## THE MORNING OREGONIAN, FRIDAY, MARCH 16, 1900.

there may be merit in some."

f our affairs."

NEW CLUB ORGANIZED.

Unite for Business.

#### IN THE SEVERAL COURTS been paid, as he understood it, he took possession of it. He was acting under GENERAL HOWARD'S PLAN what he considered proper orders. street, although some of the travel still ANOTHER TRAIN TO SALEM house, has control over the actions of Devin, the right to discharge him, and is really in the nature of a subcontractor, uses Belmont, but the activity is certainly very great, and the business men are or, properly speaking, a vice-principal. "To hold the defendant liable for the acts of Devin in seiling said butter, the correspondingly happy. When the Madi-son-Street bridge is completed and thrown open it will greatly reduce the travel that Got a Small Judgment SOUTHERN PACIFIC WILL INCREASE ORGANIZES A UNIVERSITY AT CUM-TOPICS INTERESTING TO TILLERS The jury in the suit of Charles K. Hen-HALF A DOZEN COUPLES DISJOINED state must prove that the latter acted un-der the command, order or express authorry against N. E. McLeod, Charles B. Hand et al., agreed upon a verdict yes-terday morning, after having been out all night, in favor of Henry for \$30, and as-mord all the costs assignst blue. This is BERLAND GAP. LOCAL SERVICE. IN ONE DAY. OF THE SOIL. now uses the Morrison-Street bridge. The wear on the decking of the latter bridge, and especially on the East Side approach, ity of Haggerty, and, taking all of the facts into consideration, as shown by the evidence, the court is of the opinion that Has Secured \$25,000 for Its Endow has been very great, and general repairs will soon have to be made to the entire decking. Already considerable repairs have New Train to Leave Portland About R. C. Judson Tells of Many Improve Sealed Verdict in the Case of the sessed all the costs against him. This is there is a failure of proof in this respect, Armour & Co. practically managing the ment and 500 Acres of Landments-New Creameries-Flumes 4 P. M., and Arrive About 10 an old case dating back to 1893, and con-Damage Suit Against H. H. Emcerns the construction of the building at Twenty-first and Clinton streets. A num-His Philapthropic Work. A. M .-- Railroad Notes. mons-Court Notes. -Potato Culture. been made to the approach. business from the home office, and though it does appear that Haggerty is head ber of liens were filed, and the Supreme Court decided that Henry must pay the liens, but might recover from McLeod, the Death of W. H. Hunter. salesman and has more authority than Devin, yet he, in the opinion of the court, must be regarded as a co-agent and not After a five years' absence from this city, Mrs. O. O. Howard, wife of General R. C. Judson, industrial agent of the O. R. & N. Co., who has recently returned from a trip to Eastern Oregon, gave The W. H. Hunter, an old-time hotel man, died at the Good Samaritan Hospital Wednesday, and the funeral will take It is reported on what may be consid-Judge Cleland yesterday granted six diered good authority that some very imorces, as follows: Ethna M. Guiles from D. W. Guiles, becontractor, and Hand et al., the sureties. The defendants set up extras, etc., to Howard is in Portland again for a three portant changes in time and addi vice-principal. It might be suggested that in a case of this kind the court ought not weeks' visit with her daugnter, Mrs. Gray, wife of Captain James T. Gray, at 40. Oregonian some interesting information yesterday. He said, among other things: "I noticed that the farmers between train service are soon to be made on the Southern Pacific. As at present outlined, show that the plaintiff paid no more alto place this afternoon from Dunning's uncause of desertion, alleged to have oc-curred February 5, 1898. The parties were married in Portland, July 11, 1896. The dertaking parlors. East Sixth street, at 1:30. The deceased was 65 years old, and er than he was entitled to pay. Henry to be particular as to whether defendant Jackson street. Mrs. Howard is accom the California evening express, train No. is a co-agent or vice-principal, for the reaheld back a balance due the contracto panied by her son, Harry Howard. The latter yesterday gave The Oregonian some I noticed that the tarmers between Portland and Walla Walla are busily en-gaged in planting their potatoes. The fall wheat is an unusually large crop. I ob-serve that those farmers who have been successful heretofore are harrowing their son that in either event Armour & Co. had lived in Fortland for over 30 years. 15, will leave Portland at 8:30 P. M., inplaintiff was previously divorced by Judge when the liens came to view, and he con He was a brother of the late M. M. Hun-ter, and has a sister, Mrs. Hardle, living Stearns from a former husband. In the present case Mrs. Guiles testified that one tends that, allowing for this, he paid about \$500 more than he should have paid, but would stand back of him, but such a view stead of 7, connecting with the Northern interesting data regarding his father, which Portiand people will be glad to peruse, touching an educational institution Pacific train arriving from St. Paul at 5 P. M. The northbound California express is, of course, untenable. "The court appreciates the diligence of the Food Commissioner and District At-torney in this case, and, though it well on the East Side. He has been connected the jury took a different view of it. day the defendant told her he would not with several Portland hotels, including the live with her any longer, and took his perwill arrive at Portland at 8 A. M. instead in Eastern Tennessee with which he is prominently connected, and also his work wheat to prevent the ground from baking. They assert that this causes a yield of American Exchange and the St. Charles of 9:15 A. M. as at present. Owing to the sonal effects away from her parents **Probate Matters** house, where they were residing. Her mother and sister, and also herself, vis-ited him at the box factory, where he Hotel. understands the necessity of strictly en-forcing the laws enacted to prevent adult-R. A. Leiter, administrator of the estate of J. J. Scott, decensed, filed a report showing \$435 receipts and \$61 disburged. The administrator's fees are \$57, and the attorney's fees are \$50. There is still \$352 early hour of arriving at Portland diningin the Spanish-American war. "Since my father's retirement from the service, he has been very busy lecturing," said Mr. Howard. "His field has been practically the whole country, and he se-icoted as his subjects matters growing out of the Chall Were the terms growing from five to six bushels more to the acre. car service north of Roseburg will be dis-Two Root Fires. The average cost per acre for harrowing is erated and unwholesome food being sold, ontinued. 25 cents. worked, and tried to get him to return, but he refused. According to their testi-The two-story building of R. H. Holmes, on East Ankeny street and Union avenue, caught fire yesterday afternoon from a by reason of the views just stated, it is The additional service will consist of a "Some yields of fall wheat, owing to local train between Salem and Portland. needless to determine from the conflictheavy rains, have grown weedy. These are being turned over with the plow, and mony, he had no reason to leave her. ing evidence whether or not in its opinion This train will probably leave Salem at due from the Bridal Vell Lumbering Com-Eva E. Kelley from O. H. Kelley, on the ground of cruel treatment. They were married in Iowa in 1876. Mrs. Kelley tesspark failing on the root. For a short time there was quite a blaze, but it was quickly extinguished. The damage was out of the Civil War. He is one of the the butter in question was reworked, and about 8 A. M., reaching Portland at 10:15 spring wheat is being put in. "It is a fact that more grass seed has pany. few remaining officers of high rank. He is still constantly engaged in his usual James Humphrey, executor of the will of it is likewise needless to pass on each of A. M. Returning train will leave Portthe numerous technical points raised as to the sufficiency of the complaint, though land about 4 P. M., reaching Salem at about 6:15. The change in the time of the been sown in Eastern Oregon this year

