

Corvallis Gazette.

CORVALLIS, OREGON, FEB. 7, 1895.

Notice to "Local" Advertisers.

For business locals under "Local Happenings" the Gazette's rate is ten cents per line each insertion; headed local advertisements, without special position, five cents per line each insertion; local under "Special Notices" heading, five cents per line each insertion.

LOCAL HAPPENINGS.

Hair cutting 15 cents and shaving 10 cents at T. C. Case's.

James Cooper, the Independence banker, was in Corvallis a few hours Saturday.

Miss Lillian Datsman left Saturday for Portland, where she will reside during the remainder of the winter.

Mrs. M. O. Wilkins returned home Tuesday after a three weeks' visit with her parents, who reside in Portland.

The February meeting of the Benton County Teachers' Association has been postponed until the 3rd Saturday in March.

Those eccentric little chaps, the Brownies, will not materialize tonight as announced, but will make their debut February 21st.

Rev. Holman, of Lebanon, uncle of Mrs. Martin Burlingame of this city, occupied the pulpit of the Christian church last Sunday.

Mr. Frank Lilly left for Southern Oregon Saturday to accept a position as a traveling salesman for a San Francisco publishing house.

Since the fire which destroyed the store occupied by Pearce, Clark & Co., Treasurer Clark has moved his office to the hardware store of J. R. Smith & Co.

Rev. J. M. Shuler, who has been assisting Rev. Gould with revival services at the Methodist church during the past two weeks, left for his home in Salem last Saturday.

This week will be observed at the old college chapel as a week of prayer, or "do without week." Cards will furnish subjects for each night, and all are invited to attend. P. A. Moses, pastor.

Some of our tonsorial artists have found it necessary to furnish refreshments to customers in order to revive them. Spencer's patrons need no stimulants to enable them to undergo the ordeal of a shave or haircut.

All persons wishing to join the Corvallis Choral Society are requested to meet at the house of W. Gifford Nash next Friday evening (Feb. 8th) at 7 o'clock. A committee will then be chosen to select the music to be sung.

From a private letter received from Mr. J. H. Brand, it is learned that after a siege of litigation, he and his associates are successful in all suits and are again in possession of their placer mine, the Victory, one of the most valuable in Southern Oregon.

J. Fred Yates was in Corvallis Tuesday on legal business. Since moving to Albany, he has built up a nice practice and is doing well. Fred is a hustler, has ability and staying qualities and is fast attaining an enviable reputation as one of the leading young business men of Albany.

Members of "the" whist club were delightfully entertained last Saturday evening by Misses Olive and Lillian Hamilton. Whist was in order until twenty hands were played, when refreshments were served. Those present were: Misses Olive Hamilton, Lillian Hamilton, Louise Weber, Mattie Avery, Clara Fischer, Helen Holgate, Anna Allen and Anna Samuels; Messrs. C. O. Wells, Bowen Lester, A. S. Additon, B. W. Johnson, Sherman Wade, H. L. Holgate, John Fulton.

Owing to a little misunderstanding, occasioned by the unsuccessful attempt of Bro. Barclay to drag out and annihilate the entire office force one day last week, a notice of the birth of an abridged edition of the senior Barclay was suppressed. The gentleman has apologized, and explained his action, by stating that he was only getting in practice to keep Barclay II, pride of his father's heart and terror of night, under subjection. The boy is doing well, and gives promise of doing better.

Last Saturday evening about twenty employees of the carriage factory, accompanied by their wives and sweethearts, marched to the residence of Mr. and Mrs. Wm. Barnhardt and took possession of it. The guests came to pay their respects to the newly-wedded couple and did so in a most substantial manner, bringing with them a handsome upholstered sofa, which was presented to Mr. and Mrs. Barnhardt with the compliments of Will's friends and co-workers at the factory. The whole affair was a most complete and agreeable surprise.

School Director Hershner has a long head. For some months he has been of the opinion that the water company was charging the district an exorbitant price for its aqueduct and suggested to the board the advisability of putting in a meter. Then the district would be compelled to pay for only the water used. Finally the meter was purchased and put in at a cost of \$22.50. Heretofore, the district has been paying \$6.50 per month for its water service, but now pays at the rate of 50 cents per thousand gallons. The meter has now been in use ten days and during that time less than a thousand gallons have been consumed. At this rate the service will cost about \$1.50 per month, thus causing a monthly saving to the district of at least \$5.

