

was exactly the same. Beeves for Dawson.

bar, Snake river.

language on doors.

mittee of the common council

of soring.

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beat as one

irculati

hails from Morrow.

from the cintractors.

his opponent

county.

chosen mayor, receiving 19 votes, to 16 for

Devils, passed through that town, west-wardbound, on the 5th. They claimed that they were unable to get their pay

From the Eugene Guard of the 6th Inst .:

The January number of Mines and

it gives much news of the mining indusr-

ast page is a map of the Greenhorn

mountains district, of Grant county, in which are located the Red Boy, Bluebird,

in the Pacific Northwest, and on its

The total expenditures were \$14,565.65, of which \$4739 was paid for races and \$4739.70 for premiums. The total receipts were for premiums. The total receipts were \$13.729 66, the largest Hem being the appro-priation. \$500; gate receipts, \$3534; race entry fees, \$2597 40; general licenees, \$1329 88. The total number of exhibitors' tickets legued was \$28, of which 219 went to the press. The report is very encouraging to all who took an interest in the work of the

Early last year it was predicted that the fair would again prove a heavy failure financially, but the energetic work of the board upset the prognostications of the prophets, and landed the society with a deficit of only \$80 39 as the result of their first year's work.

depository for papers, etc., and never leaving any money in it. That the same men committed both bufglaries is proved by the fact that the mode of operation

SEATTLE, Jan. 8,-Jack Carr, the well-known Alaskan mail-carrier, shipped 37 head of beeves north on the steamer City of Scattle tonight, which he will under-take to drive over the White Pass and

matter.

Samuel Lundy died at his home in Walla Walla, Friday evening, aged 80 years. Mr. Lundy had resided in Walla Walla county for 11 years. He left a wife and several children.

Election in Medford Today.

MEDFORD, Or., Jan. 8.-The election of city officers Tuesday will be the hottest-contested election ever held in this place. chants would make the capital its business place, as the city is most advantageously located in the middle of the fruit district. A report that an endeavor would be mayor on the citizens' ticket. The anti-Mitchell men are rallying to Howser's next year was scouted, not only because Salem has always been the principal con-tributor, but also because the board of agsupport all over the county. Howser is one of the members of the legislature that held up the 1897 session, which caused John H. Mitchell defeat. Great excitement prevails.

liens. Their lien claims upon the building were, therefore, contrary to both the spirit and letter of the law; and, being on their part, and a failure of the defend-ant to return the amount received is no ex-cuse for such nonperformance, whatever so, they cannot be permitted in equity and good conscience to present such claims. However, if the owner has discharged may be the plaintiff's right in some other form of action. . . It follows that the judgment of the court below must be rethe suraties from their obligation, there can be no good reason why they should not be entitled to claim their liens. Their

ity, and there can be no violation of a stipulation which is no longer binding or Ada Bingham, respondent, vs. Lipman. Wolfe & Co. et al., appellants; ordered on stipulation that appellants' have until obligatory. . . . the transaction did not have the effect of releasing Marks February 1, 1900, to serve and file their from his obligations under the contract. Amelia Jester, respondent, vs. Lipman, The certificate was given by Marks, and Wolfe & Co. et al., appellants; game order. Cleveland Rockwell, plaintiff, vs. Port-land Savings bank et al., defendants; it is an acknowledgment that he has no claim against Brown; but, on the other hand, the transaction was not intended as a settlement or relinquishment of all Mutual Savings bank, of San Francisco, respondent; ordered on stipulation that any claims by Brown against him. such had been the case, it is reasonappellant have until January 31, 1900, to able to suppose that a certificate or recelpt would have passed the other way. Marks' Habilities under the contract were serve and file brief. C. Zimmerman, trustee, appellant, vs. William Barlow, respondent; appeal dra-missed on stipulation of parties, J. L. Lewis, respondent, vs. John Croft not taken into consideration, and hence there could be no discharge of the sure ties on that account. The decree of the court below will be affirmed."

Chehalls Salooaman Held Up.

CHEHALIS, Wash., Jan. 8 At 1 clock this morning three men entered Lon Kuchner's saloon and held up the barkeeper, taking \$20 out of the till. These was no one else in the saloon at the time and the approach of some one frightened them away before they succeeded in emptving the till, which contained about III.

