

# St. Helens Mist

OFFICIAL PAPER OF COLUMBIA COUNTY

VOL. XXXIII. ST. HELENS, OREGON, FRIDAY, OCTOBER 30, 1914 No. 45

## DATE IS FIXED FOR EXECUTION

### J. A. PENDER TO HANG ON FRIDAY NOV. 27.

## WILL GO TO SALEM ON MONDAY

### Unless Governor Commutes Sentence or Law is Changed Pender Will Hang

Judge Eakin this week signed the warrant which commands the superintendent of the penitentiary to hang John Arthur Pender on Friday November 27th, 1914 until he is dead. The warrant also commanded the sheriff of this county to deliver Pender to the penitentiary there to be kept until the 17th of November when he is to be hanged. Sheriff John will leave for Salem on Monday with his charge to deliver Pender to the penitentiary.

There is considerable speculation as to what effect the bill to abolish capital punishment, to be voted on next Tuesday, will have on the Pender case if that bill carries. Some of the leading attorneys of the state say if the act is adopted that Pender will go free because the penalty for first degree murder is abolished along with the bill and as he was convicted of first degree murder and there being no penalty prescribed, for the offense he will have to be turned loose.

This question has been put up to the governor and he no doubt will convince himself as to this defect in the proposed law and if such is the case he will probably commute the sentence to life imprisonment before election day. Judging from the statements of the governor regarding the Pender case it is quite probable that he will commute the sentence anyway, whether or not the bill abolishing capital punishment carries.

## GRAND JURY REPORTS TO COURT

### Makes Some Recommendations and Suggestions

To the Honorable Court of Columbia To the Honorable Circuit Court of Columbia County:

We, the Grand Jury, herewith respectfully submit the following. We find that the office of Sheriff of Columbia County during the term of office of A. E. Thompson was conducted in a very unsatisfactory manner and would recommend that the conduct that office in strict compliance incumbent be required to see of the law.

We find that Mr. Titus the County Highway Engineer is receiving a salary which is higher than the county is justified in paying being far in excess of any other office in the county and would recommend that the salary of County Engineer be reduced from One Hundred and Seventy-five Dollars (175.00) to One Hundred and Twenty-five dollars (125) per month and that the salaries of his assistant be dispensed with.

We would recommend that all road supervisors of the County be required to make itemized cash report at intervals of three months (quarterly reports) and turn all funds on hand over to the proper authorities at the time of making such report.

Also that all payments for road work done or supplies furnished for any road work shall be made by warrants, and not by personal payments by such road supervisors.

We also recommend that no road supervisors shall receive pay in excess of three dollars (\$3.00) per day. JOHN McADAM, Foreman.

## CIRCUIT COURT HAS BUSY SESSION

### Several Important Cases Tried This Week.

#### Judge Eakin and a Jury Settle Differences of Litigants.

It took a jury just four minutes last Saturday in Judge Eakin's court to bring in a verdict of "Not Guilty" in the case of the State vs S. E. Smith charged with threatening to commit a felony. On Monday morning Court was again resumed and the case of Kreinbring vs Matthews, being a foreclosure of mortgage, was tried and taken under advisement by the Court. Tuesday morning the case of Columbia and Nehalem River Railroad Co. vs W. J. Ross, administrator, was called and occupied the time of the Court until Thursday evening. This was a case where the railroad company had begun condemnation proceedings to obtain right of way for rail road track and some frontage for dock purposes. The jury was taken to view the premises and after hearing testimony days brought in a verdict for the defendant for damages in the sum of \$2283.33 cents and granted to the plaintiff the right of way asked for. Friday the case of the State vs Schroeder, charged with burglary from Scappoose, was tried before a jury and a verdict of guilty was returned. He will receive his sentence today.

Friday afternoon the case of Paul Birkenfeld vs the Town of Clatskanie was taken up by Judge Eakin. This is a case where Mr. Birkenfeld is asking for an injunction restraining the town from allowing the overflow water from the city reservoir to run down on his land, which he has recently diked. Evidence is still being taken.

This Saturday morning, A. E. Thompson, ex-sheriff, was arraigned before Judge Eakin and entered his plea of not guilty.

## SANTA CATALINA PULLED OFF BEACH

### Adjusters Say Loss Will Reach \$400,000

The big liner, Santa Catalina, which burned in the river two weeks ago, was hauled off the sand yesterday and towed to Portland. The insurance companies have about adjusted the loss to the ship and fixed the amount at \$400,000. The work of pulling the big hull off the sand was awarded to the Diamond O Co. for \$2500 and it took the bined power of five river steamers to move the enormous weight. The Diamond O, Oklahoma, Sarah Dixon, Cascade and Shaver pulled her off the sand and then she was taken in tow by the Shaver and Cascade and taken to Portland, where it is probable the repairs will be made on her to enable her to go back to New York.