S. G. Irvine, the Newport real estate dealer, stopped over in Corvallis Monday on his way to Portland. In conversation with a GAZETTE man, Mr. Irvine stated that the report of Captain Symons relative to the Yaquina bar improvements was a great disappointment to residents of Lincoln county. Many bay people are of the opinion that the situation has been reported in a far more unfavorable light than is warranted by the actual conditions. The water on the bar has been deepened ten feet already at a cost of about \$60,000 per foot. This, it is claimed, is a far better showing than can be made by any other harbor on the coast. Although there may be no further appropriations for Yaquina, there is now ample water on the bar to allow the safe entrance of all vessels engaged in the coast trade, and Yaquina can congratulate herself upon having the best harbor between San Francisco and Astoria.

HOT SPRINGS, ARKANSAS.

DEAR GAZETTE:

Hot Springs, Arkansas, the most famous of American health and pleasure resorts, is a cosmopolitan little city situated in the heart of the Ozark mountains, with an estimated resident population of about 14,000 inhabitants, and from fifty to seventy-five thousand visitors annually. It contains over 500 licensed hotels and boarding houses and about 100 physicians and 30 drug stores. Hot Springs mountain, from which the thermal waters flow, is owned by the government, and it is here that the army and navy general hospital is located. The government reserve comprises four sections (2,560 acres) of land on which the government has spent near a half million of dollars in the way of hospital buildings for invalid sailors and soldiers, administration building, or headquarters, bath houses, gymnasium, shrubbery, tropical plants, winding drives, walks, etc. As a health resort, Hot Springs enjoys a liberal patronage all the year round, but it is more of a winter resort for pleasure seekers. The latter season is just now opening, and every train brings representatives of the "swaggers" set from all the principal cities of the United States. Of the three principal hotels, the Eastman, which opened this week, is the largest and ranks among the largest hotels of the United States. It is an imposing structure, covering several acres of ground, and crowded with lofty towers and observatories; contains eight parlors, maintains its own string band of twenty-five musicians; printing office, postoffice, etc. In this "Valley of Vapors" one need not want for amusement, with first-class theatrical attractions, football, baseball, horse racing, and all the festive games running at full blast; and for music it is unsurpassed by any other resort in the world. A coterie of musical artists discourses daily free concerts in each of the three leading hotels, and one may laugh at Ringwall's popular and humorous strains, feel grand with Murdoch's stately selections, and become ecstatic with joy or sadness over Salisbury's great descriptions.

Donkey riding is quite a popular amusement, and it is not an uncommon sight to see a 200-pound woman mounted upon a 180-pound "burrow," ambling through the streets at a two-mile-an-hour gait. The donks live on nothing and board themselves, and can be "rented" in great numbers for a mere trifle, with a juvenile colored coacher thrown in. Hot Springs has the most varied assortment of spring water of any city on this subliminary planet. Hot, cold, tepid, iron, arsenic, alum, magnesium, and others ad infinitum. People come here for the treatment of almost every ailment known to the human race, but probably the most common is what is called here, "cold feet." There are seventy-two hot springs with a daily flow of over 500,000 gallons. The temperature varies from 93 to 157 degrees Fahrenheit. Chemical analysis shows that the mineral constituents amount to but 8 1/2 grains per gallon, so the doctors are fain to ascribe the healing qualities of the water to its almost absolute purity, aided by the beneficent and peculiar heat it brings with it from dame nature's bosom.

So much for Hot Springs. But for the "Sunny South," and of the Arkansas country people in general, I can say nothing to their credit. They never did have anything, haven't anything now, and never expect to have anything. Simply drive an ox team to home-made wagon to town with a load of corn or wood, to trade off for a \$4 suit or something to eat, and when that's gone—same thing over again. They are not "in it" with the Webfoot ranchers.

Respectfully yours,
ARKANSAS TRAVELER.
P. S. A. M. Weaver, formerly with J. H. Harris, of your city, is now a "knight of the grip" for the Alcorn Woolen Mfg. Co., of Corinth, Miss.

