

A Judicial Joss.

Even the bolts and bars of a prison cannot shut in a principle. It is not the jailed newspaper men that the country is condemning at Boise. It is the Idaho supreme court that is under almost universal censure.

The whole United States has taken note of the court's action and scarcely a voice is lifted in defense of the judges. Everywhere it is being said that the jailing of the men without a trial by jury and without right of appeal closely concerns the whole question of human freedom, and that it presents an issue that must be speedily solved.

The weapon used by the court is a hand-me-down. When the government was organized, the contempt prerogative passed into vogue in American courts from use in the courts of the colonies. Its authority is the English common law dating back through centuries and made up mostly of judicial decisions.

That the court had the power to try its own case against the newspaper men, that it had the right to try them without a jury and deny them the right of appeal is not denied. Exactly such a power should be expected in a jurisdiction derived from such a source, a source in which kings claiming divine right often made the law and acted as super supreme courts. It is such a judicial system, modified only by the New York revision of 1848, and made worse in many ways by more judge-made precedents under which our litigation is conducted.

It is under such a system that our criminals are tried. It is such a system on which our courts are founded. It is such a system that many of our lawyers worship with the idolatry with which a heathen worships a joss. It is such a system that the majority report of the Oregon judiciary commission says needs but little change.

The power that was exercised in Idaho can be exercised in Oregon. One reason why it has not been exercised in Oregon in recent years is that Oregon has saner judges. Another is that the sequel in one case in which it was employed in Oregon stands as a popular protest and a powerful warning.

The insistence on clinging to these old legal josses is Bourbonism. It is a lawyer's standpatism. It is refusal to move forward in step with progress.

The two Idaho judges in their action were the last word in judicial reaction. They are militant reactionaries, and like all reactionaries, political and otherwise, they become blinder the nearer they get to doom.—Portland Journal.

The Toll of the Sea.

Thirty dead were added Tuesday to the toll of the sea. Though but a breath beside the appalling tragedy on the Atlantic last April, the roll of the lost claimed by an angry ocean on the Rosecrans at Peacock Spit is a frightful exaction in human life.

The list of missing on the Pacific coast during the last sixty years amounts to a melancholy total. Sixteen shipwrecks in the period have yielded an aggregate of 1400 lost lives.

October 1, 1854, the steamer Yankee Blade was wrecked on Point Arguello with a loss of 180. January 5, 1860, the steamer Northerner was wrecked off Cape Mendocino and 38 lives lost.

July 27, 1862, the steamer Golden Gate was burned off Manzanillo and 198 persons perished.

July 10, 1865, the Brother Jonathan went down near Crescent City with a loss of 148.

February 13, 1869, the steamer Herman was wrecked in Japanese waters and 120 were lost.

August 22, 1888, the City of Chester collided with the Pacific Mail steamer Oceanic off Fort Point, and 16 lives were lost.

February 21, 1895, the steamer Colima was lost in a hurricane 36 miles south of Manzanillo and 198 persons went down with the ship.

December 8, 1895, the steamers K'weenaw and Montserrat collided off Cape Flattery and 67 perished.

February 22, 1901, the steamer Rio de Janeiro sank near Mile Rock in San Francisco bay and 128 were lost.

January 7, 1904, the steamer

Clallam was lost in the straits of Fuca with a death roll of 54.

January 23, 1906, the steamer Valencia was wrecked off Vancouver Island with a loss of 120.

November 18, 1906, the steamers Dix and Jeannie collided in Seattle harbor with a death roll of 48.

July 23, 1907, the steamer Columbia and schooner San Pedro collided off Shelter Cove, Mendocino, and 86 perished.

September 20, 1909, the bark Star of Bengal was wrecked on Coronation Island, Alaska, with a loss of 111.

August 27, 1909, the steamer Ohio sank in Swanson bay, Alaska, with a loss of four.

January 7, 1913, the oil steamer Rosecrans was blown ashore by a hurricane on Peacock Spit and 30 persons perished.

The Columbia river has figured but little in the great marine disasters of the Pacific.—Portland Journal.

LEBANON ITEMS.

