INQUIRY DEMANDED

Judge Noyes' Conduct May Be Investigated.

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 assinst the ad-ministration of the District Court of Alaska, especially in the mining laws of Cape Nome, Curter of Montana today incape Nome, carrier of Montana today in-troduced a resolution in the Senate di-recting the committee on judiciary to in-vestigate the whole question. By the res-olution, the committee is instructed spe-cifically to investigate the conduct of the Judge of the division of the court of Alaska located at St. Michael and to re-vert to the Senate the sames of all res-Ambiguition of the Schafe the names of all per-port to the Schafe the names of all per-sons connected with litigation before that court concerning whom any improper in-fluence of illegal conduct has been or may be charged. Substantially, the res-

may be charged. Substantially, the resolution is as follows:

"Whereas, it has been charged through the press that Judge Arthur H. Noyes, of the District Court of Alaska, having jurisdiction over the Cape Nome district, has been guilty of Illegal or improper conduct in councetion 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

such alleged liegal action or improper conduct resulted from a conspiracy in which many persons were concerned; therefore be it "Resolved, that the judiciary commit-tee of the Senate be directed to investi-gate and report to the Senate the facts found in response to the following inter-rogatories: 1-Are the general mining laws of the

United States applicable to the District of Alaska?

"2-Has Judge Noves been guilty of any illegal or improper conduct in con-nection with any litigation pending before his court?

fore his court?

"3-Whether any Senator or Represent-ative 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 liti-gation, and, if so, the name and position of such person and the nature of the

"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 anybody to circulate statements reflecting upon the honor and integrity of the court or any officer thereof, and by whom such statements were made?
"5-The facts connected with any in-

ducements 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 con

The committee is directed to inquire 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 send for persons and papers, to examine witnesses under oath and to incur such expenses as may be necessary to make the investigation thor-

SUIT AGAINST THE STATE ON TRIAL Too Much Water Said to Be Taken for Public Institutions.

SALEM, Or., Dec. 17.—Judge Boise 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 milirace at the penitentiary than the state is entitled to.

The contention of the flouring mill com-

pany is that the state is entitled to use from Mill Creek, which is supplied with as may be needed for mechanical pur-poses, and as much more as can be pumped through a two-inch pipe. The plaintiff alleges that the state is using for conspunption at the penitentiary, asy-lum, Orphans' Home and Statchouse all the water that can be grawn through lightship's absence. two 19-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 years; that the mill company with the state officials since 1859 that in consideration of labor performed on the millrace by convicts the state should use all the water it needed at the state 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, to succeed Joseph Lyon, who resigned. Thompson was recommended by the Douglas County Republican Central Committee. He was one of the County Commissioners, and this ap pointment leaves a vacancy in that of-

The members of the Salem Athletic Club football team occupied the boxes at, the Grand Opera-House this evening as the special guests of Manager Cordray.

The Dick Swartz farm of 500 acres, Howell Prairie, was sold today by Judge George H. Williams, who recently acquired it on foreclosure. The purchasers were A. G., Antone and Peter Kufner, recent arrivals from Minnesota. The Kufner brothers will stock the farm with roughbred 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 under stood to be about \$25 per acre.

HOW FARMER WAS KILLED.

Death Was Instantaneous-Locom

tive Engineer Was Only Witness. SALEM, Or., Dec. 17.-Coroner D. F. lane went to Turner this morning to in vestigate the facts regarding the train accident near that place last night, which resulted in the death of Ralph Bowerman. It appears that the engineer on the Aibany local was the only witness to the accident, and he saw the deceased only an instant before the engine struck the wagon in which Bowerman was riding. Bowerman had been visiting his father, who resides about two miles east of Salem, and started for home late in the afternoon. He resides on his farm two miles south of Turner. At a point about a mile south from Turner the wagen road crosses the Southern Pacific track. Bowerman had driven on the track far enough so that the engine struck the front wheels of the wagon, breaking the vehicle to splinters and killing both horses and the driver. The train, which consisted of but three curs, ran about 1100 feet after the accident before it could be stopped. On backing to the crossing, search was made for the body of the ub-

taken from the engine and held until the Coroner could be notified. Dr. Lane could see no evidence to warrant an inquest, and therefore held none. He is of the and therefore held none. He is of the opinion that Bowerman was closely wrapped in his coat and muffler, and for that reason did not hear or see the approaching train. A strong south wind would lessen the probability of his hearing the noise of the wheels. The train, being light, made but little noise.

