### SEORGE H. WILLIAMS WINS SUIT

iupreme Court Decides the Rights of Grantee of Mortgagor Where the Judgment Creditor Shared in Proceeds of Foreclosure Sale.

A judgment Hen cryditor who is mortgage, and who obtained a decree directing that the proceeds of sale, after satisfying prior liens, shall be applied in payment of his judgment, cannot have the premises resold under exe cution in the law action for any defielency where the land had been redeemed by a grantee or mortgagor who takes subsequent to the foreclosure.

An attorney for an executor has no Hen upon cetate funds in his hands for dered by him.

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SALEM, Or., Dec. 29.-(Special.)-The Supreme Court today handed down five decisions. In three instances the judgment of the lower court is affirmed, and in two reversed. The following cases were decided:

Williams-Wilson.

George H. Williams, appellant, vs. W. H. Wilson and Robert Kelley, respond-ents, from Wasco County, reversed June 16, 1902, on petition for rehearing; resed: oninion by Justice Woiverton

This is a suit to enjoin the sale of real operty, under an execution issued on a property, under an execution issued on a judgment against the plaintiffs' grantor. In January, 1833, O. D. Taylor mortgaged the property in question to William H. Wilson, and in the following July conveyed it to the plaintiff, but did not have the deed recorded until July, 1895. In 1894, Joseph A. Johnson obtained three judg-ments against Taylor, aggregating about \$5100, and received an assigned judgment against Taylor from Caroline Breese for \$1107 50. At the time of recovering judgments against Taylor, Johnson did not know that plaintiff had any interest in the mortgaged property. In November, 1854 J. C. Flanders, the assignce of the instituted foreclosure proceed ngs, making Johnson a party defendant hnson flied a cross bill, setting up his ludgments and alleging that they were titled to be paid out of the proceeds of the foreclosure. In May, of the following year, a decree was rendered foreclos the Flanders' mortgage, ordering the sale of the property and directing the pro-ceeds to be applied first, to the payment of the Wilson morigage and costs, and then to the payment of the judgments held by Johnson, in the same order that were recovered. The decree also wided that all the defendants, including Johnson, shail "be barred and fore-ever foreclosed of any and all title, interest, claim or demand in or upon said mortgaged property, and each and every redefined the redemption. The property was bid in by Johnson for an amount sufficient to satisfy all liens except the one of Octo-ber, 1894, for the sum of \$1841 71. The sale confirmed in July, 1895, and on August 8, that year, pleintiff redeemed by paying Johnson the amount of his bid, judgments of March and July, 1884. The month of January have been paid. amounting to \$1841 71, was assigned to one Rorick, who, in August, 1901, assigned

barred by the decree of the court. In this case the question for decision is, whether a judgment lien creditor, who is a party to a suit to foreclose a prior mortgage, and who comes in by answer or cross-complaint, and sets up the judgment and obtains a decree that the proceeds of the sale, after satisfying prior liens, shall be applied in payment of his judgment, can have the mortgaged premises resold under execution issued in the law action for any deficiency due him on his judgment, when the land had been redeby a grantee of the mortgagor, who takes subsequent to the rendition of the foreclosure decree. Court holds that a junior lienholder must be made a party defend-ant to a foreclosure suit if it is designed to divest him of any interest he has acquired in the foreclosure. In conclusion, forcelosure proceeding: "The parties can have no remedy or process to enforce their individual liens, as they existed prior to the foreclosure, because it cuts them off, and gives them the process provided for the enforcement of the decree where

It to Wilson, who attempted to have the

property seized and sold on execution for the satisfaction of the judgment that remained unpaid. Plaintiff brought this

suit to enjoin the sale on the grounds that the lien of the Johnson case was

the priorities are determined. the priorities are determined. . . The brior demands or liens having been volun-brily setisfied, the defendant could have execution to enferce the decre and have the property applied to the pay-ment of his tien, as therein determined, but the property having been once sold under the decree, and Taylor, or rather his successor in interest, having redeemed the specific lien, is discharged. If, however, the defendant herein had ac-quired a personal decree in the foreclosure suit, and the same had been regularly docketed, he would have been entitled to an execution upon that, as in ordinary es, but he can have no execution upo his judgment in the law action, as it has never reattached by the property coming into the hands of the judgment

By the decision the defendant is en joined from further prosecuting his ex-ecution in the law action.

Winchester et al.-Hoover et al. E. H. Winchester and Charles Main, re-spondents, vs. Hulda E. Hoover et al., ap-peliants, from Jackson County, H. K. Hanna Judge; reversed, opinion by Justice

This is a suit to determine conflicting claims is a suit to determine connicting claims to real property in Douglas County. In 1886, G. W. Hoover died and gave his children and grandchildren one dollar each and devised the balance of his estate to his wife during her life. He also named her as executrix without bonds.