TAKEN IN, DECIDEDLY.

Mr. Walter Moss, manager of the Calhoun Opera Company, and well known by quite a number of Albany people, being a former Webfoot, was recently "taken in" in a very decided manner, in St. Louis. A Seattle paper tells about it: He was in a crowd, watching a fire, when a pretty woman rushed down the stairway of the burning building, and, apparently crazed by excitement, threw herself into his arms and implored him to save her. Of course, Moss attempted to soothe her, and the rest is best told in his own words: "She soon caught sight of some one she said she knew, and with profuse apologies for disturbing me, was soon lost in the crowd. Shortly after her departure a bootblack at my elbow exclaimed: 'Yer watch chain's broke mister!' Then I began to take stock. My watch and diamond sparkler were gone, likewise a small roll of bills from my vest pocket. I tried at once to find the maiden all forlorn, who had left my fortune so tattered and torn, but the alert seemed to have opened and swallowed her."—Albany Democrat.

"IRISH ARISTOCRACY."

The Santa Rosa Republican has this to say of the excellent comedy, the "Irish Aristocracy," which plays in Corvallis Feb. 8 and 9: A person passing the Athenaeum Monday night might have thought that pandemonium had broken loose on the interior of that big building. He would not have been very much in error, so far as applause was concerned, for "Irish Aristocracy" created storm after applause, such as is seldom heard here. There is a great deal of catchy music in the play and the company brought it out very cleverly. The "business" of the Burke Bros. was good, the fantastic work of the Alene sisters excellent and the performance of the trick donkey, as gallery gods would express it, "out of sight." "Irish Aristocracy" will be given again this evening with a complete change of specialties.

Retiring from Business.

All persons knowing themselves indebted to us, either by note or account, will please call and settle at once, as we are going to close out our business, and must have same paid at once. S. M. and S. H. STOCK.

Go to A. Hodas for all kinds of fresh garden seeds. Sold either in package or bulk heap for cash.

Rug and carpet weaving at Herbert's. Bring your weaving along and we will take either money or produce in pay.

FIRST WAGON COMPLETED.

The Coast Carriage & Wagon Co. now Manufacturing Farm Wagons.

It is finished. For some time Corvallisites have been anxiously waiting to see a sample of the new steel-gear farm wagon which the Coast Carriage Company were intending to manufacture on a large scale. The first job of this kind received the finishing touches yesterday. It is a beauty, and appears to be a model of the wagonmaker's art. The new wagon is light, durable, and a great improvement over the old wooden-gear vehicles, which have always been in exclusive use on this coast. The axle, sand boards, stakes, hounds and in fact the entire gearing is made of double sheets of cold steel pressed together under a pressure of 500 pounds to the square inch. These sheets are each 1/4 of an inch thick, and are riveted together in such a manner that the wear and tear of years of constant use will in no way effect their strength or durability. In fact, it seems that the only fault to be found with these wagons is their durability. They never wear out, and on this account dealers will probably not press their sale as they would the wood-gear wagons which have a life of only a comparatively few years. The hollow spindles of these wagons are of steel, and reach back into the axle some distance. They are also lined with a layer of steel, thus giving added strength to the spindle at the point where it receives the greatest strain. The gear throughout, with the exception of the reach, brake bar, and wheels, is of steel. All the timber used in the manufacture of these wagons, even to the oak felloes, is grown in Oregon. Some how people of this country have acquired the idea that only hickory or oak timber is suitable for wagon tongues, but Superintendent Uhlman, who has been a wagonmaker for over twenty years, says that Oregon fir is far superior to either of these woods, and the company will use fir exclusively for tongues. Lumber for this purpose is saved to order by a mill in Linn county. Fir is also used for constructing the boxes or beds, and is thought to be far better for this purpose than any lumber found in the east. The gear of these wagons will be painted red, and the bed will be green, striped with gilt. On the sides of the box and on the rear of the spring seat will appear in large letters the word "Coast." Only the best materials obtainable are used in the construction of these wagons. They will be built either wide or narrow tracked as desired, and the manufacturers claim superiority for them in every respect over any other wagon now on the market. It is claimed that a 23 inch axle "Coast" wagon has a carrying capacity of 2,500 pounds, while an ordinary wooden wagon of the same size will only support 2,000 pounds; a 3-inch "Coast," 3,500 pounds, a 3-inch ordinary, 2,500 pounds; a 3 1/2-inch "Coast," 6,000 pounds, against 3,000 pounds capacity of an ordinary wagon of the same size, and so on. The "Coast" gear is about 25 per cent lighter than wood and each wagon is sold with a guarantee.