tified, among other things, that her hus-band manifested an angry, impatient disposition, and cursed her in the presence of their children, knocked her down and blacked her eyes three years ago, and slapped and kicked her. This sort of treatment, she said, was quite common, and she told of frequent instances of it. She further testified that he drank to excess and falsely accused her of infidelity. On one ocacsion she said he threatened to commit suicide, and threatened also to

take her life. The plaintiff was awarded the custody of the minor children. Edith G. Hunt from George W. Hunt, on account of cruel treatment, and the plaintiff was awarded the care and control of the minor children. Mrs. Hunt testified that she was married to the de-fendant in Des Moines. In., in the year 1889, and told how he frequently cursed, beat and abused her, and that she feared for her life. The plaintiff in this case also filed affidavits that the defendant lived off her and her mother, Martha Wallace, who worked hard at manual labor to keep the house going, and that the defendant contributed but little of his earnings, and that he had little dif. ficulty in obtaining work, if he wanted it. Hunt filed a counter-affidavit, denying this, and alleging that he contributed \$29 to \$25 per month to support his family, and asserting that he could not obtain steady employment at his trade, that of a carpenter. He also filed an answer de nying his wife's charges, but did not ap-

near in court to defend the suit. George Dammeler from Eliza Dam-meler, because of desertion, which oc-curred in February, 1891. The litigants were married in Portland, September 23,

Sarah P. Huffman from Lloyd M. Huff-

man, also on account of desertion. The plaintiff testified that her husband abandoned her in 1852, and she last heard of him at Prescott, Ariz. They were joined in the holy bonds of wedlock in Virginia in 1876. The four minor children were given to the custody of the mother.

A decree was rendered in favor of Harry Menges, dissolving the matrimonial nds existing between him and Maggle May Menges, for abandonment. The litt gants in this case lived together one brief year. They were married in Portland in November, 1897, and the desertion took place in November, 1898. Mrs. Menges went to Walla Walla, Wash., and after ward to Idaho o Idaho. The evidence of the was that he and his wife had several disagreements, and one day he told her they must come to some definite iderstanding, so as to get along togethsince remained separate and apart from

### RETURNED A SEALED VERDICT.

Jury Reports in Damage Suit Against H. H. Emmons.

In the suit of E. H. Ahlgren vs. H. H. Emmons and Deputy Sheriff Georg Mitcheli, to recover \$1300 damages on ac George

Carrie H. Roach, decensed, was author-ized to reduce a mortgage claim held by the estate from \$1200 to \$300, in consideration of the payment of \$300. This will leave a balance of \$600 due. The security is said to be worth not over \$000. Edward T. Taggari, administrator of the estate of C. F. Collins, deceased, was authorized to borrow \$150 to pay off a llen on the personal property, so that the same may be sold.

#### Petition in Bankruptey.

Frank T. Miller, of Klamath Falls, merchant, yesterday filed a petition in bank-ruptcy in the United States Court. His liabilities amount to \$271 48. His assets consist principally of a long list of open accounts, amounting to several hundred dollars.

## Court Notes.

John Orton, a subject of Queen Victoria, Herbert Neycker, a subject of the Em-peror of Germany, and Julius Hansen, a subject of the King of Norway and Sweden, were admitted to citizenship by Judge George vesterday.

Counsel for Frank E. McDaniel was allowed by Judge George yesterday until Monday to file additional affidavits, and for a new trial was set for hearing Monday.

# BESMEARED WITH TAR.

#### East Side Woman Sues a Roofer for \$250 Damages.

Hot tar being accidentally spilled on Mrs. M. J. Watts, as she was passing in front of the St. Charles Hotel, a few weeks ago, was the cause of a suit for \$250 damages in Justice Kraemer's Court yesterday afternoon, Daniel Wilkie being defendant. The evidence went to show that a bucket of tar was being raised to the hotel roof, in progress of repairs, and that Mrs. Watts, who resides on the East Side, was passing along. She said no rope had been stretched across the side-An organization was effected, and in 1898 walk, and that no warning was given, The first she knew, she was spattered with tar; her hat, clothing and umbrella coming in for a large share.