In 1888, the widow, without an order of the court, sold to one Cooper, lot 1, block 14, in Medford, for \$800, its reasonable value. The plaintiffs have succeeded to Cooper's interest and being in possessi of the property, brought this suit to de-termine if they hold the property as owntermine if they hold the property as own-ers in fee or have merely a life estate in-

The question presented was whether by he will of Hoover, his widow took the title of the property in fee, with the power to sell and dispose of it, or only a life in-terest therein. The court says that in construing a will, the intention of the testator, as expressed therein, must prevail. From ap examination of the will under consideration the court concludes that it was the manifest intention of the testator give only a life-estate in the property to the widow and that she had no powe or authority to sell or dispose of any greater interest therein. The will pro-vided that the wife was to have and hold

dren, share and share alike, unless she shall die or marry before Elmer Hoover becomes 21 years of age, in which event a sum is to be set apart out of the estate sufficient to give him a college education the remainder to be divided equally among the testator's children. The court hold that there is no power of sale given to the widow by the will, and if there had been to work the college of th it would not have had the effect to enlarge her estate into a fee, but would simply mean that she might fully and freely dis-

pose of her estate in the property as a tenant for life. In concluding, the opinion is as follows "The fact, if it is a fact, as alleged in the complaint, found by the trial court, and strenuously urged at the argument here. that the sale was made by the widow to provide means to support, maintain and educate the minor children of the testator is immaterial. The title to the propert was not given to her in trust for any suc purpose. Her power to convey it depend ed on the terms of the will, and not upo ed on the terms of the will, and not upon the purpose for which the sale or convey, ance might be made. If the will gave her no power to sell or dispose of the fee, none can be inferred from the necessities of the case."

Court concludes that the plaintiffs are the owners of the life-estate of Mrs Hoover only, and that the fee is in the defendant heirs. The decree of the lower

Walte-Willia. F. B. Waite, respondent, vs. W. R. Willis appellant, from Douglas County, J. Hamilton, Judge; affirmed, opinion

Justice Wolverton. wao an action by the executor o the estate of Fendal Sutherlen, deceased to recover the sum of \$334 65 alleged to have been wrongfully withheld by the de fendant, who was suing as attorney for the estate. In the lower court, plaintiff

was given a judgment.
Waving alleged defects in the answer is the case, the court finds that the defendant has no legal basis upon which to found his defense. "He (defendant) was employed by the executor while administering the estate and is not entitled to an attorney's upon the money or property of the estate coming into his hands professionally," reads the opinion. The employment of an attorney by an executor is held to be a personal matter and in no way binding upon the estate. Owing to the inadequacy and insufficiency of the defense that was sed, the judgment of the lower ourt is affirmed.

Dean et al.-Dean et al. B. W. Dean et al., appellants, vs. Raiph Dean and Olive Dean, respondents, appeal from Jackson County, H. K. Hanna Judge; affirmed, opinion by Chief Justice Moore.

Britt et al.-Reed. Peter Britt, Helena Hanna and Fredrika Healey, respondenta vs. C. W. Reed, appellant, from Jackson County, Henry L. Benson, Judge; affirmed, opinion by Justice Bean.

State vs. Belding Tried. The case of State of Oregon, respondent, vs. A. L. Belding, appellant, was argued and submitted in the Supreme Court to-day. D. R. Murphy, of Portland, appeared for Belding. The state was represented by District Attoroney Chamberlain and At-torney-General Blackburn.

CITY'S LOSS WILL BE LIGHT. Astoria Municipality Not Liable for

"Raised" City Warrants. ASTORIA, Or., Dec. 29,-(Special.)-An eans committee of the Council today by City Attorney Smith regarding the city's liability for the "raised" warrants which are now in circulation. The opinion is based on a decision of the State Court, in the case of Goldsmith vs. Baker City, and on decisions of the United States Supreme Court in several similar cases, and states that the city cannot be held responsible for any of the bogue warrants, which have not already been paid by the Treasurer and upon which ayment has been stopped. According to his, the city's loss from the defalcation will be very light. There are good and sufficient bonds on file to protect the mu-nicipality's interests against any of the nets of the late Auditor prior to January 1 last, and of the warrants issued since that time only those drawn during the

nouncing that John A. Devlin, of As-toria, died very suddenly in California this morning. The cause of his death this morning. The cause of his death was not stated, but is supposed to have been heart failure. Mr. Devlin was a native of Ireland, about 65 years of age and was formerly one of the leading sal-mon-canners on the Columbia River, aithough he retired from active business several years ago. Since that time he has lived in Astoria, but always spent the Winter season in California, and left for that state about two weeks ago, left a widow, but no children, and one sister, living in Chicago. The deceased was a man of exemplary habits, honored

Astoria Bowlers Win. Illibee bowling team, of Salem visited this city yesterday and played a series of games with the team of the Commercial Club. The home team won three out of four games by a total score of 938 to 883. The visitors were banqueted at the conclusion of the game,

and respected by all who knew him.

Expects 3,000,000 Fry. Superintendent Hansen, of the Chinool hatchery, expects to turn out 3,000,000 fry this season, the largest number in the history of the hatchery. He has already 2,000,000 eggs in the racks, whereas the total for last year was only 1,800,000.

Log Transportation Suspended. The transportation of logs from Willapa harbor at Nahcotta to the Colum bia, over the line of the Ilwaco Railway & Navigation Company, has been sus-pended, as the scheme is said to have been a failure from a financial standpo

Delinquent Tax Sale. The sale of property on the 1901 delin-quent tax list was held this afternoon, and the greater portion of the property was purchased by local speculator

ARMSTRONG IS ARRAIGNED.

