PORTLAND IN RIGHT

So Decides Supreme Court In an Appsaled Action.

L.B. MONTGOMERY WHARF MATTER

Has Right to Fix Boundaries So Long as They De Not Conflict With Harbor Lines-Other Opinions.

SALEM, Or., Nov. 18. - The City of SALEM, Or., Nov. 18 — The City of Portland won a victory in the Supreme Court today when that tribunal reversed the decision of Judge John B. Cleiand in the case of the City of Portland and the Port of Portland, appellants, vs. J. B. Montgomery, respondent. The opinion of the Supreme Court was written by Chief Justice Bean.

Defendant Montgomery is the owner of real property within the corporate limits of the city, abutting upon the west side of the river, and is entitled to the rights of a riparian proprietor. The city is given power by its charter to establish a line beyond which whereas shall not a line beyond which wharves shall not be built or piles driven (Session Laws of 1861, page 805). By the act of 1891, page 805. By the act of 1891, page 805 is the Port of Pertiand corporation is given full control of the Willamette River at Portland, so far as the state can grant the same, and is authorized to remove ob. the same, and is authorized to remove ob-gructions therefrom, etc. On August 8, 1892, the Secretary of War, acting under the harbor act amendment approved Sep-tember 18, 1890, established harbor lines at Portland, and on December 12, 1893, the city passed an ordinance establishing a wharf line on the city front, which conwharf line on the city front, which con-forms to and coincides with the har-bor line. In May, 1888, Montgomery pe-litioned the Secretary of War to extend the harbor line in front of his property some 81 feet into the river beyond the line reviously located. The petition having been granted in September, 1896. Ment-gomery immediately began the construc-tion of a wharf covering some 30,000 square feet outside the wharf line, but inside the harbor line, as relocated. The Commis-sioners of the Port of Portland thereupon edopted resolutions laying out wharf lines on the lines laid out by the City of Port-land and declaring that this wharf con-struction would be an obstruction to the ominenced to enjoin the work. The Circuit Court ruled that the harbor

Uno re-established by the Secretary of War on September 22, 1826, is the only proper and legal wharf line in front of the defendant's property, sud that neither the City of Portland nor the Port of Portland to the line so established. In entering upon a lengthy discussion of the case, the opinion of the Supreme Court says:

The only questions in the case are, whether the act of Congress of September 19, 1880, authorizing the Secretary of War to establish harbor lines, is valid, and if so, whother it vests in that officer the power and authority to authorise the construction of wharves up to such lines in mavigable waters wholly within the state, notwithstanding the laws of the state pro-

hibit such construction."

The validity of the act of Congress was questioned upon the ground that the esvected in Congress and cannot be delegated to any other body or agency. The court mays that the tendency of authorities supports the argument that the act is void as an unlawful delegation of au-thority, but adds that no decision upon this point is necessary, as the act of 1800 is not designed to interfere with the power of the state over the construction of wharves unless they encroach upon the

"Congress has assumed jurisdiction over that part of a harbor outside of a line which the Secretary of War may lawfully establish. But it has not, in our opinion, assumed jurisdiction over the space be-tween such line and the shore.

The initiative in the construction of wharves is with the shore owner, under such results in a state may make such regulations as the state may make, and the duty of the Secretary of War is to see that they do not extend into the harbor beyond a certain line, without his permission. So long as the legislation of the state does not interfere with the duties of such officer, or conflict with the line

As Montgomery's wharf was entirely in-side the harbor line, but crossed the wharf line, it is held that the state has juris-diction, and that the case must be re-

was found not guilty. The one was taken to the Circuit Court on a writ of review, and it was there decreed that the Judgment of the Municipal Court be set saide, and the cause remanded, with instructions to the Municipal Court to advise when the first the december to the Municipal Court to advise which the december to the Municipal Court to advise which the december to the Municipal Court to advise which the december to the Municipal Court to advise which the december to the Municipal Court to advise the first the december to the Municipal Court to advise the first the december to the Municipal Court to advise the first the december to the first the first the december to the first the december to the first the firs judge that the defendant be fined or imjudge that the defendant be fined or im-prigoned. The defendant appealed to the Supreme Court. It held, first, that an offense under the ordinance is such an offense as comes under the con-stitutional inhibition against a defendant

torney. The defense set up by Mra. Smith was that the power of attorney was madequate to the purpose of authorizing the husband to execute these instruments her behalf. The power of atterney horized the husband to mortgage "any part of my lands or interest in lands, and this expression, taken in connection with other parts of the instrument, is held insufficient to authorize the husband to sign away her right of dower. As con-cerns the note, since the wife had authorised the borrowing of money for her use, to sign her name to the note. The claim that the wife ratified her husband's acts by her long allence was not pleaded, and thorities.