The Lebanon National bank is thinking seriously of erecting a new bank home on the corner now occupied by Doolittle Bros. harness shop.

Dr. Laird last week received a pair of registered Belgian no Partridge Cochon chickens. They are said to be very choice birds. The cock weighs 12 1/2 pounds and the hen 10 pounds. They have as long feathers on their feet as on their tails.

A cowboy poet entertained the passengers on the smoking car of the Lebanon express train last Friday evening, by reciting a number of original poems. It is unnecessary to state that he had been imbibing some of the wet goods Albany's blind pigs are said to deal in.

Farmers and grangers are asking Lebanon business men to erect hitching posts for the convenience of people who drive to this city to sell produce and buy goods. The matter should be looked after immediately.

Lebanon is to be visited by a true blue pugilist. True, he is one of the "has-beens" but, all the same, he is of almost worldwide reputation and, as such, will attract general attention.

The party is Ad W. Wigan, who is now making a tour of the state, and Lebanon is one of the points he says he will visit. He should send an advance agent ahead so that the public may know when to expect him.

Dr. Laird and N. S. Olsen went to Albany, Tuesday, on mining business.

Hon. M. A. Miller went to Portland Tuesday, to attend the democratic Jackson banquet.

N. M. Newport was doing business in Albany last Tuesday.

Sheriff D. H. Bodine was in Lebanon visitor last Friday night.

Dr. J. L. Hill of Albany was looking after business matters in this city last Friday afternoon and night.

Lee Bilyeu has sold 40 acres of his farm, south of town, to J. M. Ramsey, consideration, \$75 per acre.

R. G. Miller, of up the South Santiam and a breeder of register De-laine sheep, returned last Friday from an Albany visit.

Mr. and Mrs. Levi Neuschwander of near Tallman, returned from a visit to Mrs. Neuschwander's parents in Montana last week.

MAN DRINKS TO DEATH, BUT WINS HIS BET

47 "Tom and Jerries," Pint of Whiskey, 6 Bottles of Beer; Then the End.

Pittsburg, Jan. 9.—As a result of overestimating his capacity for assimilating intoxicants, George Harris, a miner, died suddenly last night.

Harris walked into a saloon and offered to bet \$10 he could drink as much as any four men in the place. Bert Stanlick took the bet. The loser was to pay for the drinks.

Harris drank forty-seven "Tom and Jerries," a pint of whiskey and six bottles of beer. The four men who had been selected to drink against Harris had stopped drinking before Harris finished the beer. When the latter finished the beer he collected the money from Stanlick and started for the door. He had taken only one step when he fell to the floor and was dead in a few minutes.

MISFITS

Contributed By F. P. Nutting.

Come to stay: the moving picture, automobile, flying machine. All great but each should be used for good, not evil.

If we really profited by our mistakes there would be more dividends than there are.

Everybody knows a little Latin, per diem, for instance.

Turning over new leaves seems to be a pretty tiresome job for some people.

Yellow, caused by the morphine of the cigarette, on one's finger, is always a poor letter of recommendation.

It looks as if inventors had reached the limit; but wait. The future will show things just as startling as those of the past.

MAYOR DELIVERS ANNUAL MESSAGE

Recommendations of the Chief Executive Read to Council Last Evening.

FAVORS ESTABLISHMENT OF MUNICIPAL LIGHT PLANT

Also Extension City Limits; Purchase of Street Flusher; More Parks; and Water Project.

Following is a portion of the annual message of Mayor Gilbert which was read at the regular meeting of the city council last evening. Mayor Gilbert recommends:

Purchase by the city of an additional team of horses or at least one horse and a dump cart to be used in the street cleaning department. The recommendation was made with a view to economy as a cart and horse can be operated by one man instead of three men as at present.

Flusher for Cleaning Streets. Purchase by the city a street flusher. Mayor Gilbert believes that this is the only modern and sanitary way to clean the paved streets properly. It is inefficient during muddy weather. Recommends purchase of flusher at earliest possible time.

