

IT DOES NOT STAND

Supreme Court Declares the Noble Contract Void.

WAS MADE WITHOUT AUTHORITY

An Attorney of Umatilla County Disbarred—New Rule Regarding Appeals to Be Promulgated.

SALEM, May 5.—The Supreme Court today affirmed the decree of Judge John H. Cleland in the suit brought by James E. Burns against the Board of County Commissioners for Multnomah County.

The suit was brought to annul and declare void a contract between Multnomah County and the defendant Noble. On September 19, 1898, Noble and the County Judge entered into a contract which provided that Noble should collect the delinquent taxes of 1897 to 1899, prepare corrected tax lists, etc.

After the contract was executed, the Legislature passed an act providing for a separate board for the transaction of county business in Multnomah County, by the terms of which an additional Commissioner was provided, who "shall succeed and take the place of the County Judge in the transaction of county business."

A supplemental contract was entered into between the County Commissioners and Noble, modifying the original contract, and providing that the word "corrected" shall mean only that the descriptions of property may be completed, and that the County Commissioners should file in the property offered for sale.

The complaint, after alleging that plaintiff is a resident and taxpayer of Multnomah County, the officer character of the other defendant, and setting out the contract and modification thereof in full, avers, in substance, that the contract as modified is illegal and void as against public policy and because it was not within the power of the County Judge or Commissioners; that upon the day the modification of the contract was executed, the Board of Commissioners made an order requiring the clerk to prepare delinquent tax lists for the years 1897 to 1899 and to issue and attach thereon a warrant for the collection of the same.

The Supreme Court holds that the plaintiff comes within the rule that an individual taxpayer may, by a suit in equity, restrain the misapplication of public funds or property. Continuing, the opinion says: "The plaintiff is entitled to maintain this suit if the contract is void, as we think it is. It is not only in effect an agreement by the Board of County Commissioners to use the general governmental machinery in the collection of delinquent taxes for the benefit, primarily, of a private individual, but undertakes to interfere with the discharge of the duties assigned by law to other officers, and is, therefore, beyond the power of the Board of Commissioners to make."

It is also held that the Clerk has no right to go outside of the tax roll for information regarding descriptions of property. State of Oregon ex rel. Rangdina Rivers, plaintiff, vs. J. E. Miller, defendant, disbarment proceedings, from Umatilla County; disbarment, opinion by Chief Justice.

cause, the names of the parties and notifies the adverse party or his attorney that an appeal is taken to the higher court (designating it) from the judgment, order or decree or some specified part thereof. It will be observed that it is not necessary to specify or assign errors in the notice of appeal, as was formerly the case. The rules of the court were adopted in view of the old law, and hence, under rule 9, it is prescribed that, if the appeal is from a judgment in an action, the appellants shall set out in his abstract of record those assignments of error in the notice of appeal on which he intends to rely, and none other.

It is a motion to dismiss the appeal herein for two reasons: first, the abstract of record contains no assignment of errors relied upon for a reversal of the case, and second, appellant has not filed the brief within the time required by the rules of this court.

The procedure on appeal has been materially amended by the late action of the Legislature, and it is the duty of the appellant by giving notice in open court or before the Judge thereof at chambers, at the time of the rendition of the order, judgment or decree, that he appeals therefrom, or from such specified part thereof, or, if not taken at the time, he may appeal by causing a notice, signed by himself or attorney, to be served on the adverse party or parties that have appeared in the action, and such notice shall be sufficient if it contains the title of the

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SOUVENIR-BUTTON COUPON.

Cut this out and send it in as an order for one or more souvenir buttons made of Spanish bronze cannon surrendered to the Second Oregon Volunteers at the capitulation of Manila. The entire proceeds will go to the soldiers' monument fund. Buttons are 25 cents each, in any quantity. In ordering, specify whether you want button-back or plain-back. The latter is for ladies. Buttons will be sent, postage paid, to any address in the United States or Canada.

Dear Sir: You will find enclosed the sum of \$..... in Spanish-American War Souvenir Buttons, with..... backs, to the following address: Yours Truly,

law, at least, it is not clear what assignments of error in law cases must be set out in the abstract. The appellant should, therefore, in the interest of justice, have amended its abstract by serving and filing assignments of error within 10 days.