Wilkle, who was repairing the roof, did not deny any of Mrs. Watts' allegations, but introduced evidence to show that she had offered to accept \$25 if he would settle that way, but that he was simply willing to pay the actual damage done to Mrs. Waits' apparel. Mrs. Watts, however, cr more peaceably. She took a week's testfiled that she had suffered humiliation time to give her answer, and on the atternoon of the last day left the cliy, and has grown daughter was put on the stand to disprove defendant's statement in regard to the alleged \$25 compromise. Justice Kraemer has the case under advisement.

> CONCERT EVERY NIGHT. Manager Cordray to Introduce a Mu-

## sical Innovation.

COMING ATTRACTIONS.

"Darkest Russia."

terest from the moment in the first act

to play "God Save the Czar," defies the

Russian Governor and dashes her beloved

violin into atoms rather than have it sul-

lied by the air so hated by her race, up

to the final denouement, when all is righted, after the manner of plays, and

the popularity of this play is attributed to its comedy, and it is comedy, and not

of that manner of grotesquerie depending

on the agility of the actor to incite a laugh-all of the merriment of "Darkes

Russia" flows from its wit of line and

amusing complication, and is not engen-dered by the nimble heel of the player, for

"Toll Gate Inn," a Beautiful Play,

"Toll Gate Inn," the Colonial love ro-

mance, which is to be at the Marquam

Grand next Tuesday and Wednesday, is

said to have been meeting with big suc-cess in the East, and its first presenta-

tion in this city will no doubt be greeted

by a crowded house, as it is this style of play that seems to have the strongest hold on the people. It is said to possess

a very strong story, which is enlivened with good, wholesome comedy, and as a scenic production it is one of the finest

that we will get this season. The sale of

"Caste" at the Metropolitan.

Commencing next Sunday night, the

Metropolitan Stock Company will produce

stage literature. Charles W. Ring will play Old Man Éccies, and Georgie Cooper

Try Allen's Foot-Ease,

Robertson's famous English comedy, "Caste," one of the most delightful pro-

ductions of a man who enriched mod

is cast for Polly Eccles.

seats will begin tomorrow morning.

Much of

when the daring Polish girl, con

"they live happily ever after."

It is comedy of the better kind.

dally.

the

to the

benevolent work in connection with the Y. M. C. A. and various missionary so-cieties with which he is associated. He is president of the Congregational Home Missionary Society, and also the American Tract Society. He is often called upon to address G. A. R. Posts, and always re-sponds. In spite of his being engaged, he took the stump for President Mckinley in his campaign, appearing with General Sickles and other war veterans of '61. "When the Spanish-American war broke

out, Dwight L. Moody sent his aid, Major D. W. Whittle, to my father to urge him to take the field for Christian work among the soldiers, under the direc-tion of the Y. M. C. A. He started immediately for the front, but, seeing the necessity for a separate organization for that work, suggested that the cld organizathe Christian Commission, be retion, vived. This was done, the work systema hed to tized and eminent speakers furnis soldiers in all the camps. Father re-mained out all summer, going from camp to camp-Camp Chickamauga, Camp Al-ger, Mobile; Camp Bay, Key West, and even to Santiago itself. In all these camps he earnestly spoke to the soldiers. He was enthusiastically received. Whenever my father asked the Southern regiments, 'How about the old flag?' they cheered. He afterwards, at the close of the war, embodied these experiences in his book,

'Fighting for Humanity.' " Mr. Howard said that just prior to the Spanish war, some Chicago gentlemen called General Howard's attention to a good school of many years' standing Cumberland Gap, Tenn. He was told that

there was an opportunity there to do much good for the mountains boys and girls by giving them a building formerly used as a sanitarium of the Four Seasons Hotel, since abandoned. Adjoining this were 500 acres of land. The General became in-terested, as he had always felt a tender interest for these mountaineers, who re mained loyal during the Civil War. They had even taken the shoes from their feet and given them to the soldiers of General Howard's own army corps, when he was hurrying to the relief of Burnside.

incorporated, and the institution named the Lincoln Memorial University. It was established as a memorial to the martyred President for the people of this region. The institution was called a university because it is made up of a group of schools, preparatory and industrial departments now being in operation. In 1898 General Howard was elected the managing director, and through his efforts the 500 acres mentioned were purchased. There wore 257 students has year. These boys and girls are too poor, most of them, to go even the 100 miles necessary to reach any other institution of learning. They are ambitious to learn, and many have walked a great distance to reach the

Rev. John H. Tarry, of Providence, R. I., has been placed in direct charge of the University. He is taxed to the utmost to take care of the students who come from far and sear. This University is the successor of the Harrow School, founded

than ever before. This is decidedly an encouragement to the dairying interesta "In the Walla Walla Valley and in Un-ion County the result of institute work and the individual work of the O. R. & N.

