

SESSION OR NO SESSION

That is Question Which is Uppermost in Minds of People

ANSWERS TO CIRCULAR LETTER FROM MEMBERS OF LEGISLATURE COMING IN SLOWLY, BUT ALL SEEM TO BE FAVORABLE TO SPECIAL SESSION.

(From Wednesday's Daily.)

Answers to the circular letter of the Governor are coming in very slowly up to the present time, only three having been received in the executive department up to last evening they being from Senator Hunt, and Representative Cobb, of Multnomah county, and from Representative Davey, of Marion county, the latter of which has already been published in the columns of the Statesman.

The other delegates to the Legislature from Marion county have not as yet sent their answers to the Governor, although some of them have prepared them. Representative T. E. Kay has written his answer, but had not sent it in last night. Mr. Kay, as has been expressed by the other Marion county delegates, states that he is in hearty accord with the Governor regarding the advisability of holding just as short a session as is possible, and is perfectly willing, in fact, to insist upon adjourning just as soon as the tax question is disposed of, unless something of importance, that is, of a fiscal nature, comes up for consideration, which, so far as he is concerned at the present time, is entirely unlooked for and is not likely to be the case. So far as Marion county is concerned, he does not feel that a special session is imperative, but the city of Salem and the school districts are not so well off as the county, financially, and he realizes that they could make good use of the funds that are to be raised by taxation.

The answers are expected to come in more numerous by today or tomorrow, and, as the Governor will return from his trip to Pendleton this evening, it will probably not be long before the great question of special session or no special session will have been disposed of, to the relief of all concerned.

State Senator J. E. Hunt, of Multnomah county, who is now in Pendleton, says:

"To His Excellency, George E. Chamberlain, Governor, Salem, Or.—Dear Sir: Through the courtesy of today's Oregonian I am in receipt of your communication of the 7th inst., asking Senators and Representatives to address you communications requesting that a special session of the Legislature be convened in order to cure the defect in the Phelps law, etc."

"I am in doubt as to the advisability of calling such extra session, not as yet having been informed by the authorities of either Multnomah county or the city of Portland that any serious loss or inconvenience will be sustained by them by reason of the existing conditions under said law, and such information as I have gleaned from the newspapers will not justify me in the belief that it is advisable. I had hoped that in your investigation of the matter, with your superior facilities for doing so, you would gather such information from the proper authorities throughout the state, and base your call, or refusal of it, upon the same. I am also in doubt as to the propriety of the members invading the prerogatives of the Executive by making such a request, even at his suggestion. The constitution contemplates that the Executive shall assume all the responsibility attaching to such a call, and since I have already assumed my share of the responsibility of the passage of the bill, and expect to share in the responsibility of its repeal and remedy, I do not feel that I ought to share in the responsibility for a call for an extra session for that purpose."

"In regard to the terms imposed upon the members by Your Excellency in the event of a call, I have to say that while the suggestion that we 'will oppose the enactment of any other laws whatsoever at such session' meets with my hearty approval, I do not understand that the prerogatives of my office entitle me to ignore any considerable number of my constituents in the event that they should differ with me, and demand that any of their other rights should be protected by their servants, one of whom I am. For myself I may say that I will not in any event try to have enacted any bill in which I was directly or indirectly interested which failed of becoming a law at either of the last two sessions, nor have I any new bills in contemplation."

"Inasmuch as you have satisfied yourself that the administration of the state institutions would not be seriously handicapped, even if no tax is levied this year, pardon me for the suggestion that in your message to the members you urge them to provide for the omission of any levy for the coming year for state purposes, and thus relieve our people of an apparently unnecessary burden. A little relief all along the line would not seriously handicap any of the taxpayers."

"In conclusion, I wish to say that if a majority of the members ask for the call and agree to the condition imposed, I see no reason why fourteen Senators and twenty-nine Representatives cannot remain at home if they wish, thus saving the time to their

own matters, and the expense to the state. I am sure a number of the members will be pleased to do that way, among whom is your obedient servant."

Two Days Sufficient.

Hon. S. B. Cobb, Representative from Multnomah county, in response to the Governor's letter, says: "I can assure you that I am in accord with the sentiment expressed in your letter. In my judgment the financial conditions of Multnomah county, saying nothing of other counties in the state, justify the calling of a special session of the state Legislature."

