

THE CITY COMES FIRST

It Wins the Suit for Krug's Assigned Collaterals.

MORRISSEY IS A PARTNER.

He Wins More Than He Sued For—Gund Wins a Point Against Ballard—City—Canney Found Guilty.

The city of Seattle has a prior claim in the Edmiston collateral, pledged to secure a part of the shortage of Adolph Krug, ex-city treasurer, according to a decision by Judge J. Edgar Lewis yesterday. The case was that of the Washington National bank vs. J. K. Edmiston et al. and C. G. Perkins as guaranties.

The fund in controversy arose out of the city's settlement with Krug's bondsmen. In return for their payment to the city the bondsmen received a variety of collateral, which was all placed for collection in the hands of C. G. Perkins, J. K. Edmiston, in paying his share to the city, turned in a worthless credit in the Edmiston Security Savings bank, and in order to secure the city for his credit he was reassigned to the city \$2,000 worth of his interest in the collateral.

The contest yesterday was between the Washington National bank, virtue of its assignment, and the city by virtue of its assignment. The court refused to discharge the garnishee, but held the city's claim a prior to that of the bank, and the \$2,000 was paid to the Washington National bank.

MORRISSEY IS A PARTNER.

Entitled to Share Not Only Spring Bed Stock, but the Debts.

Judge Langley yesterday declared D. W. Morrissey partner in the Golden Gate Spring Bed Company, but also held him liable for his share of the debts. Morrissey purchased some time ago an interest in the business. Although a formal bill of sale was made out, it has never been clearly recognized whether Morrissey's interest, which was placed at \$1,000, was that of a partner or simply that of an investor. He received about \$50, and the services rendered about \$100.

He brought suit against A. E. Robinson and E. B. Robinson, who have heretofore constituted the company, to compel an accounting and a recognition of his partnership.

Judge Langley ordered an accounting and also recognized Morrissey as a partner in the company, even to a larger interest than Morrissey claimed; but the court insisted on making his liability commensurate with his interest in the partnership. He said:

"Morrissey can not claim title under the bill of sale without meeting the obligation involved. There is ample proof of partnership, which makes him liable to creditors not for the \$1,000 paid by him, but to the extent of \$1,000, which was his nominal share in the partnership. There must be an accounting, and it must be made on the basis of the bill of sale, which proceeded as usual for a few days." Meaning that the court advised the attorneys on both sides to confer with a view of settling the case without further litigation.

Canney Stole the Blanket.

The jury in the case of Michael Canney yesterday found him guilty of petty larceny in stealing a blanket from Edward Miller. The case was continued from Wednesday, and the only witnesses introduced were Canney and a man named Smith. Canney's story was that the blanket, that he had sold to Miller, was taken to headquarters, but was sent on depositing \$20 cash bail. Carter was charged with assault and battery.

The hearing on the charge of the Glasgow yesterday afternoon, who, after hearing both sides, fined Carter \$10. When Miller was on the stand Carter asked him a number of questions about his relationship with his wife, and asked him if he did not follow her from her rooms in the Bell apartments to the house on Seventh street. Miller said he had been there at Mrs. Carter's request, just to help her out. The judge, in passing sentence, said Carter had no right to assault Miller, but said he approved his prosecution, and told him there was a statute providing punishment for adultery.

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Esplin Satisfied With Thrashing Him—Origin of the Quarrel.

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The case was decided, police headquarters all night and until noon yesterday, when he was sent home by Chief Rogers, no complaint having been lodged against him. Esplin's face was badly discolored from Esplin's blows, and of the two he presented much the worse appearance.

Phillips, Esplin and Bob Elman had been at the Snoqualmie hop ranch. Esplin was field boss of the Indians, and Phillips and Elman as deputy sheriffs, and the ill feeling existing between them sprang up at that place. Phillips and Bob Elman had previously had some words at the ranch, and Elman and Esplin, being warm friends Phillips naturally thought that the latter was "standing in" with Elman, so when they met in the saloon Wednesday night, Phillips, who had imbibed a little too freely, made the remarks that Esplin was leaving him, and he, Esplin, was a native of Canada, 48 years old, and has been in the saloon business in this city for some years.

The physicians' certificate states that Parant has been afflicted with syphilis for about a year; that he is given to aimless midnight wanderings, during which he mutters to himself, now and then becoming violent, and screaming at the top of his voice.

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Carter Asks for a New Trial.

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COAL OR WOOD

Z. C. MILES CO., Inc.

Corner 4th, Between Front St. and Railroad Ave. T. F. DAVIDSON, Receiver.

made more specific as to times and places for the utterances charged against him.

Judge Langley yesterday signed a decree in the suit of Myra J. Williams vs. H. Strangre et al., and establishing title to the plaintiffs.

Judge Langley yesterday, on petition of the Pacific Lumber and Milling Company, gave an order directing G. L. Faust, assignee of George W. Edmiston, to show cause why he has failed to obey the court decree of May 21, 1895, which ordered him to distribute the funds in his hands.

