

CIRCUIT COURT PROCEEDINGS.

Continued From First Page.

appearing to the court that plaintiff's motion is well taken, it is ordered that a portion of defendant's answer be stricken out. And it further appearing that counsel for parties herein have stipulated in open court that the sheriff of Clackamas county be appointed referee, and he be authorized to make sale of said premises in respect to which partition is asked in plaintiff's complaint herein for the benefit of the parties herein. It is ordered and decreed that the sheriff of Clackamas county be, and is hereby appointed referee herein and authorized to sell in same manner as like property is sold under execution, the premises in respect to which partition is asked in plaintiff's complaint herein described as follows: Lots 6, 7 and 8 in block four of Edgewood in Clackamas county, state of Oregon, and that out of the proceeds of such sale, after costs are paid to divide the balance between the parties hereto according to their respective rights to-wit: one-third to plaintiff and two-thirds to defendant, and of his doings hereunder, make due return to this court.

Stella M Zaroni vs George Zaroni, action for divorce. The plaintiff appeared in person by J. R. Cunningham, her attorney. The defendant making default by not appearing. Decree granted on the plea of cruel and inhuman treatment. Mrs. Zaroni asserted that she was married to the defendant at Sacramento, California, on the 31st day of August, 1888; that he deserted her some time ago in St. Louis, Missouri, and told her to send to her mother at Portland, for money to pay her expenses home. This she did and has been in Oregon for longer than the past year. She avers that she met her said husband in Portland once since her return home, and he demanded that she get him some money, at the same time calling her vile names and threatening to do her great bodily injury. Mrs. Zaroni was permitted to resume her maiden name.

Anthony Leichtwise, one of the regular panel jurymen was excused from further attendance at this term of court.

State of Oregon vs. George Dedman; indicted for opening and leaving open a gate on land not his own. When arraigned defendant pleaded guilty, and was fined \$10, which was paid. The offense was committed on the Mount Hood and Barlow toll road last fall, and the object of it was to avoid the payment of toll for traveling that road. In pronouncing judgment Judge McBride said there seemed to be abroad in the country along that road an erroneous impression that tolls could not be legally collected, because the road was not opened out and improved the full lawful width. This, the court said, was a matter between the state and corporation. It might be ground for the state to bring an action to forfeit the franchise of the company, but it would not justify the refusal of travelers to pay toll if there is a reasonably good roadway.

State of Oregon vs. Eli Deck; indicted for stabbing Lon McLane; pleaded not guilty, and trial set for May 13th.

Sarah A. Blackburn, administratrix of the estate of William Blackburn, deceased, vs. Southern Pacific Railroad Company; demurrer to complaint overruled. W. H. Dobyns and Latourettes for plaintiffs, and Bronaugh for defendants. The company demurred to the complaint because the city ordinance prescribing the speed of railroad trains through the city and naming the places and manner of giving signals was passed under a charter granted by the territorial legislature, when there were no railroads in the state to be recognized in laws; and because said ordinance was special legislation.

State of Oregon vs. W F Hubbard; an indictment having heretofore been found charging W. F. Hubbard with the crime of knowingly and wilfully breaking and destroying a boom lawfully established and being upon the Clackamas river in Clackamas county, Oregon, it was ordered that said defendant be granted until May 4th to answer.

Matthew vs. S. T. Lewelling, et al; demurrer to complaint argued and taken under advisement by the court.

State of Oregon vs. Charles Montgomery; indicted for killing Hiram Hall. This case came up for a hearing on last Monday, with W. H. Barrett, district attorney, for the state, and the defendant in person and by his attorneys, C. D. Latourette, George C. Brownell and George W. Swope. After a rigid examination of the regular panel of jurors, only four were accepted. A special venire of jurors was then ordered to consist of 20 extra talismen, and the following were secured, to-wit: S. J. Vaughn, S. A. D. Hingate, Fred Hullemeir, Charles Holstrom, Iden Bower, King Bohall, W. H. Smith, Dan Wyland, Dan Lyons, S. R. Green, Charles Babcock, Thomas Campbell, H. J. Harding, E. D. Kelly, Henry Wilehart, E. E. Williams, John Talbert, Charles Noblett, Wallace Cole, William Kleatch. The special jury for this case was then completed as follows: Robert J. Ringo, T. Hagenberger, J. C. Paddock, F. M. Samson, of the regular panel, and S. A. D. Hingate, E. D. Kelley, William Kleatch, Dan Lyon, King Bohall, S. J. Vaughn, John Talbert, special venire, and William Maple, chosen from bystanders.

