TOWN AND COUNTY.

TEW AND BEAUTIFUL STYLES OF TYPE ARE BEING CONSTANTLY AD-DED TO THE MATERIALS OF THIS office; And we would have the friends of our paper lend us their support. Job Printing, in its various

of surveyors, left this city on Tuesday last serious objections may be interposed. for Eastern Oregon.

-The contract made between this city and Captain Pease, respecting the water the hydrants in good order.

--Mr. A. Wessels has been appointed to fill the office of Justice of the Peace, in Union Precinct, vice S. J. Oakley, whose residence disqualifies him.

-Messrs. J. M. Bacon, A. J. Apperson, E. B. Collard, and John Schram, have been elected Representatives of Oregon. Lodge No. 3, I. O. O. F., to attend the Grand Lodge session at Salem next month.

-One of the finest rotary pumps we have ever seen, has lately been erected in this city by Capt. Geo. A. Pease, for the purpose of filling the reservoir on the luff with water, from the river.

-The tract of land to be sold by Sheriff Myers on the 3d of May is finely located within two miles of this city, near the railroad, and is elegantly situated for suburban residences, both for this city and sell water, as a private enterprise, because

and Portland business men. -Mr. J. B. Sprenger, as will be seen by advertisement, has purchased the interest of Mr. Cook, in the "Cosmopolitan," at Portland. Mr. Sewall retains his interest. Messrs. Sewall & Sprenger are both popplarly known, and there is no doubt but that the Cosmopolitan, under their man-

agement, will be the Hotel of that city. 4.4.0 -We are in favor of State legislation. to the aid rendered the Wallamet Falls improve the mouth of the Yambill and the mouth of the Tualatin Rivers. Here is a chance for some live corporation to

distinguish itself. -Any person having knowledge of the whereabouts of Asa Stoddard, who came to Oregon 12 or 15 years ago, will confer a favor upon his family by comin micaning the same to Anthony Stoddard. at West Point, Leo county, Iowa; or to J.

R. Ralston, Esq., of this city.

**** -Mr. Jas. A. Smith of this city, is organizing classes in penmanship for both Ladies and Gentlemen. As Mr. Smith is au excellent penman, a competent teacher. and as his terms are moderate, we would recommend our young friends of both sexes, to take advantage of this opportupity to improve this important branch of

their education. -Hon. I. R. Moores, President of the O. C. R. R. Co., Hon. Anderson Cox, of Walla Walla; T. R. Cox Esq., of Salem; Major M. P. Berry, Superintendent of the Penitentiary at Salem; and other gentlemen who came from up river on Monday. called upon us. We were decidedly pleased to see Major Berry around again. The last time we were at the Capital he was very ill, and his triends were fearful

that he would not recover. purchased the right to teach the Wallace system of horse training, in this part of to the animal, and as we endorse anything which tends to ameliorate unkind treatment of beasts as well as human beings. we recommend the public to attend this exhibition. They will next exhibit at

sign; Don't you believe every confounding report you hear. Take what we say Douglas county are not "victims of misplaced confidence;" and we assure you
that the road through the Umpqua valley
has not been indefinitely posiponed. No

But where a street had been given or dedicated
to the public in a city, the city would not be an

ition of graduating powers in their used and yet a free school. No city in Ore
can boast of greater educational adviges than Oregon City,—costing less. grant has been made for the Pengra sage to the public in a city, the city would not be authorized to grant a right of way for a canal which there is no co-operation of interests be- rations, which would prevent other modes of travtween that and the O. C. R. R. Co., of Sa- el. Streets are intended to afford access to adja-Icm. You need not be astonished to see cent property by all the usual modes of travel the Union Pacific Railway Company extend its line into this valley, and the street to adjacent property holders. Northern Pacific come thundering down the Columbia soon. The Oregon Central will be built through your valley. Never the made of a street. I am of the opinion that it Northern Pacific come thundering down will be built through your valley. Never could not. The only mode of vacation is pointed do you fear that,

place in business all their lives, and everybody knows them. Such people seem to constantly before the public, some new rived at. hems may start up, and, by liberally advertising, in a very short time take the place of the older ones, and the latter rust

ormick, of the Franklin Book Store, of the application. r Bryant. Mr. Miller does not, in all well as to the city. bability, rank himself with these; and will be a gratifying surprise to Oregoni- Mr. Reese, and learn from him his disans who have a pride in beleiving that we appointment at finding so much more than East Portland, to find two large monitor estaess.

