

LOCAL AND GENERAL.

Mrs. F. W. Fenton is visiting friends in Polk county.
Read Suter & Daniel's notice to farmers in this issue.
Robt. Wilson, of Portland, is visiting relatives in town.
A. B. Westersfield went to Portland Tuesday afternoon.
Chas. Nelson returned from Tillamook Tuesday afternoon.
John Thompson visited Portland last Friday on business.
J. L. Vickrey paid Portland a business visit on Wednesday.
A. Lefevre, of Dayton, was in town the first of the week.
T. Johnson, who lives at Poppleton's hill, was in town on Tuesday.
Roscoe Morrill and wife, of Portland, are the guests of Mrs. J. W. Watts this week.
Mrs. Unger is building an addition to her house in the northwestern part of town.
Uncle Dan Johnson is building a double-walled fruit house adjoining his residence.
Miss F. Grazier arrived down from eastern Oregon last Friday and is visiting in town.
Mrs. Martin, of Martin's Bluff, on the Numbia, is visiting her daughter, Mrs. A. Gardiner.
Frank O'Connor will take a vacation a month. He will go to Yaquina in quest of rest and health.
Salem Publishers are making extensive preparations for the press association which meets there August 10th.
The choir of the Presbyterian church will meet at the church for rehearsal on Saturday afternoon at 3 o'clock.
Rev. Wm. Clyde will conduct services morning and evening in the Presbyterian church on Sabbath, August 5th.
W. V. Price, the McMinnville photographer, will make cabinet pictures for per dozen. Satisfaction guaranteed.
Threshers are busy in all directions, and the yield of wheat is reported good. Fifty bushels to the acre, probably being the average.
In the Benton county jail case Judge Am decides the contract void on the ground that bids were not advertised for the county court.
The Salem Daily Statesman has recently made arrangements to receive assisted press dispatches direct. This is another star to its already sparkling crown.
The State Fair begins September 17th. The price of admission at the gate has been reduced from \$1 to 50 cents for men, and from 50 cents to 25 cents for women all day.
W. Robertson is preparing to build brick block 56 feet front by 90 feet deep, two stories high, at Independence. It will contain an opera house, stores and offices.
Mr. Geo. W. Burt, McMinnville's popular druggist, has a new ad in the Register to-day. He owes his success in a great measure to the judicious use of Chamberlain's Cough Remedy.
E. Hembre's team ran away with a rider several days ago. The horses ran to the fence, knocking down about seventy-five yards of it, and demolishing the rider considerably.
The State board of education has apportioned the school fund among the various counties, and Yamhill will receive \$4,343.50. There are 3,475 persons of school age in this county.
The fourth quarterly conference of M. Church, Lafayette circuit, will be held at Carlton the second Saturday and Sunday of August, 11th and 12th. Rev. W. B. Carey, P. E., will preach on Saturday at 2 p. m.
The supreme court last Saturday the case of F. P. Hembre et al vs. I. R. Fenton, et al, from this county, came up for rehearing, and the former opinion of Justice Strahan was affirmed. Opinion by Thayer, C. J.
Nebraska editor thus describes the effect of a stroke of lightning: "A stray bolt of lightning was fatally wounded head lately. It dashed into a butcher shop, struck a boarding house beefsteak, hobbled through the window shrieking with pain."
David Pinkerton died near Weston, Tillamook county, Oregon, July 27, 1888. He was born in North Carolina February 15, 1805, and was in his 84th year. He was the father of Mrs. J. D. Fenton of this county. His wife preceded him 12 years ago in her 76th year.

OBITUARY.

M. C. Clubine, only son of Benjamin F. and Pharipe E. Clubine, died in Centralia, Lewis county, Washington territory, July 26, 1888, aged 22 years, 6 months and 25 days. Clyde was born in Colon, St. Joseph county, Michigan, December 1, 1865; moved to McMinnville, Oregon, with his parents, November 30, 1879, and to Centralia in December, 1884. In the winter of 1885 he served as messenger in the council of the Washington territory legislature. He was in the employ of McCoy & Co., printers, Portland, when taken sick. His many friends and acquaintances will remember him as a young man of exemplary character and kind disposition. Deceased was a nephew of the proprietor of this paper.

DIED.

In Dayton, Oregon, July 28, 1888, of cholera infantum, Owen D. Kirkwood, aged 1 year, 9 months and 29 days. Where can I go? our darling asked, "As on his cot he suffering lay; But soon the angel of death was near, His earth fettered spirit was borne away."
We should not murmur, God knows best, Oh, may our scalding tears be dried; Our darling though no longer here, Awaits us on the other side.
M. F.