The circumstances preceding the killing, which occurred last December, are still familiar to many readers of the ENTERPRISE. Montgomery had come into possession of several hundred dollars in money, and he and Hall had been together for several days, drinking considerably, and it was the general opinion that Hall was extorting money from the former. He appeared to be directly under Hall's influence, who was evidently making the best possible use of his control over the young man's actions.

In the opening statement for the defense, C. D. Latourette gave a concise, detailed account of the affair, as obtained from Hall and witnesses to the circumstances. On the day of the shooting Montgomery had \$375, that Hall had tried in various ways to obtain possession of. As Montgomery and Hall were returning from Mr. Ross' place on the afternoon of December 9th, following a trail through the woods and each carrying a gun, they raised a bird, which Hall shot at. Montgomery was sure that the bird had not been hit, but Hall insisted that he had shot the bird, and he went into the brush by the side of the path, pretending to look for it. Montgomery was looking for the bird in the tree tops. He changed to turn around and found Hall pointing the gun at him, upon which detection Hall laughed disconcertedly and dropped his gun. A little later as they were going along the path, Hall leading, and carrying his gun on his shoulder, pointing backward, the gun was discharged, the shot passing perilously near to Montgomery's head. Montgomery spoke sharply about the matter to Hall, who replied that the weapon must have been discharged by the pressure of the hammer on the cartridge. They continued on a short distance, when Hall suddenly turned and covered Montgomery with his gun from his shoulder, and appeared to cock it. There was but one thing to do under these circumstances, and Montgomery did it, resuming the walk through the woods in an agitated frame of mind. Hall got some distance ahead, when Montgomery called to him to give back his money. Hall quickly took his gun from his shoulder and appeared to cock the piece in preparation to turn and shoot, and then Montgomery shot and killed Hall. The young man recovered his money from the dead man, hid his gun and voluntarily came to the court house and gave himself up to the sheriff. As Montgomery is the only living witness, it is impossible to directly contradict his testimony.

After the witnesses were examined for the state and defense, Attorney G. W. Swope and Senator Brownell made eloquent pleas before the jury to clear young Montgomery of the crime of murder charged against him. The prosecution was ably represented by District Attorney W. N. Barrett, and an interested crowd listened to the proceedings and convincing oratory of the attorneys. After two days occupied in hearing the case, Judge McBride concluded his charge to the jury at six o'clock Tuesday afternoon. They were only out a short time when they brought in a verdict of not guilty. On the first two ballots the jury stood 11 to one for acquittal. On the last ballot they were all for acquittal.

On last Monday Judge McBride rendered an important decision on the merits in the suit of Oregon City vs. Mrs. S. E. Paquet, to eject her from property sold for the improvement of Main street, on account of delinquent assessment bid in by the city. The contention of the defense, that the whole proceeding by which the city claims to get title was invalid, was overruled. The second contention, that the chief of police's certificate of sale did not give the city the right to eject tenants, was upheld. It being decided that the city had an equitable title, which in two years after date of certificate, will ripen into a legal title, which will support a suit for ejectment. Latourettes for plaintiff, and Brownell for defendant.

Barlow-Will Mercantile Company vs. Joseph Knight; J. E. Marks, attorney for plaintiff, made a motion for dismissal of the above entitled cause, coming on to be heard, the same is allowed, and it is ordered dismissed and papers withdrawn.

C. C. Miller and Robert Miller vs. W. F. Knight, et al; the plaintiff appearing by H. E. Cross, their attorney, and the defendants, J. English, John A. English, Mrs. D. A. Jones and Mrs. Munson made default. On motion of plaintiff's attorney herein, the default of said defendants above mentioned, is hereby duly entered according to law.

Clara Fields, trustee, vs. J. W. Draper, et al; the plaintiffs appeared by Latourettes, and defendants, S. S. Train and J. R. Whitney partners, and T. J. Stites and F. P. Nutting, appearing by H. E. Cross and L. L. Porter. Judgment was granted for \$484, costs, attorney fees, etc., and a decree of foreclosure ordered on lots 6 and 7 of sec 24, T. 2 S., R. 3 E., containing 29.49 acres, also lots 2 and 3 of block 16, Canemah; also lots 3, 4, 5, 6, 7 and 8 of block 11 of Canemah; also lots 3 and 4 of block 12 of Canemah.

