

EXECUTOR'S NOTICE OF HEARING OF FINAL ACCOUNT.

Notice is hereby given that the final account of R. C. Farwell as Executor of the last will and testament of the estate of James Mooney, deceased, has been filed in the County Court of Linn county, state of Oregon, and that the 16th day of January, 1911, at hour of 10 o'clock a. m., has been duly appointed by said court for the hearing of objections to such final account and settlement thereof, at which time any person interested in such estate may appear and file objections thereto in writing and contest the same.

R. C. FARWELL, Executor aforesaid.
AMOR A. TUSING, Atty. for Exr.

REFEREE'S SALE.

Notice is hereby given that the undersigned referee will on Monday, the 9th day of January, 1911, at the hour of 1 o'clock in the afternoon, at the front door of the court house, in the city of Albany, Linn county, Oregon, pursuant to the decree and order of sale duly made and entered in the circuit court of the state of Oregon for Linn county, on December 6, 1910, in that certain suit pending in said court, wherein John Shaffer is plaintiff and William Bilyeu is defendant, set at public auction, to the highest and best bidder for cash in hand subject to confirmation by said court, all the right, title and interest of the above named plaintiff and defendant in the following described premises, to-wit: The north one-half of the northwest one-fourth of the northeast one-fourth of section 2, T. 12, south range 1 W. of the Will. Mer. in Linn county, Oregon. C. E. SOX, Referee.

First publication December 9, 1910, last January 6, 1911.
C. C. BRYANT, Plaintiff's Attorney.

ADMINISTRATOR'S NOTICE.

Notice is hereby given to all whom it may concern that the undersigned had been duly appointed administrator of the co-partnership estate of Charles E. Fox and George B. Cummings, doing business as co-partners under the firm name of Fox & Cummings, Charles E. Fox, deceased, by the county court of Linn county, Oregon. All persons having claims against said estate are hereby required to present the same to the undersigned duly verified as by law required within six months from this date at his place of business at the corner of Second and Montgomery streets, Albany, Oregon. GEORGE B. CUMMINGS, Adm. Attorney for Administrator.

REGISTRATION OF TITLE.

In the Circuit Court of the State of Oregon for Linn county.

In the matter of the application of Clara E. Warner to register the title to the following described premises, to-wit: Beginning at the southwest corner of the Donation Land Claim of Paul Clover, Claim No. 51, Notification No. 3038, in township 15 south, range 3 west, Willamette Meridian, Linn county, Oregon, thence north 42.30 chains to the southeast corner of W. W. Clover's Donation Land Claim, No. 52, in said township, thence east 40.20 chains to the east boundary line of said claim No. 51, thence south 31.98 chains to the southwest corner of the Donation Land Claim of Thos. M. Weger, Claim No. 48, in said Township; thence east on the south boundary line of said claim 50.00 chains to a point 1.35 chains north and 1.67 chains west of the quarter section corner between sections 26 and 35 in said township; thence north 50.00 chains; thence west 2.83 chains; thence north 26.50 chains to the north boundary line of said claim No. 48, thence east 27.15 chains to the northeast corner of said claim No. 48; thence south 56.43 chains to the northwest corner of the east projection of said claim No. 48; thence east 37.70 chains to the northeast corner of said east projection of said claim No. 48, thence south 20.14 chains to the southeast corner of said claim No. 48, thence west 60.23 chains to a point 1.35 chains north of the quarter section corner between sections 26 and 35 in said township, thence south 1.35 chains to the southeast corner of said claim No. 48, thence east 34 minutes east 40.12 chains to the corner of section 25, 26, 35 and 36, in said township; thence south 20.00 chains to the southeast corner of the north half of the northeast quarter of said section No. 35; thence south 89 degrees 34 minutes west 40.12 chains; thence west 25.00 chains; thence north 80 degrees 45 minutes west 14.95 chains to a point 17.50 chains south of the corner of sections 26, 27, 34 and 35, in said township; thence west 19.20 chains to the east boundary line of the Donation Land Claim of William Vaughn, Claim No. 50, in said township, thence north 13 degrees 30 minutes east 9.65 chains to the northeast corner of said claim No. 50; thence west 35.20 chains to beginning, containing 632.12 acres, in Linn county, Oregon.