Co. is now being made manifest. New creameries are being erected at various points and skimming stations installed at Fourth Ward Registered Republicans points where there are not enough cows to warrant the establishment of cream-eries. The O. R. & N. Co., in order fur-The Fourth Ward Registered Repub lican Club was organized last night with energy that augurs well for its future ther to foster and encourage the industry, has granted a low rate on cream in cans. success. Alisky Hall, in which the meet ing was held, was crowded to overflow-ing, and enthusiasm was rampant. "It is gratifying to note that more interest is being taken in improved livestock. Several new herds have been located in The objects of the club, as laid down

by those present, are: "To advance the pirnciples of the Republican party; to Union and Umatilla Countles. "Near Umatilla the property formerly owned by the Bailey Ditch Company has secure a just, fair and honest adminis-tration of the affairs of our city, county and state; to use our best endeavors to been purchased by C. B. Wade, cashier of the First National Banx of Pendleton. He will improve the property the coming season. He already has carloads of lumprevent the diversion by our county and city officials of any of the moneys collected or realized, by taxation or other-wise, except as allowed by law; and to ber upon the ground for extension to a flume, and eight carpenters are now at promote harmony in the administration work constructing it. The original flume extended from the Umatilia River half a The club thoroughly discussed the presmile to the sand near the bluff. Owing to ent situation of politics in the ward and the unstable quicksands and yearly wash-ings-out, the flume did not serve its purin the country in general, and then elect-ed the following officers: President, N. Wade is putting on is about a mile in length. He intends to keep his ditch full H. Alexander; vice-president, E. B. Rutherford; treasurer, M. L. Bowman; secre-tary, George F. Roberts; executive comof water. This ditch extends as far as mittee, George L. Baker, Dr. D. A. Avery, Walter Reed, A. Walter Wolf. Following Stokes.

"Mr. Wade will also erect a 10-room this a special committee was appointed two-story residence on the property for the accommodation of those in charges to secure rooms to meet in, and the club will come together again next Monday. and to afford conveniences to prospectly The qualifications for membership are land-buyers visiting that section. In ad-dition to raising vegetables, Mr. Wade will that the applicant must be a Republican in principles and a registered voter. The experiment along the lines of grass cult-ure, beginning by sowing 10 acres with members so far are all young men, and they intend to use all their superfluous energy for the benefit of the club. alfalfa.

"Regarding potatoes, I have induced farmens to plant four tons of Early Rose

and Early Everetts. These will be plant-ed in lands that are to be summer-fal-lowed the coming season. This is in the tousing Rally in Gruner's Hall-Adlirect line of practical experiment. It is Under the auspices of the Roosevelt Re-ublican Club, of the Eighth Ward, a rousdesired to be seen whether a potato crop can be grown at a profit or not, on land that would otherwise be idle. The follow-ing year this same land will be sowed to ng rally was held last evening in Gruner's Hall. A large audience was present, and the best of feeling prevailed. In the rear and above the speakers' platform was a wheat. This will permit of comparisons subsequently being made with lande not thus treated, but summer-fallowed in the fine picture of President Mckinley, artisti-

for the new creamery at Rooster Rock have been laid. He says that all the pli-ing is in, the sills in place and the first

Ward a feeling of harmony prevailed, and that all the differences had been adjusted. with which to make tests regarding yield Wallace McCamant, who had accepted an invitation to address the Republicans and quality. The potatoes were grown at Moscow, Idaho, by Professor French. As the nature of the soil at Moscow is someof the Eighth Ward, was introduced, and at once began one of his vigorous and effective talks on the political issues. He what different from that at the railroad company's experimental stations, results first referred to Governor Roosevelt, after whom the club had been named, and re-marked that he had carefully followed his

about \$5, which was covered by insur-ance. A slight fire caught in the roof of the cottage in the rear of the Holman block, on East Washington street, yester-day forenoon, which was extinguished, with small loss, by the department.

#### Teachers' Institute.

nstitute held in this district was when C U. Gantenbein was Deputy County School Superintendent, about five years ago. As the West-Avenue building is central it will be reached very easily. The Mount Ta-bor people will welcome the teachers in their usual hospitable manner.

ing for the construction of a cycle along West avenue from the Base important.

Walter Jones, who has been confined to his home by the effects of a surgical op-eration for the removal of the great toe of his left foot, is able to be about to some extent. About 10 years ago the toe was injured by a heavy timber failing on it, but it seemingly recovered entirely. Re-cently it caused him great suffering, and it was found that the bone was entirely dead, and it had to be removed.

#### East Side Notes.

Mrs. Hewitt and daughter, of Sunnyside, were severely bruised in a runaway acci-dent on the West Side yesterday. They were out driving in a buggy, when the horse ran away and they were thrown ngs.

yard a week ago, is so far recovered as to be able to be about. Although quite sore from his many bruises, he hopes soon to be able to go to work.

# FORECAST OFFICIAL BEALS.

Mr. Pague's Successor Takes Charge of the Weather Bureau.

Edward A. Beals, the successor of B. S.

Pague, as forecast official of the Weather Bureau at Portland, took charge of his station yesterday. George N. Salisbury, of Seattle, who has been in charge of the are to be noted. With so many varieties. Mr. Judson thinks it will not be difficult to ascertain which varieties can be raised in Oregon soils to the greatest the raised Portland station for several months, will return to his old post April 1. A. B. Wollaber, chief clerk of the Portland station,

arrival of the California express will be avorably received by Portland business interests, as it will give them an earlier mail and ample time to attend to and answer all correspondents on date of receipt, The local service between Salem and Portland will afford special accommodations to the people of Salem, and intermediate

at a convenient hour, transacting a day's business, and returning to their homes in most important meeting the teachers of the county has held this season. The last

#### Want Cross-Road Cycle Path.

Residents of Mount Tabor have sent a etition to the County Commissioners askpath to the Section Line road. The advantages of this path are set out in the petition. West avenue is used very largely all the year round, connecting as it does the set-tied portion of Mount Tabor, and the residents regard the building of this path as