All jurors not on the regular panel were ordered discharged for the term.

L. A. Jackson vs. Laura M. Jackson; decree for divorce granted on the ground of cruel and inhuman treatment on the part of the defendant toward the plaintiff. According to the complaint of the plaintiff the parties were married on the

2nd day of August, 1885 at Grand Rapids, Ohio, and that defendant has been guilty of inhuman treatment toward the plaintiff, and that such cruel and inhuman treatment rendered the life of the plaintiff burdensome and troublesome. The defendant at present resides at Grand Rapids, Ohio, and defaulted in appearance. G. E. Hayes was attorney for plaintiff.

Edna S. Griggs vs. Joseph Griggs; decree of divorce on account of cruel and inhuman treatment on the part of the defendant. The plaintiff and defendant were married in Oregon City on the 6th day of June, 1890, and soon thereafter defendant began a course of abusive treatment against the plaintiff. The defendant made default. Mrs. Griggs was given the custody of the minor child, Laura May, and permitted to resume her maiden name, Edna S. Boylan. H. E. Cross was attorney for the plaintiff.

Otilia Troge vs. Henry Troge; decree for divorce. Brownell & Campbell for plaintiff. Plaintiff and defendant were married in Clackamas county on the 8th day of May, 1887. She alleged inhuman and cruel treatment, and was awarded the custody of the minor child, Theodore, aged two years. The defendant defaulted in appearance.

Wednesday afternoon, the grand jury presented the following report:

GRAND JURY REPORT.

In the circuit of the State of Oregon for Clackamas county.

To the Hon. Thomas A. McBride, Judge of the above-named court:

We, your undersigned grand jury for the April, 1896 term of said court make this as their final report, and respectfully represent to the court:

That we have carefully investigated all charges of crime that have been presented to us and have returned into court 11 true bills. We also have investigated a number of criminal cases in which we did not consider the evidence presented to be sufficient to sustain an indictment, and upon which we have made no report. As the books and accounts of the various county offices were experted by an expert employed by the last grand jury, and hearing no complaint against either of the officers, we did not deem it necessary to the expense of employing an expert and having the books and accounts experted at this time.

We visited the offices of the county clerk, sheriff, recorder, assessor, treasurer and county school superintendent, and found all of these offices filled with with competent and efficient officers, and the books and accounts of each of said offices kept in a neat and business-like manner, and so far as we could see each of said officers was properly accounting for all public money received by them.

In the recorder's office there are a number of books and records for which there is no shelf room in the county vault, which could be utilized for the purpose, we recommend that the county court place the proper appliances with a vault so that these records can be preserved and conveniently handled. We visited the city jail and found it neat and well kept.

We visited the county jail and found it neat and clean and as well kept as can be with the present appliances. We recommend the following improvements and repairs on the jail to-wit: That a steel door be placed at the entrance of the jail; that a new hinge be placed on the door of the jail as the present one is in bad condition, and that a box stove be procured for the jail. We also recommend that screens of suitable strength and material be placed on windows of the county jail, four on the south side and two on the north side of jail.

And now having completed our labors, we ask to be discharged.

JACOB MILEY, Foreman,
C. C. HOOVES,
JOHN REIF,
J. HUMPHREY,
A. MATZ,
F. HAMPTON,
W. S. B. CORNETT.

He's brothers, who were indicted by the grand jury for assaulting young Vaughn with a dangerous weapon at a ball held at Molalla Corners on the night of March 23rd, will have their trial on April 11th. Young Vaughn has so far recovered from his injuries as to be able to be about. District Attorney Barrett has a motion filed with the court in Magoon's injunction suit to restrain County Treasurer Moore from cashing county warrants, requiring the plaintiff to make his complaint more explicit. The judge has not yet passed upon the motion.

A court room was pretty well filled on Wednesday to hear the trial of J. C. Bell, charged with rape, alleged to have been committed near his home at Eagle creek. At least 11 bald-headed men occupied seats on the two first rows. But they were disappointed in hearing any racy details. Brownell & Campbell appeared for the defendant, and the jury brought in a verdict of acquittal.

Our Standing at Home.

"Four out of every five bottles of medicine sold in the last five years are S. B. goods. The S. B. Headache and Liver Cure I use myself as a general physic. If you are sick and want to get well, the quickest, cheapest and safest method is to buy the S. B. remedies and use as directed. C. P. Balch, druggist, Dufur, Or." For sale by C. G. Huntley.

Oregon City vs Portland.