Two of the men were dressed in women's clothes and the third had on a disguise made up partly of women's wear. All had rags over their faces, and revolvers, From their actions and from other cir-

The president also told of the other good work done by the chamber during the past year, mentioning particularly its efforts to dispatch an immigration agent to the East and in taking up the Falls City railway

Secretary Thielsen referred to the Hopgrowers' Association, and said Salem would be its dealing center. Within an-other year the fruitmen would organize and a second union of benefit to all mer-

undertaking is thenceforth without vital-

versed and remanded for a new trial.

Bids for Hospital Supplies.

Bids for supplying the hospital for the insane with supplies during the ensuing six months were received and opened to day by the board of asylum commission consisting of Governor Geer. Secre-RTS. tary of State Dunbar and State Treasurer Moore. The rule of the board is to accept the lowest bids. Up to this evening the principal contracts awarded were as fol-

71 00 1671 09 153 00 408 75 65 00 (Megar (Weller Bros.) Sogtar (John Hughes) Soots and shocs (Cross Bros.) Hams (John Hughes) Choese (John Hughes)).....

Stelmer's market received the contract for fish, and E. C. Cross for meat, at prices according to the kinds called for, Minton and beef were set at \$8 65 per 100 pounds, by Mc. Cross. There were four biddets for the stocery contract, prices varying according to the article wanted.

State Military Board.

The regular quarterly meeting of the state military board was held in the adjutant-general's quarters in the capitol tonight, beginning after the arrival of the train bearing the Portland members, and til nearly midnight. Brigacontinuing un dier-General Beebe, president; Adjutant-General Gantenbein and Judge-Advocate General Spancer, of Portland, and Colonel A. B. Gillis, of Salem, were present. The allowances and expenses of companies for the preceding quarter were discussed, but no action was taken, and a great deal of time was given to routine business. Adjutant-General Gantenbein will leave tomorrow for Ashland, to conduct an ection Wednesday night for the purpose of filling the vacancy caused by the ignation of Captain Heavener, of of com pany B, Third regiment, O. N. G.

DR. ROGERS' WILL,

Estate Is Valued at From \$90,000 to \$100,000.

HILLSBORD, Or., Jan. & .- The will of the late Dr. George Oscar Rogers, who died at Forest Grove last week, was admitted to probate this morning, and his widow, Adeline Rogers, was appointed ex-courrin, to serve without bonds. The attorney for the executrix, Hon, S. B. Huston, estimates that the estate will amount to from \$50,000 to \$100,000. A large per cent of this valuation is in Hong Kong and Shanghai bank stock, 146 shares, val-ued at over \$40,000, and stock in a Chinese navigation company. He also owned con-siderable realty in this state. He leaves his property as follows: Anson F. Rogson, \$3000, to be paid as soon as con venient; in sister of deceased, Caroline Larrable, a resident of the East, \$1500; the residue of the estate goes to his widow and executrix, Adeline Rogers. He also expresses, in his will, a desire that his little grandson, George Rogers, be ed-ucated from the estate left his widow, provided he be worthy and industrious.

Deputy Sheriff C. E. Delchman returned from Salem this evening with Julius Mil-ler, who broke from the Washington county juli July II, 1885. Miller had pleaded guilty to two charges of chicken thert. and was awaiting examination on an ad-ditional charge of larceny of some bacon groups of mines.

irst ati at this time of the year. made to move the state fair to Portland

Oregon Notes.

Baker City schools have 1190 enrolled puplls, and 20 teachers.

The hills in the vicinity of Arlington are

said by the Record to be green with lux-uriant grass, presenting every appearance

riculture is making preparations for the next fair here. A committee from the board is soon to meet a committee from The Long Creek postoffice issued money ders to the amount of \$15,259 79 in 1899. the chamber, consisting of Messra. Thiel-E S McComas reports satisfactory sen, Jeff Myers and Sonneman, and to arrange to have an assembly of all who, progress in saving the gold from the Midas by exhibits, etc., have made state fairs or New officers of Arlington are: Mayor, F. the past features of Oregon's exposition T. Hurlburt; recorder, O. S. Ebi; treashistory. arer, O. D. Sturgess.

STEELHEAD HATCHERY.

One May Be Located on Necanicum River.

