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THE MORNING OREGONIAN, WEDNESDAY, APRIL 29, 1903. daughter, Lidia, born Hetty, now wife of Eugene Willis, to dispose of and distribute it among herself and her brothers and sisters to the best of her knowledge and conscience. If afte has a chance to sell the home, I authorize her to give a valid and hawful deed. I appoint her to act in my stead and I have confidence that she will administer things in my name as I wish it. The above will has been writ-ten by myself, being of sound mind. I em-power my daughter Lidia to pay her traveling expenses out of my entate. CLASSIFIED AD. BATES. **REVERSED ITS DECISIONS** "Rooms and Board." "Houseksep-"Situation Wanted." 15 words or is: 16 to 20 words, 20 cents; 21 to 5 cents, etc. No discount for ad-WE HAVE MOVED 25 C SUPREME COURT HOLDS NEW OPIN. STANDARD BOX FACTORY WILL fine of and n 25 a clear, Carls UNDER ALL. OTHER HEADS, except "New ION IN ASSESSMENT CASE. Today," 30 cents for 15 words or least 16 to 50 words, 40 cents; 31 to 25 words, 50 cents; stc.-farst insertion. Each additional insertion, one-balf; no further discount under one month. "NEW TODAT" (gauge measure agate), 15 cents per line, first insertion; 10 cents per line for each additional insertion. AND ARE Direuit Court Judges Thought They READY FOR BUSINESS Were Following Superior Tritraveling expenses out of my estate. _____AT____ "Margaretta Munzenmaler, "Rev. J. C. John, preacher, witne bunal, but Were Mistaken. Dock, for each additional insertion. ANSWERS TO ADVERTISEMENTS, ad-dressed cars The Oregonian, and left at this office, should siways be inclosed in scaled en-velopes. No stamp is required on such letters. The Oregonian will not be responsible for errors in advertisements taken through the telephone. Before the next six months between four and five blocks will be covered at the foot of East Oak, East Ash and East Ankeny streets by the Standard Box Fac-tory Company and the East Side Lumber Company whose will be bested at Set 246 WASHINGTON ST. Trying to Save Armstrong The Supreme Court is said to have re-The Supreme Court is said to have re-persed its former decisions when it de-rided Monday in the suit of the Oregon Real Estate Company against the City of Portiand that "the curative act contained in the Portiand charter for 1888 does not Pleas Armstrong, sentenced to be hanged on May 8 at Baker City for the murder of Minnie Ensminger, may obtain a new lease of life. His attorney, George J. Bentley, COMMERCIAL BLOCK, Bet. Second and Third in the Portiand charter for 1888 does not suthorize the collection of a street as-segment made under the charter of 1884, where the owners of a majority of the property affected remonstrated against the improvement and the Council disre-tion was in Portland yesterday, en route to Court. Mr. Bentley has a copy of the let-ter written by Miss Ensminger to Arm-strong on the day before she was killed by the and when and the Council disre-NEW TODAY. APPLES, APPLES-PETE HENNENGSEN IS closing out his apples at 334 Washington at at reduced prices: some choice Baldwin and Spitzenburg, delivered free. THE KILHAM STATIONERY CO. keny, and the foundation of the main mill building between East Ash and East Anproperty affected remonstrated against the improvement and the Council disre-garded the remonstrance." This is the opinion expressed by Judge property affected remonstrated against the improvement and the Council disre-garded the remonstrance." This is the opinion expressed by Judge George, who states that the Judges of the Biate Circuit Court in holding that the city could recover from the Oregon Real Estate Company, followed the decision of the Supreme Court in the Nottage and Thomas cases. The Oregon Real Estate Company filed and which Armstrong hever received. Had it been delivered Armstrong would doubt-ices not have shot his sweetheart. The attorney will do his best to get the Su-preme Court to grant a new trial, and says he will be able to show that there was an understanding between the two that if they could not marry in this life they should go together to the spirit world, and that Armstrong had no idea keny streets, is nearly completed, and timbers are being shaped for the building. S. B. Cobh, secretary of the company, said yestorday there was a shortage of tim-bers. If the "hold u," by the sawmills continues, Mr. Cobb said the factory FIVE PER CENT INTEREST Ample funds to losn on glit-edged sec. V. Andrews & Co., Hamilton bldg. ABSOLUTE CLEANLINESS IS OUR continues. Mr. Cobb said the factory would saw out its own timbers, which it can easily do at its sawmill plant at the foot of East Alder street. Mr. Cobb, how-ever, expressed the hope that there would be a settlement of the labor difficulties in a short time. The foundation for the en-gines is being laid in concrete on East Water, between East Ash and East An-keny streets, and the company has al-MOBTGAGE LOANS MOTTO. On improved city and farm property. Building loans, Installment loans, WM MACMASTER, \$11 Worcester block. We do Crown and Bridge Work without pain. Our id-years' experience in plate work enables us to fit your mouth comforta remonstrance against the rebuilding of what a bridge in 1857 across a gulch on the East Bide, the cost of which improvement was several thousand dollars, and the Council what he was doing when he fired the fatal worg enables us to at your mouth constru-ably We have feeling as well as you. Dr. W. A. Wils, manager, has found a safe way to extract jeeth absolutely with-out pain. Dr. T. P. Wils is an expert so the fulling and Grown and Bridge work. WANTED—CUCUMBERS Wanted-Parties to raise cucumbers for a local pickling works. Seed can be furnished C 74, Oregonian. R. H. Miller Divorced. did the work notwithstanding the remon-strance. The Supreme Court, in passing upon the case, said: "A refusal of the Common Council to R. H. Miller writes from San Francisco keny streets, and the company has al-ready placed orders for most of the mill to say that he was granted a divorce from Gertrude M. Miller on April 23 on grounds of crueity. Mrs. Miller's maiden name was Bolton, and she was married to Miller Extracting iree when plates or bridges are ordered. Sale of Sundries. Work will also start in a few DR. T. P. WISE. DR. W. A. WISE consider a