

INQUIRY DEMANDED

Judge Noyes' Conduct May Be Investigated.

THE ALASKA COURT MUDDLE

Carter Introduced a Resolution in the Senate for a General Investigation of Legal Affairs at Cape Nome.

WASHINGTON, Dec. 17.—In view of the publicity of charges against the administration of justice at the court of Cape Nome, Alaska, especially in the mining laws of Alaska, Carter of Montana today introduced a resolution in the Senate directing the committee on judiciary to investigate the whole question.

Whereas, it has been charged through the press that Judge Noyes, of the District Court of Alaska, having jurisdiction over the Cape Nome district, has been guilty of illegal or improper conduct in connection with litigation pending in his court; and

Whereas, it is further charged that such alleged illegal action or improper conduct resulted from a conspiracy in which many persons were concerned; therefore be it

Resolved, That the judiciary committee of the Senate be directed to investigate and report to the Senate the facts found in response to the following interrogatories:

1.—Are the general mining laws of the United States applicable to the District of Alaska?

2.—Has Judge Noyes been guilty of any illegal or improper conduct in connection with any litigation pending before his court?

3.—Whether any Senator or Representative in Congress or any officer of the Federal Government ever purchased any interest in any property which has been the subject of litigation in the said court, and whether any such person has had any interest in the result of such litigation, and if so the name and position of such person and the nature of the interest.

4.—What, if any, effort has been made by any party improperly to influence the judgment of the court or any officer thereof?

5.—What, if any, sums of money have been expended by any party in connection with the litigation, and by whom such statements reflecting upon the honor and integrity of the court or any officer thereof, and by whom such statements were made?

6.—The facts connected with any inducements offered to Judge Johnson, predecessor of said Judge Noyes, to induce him to resign his position on the bench and to become connected with the litigation pending in the court at the time of his resignation or thereafter commenced.

The committee is directed to inquire fully into the charges affecting the integrity of Judge Noyes or his court or any receiver or other officer in connection with litigation pending before the court; and is authorized to examine all papers and documents, to examine witnesses under oath and to incur such expenses as may be necessary to make the investigation thorough.

SUIT AGAINST THE STATE ON TRIAL

Too Much Water Said to Be Taken for Public Institutions.

SALEM, Or., Dec. 17.—Judge Bohse today began the trial of the suit brought by the Salem Flouring Mills Company to enjoin the state officials from using more water from the mill race at the penitentiary than the state is entitled to.

The contention of the flouring mill company is that the state is entitled to use from Mill Creek only so much water as may be needed for mechanical purposes, and as much more as can be pumped through a two-inch pipe. The plaintiff alleges that the state officials for consumption at the penitentiary, asylum, Orphans' Home and Statehouse all the water that can be drawn through two 10-inch pipes.

The defenses of the state are several. It is alleged that the state is using no more water than it is entitled to; that it has used the water adversely for over 10 years; that the mill company agreed with the state officials since 1890 that in consideration of labor performed on the mill race the state should use the water at the rate of 100 cfs. at the institutions, and that even if the state is using more water than it is entitled to, the mill company is not injured thereby, and hence can have no injunction.

Governor Geer today appointed M. D. Thompson to the office of County Judge of Douglas County. The resignation of John Lyon, who resigned, Thompson was recommended by the Douglas County Republican Central Committee. He was one of the County Commissioners, and this appointment leaves a vacancy in that office.

The members of the Salem Athletic Club football team occupied the boxes at the Grand Opera house on Saturday as the special guests of Manager Cordray.

The Dick Swartz farm of 500 acres, on Howland Prairie, was purchased by Judge George H. Williams, who recently acquired it on foreclosure. The purchasers were A. G. Anton and Peter Kutzner, recent arrivals from Minnesota. The Kutzner brothers have the farm with thoroughbred horses and cattle, and will make it one of the best stock farms in the Valley. The exact consideration of the sale is not stated, but it is understood to be about \$25 per acre.

HOW FARMER WAS KILLED.

Death Was Instantaneous—Locomotive Engineer Was Only Witness.

SALEM, Or., Dec. 17.—Coroner D. F. Lane went to Turner this morning to investigate the facts regarding the train accident near that place last night, which resulted in the death of Ralph Bowerman. It appears that the train was moving forward when the engine struck the man, and that the engine struck him on the head, and that he was killed instantly.