#### Great Toe Amputated.

trans-Atlantic steamship lines, may be

#### DAILY METEOROLOGICAL REPORT.

PORTLAND, March 15 .- 8 P. M .- Maximum PORTLAND, March 15.-8 P. M.-Maximum temperature, 73; minimum temperature, 54; river reading at 11 A. M., 83 feet; change in the last 24 hours, -0.2 foot; total precipitation, 8 P. M. to 8 P. M., 0.00; total precipitation from Sept. 1, 1890, 29.44 inches; normal precip-itation from Sept. 1, 1806, 35.56 inches; dei-clency, 6.12 inches; total sunshine March 14, 10:51; possible sunshine March 14, 10:51. WEATHER SYNOPSIS. Another from day, the from the mechanism

WEATHER SYNOPSIS. Another fine day, the noth in succession, has been recorded for the whole Pucific slope. But in the const states the pressure has fallen considerably, indicating the formation of a who is now in Seattle, will return here trough of low pressure. The lowest barometer readings are 29.88, at Red Bluff and Roseburg, respectively. The high pressure has moved far to the eastward, being now apparently central over North Dakota and Minnesota. It is ac companied by cold weather, a temperature of 2 deg. below zero being reported from Bis-marck, a fail of 14 deg. in 24 hours. In Oregon. Washington and Idaho it has been slightly warmer than during the preceding day, except on the conet, where there has been a fail of 10 deg. A similar fail in temperature is expected Friday over Oregon, Washington and Idaho. WEATHER FORECASTS. Forecasts made at Portland for the 28 hours ending at midnight Friday, March 16:

Preparations are making for holding a teachers' institute in the West-Avenue schoolhouse, district No. 5, Mount Tabor. Saturday, March 24. It will likely be the

cific, left Wednesday morning on an in-spection trip over the company's lines in Oregon. He went as far as Dunsmulr, and will return about Saturday, visiting all principal towns. V. S. Hardy, of Salt Lake, who was

points.

time for dinner.

formerly assistant manager in charge of construction of the Salt Lake & Los Angeles road, is in the city. He represents Eastern capitalists, and is on the lookout for investments for them.

giving business men desiring to

visit this city opportunity to leave home

Railroad Notes. Manager Koehler, of the Southern Pa-

B. Campbell, traffic manager of the O R. & N., is in Omaha. He will attend the meeting of the transcontinental lines, opening in that city today. This meeting is to be held to perfect the final details to the agreement to maintain tarial raise, and to set the seal of approval upon the

doing away with free transportation. President Mohler, of the O. R. & N. Co., who returned Wednesday night from an extended visit East, was a much-sought-after man yesterday. The antercom to his office was full all day, of visitors, and a large amount of mail, acc umulated during his absence, demanded his attention.

## GREAT PARIS EXPOSITION.

Owing to the heavy travel about to set in from America to Europe, persons who contemplate visiting the Paris exposition or any part of Europe, should make application for steamship accommodations (first or second cabin) at earliest date possible, to secure desirable berths and sail-Full information regarding cabin rates, diagrams and saling dates via all

btained at the Union Pacific ticket office Accommodations reserved promptly on application. Dbn't forget the number, 135

Third street. GEORGE LANG, City Passenger and Ticket Agent, J. H. LOTHROP, General Agent.

out. J. H. McBride, who was severely injured by failing 20 feet in the Johnston boat-

Intd.

R. & N. Co.'s experimental station, near Walla Walla, directed to Superintendent McGabey 113 dist'nct varieties of potatoes,

cally draped with two American flags, forming an attractive and appropriate usual manner." Mr. Judson states that the foundations background. T. M. Edmunds, president of the club, called the meeting to order, and the Clow family, famed for musical talent gave several selections, which were appre-ciated. Before introducing the speaker of the evening, Mr. Edmunds welcomed the audience and said that in the Eighth Ward colling of harmony prevailed and Yesterday Mr. Judson shipped to the O.

count of the taking of two cows from the plaintiff, the jury agreed upon a verdict at 5:45 o'clock yesterday afternoon, which was sealed and will be reported in court this morning. When court convened yesterday, Judge

Sears denied a motion for a nonsuit, holding that the question of whether or there was a legal sale of the cows was for the jury to decide as a question of fact. The court said the money must be paid to the seller of the property by the buyer, contemporaneously with the delivery of the property. If the buyer of the cows, Emmons, or his agent Caswell did not intend that the \$29 paid for the should actually reach the possession of Ahlgren, and if he did not actually have unrestrained possession of it, in consequence of an agreement between the defendants and Caswell, then there was no sale, and the defendants were guilty of conversion of the cows. As to whether there was or was not a complete sale and payment of the money to Ahigren, the jury should decide.

According to the evidence, when Cas well laid the money on the counter in the feed store, where the bill of sale was signed, Deputy Sheriff Mitchell was standing close by, and said

"I guess I will take that." and did so showing Ahlgren his execution paper from the Justice Court.

G. C. Moser, attorney for the detend ants, then moved for a nonsult as to the Sheriff, stating that the evidence showed that he personally had no knowledge of the transaction, and no mailce could be imputed to him, even if his deputy acted wrongfully. In order to justify tive damages, malice must be express and not implied: With this view the court agreed.

The next point argued was as to actual damages. Mr. Moser urged that the writ was executed only as to the money, after payment, not the cows, which would have een exempt, and this being an action for damages for wrongful conversion of the cows, and having no reference to the money, the Sheriff, even if the deputy was acting under color of office, was in no sense liable

Claude Strahan, one of counsel for plaintiff, resisted the motion, arguing that as long as the deputy was acting officially his principal was responsible for his acts it was the same as if the Sheriff were personally present. "If a Deputy Sheriff coes out to levy an attachment." said Mr. Strahan, "and gets into an alterca-tion with the debtor and commits a tort by assaulting him, the Sheriff is liable for damages that may be proven.' If was a conspiracy on the part of the defendants, it was argued, the offi-cer was one of the partles to II, and he was so because of his writ of execution; that was what made him an effective party, and he was therefore acting officially. The motion was denied.

