

NO DIVORCE TO BE GRANTED WATSON

Judge Galloway Declares That Both Plaintiff and Defendant Are Too Old.

WERE SEPERATED OVER TWENTY YEARS AGO IN EAST

Plaintiff Claims He Gave His Wife Property When He Left North Dakota.

Continued from February 19.

Declaring that both the plaintiff and defendant in a divorce suit filed in Linn county had reached an age where a divorce is unnecessary, Judge Galloway dismissed both the complaint of the plaintiff and the cross-complaint of the defendant in the case of Isaac N. Watson vs. Mary E. Watson.

The plaintiff resides in the vicinity of Sodaville and separated from his wife in the state of North Dakota over twenty years ago.

In his complaint he alleged that his wife had been unfaithful to the marriage vow and asked for a decree of divorce on the showing made in affidavits which were filed with the county clerk. The wife contested the case through local attorneys and filed a number of affidavits which were submitted to the court at the time the case was tried.

The plaintiff is a man 83 years of age, a veteran of the Civil war and at the present time engaged in operating a twenty-five acre mountain farm which he alleges is unproductive.

In his affidavit he claimed that he turned over all of his property to his wife at the time he left the east, with the exception of the \$72.00 which he used to pay his transportation to Oregon. The wife asked for suit money and in answer to this request the plaintiff filed an affidavit in which he claimed that his farm will hardly produce for himself a bare living; that the only property he has in the world is forty chickens and that they have declined to lay any eggs; a cow 17 years old, a buggy 27 years old, and necessary household goods.

LARGE CROWD ATTENDS MEETING OF LOCAL ARTISANS

Supreme Master Artisan Pays Official Visit; Fifteen Initiated Into Order.

A large attendance marked the regular meeting of Crystal Assembly, United Artisans of this city which convened last night in the hall in the Schmitt building.

A class of fifteen candidates was initiated into the mysteries of the order, followed by a fine luncheon prepared by the ladies and served in the dining hall adjoining the lodge room. Music and dancing completed a most enjoyable evening.

During the course of the evening the members of the local lodge and a number of visiting members of the order were favored with an excellent address by H. S. Hudson of Portland, supreme master Artisan of the Oregon lodge, who accompanied by his son, paid the Albany lodge an official visit last evening.

Excellent talks were also made by Dr. G. C. Eschelman of Portland, supreme medical adviser; and Ex-County Judge J. N. Duncan of Crystal Assembly of this city. Harvey Hudson, son of H. S. Hudson of Portland, rendered several vocal solos that were greatly appreciated and excellent music was furnished by the Willard Davis orchestra.

Mr. and Mrs. L. D. Walter who have been making this city their headquarters for several months while conducting a campaign for new members, will leave Albany soon, having been assigned to another city for work.

WORK IS PROGRESSING FAST ON TWO THEATRES HERE

Rapid progress is being made in the work of remodeling the rooms in the McIlwain block which are being transformed into a modern motion picture theatre for George Rolfe and Al Sternberg of this city and which when completed will be one of the most attractive photoplays in the Willamette Valley.

The wall which separated the building into two compartments is now being torn away and what was formerly two rooms will be converted into one large one. The front of the building will be most attractive and ornamental and will be constructed partly of white glazed brick, which is now being laid.

The new theatre will have a seating capacity of 600 and nearly \$100,000 will be spent by the owners on the construction work of the theatre and the furnishings.

On the Meyers' corner, dirt is flying rapidly on the excavation for the \$25,000 building to be erected by Conrad Meyer of this city for T. G. Bligh, the well known theatrical magnate of Salem, who will install in this city a moving picture theatre and vaudeville house that will compare favorably with anything in the metropolis.

JUDGE GALLOWAY GRANTS INJUNCTION

Gives Judgement in Favor of Plaintiffs in Scio Case Last Evening.

NO VOTING PLACES WERE PROVIDED AT ELECTION

County Clerk Restrained from Extending and Collecting Tax in New Territory.

Holding that the election held last summer in the city of Scio for the purpose of extending the city limits is void, Judge Galloway last night gave out a decision in which he granted to T. A. Richardson and others, a permanent injunction restraining the county clerk from extending and collecting the Scio city tax in the territory annexed by virtue of such election.

