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CORVALLIS, OREGON, MARCH 4, 1905.

B. F. IRVINE Editor and Proprietor

SUMMONS.

SUMMONS.

In the circuit court of the state of Oregon, for Benton county.

George A. Houck, plaintiff, vs. George Schafer and Annie Schafer, Edward Donat and Agnes Donat, defendants.

To Edward Donat and Agnes Donat, defendants above named:

In the name of the state of Oregon, you and each of you are hereby summoned and required to appear and answer the complaint of the plaintiff in the above entitled still, now on file with the ciert of the above entitled still, now on file with the ciert of the above entitled still, now on file with the ciert of the above entitled still, now on file with the ciert of the above entitled still, now on file with the ciert of the above entitled still in pending in the circuit court of said county and state), which said order is hereinanter referred to, to-wit: on or before six weeks from the day of first publication hereof, and you are hereby notified that if you fail so to appear and answer the said complaint as herein required, for want thereof the plaintiff will apply to the above entitled court for the relief demanded in said complaint, namely: for a decree of said circuit court declaring and decreeing that there is due from the defendants, George Schafer, Annie Schafer, Edward Donat and Agnes Donat, to plaintiff, upon said promissory notes and said mortgage in said complaint described, the sum of \$4,760 in gold celn of the United States, together with interest thereon at the rate of 6 per centum per annum from September 16, 1903, until the date of said decree; and further decreeing that \$450 is a reasonable sum to be allowed, and allowing the same to plaintiff, as autorney's fee for instituting this suit; also decreeing that the plaintiff have a first lieuwith the said courter, the northwest quarter of the southwest quarter, the northwest quarter of the northwest quarter of the northwest quarter of the hourship 15 southwast quarter, the northwest quarter of the northwest quarter of section 5, the west half of the southwest quarter of the northwest quarter of the northwest qu tember 16, 1903, until the date of said decree; and, lastly, if any remainder there be, to the defendants, on demand, as their interests may appear; that all of the defendants be forever barred and foreclosed of all right, title and interest of, in and to said real property, and of all equity of redemption therein, except only the statutory right of redemption, and for such other, further and different rule, order or relief as to the court may seem proper and equitable in the premise.

This summons is published in the Corval-

This summons is published in the CorvalIn Summons is published in the Corvallis Times once a week for six consecutive weeks, beginning with the issue of February II, 1905, and ending with the issue of March 25, 1905, under and is pursuance of the directions contained in an order made by the Hen. Virgil E. Watters, county judge of Benton county, Oregon, dated February IO, 1905. Date of the first publication hereof is February II, 1905.

E. E. WILSON,
Attorney for Plaintiff.

SUMMONS.

In the circuit court of the state of Oregon for the county of Benton.

George E. Chamberlain an account of Oregon, F. I. Dunbar as secretary of state, and Charles S. Moore as state treasurer of the state of Oregon, constituting the state land board, plaintiff, vs. H. M. Donat, Mary Donat, Robert W. Black and George A. Houck, defendants.

Houck, defendants.

To H. M. Donat, Mary Bobert W. Black and George A.

In the name of the state of Oregon, you and each of you are baseby required to appear and maswer in the back of said court, now on file will he ack of said court, now on file will he ack of said court, now on file will he ack of said court, now on file will he ack of said court, now on file will he ack of said court, now on file will he ack of said court, now on file will he ack of said court, now on file will he ack of said court, now on file will he ack of said court, now on file will he ack of said court, now on file will he ack of said court, now on file will he ack of said court and answer said oemplaint as hereby required, the plaintiff will apply to the court for the relief prayed for in said complaint, to-wit: the foreclosure of a certain mortgage made and executed by H. M. Donat, Mary Donat and Robert W. Black for \$2,600, payable on year after date, with interest thereon at the rate of 6 per cent per annum from date, and which said mortgage conveyed unto plaintiff the following described real property situate in Benton county, Oregon, to-wit:

The southwest quarter and the west half of the southwest quarter of section 5, township 15 south, range 5 west; also beginning at the southwest corner of section 5, township 15 south, range 5 west, and running thence south to the county line between Benton and Lane county, in the state of Oregon, thence east along the said county line to a point south of the southeast quarter of said section 5, thence north to said southeast corner of the said west half of the southeast adurter of said section 5, thence north to said southeast corner of said road 10 chains, thence south 43 degrees 30 minutes west along the center of said road 10 chains, thence south 43 degrees 15 minutes west along the center of said road 10 chains, thence south to the southwest corner of the horthwest quarter of said section 5, thence east to the place of beginning, accepting from last described tract a certain tract of land

W. E. YATES, The

Lawyer

THINK OF RETRDATING.