Later the same question came up in an other form, when Mr. Strahan requested the court to instruct the jury that there was unlawful conversion because he said Ahlgren had been made to part with property which was exempt under the law a trick, and a conspiracy, so that money, which was not exempt, might be attached.

Judge Sears said if a man allowed him influenced to part with property which was exempt for that which is ot exempt, that was his own looko There were plenty of authorities on tha point. The only question in the case emed to be, if there had been a legal case and payment to Ahlgren,

Deputy Sheriff George Mitchell, who, under his commission, performs the serv-ices of Constable at Justice Kraemers Don't wait until you are sick before try-ing Carter's Little Liver Pills, but get a vial at once. You can't take them with-out benefit. court, testified that he received the wri of execution, with instructions when and how to make the levy. The money having

A musical innovation is to be introduced by Rev. E. A. Myers and wife, formerly as a regular feature at Cordray's The-ater, commencing Sunday evening. This theater now has one of the completest add other departments in the future.

and best orchestras of any house in the For the support of the school, consider-Northwest circuit, and Manager Cordray able money has been subscribed, has determined to give a musical concert [General Howard is at present engaged in each evening before the curtain goes up. Immediately after the doors open at 7:30 the augmented orchestra will render a there are many prominent New York and specially selected programme of choice numbers. The music at this house is of Boston men, among them ex-Mayor Strong, of New York; Darwin R. James, such an improved quality, and the orig- President Gallatin, of the Gallatin Nation al Bank; Hon. Levi P. Morton, Samuel B. inal idea of having nearly three-quarters of an hour's music programme will no Capron, of Boston; S. S. Blanchard and many others, Colonel H. H. Adams, of doubt prove popular and enjoyable to early comers, and will encourage early New York, is the treasurer, and has done seating. The programme will be publish d much to further the interests of the

school. In May they will close the second and most successful year of the school General Howard hopes a liberal response will come in from subscribers. This dis-trict has been so long neglected and the youth are so desirous of acquiring an eduation that the generous giver may well

The attraction at Cordray's the coming week will be Edwin C. Jepson's produc-tion of "Darkest Russia." This is not a apply his donations here. Mrs. Howard and her son will remain here for three weeks, and then return to New York. Mr. Howard recently gradunew or untried quantity, for it has fully demonstrated its inherent worth during the past half dozen years it has toured all over the land. It is a play of Russian ated from the law department of New York University, and will be admitted to the bar in Vermont. story and plot, all of its characters, with General Howard retired from the service

single exception of the effervescent in November, 1894, making his home at American, being drawn from the subjects Burlington, Vt. of the Czar of all the Russias. The story of this play is one that never flags in in-

# AGENT NOT RESPONSIBLE.

Case Against Armour & Co. for Sell ing Process Butter Fails.

The state prosecuted the wrong man in the "process butter" case, according to Justice Kraemer's decision yesterday morning. Frank J. Haggerty, who was named as defendant in the complaint, was therefore discharged. Justice Kraemer, in endering the decision, said:

"The defendant, Frank J. Haggerty, is accused by the State of Oregon of selling adulterated food in words as follows: "The said F. J. Haggerty, on the 2d day

of January, 1900, in the County of Mult-nomah and State of Oregon, did willfully and unlawfully sell and expose for sale and exchange and have in his pos for sale and exchange adulterated food, to-wit: butter. Said butter being pro cessed, reworked and mixed butter, and said butter not being marked "process butter" and not being marked in any manner so as to establish Its true character and to distinguish it from pure article of

"A plea of not guilty having been en each and every material allegation of the complaint is put in issue, and in addition thereto, it is claimed, that, for numerous reasons, based on technicalities, the complaint is entirely insufficient to support a conviction, no matter what the views of the court may be as to the facts. "Laying aside for the time being all echnicalities, we find from the evidence of the state, as well as of the defens that the butter in question was in the Portland store of Armour & Co., a partnership, and their property. That it was sold to Mr. Kauplsch by them, acting through one of their salesmen, not the defendant, F. J. Haggerty, but a certain

Mr. Devin. Try Alicen's Pool-time, A powder to be shaken into the shose. Your fast fast swollen, nervous and hot and get tired easily. If you have smarting fast or tight shose, try Alien's Pool-Ease. It cools the feet and makes waiting easy. Curve swollen, sweating fast, ingrowing naits, bilaters and callout spots. Realiers corns and buildings of all pain, and gives rest and comfort. Try it robar, Sold by all drugsists and shos stores for 15. Trial puck-age FREE. Address, Alien S. Cimsted, Le Roy, N.Y. "Assuming, without deciding, that as a uestion of fact the court finds the said outter to have been reworked, there is no loubt but that every member of the firm of Armour & Co. would be guilty; also Mr. Devin, the clerk, who sold the same. From the evidence, it appears as if all the principals are nonresidents, and the state has accused Mr. Haggerty of the

offense, and endeavored to prove that he is the head man of the Portland branch

career, and was looking forward to the time when he should have the opportunity of casting a vote for him for President of the United States, a sentiment that was heartily applauded by the audience. Then the speaker rapidly traced the history of the Populist party and its effects on the national issues. The Democratic party, he said, today was entering on a campaign in which it was already defeated. It had no popular issues on which to stand. The 6-to-1 claotrap would not win and is a bygone issue, and the party had seized or he question of trusts and anti-expansion, on the question of trusts, the speaker declared that all good citizens were united in rearding it as an evil that should be regulated by judicious legislation, but not hasty and ill-advised legislation that

EIGHTH WARD REPUBLICANS.