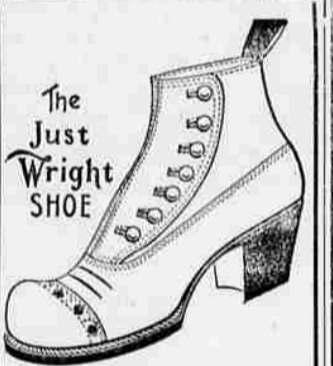
This case was filed several weeks ago by Mr. Richardson and other property owners affected by the ordinance and was one of the most hotly contested cases which have come before the Linn county courts during the past thirty days.

The plaintiffs contend that as no separate voting places were provided for the electors residing in the new territory, the election was irregular. The defendants argued that inasmuch as the plaintiffs had taken advantage of the municipal improvements, they had waived their rights to prosecute an injunction suit.

There were other points of more or less interest in the suit but the point upon which the case was decided by the trial judge was the failure of the municipal authorities to provide separate voting places in the territory which they proposed to annex to the city limits.

H. F. McIlwain, a prominent resident and merchant of Leaburg, is looking after property interests in Albany, while here stopping at the Revere.

Miss Vertie McCulloch of Dallas arrived in Albany this morning for a few days' visit with friends. She is a guest at the Revere.



(UNION MADE)
The McDowell Shoe Co.
"Quality for Less"
338 W. First St. - Albany

HARRY FIESELS BALL TEAM WINS GAME AT CAPITAL CITY

Returned Home Last Evening After Defeating Y. M. C. A. Team by Score of 16 to 9.

Harry Fiesel's Colts were too much for the Salem Y. M. C. A. team again last evening and the Albany boys returned home last evening with the long end of a 16 to 9 score.

The game was played in the Y. M. C. A. gym at Salem and was witnessed by a large crowd of enthusiastic fans. The game started off nicely and at the end of the second inning the score was 8 to 7 in favor of Albany. The Capital City boys made but two more runs in the remaining seven innings of the game.

The hall was smaller than the Albany team was used to playing in and it took two innings for the locals to become accustomed to the floor, otherwise it is considered doubtful if Salem would have secured half the runs which were credited to them at the close of the game.

Fiesel pitched a fine game for Albany and was caught in splendid style by Frank Stellmacher.

The remainder of the lineup was: Gene Dooley, 1b.; George Dooley, 2b.; Jack Berry, 3b.; Gene Shea, r. s.; Wm. Salisbury, l. s.; Harry Tregilgas, lf.; and Reed Dowlin, rf. The former game with the Salem team which was played at the armory in this city recently, resulted in victory for Fiesel's Colts by a score of 7 to 6.

PORTLAND SYMPHONY ORCHESTRA AT SALEM

An event of more than usual interest in musical circles will be the engagement of the Portland Symphony Orchestra which will appear at the Grand Opera House at Salem on March second.

A large number of local musicians expect to go to the Capital City on that date to hear this well known orchestra. There are 55 musicians in the orchestra.

NEW "ARCEZ" LUNCHEON AND CONFECTIONERY OPENED

Establishment Completed for Dick Churchill Modern and Attractive.

The handsome new Arcez confectionery and luncheon establishment recently completed for R. C. Churchill was opened to the public at noon today and a large number of local residents ate their noon lunch at the new place which is strictly modern and up-to-date.

The rooms have been repapered and calcimined and present a most attractive appearance, the woodwork being finished in white, adding a clear and sanitary touch to the interior. The kitchen is a model one, everything being conveniently arranged, and will be kept so that it will stand inspection at all times.

New lighting fixtures of pleasing design have been installed and a new front has been placed in the building. The space on the east side of the main entrance at the front will be used for fruits. Lunches will be served daily and the usual line of confections carried by Mr. Churchill will be found at the new store.

The name of the store "Arcez" is a word comprising the first two initials of Mr. Churchill's name, "R. C."

KNIGHTS OF PYTHIAS LODGE IS 49 YEARS OLD TODAY

Today is the forty-ninth anniversary of the founding of the order of Knights of Pythias and the event will be observed by many of the subordinate lodges throughout the United States. The order was founded on February 19, 1864 at Washington, D. C., by Justus H. Rathbone.

From the very start the order has flourished and grown until today it is one of the strongest fraternal organizations in this country, having over 800,000 members in the United States. Among the many lodges of the Willamette valley who will celebrate the anniversary tonight is Dowdall Lodge No. 19 of Brownsville.

There will be no lecture tonight in the Albany College lecture course. A very attractive substitute for Ex-Gov. Glenn has been secured and will appear on March 15th. Two eastern bureaus are in conflict over Gov. Glenn's time, and they have succeeded in preventing the Britt bureau from securing Gov. Glenn for as much time as it had contracted for. The Aller Trio appear in the lecture course on March 3rd.

