

IN THE SEVERAL COURTS

J. B. MONTGOMERY'S WILL FILED FOR PROBATE.

Estate Requested to Wife and the Children—Mingling Suit out of the Federal Court.

The will of James Boyle Montgomery, deceased, was admitted to probate in county court yesterday, and Mary Phelps Montgomery was appointed as executrix, being so named in the instrument. The value of the estate is not given in the petition filed for the probate of the will, but it is stated to consist of a large amount of real and personal property.

MUST TESTIFY AGAIN.

Caused Statute Employed in Asking for a New Trial. In the suit of Dr. M. C. Strickland, of Oregon City, against Noble Heath and wife, in which the plaintiff, several days ago, obtained a verdict against the defendants for \$10,000, the plaintiff has filed a motion for a new trial, and pending the argument of the same, caused Dr. Strickland to be summoned to appear for re-examination as a witness before C. J. Schmeckel, a notary public.

Mr. Palmer is counsel for the Heaths, and the step taken by him is a very unusual one. It is frequently resorted to before a trial, but not often afterwards. Dr. Strickland appeared first in the district court, and again testified at the trial just closed, before Judge George and a jury, and to have to respond to another process after having twice won the case is no credit more than he bargained for.

Attorney Palmer, however, seems to have concluded not to overlook any point in the game, and his move is according to law as the statute provides that the testimony of a witness once taken before any person authorized to administer an oath, when the witness is a party to the action or otherwise, and when the testimony is required upon a motion. This is the case, and the move will be submitted. The statute also provides that where the residence of the witness is distant not more than 25 miles from the place of examination, he shall be granted three days to appear before the court may prescribe a shorter time. On motion of Mr. Palmer the court shortened the time to one day.

H. M. Calkins, attorney for Strickland, argued that the statute could not be reduced, and further contended that the case having been tried and a verdict rendered, such process and proceedings were not allowable or proper, were immaterial, incompetent and irrelevant. Mr. Palmer referred to the statute, and Judge George ruled that it was within the law to require Dr. Strickland to testify, and he so ordered.

J. Arkles was appointed administrator of the estate of E. S. Arkles, deceased. The petition filed in the case states that he came to his death October 8, 1899, through the negligence of the Pacific Cable Company, that there is a claim against the company yet to be disposed of.

Lyell Baker, administrator of the estate of Charles Campbell, deceased, was authorized to distribute the estate, consisting of 50 shares of stock in a mine in Montana, and 160 acres of land, to Motion McLeod.

Eva V. Holman, guardian of Lawrence Holman, and John Raymond Holman, minor, filed a report showing the receipt of \$90, which she has deposited in a bank to draw interest on.

The final account of the partnership estate of the Ellis Printing Company was filed. All claims have been paid.

The inventory of the estate of Ellen Gately, deceased, was filed. The estate is valued at \$1200.

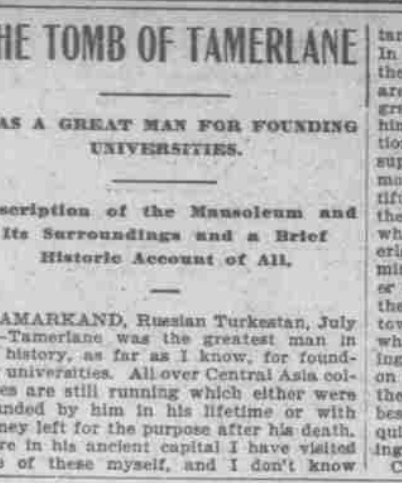
George Good, administrator of the estate of H. L. Darr, deceased, reported the sale of lot 3, block 1, Cook addition, for \$2500, less a \$1000 mortgage due on the property.

THE TOMB OF TAMERLANE

WAS A GREAT MAN FOR FOUNDING UNIVERSITIES.

Description of the Mausoleum and Its Surroundings and a Brief Historic Account of All.

