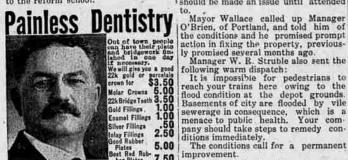
C H NEWS

Deeds: Wm. R. Conner to Pearl Peary, 7.81 acres, \$350. Mortgages, \$3200. Satisfactions, \$600 and \$250.

New suit: Simpson Combuting Scale Co. agt. F. B. Weber, to recover \$95. N. M. Newport attorney. Marriage license: H. M. Morris, Eugene aged 22; Elsie L. Widener, Harrisburg, 20.

Merritt Jennings, arrested for stabbing his cousin, at Lebanon, this afternoon was committed by Judge Duncan to the reform school.



We will gies you a good 22k gold or peccalaid crown for \$3.50 Molar Orowns 5.00 Molar Orowns 5.00 Gold Fillings 1.00 Enamel Fillings 1.00 Silver Fillings 1.00 Learn Fillings 1.00 Good Rubber Fillings 1.00 Best Red Rub-7 go

7.50

Wise Dental Co. FAILING BUILDING INCORPORATED THIRD & WARE, STS. PORTLAND, OREGON OFFICE HOURS: 8 & M. to 8 P. M. Sundays, 9 to 1.

SUMMONS

In the Circuit Court of the State of

In the Circuit Court of the State of Oregon for the County of Linn, Department No. 2.

Fred Holzfuss, plaintiff, vs. Herman Holzfuss, Bertha K:ecker, Emil J. Holzfuss, Johanna Leib, Olive Holzfuss, G. H. Kiecker, Wilhelmina Holzfuss and Henry Leib, defendants. To Herman Holzfuss and Welhelmina Holzfuss, defendants above named. In the name of the State of Oregon, you are hereby notified and required to be and appear in said above named court in said suit, and answer the complaint of the plaintiff on file therein, on or before the 8th day of January, 1910, and you are hereby further notified that if you fail to appear and answer said complaint as aforesaid, for want thereof the plaintiff will take a decree against you and each of you for relief prayed for in said complaint, towit:

A decree of said court directing that the following described lands, towit.

A decree of said court directing that the following described lands, towit: Lots One and Six, in Section One, and Lot One in Section Two, all in Township 10 S. of R. one East of the Will. Mer. in Linn County, Oregon; also, eight acres in Lot 5, in Section 35, Tp. 9 S. of R. 1 E. of the Will. Mer. in Linn County, Oregon, and more particularly described as being situated and lying in the Southeast corner of Sec. 35, S. R. 1 E. of the Will. Mer. in Linn County, Oregon, containing 80.45 acres, be partitioned among the parties to this suit according to their interest therein, as below mentioned or sold and the proceeds ing to their interest therein, as below mentioned or sold and the proceeds of said sale divided among the plaintiff and the defendants in proportion to their interests as follows: one-lifth thereof to said plaintiff, Fred Holzfuss; one-nifth thereof to said defendant, Herman Holzfuss; one-nifth thereof to said defendant Emil J. Holzfuss; one-lifth thereof to said defendant Johanna Leib; and that the costs and disbursements of this suit and the expenses of such partition, or sale, be apportioned among the parties to this suit according to their respective interests, and for such other respective interests, and for such other relief as may seem proper to said court.

This Summons is served on you and each of you by publication for six

This Summons is served on you and each of you by publication for six consecutive weeks prior to the said 8th day of January, 1910, in the Albany Democrat, a weekly newspaper of general circulation in said county, by order of the Honorable J. N. Duncan, Judge of the said County Court of Lina County, State of Oregon, which said order was made November 18th, 1909, and that the said J. N. Duncan, Judge of the said County Court, in said order for the publication of this Summons upon you has prescribed the said 8th day of January, 1910, as the time on or before which you shall appear and answer said complaint in said suit.

The date of the first publication of this Summon is publication of this Summon is publication of this Summon is said suit.

The date of the first publication of this Summons in said newspaper is November 26th, 1909.

J. J. WHITNEY, and W. S. RISLEY, Attorneys for Plaintiff.

ADMINISTRATRIX' NOTICE.