F. E. Looney, a prominent dairyman of Jefferson, was looking after business matters in Albany yesterday, while here stopping at the Revere.

The many friends of Leo Cohen, who is now visiting in California, will be pleased to learn that he is improving in health. Mr. Cohen left on his California trip some three weeks ago and is missed by his friends.

EGGS FOR HATCHING—S. C. Rhode Island Reds, 1st pen \$2.00, 2nd pen \$1.50. H. G. Rumbaugh, R. 4, Home Phone 3803. F5-to-Mar5

LIMBER UP YOUR MUSCLES

If you are lame—if your muscles are overstrained—if they do not respond as quickly as they ought to the demands made upon them—use Rexall Rubbing Oil.

You make no mistake when you use Rexall Rubbing Oil, because it has proved in the hundreds of cases in which we have recommended it, to give complete satisfaction; and because if it does not in your case do all that you expect of it, it will cost you nothing.

That means that we will refund your money immediately, without question, if you are not satisfied with Rexall Rubbing Oil. It helps to limber up the stiff muscles and joints and allays pain and inflammation. Useful in sprains, bruises, strains and cuts, and for chapped hands and chilblains. Whether your lameness is from rheumatism, from overwork or strain, or from catching cold in the muscles, use Rexall Rubbing Oil. If it does not relieve, your money back. Prices 25 and 50 cents. Sold in this community only at our store—The Rexall Store.

FRED DAWSON, Albany, Oregon.

Bean Spray Pumps

We have just received our new stock of Bean and Spray Pumps, Spray Hose Nozzles

Look This Line Over

Both Hand and Power Pumps

Barrett Bros. - Albany

YOU expect your dressmaker to secure beauty of line, proportion and a trim effect in your dress—then assist her by wearing perfect-fitting

Puritan Undermuslins

There is an air about Puritan Undermuslins that is different. They show this difference not only in the fitly chosen laces and embroideries, the quality of the fabrics and the excellent workmanship, but there is individuality in the very cut and fit of the garments.

We have in Puritan Undermuslins corset covers, princess slips, combination garments, gowns, skirts and drawers.

Prices are no higher than you are accustomed to paying.

W. B. Stevens & Company Albany Agents

All Goods Delivered FREE on Receipt of Price

FOR SALE—Six head fine work horses weighing from 1200 to 1500 pounds. Young and sound. Price reasonable and terms to suit buyer. Address A. D. Calkins, Albany, Or., or Home Phone 2455. F1-Mar1-0ly-F7-14-21wkly

Come on and bring a friend to see Snyder draw out your plow-lay

Don't fail to see our NEW POWER HAMMER 404 East Second St. Albany

Studebaker 35, 1913

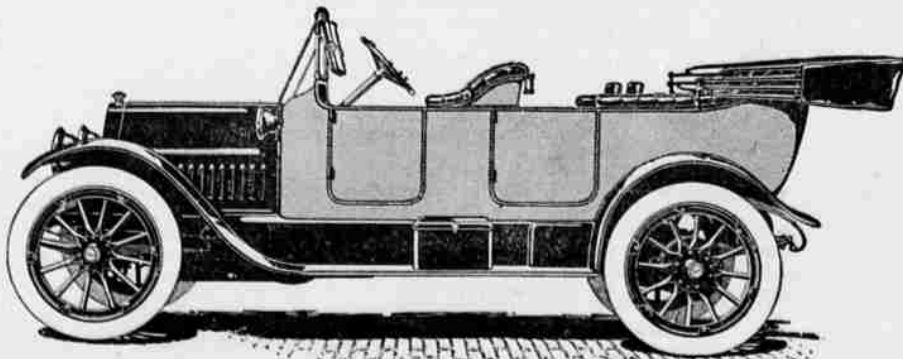
We wish to announce the arrival of our 1913 Studebaker 35. We invite you to call and see this new model and have a demonstration. Studebaker Cars speak for themselves

Here Is 1913 Equipment:

- 116 inch wheel base
- 34 x 4 Goodrich tire
- Full floating rear axle
- Electric self starter
- Electric light
- Electric horn
- Demountable rims
- Extra rims
- Three-quarter Elliptic Springs
- Jiffy Contains: Speedometer Clear-vision wind shield

Models:

- Studebaker 20
- Studebaker 35
- Studebaker Six



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