## EVERY CITIZEN A LEGISLATOR.

If you were a member of the Legislature, how many of the vicious, business destroying bills that are now on the ballot, would you vote for? We are all legislators in Oregon, and as citizens voting to make laws, we are under just as much obligation to use good judgment in voting for measures on the ballot, as we would if we were in the Legislature. When a man goes into the booth November 3, to cast his vote on these initiative bills, he should be just as conscientious, careful and thoughtful of the public welfare as he would be if he were a member of the Legislature and the same bills came up there to be acted upon.

Where you don't know that a proposed law will benefit the State as a whole, the only safe thing to do is to vote "NO."

OREGON COMMERCIAL PROTECTIVE ASSOCIATION. Yeon Bldg. Portland, Oregon. (paid adv.)

## THE REPUBLICAN STANDARD - BEARERS

### ROBERT A. BOOTH FOR UNITED STATES SENATOR AND JAMES WITHEYCOMBE, GOVERNOR

### THESE ARE THE MEN YOU SHOULD VOTE FOR TUESDAY

### Do not be misled by a mud throwing campaign of manufactured slander.

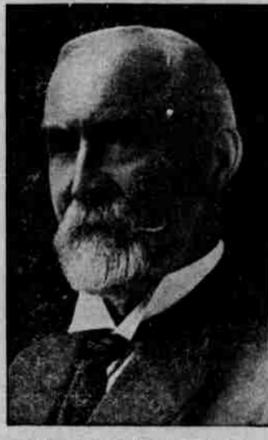
Republican candidate for United States Senator who is entitled to the vote of every Republican in Oregon. A good man for the place and the place should be occupied by a Republican. Let every man and woman



ROBERT A. BOOTH.

who believes in the principles of the Republican party vote for Robert A. Booth.

Republican candidate for Governor who will perform the duties of the office of Governor of Oregon in a dignified manner and who will work constantly for the benefit of the entire people. People generally are not satisfied with spec-



DR. JAMES WITHEYCOMBE

taclular government but want a safe and sane executive. Vote for Dr. Withycombe, the people's friend.

## INSANE WOMAN MURDERS CHILD

### Mother Takes Axe and Nearly Severs Head

Mrs. William Gabrielson, wife of a prominent farmer of Warren, today, Saturday, in a fit of insanity killed her eight weeks' old baby with an axe. After working hard all day at her household duties Mrs. Gabrielson became violently insane and the baby seemed to be the object of her rage, so taking up an axe she took the sharp edge and struck the baby in the back of the neck nearly severing the head. Death was instantaneous. After killing the baby Mrs. Gabrielson took it up and was carrying it away when she was caught and taken into custody. Sheriff John was called and is at the scene tonight. The husband was working in the field at the time of the tragedy.

Mrs. Gabrielson has been twice before in the insane asylum.

## SAVE INDUSTRIAL OREGON.

The one way to protect the future manufacturing and industrial development of Oregon is to vote against the vicious measures known as the "Water Front" bills, numbers 328 and 330 on the ballot. They are a direct attack on the prosperity of every man, woman and child in Oregon and ought to be beaten.

These measures are not only a vicious thrust at Oregon's progress but they are a veiled attack upon the public school system of the State, in that they will, if passed, deprive it of large sums of money every year.

VOTE "NO" 329 and "NO" 331. OREGON COMMERCIAL PROTECTIVE ASSOCIATION. Portland, Oregon. (paid adv.) Yeon Bldg. STATE REGISTRATION IS 300,000

According to estimates made by Secretary of State Ben Olcott, the total registration for the forthcoming general election is approximately 300,000. The registration for the primary election in May was 230,000.

## RECALL CASE STILL IN COURT

### Answer is Filed Citing Defect in Ballot.

### In the Meantime the New Court is Busy at Its Work.

Considerable discussion is being had in this county over the outcome of the recall election recently held. As near as we can ascertain, it appears that when Judge Harris and Commissioners Farr and Fluhrer refused to vacate their offices after the election Judge Clark instituted quo warranto proceedings in the Supreme Court to oust the old officers. To the complaint or petition in quo warranto the old Court filed a demurrer setting up that the constitutional provision relating to the recall of officers was not self executing. Arguments were made on this demurrer or motion to dismiss and the Supreme Court overruled the demurrer, holding that the recall provision was self executing and that officers were subject to recall, and upheld the complaint in the proceedings. After the demurrer was over-ruled the old officers vacated and the new ones went to work. By way of answering the complaint in the quo warranto proceedings the attorneys for the old court have now filed answer to the complaint setting up that the ballots used at the election were not legal because they did not conform to the ballots as decided upon by the Court in the Portland recall case. No new case or motion has been filed but an answer to the original complaint of the plaintiff in the original proceedings.