SAMARKAND, Russian Turkestan, July 25.—Tamerlane was the greatest man in history, as far as I know, for founding universities. All over Central Asia colleges are still running which either were founded by him in his lifetime or with money left for the purpose after his death. Here in his ancient capital I have visited five of these myself, and I don't know



THE TOMB OF TAMERLANE.

angular space paved with polished stone. In the enclosure are the ashes which mark the place of the graves below. These slabs are coffin-shaped blocks, all of them of gray marble, except that of Tamerlane himself, which occupies the central position of all. It is a greenish-black stone, supposed to be nephrite, Jasper or jade, almost covered with cune inscriptions beautifully carved in borders around and across the upper surface of the block. The tomb which shares this shelter with that of Tamerlane are those of his grandson, his prime minister, his teacher and two or three other members of his family. In the wall at the head of the tombs, and so facing toward Mecca, is a tall, arched recess where various emblems are kept, including a cluster of lattered white standards on long bent poles. The walls and arch of the great dome are covered with arabesques and delicate ornamentation of exquisite workmanship, though age is causing much of it to fade and crumble away. Carrying lighted candles, we creep down

SOUTHEASTERN OREGON.

Grant County in on the Mining Boom—Stock Interests.

Judge M. D. Clifford, of the ninth judicial district, is at the Imperial, accompanied by his wife. Judge Clifford's district only covers a few miles of Grant County, and Malheur, and is therefore the most remote district in Oregon, no railroads yet tapping any portion of it. His circuit necessitates a good deal of stage travel, and he is in the habit of making a circuit of his home, on one side, while Yale is 60 miles distant on the other. He knows the roads well, however, as this is his third term as circuit judge, and he served as prosecuting attorney for the district before he became judge.

Grant county, he says, is profiting by the great mining rush to the Sumpter and Granite districts, the latter town being within Grant's boundaries. Mines are not as numerous as in the past, but they are not as unprosperous as they once were. The stock market is doing well, and the increase of wealth will not be so apparent on the tax-roll as it will along lines of development. The mines will be hereafter prevented from summing in the Blue mountains around Granite and Canyon City, as all energy is packed here to see the granite in fact, the more money is put into the neighborhood of Sumpter last year, where 50,000 head were fattened the summer before. The range is free to all, as the stock market belongs to the government, but the miners and prospectors have a method of bluffing the sheepmen which has proven effective in many cases, and the stockmasters of Morrow county, Western Grant is not obliged to hunt summer range somewhere else.

In Malheur county considerable litigation is in progress between the large stock companies and the settlers along the edge of Malheur lake. The French-Glen Stock Company, which owns over 100,000 acres of land already is trying to oust some settlers who had taken up claims on lands previously under water, but now are dry on account of Malheur lake breaking through into Harney lake, which is some feet lower. The livestock company held the lake, as their lands bordered on its waters, and so when the waters recede the company will claim riparian rights in the matter, and Judge Clifford says the question will have to be settled finally by the secretary of the interior in Washington, though all the evidence will be taken before the United States land office at Burns. The Glenn-French estate is now being managed in the interest of young heirs, the principals, Glenn and French, having both been fatally shot in Oregon.

These stock companies acquired their lands mostly by purchase from settlers, many of whom were in the employ of the government, and a good deal of swamp and overflow lands purchased were from the state. As they are both California companies, the large number of cattle raised in the area are from California. The supply of ranches are brought in by way of Winnemucca. A railroad, tapping Grant, Harney and Malheur counties, from the O. R. & N., is looked for some time, and the breaking of the United States large area of country but would develop a heavy volume of trade to Portland, the natural emporium for Southeastern Oregon.

DAILY CITY SPECIALS.

Real Estate Transfers.

A. F. Fiegel and wife to D. W. Wagner, lot 3, block 10, Highland, March 20, 1898, \$2500. H. E. Rodman to E. Lamson, lot 3, block 10, addition to Block 10, lot 3, block 1, Woodlawn, also lots 3, 4, 5, block 11, North Albina, also lots 1, 2, 3, block 12, also block 13, Pasadena, March 18, 1897, \$2000. Lewis Love, alteration to house on Front street, between Market and Mill, \$1000. H. Pittinger, 1 1/2-story house, corner of Gantenben avenue and Fargo street, \$1000. Births. January 7, girl to the wife of Edwin C. West, 603 East Eighteenth street. January 7, girl to the wife of Louis Crlets, 262 Third street. January 13, girl to the wife of Charles McLaughlin, 289 Corbett street. January 12, girl to the wife of Alderman R. Keaton, Thirty-third and Kern streets. January 4, girl to the wife of Peter Olsen, 67 East Seventeenth street. January 20, girl to the wife of James H. Zehner, 323 North Third street. January 20, boy to the wife of Laurence Sexton, 523 Columbia street. January 21, girl to the wife of Garrett Smith, 1023 East Third street. January 20, boy to the wife of John H. Carson, 1021 Garfield avenue.