THE P. T. Co., AND THE COUNCIL.

The People's Transportation Company

Acting upon a petition presented to "East Side" says: the Board signed by property owners and legal voters, asking that this right of way supply, provides that the city shall keep be granted, a committee was appointed ing last the committee reported the

> following-LEGAL OPINION BY HON. W. C. JOHNSON,

Oregon City, April 19th, 1869. N. W. Randall, J. W. Chase, Wm. Broughton Gentlemen-Your communication of the 12th inst., in which my opinion is asked upon certain points under investigation in the City Council, is eccived, and I have given the matters referred such attention and investigation as I have been

Your first question is: What privileges are vested in the City Council of Oregon City to grant them as being designated to receive such right of way along and across any streets or alleys, to any individual or corporate company, which right of way would necessarily occupy the whole, or greater portion of a street, so far as the ight of way shall be granted! The dedication of streets in a town or city is to the public, and for the use of the public. The rights of the public in streets are: 1st, Of loco-

notion: they are avenues of travel. 2d, Of trade and commerce of all kinds. 3d, Such other rights as are incident and necessary to the convenient and safe enjoyment, and profitable use of the other two named. The corporation may permit a person, for instance, to use the streets to lay down water pipes

water is necessary to the cleanliness, and health and comfort of the inhabitants of the town. It may permit the laying down of the usual and necessary pipe for gas, because it may be necessay or convenient for lighting houses, Upon the same principle, the City Council may low the streets to be used for conducting water to mills and manufacturing establishments, because these enterprises and occupations are for the public good, and secure general prosperity. These last three must, however, be so arranged and used as not to permanently destroy or mate rially abridge the right of the public travel over and trade upon every portion of the street.

The City Council would not have any right to

grant to any person or corporation, a right of way any street of the city, when the right of way aiding to the amount of \$200,000, similar would necessarily occupy the whole or greater be foolbardy enough to still persist in try-Canal and Look Company, projects to would even slightly inconvenience the public, unless for something which was for the immediate, not remote, good of the people of the city or town. The rule as I understand it, is substantially this: Anything the corporation could itself d for the public good, in the streets, it may do by agents; or by licensing private persons to do the same; but if it could not exercise the right itself it could not license another corporate company, or an individual, to do so. This is the general law

on the subject—but under our statute law there is an exception. The City Council has a right to permit any company, formed for the construction of any railroad, McAdamized road, plank road or clay road, to use the public street, and under certain circumstances, to regulate the tolls which may be charged upon the portions occupying such streets. See Sections 23, 24, 25, 26, 27, and 28, of the General Incorporation Law—pages 665 and 666

Whether a canal is included in the things which may be licensed in a street, is not so clear. The word is used in the first three sections named, but in the last three sections named the word "canal studiously omitted, and these are the only sections which give the City Council any control over the matter of license or permit. It may therefore be well doubted whether the city can grant the right of way for a canal. The safer way, I think, upon mature consideration, would be to leave the orporate company desiring such street for a canal, if there should be one such, to proceed by law to condemn and appropriate such street.
This would bring up all these questions to be finally settled in the Courts.
Your next question is: "If the Council should vacate any portion of a street or alley, in whom

would the right be vested!" This question is fully answered by Section 7 of hapter 56, of the General Laws of Oregon, found page 927 of Deady's Code, from which it will of lots abutting or bordering upon such street or alley. I call the attention of the Council to the whole chapter of which I have spoken, which points out the steps to be taken, in order to vacate a street or alley; Sec. 8 deserves careful attention. Your third question is: "Is the city responsi-- Messrs McIntyre & Harritt, who have ble to adjacent property holders for damages, in case it should grant such right of way, or vacate

a portion of a street or alley !"
Section 8 of the Act above referred to, shows Oregon, will give an exhibition in this that the city cannot vacate such street or alley city on Tuesday next, the 27th inst. Our readers are already familiar with the fact that this system is based upon gentleness without the consent, in writing and duly acknowledged, of the property holders adjoining. It will be seen at once that such property holders could not recover damages for the vacation of the street or alley, when they consent to such vacation; and this is rendered the more certain, because the property vacated would vest in the adjacent lot other that belongs to them.

