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CORVALLIS OREGON.
Responsibility \$100,000.

A General Banking Business.

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Corvallis Times.

BY B. F. IRVINE.

Official Paper Benton County,

CORVALLIS, OREGON NOV. 5, 1902.

AGAINST AKIN

A Benton County Case in the Supreme Court—Mason Estate

The Oregon Supreme Court Monday passed on a case appealed from Benton County. The case is a familiar one in which M B Davison and the United Brethren Church have been in litigation with J L Akin as executor of the estate of Peter W and Hannah R Mason. The case was originally tried out in the probate court of Benton where Akin was sustained. It was thereafter carried into the circuit court, where the lower court was reversed and a finding rendered for plaintiffs. The decision in the supreme court is an affirmation of the circuit court. E R Bryson was attorney for plaintiffs and Weatherford & Wyatt for Akin.

At the time Akin was appointed executor of the Mason estate he was indebted to Peter W Mason on account of a promissory note delivered to the latter during the latter's lifetime. Akin was involved at the time of his appointment and has ever since remained so. In his final account he did not charge himself with the amount of the note, and the respondents asked that the amount of the note be charged against him as executor as though it were so much money in his hands. The circuit court charged Akin as demanded by respondents, and Akin appealed.

The supreme court cites section 1117, of Hill's code, which provides that "the naming any one executor in a will shall not operate to discharge such executor from any claim which the executor had against him.....and if the person so named afterwards takes upon himself the administration of the estate, he shall be liable for such claim as for so much money in his hands at the time the claim became due and payable." It is held that under this statute the insolvency of the executor is immaterial and that on final settlement he is justly charged with the debt as so much cash in hand. "As an executor cannot sue himself, all resort to legal process for the collection of a debt due from him to the estate is cut off by his assuming that office. Having voluntarily taken upon himself the right and duty to demand and receive, and the corresponding duty of paying, it is but a just and legal consequence of his own act that his debt should be conclusively presumed to have been paid and discharged."

The debt of Akin to the estate is about \$1,400, and some attorneys believe his bondsmen will be liable for the amount.

Lost

A brown striped shawl. Finder please leave same at TIMES office.

Hair Dresser

A fine assortment of goods, consisting of first class work. Combing, rooted and put up as nice as cut hair. Old switches dyed to any shade. Hair jewelry and shampooing a specialty.

Will be at home Nov 4, corner 7th & Jefferson st.

Mrs C. A. Spaulding,
Corvallis, Ore.

\$100.00 Reward.

I will pay \$100.00 reward for information leading to the arrest of the party or parties who broke into the Administration building and the Mechanical building of the Oregon Agricultural College, on the evening of the 30th or morning of the 31st of October, 1902.

M. P. BURNETT,
Sheriff of Benton County, Ore.

Dated this 31st day of October, 1902.

If you want a suit of clothes at a price to please for the wear—men's and boy's—We have them for you. J. H. Harris,

PORTLANDERS WERE WARNED

Benton County Men Told Them No Timber Was to be Had in Alsea Country.

There are new developments as to the doings of the 36 Portlanders who recently attempted to secure timber claims in the vicinity of Alsea, and who, after looking at fine timber in Benton county, actually filed on timberless lands in Lincoln county. It turns out that members of the party were warned no less than twice that there was no vacant timber lands in the region, and that their errand would prove fruitless. One of these warnings was given by John Hyde, himself a successful locator, and who acted as one of the teamsters for the Portlanders. Enroute to Alsea, the advance guard of the party consisting of four people, stopped over night at the Hyde home, seven miles southwest of Philomath. The visitors said they were after timber, but with respect to where they were going to locate, they were reticent. At length, Mr Hyde told them that he was himself a timber locator, and he was certain that there was no vacant timber land in the region for which the party was headed. No attention was paid however, by the Portlanders, who seemed to believe they were on the inside, and that the Benton county man was not well advised.

The next day the party proceeded to Alsea, and there met Willis Vidito. The latter has maps of the country, and is familiar with all the timber locations. When he learned of the errand of the visitors, he bluntly told them that there was no timber to be had, and proceeded to demonstrate from his maps the truth of his statements. This had the effect to create doubt in the minds of the timber hunters, and at the first opportunity they communicated their doubts to Stone, the locator, who had brought them from Portland. The latter at once replied that the timber to which he was taking them had once been filed on under the scrip arrangement, but that during the last 15 or 20 days it had been reverted to the government, and was now subject to entry. The Portlanders were satisfied with this explanation, and thereafter any suggestions by Hyde, Vidito or anybody else on the subject were met with a knowing shake of the head that meant, "we know what we are doing." This smooth explanation by the locator, gave to him their full confidence, and led them to pursue their fruitless errand to its unprofitable end.

