

AT BURKHART & LEE'S.
Schneider's Veterinary Change. Feed this medicine to your mares and raise a fine colt. The mare must be in proper condition to do this. This is a scientific preparation for this purpose. The new way of correction of reproductive organs of mares in breeding season. You will raise a much more valuable, and better horse by feeding this medicine. The mare will do better after feeding this medicine. Build up your mares with Schneider's Veterinary Change. Enough for one mare, \$3 per box. 71

NOTICE OF APPOINTMENT OF EXECUTRIX AND EXECUTOR.

Notice is hereby given that the undersigned have been duly appointed Executrix and Executor, respectively, of the estate of Stewart M. Pennington, deceased, and all persons having claims against said estate are required to present said claims, with the proper vouchers, within six months from this date at the office of Gale S. Hill in the Casick Bank Building, Albany, Linn county, Oregon.

Dated February 20, 1912.
ALICE P. RICHARDS,
Executrix.
GALE S. HILL,
Executor.

NOTICE OF APPOINTMENT OF ADMINISTRATOR.

Notice is hereby given that the undersigned has been duly appointed Administrator of the estate of Nancy Macaleenhoff, deceased, and all persons having claims against said estate are required to present said claims, with the proper vouchers, within six months from this date at the office of Gale S. Hill in the Casick Bank Building, Albany, Linn county, Oregon.

Dated February 20, 1912.
LLOYD G. ANDERSON,
Administrator.
GALE S. HILL,
Attorney for Administrator.

ADMINISTRATOR'S NOTICE TO CREDITORS.

Notice is hereby given that the undersigned has been duly appointed by the County Court of the State of Oregon, for Linn County, administrator of the estate of Anna Dunn, deceased. All persons having claims against said estate are hereby required to present the same to me properly verified as by law required, at my residence in Albany, Oregon, within six months from the date hereof.

First publication February 16, 1912. Last, March 15, 1912.
MARCUS DUNN,
C. C. BRYANT, Administrator.
Attorney.

SHERIFF'S SALE.

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

By virtue of an Execution and Order of Sale to me directed, issued out of the Circuit Court of the State of Oregon for Linn County in the case of Alvira S. Loudon, plaintiff, vs. R. E. Slattery and Anna Slattery, his wife, defendants, I will on Saturday the 2nd day of March, A. D. 1912, at the hour of one o'clock p. m. at the front door of the Court House in Albany, Oregon, sell at public auction to the highest bidder for cash in hand the following described real property, to-wit:-

All of Lots five (5), six (6), eleven (11), fourteen (14), fifteen (15) and sixteen (16) and the Northeast quarter of the Southeast quarter (N. E. ¼ of S. E. ¼) of section four (4), in Township Eleven (11) South of Range Two (2) East and the East half of the Northeast quarter (E. ½ of N. E. ¼), the Northwest quarter of the Northeast quarter (N. W. ¼ of N. E. ¼) and the Northeast quarter of the Northwest quarter (N. E. ¼ of N. W. ¼) of section thirty (30) in Township ten (10) South of Range two (2) East of the Willamette Meridian, containing 440 acres, more or less, situated in the County of Linn, and the State of Oregon, together with tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

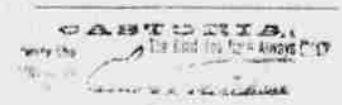
Said sale will be made to satisfy the judgment in said case to-wit:- The sum of Three Thousand Six Hundred and Fifty Dollars with interest thereon at the rate of seven per cent, per annum, from the 27th day of March, 1911, costs and disbursements in this suit, taxed at Sixteen and 75-100 Dollars, and the sum of Three Hundred Dollars (\$300.00) allowed by the Court as Attorney's fees in this suit, with interest thereon from the 17th day of January, A. D. 1912, at the rate of six per cent per annum, and accruing cost.

D. S. SMITH,
Sheriff of Linn County, Oregon.

ADMINISTRATOR'S NOTICE.

Notice is hereby given that by order of the county court of Linn county, Oregon, I have been appointed administrator of the estate of William Gregory, deceased. All persons having claims against said estate are notified to present them to me at Albany, Oregon, within six months from the date hereof, properly verified, as by law required.