"The repeal of the Phelps law and the re-enactment of the old law is absolutely necessary."

"Should you call a special session for this purpose, I shall be in favor of making a record as the shortest state Legislative session ever held. I believe that two days will be sufficient time to transact all business for which the special session will be called."

An Appeal From Lincoln.

The Governor also received a memorial from the county court of Lincoln county, signed by County Judge C. M. Brown, and Commissioners Stanton, King and Jeres, also by State Senator W. Tyler Smith, stating that the finances of Lincoln county were such that, should they miss the tax revenue for one year, it would paralyze their business, and they respectfully request that he call a special session of the Legislature to remedy the defect in the law.

HE IS ASKED FOR PARDON

Governor Petitioned for Executive Clemency in Case of John Xavier

YOUNG MAN SERVING NINE YEAR SENTENCE IN PENITENTIARY FOR ASSAULT WITH INTENT TO COMMIT RAPE—PETITIONERS PLEAD EXCESSIVE SENTENCE

(From Wednesday's Daily.)

Governor Chamberlain yesterday received an application for the pardon of one John Xavier, who was convicted at Grant's Pass, Josephine county, of the crime of assault with intent to commit rape upon a girl under the age of sixteen years, on July 4, 1902, and sentenced to nine years' imprisonment in the State Penitentiary.

The application for pardon is accompanied by two petitions bearing the names of over 100 citizens of Grant's Pass and Josephine county, including Sheriff George W. Lewis and Constable J. C. Randle, and numerous business and professional men; a separate petition bearing the names of all of the county officers and the mayor of Grant's Pass; affidavits of the defendant showing why the case was prosecuted and that the reason he did not take an appeal was because he was not possessed of the necessary funds to pay the expenses of such, and letter from Mrs. Mary C. Cox, John R. Cox and M. J. Thompson, setting forth that they are all personally acquainted with the defendant and recommend a full and free pardon for him, as he is a young man of sterling worth and good character."

There is also a separate petition signed by all of the jurors who sat in the case, except three, one of whom is dead, another refuses to sign and the third has signed and agreed to sign, but could not be found while the petition was in circulation.

The personal letter of the defendant's counsel, W. C. Hale, and also one from Attorney Robert Glenn Smith, states that they look upon Xavier's conviction "as a rank miscarriage of justice and his sentence after conviction cruel and unusual in the extreme." They also deem the matter a cruel and unusual punishment and unwarranted by the evidence or the law.

GUARDIAN APPOINTED

FINAL ACCOUNT OF MARY E. UPDEGRAFF APPROVED BY COURT.

(From Wednesday's Daily.)

Sarah J. Jory was yesterday appointed by the Marion county probate court guardian of the persons and estates of R. S. S. R. and Grace La Fore, minors. She filed a bond in the sum of \$4000, which was approved by County Judge Scott. In the petition for letters of guardianship, the probable value of both real and personal property is given at \$2,500. The court appointed Joseph C. Thompson, E. M. La Fore and S. W. Thompson appraisers to appraise the property belonging to the minors.

The final account of Mary E. Updegraff, as guardian of the person and estate of Clarence L. Updegraff, was approved by the court, and the guardian discharged from her trust, the estate having been fully settled.

In the matter of the estate of Frank Savage, deceased, George Griswold, the administrator was directed to distribute among the heirs certain money in his hands belonging to the estate.

DIED OF APOPLEXY.

AUGUSTA, Nov. 12.—Rear Admiral Leslie Anthony Beardsley, U. S. N., retired, died suddenly tonight of apoplexy at Chateau-Levert, the country home of Colonel D. L. Dyer. The body will leave Augusta for Washington tomorrow, where it will be cremated.

PASSING OF A GOOD SOUL

The Spirit of Mrs. Frances E. Leith Has Departed This Earth

HAS BEEN A RESIDENT OF SALEM AND VICINITY FOR MANY YEARS PAST AND WAS BELOVED AND RESPECTED BY ALL—FUNERAL TODAY.

(From Wednesday's Daily.)