The United States National Bank, respondent, vs. L. Ferd Ploss, appellant, from Multnomah County, Arthur L. Fra-ser, Judge, confirmed, Opinion by Bean,

This was an action upon a promissory note for \$60, to be paid in monthly installments of \$15, together with the full amount of interest due on the note at the fine amount of interest due on the note at the time of the payment of each installment. The note was in favor of Leaner Gray, who assigned it to plaintiff. Each installment when assigned it to plaintiff. Each install ment of the principal had been paid as all plaintiff, but no payment had been paid as all plaintiff, but no payment had been most on the interest. The defense was that the consideration had failed and that the principal had failed and that the principal control of the interest in the payment of the principal had been most of the principal had been paid as all plaintiff, but no payment had been most of the principal had been most of the principal had been most of the principal had been paid as all plaintiff, but no payment had been most of the interest. The defense was that the consideration had failed and that the paintiff took the note with notice of its

dishenor on account of its defaulted in-terest. The opinion says in part;
"A note if not overdue by reason of a failure to pay interest prior to the matu-rity of the principal in the absence of a stipulation to that effect, because the interest is a mere incident to the debt.

And certainly this must be so And certainly this must be so where a note is payable in installments, each of which has been promptly paid as it fell due. Having reached the conclusion that the note was not dishonored at the time of its purchase, and that the defendant cannot set up as a defense thereto a breach of the bond occurring subasquent to the transfer, it necessarily follows that the answer does not state facts sufficient to constitute a

J. W. Ingle, respondent, from Benton County J. W. Hamilton, Judge, reversed. Opinion by Moore, J. This was an action for money. The de-fendant, after decaying the material allefendant, after denying the material allegations of the complaint, set up a
counterclaim, and a demurrer thereto
having been sustained, the plaintiffs, by
leave of the court filed an amended complaint and immediately moved for a nonsuit, which being denied, the defendant
filed an amended answer. A reply having put in issue the new matter in the
answer, a trial was held, resulting in a
judgment for defendant, and plaintiff appealed.

The Supreme Court holds that under

The Supreme Court holds that under

Mary Ann Barrett, respondent, va. John Schleich, et al., appellants, from Washington County, T. A. McBride, Judge: affirmed. Opinion by Moore, J. This war a suit to enforce the specific performance of a parol agreement to convey real property, it being alleged that the plaintiff had partly performed his side of the constact and had made valuable improvements on the land. The decree of the lower court was in favor of the plaintiff. In affirming this decree, the Supreme Court holds that it is proper for the trial court to admit evidence of for the trial court to admit evidence of the parol agreement before evidence of the part performance. In answer to the argument that the improvements were not sufficiently valuable to mise an equity in behalf of plaintiff the court

egulty in penalt of plainten in casys:

"The evidence shows that the bouse and barn are not very valuable, but they protect the plaintiff and her family from the inclemency of the weather, affording them a home and shelter for their stock. They have cleared the timber and brush and roots to the stock of the control of t ship channel in the river. Montgomery and grubbed up the stumps and roots was notified to desist and to remove the pilling, but he refused, and this suit was made all the improvements which their limited means would permit, and because they are poor is no reason why a court of equity should deny the relief to wisch they are smithed."

> In the case of Honry Gardner, appellant, vs. Wasco County, respondent, the petition for re-hearing was denied.

LIPTLE INTEREST IN CITY POLITICS Municipal Positions in Vancouver

Seem to Go Begging. VANCOUVER, Wash, Nev. 19.—Very little attention is being paid to city politics here, notwithstanding the fact that the mass convention for nominating candidates for city offices takes place tomorful row evening.

Few candidates for the different office

have announced themselves, From present indications, a majority of the present incumbents may have a renomination for the asking. One exception will probably be made, in the case of the Mayeralty, as it is learned that Mayor Eastham, who has served two terms, does not desire a renomination. C. D. Bowles and W. W. McCredie and A. B. Bastham have been mentioned for the place.

Convention to Name City Officials. OREGON CITY, Nov. 18.—Circulars were issued today announcing that the independent citizens of Oregon City will hold their convention at Shively's Thea-ter tomorrow night. For the stated pur-pose of nominating candidates for city officers. The call is made by A. S. Dresser, Joint Representative of Clackamas and Multnoman Counties, the accredited chairman of the city central committee of this party.

COLLEGE DEBATERS. Preliminary Test Held at Pacific . University.

FOREST GROVE, Or., Nov. 12.-The first preliminary debate for the purpose of selecting the team to represent Pacific of such officer, or conflict with the line established by him, it is controlling.

As Montgomery's wharf was entirely inside the harbor line, but crossed the wharf line. It is held that the state has jurisdiction, and that the case must be reversed.