FURIOUS BATTLE BEING FOUGHT ALL ALONG THE LINE.

Russian Army in a Tight Place It May Be Crushed-Military Experts in St. Petersburg Deliberate on Ordering a Retreat to Harbin

St. Peter-burg, via the frontier, body, as the amount of chloroform March 2.—Officials circles at the employed as alleged, would have inous news from the Far East, and hours." a conference has been held of the military experts, who discussed the Japanese movement and debated at length what action the Russian gov- Patrick. In this event it is considernment should take at the present time to uphold General Kuropat

It is felt that the Japanese have him in a very precarious position and one in which it may be necessary for him again to order a gen- as in the case of Dr. Kennedy and eral retreat. It is recognized that that the prosecution will then disthe Japanese movement at this time is prompted by a desire to crush General Kuropatkin in the belief that a Russian defeat at this time would compel the czar to sue for Rice, an eccentric millionaire, died peace because of internal conditions

n Russia. Facing this fact, the Russian military experts feel that General he ate inordinately of bananas, and Kuropatkin should go to any length according to his physician, he was to maintain his positions, for the present at least. Failing in this, however, there is a growing belief that the Russian forces should abandoned Mukden and retreat to to Harbin, taking possession of the well-nigh impregnable fortifica-tions that have been built there. While this would mean the aband-Japanese, the Russians could retain all the territory beyond that point and would also be able to prevent the Japanese from taking Vladivos-

It is reported that at the confer-ence one of those present, who is recognized as one of Russia's ablest military experts, declared that matters had so far progressed that the Japanese would probably be able the net began to gather about the Wheat 80 per bushel. to take Mukden, no matter how good a defense General Kuropatkin put up. He is said to have pointed out the superiority of the Japanese artillery, their greater numerical strength, and to have stated that in his opinion it would be better for Russia to abandon all of Manchuris to the Japanese without in the dark, the police arrested ed to surrender it anyhow.

Harbin, a good excuse could be gived and compelled to retreat there, they would be able to do nothing his property by will and found it then be compelled to face a revolution at home.

it was finally decided to wait and likely to turn out.

committee sald, in part:

one to discriminate from the postmortem appearence between the cause of death or as the result of Horning's. It saves much time large, but the Russian artillery fire the embalming process, as stated in the evidence. No one could truth-

fully have stated that death was wholly caused by the inhalation of chloroform was not found by chem-

ical tests.

"The committee is satisfied after a review of all the evidence, that Rice died from old age, weak heart, etc., or, in other words, from the conditions embraced in Dr. Walker Curry's certificate of death, and on which the authorities allowed the cody to be cremated. It is also the opinion of the committee that no chloroform was ever administered to Rice by Jones, as stated by him, because it would have been impossible not to have detected the odor of chloroform, either in the room occupied by the deceased or on the March 2.—Officials circles at the employed, as alleged, would have Russian capital have been seized saturated the beard of the deceased

> It is confidently believed that on the strength of this report the court of appeals will grant a new trial to ered probable that Patrick, who has been in the death house at Sing Sing for nearly five years, will either be acquitted as was Roland Molineaux under similar circumstancea, or that there will be a mistrial miss the case.

The Patrick case is one of the most famous in the annals of the New York courts. William Marsh at his home in Madison avenue, New York City, on September 23, 1900. On the day before his death according to his physician, he was taken ill with indigestion the next day and died the day following. Albert T. Patrick was a lawyer, practicing his profession. He took charge of the millionaire's affairs at the solicitation of the latter's wife, had an undertaker embalm the body and fix the day for the funeral. Between the hour of Rice's nument of all Manchuria to the death and the day of the funeral several suspicious things had happened. Several checks had been presented at the banks for certifica- Wheat valley tion They were all signed by the dead man, and were payable to the order of Albert T. Patrick. The Eggs Oregon, 16 17 per doz. banks frankly admitted that the Butter 14 c to per lb. checks appeared to be good. But Creamery 27 to 32 per lb. lawyer, Patrick.

ooo, was bequeathed to him.