When the GAZETTE reporter called, Mr. Burgh was busily engaged in checking off a car load of springs and other materials, which arrived Saturday from the east. Last week a car load of hickory buggy wheels arrived from Moline, and two more car loads of materials are expected within the next two days. At present the working force about the factory consists of only twenty men; but as soon as the material all arrives the force will be considerably augmented, and by the first of May Mr. Burgh expects the concern will have at least seventy-five men in their steady employ. The employees are now at work completing 200 jobs recently ordered, and fifty new carts are in the finishing rooms. The company has a contract for furnishing the Singer Sewing Machine Company with several special jobs. These are now in the painting department, and when completed will be shipped to Portland and San Francisco. In the front room, used for a repository, may be seen samples of every vehicle which the company manufactures. This display includes hacks, carriages, surreys, carts, sulkeys, mountain wagons and so on. These rigs are all completed and ready for shipment.

Recently the dry house was remodeled by removing the steam pipes from the ceiling and placing them underneath the joists of the floor. By this change a maximum temperature of 122 degrees can be secured, while formerly 95 degrees was the limit. In this building all lumber used in the manufacture of vehicles undergoes a curing process until same is perfectly seasoned.

The company is indeed pressing the business to its utmost, and as rapidly as their trade builds up the output will be increased. The gentlemen connected with the enterprise have ample means and are experienced in the carriage and wagon business. Should their wagons give the same satisfaction as other vehicles have done which the company manufacture they will meet with ready sale. Already a reputation has been gained by the company for turning out only first-class work, and it seems safe to predict that the Coast Carriage and Wagon Company will be supplying the entire coast with vehicles at no distant date.

Hope Crushed to Earth

Will rise again in the bosom of a dyspeptic wife enough to substitute for the pseudotonics, which have bamboozled him out of his belief in the possibility of cure, the real invigorant and stomachic, Hostetter's Stomach Bitters. The bilious, the nervous, the dyspeptic, the rheumatic, alike derive speedy benefit from this helpful botanic medicine. Persons suffering from indigestion will gain no positive permanent good from fery, unmediated stimulants of commerce, too often used recklessly. The Bitters are immeasurably to be preferred to these as a tonic, since its pure basis is modified by the conjunction with it of pure vegetable ingredients of the highest remedial excellence. Malaria is prevented and remedied by it, and it infuses vigor into the weak and sickly. A wineglassful three times a day is the average dose.

U. B. Vogie has just received a complete set of trial lenses, and can fit the eye with the finest lenses made, at very reasonable prices, with choice of frames from 25 cents to \$7.50.

BLODGETT VALLEY.

Ike Norton has returned from a business visit to Lincoln county.

The credit system didn't abolish last Saturday night at our Lyceum.

J. S. Buchanan, of Summit, paid the old soldier, Impson, a visit last week.

Spring plowing is progressing finely in this valley. Scott King and Doc Kiger are done.

Warren Norton was heard singing recently "I'm lonesome since she crossed the hills."

Alfred Flickinger, with blood in his eye, wants to know why he was called Mrs. We give it up.

Our popular Lyceum president, Scott King, is rapidly developing into a successful executive officer.

We hear it rumored that there are magnets in this county, the attraction and force from which reach to Polk county.

"She's come home" was the laconic remark of George when surprise was expressed at his return to the valley.

There is considerable excitement in the vicinity of Norton, Lincoln county, over the discovery of gold bearing quartz.

A. W. Wood, of Corvallis, accompanied by his son George, rusticated in our valley last week. Abner's smile is as seductive as ever.

Joe Bryant passed through our valley last week, enroute for his home on the Yaquina, having purchased a pair of fine young mares in Linn county.