The deceased is a brother of Jay Bowerman, an attorney at Condon and Fossiti.

THE ALASKA COURT MUDDLE ASTORIA'S STREET RAILWAY LINE. Conditional Franchise Offered Local

feet of logs, which had formed in the Lower Necanicum River, was blown out with dynamite Saturday afternoon. Dur-ing the past few days 2008,000 feet of logs belonging to the Necanicum 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. Thomp

The new Methodist Episcopal Church at Knappa was dedicated yesterday, Dr. G. W. Gue, of Portland, officiating. The church is a very substantial structure, erected at a cost of \$1200, 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 \$10,000 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 object is to engage in packing and canning salmon in Alaska.

As the mall-carrier was coming over the trail from Nehalem to Seaside Friday afternoon, he found a Chinaman lying near Arch Cape in a very exhausted con-dition, and evidently near death. The mail-carrier notified Joseph Walsh, whose ranch is about a quarter of a mile away, ranch is about a quarter of a mile away, and he and James Burke soon afterwards went to the place with some food and blankets, but found that the Chinaman had died. They covered him up and wrote Coroner Pohl, telling him of the circumstances. Upon inquiry here it was found that the name of the Chinaman was Jung Hing, about 50 years of age, and he had been working at Finneys. and he had been working at Elmores. Nehalem cannery, and had started back to Astoria overland, with a party of his countrymen, as the season's work had finished. Those who were with him state that the man was not strong, and lagged behind, and when requested to keep up with the rest he said that he knew the trail, and for the others to go on. His friends have raised sufficient money to bring the body here, and it will be sent to Portland for burial.

Rural Delivery in Whitman. COLFAX, Wash., Dec. 17.-The indicafind rural free delivery of mail in all parts of Whitman County, Garfield has already secured the necessary signatures to a petition for a route 24 miles in length, running from that town through length, running from that town through the thickly settled portion of the country surrounding, and hopes to have the route established and the delivery in operation as soon as the necessary steps can be taken. Palouse merchants are at work trying to have two, and possibly three, routes established from Palouse, and the committee is meeting with success in securing signatures to the petitions asking for the establishment of the tions asking for the establishment of the routes. Colfax is also advocating the es-tablishment of rural free delivery on three routes. The farmers are enthusi-astic over the prospects for obtaining the free delivery, and are doing all in their power to aid in hastening the open-

Lightship Gone Adrift.

Umatilia Reef, off the coast of Washing-ton, has gone adrift. Several weeks ago the same vessel went adrift, but was recovered. Mariners are warned of the

Fire Apparatus for Silverton. SILVERTON, Or., Dec. 17.—The recent fire in Silverton stimulated the citizens to provide better fire protection, and the uncil at its last meeting made an order for 500 feet of hose and five hydrants, the hydrants to be placed in the business por-

Gambling-Rooms Robbed. SPOKANE, Dec. 18.—The Warwick gambling-rooms, on Riverside avenue,

tion of the town.

were held up at 1 o'clock this morning and robbed of nearly \$700. The alarm was given and the robber pursued and cap-

Oregon Notes.

At the La Grande sugar factory 5000 sheep and 200 cattle are being fed. The subscription list at Summerville for

a starch factory is growing rapidly. The Umatilia County Court denied a pe-tition for a saloon at Echo last week. Mrs. A. Rynearson shipped two car-loads of apples from La Grande to Chi-

cago, last week. An examination for the postoffice service was held at Astoria Saturday. There were three applicants. Sidney Signr was fined \$10 and costs at

Prairie City last week for having received stolen shingles.

George Brannan, who is operating piacer diggings near Bridgeport, found a gold nugget that weighed \$10%. r, at Baker City, was broken into Fri-y night and between \$50 and \$60 worth liquor was carried away.

