GRANDJURY'S POWER

Supreme Court Renders Deoision on the Subject.

APPEALED CASE FROM MULTNOMAH

Suit in Which Officer Tried to Compel Jury to Inquire Into Charge-Other Decisions.

SALEM, Sept. II .- The Supreme Court today rendered a decision dismissing the in the mandamus suit brought by District Attorney Charles F. Lord to compel the grand jury of Multnomah nty for the January term, 1887, to inusual character of this proceeding attracted considerable attention to it at the time it was commenced. The grand jury was composed of E. M. Sargeant, foreman; and W. H. Warner, James Humphrey, A. C. Lohmire, C. A. Walters, John F. Verner of Perry Tomilizator. The John E. Young and Perry Tomlinson. The case was tried before Judge Alfred F. Sears upon a demurrer to the answer, and was decided in favor of the defend-An appeal was taken to the Su Court, and that body has dismissed the appeal in an opinion written by Chief Justice Bean, who says:

This is a mandamus proceeding, com-mored in April, 1897, to compel the menced in April, 1897, to compel the then grand jury of Multnomah County ire into a criminal charge against one Anderson, who had previously mmitted to await its action. The grand urors answered, setting up the matters which they claimed constituted a defense to the alternative writ. A demurrer to the answer was overruled, and the plain-tiff declining to proceed or plead further, the writ was dismissed, and plaintiff

About the time the transcript was filed, or soon thereafter, the grand jury was discharged, so that it is now impossible for the court to enforce a judgent against it, if one should be ren-red. A grand jury is temporary in its character, and, when discharged, becomes functus officio, and thus differs from a permanent office. An Appellate Court, like every other indicial tribunal is em powered to decide actual controversies only, and not to give opinions upon mooted questions, or mere abstract prop-ositions of law. The rule is general therefore, that when an event occurs ding an appeal which renders it im-sible for the court to grant the relief ught, it will not proceed to final judgment, but will dismiss the appeal. . . No stipulation of parties or couns whether in the case before the court or in any other case, can enlarge the power or affect the duty of the court in this

In the case of David Brand, appellant ws. Multnomah County, the City of Port-land and the East Side Railway Company, respondent, an opinion was ren dered by Justice Wolverton, adhering to the former decision of the court. This was an action brought by Brand to recover damages for the construction of a closed approach to the Madison-street bridge, which approach impaired his right of ingress to and egress from his property on the water front. The case was tried before Judge A. F. Sears in the court below and decided against the plaintiff. The Supreme Court sustained the lower court, and in reviewing its

own decision says:

"A careful re-examination of the vital questions attending this controversy has brought us to the same conclusion expressed in the former opinion. The pivtal issue is whether the bridge its approach upon Madison street constitutes an additional servitude, or has perverted the street to other than legitl mate street purposes. If such is its effect, the plaintiff presents a substantial basis for a fecres in accordance with the prayer of his complaint: otherwise not. ere is but little, if any, conflict in the law, which is aptly and succinctly stated, with its proper limitations and distinctions, in Willis vs. Winona City, 58 Minn. E. In that case the city, under uthority of the state and National Leg-slatures, constructed a bridge across the Mississippi River, the approach of which extended a considerable distance along the center of one of the streets of the city and past the plaintiff's property, and the question arose whether it constituted an additional servitude, in determining which Mr. Justice Mitchell says: The strine of the courts everywhere, both in England and in this country (unless Ohio and Kentucky are exceptions) is that, so long as there is no application of the street to purposes other than those of a highway, any establishment or change of grade made lawfully and not negligently performed does not impos and hence is not within the constitution al inhibition against taking private prop erty without compensation, and is no the basis for an action for damages, uneffect. . . . There is no doubt that the acts of the city would amount to a taking of plaintiff's property, so as to en title him to compensation, provided the use made of the street by the city imposed an additional servitude upon it but that is the very question in the case Our conclusion is that the construction and maintenance of a bridge approach did not impose an additional servitude street, but was a proper street use, and hence constitutes no basis for an action in favor of plaintiff for dam

This case affords a complete answer counsel's contention that there is aking in the present instance, with the purview of the state and National Constitutions, and, as the reasoning of the learned Justice is so apt for our present purposes, we have taken the lib-erty to quote at much length from the opinion. . . All those (cases cited) approve the doctrine that a mere change without negligence or carelessness on the part of the preper authorities, does not entitle the abutters to compensation for any inconvenience that may be entailed thereby. . . We feel assured that our former opinion is sound upon the proposition; but, if we are mistaken in this the act of 1898 (Session Laws, 1898, page 185, section 221), declaring the bridge approach to be the established grade of Madison street, so far as occupied there-by, is curative of the irregularities comained of, although such act may have een adopted after the commencement. or even decision, of the present suit in the court below."