But I am of the opinion that the city would be

liable to damages to property holders, if the Council should grant the right of way over or in a street for anything which could not be earried on -Look Here, Brother Roseburg En- and used, reasonably, in connection with the right of the public to travel over, and trade upon the same. It was long a question whether cities could grant the right of way for railroads and stree cars upon the streets, but the Courts finally decidfor facts, and be not alarmed. You of Douglas county are not "victims of mis
cars upon the streets, but the Courts finally decided that it was only affording another and new mode of travel, and could be exercised in common

rush route-nor will there be. And thorized to grant a right of way for a canal which

The only way to accomplish the end in view, that I see, would be to take a bond in advance of that I see, would be to take a bond in advance of the street, which a penalty sufficient in liquidated damages, to secure the personal to advertise, that they have been in the formance of any promise much be secret for fourteen years, has instrument to the street, would be to take a bond in advance of the secret for fourteen years, has instrument to the secret for fourteen years. formance of any promise made by any person or corporation praying for such vacation. But when workmen engaged in digging a In lots to suit, at regular Wholesale Rates.

ountry is increasing in population nearly I have not referred to the authorities generally tion, in 1824, found a skeleton per cent. every ten years, and no mathow old the place may be, there are upon which I base these opinions, because you with a breastplate of fine gold would not have the books at hand, and such preference, hence, would be useless. But I would buried face downward. The preconstant changes taking place; some say that my examination has been careful and clous piece of armor, which weighed somewhat extended.

Made either in New York or San Francisco, than by any other process, as you use no clous piece of armor, which weighed under the supervision of the best cutters in other soap.

Very Respectfully, Your ob't serv't, W. CAREY JOHNSON, Lawyer. it, as it were, and be forgotton. No mittee, the P. T. Co. presented a petinan ever lost money by judicious adver- tion, asking the vacation, and the Council ordered that legal rotice be given, (which -We have been favored by S. J. Mc- appears in another column) for the hearing buried the body of Odoacer, after

ortland, with "Joaquin, et. al.," a book We recommend a careful reading of the original poems by C. H. Miller ; Himes opinion of Mr. Johnson, and would attract Daly printers. It is a beautiful edition; and somely printed; and there is an ininsic pleasure in reading it. We have a bond should be taken "m advance of arried it in our pocket; held it idly in the vacation, with a penalty sufficient in or hand, and dreamed over it in our walk, ust as we recollect having done in our liquidated damages, to secure the performsunger, less busy days, with something ance of any promise made," etc., which ch from Lorgfellow, Whitter, Lowell, may be applied to individual owners, as

he world may not yet be prepared to put -On Monday last Michael Reese, Esq., im in that list, because he lives in Oreone of the wealthy men of San Francisco, Probably he was only dead drunk. cessary prefensions, but his sensibilities in company with Mr. B. Goldsmith of re about us exquisite; his pencillings Portland, paid our city a flying visit. We prosperity of this State.

TO THE POINT.

The Oregonian of the 20th contained a poses of constructing a steamboat canal. S. G. Reed. Esq., presented to Senators us their support. Job Printing, in its various to law to obtain the right of way. But was no doubt the "dying wail" of the when they attempt to make a "cat's paw" " West Side," but it has been appropri--Hon. D. P. Thompson, and his party of the Common Council for such purpose, ately answered by "East Side," from

> past, the article is characteristic of the with certain municipal corporations, and county will think of this, when they want any to gobble up houses and lots and farms articles in his line. belonging to certain enthusiastic and gullable individuals, still after they have been so thoroughly found out; after the State Legislature has repealed the act of 1866, guaranteeing interest on their bonds: afthe Interior have refused to recognize grant; after Congress has passed an act extending the time for the East Side court from signing the coupons of the pathway for purchasers, a link to bind the West Side bonds and from collecting any chain of families and the hearts of men. West Side bonds and from collecting any tax for the purpose of paying the same; after the authorities of Yambill and Washington counties have found out Gaston & Co., and the one refuses to execute or deliver its bonds provided for in its contract to pay the interest upon the bonds; when Sedlack and Johns and others, victims of valuable property, denounce the West Side as an unmitigated humbug; when, in portion of the street, so as to prevent travel over ing to humbug the public. or to suppose such street, and would not for any purpose which that any one could be found to place con- Oregon, fidence in anything they might say. The article in question is a gross misrepresentation of facts from beginning to end.