Must Answer to Charge of Murder in

the First Degree. BAKER CITY, Or., Dec. 29 .- Pless Armstrong, who shot Miss Minnie Ensminger early Christmas morning, was arraigned before Justice Messick this morning to answer to the charge of murder in the first degree. He was represented in court by Attorney George Bently. He was given until 1:30 o'clock tomorrow afternoon to plead, at which time the preliminary examination will begin. District Atto-White has announced that the trial of the case in the Circuit Court will take

place at the February term.

Should Armstrong be convicted and sentenced to be hanged it will be the first legal hanging in the history of the county. In the early days two men were hung by a mob, but since then there has been no execution, legal or otherwise, in this county. Grant Armstrong, of Dayton, Wash., a brother of the prisoner, is here to render what assistance he can to his

unfortunate relative.

George Johnson is being held under bond as a witness for the state. It is hinted that Johnson's testimony is of such a nature as to insure the convic-tion of Armstrong. There is no more talk of lynching, the people believing that the courts are able and capable of deal ing out justice in this as well as other

Murderer Sarrino Is Caught.

SPOKANE, Wash., Dec. 28.-Forty or 50 citizens scoured the country around Sprague last night, seeking Pete Sarrino, an Italian, who had shot Fred Brown, a waiter, in a saloon row. Sarrino was caught at last near Kline, half a dozen miles away, and taken back to Sprague, where he is now in feel. where he is now in jail. Brown is stil alive, but, with a bullet hole in his lungs the property "during her life, or while alive, but, with a bullet I alive but, with a bullet I have death or marriage it shall descend in anual proportions to the testator's chil-

See Barrett's adv. on Page 8.

RAILROADS GRANT HALF-FARE RATES FOR 1905 FAIR.

Commissioner Knapp Holds Conference at St. Louis With Representatives of Traffic Departments.

ST. LOUIS, Dec. 29 .- (Special.)-The railroads will return free of cost all exhibits taken from the St. Louis Fair to the Portland Exposition in 1906. This assurance was given John W. Knapp, spe cial commissioner for the Lewis and Clark Fair, at a conference this afternoon with representatives of the traffic departments of the several railway lines extending from St. Louis to the Pacific Northwest. The railroads consider this their best means of promoting the interests of the

Portland Expesition The general feeling in St. Louis is de cidedly in favor of fostering the efforts of the Lewis and Clark Exposition in a reciprocal way. It is believed to be of as great interest to the State of Misouri and the states west of the Mississippi River, as well as the manufacturing states of the East, looking to the Northwest for trade, that the State of Oregon should authorize, by an act of the Legislature, the Lewis and Clark commisioners to see that the state is creditably represented at the World's Fair of St Louis in 1904.

Hon. D. M. Houser, of the Globe-Demo crat, chairman of the committee on leg-Islation for the Louisiana Purchase Exposition, was also interviewed by Mr. Knapp this afternoon. After Mr. Knapp had expatinted upon the reasons why Missouri should and is in duty bound to encourage the great undertaking of the Lewis and Clark Exposition, because that state is the home and point of departure of the Lewis and Clark expedition in 1805, Mr. Houser said:

"You can say to Hon, H. W. Corbett, to The Oregonian and the people of Oregon that I shall, in my official capacity, and with whatever influence I may command with my paper, recommend and urge upon the Legislature of Missouri and our World's Fair Board the urgent propriety and reciprocal necessity of Missourl being represented at the Lewis and Clark Exposition in Portland in 1905 by the transfer of our state exhibit as a from St. Louis to Portland in 1904.

DIRECTOR MILLER IN IDAHO. Visits Governor Morrison in Interest

of Lewis and Clark Fair. BOISE, Idaho, Dec. 29.-(Special.)-0. L Miller was here today from Baker City in the interest of the Lewis and Clark Exposition, in 1905. Mr. Miller is a member of the board of directors, and came to Bolse for the purpose of laying the foundation for securing an appropriation by the state for participation in the Ex-position. In talking of the matter, he said he hoped Governor Morrison would find his way clear to recommend such an appropriation. All the other Northwestern States, he said, would participate, and it was the desire of the management

that Idaho be well represented.

Mr. Miller expressed the hope that the matter would be called to the attention of the members of the Legislature, and they would feel disposed to present the state in line with the others that will participate in the Exposition. If an exhibit should be sent to St. Louis, he said, much of, especially the mining display, could be taken directly to Portland. Mr. Miller went to Caldwell tonight to see the incom-

NO NEW CHAUTAUQUA PLAN.

Board of Directors Fail to Agree on Plan for Reorganization OREGON CITY, Or., Dec. 29.-(Spe cial.)-The failure of the stockholders of the Willamette Valley Chautauqua Asso ization at its recent meeting will resul in next year's assembly being conducted along present lines, notwithstanding the are practically unanimous in the belief that reorganization should be effected and had agreed upon a plan. At the close of the assembly in 1901 the asso-ciation was in debt about \$600, and, to protect the association, the directors went on a note as individuals. Thomas F Ryan, treasurer of the association, ad vanced \$500, and on this note \$200 is still A floating debt of \$100 was paid. The success of this year's assembly paid off much of the debt of the association

but the directors are still on the note, of which there is a balance due of \$200. Sheriff's Sale of Junk Land. The Sheriff's office force is hard at work making out tax deeds for propert ntly disposed of at the junk and from the delinquent tax roll of 1888 Something like \$1000 was realized from

the sale, and of this amount over \$400 was realized from the Gladstone Real Estate Association's property and \$175 from another tract assessed to Joseph Simon. Will Repeat Cantata.