Tuesday morning, November 10, witnessed the passing away of the spirit of one of Oregon's grandest and noblest women, after a long life of usefulness and divine goodness made rosy and pleasant by her own faith, charity and benevolence, Mrs. Frances E. Leith, wife of the late L. L. Leith, at the ripe old age of 79 years, 2 months and 5 days, of a complication of disorders attending old age.

The deceased was of the good old English stock, having been born in Souston, Leicestershire county, England, on September 5, 1824. She came to the United States with her parents when but nine years of age, and located in Oregon county, New York, where she resided for several years and then removed to Edgar county, Illinois. Later she moved to Effingham county, in the same state, where she was united in the holy bonds of matrimony to her late husband, L. L. Leith. In the year 1888 they came to Oregon and settled in the Waldo Hills where they remained until the death of the husband, in 1897, after which she made her home with her several daughters in this city and was living with her daughter, Mrs. H. H. Ragan, when the Angel of Death came and took her spirit to her Home on High.

Her good and true life was blessed with the advent of 9 children, seven of whom survive to escort the remains to their last resting place, besides fifteen grandchildren and one great-grandchild.

The deceased was a life-long and active member of the Congregational church and has lived up honest, upright and humble Christian life since her childhood, or since she knew the meaning of the term "Christianity." She has always been prominently identified with every movement of a charitable or benevolent nature and was especially noted for her generous consideration of the welfare of others even at the sacrifice of her own bodily and mental comfort and can be referred to as a truly selfless woman, for she was never happy herself until the first was satisfied that everybody else was happy with this world's goods around her, which is the true definition of the word selfishness, and her demise, although no doubt a welcome relief to her of a long and weary life, despite the love and affection of her children and friends, will be mourned by the hundreds of true friends whom she has won in this world through her divine goodness and kindness.

The surviving children are: Mrs. Mary E. Wade (wife of Dr. W. L. Wade), Mrs. Enola Myers, of Los Angeles, and Mrs. Leslie W. Leith, of Sierra Madre, California; Mrs. D. W. Matthews, Mrs. Alice Lane (wife of Dr. D. F. Lane), Mrs. H. H. Ragan, Mrs. Amanda Leith, Mrs. Cora D. Clark, all of Salem and Ed. T. Leith, of Sublette, Illinois. The funeral services will be held from the residence of H. H. Ragan, No. 352 Summer Street, at 2:00 p. m., today, conducted by Rev. W. C. Kanner, and interment will be had in the Odd Fellows cemetery, two miles south of this city.

BOATS TO CORVALLIS

O. R. & N. COMPANY WILL NOT OPERATE STEAMERS ON UPPER WILLAMETTE.

(From Wednesday's Daily.)

The continuance of the November storm has caused the river to begin rising again, and the Steamer Pomona, which came up last night, went on through to Corvallis, the first run on the upper river this season, but it will likely be kept up from now on throughout the winter and spring, or until low water compels it being abandoned again. With higher water, and a more regular run on the river, the freight business has begun in earnest for the winter. The river steamers are loaded to the guards each way on each trip, and besides are compelled to reject considerable freight simply because they have more business than they can handle. With the resuming of the upper river run, the entire upper river will have to be cleared of the freight which has been accumulating during the entire summer, while no boats were able to go that far. So the outlook for river business is certainly very encouraging. In the meantime, the life of the deck hands will not be particularly pleasant. They will barely be able to make Corvallis by running all night and will then be compelled to discharge the freight and receive another cargo, and start upon the return trip. The local dock is one of the busiest places in Salem at present. With about fifty tons of freight arriving daily, and an equal amount being received for shipment to Portland and way points, the agent, M. P. Baldwin, and his assistant, Burton, find the times rather strenuous. The O. R. & N. company which has operated a line of steamers on the Willamette river for many years has entirely abandoned the run, so none of their steamers will be seen here this winter. The business will thus be left entirely to the Oregon City Transportation Company, with their river steamers Altona, Pomona and Leona.

The Steamer Ruth of the O. R. & N. company was the last of their boats on the river, but with low water last summer she was pulled off, and the run left entirely to the other company.

RUNS RAPIDS ON RAFTS.

