

# SEMI-WEEKLY ABERDEEN HERALD

VOL. XVII

ABERDEEN, WASHINGTON MONDAY, MARCH 23, 1903.

54

## FAR REACHING DECISION.

Judge Albertson Rules That Logging Companies Cannot Condemn Right of Way.

Superior Judge Albertson, of Seattle, last week entered an order sustaining the demurrer of the defendants to the complaint in the case of the Healy Lumber Company against Shamus Morris. The decision in effect upsets the supposed right of logging companies in this state to condemn rights-of-way over private land in order to accomplish the delivery of their logs to market, and, if sustained, will be far-reaching in its effects.

In fact, it is admitted by the adverse interests that should the supreme court take a similar view of the law it will become necessary for almost every large logging concern in Washington to organize railroad corporations in order to acquire the power to condemn such rights-of-way. The case will be taken to the supreme court immediately.

In the action the Healy Lumber Company sought to condemn logging ways over the farm of the defendant, situated at Tolt, in King county. The suit was brought under the law of 1899, which permits the owner of any timber or lands upon which timber is situated to condemn logging roads on adjoining lands where no other practical route is available for its delivery to tide water or railroad.

The defendant, through his attorney, Walter S. Fulton, contended that the law of 1899 is unconstitutional in that it permits property to be taken through condemnation proceedings for a private use not authorized by the constitution of this state, which, it was argued, specifically prohibits the taking of property for private use except for private ways of necessity and drains and ditches for sanitary and agricultural purposes. Attorney Fulton argued that a logging right-of-way is not a private way of necessity within the meaning of the constitution, and therefore the law of 1899 is invalid.

This contention was sustained by Judge Albertson in a decision which is far-reaching in its effect. Should the supreme court concur in Judge Albertson's view of the law, logging companies will find themselves greatly handicapped in the matter of the removal of their timber. Millions of feet of timber have been acquired in this state since the passage of the act of 1899, on the assumption that rights-of-way could be condemned over adjoining lands. It is claimed that the court's ruling is well supported by authority, and should it be sustained, the only manner in which the owners of these vast tracts of timber can apply is to secure the adoption of an amendment to the constitution.

## THE TEACHERS' INSTITUTE

is Held This Week in Aberdeen Congregational Church.

The Chehalis County Teachers' Institute met this morning in the Congregational church, and will hold sessions each forenoon and afternoon to and including Friday next.

About one hundred teachers, aside from the Aberdeen corps, are expected to attend, and a most interesting program has been arranged for each session. Under the law, all teachers in the county are required to be present, unless they have a real excuse.

The Aberdeen teachers are the committee on entertainment, and they have arranged for a reception this evening, to which the adult public is invited. On Wednesday evening some of the best local musicians have kindly volunteered to give a concert. Among those who will participate are: Mesdames C. B. Weatherwax, S. M. Anderson, Hal Anderson, and Miss Eula Jameson. The public is invited to attend the regular sessions of the institute, as well as the social functions.

## A MUSICAL TREAT.

A Song and Violin Concert at the Congregational Church.

Prof. Monte Parsons will give a song and violin concert at the Congregational church tomorrow evening, March 24, that will be of interest as well as entertainment to all music lovers.

Prof. Parsons is one of the best vocalists on the Pacific coast, and has been endowed by nature with a remarkably fine tenor voice, that has received the utmost cultivation and training.

His little daughter, Miss Helen, aged 12 years, has already made a name for herself in the musical world as a violinist, and is considered a prodigy by the musical profession.

Miss Margaret Heckner, the well known pianist of this city, will play the accompaniments, so that in all a musical treat is expected. Admission 25 cents. Tickets on sale at Paine's drug store.

Wedding and engagement rings. GOLDMAN, Seattle.

## "Reaping the Harvest."

Don't miss the opportunity of seeing this charming play during its engagement at the Acme opera house, Friday evening, March 27.