GOOD REPORT.—Col. John Lee, superintendent of the Indian training school at Chemawa, was in the city yesterday, making his yearly settlement with the government. He remitted to the department \$1,021.08, the amount left over of the yearly allowance after meeting all the current expenses. Besides this there is \$900 of "class 4" funds; that is, money made by the children of the school during vacation in the harvest and hop fields, and this is left over after paying \$500 for a piano this year. Since Col. Lee took charge of this school the children have bought and paid for \$1,500 worth of land adjoining the school, and the boys alone have in their own names sums aggregating over \$2,000 in bank.—Oregonian, July 25th.

TO FARMERS.—Messrs Suter & Daniel have completed arrangements with Wm. Reid and C. N. Scott, of the narrow gauge lines, which enables them to guarantee as cheap rates on grain, etc., to the Portland market as may be had at any competing point on railroad or river. The farmers in this vicinity should take advantage of this firm's offer, and store their grain in a first class house, where it will be cleaned in the best possible manner and without waste. The machinery is new, having been run but one season, and we are prepared to guarantee satisfaction to our patrons. Sacks can be bought of us at the market price.
SUTER & DANIEL.

STATE AGRICULTURAL COLLEGE.—The prospectus of the State Agricultural College at Corvallis has been received. This school is now under new management, a new building has been built, a preparatory department and eight chairs have been established, five of which have been filled with capable instructors. Free scholarships are obtainable. For further information address Wallis Nash, secretary, Corvallis, Oregon.

NOTICE TO DEBTORS.—The copartnership heretofore existing between Dr. G. W. Goucher and Dr. G. H. Smith, at Amity, has been dissolved by mutual consent. The accounts of the late firm have been placed in the hands of B. H. Springer, of Amity, for collection. Parties knowing themselves indebted to the firm will please take notice.

This office is in receipt of a very fine picture, 22x28 inches, of Cleveland and Thurman, published by Siegel, Cooper & Co., State and Adams streets, Chicago, Illinois. The design is very pretty and besides the portraits of the democratic candidates there are those of Washington, Jefferson and Jackson. The platform is also given a conspicuous place. This portrait will be sent to any address by the publisher for fifty cents.

Lew McVey, who stabbed his brother near Corvallis several days ago, has been captured and is now in jail. The injured man is recovering.

A Sound Legal Opinion.

E. Bainbridge Munday, Esq., county attorney, Clay Co., Texas, says: "Have used Electric Bitters with most happy results. My brother also was very low with malarial fever and jaundice but was cured by timely use of this medicine. Am satisfied Electric Bitters saved his life."
Mr. D. I. Wilcoxson, of Horse Cave, Ky., adds a like testimony, saying: "He positively believes he would have died, had it not been for Electric Bitters."
This great remedy will ward off, as well as cure all malarial diseases, and for all kidney, liver and stomach disorders stands unequalled. Price 50 cents and \$1 at J. M. Kelly's.

NARROW GAUGE REPAIRS.

Judge Deady on Monday modified his order of June 15th, in the case of C. N. Scott, receiver of the narrow gauge roads, vs. the Oregon Railway & Navigation Company, allowing Mr. Scott to borrow money to repair the roads and pay off indebtedness. It has been found impracticable to make the loan required and the modified order allows persons having claims against the narrow gauge amounting to \$1,000 or more to take receiver's certificates for their claims. Several persons may assign their claims to make up the sum of \$1,000 when a certificate will be issued to the assignee. These certificates are the same as a mortgage on the roads and bear interest at nine per cent, and if the interest is not paid the interest coupon also draws interest from the time it is due. Several persons are ready to lay ties, repair bridges, frestles, etc., and take certificates in payment. This scheme will probably prove satisfactory to those who hold claims against the roads on which they have heretofore not been able to realize anything.—Oregonian.

REAL ESTATE.

The following deeds were recorded during the week ending July 28, 1888:
Miles Bannister and wife to F. M. Linnville, the s e ¼ of the s w ¼ and lots 2 and 3, of section 34, t 4 s, r 5 w; \$800.
S. A. Fullquartz and wife to E. B. and O. K. Williamson, a part of land claim of Adeline Fullquartz, in t 3 s, r 3 w; 75 acres; \$900.
Joseph Watt and wife to J. M. Hulery, lot 2, block 4, Amity; \$150.
Jesse Hobson and wife to Frederick Barrell, 15 acres of the M. Hall land claim, t 3 s, r 3 w; \$465.
Mrs. Miranda Smith to Jesse Hobson, the land claim of Andrew Harvey, 319 acres; \$3,200.
Galloway & Goucher to R. A. Stewart, lots 3 and 4, block 21, McMinnville; \$500.
Rasmus Nelson and wife to R. A. Stewart, ¾ of an acre in McMinnville, \$1,050.
J. F. Cook and wife to R. A. Stewart, lot in McMinnville; \$42.85.