Deputy Treasurer Padden has requested the board of county auditors to transfer the treasurer's office from its present quarters to the rooms of the county assessor, urging that the vacant room now occupied by the treasurer is too small to hold the books of the office.

The Cross Trading Company, in making petition for sale of accounts estimated their value at \$1,000 or \$1,750. The final report of the receiver, E. McKoy, filed yesterday, shows that they were sold to H. McCool for just \$750. Judge Langley gave an order yesterday confirming the sale.

Orders for default were signed yesterday by Judge Langley in the case of Sarah M. Adams vs. H. B. Adams et al., and in the case of John O'Brien in the case of the Mitchell Lewis Stray Company vs. Touker & Denmore, and by Judge Langley in the case of Joseph Rader vs. D. Thomas Deany et al.

Judge Langley signed orders confirming the final estate in the following cases: I. William Adams vs. Margaret Miller et al.; Dora Sellinger vs. E. H. Anderson; J. W. Williams vs. James A. Moore et al.; Washington National Bank of Seattle vs. Helen Donaldson and W. H. McKeown; E. L. Kapke vs. William T. Reed et al.

Emily J. Arnesman wants a divorce from her husband, Alfred Arnesman, on the ground that he has failed to support her. In her complaint filed yesterday she states that the last four years she has had to support herself and her two little children solely from her own earnings. She says she is a widow and for the custody of the children, alleging that her husband is drunken and indolent and unfit for her care.

CARTER OUT FOR REVENUE.

He Breaks Up a Concert in Going After Lotherio Miller.

"Music hath charms to soothe the savage breast," but not the savage breast of A. E. Carter, a dyer of this city, who, almost in the presence of a singing society at 1515 Seventh street, between Pike and Pine, beat W. B. Miller, a printer, on the head with an empty revolver, for alienating the attention of his (Carter's) wife. The noise of the encounter caused a mild stampede among the vocalists and the male singers rushed down to Pike street and informed Officer Powers of the trouble. The two hurried back, but found no trace of Carter. Miller, however, was standing in the door with the revolver in his hand, which he handed over to the officer, saying he and others had taken it away from Carter, who made his escape.

Powers later found Carter at his room on Bell street. He said Miller was the man who broke up his home and estranged his wife from him, and he decided to give her a lesson. A call was sent in for the patrol wagon and both men were taken to headquarters, but were released on depositing \$20 cash bail. Carter was charged with assault and battery.

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Count and County Notes.

Luella Hesser yesterday submitted her resignation as guardian of Rosa Hesser, owing to temporary removal from the state.

Richard Robbins, sued by Louisa Robbins, filed a motion for judgment asking that the complaint against him be dismissed.

LABOR MARKET BRISK

Greatly Improved Demand for Workmen in Many Lines.

FOR MILLS AND LOGGING CAMPS

Scarcity of Hop Pickers Accompanied by Revival in Lumbering—Good Domestic Demand.

The demand for labor is perhaps not an infallible barometer of business conditions, but it is probably as good an index of the state of the country as any other. Demand for workmen increases as does business improve, and when "hard times" come on then do they armies grow. The inability to supply anywhere near the number of men wanted to pick hops this year as compared with the unlimited supply of help last year, would seem to show that the country is not so depressed. Although the conclusion to be drawn from this fact cannot be taken to mean that there are not many idle people in the country, it is a fact that the demand for labor is greatly improved.

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Collector Gleason has been suspicious for a long time that liquor was being sold around North Bend, and when he received word on Monday night from Capt. Gove, who owns the Snoqualmie hop ranch, that such was being done, immediately summoned Deputy United States Marshal Curran and his assistants, and on Tuesday morning found a large number of Indians howling drunk. Capt. Gove received them and gave them all the information he had, and by noon they had the five men under arrest and ready to start for this city. Most of the liquor is made at or about North Bend, and is said to be a most vile concoction. The principal ingredients are corn, malt, hops, copper tacks and alcohol, and is warranted to act quickly.

At the hearing yesterday the principal witness was Alfred Arnesman, employed on the ranch. He said he bought a quart bottle of whiskey from Burns on September 10, and at another time with several others bought a bottle of whiskey from Burns. The bottle he bought from Burns was drunk by the two, and after swallowing a few mouthfuls Burns became communicative and said he sold two bottles of the day before to other parties. The witness exhibited and identified a marked 25-cent piece taken in change from McGivley when the bottle was purchased.

Young Esplin was placed at the ranch by Collector Gleason for the purpose of securing evidence, and the liquor sellers fell in to the net most beautifully. The evidence against the two men was very strong, and they were held to appear in a few days that will bind them over also. This character of lawlessness is not confined to the hop ranch, but the internal revenue office intends to stop the traffic, no matter what the cost is.

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ASTHMA IS CURABLE.

Many Who Called Yesterday at Stewart & Holmes' Drug Store Already Testify to This.