City of Portland, respondent, va. August Erickson, appellant, from Multnamah County, M. C. George, Judge; reversed.

Coptnion by Wolverton, J.

Appellant was tried in the Municipal Court on a charge of violating ordinance. No. 7. M. relating to saloon licenses, and was found not guilty. The case was University in the coming inter-collegiate

were chosen.

The junior class of Pacific University is preparing a college annual which will be issued in the Spring. It will be the sec-ond. The first was compiled by T. H. Adams, of the class of 1894.

SALEM'S NEW POSTOFFICE. Chicago Firm Submits the Best Bid for Its Construction.

being placed twice in jeopardy. The opinion then says:

The Justice's code, which is made the procedure for the Municipal Court, in so far as it concerns a violation of the ordinances of the city, provides that 'an appeal can only be taken by the defendant, thus depriving the state or the city of a right of appeal and, if an appeal will not lia, neither will a writ of review."

Recourity Savings Bank, respondent, va. Successive Wakefield & Bridges, Porting McGrath, Glabs & Van Patton, Salem, \$3,500.

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usie W. Smith, et al., appellants, from
distinance County. John B. Cleiand,
lings; modified. Opinion by Wolverton, J.

This was a suit to foreclose a morigage
purporting to have been executed by
Preston C. Smith and Susie W. Smith, his
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Smallpox Evidente in Sanaime.
VANCOLIVER, B. U., Nov. 19.—A smallpox epidentic has broken out in Nanaimo,
B. C. The municipal and health authorities of Nanaimo, which is in the center
of the British Columbia coal mining industry, have several times denied the
presence of the disease, but Dr. Fagan,
the Provincial Health Officer, reports that
there are now is cause in Nanaimo. Many
of these new stricken with the disease
were miners, who went to work in the were miners, who went to work in the pits with a resh on the face, pronounced insignificant, but now admitted to be gen-uine smallpox. All passengers arriving from Nanaimo are subjected to a rigid examination by the Vancouver health au-

Smallpox at Dallas. DALLAS, Or., Nov. 18.—Yesterday it was definitely determined by the doctors of this place that William Cook was a victim of smallpox. The case was immevictim of smallpox. The case was immediately taken in charge by the city authorities and quarantined. Every preclation has been taken to stamp out the disease, or at least comine it to the Cookfamily. Several persons have been exposed, however, and this may prove well night impossible.

STATE ASKS FOR MONE

REQUESTS THAT SCALP - BOUNTY TAX HE REMPTED.

Countles That Will Not Comply With Demand Asked to Give Reasons for Not Doing So.

SALEM, Or., Nov. 12.—State Treasurer Charles S. Moore today sent out to all but six of the County Treasurers of the state a circular letter in which he requests them to forward to him the amount of money collected under the scalp-bounty tax. Bix County Treasurers, these of Jackson, Malheur, Sherman, Tilamook, Union and Wallowa, have already deposited the money collected by them, the aggregate being 1996 22. Three, countles, Crook, Polk and Multnomah, did not levy the tax. The total amount of warrants thus far issued on the scalpbounty fund is \$5.03. The letter written today by Treasurers Moore asks the County Treasurers to forward the money or give their reason for not deing so.

It has been stated by residents of Eastern Oregon that the people of that secnot state facts sufficient to constitute a defense, and the demurrer was promptly ern Oregon that the people of that section realize the importance of the scal bounty, and that some advocate an increase of the tax. It is also announce crease of the tax. It is also announced that Eastern Oregon will send its legislators to Salem next Winter united in a determination to continue the bounty law. Commenting upon this, many heavy tax-payers of this section have said that f the sheep-producing sections of the state will not do their shere toward paying the tax, they will meet a troop consisting. tax, they will meet a strong opposition to a continuance of a law that saddler an enormous debt upon the state to be paid out of the general fund and at the expense of all property-owners, regardless of benefits derived.

Oregon's Assistance Solicited. Governor McSweeney, of South Care lina, has requested Governor Geer to do what he can to assist in making a suc-West Indian Exposition, which will be held in Charleston, beginning December 1, 1901, and closing May 1, 1902. It is stated that the special object of the expesition is to make a display of the arise industries and products of the several states of the Union, of Eouth America. Cuba, Porto Rico, Mexico, Central America. ica and the Philippines.

Visited Vambill County Schools Superintendent of Public Instruction J H. Ackerman spent the greater part of last week visiting the country schools of Yambili County. He was accompanied or ramail county, he was accompanied by the County Superintendent, and part of the time by President Campbell, of the Motmouth Normal. The teachers of the schools visited were not apprised of the Intended visit of these officials; so the Superintendent had an opportunity to see the ordinary work of the country schools. He will make a similar visit of inspection. He will make a similar visit of inspection to some section of Eastern and Southern Oregon, but the schools to be visited will not be announced.