Extension of City Limits. Recommends extension of the city limits and says that it is a shame that so much of Albany's population is outside the present limits. Says that this cannot be said of any other city in the state and urges that steps be taken in the near future to extend the territory. States that additions to all parts of the city are becoming thickly populated and need sewerage.

New sewers will reach nearly all outlying districts which should be the opinion of Mayor Gilbert be connected to the first class system to be installed during coming summer.

Municipal Street Lighting System. Mayor Gilbert says that it is a deplorable fact that Albany is poorly lighted; that the arc lights now in use here are out of date and give very poor light for price paid; that it would be bad business policy for city to contract for any more of these lights from the Oregon Power company; that as far as he was able to learn from that company it would be impossible to install cluster lights, either in residence or business sections, at the present prices they would charge, and therefore, Mayor Gilbert urges the council to take immediate steps to ascertain the cost of a municipal power plant, power to be of steam and plant of sufficient size to furnish electricity for at least 500 cluster lights.

In speaking of the proposed municipal power plant, Mayor Gilbert says: "I would recommend, for the present at least, that this plant be installed for the purpose of street lighting only. From information that I have on the subject, I am convinced that a plant for our purpose could be installed ready for use, at no great outlay of money, perhaps not to exceed \$35,000." My idea is to have the property owners install the posts and the city to furnish the current free of charge. I am informed that a first class 3-cluster post could be installed for \$22.50 each or about \$5.50 per lot for two posts on each block. I believe that this system would extend at once to nearly every street in the city. "Albany last year paid about \$400 for street lighting. This would go a long way toward operating a municipal plant and we would have the city lighted from end to end and with the wires all under ground."

Urges More City Parks. The need of city parks was impressed upon the minds of the members of the city council by Mayor Gilbert who said: "I would again call attention to the fact that we need public parks and as we have absolutely nothing at all in the heart of the city in the way of a small park, I favor the purchase of the Central school block by the city. I understand that the school board think of purchasing a new site for the Central school anyway, and as the city likely pays about ninety per cent of the school tax in the district, I think that we should buy this block and let the district purchase other grounds with the money we pay them."

Favors Clear Lake Water Project. "The proposed project for securing a pure water supply for the cities of the Willamette Valley from Clear Lake, which is now being investigated by the state as to its practicability, whether practical or not, sounds good to me," said Mayor Gilbert in his message, "and may be the result of Albany getting a first class article from this source. We should lend the state every encouragement."

Compliments Fire Department. "I want to compliment the members of the fire department for their efficient work during the past year, for they have done excellent work with what equipment they have, and we will soon have an equipment that every fireman, as well as every citizen will be proud of. I would suggest that each fire company have a full complement of members by the time the new apparatus arrives, and I recommend that the council give every assistance possible to our volunteer fire department. The local telephone companies have installed alarm systems so that alarms may be phoned central from all residences."

Congratulates Residents of Albany. In closing his message to the council Mayor Gilbert said: "I want to congratulate the citizens of Albany on their civic pride that is manifest on

MAYORS MESSAGE CONTAINS MANY INTERESTING FACTS

City's Indebtedness Is Given As \$159,000.—Total Expenses for 1913 \$27,195.

Following are some interesting facts and figures contained in the annual message of Mayor Gilbert:

Receipts and expenses for year 1912—Total warrants issued, \$164,799.43; street paving general fund, \$24,752.47; street paving fund, \$107,459.87; warrants issued exclusive of pavement, \$32,589.56; bond redemption fund (invested), \$4,686.20; library fund on hand, \$2,135.78; total receipts for year 1912, exclusive of paving, \$39,411.54.

Estimated expenses for 1913:—City officers, \$5,500; fire department, \$3,500; lighting, \$3,500; attorney and court fees, \$1,500; dogs and estrays, \$75; elections, \$200; fuel and office supplies, \$300; meals and supplies city jail, \$300; printing and stationery, \$300; office rent, \$120; rebates, \$50; water rent, \$1,400; surveying, \$1,800; janitor, \$50; auto fire truck, \$5,500; team, \$400; flusher for streets, \$1,250; Fifth street property for engine house, \$1,450. Total estimated expenses for 1913, \$27,195.

