

IN THE SEVERAL COURTS

WHO ARE ENTITLED TO INSPECT MORTGAGES, ETC.

Judge Sears Has Under Adversement the Vexed Question of Recorder's Receiving-Book.

A demurrer to the petition of J. L. Wallin for a peremptory writ of mandamus to compel County Recorder S. C. Beach to permit him to examine mortgages and other instruments, was argued and submitted before Judge Sears yesterday.

The matter was argued in the presence of the statute relating to the office of Recorder, as follows:

"He shall keep a receiving-book, and said book shall be open to public inspection before being recorded to those whose business requires that they inspect the same."

The matter was argued at considerable length, and S. C. Spencer, attorney for the defendant, contended that a decision adverse to the position taken by the petitioner was rendered by Judge Sears in the case of J. C. Stuart, publisher of the Daily Official Abstract, vs. H. C. Allen, County Recorder.

Guastaldi, Anderson, counsel for Wallin, asserted that the Stuart-Allen case was not tried on a demurrer, but on the merits, and that Allen testified that he had not read the books, and that, according to the pleadings, Judge McGinn held that the facts were against the plaintiff's averment, and dismissed the petition.

Mr. Spencer submitted numerous authorities from courts in Wisconsin, New York, Michigan and some of the same decisions, asserting that they favored his side of the case.

The Michigan Supreme Court decided that many years ago, under a statute some private person had no right to the records. The court reversed that decision in 1880, and again in 1895 adhered to it. This illustrates the fact that the right of public inspection in Michigan as well as in other places.

If the demurrer is sustained, it will decide the case against Wallin, and he will be obliged to pay the costs of the action. Should Wallin win in the end, it would not mean that the Recorder is obliged to exhibit his records to everybody and run the risk of an instrument being lost or stolen by an irresponsible person, and Judge Sears intimated by questions which he asked the attorneys, as the argument proceeded, that he did not intend to do this.

Judge Sears also stated that he would like to have the Supreme Court pass upon this question, and that the case will be carried up by one or the other of the litigants.

Wallin is the publisher of the Daily Official Court Record and Report. This sheet about a year ago succeeded the Daily Official Abstract, published by J. C. Stuart. Recently Mr. Stuart resumed his publication, and made an arrangement with the Recorder to publish abstracts of mortgages and other instruments, to the exclusion of Wallin, and the present mandamus proceeding is the outcome.

Isabella Robbins has sued Lester S. Robbins for a divorce, on the ground of cruel treatment, and for the custody of their two children. She states that she is a widow, and that she has been married to her husband, Lester S. Robbins, for several years, and that she has always treated him with kindness and forbearance, and, on the other hand, says he is insanely jealous and has on many occasions falsely accused her of infidelity, and that she has been driven to her present position by his conduct.

Lillian May Winston has commenced suit against C. W. Winston for a dissolution of the matrimonial bonds, and she asks to be restored to her former name, Glendenn. She alleges that she was married to the defendant at Roseburg in 1890, and that he deserted her in 1892.

Charles Perrault, Jr., executor of the will of Mary Perrault, deceased, was appointed administrator of the estate of her father, August Perrault, deceased, at \$3000, of which \$1500 is cash. The heirs are eight children.

U. L. Warden has sued built against William Dryden, Jr., for an order to foreclose a mortgage for \$1200 on lots 7 and 8, block 7, McMillan's addition.

Specimens From the Petrified Forest at the Cascades. An interesting addition has been made to the museum by Colonel Hawkins. This latest specimen is a slab taken from a large petrified stump in the solid walls of the Columbia, about one mile below Bonneville. What gives the specimen great value is the fact that it is taken from the old forest level, which scientists assert was covered up by the masses of lava forming the Cascades.

Colonel Hawkins, in addition to securing the slab from the stump, has provided two immense signs with which he intends to mark out two of the most interesting petrified forests to be seen in the region of the river and the railroad. One is the identical stump from which the slab is taken. Steamboats run within 50 feet of the petrified forest, and it is in a vertical bluff one mile below Bonneville, at the water's edge, and is 15 feet high. On it will be placed a big sign 12 feet long, reading "Petrified Forest." The other sign is to be placed on a large petrified log three-quarters of a mile above the track of the O. R. & N. Co., and lies horizontally. This sign

BOARD OF PUBLIC WORKS

CHAIRMAN MILLS APPOINTS ALL THE COMMITTEES.