Hoodlums in La Grande have been an-ASTORIA, Or., Jan. 8. - B. R. Greenmoying business men by splitting tobacco ples on windows and writing obscene man, superintendent of the Upper Clack-amas hatchery, came here today, and acampanied Fish Commissioner Reed to Stock Inspector R. M. Johnson, of Gil-Seaside, to find a place for a steelhead hatchery on the Necanicum. It was de-cided to put in a fishrack at Johnson's liam county, estimates the decrease of sheep in that county in the past year at 45,000, there being now about 50,000 head. place, about eight mlies up the creek from Seaside, and if it is found that fish can Pendleton contemplates extensive street be secured, a hatchery will be built, mprovements this year. The street com-

comprises City Treasurer's Report. three of the heavy taxpayers of the town. The report of City Treasurer Carney for the quarter ending December 21 was filed in the auditor's office today. It Land in Eagle valley keeps pace with the mining development of Eastern Oregon. A few days age J. A. Kerby, of shows the amount of cash on hand at the commencement of the quarter to have been \$19,360 53; receipts during the quarter, Richland, sold 50 acres near that little town at \$50 an acre. Last week, at Heppner, Editor Shutt, of the Times, was haled before a justice of the peace and fined \$10 for using lan-\$5540 50; disbursements, \$13,219 65, leaving cash on hand at the end of the quarter,

\$11,681 38. Cannery Association Meeting.

guage unbecoming an editor, to the great annoyance of a tellor, who was the com-The annual meeting of the Columbia River Canners' Association, that was to have been held today, was postponed until January 25, on account of the absence of The Brownsville Times complains about inn county's large number of marriages last year, declaring it to mean a pro-nounced reduction in population, because, President Hammond, in the East.

Bristol Bay Cannery. The first annual meeting of the Alaska Fishermen's Packing Company, which opn each case, two hearts were made to O. P. Goodall, of Union county, formerly erates a salmon cannery at Bristol bay, was held here today. Directors were elected as follows: George Moen, John member of the state board of equaliza-ion is moving to Southern California, ny may locate in Mexico. The silver Was Kopp, John Nordstrom, F. A. Fisher, W. H. Copeland, Sofus Jensen and John L. Carison. A meeting of the directors will standard prevails there, and gold is out of From the Pendleton Republican: "Many be held in the next few days to elect officers. The company has chartered the American bark Harry Morse to take its are mentioned as possible succesor to Judge Lowell, but the probability is that the plum will be captured by Mor-row county." Ex-Representative Ellis outfit north, and the start will be made from here about April 10.

Registration Delayed. Elections were held in two Clatsop The registration books will be opened county cities last week. In Warrenton, C. E. Linton received is yotes for mayor and was elected, there being no opposition. In New Astoria, Charles E. Ford was at the county clerk's office next Wednes-day. The necessity of changing the boundaries of the voting precincts and of having new maps made has delayed

The Chronicle of La Grande reports CLACKAMAS COMMISSIONERS. that 65 men, who had been working on the Weiser branch railroad to the Seven

County Board Appointed Judges and Clerks of Election.

the opening of the registration books.

OREGON CITY, Or., Jan. 8 .- The county ward of commissioners adjourned this afternoon until January 22, when the tax levy will be made. Before adjourning, the board appointed the judges and clerks of "This afternoon G. R. Christman sold his interest in the Eugene Water Company for \$11,000 to T. G. Hendricks, F. L. Chamlection, but the county judge was not invited to assist in making the selections. The board claimed to have opinions from bers and George Midgley, each taking one-third of the total amount. This is one or the most variable franchises in Lane both Attorney-General Blackburn and District Attorney Cleeton, giving them the authority to make the appointments. An order was made in the probate court Metals appears in improved form, with the name of a Second Oregon volunteer, Earl D. Stearns, as editor and proprietor. giving J. T. Woodward and wife, of Carus, authority to adopt Wanda and Daof vid Hanovan, aged respectively 9 and 7 years. The children have heretofore been in the custody of the Boys' and Girls' Ald Society, of Portland. Permission was Permission was siven to change Wanda Hanovan's name to Myrtle Woodward, and David Hano-van's to David Woodward. which are located the Red Boy, Bluebird, Van Anda, Portland and many other

Senator Brownell delivered an address | towns.

Girl Disappears.

COTTAGE GROVE, Or., Jan. 8 .- Miss Minnle Thorn, 16 years of age, mysteriously disappeared last night, and no trace of her can be found. She attended the evening services at the Methodist Episcopal church, and is reported to have been

seen at the railroad bridge, half way be-tween here and Latham. A search party has been out today, but their efforts did not lead to any conclusion as to her whereabouts.