Against Geo. J. Wilhelm, and The First Savings Bank of Albany, Oregon, and all whom it may concern, defendants.

To All Whom It May Concern: Take notice, that on the 3rd day of December, A. D. 1910, an application was filed by said Clara E. Warner in the Circuit Court of the State of Oregon for Linn county for initial registration of the title to the above described lands. Now, unless you appear on or before the 10th day of January, 1911, and show cause why such application shall not be granted, the same will be taken as confessed, and a decree will be entered according to the prayer of the application, and you will be forever barred from disputing the same.

Witness my hand and the seal of said Circuit Court, this 3rd day of December, A. D. 1910.

(Seal) J. W. MILLER, County Clerk and ex officio Clerk of the Circuit Court of Linn County, Oregon.

HEAVITT & SOX, Applicant's Attorney.

(MONDAY.)

JUDGE DUNCAN AGAIN LEAD.

The most marriages in 1910 were performed by Judge Duncan during 1910 of any one in Linn county, the number according to the record in the clerk's office being 41. Rev. Albyn Esson of the Christian church was second, with 23. Then Rev. Gordon 19, Rev. Douglas 14, Rev. Geselbracht 11, Revs. Heverlein, Lacey and Lane and Justice Swan each 7, Revs. Baker and Jamison each 6, Rev. White 5, Revs. Elmore, J. H. Geil, and Koehler and Justice Bilyeu each 4, Revs. Erskine, Loree and Van Nevel each 3, Revs. Hubbell, Benton, Parker, Brickley, Callison, Kuhnley, R. Geil, McFarland, Ballantyne and Walbeck and Justice Porter each 2, Revs. Servais, McDougall, Jones, Green, Sparr, Watts, Helm, McLane, Reeves, Knott, Carlton, Horner, Lewis, Barber, Gilchrist, Young, Higbee, Obert, Marten, Bontrager, Utz, Morton, McLeod and Henshaw and Judge Burnett each 1.

The east is now in the grip of a blizzard. Will we get some of it.

The big cities nearly all had disgraceful scenes when the new year came in. William Morgan this morning began work for the Hamilton Store as porter. John W. Kern will be elected senator from Indiana this week, a democratic senator.

A private record kept last year showed rain on only eight Sundays during the year.

L. R. Schultz went to Forest Grove today to meet with the head officers of his insurance company.

Mr. Arthur Leonard, is here from the east on a visit, the guest of B. F. Blodgett and family.

The railroad earnings of the U. S. last year were almost three billions. The increase was enormous \$227,000,000.

Mr. and Mrs. David Link or Eugene returned home accompanied by Mr. and Mrs. Frank Reiner, of Portland, for a visit.

Mr. Elmer Warford was taken seriously ill Saturday evening with appendicitis, and his condition is considered critical.

Marshall and Lobaugh, who have been running the skating rink, have dissolved partnership, and hereafter it will be run by Marshall.

A resident of Sunrise reports 25 houses out there and a population of just 90. It promises to double that this year, growing rapidly.

The first name on the Democrat's cash book for 1911 is W. W. McElmurry, the popular bachelor and philosopher, put there about daylight.

D. C. Frazier, a prominent commercial traveler in groceries, has been re-elected president of the Travellers Protective Association of the North West.

Edna, daughter of Mr. and Mrs. B. F. Irvine, of the Portland Journal, formerly of Corvallis, was married in Chicago on Christmas to Thos. S. McGrath.

Jack Latourette and Dudley Clark famous foot ball men, and Mr. Carroll, of Portland, have been in the city, Saturday night attending the park benefit dance.

Mr. and Mrs. Roy Walter and daughter arrived this noon on a visit at the home of the mother of Mr. Walter, Mrs. Judge Duncan. Roy is now the Toledo barber.

There will be Gospel meetings at the W. C. T. U. hall, by the Church of God every evening at 7:30 of this week, except Thursday evening. A cordial welcome to all.