To all whom it may concern:

Notice is hereby given to all whom it may concern that the undersigned has been duly appointed executrix of Henry A. Cleek; deceased, by the county court of Linn country, Oregon, and has duly qualified as such executive therefore all persons having and has duly qualified as such executrix, therefore all persons having claims against the estate of said decedent are hereby notified and required to present such claims, with the proper vouchers to the undersigned at her residence in the city of Albany, Linn county, Oregon, within six months from the date hereof. Dated this 29th day October, 1909. SARAH M. CLEEK, Executrix of Henry A. Cleek, deceased.

ADMINISTRATOR'S NOTICE

ADMINISTRATOR'S NOTICE

Notice is hereby given that the undersigned has been appointed administrator of the estate of John W. Hardman, deceased, by the county court of Linn county, Oregon. All persons having claims against said estate are requested to present the same to J. J. Whitney, at his office in Albany, Oregon, properly verified as by law required, within six months from the date hereof.

MARY E. TERHUNE, Admrx. Albany, Or., Oct. 1, 1909.

J. J. WHITNEY, Attorney.

MONDAY

T E DEPOT

LAKE

Causes an Immense Sight of Trouble.

The city council should have been out around the depot today getting a view of the lake that has been permitted to grow into an immense body of water, filling cellars, basements and yards, causing a good deal of trouble. It should be made an issue until attended

ditions immediately.

The conditions call for a permanen improvement.

Newport & Hornback's coyote, among other things, received a benefit and wa found this morning wading in water up to his middle. He was finally gotten out and placed in a pen elsewhere.

loung People's Meeting.

There was a good attendance at the young people's meeting, at the W. C. T. U. hall at 3 o'clock Sunday. The subject was service, led by Miss Marsubject was service, led by Miss Marcus. After a preliminary service five minute talks, ranging from six to ten minutes, were made by Revs. Gordon, Esson, White, Geil and Geselbracht full of excellent thoughts.

These meetings will be held a month in all, closing Dec. 12. Tomorrow night the subject will be the field, with reference to home work.

Besides the meetings Miss Marcus has visited 879 homes in Albany, finding in them 887 attending Sabbath schools, working up a further interest in Sabbath school work.

Mrs. Montgomery's Funeral

There was a large attendance of old friends at the funeral of Mrs. Sarah Montgomery, who died at Salem, at the home of Rev. Rufus Thompson. Rev Thompson, an intimate friend of the Thompson, an intimate friend of the family for many yeas, preached the sermon, paying a splendid tribute to the worth of the deceased. An interesting fact was that the funeral service was held in the same building in which Mr. and Mrs. Montgomery were married in 1863 by the father of Mrs. Thompson, Dr. Hill, a pioneer Albany minister. There was a pretty display of flowers.

Mr. Spratt Montgomery, a son, of Eastern Oregon, and his family were among those here from elsewhere.

Big Loss to Scio.

The dam went out at Scio this forenoon, from the high water. This is the source of power for the condensery, flour mill, electric lights, water and other powers, and it will probably be several months before it can be fixed, leaving the city in darkness and the plants idle.

At the Hotels.

Mrs. J. A. Colter, Centerville, Ia.
Thos. K. Davis, Everett, Wash.
F. H. Johnson, Canton, Pa.
Virgil L. Loyd, Salem
L. W. Baker, Portland
J. I. Thompson, White Salmo White Salmon

Marion's assessment is \$33,663,490. W. M. Parker went to Portland yes-terday morning on a short trip.

Mrs. Geo. Armstrong, of Benton county, left for Portland this afternoon.

Oregonian,
Mr. Al Sternberg went to Portland

yesterday as a witness in the Parrish divorce case.

The Albany saw mill today was obliged to shut down on account of high water all around it.

Salem and Eugene high schools will Saturn and Eugene ingli schools will play at Eugene on Thanksgiving. Prof. Luck has been selected as re-feree. It will be a hot number, the teams being evenly matched. In the ealy '60's there was a double

the easy to 5 there was a double ha ging in Oregon. An Albany lady, then hine years of age, saw Beal and Baker hanged together at Salem, being taken to the hanging by her father.

The children of the late Mrs. Sarah Montgomery ussire to express their sincere thanks for many acts o' kindness and sympathy in their pereavement following the death of their mother.

The semi-annual meeting of the Oregon State Academy of Sciences will be neld in Forest Grove Nov. 26 and 27. F. W. Power, a former Albany young man is secretary. A fine program has been arranged.

