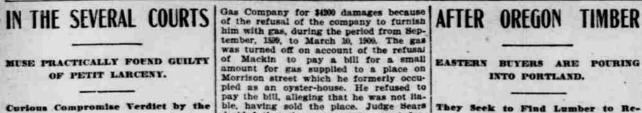
THE SUNDAY OREGONIAN, PORTLAND, APRIL 1, 1900.



Jury-Judges Sears and Cleland Render Decisions.

The tury in the case of James F. Muse yesterday morning returned a verdict of guilty of embezziement, and that the amount embezzied was less than \$55. This equivalent to a verdict of petit larceny, as in passing sentence embezziement treated as larceny, but as the verdict specifies no particular sum as the amount, the verdict is said to be not good, and the vertice is said to be not good, and to be to all intents and purposes an ac-quittal of the defendant. This point re-mains to be passed upon hereafter. The jury was locked up about 24 hours, and stood for a long time six to six. When court convened Judge George called the y in and told them they should be s to agree. The jury retired and soon after reached a verdict. It was a case of sympathy on the part of some of jurors, to which all finally conceded. of the

### Decisions by Judge Cleland.

Two suits by Charles Steele against Multnomah County et al., to enjoin the tax collection contracts, one for the year 1888 and the other for old delinquent rolls, were dismissed by Judge Cleland yesterday on the general proposition that the work has all been performed under the contracts, the taxes collected, the money paid, and there is nothing to enjoin. The court on demurrer previously held

such contracts to be contrary to the provisions of the tax collection statute, and in a review of the case, Judge Cleland and once more went over that ground and gave it as his opinion that such contracts are not legal.

In awarding these contracts for the cletical work attached to the work of tax collecting and the making out of the delinrolls, the County Commissioner contend that money was saved.

Findings for the defendants were de clared in the suit of A. W. Mondy against John and Jane Darling. The proceeding was brought to have set aside the con-veyance by the plaintiff of two suburban lots and a small house to the defendants in consideration that they should take care of him the remainder of his natural life. Disputes arose, and he left. The court finds that he entered into the bargain knowingly and voluntarily, and must live up to it. If he chooses to return to the place, the defendants must take care of him, and if he persists in staying away he must not complain, for it is he broken the agreement. Mondy is an old an, about 70 years of age.

In the suit of Jacob Wills vs. Reuben Fox, involving a share of the Wills' estate, amounting to about \$700, and pre-viously decided against the alleged heir, motion for a rehearing was denied.

motion for a rehearing was granted in the case of J. S. Turner vs. O. H. Calcins et al.

Antonio Decico was granted a divorce from Rosa Decico. The case was tried about two weeks ago. The court finds that the defendant is a person of violent per and not fit to have the of the children, who are awarded to the father, with the proviso that the mother be permitted to visit them at suitable

demurrer to the answer of J. Frank Watson in the suit of the Security Sav-ings & Trust Company vs. Bertha Loew-enberg et al., was overruled. Julius Loewenberg in 1893 borrowed \$100,000 from the plaintiff, giving a deed to property which the court holds was intended only to be a mortgage. Subsequently, he executed an instrument in writing to plaintiff asking instrument in writing to plaintiff asking him to hold the same property as security for \$23,000, balance due the First National Bank, \$10,000 owed to the London & San Francisco Bank and a nominal sum still due plaintiff. Subsequently, Watson at-tached the property for another debt. The answer of Watson setting up his lien and pleading that he ought not to be made a

of Mackin to pay a bill for a small amount for gas supplied to a place on Morrison street which he formerly occu-pled as an oyster-house. He refused to pay the bill, alleging that he was not lia-ble, having sold the place. Judge Sears decided that the gas company must furnish gas to Mackin in his present stand, 107 Fourth street, and the company applace That Cut From the Forpealed to the Supreme Court, and the mat-tef is now pending. In the present case Mackin avers that by reason of not obtaining gas since No-

Court Notes.

Several Soldiers Be Remitted.

cused of infidelity.

union.

Salem.