A four-horse load of provisions went to Impson's ranch last week. He is going to discount the bill of fare at the Huggins house or "bust."

A literary society was organized at the Trolax school house last Wednesday, with Wm. Galaway as president; the names of the other officers we did not learn.

Arising to a point of enquiry, we are desirous of the information as to whether the baby carriage advertised in the GAZETTE belongs to the editor or not. (WELL, WE JUST GUESS NOT!)

In defense of the credit system, Frank Sykes made a splendid plea. We more than suspect, however, that not enough money and no team added inspiration to his argument.

We hear on good authority that old Mr. Pearl Bryant is not long for this world. He has recently returned from Eastern Oregon and is lying at the residence of his son-in-law, Austin Alltree, in Lincoln county.

It is not any of our business, but if the young lady from Philomath wants wood and the second growth from Blodgett is the kind and quality she wants, we don't see why "Jacob" or "Plowboy" should be anxious.

Referring to the "ancestry" and "creative power" of Paul, we are reminded that when he and his coadjutor, Silas, were confined in the stocks, Paul had a tendency to talk back. [That tendency has developed into an actuality.]

Our Lyceum is increasing in interest and numbers. We doubt whether there is a better one in the county. Supt. Holm should visit us and get some pointers. We warn him, in time, however, that should he lock horns with Uncle H. Wood, he will be worsted.

The Oregonian says Maine returns Senator Frye because he is invaluable to the state and argues that the same state of things exists in Oregon relative to Dolph. We simply suggest that Maine returns Frye because it wants him. Oregon refuses Dolph because it does not want him.

QUI VIVE.

THE CITY LIBRARY.

The pride of any city is its social and educational advantages, its churches, fraternities, halls, reading rooms, and other places of gathering for the purpose of higher culture. Literature that is sent abroad, advertising our fair city, invariably mentions the acknowledged worth of this institution to Corvallis as well as the general appreciation of reading rooms. The rooms are amply furnished. Quite a large collection of valuable books, newspapers and magazines are kept constantly on hand. The library is accomplishing a beautiful work in the general dissemination of literature, and in some cases, in furnishing a quiet reading room as a resort for some who have temptations that others are not heir to. The grand work of promoting the interests of this organization has been imposed on several ladies, who are sacrificing time, thought and money for the purpose of accomplishing the greatest possible good. The expenses, including rent, insurance, fuel, lights, etc., must aggregate nearly \$200 per annum. This is furnished by the committee of ladies having the work in hand; therefore, they should be encouraged in raising at least twice this amount per annum so that accessions may be made to the library, and thereby increase its usefulness.

AGAIN CALLED TO THE CAPITAL.

It seems that R. M. Davison, who says he represents the monied interests of this section, did not thoroughly succeed in converting Mr. Cooper to the gold-bug senator, when he was in Salem last week. News came Tuesday noon that Mr. Cooper had voted for Hermann, and immediately the representative of the monied interests started for the scene of action. Just what he will represent to Cooper this time is hard to conjecture. He cannot make him believe the people of Benton county want Dolph, or that the telegrams sent him were spurious, for Mr. Cooper very wisely came up on Saturday and looked over the field himself. Tom has been misled in regard to the sentiment here, but he has too much good sense to be fooled by the same parties a second time.

To the Ladies of Corvallis.

I will be at Miss Whitaker's on Feb. 11 for a few days only. All wishing to see my new goods are cordially invited to call. Mrs. A. JONES.

Karl's Clover Root will purify your blood, clear your complexion, regulate your bowels and make your head clear as a bell. 25c, 50c, and \$1.00. Sold by Graham & Wells.

Save money by buying goods now while Stock's are closing out.

LOWER COURT SUSTAINED.

Supreme Court Disallows the Set-offs of Avery and Others in the Hamilton, Job Assignment.