> > "East Side" follows with a long recount of facts in the case, and clinches his argument with an answer to Reed's remonstrance, which is signed by Hon. Geo. L. Woods, Hon. E. N. Cooke, Hon. J. H. Douthit, Hon. I. R. Moores, Hon. T. McF. Patton, Hon. John H. Moores, Jacob Con-Esq., Hon. J. H. D. Henderson, Gen. J. Esq., and Green B. Smith Esq.

OREGON CITY SEMINARY.

EDITOR WEEKLY ENTERPRISE:

Please allow me, through the medium of your paper, to inform the public more generally than has been done, of the advantages and the perfection of our school. I am glad to be able to state that the Oregon City Seminary is a first class institution of learning. which may be seen by an examination of all the branches of a thorough English education taught. Prof. seen that the vacated street or alley would be-ne the property of the owners of lots or parts versity of Queen's College, has secured a reputation as a teacher, second to none in the State. He may be rigid in his discipline, but his kind administration of the laws necessary for government, has perfected the grade system of our school. The school is conducted entirely on the

free principle-free to all pupils residing within the limits of the City Corporation. The City Council has lately passed an Ordinance making the school a graduating institution. This is what I have been striving to make it for many years. I rejoice that I can safely say, that no school can be in a more prosperous condition than the City Seminary at present. At the last quarterly examination of written questions in the higher branches of studies, the average answers were from 75 to 99 per cent. The daily attendance of pupils is over 200, divided into four separate Departments. Indeed the parents of this city ought assuredly to congratulate themselves on having an institution of graduating powers in their midst.

April 22, 1869. FORBES BARCLAY, City School Superintendent.

AP People that advertise only once in three months torget that most folks cannot remember anything longer than about we are now prepared to fill their orders for seven days.

RIES AGO .- A curious discovery, just come to light at Ravana. The forget to take in consideration that our and must be, in its nature absolute and uncontheir places. In this age of the world.un-less the name of a business firm is kept constantly before the public some wat extended.

I am also permitted to say that I have shown the principal performs of this to my partner, Capt. McCown, and he agrees with the conclusions arpieces, which appear to have been the shoulder bands, are covered After adopting the report of the com- with chasing and enamel, have been given up by a jeweler in Faenza,

but the remainder are probably lost. It is known that Theodoric his murder at Ravana, face down- C. C. HASTINGS & CO. ward; and the Italian antiquarians suppose that this golden harness is really that belonging to the first King of Italy. The conquest of Italy by Theodoric, the Goth, took

place about the year 500. -Ex-President Johnson is again able to make his speech. It is presumed that the dispatch, reporting his death was incomplete.

-The editor of the Advocate was surnearly or quite as interesting. This book were pleased to make the acquaintance of prised, upon calling in at the car shops at can produce literary gems, as well as other he expected of Oregon. He intends to style cars, 10 by 60 feet, with sky lights. gems. The style is here and there infeli- return here again soon, and we feel flat- and every modern convenience, nearly tous, but in the main is forceful and un- tered to know that from what he seen he completed. In an adjoining building was erring, not lacking richness or versatility; seems determined to invest largely, and a machine shop for the manufacture of all and abounding in spirit, pathos and earn- become identified with the growth and the iron machinery, that can be needed about a railroad.

VALUABLE LAND FOR SALE CHEAP

-We know of 480 acres of good lands for sale in this county, being the land claim of pretend, or represent, that they want cer- long effusion signed "West Side," append- J. L. Stout, in what is known as the Ringold tain public streets of this city for the pured to which was the "remonstrance" of Settlement. It will be sold in lots to suit purchasers, on very fair terms. This land is only 12 miles from Oregon City. For To this there can be no objection, provided that the company proceed according ator Williams was pending. This article of this city, or of J. L. Stout, Unity, Baker's Bay, W. T., or of Andrew Stout, in the above mentioned settlement.

