

LOCAL AND GENERAL.

McVicker, of Tillamook, was in  
ad of Mr. E. Long, piano  
will occupy the M. E. pul-  
Sunday evening.  
Will preach in the Presby-  
Sunday morning.  
Bradshaw went to Portland  
afternoon on business.  
of equalization will meet at  
Monday, August 27th.  
C. H. Powell, of Astoria, is visit-  
parents, Mr. and Mrs. T. Hus-  
Anderson, of Moor's valley,  
Rev. Burlingame and family this  
Carry, who has been quite sick  
past few days, is getting some  
better and family, of Portland,  
several days visiting relatives here  
Jas. McCain and family returned  
a month's outing in Tillamook  
Tuesday night.  
Huston dropped in on his friends  
Living in the mountains  
to agree with him.  
directors of the auxiliary guild of  
Presbyterian church held a meeting  
church last Thursday.  
Jimmie Green's health has not  
good for a year or more, and he is  
to be failing rapidly.  
W. Briedwell is taking a look at  
country over in Washington terri-  
from Duget sound to Ellensburg.  
public examination of teachers will  
held in the McMinnville public school  
such of August, commencing at 12  
first annual fair of the Yamhill  
fair association will be held at  
ville on September 10th, 11th,  
and 12th.  
Frank Wann and daughter, of  
county, are visiting Recorder Harris  
family. Mr. Wann had an attack of  
a morbus from which he suffered  
children's missionary meeting will  
held in the Presbyterian church on  
Wednesday evening. Singing, recit-  
etc., will be the programme.  
cordially invited to attend.  
first of the week were shown  
the specimens of the genus "spud  
ster Dee Derby. They were mem-  
of the (early) Rose family, and are  
largest and finest potatoes we have  
this year.  
Reid, of the P. & W. V. railway  
gauge) has issued a circular to  
warehousemen, in which he  
company will furnish transporta-  
to Portland as cheap as any other  
and if the O. & C. west side de-  
grain to the various wharves and  
houses in Portland free of cartage  
company will do the same, or at the  
rates as they charge.  
ACCIDENT.—Mr. Horace Hawley  
accidentally shot and killed at Mc-  
Monday afternoon. He had been  
standing on the side-  
near Belt's store, when the gun  
he was holding with the muzzle  
upward slipped from his hands,  
hammers striking the edge of the  
walk and exploding both barrels.  
charges entered the groin leaving a  
hole. He was carried to his  
home, where he died after three hours of  
suffering. He leaves a wife and  
child.  
BELL.—A misunderstanding  
arisen between Cyrus Hinton,  
and Thos. Scriber, renter, in  
Chehalem, about the possession  
harvesting of crops, words brought  
about by Hinton against Scriber  
resulted in a complaint  
with a dangerous weapon.  
Wednesday the accused appeared be-  
Justice Harding, when he waived  
and was bound over in the  
of \$300 to await the action of the  
jury. He furnished the bonds.  
PEACHES.—It is often that  
hears the remark that peaches will  
grow in Oregon, and as often we have  
heard that they will. Mrs. Burbank  
gathered the REGISTER with a basket  
fine, large, luscious peaches of the  
Crawford variety, which were raised  
their place near town. If the poor  
people of the east could see our  
it would be enough to bring thous-  
of them to this state.  
apiece; full blooded Wyandott root-  
Mrs. M. Smith.

To FARMERS.—Messrs Suiter & Daniel  
have completed arrangements with Wm.  
Reid and C. N. Scott, of the narrow  
gauge lines, which enables them to guar-  
antee 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 ad-  
vantage 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 satisfac-  
tion to our patrons. Sacks can be  
bought of us at the market price.  
SUITER & DANIEL.

WILL DIE.—Last Friday Wm. Davis  
and L. Tindle were working with a  
thresher near Ballston, Polk county, and  
some trouble arose about the food furn-  
ished the men by Davis, when Tindle  
called Davis a vile name, which so en-  
raged Davis that he grabbed a stake and  
struck Tindle a terrible blow on the  
head. The blow knocked Tindle insens-  
ible and crushed his skull. When he  
saw Tindle was so seriously hurt Davis  
told the men to take him to the house  
and go for a doctor, and fled to the  
woods. On Tuesday he came out of hid-  
ing and gave himself up to the authori-  
ties. Tindle is growing worse and cannot  
recover.

ON THE MOVE.—This week has wit-  
nessed several changes of base by resi-  
dents of this town. On Tuesday Mrs.  
Boone moved from Dr. Poppleton's house  
into the house with Geo. W. Briedwell's  
family, and Mr. Wilfred Unger moved  
into the house formerly occupied by Mrs.  
Boone. On Wednesday Prof. M. H.  
Parker came from North Yamhill, and  
moved into the house vacated by Mr.  
Unger. Mr. Briedwell will soon leave  
Lafayette, but has not decided yet just  
where he will locate.