remonstrance is not in any the big lumber dock for the East Side use a defect in the mode by which it WISE BROS., Dentists 201-213 FAILING BUILDING, Cor. 34 and Wash, 314 may acquire jurisdiction, but is rather a denial of the right to remonstrate, or of the remedy accorded him for defeating October 18, 1900. Mr. Miller says: "The KNIGHT'S DRUG STORE. Lumber Company. It will cover the block troubles of the newly-married people were many. The mother quarreled with every neighbor, also her relatives, father-in-law. ys from 9 to 12. Or. South 2291 between East Pine and East Ash streets and west of East Water street with a dock, which it will use for a city lumber yard. C. P. Hogue, of the mill company. the work will be continued from that end enally fair weather in the eastern portions of the work will be continued from that of through to a connection with the end of the 20-inch pipe line at the corner of East Stark and East Thirty-fifth streets. The Albina ends of the pipe line are not as large as the main pipe, which will be 16 inches. When it reaches East Twenty-eighth street, it will be a 20-inch main. When this pipe line is laid through to Albina, there should be an abundance of water. It will also afford fire protection In the Nottage case, also construing the furnitive act, the Supreme Court said: "In the absence of a constitutional rebrother, and lastly son-in-law, who is now DO IT NOW !! states and in Idaho free of such people." has been making arrangements to start the plis driver on the foundation of the dock. With all these industries in this vicinity, it will make it a center of some WEATHER FORECASTS. WEATHER FORECASTS. Porecasts made at Portland for the 25 hours ending midnight, Wednesday, April 29, 1903: Portland and vicinity-Partly cloudy and oc-casionally threatening; easterly winds. Western Oregon-Partly cloudy, with showers near the coast; cooler south portlon, except Neater Washington, portlong clouds with For Insurance in all lines call on Articles of Incorporation. tion or assessment proceedings which have been carried on in a way not provided by law, but in a way that might have been originally adopted, and may also retro-spectively declare immaterial statutory requirements that might have been dustriction a Legislature may validate taxa-A. H. BIRRELL Incorporation articles of the Giaas & Prudhomme Company were filed in the Jounty (Lerk's office yesterday by Graham importance. The Oregon Water Power & Railway Company will extend a branch on East Water street to this lumber dock, and will transport much of the lumber (Formerly of MacMaster & Birrell) REAL ESTATE, GENERAL INSURANCE AND FINANCIAL AGENCY. Giass, William E. Prudhomme and G. A. 303-4 McKay Building, Third and Stark. Phone Main 232. Taylor, capital stock \$60,000. The objects mounced are to do a general printing. hographing, bookbinding and stationery Western Washington-Parily cloudy, with requirements that might have been dis-pensed with in the first instance. "It is within the power of the Legisla-ture to cure proceedings for a street imfrom the Seliwood sawmill, although it is said aome of the output will come down on barges. The mill at Seliwood will cut from 50,000 to 70,000 feet of lumber per day, and can increase this amount, if necessary. The company is completing its plant by sawing out lumber for its own building. The sawmill of the Standard Box Factory will be able to cut from 50,000 to 100,000 feet of lumber per day, which it will use in the manufacture of boxes. The sawmill will be finished before the erection of the box factory will be underwater. It will also afford fire protection for property in the district. A number of hydrants will be placed on the main. from the Sellwood sawmill, although it is showers near the coast; easterly winds. Eastern Oregon, Eastern Washington and Northern Idabo-Fair and slightly warmer. Southern Idaho-Fair west, cloudy and threat-THE GREAT DIFFERENCE business. rovement that are void because based on East Side Notes. ST. JOHNS a petition that did not have the requisite number of signers, for, if the Legislature bld chosen, it could have provided for making the improvement without any NEVER BEFORE TAXED. EDWARD A. BEALS, Forecast Official. Mrs. J. L. Wells, who has been seriously ill at her home at No. 600 East Ankeny street, was reported yesterday to be conand other suburbs is in the matter of its Assessments on Special New York PAY ROLL Franchises Must Be Paid. AUCTION SALES TODAY. siderably improved. whatever." Mrs. J. H. McMillen, who has been at In the Nottage case the petition for the improvement did not have the requisite number of signers, and in the Oregon Real ALBANY, N. Y., April 28.-The Court of At 181 North Twenty-third st., 10 A. M. S. L. N. Gilman, auctioneer. St. Johns has a Wilholt Springs for some time for her health, has returned to her home on Appeals in a decision today unanimously sustained the special franchise tax law, reversing the decision of the appellate division of the Supreme Court, handed down at the January term, and sustaining the decision of Judge Earl. The decision PAY ROLL rection of the box factory will be under At residence, 422 Union ave., cor. San Rafael t. Take Woodlawn car. Sale at 10 A. M. Beorge Baker & Co., Auctioneers. which is increasing every day, Crosby street. Estate Company case a remonstrance was ignored by the Council. taken. LOTS \$75, \$100 Samuel Connell, manager of the North-Judge George does not see why the language of the Supreme Court just quotwest Door Company, Albina, Commis-sioner to the Louisiana Purchase Expo-By the Ford Auction Co., at 182 lst, at 10 A. M. H. Ford, auctioneer. \$5.00 DEATH OF MRS. LOUISA L. CLARK. down sition, has started for St. Louis. He will remain there until the exposition opens. Well-Known Ploneer Woman Stricked does not fit one case just as much as sustains the provision for the assessment \$5.00 of the special franchises by the State Board of Tax Commissioners. There were soven cases, all involving FUNERAL NOTICES. en With Paralysis. The improvement of Union avenue be per month. Mrs. Louisa L. Clark, a well-known pioneer woman, died yesterday evening at her home in Gresham, after remaining in tween East Oak and East Stark streets is held up for want of some timbers. The contractor has lumber to finish up, but

