

DEATH OF JUDGE POWELL.

Judge J. C. Powell, Albany's oldest practicing lawyer, died at his home at 2 o'clock this morning, of a complication of diseases, including paralysis, at the advanced age of 73 years.

In 1862 Mr. Powell was elected county judge, and in 1864 re-elected, serving a second two years with a good record as such official.

In 1865 the first city government of Albany was formed with Judge Powell as the first mayor, his associates in the council being Dennis Beach, John Harrows, Dr. Alexander, J. B. Comely, G. H. Baber and S. S. Markham.

In 1868 Judge Powell was elected district attorney for this district, serving the district faithfully for two years and was re-elected.

The Hunters.

The open season for game, particularly the Celestial, was inaugurated yesterday in general way in this part of the valley by many hunting parties from this city and other places.

For Foot Ball.

A meeting of delegates from Willamette valley colleges was held in Salem yesterday to make arrangements for the coming season's playing.

First Gun Ac

The first gun accident of the open season reported happened near Jefferson yesterday. Ben and James Bucknell were hunting pheasants and were near each other when the former in letting the hammer of his gun down accidentally let it slip and the weapon was discharged.

A new Circuit court case is that of Thos. Allison agt. John B. Hall, W. R. Bilyeu attorney for the plaintiff. Foreclosure of mortgage.

At the meeting of the K of P tonight there will be a request to be present. All members are requested to be present.

There were reported two very lively fistic encounters in the city last week, one over the night whistling of a neighbor as he passed, the other a saloon row.

Mark Cary brought home with him from Africa as presents for friends and relatives some beautiful specimens of the jeweler art. Lions' claws, shark's teeth beautifully mounted in pure gold, cuff buttons of gold pieces bearing Com Paul's profile and other curios making an interesting collection.

There was a large audience at the armory last Saturday evening to see the old maids in their convention as interpreted by the ladies of the Rathbone Sisters.

The entertainment was opened with music by a splendidly trained orchestra under H. J. Hopkins, followed by a solo by Mrs. Wynnard and a case walk by Otto Bradley and Vera Auten two very bright Eugene children, a very artistic affair that was warmly encored.

The names of the delegates can never be remembered. Speeches were made, resolutions passed and songs sung. Mrs. Hogue presided and the other delegates were represented by Miss Van Winkle, Guinness, Stetter, Conn, Haight, Harman, Borum, Burgraf, Kelly, O'Brien, Parker, Hochstetler, Weaver, Hyde and Moe and Miss Reiner as nearly as the Democrat man could interpret them.

The climax was reached when a mouse ran into the meeting, all jumping upon their chairs but the delegate from Texas (Mrs Stetter) who coolly whipped her revolver from her belt and laid the varmint low.

Mack Monteith was in the city Saturday.

Mr. John Grimes of Harrisburg, was in the city today on business.

J. N. Stark and wife have moved from Yaquina to Albany to reside.

Mr. and Mrs. F. L. Such left on Saturday night's overland for San Francisco.

Mr. and Mrs. O. C. Riches returned this noon from a vacation trip to Portland.

D. F. Hardman, clerk in the state land office spent Sunday with his family in this city.

J. H. Cox, of Knox's Butte, will leave this week for Post, Crook county, where he intends residing on his farm there.

Ben Dodge, the brakeman, has returned home from the hospital with three less fingers, which had been smashed off by a bumper accident.

Frank Allen left this noon for Washington state, where he will attend the military school at Vashon having already been there a year or two.

J. F. Morris, of Sweet Home, has opened up a general merchandise store in the postoffice building. Mr. Morris has been in the mercantile business for several years.—Prineville Review.

The Long Creek Eagle says: Taylor Hill, a prominent stockman, of Prineville, was in this city on Wednesday. He is on his way to Fendleton with 5000 head of sheep, which he has sold to an Eastern buyer.

The ladies of the First Presbyterian Church will give a "quotation social" on Friday evening Oct. 6th. To be held in the church. A good program will be rendered. Admission 10 cents, will include refreshments and program. Everybody invited.

J. C. Oliphant, formerly of The Dalles, came down from Walla Walla yesterday afternoon and left this morning for Portland. Mr. Oliphant has been in business in Walla Walla, but says he feels lost inland, and will go back to his old occupation as purser on the lower river steamers.—The Dalles Chronicle.