Line by line Oregon City is coming to successfully compete with Portland. Now it is harness and shoes that have met with a reduction. I am selling a complete set of single harness, my own make, hand-sewed for \$8. A heavy breaking team harness, hand-made, \$20. Fine silver plated harness at proportionately low prices. All kinds of horse goods, saddles, whips and robes.

In shoes I have the best goods in Oregon City at the lowest prices. A good men's every day shoe for \$1.65 that is a bargain. Ladies' fine pebble, \$1.50. Genuine mens' kangaroo, \$3, glove calf, \$2.50. Repairing a specialty in harness, shoes, etc.

C. A. WILLEY, Seventh Street, near the depot.

Fire.

Policy holders of the defunct State Insurance Company will find it to their interest to see me before placing their business elsewhere. Special inducement offered for the re-writing of such risks in old and reliable companies.

A return premium allowed on unexpired term of State policy to apply on premium of new policy.

Save money by calling upon me before placing your insurance elsewhere.

ANDREW G. MALSTEN,
Office in Jaggard Bldg. opposite court house, Oregon City.

Up to Date—1896

The most complete Tariff Text Book ever published in the new edition of "Tariff Facts for Speakers and Students," Defender Document No. 9—260 pages, just out. Publishers, The American Protective Tariff League. Campaign text books issued just before the election are of little value. The Tariff League is to be congratulated on its foresight in getting out its hand book so early in the year. Order by number only. Sent to any address for 25 cents. Address W. F. Wakeman, Gen. Sec. 135 West 33d Street, New York.

Bids Wanted.

The school board of district No. 32, West Oregon City, will receive bids until noon, May 2nd, for excavating for basement of school house, for constructing foundation and placing building on same.

Plans and specifications may be seen at residence of district clerk in Sunset City. The board reserves the right to reject any or all bids.

J. MARTIN, Chairman.
I. D. TAYLOR, Clerk.

A Laboring Man's Home.

For a person, who desires to stop paying rent and to raise their own vegetables and fruit, I have a splendid piece of land, one acre on Abernathy road mostly improved, house, chicken-yard, good well and some fruit. One mile and half from Oregon City. School house and church 1/4 of a mile from place, three brick yards and saw mill near by. Price \$250, part down, balance on time. Trade or work in part pay. Inquire at place or address G. W. WALDRON, Oregon City.

New York Gallery.

R. K. Clavering, the well known artist, has moved the New York gallery to the building on the corner of Water and Fifth streets, where the reputation of this popular establishment will be sustained. Low rent enables Mr. Clavering to do the very best work at the lowest possible prices. Cabinet pictures at \$1 per dozen.

A Home-like Hotel.

Farmers and the traveling public will find a comfortable home-like place to stop at when in Oregon City at the Oriental hotel. Table supplied with an abundance of the best the market affords. Rooms and beds are clean and comfortable.

Our 25 cent meals are not excelled.

JOHN DRESCHER, Prop.

For the Kidneys.

"I am 65 years old; have had kidney disease and constipation for 25 years. Am now well—used your S. B. Headache and Liver Cure one year. Used 6 bottles at 50 cents each. J. H. Knight, Rutledge, Or." For sale by C. G. Huntley, druggist.

Indigestion Cured.

Depressing times depress the mind; the digestion is disturbed. Two or three doses of the S. B. Headache and Liver Cure will restore your health to a normal condition. 50 cents per bottle. For sale by C. G. Huntley, druggist.

Take a dose of DeWitt's Little Early Risers just for the good they will do you. These little pills are good for indigestion, good for headache, good for liver complaint, good for constipation. They are good. C. G. Huntley, Druggist.



Insurance that Insures.

For the last three years the people of Oregon have had plenty of experience with local Insurance Companies, and are heartily sick of their failures to keep their contract. At this time it is well to show the way the old line companies settle up their losses.

Most people will remember the fire that destroyed Patrick Duffy's house at Elyville. Mr. Duffy has never ceased to sing the praises of the old, reliable Hartford ever since. He was very much pleased with the adjuster, and when his draft to pay the loss in full arrived, just 10 days after the fire, his heart was full to overflowing. This is insurance that insures.

H. T. SLADEN, Agent.

Electric Bitters.

