures into the street and informed Daughtry that if he didn't do it at once, he would have the citizens of Albany to appoint some one who would.

Then D. O. Woodworth arose and said that he believed that it was proper to inform Daughtry of the current rumors to the effect that he was reported to be receiving money from Jim Hart for protection. The meeting finally resulted in Chief of Police Daughtry leaving the church humiliated and broken up over the statements made by some of those present and his resignation today resulted.

He stated today that his decision to resign was final. Accompanied by Policemen Webb, Chief of Police Daughtry left for Salem this morning to confer with Governor West regarding several matters in connection with the liquor question in this city.

LIEUTENANT C. M. BUTLER IS PROMOTED TO CAPTAINCY

Son of Mr. and Mrs. T. J. Butler Will Be Tactical Officer at West Point Academy.

Lieutenant Clifton M. Butler, a son of Mr. and Mrs. E. J. Butler of this city, who is stationed at Fort McPherson, Georgia, has just been promoted to the position of tactical officer at the United States Military Academy at West Point with the rank of Captain. He has been ordered to report for duty at once and will leave Fort McPherson accompanied by Mrs. Butler some time this week.

The promotion of Lieut. Butler is but another indication of his value to the war department as an officer of the U. S. army and the news of his promotion will be received with pleasure by his many friends in this city. Lieut. Butler has up to this time been attached to the 17th infantry.

REV. AND MRS. JAMES MORRISON CELEBRATE ANNIVERSARY

On November 18, Rev. and Mrs. James M. Morrison, formerly of Albany, who now reside at 348 East Sixth street in Portland, celebrated their golden wedding anniversary.

Seven sons and daughters, the surviving members of a family of ten, were present at the celebration, including Mrs. Walter Nelson of St. Johns; Mrs. T. J. Keenan of Portland; Mrs. D. H. Thomas, of Portland; Mrs. W. R. Bates, of Corvallis; Joseph Morrison, of Grass Valley, Or.; T. C. Morrison, Grass Valley; and James M. Morrison, Jr., of Portland.

One of the sons of Rev. and Mrs. Morrison, Don Morrison, now deceased, was a famous Oregon athlete, a member of the champion football team of Albany College in 1901.

CAR KILLS BOY FLEEING WITH A STOLEN APPLE

Youngster Pursued by a Fruit Peddler and is Run Down and Mangled in Third St.

San Francisco, Nov. 24.—While attempting to dodge a fruit peddler at Third and Geary streets last night, an unidentified newsboy fell in front of a streetcar and was crushed to death.

The lad, with a number of other boys, was selling papers near the corner and the wagon of fruit proved too much of a temptation. He seized an apple and started to run and the fruit peddler gave chase.

The newsboy dashed across the street directly in the path of the Third street car. Before warning could be shouted he had been thrown beneath the tender and mangled by the wheels of the car. The peddler saw what had happened he rushed back to his wagon, tore down his signs, and drove rapidly away. The police were unable to find his name. Neither could they identify the boy, for while he was known to all the newsboys, none professed to know his name. The motorist, D. McCarthy, was arrested on a manslaughter charge.

Miss Letta Price, who teaches the first grade of the Central school in this city, went to Corvallis this morning to attend the teachers' institute.

Miss Helen B. Gilbert of Portland returned to the metropolis last evening after spending Sunday in Albany at the home of her parents, Mayor and Mrs. P. D. Gilbert. Miss Gilbert is studying surgery and nursing at the Great Samaritan Hospital in Portland.

J. P. Galloway, a former Albany man and now instructor of immigration at Blaine, Washington, spent Sunday visiting friends in Albany. He went to Brownsville this morning to attend the celebration of the 100th birthday of Capt. James Blakely which occurs tomorrow.

E. L. Wieder of the Pirtle-Wieder company of this city, went to Portland on the electric limited this morning where he will look after business matters today.

James M. Hawkins of the Oregon Title and Trust company of this city, was a passenger on the electric limited to Portland this morning where he will look after business matters.

Denver Hackleman left on the electric limited this morning for Portland where he will serve on the U. S. jury which was recently drawn.

STATE CONVENTION WILL BE HELD HERE

Oregon Retail Merchants Association Will Convene in Albany During January.

MEETING OF ALBANY MERCHANTS FOR NOV. 29th.

Delegates Will Be in Attendance from Every City and Town in Oregon.

To perfect plans for the reception of the delegates to the convention of the Oregon Retail Merchants' Association and to effect a permanent local organization will be the purpose of a meeting which is called in this city for November 29th by the secretary of the state association.

The seventh annual convention of the Oregon Retail Merchants' Association will be held in this city during the month of January and it is understood that delegates will be in attendance from nearly every city and town in the state.

Thus far the merchants of Albany have perfected no organization and there is a strong movement on foot to organize and affiliate with the state association which will convene here in January.

Whether a local organization is perfected or not, the merchants will at least perfect a temporary organization to the end that the visiting delegates may be entertained properly during their stay in the Hub City.

HORSE SHOW GASPS AT THE BIZARRE GOWNS

Freakish Creations Cause Sensation; Worn by Three Unescorted Young Women.

New York, Nov. 25.—Vying with Alfred G. Wynne Vanderbilt, Miss Maude Preece, the 18-year-old English girl, and other famous riders for honors and attention at the horse show Saturday, were three freakish gowns worn by unknown and unescorted young women, which caused the great throng of society fashionables to gasp in astonishment.

One of these gowns was built of an underbody of lavender with lace overdress liberally bespangled with fish scales. It was cut high in the front and low in the back and had a sheath effect on either side running almost to the waist.

Another was of white ermine and another of red satin. The latter two were all white at the sides, displaying the brightness of crimson hosiery.

A brighter one of the gowns carried an eight-foot alpenstock.

But the young women were forgotten for the time when Vanderbilt made his appearance driving his chestnut gelding Sir James to the grid for the national A cup. The president of the horse show association was given an ovation and drove so well that he carried off the blue ribbon from William P. Kearney's Canadian stallion Triumph.

Then Miss Preece made her appearance for a spectacular exhibition of riding. Although she was not competing for a prize, she was compelled to make several extra circuits of the ring.

The broad water jump, in which 35 army officers from the United States, England, Belgium, Holland and Canada, competed, was won by an American.

The first trial began at 15 feet. The jump was widened a foot at a time. Each horse was allowed three trials. The contest was won on the 18-foot jump by Pica, a black gelding ridden by Lieutenant Adair, Tenth Cavalry, U. S. A. second place was given to Lieutenant LeBoeuf of the Royal Holland Fusiliers, and third to Lieutenant Choche Myer, Fifth Cavalry, U. S. A.

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