

# THE EUGENE CITY GUARD.

ESTABLISHED FOR THE DISSEMINATION OF DEMOCRATIC PRINCIPLES, AND TO RAISE AN EXORBITANT LIVING BY THE SWEAT OF OUR BROW

EUGENE, OR., SATURDAY, DECEMBER 4 1897.

NO 49

WEEKLY EUGENE GUARD.

PUBLISHERS

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Advertising rates made known on application.

DEALER IN

WATCHES, CHAINS, JEWELRY, ETC.

REPAIRING PROMPTLY DONE

W. BROWN, M. D.

Physician and Surgeon.

C. WOODCOCK,

Attorney-at-Law.

L. L. WHITSON,

DENTIST.

J. C. LAKE,

White and Marble Works.

THE

Loan and Savings

BANK,

Eugene, Oregon.

Up Capital, \$50,000.

Banking Business Transacted

Bring your Hides and Skins to our tannery.

How don't forget these prices

paid in CASH at

The Willamette Tannery.

Haines & Co.

First National Bank

Of Eugene.

Up Cash Capital \$50,000

plus Profits, \$50,000

Eugene, Oregon.

General banking business done on reasonable terms.

Exchange sold on foreign countries.

collections entrusted to us will receive prompt attention.

County Bank.

(Established in 1882.)

EUGENE, OREGON.

General Banking Business

branches transacted on

reasonable terms.

A. G. HOVEY, President,

J. M. ABRAMS, Cashier,

A. G. HOVEY, JR., Asst Cash

Secretary Kincaid returned to Salem today.

H N Cockerline went to Portland today.

W T Emery, of Oakland, Sundayed in Eugene.

B A Washburne, of Springfield, was in the city today.

I B Cushman, of Acma, was here Saturday evening.

Father W A Daly returned from Monroe this afternoon.

Arthur Gardiner arrived home from Corvallis this afternoon.

J B Harris went to Portland today on a short business trip.

J W Cook, of the Bohemia mines, spent Sunday in Eugene.

P D Gilbert was a south-bound passenger on today's 2:34 local.

Miss Tina Hawley of Cottage Grove, is visiting friends in Eugene.

Portland had eight incendiary fires Saturday night; damage slight.

J W Cook of the Music mine Bohemia, was in the city over Sunday.

Mark V Harrison was up from Portland and spent Sunday in this city.

Miss Nellie Hampton returned this morning from Goshen where she spent Sunday.

Over 6000 people were killed by a tornado in the Phillipine islands October 6th.

Miss Clara Pengra is now able to sit up a little each day, and is rapidly convalescing.

Frank Alley is down from Roseburg to be at the bedside of his mother, Mrs N B Alley.

Geo N Frazier of the Eugene foundry, returned home today from a business trip to Roseburg.

Russell Coleman arrived up from Salem this afternoon and will visit his many friends for a few days.

Jno Grimes of Harrisburg, was in Eugene today visiting his children, who are students of the U of O.

H C Goodell, of San Francisco, who is having the apples dried at the cannery, was in Eugene yesterday.

One year ago today the University thermometer registered 121 degrees above zero—the coldest day during last winter.

Wm Kyle, the Florence postmaster, caulkerman and merchant, was doing business in Eugene Saturday evening.

Miss Jessie Livermore has returned home from Walton, where she has closed a very successful term of school.

Jacksonville Times: Marion Veach arrived at Galice creek from Cottage Grove with his newly-made wife a few days since.

Baker City Republican: Another "accidental" shooting in Lane county. Guns and deer hunting should be prohibited in that county.

Professor Frederic S Dunn returned to Salem this morning, after a short visit in Eugene. Mrs Dunn and child will remain here for a time.

Capt May, of Ashland, is in the city, and will relieve Agent Adair, of the S P who will shortly take a much-needed vacation, going to California.

Miss Catherine C Cogswell was a passenger for Portland on today's 10:50 local, being called there on matters pertaining to her literary work.