Contagious Diseases.

Captain N. Delude, St. Vincent's hospital, typhoid fever. Henry Brown, 21 Fifteenth street, diphtheria. Russell Haines, 53 East Pine street, whooping cough. Henrietta Haines, 34 East Pine street, whooping cough.

Deaths.

January 29, Edward Falling, age 59 years, 33 West Park street, valvular disease of the heart.

Marriage Licenses.

John Cooper, aged 21, and Elizabeth L. Lester, aged 21, at 11:30 a. m., by C. S. George Chamberlain, age 22 years, Good Samaritan hospital, valvular disease of heart.

THE MAUSOLEUM OF THE SHAH-ZINDEH, OR LIVING KING, SAMARKAND

reverent in manner when displaying the points of interest, but long association with the sepulcher had made it a matter of indifference to him in spite of his pride in the fame of his royal occupant. The only light enters by three or four small windows far above the floor, and the walls of the dome are so thick that from those windows few direct rays fall to the ground. Even in the clear sunlight and heat of Samarkand it is always cool here. Description of the Tomb. In the center of the floor a balustrade of carved and fretted alabaster incloses a rec-

mosque and showed me the tomb where the dead Kazim is to be buried, seeming to see no contradiction in the stories. The place indicated as the tomb is hidden in gloom behind a grating, with prayer rugs all about it, the use of pious pilgrims. In other chambers of the same mosque I was shown a number of Moslem devotees who were vowed to silence for 40 days in contemplation of the faith and the works of the prophet. In another room a priest was reading in a monotonous undertone from an immense volume of the Koran, the open book measuring nearly six feet square. Near by was the horstall banner of Kazim-ben-Abbas, before which women come to pray to be healed of sterility.

Directly opposite the entrance arch of the Shah-Zindeh is a small park. The hill about this part of the city has been used as a cemetery for many hundreds of years, and the group of buildings which form the mausoleum is supposed to date from the beginning of the 14th century. The road thither from the center of the city is cut deeply through an ancient burying ground, where the bones of many generations are exposed in the clay on either side, rising in layers, as interments were made regularly in the same ground.

The Enemy's Country.

By George M. Gage. Old ocean laves her rocky shores; Down rugged slopes the water pours. That proud her majesty she wears. The moves that round her corners drift. Are piled 'gainst homes of honest thrift. Honored her hills.

HEAVY GUNS AND EARS.

Blackwoods Magazine. The stunning report of each gun as it is fired is something that a stranger on the deck will not remember. There is an odd saying, "deaf as a post." Now, in the royal navy, this is changed to "deaf as a post captain." No man can go through a long series of gunnery practices without having his hearing very seriously affected. Some men put cotton wool in their ears, but even this precaution does little to deaden the terrible shock. And if the feeling of the deafness were to be a blighting power, what would be the effect if the whole armament were in action together? It is almost impossible to conceive the intensity of the concussion of the gun in action. If a visitor watches the firing of one of the monster nine-inch

LECTURED ON ALASKA

CAPTAIN EDWIN P. GLENN TOLD OF EXPLORING EXPERIENCES.

Entertainment Was Under Auspices of Oregon Camera Club, at Taylor-Street Church.

Captain Edward P. Glenn, of the Twenty-fifth infantry, United States Army, was here last night under the auspices of the Oregon Camera Club, at the Taylor-street Methodist church. The lecture was entitled, "The Experiences of Military Exploring Parties in the District of Alaska."

Captain Glenn is a very entertaining and experienced explorer, having spent the greater part of the past two years with exploring parties in Alaska, lecturing last night under the auspices of the Oregon Camera Club, at the Taylor-street Methodist church. The lecture was entitled, "The Experiences of Military Exploring Parties in the District of Alaska."