Received at the Asylum. Joseph Evo, aged 66, of Aubūra, Baker County, and Ruth Johnson, aged 50, of Pilot Rock, Umatilia County, were re-ceived at the Asylum today.

For Elks' Memorial Service. John F. Cordray, lesses of the new Salem Opera-House, has tendered the Salem Lodge of Elks the free use of the

be held December 2. Present City Officials in Payor. A petition is being circulated in this city asking all the members of the pres-ent city administration to stand for re-

Will Reduce Real Property Values. The Marion County Court has been working today on the assessment roll, and will make slight reductions in the

and will make slight reductions in the valuations on real property. The work will probably occupy 10 days.

Case of Salem Light Company.

Judge Boise today began the trial of the suit brought by the London & San Francisco Bank to foreclose its mortgage on the Salem electric light and street railway plant. It is probable that the trial will take several days.

Routes for Rural Mail Delivery. Postmaster Hirsch today received a let-ter stating that Special Agent Ormsby, of the Postoffice Department, will arrive in Salesn about November 25, to inspect the eight proposed routes for free rural mail delivery.

OUTLOOK IS PROMISING. Malheur County Destined to Become

One of Oregon's Best Sections.

VALE, Or., Nov. 19.—The present out-look for Malheur County is certainty a promising one. With its undeveloped re-sources, which are little known to the

world generally, a very prosperous time is yet in store for it. The great stream of im-migration that has been pouring into Oregon has followed the beaten path along the line of the railroad, and Malheur County has been passed by unnoticed. Thus it is, although the second county in size in the state, that its population small. The people here have taken no steps to attract more settlers, and until late years but few people at a distance knew anything about such a place as Malheur County.

Matheur County.

The only railroad that comes within the borders of the county is the Oregon Short Line, that runs along the banks of the Sunke River for about eight or ten miles. Thirteen years ago the Oregon Pacific built several miles of grade up the Malheur Canyon, but in the manicial panie of those times the company failed, and now the grade is covered with segebrush

yearly shipped from its ranges to the mar-kets of the East. The cattlemen had complete control of the country, and so long as they could keep the range in their own hands it was to their great filead-vantage to have the country settle up with the smaller farmers, hence they dis-

with the smaller farmers, hence they discouraged immigration. But the agriculturist is making his appearance. The soil is rich, the climate pleasant and the sagebrush flats are being turned into green fields and pleasant homes.

To say that the soil is rich only haif expresses it. The land is composed of volcanic matter, intermixed with decayed vegetable matter, and as a rule the products of the field, the garden and the orchard are something surprising. Of course, this will never cease to be a great stock country, for there are in the mountains and over the many miles of sage-brush hills a vast amount of land that is of value only for graving purposes. Large companies have in the past monopis of value only for graving purposes.
Large companies have in the past menopolized the range, but the time is quickly approaching when such concerns as the Pacific Livestock Company and others must cease to do the wholesale cattle business they are now running, and the caulty manches will take their clare.

are offered. There are needed hers dairies, creameries, pouliry farms, canning establishments and various kinds of factories. All these must come in the course of time for the condition of the country is such that they will be required. The numerous hot springs of this locatity could be profitably utilized in various ways. The hot artesian well here at Vale, with its excellent medicinal water, will come day yield big rewards to the person who will build in connection with it a proper sanitarium.

PUGET SOUND STORM.

No Serious Damage Has Resulted-Ranghest Weather in Years. Ranghest Weather in Years.

ERATTEL, Nov. 19.—While no serious damage, so far as known, has resulted, the sform of Sunday and Sunday night materially interfered with Puget Sound shipping. Five or six local steamers attempted to leave during the storm, but had to put back to port, owing to the severity of the gales. Even today their manters thought it ill-advised to venture out again. All, however, left tonight.

Among the vessels forced to tempovarity shandon their runs were the State of Washington, Fairhaven, Greyhound, E. D. Smith and T. W. Lake. The Greyhound only runs between Senttle and Everett, and although the run is short the blow and although the run is short the blow was so strong that her master concluded it safest to forego the voyage. The State of Washington and Fairhaven are Bei-lingham Bay boats, and the Lake and Smith are freighters, with a roving com-mission.