From all accounts "Reaping the Harvest" is unquestionably one of the best plays of its class on tour this season. It is not fresh from its New York engagement of 500 nights, but it is really a great play presented by a capable cast and mounted in an elegant manner. The Denver Post of Feb. 16th says:

"Reaping the Harvest" is unquestionably the best play seen at the Curtis Theatre this season, and that seems to be the universal opinion wherever "Reaping the Harvest" is presented.

The story is one of a great human interest, melodramatic in flavor but written with something other than a long list of murders and impossible situations in sight. "Reaping the Harvest" is a clean wholesome story of comedy and sentiment that will justly claim your closest attention, your heartiest laughs, your loudest applause and your warmest words of praise.

## Children's Coughs and Colds.

Mrs. Joe McGrath, 327 E 1st street, Hutchinson, Kan., writes: "I have given Ballard's Horehound Syrup to my children for coughs and colds for the past four years, and find it the best medicine I ever used." Unlike many cough syrups, it contains no opium, but will soothe and heal any disease of the throat and lungs quicker than any other remedy. 25c 50c and \$1.00 at W. B. Paine & Co.

## What's in a Name?

Shakespeare made Juliet say "A rose, by any other name would smell as sweet." That these words are very true in the case of the rose, is not doubted, but its application to other things and conditions is seriously questioned. For illustration: We know that all railroads must have scenery, grand, monotonous or indifferent, but when the "Columbia River Scenery" on the O. R. & N. is mentioned, the traveler will tell you that it is different from any he has yet seen.

All highways pass thriving villages, but when the interesting and renowned Utah cities, Ogden and Salt Lake, on the O. S. L. Ry.; Cheyenne, Denver, Omaha and Kansas City, on the Union Pacific, and names of numerous other cities on this great railroad system, are thought of, comparison does not compare.

Again, all railway lines run trains, but when the famous "Portland-Chicago Special," running daily via the Oregon Railroad & Navigation Co., Oregon Short Line and Union Pacific, is brought to the attention it is known at once that it is the finest and fastest train across the Continent. There is none like it.

When preparing for a trip, remember the significance of these names and get further information from

A. L. CRAIG, G. P. A., Portland, Oregon.

J. R. NAGE, T. P. A., 618 First Ave., Seattle, Wash.

## A Physician Writes.

"I am desirous of knowing if the profession can obtain Herbine in bulk for prescribing purposes? It has been of great use to me in treating cases of dyspepsia brought on by excesses or overwork. I have never known it to fail in restoring the organs affected to their healthful activity." 50c bottle at W. B. Paine & Co.

## Maps Free.

The Illinois Central Railroad office, at Portland, Oregon, has a small supply of nicely mounted wall maps of the United States, 32 by 38 inches, also Cuba and Porto Rico, enlarged. If you will send us ten cents, in stamps, we will prepaid the postage and send you one of those handsome maps, by return mail.

If you intend going east, or know of any one coming west, from any point east or south of St. Paul, Omaha or St. Louis, we would appreciate the opportunity of writing to you or your friends about the details. To say that it is the purpose of this advertisement, but the maps are free. Address B. H. Trumbull, 142 Third Street, Portland, Oregon.

## Reduced Rates from the East.

Commencing February 15th and continuing until April 30th there will be low rates in effect from the East via the Illinois Central R. R., to all Washington, Oregon and Idaho points. If any of your friends or relatives in the East are coming West while these rates are in effect, give us their name and address, and we will make it our business to see that they are given the best possible service. We operate through personally conducted excursion cars, and in fact give you the benefit of the latest conveniences known to modern railroading. We have 15 different routes between the East and the West, and are in position to give you the benefit of the best combinations. Write us and we will give you full particulars.

B. H. TRUMBULL, Com. Agent Ill. Cent. R. R., 142 Third St., Portland, Ore.

## Working Overtime.

Eight hour laws are ignored by those tireless little workers—Dr. King's New Life Pills. Millions are always at work, night and day, curing indigestion, biliousness, constipation, sick headache and all stomach, liver and bowel troubles. Easy, pleasant, safe, sure. Only 25c at Smiths Drug Co.'s drug store.

## GROCERS RESOLVE

That All the Monthly Bills Must Be Paid Promptly.