NEWBERG.

July 31, 1888.

H. Fenton, of Lafayette, passed through this place last Sunday.
W. P. Thomas, wife and nephew started for the coast this morning.
Jack Smith and wife have returned from a trip east of the mountains.
J. D. Carter, our enterprising merchant is doing a flourishing business.
Don't forget the leap year party at Jones Bros' dancing hall, Newberg, August 4th.
W. Merchant and uncle, of North Yamhill, were here looking at some of our town lots, and thinking of purchasing this fall.
DUKE.

COUNTY COURT.

County court held an adjourned session last Saturday, July 28th, at which the following business was transacted:
Bond of Pauly Jail Building Company for construction of court house; ordered that the certificate of the superintendent be approved, and the amount due the contractors, to-wit: \$9,000, allowed; \$4,500 to be drawn against the building fund and \$4,500 to be drawn on the general fund.
OTHER BILLS ALLOWED.
Wm. Merchant, \$53; L. Loughary, \$29.35; S. Brutscher, \$13.80; D. B. Kingery, \$13.80.

MARRIAGE LICENSES.

During the month of July marriage licenses were issued to the following parties by County Clerk Hobbs:
2—Byron Branson 24, Rosa J. Tharp 19.
9—T. J. Ott 33, Ellen Steward 25.
10—A. G. Boyd 55, Annie G. Blackwell 50.
21—Alfred Huston 21, Cora Poppleton 21.
21—J. V. Huntley—, Theda M. Stewart 42.
30—Caleb C. Roy 19, Delilah A. Perry 18.
31—F. R. Kinderman 40, Mary E. Apple 30.

LIST OF LETTERS

Remaining unclaimed in the postoffice at Lafayette, Or., August 1, 1888:
Miss Cordie Hockett, A. Lindsey, Mrs. Spurr, Frank Shortledge—2.
Parties calling for the above letters will please say "advertised." One cent each will be charged on delivery.
G. E. JOHNSON, Postmaster.

Don't Experiment.

"You cannot afford to waste time in experimenting when your lungs are in danger. Consumption always seems at first only a cold. Do not permit any dealer to impose upon you with some cheap imitation of Dr. King's New Discovery for Consumption, Coughs and Colds, but be sure you get the genuine. Because he can make more profit he may tell you he has something just as good, or just the same. Don't be deceived, but insist upon getting Dr. King's New Discovery, which is guaranteed to give relief in all throat, lung and chest affections. Trial bottles free at J. M. Kelly's drug store. Large bottles \$1.

INJUNCTION REFUSED.

In the circuit court of the state of Oregon for Yamhill county:
R. P. Bird, plaintiff,
vs.
Yamhill county, et al, defendants.

This case coming on for hearing on motion of the plaintiff for a preliminary injunction, M. Mulkey appearing for the plaintiff, and Williams & Williams, J. K. Kelly and W. D. Fenton for the defendants. After argument by counsel it is ordered that the motion for a preliminary injunction be overruled and not allowed.
Done at chambers at Salem, Oregon, July 27th, 1888.

R. P. BOISE, Judge.

Opinion of the court:

This is an application to restrain the defendants from proceeding with the construction of a court house and jail for said county at McMinnville.

The reasons alleged being that by the provisions of the contract of the county court with the defendant, the Pauly Jail Building & Manufacturing Company, a debt is created against the county exceeding the sum of five thousand dollars. The plaintiff being a citizen and taxpayer of said county, having taxable property therein amounting to the sum of seven hundred dollars.

At the last session of the legislative assembly of the state of Oregon an act was passed providing for the relocation of the county seat of said county. In accordance with the provisions of said act a vote was taken and the county seat was changed from Lafayette to McMinnville and there located by a majority of the legal votes of the county. Section five of said act provides that if the location of the county seat for Yamhill county shall be changed from Lafayette to some other place in said county under the provisions of this act, that within two years thereafter and at such time as the county court sitting as a court for the transaction of county business, shall direct by an order upon its journal that "all county business together with the holding of all courts of record for said county shall be transacted and held at the new county seat, and all records shall on said day so selected by said court be moved to the new county seat."