The cantata, "Christmas Angels," which was given in the Presbyterian Church Christmas eve, will be repeated next Friday evening in the church for the benefit of those who did not have the country of hearing the first rendition. No admission will be charged. County School Superintendent J. C. Zin-

ser has received information from Super-intendent of Public Instruction J. H. Ackerman that eighth-grade examinations will be held in Clackamas County January 28, 29 and 20, April 8, 9 and 10, May 20, 21 and 22, June 17, 18 and 19. Examinations for county papers will be held February 11, 12 and 13. Examinations for state papers will be held February 11, 12,

INJUNCTION SUIT FILED. Sheriff Restrained From Selling De-

linquent Property. ST. HELENS, Wash., Dec. 29.—(Special.)

—An injunction suit was filed this morning restraining the Sheriff from selling a few pieces of property for delinquent taxes in the heretofore disputed territory between Columbia and Washington Counties. Washington County first secured control of the disputed sections, and later it was decided to be within the boundary lines of Columbia County. The County Court of Washington County now cor with a restraining order, alleging that Columbia County did not come into legal possession of the territory. The delin-quents in the disputed territory are made plaintiffs to the suit. The sale of property for delinquent taxes takes place t

FEED SHEEP ON POTATOES.

orth Yakima Farmers Find Substitute for High-Priced Hay. NORTH YAKIMA, Wash., Dec. 28.— (Special.)—The sheepmen of this valley have solved the problem of being comhave solved the problem of being com-pelled to pay a high price for elfalfa, and now there are indications that the price will drop before very long for all kinds of hay. The potato, for which this valley is famous, is made a substitute for high-priced hay by those who were caught without a good supply on hand when Winter set in. Small potatoes can be winter set in. Small potatoes can be purchased at \$1 per ton, and they are considered to be as good for feed as any other tuber grown. The sheepmen say three tons of them are equal to two tons of hay, and, when fed to the sheep raw, as is now being done, they prove

nutritious. Alfalfa has reached \$10 and \$11 per ton in the stack, and the farmers are not willing to sell at that figure. The sheepmen contend that the price of hay will drop before the first of February, while the farmer contends that before next Spring the price will go up to \$12 and \$14 a. News in the history. before next Spring the price will go up to \$12 and \$14 a ton. Never in the history of the Yakima Valley has such a big price been paid for alfalfa as at present. This time a year ago \$5.50 was the high-est price paid, but, owing to the great number of stock brought in from Oregon to be fed in the valley, and the cold weather that has prevailed for a month past, there has developed a scarcity not past, there has developed a scarcity not at first expected.

CERTAIN OF HIS ELECTION.

Levi Ankeny Says He Has the Lead Over Other Aspirants. BAKER CITY, Or., Dec. 29 .- (Special.)-Hon. Levi Ankeny, of Walla Walla, is here attending a meeting of the directors of the First National Bank of this city, of the First National Bank of this city, of which he is president. Speaking of the Senatorial contest in Washington, he said:
"As to the race for United States Senator in the State of Washington, I feel confident that I have a good show to be elected by the State Legislature, which convenes at Olympia, January 12. The ballot for the Senatorship will be taken ballot for the Senatorship will be taken on the 20th, or thereabouts. Of course, I friends tell me they believe my success is assured. Strong men are opposing me for the election, but I think my friends are

stronger than they are."
"Concerning present finances, I believe that too much speculation has been going on in Wall street and elsewhere, and that values are liable to get too high, and that perhaps some damage has already been done through overcapitalization of trust interests. I am firmly of the opinion that President Roosevelt, in his wisdom aiready exhibited, will be able to avert anything like a financial panic."

Speaking of the Columbia River improvements, he said:

"The one great thing needed for both Oregon and Washington is an open Colum-bia River from the Inland Empire to the sea. Both states are equally interested in this important question. There is no occasion for dickering over it, and any sistance, or the route down a water level for the transportation of products from the farm to ocean vessels, is the sensible proposition for all to work for.

ORGANIZED HORSETHIEVES.

Band Is Operating Among the Ranch.

men of Southern Gregon. GRANT'S PASS, Or., Dec. 29.-(Special. An organized band of horsethieves is operating on the ranges of the Souther Oregon mountains, especially among the ranches of Eastern Josephine and West ern Jackson County. Edward Lyons, for-merly of this city, is suspected of being the leader of the band. Horses to the number of 32 have disappeared from time to time, and over 100 head of goats and nearly half as many sheep have been stolen from the ranchers and stockmen of the above-mentioned territory. Investigation has proven that the horses have been driven south across the line and disposed of at Redding and other

Northern California points.

Edward Lyons was recently arrested, having been found driving a band of missing stock, and was taken into custody, but escaped from the officers while they were attempting to take him to inil and dark complexion. The ranchmen feel confident that he is at the head of an organized band of horsethieves, who have been at work along the Coast all of the past Summer and Fall.