LOTS OF NATURAL GAS

PROMISING PROSPECTS ABOUT ROSALIA, WASH.

Good Quality for Heating and Lighting—Arrangements for Staking a Well Have Been Made.

ASTORIA'S STREET RAILWAY LINE.

Conditional Franchise Offered Local Capitalists.

ASTORIA, Or., Dec. 17.—At the meeting of the Council this evening an ordinance was introduced granting to Charles H. Page, Martin Ford and F. R. Stokes a 7-year street railway franchise over all the streets of the city, provided that the grantees shall acquire the present street car line within three months and shall extend the same one-half mile, both east and west, within one year. A special meeting of the Council will be called during the present week to take action on the ordinance.

The big jam containing about 1,500,000 feet of logs, which had formed in the Astoria river, was broken up yesterday with dynamite Saturday afternoon. During the past few days 2,000,000 feet of logs belonging to the Nevanium Spruce Lumber Company and C. C. Clarke have floated down that river.

The directors of the American Canning & Packing Company held a meeting this morning and elected Charles Rogers, president and H. C. Thompson secretary.

The new Methodist Episcopal Church at Knappa was dedicated yesterday afternoon by W. Gue, of Portland, officiating. The church is a very substantial structure, erected at a cost of \$120, and is entirely free from debt. Its pastor is the Rev. J. W. Hawkins.

Articles of Incorporation of the Muir Glacier Packing Company were filed in the office of the County Clerk today. The capital stock is \$100,000, and the incorporators are: N. J. Svindseth, Thomas Christensen and J. H. Smith. The principal office of the company is to be at Astoria, and the business to be the packing and canning of salmon in Alaska.

The mail-carrier was coming over the trail from Nehalem to Seaside Friday morning, and was stopped by a bear near Arch Cape in a very exhausted condition, and evidently near death. The mail-carrier notified Joseph Walsh, whose ranch is about a quarter of a mile away, and he went to the place with some food and blankets, but found that the Chinaman had died. They covered him up and buried him, and then they returned to Astoria, where they were met by the mail-carrier, who was very much surprised to find that the Chinaman was dead.

Rural Delivery in Whitman.

COLFAX, Wash., Dec. 17.—The indications are that the arrival of Spring will find rural free delivery of mail in all the counties of the state. The Post Office at Colfax has already secured the necessary signatures to a petition for a route 24 miles in length, running from that town through the thickly settled portions of the county surrounding, and hopes to have the route established and the delivery in operation as soon as the necessary steps can be taken. The route will be established as soon as the necessary steps can be taken.

Lightship Gone Adrift.

SEATTLE, Dec. 17.—A telegram received by the Lightship Division of the Lightship Service, contains the information that Lightship No. 67, anchored off Umattila Reef, off the coast of Washington, was blown away from its anchorage and is now adrift. The vessel was blown away from its anchorage and is now adrift.

Fire Apparatus for Silverton.

SILVERTON, Or., Dec. 17.—The recent fire at Silverton has caused the citizens to provide better fire protection, and the Council at its last meeting made an order for 500 feet of hose and five hydrants, the hydrants to be placed in the business portion of the town.

Gambling-Rooms Robbed.

SPOKANE, Dec. 17.—The Warwick gambling-rooms, on Riverside avenue, were held up at 1 o'clock this morning by a party of three men. The alarm was given and the robber pursued and captured.

Oregon Notes.

At the La Grande sugar factory 5000 sheep and 200 cattle are being fed.

The arrival of winter at Summerville for a fourth year is growing rapidly.

The Umattila County Court denied a petition for a saloon at Echo last week.

Mrs. A. Ryerson shipped two carloads of apples from La Grande to Chicago last week.

Examination for the postoffice service was held at Astoria Saturday. There were three applicants.

Sidney Sigar was fined \$10 and costs at Prairie City last week for having received stolen goods.

A report by letter reaches Ontario that George Brannan, who is operating placer diggings near Bridgeport, found a gold nugget that weighed \$100.

The warehouse of Patterson & Eppinger, at Baker City, was broken up Friday night and between \$50 and \$60 worth of liquor was carried away.

Indications are that there will be many applications for timber claims as soon as the winter season opens.

All the plates were burned in the big fire of last Spring.