Prior to the filing of the complaint in the quo warranto proceedings in the Supreme Court by Judge Clark, he also filed in the Circuit Court a petition for a writ of mandamus requiring Judge Harris to deliver up to him all the effects of the county and turn over to him the office of County Judge. The hearing on this case was set down but owing to the same questions having been filed in the Supreme Court in the quo warranto proceedings the mandamus case was continued until after the Supreme Court had passed on the question. At the same time the mandamus hearing was continued, a stipulation was entered into between the attorneys for the different sides whereby it was agreed that all parties interested would abide by the decision of the Supreme Court in the quo warranto proceedings. At that time the demurrer was over-ruled by the Supreme Court it was generally believed that the entire case was disposed of but the attorneys for the defendants say they were not through with the case and that when the case on its merits is heard by way of complaint and answer that that will bet he end of it. They claim they are not violating any of the conditions of the stipulation or agreement as the original quo warranto case has not yet been disposed of.

## ANNOUNCEMENT.

To the People of Columbia County. I am the regular Democratic nominee for County Commissioner and my name appears on the ballot as such, at No. 80. I have been a resident of this county for 31 years and know something of the conditions. Your vote and support will be appreciated. GUS LANGE, Scappoose. (Paid Advertisement.)

B. J. Keelan, one of the new county commissioners, called in Wednesday and in talking over matters generally said that the new court was busily at work becoming familiar with their duties and that he hoped to succeed himself at the election next week. Mr. Keelan's name is on the ballot as an independent candidate to succeed himself, and asks the fair consideration of the voters of the county.

James N. Rice and Walter Pulliam, of Clatskanie, were in St. Helens Wednesday on business. These gentlemen have been engaged in logging at different locations on the Columbia river for several years, and are contemplating opening a camp on the A. S. Kerry railroad, about nine miles from Wood's Landing. They expect to use four donkeys, and will put in about 80,000 feet per day. This operation will not be undertaken until spring, however.

Under date of October 26, telegraphic advice from Chicago tells of "cold and snow in Wisconsin." How out-of-place that sounds to an Oregonian, since, on October 26, weather of the gorgeousness of the midsummer sun was being enjoyed in Columbia County. At Green Bay, Wis., on that date a minimum temperature of 20 degrees was being experienced. Why are people so prone to remain in such a climate. Come west. Come to the land of sunshine and flowers. Come to Oregon. Come where the popular pastime is basking in sunshine and participating in recall elections.

SITUATION WANTED as keeper of a duck lake by experienced man with family. Address MIST OFFICE

## A. E. THOMPSON IS ARRESTED

### GRAND JURY RETURNS 5 INDICTMENTS

### COURT FIXES HIS BAIL AT \$1000

### Total Amount of Shortage Charged in 5 Indictments is \$46.70

The grand jury which was in session the early part of the week returned five indictments against A. E. Thompson, former sheriff of this county charging him with larceny of public money. The specific charge obtained in the indictment were that he collected from five different persons the sum of \$46.70 being amounts from \$2.70 to \$20.22 each and had failed to turn the same over to the treasurer. A bench warrant was issued by Judge Eakin and Sheriff John went to Portland yesterday and arrested Thompson and brought him to St. Helens where he was arraigned before Judge Eakin this morning and entered a plea of not guilty. His bail was fixed at \$1000 which he furnished and he returned to Portland this afternoon where he is now engaged in the butcher business. Mr. Thompson says he has started a little shop in the suburbs of Portland and is getting a nice little business started. Regarding the amounts which he is charged with taking and converting to his own use he says that he probably collected them but that he did not take the money and if it is missing that it was an oversight or something that he cannot account for. He will stand trial and make a fight to prove his innocence. His trial will perhaps not be called until in December some time.

## RUNAWAY TEAM CAUSES EXCITEMENT

### Jack Appleton's Team Runs Amuck on Streets

A runaway team last Wednesday morning occasioned considerable excitement on the streets when Jack Appleton's big team started from the mill yards and ran up Columbia street to the St. Helens hotel corner and from there down to the Muckle corner where the wagon wheels struck a telephone pole and brought the frightened horses up with a jerk. So sudden was the jerk in fact that one of the horses was thrown down with his foot caught in the wheel so that he could not get up while the other one was stopped right there. A little effort on the part of H. Morgus with a wrench soon released the horse's foot and it was found that the horses were not injured but that the wagon was a total wreck, and the driver was quite badly scratched up and bruised. While the team was coming through the mill yard they collided with the wagon of A. B. Larson and took a wheel off which then frightened the horses and they too began a wild chase toward town but were caught before any further damage was done.

## WHY DESTROY LUMBER INDUSTRY.

Lumber is by far the most important industry of Oregon. We have one fifth of the standing timber of the United States in Oregon. Not another saw mill will be erected on the tide lands or rivers of Oregon if these so-called "Water Front" bills pass. The way to defeat them is to VOTE "NO" 329 and "NO" 331. OREGON COMMERCIAL PROTECTIVE ASSOCIATION. Portland, Oregon. (paid adv.) Yeon Bldg.