Indications are that there will be many pplicants for timber claims as soon as lats arrive at the Lakeview and office. All the plats were burned in the big fire

of last Spring.
Scio will soon have a high school. It is the intention to open the institution after New Year. This will necessitate the employment of another teacher, making four employed by the district.

Milton elected the following city officers: Mayor, S. A. Miller; Recorder, G. W. Ingle; Treasurer, N. A. Davis; Councilmen. W. A. Bannister; J. B. Frazier, J. L. Frazier, James Edwards, J. C. Moss. J. L. Caviness has 150 tons of carrots will feed his hogs, cows and his Winter, says the La Grand-Observer. He recently received 500 head of hogs from his Wallowa County farm. E.M. Oliver, of Union County, who, for the past two years, has grown 100 acres of sugar beets, has decided to contract for 200 acres next season. He made more money this year on his beet land in pro-portion to the acresge than he did on nis wheat land.

The residents of Powder Valley go to fortunate man, but not until after con-siderable time was the body found, lodged on the pilot of the engine. The back of the head was croshed in, and death finus: Heavy hauling is next to impossible and been instanteneous, otherwise the it is for this reason that there is alman's struggles would have caused him to fail to the ground. The train was tween points west and flaker City. Snow backed to Turner, where the body was would be gladly welcomed.

1018 OF NATURAL GAS

PROMISING PROSPECTS ABOUT RO-SALIA, WASH.

Good Quality for Heating and Lighting-Arrangements for Sinking a Well Have Been Made.

ROSALIA, Wash, Dec. fi.-The excitement over the discovery of gas in the ountry lying west of Rosalia continues Conditional Franchisches Council this evening an ordinance was introduced granting to Charles H. Page, Martin Foard and F. R. Stokes a To-year street ratiway franchise over an ingressing as new proofs of the existence of natural gas are discovered. There is no longer any doubt that natural gas of a good quality exists in a large scope of country lying along Pine 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.

Crashed in a Coal Attachment TACOMA, Dec. II.—A telephone message from Carbonado says:

Andrew Nels Johnson, a Swedish miner, and street in coal at the bottom of one of the chutes of the Northwestern Coal Mining Company, Johnson must have fallen into the light and heat has been found in various parts of a large territory covering thousands of acres, and chemical analysis of the gas shows that it is natural gas of the Council will be called during the present week to take action on the ordinance.

Crashed in a Coal Attachment TACOMA, Dec. II.—A telephone message from Carbonado says:

Andrew Nels Johnson, a Swedish miner, and this is to be solved is whether the gas is in paying quantities, and this is to be solved by the sinking of a well. Gas that burns and gives forth a good light and heat has been found in various parts of a large territory covering thousands of acres, and chemical analysis of the gas shows that it is natural gas of the council will be called during the present week to take action on the ordinance.

Crashed in a Coal Attachment of the council material gas are discovered. There is no longer any doubt that natural gas from Carbonado says:

Andrew Nels Johnson, a Swedish miner, and this is to be solved is whether the gas found in various parts. A special material gas for the call of the council material gas for the call of the council material ga

chutes they have cut through are from 180 to 200 feet in length. If it advances 90 feet further there will be in sight 200 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, \$300 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.

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 stockraising. He came to Oregon in 1881, and engaged in manufacturing lime on Puget Sound, and also had a house in Portland to sell the product. In 1884 he sold his interest in the manufacturing part of the business. Mr. Nottingham is now president of Nottingham & Co., dealers in building material, in Portland. 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.

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 desires. The owner of the land is to receive 10 per cent of the net proceeds of the gas, oil or coal discovered on and taken from under his land.

Since these leases were made the farmers have become more wary, and are asking for better terms than those given by the Spokane people, and no new leases

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 secured by mining men seeking to get an interest in the gas fields, but they are until the company which has contracts does some development work and they as-certain what there really is in the discov-ery which has caused such a fever of excitement and converted this quiet form ing country into a feverish mining cen-ter. It is hoped work on a well will be-gin about February 1, and after the first well is sunk, if gas or oil is found in paying quantities, there will be great ac-tivity in the district, and we'ls will be sunk in all parts of the territory where

wink in all parts of the entitor, where the gas has been found.