In the case of C. O. Panning et al., appellants, vs. Frank B. Clopton et al., rendents, the petition for rehearing was nied in an opinion written by Justice Wolverton, in which he says, in part:
"The plaintiffs, by their petition for

rehearing, present the further and adwas powerless to establish the road in question without payment of the damager awarded by the viewers being first made . After preliminary recitals, nty Court concluded with the fo the 'It is hereby ordered, adjudged and decreed, that the report of said viewers be and the same is hereby approved and confirmed in all respects the said road be and the same in hereby decreed to be a road of public essement and a public county road, and the same is hereby established and or-

of damages in said report set forth, and the costs and expenses of this proceed It is stoutly urged that here is a taking of appellants' property without just

port of said viewers, upon the payment

opened in apcordance with the re-

constitution (article 1, section 18); but counsel have evidently misconceived the effect of the order. There was no appropriation of property except upon condition of the payment of costs and damages. By its terms, there was no establishment of the road, nor could it be opened, ex-cept upon payment as required thereby; hence, the order or judgment as entered does not operate as a taking of appellants' lands without just compensation first assessed and tendered."

In the case of Charles E, Ladd et al. vs. the Chamber of Commerce, the court overruled a motion to recall the man-date. The opinion is written per curiam and says that "the statement in the opinion on the petition for rehearing that to, nor is it liable to pay, the Green note, was intended to refer to its liability upon the face of the note, and not to the rights, equitable or otherwise, of the makers thereof against it for indemnity

Minor Orders. Minor orders were made today as fol-

John Kiersan, respondent, vs. V. Kratz, appellant; ordered on stipulation that ap-pellant have until October 31, 1900, to serve and file his brief herein.

Poter Schlosser, respondent, vs. Emily Beemer, appellant; ordered that Anna Schlorser, widow, individually and as ex-ecutrix, Anna Phillips, Kate Fish, Mary Nels and Harry Schlosser, be substituted as respondents for Peter Schlosser, de-

Mark Milos, respondent, vs. Peter Cava cevich, appellant; ordered on motion that respondent's time to serve and file his brief be further extended to October 1,

John Mattis, appellant, vs. Nelson Hosner et al, respondents; ordered that respondents have 30 days to file a brief in support of their petition for rehearing.
The Singer Manufacturing Company,
appellant, vs. T. J. Driver, Sheriff, recondent; ordered on motion that respondent ent's time to serve and file his briet herein be extended 30 days. S. L. Conklin et al., appellants, vs. Mat-

tie A. La Dow et al., respondents; ordered that the petition for rehearing heretofore filed be overruled. Lulu P. Currey, respondent, vs. W. F. Butcher et al., appellants; ordered that

the petition of respondents for a rehear-Marion County Circuit Court.

In the divorce suit brought by Allen impson vs. Margaret Simpson, pending in the Circuit Court for Marion County the defendant today filed a motion pray ing for an order of the court requiring the plaintiff to provide \$100 to pay her ex penses in defending the suit. leges that plaintiff is worth \$5000, all but \$1500 of which was earned by the parties jointly. Defendant also alleges that she did not desert plaintiff, but that, by resson of cruel and inhuman treatment and failure to provide for her, she was compelled to leave him and earn her living

by doing housework, Judge Boise today granted a divorce in favor of the plaintiff in the case of Eliza Ahlhauser vs. Henry Ahlhauser, and also in favor of the plaintiff in the case of Bertha E. Lewis vs. Alexander Lewis.

OREGON HAY FOR MANILA.

Haines & Shipley, of Forest Grove, Conclude Government Contract. FOREST GROVE, Or., Sept. 17 .- The nay-compressing industry here, which has been in operation day and night for the past two months by Senator E. W. Haines and M. H. Shipley, filling Gov-ernment contracts for Manila, has finished. Messrs. Haines and Shipley purchased at an average price of \$11 per tor 2709 tons of hay. They have shipped three separate shipments to Manila. The first contained 500 tons, the second 1500 tons and the last 500 tons.

Change of Postoffice Officials. WASHINGTON, Sept. 17 .- The following Oregon postmasters were appointed to day: Roy D. Butler, Boyd. vice C. H. Southern, resigned; Eva A. Brumble, Joseph, vice G. F. Conley, resigned.

Oregon Notes. It is said that The Dalles will soon

Pireplugs were recently connected with the water system at Lakeview. The City Council of Huntington has ordered 8000 feet of lumber for crosswalks. E. B. Jennings has sold his Table Rock farm of 420 acres, near Medford, for

Work on the new O. R. & N. denot at La Grande will begin as soon as materials are ready.