Rev J A Longbottom, formerly pastor of the C P church at this place, has been nominated as councilman of Lebanon on the "no saloon" ticket.

The Republican League will meet in Portland the first Tuesday in February. At the convention two years ago 196 clubs were represented by 1177 delegates.

It is published on authority of a party of 25 men that left Dawson City Oct 16th, and arrived at Seattle yesterday that famine is existing in the mines.

Reed, the alleged Cottage Grove rapist, and who was sentenced to the county jail for simple assault was discharged this morning, having served out his sentence.

Miss Willa Hanna is acting as teacher in the Central school, in place of Miss Ella Fisher, whose mother Mrs N B Alley is very low, and fears for her recovery are entertained.

A letter from Isee, Grant county, Nov 22, says the weather was quite bad for that time of year. No loss of stock is anticipated however, as there is plenty of hay in the country and range grass is good.

On and after Jan 1, 1898, the Western railroads will under no circumstances carry passengers on their freight trains. The rule is to be enforced from the Mississippi river to the Pacific coast and from the Canada line to the Gulf of Mexico.

Roseburg Plaindealer: The foundation of the Lane county new court house has been turned over to and accepted by the board of county commissioners, and a warrant was drawn in payment of the balance due to the contractor. Opposition to the building of the new court house has about subsided, and it will be finished next season at a cost of about \$60,000. No county in the state needs a court house worse and no county was better able to build one.

## DECISION RENDERED.

### Judge Fullerton Overrules The Demurrers in The Court House Square Suit.

#### Defendants Must Answer or Appeal

Judge J C Fullerton handed down his decisions in the court house square cases, this forenoon, and we give the decisions below in full.

The city and county will now be compelled to answer or appeal to the Supreme court on the demurrers.

It has been intimated that the city will appeal to the Supreme Court on the demurrer, while the county will answer.

The decisions are as follows: In the circuit court of the State of Oregon for Lane county.

J E Davis, et al, plaintiffs vs The City of Eugene and E O Potter et al, defendants.

Several grounds of demurrer, were urged in the argument upon the demurrer to the amended complaint in the cause.

I am of the opinion that the members of the county court are properly joined with the city as parties defendant.

I am also of the opinion that the allegation in the complaint, if true, that the plaintiffs are lot owners in the immediate vicinity of the alleged public square and that their property interests will be greatly prejudiced and injured by diverting the said square from the purpose for which it was dedicated give plaintiffs a standing to maintain this suit, taken in connection with the further allegation in the complaint that the county commissioners refuse to protect the rights of the public in the premises.

I have some doubt whether the facts alleged in the complaint state a cause of suit but in view of the importance of the matter in controversy and the public and private interests involved in the litigation, and the importance of having the question raised by the complaint fully and finally determined by the court upon their merits, and that all of the questions involved in this suit may be passed upon by the supreme court of the state if the interested parties elect to have the opinion of that court upon these questions, I have concluded to overrule the demurrer to the amended complaint.

I think it due to all of the parties and interests involved in the suit that the questions involved should be finally and speedily determined upon their merits.

J C FULLERTON, Judge.

In the Circuit Court of the State of Oregon for the County of Lane.

J E Davis, Isaac Gray and W W Haines, plaintiffs, vs the City of Eugene, E O Potter, J T Calli on and W T Bailey, board of commissioners of Lane county, defendant.

The above cause came on for hearing at the regular October term, 1897, of said court, upon defendant's demurrer to plaintiff's amended complaint, the plaintiff appearing by Geo H Williams and L Blythe, their attorneys, and the defendants by E R Skipworth, Geo B Dorris, A C Woodcock and Geo A Dorris, attorneys for defendant, city of Eugene and county commissioners.

After hearing arguments of counsel, being in doubt as to what order should be made in the premises, the said cause was taken under advisement for further consideration, and now having fully considered the same, find that said demurrer should be overruled.

