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FRIDAY, FEBRUARY 28, 1913.

Committee Sustains West.

Governor Oswald West has won another victory at Salem. The majority report, signed by three of the five members of the legislative committee appointed for the purpose of investigating conditions at the state penitentiary, completely exonerates the governor and prison officials from the charges made during the present session of the legislature. Whether the report will be adopted by the senate and house remains to be seen, but the governor has undoubtedly won the first round and it was won before a republican referee, after the matter had been made the subject of a thorough and far-reaching investigation.

The report filed by the majority members of the committee is in part as follows:

"Your committee as a whole made one visit to the institution and spent a part of one day. A part of the committee made a second visit and spent a part of another day. An opportunity was given the prisoners to appear before the committee and make known any complaints against their treatment and the conduct of the warden and the other officers connected therewith. A number of the appeared before us and made statements in regard to their treatment, both from the wardens as to the amount of clothing furnished them and also in regard to the conditions in the prison. The only complaint made to us worthy of notice was from those who worked on what is known as the rockpile that they were not supplied with socks and underclothes. All, with one exception, stated that they were well treated. Several who had been in other state prisons stated frankly that their treatment in this prison was better than that of any other wherein they had been confined. All who appeared expressed the warmest personal feeling for the treatment accorded them by the governor and expressed their confidence in him and in his disposition to give them a square deal.

"Your committee wishes to earnestly commend Colonel Lawson, the present warden, for the splendid work done in the short time he has been there in bringing about excellent and satisfactory and sanitary conditions, and for the commendable manner in which he has handled both the prison and the men, and your committee doubt if there is another prison on the Pacific Coast where such sanitary conditions are found and where the men confined therein have better treatment and more kindly feeling towards their warden.

"Signed by Representative Sam Laukhlin, of Yamhill; Senators W. H. Ragsdale, of Gilliam, and W. H. Hollis, of Washington, majority of committee."

Wilson's Trust Record.

The hand of Governor Wilson may be seen on every progressive law which has been placed on the statute books of New Jersey.

He leaves behind him in his native state a record of things accomplished and brings to the new office to which he has been called, the experience which only comes from dealing first hand with problems of state.

The anti-trust measures which have been enacted under the lead-

ership of Governor Wilson are a model. They have redeemed the state of New Jersey, which prior to his election enjoyed the unenviable reputation of being the home of the corporations and law-breaking trusts.

In speaking of the new laws on this subject Governor Wilson sums up the situation as follows:

"Those who would engage in the heartless practice of ruining rivals and filching from the pockets of the people more than they ought reasonably to demand," said the Governor, "are the only ones who will have cause to regret the enactment of these measures. I predict that under them the people of New Jersey will enter upon a new era of prosperity. I congratulate the legislature and the people on their passage. These laws mark a new era in our business life."

"Senate Bill No. 43, the act defining trusts and designed to promote free competition and commerce in all classes of business," continued the Governor, "makes it criminal to make an agreement which, directly or indirectly, precludes a free and unrestricted competition.

"It was urged upon the legislature that the bill be amended by adding the word 'knowingly,' so that it would read that any person or persons who wilfully or knowingly make an agreement in restraint of trade should be punished. I understand that it is a general principle of law that there must be a guilty mind to constitute a guilty act. It seems to me that this affords ample protection to any honest man.

"It has been said in some quarters that these laws will help big business and hurt the small dealers. That, of course, is not the intention, and cannot be the effect. The salutary provision of the act defining trusts is that it makes it unlawful to make any agreement, directly or indirectly, which will preclude free and unrestricted competition in business. Monopolies too often have accomplished by indirection what they could not do directly. The holding company is an example of this."

"FOGHORN" WATTS.

"In the Albany Democrat recently F. P. Nutting has a paragraph in which he states 'An original character of wide reputation was J. W. Watts of Lafayette, who spoke here in the winter or spring of '81. He was a large man with a peculiar voice and a gesture all his own.'"

That "peculiar voice" was well known and was by his political opponents the cause of Dr. Watts being nicknamed "The Foghorn." The well known republican campaigner of massive frame and similar voice would roar like a bear and could be heard far.