FINE FISHERY.—John Thompson, Sher-  
iff Harris, Al, and Frank Fletcher went  
to the mountains last Saturday. They  
caught a fine lot of trout; in fact, Jeff  
says he had all he could carry.

The supreme court of Washington terri-  
tory has decided the woman suffrage  
act invalid. The case will now go to the  
supreme court of the United States.

SEMI-CENTENNIAL.  
The semi-centennial of the organization  
of the First Presbyterian church of Ore-  
gon territory is to be held at Walla Walla,  
W. T., August 17th, 18th and 19th, under  
the auspices of the synod of the Colum-  
bia. This church was organized at Wail-  
latpu mission station August 18, 1838;  
the Rev. H. H. Spaulding was its pastor  
and Marcus Whitman, M.D., its ruling  
elder. On Friday, 17th inst., a historical  
paper, "Spaulding and the Old First  
Church," will be read, and an address  
delivered—subject, "A Political History  
of the New Northwest." On Saturday,  
the 18th, there will be memorial services  
at Whitman's grave and an address de-  
livered—subject, "Memories of Whitman  
and the Hudson Bay Company;" also an  
address—subject, "Marcus Whitman,"  
with "Missionary Reminiscences;" "John  
Huss the Bohemian Reformer;" etc.  
On Sabbath, the 19th, several addresses  
will be delivered by prominent ministers  
and others, bearing more particularly on  
the present work of the Presbyterian  
church on the Pacific coast.

NEWBERG.  
Nice croquet set at the restaurant.  
A first class blacksmith from Portland  
is going to open a shop here.  
Harvey & Perkins have painted two  
fine large signs for Mr. Parrott of Dundee.  
Lewis Hoskins & Co. are going to start  
threshing with their new engine to-  
day.  
Mr. Snodgrass is having a house built  
north of the little white schoolhouse at  
the station.  
The bridge by Abner George's place is  
dangerous. The supervisor should see  
to it before someone goes through.  
Hurray for Newberg! We are going to  
have a fine sign up at the depot, so  
travelers can tell at what station they  
are.  
J. D. Carter is going to build a fine  
residence at the station, Newberg will  
be next in size to McMinnville—if we  
only had a court house.

There was quite an excitement at Hob-  
son's warehouse at noon Monday last,  
which was caused by the hands trying to  
raise a long and large pipe of the engine.  
DUXE.

THE OREGON EDITORS  
SECOND ANNUAL MEETING OF THE PRESS  
ASSOCIATION.

The Oregon press association met in  
convention in the hall of representatives  
at the capitol in Salem, Friday, August  
10th, and was called to order by the  
president, M. L. Pipes, of the Benton  
Leader.

The secretary called the roll and the  
following members responded:

M. L. Pipes, Benton Leader, president;  
Chas. Nickell, Jacksonville Times, secre-  
tary; R. J. Hendricks, Statesman; J. R.  
N. Bell, Roseburg Review; W. H. Farry,  
Statesman; Ira A. Phelps, Medford Ad-  
vertiser; S. S. Train, Albany Herald; J.  
H. Aldrich, Newport News; J. B. Fith-  
ian, Vidette; F. E. Hodgins, retired edi-  
tor; F. C. Baker, state printer and Rural  
Spirit; L. LeMahieu, Oregon City Cour-  
ier; F. S. Harding, Lafayette Register;  
E. P. Thorp, Drain Echo; M. M. Bannister,  
Dayton Herald; W. W. Baker, Rural  
Spirit, Portland; Edw. Casey, Pacific  
Farmer; Fred Lockley, Capital Journal;  
J. W. Webb, Capital Journal; E. C.  
Pentland, Independence West Side; C. C.  
Doughty, Monmouth Observer; Frank  
Davey, Statesman.

Letters regretting inability to be pre-  
sent were received from D. I. Asbury,  
Grant county News; L. Samuel, West  
Shore; A. C. A. Perkes, Portland Journal  
of Commerce; J. A. Douthitt, Ochoco Re-  
view; W. A. Wash, Dallas Itemizer; M.  
G. Munly, Portland Catholic Sentinel;  
Beach & Beach, Lake county Examiner;  
W. F. Benjamin, Roseburg Review; J. F.  
Hallowan, Astorian; Robt. Johnson, Cor-  
vallis Times.

The association adopted a constitution  
and by-laws, after which the following  
resolution was adopted:

Resolved, That the secretary be and he  
is hereby authorized and instructed to  
ascertain the standing and responsibility  
of advertising agents and other general  
advertisers that he may be in doubt  
about, and inform each member of the  
same by circular and draw for the ex-  
pense of the same on this association.