Wilson Moreland, a ploneer farmer, who owns a large tract of land six miles west of Rosalia, has combined with a number, of his neighbors to control 2000 acres of land in the gas helt, and they have agreed to lease their land in a body if proper inducements can be secured. Nearly all these men are wealthy, and if they canthese men are wealthy, and if they cannot lease on term agresable to all, they
will buy machinery and sink a well. Mr.
Moreland's land has some of the best
showings yet found in the district large
quantities of the gas having been gathered on his land by the most primitive
methods. By thrusting an iron rod into
the soil until it reaches the grayel and the soil until it reaches the gravel and withdrawing it, the gas is found to escane from the hole made by the rod. A lighted match applied to this will produce a blaze several feet in height and lasting more than a minute. A bottle filled with water placed over the hole, with the mouth of the bottle down, will soon fill with gas, the gas forcing the water out of the holtle, and when the water is gone the bottle is full of gas. A court bottle can be filled with gas in this Sidney Sigar was fined \$10 and costs at Prairie City last week for having received stolen shingles.

A report by letter reaches Ontario that George Brannan, who is operating piacer diggings near Bridgeport, found a gold nugget that weighed \$1006.

The warehouse of Patterson & Eppinger of Patterson & Eppinger of Patterson & Eppinger of Patterson & Eppinger at Patterson & Eppinger at Patterson & Eppinger and Patterson & Eppinger at Patterson & Eppinger & Patterson & Patterson the water, ton down, and the muddy bot-tom of the creek stirred with a pole until the mud is removed from the gravel, in which the gas is always found. The gas-sises through the water and forces the pail up. When it is filled the plug is re-moved and a bottle filled with water is placed over the hole. The gas, being he lighter, forces its way upward and the water escapes. Mr. Moreland has had a Menilon tank made, and with an im-Megallon tank made, and with an immense funnel, which he will invert over the hole made by the Iron rod, will gather large quantities of the gas. He will bring the tank full of the gas to Rosalla

bring the tank full of the gas to Rosaila and an extensive test will be made. A test of 20 gailons made in Spokane showed that the gas is of superior quality both for heating and lighting.

Birons indications of oil, supposed to be coal oil, have been found in many paris of the gas belt, and prospectors who are familiar with oil regions say there is every reason to believe that oil will also be found. A representative of the Standbe found. A representative of the Stand-ard Oil Company has been here several days, lovestigating the fields, but it is impossible to get any information from

The rich strike reported in the Helena nine some three weeks ago is still deeloping. Two shifts of miners have been driving night and day, and are now in it tains; A. V. Cleaver to W. E. Hurd, for it feet in this chute of ore. The vein is a one-fourth interest in the Savage mine, regular, and there are no signs of fault- in the Greenborn Mountains.

Mr. Jennings believes this ore chute will Oscar Lund, of Cove, has gone to Pocacontinue for 200 feet, as the other two tello with a carload of apples.

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 8000 and 10,000 acres, and will sink a well and develop the property.

Quotations of Mining Stocks. SPOKANE. Dec. 17.-The closing quotations

for mining stocks	
	Ask. Bid. Ask.
Blacktail 814	5% Prin. Maud 1% 1%
Butte & Box., 14	
Crystal	6 Quilp20 25
D T Con 1%	6 Quilp 20 23 2 Hamb. Car 254, 2654
Evening Star. 5	6% Republic60 65
Gold Ledge 1	1's Reservation .: 3% 4%
Golden Harv. %	% Ross, Giant 2% 2%
I. X. L16	20% Sullivan 13% 14%
Iron Mask	28 Tom Thumb 101, 12
Jim Blaine 4	8 Waterloo 2% 314
	7% Winnipeg 4%
L. P. Surp 6%	
Min. Lion IN	2. Conjecture 4 4%
Morn. Glory 8	ShiAmer. Boy 914 1014
Morrison 2	3 Trade Dollar 2% 3
Noble Five	•
	_
SAN FRANCISC	CO. Dec. 17Official closing

quotations for mining stocks: 3 Mexican SOccidental Con est & Belcher... 2 Potent 47 Savage 21 Seg. Belcher 15 Sierta Nevada 55 Silver Hill 45 Standard hallenge Con ... Con. Cal. & Va ... 1 11 trion Con ... 51 Utah Con ... 20 Yellow Jacket 21 Crown Point Gould & Curry,... Hale & Norcross.