This case was appealed to the supreme court from a decision made by Judge Fullerton, sustaining objections to and rejecting the several set-offs claimed by the appellants against their several debts due Hamilton, Job & Co. It will be remembered that simultaneous with the closing of the bank's door, B. R. Job commenced a suit against Zephin Job for a dissolution of the partnership, asking that a receiver be appointed. J. R. Bryson was appointed such receiver. After the appointment of the receiver, suit was commenced by the Agricultural College against the bank, and B. R. and Zephin Job, at the request of a majority of creditors, made an assignment to J. R. Bryson. The court ordered Receiver Bryson to surrender the property to himself as assignee. In response to the notice to creditors, J. M. Applewhite, being indebted in the sum of \$87.15, tendered the check of J. C. Applewhite, drawn upon H. J. & Co., in his favor, June 10, 1893, (the date the bank closed) for \$100; P. Avery, being indebted in the sum of \$150, offered the check of the Benton Co. Flouring Mills Co., drawn the same day on H. J. & Co., in his favor for \$149.30; John Smith, being indebted in the sum of \$2,000, presented a certificate of deposit issued by said firm to said Benton County Flouring Mills Co., for \$4,000, and duly assigned to him June 15th, and also a draft issued by H. J. & Co. upon Ladd & Tilton, for \$44.90, all assigned after appointment of receiver. Both checks issued to Applewhite and P. Avery were given to and received by them subsequent to the closing of said bank, with knowledge thereof, and could not therefore have been presented for payment prior thereto. The allowance of these set-offs was objected to by Ladd as one of the creditors of the bank. The opinion delivered by Judge Moore is as follows: "The record discloses that J. R. Bryson was appointed receiver at about 3 o'clock in the afternoon of June 10, 1893, and that P. Avery received his check, drawn that day upon Hamilton, Job & Co. before that hour, but that he accepted it with knowledge that their bank had suspended payment, and the question is presented as to whether Avery is entitled to off-set the said check against his debts.

"The rule appears to be well settled that an equitable interest in an insolvent debtor's estate is vested in a receiver by his appointment, and that he takes the assets of the debtor as a trust fund for the equal benefit of all the creditors of the estate. The receiver can acquire no greater interest than the debtor had in the estate, and hence chooses in action pass to the receiver subject to the equitable right of set-off existing at the time of his appointment. When a receiver is appointed the accounts of the insolvent debtor are closed, and no changes thereafter be made by any assignment of credits against the estate, as this, if allowed, would injure the trust fund and defeat the ratable distribution to which each creditor is entitled.

"In *Doe, Northey Bank vs. Ballist*, 42 Am. Dec. 297, it was held that 'The important period to determine the right of the assignee and the defendants is not the time of the assignment, but the time the defendants had notice of it, and this principle applies as well in the case of set-off as payment.' This would seem to imply that the debtor of an insolvent might, until he had received notice of the insolvency, acquire claims against the insolvent estate to off-set his indebtedness, upon the theory that he was an innocent purchaser, for a valuable consideration without notice. Applying this rule to the facts in the case at bar, Avery could not be an innocent purchaser, because when he acquired the check he had knowledge of the suspension, and hence is not entitled to the set-off claimed, though in fact he had the check a few hours before the appointment of his receiver. The other claimants are even less favorably situated, as they not only obtained their checks with knowledge of the suspension of said bank, but presumably after the appointment of the receiver, and are therefore not entitled to off-set them against their several debts.

"The appointment of a receiver is a suit to dissolve a partnership does not of necessity preclude its debtors from acquiring claims against it which to off-set their indebtedness. If the partners are solvent their creditors are not bound to wait until the equities between their debtors have been adjusted. The assets in such cases are treated as still belonging to the firm, and subject, in the ordinary method, to the payment of the partnership debts. If the rule were otherwise, partners embarrassed by the scarcity of money, depression in business, or injury to their credit, could commence a suit to dissolve the partnership and, by securing the appointment of a receiver, continue their business through him as their agent until ready to meet their obligations, when by dismissing the suit the receiver would be discharged, and they could resume business 'at the old stand.' Equity will not sanction or tolerate such a rule, or permit a solvent firm to plead the appointment of a receiver in bar, or abatement to an action for money due when the real object sought by the appointment of the receiver is to settle the private differences of its members, or to hinder, delay or defraud creditors. But in a suit to dissolve a partnership, and for the appointment of a receiver, when the order of the court making the appointment shows that it was done for the purpose of distributing the assets among the creditors, it must be treated as an equitable assignment for their benefit.