Permission Granted the County Commissioners to Build a Bicycle Path—Repairing Bridges.

The Board of Public Works held a meeting yesterday afternoon, all the members being present.

Permission was granted to the Board of County Commissioners to build a bicycle path on East Twenty-first street, as provided by ordinance passed at the last meeting of the Council, but it was stated that this matter was not to be taken as a precedent for future action.

The following committees were appointed by Chairman Mills: Street lighting and lights—Breyman, Burrell and Chase. Purchasing supplies—MacMaster and Burrell. Ordinances, bonds and contracts—Williams and Mills. Street cleaning and sprinkling—Burrell, Mills and Chase. Engineering department—Mills, MacMaster and Chase.

FIFTH MEMBER OF THE BOARD OF PUBLIC WORKS

Mayor Row, desiring to be able to carry out his intention of securing one capable Democrat on the Board of Public Works, yesterday appointed William MacMaster as the fifth member.

The appointee certainly comes under the designation of business man. This is the first time he ever held public office or had anything whatever to do with matters involving politics, beyond exercising the right of suffrage.

Mr. MacMaster is the senior member of the firm of MacMaster & Birrell, financial agents, representing English and Scotch capital in Oregon. This firm was organized by the present members in the year 1889, since when it has rapidly grown, until now a large business is transacted.

What this firm is and has done is the best evidence of Mr. MacMaster's business judgment and energy. Mr. MacMaster has always been known as a mild Republican—that is, not an ardent and extreme protectionist, yet believing in Republican principles.

Parks and crematory—Breyman, Chase and Williams. Sidewalks, bridges and elevated roadways—MacMaster, Chase and Breyman. City Hall and public buildings—Mills and Breyman. Petitions, remonstrances and judiciary—Williams and MacMaster. Railway, telephone and telegraph companies—Burrell and Williams.

The matter of arranging for supplies for the street cleaning and sprinkling department was referred to the committee on supplies.

The German Lutheran Church was granted permission to hold a picnic in Holly Park, Sunday afternoon, August 12.

Numerous petitions from insurance agents, who ask to write insurance on city property, were referred to the committee on City Hall and public buildings.

Sewers recently constructed on East Fifteenth and East Nineteenth streets were accepted.

William Grant and J. C. Henry, of La Grande, are at the Perkins.

J. M. Budleiman, of Dawson City, arrived yesterday at the Imperial.

Dr. R. Hinton, of Balaclava, is at the Imperial.

Thomas Doody, of Astoria, is a guest at the Perkins.

Dr. John F. Hall, of Marysville, is at the Imperial.

T. J. Palmberg, of Astoria, was at the Perkins yesterday.

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APPRENTICE BOYS FOR NAVY

How They May Enlist, Physical Requirements, Pay, Etc.

Enlistment of boys in the United States Navy is made the subject of inquiry to The Oregonian by H. T. Latham of Hillsboro.

A circular recently issued by the Secretary of the Navy gives this information quite fully, and a copy is appended. Captain Glass, who was in Portland a few days this week in connection with the Government inspection of a drydock site on the Columbia, is at the head of the training service on the Pacific, being in charge of Yerba Buena station, in California, where Pacific Coast enlistments are made. Following is Secretary Long's circular of information:

1. Boys between the ages of 15 and 17 years may, with the consent of their parents or guardians, be enlisted to serve in the United States Navy until they shall arrive at the age of 25 years.

2. No minor under the age of 15 years, and no intoxicated person, and no deserter from the naval or military service of the United States can be enlisted.

3. Boys enlisted for the naval service must be of robust frame, intelligent, perfectly sound and healthy constitution, and free from physical defects.

4. Physical examinations will be made by the medical officer of the ship upon which a boy presents himself for enlistment.

5. Boys must have the following heights and measurements: Height, not less than 4 feet 11 inches; weight, not less than 80 pounds; chest measurement, breathing naturally, not less than 30 inches; chest measurement, breathing naturally, not less than 30 inches.

6. They must be able to read and write.

7. In special cases, where a boy shows general intelligence, and is otherwise qualified, he may be enlisted, notwithstanding his reading and writing are imperfect.

8. Each boy presenting himself for enlistment must be accompanied by his father, or his mother, or his legal guardian, or by his father or mother living, and the parent or guardian presenting the boy must sign the prescribed "Consent, declaration and oath," which forms part of the shipping articles.