Mr. Sanderson, of Sanderson bridge fane, was in the city today, coming sown from Lane county. He reported his having sold 640 acres of land for \$35 an acre he paid \$18 an acre for only a few minths ago, and he has several hundred acres left.

AT LEBNON.

A small tragedy occurred early yesterday morning, about 2 o'clock on the streets of Lebanon. Winfield Huddleston was trying to get his two cousins, Merritt and Wid Jennings, sons cousins, Merritt and Wid Jennicgs, sons of Frank Jennings, now of Aberdeen, Wash, home, when a dispute arose, and Merritt Jennings, the younger of the boys pulled out his pocket knife and stabbed Huddleston near the elbow of the right arm, cutting a deep gash into the bone, and severing the main artery. There had previously been some trouble at the Huddleston home over some bedding stored there by the Jennings boys, who had just begun work in the paper mill.

Dr. Laird stopped the flow of blood as much as possible and then brought the Hudleton boy to St. Mary's hospital where the wound was dressed, and it is said the boy will always have a stiff arm.

Merritt Jennings ran from Lebaonn

it is said the boy will always have a stiff arm.

Merritt Jennings ran from Lebaonn through the mud to Tangent, came to Abany on the local and gave himself up to Sheriff Smith at 8 o'clock.

It is said one or both of the Jennings boys were intoxicated. They claim only Wid was.

Merritt Jennings gives his age as 16. while his uncle, Mr. Huddleston, says it is eighteen, an important thing in the punishment of the boy under the state law.

law.

At langent young Jennings called up an uncle, who resides there and tried to get him to give him money to get into California with, but his uncle insisted on his coming to Albany and giving himself up, and he did It is said that Huodleston, as well as the other boys had been drinking.

News from Albany's Six Early Trains.

Thos. G. Hopkins and F. J. Cornett, the R. D. men, went to Portland in response to our enaes in the divorce case of Parrish against Parrish, down for trial beginning today.

Lawyers C. E. Sox and G. S. Hill and J. G. Gibson, a juryman, went to Cor-vallis, to attend a session of the circuit court, which began this morning, with a small docket in sight, nearly all civil

C. W. Tebault went to Portland in the interest of the Linnhaven orchard near Lacomb. The Company now has 3200 acras secured for it, and expect to have 4500 in all. Linnhaven is only sixteen miles from Albany, two from the Oregonian road, and will undoubtly eventually be on the line of an electric road.

R. W. Tripp, Brownsville's hustling real estate dealer, one of the busiest in the valley, went to Portland. H.N. Winkley, of Mill City, returned from Fagne.

from Eagene.
J. N. Brandeberry went up the C. &

Miss Nellie Carter went to Portland. Mr. and Mrs. Jim Driver returned from a Sunday visit at Tangent.

Wet Galore,

It rained some last night, 2.30 inches from noon yesterday until 8 a. m. today, and then some more since. The total fall this month has been 8.74 inches, on seventeen days out of the twenty-two. The fall in October was 3.82

inches.

Saturday night the river raised several feet and was 13 feet Sunday morning, raising about a foot more and then remaining on a standstill during the night, being 14.3 feet today. At Eugene this morning the Willamette was only 9 feet. It is not easy guessing yet whether there will be a flood.

The range of temperature for 24 hours was only 59-55.

The prediction is: Rain tonight and Tuesday, brisk to high southwest winds.

Put Out By Milk.

An odd fire occurred out in front of county, left for Portland this afternoon.

Mrs. E. A. Parker, of Cottage Grove, today went to Mollalla on a visit with her sister,

A birdseye view of Albany from the Sirsonic temple appeared in Sunday's freely, soon extinguishing it.

After a Daughter.

Mr. McCune, an Eastern Oregon man went out to Lebanon on Saturday and high water all around it.

Some plates and a basket left in the candy booth at the fair may be had yealing up Bl.ck 123 Bell.

Mrs. Frances French Williams and daughter came up from Pertland this moon for a Thanksgiving visit. Mr.

Williams will be here later.

So are plates and a basket left in the took possession of a daughter in charge of his wife, from whom he separated and came to Albany yesterday with her, but was stopped by a phone to the chief of police from Lebanon, and this afternoon took her back to her mother being married again. She is 16.

Williams will be here later.