It was on the slopes of Prairie mountain that the party looked at timber, and it was there they thought they were locating their claims. The mountain is in township 15, range seven, and on an air line distance 12 to 20 miles from the lands on which the members of the party actually made their filings.

From Alsea store, the party led by Stone, took the south road and headed for the old Inman mill. They camped the first night on the road. The next day they came out as far as the Hawley place, and there turned in towards Inman's mill. Much trouble was encountered in finding the way, and many side roads and cross roads were taken. On this account, near the mill, the party became divided. Stone and a party of men and a few women going ahead, and finally reaching Prairie mountain. The advance party ate dinner at the mill at 11:30 on Saturday, and Hyde was sent back for the missing contingent. After finding them, Hyde, at a point a mile and a half beyond the mill, met Stone and the advance guard, returning. During the two or three hours of Hyde's absence, they had found the timber, and passed through all the formalities of locating. Stone said it would not be necessary for the party with Hyde to go over the land, that all those things had been attended to. Since for 36 people to have fulfilled the requirements of the law would have occupied two or three days if not a week, the fact that Locator Stone enabled them to do it within two or three hours, shows how the timber land laws are daily abused. For instance, each of those that the locator said it was not necessary for them to go over the lands had to take a solemn oath in which there is this language; "That I have personally examined said lands, and from my personal knowledge state that said land is unfit for cultivation, and valuable chiefly for its timber; that it is uninhabited, that it contains no improvements whatever."

In another oath each member of the party swore, as follows: "That I am well acquainted with the character of the described land and every legal subdivision thereof, having frequently passed over the same; that my personal knowledge of said land is such as to enable me

to testify understandingly with regard thereto."

To heighten the fraudulent character of the transaction, the locator led his clients to believe that the timber they were looking at was the land on which they were to file when they reached the Benton county clerk's office, while as a matter of fact they were then 12 to 18 miles on an air line from the lands on which they actually filed, and the latter land is practically timberless. It is also true that the timber that they looked at was all taken long ago, some of it during the summer and fall of last year, and the last of it in the snows of last winter. The question of striking interest in the matter is, how is it that a professional timber locator did not know that it was taken, and why also, did he not take them on to the land on which they were to file?

It is no wonder that the government at Washington has discovered that there are timber frauds, and that an investigation has been ordered.

THE PLAN NEW

Parents' Meetings Instead of Local Institutes.

A recent decision of the Oregon attorney general holds that the funds arising from fees for teachers certificates, registration and indorsing first grade county certificates, can only be used for holding annual teachers' institutes. In the past the money has been used for local county institutes. On account of the decision there is now no fund to draw upon for maintaining the latter, and a new plan has been adopted by Superintendent Denman.

A circular letter was recently sent by him to all the granges in the county asking for their support in carrying on work similar to the local institutes. The plan is to hold parents meetings instead of the former local institutes. The meetings are to be held jointly with the Granges. The Granges are to devote the afternoon session to this educational work. Discussions, literary work and musical features are to make up the programme. The only expense will be the printing of the programmes.

So far, two of the Granges have responded, those of Corvallis and Willamette, both of which agreed to the plan. The first of the meetings is to be held at Willamette Grange Hall. Arrangements are already perfected, and an interesting time is expected. It is figured that both the Granges and schools will be benefitted by the new arrangement.

Corvallis Opera House

Just one jolly night Monday Nov 10. Here is a laugh for everybody the jolly comedy success, Hello Bill, the same funny comedy that set all San Francisco aglow with laughter, and was pronounced by all the funniest ever given. Marquam Grand Opera House Portland Friday and Saturday Nov. 14, 15. Prices 75-50-35. Sale of seats now ready.

Wood for Sale

I have 500 acres of timber land to clear. Will sell wood in stump or give wood for clearing ground, have fir, oak cedar and ash. 5 miles west of Corvallis. P. A. Kline.

Hunters, Attention

All persons are hereby warned not to hunt otherwise trespass on the land of the undersigned in Benton county,
Peter Richard,
Charles Lee,
J. M. Currier,
Jesse Brown,
Punderson Avery,

CONTRACTING VETCH SEED

Portland Dealers Want Next Years Crop—It is for Local Demand.