Then it transgired that there was another will in existence, dated Creamery 70 per roll on at Houston, Texas. Groping much more than a perfunctory re- Jones on suspicion, and then came eistance, rather than to lose several the first sensation. Under the thousand men and then to be oblig- questioning of the police, Jones made the startling confession that He is said to have pointed out Rice had been murdered by Patthat, were the Russians to retire to rick. Though he was in an adjoin- ed and positions secured. ing apartment, Jones said he had en for the movement, but, were not actively participated in the they to wait until they were defeatto have the millionaire leave him and would likely have to accept necessary to take the old man's humiliating terms of peace, and life to prevent the revocation of the document. A cone, saturated with chloroform had been placed over This sentiment is said to have the old man's face while he slept, met with the approval of many of and death had been accomplished, those present at the conference, but according to the valet's confession. according to the valet's confession.

Patrick's arrest followed immesee how the present movement was diately. He remained cool and asserted his innocer ca. The second great confession came on the second Albany, N. Y., March 1 .- Anoth day of the hearing, when Jones, afer chapter was added today to the ter passing a sleepless night in the famous Albert T. Patrick case when Tombs, went upon the stand and David B. Hill appeared before the confessed that he, and not Patrick, court of appeals and argued for a new trial in the case of the man With circumstantial detail, he convicted of the murder of William related cold-bloodedly how he had Marsh Rice, the Texas millionaire. fed the millionaire poison, and fin-Mr. Hill used as the basis of his ar- ally placed the cone over his face, gument for a new trial the report all at the instigation of Lawyer of the special committee of the Patrick. Patrick was convicted, Medico-Legal society, appointed to and a motion for a new trial having investigate the effects of the embalm been denied, sentence of death was ing before rigor mortis on conges- im osed upon him. About two tion of the lungs, without withdraw- years ago he succeeded in getting a ing blood from the body. The re- new trial, which likewise resulted port was wholly in favor of the con- in a verdict of guilty. Since that vioted lawyer, every member of the time he has remained in the death committee signing an opinion that house at Sing Sing, spending all of Rice did not die from chloroform his time in the study of medicine poisoning, and that the condition with a view to fortifying himself of his lungs wes entirely due to the with knowledge to prove that death embalming process employed by could not have come to the million-the undertaker. In its report the aire in the manner alleged without leaving traces other than those of-"It would be impossible for any fered in evidence at his trial.

AFTER ALSEA PHONES.

Corvallis Company has Bought Alsea Line and is Building From Philo-

math to Close Gap.

Things are doing in the tele-phone business in Alsea. A scramble for the business of that valley is on between the Bell and Independent people. The Independent people have purchased the line between Alsea and the Benton County Lumber Company's mill, which has heretofore served as the means for the Bell people to reach Aleea. Yesterday morning a construction gang began building a line for the Independents from Philomath to a connection with the Alsea line at the mill, giving them a through ine from Corvallis to Alsea. Alsea there are several small telephone companies, in which the farmers of the valley are the stockholders. The Independents as well as the Bell people are seeking con-nections with these farmers lines. The Independents have had a man in the valley in their interest, and a day or to ago, Mr. Davis of Portland went over to represent the Bell people. Tonight there is to be a meeting of the stockholders of the small Alsea companies for election of new officers, and it is expected that something with reference to future connections will de-

velop.

The Corvallis company will have the gap from Philomath to the Benton County mill closed by next Thursday, and then Corvallis will be in connection with Alsea for the first time by the Independent sys-

Dry Fir Wood

At \$3.50 per cord. Orders solicited for grub oak for summer delivery. Frank Francisco, Corvallis

MARKET REPORT.

Oats 40 Flour 1.10 to 1.25per sack Butter 50 per roll

For Sale.

Real estate, farm and city property for sale, exchange or rent. No sales means no commission to be paid. Your patronage kindly solicited. Help furnish-

|H M. Stone. South Main street, Corvallis.

A Word to the Wise

Oak wood is getting higher in price and farther from town every year. Order now for summer delivery. 200 cords now partly sawed stove lengths, 12 cords seasoned wood.