STEVENSON, Wash., Nov. 12.—Two log drivers, Harry Hensberry and his partner, known as "Jack," yesterday succeeded in successfully running the rapids of the Cascades of the Columbia on a big log raft. They were followed by Captain L. Foster and Charles Rabeneau, who piloted a second raft through the seething waters. The rafts are bound for the mouth of the Willamette river, where they will be picked up by tow boat and hauled to St. Johns, to be used in the construction of the drydock basin.

The undertaking was a risky one and a job only to be attempted by men of much experience.

FORGOT TO PAY BOARD BILL.

ASHLAND, Or., Nov. 10.—R. V. Keller, a hypnotist, who gave a couple of entertainments at the opera house in this city last week, suddenly disappeared the latter part of the week, leaving his hotel bill of \$12 unpaid. He substituted a cheap grip for his own in his room, and then walked to Steinman, a station a few miles south of here, where he boarded the overland. His whereabouts were discovered at Dunsmuir, where he "d up." Keller had plenty of money.

ROAD CONTEST WAS DECIDED

Order Establishing County Road Set Aside by Judge Boise

NEW HIGHWAY WOULD HAVE INSURED ADDITIONAL RURAL FREE DELIVERY ROUTE FOR SALEM—ANOTHER EFFORT MAY BE MADE BY PETITIONERS.

(From Wednesday's Daily.)

The case of L. L. Cochran and Geo. Palmer, plaintiffs, vs. Marion County, defendant, came up for hearing in Judge Boise's court yesterday afternoon. The case, which was a contest over the location of a county road, resulted in a decree being rendered in favor of the plaintiffs, the principal point upon which the decision was based being the indefinite description of the proposed location as given in the petition. The plaintiffs were represented by Kaiser and Slater, while Deputy District Attorney J. H. McNary appeared for the county, and John Bayne looked after the interests of the petitioners.

Some months ago a special route inspector sent here by the Free Delivery Bureau of the Postoffice Department at Washington, to look over a proposed rural free delivery route to lead out from Salem, through the Sidney country. The inspector found that if the route was established the carrier would be compelled to travel over about five miles of road at the south end of the route along which there are no residences, but was willing to recommend the establishing of the new route provided a road would be opened through the Glenn place, connecting the Salem and Buena Vista and the Salem and Sidney roads, which would cut off the objectionable five miles. A petition was presented to the county court asking that the road be opened and established, but George Palmer and Mrs. L. L. Cochran, who own the Glenn place, being opposed to the opening of this road, filed a remonstrance bearing a large number of signatures, with the result that the petition was defeated.

During July, however, another petition was circulated and filed with the court and the county board of road viewers, on August 15, viewed and surveyed the proposed location, and recommended to the court that the road be opened and established. The board also assessed the damages, which would result to the property of George Palmer by the opening of the road, at \$75, and the damages to Mrs. Cochran's property at \$50. Another remonstrance was filed by the opposing parties bearing twenty-four signatures, which, however, was later withdrawn from court. There being sixty-eight signers to the petition who offered to donate \$25 toward the payment of the damages, and to open the road without expense to the county, the court ordered the road opened and established.

The new road was to be a fraction over a mile in length, and to lead from a point in the Salem and Buena Vista road, near the intersection of the Jefferson road, running in a northwesterly direction to the Salem and Sidney road, at the point of intersection of the Independence road.

In ordering the road opened and established the county court acted solely upon the report and recommendation of the county board of road viewers, as there was no contest over the matter in that court. However, Mrs. Cochran and Mr. Palmer were opposed to the proceeding, and tried the matter in the circuit court upon a writ of review, with the result stated above.

It was intimated by interested parties last evening that the petitioners would not allow the matter to rest in its present state, but would make another effort to have the road established, and it is more than likely that a new petition will be circulated in the near future.

ARRESTED FOR BREAKING LOTTERY LAW.

NEW YORK, Nov. 12.—After being sought all over the United States for more than a year, James R. McNeill, who is wanted in Alabama for alleged violation of the lottery laws, has been arrested in Brooklyn, where he has lived during the past eight months.

Legal blanks, Statesman Job Office.

THE CITY New Today

LICENSED TO WED—

Upon an affidavit furnished by Thomas W. Kianedy, County Clerk, Roland yesterday issued a marriage license to John Bierward and Theresa Buskey.