NEW YORK, Dec. 17.-Mining stocks today osed as follows: 10 Savage 27 Small Hopes

BOSTON, Dec. 17.-Closing quotations

Notes of Oregon Mines.

Harvey Brown, formerly manager of the Nelson placer mines, has a force of men at work in Stice's Guich, 12 miles outh of Baker City, sinking to bedrock with improved machinery. It has long been the opinion of mining men that rich ground existed underneath the false bed-rock in that locality, it being a continu-ation of the old Auburn channel.

Last week six carloads of mining me chinery were received at the freight yards of the Sumpter Valley Railway. Two ours were for the North Pole mine; one contained two huge coils of %-inch cast. steel cable for the new mile and a half aerial tramway. Each coil weighed over 10,000 pounds and contained 7000 feet of cable. The other car contained 150 buck-ets and other parts of the tramway. The other four cars were for the Bald Mountain mill, and were loaded with vanners, mortars and general mill machinery. The aggregate of this consignment is 100,000 aggregate of this consignment is 100,000 pounds. While mining machinery is assuming a very large proportion of the freight received at present, other big shipments are also being received. The Eache Hardware Company has in transit one carload of nails, one of conversed from and one of har from. The

rugated fron, and one of bar fron. The aggregate weight of these cars will be about 100,000 pounds.

Mine transfers in Grant County have been recorded as follows: C. S Miller et al. to Granite Creek Gold Concentrating Mining Company, for the Wiegman, Pagle Empire Nos. 1 and 2, Captain Mar-tin and East Captain Martin: John Arthur to William S. Pond, for a five-sixth into William S. Pond, for a five-sixth interest in Norah quartz claim, 1998; John
Arthur to William S. Pond, for the Boundary placer mining claim, also a fivesixth interest in the Mutual and Oregon
quartz mining claims; William S. Pond
et al. to Great Western Mining Company, for the Norah, Boundary, Mutual
and Oregon quartz claims, 1899; Hugh GSI.
lis to W. E. Hurd, for the Orphan Girl
mining claim in the Greenhorft Mountains; A. V. Cleaver to W. E. Hurd, for
a one-fourth interest in the Savage mine,

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 Gadaby et al., respondents, vs. the City of Portland et al., appellants, from Multnomah County, John B. Cleland, Judge; affirmed. Opinion by Justice Wolverton. in any way authorized to inter-fere with the duties of that offi-cer. For his services he was to receive 15 per cent on all taxes collected from the rolls of 1895 and 1896, and 29 per cent on the amount collected from the other rolls. On January 6, 1889, he was allowed \$189 in by the County Court for the percentage due him on collections made in pursuance of his contract, and a warrant was ordered issued in his favor for the amount thereof. The opinion of the Supreme Court says, among other

Woiverton.

This suit 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. 11,726, upon wagons, hacks, and other vehicles, used by them in connection with their business enterprises, and its purpose is to enjoin the collection thereof. The ordinance licensing, taxing 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 8 thereof provides Portland." Section 8 thereof provides that "all moneys derived from license taxes under the provisions of this ordi-nance shall be placed to the credit of the fund for the repair of streets and bridges."