Portland's principal hotels are thronged with Eastern lumbermen these days, and, according to the opinion of the newcomvember 11, 1559, he had to buy a gasoline stove, which cannot be made to supply the place of the gas stove in cooking oysters well and speedily, and that it cre-ates a disagreeable odor, and the reputaaccording to the opinion of the newcom-ers, the rush Coastward from the depleted forests of Minnesota, Wisconsin and Michigan has only just begun. "The timber land of Oregon and Wash-ington will soon become the property of Eastern capitalists," said J. C. Nutler, tion of his place has, he says, been damaged to the extent of \$1000. The loss of the use of the gas slove and its attach-ments, such as pipes and fixiures, he places at \$200. Electric lights, which he has to use in place of gas for illuminat-its much marks in the such marks Eastern capitalists," said J. C. Nutler, of West Superior, Wis., yesterday at the Perkins, "and then their value will rise rapidly. Timber land is low now, be-cause its price is governed largely by forest-reserve scrip, which can be pur-chased and laid on vacant timber lands ing purposes, he avers is much more costly. The fitting up, he asserts, cost him \$1500, and he has a lease for two years, which he appraises at \$900, and he at a cost of H an acre. This forest-re-serve scrip was issued by the Govern-ment to the Northern Pacific Railroad alleges that he has been forced to sub-lease and dispose of the place for \$800.

Company, to enable that corporation to recoup itself in lieu of what was lost He figures out various other items of damage, and asks punitive damages, making a total of \$4200. through reservation of Cascades lands in the State of Washington. The company has already obtained possession of over 115,000 acres in Oregon with the assistance of this scrip, and private parties can purchase the paper from the brokers.

Sheriff Frazier yesterday received papera for service in a divorce suit filed in Clackamas County by W. H. Jones against his wife, M. M. Jones. The defendant is ac-"When Weyerhauser, the St. Paul lum-ber millionaire, purchased the cut of the Northern Pacific in the State of Washington, he started a rush for Oregon tim-ber lands among the smaller timber men, Alice O. Brandt, plaintiff in a suit against A. Park Brandt, on file in the Circuit Court, Lane County, has caused an execuas they give Weyerhauser credit for posas they give weyernauser credit for pos-sessing a very long head, and so, if it was a good thing for him to obtain pos-session of 1,000,000 acres of timber lands, it would be a wise move on their part to buy up all they could. Thus we see the tion to be issued against lots 2 and 2, block 164, Couch addition, and notice of the same to be served upon Anna Wickersham, executrix of the will of Anna Brandt, dehotels of Portland full of timber capital-ists, cruisers and small holders, the lat-Annie Rosie Otto has begun suit against John Otto for a divorce because of cruel ter being very anxious to get rid of the treatment and desertion. She alleges that quarter sections they have patiently held for several years. The woods will be litthey were married at London, England, in September, 1897, and came to Portland in erally full of timber men all Summer, January, 1899. About March 1, 1899, the plaintiff avers her husband endeavored to

persuade her to lead an immoral life, and men back East are now busy settling up their affairs and closing down mills, as the available timber of that section has she refused, when he attempted to choke her with a rope, but was prevented from so doing by the appearance of the neigh-bors; that at the same time be threw a chair at her, which struck the wall with such force that it was broken to pieces, such force that it was broken to pieces. She says Otto always abused her and seldom provided her with the necessaries of life, and descried her in March, 1839. There are no children as the issue of the union

sidering them worthless. The same change is inevitable here." Mr. Nutler represents a Wisconsin syn-WANTS TO RIGHT A WRONG dicate organized to purchase Oregon tim-Sovernor Geer Insists That Fines of

sephine, Coos and Curry Countles, with a view to reporting on the quality of the Governor Geer registered at the Im-portal last evening. He had accompanied his daughter, Mrs. Cooper, from Satem as far as Portland on her return to her home at Union. Mrs. Cooper had spent limber and its convenience to navisable streams or to railroads. His people do not intend to erect sawmills right away, but will purchase timber lands for the purpose of holding them for the rise now the Winter visiting at her father's home nsidered inevitable within a few years. Governor Geer says he will soon en-He says Douglas fir, as Oregon fir is called in the East, has already attained deavor to have a wrong righted in regard to several boys of the Second Oregon, who a good reputation for its strength and building qualities, and the better class of structures erected east of the Mississippi ad been court-martialed and fined 5.6 each for going out on the firing line and taking part in a battle with the Filipinos. River will in future consume large quan-He admits that it was right to court-martial the boys, for disobeying orders, but insists that \$16 should be returned



# POLITICAL NOTICE.

Call for Republican Convention and Primaries.