So are plates and a basket left in the took possession of a daughter in charge of all the took possession of a daughter in charge of all the took possession of a daughter in charge of all the took possession of a daughter in charge of all the took possession of a daughter in charge of hits wife, from whom he separated position with Churchill. His wife and child will join him later.

The store of D. S. McWilliams, of Halsey, was entered last high by burging married again. She is 16.

Williams will be here later.

Jefferson Awake.

"Something Doing. Jefferson Wakes "Something Doing. Jefferson Wakes up and Will Show Em. Have the Goods. We're going to make good with all newcomers." is the heading in the Review. A commercial club has been organized with Dr. Allen as president, A. J. Shumaker secretary and treasurer, salary \$80 a year and a committee on publicity. \$700 has been subscribed and there will be more.

TUESDAY.

An Albany Cook Book.

The ladies of the Presbyterian church

OY STABBED SHORT SESSION BURBANK'S OF THE CLUB.

The meeting of the Albany Commer-ial Club last night was a short and

ial Club last night was a short and weet one without much doing. Present: Directors Rawlings, Lee, Bowersox, Fertmiller, French and Nutting, Treasurer Bain, Secretary Van Winkle, Vice-president McCune, Man ager Strubleland President Davis.

An application from the Albany College Student for the advertisement of the club at \$4 a page was ordered placed on file.

In the matter of the communication of A. H. Hudson, of Gates, in reference to the shipment of green fruit to and at through Albany, the response sent to Mr. Hudson was read, showing no cause for complaint now, Albany being \$2 per ton over Salem.

The depot lake was discussed and cussed.

cussed. \$744 was reported collected since the

last meeting.

Messrs. Van Winkle, Hewitt and Struble each told a story and the club

U. S. Jurymen.

The following Linn county men have been drawn for the next U.S. jury,

which will try the famous Binger Hermann case.

Albany -O. A. Archibald, of the First National Bank; P. D. Gilbert, the grocer; W. H. Hogan, capitalist; August Koenig, farmer R. F. D. Lebanon. -W. B. Donaca, farmer, Larwood. -J. M. Hessler, farmer. Waterloo, -L. A. Peebler, farmer.

G W. McLain, of Klamath Falls, has been in the city today. Miss Emma Thrift, of Portland, is at the home of her father.

Mrs. T. P. Hackleman and daughter went to Lebanon this afternoon.

Eastern Oregon bootleggers in dry counties are getting it right and left at \$250 a whack. Stanley Van Winkle, of Willamette University, came home today for the holiday season.

Mrs. D. W. Wakefield, of Portland, came up this noon for a Thanksgiving visit with her folks.

Mr. McCune, father of E. H. McCune, arrived this week from Salt Lake City on a visit with his son.

Miss Bessie Merrill, who has been at Berkley, Calif., the past year, left last night for her home at this city. Mrs. Judge Wolverton, of Portland, came up this noon for a Thanksgiving visit at the Price home in the country.

W. H. khodes returned this noon from a trip around the circle as far as Sait Lake Lity. Sam Dolan and the crack Notre Dame team will play Marquette at Milwaukee on Thanksgiving day.

Denver University wants to play Mult-nomah Dec. 11. Denver has one of the best teams in the west.

W. Cameron Forbes becomes govern-or general of the Philippines tomorrow, succeeding General Smith. Nine promeinent Grants Pass men went clear to Portland to see Mr. O'Brien and ask for a new depot,

Miss Boyles and Miss Beach, of Port-land, came up this noon on a visit with the former's sister, Miss Margaret Boyles.

The Corvallis ferry has been out of commission several days, and Orleans people will have to come to Albany to trade.

With every state but one represented in the national shoot this year, Oregon was the eighth state in standing, a fine showing.

to get 25 miles from Albany. J. E. Kerby, an expert pressman, with a thorough knowledge of all the

ently the work of amateurs.

Mrs. John Smallmon, wife of ExSheriff Smallmon, of this country, died
at Woodburn on Sunday and was taken
to Shelburn this morning for burint,
She was a resident of Albany for two

The Linnhaven Company has a quarter page advertisement in the Oregonian. A new prospectus just gotten out by the company is one of the neutest things out, the printing by Rawlings, being equal to that of the new Albany Booklet

Merritt Jennings, upon complaint of Mr Huddleston, of Lebanon, has been cited to appear before Judge Duncan, sitting in the juvenile court at 1 p. m. tomorrow, and Judge Duncan will then decide whether a criminal charge shall be made in the case.

