

A REHEARING

Asked for the Ross Case.

SALEM, Dec. 1.—A petition signed by twenty-two leading attorneys of Portland presented to the supreme court prays for the reopening and examination of the Thoburn Ross case. They contend that under the meaning of the law banks can use state funds on deposit.

A wealthy Tacoma widow has married a taxicab driver. Poor fellow.

Painless Dentistry

Out of town people can have their plates and crowns made in one day in our office. We will give you a good 22k gold or porcelain crown for \$3.50. Molar Crowns 5.00. 22k Bridge Teeth 5.00. Gold Fillings 1.00. Enamel Fillings 1.00. Silver Fillings .50. Inlay Fillings 2.50. Good Rubber Plates. Best Red Rubber Plates 7.50.

Wise Dental Co.

23 YEARS ESTABLISHED IN PORTLAND. WORK GUARANTEED FOR 15 YEARS. Painless Extraction. Free X-ray. No pain. No work. No cost. Modern electric equipment. Best methods.

OFFICE: 501 S. W. 3rd. PORTLAND, OREGON. OFFICE HOURS: 9 A. M. to 8 P. M. Sundays, 9 to 1.

SUMMONS

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

Fred Holzfuss, plaintiff, vs. Herman Holzfuss, Bertha Kreeker, Emil J. Holzfuss, Johanna Leib/ Olive Holzfuss, G. H. Kreeker, Wilhelmina Holzfuss and Henry Leib, defendants. To Herman Holzfuss and Wilhelmina 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, to-wit:

A decree of said court directing that the following described lands, to-wit: 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, T. 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 of said sale divided among the plaintiff and the defendants in proportion to their interests as follows: one-fifth thereof to said plaintiff, Fred Holzfuss; one-fifth thereof to said defendant, Herman Holzfuss; one-fifth thereof to said defendant Bertha Kreeker; one-fifth thereof to said defendant, Emil J. Holzfuss; one-fifth 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 relief as may seem proper to said court.

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 Linn 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 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 county, Oregon, 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 of October, 1909. SARAH M. CLEEK, Executrix of Henry A. Cleek, deceased.

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.

TWO SUITS

For Divorce, of a Live Character.

Two new divorce suits were begun today as follows: Anton Yocubets agt. Emma Yocubets. They were married Aug. 28, 1907. On Sept. 30, 1908, Mrs. Yocubets suddenly disappeared, and nothing has been heard of her since. It led to an investigation by the sheriff, but nothing was learned of the mystery, which attracted a good deal of attention at the time. W. R. Bilyeu is the attorney.

Ida Witham agt. Chas. Witham. They were married in Benton county Sept. 30, 1909, only two months ago. The charges are that only while after marriage the defendant began to falsely accuse the plaintiff of adultery with a man named Dunn, and called her vile names. She asks for \$250 for expenses and \$40 a month alimony. J. K. Weatherford is the attorney.

Who May Vote.

Section 13 of the city charter as adopted by the legislature in 1901, provides as follows:

"Section 13. No person is qualified to vote at any election under this act (the charter) who is not entitled to the privileges of an elector according to the laws of the state, and who has not resided in the City of Albany for three months next preceding such election, and in the ward in which he offers to vote for thirty days next preceding such election."

The Weather.

The Willamette is again itself, and soon Sam Simpson's wonderful poem will again be in order, and it will again engrave a child at play, not like an angry lion, throwing his mane fiercely about. The height today has been 11 feet and falling.

Rainfall .06 inch, about 11 inches for the month. Range of temperature 47-52, varying only 5 degrees in twenty-four hours. Prediction: rain tonight and Tuesday.

Jingles.

The boys For noise. Near-beer takes the bakery For modern fakery. The river is down. \$3 drop that frown. Putting the home first. The best kind of thirst.

Died.