The Supreme Court in the Nottage case, in further passing upon the curative act, held as follows: "A section of the city charter which

provides that if any assessment for street improvements theretofore or thereafter made in such city shall be found or declared invalid for any reason whatever. the city shall have power to bring actions against the owners of the land charged with the improvement for their respective shares of the expense of the work, is not unconstitutional or a usurpation of judielal authority, but is a validating act, though it does not use any of the words ratify, confirm or validate." The language is here used, "if any street

assessment is declared invalid for any rea-son whatever, the city can sue to re-

Judge George and his colleagues, in use ciding the Oregon Real Estate Company case, concluded that, "any reason what-ever" would include the ignoring of a remonstrance, but the Supreme Court has but to the contrary. Judge George and his colleagues, in de-

ed that the assessment was invalid, but was cured by the curative act, but the Supreme Court says, "No."

The Supreme Court, in the case of The Supreme Court, in the case of Thomas against the City of Portland, likewise involving a construction of the curative act, said: "A decree declaring yold an aneessment for a public improve-ment is not a bar to a subsequent action by the municipality to collect the cost of the work from the property benefited. "Section 156 of the Portland charter of 1555 providing that if on the completion

1598, providing that, if on the completion

street improvement, when the cost is declared by a Common Council to be a charge on the adjacent property, any assessments levied to defray the cost

the same question, the validity of assess ments upon the special franchises of the respondent corporations made by the State Board of Tax Commissioners under the act of 1889, which amended the general an unconscious condition for two days.