Lee Merwin, known as "slivers," was up before Recorder Redfield this morning charged with disorderly conduct by Nightwatch Doty, but he is under age, and was discharged.

Pendleton will now be decidedly wet, with twelve saloons, and the people there will learn the real difference between wide open saloons and blind pigs who have to hunt for with a detective.

Two of the leading bird men, Hoxsey who had flown the highest, and Mosehart, one of the best, were killed in accident each taking a tumble. The present wreckless system is bound to bring most of them to the ground.

John Buckman and family have returned from the east, where they spent several months and were in all kinds of weather and situations, in Illinois and the states west of there. Upon their return the Willamette Valley looks better to them than ever before.

A. D. Barker in full uniform, as new and clean as a millinery hat, is now serving the S. P. as train director, at the depot, looking after the needs of travellers. With the Company over 35 years he knows about everybody in the country and will make a popular official in this position.

Mr. and Mrs. J. W. Taylor yesterday gave a new year's dinner party, with Mr. and Mrs. Dowlin and son Reed, as the guests of honor. Just thirteen were present, including Mr. Glen Taylor of Roseburg. The spread was a fine one, receiving many compliments and will no doubt be followed by good luck for all of the members the coming year.

Oregonian: Miss Elizabeth Stewart is spending the week end as a member of a house party at the home of Mrs. Louise Nelson in Albany.

Mr. and Mrs. John R. Flynn and little daughter Helen of Albany, are the holiday guests in the P. H. Flynn home.

State Senator-elect Hal D. Patton and Miss Nellie M. Lucia were married in Salem yesterday. The groom is one of Salem's best known citizens, and the bride is a charming and beautiful young lady, at one time a resident of Albany, being in the millinery department of the Hamilton store.

Parties from Eugene report as high as 175 cases of typhoid fever there and several deaths, among others Weinman, the big football man on this year's team and a number of other students. This is the second epidemic in the city. Everything is being done to meet the situation, and there will soon be a filter of modern structure.

1910.

From 75 to 100 residences were erected in Albany, at a cost of over \$100,000.

Prominent new structures are the armory, Vandran Hotel, Schmitt block, Cusick block, gravel and sand plant, high school building, Burggraf block, Curl block, Churchill block, Schultz block, S. P. warehouse, Barrett garage, Senders warehouse, Fortmiller reinforced two story warehouse, King and Cameron block, the Hill block, costing in all about \$225,000. About \$60,000 was put into pavement, \$20,000 or \$25,000 added to the electric light and telephone plants, the street car line was extended a couple blocks, the C. & E. bridge rebuilt, the depot park built up from a mud hole and planted, and there are minor improvements of a permanent character, showing a total improvement of between \$400,000 and \$500,000.

The rainfall at Albany was 57.66 inches.

During the year there were fifteen fire alarms in Albany, with a total loss of only \$1681.12 on the buildings and \$1675 on the contents. The insurance on the buildings was \$876,25, on the contents \$3790, carried. The principal ones were the Russ House and Holts corner.

The total number of deaths in Linn county during the year was approximately 155, the reports not all being in for December. This is a ratio of about 6.5 in the thousand population, which is probably as low as any place in the world. The ratio for the United States is 15 in the thousand. The ratio in Albany is 7 in one thousand. Several of the deaths in the city were people brought here from elsewhere, dying at St. Mary's hospital.

The number of births in the county was a little over 400, the exact number not being known until all the reports are in from the country for December.

The number of marriages in the county during the year was 246, thirty more than the year before, the number of divorces approximately a tenth of that.

News from Albany's Six Early Trains.

George Waggoner, Lebanon's booster, went to Corvallis. He reported a year of progress for Lebanon and better prospects ahead. Now a good deal of interest is being taken in poultry and gooseberries.

Mr. and Mrs. Chas. Neeley and Mr. John Neeley, left for Lebanon, where Mr. John Neeley and Miss Neva Bilyeu, were to be united in marriage today.

Miss Nellie Hart the pianist, left for Portland to attend a musical of Mrs. Alice B. Marshall tomorrow night. Mrs. Marshall now has a fine class of seventeen pupils in piano culture.