If there was doubt in the mind of any sufferer from asthma in this city as to the truth of the claims made by Dr. Schiffmann's Asthma Cure that doubt no longer remains, providing he was among the many who called at Stewart & Holmes' drug store yesterday and obtained a sample package free. Although many who availed themselves of this physician's offer have not as yet had occasion to test the free sample obtained, a great number who have already tried the same most unhesitatingly declare in positive terms that relief was immediate; that the distressing spasms were relieved and that the expectation was induced; that a reclining position was readily assumed and gratefully maintained; that the sleep which followed was restful and unbroken, and that the morning brought a clear head and a feeling of delighted thankfulness which no words are too strong to describe. It is not pretended that a cure follows the use of the sample, and the most stubborn known to science. But it is asserted positively, and testified to by thousands of sufferers, that the constant use of Dr. Schiffmann's Asthma Cure will not only produce instant relief, but will effectually banish the trouble. This remedy is now on the hands of the most druggists in the United States and is sold in packages at 50 cents and \$1—thus bringing it within the reach of all. No more free samples can be obtained, as the doctor now announces to the public that he will refund the money to any person who, having purchased a package of his drug, finds on giving it a fair trial that it does not do exactly as claimed for it.

of the leading churches and their ministers, particularly the home and foreign missionary work.

Mr. Ohnum was a member of the Clarendon street church, and was a member of the church which is now filled by the celebrated Dr. Gordon, and several times preached from his pulpit.

Mr. Ohnum said last evening: "I have always had a desire to come West, and although I had no thoughts of coming until my recent call, I was particularly attracted by the Puget sound country and had long been desiring to visit it. I consider the call a Divine inspiration, as the events leading up to it were of an almost marvellous nature. I have no fixed plans as to my work in Seattle, but will look carefully into the needs of my congregation and will strictly preach the Gospel of the Bible from first to last, and throughout the entire book."

A FISHING BOAT PICKED UP.

No Sign of the Crew—The Find of the Edith at Point No Point.

The steamer Edith, on the Hood canal route, upon her arrival yesterday at 2:15 brought the news that on the day previous near Point No Point, she had picked up a fishing boat, the crew of which, whether by drowning or some other means, had disappeared.

In the stern of the craft was a large stack of seines, and in the bow a 200-pound anchor. Two oars were in the boat, one in a lock, and it was impossible to tell whether a crew of unfortunate had gone to the bottom. The net unusual rough seas in that locality might lead to any theory for the present. Said the boat in her condition, and it did not appear to have simply gone adrift, because no chains or lines were dragging. There was no name or number to indicate the owners of the craft.

Gund Wins First Point With Ballard.

Judge Gibson yesterday overruled the demurrer which was filed Saturday in the case of George F. Gund vs. the City of Ballard.

The grounds of the demurrer were that the complaint showed on its face that the contract undertaken by Gund was in excess of the ordinance and also in excess of the special fund voted by the city. Gund's contract called for the purchase of a franchise for \$1,200, which franchise, the demurrer set forth, was wholly unauthorized either by the ordinance or by the direct vote of the people.

Pattern fails. Miss Cheasty's opening today.

The city of Topeka will sail for Alaska today at noon. Special cut rates of passage.

The funeral of Charles Francis Eckert, infant son of Mr. and Mrs. Fred Eckert, took place yesterday afternoon from the residence of the parents, 231 West Street, and was quite largely attended.

Tonight at Plymouth church there will be a meeting to hear the reports of the delegates to the State Association of Congregational Churches, which has been in session at Ellensburg, Wash., since Monday. Besides the delegates from this city, there will be present the delegates from the New York, Oregon, and Washington State Missionary Societies. The exercises will be held at 7:30 o'clock.

Rose Zetter, who has probably been before Judge Glasgow more times in the past year than any female in the city, was up again yesterday afternoon on two charges of disorderly conduct, preferred by Detective Phillips. There was also a charge of standing against her, but this was dismissed, as the prosecuting attorney had left the city. The latest charges will be heard on September 22, at 2 p. m.

WHEN MEDICINE FAILS

We positively guarantee to cure all cases of Nervous Debility, Headache, Forgetfulness, Confusion of Ideas, Gout, Dyspepsia, Lame Back, Rheumatism, and all other ailments. We have a new and improved method of curing these troubles, and we guarantee to cure you if we fail. We have a new and improved method of curing these troubles, and we guarantee to cure you if we fail.

know if you are a sufferer and have tried them. ELECTRICITY—which is not a new discovery, but a power which is drawn from the system, and to cure IT MUST BE REPLACED. We guarantee our patient improved. We have a new and improved method of curing these troubles, and we guarantee to cure you if we fail.

BEACHAM'S PILLS

Beecham's pills are for biliousness, bilious headache, dyspepsia, heartburn, torpid liver, dizziness, sick headache, bad taste in the mouth, coated tongue, loss of appetite, sallow skin, etc., when caused by constipation; and constipation is the most frequent cause of all of them.

Go by the book. Pills not and 25¢ a box. Book free at your druggist's or write B. F. Allen Co., 365 Canal Street, New York.

Annual sales more than 500,000 boxes.

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