If no other provision had been made in said act relative to the relocation of said county seat it would have been the duty of the county court of said county, under section 870 of the code, to provide for the erection of a court house at the new county seat, and under sections 55, 56, on page 700 of the code, (Deady's), could levy a tax to provide for the expense of erecting such court house. But section six of said act provides that "should the legal voters of said county decide to change the county seat, and should the same be relocated at some other place than where the same now is, the county court of said county shall not have the power or authority to contract for or construct public buildings to exceed the cost of \$45,000, and shall not have the power or authority to levy any tax upon the property of said county in excess of two mills on the dollar of the taxable property of said county annually for said purpose."

It appears that the county court of said county in 1887 did levy for the purpose of erecting a court house and jail in said county a two mill tax on the dollar on the taxable property of said county, and that said tax raised the sum of \$8,000 and no more. It therefore appears that a two mill tax will probably be inadequate to provide for the expense of erecting within two years public buildings at said county seat costing \$45,000. At the end of which time the county court is to have the records of the county removed to the new county seat. The provisions of section five of this act and of sections six, provide for the accomplishment of things which, under the conditions of the taxable property of the county, are impossible, for the court will not presume that it was the intention of the legislature to require the county court to remove the records of the county to the new county seat before a safe place could be provided for their reception, or to require the courts to be held there until some suitable building was provided; and that the building of a court house was contemplated is evident from the fact that provision is attempted to be made in the act for that purpose. It is evident from the title of the act and from its provisions that the legislature intended to provide for the relocation of the county seat and to provide for the erection of suitable public buildings in case a selection should be made. In construing the act it must be so construed as to accomplish the object for which it was intended, which was in case of a relocation to have public buildings erected and the public records and business of the county transferred to them within two years from the time of the relocation. This location at McMinnville was in November, 1887, and the

county court would have the authority to make a contract for the erection of a court house and jail, to be completed before the expiration of the two years limited in the fifth section. While I think the legislature might properly limit the cost of the public buildings I do not think it could require the county court to provide for the removal of the county records and direct the courts to be held at the new county seat and deprive the county court of the means necessary to carry out these provisions of the act. And again I think the provision of section 6 relative to the levy of two mills on the dollar of the taxable property of the county would, if in force, modify sections 55 and 56, above referred to, so far as the same relate to Yamhill county, and would therefore be a local law, providing for the assessment and collection of taxes, and be in contravention of section 23, article 4, of the constitution.

I think the county court could legally contract for the erection of public buildings and provide for the expense by successive levies in succeeding years while the work is being prosecuted.

CARLTON.

July 26, 1888.

J. E. Young's house is going up right along.
A real live editor was on our streets Saturday; the stores seem to be alright so far.

Mr. and Mrs. Edson will soon take possession of their new house, just south of town.

J. E. Swansen is making some needed improvements to his already commodious warehouse.

The Ladies Aid Society of Carlton have a fine quilt and a good comforter for sale; first come first served.

Our genial friend, Ad, is going to send to Mexico for a couple of fine blooded stag hounds. Ad is full of enterprise.

Who said peaches won't grow in Oregon? F. L. Roberts has a tree in his garden just chock full of fine peaches. Next.

Chief William's attention is called to the language of Chief Nathan, he has threatened to set fire to our sidewalk; he will bear watching.

Dr. Kelsey started for Tillamook this morning to look for a location. He may visit his ranch before returning; he may want a few second hand saddles.

There is a lot of woolly sheep running the streets of our town that will come in contact with the train some of these days, if they are not taken in, and the citizens won't be sorry either.

Emil Wagoner run a large splinter in his thumb the other day. The little fellow suffered much until Dr. Kelsey was called and extracted the offensive splinter. Asa says he is now going to get him a second hand diploma and go quacking around.

Died.—In our town, on last Saturday, of congestion of the liver; George Hansen, one of our warehousemen. He was only sick three days. Dr. Calbreath was called and done all that could be done, but was too late to stay the disease. George was an honorable man and will be missed by the entire community.
HAWK-EYE.

Bucklen's Arnica Salve.

The best salve in the world for cuts, bruises, sores, ulcers, salt rheum, fever sores, tetter, chapped hands, chilblains, corns, and all skin eruptions, and positively cures piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box. For sale by J. M. Kelly.

W. B. Carey has completed an addition to his barn.



This powder never varies. A marvel of purity, strength and wholesomeness. More economical than the ordinary kinds, and cannot be sold in competition with the multitude of low test, short weight, cheap, or phosphate powders held out in cheap. ROYAL BAKING POWDER CO., 106 Wall St. N. Y.