"Foghorn," he said to the writer once; "it is fitting that they should so name me. A foghorn blows blasts of warning and that's what I have been doing all over the country, going up and down warning my fellow man to beware the rocks and shoals of democracy. I willingly accept the appellation for it is full of meaning, and I hope to continue to be a foghorn to my fellow citizens until the end comes."

It was a couple of days before the man of whom it is said he made elayes president o. the United States died that the writer called upon him while he was gradually sinking, and after conversing for a time received the request to "sing something." "But I cannot sing," said the writer. "Oh, yes, you can. There's a hoot. Find something and sing a little to me. My days are numbered, and it will help." So there was nothing to be done but to take the book pointed to and the writer sang the first and last solo he ever attempted. Two days later Dr. J. W. Watts passed away.—Salem Statesman.

Walter M. Parker returned last night from a business trip to Portland. He says that business conditions are in good shape at the metropolis and that many building improvements are being made.

Mr. and Mrs. Peters of Portland and Mr. and Mrs. L. Dronlewe of Ellsworth, Kansas, are visiting at the home of E. E. Warford of this city.

Fred Westbrook will have consigned to him tomorrow a carload of flour from North Yakima. The shipment will come from Mason & Ehrman over the Oregon Electric and will be delivered to Scott & Conn and C. D. Budlong, local grocers.

ADMINISTRATRIX NOTICE.

To all whom it may concern: Notice is hereby given to all whom it may concern that the undersigned has filed her final account in the matter of the estate of A. D. Horner, deceased, in the county court of Linn county, Oregon, and that said court has fixed the 18th day of March, 1913, at the hour of one o'clock p. m. of said day as the time for hearing and settling of all objections to said account; therefore all persons having any objection to said account are hereby notified to appear and file the same on or before said last mentioned date.

Dated this 7th day of February, 1913.
R. M. HORNER,
Administratrix of A. D. Horner, deceased.
W. R. BILYEU,
Attorney for Administratrix.

In the Circuit Court of the State of Oregon for the County of Linn, Department No. 2.
Andrew Shearer, Plaintiff,
vs.
Dora Pugh, Ida Pugh, P. P. Van Fleet and Mary Elva Van Fleet, her wife, Emma Jurkin and David Jurkin, her husband, Mary A. Wright, James A. Pugh and Charlotte E. Pugh, his wife, Annie E. Kendall and A. M. Kendall, her husband, Ada Jackson and Henry Jackson, her husband, Omer Tetherow and C. D. Tetherow, his wife, Miles Tetherow and A. B. Tetherow, his wife, Clyde Tetherow, Annie Wier and John Wier, her husband, and Effie Pierce and E. F. Pierce, her husband, Defendants.

To Omer Tetherow, C. D. Tetherow, Miles Tetherow, A. B. Tetherow, Clyde Tetherow, Anna Wier, John Wier, Effie Pierce and E. F. Pierce, nine of the above named defendants: You are hereby required to appear and answer the complaint of the above named plaintiff on file with the clerk of the above entitled court on or before the 28th day of March, 1913, the same being the date of the last publication of this summons as prescribed by order therefor duly made in the cause herein by the Honorable Percy R. Kelly, Judge of the Circuit Court of the State of Oregon for Linn County, and you are hereby notified that if you fail to appear and answer said complaint as hereinafter required, the plaintiff will apply to the court for the relief demanded in his complaint on file herein.

For a decree that the plaintiff, Andrew Shearer, and the defendants, Dora Pugh, Ida Pugh, P. P. Van Fleet and Mary Elva Van Fleet are the owners in fee simple of the following described real property, to-wit: Beginning at the southwest corner of the Donation Land Claim of Jesse W. Pugh and wife, Notification No. 2040 and Claim No. 45, in Township 12 South, Range 4 West of the Willamette Meridian, Oregon, and running thence north along the west side of said Donation Land Claim 18.75 chains; thence east 26.59 chains; thence south 20.21 chains; thence west 15.65 chains; thence North 82 degrees 25 minutes West 11.39 chains, to the place of beginning, containing 52.83 acres, more or less, all lying and being situate in Linn County, and State of Oregon, free of incumbrances, and that none of the other defendants herein have any right, title or estate in, or to said real estate or any part thereof, and for a decree that said real property be partitioned among the plaintiff, Andrew Shearer, and the defendants, Dora Pugh, Ida Pugh and P. P. Van Fleet and Mary Elva Van Fleet, according to their respective rights, quantity and quality relatively considered, and that the costs and expenses of this suit be paid by the several parties interested and that the same be a lien upon the several interests of the parties plaintiff and defendant until the same are paid and for such other and further relief as shall seem meet in equity.