Gress by Wallace McCamant.

would be more harmful than effective. On the subject of expansion, Mr. McCamant massed an array of unascallable arguments and facts showing that expansion always been and always will be the manifest destiny of this country. Along these lines the speaker spoke with great force and true eloquence, pointing to the great com-mercial importance of the Northwest ter-

ritory which had been acquired by pur-chase and conquest. Along these and other lines Mr. McCamant held the attention of the audience closely, and he con-cluded his fine address by congratulating the Republicans of the Eighth Ward for their never-ending enthusiasm and patri-otism. The speaker was heartly apbabusic

After music by the band, Mayor Storey was introduced, and talked briefly and mainly concerning registration. District Attorney Sewall gave a short talk. Coun climan Cameron was introduced, who spoke on current topics. Then, after music, President Edmunds announced that

two weeks hence. Thursday, March 29, a registration meeting would be held at the hall, and that an effort would be made to get a large delegation on that occasion to courthouse and register meeting then adjourned with music by the band.

BOARD OF PUBLIC WORKS.

Contracts for Street Work Let-Tenth-Street Bridge in Abeyance.

At the meeting of the Board of Publi Works yesterday, bids were opened and contracts awarded for the improvement of Front street for a little over two blocks north from Quimby street. Two proposals for this work were received, as follows: Smyth & Howard, \$2757 37; Portland Sand & Contract Company, \$2652 70. The con-tract was awarded to the lower bidder.

The completion of this contract will make the stone block pavement on North Front street continuous to the planked roadway north of Quimby street.

For the improvement of one block or Taggart street, the only bid received was that of G. O. Pershin, \$113.06, and the contract was awarded to him.

For the third time proposals had been dvertised for the building of a bridge on Tenth street, from Marshal to Northrup. and J. B. Slemmens was a second time the only bidder. His bid was the same as before, \$2417, which is some \$900 more than the bid of Contractor Bauer, to whom the contract was awarded some but who abandoned the job. Slemmons first bid having been rejected as unreason-able, the Board did not like to accept his second one, and the matter was laid over

for further consideration A petition asking for the removal of an are light from the premises of the Seilwood Lumber Company to Sixth street and Spokane avenue was referred to the City Engineer and a petition for an arc light at First and Yamhill streets, was laid over till next meeting.

Planos-Organs. Wiley B. Allen Co.

of the farmer. CLEVER SWINDLER.

# Pathetle Story.

places she went is not known, but worked her scheme successfully at the home of Dr. Miller yesterday, corner of Grand avenue and East Ankeny street. Mrs. Miller was surprised to admit to her houses woman carrying an infant, who had scarcely been seated when she began to inwind a long tale of woe. She said that she was the mother of 11 children, and that she and her husband had just arrived in the city without a cent of money. They were unable to get shelter for their dren until they could pay the rent in advance. Her story was rendered the more effective by a copious flow of tears. Then came the business part of her visit. With great reluctance and hesitation she drew forth a set of knives and spoons, which she said were of great value, as they were steriling silver and belonged to her. It was a fearful thing to have to part with them, but there was no other alternative to get shelter and food for her children which were at that moment in the street and crying for bread. She would be willing to let Mrs. Miller have the two sets for \$5, but hoped soon to be able to raise the money, and might redeem them. Her appeals were too pathetic for woman to resist, and Mrs. Miller called Dr. Miller into the room. He was too busy to examine the articles, but said they would take the sets to help the unrtunate woman out, and he paid her the Shortly afterwards it occurred to him have the sets tested. The two sets, if they were pure silver, would be worth about \$20. E. C. Brigham made the test tion at the East and instantly ascertained the spoons and knives are brass, with a thin coating In making the test Mr. Brigham silver.

accidentally got too much acid on the spoon and it ate a streak along one side. showing the brass interior. The value of the sets was about 75 cents.

## St. Patrick's Celebration

An excellent programme has been pre-pared under the direction of Miss Elizabeth Hoben, of the Church of the Immacu late Heart, for this evening, to be given Gomez Hall, on Russell street, Albina All the numbers are first class. Rev Father Casey will deliver the address of the evening, on the subject, "The Mission of St. Patrick." The other numbers are: Selection, bagpipes, Professor Moon; reci-tation, "The Legend of the Organ Build-er," Miss Susan May Richards; tenor solo, prize song from "The Master Singers of Nuremberg" (R. Wagner), Albert Reiplinger; sailors' hornpipe, Professor Robertson; recitation, Joe Hayes; contraito solo, "Ashore" (Bingham), Miss Edna Habig-horst: lecture, Father Casey; "Nordica Valse" (Touper), Madam Boucher's man-dolin and guitar students; soprana solo, "Three Leaves of Shamrock." Miss Alice M. Thayer; recitation, "Hanna Tripe in Court," Mrs. Katie Ham; Irish reel, Misses Rosie Forbes and Black; baritone "Dreams of My Own Land" (Dougles Reed), Judge F. D. Hennessy; piccolo solo, 'Fantasia, Irish Airs," ex-Ch'ef Ruddiian; grand finale, "America."

Activity on East Morrison Street.