NOT A BAD INCOME—

Grove Hensley, of Liberty, this year raised \$2647 bushels of Italian prunes from three acres of orchard. The crop was sold at 35 cents per bushel, delivered at a near by dryer, giving Mr. Hensley the snug sum of over \$1000 per acre.

CASE WAS POSTPONED—

The case against G. Bert Loftiss, which was to be tried in City Recorder Judah's court yesterday morning, was postponed until 2 o'clock this afternoon, on account of the absence of one of the material witnesses in the case. Loftiss is to be tried on a charge of refusing to pay the city's annual dog license fee.

VALUABLE DOG KILLED—

T. C. Shipp, who resides at the northeast corner of Commercial and Leffelle streets, in South Salem, is mourning over the loss of his fine Llewellyn setter, which was shot and killed by an unknown party on Wednesday afternoon. The dog, which was valued at \$50, was shot near the Lapin school house, about 4 o'clock in the afternoon, but managed to crawl home, where he died within a few feet of the door.

PROBATE ORDERS—

Nancy Clark filed her final account in the Marion county probate court yesterday, as executrix of the last will and testament of James Clark, deceased. The same will be heard by the court on December 21, 1903, at 10 o'clock a. m. An order was also made by Judge Scott authorizing George M. Fry, the administrator of the estate of Young Chung, a deceased Chinaman, to pay certain claims against the estate, the administrator having filed his first report in court showing that he had sufficient funds on hand to pay the claims.

BRIDGES IN GOOD CONDITION—

Street Commissioner George Griswold has made an examination of Salem's bridges for the purpose of ascertaining if the structures sustained any damage from the recent heavy rains and the consequent rising of the different streams running through the city. He found that the high water and wind storm had caused no damage whatever and all the bridges are apparently in good condition. Mr. Griswold had all the bridges placed in first class repair during the past summer season, and the structures are in better condition than ever before to withstand the swift currents of the creeks during the winter months.

(From Thursday's Daily.)

HE HAS RESIGNED—

D. B. Zeh has resigned the position of manager of the Singer Manufacturing Company of this city. He has been with the company for several years in that capacity and is rated as a very competent man. He is considering a proposition of a similar nature for the same company in the East.

TWO WEEKS' ITINERARY—

Superintendent J. H. Ackerman will go to Dallas today, to remain the balance of this week. Next week he and Professor P. L. Campbell will visit the high schools of Eastern Oregon, and the following week they will attend State teachers' association meeting at Baker City and the county institute of Malheur county at Vale.

THREE BOYS IN JAIL—

Edgar May, Arthur Mack and Alex. Rydmond, three Woodburn boys, aged about 15 years, are confined in the Marion county jail, each under a five days' sentence for disturbing a religious meeting at Woodburn. The two first named were brought up on Tuesday night's train by Constable Amos Rydmond, and the third, Alex. Rydmond, was brought up yesterday morning. Several other boys were also convicted in Justice of the Peace Overton's court on the same charge who paid their fines and were released. The parents of the three above named, however, refused to come to the rescue of their wayward sons, believing it to be to the best interests of the boys that they should suffer for their misdeeds.

A BIG COUNTRY—

Dr. W. A. Cusick and wife, Dr. W. B. Morse and wife, and Frank K. Lovell and wife, have returned from a trip to Eastern Oregon. Dr. Cusick and the ladies visited at the Hot Lake resort in Union county part of the time of their absence, about two weeks. Dr. Morse and Mr. Lovell were besides in several parts of Harney and Malheur counties, looking after some land interests, and combining pleasure with their business. They found and experienced several varieties of climate, from freezing weather to a temperature where it was comfortable only in their shirt sleeves. They saw two inches of snow all over the Harney valley, and on Monday there was a depth of eight inches of the beautiful snow from the summit of the Blue mountains. It was also snowing in the Grande Ronde valley, where the residents were glad to welcome it, as any form of wetness is not any too common up there. Dr. Morse and Mr. Lovell saw some magnificent country, or a country that will be magnificent when it is irrigated by the Government works which are projected, and for which the surveyors are at work and have been for a long time, in one case having located the reservoir site and set the stake grade for the ditch on both main and lateral. They found the Hot Lake resort full of people, as it is all the year through, being a combination of pleasure and health resort.