Saturday she sustained another stroke of paralysis, from which she did not recover. For several years she had been in failing health, and for about six months was contax law so as to include as taxable real property the rights of street railroads, gas, pipe lines, telegraph, telephone and similar public service companies in the fined to her home. Mrs. Clark was 72 years old last December. She and her husband, L. H. Clark, who died some time ago, were the ploneer unpublic streets and places. Taxes assessed during the three years since the passage of the law amount to \$15,452,884, upon an assessed valuation in 1990, for instance, of \$265,017,770. dertakers in East Portland, and conducted

an establishment on East Oak street, be-tween Union and Grand avenues. They first moved to Mount Tabor after dispo-ing of their business, and then to Pleas-The court holds that the Legislature in creating a new system of taxation em-bracing a new kind of property, never taxed before, had the right to intrust to infringement upon local self-government All the Judges concurred in the opinion.

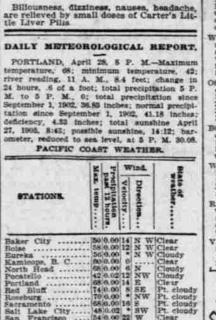
Stock Market Not Affected.

NEW YORK, April 28 .- The stock market was not effected to any great extent by the Court of Appeals' decision sustain-ing the constitutionality of the state WAGON IS WREA franchise tax law.

SHOT FOR REFUSAL.

Watchman Had Demanded Money

ant Home, where Mr. Clark died. Since then Mrs. Clark has made her home at Gresham, but visited Portland frequently. She was a member of Multhomah Grange, Patrons of Husbandry, at Pleasant Home. and also a member of Rebekah Degree Lodge of Gresham. The funeral will be held in the Methodist Church of Gresham tomorrow morning at 19 o'clock, and will probably be under the auspices of the Rebekah Degree Lodge. Multnomsh cem-etery, between Section and Powell roads, will be the place of interment. Mrs. Clark left no relatives. Mrs. Ruby Chaiker was



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54 0.00 22 W Clear 52 0.00 10 NE Clear 64 0.00 12 NW Pt. cloudy 60 0.00 22 E Cloudy 60 0.00 22 C Clear

timbers for caps are needed and cannot be had. Business men have been greatly inconvenienced by the condition of Union

MILLER-In this city, April 27, 1963, Molille Miller, wife of Alfred Miller, aged 25 years. Fyrlends and acquaintances are respectfully invited to attend the funeral services, which will be held at the Second German M. E. Church, cor. Stanton and Rodney are, today at 3 P. M. Interment Lone Fir cemetery. CV IDY is the head of Garbar Lord 26. Hartman, Thompson & Powers, 3 Chamber of Commerce,

FOR SALE-REAL ESTATE.

or, Sunnyside. \$1000-50x100 and new 5-room cottage, Lin-oin Park Annex. \$950-50x100 and new 5-room house, Monta-

Easy terms on any of these properties. W. O. WADDEL, 205% Morrison st.

-Sox100 and new 5-room cuttage, Mon

CLARK-At her home, in Gresham, April 28, Mrs. Louiss L. Clark, widow of the late L. H. Clark, aged 72 years and 4 months. Funeral will be held from the Methodist Church of Gresham, Thursday mortning at 10 o'clock. Interment will be in Multnomah 3160-TWO FULL LOTS NEAR 23D AND Washington sta, West Side; will divide. 5000-505100 and Sna pew 6-roam modern house on Schuyler st., irvington. 52000-502100 and modern 5-room house, on Grand ave. Holladay's Addition. 52000-50250 and modern 5-room cottage conveniently situated. R. Ankeny st. 51700-A neat, modern 5-room cottage and br. Sumnytide.

WICK-At the residence. April 27, 1963, Cor-nelius Wick, son of Mr. and Mrs. John Wick, aged 3 years, 10 months, 3 days. Fursardi will take place today, April 20, at 2 P. M., from the residence. Ill Albina ave. Friends invited.