Wherefore, it is ordered and adjudged that defendant's demurrer to plaintiff's amended complaint be and the same is overruled.

Done at Chambers, at Roseburg, Oregon, this 25th day of November, 1897.

J C FULLERTON, Judge.

SURPRISE.

The attorneys for the city and county are surprised that a decision should be made in these cases at this time, as Judge Fullerton stated from the bench he would not decide the cases until the adjourned term in January, and gave them until the middle of December to send in briefs. One of the attorneys last week spent an entire day looking up the case in the late library at Salem. They had not yet sent in their brief. They cannot understand and Judge Fullerton's actions in this matter.

A SEMI-CENTENNIAL.—Yesterday was the 50th anniversary of the famous Whitman massacre, that occurred on November 29 and 30, 1847, six miles from the present site of Walls Walla. Today at Walls Walla there was unveiled a monument in honor of Dr Whitman, with ceremonies fit for the important occasion, one that should have occurred years ago. There are now 15 survivors of the massacre.

A J Pickard returned home today. Uncle Eben Stewart is a little better today.

Miss Maude Bonney is home from Cottage Grove.

The river was seven feet above low water this morning.

Mrs Kate Spray, of Salem, is visiting friends in Eugene.

Darwin Bristow, of Cottage Grove, was in Eugene today.

S A Hulin returned to his home at Creswell this afternoon.

Congressmen Tongue and Ellis have gone to Washington D C.

M V Brown, of the Goodell Car Co, came up from Portland today.

Joel Ware, Jr, who has been quite ill for a few days, is reported better today.

J M Sherwood, of Cottage Grove, was in Eugene today on business.

The temperance question is the issue in Lebanon in the coming campaign.

Dr W Kuykendall returned this afternoon from his weekly lecturing trip to Salem.

Dr F W Prentice, who has been slightly indisposed, is now able to be about the streets.

John P Jones, of Portland, the general traveling passenger agent of the S P R R, is in the city.

Miss Ida Neffinger went to Cottage Grove this afternoon in the interests of a library organization.

Blind Johnny Keeney returned last night from his Gilliam county farm. He will remain in Lane county during the winter.

The young Gray boy, who recently accidentally shot and killed his little sister, near Grant's Pass, and then left home, returned to attend the funeral.

Mrs J M Berry, of St Louis, Mo who has been the guest of her sister, Mrs C M Young in this city for a fortnight, went to Portland on today's 10:50 local.

Harry Prentice, of Chicago, is in the city on a visit to his parents, Dr and Mrs F W Prentice. This is his first visit here for about seven years.

Mrs Albert Lucas and little child, of Portland, arrived up this afternoon and will be the guest of Mrs R McMurphy. At home Wednesday and Thursday.

Ex-Policeman E M Wistom, of Baker City, was found guilty, before Judge Eakin, last Wednesday, of taking a small sum of tax money from a Japanese woman of the town.

Henry Gahligen, of Gardner, Oregon, who left in a small boat for the wrecked Truckee has not been seen since. A piece of one of his oars came ashore. It is feared he is drowned.

At Medford a potato social was recently given, at which about fifteen bushels of potatoes was received. The potatoes contributed were given to the poor of the city. This is a novel scheme.

Monday's Salem Journal: At 10 o'clock this morning at the S P warehouse, Sheriff F T Wrightman sold 10 bales of hops to satisfy a judgment held by H S Gje against Keizer et al for \$150. This is practically a fraction over 8 cents per pound.

Professor F G Young, of the University of Oregon, has gone to Walls Walla, Wash, for the purpose of attending the unveiling of the Whitman monument, and to collect data for his early history of Oregon. The board of regents granted him a short absence on this account.

Was there ever a town in such a deplorable condition as Florence, Idaho? Even Don Quinn's Wolfville fared better, for it had its Faro Nell. Last week, according to the Florence Miner, the only young single lady in town, Miss Rosa Hinkston, was married to Roland Williams.