Theodore, the four year old son of Mr. and Mrs. S. L. Haley, of Wright's addition, died Saturday afternoon, and was buried yesterday. Rev. S. A. Douglas preached the funeral sermon. Pneumonia was the cause of the death of the bright little fellow, whose death is regretted by those knowing him.

An Albany Painter.

A couple of oval pieces in oil, recently done by Mrs. Hattie Mansfield, for Hamilton's store, deserves more than ordinary notice. Both are Christmas scenes. One is a little child in the light of a fire place, displaying rare genius in colors, and speaking for Mrs. Mansfield's splendid talent as an artist.

All the N. W. foot ball teams give Keck the fullback.

Mrs. Geo. Miller returned Saturday from a visit with Salem relatives.

Manager W. B. Struble returned this noon from Portland, where he spent Sunday with his folks.

Miss Buena Ricknell returned from Turner this noon after spending the Thanksgiving season at home.

The north approach of the steel bridge has been fixed so teams can cross. It is proposed to have a permanent filling of rock later.

W. C. Cooley has sold his hop yard tract near Brownsville, 10 acres to J. B. Cox for \$1250 and 20 acres to A. C. Windom and son for \$2500.

Several rooming houses in Pendleton were recently raided by the police and a number of couples were found in rooms together not according to the moral code.

County bridge builders, through the valley will now have another siege of being busy, with many jobs of repairing and reconstructing ahead. Linn county will have its share.

Frank Rolfe, the barber, went to Eugene this afternoon to look up a place to reside. On account of his son Irwin being in the U. O. he expects to make Eugene the home for the Rolfe family.

Miss Mareus, who is doing special work in the city along missionary lines, next year will work with Evangelist Shannon, whose meetings at Baker city, resulted in a thousand conversions.

A man in from the Wheeler place this forenoon told how Sheriff Smith and Deputy Sheriff Munkers and a posse of twenty militiamen had chased a couple of men, finally killing them. He was evidently buggy.

In its account of the Japanese party at the Hotel Revere the Democrat failed to mention that it was given jointly by Miss Blanche Hammell and Miss Mamie Collins, both of whom were entitled to much credit for their success and the splendid taste displayed in the decorations.

Opal City is the name of a new city being organized as a result of the Deschutes railroad. An electric line has already been commenced from it to Prineville. A quarter of the entire city tract has already been sold, so fast are people to jump into new concerns offering a chance for speculation.

HILLSBORO NEXT YEAR.

The conference of boys clubs, a conspicuous part of Albany life for nearly three days, closed last night.

The banquet Saturday night was quite an event, it is said, with the boys, who like a good feed. Besides plenty to eat they had short toasts, and club yells until the rafters rang.

During Sunday prominent members of the instructing force, consisting of Y. M. C. A. workers of Portland, Salem and Eugene, occupied the pulpits of the city morning and evening, with a final chorus at the M. E. church, following a fine illustrated lecture there by Mr. Rhodes, field secretary.

Hillsboro and Dallas were candidates for next year's session, and it took two votes to decide it, Hillsboro winning 31 to 30.

Elaborate resolutions were passed, thanking their good fortune in having their conference at Albany, for entertainment, good will and hospitality, to the churches, to the ministers for opening their pulpits, to the ladies for serving, to the newspapers, local and elsewhere, offering kind remembrances to Albany and offering help if needed, (good boys,) a special one putting the conference on record as being in sympathy to the upmost height with the movement for state prohibition in Oregon, praying that Christian people may fall into line and help wipe out the saloon, brewery and dens of iniquity; that the boys clubs, as much as possible work in connection with some church, conducting them in such a way that they will not be drawn away from the churches.

Special resolutions were passed thanking the splendid young musicians Mills & Carlson and Farnham, the singer Albert Gillette, the leader Clarence Sprague of the Portland Y. M. C. A. and A. C. Smith for earnest and faithful service during the convention.

Messrs. L. Lombard, Laidlaw and Greer, with Mr. Sprague as chairman, were appointed the program committee for next year.