The secretary was instructed to prepare  
a historical sketch of the society, to-  
gether with the constitution, by-laws and  
proceedings, and have 500 copies of  
the same published in the best of style,  
for distribution among the members and  
to kindred associations.

The election of officers resulted as fol-  
lows:

President—J. R. N. Bell.  
Vice-presidents—M. L. Pipes, R. J.  
Hendricks, W. W. Baker, S. S. Train, J.  
P. Wager.  
Secretary—Charles Nickell.  
Treasurer—S. S. Train.  
Sergeant-at-Arms—J. B. Fithian.  
Newport, on Yaquina bay, was selected  
as the place, and the second Saturday in  
August, 1889, as the time of holding the  
next annual meeting.

The chair was empowered to appoint a  
committee of three to draft a bill to be  
presented to the next legislature touching  
the publication of the proceedings of  
county courts. The chair appointed  
Charles Nickell, Frank C. Baker and  
Edw. Casey.

In the evening a public reception was  
given the members of the association by  
the good people of Salem. On the plat-  
form were M. L. Pipes, president; J. R.  
N. Bell, president elect; Governor Pen-  
noyer, Mayor DeLashmatt, Senator  
Slater, Mayor Murphy, Hon. A. Bush  
and Prof. J. B. Horner.

Governor Pennoyer was introduced,  
and on behalf of the state, welcomed the  
association to the legislative hall. His  
address was prepared with care, and the  
large audience listened to it with marked  
attention.

Mayor Murphy in a neat speech assured  
the association of a hearty welcome by  
the city of Salem.

President Pipes responded in a neat  
speech; Prof. Horner read an original  
poem; and the audience was favored  
with some fine vocal and instrumental  
music. But Mayor DeLashmatt's ad-  
dress was the one thing on the pro-  
gramme which pleased all. The meeting  
was a grand success.

SUPREME COURT DECISION.  
F. P. Hembree et al, respondents, vs I.  
R. Dawson et al, appellants.

Rehearing; opinion by Thayer, C. J.

It was claimed upon the hearing of this  
case that the instrument signed by Black-  
burn in the name of Blackburn and Peck-  
ham, by which their copartnership prop-  
erty was attempted to be transferred to  
Dawson, constituted a general assign-  
ment for the benefit of creditors; that it  
was not within the regular course of part-  
nership business, and as Peckham was  
not present when it was executed, and  
did not assent thereto, it was void.

After a thorough consideration of the  
matter, we came to the conclusion that  
the said instrument was only a chattel  
mortgage, and as it was given to secure  
the payment of a bona fide indebtedness,  
the said firm was under to Dawson and  
those he represented it was valid.

Counsel for the respondents upon a re-  
hearing of the case have pressed upon  
the attention of the court the question  
whether the instrument is such assign-  
ment, or is a mortgage, is not material,  
as it was executed against the open pro-  
test and opposition of the partner, Peck-  
ham, and is therefore void. Whether  
the instrument was executed against the  
protest and opposition of Peckham is a  
question of fact, upon which the counsel  
for the respective parties disagree; nor is  
the testimony which bears upon it at all  
conclusive.

There is evidence in the case, which  
tends to prove that Peckham was not in  
favor of securing the Portland creditors  
without securing the farmers for the  
wheat they had stored with the firm,  
which had been shipped and sold, and  
unaccounted for.

This seems to have been the only  
ground of opposition to the mortgage.

Peckham did not pretend, nor do re-  
spondents counsel claim that the  
Portland creditors were entitled to have  
their debt secured.

The parties all acknowledged that it was  
a just indebtedness. Peckham was evi-  
dently willing to secure it, but, either  
through a sense of right, or an apprehen-  
sion that he might be charged with the  
embezzlement of the wheat, insisted up-  
on the security extending to both sets of  
claims.

What the relative merits of the two  
may be is not necessary to inquire, as  
the question raised by the counsel goes  
to the power of a partner to give such a  
mortgage in any case, against the express  
wishes of his copartner.

I do not think any partner would have  
the right to mortgage the partnership ef-  
fects to secure a liability not arising out  
of the partnership transactions against  
the dissent of his copartner; such as the  
liabilities of the individual partner exe-  
cuting the mortgage.

But to mortgage the property of the co-  
partnership in good faith to secure a  
valid existing indebtedness against the  
firm presents a different question.

In the latter case, it seems to me, that  
it would not matter whether the other  
party assented or dissented.

The creditor would have an undoubted  
right to seize and sequester the property  
in order to obtain a satisfaction of his de-  
mands, and I cannot understand why  
one of the partners would not have the  
right to turn it over to him as a security  
therefor, if the other did object to his do-  
ing so.