Oregonian: Last Thursday evening, Professor Edward Milton Lance and Miss Aloysius Marie Milner were united in marriage at the home of the bride's mother, 335 Sixth street. The parlors and dining-room of the residence were tastefully decorated with ferns and evergreens for the occasion. Miss Ora Du-Bruille, of Albany, a cousin of the bride, was bridesmaid, and the groom was attended by his brother, Mr. Bert Lance, as best man. Miss Selma Milner, sister of the bride, was ringbearer. Rev. Father Black, of the Cathedral, performed the marriage ceremony, according to the Roman Catholic ritual. A wedding supper was served. Mr. and Mrs. Lance will be at home after October 8, at Nehalem avenue, corner East Fourth and Sellwood streets.

Tonight, fair and Tuesday, fair and warmer. River 1.3 feet.

The barometer was the highest this afternoon it has been for several months, indicating good weather.

Several cases are reported of threats to arrest for trespass committed yesterday, but so far none has been made.

Last night a thief helped himself to two robes, a blanket and a \$3 bicycle lamp out of the wagon of Judd Ross, of this city.

Sheriff Gage passed through Albany yesterday noon for Salem, alone taking to the state penitentiary Ed. White sentenced for fifteen years. Drew for five years and Nosler for four. They were heavily ironed, and the sheriff stated that they would all be placed in jail either alive or dead. And they were, alive.

The run or has been current at Astoria that the Astoria company, an organization with a capitalization of \$20,000,000, with O. P. Huntington, J. Pierpont Morgan, John G. Harlan and A. B. Hammond as stockholders, is to erect a mammoth paper factory and pulp mill near Astoria. The rumor is believed by many.

Judge Hennessy this morning fined W. B. McPherson, of the Gilman house, \$10, for knocking Mrs. Steele down stairs. McPherson was tried and found guilty five days ago, but sentence was not passed until today. The evidence in this case showed that McPherson made a most vicious and cowardly attack upon the old woman.—Telegram.

One Nimrod says he hunted nearly all day on school district 25 yesterday with out being disturbed. It might not be safe for everybody to try it though.

A special meeting of the city council was held Saturday evening to make fuller regulations in reference to the quarantine of the home of John Catlin, where the Roselle girl, who came here after having had the small pox, is stopping. Every precaution possible is being used to prevent contagion. Mrs. Catlin, who was vaccinated, is also reported to have the disease in a light form.

Game Warden Quimby was decided that the limit to the number of birds which can be killed in a day does not apply simply to one kind, but that a hunter can kill only fifteen of all kinds combined. Deputy game wardens are authorized to examine game bags that have a too full appearance. Birds cannot be sold, but they may be shipped as gifts to friends and the express companies may receive them for that purpose.

Louis Wentz, of Albany, a veteran of the civil war, has just been granted a pension of \$6 per month. Application was made on Sept. 14, 1891 and the pension was granted on Sept. 14, 1899. Mr. Wentz will receive back pension from the date of application to the present time, amounting to the nice little sum of \$576. D. C. Sherman has acted as Mr. Wentz's attorney in the matter.—Salem Journal.

George P. Sink, brother of Ray Sink, who, it will be remembered, was murdered in the valley last fall was in Moro recently with a view to taking some minor contracts on the construction of the new railroad. Mr. Sink has just come from Alaska, where he has been mining and prospecting. He joined in the rush to Cape Nome and says the fabulous finds reported from that section are very much exaggerated.—The Dalles T. M.

Regular meeting of the W. C. T. U. tomorrow afternoon at 3 o'clock at the hall. Reports from the county convention. All are expected to be present.

TUESDAY

Death of Hon. Tolbert Carter

Hon. Tolbert Carter, one of the Willamette valley's best pioneer citizens died at his home at Wells, in Benton county this morning, after an illness of several months, at the age of 75 years. The remark is universal that the state has lost a good man, one who did much to help build it up.

Mr. Carter came to Oregon in 1845 and during his long residence in the state made a record that is a heritage to his family. He was state senator at least twice, being a member of the "hold up" legislature, and back in 1882 and we believe was in the legislature on other occasions.

He leaves a wife and seven children, all married; John of the Wells store, Perry and Virgil near their father's home; Elvin in Eastern Oregon, Mrs. Robert Hodges and Mrs. Robert Taylor of Independence, and all who know him to mourn his death. He was a brother-in-law of County Treasurer Jack of this city.

The funerals will be held at the farm residence tomorrow at 2 o'clock p. m., under the auspices of the Baptist church, of which he had been a member for many years.