We found it necessary to levy a tax for the above city purposes of 7.4 mills. In addition to the above are the following items:

Interest on sewer bonds, proposed, Oak street, Geary street and Baker street, \$2,500; interest refunding bonds 1912 and 1913, \$7,500; interest funding warrants, \$3,250; interest \$20,000 bonds due 1915, \$1,200. Tax levy necessary for the above, 4.2 mills. Sinking fund to take care of \$20,000 bonds due in 1915, 1.4 mills. Net indebtedness of city, \$159,000.

The year 1912 was a prosperous one for Albany and much improvement has been made. We have paved more than 60 blocks the past year with hard surface pavement at a cost of \$1.55 per sq. yard, which gives the city many beautiful streets and boulevards. The people of Albany are to be congratulated for their enterprise in this direction.

"Because of slight objections to our charter by the bonding companies our sewer bonds were turned down last year, but those objections seem to have been overcome in our last election. Charter amendments were passed and we hope to sell these bonds at an early date and to begin work on the proposed sewers as soon as weather conditions will permit.

"In granting franchises it has been the aim of the council to safeguard the interest of the people at every turn. The Oregon Electric railroad has paved their road from Main to Elm streets on Fifth, and a portion of Water street. In conjunction with the Southern Pacific Co. they are bringing Water street to grade full width and this street will no doubt be paved the coming summer, making this another first class thoroughfare and thereby enhancing the value of all the property along this street.

"The Oregon Electric railroad has built at Fifth and Lyon a fine depot that is in keeping with the advancement of the city; also a commodious freight depot on Water street.

THREE THOUSAND SOLDIERS LEAVE U. S. FOR HONOLULU

San Francisco, Jan. 8.—With the music of three bands floating across the waters of the bay, the army transports Logan and Sheridan steamed out into the stream yesterday morning and headed across the Pacific to Honolulu, where the 3,000 soldiers aboard the two boats will be disembarked for station.

The transport docks presented a real war time picture, such as was witnessed many times during the stirring days of the Spanish-American war. Crowds of people assembled to wish the soldiers goodby. The Coast Artillery Corps band played stirring music on the dock and on the mine planter General Gregory Barrett, which accompanied the troops to the Golden Gate.

FOR SALE—Complete blacksmithing outfit and set of dies. R. Rogoway and Sons, 128-134 West Second Street. J10-Wely tf

NOTICE OF FINAL SETTLEMENT. Notice is hereby given that the undersigned executors of the last will and testament of Charlotte Wagner, deceased, have filed in the County Court of Linn County, Oregon, their final account as such executors and that said court has fixed Monday, the 10th day of February, 1913, at one hour of one o'clock in the afternoon as the time for the hearing of objections to said final account and the settlement thereof.

WM. F. REINER, FRANK F. REINER, HEWITT & SOX, Executors. Attorneys for Executors. J10-F7

every hand, in the beautifying of their homes and streets. I also congratulate the business men on their well kept places of business, and also the property owners who are improving their property with substantial structures on every hand."

Thanks Ladies' Development Club. "I also wish to thank the ladies of the Civic Improvement Club and all those who have taken an active interest in the affairs of the city and that have ably assisted the city administration in many ways. I would also admonish all city officers to see that their respective offices are administered in an economical and business manner, and that all of the laws and ordinances are strictly enforced."

P. D. GILBERT, Mayor of Albany.

METHODIST SUNDAY SCHOOL HOLDS ITS ANNUAL MEETING

Officers Are Elected to Serve for the Ensuing Year and Reports Are Submitted.

The annual meeting of the Sunday-school board of the First Methodist church was held in the church parlors last evening with an exceptionally large and very enthusiastic crowd in attendance.

The past year's work was reviewed and all present expressed themselves as intending to do even better work during this year.

The following officers were elected for the ensuing year: Dr. C. V. Litter, superintendent; J. S. Van Winkle, first assistant superintendent; Roy Parker, second assistant superintendent; Miss Beulah Hinkley, secretary; Clark Canfield, assistant secretary; Miss Mary Smith, absentee secretary; G. T. Hockensmith, treasurer; Miss Edna Cowles, librarian; Ralph Lamb, assistant librarian; A. M. Hammer, chorister; C. M. Kendall, assistant chorister; Miss Inez Curl, pianist; Miss Hazel Hockensmith, assistant pianist; H. E. Hector, orchestra director; Mrs. John McChesney, superintendent of cradle roll department. The home superintendent will be named later.