Albany, Or., Feb. 2, 1912.
H. A. HECKER,
Administrator.



(MONDAY.)

AN \$18,000 LIBRARY.

Mrs. Young Adds Another \$2500 to Her Gift.

Mr. Carnegie has given \$12,500 for an Albany Library; but this is not enough for this growing city. A two story building, besides the basement, is wanted, with an art and museum room on the top floor and \$5,500 more is needed. Besides giving the lot, worth at least \$5,000, and Mr. Young furnishing a free room for the present library for several years, Mrs. Young now offers \$2500 toward a \$5,000 subscription for the additional sum needed, and the Modern Travellers, with Mrs. Henrietta Brown as chairman of the committee, has agreed to raise another \$2500, and the other \$500 will be provided otherwise. The generosity of Mr. and Mrs. Young is deeply felt and appreciated by all.

Boosting Lewiston.

The Lewiston Commercial Club, Wallace K. Struole manager, believes that anything that brings publicity to Lewiston helps the city, and hence all kinds of items are sent out all over the Northwest to the press. Here are some heads of items just received at the Democrat office: Lewiston-Clarkston fair Oct. 7-12, Lewiston to have good base ball team, Biggest Project in the N. W., Travelling men to be guests, Indians build church. Poor outlook for eastern peaches, Will market the valley lands, State asylum sells produce, Vineland Nursery makes big shipment, Lewiston city bonds bring premium, No snow or wind in the valley.

Essay Contest.

The first two of a series of essay contests will be held Tuesday afternoon at 3 o'clock at the Madison St. school building in rooms numbers seven and eight. The W. C. T. U. has offered prizes for the best essays on the subject of Anti Narcotics. Let a goodly number of parents, friends and W. C. T. U. members be present to show interest and give encouragement and enjoy the efforts of the boys and girls.

The Weather.

Range of temperature 48-37. The river 8.1 feet. Rainfall .09 inch. Prediction, showers tonight or Tuesday.

J. C. Applegate, of Drain, has been in the city. Judge Kelly is holding court at McMinville.

J. R. Berkeley, of Moulton, Ia., has been in the city.

Two big storms are predicted for this week, across the country.

A foot of snow fell yesterday down in Arizona in a few hours.

There is a fine, snappy program at the Empire tonight. See it.

Commissioner Butler has finished the Greens ferry, and it is now in use.

Proposed city hall sites at Eugene range from \$1.21 to \$2.53 a square foot. What's the range in Albany?

J. C. Holbrook left this morning for Bellingham, Wash., called there by the dangerous illness of a brother.

The Salem Fall City and Western R. R. will build a \$175,000 steel bridge over the Willamette at Salem.

Jesse Drake, a newspaper man of Roseburg, was fined \$150 for slandering Judge Hamilton. He was paroled.

McArthur and McClain, of Eugene, have been selected as city engineers at Lebanon. Both are U. O. graduates.

Hon. W. Lair Thompson and wife, after a trip as far as Portland, left Eugene Saturday for their home at Lakeview.

The passenger train, coming south, last evening at Salem, knocked a freight car off the track, delaying the train an hour and a half.

The vote at Dreamland, so far thrown on the screen, is as follows: Roosevelt 263, Taft 88, Debs 54, Wilson 51, Clark 31, LaFollett 10, Cummings 6, West 2.

A big delegation of Oregonians will go to San Francisco on the 12th of March to select a site for the Oregon building at the Panama fair. This state has been given first choice.

H. W. Millhollan who has been spending several months at Newport, is in the city. He reports a great fight over there between Newport, down town, and the Nye Creek section, something always working against a city.

Recorder Van Tassel this morning imposed four fines for drunkenness, being against R. J. Fuiter, second offence; John Baskin; W. J. Harrison, and Wilbur Barr. The first three paid at once, and the other will be.

Lebanon E. A. Frank Parrish of this city and Henry Myers of Scio have bought the Sweet Home Hotel and feed barn, including about 6 acres of land. Consideration \$4500. The new owners went up today to take charge of the same. This has always been a good paying property and the Express wishes the new proprietors the best of success in their new undertaking.