Telegrams received Sunday night by John Libby, manager of the Puget Sound Tugbeat Company, stated that the weather John Libby, manager of the Fuget Sound Tugbeat Company, stated that the weather throughout the length of the Strait of Fuca and off Cape Flattery was the roughest in years. In fact, for several days it has required two tugs to get a sailling vessel past the cape and through the strait. To being in the ships B. P. Cheney and Two Brothers, Sunday, it was necessary to have the assistance of four tugs. Even in sheltered Neah Bay, the wind attained a velocity of E miles an hour for three days, indicating that more than twice as great a wind was raging in the strait and off the cape. Sunday two schoopers, the Stimson and Baxier, both at Bahlard, dragged their anchors and were all but driven on the beach. To guard against further dancers tugs were dispatched to their assistance into afternoon. In the strait and off the cape the gales were from the northeast, usually accompanied by heavy snows.

snows.
Sunday the small British steamer Cap-ileno attempted to go from Tacoma to Victoria, but she encountered such a storm on Fuget Sound that she had to put into Scattle harbor, where she re-mained today. She will probably resume her voyage tomorrow

SNOW AT ASSELAND. Fall Yesterday Greater Than at Any

Time Last Winter. ASHLAND, Or., Nov. 18.—A half-inch of wet snow fell here this evening. The mountains about the town are white, Six inches are reported on the summit of the Siskiyous at the railroad crossing, and the fall has been still heavier in the Cas-cades along the Ashland-Klamath Falls stage route. This is unusually early for snow in this locality, and the fall in Ash-land has been greater this evening than during any time last Winter.

VANCOUVER B. C., Nov. 19—The storm of Saturday has been renewed today in the interior of the province, and snow is deep at up-country camps. Intense cold is reported from many points, and at Port 2008, 12 miles from Vancouver, an old man named Thomas Roche was found dead near the road. The cause of death is reid to have been the extreme cold. is raid to have been the extreme cold. Distress has been augmented by the short-age of anthractic coal.

First Snow at Hoppner. HEPPNER, Or., Nov. 19.—The first snow of the season to reach down to Heppner whitened the surrounding hill-sides here yesterday, but a warm wind melted it away by noon. This afternoon there were several flurries of snow, and the marcury went close to the freezing point. It is the first taste of Winterhers.

Small-Stred Snow Storm at Mourse MONROE, Or., Nov. 18.—The extremely cold rains of the past few days culminated this morning in a small-sized snow storm. At 2 o'clock the snow was an inch in depth and is the first of the season. This is the carliest snowfall wit-

of the season. The storm commenced again this evening, and with the thermometer below the freezing point there are prospects of a heavy snowfall before

Lebanon in Track of Cold Wave. LEBANON, Or. Nov. 18.—About three inches of snow fell here today. The ground is now covered. It is clear. The indications are good for frost tonight. A hard freeze would do great damage to potatoes in this vicinity.

Spokane's Coldest November Night. SPOKANE, Nov. 19.—This is the coldest November night ever experienced in this section. At 7 o'clock, the temperature stands five above zero, and the weather observer says it will touch zero before morning. A keen northeastern wind is

Chilly Blizzard at Albany, ALBANY, Or., Nov. 18.—A chilly bila-zard has prevailed at this city today, with enough snow to whiten the side-walks, but soon passing off.

Mountains About Dallas Coated. DALLAS, Or., Nov. 12.—Snow fell last night in the valley, and the mountains are heavily conted.

Cold Weather at Forest Grove. FOREST GROVE, Nev. 13.—Snow fell here last night and today, covering the ground, and it looks as though Winter had begun.

PAILED TO MAKE OUT CASE. Salem Man Charged With Perjury

Acquitted by Court.

BALEM. Cr., Nov. 18.—Hobert Crego, an aged and respected resident of this city, was arrested faturday evening on a charge of perjury preferred against him by Willard Martin. It was alleged that Crego gave false testimony against Martin in the case in which the latter was tried for striking George Murphy with a billy club. Crego promptly gave ball. billy club. Crego promptly gave ball, with Mayor C. P. Bighop and ex-Alderman J. M. Lawrence as surction.

At the hearing this afternoon the case was submitted upon the restimony produced by the prosecution, and Justice O'Donald ordered the defendant discharged.

It is mimored that other charges of per-jury will be brought as a result of the Martin case.

Salkum Store Burned. CHEHALIS Wash, Nov. 15.—Mrs. W. L. Orrahood's store at Sultum, IS miles east of Chehalis, was burned this morning at 3 o'clock. The building and stock of goods was a total loss, and there was no lineurance. The estimated loss was \$150. The postoffice and mail in the office were also burned.

DALLAS, Or., Nov. 11.—The prince-propers are becoming greatly interested in the organization of a prunegrowers is association. It is argued that if Califor-To alla can set a price on Folias prunes. Ore-sets gon can set the price on Falianbergs.

VARSIET BLEVEN DEFEATED ASS. LAND BY 21 TO G.

Game Was the Best Ever Played in Southern Oregon-Victors on Way Home From California.