The date of the first publication of this summons is February 14, 1913, and the date of the last publication is March 28, 1913. This summons is published by order of the Honorable Percy R. Kelly, Judge of the Circuit Court of the State of Oregon for Linn County, made and dated February 11, 1913.

L. M. CURL,
Attorney for Plaintiff.

F14-Mch-28

SHERIFF'S SALE.

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 J. O. Brown, plaintiff, vs. D. G. Murray, F. E. Moran, A. E. Ploffer, and W. T. Christy and Elmira Christy, his wife, defendants, I will on Monday, the 24th day of February, 1913, 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: Blocks Numbered Two (2) and Three (3) in Wood's Riverside Addition to the City of Albany, Linn County, Oregon, as the same appears and is designated upon the recorded plat of said addition to said city, now on file and of record in the office of the County Recorder in and for said County and State. To satisfy the judgment rendered in favor of the plaintiff and against the defendants, W. T. Christy and Elmira Christy, for the sum of \$235.82, together with accruing interest thereon at 8 per cent per annum from January 20, 1913; and the costs and disbursements of this suit taxed and allowed at \$21.50, and the costs and disbursements of this execution and sale.

D. H. RODINE,
Sheriff of Linn County, Oregon.
Dated this January 24, 1913.
C. C. BRYANT,
Attorney for Plaintiff.

First publication Jan. 24, 1913, last Feb. 21, 1913.

J24-F21

J. A. Shaw and wife left for California Saturday night for a protracted visit in the Bear state.

CITATION.

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

In the matter of the estate of Martin Moss, deceased.
To Edward W. Moss, Dora G. Moss, Gertrude Maas, Meta Meislahn, Dora Meislahn, Emma Meislahn, Niconias Meislahn, Johannes H. Meislahn and George Meislahn, and to all others unknown, if any such there be, Greesing.

In the name of the State of Oregon, you are hereby cited and required to appear in the County Court of the State of Oregon for the County of Linn, at the court room thereof, at Albany, in said county, on Monday, the 7th day of April, 1913, at one o'clock in the afternoon of that day, then and there to show cause, if any there be, why an order should not be made by the above entitled court authorizing and directing the administrator of said estate of Martin Moss, deceased, to sell the following described real property of said estate at public sale for cash in hand, to-wit:

Beginning at a point which is East one chain and seventy-eight links distant from the Northwest corner of Notification No. 2435 and claim No. 50 in Township 12 South of Range 3 West of the Willamette Meridian in Linn County, Oregon, and running from thence East twenty-one chains and twenty-eight and one-half links, thence South thirty-six chains and ten and one-half links, thence West twenty-one chains and twenty-eight and one-half links, and thence North thirty-six chains and nine and one-half links to the place of beginning containing 76.72 acres.

Witness, the Hon. D. B. McKnight, Judge of the County Court of the State of Oregon for the County of Linn, with the seal of said Court affixed this 13th day of February, A. D. 1913.

(Seal) W. L. MARKS, Clerk.
By R. M. RUSSELL,
Deputy.

F4-Mar-21

SUMMONS.

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

Carl R. Braden, Plaintiff, vs. Carl R. Braden, defendant.

To Carl R. Braden, the above named defendant: You are hereby notified to appear and answer the complaint of the above named plaintiff in the above entitled cause now on file with the Clerk of said Court within six weeks from the date of the first publication of this summons, and you are hereby notified that if you fail to appear and answer said complaint as hereby required, the plaintiff will apply to the court for the relief demanded in her said complaint, to-wit, for a decree dissolving the marriage relation now existing between the plaintiff and defendant, and awarding to the plaintiff the care and custody of Jack Braden, the minor child of the plaintiff and defendant, and for a judgment against the defendant for her costs and disbursements herein, and for such other and further decree as may be meet in equity.