The Common Council has for the cur-rent year levied the full 8-mill tax, or maximum amount authorized by the city charter, upon all the taxable property, both real and personni, within the city, and this fax 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 expended for such purpose, and this ques-tion is the only one the Supreme Court

After quoting extensively from the charter provisions, the opinion says:
"These comprehend about all 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 they should be, they indicate a legislative purpose of providing four several, sep-arate and distinct funds, to be set apart and used as thereby directed, which funds are all limited by the charter with a view to keeping the expenditures of the several departments within the bounds prescribed. The remaining 3% mills con-stitute the fifth fund; but it does not appear to have been limited and restricted in amount, or otherwise, except that it shall be used exclusively to pay the interest on the bonded indebtedness of the city. Subdivision 1, section 2, requires that the Council shall set apart by ordinance not to exceed 1½ mills for lighting atreets, 2 mills for the fire department, 1½ mills for the polled department, and ¼ of a mill for repair of streets, and that no other or greater sum snall be appropriated for the purposes named.

The declared purposes named.

The declared purposes of ordinance No. 11,735 is to raise revenue, and section 8 appropriates the whole of it to the fund for the repair of streets and bridges, thus signifying a clear intention on the part of Waine, at Hockinson. pear to have been limited and restricted

signifying 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, it is not authorized to do, and the ordinance is therefore void and in-

George W. Davis et al., appellants, va. Ernst Hofer et al., respondents, from Marion County R. P. Bolse, Judge; af-firmed. Opinion by Justice Moore.

The purpose of this suit was 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 Publishong 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 33 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 cor. poration whereby it was stipulated that Ernst Hofer should receive, as editor, and A. F. Hefer, Jr., as business manager, the sum of \$35 per week each, and that, a judgment having been rendered for the salaries due them, the property of the corporation had been sold on an

execution issued thereon. After the trial in the lower court a de-cree was rendered d'smissing the suit. The Supreme Court, finding no prejudicial error, affirms the decree.

Wadhams & Co., respondents, vs. In-man. Poulsen & Co., appellants, from Multnomah County, Alfred F. Sears, Jr., Judge; affirmed. Opinion by Chief Jus-

by cutting his throat, but was prevented by a member of the family. It is be-lieved that he was temporarily deranged. Extensive preparations are being made for the dedication of the new Masonic Hall. Thursday. Prominent Masons from all parts of the Northwest will be pre-ent. This was a suit brought by the plaintiff to recover \$420 on an order upon the de-fendant giver by the Washougai Land & Logging Company. The decision in the lower court was for plaintiff, and, there being no error this is affirmed.

State of Oregon, respondent, vs. W. D.

State of Oregan, respondent, vs. W. D. Huffman, appellant, from Harney County; M. D. Clifford, Judge; affirmed. Opinion by Justice Wolverton.

Defendant was convicted of the crime of rape, committed July 1, 1839, in Harney County, upon Alfa Farrens. He was scritteness to 10 years imprisonment in the Pentitentiary.

Stephen Williamson, Robert Balfour Robert Brodie Forman, Alexander Guth-rie. Robert Bruce and Walter J. Burns, partners, under the firm name of Balfour Guthrie & Co., appellants, vs. North Pa-cific Lumber Company, respondents, from Multnomah County, Arthur L. Frazer, Judge; reversed and remanded. Opinion by Chief Justice Bean.

This was an action for reclamation on two cargoes 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, and plaintiff appealed, assigning as error the giving and refusal of certain instructions by the trial court. The opinion of the Supreme Court holds that the court erred in leaving to the fury the con-atruction of a letter offered in evidence It is held that the construction of the letter was a matter for the court.

The case of the State of Oragon, upor the relation of Levi Herren, 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 G. Bingham, the chief party in interest. This suit was brought to enjoin the payment of a county war-rant issued to George G. Bingham, a Sa-lem attorney, who had been employed by the County Court to assist in the tion of taxes. The suit was tried Judge R. P. Bolse, who rendered a in favor of the plaintiff. The County Court ordered that the case be appealed

Court ordered that the case be appealed, and in the Supreme Court the lower court has been reversed in an opinion written by Chief Justice Bean.

In September, 1898, the County Court employed Mr. Bingham to collect or assist in the collection of delinquent taxes for the years 1892, 1893, 1894, 1895 and 1896, and to take charge of the property theretofore bid in by the County Judge on delinquent tax sales, and collect the

ble, to recover the possession of the property by action or otherwise. At the time of making this contract the delinquent tax-rolls for the years named were in the hands of the Sheriff, but all collections.