This is the first time your attention has been called to the want of clearness in the rules in this regard since the amendment act of 1899, and the necessary amendments are now being considered and will be promulgated at an early day.

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WILL CONTINUE UNTIL OUR IMMENSE RETAIL STOCK IS CLOSED OUT

We are positively retiring from the retail business, and must turn our stock into cash as soon as possible. To accomplish our purpose we must make

Sweeping Reductions on Every Article

Such bargains in strictly modern furniture have never been offered in Portland or the Northwest, and if you need anything in our line this is an opportunity that cannot be overlooked.

GREAT VALUE FOR A SMALL AMOUNT OF MONEY

Will make this sale memorable in the annals of the trade in Portland. The stock consists of the best productions of the most celebrated Eastern manufacturers, and affords the widest possible range for intelligent selection.

The Oregon Furniture Mfg. Co. 208-210 First Street

BIT SHREWD INVESTORS AND WAS SET FREE BY MEN WHOM HE SWINDLED.

Operations of the Atlin Mine-Seller Who Was Arrested in New Whatcom Last Thursday.

NEW WHATCOM, Wash., May 5.—J. E. Banks, the British Columbia mountaineer arrested here Thursday for selling fake gold mines to Wall-street financiers, has founded off his criminal career by escaping from jail by aid of the wonderful "confidence" proclivities which he exercised on representatives of the New York concern who ran him to earth. He succeeded in inducing them to believe that he really owned the claims which he sold them. They withdrew the complaint against him and started for Vancouver, B. C., to complete the arrangements for accompanying him to Atlin, leaving him to follow next day. Hiring a pig, presumably his dog, abandoning the rig on the road.

It now develops that Banks' operations extended from the Atlantic to the Pacific and cover a period of six months. He laid the foundation for his operations by going into Atlin and making a filing on a valuable quartz claim owned by Lord Hamilton. This gave him a certificate signed by the mining recorder in the Atlin district. With this and a 100-pound sack of quartz taken from the claim, he started operations.

HANGED WITHOUT A TRIAL. Story of Rugged Justice Brought From Latuya Bay, Alaska.

SEATTLE, May 5.—Among the passengers from Latuya Bay to Juneau on the Bertha, which arrived today, were a man named Nelson and his wife, who reported to the authorities at Juneau a sensational case of murder and lynching which occurred at Latuya Bay last November. According to their story, they and two others—white men—were at dinner one day, when Steve Severt, one of the men, arose, walked out and returned with a revolver, shot and killed the other white man, wounded the woman, but before he could do further damage was disarmed by Nelson. The latter and another white man, aided by an Indian, kept Severt a prisoner for a month, meanwhile trying to communicate with the authorities at Juneau. Finally, fearing Severt would escape or murder them all, he was hanged by those at Latuya Bay. Nelson and wife then came to Juneau by the first steamer and gave themselves up.

PACIFIC UNIVERSITY WON. Best State University Team for State Championship in Debate.

EUGENE, Or., May 5.—The final debate of the series for the intercollegiate championship of Oregon took place in Villard Hall this evening, between teams of Pacific University, at Forest Grove, and the University of Oregon.

14 YEARS FOR HIGHWAY ROBBERY. Sentence of an American Citizen in British Columbia.

VANCOUVER, B. C., May 5.—Martin Everett, an American citizen, was sentenced today at Vernon, B. C., to 14 years imprisonment for highway robbery, alleged to have been committed about a year ago at Grand Forks, B. C. Promising a man the case was held before United States Consul Dudley, and he presented it to the State Department, at Washington, D. C. The sentence caused great surprise, as it was known that the case had become an international matter. Consul Dudley tonight apprised Secretary Hay of the sentence. His prior representations to the State Department were favorable to Everett's contention that his arrest by Canadian officials at Republic, Wash., was unwarranted.

Francis Not Injured. Dallas Observer.

M. M. Ellis reports that the trees in his big orchard north of town are literally "full of prunes." A few days ago this orchard gave every indication of a failure, and Mr. Ellis had given up hope of securing more than one-fourth of the usual crop, but the fine weather of the past week has brought the fruit out in good shape. The orchard, fronting a most bountiful yield. The prune orchards in this vicinity are not damaged to any noticeable extent.