(From Wednesday's Daily.)

TWO MORE PERMITS ISSUED—

Two more marriage permits were issued by the Marion county clerk yesterday, as follows: Mathias B. Kromling and Agnes Estelle Dodge; A. L. Kromling and Cecil P. Rodger; and Alice Coleman and J. R. Coleman, witness. This makes eight licenses for the month.

The Statesman Pub. Co. has on hand several hundred copies of the OREGON CONSTITUTION. The price is 10 cents each as long as they last.

FRESH JERSEY MILCH COWS wanted. State age and price. G. T. Moisan, Brooks, Oregon.

FRESH JERSEY MILCH COWS wanted. State age and price. G. T. Moisan, Brooks, Oregon.

NOTICE—ONE RED HEIFER CAME to my place about Sept. 1st, on Howell prairie. Owner call for same. A. H. Otjen.

FOR SALE—O. K. GRUBBERS, best in Oregon; three state premiums, one horse has the power of 99; can grub an acre a day. James Finney, Brooks, Oregon.

I WANT TO BUY—LIVE HOGS AND pigs, also ducks, spring chickens, and hens. I will pay the highest cash price for same. Quong Hing, 254 Liberty street, Salem, Ore.

DO YOU WISH TO KNOW YOUR proper vocation and the right person to marry? Worth dollars to any young man or woman. Address, enclosing stamp, N. J. Bowers, Turner, Oregon.

REPORT CARDS—Our school report cards are printed to fit the school register. The prices are: Twelve cards for 10 cents; twenty-five for 20 cents; one hundred for 75 cents. Statesman Publishing Co., Salem, Ore.

LEGAL NOTICES.

SUMMONS.

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

Lawrence J. Martin, Plaintiff, vs. Mary M. Gish, A. H. Gish, Ruth E. Sayre, Emma Provoklut, Martin S. Durbin, Bertha Durbin, Pauline L. Crobough, William E. Crobough, Robert Barnes and Walter Barnes, Defendants.

Summons. To Mary M. Gish, A. H. Gish, Emma Provoklut, Pauline L. Crobough, William E. Crobough, Robert Barnes, and Walter Barnes, Defendants, the above named Defendants in the above entitled cause:—

In the name of the State of Oregon, you and each of you are hereby required to appear and answer the complaint filed against you in the above entitled suit in the above entitled court, on or before the 26th day of December 1903, and within six weeks from the date of the first publication of this summons, or the date of personal service of this summons upon you, if served in lieu of this publication; and if you fail so to answer, or for want thereof, plaintiff will apply to said court for a decree quieting his title as against you and each of you to an undivided four-sevenths of the fractional part of the northeast quarter of section 7, township 7 south, range 2 west of the Willamette Meridian, in Marion county, Oregon, and more particularly described by commencing at the southeast corner of the donation land claim of Alfred Stanton and Phoebe Stanton, in said township and range, and running thence west 5.98 chains; thence north 28.66 chains; thence east to intersect the east line of said donation land claim; thence south along said east line of said donation land claim 4 degrees west 28.36 chains to the place of beginning, and containing 28 acres of land more or less, situate in Marion county, state of Oregon; and for a decree of said court that you and all have no interest in said premises, and that the said plaintiff is the owner in fee simple, and entitled to the possession of an undivided four-sevenths of said premises, as tenant in common with Tilmor Ford, who is the owner in fee simple of the remaining undivided three-sevenths of said premises; and that the plaintiff recover of and from the said defendants his costs and disbursements incurred in said suit, and that plaintiff have such other and further relief as to said court may seem meet and equitable in said premises.

This summons is published in the Weekly Oregon Statesman, published at the City of Salem, Oregon, for six consecutive and successive weeks, by virtue of an order made on the 9th day of November, 1903, by Honorable R. P. Boise, Judge of said Court. The first publication thereof will be on the 13th day of November, 1903, and the last publication on the 25th day of December, A. D., 1903.

W. M. KAISER,
W. T. SLATER,
Attorneys for Plaintiff.

CITATION.