Solo will soon have a high school. It is the intention to open the institution in the fall of 1901.

The employment of another teacher, making four employed by the district.

Milton elected the following city officers: Mayor, S. A. Miller; Recorder, G. W. Taylor; Treasurer, N. A. Davis; Councilmen, W. A. Bannister, J. B. Frazier, J. L. Frazier, James Edwards, J. C. Moss.

J. L. Caviness has 100 tons of carrots that he will feed his hogs, cows and horses this winter, says the La Grande Observer. He recently received 300 head of hogs from his Wallawa County farm.

E. M. Oliver, of Union County, who, for the past two years, has grown 200 acres of sugar beets, has decided to contract for 200 acres next season. He has more money this year on his beet land in proportion to the acreage than he did on his wheat land.

The rich strike reported in the Helena mine some three weeks ago is still developing. Two shifts of miners have been driving night and day, and are now in 37 feet in this chute of ore. The vein is regular, and there are no signs of faulting.

Mr. Jennings believes this ore chute will continue for 200 feet, as the other two

Crushed in a Coal Mine.

TACOMA, Dec. 17.—A telephone message from Carbonado says: Andrew Nolis Johnson, a Swedish miner, was found dead Sunday morning, buried in coal at the bottom of one of the chutes of the Northwestern Coal Mining Company. Johnson must have fallen into the chute Saturday night while at work. His body was badly bruised and crushed.

Quartz Claims at Head of Clackamas.

OREGON CITY, Or., Dec. 17.—Three new

CHUTES THEY HAVE CUT THROUGH ARE FROM 150 TO 200 FEET IN LENGTH. IF IT ADVANCES 100 FEET FURTHER THERE WILL BE IN ABOUT 300 TONS OF ORE THAT THEY CAN SACK AND SHIP TO THE SMELTER. THE AVERAGE WORKING SAMPLES OF THE ORE GONE THROUGH WILL NET, AFTER MINING AND TREATMENT, \$200 PER TON. ANALYSES MADE OF THE ORE SHOW IT TO BE A TELLURIDE OF GOLD.

Professor Stone and several other practical mining men from Cripple Creek, Colo., in making a thorough examination of the Bohemia district one year ago, predicted a strike of this character of ore in deep mining in the Bohemia camp. This great strike in the Helena mine has demonstrated the truth of these predictions.

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OREGON CITY, Or., Dec. 17.—Three new

GALLERY OF NEW MEMBERS OREGON LEGISLATURE



C. W. NOTTINGHAM, A REPRESENTATIVE FROM MULTNOMAH COUNTY.

C. W. Nottingham was born in Sangamon County, Illinois, in 1848. He was brought up on a farm. When he became of age he engaged in farming and stock raising. He came to Oregon in 1881, and engaged in manufacturing lime on Puget Sound, and also had a house in Portland and spent the winter of 1888-9 in the business of Mr. Nottingham & Co., dealers in building material. In politics, Mr. Nottingham is and has always been a Republican. He was nominated on the Citizens ticket for Representative from Multnomah County last June, and received the highest vote cast for Representative.

excellent quality. Messrs. Hunter, Hollis and Dabney, of Spokane, who were the first promoters in the district, secured leases on large tracts of land, aggregating between 800 and 10,000 acres, and will sink a well and develop the property. The leases are drawn for a period of 25 years, with the privilege of renewing for another 25 years if the company so desire. The owner of the land is to receive 20 per cent of the net proceeds of the gas, oil or coal discovered on and taken under his land.

Since these leases were made the farmers have become more wary, but they are asking for better terms than those given by the Spokane people, and no new leases are being entered into. There are promoters and experts in the country every day, and the hotel and livery stable proprietors are reaping a rich harvest. Teams are in demand, and the country is being scoured by mining men seeking to get an interest in the gas fields, but they are meeting with little, if any, encouragement, for the farmers who own the land are determined to enter into no contracts until the company which has contracts does some development work and they are certain what there really is in the discovery which has caused such a fever of excitement and converted this quiet farming country into a feverish market.

It is not now a well with water to begin about February 1, and after the first well is sunk, if gas or oil is found in paying quantities, there will be great activity in the district, and wells will be sunk in all parts of the territory where the gas has been found.