Miss Parson arrived in Albany Saturday evening and will be connected with the Chambers & McCune Millinery Dept. as assistant trimmer under Miss Hieb, the new forelady. Miss Parson is an experienced milliner and is highly recommended to Chambers & McCune. For the past five seasons she was head trimmer at the Crown Millinery store on Morrison street, one of the best and most exclusive millineries in Portland.

DR. HILL HOME.

Enthusiastic Over the Mexican Mines.

Dr. Hill last Saturday night returned from his trip to the Mexican mines, coming back by way of Duluth, Minn., where there are several prominent stockholders.

He is greatly enthused over the prospects. The Company is building a track into the mines, and putting in an electric blower, preparatory to active work. The ore, which assays high, will be sold to a big mill company. One mine, close to these mines, recently took out \$36,000 worth of gold in a single night, and it is said \$2,000,000 worth of gold comes to the U. S. from this section annually, besides much that goes elsewhere.

News from Albany's Six Early Trains.

Hon. C. L. Shaw went to Salem to meet with the committee that is attempting to get up a road law that will be satisfactory to the people. Mr. Shaw, and other farmers, though, are in favor of the counties running their own roads, the need being for roads running from the foot hills to the markets, whereas the road bills as a rule call for big automobile roads through the state.

Jeff Isom, of Sunrise, and Frank Rice, of Brownsville went to Portland, called there to serve Uncle Sam as jurors.

W. R. Ray, of Jordan precinct, returned home after being in Portland to buy a rock crusher for his precinct, which proposes to do things itself in getting good roads to the nearest market.

Rev. Allyn Esson went to Salem to deliver a paper before the ministerial association, which meets occasionally Monday mornings.

Rev. W. P. Elmore of Brownsville, and Rev. J. H. Douglas, of Springfield, arrived on the Springfield train.

Mack Monteith left commercially. Misses Julia Crowell and Helen Hulbert returned from a visit with the Albany girls at Eugene.

Father Lane went to Jefferson to conduct the funeral service of Mrs. John Pa'uski.

E. G. Stanley, a prominent Walla Walla merchant, and his niece, Miss Esther Cohen, of Portland, returned home after a visit at the home of Mrs. Adolph Senders, a niece and sister.

S. V. Hall returned up the C. & E., where he is getting out logs for the Albany Lumber Co.

Prof. Head went to Lebanon on piano business for Eller.

Mrs. Leone Waddle, of Portland, arrived from Eugene, on a visit at Conductor Riley's.

J. W. Swank returned from a trip to Tallman.

BIG THEFT DIVULGED.

Chas. A. Barrett, a convict at the state penitentiary, has confessed to the big bullion theft of a few years ago on the steamer Humbolt, in which \$57,000 worth of the stuff was stolen. He implicates five other men, who will be arrested. 25 pounds of the metal, hidden, has been recovered. It was near Lyons, up the C. & E. It was taken at night to the Governor's office at Salem. The Governor himself will not make any divisions, but it was known that Barrett was taken to Lyons for something. Barrett married a daughter of Geo. Sims, of Lyons, and his actions there lead to the secret being divulged. In endeavoring to sell some of the bullion he placed himself under suspicion. He was sent to the penitentiary, though, on another charge.

NEWPORT IN A HOLE.

The Sunday Oregonian reports an interview with A. B. Wetherford, a director of the Corvallis and Eastern, in which he states that on account of the fight of Newport resulting in the reduction of the fare on the Corvallis and Eastern to 3 cents a mile, Newport will be discriminated against this summer. The regular summer rate will be taken off, and the Southern Pacific will make a special campaign for the Nyeheim summer resort. Later when the road to Coos Bay is completed, it is said that country will be boomed.

With a regular fare rate of about \$5, besides ferry fare, travel to the Bay will be materially affected.

Bicycle Ordinance Remonstrance.

A remonstrance is being circulated against the proposed bicycle ordinance. It affects materially not only the newspapers, but many others, carpenters going to work, clerks to the stores, business men and others. Limiting it to one side of the street is practically a prohibition.

It should be, and probably will be, defeated.

An Assault Case.