The total amount of money raised by members for Sunday-school supplies during the past year was \$473, and the total enrollment in all departments is 595.

STUDENTS FROM ALL POINTS OF COMPASS ATTEND COURSES

British Columbia Woman Is at College Taking Domestic Science Course.

Oregon Agricultural College, Corvallis, Or., Jan. 8.—From New York to Texas, British Columbia and Maine, the students for the annual winter short course at the Oregon Agricultural College flocked in to register by the hundreds Monday, and they are still coming in, so that an attendance much in advance of that of any previous year is already assured.

One mother from Nelson, B. C., who came for the domestic science work, brought a son for the forestry classes, and will enter two sons in the regular forestry course at the opening of the second semester. Other British Columbians from Kamloops, Kere-moos, Victoria and other points are here for the finely organized work in fruit culture. One young man from Alberta comes for the Agronomy courses and information on dry farming, and a house-mother from Litchfield is deep in dressmaking, millinery and home nursing.

A White Salmon, Wash., man is back for his fourth year, having found new help and new inspiration each year for the solution of his farm problems. Another from Wahkiacus, Wash., is studying blacksmithing, while two from Underwood are taking the horticultural instruction. Laurel and North Yakima, Bellingham and North Bend and other Washington districts have sent representatives to the domestic science general agriculture, commerce and poultry work.

Animal husbandry attracted a man from El Paso, Texas, and Portland, Me., Buhl, Ida., Sauk Centre, Minn., Belmont, Mich., Blathead, Mont., New York, N. Y., Phoenix, Ariz., and many other parts of the country, as well as practically every county of Oregon, are represented in the enrollment of students in various departments of study.

MAN SIGNS PLEDGE AND WIFE DROPS HER SUIT FOR DIVORCE

San Francisco, Jan. 8.—Before Judge Graham yesterday William Cosbie, 1137 Florida street, signed the pledge to abstain from all intoxicating liquors for three years, and his wife, Jane Cosbie, agreed to drop her divorce suit, charging extreme cruelty.

The couple have been married eighteen years and have four children, the oldest 16. Mrs. Cosbie charged that her husband frequently came home intoxicated and swore at her. She agreed, at the judge's suggestion, to drop the suit if her husband would stop drinking.

ELVIRA CONN, Administratrix.

L. M. Curl, Atty for Admrx. Dec. 20—Jan. 17.

EXECUTOR'S NOTICE. Notice is hereby given that the undersigned was by order of the County Court of Linn County, Oregon, on the 3rd day of January, 1913, duly appointed executor of the last will and testament of Anna Schlosser, deceased. All persons having claims against the estate of said deceased are hereby notified to present the same, with the proper vouchers, to the undersigned at his residence, in the City of Albany, Oregon, within six months from the date of this notice.

Dated this 3rd day of January, 1913. **HARRY SCHLOSSER, Executor. HEWITT & SOX, Attorneys for Executor. J10-F7**

NOTICE OF FINAL SETTLEMENT. Notice is hereby given that the undersigned administrator of the estate of W. A. Anderson, deceased, has filed in the County Court of Linn County, Oregon, his final account as such administrator and that said court has fixed Monday, the 10th day of February, 1913, at the hour of one o'clock in the afternoon, as the time for the hearing of objections to said final account and the settlement thereof.

J. C. ANDERSON, Administrator. HEWITT & SOX, Attorneys for Administrator. J10-F7

COURT HOUSE NOTES.

Warranty Deeds. Eliza A. Piatt to Emma Cain, Jan. 7, 1913. Lands in city of Seio, Linn County, Oregon, \$1,000.00. W. F. G. Thatcher et ux to F. F. Williams, Jan. 8, 1913. Lots in Morris tracts in Tp. 15, S. R. 4 west, \$10.