ASHLAND MAKES POOR SHOOT. Makes Score of But 35 in Dense Cold

Fog-Individual Score, 20. ASHLAND, Or., Dec. 29.—(Special.)— Company B, Fourth Regiment, O. N. G., of this city, held its target shoot today on the rifle range east of town. It was a part of the contest now going on among impanies of the regiment for the cup to be awarded to the successful team, and a gold medal offered to the best individual marksman. Colonel George O. Yoran, of Eugene, and Captain C. C. were present. The contesting team, which was composed of Sergeant Henry Carter, First Sergeant James Spencer, Sergeant Samuel Grubb, Musician Roy Rickerson and Private John Herndon made a total score of 35 as against Eugene's 90 and Albany's 58. The best individual score made was 29, by Sergeant James Spencer. Grant's Pass and Rose burg companies are still to participate. The poor record made in the shoot today is due largely to the dense cold fog which prevailed during the contest. In a practice shoot yesterday the

Colonel Yoran is conducting the quarterly inspection tonight at the armory.

WOODBURN COMPANY LEADS.

Makes a Record of 99 points in Com petitive Regimental Shoot. WOODBURN, Or., Dec. 29.—(Special.)— Under Colonel John M. Poorman, acting inspector of rifle practice, Company D. of silver cup for the team shoot and the gold medal for the best individual shot. The team selected by Company D consisted of Sergeant Kelsey and Privates Beach, Branigar, Guerro and Van Cleave, the result being 29 points, which is the best record so far made by the companies in the regiment. The individual scores were: Sergeant Kelsey, 22; Beach, 23; Van Cleave, 23; Bennett, 22; Guerro, 21, which tles the score of the Eugene Company. Officers and members of the company are much elated over the splendid records

CABLE NOT YET CONNECTED.

No News From the Silvertown, but

Officials Are Not Worrying. SAN FRANCISCO, Dec. 26.-Up to a late hour this afternoon there had not been a flash from the cable ship Silvertown to in-dicate that Hawaii is in telegraphic communication with the world. The cable dozen obstacles may have delayed the work. Even if there have been no un-usual difficulties, the cable officials see no reason to worry over the matter.

A heavy swell would prevent getting the cable to shore. What the weather at Honolulu is cannot be surmised. The steamer Sonoma, which sailed from Hon-olulu December 23, at 6:15 in the morning. arriving here today, reports that, after leaving the islands, she experienced two days of squally, rainy weather.

LITTLE NEWS FROM SLIDE. Unidentified Body Is Found Two

Miles From the Bunkhouse. SPOKANE, Dec. 29.—A Nelson, B. C., pecial to the Spokesman-Review says: Little further news has been received from the scene of the disastrous snowshide at the Mollie Gibson mine. Campbell's at the Mollie Gibson mine. Campbell's body was brought down to the landing today, and will arrive here tomorrow. An-other body was found, but not identified, about two miles from the gite of the bunkhouse. Provisions were taken up Sunday for the rescuers, and the four survivors, who had taken refuge in the tunnel, were brought down to the foot of the tramway All the survivors here are doing well except McLaughlin, whose injuries proved more serious than at first reported

Dayton Suffers a \$4000 Fire Loss. WALLA WALLA, Wash., Dec. 29.-A pecial to the Union from Dayton says special to the Union from Dayton says that fire last night damaged the stock of Miller Bros., bakers, to the extent of \$5500, besides causing a loss of \$500 to the store building. Adjoining property was slightly damaged. The blaze was caused by a defective electric light wire in the basement of the bakery. MUST KILL MOTHER LOVE mouth, tearing off the left side of his face. He was alive at last reports.

MRS. TINGLEY DECLARES IT IS HARMFUL TO CHILDREN.

Prevents Full Development of Child -Testimony of Mrs. Mohn, Who Had Daughter at Point Loma.

SAN DIEGO, Cal., Dec. 29 .- "We should kill out mother love, otherwise we cannot progress," was a remark attributed to Mra. Tingley in the deposition of Mrs. George F. Mohn, of Los Angeles, who took the stand today in the Tingley-Times libel case. Mrs. Mohn said she was at Point Loma four years ago with her little daughter. The child was sent to the colony. The little one later begged her moth er to take her away, as she did not like er to take her away, as she did not may the other children or the fare. In regard to the separation from her child Mrs. Mohn relates a talk with Mrs. Tingley, in

which the deponent said:

"She told me that mother love in me was very strong, but she said it was not good for the child, and that her plan was to remove children entirely and to keep them apart from it; that the mothers held them hack and the child could calle use them. them back, and the child could only go as far as the mother went in their nature; that is, they could not draw out their better qualities. She said I ought not to look upon my child any differently from any other child, and that I ought not to show any different feelings for her. She said it was natural, of course, but not along the higher lines. It was not what she called higher spiritual lines. It was not the thing; we should kill out this thing, otherwise we cannot progress."

Mra Mohn testified that it was the duty

one of the night guards to remain near Mrs. Tingley's room and watch. The deposition of Mrs. Lena Morris, of 100 West Sixteenth street, New York, was among the first to be introduced at the resumption of the trial this morning. subject-matter covered a period of all

11 years ago, when deponent was the jan itress at 107 West Sixty-eighth street where Mrs. Tingley resided.