The assessment roll shows that Grant County has 4680 horses, 14,430 cattle, 28,560 sheep, and 593 hogs. A fruit drier belonging to H. W. Becker and W. J. Jones, near Shaw, burned Fri-

day night. The loss is \$500. The Union Telephone Company is rep-

resented to have sold its line between Union and Cornucopia to the Pacific Coast Work on the road to Camp McDougal from Ballard's is progressing well, and hauling of ore to Baker City will soon

The reservoir of the Sumpter Water Company is being improved so as to increase the capacity from 200,090 to 1,000,-

Enrollment at The Dalles school las week was 16 pupils less than for the same period last year. The number in attend-

Action by the Roseburg Council in the matter of a franchise, for a new water and light company has been postponed until Thursday.

war on the occasion of its harvest picnic, September 20. The challenge has been accepted by Wallows. W. Bayley has sold a quarter section of timber land near Buck Lake, on the proposed route of the Oregon Midland

Lostine has defied the world at a tug of

Railroad, at \$5 per acre. The Treasurer of La Grande is calling warrants issued prior to September 8, 4. They bear 8 per cent, which means \$1 48 for each dollar of indebtedness. The Marion County Board has allowed the petition for a county road in the vicinity of Niagara, with the understanding that the petitioners bear the expense The Sumpter Development Company has sold to the Sumpter Valley Railway a

tion of \$100. The road down Pine Creek needs work, say the freighters. Unless something is done to improve this road the ore from the river camps and Seven Devils will go to Weiser instead of Baker City.

right of way over a tract of their land

about 11/2 miles in length for a considera-

Minor's threshing machine through the bridge near Michael Waller's place, says the Wallowa News. There was considerable trouble in getting on solid ground again. The bridge was en tirely demolished except the stringers. Work on the new grade from Rock Creek to the head of Buttermilk Canyon is progressing. All of the work has been done so far with the pick and shovel. About three-eighth of a mile of the finest road in Eastern Oregon has been finished. The petition to the County Court of Linn for an appropriation to assist in the protection of the joint Santiam bridge at Stayton has been dismissed. The action appears to have been based on the as-sumption that the Santiam River and all

the bridges that span it are Marion County property, says the Mail. A stranger from Hilgard had a narrow escape from death in the Pendleton rail-road yards last week. He was riding in one corner of a coal car, which was loaded with lumber. When the car was bunted in the process of switching the lumber was displaced, so as to cramp the man in very narrow quarters. His ing of appellants property without just screams brought him rescue, but he was compensation first assessed and tendered, not released until the end-board of the contrary to the inhibition of the state, car had been cut away with an ax.

WERE STRUCK BY A TRAIN

ACCIDENT TO H. PECK AND DAUGH-TER WHILE CROSSING RAILROAD.

Girl Suffered a Fractured Arm and Numerous Bruises-Man Thought to Be Internally Injured.

MEDBORD, Or., Sept. 17.—Henry Peck and daughter, of Lake Creek, Or., while crossing the rallroad track in a wagon mile north of this city, on their way home this afternoon, were struck by a northbound Southern Pacific freight train. Miss Peck's left arm was fractured three inches below the elbow. She also suffered several painful bruises about the face and

Mr. Peck is thought to be injured in

ternally, and also about the head. Nothing definite can be ascertained as to his true condition. The accident happened on a straight track. The train employed did everything possible to prevent the

The injured parties were brought to this city by the train, and are receiving medical attention.

OREGON CITY SCHOOLS. Opened With Fair Attendance Many

Children in Hopfields. OREGON CITY, Sept. 17.—The city schools opened this morning with a fair attendance, considering the fact that many children of school age have not yet returned from the hopfields. Numerous applications are coming in from outside students, and it is believed that the attendance will exceed that of previous years. Several changes have been made in the personnel of grade teachers since the annual election on account of resignations. Following are the assignment

Barclay School-First grade, Miss Har-ret Bray; second. Miss Hattle Cochrane; third. Miss Antoinette Walden; fourth and fifth, Miss Myrtle Taylor; sixth, Miss Harriet Case; seventh, Miss Sade Chase ninth and tenth, Miss Addie Clark, princinal; eleventh, H. D. Wilcox, city super-

Eastham School-First grade, Miss Frances Myers, of Forest Grove; second, Miss Marjorie Caufield; third; Miss Erme Lawrence; fourth, Miss Gertrude Nefz ger; fifth and sixth, Mrs. D. H. Glass; eighth, W. P. Mathews, principal.

UNIVERSITY OF OREGON.

Enrollment Will Begin Wednesday-Prospects of Large Attendance. EUGENE, Or., Sept. 17.-Registration at the University of Oregon will begin Wednesday morning, and from present indica-tions the enrollment will be the largest on record. Numbers of students are com ing in on every train, and the boarding accommodations of the city will be taxed to the utmost. Every section of the state will be well represented, the num-ber coming from Eastern and Southern Oregon being larger than usual. Ashland leads the list of outside towns with a delegation numbering 18. The graduating class of the Eugene High School will enter the University this year, adding about a dozen names to the roll. Portwill have a better representation than ever before.

M'MINNVILLE PUBLIC SCHOOLS. Opened Under Most Pavorable Aus pices-Enrollment of About 400.

M'MINNVILLE, Sept. 17.—The public schools opened this morning under the most favorable auspices, with Professor W. W. Bristow ou principal, and an ef-ficient corps of assistants. There was an enrollment of about 400. The opening exercises consisted of songs, addresses and the utmost good will.