Wilson Moreland, a pioneer farmer, who owns a large tract of land six miles west of Rosalia, has concluded to work one of his neighbors to control 600 acres of land in the gas belt, and they have agreed to lease their land in a body if proper inducements can be secured. Nearly all leases on land are made on a term agreement, and if they will buy machinery and sink a well, Mr. Moreland's land has some of the best water yet found in the district, and a quantity of the gas having been gathered on his land by the most primitive methods. Thrusting an iron rod into the soil until it reaches the gravel and with the water the gas is found to come from the hole made by the rod. A lighted match applied to this will produce a blue flame several feet in height and lasting more than a minute. A quart bottle can be filled with gas in this manner in less than a minute. A tin pail with a hole in the bottom, inverted, will show more gas than a quart bottle. In another crude but effective method of capturing the gas, the hole in the bucket is plugged and the bucket sunk into the water. Two down, and the muddy bottom of the creek stirred with a pole until the mud is removed from the gravel, in which the gas is always found. The gasses through the water and force the mud up. When it is filled the plug is removed and a bottle filled with water is placed over the hole. The gas, being the lighter, forces its way upward and the water escapes. Mr. Moreland had a large furnace, which he will invert over the hole made by the iron rod, will gather more gas than a quart bottle, and an extensive test will be made. A test of 30 gallons made in Spokane showed that the gas is of superior quality both for heating and lighting.

Strong indications of the gas to be found in the water of Pine Creek, in the coal oil field, and prospectors who are familiar with all regions say there is every reason to believe that oil will also be found. A representative of the Standard Oil Company has been here several days, investigating the fields, but it is impossible to get any information from him.

A Strike Mine.

The rich strike reported in the Helena mine some three weeks ago is still developing. Two shifts of miners have been driving night and day, and are now in 37 feet in this chute of ore. The vein is regular, and there are no signs of faulting.

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VEHICLE LICENSE VOID

SUPREME COURT DECIDES AGAINST THE PORTLAND ORDINANCE.

Council Has No Power to Increase Stated Fund—Employment of Attorney to Collect Taxes Upheld.

SALEM, Dec. 17.—The Supreme Court today rendered decisions in six appealed cases, several of the cases being of considerable general interest.

William Gadsby et al., respondents, vs. the City of Portland et al., appellants, from Multnomah County, John H. Cleveland, Judge, affirmed. Opinion by Justice Wolverton.

This case was instituted by nearly 200 merchants, firms and corporations engaged in business of various kinds in the City of Portland, who refused to pay the license fees or taxes required by ordinance No. 118, which provided that all motor vehicles, used by them in connection with their business enterprises, and its purpose is to enjoin the collection thereof. The ordinance in question is entitled, "An ordinance providing for the levying, assessing, collecting, and regulating, for the purpose of city revenue, all vehicles of any description whatsoever, in use in, upon or through any of the streets within the City of Portland." Section 3 thereof provides that "all moneys derived from license taxes under the provisions of this ordinance shall be placed to the credit of the fund for the repair of streets and bridges."

The Common Council has for the current year levied the full 5-mill tax, or 5 per cent, on the value of the property, upon all the taxable property, both real and personal, within the city, and this tax has been paid in full by the plaintiffs. The validity of the ordinance was questioned upon the ground that it is an attempt to provide revenue for a specific purpose in excess of the amount authorized by the charter to be levied for such purpose, and this question is the only one the Supreme Court considered.

After quoting extensively from the charter provisions, the opinion says: "The ordinance is in violation of the sections and clauses of the charter that have any particular bearing upon the present controversy. When construed in pari materia, as it was no doubt intended to be, the ordinance is in violation of the purpose of providing four several, separate and distinct funds, to be set apart and used as thereby directed, which funds are all limited by the charter with reference to their respective purposes. The ordinance is in violation of the provisions of the charter that no other or greater amount shall be levied for the purposes named."

The declared purpose of ordinance No. 117, is to raise revenue, and section 3 of the ordinance provides that the fund for the repair of streets and bridges, which signifies a clear intention on the part of the Council to supplement or augment the fund for repairing streets beyond the amount limited by the charter. This, we have seen, is not authorized to do, and the ordinance is therefore void and inoperative."

George W. Davis et al., appellants, vs. Ernest Hoyer et al., respondents, from Marion County, R. P. Boise, Judge, affirmed. Opinion by Justice Moore.