The convention closed with Bless Be the Flag That Bind, with a large circle, in which the Christian men of Albany took a hand.

At the mass meeting in the afternoon, after a stirring talk by R. R. Perkins of Portland twenty-seven boys made a public confession for the first time.

News from Albany's Six Early Trains.

A crowd of boys, leaving for their homes, mostly at Portland, Salem and Hillsboro, added life to depotville.

Rev. Geo. W. Nelson, pastor of the St. Johns Congregational church, arrived from Corvallis, where he conducted services on Sunday, and left for home. He likes St. Johns.

Stanley Van Winkle, of this city, and Gertrude Reeves, of Lebanon, Willamette University students, returned to their studies after their Thanksgiving vacation.

Commissioner Russell came down from Sweet Home for the regular December term to begin Wednesday. Mr. and Mrs. Gordon of Forest Grove returned home after a visit with their son, Rev. Gordon.

Miss Carrie Ward returned from a visit with her folks in the country.

Mr. Keene Was Good.

James Keene, who was at Dreamland three nights today went to Corvallis for a four night's engagement. He did a splendid business here, and received many compliments for his artistic work. Mr. Keene is an actor of experience and is there in his presentation of a character.

After his Corvallis engagement Mr. Keene will go to Eugene. His folks reside in San Francisco, and he is endeavoring to be with them in time to hang up his stocking Christmas eve.

Ed. Wiles in Corvallis.

Corvallis Gazette-Times:— E. F. Wiles came over from Albany yesterday afternoon on business intent. Mr. Wiles is an enthusiast over the paved walks and streets and says the recent heavy rains have made their need so apparent that all in Albany are convinced that on the main thoroughfares, at least, it is folly to try to get along without the paving. He also says the Oregon rains keep the paved streets clean with the least effort. Mr. Wiles believes Corvallis will appreciate it beyond measure if the city once gets Second street and one street to the station paved.

At the Hotels.

R. B. Bierly, Salem. F. G. Smith & wf, Halsey. Maud Hays, Tangent. Cal. Thrasher, Corvallis. Edith Campbell, Salem. Capt. C. O. Applegate, Klamath Falls. Elva Richardson, Creswell, Cr. Kola Neis, Salem.

Harrisburg.

Bulletin:— Geo. A. McCart has adopted the name "Eden Brook" for his farm, formerly known as the Stelmacher place.

Dan Fisher has sold his 200 acre farm to Mr. Ed Holloway, of Brownsville, for \$400 per acre. In the deal he secures an improved three acre tract at Brownsville. Change of possession will be made April 1st. Mr. Fisher purchased this farm two years ago for \$25.

TUESDAY.

WANTED A PARK.

At the regular meeting of the Albany Commercial Club last night President Davis, Vice President McCune, Secretary Van Winkle, Manager Struble and Directors French, Fortmiller, Ellis, Rawlings and Nutting were present.

President J. J. Collins and Owen Bean and J. A. Howard of the newly organized Real Estate Exchange, were present and Mr. Collins addressed the Club announcing the Exchange and stating it was ready for business and would co-operate with the Commercial Club in all things for the upbuilding of Albany. Later it will have some important matters to present.

The matter of securing Hackleman's Grove for a park was presented and Messrs. Van Winkle, French and Stewart were appointed a committee to work with the committee of the city council. Messrs. Taylor, Miller and Curl in this very important matter, one that should be looked after energetically and earnestly, for NOW is the time.

A communication was read from the Pacific Coast Publicity and Ex. Co. of Philadelphia, with nothing to sell and no bees buzzing.

A \$10 sign was reported hoisted in front of the building.

Good, But Not Extra.

The U. P. church was filled last night on the appearance of the Central Grand Concert Co. in the second number of the college course. The company consisted of four members, Maximilian Dieck, who plays the violin with great skill, Miss Edith Adams, a heavy-weight violinist and an excellent performer, Adolph Knauer, a skilful pianist, and Mrs. Aubi Pearl-Meyer a soprano singer.