Deison Smith Cabin N. S. O. meets next Saturday night at 7:30 in the G. A. R. hall.

The Marion county circuit court was formally opened yesterday with a fair sized docket ahead.

Linn County Council meets next Saturday at Fairmount Grange hall one mile north of Albany. A good time is expected.

O. D. Austin will open a bowling alley opposite W. B. Stevens & Co., tonight. During the day the alleys have been thrown open to the public free.

James F. Powell, of Linn county, bookkeeper, yesterday filed a petition in bankruptcy in the United States court. His liabilities amount to \$3686.88, and his assets to \$25.—Oregonian.

Flelding S. Kelly, of Portland, has been sent here by the Salem Flouring Mills Co. to take charge of the spoiled wheat left from the fire. He will care for and dispose of the property to the best advantage of the owners.—Salem Journal.

The Minnesota troops are expected to pass through Albany Thursday or Friday on their way home. Minnesota and Oregon fought hand in hand in the Philippines and hence flowers should be dropped in their pathway as they pass through the state on their way home.

The Governor and other Washington officials passed through Albany last night for San Francisco to meet the Washington volunteers who will be taken home at the expense of public spirited citizens. Geo. U. Piper, manager of the P. I., was in the party.

E. L. Moon, electrician and light man in the employ of the Grant's Pass Water, Light & Power Company, was killed shortly before 6 o'clock yesterday evening, while working on some new wire, being replaced on account of the recent fire.

The Oregon Dental College began business at Portland yesterday under favorable auspices. Among the instructors are Prof. E. G. Clark, professor of operative dentistry, C. R. Templeton, professor of clinical operative dentistry and E. P. Geary anaesthetist and physical diagnosis, all formerly of Albany, where they got their start in life.

The funeral of Judge Powell was attended this afternoon by a large concourse of our citizens, including the members of the bar in a body, by whom Judge Powell was held in the highest esteem during the many years of his constant practice with them, and students of the college of which Judge Powell was a trustee. The services at the house were short but impressive, after which the remains were laid at rest in the city cemetery with universal sorrow among those who knew him.

An Albany groceryman out hunting yesterday is reported to have mistaken a red headed hawk for a Chinese pheasant and came within an ace of having a meat bill to pay, but fortunately he did not pull the trigger.

JURY LIST.

The following jury was drawn today for the Circuit Court which will convene in Albany on October 23: Albany—A. W. Blackburn, J. F. Asche, Frank Trites. Holley—T. J. Philpot. Tangent—J. W. Baldwin. Lebanon—C. B. Montague, B. F. Blodgett, W. J. Carty, D. Burtenshaw. Crawfordville—J. W. Glass, Geo. Finley, J. O. Fox. Halsey—Thos. Brandon. Mill City—S. Bradshaw. Lyons—S. W. Mitchell. Orleans—A. A. Hulbert, Oscar Dilley. Brownsville—A. W. Stanard, N. B. Standish, Peter Bither, C. E. Mason, H. K. Powell, J. M. Waters. Lacombe—Jacob Fitzwater. Shedd—Frank Hulbert. Tallman—Elmer Pugh. Harrisburg—W. M. Davidson. Scio—Henry Leffer. Jordan—H. H. Phillips. Santiam—Thos. Arnold. Waterloo—J. H. Turpin.

Robert Shahan returned today from Tacoma.

Mrs. Neis returned home this noon from Salem.

Judge Fullerton of Roseburg, was in the city this noon.

Merrill Statesman of Salem is in the city the guest of Mr. Otto Lee.

Dr. Parvin came up this noon from Salem to attend to his Albany class.

Mr. Pete Abbey the veteran hotel man of the Bay, has been in the city.

Louis Parker has gone to the Sumpter mining region near Baker City.

Miss Frances Nelson daughter of Mr. Homer Nelson is ill with the typhoid fever.

J. W. Cusick returned this noon from a visit with his wife at the Belknap springs.

L. M. Carl went to Sherman county recently on business and on a visit with his parents.

Mrs. A. D. Morris left at the Democrat office a sample of millet that is very large and fine specimen.

John O'Brien has returned from Roseburg, where he has been working for the S. P. during the summer.

Mrs. John Altmatt left yesterday for her new home at Centralia, Wash., where her husband is already located.

Mrs. E. D. Cusick and child returned this noon from Seattle, where they had been several weeks, on account of the death of Mrs. Cusick's father.