The Russian's Country. By George M. Gage. Old ocean laves her rocky shores; Down rugged slopes the water pours. That proud her majesty she wears. The moves that round her corners drift. Are piled 'gainst homes of honest thrift. Honored her hills.

I venerate her noble man, Alke with piety, or sword, or pen, Peace and strength, and peace again. Invincible, majestic, grand, Behold their works in every hand Her ways alone.

I venerate the slow who plumed, And with prophetic forecast scanned, The land to be. They caught their impulse from above, Their wisdom, chastened into love, Blessed them and me.

The hardness which they endured, Freedom and wealth to us secured, And, rising now, Down the on-reaching march of time, Through every age, in every clime, Their labors flow.

And following these, a noble line, Their souls, their thoughts, the poet's rhyme, The soldier's deed, The student into sacred things, Teaching of life the hidden springs, Expounding creed.

In all the active ways of life, Freedom and wealth to us secured, And, rising now, Down the on-reaching march of time, Through every age, in every clime, Their labors flow.

I take the sandals from my feet In many a lowly, plain retreat; The sacred ground, Pages of history explore, Their page, I ween, has haster more Than any found.

And women, too, whose lives and thoughts To higher planes the calm retreat; The woman's hand, Mothers, who inspiration gave, Mothers, who speaking from the grave, To good inclined.

Each churchyard tells of sacrifice, Each tomb a record on the skies; Each honored name, Has behind it, on Western plains, Where truth, inherited, still reigns, And love has thrived.

My friend, if empty there be, The dust that in plastic ease He hath a place. Too many and too strong the ties, Too loyal and too broadly wide, That noble race.

Mother and father side by side, Lying quiet, on their side, In graveyard shade, Sisters and brothers aching fast, Fetter us to a sacred past, And friendship loved.

My friend, reflect, were brothers still, Lying quiet, on one of will, And purpose true, Though some are found on Western plains, And some in homeland still remain, Yet peace is mine.

Our motto, "Out of many one," Has nation's path but begun, Unto us stand! No North, no South, no East, no West, The best for all, for each is best, All things are one.

We will not talk of class and creed, We will not talk of race or caste, And lend a hand. Love conquers all, and it shall serve Wrong to suppress, and right preserve, With peace content.

Placed the tongue that set on fire The nation's path, and wrong defend, In this fair land, That talks of wrong but to inflame That gives in any state the name: Enemies' law.

Our nation's banner place on high, Enemies' law, No star belittled; Perish the demagogue art, Speech honor; set the statesman's part, With peace content.

Enemy's country? Out, avant! Inevitable the dream that haunts Thy fevered brain. A mother's lullaby lives there, The memory of a father's care; The nation's path, In peace content.

Pure waters! As ye parting flow, From tree-capped hills to vales below, With cleansing power, Ye have to men brought broader life, Filling them for a healthier strife, From a healthier power.

As in those valleys men have wrought, Amid mountains inspiration caught, And nobler grown, God grant that, we, example taught, May leave as lessons they have brought From deeds well won.

THAT HO-STEALING MURDER

And the Queer Verdict Which Sey Public Sentiment Approves It.

Indianapolis Sun. A complete history of the curious death in the case of Alfonso Pumpfrey, who while ho-stealing in Decatur county, had been hanged in Indianapolis. The verdict in one of the most interesting legal incidents which has occurred in Indiana since the Civil War is:

"Being summoned to bury, in Decatur county, on the morning of November 1, 1899, I proceeded to said place, where I found the body of a man found dead on the Clifty Creek, two miles, in which place I interred.

"On investigation I found the deceased to be Alfonso Pumpfrey, aged 45 years, a resident of Clifty township. On view of the body and the evidence of witnesses I obtained the following facts: That the deceased had been found lying dead, about 5 A. M., by his brother-in-law, George Botto, and his wife, and the wife of the deceased, Mrs. A. M. Pumpfrey, who lived on the farm home in Clifty township, Clifty county, that said Botto and wife and Mrs. Pumpfrey returned home at 7 A. M. Tuesday, November 1, finding Alfonso Pumpfrey absent from the house.