In Justice Swan's court Saturday evening Thos. Moreland was fined \$10 and costs - 15 in all, upon the complaint of Thos. Barns, on the charge of assault. Moreland and Barns live in the same house on Lyon street. There is a report of some hair pulling by a couple of women in connection with the affair.

COPENHAGEN

An O. E. Town on the Calapoopa.

A large number of Albany people were out at the Calapoopa yesterday to see what the Oregon Electric is doing. A trestle has been built from this side of the river almost to the Corvallis road, upon which a track is being laid for the big steam shovel, which rests at the west end of the trestle. The two small engines are in a field, being hurried to the trestle. All the dump cars will be taken out on wagons to the west end, on the Corvallis road, where quite a camp has been established, with ten tar paper houses and several tents, making a population of about a hundred at Copenhagen. Among the institutions are a meat market and blacksmith shop. The big field to be shoveled upon the cars for the long fill, is being drained ready the steam shovel.

WILL ACCEPT.

In response to a request from seven governors and many people, Theodore R. Roosevelt has decided to accept the nomination for the presidency if tendered until the convention has expressed its preference. He declares that the principle he stands for, and always has stood for, is the rule of the people, and, as far as possible, he wants them given the chance, through direct primaries, to express their preference as to who shall be nominee of the republican presidential convention.

This all means one of the hardest fights in the history of the country, Roosevelt vs. Taft.

A Few Words from the Pictorial Review Co.

When our pattern says that it requires 3 1/2 yards or 5 1/2 yards of material to make a garment, you will find that it will not require one inch more than the amount specified. Our Cutting Guide shows you how to lay out the garment properly with that much goods.

When, two months later, other pattern companies copy our styles, as they frequently do, they generally specify a half-yard to a yard more material for the garment than we require. They realize that without a guide no woman can lay out the dress, skirt, coat, or waist as economically as an expert, so they allow a liberal margin for waste.

The expense of that wasted material does not come out of your pockets. It comes out of yours.

Use just one Pictorial Review Pattern and you will be convinced as to its superiority over all others. Our patterns, magazines and style books are on sale at Chambers & McCune's.

Rode the Camel.

Albany's delegation returned from Portland where they had had a great time at the big gathering of the Shriners. Nine hundred sat down at the banquet. The ceremonies of initiation were elaborate, with the riding of dromedaries on the hot sands of the desert as the main feature. Cliff Barzac's mule was there also and a harem of dancers. A class of eighty was taken through, among them Councilman J. N. Chambers, L. H. Fish, Dr. A. J. Hodges, Dr. B. R. Wallace, and C. H. Weider, of this city.

The Military Air Scout.

One of the pictures shown at Dreamland tonight gives us an insight of the methods that will probably be used in modern warfare, showing the army aeroplanes in action, the dropping of bombs, also the modern aeroplane guns mounted in automobiles and used by the attacking army. An excellent picture produced by the Vitagraph Co. also three good comedies. This program is for tonight only.

TUESDAY.

Mrs. A. J. Hodges this noon returned from Portland.

Constable John Catlin went to Shedd this afternoon to serve papers.

Mr. and Mrs. Fred Anderson this noon returned from a West Side visit.

Miss Tillie Eckert has gone to Idaho for a several months visit with her folks.

At least one lot has been sold on Fifth street on the strength of the proposed paving.

The annual inspection of G Co. last night was a satisfactory one, the members showing good training and a clean equipment. The attendance was good.

Mrs. T. M. Stewart this noon returned from Monmouth, where she had been to attend the funeral of her brother in law, John Powell, who died in Spokane.

The Saturday Evening Post will be out in the morning, and will fill Riley Lobaugh with it. The Red Cross Girl, High Cost of Living, etc., will be the attractions.

Mrs. W. F. Pfeiffer, Mrs. W. J. Henderson and Frank N. Wood, wish to thank all friends who so kindly offered their assistance and sympathy in their bereavement and especially to the choir of the Catholic church who sang so beautifully and to the kind friends who carried our mother to her last resting place.

The bowling congress ended at Los Angeles last night. Burns of Los Angeles won the \$50 prize for the highest single score, 623 for three games. The Grand Bowlers of Los Angeles won the five man contest, getting 22,000, with a score of 2896 for three games, an average per man of 159. Portland had a good team, but they got nothing.