2200 pounds vetch seed. 3000 pounds clover, red and white,

Aleike, timothy, orchard and rye grass, speliz, rape, all fresh seeds. A Also a line of garden seeds. Order now

Tread power, silo, elevator and cutter,
Poland China hogs.

Yours for Business. Telephone 155.

Work Wanted.

By boys at the college. Spading in gardens or other work about town solicited for students. -Apply to the College Y. M. C. A.

St. Petersburg, March 2.-While several reports have been received as to the progress of the fighting in Manchuria, nothing had been given out until a late hour last night by the general staff. The fighting before Mukden continues to be general and the entire line is involved, the Japanese apparently making a desperate attempt to pierce the Russian position. The enemy throughout Wednesday concentrateb a tremendous fire with field and siege artillery upon Poutiloff Hill. The bombardment was so fierce that the entire hill was enveloped in return was fully as effective.

We all Wear Shoes! Never before have we received such quantities and qualities in foot wear as this SPRING Tans, Browns and Black Low High and Medium cuts Prices High, Medium and Low But in all grades the very lowest price for the quality of the shoe. Our efforts will be great to increase our shoe sales. Shoes for all Ladies, Misses, Children, Mens, Boys and Little Gents. Don't forget our Shoe Department. J. H. HARRIS. THE PARTY HAVE TO BE THE PARTY HAVE TO BE Fine Light Sample Rooms. Free Bus.

Hotel Corvallis J. C Hammel, Prop.

Leading Hotel in Corvallis. Recently opened. New brick building. Newly furnished, with modern conveniences. Furnace Heat, Electric Lights, Fire Escapes. Hot and cold water on every floor. Fine single rooms. Elegant suites. Leading house in the Willamette Valley.

Rates: \$1.00, \$1.25 and \$2.00 per day.

English Walnut Trees.

We are special growers. Have the best of soft shell and hardy variety that come into bearing at an early ag produce annually and abundantly. Big money is made in walnut orchard. They are a poor mans chance and are cheaply harvested. Orchards in good bearing give returns of several hundred dollars per acre. We give this special study. Write for free descriptive catalogue which treats on walnut culture. Contains valuable information.

BROOKS & SONS

WALNUT NURSERY.

CARLTON, OREGON.

P. A. KLINE LIVESTOCK AUCTIONEER Corvallis

Office at Huston's Hardware Store. P.

O. Address, Box 11.

Pays highest prices for all kinds of Live Stock. Satisfaction guaranteed. Twenty years experience.

C. H. Newth, Physician and Surgeon

Philomath, Oregon.

At Dunn & Thatcher's.

Cracked coin \$1.60 per cwt. Granulated shell 1.60 Granulated bone 1.75 Crystal Grit 1.60 And we handle the very best poultry by law for the sale of real property on executed stock foods.

M. P. Bu nett, Referee. and stock foods.

Referees Sale of Land.

Notice is hereby given that under and by virtue at a decree of the Circuit Court of the State of Oregon for Benton County, made the 3oth day of November, 1904, in a suit in equity then pending in said court, wherein T. W. B. Smith and Nancy J. Smith were the plaintiffs and John W. McBee, Mand Grubbs and Thaddeus Grubbs were the defendants, appointing the undersigned Referee to sell the nereinafter described real property, and directing the sale ofsaid property as such referred I will on Saturday the 18th day of March 1905, at the hour of two o,clock in the afternoon of said day, at the front door of the county court house in the city of Corvallis Benton county, state of Oregon, sell at public suction to the highest bieder for cash in hand all of the following described real property towit. Lots five, eleven and twelve of section six, township thirteen south, range four west and lot nine in section one, township thirteen south, range five west containing 113.31 acres and being the same land patented by the United States government to the heirs at law of Thomas McBee, deceased; also the southwest quarter the south half of the northwest quarter and lots two, three, six and seven of section one, and lots two, three, four and five in Sec. 2 in township 13 south, range five west, containing 320.63 acres, and being the donation land cislm of the heirs at law of William McBee, deceased, and Elizabeth McBee, widow, Not. No. 4757. All in Benton Gounty, Oregon.

Said sale will be made in the manner required by law for the sale of real property on execution Dated this February 18, 1905.