Shipwreck at Junction City. JUNCTON CITY, Ore., May 5.—How E. R. Skipworth, of Eugene, nominated for Representative on the Citizens ticket, spoke on the political issues of the day to a large audience in the Opera-House today.

Washington Notes. The Spokane Chamber of Commerce has informed John Barrett, ex-Minister to Spain, for appointment as a Commissioner to examine into Oriental commerce.

Tribute to Vest's Fidelity. Philadelphia North American (Rep.)

Holding in his hand a note upon which the ink was not dry, begging him for the sake of all that is sacred in friendship, to save from the shame and humiliation of defeat the man dearer to him than all other men, Senator Vest was true to the highest ideal of manhood and American citizenship. He rounded out a long and honorable record in public life with that heroic word that saved the honor of a state. Such is the stuff of which the ideal Senator is made and which the youth of America are taught to believe alone can make a Senator of the United States. But men of that make are not often chosen, and Senator Vest's record is a grand and lonely figure in the public life of today.

BOILS AND CARBUNCLES

These unwelcome visitors usually appear in the spring or summer, when the blood is making an extra effort to free itself from the many impurities that have accumulated during the winter months. Carbuncles, which are more painful and dangerous, come most frequently on the back of the neck, eating great holes in the flesh, exhaust the strength and often prove fatal. Boils are regarded by some people as blessings, and they patiently and uncomplainingly endure the pain and inconvenience until the mistaken idea that their health is being benefited, that their blood is too thick anyway, and this is Nature's plan of thinning it. The blood is not too rich or too thick, but is diseased—full of poison—and unless relieved the entire system will suffer. The boil or carbuncle gives warning of serious internal troubles, which are only waiting for a favorable opportunity to develop. Many an old sore, running ulcer, even cancer, is the result of a neglected boil. Keep the blood pure, and it will keep the skin clear of all the irritating impurities that cause these painful, disfiguring diseases. S. S. S. cures boils and carbuncles easily and permanently by reinforcing, purifying and building up the blood and ridding the system of all accumulated waste matter. S. S. S. is made of roots and herbs which act directly on the blood, and all poisons, no matter how deep-seated, are soon overcome and driven out by this powerful purely vegetable medicine. S. S. S. is not a new, untried remedy, but for fifty years has been curing all kinds of blood and skin diseases. It has cured thousands, and will cure you. It is a pleasant tonic as well as blood purifier—improves the appetite and digestion, builds up your general health and keeps your blood in order. Our physicians have made blood and skin diseases a life study—write them fully about your case, and any information or advice wanted will be cheerfully given. We make no charge whatever for this service. Send for our book on Blood and Skin Diseases—free. Address, The Swift Specific Co., Atlanta, Ga.

HUMPREYS'

Humphreys' Specifics are the ideal cure. Specifics which act directly upon the cause in such doses as cure, without exciting disorder in any other part of the system. Specific "G" breaks up Grip and Colds that "hang on." Specific "T" breaks up Fever, Congestion, Inflammation. Specific "H" breaks up Dyspepsia, Indigestion, Weak Stomach. Specific "R" breaks up Rheumatism, Rheumatic Pains, Lumbago. Specific "M" breaks up Malaria, Chills, and Fever. Specific "K" breaks up Kidney and Bladder Diseases. Manual of all diseases, especially about children, sent free. For sale by all druggists, or sent on receipt of price, 25c. each. Humphreys' Homeopathic Medicine Co., cor. William & John streets, N. Y. 22 Rue Bonaparte-Mercet, 23, Paris.

GAMBLER PERISHED IN FIRE.

Property Burned at Sandus Worth \$700,000—Relief Measures.

SPOKANE, May 5.—A Kaslo (B. C.) special to the Spokesman-Review says: Sandus presented a frightful scene of desolation this morning. It was a tragedy, a tragedy is connected with the conflagration. Miles Rambough, a gambler, perished in the Clifton Hotel. His headless body was taken from the ruins today. He came from Finches, Canada. The property loss is now figured at \$700,000. J. M. Harris, owner of the townsite, died this morning. His losses aggregate \$300,000. Offers of assistance are pouring in. Kaslo took the lead with a special train of supplies. Vancouver, New Denver, Slocan City, Nelson and other points came promptly to the rescue, while Winnipeg wired: "Draw on us for \$500,000." All the big miners around the town placed their large boarding-houses at the