In the County Court of the State of Oregon, for the County of Marion, In the matter of the Estate of Sarah A. Buford, Deceased.—Citation.

To Clara L. Slack, James B. Noble, Mary M. Pearson, Soparons R. Winchell, William H. Noble, Giles I. Noble and Nathaniel E. Noble, Greeting:—

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 Marion at the Court Room thereof, at Salem, Or., in the County of Marion on Saturday, the 21st day of November, 1903, at 10 o'clock in the forenoon of that day, then and there to show cause, if any exist, why the administrator of the above named estate should not sell the following described property: Lot ten (10), block sixteen (16) in Yew Park Annex to the City of Salem in Marion county, State of Oregon. Witness, the Hon. John H. Scott, Judge of the County Court of the State of Oregon for the County of Marion with the seal of said court affixed, this 21st day of October, 1903. (Attest.) JOHN W. ROLAND, Clerk.

By C. Roland, Deputy.

SHERIFF'S SALE OF REAL PROPERTY.

Notice is hereby given, that by virtue of an execution duly issued out of the Circuit Court of the State of Oregon, for the County of Marion, and to me directed, on the 14th day of October, 1903, upon a judgment and decree duly rendered, entered of record

and docketed in any by said court on the 5th day of October, 1903, in a certain suit then in said court pending, wherein R. P. Boise was plaintiff and J. M. Forsythe was defendant, said defendant, by which execution I am commanded to sell the property in said execution and hereinafter described to pay the sum due the plaintiff of (\$326.70) Five Hundred Twenty-six and 70-100 dollars, with interest thereon at the rate of eight per cent per annum from the 5th day of October, 1903, until paid, together with the costs and disbursements of said suit taxed at (\$14.00) Fourteen and 00-100 dollars, and costs and expenses of execution, I will on

SATURDAY, THE 14TH DAY OF NOVEMBER, 1903,

at the hour of 10 o'clock a. m. of said day at the west door of the County Court house in Salem, Marion county, Oregon, sell at public auction to the highest bidder for cash in hand on the day of sale, all the right, title, interest and estate which said defendant, J. M. Forsythe, and all persons claiming under him subsequent to the date of the execution of said mortgage, to-wit: the 25th day of March, 1890, in, of and to said mortgaged premises, said mortgaged premises hereinbefore mentioned are described in said execution as follows, to-wit: Lot 5 and fractional lots 7, 8, 9 and 10, in Block 4; also a small parcel of land situate directly north of said fractional lot 10 and extending to the bank of Mill Creek, being bounded on the north and west by said creek, and on the south by lot 10, and on the east by the alley between Winter and Summer streets, all in Boise's First Addition to the City of Salem, Oregon. Said sale being made subject to redemption in the manner provided by law.

Dated this 14th day of October, 1903, R. B. COLBATH, Sheriff of Marion County, Oregon.

EXECUTORS' NOTICE OF HEARING OF FINAL ACCOUNT.

Notice is hereby given that the final account of Charles T. and William Zosel as Executors of the estate of Carl Zosel, deceased, has been filed in the county court of Marion county, state of Oregon, and that the 26th day of December, 1903, at the hour of 10 o'clock a. m., has been duly appointed by said court for the hearing of objections to such final account and the settlement thereof at which time any person interested in such estate may appear and file objections thereto in writing and contest the same.

CHAS. T. AND WM. ZOSEL, Executors of the Estate.

OSTEOPATHY.

DRS. SCHOETTLE, BARK & BARR—Osteopathic physicians. Successors to Dr. Albright & Wyckoff. The only regular graduates. Graduates of the American School of Osteopathy. At Grand Opera House, corner Court and Liberty streets.

RHEUMATISM

Kidney Trouble and all ailments arising from weak and deranged nerves

Are positively cured with Kellet's Oil of Eden which relaxes and opens the pores of the skin, penetrates to the bone, dissolves and removes to the surface all impure and foreign matter, by which disease and pain are created in the system, and Sweet Spirits of Eden which strengthens the nerves that govern the whole system. Sweet Spirits of Eden positively cures Constipation, Disordered Digestion, Nervous Prostration, and restores Lost Vitality caused by the