The Women of Woodcraft held a pleasant social last evening after their regular meeting with sociability and refreshments.

Mrs. M. A. Harris, of Hutchinson, Minn., is in the city visiting Albany friends after having been in Salem for some time.

F. W. Roes, who has been at Independence for several months, is in the city, and will soon go to Baker City or Sumpter to reside.

Lee M. Travis and Lawrence Edmondson left last night for Ann Arbor, where they will take a complete course in the law department of the University of Michigan.—Eugene Guard.

A reception by the members of the M. E. church will be given to the pastor and family, at the parsonage on Tuesday evening, October 3, 1899, at 7:30. All members and friends of the church and pastor and family are cordially invited.

George Conkey, of Dallas, and Owen Stalaker, of Albany, have begun clerks in the store of S. E. Young & Son. Mr. Conkey is an experienced clerk while Mr. Stalaker is a novice.

Mr. and Mrs. R. R. Findley left today for their home south of Corvallis, where they will farm the coming year. Last evening a pleasant farewell party was tendered them at their home by the Ladies of the Macabees and other friends. They take with them the best wishes of many for big wheat crops etc.

Mrs. W. S. Thompson and daughter left this noon for Davenport, Wash., stopping off in Salem for a few days where she will be joined by her husband, when they will proceed to their new home, where Mr. Thompson's father will also reside, he having bought a farm near there.

L. D. Carl, of Roseburg, at one time the Douglas county agent for the Farmers and Merchants Insurance Co., passed through Albany this noon from Davenport, loaded down with gold, the only man from Roseburg who has struck it on the Klondike, and as nearly as can be learned Carl made a big cleanup. He presented Rev. W. D. Denton, a former neighbor, with a fine nugget. Mrs. Carl met him here.

Adrian Jacks left today for Portland and Vancouver, to visit his brother, Glen, of the 35th infantry before leaving for Manila on one of the transports which have just arrived for the purpose of taking the regiment there. Glen is the regimental barber and is doing a fine business among the soldiers. Fred Jacks another brother, is stationed at Fort Canby. He is to be married next week to a young lady of Portland.

The reception of Rev. W. J. Fenton and wife by the members and friends of the Southern Methodist church was a very pleasant affair. Rev. Fenton was kindly remembered in pound donations. The following is the program rendered: Address of welcome, Dr. F. E. Adams; a reading, subject, The Mid-Week Prayer Meeting; Mrs. B. F. Hartman; instrumental music, Mrs. Media and sister; address, subject, The Methodist Class Meeting; Rev. J. L. Jones, of Dallas; address, subject, The Epworth League; Rev. H. C. Hyatt, of Corvallis; address, subject, Sunday School Work; Hon. E. R. Skipworth, of Eugene; instrumental duet, Palmer sisters.

BAND NOTICE.—The members of the band will meet at their hall at 7:30 this evening, for organization and practice.

The Telegram says that it is a peculiar fact that all of Portland's hunters who were out after pheasants got exactly fifteen birds each the man with the scrub outfit the same as the man with the \$500 gun and dog. The intimation is plain enough that it is not believed that the crack shots keep within the limit.

The yacht race between the Shamrock and Columbia was declared off neither finishing within the limit. The Shamrock though lead.

CASTORIA

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THE GREAT OCEAN COMPANY, 17 MURRAY STREET, NEW YORK CITY.

HOME AND ABROAD.

Dr. J. H. Erskine has moved his office into the Foster's block.

There are sixty students in the state medical college.

Mr. Stanley Stewart has purchased the interest of his partner in the bicycle repairing business and store and will run it alone.

A deed was filed today transferring the Exchange hotel property from Jas. B. Murry to W. M. Hoag, for the sum of \$750.

The 35th infantry left Portland today on the Sikh and Rio for Manila the first transports to sail from the northwest.

The synod of the Presbyterian church will meet in Salem beginning October 12. Rev. H. L. Reed of this city is down for one address. The Presbytery of the church will meet in Albany on the 10th.

Recent Benton county sales are: R. A. Murphy to B. F. Sanders, 24 acres near Albany, \$875. C. Crandle to R. A. Murphy, small tract West of Albany, \$10.

A justice of the peace, to succeed the late Judge Powell of the West Albany district, will be appointed by the county court during the regular session of the court this week.

This morning a chicken came in on the blind baggage of the overland, having been tied to the railing. It seemed to like the situation, for it crowed lustily when the train stopped.