INTO PORTLAND.

mer Forests of Wisconsin.

And in the election precincts as estab-lished by the County Court at the Janu-ary, 159, term, beyond the limits of the City of Porland, delegates apportioned as

follows:
No. 55, St. Johns, and No. 56, Columbia, jointly, 1; No. 57, Mount Tabor, 2; No. 58, South Mount Tabor, 1; No. 59, Woodstock,
I; No. 60, Lenis, 1; No. 61, Kikgaver, 1; No. 62, Montavilla, 1; No. 63, Russellville,
I; No. 64, Rockwood, 1; No. 65, Russellville,
I; No. 64, Rockwood, 1; No. 65, Hurl-burt, 1; Nd. 70, Brower, 1; No. 71, Bridai Veh, 1; No. 72, Warrenda e, 1; No. 76, Hurl-burt, 1; Nd. 70, Termente, South, No. 73, Reeders, Jointly, 1; No. 76, Hobrock, No. 74, Wainamette Blough, and No. 73, Riveders, Jointly, 1; No. 76, Linnton, 1; No. 73, Bertha, 1; No. 78, Mount Zion, 1; No. 73, Bertha, 1; No. 78, Mount Zion, 1; No. 73, Bertha, 1; No. 78, West Fortland, 1.
It is further ordered that primary elec-

to conduct such primary election, and the lo ation of the poling places in the se-eral wards of the City of Foltland:

BLUMAUER & HOCH 110 FOURTH ST.



\$1.50

\$2.75



defendant in the plaintiff's suit is he good in law

### Decisions by Judge Sears

In the suit of A. Caswell against W. Patterson for the office of Poundmaster, Judge Sears yesterday decided that the appointment of Patterson by W. A. Storey, an president of the Common Council, was not legal, but that the subsequent apnot legal, but that the subsequent ap-pointment of Patterson by Storey as Mayor was according to law. Counsel for Caswell on this decision contend that Caswell is entitled to the salary of the office between the dates of the two ap-pointments, but the court did not so find, and the case on that point is still under consideration, as it were, and George W. Joseph, attorney for Caswell, says he inagain to present the question of salary to the court.

A new trial was allowed in the suit of Emily J. Schneider against Anna Danner for possession of the Chicago Hotel, on East Washington street, unless the de-fendant agree to pay to plaintiff \$27.50 rental value of the premises covering a period of several months. The jury de-clded in favor of Mrs. Schneider and allowed her only \$1 rent. Mrs. Danner ad-mitted at the trial that \$37.50 was reason-able rent. The court therefore held that the jury ought to have granted Mrs. Schneider at least that sum. J. F. Boothe, attorney for Mrs. Danner, refused to pay the increased amount, and the case will, according to the decision of the court, have to be tried again.

Ida Rindfleisch was granted a decree against Michael Rindfleisch, her former husband, for \$400 cash which she loaned him while they were living together. He buried the money in the cellar, and after-wards said it was lost. Their other property rights were adjusted in the divorce

In the case of Bay View Brewing Com-pany vs. Alfred Close, to recover on a note, judgment by default for the pightiff was rendered.

### Probate Matters.

Probate Matters. D. J. Moore, administrator of the estate of H. B. Borthwick, deceased, reported the sale of the barge Columbia for \$752, and that, after paying liens and a mort-gage for \$2596 against it, there remains \$1. The barge Defender was reported sold for \$2749. This was also covered with a mortgage for \$2066, and liens, and there remains \$1. remains \$1.

The final account of F. G. Buffum, ad-ministrator, and Sallie B. Forbes, admin-istratrix. of the estate of Charles M. Forbes, deceased, was approved. The re-celpts were \$31,184, and there remains for distribution \$569 and real property. The heirs are Sallie B. Forbes and Frederick E. Forbes, a son. E. Forbes, a son.

Dejections were filed to confirmation of the sale of 64 acres of land for \$3375, in the matter of the guardianship of Mar-garet R., Annie and Charles H. Pike, minors, as H. C. Lieser offers to bid \$3775 and S. Farrell at least \$3759.