ASHLAND, Or., Nov. 13.—Ashland took a half holiday this afternoon to witness the best game of foechall that has everbeen played in Southern Oregon. The contest was between the University of Oregon eleven and a team organized here. A large number of visitors arrived on the morning train from the Valley towns, and the spacious grounds and grandstand of the sthletic grounds were crowded with nearly 199 papple who cheered their favorite colors with much enthusiam. The Eugene boys, flushed with their victory over Berkeley, Saturday, put up a great game, and were entirely too heavy and well-trained for the Ashland hoys. As they lined up the average wright of Eugene was 195 and Ashland 150 to the player.

gene wan 153 and Ashland 150 to the player.

The game started promptly at 2 o'clock, Ashland winning the kick-off. The home team put up an excellent game in the first half, Homes, Stanley and Robley being particularly fine at tackling and punting. During this half, Sugote made a couple of very long runs. The first touchdown was made by the University team in 19 minutes, MoArthur kicking a goal. Time was called with the score 6 to 6.

goal. Time was called with the score 5 to 6.

Robley and Meliza, of the Ashlands, were injured in the first half and taken out of the game.

In the second half, Eugene kicked off. Ashland lost the ball on downs and began to wear sut, Eugene playing a fast, sanny game. Furgers made three gan to wear sut, Eugene playing a fast, snappy game. Eugene made three touchdowns, their star player, Smith, who was put in in this half, failing to kick the goals. Throughout the game was a good, clean one, and gave great satisfaction to all lovers of the sport.

Starr, of the Eugenes, played his best game of this season. Jakway was knocked out in the first half and Zeigler sutstituted. McArthur played in the first half and made good runs with the ball, but falled to punt.

During the second half Eugene scored it points making the total score it to 6. Each half lasted in minutes. Despite the rainfall of yesterday the ground was in

rainfall of yesterday the ground was in excellent condition.

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| | winds Burney | |
| Robley | R H | Smith |
| Homes | L H | Starr |
| Washborn | | McArthur |
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| Dweles I | El Stranger | |

Umpire—I. E. Vining.
Referee—Peter Kaarsburg.
The University team and the friends
who have made the California circuit with
them left for their homes in Eugene on
this evening's train, well satisfied with the showing they have made on their trin

Mount Taber Eleven Victorions. VANCOUVER, Wash, Nov. 12.—A lively football game was played on the City Levee ground here yesterday between the Vancouver cloven and the Mount Tabor team, Mount Tabor won by a score of

FATE DEALT CRUELLY WITH HIM.

"Forty-nine Jimmy," Well-Known Pioneer Miner, in Dire Sirnita. HEPPNER, Nov. 18.—Many of the pioneers who mined in the Blue Mountains in the placer days. W years ago, and who are now scattered over the entire Northwest, remember an always well-known character among them who was called "Forty-nine Jimmy."

character among them who was called "Forty-nine Jimmy."

He was with Joaquin Miller at the Florence diggings and at Canyon City; mined at Susanville, and finally settled down at Robinsonville, on the slope of the Greenhorn range toward Heppmer. He was there in 1978 and helped stand off the heatile Snake Indians who passed close by and killed a Franchman whose grave is now on a ridge there in sight of Dixie Butte.

cold rains of the past few days culminated this morning in a small-sized anow storm. At 2 o'clock the snow was an inch in depth and is the first of the season. This is the carliest snowfall witnessed here in several years.

Prospects of Heavy Snow at Astoria.

ASTORIA, Or., Nov. 12.—About two inches of snow fall here today, the first of the season. The storm commenced again this evening and with the first of the poorhouse.

the Sheriff has come for him and taken him to the poorhouse.

For several years he was the only resident of the town of Robinsonville, and when the first Spring prospectors and the Hopping sheeping prospectors and the Hopping sheeping would go in there as soon as the know went off, they would expect to find that Jimmy had died alone weeks before.

For several years the neighbor quarts miners have cared for Jimmy, but most of them come out of the Greenhorn's deep mows for the Winter, and as old Jimmy could no langer care for himself, it was thought best to move him out before the trails became impassable.

Quotations of Mining Stocks. Following were the quotations a Mining Stock Exchange yesterday



Umpqua

SPOKANE, Nov. 10.—The dosting quotate for mining stocks today were:

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Min. Linn. 25. 40. Hum. Bird. 10.
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Even. 25. 56. Sullivan. 120.
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SAN PRANCISCO, Nov. 19. - The official closing quotations for mining stocks today

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Circuit Court at Hoppings. HEPPNER, Or., Nov. 18.-Circuit Court | mack of the bottle.

for Morrow County communiced here today with Judge W. R. Ellin on the bench and District Attorney T. G. Halley in attend-ance. There is but one critical case, and there has not been a prisoner in the Mor-row County Jali during the past four months. The docket for the current term consists of II law and eight divorce cases.