The program is a pleasing one, but it lacks the musical variety many prefer, nor has it that snap which makes a program sparkle. But it was good.

The Democrat wasn't pleased with the singing of Mrs. Aubi Pearl-Myers last night; but didn't like to be critical; so just dropped the matter; but the Corvallis Gazette-Times man has hit the nail so well his comment is given. Cities with such singers as Mrs. Gaskins of Corvallis and Miss Smith of Albany, are not going to be easily suited.

Mrs. Aubi Pearl-Meyer, soprano, is not a success; she lacks all that is necessary to make a popular concert artist. She is not a "bad" vocalist, but she lacks everything of being decisively good. There are 10,000 young ladies that never sing outside of parlors who would make more acceptable concert artists. Doubtless she has method, but it is not worth while to go into detail.

Over the River.

Cor. Republican: The late high water has played havoc with our road again. The fill put in near the steel bridge costing the county several hundred dollars, has been badly torn up by the freshet. The lake bridge was flooded and drift wood and logs were piled up skyward on the deck-jack but was removed promptly by Supervisor Karstens, who kept vigil while at danger point.

Sample Ballots.

Sample ballots are out for the coming election, with all the candidates filing acceptances, heretofore published, and the two questions to be voted on, a city hall not costing over \$40,000, and the approval or disapproval of the near-beer ordinance.

Dennis Merrill is down in northern Calif. cruising.

Tony Hanson is missing from Corvallis, says the Gazette-Times.

Over \$1100 was realized at a Catholic fair that closed at Eugene Saturday evening.

J. L. Yantis of Fossil, Or., is visiting at the home of his sister, Mrs. W. A. McCullough.

The Gazette-Times says Corvallis is so bankrupt it can't pay the monthly stamp bill in cash.

Corvallis has discovered that it can not get a bridge until a special act of the legislature is passed a year from next January.

Geo. A. Waggoner has been selected to boost for Lebanon and will manage its commercial club. There will be something doing.

Mrs. Mabel Simpson yesterday was paid the insurance on the life of her husband, by the 2500 of this city, one of the best insurance companies in the United States.

The Knights of Pythias last night held a live social and lodge session with something to eat, an opening of the winter's sessions. A fine time was had.

A schedule for the Willamette Valley college basket ball league's games, has been arranged, with Albany in it, but the Democrat is informed the college will not have a team this winter.

B. J. Hecker returned last night from Denver, where he has been a couple of months selling Cotswold bucks, disposing of about three thousand in all. Of course he rejoices at being back in the best place in the world.

There was a crowd of celebrities at the depot this noon. Geo. Waggoner or his way to Lebanon to boost, Lawyers Bryson, McFadden, Wilson and Oregon and County Clerk Moses, of Corvallis, Lawyer Garland of Lebanon and Horticultural Commissioner Park of Salem.

The Deschutes river is noted for not rising or falling to amount to anything. Six inches above the regular level of the river is considered a flood. Last week the river rose three feet, something remarkable, causing some damage to the banks as usual. One farmer got out of his residence and his barn was surrounded.

A WET NOVEMBER.

The range of temperature was 58-36. The river is 11.7 feet, about stationary.

Rainfall .62 inch. The total rainfall during this month has been 11.24 inches, the most of any November for 13 years, though in 1903 it was 11.02 inches. Since 1896 it has been exceeded only once, in February 1904.

Prediction: fair and cooler tonight, Wednesday fair.

News From Albany's Six Early Trains.

Uncle Billy Wright, the horse radish man, of Salem, went over to Corvallis preparatory to making things hot for the people through the valley. He has about five tons of the roots and will buy nearly as much more, during the season selling eight or ten tons of the hottest stuff going. In due season Albany will relish a visit.