INVIES. OSTRANDER--Mrs. Joseph Oatrander, native of Prince' Edward Island, Canada. died at her residence. Monnt Tabor. Toesday, April 28. Funeral will take place Thursday. April 30. at 8 o'clock, from Monastery of Precious Bood

ACREAGE BARGAIN-S ACRES, SOUTH MT. Tabor, for sale in tracts 2 acres or more, \$550 acre; easy terms; beautiful home site; well fenced, cultivated, planted in fruit, wa-ter piped. See it today. Take MI. Scott car, alight at Stewart's Station, right on the place; cannot mistake. 1000 feet frontage on electric line; 20 minutes' ride, 5c fare. J. E. Baines, care Lang & Co., Portland. BOWMAN-Friends and acquaintances are re-spectrally noted to attend the funeral serv-loss of the late Fred Bowman, which will be held at Finley's Chapei at 2 F. M. today. In-terment Lone Fir consistery.

WRIGHT-The funeral services of the late Henry W. Wright will be beld at the family residence, 368 East 15th st. North, at 10 A. M. Friday, May J. Friends invited. Services at the grave private. FOR SALE-5000-J. W. OGILBEE, ROOM 11, 1454 187 87. Bacre tract, all in culivation, with good 8-room residence inseds some repairing, very good stable, etc. good well water, lies high and sightly, close to car line, on the East side, between Kanilworth and Woodstock. This is a cheep property, and would make a nice home.

RANDS-At Oregon City, April 25, 1903, Ed-ward Perestrine Rands, asted 52 years, 1 month and 8 days. Funceral at Oregon City, at 3 o'clock this afternoon, from the Presbyterian

VARWIG-In this city, April 28, 1000, at the family residence, 574 4th et. Sophia A. Var-wig, agel 80 years and 11 days. Funeral motics hereafter.

MEETING NOTICES.

WASHINGTON LODGE, NO. 46, A. & A. M.-Special communication A.F. invited. By order W. M. J. H. RICHMOND, Secretary.

PORTLAND CHAPTER, NO. 3, R. A. M.-Special convocation this (Wedness and Special Convocation the Conversion of the Royal Arch desree, Visiting com-panions weighters, By order of E. H. F. JOHN DEMPSEY, Secretary,

FOR SALE-FARME.

of 1005 acres; 400 acres improved; lang house, barn, orchard, running water; \$15 pc g water; \$15 per

sere. 34750 for fine place of 3T acres, 3½ miles from Oregon City; 31 acres in cultivation, fine orebard, good buildings, fruit drier, stock and machinery included. 33 acres fine land near Portland, 12% acres clear, fine road, close to car, SIE00? a man, Carleson & Staub, 245% Morrison, room 12.

THE SILVERS FARM OF 980 ACRES; AR-able pasture, wood and orchard, buildings, well watered, 3 miles from Gaston Station, well adapted for cattle, sheep and goals, price, 53.00 per acre. See or address T. Withycombs, room 8, Hamilton bldg., 3d st., Portiand, Or. Portland, Or.

A 100-ACRE FARM FOR SALE OR TIME lease; 40 acres cleared, 800 Grait trees, bear-ing; all under tence, house, 2 barns, running water the year round. Call on owner at 142 Sellwood st., Portland, Or., after noon Wednesday, the 29th. W. Fairchild.

F YOU WANT BARGAINS IN CHOICE farms stock ranches, hop, pruns or timber land, sawmills or fourmills, all near Port-tand, ses or address T. Withycombe, room a Hamilton bidg., bd st., Portland, Or.

5500-SPECIAL-THAT 309-ACRE STOCK ranch, 60 arres hay, good buildings, all farm implements, 50 bead stock and \$720-annual income besides. For bargains see Canadian Agency, 325% Morrison et.

NOMESEEKERS-WE HAVE IMPROVED and unimproved land near Fortland and Ore-gon City; cut up to suit purchasers; easy terms. Cregon Iron & Steel Co., 339 Sher-lock bldg.

DAPROVED PARMS FOR SALE IN ALL parts of Oregon and Washington; payments made to suit purchasers. For particulars apply to WM MACMASTER, 311 Worester block.

OR 10-ACRE TRACTS, FINE IMPROVE-ments, all kinds fruit, stock and farm im-plements, graver road, car line, and bargain price. T. C. Shreve, 421 Abington bldg.

