

CLAIMS YET UNPAID.

WHATCOMB NORMAL SCHOOL CASES GO TO SUPREME COURT.

Knotty Questions of Priority to Be Submitted Today - Contractors' Obligations Exceed the Amount Due Him, and Get of the Creditors Will Get Nothing - Creditors Claimants May Be Shut Out.

Special Dispatch to the Post-Intelligencer. WHATCOMB, April 23.-Some interesting legal questions involved in the settlement of the contractors' claims against the state auditor, together with various exhibits setting forth all the claims filed, in the order of filing, giving the character of each claim, a copy of the contract, a copy of the conditional acceptance of the building and the forms of the various orders upon the board given by the contractor to his various creditors.

It happens that the very first order filed, which calls for \$50, was given as security for an old debt represented by a promissory note given by the contractor and certain relatives and yet it is claimed by a number of attorneys that according to a certain decision of the supreme court in a Seattle contract case this claim must take precedence over just claims for labor and material, being represented, as it is, by the first "order" filed.

If the court so decides, quite a number of the creditors of the contractor, whose claims are in every respect just, will get nothing, as the aggregate of all claims filed is \$1,586,915, while the balance due upon the contract, under the appropriation, with the expenditure of which the present board of trustees has expended only \$64,648.

The trustees, however, have nothing to do with the disbursement of the appropriation last made, as the amount of the claims shall be audited and amount paid out by the state auditor. Exclusive of this amount the entire amount paid out by the contractor for the erection of the building, including all extras recognized by the trustees as coming within the provisions of the contract is \$247,324.

The matter comes before the supreme court upon a writ of mandamus served upon the auditor, asking the recognition of orders given by the contractor as preferred claims, and payment thereof in the order filed to the extent of the funds available.

Under such a construction of the law, Seattle claims to the amount of \$2,000, and a number of others also, would be shut out, except as to their proportion of the "extras" appropriation made by the late legislature.

Another question which the court will be asked to pass upon is whether warrants yet to be issued against the old appropriation must be issued before May 1. It is contended by the attorneys interested, unless it may be by the attorney general, that section 4 of article 3 of the constitution does not apply in this case, and that it has been so decided by the supreme court in the case of the state ex rel. Attorney General vs. John H. McGraw, 13 Washington, 211.

SESSION LAWS OF 1897.

Copies Ready for Distribution by the State Printer.

Special Dispatch to the Post-Intelligencer. OLYMPIA, April 23.-The first copies of the session laws of 1897 have been received at the office of the secretary of state, and hereafter State Printer White will deliver them at the rate of about a hundred a day, until they are all out of his hands.

The clerical force in the auditor's office is sending them to the supreme and superior judges, prosecuting attorneys and county officers throughout the state, who are each entitled to a copy. The laws will then be on sale at the office of Secretary of State Jenkins at \$2 a volume. This is cheaper than they have been selling in former years, but the volume is 123 pages less than heretofore.

The laws were indexed by Judge David Bailey, of Olympia, and B. W. Hays, clerk in the house last winter, and are pronounced by the lawyers who have seen the work very complete and concise.

Corporations Paying Their Fees.

Special Dispatch to the Post-Intelligencer. OLYMPIA, April 23.-The incorporations throughout the state are responding to the new law requiring them to pay a \$10 license fee to the state, none of the large incorporations having protested much against paying. The North-

Money back if you don't like Schilling's Best. Tea and money at your grocer's.

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WORK WILL PROCEED

JUDGE REED DECIDES THE EVERETT COURT HOUSE CASE.

The Fund Placed in the Hands of the Trustees is the Absolute Property of the County-Only Condition Attaching is That the Money Be Expended for the Court House and Jail-Trustees Will Furnish a Satisfactory Bond.

Special Dispatch to the Post-Intelligencer. EVERETT, April 23.-In the case of A. D. Warner vs. F. H. Brownell, brought to court the other day, Judge Reed has given his decision overruling the demurrer to the complaint. The court says that even though it be held that the money in the complaint that the \$30,000 deposited in the Everett National bank was the fruit of the sale of Everett city bonds, that fact can be disregarded and the claim advanced by defendant a valid one, inasmuch as it is unquestionable that upon teaching is that the money be expended for the court house and jail.

It is evident, however, from the contract which the county commissioners signed with the Everett Land Company and the Everett National bank, that they failed to appreciate the fact that this \$30,000 was absolutely the property of the county, and that the Everett Land Company had no voice whatever in directing its disposition, further than that it was expended in the building of a court house and jail, and for no other purpose.