A representative of the fish and game commission of California has been in Siskiyou county, and Southern Oregon to look into the wholesale killing of ducks, which have been shipped to the San Francisco markets in great quantities. As high as 1500 pounds have been shipped from Ager in one day.

"ALMOST."—Mr Jay Swank, accidentally shot at Lower Soda last Sunday, is reported to be improving with a probability of recovery. The Advocate of Nov 27 says: "Jay Swank who was shot by his father-in-law last Sunday, was almost a member of the Lebanon tent of the K O T M, with a beneficiary certificate of \$2,000. He had passed the medical examination, paid the initiation fee, and only lacked being initiated."

DAILY GUARD, November 29.

MACY HERE.—D F Macy, agent of the California Fish Commissioner, arrived here this afternoon from Salem. He is in the state procuring Mongolian pheasants for shipment to California for propagating purposes, and will distribute them in various parts of that state. He procured 216 birds at Salem and wants enough more to make 400.

DIED.—At the home of her son, about one mile below Eugene, Sunday, November 28, 1897, Mrs G W Patterson, aged about 72 years. The funeral took place this forenoon, conducted by Rev M L Rose, of Eugene.

## BOWLING PARTY.

Ladies Entertained Gentlemen Friends at Moons Alley.

Saturday night the members of the Ladies Bowling Club entertained a number of their gentlemen friends at Moons bowling alleys from 7:30 to 9:30 where the party was divided into three teams, and wooed the fickle goddess of cooked hat for a time. At the close of the games the crowd went to the residence of Charles Lauer, where Miss Henrietta Lauer gracefully officiated as hostess and where refreshments were served. The remainder of the evening was devoted to music, dancing, and a bean bag throwing contest, in which G W Griffin won signal honors, and carried a handsome book away as a reminder of his prowess.

This club is making large scores, and a team of six could probably be picked that could make an interesting game against any six gentlemen players in the city. Miss Rose Parrott is president of the club and also one of the star bowlers.

Those in attendance upon the party were: Misses Parrott, Theresa Friend, Stella Dorris, Henrietta Lauer, Ethelwynne Thompson, Ermine Thompson, Etta Eastland, Hattie Taylor, Blanche Taylor, Floy Watkins, Dee Ankeny, Nannie Ankeny, Dollie Ankeny, Laura Miller, Winnie Miller, Lena Goldsmith, Lulu Renshaw, Balm Mann, Cal Coleman, Professor Burden, Messrs Barber, Hager, Peters, Cleveland, R Smith, Stabling, Young, Zeliger, Holbrook, Brown, Griffin, Luckey, McArthur, Glen, Rowland, Stanton, Streeter (Portland) Ankeny, H Thompson, Richards, Wilson.

## PROBABLY DROWNED.

The Watchman at the Silvermen Rock Quarry, via-law, Missing.

Florence West, Nov 25.

Barton Sweet, who was employed as night watchman in the quarry at Point Terrace, disappeared on the night of November 17th, and up to the date of writing no trace of him has been found. He went to his work in the evening as usual, but next morning was missing. His coat was found near one of the engines in the quarry and he had made preparations to kindle a fire as he was in the habit of doing before eating his lunch at midnight. It is thought he went on board of one of the rock scows and in some way fell into the river and drowned.

He was about 19 years old and had lived on the Siuslaw nearly all his life. He was the oldest son of Frank Sweet of Acme.

## Dedication Services.

The new home of the First Christian church will be dedicated on Sunday, Dec 12. Rev J D Updike, of Cleveland Ohio, now in California, will deliver the sermon on the occasion. He is widely known as a most eloquent speaker and the church is fortunate in being able to secure him for this function, while he is in the West.

A good program additional will also be rendered and the membership will go to their new place of worship under the most pleasant auspices.