Father Lane returned from Brownsville, where he has had charge of the chapel car, Father O'Farrell of Eugene, taking it while Father Lane looks after the Albany fair, beginning today.

Lawyers Garland and Newport, of Lebanon and Barney Martin of Brownsville arrived on legal trips.

Mr. Thompson, the veteran S. P. agent at Turner, returned home after an Albany trip. He has been in service perhaps longer than any of the other agents of the valley.

Miss Bessie Bach, of Lebanon, returned to Portland, where she is attending a business school and pushing her musical studies.

Detective Reiley, of the S. P. was around the depot.

Death of Presley Thompson.

Mr. Presley Thompson died last night at his home, 520 E. 5th street, after an illness of several weeks, at the age of 65 years.

He was born in Missouri. Fifteen or twenty years ago he came west with his family, locating at Meacham, Eastern Oregon, moving from there to Douglas county, where he resided twelve years, coming to Albany two years ago.

He was a man of excellent character, leaving a good name.

He leaves a wife, three sons, G. W., a well known engineer running out of Roseburg, I. L., also of Roseburg, and F. S., at home, and one daughter, Mrs. Al Homes, of Fairbanks, Alaska. The funeral service will be held at the home, tomorrow at 10 a. m., to which all friends are invited.

The Jefferson Bridge.

Judge Duncan and Commissioners Butler and Russell went to Jefferson this forenoon by carriage to hold a joint court with the Marion county judge and commissioners over the carcass of the bridge at that city, which has been having a shaky career. The going down of the \$3,200 pier has caused considerable trouble, which the two courts will unite in remedying. Last week's Jefferson Review was somewhat topical on the subject. A steel bridge is undoubtedly the proper thing, and the two counties will undoubtedly be equal to the occasion. This bridge is on the main line of travel through the valley and the point calls for a first-class structure.

Basket Ball.

Elbert Warford, president of the sophomore class of the high school, yesterday made an enthusiastic speech for more life in athletics and the high school generally, and it was decided to have a rally before every game of basket ball, the first tomorrow night before the game Thursday night with the Alco team.

Park Stalnaker was elected captain of the high school team. With Manager Oiling, the squad consists of Dooly, Stalnaker, Ingstrom, Bigbee, Carnegie, all old players, Everding, Verrick, Beeson, and Bruce with Prof. Marquam as coach.

Among the Alco players are Torbet, Birtchet, Beeson, Stalnaker and Ellis, old players.

At the Hotels.

H. B. Moyer, Geo. Tycer, Browns ville. Wm. O. Work, Portland. A. S. Weddie, Sweet Home. Rice E. Colwell, Portland. S. H. Russell, Melrose, Douglas Co. J. H. Edwards, Portland. S. S. Myers, Halsey. R. W. Kingsbury, Grants Pass. H. J. Nott and fam. McMinnville. F. J. Bird, Cedar Ridge, Colo. Henry Porter, Medford. Van Armitage, Portland. C. L. Ransom and wf, Mill City. H. C. Cooper, Corvallis. H. S. Bilyeu, Nome. C. M. Shinn and wf, Cottage Grove. E. K. Bryson, Corvallis. R. L. Wail, Rochester, N. Y. H. H. Hoyt, Frontier.

Mr. and Mrs. Rowell.

Norman Benson returned yesterday from Portland, where he had been on a visit with his uncle and aunt. Mr. and Mrs. W. Rowell. They are running a rooming house at Alder and 7th street, near the Oregonian building, a modern place, with thirty five rooms, and Albany people going to Portland will have a splendid place to spend their night by calling upon them, convenient and neat.

CIRCUIT COURT

An adjourned session of department number two of the circuit court was held this afternoon by Judge Galloway, and the following business attended to.

Ralph Groshong et al agt. W. Thompson, to set aside contract. 30 days given for answer after the denial of a motion.