HOPPICKERS TAKE DEPARTURE. Rain Floods Campers' Quarters-Hop

Lice in Nearly All Yards. INDEPENDENCE, Or., Sept. 17 .- Hoppickers are leaving in large numbers. lwing to the heavy rains, campers in the hopyards are in a continual puddle of water, and many have taken their departure. The rain that has fallen during the last three days has been of great colume, and much damage will result to hops not yet gathered by reason of mold and lice. Nearly all the yards now re port mold among the hops.

The driers about here have about finshed up the prunes, and next week will make a run on apples.

CLACKAMAS COUNTY PRUNES. Drying Near An End-Crop Being

Handled Without Loss. OREGON CITY, Sept. 17.—With the ex-ception of the Springwater section, Clackamas County prune-growers are almost through drying, and the crop is being handled without loss. No sales have been reported, but the best offers made are 44 cents per pound for 40s and a half-cent lower for each successive smaller size. The late rains are said to be of material enefit to late potatoes, and the new grass has started up in several sections.

LIGHT YIELD, GOOD QUALITY. Hop Harvest Well Advanced in Yards

Close to McMinnville. M'MINNVILLE, Sept. 17.—Owners of small hopyards in this section are through harvesting their crop, while the While the hops have not turned out quite heavy as former years, they are clean-

er and of a superior quality. Sherman County Wheat. MORO, Or., Sept. 17.—George Wychoff sold some bluestem wheat last week for 46 cents a bushel. This is the highest price paid for wheat in this locality

to the present. WASHINGTON ASSESSMENT.

Values Fixed on Lands and Improvements by State Board. OLYMPIA, Wash., Sept. 17.—The State Board of Equalization has fixed the as-

ssment of lands in the several counties s follows: King, \$12 50 per acre; Pierce, Clark, Skagit, Snohomish, 310 per acre; Whatcom, \$8 25 per acre; Chehalls, Clal-Jam, Island, Lewis, Kitsap, #725 per acre; Columbia, Cowlitz, Jefferson, Pacific, San Juan, Skamania, Spokane, Wahkiakum, Walla Walla, Whitman, #450 per acre; Asotin, Garfield, Lincoln, Mason, Thurston, \$25 per acre; Ferry, Kftittas, Klicktist, Sevens, Vakima, \$250 per acre;

tat, Stevens, Yakima, \$2 50 per acre; Adams, Chelan, Okanogan, \$1 50 per acre; Douglas, \$1 25 per acre; Franklin, 50 cents per acre.

The valuations on improvements were Chehalis, Cisliam, Jefferson, King, Kit-sap, Pacific, Pierce, Wahkiakum, 1759 per acre; Clark, Cowlitz, Island, Mason, nagan, San Juan, Skagit, Snohomish Thurston, \$12 50 per acre; Ferry, Franklin, Kittitas, Lewis, Stevens, Skamania, Whatcom, Yakima, \$3 per acre; Asotin,

Chelan, Klickitat, 34 per acre; Adams, Columbia, Douglas, Garfield, Lincoln, Spo-kane, Walla Walla, Whitman, \$250 per acre. COLUMBIA RIVER JETTY ROCK.

Government Building Railroad Spur to Facilitate Delivery. ASTORIA, Or., Sept. 17.—The Govern-ment is building a spur from the terminus of the Astoria & Columbia River Railroad at Fort Stevens, through the reservation, to the Columbia River jetty. The object of the move is to provide direct delivery for the rock that is to be used in the ex-

tension of the harbor improvement. When the jetty was originally built the rock was brought down the river in barges and then transferred to cars.

hop Morris was at Seaside yesterday, and conducted services there, returning on the afternoon train. While on the train he took up a collection for the benefit of the Galveston sufferers. The contribu-tions amounted to \$12.

Two carloads of fish arrived here from The Dalles yesterday for the local can-nerymen, but they were in such a decom-posed condition that they were turned ver to the De Force oil works.

City Treasurer Carney will issue a call tomorrow for all general fund warrants indersed prior to January 1, 1900.

Lum Chu, a local Chinese merchant, was found dead sitting in a chair in his store yesterday. His death had evidently resulted from heart disease or apoples so no inquest was held. His body will shipped to Portland for interment. He was 45 years of age, and had resided in this city for a number of years.

NORTHWESTERN DEATHS. Mrs. Mary E. McPherson, Oregon Pi-

oneer of 1852. EUGENE, Or., Sept. 17.—Mrs. Mary E. McPherson died at her home in this city today, aged 39 years and 11 months. With her husband, J. C. McPherson, who died in 1885, she came to Oregon, across the plains, from Missouri, in 1862. They first settled in Marion County, and a few years later removed to Lane County, residing here continuously since. She was the mother of 13 children, six of whom are

Mrs. N. J. Elkins, of Dallas. DALLAS, Sept. 17.—News has been received here of the death of Mrs. N. J. Elkins, at Long Beach, Cal. Saturday. Mrs. Elkins, whose malden name was Grant, was born in Dallas November 12, 1847. In 1868 site was married to Hon. W. S. Elkins, of Lebanon, and was a resident of that place until 1879, when the family moved to this city, and have resided here continuously ever since. Since 1896 Mrs. Elkins had been in California in the hope that a change of climate would benefit her declining health. Death was due to consumption. She eaves a husband and three children-Allie Elkins, of Portland, and Ross and Arthur Elkins, of Redlands, Cal.