The intersection of East Morrison and East Water streets is being redecked withut interference with the extraordinary traffic that now uses East Morrison street. Since the roadway was completed and thrown open to the use of the public, nearall the travel passing over Morrison

Mr. Beals has been an inspector for three years, during which period he has inspected nearly every important station in the country. It would require five years to make the rounds of all the stations. Some months ago he asked to be relieved

of inspection work, and to be assigned to a station. He welcomed his transfer to Portland, as a rellef from the arduous work during the past three years. Mr. Beais' title is forecast official. Inspectors and forecast officials get the same pay, and their rank is the same The only difference between Mr. Beals and Mr.

Pague is that Mr. Beals is the older man in the service. He ranks Mr. Pague for the same reason that a Colonel who had been 19 years in the Army would rank a Colonel who had been in the service only 16 years. Mr. Beals' coming has not af-fected Portland's standing in the Weather Bureau. The city is now as it was in Mr. Pague's time, simply one of four large forecast centers. Washington is first, Chi-

cago second, San Francisco third, and Portland fourth. Portland and San Francisco are almost of equal importance. Forecast Official Beals was appointed to the weather service from Spokane, Wash, 19 years ago. He has an intimate knowledge of climatic conditions east of the Cascades, and his long service as inspec-

tor has given him excellent opportunity to come acquainted with the weather of the whole country. As he is a past-master in metcorology, it will not be long before he will have the weather west of the Cascade Mountains thoroughly in h.s. grasp.

Mr. Beals said that Mr. Pague is re garded as one of the best men in the serv-ice. He does not know how the bureau will assign Mr. Pague, but he thought it would not be to inspector service. Probably Mr. Pague will get an important sta-

ATHLETIC CARNIVAL.

Great Preparations for Hig Even

Saturday.

Great preparations are in progress at the Exposition building for the big athletic carnival Saturday evening. From 50.0 to 8000 people can be accommodated, and there will be no crowding. All the conthere will be no crowning. An are train-ing hard, and will show up in good form for their best work. The wrestling matches will be strictly for blood, while the sparring contests will be for scientific the sparring contests will be for scientific the sparring contests will be for actentic points only, yet of a lively and fast or-der. It is the purpose of the manage-ment to make the carnival one to be re-membered by every admirer of good sports. that Portland may regain its title as the home of clean, spirited contests in ath-letics. The presence of the great wrestlers.

with the fast boxers, and other features has been conceded one of the strongest attractions possible in the Northwest. Everything will be pulled off on abso-lutely schedule time. At 7:30 P. M. the doors will open. At 8 P. M. sharp the

doors will open. At s is a sharp the programme commences, without fail, and from that time until the last contest events follow fast, without waits or de-lays. Those who go early get the front seats. Events of this character in the past have not been well handled, but the present management are not only judges of athletic skill, but also thorough directors, and know from long experience what

the public wants and how its convenience is served. To demonstrate to the people that good contests can be had there, se in the best cities, nothing is being left undone. A really triple exhibition is concentrated into one, and prices cut in the middle. Gallery will be 25 cents, main building 50 cents, and there will be 100 reserved seats on the stage for \$1 each.

Western Oregon and Western Washington Fair, becoming cloudy and cooler; winds sust

Eastern Oregon and Southern Idaho-Fair, cloudy, cooler; winds northeast to east Eastern Washington and Northern Maho-Fair, cooler; winds becoming east to southeast. Fair, cooler: winds becoming cast to southeast. Portland and vicinity-Fair, becoming cloudy and cooler; winds ener to southeast.

# CLASSIFIED AD. RATES

"Rooms," "Rooms and Board," "Housekeep-ing Rooms," "Situations Wanted," 15 words or less, 15 cents, 16 to 20 words, 20 cents; 21 to 25 words, 25 cents, etc. No discount for additional

UNDER ALL OTHER HEADS except "New Today." 20 cents for 15 words or less; 16 to 20 words, 40 cents; 21 to 25 words, 50 cents, etc.-Each additional insertion, one-

first insertion. Each additional insertion, other half; no further discount under one month. "NEW TODAY" (gauge measure agate), 15 cents per line, first insertion; 10 cents per line tire agate), 15 for each additional insertion.

#### NEW TODAY.

LARGE SHIPMENT CALIFORNIA CREAM-LARGE SHIPMENT CALIFORNIA CREAM-ery butter, new grass, sweet as honey, sig and 45c; Oregon creamory, 50c and 55c; Ore-gon ranch eggs, 2 dozen, 25c; Oregon and Enstern sugar-cured hams, 123c; 5 tons Enst-ern migar-cured herakfast bason, 10c; Rock Candy Drip, I gal., 45c; 60 tea for 35c. Re-member, Saturday is chicken day. Chickens and turkoys. All goods retailed at wholesals prices. La Grande Creamery Co., 264 Yam-hill.

\$2000 TO LOAN ON WEST SIDE, 6 PER cent; no brokerage. Address Loan, P. O. box cent; no i 670, city.

MORTGAGE LOANS

Improved city and farm property. R. LIVINGSTONE, 224 Stark st.

NEWCASTLE COAL

Has been leading coal on coast for 20 years Pacific Coast Co., 249 Washington st. Tel. 229.

# Mortgage Loans

On improved city and farm property, at lowest current rates. Building loans. Installment loans. Macmaster & Birreil, 311 Worcester bik.

## A SNAP

Lot 50x100 north side Johnson et., 100 feet west of 23d. Price \$2000. Inquire of "The Red Front," 269 Morrison st.

# J. D. Wilcox & Co.

DENERAL BROKERS. HAVE REMOVED TO 2021, STARK ST. We buy and sell mines, tim-ber lands, forest reserve scrip, real estate, nocks, bonds and mortgages.



HOMES ON THE INSTALLMENT PLAN

# East Side Family Taken in By

A woman has been making the rounds on the East Side, working a plausible swindling scheme on families. How many