HOW THE WASHINGTON COUNTY FARMER WAS MURDERED.

in the hands of the Sheriff, but all collec-tions thereon which could be enforce-had been matie, and there were no mean-of collecting any further or additional

DR. ROCKEY GETS VERDICT.

Wins Full Sum Claimed From Van-

Waine, at Hockinso

couver Patient.

The ladies of St. James' Catholic

Church announced today that the re-ceipts from the church fair held last week amounted to \$54i. A number of handsome prizes were awarded for the different contests and drawings inaugu-

WORKING FOR CREAMERIES.

Several More Are in Prospect for

Clackamas County.

and a meeting has been called to form a co-operative company. At the farmers' institute, to be held at Logan, Wednesday

and Thursday, matters relating to dairy

ing will be especially discussed, and several localities that contemplate establishing creameries or cheese factories will

Notes of Le Grande.

LA GRANDE, Or., Dec. 17.—Adam Crossman, proprietor of the international satoon, got his hand so badly torn Sun-day evening by the explosion of an acety-

attempted to commit suicide vesterday

One Negro Killed Another,

SEATTLE, Dec. 17 .- George Hart, a coal

Ollie Jones in an altercation at Franklin, Wash, in this county. Hart and his vic-tim are both negroes.

iner, yesterday shot and instantly killed

send delegates to the institute.

of collecting any further or additional taxes by legal process. It was Mr. Bingham's duty, under his contract, to ascertain from the tax-rolls the names of delinquent taxpayers, to learn their whereabouts, and to notify them personally or by letter of the amount of their taxes, and request them to call at the Sheriff's office and pay the same, but he was not in the contract of the amount of their taxes, and request them to call at the Sheriff's office and pay the same, but he was not in the contract of th 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 Recedville, who was found dead in his cabin yesterday, was foully murdered Sunday evening, and that the motive was robbery. The dead man has a brother at Mullan, Idaho, and that the murder was committed by some one who knew something of Dahlberg's circumstances is the accepted theory, as it was generally known that the deceased was to have received money about this 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. Large and Sheriff Sewell, visited the things:
"The plaintiff bases its right to relief some this morning, and an inquest was on the ground that the County Court had no power or authority to enter into a contract with Mr. Bingham to collect or tract with Mr. Bingham to collect or that he was killed Saturday evening, and the was killed Saturday evening, and the was killed Saturday evening. on the ground that the context into a context of the power of authority to enter into a context of the power of authority to enter into a context of the power of assist in the collection of delinquent taxes. The argument is that by law the Sheriff is made the tax collector of the county, and the County Court cannot incompared by the motive of robbery. The physicians found that the gun had been fired through the window, the glass having been broken. A shotgun wad was found in the brain, the builtet having passed in at the jugular, and on the property of the power of the property of th

Sheriff is made the tax collector of the county, and the County Court cannot interfere with his duties. But, conceding this position the contract in question does not attempt to interfere with the duties of the Eheriff or any other officer. The County Court by statute is made the general financial or business agent of the county, charged with the care and management of its business and funds (Hill's Annotated Laws, section 396, subdivision 5), and to that end it may, unless prohibited by law, adopt such means as in its judgment may be proper or expedient to assist a county officer in the discharge of his duties.

"The County Court by statute is made the general financial or business agent of the county, charged with the care and management of its business and funds (Hill's Annotated Laws, section 396, subdivision 5), and to that end it may, unless prohibited by law, adopt such means as in its judgment may be proper or expedient to assist a county officer in the discharge of his duties.