H. H. Hewitt was appointed examiner of title in the cases of M. A. Miller and H. B. Barton.

In the suits of Elya Martin agt. Brownsville motions were heard. In the injunction suit of B. L. Simpson agt. the Lebanon Lumber Co. a motion to strike out was allowed in part and denied in part.

In the First National Bank agt. R. L. Casteel a motion to substitute parties was allowed.

DOINGS OF THE WORLD.

A petition signed by 11,800 for Nesmith county has been sent to Salem and filed, and the people will vote on it at the proper time.

Eliza M. Mendenhall yesterday at Portland was granted a divorce from her husband, Edward C. Mendenhall, a well-known Portland attorney.

The Eugene Register is celebrating its tenth anniversary today. It is one of Oregon's best papers, a credit to the valley and the university city.

Jesse Townsend, the Yamhill county man who shot a member of a charivari party, yesterday at McMinnville was found guilty of manslaughter. This means a term in the penitentiary.

Cottage Grove Leader: By George McQueen, manager of the North Fairview mines in Bohemia, the Leader is informed that another rich strike of free gold bearing ore was made last week on the "Mama" ledge 500 feet above the recent rich strike.

Salem dispatch:—The city of Salem yesterday started suit against the Home Telephone Company and the American Surety Company to recover \$6000 alleged to be due because of the forfeiture of the company's franchise. It is alleged that the franchise was granted the company provided a certain number of phones be installed within a certain time, not done.

Facing Famines.

SEATTLE, Dec. 1.—The Sound country is facing a meat famine, if the strike continues and Spokane faces a fuel famine.

The Argo.

POTLAND, Dec. 1.—The United States inspectors are probing the loss of the Argo.

Geo. H. Himes, Historian

Geo. H. Himes, Oregon's leading historian, has been in the city today while on his way back to Portland from San Francisco. While there he attended a Pacific coast session of the American Historical Society in the effort to unify the historical work of the Pacific coast. Mr. Himes is spending his life in the interest of the history of Oregon. A pioneer himself he has grown up with the country, and making its history a specialty, is undoubtedly authority upon the life of this state, now fast getting a place in the attention of the world.

Schuberts Coming.

We have in prospect another engagement of the celebrated Schubert Symphony Club and Lady Quartette Company of Chicago, and it is expected that they will be secured to give one of their delightful entertainments about Dec. 8. This Company gives a program of the greatest variety, consisting of Lady Quartettes, Mandolin and Guitar Club, String, Violin and Vocal Solos, Amusing Readings. In the Schuberts we will get a musical entertainment that is not a long, dull, classical affair, but a bright, interesting program of music's choicest gems.

C. M. Vanderpool, over the river, this year picked forty boxes of Winesp apples from a sixty year old tree, leaving twenty boxes on the tree.

NOTICE OF FINAL SETTLEMENT.

Notice is hereby given that the undersigned administrators of the estate of Anna Barovicka, deceased, have filed their final account in said estate with the clerk of the County Court of Linn County, Oregon, and that Hon. J. N. Duncan, Judge of said court, has appointed Monday, January third, nineteen hundred and ten, as the time, and the County Judge's office in Albany, Oregon, as the place, to hear objections to said final account, and for the settlement of said estate. Dated this 29th day of October, 1909.

RUDOLPH BAROVICKA, RUDOLPH R. BAROVICKA, Administrators.

GEO. W. WRIGHT, Atty for Admrs.

NOTICE OF FINAL SETTLEMENT.

Notice is hereby given that the undersigned, executrix of the last will and testament and estate of Louis Miller, deceased, has filed her final account in the matter of said estate, with the County Court of said Linn County, Oregon, has fixed Monday, January 3rd, 1910, at 10 o'clock a. m. as the time for hearing objections to said final account, if any, and for the final settlement of said estate. Dated December 3rd, 1909.

AMELIA MILLER, Executrix. T. J. CHAPMAN, Atty for Executrix.