This summons is published once a week for six consecutive weeks in The Semi-Weekly Democrat, a weekly newspaper published in said county, by order of Hon. D. B. McKnight, County Judge of Linn County, Oregon, made and entered herein on the 11th day of February, 1913, and the date of the first publication of this summons is the 14th day of February, 1913.

HEWITT & SOX,
Attorneys for the Plaintiff.

F14-Mar-28

SUMMONS.

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

Arnettie Mitchell, Plaintiff,
vs.
H. D. Mitchell, Defendant.

You are hereby required to appear and answer to the complaint of the above named plaintiff in the above entitled Court, now on file with the Clerk of said Court within six weeks from the date of the first publication of this summons; and you are hereby notified that if you fail to appear and answer said complaint as hereby required, plaintiff will take a decree as prayed for in the said complaint herein to-wit: A decree dissolving the bonds of matrimony heretofore and now existing between plaintiff and defendant; that plaintiff have custody of the minor children of plaintiff and defendant, and that plaintiff have such other and further relief as to the Court seems equitable.

This summons is published in the Albany Weekly Democrat once a week for six weeks by order of the Hon. D. B. McKnight, County Judge of Linn County, Oregon, made on January 13, 1913, and the date of the first publication hereof is January 24, 1913.

C. C. BRYANT,
Attorney for Plaintiff.

Jan 24-Mar 7

NOTICE OF FINAL SETTLEMENT.

Notice is hereby given that the undersigned administrator of the estate of W. H. Cleavinger, deceased, has filed his final account as said administrator, in the County Court of the State of Oregon for Linn County, and that Monday, the 3rd day of March, A. D. 1913, at the hour of 10 o'clock in the forenoon of said day, has been fixed by said Court as the time, and the County Court room in the Court House of said County of Linn in the City of Albany, Oregon, as the place for the hearing of any and all objections to said final account and the settlement thereof.

WILLARD CLEAVINGER,
Administrator.

WM. S. RISLEY,
Attorney for Administrator.

Jan 31-Feb 28

NOTICE OF FINAL SETTLEMENT.

Notice is hereby given that the undersigned executor of the last will and testament of S. D. Pratt, deceased, has filed in the county court for Linn County, Oregon, his final account as such executor, and that Monday, the 17th day of March, 1913, at ten o'clock in the forenoon, has been set as the time by said court for hearing of objections to said final account and the settlement of said estate.

N. D. PRATT,
Executor.

C. C. BRYANT,
Attorney for Executor.

First publication to be February 14, 1913; Feb. 21, 1913; Feb. 28, 1913; March 7, 1913; March 14, 1913.

Miss Willeza Wright, of the Brownsville schools, returned to that place last evening after spending Saturday and Sunday with her parents, Mr. and Mrs. George W. Wright.

Registration of Land Title

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

In the Matter of the Application of James E. Wigle and Bertha E. Wigle, husband and wife.

TO
Register title to the following described premises, to-wit:

Beginning at the S. E. corner of the D. L. C. of Gamaliel Parrish, Not. No. 2060, and Claim No. 45, in Tp. 13 S. of R. 2 W. of the Will. Mer., Oregon, and running thence N. 70 degrees 45 minutes W. along the Southern boundary line of said Claim 40.90 chs., thence N. 50 degrees 49 minutes E. 38.33 chs., thence S. 62 degrees 40 minutes E. 21.18 chs., to the Eastern boundary line of said Claim, thence S. 19 degrees 15 minutes W. 29.00 chs. to the place of beginning, containing 100.00 acres, more or less, also

Lots 2, 3, 4, 5, and 6 of Section 7 in said Tp. and Range, containing 111.05 acres, more or less, also