HOPS AND PRUNES ARE DAMAGED. Due to Continued Rains-Hopgrowers Offer Pickers 50 Cents Per Box.

DALLAS, Or., Sept. 17.—The rain con-tinued today, to the inconvenience and probable loss of hop and prune pickers. Some hopgrowers are offering 50 cents per box to obtain pickers to keep the dry kilns in operation. The hops are in fair condi-tion, the weather being exceptionally cool.

Mold is making very slow progress. The prunes have cracked to som tent, but are in fine condition otherwise. Good weather must come soon, or the damage to both prunes and hops will unubtedly be great. The prunedriers have been kept running continuously so far, d the product is par excellence. The and the product is par excellence. The fruit is selling freely at 5 cents per pound, without grading or commission, and sacks

AN ACCIDENTAL SHOOTING.

Gun Discharged in Strange Way, Causing Death of 16-Year-Old Boy. JUNCTION CITY, Or., Sept. 17,-Yesterday afternoon, at the Spaugh hopyard, miles north of here, Joe Huckstep, boy 16 years of age, was accidentally shot in the left side with a shotgun, and received injuries which resulted fatally today. At the time of the accident, he was seated in a buggy with his father and mother and a little boy. They had been picking hops and had started for Harrisburg. The boy's parents have no idea how the gun came to be discharged. They say the muzzle of the gun could not have een over 13 inches from the boy when side and literally tearing out his stom-

Soldiers' Home Notes ROSEBURG, Or., Sept. 17.—Thomas Hines, late of Company F. Eightieth New York Infantry, Civil War, aged 61 years,

vas admitted September 11 from Josephine County. There are now 50 pensioners in the Home, and on the 12th inst. \$1542 was paid to them for the quarter ending Septem ber 4, being an average of \$10.28 each per month. The state does not claim any part of a pensioner's money for the sup-port of the Home or for any other pur-pose. Pensioners purchase their tobacco and postage stamps, and a few voluntar-ily furnish a part of their own clothing. James McDonald, Company I, Fourt United States Infantry, a veteran of the Civil War, took a 30 days' furlough on the 18th inst., going to Salem on busi-ness. This soldier stood beside Major George Williams, of Portland, when the

lost a leg at Antictam. Levi E. Eames, late of Company F. One Hundred and Thirty-eighth Illinois Infantry, admitted from Lane County, was discharged on the 15th inst., at his own request. James Finley left on the 15th for a 30 days' visit in Astoria.

Chehalis County Immigration. ARERDEEN Sept. 17.-Fully 1000 peo de have immigrated to Chehalis Co within the past 12 months. The new are of a most desirable class. Probably the most notable acquisition are ex-Senators George Clark, of North Dakota, and Mr. Anderson, of Minneso-ta. Both are possessed of considerable means, and promise to contribute in no small way to the development of the resources of this section. At present they are giving their attention to agricultural pursuits.

Oregon Industries.

The Stayton creamery paid 23 cents for butter fat during August. gaged about 1,000,000 pounds of green fruit. The Cove drier is reported to have en-

The Bald Mountain mine is equipped with a 20-stamp mill of the most modern type. At Minersville, a new camp seven miles southwest of Sumpter, important

development work is going on. J. M. Brown has bought 3000 sheep at the head of Parrish Creek, Grant County. He paid \$2 for ewes and \$2 for lambs. The Florence Lumber Company's mill account of insufficient room for piling

Work has been resumed on the Stras-burg group of mines about five miles south of Lawton and two miles from the new town of Alamo. A contract for a 600-foot tunnel has been let. The new pumps for the Gold Ridge mine, on Lower Burnt River, arrived during the week and are now being installed.

It is expected that they will be in op-eration within a week or 10 days, removing water from the submerged work-Messrs. T. S. Hamilton, of Ashwood, and T. H. Lafoliett, of Prineville, returned Monday from the East, where they went to buy new blood in thoroughored bucks and cattle for their ran Mr. Hamilton purchased 30 head of fine

cattle. The Athena flouring mill is installing new \$1000 Universal flour bolter, which will do the work of five ordinary bolters. The new machine weighs four tons, contains eight sections, and has 256 sieves, Three new stands of elevators will nut in and every machine in the mill.

AN AUSPICIOUS OPENING

ROSEBURG STREET FAIR FAVORED BY A LARGE CROWD.

Largest and Finest Parade in His tory of City-increased Attendance Expected Today.