The final account of Kasper Sattler, ex-ecutor of the will of Anna Voos, deceased, was approved.

H. H. Newhali, administrator of the es-H. H. Newnau, administrator of the es-tate of H. T. Bingham, deceased, filed a petition to sell certain law books valued at about \$100. He states that Joseph Paquet took the real property in Stephens' addition on a mortgage, and that Phemie W. Hanna, who was administratrix, has W. Hanna, who was administratrix, has fiss which she has not accounted for to the administrator. Claims amounting to \$1000 are still unpaid. The property de-scribed is all that remains.

Suit for Punitive Damages. Sam Mackin has filed an action in the State Circuit Court against the Portland

Held Back. Madison-street bridge is not yet ready for team travel, as unlooked-for delays in obtaining lumber have kept the work back. The west-end span is now being planked to receive the wood-block pavement, and the sidewalks are completed all the way across. Wheelmen who decline to dismount still run the risk of a plunge into the river, as the deck on the western span is in a state of disruption

and confusion. It will be a week yet before the bridge is finished. New iron gates are being placed in position on both ends of the draw, and these being home-made, are strong enough to check any scorcher who rashly bumps his head against them. Sharp harrow teeth on the upper edges of the gates are to put a stop to people climbing over while the draw is open, and the under sides are provided with a chevaux de frieze of jagged iron bars to tear the trousers of the small boy who attempts to crawl under. These gates were con-

structed in Multnomah County's blacksmith shop, by Z. T. Clark, whose experience on the Madison-street bridge enables him to understand just what is wanted. Though not things of beauty, the gates are strong and heavy, and will be a joy to the bridge-tenders for a long

TALKED OF DAIRYING.

## C. H. Markham Addressed the People of Newberg.

General Freight and Passenger Agent Markham, of the Southern Pacific, has returned from Newberg. While there he and Dr Withycombe addressed a special meeting of the Dairy Association. The farmers showed great interest in the matter of diversified farming, and propounded many questions to Dr. Withycombe. He responded intelligently to all queries. The meeting was specially called to interest the Newberg people in either supporting the small creamery there; or, if not suc-cersful in that, the suggestion was thrown out that business men take hold and form

a co-operative creamery, similar to the onat Albany.

### STEINWAY PIANOS.

We have a number of excellent second hand upright planos, lately taken in exhand upright planos, lately taken in ex-change for Steinway planos-planos of high, medium and cheaper grade, which we will sell at less than regular values, on installments of 55 per month, if de-aired. We are crowded for space, and wish to dispose of these planos to make room for our new consignment of Stein-way, A. B. Chase and Emerson planos, to arrive in a few days.

arrive in a few days. SHERMAN, CLAY & CO., Steinway Representatives. Russel building, second floor, rooms 15 and 16, Fourth and Morrison streets.

The Office Seeks the Man. In the East Side wards, it is not an easy matter to pick up candidates for the Council, and for the first time the office Council, and for the first time that the so in seeks the man. This is especially so in the Eighth Ward. At this time last year, the Eighth Ward. At this time last year, all told, there were II candidates, includ-ing independents and regulars. This has been the situation there ever since concol-idation, but all this is changed, and there is not an active candidate for the Council in that ward. The names of several ex-cellent citizens have been mentioned, but they say that the times are too prosper-ous for them to accept the office. But no doubt some one will be found who will ac-cept the nomination by the time the con-vention is held.

for Oregon . . . .

Ashland Record. As William J. Bryan was walking up and ing yesterday, but the janitor will have a considerable job to clean up inside and outside. The time when the directors will formally accept and dedicate the builddown the platform and viewing the scen-ery during the stay of the train at Dun-muir, Tuesday morning, a hobe collected

a group of three drummers for 25 cents.

They told the hobe to "work" Bryan, and if he worked William J. they would each give him a quarter. The hobo approached Mr. Bryan, told a pitiful story and asked for 25 cents. Mr. Bryan gave him the amount and the hobo returned to the who "subscribed" the 75 cents

### Easter Sunday.

PORTLAND, March 30.--(To the Editor.) --Will you please answer the following: What is the latest date on which Easter unday has occurred? A. C. S.

Easter Sunday can fall as early as March 22 or as late as April 25.

Planos-Organs. Wiley B. Allen Co.