9. In cases where parents or guardians are unable to appear at the place of enlistment, they will, on written application to the commanding officer of the ship upon which enlistments are made, be furnished with the printed form of "Consent, declaration and oath," in duplicate, by executing which the enlistment will be perfected, should the boys be accepted by the Board of Examining Officers.

10. No allowance will be made for traveling expenses, whether accepted or not.

11. The Board of Examining Officers will consist of the commanding officer, a line officer and the senior medical officer of the vessel.

12. All boys enlisting as apprentices must voluntarily sign an agreement, to serve in the Navy until 21 years of age, which agreement must, before being signed, be carefully read and explained to each boy by the recruiting officer.

13. Apprentices are educated to fill the positions of seamen and petty officers. They may not become commissioned officers.

14. Boys who have been convicted of crime cannot be enlisted.

15. Boys who are accepted and received on board ship, apprentices will be furnished, free of cost, with an outfit of clothing not exceeding in value the sum of \$45.

16. Apprentices, first class, who are qualified, after completing their four years of service in a cruising training ship, will be advanced to apprentices, second class, at \$15 per month.

17. Apprentices, second class, who are qualified, will be advanced to apprentices, third class, at \$12 per month.

18. Apprentices will be transferred to fleet cruises, or to other vessels, as they become proficient and their services are required.

19. Upon the expiration of the enlistment of an apprentice, he will, if recommended, receive an honorable discharge, and upon re-enlistment within three months from date of honorable discharge, he will be credited with the full term of his rating when discharged, a continuous service certificate, and an addition of \$1 per month to his pay.

20. Enlistments of apprentices are made only at the following places: Constellation, Coasters Harbor Island, near Newport, R. I.; Vermont, Navy-yard, Brooklyn, N. Y.; Washburn, Navy-yard, Portland, Me.; Ringgold, Navy-yard, League Island, Pa.; and Independence, Navy-yard, Mare Island, Cal.

21. Apprentices are under the immediate supervision of the Bureau of Navigation. Information regarding enlistments will be furnished by that bureau or by the commanding officers of the above-named ships.

22. Apprentices who are enlisted in the East will be given a course of training at Coasters Harbor Island, near Newport, R. I., and those enlisted on the Pacific Coast at Mare Island, Cal., before being sent to sea.

23. An apprentice may be allowed to purchase his discharge from the service upon the written request of his parent or guardian, which request must be made upon blanks which will be furnished upon application by the Bureau of Navigation.

24. Any apprentice discharged during his minority at the request of his parent or guardian must not only be indebted to the Government and the value of the outfit furnished him upon enlistment, in addition to the cost of his discharge.

25. Honor to an Officer of the Equitable Life.

L. Samuel, manager of the Equitable Life Agency, received the following dispatch yesterday:

New York, July 20.—A cable just received from Paris announces the fact that Mr. James H. Hyde, vice-president of the Equitable Life Assurance Society of the United States, has been appointed a Chevalier of the Legion of Honor. This distinguished honor has been put upon him in recognition of his work for the advancement of French literature in the United States through the Cercle Francaise del Universite d'Hyde.

Peddler Arrested. Michael Shaw was taken into custody at the police station yesterday afternoon by Patrolman Borawski on a charge of peddling without a license. Shaw is accustomed to buy vegetables and fruit in the country and to peddle them over the city. He was released on \$15 cash bail.

BETTER TOWARD THE END

NEXT TO LAST DAY AT GLADSTONE CHAUTAUQU ASSEMBLY.

Great Interest in the Programmes—Dr. Grant's Lectures Features of Yesterday and Today.

GLADSTONE PARK, Or., July 20.—This has been another interesting day at the Willamette Valley Chautauqu Assembly. Many new faces were seen in the park, and the attendance was very good.

The morning programme in the auditorium was in charge of Superintendent Winans. The lecture was preceded by music by the American Sunday School Union, and the American Sunday School Union, and the American Sunday School Union, and the American Sunday School Union.

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OREGONIAN IN ISLANDS.

Hon. H. B. Miller's Observations in the Philippines.

MANILA, P. I., June 27.—(To the Editor.)—The Island of Luzon appears to be wonderfully rich from an agricultural standpoint.

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THROUGH TO CHICAGO WITHOUT CHANGE.

It's a pleasure to travel in first-class cars.

The newly equipped Chicago-Portland train is a real improvement.

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INQUEST OVER PHILIP COX.

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