ROSEBURG, Or., Sept. 17 .- The Stree Fair opened today, with splendid weather and a large attendance. Probably 5000 visitors are in town. The streets are replendent with bunting and profusely dec orated booths. The exhibits of fruit and regetables are very creditable.

Today's parade was the longest and fin-est ever seen here. Bands, floats, fra-ternal organizations, National Guards and firemen participated, and the principa streets were crowded with people as i passed along. L. A. Sanctuary, King of the Carnival, rode horseback, attended by knights and courtiers. Miss Helen Wells, the Queen, was attended by Misses Addie Eiena Reed. They rode in a beautifu float, trimmed profusely in white, and were heartily applauded along the entire line of march. At the end of the route, a very large crowd congregated and the crown was placed upon the head of the Queen by the King, with due formality and regal ceremony. Acting Mayor T. R. Sheridan then delivered the keys of the city to their Majesties, and the Prime inister read a proclamation declaring the festivities duly opened, to continue three

days and nights.

The remainder of the afternoon and evening was devoted to street perform inces, field sports and band The principal contest was a foot race for 100 yards, for a liberal purse, which was won by Tip Goodman.

The management of the fair and the

citizens in general are highly elated over the success of the opening, and expeca much larger crowd tomorrow. principal event tomorrow will be the hose race between picked teams from the Eu gene and Roseburg fire departments for a purse of \$200. Both teams have been training for some time, and are confident of victory. Other features of the succeeding two days will be those common to street fairs in general.

Off for Pendleton Street Fair. VANCOUVER, Wash., Sept. 17 .- Th. Seventh United States Infantry band left here today for Pendleton to fill a week's ngagement to play for the street fair

\$2000 IN TWENTY DAYS. Result of Work at the Gold Standard

Mine, Near Medford. MEDFORD, Or., Sept. 17.—Kubit Bros., of the Gold Standard mine, 20 miles from this city, yesterday brought in a lump of gold buillon representing the value of \$2000, the result of a 29 days' run at their mine with five men.

Mining Stock Quotations. SPOKANE, Sept. 17.—The closing bids for

mining stocks today were:	1
Blacktail	8 7
SAN FRANCISCO, Sept. 17.—Official closing quotations for mining stocks:	400
Alfa\$0 02 Justice\$0 02	-

Alpha Con Alpha Con Belcher Builign Beat & Helcher 20 Petesf
41) Seg. Belcher
28 Slerik Nevada
17 Shiver Hill
TP Standard
1 10 Union Com
13 Utah Com
33 Yellow Jacket
20 hallenge Con onfidence 79 on. Cal. & Va... 1 10 Crown Point ... Gould & Curry... Hale & Norcross..

NEW YORK, Sept. 17 .- Mining stocks today Concord as follows:

Chollar ... \$9 15) Ontario ... \$5 75

Crown Point ... 10 Opphr ... 44

Con. Cal. & Va. 1 50 Plymouth ... 10

Deadwood ... 50 Quicksliver ... 1 50

Gould & Curry ... 30 do pref ... 4 50

Haie & Norcross ... 17 Sierra Nevada ... 28

Homestake ... 50 60 Standard ... 4 20

Iron Sliver ... 660 Union Con ... 15

Mcxican ... 24 Yellow Jacket ... 15

BOSTON, Sept. 17.-Closing quotations Adventure . \$ 4 00 Oscola . \$ 65 00 Allouer M. Co. 1 00 Parrot . 40 50 Amai. Copper . \$7 00 Quincy . 425 00 Atlantic . 22 50 Santa Fe Cop. 4 50 Dos. & Ment. 311 00 Tamarack . 218 00 Cal. & Hecla . 740 00 Utah Mining . 29 87 Centennial . 15 00 Welcoma . 2 50 Franklin . 18 00 Welcoma . 40 00 Humboldt . . 25 00

MAY BE SENT TO VANCOUVER. Rumor That the Barracks Are to

Have Change of Command. VANCOUVER BARACKS, Wash., Sept. 7.-It is rumored that Colonel Theodore Schwan, Brigadier-General of Volunteers and Colonel in the Adjutant-General's department, will be ordered to Vanc Barracks to take command of the depart-ment. It is said also that another company of the Seventh is expected here soon. One hundred and ten mules were taken by the steamer Undine from the nment dock to Portland this after-to be shipped on the transport Thyra to Manila.

FOUND DEAD IN BED.

E. M. Friedrich, a Hoppicker, Succumbs to Heart Disease.

AURORA. Or., Sept. 17.—E. M. Friedrich, about 60 years of age, was found dead in his bed at the farm of H. L. Bents, between Aurora and Butteville, late yesterday afternoon. Mr. Friedrich up from Portland to pick hops for Mr. Bents. He was in apparent good health up to about 10 o'clock yesterday, when he complained of being tired, saying ne would lie down a while and rest. In the evening, when those who have been rooming with Mr. Friedrich came in, they found him dead. Death was due to heart failure.

CAVALRY HORSES FOR PHILIPPINES Government Buyers Secure Over 1000 in Eastern Washington.