Mr. Olin Stalnaker and cousin Miss Schultz went to Salem for a visit with Miss Rhoda Stalnaker.

Rufus Russell returned from the country.

A. S. Hart returned from a Lebanon trip.

Senator Dawson left for Salem.

J. B. Gentry returned to Salem.

Mrs. J. C. Holbrook and daughters Beatrice and Dorothy went to Lebanon for a visit among friends.

J. B. Cougle returned to Lebanon, where he has two or three more weeks work on the M. E. church.

Bert Stevens went to Portland.

W. B. Chance left for Salem.

Mrs. E. E. Warner, came down for an Albany visit.

Misses Burch and McKnight of the Jefferson schools, returned to their work.

Rev. W. P. Elmore returned to Brownsville. He conducted services yesterday at Palestine.

Dr. Leveaux left on her regular Corvallis trip.

The Park Benefit Ball.

The Park Benefit dance at the gym Saturday night drew a crowd of about one hundred couples. It was in charge of Mrs. R. E. Mason, an event of social interest. The decorations were elaborate and tasty. The grand march started about 8:30, led by Hon. and Mrs. J. K. Weatherford, with music by the Albany orchestra, followed by a program of waltzes, two steps and three steps. The men generally appeared in full dress and the display of costumes by the ladies is reported a rich one.

Besides Albany people there were a number of prominent society people from other places, including several from Portland.

Miss Theo Snyder returned last night from a visit with her folks in Portland, and Miss Jessie Fouts from an Oregon City visit, during the vacation season. Both are teachers in the Madison school.

Steve Whitney has been here on a visit at the home of his father Judge Whitney, R. F. D. 5. Since over two years ago he has traveled extensively, the improvements here have been quite striking since then.

Walter M. Parker and daughter have returned from a winter outing at Lakeport. A peculiar incident in connection with their visit there was the fact that at the time there were three water parkings at the Albany pool, S. and R. Barker, the middle letters of the names of the others.

Davis Leininger, of this city, now has a harp of his own, the only one in Albany. He has been taking lessons of Mrs. Capt. Hannand, of Eugene, and is able to pick the strings some. This is a fine instrument and a very popular one, with not many players, always a drawing card when a program.

The big aviation meet at Los Angeles ended yesterday after an enormous attendance. It was a money making affair and one man gave up his life for the applause of the crowd. It ended in gloom, but aviation will go on just the same, and there will be many more fatalities. San Francisco has its turn now.

Thursday night will be the grand military ball, with the grand march starting at 9 o'clock led by General Finzer.

Everybody should decorate and make this an event.

A NATIONAL PRESIDENT

To Come to Linn County to Reside.

A fact not generally known is that Albany in a few months will be the address of the president of the National Dairyman's Association, A. C. Schultz, of Platteville, Wis., whose picture is shown in a recent issue of the National Dairyman. He is one of the leading dairymen of the United States, and the fact that he has decided to make his home in Oregon will be an important one to the dairy interests of the state. Several months ago Mr. Schultz' partner, J. H. Mulligan came here and bought 190 acres on R. F. D. 2, near Milers, which he is developing. The property is owned by Mr. Mulligan and Mr. Schultz, and is to be used exclusively for dairying along modern lines. Mr. Schultz expects to be able to come with his family next summer, and will be a welcome citizen of this splendid dairying section. Mr. Mulligan who has been with Mr. Schultz for years speaks in high terms of him.

MARRIED.

Merese-Huston.—On Saturday afternoon, Dec. 31, at 4 p. m. at the home of the bride's father, Ex-Sheriff Worth Huston, Mr. Abel Merese and Miss Evah Huston were united in marriage, Rev. Esson officiated. Miss Helen Gilbert performed the wedding march, and Miss Sarah Millard was maid of honor. The bride looked handsome in a beautiful costume of pink marquisette. A fine dinner followed and the happy couple left for Forest Grove on a visit with the parents of the groom, who reside there, and were present, together with a brother, on a Cottage Grove paper. Relatives and intimate friends made up the party.

The groom is on the Vale Enterprise and secretary of the commercial club, and as usual, a native of Linn county is a young lady of charming personality, a clerk in the store of S. E. Young for several years.