"By the act of entering into the co-  
partnership," as was said in Wilkins vs  
Pearce, Denio, 544, "each of its members  
become clothed with full power to make  
any and every contract within the scope  
and limits of the copartnership business.  
All such contracts, will therefore, be ab-  
solutely binding upon the several mem-  
bers."

This power is incident to the co-part-  
nership relation, and must exist, in de-  
fiance of expostulations and objections,  
while the relation endures.

If the act of the partner were of such a  
character that it would have the effect to  
dissolve the copartnership or if it related  
to a matter outside of the copartnership  
business, I should regard the question in  
a different light.

Then each of the partners would be  
entitled to be consulted in regard to it  
and have the right to object to its being  
done; but I am not able to conclude that  
a partner, after having tacitly agreed  
that the other members of the firm shall  
have authority to represent it in all co-  
partnership transactions may suspend  
such authority at his own will or caprice,  
especially where the proposed act consists  
of carrying out an obligation which the  
firm is under to a third person.

Such a view does not appear to me to  
be reasonable.

One partner should certainly have the  
right to pay off a debt due a creditor of  
the firm, from its assets, notwithstanding  
the remonstrance of the other partner;  
and I am unable to discover any differ-  
ence in principle in the two cases.

If the authority of a partner to transact

business of a firm, within the scope of  
the partnership, could be abruptly re-  
voked, the agreement which constitutes  
the foundation of the relation would be  
very insecure; it would be in effect that  
each partner should have the authority  
to manage the business of the firm, so  
long as the other members assented to it.  
That, however, is not the nature of the  
agreement; it is, that each of them shall be  
the agent of the partnership, and em-  
powered to conduct its affairs so long as  
it continues. If the rule were as con-  
tended for, an obstinate partner could at  
any time, interpose and prevent the con-  
tinuance of the business however much  
it might affect the credit and reputation  
of the other members.

A partner would certainly have no  
standing in a court of justice, to demand  
that a sale or mortgage of the property of  
the company, made in good faith, in pay-  
ment of, or as security for a bona fide  
debt, due from it should be set aside.  
And if a partner could not enforce such  
relief how could the other creditors of the  
company be allowed to claim that the  
sale or mortgage was a nullity?

If such transactions cannot be upheld,  
honesty and fair dealing must be de-  
clared to be unlawful.

I see no reason for changing the former  
decision of the court in this case, and  
am in favor of redeclaring it.

CARLTON.

J. E. Young will have a nobby house  
when finished.

D. L. H. says he got left on that last  
paper—he was agent for.

Charlie Taylor, of Grass valley, is on a  
visit to his many friends.

George Roberts is at home from Castle  
Rock after an absence of six months.

We have been looking for our cam-  
paign hat for some time. Guess G. C.  
has forgotten us.

The shoemaker has part of the lumber  
for his house on the ground. Dr. Popple-  
ton is furnishing it.

Lost, somewhere in the valley, one  
large painter. A suitable reward will be  
given for his return to D. L. H. or  
Harry S.

Our warehouses are running on full  
time and taking in a fine quality of  
wheat. Farmers report a better yield  
than anticipated.

Dad Collins came out of the mountains,  
the other day feeling firstrate, and says  
he got amply paid for the use of his fry-  
ing pan and kettle.

Our genial friend, Wm. Galloway,  
passed through the other day with a  
funny looking hat on. He held it on  
with both hands as there was a party  
ready to gobble it.

Three runaways in one day this week.  
J. W. Shelton's team took a spin to the  
east with John in close pursuit; it was  
a tight race for a mile and a half. John  
passed some parties in the road and they  
said he was carrying his shoes in one  
hand and crying with the other. That's  
the way Harry tells it. HAWK-EYE.

**A Woman's Discovery.**

"Another wonderful discovery has been made  
and that too by a lady in this county. Disease  
fastened its clutches upon her and for seven  
years she withstood its severest tests, but her  
vital organs were undermined and death seemed  
imminent. For three months she coughed in-  
cessantly and could not sleep. She bought of  
us a bottle of Dr. King's New Discovery for  
Consumption and was so much relieved on tak-  
ing first dose that she slept all night and with  
one bottle has been miraculously cured. Her  
name is Mrs. Lather Lutz." Thus writes Ham-  
rick & Co., of Shelby, N. C. Get a free trial bot-  
tle at J. M. Kelly's drug store. 2

The circus and menagerie is coming.  
The coin it will carry away would go  
far toward making Yamhill homes more  
comfortable the coming winter.

**ROYAL**



**BAKING POWDER**  
Absolutely Pure.

This powder never varies. A marvel of pur-  
ity, strength and wholesomeness. More eco-  
nomical than the ordinary kinds, and cannot be  
sold in competition with the multitude of low  
test, short weights, slum, or phosphate powders  
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