VANCOUVER, Wash., Sept. 17.-Captain Wainwright and assistants have returned here from Eastern Washington, where they have been buying horses and mules for the United States Cavalry service in the Philippines. Nearly 1000 h 260 mules were purchased. About nine hundred horses are now being cared for at Vancouver Barracks, awaiting transportation to the Philippines by the United States transports Lennox and Thyra, which are being refitted in Portland.

Alaska Diggings No Good. SEATTLE, Wash., Sept. 17.—A special to he Times from Dawson says: According to the statements of earnest, reliable miners now returned to Dawson from the Tanana district, after thoroughly prossecting and panning on all the different developed creeks, the diggings are no

Oregon Land Decisions. WASHINGTON, Sept. 17.-The Secretary of the Interior has reversed the action of the General Land Office and permitted the homestead entry of Sheridan H. Croy for a quarter-section tract in the Roseburg land district, Oregon, to stand intact This land had been held to be within the grant to the Oregon & California Railroad Company.

Independence Light Question. INDEPENDENCE, Or., Sept. 17 .- Now

that the short days and long nights are coming on, there is some talk about havmg lights on the streets at night, especially during the Winter. A proposition
was up before the City Council some time
ago looking to this object, but the electric
light people and the Council did not seem

to agree, and the project fell through. Circuit Court in More. MORO, Or., Sept. 17.—Circuit Court will convene on Monday, October 1. This will be the first term of court held in Moro for several months owing to the smallpox

Washington Pensions. WASHINGTON, Sept. 17 .- The following Washington pensions have been granted: Heary B. Griffith, Waterville, 38; Vincent T. Cover, Tacoma, \$6, and Edward K. Hanson, Touchet, \$17.

Washington Industries. Abardeen is to have a new shipyard.

Oakesdale buyers purchased about 80,000 ushels of wheat last week at prices ranging from 42 to 45 cents per bushel. The contract for the new 120,000 tele-phone building at Tacoma has been let. The structure will be finished in 100 days. Natural gas is believed to have been discovered near Rock Lake, north of Col-fax. It has a strong odor and burns

D. B. Putman purchased at Oakesdale last week about 30,000 bushels of wheat for the Pacific Coast Elevator Company at prices ranging from 42 to 44 cents per The wing dam across the Stellaquamish

River at Arlington has been finished. There has been 1200 feet built, at a cost to the county of \$4.73 per foot, making, in round numbers, \$5576. A firm at Whatcom recently manufac-tured 25% cords of sound shingle bolts out of a log that had lain on the ground

for 50 years. The log was 16 feet in diameter at the butt and nine feet at the small end. Another big wash-up has taken place at the Cariboo consolidated hydraulic mines. The exact figures are not yet obtainable, but reports place the value of the return

at from \$130,000 to \$200,000. It is quite likely that the wash-up may have added at least \$150,000 to the results of the first clean-up of the season, which exceeded \$135,000 in value. Harvest is about completed in the Pa-louse country. Some of the late individual crop reports are not at all flattering. Jerome Gooch has finished threshing 50 acres of Spring-sown Summer-fallow, which yielded a total of 278 sacks, or a little less than 10 bushels per acre. Fred

Campbell had an average yield of about 22 bushels per acre from 70 acres of Spring-sown Summer-fallow. Many yields, however, are going above expectations. The Great Northern tunnel under the of Everett has been Track-laying has been started at the east end of the tunnel, and it is expected to have trains running through it in about 30 days. When the Great Northern begins using the tunnel several miles of the present line will be abandoned. The trains will run into the center of the city, and the long run around the peninsula, be-tween the Sound and the Snohomish

our or five miles. Washington Notes. A new livery enterprise is likely to be started at Tacoma which will use auto-

River, will be saved. The change will

shorten the Great Northern main line

Tramps stole a preacher's grip at North Takima during the recent conference. It contained \$200. The Fusion forces of Snohomish and Kitsap Counties have nominated B. E. Padgett for Judge of that district. Tacoma is infected with petty thieves who rob houses and practice their pro-fession in cheap hotel and lodging-houses. Sheriff Canutt was fined \$50 for contempt of court by Judge McDonald, at Colfax

last week. Canutt gave notice of appeal

Arrangements are being made at Taco

to the Suprema Court.

ma for better fire protection for the water front. Water mains will be jaid along the bluffs and plugs connected. It is thought that October 10, the date when the Colville reservation will be opened, fully 2000 homeseekers will be on hand to locate claims.

He alleges he was injured to this amount by a loaded cigar, which Burch presented him. Ben Camp, Democratic nomines

Superintendent of Walla Walla Schools. has withdrawn from the nomination. He is now located at Kendick, Idaho, where he has a good position. It is estimated there will be 900 more votes in Wahkiakum County this year

than four years ago. This fact makes result somewhat problematical. Both parties will make every effort to win over these new votes. Spokane's postal money order service is to be improved. It is the intention of the department to make that city an ex-

change office with British Columbia, and later to enter the postoffice in the clearhouse with the local banks. J. C. Sweet has been awarded \$50 damages at Whatcom against E. L. Nicholson. He brought suit for \$1000, complaining that Nicholson wrongfully caused his name be placed on the black list of the Mercantile Protective Association.