HAD A GOOD NAME.—Hardy Allen, of Crook county, was arrested for stealing 25 head of cattle. The value of a good name came into play, and everybody said it was false, and his bail was furnished at a jump. The Journal says: "Hardy Allen is not only personally, a young man of the highest character for honesty, but he belongs to a family that no resident of Crook county, or Wasco either, believes capable of committing a dishonest act. The people here are so well satisfied that Hardy is simply the innocent victim of circumstances, that if twenty times the amount of bonds had been required they would have been obtained without asking."

FORTUNES ON BLUE RIVER.—Today's Oregonian: Chauncey Dale, who has been mining, or rather developing a mine on Blue river, a branch of the McKenzie, for the past seven years, has come down to Portland for the winter. He is very sanguine about prospects, and says he has one of the best mines in that section. He has seven foot vein of quartz, which is rich in gold, and his associates in the mine feel very confident that they have fortunes in sight.

FILED FOR RECORD.—The S P R R has filed for record with the county clerk of Lane county: Patent No 90, Oregon and California railroad lands, primary list. The amount of land included in the above is 1,315.28 acres. The instrument had already been recorded in Josephine, Douglas and Jackson counties.

DEPRECIATED.—At Albany Saturday afternoon, the uncollected accounts of L E Bain, formerly a prominent business man of that city, amounting to \$12,000, were sold at public sale for \$250.

CIRCUIT COURT CASE.—John W Richardson has commenced suit against Mary J Inman, et al, for the purpose of correcting title to real property.

## An Oregon Boy.

In the Thanksgiving issue of the Exponent, published by the students of Purdue University, appears the personnel of their football team, which has had a very successful season thus far. One man's description will be of interest. It is as follows:

F. D. Herbold, '99. He is 21 years old, 5 feet 11 inches in height, and weighs 175 pounds. Played his first football with the Eugene High School in '92, as captain and halfback. Later entered the University of Oregon, where he played tackle in '93, '94 and '95. This is Herbold's first year in Purdue and he is playing a fine game as left guard.

The college paper also contains a fine group picture of the team, and the entire edition is given up almost exclusively to football. Herbold's work received praise for its stately character in every game.

The Chicago Record's account of the Purdue-Minnesota game, the former winning 6 to 0, said Herbold was one of the few men able to go through the Minnesota line, and that he seldom failed, although the Minnesota line was much the heavier, while the Lafayette, Ind., Courier says he goes into a play heart and soul and seldom fails to reach his man, and remarks incidentally, that "Herbold's style of play would be a good thing for other players to copy."

## Married.

At the residence of Rev W B Farr, last evening, a very quiet wedding occurred, the principals of the affair being Mr Henry G Miller and Miss Mamie Cummins, Rev Farr officiating.

Mr Miller is well known in this city, and is now numbered among our business men, having purchased the University book store about six months since. The bride is very popular in church circles. Their friends are extending congratulations, in which the GUARD wishes to join.

## AN OREGON BOY.

It is stated that Homer C Davenport, the newspaper cartoonist, of whom Marion county is so proud, and who has done so much to bring Oregon to the recognition of the East, is soon to issue a book of cartoons on the great politicians of America. One firm has already ordered 2500 copies of the book in advance, and the cartoonist feels assured of the success of the venture. People in the East and in Europe now regard Mr Davenport as an unique figure in the present day civilization. He is not an artist as so many people incorrectly speak of him. He seemingly disregards every rule of art. He is a cartoonist.

William Koehler, a native of Hanover, Germany, aged 74, was found dead in his cabin, four miles west of Corvallis. His body was half dressed. Life had evidently been extinct several days. Koehler was last seen alive Sunday afternoon, when a neighbor's boy carried him bread. The furniture and other articles in the cabin were upset and scattered about, indicating that the death struggle had been violent. The coroner, who went to the scene to investigate, reports that death was the result of natural causes.

Dr Alexander, who has lived in Paso del Norte and El Paso since the Mexican war, says: "I never knew a case of consumption among Mexicans until within the last three years. The germs of the disease have been brought into the country by American consumptives."

## THE HOP MARKET.

Coast Sales of the Northwest—10 to 12 Cents the Rating Price.