EXCELLENT BARGAIN-160 ACRES, 40 chear, 10,000 cords of wood, % mile from Mf. Scott car; price \$25.20 per scree, easy iteras; wood will pay for place. Hall, 102 lat.

12 ACRES, 43 UNDER CULTIVATION, NEW buildings, young orchard, 2 miles from rali-rond and hoat landing. 4 miles from Gregon City, E. M. Haines, New Ers. Or.

60 ACRES, 6 ACRES BEAVER DAM, NEAR Portland; good running water; house and harn; can rent for \$350 per year, price \$3000. Address box 12, Deaverton, Or.

TIMBER LANDS FOR SALE.

DO YOU KNOW YOU ARE ENTITLED TO DO YOU KNOW YOU ARE ENTITLED TO 320 weres of school land, whether you are a man or woman, single or married, and are over the age of 18 years, which, if taken at once, you can buy for \$1.25 per acro. of which amount you need pay down only 20 per acre? The price of this land advances to \$2.50 per acre on May 21, by act of the Oregon Legislature. Remember, you lose none of your other rights by buying school land. Call at one at Sanford & Petry's of-fice, Abington bldg.

VACANT GOVERNMENT LAND-WE HAVE late information on some good claims, well timbered and close to railroad; this is an opportunity to get a silce of the rapidly dis-appearing public domain and get the ad-vantage of your land rights before it is too late. Ames Mercantile Agency, Abington

FOR IMMEDIATE LOCATION-10 YELLOW pine timber claims, finely located in Klick-itat Co.; 15 yellog fir timber claims; crules 4,000,000 to 4,000,000; 20 farm homesteads, some prairie, some timbered; heat of grain, fruit and stock lands, near R. H. and good town. Wrn. Hawks, room 306 Commercial block

LOOK HERE! THIS IS YOUR CHANCE! For sale 50 acres of timber land, 1½ miles N. E. of Toledo, Wash.; 40 acres finest hop land; steamboat connection with Forland; only \$2000; cheaper for cash. For particulars call or write to 6. Schults, room 21 Ferminus House, 2035; Everett st., Portland, Or.

THE MICHIGAN TIMBER CO., 206 STARK st. offers for sale tracts of timber, saw-mill sites, logging chances in Oregon and Washington. We can suit you. We size have some choice claims ready for location under guarantee.

NEHALEM TIMBER LAND FOR SALE-500 acres on the waters of Upper Nehalem, near Vernonia, Columbia County. Address me at Vernonia, or at 251 7th st., Portland, John Campbell,

A FEW CHOICE HOMESTEAD CLAIMS IN the famous Kirkitat country, near the new Lyle-Goldendale Railroad. Don't miss this. William Hawks, 306 Commercial biz.

90,000 ACRES FOREST RESERVE SCRIP for sale in large or small blocks; other scrip supplied at short notice. 408 Abington bidg., Portland, Or.

FIFTY TIMPER CLAIMS, YOUR CHOICE of several different localities. They are good. Lewis & Clark R. E. Co., 503 Wor-cester bik.

WE CAN LOCATE YOU ON STOCK ranches near Columbia River. Churches, achools, location; fees low. 167% lat at, room 7.

WANTED-SAWMILL, WITH PLANER, LO cated on railroad; now in operation and good supply of timber adjoining. M 76, Oregonian, HOMESTEADS AND TIMBER CLAIMS LO-

cated; large and small tracts, also script, sale. Sanford & Perry, Abington bidg.

Instinct Saved Horses From Plunging Through Elevated Road. A milk delivery wagon, belonging to B. H. Schump, of Columbia Slough, was com-pletely wrecked in a runaway accident yesterday morning at 5 o'clock. The horses, which are a spirited team, man-Eureka Kamicops, E North Head Pocatello ... Portland . Red Bluff

WAGON IS WRECKED.

thereof is adjudged to be invalid, the city may bring actions against the owners of abutting property, on which the cost of the improvement might be charged, to recover the cost of the improvement, was not intended to, and does not in and of itself cure or confirm defective assess-ments, but was intended to afford a new remail, but was intended to anote a new remaily for the enforcement of assess-ments that have been judicially declared void, and only such are effected." The State Circuit Court Judges, in decid-ing the Oregon Real Estiste Company suit.

also followed this decision as well as the Nottage decision, thinking it fitted the bill, but the Supreme Court, it seems, did not intend it that way. The decision of the lower court was a joint session deci-

The recent ruling of the Supreme Court will affect quite a number of street cases in which the city is interested, but it cannot be told yet just how many.