Argument in the Durfee Case. Argument was made by Judge Reed yesterday on the injunction suit out of Schuyler Durfee against the county commissioners to restrain them from issuing \$30,000 bonds to fund the outstanding warrants on the ground that the amount exceeds the constitutional limit.

Appeal Bond Filed. Yesterday was the last day for filing the papers for the appeal of the city marshal contract between Frank Brewer and N. J. Chapman. Gen. Metcalfe filed a new bond to carry the case to the supreme court.

GOOD ANTHRACITE COAL. Satisfactory Tests of Samples From the Great Northern Mine.

EVERETT, April 23.-Recent tests of the coal mined in the mines of the Great Northern Coal Mining and Mineral Company, of Everett, at the mines in Skykomish, made at the laboratory of Abbott A. Hanks, in San Francisco, with the most gratifying results, as follows:

Table with 2 columns: Item and Percentage. Includes Volatile combustibles matter, Fixed carbon, Water, Ash, etc.

SET NETS ARE LAWFUL. Ruling Obtained From the Attorney General of the State.

Special Dispatch to the Post-Intelligencer. EVERETT, April 23.-James Crawford, state fish commissioner, has today issued a general ruling on a question of much importance to the fishermen on the Snohomish river, and in fact, all the rivers emptying into Puget sound and the city harbor, and that is, that they have the right to fish with set nets. It is a great relief to the fishermen to have this liberal construction of the law.

Preparing for Decoration Day. Special Dispatch to the Post-Intelligencer. EVERETT, April 23.-Preparations are being made by the members of John Burford post for the observance of Decoration day. The features of the programme will be the singing of the national anthem, the playing of the bugles, and the drill by the Girls' Flag Corps, which will surpass in beauty and intricacy of evolution the exhibition given last year.

Held for Assault. Special Dispatch to the Post-Intelligencer. EVERETT, April 23.-Marion Cook, who made the murderous assault on Sam Farland a short time since near Harford Junction, had an examination this week at the county jail, and was found to be a very dangerous man for a while, but he has recovered.

New Depot for Silverton. Special Dispatch to the Post-Intelligencer. EVERETT, April 23.-General Manager Crocker of the Everett & Monte Cristo railroad, went to Silverton today to make arrangements for the new depot building there, work on which will begin at once. The railroad company is preparing for the large business already setting in there.

Elegant offices for rent low. Sullivan building.

Children Cry for Pitcher's Castoria.

Paine's Celery Compound.

Best Spring Remedy in the World - It Makes People Well.

There is one true specific for diseases arising from a debilitated, nervous system, and that is Paine's celery compound, so generally prescribed by physicians. It is probably the most remarkable remedy that the scientific research of this country has produced.

NEWS FROM TACOMA. Mayor Orr Takes Up the Work of Purification. Raid Made on Inmates of Questionable Resorts-Young Girl Sentenced to the Reform School-Legal Contest Begun Between the Commissioner of Public Works and the Civil Service Commission - Railroad Men Anticipate Heavy Travel.

Tacoma Bureau of the Post-Intelligencer, 1123 Pacific Avenue. TACOMA, April 23.-Today Mayor E. S. Orr took a hand in the process of purging the city from the low-class dives, which have lately grown to such a number that the old limits in which the unruly elements had been confined had grown too small for them.

Leave your order today for the "P-I." Seventy-five cents per month after May 1.

STRAUB DID NOT FALTER. Continued From Page 1.

United States flag, or any man under its protection. His action was taken only after the receipt of a writ from the sheriff, setting forth the circumstances and stating that he had no personal knowledge of the prisoners to a place of safety.

LEGAL CONTROVERSY BETWEEN CIVIL SERVICE AND PUBLIC WORKS. TACOMA, April 23.-Legal hostilities have again broken out between the civil service commission and Commissioner of Public Works Arvid Rydstrom. The last round in the contest was the Commissioner's Tests, as the attorney for H. Knowles and E. C. Young, flume testers, obtained a temporary injunction restraining Commissioner Rydstrom from carrying into effect the provisions of an ordinance passed Saturday authorizing him to let a contract for the care of the water flume at the Smith farm south of the city.

WILLIAM DEADY'S MURDERER DOES NOT FLY.-Most Successful Hanging at San Quentin. SAN QUENTIN PRISON, CAL., April 23.-Frank Cooney Kloss was hanged at 10:30 this morning for the murder of William Deady over two years ago. The execution was witnessed only by prison officials, physicians and newspaper men.

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Saturday Attractions.

Open Until 9:30 This Evening.

Washable Chamois Gloves. Ladies' 2-Clasp Chamois Gloves, white and natural, washable, At 85c a Pair.



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Advertisement for E. W. Newhall & Co. featuring various clothing items like hats, gloves, and shirts, with prices and descriptions.