A farmer's team ran away this afternoon, at the St. Charles corner taking up the dray of Mr. Ramsey, and all four horses were floundering in the street. Very little damage was done to the property.

Eugene Loper, the McMinnville man to whom was ascribed such wonderful feats in walking and running long distances, has been taken to the asylum. Those stories certainly sounded a little off.

The seventh anniversary of the organization of the Ladies of the Macabees will be celebrated tonight at the hall, when a program will be presented and refreshments served. Each member has the privilege of inviting three friends.

Prof. C. M. Collier, of Eugene, arrived in Salem yesterday, and has accepted the position of professor of sciences in the Willamette University, to succeed to the chair lately made vacant by the resignation of Prof. L. G. Cochran.—Statesman.

The Democrat yesterday mentioned the return home of L. D. Carl, of Roseburg, from Dawson. Carl's cleanup is now given as \$20,000, of which \$11,000 in dust will be exhibited at Roseburg. Carl came out with one of the famous Berry Brothers, who brought out 2,200 pounds of gold.

Frank C. Brown, representing Johnson, Cowdin & Co., wholesale ribbon dealers, of New York city, spent yesterday in Salem, going to San Francisco on last night's train. Mr. Brown only makes the largest cities throughout the West.—Salem Statesman. Which includes Albany.

BORN.

RAWLINGS.—On Monday, Oct. 2, 1899, in Albany to Mr. and Mrs. C. G. Rawlings, a daughter.

MARRIED.

STEWART-FRONK.—On October 1, 1899, at the residence of C. F. Bigger, in Sweet Home, by Elder Horner, Mr. Henry Stewart and Miss Monna Fronk two of Linn county's popular young people.

They have the best wishes of many. KROSCHER-PRETTYMAN.—On September 30, 1899, in Corvallis, by Judge Woodward, Mr. Louis Kroscher and Miss Lena Prettyman, both of Benton county, opposite Albany. They have the best wishes of many.

Small Annoyances

fret and worry over milk overnight; no milkman in the morning; no cream in the coffee; no milk for the baby.



SUMMONS

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR LINN COUNTY. Department No. 2.

Thoms Allison, plaintiff, vs. John B Hall and Grace Hall, his wife, defendants. To John B Hall and Grace Hall, the above named defendants.

IN THE NAME OF THE STATE OF OREGON, you are hereby notified and required to be and appear in the above entitled court in said suit, and answer the complaint of the above named plaintiff in said cause now on file therein, on or before the 17th day of November, 1899, and you are hereby further notified that if you fail to appear and answer said complaint as aforesaid, for want hereof the plaintiff will take a decree against you for the relief prayed for in said complaint, to-wit: For a decree of said court foreclosing the mortgage described in said complaint herein, and forever barring you and each of you and all persons claiming by, through or under you or either of you or said Simpson Peaterson, since the date of said mortgage described in said complaint, if all right, title, interest or equity of redemption in or to the said premises described in said complaint and mortgage therein described; said premises being described as follows, to-wit:

The North half of the Southeast quarter, Southeast quarter of Southeast quarter of Section seventeen, and the Northeast quarter of the Northeast quarter of Section twenty in Township 10, South of Range 6 East of the Willamette Meridian, containing 160 acres of land according to the governmental survey thereof; and directing that said lands be sold by the sheriff of Linn county, Oregon, and the proceeds thereof applied, first to the payment of the costs and charges of making such sale and the costs and disbursements of said suit, and third, to the payment to said plaintiff of the sum of \$600.00 in U. S. gold coin, together with an interest thereon in like gold coin at the rate of ten per cent per annum from the 10th day of March, 1896, until paid, and for a judgment against you as to each of you for the costs and disbursements herein and for such other and further relief as may be met to equity.

This summons is served upon you by publication for six consecutive weeks prior to the 8th day of November, 1899, in the STATES RIGHTS DEMOCRAT a weekly newspaper of general circulation throughout said county and state, printed and published at the city of Albany in Linn county, Oregon, by order of Hon Geo D Barton, County Judge of Linn County, Oregon, which order bears date Oct. 2nd, 1899, and that the said Hon Geo D Barton, judge of said county, in said order for the publication of said summons upon you, has prescribed the time on or before which you shall appear and answer said complaint in said suit.

The date of the first publication of this summons in said newspaper is October 6th, 1899.

W. R. BELTLE, Attorney for Plaintiff.