CHINESE TESTIMONY BARRED.

Admission of Celestials Into United States Made Difficult,

Native-born Chinese, so-called, who are refused admittance into the country by Collector of Customs Patterson, will not be landed so frequently by the Federal Court in future as in the past. Judge Bellinger made an announcement to this effect yesterday.

Su See, a young man about 20 years old, Su See, a young man about 20 years old, who came from Hong Kong on the O. R. & N. Co's steamship Indrasamha, must go back to the land of flowers, tea and Boxers. A petition for his release on a writ of habeas corpus was denied. Su See testified that he was born in Fortiand and lived here until he was 5 years of age, when he returned to China, and remained there until the time he took

and remained there until the time he took passage on the indrasamha. He said his father desired him to come here and so-cure an education, and did not accompany him. The young man remembered that he was born in the third story of a build-ing on Second street, and that there was an electric car line on the street. Chinese testimony was offered, one wit-ness stating that Su See's father told him concerning the birth of his son here

concerning the birth of his son here shortly after it happened. Paul Deady and John Marshall testified

rait beek knew En Moon. Su See's father, who formerly lived here, but could not identify his son. In their opinion he re-sembled the old man somewhat. Judge Bellinger decided that there was

evidence in the case but Chinese testimony, and that even was not very ma-terial. He said applicants had previously been admitted an testimony not much more substantial than that introduced in this case, but the process of entry was becoming too easy, and would not be allowed on Chinese testimony alone.

Wrote Her Own Will in German.

The will of Sophie Hefty, deceased, who was for a long time a resident of Salem, was filed for probate in the County Court yesterday. It is a unique document dif-fering altogether from the usual form of will drawn by havyers. It was written by the testatrix in the German language. nd the original is accompanied by lation into English by Aloys Harold.

translation into English by Aloys Harold. The instrument reads as follows: "Balem, April 5, 1900.-My old and feeble body admonishing me today to bring everything in order in regard to the prop-erty which I will leave, 1 will do it with the help of God. "I give my home and the money which I have yet to dispose of to my youngest

Watchman From Former Employer. NEW YORK, April 25.-Leopold Wert-heimer, a wealthy dry goods morchant, was shot three times at his home in West was shot three times at his home in West was shot three times at his home in West wheel of the wagon was wrenched off at East Eleventh street, and the horses came on to Union avenue, where they turned was shot three times at this hold in vary of the wag of the wag on was wrenched off at today. He was wounded in the chest, arm and right side, and is in a serious condi-tion. Charged with the shooting the po-lice have arrested Joseph Simpson. 39 On Union avenue, between East Stark

tion. Charged with the shooting the po-lice have arrested Joseph Simpson. 39 years oid, of East One Hundred and Twen-ty-first street. The injured man is 12 years of age, and a member of the firm of Aaron & Wert-holmer, dry goods merchanite, who re-cently were burned out at their place of business in Third avenue. Simpson, the police say, was employed there as a watchman prior to the fire. At the time of the fire two persons were burned to death. The motive of the shooting is a mys-

The motive of the shooting is a mys-The motive of the shooling is a mys-tery, both to the police and the Werthel-mer family. Simpson, who was very cool when arrested, refused to make any state-ment. Since the fire Werthelmer has not been engaged in any business. The firm discharged its employes, including Simp-on but the horses were not hurt. of the street. son, but he got work as a motorman.

week ago he lost that position. He had a long talk with Mr. Werthelmer yester-day and returned last night. He again talked with Mr. Werthelmer, and the

and later was arrested. All that Simpson would say was that Werthelmer owed him money for some-thing he had done and had refused to pay him. Werthelmer denied this, but said Simpson had demanded money from him as a brother.

TELEGRAPHIC BREVITIES.

Joseph Lygurd has bought the Jumel property, on the upper end of Manhattan Island, for \$39,000.000.

Traffic on the Cincinnati Southern Rail-road, near Greenwood, Ky., Monday night, was blocked by a freight wreck.

Three blocks, practically the entire busi-ness portion of Melbourne, Ia., was de-stroyed by fire yesterday. The loss is \$43,000

The Supreme Court has been asked for an order to compel A. J/ Morunne, the French witness in the Fair will case, to section

While wrestling with a friend at his nome in Pomfret, Conn., Albert Peterson, aged 40 years, was thrown in such a way that his neck was broken.