"The order of the court in the case at bar appointing the receiver provided for the collection of the firm debts and the application of the proceeds thereof to the payment of its liabilities, and hence must be treated as an equitable assignment for the benefit of all the creditors. The receiver—being an officer of the court—having taken possession of the property of the firm, a lien attached thereto in his favor, and the court through him became its custodian for the benefit of all the creditors, and while this property remained in custodia legis it was impossible

for and creditor to acquire a lien thereon, or in any manner secure a preference over the other creditors, and in the absence of any statement of fact it is difficult to ascertain how an attachment could have been levied upon the assets in the hands of the receiver. "It is contended that the assignment made by Hamilton, Job & Co., discharged the equitable lien upon the assets of said firm, created by the appointment of the receiver, and that the several appellants having acquired their credit prior to the assignment may off-set them against their respective debts, and in support of this contention the appellants insist that the appointment of a receiver constituted an equitable attachment, and that no judgment having been rendered therein the lien created by the appointment of the receiver was discharged by the assignment of the debtors for the benefit of their creditors.

"The manifest object of the statute is to place the assets of an insolvent debtor in the hands of the assignee for the benefit of all the creditors, in proportion to their respective claims and to prevent any creditor from acquiring a lien upon the debtor's property, or the fund arising from its sale. If the appointment of the receiver, creating an equitable lien upon the assets of the firm, had been for the benefit of a favored few, there would be just reason for holding that the assignment discharged such equitable lien; but when it is remembered that the receiver took an equitable interest in the assets as a trust fund for the benefit of all the creditors, and that the assignee now holds the legal title thereto for the same purpose and persons, we see no just reason for holding that the receiver's lien was discharged by the appointment of the assignee, when the only effect of the proceeding was to merge an equitable into a legal lien for the benefit of all the creditors. All the creditors, under the receivership, had an equitable lien upon the assets of the firm, and under the assignment they have a legal lien upon the fund arising from a sale thereof. To admit that the equitable lien was discharged by the assignment, and that the appellants, having acquired their claims against the insolvent's estate subsequent to the appointment of the receiver, but prior to the assignment could thereby off-set them against their debts would be to give the statute a construction never contemplated and contrary to its manifest object. To adopt the appellants' construction would be equivalent to holding that they had acquired a lien upon the fund, or the right to off-set their claims against their debts, in spite of the statute which provides that such fund must be preserved for the benefit of all the creditors.

"There being no error in the judgment it follows that it must be affirmed, and it is so ordered."

The GAZETTE wishes here to thank J. J. Murphy, clerk of the supreme court, for the copy of the above decision he so kindly furnished.

THE CHURCHES.

Congregational Church, Sunday School 10 a. m.; preaching 11 a. m. and 7:30 p. m.; Junior Endeavor, 4 p. m.; Senior Endeavor 6:30 p. m.; prayer and conference meeting, Thursday 7:30 p. m. H. J. Zercher, pastor.

Methodist Episcopal church: Corner 2nd and Van Buren streets, Rev. Hiram Gould, pastor. Services every Sunday at 11 a. m. and 7:30 p. m.; Sunday school at 9:50 a. m.; Epworth League, 6:30 p. m. Thursday, prayer meeting at 7:30 p. m.

M. E. Church, South, old college chapel: Preaching at 11 a. m. and at 7 p. m. each Sabbath except the third. Sunday school at 10 a. m., and prayer meeting at 7 p. m. Wednesday evening. The public is invited to attend. E. P. A. Moses, Pastor.

Christian church: Services every Sunday at 11 a. m. and 7:30 p. m.; Sunday school at 10 a. m.; Junior Y. P. S. O. E. at 4 p. m.; and Senior Y. P. S. O. E. at 6:30 p. m. Prayer meeting Wednesday at 7:30 p. m. Choir practice Saturday night. Frank Abram Powell, pastor.

Episcopal Church, corner of 7th and Jefferson streets: Services every Sunday at 11 a. m., and 7:30 p. m., and on Wednesday evening at 7:30 p. m. Lay services every 2nd and 4th Sunday of each month. All are cordially invited to attend, especially those without other church home.