The plaintiff succeeded in excluding the answer to the question concerning Mrs. Tingley's business at the time deponent knew her and also a question, "Was there a girl living with Mrs. Tingley?" Only the formal portions of this deposition were

The deposition of John M. Price, of 317 West Sixty-pinth street, New York. next offered by the defendant. This deponent knew Mrs. Tingley when she attend ed the theorophical meetings at Madison street. He understood that she claimed to be the successor of William Q. Judge. the leader of the movement.

A few words of Mr. Price's deposition were admitted, in which he said that he knew all of the leading theosophists in this country and in Europe, and that he knew Mrs. Tingley as living with her hus band and having no business, so far as deponent was aware. Questions then took the trend of general reputation and took the trend of general reputation and the answers were excluded. Regarding his personal knowledge of Mrs. Tingley's spiritualistic beliefs, Mr. Price answered: "She was a spiritualist in belief. I know that she was given to going into trances as a medium. I have seen her in trances giving forth prophecies that never came true. I am giving this from my own observation. She used, or claimed to use clairvoyance in all her doings in theos-

A question concerning Mrs. Tingley's use of hypnotic power was vigorous contested, the arguments of counsel take ing in all the interrelations of medium and mind-reading and hypnotic

power. Mr. Hunsacker, of the defendant's coun sel, made a plea for the admission of the answer upon the theory that it has been claimed that people found it difficult to escape from Point Loma, and that it made no difference whether they were re-strained by physical means, by the laying on of hands or by the exercise of hypnotic power. The court excluded the answer. Several

other questions, all bearing upon Mrs. Tingley's practice of hypnotism in New York, were in turn shut out. On the cross-examination of the depo nent. Price, he said that he had written to the Los Angeles Times, telling the publishers where they could obtain evi-On redirect examination was asked to tell what Mrs. Tingley had sald when she came out of the trance He said:

"She claimed that the late Madame Blavatsk; and the late William Q. Judge spoke through her while she was in a trance state." George F. Mohn, of Los Angeles, who followed Price, said she attended a great many early morning meetings, and one midnight meeting. This midnight meeting was on a hill, about half a mile frem the hotel. This hill was the place, she said, which was known as the hill." The special ceremony was the laying of the corner-stone of the School Lost Mysteries of Antiquity, Earth sir, water and fire were symbolized by acts and words by Mrs. Tingley, who sprinkled ashes as she spoke. The cere-meny took about two hours, and was con-

ducted very largely in silence. MEMBERS DEFER ACTION.

Eastern Washington Representatives Hold Secret Caucus. SPOKANE, Dec. 29.-Fifteen Republican members of the State House of Represen-tatives met here in secret caucus today in inswer to a call issued by Representative

Bassett, of Adams County, and addressed to all Republican House members in Eastern Washington. Eastern Washington.
Those present were: Lindsley, Stark,
Henry, Wells and Whitney of Spokane, Durham and Dix of Whitman, Keyes, Denton and Wilson of Walla Walla, Howard of Lincoin, Hare of Yakima, Haynes of Douglas, Bassett of Adams and Peas-

lee of Asotin.

It developed that the object of the call was to indorae S. A. Wells, of Spokane, for speaker. Six of those present, thinking the movement was in the interest of Ankeny for Senator, offered vigorous opposition. Stark of Spokane moved that lee of Asotin. the caucus Indorse Wells, when Peaslee, Dix. Howard, Lindsley, Henry and Hare objected and declared that they would not be bound by such a motion if it passed. A motion by Wells that Chairman Bassett appoint a steering committee of five, himself included, which should report to this caucus the night before the opening of the Legislature, was carried. The chair named Keyes, Wells, Whitney and Durham. Peaslee wanted to know what were the powers of the complete. said it had power to bind every man in the caucus on the speakership. protestants then declared that if Wells' construction was correct they would leave the caucus. Wells then moved and it carried that all action be deferred until the members meet at Olympia,

MAN CAUGHT IN SHAFT.

Whirled Around and Around Until Machinery Was Stopped. ABERDEEN, Wash., Dec. 29 .- (Special. adjusting a belt in the mill at Cosmopo lis his clothes were caught in a shaft and he was whirled around until the machinery could be stopped. His leg was broken, an arm almost torn from the shoulder, and he also received internal injuries. Not a bit of clothing was left on his body. He will die.

SIDE OF FACE TORN AWAY. Man Is Accidentally Shot While Out Hunting Ducks.

EVERETT, Wash, Dec. 25.—A special to the Everett Herald from Monroe states that Herbert Leek, of Cherry Valley while duck hunting with a friend, was accidentally shot by his companion. The entire charge of shot entered Leek's

Will Fight 20 Rounds. Ed Taro, of this city, and Fred Wyatt, f Toronto, who was with the Jeffries-tasimmens attraction when here, will ight 20 rounds in Lowell on the night of

Man Found Dead. unknown man was found dead last night in his room over the Riverside saloon. From morphine in his pockets the police entertain the theory of suicide.

Vaing Its Own Track Again. The Great Northern is again using its track west from Madison, where a bridge was taken out by a snowslide during the recent storm. Since Tuesday 110 bridge carpenters and 100 laborers have been rushing the work on the new bridge.