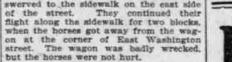
Worn out by watching at her husband's sick bed. Mrs. S. N. Browne, of East Orange, N. J., went insane. She was taken to the sanitarium and there took laudanum and died.

Twenty people gathered about the coffin of Mrs. Martin Myerhoffer at Chicago Monday afternoon were precipitated into the cellar with the corpse by the giving away of the floor. Seven were injured. President Roosevelt will lay the corner-stone for a Y. M. C. A. building at To-peks, Kan., during the semilon of the In-ternational Convention of the Railroad Y. M. C. A., April 30 to May X in that city. Giovanni Banale has asked a New York magistrate for permission to carry a re-volver. His life has been threatened for

Sacramento Sali Lake San Franch Spokan Scattle Tatocsh Island ... Waliz Walla

*Light.

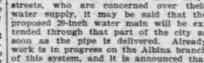
WEATHER CONDITIONS. No rain has fallen during the last 12 hour west of the Rocky Mountains, except a few west of the Hocky Mountains, except a rev small showers in Southeastern Haho and Northern Utah. It is unseasonably cool east of the Cascade Mountains, but the temperature has risen to above normal in Western Oregon and Western Washington. The indications are for increasing cloudiness Wedneeday in West-ern Oregon and Western Washington, and gen-



WILL GET WATER. East Twenty-Eighth District Will Be

Provided With Large Main. talked with Mr. Werthelmer, and the family thinks Simpson wanted money. The latter returned to the Werthelmer hame at an early hour today and the shooting occurred in the hallway of the house, after which Simpson waiked away not base arrested. For the information of the residents of

staten





Bood-FIVE LOTS NEAR WOODLAWN CAR line, full size; \$150 cash, balance 3 years, o per cent, \$1200-Large, modern, 4-room cot-tage, stable fruit, in fine condition; 2 blocks from car, Lincoin Park, \$2100-Two-story modern restlence on Sellwood af., \$500 cash, balance to suit. Schlertom & Patterson, room 12, 2915; Morrison st. WE HAVE DESIRABLE SCHOOL LANDS AT \$1:25 per acre. May 21 price is \$2.50. Come today. 1071g 1st, room 7. \$1700-VERY GOOD, MODERN S-ROOM house, Sunnyside; fine location. \$3000-For two houses, West Side; one very good 7-room house, one 4-room house. \$1800-Fine quarter-block, Holladay street; improved severy mater: a math. Timber, arid and swamp lands bought and sold. Lennox Land & Timber Co., Klamath Falls, improved, sewer, water; a snap. Carleson & Staub, 245% Morrison st., room 12. 9000-1 BLOCE ON EAST SIDE; GOOD TO EXCHANGE. rackags 550-1 lot Sunnysids Add. 5550-1 lot Sunnysids Add. 51500-2 lots in South Portland. 51500-1 lot in Piedmont. LEWIS & CLARK R. E. CO., 583 Worcester Bik. WILL EXCHANGE INTEREST IN WELL-developed mining property, near smelter, for real extate, timber land or chattels, investi-gate, 226 Failing bidg. A GOOD SECOND-HAND, HIGH-GRADE PIano for new furniture and carpets. Address W. E. McGregor, 1002 Beimont st. Phone Blue 723. EXCHANGE-3,000,000 PINE TIMBER CLAIM for grocery store. D. L. McLeod, 225 Fail-ing bidg. FOR RENT-FARMS. ACRES READY FOR PLOW; ON CAR FOR SALE. Horses, Vehicles, Ets. FOR SALE-A YOUNG HORSE, 6 YEARS old; gentle for ladies. Inquire 615 E. 24th st., 2 blocks north of Powell. FOR SALE-TEAM HEAVY HORSES, SOUND and true; will sell single, if desired. Ad-dress C. E. Smith, 721 2d st. FAMILY HORSE, WITH CART; FINE FOR delivery wagon. Inquire at once. N. E. cor. 2d and Main sts. CARLOAD OF HORSES, 1000 LBS. TO 1000, 100 vehicles, new and 2d hand. 211 Wash. BUGGY AND HARNESS FOR SALE-393 E.

Miscellancous.

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thesp, at Cohn Bros. 181 Front, cor. Yamhill.

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