SADDLERY .- J. H. Schram, of this which we extract one paragraph only. City, is now manufacturing the best Saddlery and Harness in the State. He will have at Notwithstanding the experience of the least 50 sets of all grades, from fine to common, finished and ready for sale next month. source from whence it emanates. Al- and more than that number of Saddles. He though misrepresentations may have for a sis bound to make a trade with any man who with instructions to procure legal advice time succeeded, and have enabled Gaston and California leather in his establishment, wishes to buy of him. He uses both Oregon DRUGS, MEDICINES, Chemicals, respecting the matter. On Tuesday even- & Co. to humbug the people, and to enter and his work bears a most excellent reputation into improvident and illegal contracts abroad. We hope that citizens of our own

> RAILROAD ITEM .- While some men are trucks to bear the burdens of the earth, or furnace grates to bear the fires and to be ter another company has been designated consumed in obscurity, others are driving to receive the Congressional land grant; wheels which give life and motion to all with after both the old and new Secretaries of whom they are connected. Kohn & Fishel, the leading dry goods merchants of Portland are the driving wheels of trade in that city. They conceived and carried on to completion a work nobler than the Pyramids, grander than the gardens of Nineveh, or the Company to file its assent to the act of walls of Babylon; for their work is not a Congress of July 25, 1866; after the city monument for the dead, neither the gratificaof Portland has been enjoined by the tion of a luxuriant fancy, but it is a new

> The cheapest and best soap in the market. Throw away your Patent Washing Machines, &c. &c. In order to with the company, and the other refuses more generally introduce their Soap, the imperial Soap Co. will sell their Concentrated Soap from this date until the first of May misplaced confidence, who hold the worth- next, at seven cents per pound. Clothes less stock of the company in exchange for | washed with this Soap, require no rubbing, thus saving a great amount of labor, wear and tear. Washing can be done in one-half the time required by any other process. short to use a very expressive phrase en- Warranted to not injure the most delicate tirely applicable to the case. Gaston & Co. fabric. Renders the clothes a pure white, have "run the whole thing into the and is equal, if not superior, to Castile soap ground," and discharged their hands and for the hands. Parties wishing to examine stopped word, one would naturally suppose that that enterprising firm would not Manufactory, two doors above the Furniture Rooms of Hurgren & Shindler, First street Portland, Oregon. The Trade supplied at liberal rates. Imperial Sorp Co., Porlland.

> > "IN TIME OF PEACE PREPARE FOR WAR."-So get a bottle of Dr. Cooper's Magnetic Balm, an unequaled preparation for Dysentery, Diarrhea and Cramp. The instantaneous relief of Burns, Bruises and

valuable substance is confidently claimed to sor, A. L. Lovejoy, F. A. Chenoweth, S. be the best article ever discovered for Ellsworth, S. F. Chadwick. John E. Ross cleaning and polishing Gold, Silver and Plated Ware, and all smooth metallic sur-F. Miller, Capt. A. F. Hedges, S. B. Parrish faces, of whatever description, including Physician's Prescriptions Carefully kitchen utensils of tin, copper, brass, steel,

> NOT A SUBJECT OF DOUBT .- That Newell's Plumonary Syrup is the most ef- 13.1y fective and never failing remedy for affections of the throat and lungs.

C. C. HASTINGS & CO.,

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Announce to the friends of the old firm, and the public at large that their present bu-iness arrangments are such that they are and yet a free school. No city in Oregon enabled to offer the best and most stylish can boast of greater educational advanta- goods on the Pacific Coast at a great reduction from former prices.

> AT WHOLESALE. The attention of the merchants throughout the Pacific Coast, is called to the fact that superior goods in

THIRTEEN AND A HALF CENTU- Strictly Custom-Made Clothing, Suits, Gloves, Hosiery and Furnishing Goods.

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San Francisco. M'CRAKEN, MERRILL & CO., 16 North Front Street, Portland.

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Real Estate Brokers and General Agents, Corner of Front and Washington streets. PORTLAND, OREGON.

Will attend to the sale and purchase t Real E-tate in all parts of the City and State. Special attention given to the sale of East Portland property. Address P. O. Box 462, Portland, Oregon. STITZEL & UPTON, Reat Estate Brokers. 19.tf)

Robinson's

Celebrated Magic Soap Powders! Prepared in 6, 12, and 24 lb. Boxes, READY FOR WASHING!