A late issue of the TIMES told of a movement among Benton county farmers for sowing vetches this fall, and related that the demand for seed was far greater than the supply. The effort of Portland dealers to buy seed in the vicinity of Corvallis, and to contract for next year's crop, was recited. It is said that the demand, for the present is entirely for home consumption. In the past, vetch has been in the main but an experiment. A few farmers have known that for hay and other uses, it is the best of all grasses for Western Oregon, but farmers generally were not aware of the fact. All now however, are convinced of the value of vetch, and the scramble for seed is declared to be the source of the present demand. Portland dealers relate that in all parts of Western Oregon they have calls for the seed, almost regardless of price, and that it is impossible to supply the demand. So strong is the call, that dealers are offering to contract for next years crop. One Benton county farmer who is a large producer of vetch, has contracted his next years crop already. The figure that he is to receive is above two cents per pound. If it is perfectly free from other grains, the price is only a trifle below two and a half cents.

Dealers say that it is probable that it will take two years to supply the local demand. Whether or not they know, remains to be seen. They also say that as soon as the local demand is satisfied, there will be a market East. Farmers back there are not using vetch. In time they will discover its value. They cannot, these dealers assert, raise it for seed satisfactorily, because it will freeze out in the winter. The consequent shipment of seed East from the Willamette Valley is urged as a probability of the future.

THEIR WEDDING

Marriage Sunday of Jesse Huffman and Miss Griffiths.

Jesse F. Huffman, an architect and resident of this city, was married Sunday, at 11 a m, to Miss Lu Ella Griffiths, at the home of J. P. Huffman, Rev Frank L. Moore, officiating.

Among the guests present were, Mr and Mrs Jesse Spencer of Corvallis, Mr and Mrs Fink of Wells, Mr and Mrs Frank Spencer and two daughters, and the two immediate families.

Mr and Mrs Huffman will make their future home in Corvallis. A heavy laden table was a part of the programme following the ceremony.

Remember Dr Lowe the optician will be in Corvallis for the last time this year. Nov. the 17-18-19.

Wanted

Woodchoppers. S Bicknell, Corvallis.

New line of art squares and rugs at Nolan & Callahan's.

Special Sale of Smoking

TOBACCO AT KLINES

To close out some lines that we will not carry in the future.

2 oz Seal North Carolina reg 10c now 5c
1 1/2 oz Fashion regular 5c now 7 for 25c
2 oz Golden Cupid " 10c " 4 " 25c
2 oz Lime Kiln Club " 10c " 4 " 30c
2 oz Plum " 10c " 4 " 25c

These cannot be bought at factory for prices offered and smokers are invited to take advantage of the above prices.



Hart Schaffner & Marx Tailors Made Clothing

Business Clothing

you buy business clothes you want em business like in price, but it isn't good business to have clothes that are not stylish, nor to pay to much are to little for them.

We've got the famous Hart Schaffer & Marx suits for you; and with that statement we answer every question that you can think to ask about looks, style, tailoring, fit and business-like prices

You can prove the truth to all we say in five minutes; we're waiting for you to come and see.

S. L. KLINE.

HELLO

Call up Hode's Grocery for up-to-date goods, its the place you get the best edibles, Teas, coffee, extracts, confectionery fruits, vegetables, canned and bottled goods.

CENTRAL

Syrups, meats, lard, flour, cereals, mush. Every week we are getting in fresh fruits, candy, crackers and cookies.

GIVE

Use the Snow Ball and Waldo brands of flour. Buy the Woodlark vanilla and lemon extract, best and cheapest. We carry a big line of stone and willow ware.

ME

Tubs buckets, baskets, brooms, brushes dusters washboards, mops, lamps, lanterns, oil cans, Parlor matches 1500 all for 10 cents.

Hodes' Grocery

Students Headquarters

Nolan & Callahan
LEADING CLOTHIERS

Headquarter for

Dry Goods, Clothing, Shoes, Hats, Ladies' and Men's Furnishings, Etc.

New Goods All the Time.

Corvallis, - - - Oregon.

WICKS & LILLY

SUCCESSORS TO

Taylor & Heish

Dealers in all Kinds of Fresh and Cured Meat Lard Etc.

Corvallis, - - - Oreg

'Troubles of a Married Man'

By Local Talent

OPERA HOUSE

Saturday Nov. 8th

TICKETS ON SALE AT

Graham & Wortham's

WEDNESDAY NOV. 5TH.

Reserved Seats 50cts.