NEW WARDEN ARRIVES. F. A. Dryden Will Assume His Duties

at Walla Walla, January 1. WALLA WALLA, Wash., Dec. 29 .- F. A. Dryden, the new Superintendent of the State Penitentiary, arrived in Walla Wal la today and will replace John B. Catron January 1, Mr. Dryden is accompanied by his wife and son.

The new superintendent said no changes

in the prison staff would take place for at least a month yet. Deputy Warden Wells, of Skagit County, will come to Walla Walla in about two weeks. present Chief Turnkey John F. McAndrew will continue to act as deputy. inty. Warden Catron is at pre

The new superintendent has been in the mercantile business at Castle Rock, and at one time served as Deputy Sheriff of undecided as to what he will do after leaving the prison he has served as the chief executive for the past five years His home was formerly in Ellensburg.

WOODMEN MEET AT NEWBURG.

Visiting Members Present From All Parts of Valley-Banquet for 600. NEWBURG, Or., Dec. 23.—(Special.)— Woodmen of the World held a great demonstration here tonight. Visiting Woodmen were present from all principal camps of the valley. The uniform rank of McMinnville Camp, under command of Captain T. B. Ladd, performed the drills. Colonel H. L. Day and General Organizer George K. Rogers, of Portland, are prom-inent Portland visitors. Quartermaster W. T. Macey, of McMinnville, and Adjutant F. H. Coldwell also took part in the ceremonies. The Woodmen initiated 47 candidates into the order.

During these ceremonies the Women of Woodcraft held a reception in Masonic Hall. At the close of the exercises both orders sat down to a splendid banquet, at which covers were set for 600. It was greatest fraternal meeting ever held

SWANSON PLEADS GUILTY.

His Arrest at Newport Creates a Sensation at the Smelter. SPOKANE, Dec. 29.-The arrest and conviction of Peter Swanson on a charge of having stolen property in his posses-sion has caused much agitation in North-port, Wash., where officials of the Northport smelter say that a systematic plan of pilfering the gold-bearing matte has been in operation for years; in fact, since the smelter was first established. Swan-son was arrested at Rossland, B. C., and in his possession was found 100 pounds of the stuff. He pleaded guilty. Today friends of the man, who is a saloonkeeper, sought to have the case reopened, claiming that Swanson did not understand the nature of his crime when he pleaded guilty so readily. The court refused th day. Swanson declines to name the perwho stole the matte and sold it to

BODY WILL BE CREMATED.

Mrs. Fremont Had Left Definite Funeral Directions in Safety Vault. LOS ANGELES, Cal., Dec. 29.-In accordance with her wishes, the body of Mrs. Jessie Benton Fremont will be cremated. The funeral is to be held tomor-row morning from the Episcopal Church. Mrs. Fremont had left in the safety deposit vault of the Union Bank of Sav-ings simple but explicit directions for the disposal of her remains and her wishes will be carried out so far as it is possible to do so. Her ashes are to be buried beside the grave of General Fre-mont, on the Hudson, and thus will be fulfilled one of the chief desires of Mrs. Frement's last years.

Two Baker City Houses Burned. BAKER CITY, Or., Dec. 29.—Early this morning a fire broke out in a cot-tage in the Warm Springs Addition of this city, in a cottage owned by Mrs. M. E. Motley. The fire department respondwas so far away that it was impossib to get water on the flames. The house burned, and another cottage next to it owned by the same woman also burned loss, about \$2000; Insurance, \$1200.

New Fire System for Aberdeen. ABERDEEN, Wash., Dec. 29.-(Special.) -About March 1 this city will have a firinto service a new fire steamer at a cost of \$6500. The citizens are interested saving one of the best departments on the

GRANT'S PASS, Or., Dec. 25.—(Special.)

The Grant's Pass City Council has passed an ordinance forbidding chickens running at large within certain limits in

## OF UNTOLD VALUE

The Information Contained in This Gentleman's Statement Is Priceless.

The hale, the hearty, the strong can afford to toss this paper to one side impa-tiently when they read the following, but any sufferer who has spent a mint of money and hours of exeruciating torture caused by kidney complaint will stand in his own light if he does not follow the valuable advice offered by:

William Gower, barber, of 121 West Bennett avenue, Colorado Springs, says: I was interviewed by a gentleman in the month of June, 1889, about Doan's Kidney Pills. I was then living in Pueblo, Colo., and I told him that after suffering for and I told him that after suffering for feur or five years with backache and other consequences of either excited or weakened kidneys, I went to my druggist in Pueblo for Doan's Kidney Pilis and took a course of the treatment. They cured me, and cured me quickly. Since then I have not had the slightest symptom. tom of a recurrence. I have recommended them to a number of friends and acquaintances and told them if they did not cure them they could return the box to me and I would pay them for them. No one ever came back with a box, so I knew they were cured." Ask the Laue-Davis Drug Co, what their customers say about Doan's Kidney Pills.