"The County Court by statute is made the builtet having passed in at the jugular, crashing through the shulls having based in at the jugular, crashing through the skull, and on into the wall. From all indications the load was discharged from a shotgun which was specially prepared for the purpose of killing Dahiberg. Although the rains were heavy Saturday evening and Sunday up to the hour he was found by O. T. Madison, a neighbor, an impression of a large rubber bout is yet distinct in front of the cabin window through the window, the gians having been broken. A shotgun wad was found in the brain, the builted having passed in at the jugular, crashing through the window, the gians having been broken. A shotgun wad was found in the brain, the builted having passed in at the jugular, crashing through the walls from all indications the load was discharged from a shotgun was discharged from a shotgun wall was pecially prepared for the purpose of killing Dahiberg. Although the wains were heavy Saturday evening and Sunday up to the hour "The decision in the case of Burness vs. Mulinomah County is in no way in conflict with this conclusion. In that case the contract between the county and Noble was held void because it undertook to interfere with the duties of the County Clerk by sitpuisting how and from what data he should make delinquent tax-rolls. But, as already said, in this case there was no attempt to interfere with the duties of the Sheriff, but rather to give him assistance in order that something might be realized on delinquent taxes which could not be collected by legal process."

and had no enemies, so the murder could hardly have spring from revenge. Even had he received no money from the brother, he had recently sold and shipped some potatoes, and this might have inspired the cupidity of the kilef. When found, his right-hand pocket had been turned inside out. Dahlberg was a bachelor, and he and his brother had brought the place on time. The first story that he had been struck on the head, was inspired by the fact that a close examination was not made by the man who found the corpse, and who noticed the blood on top of the dead man's head.

SIX CARS OF PRUNES GO EAST. Dallas Banker to Go With Them-

Sale of Town Property. DALLAS, Or. Dec. 17.—R. E. Williams, cashier of the Dallas City Bank, will leave here tomorrow for Minneapoils, in charge of six carloads of prunes, consigned to parties there on an advance of a cents a pound. VANCOUVER, Wash., Dec. 17.—The jury in the case of Dr. A. E. Rockey vs. William C. Hasard, which has been on trial for the past three days, after half an hour brought in a verdict for the plaintiff for the sum of \$500, the full amount asked for. The case has attract-ed considerable notice on account of the One of the principal unimproved corner

lots in Dalias sold Saturday at guardian's sale for \$255. The lot is 30x100 feet, with a small one-story wooden building on it, which will be replaced soon with a stone business house, probably a bank building. Kirkpatrick & Williams were the pur-

Saturday, Thurston & 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 start from Germantown, 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. OREGON CITY, Dec. 17.—W. H. Boring, of Damascus, is canvassing that section to ascertain if milk can be guaranteed from a sufficient number of cows to
justify the establishment of a creamery.
He has made contracts to secure the milk
from 100 cows in the immediate vicinity
of Boring four miles from Damascus. HLLISBORO, Or., Dec. II.—The Board of County Commissioners, sitting as the County Board of Equalization, has re-duced the valuations of real estate as returned by the Assessor for the year 190 IS per cent. This makes the taxable val-uations the lowest for years. The total assessment now stands at \$2.871.855 50 as compared with \$3.00,735 before the reducof Boring, four miles from Damascus, but desires to start up business with milk from at least 150 cows. The farmers in that section are receiving the creamery idea with much favor, as the results from the wheat crop have been very unsatisfactory for the past three years. A move is on foot to establish a creamery at Stone, only a few miles from Damascus,

Too Swift for the Telephone. CORVALLIS, Or., Dec. 17.—Yesterday's lectric storm made things interesting for time at the local telephone office. The display of electrical fireworks was 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 conditions prevailed at Albany and Independence. For tunately for the local system, a number of linemen happened to be in town and

wrist was necessary. The cause of the explosion is not known.

William Lane, a ploneer of this place. repaired. Goldsborough Again Damaged. TACOMA, Dec. 17 .- The torpedo-boatdestroyer Goldsborough will not make an-other run on Sound waters for many weeks. The breaking of the eccentric rod Friday has disabled her for some time. The crew has been discharged, and the order for Government inspectors has be countermanded so it will pr

> Transferred to Fort Wright. WASHINGTON, Dec. 13.-Acting Assistant Surgeon John G. Byrne, now at San Francisco, has been assigned to Fort Wright, Wash., for duty.

about two months before the final trial



lene gas lamp that amputation above the the damage in the local office was at once



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