This case was instituted to have a judgment and a sale thereunder set aside, and to require the defendants to account for money received in conducting the business of the Capital Journal Publishing Company, a corporation, in which the parties to such suit are stockholders. It was alleged in the complaint that the defendants, who constitute a majority of the board of directors, fraudulently conspired to wreck the corporation and to acquire its property, to the injury of the plaintiffs, who own 25 shares of the capital stock, and that they collected \$30,000 belonging to the corporation, which they appropriated to their own use and refused to account for. The answer admitted that since the defendants assumed control of said newspaper they have collected all moneys paid to the corporation, and for a separate defense allege that after taking charge of the business an agreement was entered into with the corporation whereby it was stipulated that Ernest Hoyer should receive, as editor, and A. P. Hoyer, Jr., as business manager, the sum of \$35 per week each, and that a judgment having been rendered against the corporation, the assets of the corporation had been sold on an execution issued thereon.

After the trial in the lower court a decree was rendered dismissing the suit. The Supreme Court finding no prejudicial error, affirms the decree.

Wadhams & Co., respondents, vs. Inman, Poulson & Co., appellants, from Multnomah County, Alfred F. Sears, Jr., Judge, affirmed. Opinion by Chief Justice Bean.

This case was brought by the plaintiff to recover \$400 on an order upon the defendant, given by the Washington Land & Logging Company. The action in the lower court was for plaintiff, and there being no error this was affirmed.

State of Oregon, respondent, vs. W. D. Huffman, appellant, from Harney County, W. D. Huffman, Judge, affirmed. Opinion by Justice Wolverton.

Defendant was convicted of the crime of rape, committed July 1, 1899, in Harney County, upon A. J. Farrens. He was sentenced to 18 years' imprisonment in the Penitentiary.

Stephen Williamson, Robert Balfour, Robert Brodeur, et al., appellants, vs. Eagle, Robert Bruce and Walter J. Burns, partners, under the firm name of Balfour, Guthrie & Co., appellants, vs. North Pacific Lumber Company, respondents, from Multnomah County, Arthur L. Frazier, Judge, reversed and remanded. Opinion by Chief Justice Bean.

This was an action for reclamation on two carloads of lumber, purchased by the plaintiffs from the defendant, and shipped to ports on the west coast of South America. The trial in the lower court resulted in a verdict for the defendant. The plaintiff filed a motion for judgment of the giving and refusal of certain instructions by the trial court. The opinion of the Supreme Court holds that the court erred in giving to the jury the construction of a letter set in evidence. It is held that the construction of the letter was a matter for the court.

The case of the State of Oregon, upon the relation of Levi Herron, respondent, vs. W. W. Hall, County Clerk of Marion County, et al., appellants, was reversed, the decision of the Supreme Court being in favor of George O. Bingham, the plaintiff in interest. This suit was brought to enjoin the payment of a county warrant issued to George O. Bingham, a Salem attorney, who had been employed by the County Court to assist in the collection of taxes. The suit was tried before Judge R. P. Boise, who rendered a decree in favor of the plaintiff. The County Court ordered that the case be appealed, and in the Supreme Court the lower court was reversed in an opinion written by Chief Justice Bean.

In September, 1900, the County Court employed Mr. Bingham to collect or assist in the collection of delinquent taxes for the years 1892, 1894, 1896 and 1898, and to take charge of the property thereto held in by the County Judge on delinquent tax sales, and collect the

SHO THROUGH A WINDOW

HOW THE WASHINGTON COUNTY FARMER WAS MURDERED.

No Doubt That Robbery Was the Object, and Coroner's Jury So Found—Circumstances of the Crime.

HILLSBORO, Or., Dec. 17.—There is no doubt that Andrew Dahlberg, the Swede farmer residing near Redville, who was found dead in his cabin yesterday, was foully murdered Sunday evening, and that the motive was robbery. The dead man was generally known as "Red," and that he was a brother at Mulliney, Idaho, and that the murder was committed by some one who knew something of Dahlberg's circumstances in the accepted theory, as it was generally known that the deceased was to have received money about this time from the brother, Coroner W. P. Via, of Forest Grove, accompanied by Dr. A. G. F. and Dr. J. H. Smith, who were called to examine the body, which was found this morning and a newswoman, who was some time in the room, and who was the one who saw the murder committed, and that the gun had been fired through the window, the glass having been broken. A shotgun was found in the brain, the bullet having passed in the brain, crashing through the skull, and on into the wall. From all indications the lead was discharged from a shotgun shell, which was specially prepared for the purpose of killing Dahlberg. Although the rats were heavy Saturday evening and Sunday up to the hour he was found by O. J. Madison, a neighbor, an impression of a large rubber boot is distinct in front of the cabin window through which the fatal shot was fired.