Neeley-Bilyeu.—In Lebanon, on Monday, Jan. 2, 1911, at the home of the bride's father, at 11 o'clock a. m., Mr. John Neeley and Miss Neva Bilyeu were united in marriage in the presence of relatives and a few intimate friends. A fine wedding dinner followed, and the happy couple will soon be at home in Albany.

The groom is a prominent young man with William Eagles for some time, and the bride, a native of Linn county for several years in the store of Chambers & McCune, both having many friends whose best they will have.

Mr. and Mrs. Jolliffe are in the city from Kansas City, Mo., visiting with Mrs. Jolliffe's parents, Elder and Mrs. J. G. Knight.

TUESDAY.

Dr. Tracey has been in Portland. Ken. Ross and family, of Wasco, will be here tonight on a visit.

Mr. Harry T. Shea spent Sunday on a visit with Eugene friends.

George Dudley and family returned today from a holiday trip to Polk county.

Mrs. Dr. Stark went to Brownsville last night, called there by the death of her nephew.

This is the week of prayer, and is being generally observed by the churches of the city.

Mr. Harry Parker of Cottage Grove, is in the city the guest of his sister, Mrs. N. H. Wheeler.

Miss Albrocht has returned to Portland after spending the holidays with her sister, Mrs. J. O. Kenney.

Mr. and Mrs. Guy Littler, of Portland, have been visiting at the home of the brother of the latter, Dr. Littler.

Mrs. E. S. Robe, of Portland was in the city yesterday and today to attend the funeral of her aunt, Mrs. Grey.

Ole Olson last night pleased Albany people as usual. He is always good, but then people have seen him so many times.

E. C. Niles, of Seattle, who was here to attend the funeral of his mother-in-law, Mrs. Harriet Grey, left this afternoon for home.

A couple men are here from the east looking for a location for a piano repairing establishment, and made a hunt for a suitable room here.

When the 10:57 train came in last evening a man in getting off took a tumble, but was uninjured. When the incident reached down town it was a bad accident.

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CITY COUNCIL DEDICATION OF NEW ARMORY

The Old Out, New In Only One Change.

The last meeting of the old council: Present—The mayor, marshal, street superintendent and Councilmen Marshall, Chambers, Snell and Curl.

A bill of Fred Dawson for \$55, paid for sewer across Broadalbu street, was allowed.

Petition of O. H. Larsen and others for a sewer was granted.

The report of Chief Engineer Creel was filed, showing the facts given in the Democrat yesterday, also the schedule of property for fire fighting.

A letter from E. G. Roe, at Chicago, stated that he was ready for building a gas plant at Albany as soon as the franchise is passed.

The recorder was directed to notify him that the franchise will be granted.

The light ordered at 6th and Thurston was changed to 4th and Baker.

First meeting of new council;

J. H. Simpson took his seat, and Fred Hogspier succeeded Jeff Creel as engineer, the only changes.

The old rules of order were adopted and the same meeting place accepted.

A resolution was passed providing for the paving of Ellsworth street, 3rd to 9th, at an estimated cost of \$22,301.17, of which \$15,518.90 will be by property owners.

The usual order of payment of salaries of officials the first of each month was passed.

The committees were continued as now with Mr. Simpson in the places occupied by Ex-Councilman Taylor.

Thursday evening, Jan. 5, will occur the grand Military Ball, the social event of the season. No formal invitations have been issued, but every patriotic citizen is invited and earnestly urged to be there.

Grand march at 9 o'clock, led by Adj. General Finzer, O. N. G.

Music by Wilson's Orchestra. Admission \$2.50 a couple, extra ladies 50c, spectators 50c.

A New Telephone Arrangement.

Beginning Jan. 1st arrangements have been made to extend to every telephone subscriber of the Pacific States Telephone and Telegraph Company the privilege of sending and receiving Western Union telegrams by telephone. It has been the practice for some time for the Western Union to handle telegrams in the larger cities by telephone to a large extent as practicable but with the introduction of this new plan, it is intended to give subscribers of telephones at out lying points and those for whom the subscribers will vouch, the privilege of handling telegrams over the telephones in a systematic and up to date manner, which will allow people who desire to avail themselves of this service a very much greater latitude than has heretofore been given and a much more satisfactory and complete service will be performed in connection with the arrangement.