Beginning 12.00 chs. W. of the N. E. corner of the S. E. 1/4 of said Sec. 7, in said Tp. and Range, and running thence S. 26.66 chs., thence E. 13.00 chs., thence S. 13.33 chs., thence W. 23.00 chs., thence N. 40.00 chs., thence E. 8.00 chs. to the place of beginning, containing 52.00 acres, more or less, also

The E. 1/2 of the S. W. 1/4 of the S. E. 1/4 of Section 7, the E. 1/2 of the N. E. 1/4 of Section 18 and the N. W. 1/4 of the N. W. 1/4 of Sec. 17, in said Tp. and Range, containing 80.00 acres, more or less, also

Beginning at the S. E. corner of the D. L. C. of said Gamaliel Parrish, Not. No. 2060, and Claim No. 45, in said Tp. and Range, and running thence N. 70 degrees 45 minutes W. to the N. line of the S. E. 1/4 of Section 7, in said Tp. and Range, thence W. 8.00 chs., thence S. 13.50 chs., thence E. 15.00 chs., thence S. 17.00 chs., to the S. W. corner of the N. E. 1/4 of the S. W. 1/4 of Section 8, in said Tp. and Range, thence N. 20.00 chs., thence W. to the E. line of said D. L. C., thence S. 19 degrees 30 minutes W. to the place of beginning, containing 53.08 acres, more or less, also

Beginning at the S. W. corner of the D. L. C. of said Gamaliel Parrish Not. No. 2060 and Claim No. 58, in Tp. 13 S. of R. 3 W. of the Will. Merd., Oregon, and running thence S. 19.65 chs., more or less, to the N. boundary line of the D. L. C. of William Sperry, Not. No. 2106 and Claim No. 57, in Tp. 13 S. of R. 3 W. and Claim No. 46, in Tp. 13 S. of R. 2 W. of the Will. Merd., Oregon, thence E. 6.95 chs., thence S. 9.88 chs., thence E. to the E. boundary line of the D. L. C. of said William Sperry, thence N. 9.88 chs. to the N. E. corner of said D. L. C. of said William Sperry, thence W. 17.75 chs. to the W. line of Section 7, in said Tp. 13 S. of R. 2 W. of the Will. Merd., Oregon, thence N. along said Section line of the S. boundary line of said D. L. C. of said Gamaliel Parrish, thence N. 70 degrees 45 minutes W. 14.42 chs. to the place of beginning, containing 46.98 acres, more or less, and containing in the aggregate 442.40 acres, more or less, all lying and being in the County of Linn and State of Oregon

Against all whom it may concern, Defendants.

That on the 3rd day of February, A. D. 1913, an application was filed by said James E. Wigle and Bertha E. Wigle, husband and wife in the Circuit Court of the State of Oregon for the County of Linn for initial registration of the title of the land above described.

Now unless you appear on or before March 21, 1913, 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.

Dated this 3rd day of February, 1913.

W. L. MARKS,
County Clerk of Linn County, Oregon, and Ex-Officio Clerk of the above entitled court.

WEATHERFORD & WEATHERFORD,
Attorneys for Applicant.

F7-M7h

NOTICE OF FINAL SETTLEMENT.

Notice is hereby given that the undersigned Executor of the last will and testament of Martha A. Phillips, deceased, has filed his Final Account as said Executor, in the County Court of the State of Oregon, for the County of Linn, and that Monday the 10th day of March, A. D. 1913, at the hour of 10 o'clock in the forenoon of said day, has been fixed by said Court as the time, and the County Court room in the Court House of said County of Linn in the City of Albany, Oregon, as the place for the hearing of any and all objections to said Final Account and the settlement thereof.

GEORGE W. PHILLIPS,
Executor.

WM. S. RISLEY,
Attorney for Executor.

F7-M7

NOTICE OF FINAL SETTLEMENT.

Notice is hereby given that the undersigned executor of the last will and testament of S. D. Pratt, deceased, has filed in the county court for Linn County, Oregon, his final account as such executor, and that Monday, the 17th day of March, 1913, at ten o'clock in the forenoon, has been set as the time by said court for hearing of objections to said final account and the settlement of said estate.