Washington Notes.

Spokane sportsmen have organized a club for the purpose of hunting coyotes. Hounds will be imported, and the hunts will be held every week. Jonathan Jones, of Ellensburg, had his foot amputated last week. The limb was smashed by being run over by a car 25 years ago, and had never healed since. The Commercial Club, of North Yakima, is considering a cannery enterprise for that city. It can be secured for a bonus

of from \$3000 to \$5000, according to the amount of machinery put in. At a special meeting of the board of directors of the city schools of North Yakima last Monday night, one year was added to the course of study in the high school.

The Gaby farm, a few mlles southeast of Olympia, once known as the Hewitt farm, was sold Wednesday, to Mrs. Maria Wiggins, by Mr. Gaby, for \$8000. It comprises 366 acres of good land, much of it being cleared.

According to the Spokane Chronicle, that city is infested with a gang of bold rob-bers. Among the list of their latest depredations, the Chronicle complains of the burgiary of a residence, then a night burglary on horseback, next a daylight hold-up, and the latest a safe-blowing solree. The case of Lawrence vs. Fotter, which involves the ownership of 160 acres of land near Garfield, and has been in court for more than 14 years, was finally decided by the supreme court at Olympia in favor of Lawrence. Lawrence will now bring suit against Potter to recover rent for the 14 years the latter has lived on the farm. From the Milton Eagle: "Reinhold Har-ris, the Walla Walla butcher, who some-

thing over a year ago was convicted in the Washington court of stealing four head of cattle from Judge Kirkland, of this city, and who was out of jail on a \$2000 cash bond pending an appeal to the su-

preme court, is reported to have skipped the country and is now in Germany. This opinion is based on a letter which it is claimed was lately received from him, the missive bearing a German stamp."

Since it has been decided to give the name of Clarkston to the new town that has grown up in Vineland, Wash., oppo-site Lewiston, additional interest is shown in the celebration to be given in 1903, the

"Under our system, a mortgage of real in the Constraint to be given in Joss, the iobth anniversary of the visit of Lewis and Clark to the Snake river valley. Both Lewiston and Clarkston will join in the centennial demonstration. It has been sug-gested that a statue of the famous explor-ers be erected at either end of the big steel property does not operate to convey title, and hence the mere execution of the mortgage by Wesco to Kern did not operate to extinguish his right of action for sub sequently broken covenants in the deed of conveyance. There is no merit, therefore, bridge that spans the Snake river. If the idea is carried out, the statues might be in the contention that the foreclosure and sale under mortgage is a bar to plaintin's right of action to recover damages for cut from native marble and the bases of native granite, both of which are found in abundance within a few miles of the a breach occurring prior to the commence-ment of the foreclosure sult. . . . In this case the court seems to have in-

State of Oregon, respondent, vs. E. D. Horner, appellant, appeal from Lane county, Hamilton, J.; motion to dismiss ap-peal; allowed. Opinion per curiam.

The notice of appeal in this case is directed to and was served upon the dis-trict attorney, but not upon the clerk of the court where the judgment roll is filed. For this reason the attorney-gen-eral moves to dismiss the appeal and the motion must be allowed. The criminal statute provides that "an appeal must be taken by the service of notices in writing on the clerk of the court where the judgment roll is filed, stating substantiality that the appellant appeals from the judg ment." And "if the appeal be served on the district attorney for the the district attorney for the county in which the judgment roll is filed." Appeals are matters of purely statutory regulation, and there must be a substantial com-pliance with the statute in order to confer jurisdiction upon this court. For failure to serve the notice upon the ca For a

as required, the appeal must be dismissed. H. W. Wesco, respondent, vs. John W.

Kern, appellant, appeal from Multnomah county, Shattuck, J.; affirmed. Opinion by Bean, J.