Electric Bitters is a medicine suited for any season, but perhaps more generally needed, when the languid exhausted feeling prevails, when the liver is torrid and sluggish and the need of a tonic and alterative is felt. A prompt use of this medicine has often averted long and perhaps fatal bilious fevers. No medicine will act more surely in counteracting and freeing the system from the malarial poison. Headache, Indigestion, Constipation and Dizziness yield to Electric Bitters. 50c and \$1.00 per bottle at Charman & Co's Drug Store.

Cows for Sale

Two fresh milk cows for sale at Fischer's mill, Logan Or. Also a good horse 1100 pounds weight.

Resolutions.

To the president and friends of the Springwater Lodge A. P. A.: Your committee appointed to draft resolutions on the death of John Green would submit the following:

WHEREAS, our deceased friend was a man of unquestioned loyalty, veracity and honesty, therefore be it

Resolved, That this lodge, by his untimely death loses a true and loyal member, and our country and state a useful and patriotic citizen.

Resolved, That these resolutions be spread on the records of the lodge, and that a copy be certified to the sorrowing brother and sister and to the county papers for publication.

COMMITTEE ON RESOLUTIONS.

The Portland.

Re-opened near the corner of Main and Seventh street. Clean, bright, well-furnished dining room and private rooms elegantly fitted up. Have one of the most skillful cooks on the Coast. If your meat order does not please you, just let me know. Best dinner in the city including a glass of wine for 25 cents, 11:30 to 4 p. m. Oysters served in every style. Open day and night. Give The Portland a trial.

L. RECONICH, Proprietor.

Insurance.

If you want to know anything about Fire or Life Insurance or Building and Loan Association, call on H. T. Sladen. He has it at his finger ends.

..SHIVELY'S OPERA HOUSE.

Saturday, May 2.

Epping Glee Club Concert Co.

ASSISTED BY

Miss Agnes Watt, Soprano
Miss Gladys Jones, Contralto
J. Adrian Epping, Baritone
Prof. Ray Youngman, Banjoist
Sig. Carlos Rebagliatti, Guitar
Taylor Sisters, Edna and Eva, Artistic Dancers
Herbert Brown, Bass
The Mendelssohn Male Quartette

TICKETS 25 AND 50C, RESERVED AT HUNTLEY'S BOOK STORE.

Sailors Are Going a Sailing

THIS week only at Mrs. Sladen's Millinery Parlors. 50c sailors at 25c This is below cost. Call early and get your pick.

One Door South of Methodist Church.

"NEW COON IN TOWN!"

Is the burden of an old darkey song. This advertisement announces the opening of a

NEW STORE IN TOWN.

Edwards Bros. (formerly of Ballston, Ore.) are now opening up at Wishart's old stand—opposite the City Park on the hill—with a stock of "bran new" goods, comprising of calicoes, muslins, shirtings, linings, etc; ladies' and gents underwear, hats, caps, boots, shoes, stationery, notions, nails, tinware, groceries, tobacco and cigars. And other articles too numerous to mention.

Prices at the lowest notch for Cash.

Price list will be issued about May 1st. In the meantime we shall be delighted to have you call to see our goods and learn our prices.

Yours for business.
EDWARD BROS., (Alaw Wylitt.)

The St. Louis Globe-Democrat

The Great
National and Representative
Republican Newspaper.

Reduced Subscription Rates, by Mail, Postage Prepaid.

DAILY AND SUNDAY, One Year, \$6.00; Six Months, \$3.00
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THE GLOBE-DEMOCRAT is universally conceded to be THE BEST of American newspapers, and at these REDUCED RATES it is also THE CHEAPEST. THE GLOBE-DEMOCRAT pays for and prints MORE NEWS than any other paper in the United States. It will be indispensable during the coming great National Campaign, and the LOW PRICE places it within the reach of all.

THE GLOBE-DEMOCRAT is sold by news-dealers everywhere at 2 cents for the daily and 5 cents for the Sunday issues. Delivered to regular subscribers, Daily and Sunday, 15 cents a week, 60 cents a month. If your local dealer does not handle it, insist upon his procuring it for you, or send your subscription with remittance direct to the publishers.

Particular attention is called to THE WEEKLY GLOBE-DEMOCRAT, issued in Semi-Weekly sections, eight pages every Tuesday and Friday, making it practically A LARGE SEMI-WEEKLY PAPER FOR ONLY ONE DOLLAR A YEAR. This issue just fills the bill for the busy man, who has not the time to read a daily paper, and yet desires to keep promptly and thoroughly posted. It goes to every State—almost to every postoffice—in the Union. All America is its legitimate field. No matter where you live, you will find it invaluable as a newspaper and home journal.

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