This is cheaper than Common Soap. It removes Paint, Tar, Pitch and dirt of every 112 Front Street, opposite Barman Bros., description; and which has given such gen- Portland, Oregon. eral satisfaction, by proving that your washing can be done with one-half toe time and labor of the old mode. Thus labor saved is money made; as wash-boards, a achines and hard rubbing to wear out clothes, is entirely dispensed with, and the washing for a dozen persons can be done in two hours. Thus the cost of your washing being three-fourths less

These Prepared Powders or Soap have not only proved toemselves superior for washing any and all kinds of goods, but proved after one year's use not to injure in the slightest degree any fabric of the finest texture ; and, also the finest article for the hands, as it makes them soft and white, as well as your clothes. It also keeps your hands from

We defy the world to produce its superior for washing any and all kinds of goods. Our object is to save your time, expense, hard lano; and especially the woman who has to wash.

We take pleasure in announcing a few of the many ladies' names-by their consentwho have used our Prepared Magic Soap Powders, from six months to one year:

PORTLAND. Mrs. C. S. Silvers, "A. C. G.bbs, Mrs. Sis W. Brown, " Dr. Watkins, " Dr. McCurdy, " W. H. Bennett, 1. R. Moores, " H. W. Davis, " Maj. Berry, Delaney, " R. Wilcox, " J. Knott, " Graves, Union Hotel. " Ladd.

Amity-Mrs. Jos. Watt: Lafayette-Mrs. A R Burbank ; Dayton-Messrs James & Olden ; Forest Grove-MessrsCombes & Buxton Corvallis-Messrs Briggs & Kizer; Albany-Mrs. J. B. Springer, Mrs. Irwin ; Dallas, Mrs Barger : Lebanon-Mrs. Ralston ; Jefferson-Mrs Walters; Oregon City—Just introduced, ly receiving direct from the East, a large and carefully selected stock of Manufactory, Pine st., bet. Front and First. Portland, Oregon.

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Between Taylor and Salmon.

Having had an extensive experience in the largest cities of Europe and America, respectfully announces to the public of Oregon and Washington Territory that he is

prepared to do ALL KINDS OF REPAIRS on Pianos and Melodeons.

Tuning attend d to with great care. New strings always on hand, and Base Strings made to order. Orders from abroad promptly attended to, and all work guaranteed. All charges at San Francisco rates.

PORTLAND, April 12, 1869. Mr. Albert Bartsch, piano maker, has remodled and renovated an old piano belonging to me, which now has an extraordinary good sound and appearance. The work done on it is of the most substantial character and made in a workmanlike manner. With the greatest pleasure I recom-

mend him to the public of Portland as a No. 1 mechanic. Yours, JACOB STITZEL. PORTLAND, April 12, 1869. I take this opportunity of certifying to the capability of Mr. Albert Bartsch, of this city, as a first-class piano maker and repairer, having repaired and tuned pianes for my scholars and myself. It is with great pleasure that I recommend him to the citizens of Portland and vicinity, and trust that he will

receive a liberal share of patronage.
H. GUDIO GROB. Dr. J. H. HATCH Late Mack & Hatch, DENTIST.

The patronage of those desiring First Class Operations, is respectfully solicited. Satisfaction in all cases guaranteed. N. B .- Nitrous Oxyde administered for the Painless Extraction of Teeth. Office-Corner of Washington and Fron streets, Portland. Entrance on Washington

Notary Public and Com. of Deeds. GIBBS & PARRISH,

Attorneys and Counselors at Law,

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HOME AGAIN. During my tour of two years in the Eastern States I have spared neither time nor money to make myself perfectly familiar with and master of my profession. Those desiring the best work that the nature of the case will admit of can find

me at my office, 107 Front street, two doors above McCormick's Book Store, Portland, DR. J. G. GLENN.

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Establishment of J. B. Miller HAS BEEN REMOVED To No. 101 Front st., corner of Alder Carter's New Building, Portland, In Chas. Woodard's Drug Store Where he will be ready to attend to all manner of workmanship in his line. Watches and Jewelry repaired in the most J. B. MILLER. workmanlike manner.

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