N. D. PRATT,
Executor.

C. C. BRYANT,
Attorney for Executor.

First publication to be February 14, 1913; Feb. 21, 1913; Feb. 28, 1913; March 7, 1913; March 14, 1913.

NEWS BEGINNING WITH THIS HEAD IS FROM DAILY ISSUE OF TUESDAY, FEBRUARY 25.

IRA NEWTON CUSTER IS CALLED BY DEATH

Passed Away in This City Today After an Illness of Three Years.

After a lingering illness, Ira Newton Custer, a well known young farmer who formerly resided six miles east of Albany, died this noon at the home of Mrs. Smead at 240 East Second street.

The deceased was a son of Mr. and Mrs. A. B. Custer and was well and favorably known in Linn County.

He was taken ill some three years ago with tuberculosis and has been slowly failing in health since that time.

The funeral service will be held at the Fortmiller chapel at 2 p. m. tomorrow, a short service being conducted at the cemetery at 3.30.

DR. COX WILL OPEN BRANCH OFFICES MARCH 1

Will Conduct Business at Both Brownsville and Lebanon; Will Retain Office Here.

Because a large number of his patients come from Lebanon and Brownsville and the rural sections surrounding these places, Dr. W. A. Cox, the dentist, who has been located in this city for the past year, will open a branch office in each of the above named towns.

However, Dr. Cox will retain his main office in this city, placing competent dentists in charge of the branch offices, over which he will have full supervision.

The Brownsville office will be opened March 1, while the office in Lebanon will be located in a building now under course of construction.

GOOD BASEBALL TEAM IS PLAN FOR SUMMER

Mass Meeting Called for March 1st; Same Lineup as Last Year Predicted.

That this city will be represented the coming season by a fast aggregation of baseball players is indicated by the activity of local officials and baseball enthusiasts in arranging a mass meeting to be held March 1.

The meeting will be held to organize a strong club, electing officers and drafting plans for the maintenance of the organization. The eligible players will be considered and it is hinted that an endeavor will be made to secure the same lineup for the team, as last year.

The players who will probably constitute part of the team, according to last season's lineup, are: Dave and Bill Patterson, Lyle and Carson Bigbee, A. A. Mickle, Carter Lee and Charlie Monson. It is understood that Claude Swan and J. C. Birtchett will take the places of George and Gene Dooley, who will leave for Montana the middle of March.

The first game is scheduled for March 6 and is to be played with Salem.

A. A. Tussing, of Brownsville, this morning returned home after a trip to Salem to consult the state library. On his way home he received a telephone message from Mrs. Tussing that their youngest child, a little girl of three months, had died. The child had not been strong, but was not considered in a dangerous condition when he left home.

The two sample rooms of Chas. Pfeiffer, used by the Hotel Revere for a good many years, situated on Second street, near Ellsworth, just vacated by the Revere House, have already been rented, one to a cleaning and dye establishment, the other to a taster whose name is not yet public.

EXECUTOR'S NOTICE.

Notice is hereby given that the undersigned has this day been appointed executor of the estate of Frederick Hoeler, deceased. Any and all persons having claims against said estate are hereby notified to present the same to the undersigned at Jefferson, Oregon, or to Weatherford & Weatherford, attorneys, Albany, Oregon, within six months from this date duly verified as by law required.

Dated this 15th day of February, 1913.

GEO. CONNER,
Executor.

WEATHERFORD & WEATHERFORD,
Attys. for Executor.

F25-Mar18Wkly

ADMINISTRATRIX NOTICE.

Notice is hereby given to all whom it may concern that the undersigned, the duly appointed, qualified and acting administratrix of the estate of James Sanderson, deceased, has filed in the office of the County Clerk of Linn County, Oregon, her Final Account in said estate, and the Judge of the County Court has fixed the 3rd day of March, 1913, at 1 o'clock p. m. for the hearing of objections to said account, if any, and for the settlement of said estate.

Dated this 25th day of January, 1913.

LUELLA HOLLIDAY,
Administratrix of the Estate of James Sanderson, deceased.

WEATHERFORD & WEATHERFORD,
Attorneys for Admrx.

J31-F28