Saturday 144 bales of hops, aggregating over 27,000 pounds, belonging to five growers in the vicinity of Laurel, Marion county, were sold for 13 cents per pound. The hops were all stored in the Masonic building in Salem. November 28, in Salem, 48 bales, aggregating over 8500 pounds, were sold to J M Russell & Co for 11 1/2 cents.

## WASHINGTON HOPS.

The hop market in Puyallup last week, says the Independent, was dull, with buyers working on special orders. Orders ranged from 11 to 12 1/2 cents. The McNeill agency reports buying 40 bales at Orting, 9 cents being the price paid. The same agency at North Yakima have bought in the last week 200 bales. Terms not known.

Lilienthal & Co secured the C F Muehler crop of 200 bales on consignment. It is said that the advance paid was 15 cents.

Pier Bros bought 71 bales of Count Mossel on the 23d; terms not stated.

Hermann Klaber, for a Tacoma hop firm, bought 209 bales of the London & San Francisco bank lot; terms private.

Van Harris, of McMillan, bought 28 bales of Krause Bros at 12 1/2 cents, and the Bullinger crop of 49 bales at 12 cents; also the Williams crop at 12 cents. So far Mr Harris has bought about 400 bales this season. His main shipment is about Christmas, and hops go to Montana, Utah and Dakota.

In Chehalis last week J C Bush sold his 69 bales of hops to W H Kenoyer for Lilienthal & Co, at 13 cents. This is the highest price yet reached there this season since the sale of the Dobson Co lot, just after picking, at 15 cents. T J Long also sold to the same firm his 90 bales at 12 cents.

## A Game Law Case.

On complaint of Chas Kissinger, deputy game warden, a warrant was today sworn out before B F Dorris, ex-officio justice of the peace, for the arrest of J B Hopkins, president of the Eugene Lumber Co, on the charge of allowing the sawdust from the saw-mill situated on the bank of the river, a short distance below the Eugene wagon bridge, to escape into the Willamette river, contrary to the statutes in such cases made and provided, etc.

Owing to Justice of the Peace Wheeler having confidential relations with the lumber company, the complaint was made in Recorder Dorris' court. Constable Scott served the warrant today, and Mr Hopkins was allowed to go on his own recognizance until tomorrow, when he will plead to the charge.

## Cold weather East.

ST PAUL, Nov 29.—Zero weather continued today throughout the Northwest, 8 below in this city at 7 this morning being the lowest. At the same hour Bismarck reported 10 below, Winnipeg 14 below, and Miles City 18 below. It is clear.

Portland Hebrew: Miss Marie Julien Pfunder, who is taking a course of law at the University of Oregon, is one of Portland's most bright lights. She is devoting her whole attention to this study, and with her tact and knowledge of the various languages, as well as a perfect knowledge of chemistry, her friends are looking forward to a bright and successful future for this accomplished young lady.

## EUGENE'S BIG STORE.

WITH THE LITTLE PRICES.

# A Hard Fall...

but nobody hurt. It was just a drop in prices in our cloak and mackintosh department. We have wraps from \$2.50 up, as the lines are somewhat broken, we offer you extra inducements to help us dispose of the balance on hand, the cold season is just commencing, we do not wait until spring before giving you this opportunity. It will be to your interest to look us over. Our 39c dress goods are proving a happy surprise to many a well pleased customer all wool and 25 inches wide new things no wonder they go.

# A few Suggestions.

Are needed about this time as to what we shall surprise our friends with at Christmas. A visit to our Emporium filled with overflowing with good things within the reach of all, will give you the very idea you need.

In going the rounds don't overlook our Carpet Department. There we have carpets of all descriptions and prices. Our last shipment of Oriental Rugs gives you a splendid chance for something useful and ornamental as well. Ask to see our Stand Covers, from 50c up.

Our Basket Shoe Sale is a Decided Success for You.

# F. E. DUNN.