The Pacific Coast Company has ad-vanced the wages of its mine employes from 8 to 15 per cent. This advance affects nearly all men working on daily wage scale at Coal Creek, Newcastle, Lawson and Franklin, and directly affects over 750 coal miners and employes around the mines.

W. R. Moultray's big span of draught horses were drowned in the millrond at Nooksack Friday. They weighed 3900 pounds and were said to be the heaviest team in the county. Mr. Moultray re-cently refused an offer of \$500 for them. They were dragged into the pond by a

At the Port Townsend Democratic pri-maries Friday, but three of the five wards chose delegates to the County Convention, as there were not enough Decrats present in the other two wards to hold primaries those precincts will go un-represented unless the convention itself lects men fom those wards. A large hophouse, owned by Sam Stor-

row, on Nob Hill, was burned last night. The building was the finest and best hop-drying plant in Yakima County. insurance carried amounted to \$700, which will not repay the owner. About one ton of hops was being dried at the time of the fire. This is the second hophouse burned on the same place within the past few years,

Idaho Notes. The Democratic Times has resumed sublication at Moscow. Harvesting about Moscow yielded on an average 25 bushels to the acre. Rich ore has been struck in the heart

of Silver City, which assays \$3 to the pound. Some of it runs up to \$10. Development has begun. The University of Idaho will have an educational exhibit at the intermountain fair at Bolse, and also at the Nez Perces County fair at Lewiston. The exhibit now being prepared.

The Lewiston Tribune reports that large catches of salmon have been made re-cently on the Vineland side of the Snake River. The industry has been very profitable during the heavy run. So great has been the supply that it has exceeded the local demand.

Representative Wilson has received from the Agricultural Department instructions, materials and tags for packing and shipping fruit to the Paris exposition. Those desiring to join in making the exhibit may obtain these supplies from him. The fruit must leave not later than the 20th, as it will be shipped on a steamer leaving New York on the 26th. It will be judged at the exposition October 16.

SMALLPOX IN ALASKA

ENTIRE TERRITORY HAS BEEN DE-CLARED TO BE INFECTED.

Returning Vessels Ordered to Call at Port Townsend and Undergo Strict Quarantine Inspection.

PORT TOWNSEND, Wash., Sept. 17 .-The entire territory of Alaska has been declared to be smallpox infected, and all vessels coming here from Alaska will be inspected. Such are the telegraphic in-structions received today by Dr. Foster, United States quarantine officer, from the department at Washington. Heretefore vessels arriving from Cape Nome, St. Michaei and Dutch Harbor have been under quarantine regulations, but according to orders received today all vessels from Southeastern Alaska will have to call here for quarantine inspection. Fishtrap men along the Straits of Fuca

are in trouble, and Deputy Pish Commis-sioner Boardman has caused a warrant to be issued for the arrest of B. A. Scaborg, general manager for the Puget Sound Packing Company. Sheriff Smith of Cialiam County, passed through here today on his way to Fairhaven to make the arrest. Several traps have been put in inside of the three-mile limit to the ouths of Hoko and Elwha Rivers.

MACHINERY FOR OREGON MINE. Electric Plant Added to Equipment

of Cornneopia Property. BAKER CITY, Sept. 17.-An electric plant for the Cornucopia mine arrived in this city yesterday and was imme-diately transfered to its destination. It consists of a 15-drill air compressor and an electric hoist of 50 horse-power. Everything is in readiness at the property and the machinery will be installed

A larger number of men probably are any other property in Eastern Oregon.

One hundred hold positions in the mines and mill, and about 50 are engaged in other work directly connected with the property. The mill will be operated con-tinuously during the Winter. The prop-erty is owned by John E. Searles, the ex-sugar king, of New York, and is being

RAIN IN WASHINGTON.

Something New to Yakima Hopgrowers-No Damage Yet. NORTH YAKIMA, Sept. 17.-Yakima hopgrowers have experienced something new to them in harvest time, and that is two days of rain. The crop is about half out of the yards. The growers are alarmed lest the wet weather continue for a few days. If it should there will

he heavy losses in all the yards.
At this stage of the picking it is estimated that the Yakima crop will amount to about 12,000 bales, if there are no losses. Less than one-fourth of it has been secured by the dealers. Thirteen cents was the top price paid last week. though it is claimed by growers that better offers are out. The transactions the week covered less than 100 bules.

ASKED TO CAMPAIGN IN IDAHO. Republican Managers Wish to Eulist

Services of Governor Geer. SALEM, Sept. 17 .- The Republican campaign managers of the State of Idaho have asked Governor Geer to devote all his departure for Ohio in October to campaign speaking in that state.

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If you are in trouble and suffering from back, and will wear one of my belts, it



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