Small Wreck.

A landslide on the Oregon Eastern, ten miles the other side of Natron, yesterday, struck a freight train, mashing things.

PROGRESSIVE LEAGUE MET.

A meeting of the Progressive League was held in the Woodmen Hall last night, with about forty present. J. R. Hulbert, president in the chair, with G. T. Hockensmith officiating as secretary.

Officers were elected, as follows: Geo. H. Crowell president, C. C. Bryant, Dr. C. V. Littler, W. C. Dowling vice presidents; Glen Junkin secretary, Dr. Billings assistant; Wm. Bain treasurer.

Membership was ordered extended to any one in the county who stands for the principles of the organization, which is practically that of helping everything that is right.

While enforcement of the law is the principal object of the League it is proposed to assist in promoting everything that will help build up Albany into a better city, and a new city hall was discussed. One suggestion was that the two city lots be sold and the present central school lot be taken for a site, a school house being located elsewhere.

H. Bryant was appointed chairman of a committee on organization of leagues elsewhere in the county.

The League adjourned to Thursday evening, March 14.

News from Albany's Six Early Trains.

F. M. French, president of the State Association of Jewelers, went to Portland to attend a meeting of the board of directors, who will begin arrangements for the annual convention two or three months later, an important event with jewelers.

W. A. Hoover, of Portland, went up to Hoover, at the end of the C. & E., to look after logging interests. He and Mrs. Hoover recently returned from Los Angeles and Long Beach, where they spent some time pleasantly. Too dry, though for them.

Commissioner Butler and J. R. Metzger went out to Bussard to get out some big 80 foot timbers for bridge cords, for future use in several places. The timber is on the farm of Ala Marshall, a prominent candidate for sheriff.

Rev. John Acheson, of the Third United Presbyterian church, Portland, returned home after a visit with his father and sister. His church is prospering with a membership of fifty or sixty, and a good Sabbath School, last Sunday 115 being present.

P. M. Scroggins, the Lebanon saw mill man, went to Salem.

Mrs. Eva French Taylor arrived from Corvallis to run the French house while Mr. and Mrs. French are in Portland.

W. O. Nisley returned from Lebanon. J. D. Ellis went to Brownsville after potatoes.

Mrs. Jas. Blackburn went to Brownsville.

Dr. Foster returned to Corvallis.

Clarence Mickel was officiating as train director during the absence of Bob Fletcher, the regular train man, who with Mrs. Fletcher last evening went to Portland for a few days' visit.

Will Be Published.

Mrs. Judge P. R. Kelly is making arrangements for the publication of the Indian song, presented at the Union of States, which took the first prize, making a decided hit. It is original, both song and music, and its production will meet with favor not only by Albany people, but Oregonians generally. Mrs. Kelly is a native of this state, a fact that will add to interest in its production, which will be made in an attractive form, with a picture of the author and the girls associated with her, in Indian costume, on the title page.

Will Not Discriminate.

President J. K. Weatherford, of the Corvallis & Eastern, informs the Democrat that his son was misconstrued by the correspondent of the Portland Oregonian, in reference to summer and excursion rates on the Corvallis & Eastern, and it is not a fact that there will be a discrimination as intimated; but just what the rate will be, has not yet been decided.

The Weather.

Range of temperature 48 40. Rainfall 27 inch. The river is 7.7 feet and falling. Prediction: fair tonight and Wednesday, cooler tonight.

A Main Street Burglary.

Burglars last night broke into the store of Constance Alexander, on Main street, and stole \$40 or \$50 worth of candy and tobacco.

Next May the girls of the U. O. and Washington will debate woman suffrage.

Chief of Police Rowley of Grants Pass has been deposed for firing on a private citizen in a raid on a blind pig barn.

The Dramatic Club of the U. O. will give its annual play in May. One of the performers will be Miss Gertrude Taylor, of this city. The proceeds will go towards the athletic track meet the coming season.

Guard-S. S. Bailey a well known Oregon horseman, has purchased the Pleasanton training and race track from H. E. Armstrong for \$65,000 and will expend \$20,000 in improvements. Mr. Bailey has a breeding and stock farm near Albany.