Marriage Licenses. Lester Powell, age 22, of Brownsville, and Anna Seefeld, age 17, of Halsey. B. C. Keeth, age 26, of Portland, and M. M. Robertson, age 29, of Lebanon.

Probate. In the matter of the estate of Sarah J. Saltmarsh, deceased. Final account, set for hearing Monday. In the matter of the estate of Mary Donohue, deceased. Bond of administratrix, approved. In the matter of the estate of E. E. Upmeyer, deceased. Inventory and appraisal. In the matter of the estate of Chas. Mykleshek, deceased. Inventory and appraisal.

CLYDE LAUGHEAD RETIRES FROM FIRM

Will Move with Family Soon to Montana to Reside on His Homestead Near Loma.

HIS INTEREST WAS BOUGHT BY H. A. STEARNS OF ALBANY

Store Will Be Remodeled by New Firm Who Will Carry an Up-to-Date Stock.

H. A. Stearns, for the past year a clerk in the grocery store of the Beam-Fletcher company of this city, has purchased the interest of C. W. Laughead of the firm of Reagan & Laughead of this city and will hereafter be associated with W. C. Reagan in the conducting of that establishment.

Mr. Clyde Laughead, the retiring member of the firm of Reagan & Laughead, recently acquired a valuable homestead near Loma, Montana, and with over thirty other Albany people who have acquired similar pieces of property there, will move with his family to that state within the next month to begin his term of residence on the property, as required by the government.

Mr. Laughead, together with Mr. Reagan who came to Albany from Medford, opened the grocery store which they have been conducting, about two years ago. This firm is among Albany's most progressive merchants and during the past two years have enjoyed a large trade, secured by their fair and courteous treatment of the public.

Mr. Stearns, who will hereafter be associated with Mr. Reagan in the store, came to Albany over three years ago. For several months after his arrival here he conducted the Variety store in the building formerly occupied by Charles Knecht and which is now a part of the big Hamilton department store.

He moved later to First and Washington streets where he conducted his business for some time, finally selling out altogether. He has since been employed by the Beam-Fletcher company.

The firm of Stearns & Reagan will undoubtedly be accorded the same liberal patronage that the old firm has enjoyed in the past and the members of the new firm have the best wishes of their many Albany friends for continued prosperity.

The new firm plans to remodel the store throughout in order to secure more room and an up-to-date stock of groceries will be carried.

News on This Page is From Daily Issue of THURSDAY, JANUARY 9.

ADMINISTRATOR'S NOTICE.

NOTICE is hereby given that the undersigned administratrix of the estate of I. F. Conn, deceased, has filed with the County Clerk of Linn County, Oregon, her final account in the matter of said estate, and the County Court has appointed, Monday, the 20th day of January, 1913, at the hour of one o'clock in the afternoon of said day at the county court room in the court house in the City of Albany, Oregon, as the time and place for hearing objections to said final account, if any there be and for the final settlement of said estate.

Dated this 13th day of December, 1912. **ELVIRA CONN, Administratrix.**

L. M. Curl, Atty for Admrx. Dec. 20—Jan. 17.

EXECUTOR'S NOTICE. Notice is hereby given that the undersigned was by order of the County Court of Linn County, Oregon, on the 3rd day of January, 1913, duly appointed executor of the last will and testament of Anna Schlosser, deceased. All persons having claims against the estate of said deceased are hereby notified to present the same, with the proper vouchers, to the undersigned at his residence, in the City of Albany, Oregon, within six months from the date of this notice.

Dated this 3rd day of January, 1913. **HARRY SCHLOSSER, Executor. HEWITT & SOX, Attorneys for Executor. J10-F7**

NOTICE OF FINAL SETTLEMENT. Notice is hereby given that the undersigned administrator of the estate of W. A. Anderson, deceased, has filed in the County Court of Linn County, Oregon, his final account as such administrator and that said court has fixed Monday, the 10th day of February, 1913, at the hour of one o'clock in the afternoon, as the time for the hearing of objections to said final account and the settlement thereof.

J. C. ANDERSON, Administrator. HEWITT & SOX, Attorneys for Administrator. J10-F7