This was an action to recover damages for a breach of contract of a covenant of warranty. December 28, 1887, Kern sold to John A. Wesco a half block in Kern's addition to East Portland, contracting to defend the property against any claim whatever. Wesco paid \$300 down and gave his note for the remainder. In 1890 one Sperry began an action against John A. Wesco to recover the property, and while the case was pending Wesco transferred the premises to H. W. Wesco, subject to the \$1990 mortgage. In 1895 judgment was rendered for Sperry for a portion of the property and Wesco was evicted therefrom. In the same year, suit was com menced by one Smith, to whom the pur-chase note had been assigned, and the mortgage was foreclosed. This action was then brought for damages for a breach of the covenant of warranty caused by the eviction of the plaintiff from a portion of the premises described in the deed from the defendant to plaintiff's grantor, John A. Wesco. It resulted in a judgment for \$425, and the defendant appealed. The defendant contended that the foreclosure of the \$1600 mortgage operated as a conveyance to the purchaser of all the rights Wesco had acquired; also that the lower court had erred in instructing the jury as to the amount of damages. Justice Bean held on the two contentions:

et al., appellants; argued and submitted by J. R. Wygant, for appellants, on the notion to dismiss; argued on the 2d inst. by H. C. Watson, for the motion. W. H. Nunn, appellant, vs. Mary and

W. E. Bird, respondents; argued and sub-State of Oregon, plaintiff, vs. Marion unty, defendant; argued and submitted,

the most prominent citizens, hanged her-self in her home here this evening. She Petitions for rehearing denied in the folwing cases: Mary O'Brien appellant, vs. John O'Brien, respondent; W. R. Willis, admin-istrator, appellant, vs. George A. Smith,

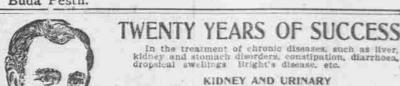
11 12

had been sick and despondent, and was preparing to take a trip with her husband to California for her health. The rash deed was done while the servant girl respondent: Andrew Allen et al., vs. City of Portland; W. H. Mall et al., appellants, vs. City of Portland et al., respondents; was absent from the house for a few minutes. Mrs. Ellert was 54 years of age, Her brother is sheriff of this county.

enthusiasm.



BOTTLED AT THE SPRINGS, BUDA PEST, HUNGARY, Under the Scientific Supervision of PROF. von FODOR. Director of the Hygienic Institute, Royal University, Buda Pesth.



Complaints, painful, difficult, too frequent, milky or bloody urine, unnatural discharges speedily cured.

DISEASES OF THE RECTUM

Such as piles, listula, listure, diceration, mucous and bloody discharges, cured without the knife, pain or confinement

DISEASES OF MEN

Blood poison, gives, stricture, unnatural losses, im-otency, incroughly cured. No fullures, Cures guar-

YOUNG MEN troubled with eight emissions, dreams, exhausting drains, bash-fulness, aversion to society, which deprive you of your manhood. UNFITS YOU FOR BUSINESS OR MARRIAGE. MIDDLE-AGED MEN who from excesses and strains have lost their MANLT

POW

POWER. BLOOD AND SKIN DISEASES. Syphilis. Gonorrhoea, painful, bloody urine, Gleet. Stricture, enlarged prostate. Sexual Debility, Varicoccie, Hydroceie, Kidney and Liver troubles, cured WITHOUT MERCURY AND OTHER POISONOUS DRUGS. Catarrh and Rheumatism CURED. Dr. Walker's methods are regular and scientific. He uses no patent nosirums or ready-made preparations, but cures the disease by thorough medical treatment. His New Pamphlet on Private Diseases sent Free to all ment who describe their trouble. PATIENTS cured at home. Terms reasonable. All letters answered in plain envelope. Consultation free and sacredly confidential. Call on or address

Doctor Walker, 132 First St., Corner Alder, Portland, Or.

"DON'T PUT OFF TILL TOMORROW THE DUTIES OF TODAY." BUY A CAKE OF SAPOLIO

cumstances, it is believed the hold-ups comprise a gang of local toughs,

Pro-Boer Meeting in Senttle. SEATTLE, Wash., Jan. 8 .- A great pro-Boer mass meeting was held in the arm-ory here tonight. Speeches were made by

ex-Congressman James Hamilton Lewis

Colonel R. H. Lindsay and others. The feature of the evening was a fiery address

made by Rev. Paul Kruger, of Hunts

ville, Wash., who claims to be a grand nephew of "Com" Paul. Resolutions bit-

terly denouncing the course of the British

Spokane Woman Hanged Herself.

SPOKANE, Jan. 8,-Mrs. Louis Ellert,

ploneer woman and the wife of one of

South Africa were passed with great