For sale by all dealers. Price 50 cents.
Foster-Milburn Co., Buffalo, N. Y., sole
agents for the United States.
Remember the name—Doan's—and take Remember the name-Doan's and take

Are always "beautiful" and always according to the society reporters, and in this case the report is mostly true. 9 There may be un-happy brides in fiction, but there are few in real life. But how hard it is to look upon many of the wives we know and believe

C that they were once beautiful and happy. Pain, the result of womanly disease, has marred

beauty and undermined happiness. Beauty and happiness are both restored. to the sufferers from womanly diseases by the use of Dr. Pierce's Favorite Proscription. It cures the pain-producing ills peculiar to women, establishing reg-ularity, drying weakening drains, heal-ing indicates. inflammation and ulceration, and curing female weakness. It restores roundness to the sunken cheek and plumpness to the shrunken body.

piumpness to the shrunken body.

"I have thought for some time I would write you and tell you of the great improvement in my health since taking your 'Favorile Prescription,' says Mrs. B. S. Jones, of Forest, N. C. "When I began its use I was a physical wreck and had despaired of ever having any health again. Could not sit up all day, and was so weak I could not walk one quarter of a mile. I noted a great improvement in my health before the first bottle was used. Was suffering with almost every pain that a woman is subject to; had inflammation of ovaries, painful and suppressed periods, and other symptoms of female disease. After taking six bottles of "Favorite Prescription," I felt like a new person. Can ride horseback and take all kinds of exercise and not feel tired."

If you are led to the purchase of "Favorite Prescription" because of its re-markable cures of other women, do not accept a substitute which has none of these cures to its credit.

If you are looking for a perfect laxative try Dr. Pierce's Pleasant Pellets.

# Dadway's

Purely vegetable, mild and reliable. Regu-late the Liver and Digostive Organs. The safest and beat medicine in the world for the

CURE of all disorders of the Stomach, Liver, Howels,

of the Bowels, Piles and all derangements of the internal viscera. PERFECT DIGESTION will be accomplished by taking RADWAY'S PILLS. By so doing

DYSPEPSIA

lick Hendache, Foul Stomach, Billionspess will be avoided, as the food that is eaten contrib-utes its nourishing properties for the support of the natural wastes of the body.

Price 25 cents per box. Sold by all Drugpiets, or sent by mail on receipt of price. RADWAY & CO., 55 Elm Street, New York,

## MOTABELIEF BUTACURE

Famia File Specific Gree immediate fields
URBANA, Ill., Oct. 20, 1802.—
Dr. Perrin. Helena. Mont—
Dear, Sir: I have been trying
through the druggists here to
obtain another bottle of your
specific, as I have been a sufferer from them off and on for
some years. I saw the ads. In
the P.-L of Scattle, Wash,
some time in May last. At that
time I was 100 miles north of
Seattle, so I went down to Seattle and found it. I have used Partin Pile Spacific Circs Immediate Rolled attle and found it. I have used it up and have been trying to get more. It has helped me very much, more so than anything I have ever used, and I have seen very anxious to use another bottle. Yours respectfully,

H. S. CHANDLER.

DANDRUFF WON'T WASH OUT.

The Germ That Causes It Has to Be Bestroyed to Cure Bandruff. Many a woman spends an hour twice a week scouring her scalp, thinking scrub-bing off the scurf will cure the dandruff, Two hours a week, at the age of 40 years, she has spent 250 days of 12 hours each, or two-thirds of a year of her life, in that vain hone; vain, because you can't cure dandruff without killing the dandruff germ and the only hair preparation on earth that will do that is Newbro's "Herpfeide"also a delightful hair dressing, and thorough antiseptic against all contagion from use of other's hair brushes. For sule by

C. GEE WO, The Great Chinese Doctor

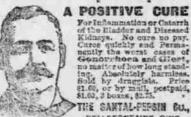
all druggists. Send 10 cents in stamps for sample to The Herpicide Co., Detroit,



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is called great because his wonderful cures are so well known throughout the United States, and because so many people are thankful to him for saving their lives from operations. He treats any and all diseases with powerful Chilege herbs, roots, buds, bark and vegatables, that are enbuos, bark and vegatables, that are entirely unknown to medical science in this country, and through the use of these harmiess temedies. This famous doctor knows the action of over 500 different remedies that the has successfully used in different distensation of over 500 different remedies that the has successfully used in different distensation, it was the action of over 500 different remedies that the has successfully used in different distensation and all private diseases. Hundreds of testimoniais. Charges moderate Call and see him. CONSULTATION PREE Patients out of the city write for blank and circular. Inclose stamp. Address THE C. GEE WO CHINESE Mallicine CO. 1214, Third street, Portland, Or. Mention this paper.

Scott's Santal-Pepsin Capsules



For InSammation or Catarrh
of the Eladder and Diseased
Ridmays. No cure no pay.
Caree quickly and Permanently the worst cases of
Geonoxytheen and Gioer,
no matter of how long standing. Absolutely harmiess,
Sold by druggists. Price
81.00, or boxes, \$2.75.

LAUE-DAVIS DRUG CO., Portland, Or.

Blood Poison, is the worst disease on earth, yet the eastest to cure WHEN YOU KNOW WHAT TO DO.

Many have pumples, sputs on the skin, sores in the mouth, uters, failing hair, sone pains, ca-tarrh, don't know it is BLOOD FOISON. Send to DR BROWN, 233 Arch St., Philadelphia, Pa., for BROWN'S BLOOD CURE, \$2.00 per bottle, lasts one month. For sale only by Frank Nau. Portland Hotel Pharmacy.

Ripans Tabules, doctors find, a good prescrip-