Notes of Panest Grove. FOREST GROVE, Or. Nov. Ik.—Jasoph Balley, of this piace, received a message today from D. C. Stewart, who is at the bedside of his brother, Emminger Stewart, of Dayville, who was beoked by a wicious cow saveral days ago, saying that his brother's condition is much improved, and he is now considered about out of danger. Mr. Stewart is one of the mest prouthent stock men in the John Day Valley.

prominent stock men in the John Day Valley.

The J. G. Bobe edgmer lot, in the hear of tarch, was today sold to James Wood and T. H. Adams for \$200.

New Mail Service for Monroe MONROS. Or. Nov. 18.—The United States mail will be forwarded over the new Monroe-Corvalita routs for the first time on the morning of December 2. The mail will leave Monroe every morning except Sunday, at 6 A. M., arriving in Corvalits at 10 A. M.; returning, it will leave Corvalits at 2 P. M. Sind arrive in Monroe at 8 P. M. The new plan will not be of any special benefit to Monroe, except making closer connections with the county seat. with the county seat.

Old Chehalls Courthouse Sold. CHEHALIS, Wash., Nov. 18.—The build-ings on the old courthouse block were soid at public auction today to Fred Reige for 250. This included the court-house, surveyor's office and jail. The contract provides, however, that Reige shall move everything on the block from off the land.

Pined for Disorderly Conduct. VANCOUVER, Wash, Nov. 12.—Fred Blanchard, who was arrested yesterday for creating a disturbance at the football game, pleaded guilty in the Municipal Court this morning to the charge of being drunk and disorderly, and was fined his and costs, which he paid.

Gregon Notes. The new Isa Grande depot will be fin-ished about December 1. Trolling for salmon on Coquille River has afforded good sport lately. In Mountain precinct, Curry County, every vote was cast for McKinley.

The Sumpter and Baker City elevens will play football Thanksgiving day. One hundred wheat teams were counted between Condon and Arillagton one day last week. Work on Lawten's streets and bridges

The handsome new Masonie Temple at Baker City will be ready for occupancy by Dicember 1. Thomas McEwen and J. H. Robbins

will be candidates for Mayor of Sumpter at the December election. J. P. Penhole was run over by a train at Huntington Saturday, and his left lag and arm were crushed. A number of Myrtle Point sportsman

Norway, for hunting purposes.

Work on the Sumpter Hotel was suspended last week swing to delay in receiving castings from Partland.

The Baker City Mutual Irrigation Company has begun construction of a dam across Powder River near the city. The Sumpter-Granite mail route will be extended to Lawton, and the latter place will be the terminal point instead of Gran-

Athena has been having a phantom-woman excitement lately. The speciar roamed the streets at all hours of the

Realty investments at Bales City do not show any signs of abstement with the approach of Winter, according to the Democrat. The Dufur Common Council has passed an ordinance fixing the saloon license at

an ardinance fixing the saloon license at \$200 a year, and at \$200 a year when mait liquors only are sold.

Prineville engine company No. 1 has renominated Frank Elikins for Chief Engineer, and W. A. Bell for Assistant Chief. The election will take place the first Monday in December.

The game of football, played at Newberg, Saturday, between the first teams of the Pacific College, of that place, and Pacific University, resulted in a score of nai applications do any real good. 23 to 6 in favor of Pacific University.

The Pendleton and La Grande High it will keep the skin irritated. Schools will compete on the gridfron Sat-urday at La Grande. The La Grande Commercial Club will play the Heppner Athletic Club at Heppner Thanksgiving

Charles Finnigan has begun suit in Baker County for \$3,147 56 againsn the Golconda Mining Company. He allegas he sustained injuries in the service of the company on account of criminal negli-gence of the defendant.

Washington Notes. The Tacoma Humane Borlety was reor-

cantred Saturday. ganized Saturday.

The hop market of Yakima has been inactive for the past three weeks.

A. J. Falkner has announced his candidacy for speaker of the House. The Tacoma Council is saked to raise the pay of patrolmen 110 per month. The Spokane Republican delegation to the House of Representatives will ask for the election of Harry Rosenhaupt to the position of Speaker of the House.

Ira Crofutt reports that in gathering apples it took only 72 apples to make a bushel, says the Prosser Record. They were of the Ben Davis variety, and the first crop.

first crop.

Captain Fred Nielson, of the ship P.
W. Barliett, was arrested by the Sherin of Whatcom County Friday, charged with dumping ballast in the harbor, where such acts are forbidden.

Expect oracksmen blow open the safe in E. W. Whitney & Co.'s afore at Spangle Eridas night, securing life. The safe of R. W. Butler's store was also bored and charged with explasives, but the burglars left without blowing it open.