Douglas Trapp was arrested at Primeville for the murder of Frank Way, who had disappeared. Eighty men at one time were hunting for Way; but he was at Odell Lake, and was greatly surprised upon coming out that he had been killed. Trapp was of course released, and immediately left for the Willamette Valley.

CASE DECIDED IN FAVOR OF COLLEGE.

Judge Galloway this forenoon rendered his decision in the case of Albany College agt. C. M. Monteith et al., an elaborate opinion covering seven typewritten pages, involving the title to the 6.99 acres of land upon which the college buildings and campus are situated, in which the defendants claim an adverse interest.

The deed was dated Aug. 19, 1869, and is set forth. The consideration was that the board should erect an edifice valued at \$8,000, that the said Collegiate Institute is and shall be forever hereafter under the supervision and control of the Presbyterian Church, and the president of the board of trustees and the president of the faculty of the Institute shall always be chosen from the members of said church, in connection with the general assembly of said Presbyterian church in the U. S. of America.

Provided always and expressly conditioned that if at any time the said corporation shall be dissolved through default of said Presbytery of Oregon for any cause whatever, or the said Institution shall cease to be under the supervision and control of the Presbytery of Oregon in connection with the general assembly, etc., then this conveyance shall cease and determine as to the board of trustees aforesaid, and the said described premises with the appurtenances shall become the property of the general assembly of the Presbyterian church of the United States of America for the uses and purposes herein set forth, and no other. Provided always that the premises herein described shall never be sold or conveyed to any religious denomination not herein named without the written consent of the grantors herein. Signed by Thomas Monteith and Christine M. Monteith, with W. N. Snider and Geo. R. Helm as witnesses.

Synopsis of opinion:

There is nothing in the answer that indicates that either of the defendants has any interest in any of the property described in the complaint.

There is nothing to indicate that it is intended by the grantors of the deed that there should ever under any circumstances be a reversion of the property to the grantors or their heirs. The fee passed from them forever.

The answer fails to allege facts to show that the conveyance was on any condition, and there is nothing that can be construed as a condition.

If there is any condition in the deed it is a condition subsequent and not a condition precedent.

If there is a doubt the courts are inclined to hold that a provision is a covenant rather than a condition.

The provision shows a trust, which thus far has been carried out.

There is nothing in the deed to prevent the plaintiff from selling the property, excepting the provision that it shall not be sold to any other religious body without the consent of the grantors. The plaintiffs have the right to sell to any one but a religious organization, but the proceeds of the sale will be impressed with the trust, and must be used for the college.

Therefore it is the opinion of the court that the plaintiff should prevail, and it is further ordered that neither pay costs and disbursements of the other.

At the College.

The faculty and students will play basket ball, with Crooks, Flo, Franklin, Gesebracht, Sharp and White for the faculty.

There was a tryout this forenoon to select a team for the debating league of Oregon. Subject compulsory arbitration. Hessie Felford, Arthur Hodges and Alex McClain, in this order by merit, were selected. Judges Profs. Franklin, Sharp and Irvine. The team will support the negative in the debate with Willamette at the college March 29.

Albany College will observe the Day of Prayer for Colleges tomorrow, February 28 with three services. At 10:30 a. m. an address by Rev. Thomas H. Walker, Portland. In the afternoon a joint Y. M. C. A. and Y. W. C. A. meeting. Dr. Walker will speak again at 7 p. m. at the Presbyterian church. The public is invited.

An Odd Accident.

Junction City, Feb. 26.—Ben Jay, who lives at Blachley, came in from California Tuesday night on his way home from a visit there. He stopped into Cobley's store to buy some tobacco and in trying to reach his purse in some way the strings became entangled with a revolver there, causing it to go off and the bullet injured his three fingers and embedded itself in his left leg. Lerbach removed the lead and Mr. Jay has some wounds that are not pleasant remembrances but he says, a he will never carry his gun there again.

Or, Girl a Novelist.

Vingie E. Roe, of Oxford, Kan., has suddenly risen to fame through short stories and a new novel, which is attracting attention. She formerly resided in Creswell, Lane county, and is now the wife of