The ladies of the Presbyterian church are getting up a cook book that deserves local support. It will be made up of receipts by prominent local cooks. Albany is noted for the beat in the half barber, strived last evening on a late of the beat in the bushess men will be permitted in the book as a recount at their support of a worthy class.

DOINGS.

The address of Prof. Adrian, at the U. P. church last night on Luther Burbank and his work, with illustrations, was a very entertaining and nstructive affair.

Burbank has created three new species only, the Royal berry, the Paradox wal, ut and the Plumocot.

He has crossed strawberries and apples, made potatoes and tomatoes to grow on the same plant, one in the ground, the other on the vines, he has created a thornless blackberry, he has produced chesnuts in a year grown on trees from the seed, he can make trees grow so fast that they will be lumber producers in twelve years.

His great work has been in the cactus, from which he has taken the spines and made a splendid food both for man and animal, capable of producing 500 tons to the acre.

Black walnuts can only be raised well in thirty feet of sub soil. Plant eight on ten black walnuts, select the two best at end of a year, the best at the end of two years, in three years graft an English walnut, and in seven years

end of two years, in three years graft an English walnut, and in seven years from the seed there will be a paying orchard.

Burbank has patiently made hundreds of thousands of experiments just for a few successes, and the result is mar-

He was once offered \$75,000 for some plants and refused it because they were not perfect. The Burbank cherry has sold in the east for \$33 a box,

George Waggoner, the author and booster, pioneer miner, story teller and genial gentleman, came over from Cor-vallis, and after spending the forenoon at the Hub went to Lebanon on a busi-

Mr. Louis Schoel went to Salem. Henry Winkley returned to Mill City.

ness trip.

At the Hotels

D. M. Stiger, Salem. Rev. A. M. Williams, the successful pastor of the Presbyterian church at Brownsville,

E. A. Rhoten, the hustler for Home-E. A. Rhoten, the hustler for Homestead, of Salem.
S. A. Pruett, Yaquina.
Mrs. E. E. Warner, a pioneer Linn
county woman, with five daughters
married.
M. Meatyard, Bloomington, Ill.
Mrs. W. J. Irvin, Salem.
William Ruster, Medford.
P. Lewis, Corvallis.
John Card, Detroit,
Dave Junkin, Oakville.
J. Roussellot, the Eller piano manager, and wife.

ger, and wife.

J. A. Archibald, the Philomath tombstone man, and raiser of blooded chick-

Come on Mr. Mayo.

The Imperial Restaurant, Second street, is now in splendid hands, a home place, with good cooking and a very neat service.

Triegram:

J. C. Mayo, of Albany, local agent for the O. R. & N. Company at its Sponet service. Albany witnesses in the Parrish divorce suit have returned home, the case having been postponed until the 19th of January.

A Wallowa man has been sent to the asylum for building a house in the middle of the street. Is such enterprise a sign of dementia.

After being in Eugene the editor of the Corvallis Gazette Times refers to thi little city of Eugene and its unclean back yards and alleways.

Hon, Thos, Erandon, of Plainview is

program that was greatly appreciated. It is full of laughs from beginning to end. The program offers a pleasing try. variety of talent, with nothing dry in it. Pantages are noted for the best vaudeville on the coast and always makes

Got Three Otters

Charles Berry, formerly of the War en Construction Co's force, now a Tangent trapper, has been in the city today, the streams being too high for his business. But he had already done nusiness with the game, getting three large otters, worth at least \$15 apiece, and several skunks.

Died at Halsey.

Solon Taylor, an old resident of Halsey, died there yesterday from internal injuries received from falling from a wagon while loading prunes some time ago: The wagon wheel passed over his head and face, breaking his lower jaw. He was a veteran of the civil war.

Born.

On Monday evening, Nov. 22, to Mr. and Mrs. Taucher, a 12 pound g rl. All doing well.

THE WAETHER

These days is an important topic, view of the influence it has on the doings of the rivers and creeks of the

valley.

ings of the rivers and creeks of the valley.

40 inch more rain fell for the day previous to 8 a. m. Total for the month 9.14 inches.