Baptist church, Jefferson St., between 4th and 5th, Rev. W. H. Doward, pastor. Sabbath services—Sunday school at 10 a. m.; preaching at 11 a. m., and 7:30 p. m.; B. Y. P. U. at 6:30 p. m. Thursday—Song and prayer service at 7:30 p. m. Ladies Aid Society on Friday at 2 p. m. Free seats. A cordial welcome to all.

Presbyterian church, corner 4th and Jefferson streets, Rev. E. J. Thompson, D. D., pastor. Sabbath services: Sunday school at 10 a. m.; public worship, 11 a. m. and 7:30 p. m.; Junior C. E. at 4 p. m.; Y. P. S. O. E. at 6:30 p. m. Thursday: Praise and prayer service, 7:30 p. m. Ladies Aid Society, 4th Wednesday of each month at 4 p. m. Ladies' Missionary Society, 2nd Wednesday of each month at 2 p. m. A kind welcome to all.

Captain Sweeney, U. S. A., San Diego, Cal., says: "Shiloh's Catarrh Remedy is the first medicine I have ever found that would do me any good." Price 50c. Sold by Graham & Wells.

Sewing Machines.

Buy your sewing machines direct from Will's Music Store, Albany Oregon. No agents employed. We will save you a week's wages. Write us and be convinced. All the leading machines except the Singer. We have been selling machines ten years. Our personal guarantee with all first-class machines.

For Sale—A first class Remington type-writer at Stock's.

KARL'S CLOVER ROOT
IT GIVES FRESHNESS AND CLEAR SKIN.
CURES CONSTIPATION, INDIGESTION, DIZZINESS, ERUPTIONS ON THE SKIN, BEAUTIFIES COMPLEXION, 150 FOR A CASE IT WILL NOT CURE.
An agreeable Laxative and Blood Purifier. Sold by Druggists or sent by mail for 25c, 50c, and \$1.00 per package. Samples free.
KO NO The Favorite Toilet Powder for the Teeth and Breath.
Sold by Graham & Wells.

SOME OF THEIR BUSINESS.

"A Native Son"—with a question mark—asks the Times why Judges Bryson, Burnett and McFadden send some of their boys to the State University at Eugene, when we have a college at home. It is hoped that this over-weening curiosity will be satisfied by the gentlemen named. But why should they be singled out and asked to divulge their family affairs? It is currently reported on the streets that Judge Burnett prefers corn-meal pancakes to those made of buckwheat; that Judge McFadden keeps an Irish servant girl and refuses to employ those of Teutonic extraction, and that Judge Bryson employs a Chinaman and turns a deaf ear to the entreaties of the Japanese. These gentlemen being leading citizens of our town, all of these matters are of the utmost local interest and it is hoped "Native Son"—with a question mark—will continue his interrogations until he wreaths from the honorable judges all the little matters that they might feel disinclined to advertise in the newspapers.

\$100 Reward—\$100.

The reader of this paper will be pleased to learn that there is at least one dreaded disease that science has been able to cure in all its stages, and that is Catarrh. Hall's Catarrh Cure is the only positive cure known to the medical fraternity. Catarrh, being a constitutional disease, requires a constitutional treatment. Hall's Catarrh Cure is taken internally, acting directly on the blood and mucous surfaces of the system, thereby destroying the foundation of the disease, and giving the patient strength by building up the constitution and assisting nature in doing its work. The proprietors have so much faith in its curative powers, that they offer One Hundred Dollars for any case that it fails to cure. Send for list of testimonials.

F. J. CHENEY & CO., Toledo, O.
Sold by Druggists, 75c.

A. T. Buxton carried off the honors at the oratorical contest last Friday evening and will represent the agricultural college at the coming inter-collegiate oratorical contest to be held at Forest Grove, February 22nd.

Our new stock of hats for spring are now in. Call and see the latest styles. Can sell them for less money than others sell old ones. Miller's clothing store.

Shiloh's Cure, the great Cough and Croup Cure, is in great demand. Pocket size contains twenty-five doses only 25c. Sold by Graham & Wells.

TO FRUIT GROWERS.

Pruning and grafting a specialty. Address A. Hunt, Tangent, Oregon.

Dutchess Trousers.