Dahlberg was about 50 years of age, and had been in the business of farming for many years, and was a hardy and energetic man. He had received no money from the brother, he had recently sold and shipped some of his property, and it was generally supposed that he had been struck on the head, and was inspired by the fact that a close examination was not made when the man who found the body, and who was the blood on top of the dead man's head.

The principal unimproved corner lots in Dallas, situated at the corner of Dallas and Commercial streets, were sold for \$225. The lot is 60x100 feet, with a small one-story wooden building on it, which will be replaced soon with a stone building, which is an excellent building. Kirkpatrick & Williams were the purchasers.

Saturday, Thursday & Co. made the greatest run of logs ever made on the La Creole. Over 1000 logs came into the millpond, about 1,000,000 feet.

Ties are now being distributed on the Salem & Falls City Railroad.

Plans are on foot to build an electric motor line from Dallas to Salem. The plan is to build a line from Dallas to a suburb of North Salem, and end in West Salem. This route would be without a bridge, straight and comparatively level.

WASHINGTON COUNTY SLASHED.

Equalization Board Makes Horizontal Reduction of 15 Per Cent.

HILLSBORO, Or., Dec. 17.—The Board of County Equalization, acting as the County Board of Equalization, reduced the valuations of real estate as returned by the Assessor for the year 1900, 15 per cent. This makes the taxable value of the property in Washington county \$2,871,850, as compared with \$3,307,736 before the reduction, a net cut of \$435,886. The reason for the reduction is that the assessment on the court docket is that the assessment as returned was universally higher than that of the various counties of the state. The reduction meets with general approval here.

Too Swift for the Telephone.

CORVALLIS, Or., Dec. 17.—Yesterday's electric storm made things interesting for a time at the local telephone office. The display of electric sparks was so active about the switchboard that the young woman in charge kept at a safe distance while the storm was in progress. All the fuses in the office were burned out by the storm. Similar occurrences prevailed at Albany and Independence. Fortunately for the local system, a number of linemen happened to be in town and the damage in the local office was at once repaired.

Goldborough Again Damaged.

TACOMA, Dec. 17.—The torpedoboarder Goldborough will not make another run on the coast for many weeks. The breaking of the eccentric rod Friday has disabled her for some time. The crew was discharged, and the order for Government inspectors has been countermanded, so it will probably be about two months before the final trial trip can be made.

One Negro Killed Another.

SEATTLE, Dec. 17.—George Hart, a coal miner, yesterday shot and instantly killed Ollie Jones in an altercation at Franklin, Wash., in this county. Hart and his victim are both negroes.

Transferred to Fort Wright.

WASHINGTON, Dec. 18.—Acting Assistant Surgeon John G. Byrne, now at Fort Snelling, has been assigned to Fort Wright, Wash., for duty.

FOR NURSING AND GENERAL USE

BORDEN'S EAGLE BRAND CONDENSED MILK

Borden's Condensed Milk Co.,—New York.

IN THE TREATMENT OF CHRONIC DISEASES, SUCH AS LIVER, KIDNEY AND URINARY COMPLAINTS, PAINFUL, DIFFICULT TO FREQUENT MILK OR BLOODY URINE, UNUSUAL URINATION, SPECIFIC CURS, ETC.

DISEASES OF THE RECTUM

DISEASES OF MEN

Such as piles, fistula, fissure, ulceration, mucous and bloody discharges, cure without the knife, pain or confinement.

Dr. Walker's method is regular and scientific. He uses no patent nostrums or the disease by homeopathic treatment.

He New Pamphlet on Private Diseases sent Free to all men who describe their troubles. PATIENTS cured at Home. Terms reasonable. All letters answered in plain English and by the County Judge on delinquent tax sales, and collect the

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