The Willamette rose just two feet between 8 a. m. yesterday and 8 a. m. today, and another has been added during the day, 15 in all.

The indications are that the river at Albany will reach at least 28; feet tomorrow, perhaps more. Reports this noon from Eugene indicate pretty high water before the flood ends. It was 21 feet and rising, which means at least 28 feet here. Yesterday at 3 p. m. it was 17.6 feet, showing a very rapid rise.

At Harrisburg at 3 p. m. yesterday it was only 6.4 feet, this morning 14.3 feet and rising very fast.

So far the small streams are the ones that have raged and quite a good many small bridges have taken a tumble.

The weather has been like spring, the range all day yesterday and during last night being only 61-56.

The depot lake went down a few inches; but continues high enough for boats to run and to cause an immense amount of trouble.

A force of S. P. men this morning went to work around the depot to make a way of egress for the large body of water blocked in there.

The underpinning of a twenty foot bridge at Brownsville, is reported to have gone out.

The Shelburn bridge on the Wood-have gone out.

He was once offered \$75,000 for some plants and refused it because they were not perfect. The Burbank cherry has sold in the east for \$33 a box.

News from Albany's Six Early Trains.

three times as much.

The regular Detroit train is the other side of Mill City hemmed in. Superintendent Walsh and John Stevens have being considered unsafe to pass the bridge at Brownsville, endangered by high water.

No. 16 did not arrive until 8:30 and No. 14 9:30, several hours late.

The Detroit train was scheduled to go only to Mill City, a bridge or two being out above there and the track badly washed in places, making it unsafe to travel.

LAMETTAM

From the Cascade's frozen gorges, Leaping like a lion at play, Winding, widening through the val-

ley Muddy Willamette came away. Onward ever, Angry river, Loudly cailing to the sea.

This morning, lafter a rise of nearly fiteen feet in 24 hours, the Willamette at this city was 28 feet, since rising past the 30 foot mark, with prospects of reaching 31 feet in the evenings when it will be due to begin falling. It began falling at Eugene yesterday afternoon and 33 hours is the time it takes the water to reach Albany, with an average of about 7 feet higher water here than there.

By the Wiliamette it is 20 miles from Eugene to Harrisburg, 2034 from Harrisburg to Peoria, 1214 Peoria to Corvallis, and 1216 Corvallis to Albany, a total of 65% miles from Eugene to Albany on the winding Willamette, It is 34 miles to Salem, and 72 between Salem and Portland, 1711/2 miles between Portland and Eugene.

The stage of water here required the removal of goods from the warehouses along the river, the Herald building being surrounded.

During the day the river has been the principal taple.

The water began falling at Corvaills at 12.30, and is due to start falling here about 4 o'clock at approximately 31 feet.

The rainfall tor 24 hours was 1.02 inch, the total for the month 10.56 inches, the total since the present storm 5.14 inches in six days.

Prediction: probably showers tonight and Thursday.

S. P. Wibiamson, of Oakville, lost a horse, 16 sheep and 20 pigs by the high water. M. B. Craft had 58 sheep drowned Hon. Thes. Brandon, of Plainview, is lying dangerously ill at the home of his daughter in Portland, with prospects of his dwing during the day.

L. L. Swan returned last evening from a trip to Dallas, travelling on a river steamer and three different roads, to get 25 miles from Albany.

M. B. Craft had 58 sheep drowned by the high water.

The sixty cows of the Kuthe dairy, in Bryan's park this forenon were all gotten above the water in the sig barn. The cooling room of Holt's slaughter house went out this afternoon, a loss of program that was greatly appreciated.

Just now Wall Street runs the coun-

Some people think we have had a great sufficiency of wet, This has been a fierce year for foot

ball, with thirty dead and several hun-dred injured. Taft has been presented with a fifty pound pie. Wonder what they take him for anyway.

Sam Simpson wrote his poem Ad Willamettam, in the spring time, not during a winter flood.

who goes back on her making love is a serious thing, and it ought to be. Another load has been lifted from the the mind of the public. Col. Hofer is not a candidate for collector of customs at Portland.

If a girl has a right to kill the lover

Instead of using power brooms Port land is taking to flushing the streets, then the stuff all goes off into the sew-ers and away.

I have found a place to have my eye tested and glasses selentifically fitted. Albany Optical Co., 226 Breadalbin St