The Western Union Telegraph Company has established a number of new all night telegraph offices on the Pacific coast. In the state of Oregon, Portland, Eugene, Baker City, Ashland and The Dalles have been designated as central points for the purpose of handling telegrams within a certain territory surrounding.

News From Albany's Six Early Trains.

F. B. Tichenor, W. O. W. manager of Oregon and champion quill pitcher of the world, returned to Salem after a trip to Brownsville. Mr. Tichenor takes with him his case of quills and practices whenever possible for his game with Roberts at the state fair. Each quill is round, six inches in diameter, with a hole for handling, and weighs ten pounds. In a contest it is pitched fifty feet, striking in a bed of clay on the edge, often in a contest of twenty-one points, not a quill being further off than three or four inches.

W. V. Merrill of the Albany Pacific Telephone office, and W. K. Merrill, field man, went to Brownsville in the interest of the extension work of the company.

Miss Mildred Snelling of Portland, turned home accompanied by her aunt, Mrs. Becca Snelling, Bachelor and husband, Mr. Bachelor besides being a lawyer recently owned a newspaper for a year.

Miss Evah French went to Portland for a visit at the home of her sister, Mrs. R. W. Williams.

George Waggoner, of Lebanon, returned from a Corvallis visit.

Miss Bertha Werrell went to Portland.

C. O. Lee left on a trip to Woodburn and Portland.

Al Thomas left on a Seio visit.

Mrs. Dawson and children, of Pullman, left for home after a visit at the home of the father of Mrs. Dawson, M. Acheson.

Wayne Stuart is on the road again and went north.

Lawyer Risley went to Salem.

Father Van Nevel left on a Portland trip.

J. D. McClain left on a Salem visit.

The Weather.

Range of temperature 42 35. The river is 5 2 feet. Prediction: fair tonight and Wednesday, with rain.

A North Albany sale was J. H. Saffley to Frank Z. Saffley \$1.43 acres.

Treasurer Kiv yesterday took office with \$891,529.49 in his pockets, a good start.

A cold blizzard is reported in the east is low as 38 below in Montana, less further east.

Six people were killed in a train wreck at Ashland yesterday, Ashland, Ore., not Or.

It is now Governor John A. Dix, of New York, the first democratic governor the state has had for many years.

The Adair post office has become a residential office, the increase being the greatest of any office in Oregon.

During 1910 there were 18,231 arrests in Portland, 11 murders, 24 suicides, 25 fire alarms and 295 lost children were found.

Grants Pass went wet yesterday by a vote of 49. 750 votes were cast. The best place for a home in the southern part is Ashland.

The National Wool Growers Association will convene in Portland today being there a large crowd of prominent men.

Near Tillamook yesterday Roy Johnson accidentally killed his brother Warren, who happened to get in the way when the former was shooting at a tree.

The Guard reports that Eugene stores generally report an increase in business over the previous year. The P. O. receipts increased 18 per cent, the total being \$35,131.

This year O. A. C. will play foot ball with Washington Nov. 4, with Pullman Nov. 11, with Idaho Nov. 18, and with Astoria Nov. 30. U. O. and Washington will play at Portland Nov. 18.

The building permits of Eugene last year amounted to \$92,733, and there were 270 of them. An excess of cost over the 25 per cent is claimed. July last cost \$4, amounting to \$80,249. In December there were 4 at the time of making up the item.

For Everybody. All Invited.

Albany's \$30,000 armory will be dedicated tomorrow night, Jan. 4, beginning at 7:30 o'clock.

Following is the proposed program: Address of welcome by Mayor Wallace.

Short addresses by Acting Governor Bowerman, Governor elect West, Judge Duncan, C. C. Chapman of the Portland Commercial Club, and prominent officers of the Oregon National Guard.

Music by the Band and orchestra.

Vocal solos by Oregon's nightingale, Hallie Parrish tringes of Salem.