The widow of A England as administration. The willow of A. England, as administratrix of his estate, has sued the Chil-koot Railroad & Transport Company for 5000 damages for the less of Mr. England in the great Chilkoot mowalide of



is familiar in thoushad a permanent place as a family

HOSTETTER'S BITTERS

Dyspensia, Figurency, Billousness, Nervousness, Sleeplessness and Kldney Disorders.

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The time was when doctors thought con-sumption could not be best doctors agree that it will permanently cure consumption and all diseases of the throat and lungs. We have thousands of gratest patients who write us they have been cure

after they were given up by the doctors. CRARLOTTE, Mich.

Sirz:—After being given up by several of our
best physicians, having throat and lang troubins
and prosesseed a case of locurable consumption.

my sister started the use of your Fure Mair Whis
key. Die has taken three battics, and is as much
improved in strength that we are all feeling quiet
fiopedal.

MER BELL SHAUL. Operation.

It is the only Whichey seared by the Government as a seal to ... This is a guntarious. All draggings and greens are direct lower collections, they are believed. Such the free reader DUFFY HALT WHISKEY CO., Reshester, M. Y.

April, 1892. He was working for the company when killed.

The women of Spokane's Cathelic parlishes will endeavor this week to raise money with which to furnish the sew \$85,000 building of St. Joseph's Orthanare. The building is nearing competion, and will be ready for dedication about the first of the year.

The wife of Chief of Police Faceler, of Tacome, was frightened Saturday by cause N. Godkin von Galen, a paimist, chicage her bouse and insisted upon reading her palm. She telephoned to Chief Fickler, who promptly went home and arrested the intrader. Galen is a veteran of the Philippine War.

William Farnhem, working on the Geattle & Northeen Rellway extension east of Hamilton, was almost instantly killed by a landsille in a deep cut two miles from the new town of Tower. He was thrown up against a steam shovel and buried underneath the arth and gravel.

of Hamilton, was almost instantly silled by a landsilde in a deep cut two miles from the new town of Tower. He was thrown up against a steam shovel and buried underneath the earth and gravel. Parnham was about 21 years of age, un-married, and is supposed to belong at Blaine.

Blaine.

A change has been made in the manner of conducting the chapel exercises at the Washington State University at Seattle. Hereafter on Tuesdays distinguished speakers who are not members of the university will entertain the students. Thursdays there will be music by the university's hand, and Fridays vocal music will be the programme. The remaining days of the week Monday and Wodnesday, will be devoted to religious exercises.

The Puget Sound Ovstermen's Associa-The Puget Sound Ovetermen's Association met at Olympia Saturday. The principal business transacted was the adoption of a standard of weight for cysters
by the sack. The prine was fixed at \$5.50,
and the weight at 110 pounds, provided
that the amount of five pounds be added
to each each as shrinkage. In addition
the association established the price of
opened cysters at \$5 per gallon, and
any dealer who sells or ators for a smaller
figure will not be supplied with them by
members of the association.
The Selah & Moxee Canal Company has

The Selah & Moxee Canal Company has The Selah & Moxee Canal Company has flied a notice of appropriation of 150 cubic feet per secund of the witters of Taxima River. This is claimed for the purpose of supplying water for irrigating a tract of land and to contain about 200 acres in the Moxee district. The water appropriated is sufficient for irrigating the land under the proposed ditch, and for domestic and culinary uses. The water has been contracted by homosteders and others holding the lands, and the canal will be constructed in a few months.

ECZEMA'S

JTOH IS TORTURE.

Eczema is caused by an acid humor in Eccetta is caused by an acid humor in the blood coming in contact with the skin and producing great redness and in-flammation; little pastular sruptions form and discharge a thin, sticky fluid, which dries and scales off; sometimes the skin is hard, dry and fissured. Bezema in any form is a tormenting, stubborn disease, and the itching and burning at times are almost unbearable; the acid burning humor seems to come out and set the skin humor seems to come out and set the aking on fire. Salves, washes nor other exter-

BAD FORM OF TETTER.

Por three years I mad Teffer on my bands, which reased them to swell to twice their satural size. Far of the time the disease was in the form of runman in the form of running stores, vetr pairs
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man completely cared.

reas completely cured.
This was fiften years ago, and I have never since seen any sign of my old trouble. — Man.
L. B. Jacanow 1412 McGee St. Kadans City Ma. 5. S. S. neutralises this acid potson, cools the blood and restores it to a healthy, natural state, and the rough, unher skin becomes soft, smooth atterclear.

skin becomes not, sthooth the clear.

Solution of the clear street help you by their advice: we make no charge for this service. All correspondence is conducted in strictest confidence.

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