"A search was instituted, resulting in finding his body on the bank of Clifty Creek, about 500 yards from the house, having received several wounds previously from a gunshot wound in the right side of the neck.

"I find that said Pumpfrey was a noted thief, and a desperate man, and was a resident of Clifty township. On view of the body and the evidence of witnesses I made a fine in court for assault with a dangerous weapon, which was due Tuesday, November 14, and that he was engaged in stealing logs from parties unknown to me, and that he was a noted thief, and was a resident of Clifty township, Clifty county, that said Botto and wife and Mrs. Pumpfrey returned home at 7 A. M. Tuesday, November 1, finding Alfonso Pumpfrey absent from the house.

"Persons suffering from sick headache, dizziness, nausea, constipation, pain in the side, are asked to try one of Carter's Little Blue Pills.

DAILY METEOROLOGICAL REPORT

PORTLAND, Jan. 31.—9 P. M.—Maximum temperature, 47; minimum temperature, 31. Wind, light S. by E. breeze. Total precipitation, 0.17 in. to 8 P. M. 0.00; total precipitation from Sept. 1, 1899, 25.29 inches; normal precipitation for this date, 43.95 inches. Total snowfall, 3.11 inches; total snowfall Jan. 28, 8.54; possible maximum Jan. 30, 9.38.

WEATHER SYNOPSIS

No rain or snow has occurred west of the Rocky mountains since Saturday, Jan. 28. The temperature has remained nearly stationary over Oregon, Washington and Idaho. In East and North Dakota it has risen considerably, but the cold waves in the Chicago the temperature was 8 deg. below zero on Wednesday morning. The cold wave is in continuation today over the upper lake and the higher portions of the Rocky mountains. A cold wave over the plateau region continues to control the weather conditions over the region between the Pacific coast and the Rocky mountains. The cold wave is moving westward, and the higher portions of the Rocky mountains are being covered by snow. W. H. HALL, U. S. Weather Bureau.

WEATHER FORECAST

Forecast made at Portland for the 28 hours ending at midnight Thursday, Feb. 1: Western Oregon—Fair, except rain along the coast, and in the north-west corner of the state, Eastern Washington and Northern Idaho—Fair, eastern; southern winds. Western Washington—Fair, except rain along the coast, and in the north-west corner of the state, Eastern Washington and Northern Idaho—Fair, eastern; southern winds. Portland and vicinity—Fair, becoming cloudy and threatening rain, before midnight. G. N. SALLISBURY, Section Director.

AMUSEMENTS

MARQUAN GRAVED—CALVIN HEILLO, Manager. Tuesday, Jan. 30, THE HOPSONIANS, American minstrel show. Thursday, Jan. 31, THE HOPSONIANS, American minstrel show. Friday, Jan. 31, THE HOPSONIANS, American minstrel show. Saturday, Feb. 1, THE HOPSONIANS, American minstrel show.

CORDELL'S THEATRE

FRIDAY NIGHTS commencing Sunday, Jan. 30. The Young American Tragedienne. Miss Clara Theripp. Miss Clara Theripp. Miss Clara Theripp. Miss Clara Theripp. Miss Clara Theripp.

SPECIAL ENGAGEMENT—THREE NIGHTS

AND SATURDAY MATINEE. COMMENCING FRIDAY EVENING, FEB. 2.

THE YOUNG AMERICAN TRAGEDIENNE

NANCY O'NEIL. NANCY O'NEIL. NANCY O'NEIL. NANCY O'NEIL. NANCY O'NEIL. NANCY O'NEIL. NANCY O'NEIL. NANCY O'NEIL. NANCY O'NEIL. NANCY O'NEIL.

SUPPORTED BY CLAY CLUMBERT

AND A. H. WALKER, GENERAL MANAGERS.

Friday evening and Saturday matinee.

"The Young American Tragedienne," "The Young American Tragedienne," "The Young American Tragedienne."

MISS CLARA THERIPP.

MISS CLARA THERIPP. MISS CLARA THERIPP. MISS CLARA THERIPP. MISS CLARA THERIPP. MISS CLARA THERIPP.

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Highest market price paid for mortgage and school bonds. Lowest rate on mortgage loans. MacArthur & Burrell, 211 Woodward street.

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