At the last meeting of the Aberdeen Retail Grocers Association, the following was adopted:

### RESOLUTION.

Whereas, many of the people of Aberdeen whose intentions are the very best and whose motives are entirely honest have fallen into lax and careless business habits with reference to the prompt payment of their grocery bills, frequently allowing said bills to accumulate for several months; and

Whereas, the accumulation of such bills makes their payment much more difficult and thus, many times, working hardship upon the persons owing the said bills, and resulting in great inconvenience and loss to the grocers as well by unnecessarily depriving them of the use of their money, for a time, which is needed in the conduct of their business; and

Whereas, we believe that the following resolution and rules will benefit the buying public equally with the grocers; therefore be it

Resolved, by the Retail Grocers Protective Association of the city of Aberdeen, that the members of the said association agree that all bills due and payable on the 1st, 10th, and 15th of each month, be required to be paid in full before the 20th of the month in which they shall become due and payable; and any person or persons failing to pay their said grocery bills before the said 20th of each and every month shall not be entitled to nor receive further credit from the members of this association. And be it further

Resolved, that the secretary of the Retail Grocers Protective Association of Aberdeen have power to examine the books of each and all members of the association to insure that all delinquents are duly reported; that instead of rendering statement of account on the 1st of the month as has been the custom heretofore, it shall be required that all bills becoming due to the members of said association on the 1st, 10th and 15th respectively, of each month, shall be payable in full on the said respective dates. And be it further

Resolved, that this resolution, rules and agreement be in full force and effect on and after the 1st day of May, 1903.

## JURY TERM

Calendar of the Superior Court at Montesano Next Month.

The regular spring term of superior court will be held at the court house in Montesano, commencing Monday, April 6. The principal criminal cases are that of the State against May Lewis, the Hoquiam woman charged with murder, and the State against Noah Waymire, the Hoquiam railway agent charged with embezzlement. The jury will probably be drawn during this week. Cases have been set for trial as follows:

Monday, April 6—  
State vs. May Lewis; murder.  
State vs. O. E. Dereen; assault.

Tuesday, April 7—  
State vs. Noah Waymire; embezzlement.

State vs. Ralph T. Hart; attempted rape.

Wednesday, April 8—  
State vs. David O'Neill; robbery.  
State vs. Edward Denaney; robbery.

Friday, April 10—  
E. L. Rowe vs. T. Armstrong; damages.  
G. S. Hutcheson vs. C. Smith; damages.

Saturday, April 11—  
N. A. Springer vs. Wishkah Boom Co.  
Weatherwax Lumber Co. vs. J. B. Ray et. ux.

Monday, April 13—  
L. A. Hill vs. Anderson & Middleton.  
J. H. Jackson vs. B. P. Briscoe.

Tuesday, April 14—  
Crech Bros. vs. Bert Morse.

## ELKS ELECT OFFICERS.

Interesting Meeting Friday Night. A New Member Initiated.

At the regular meeting of Grays Harbor Lodge No. 593, B. P. O. E., Friday night, John Hewitt, of Hoquiam, was initiated, and H. A. Hayes elected representative to the grand lodge, with Dr. H. C. Watkins alternate.

The following officers were elected: Exalted Ruler—H. A. Hayes. Esteemed Loyal Knight—W. B. Mack. Esteemed Leading Knight—J. A. Hood. Esteemed Lecturing Knight—G. P. Clerin.

Secretary—George A. Black. Treasurer—W. Eastman. Trustee—John G. Lewis. Tyler—A. A. Brauer.

Wedding gifts, cut glass and silver. GOLDMAN'S, Seattle.

## "Reaping the Harvest."

Resplendent with beautiful scenery, presented by a strong cast in which the author appears at the head, comes that popular play, "Reaping the Harvest," at the Acme opera house, Friday evening, March 27.

While this is the second season of this play, it will be its first visit to Aberdeen, and in lieu of its coming with such splendid endorsements, it is safe to say the engagement will be a profitable one. "Reaping the Harvest" is a grand, powerful story of human emotions which finds its atmosphere in Louisville, Kentucky, on Elmwood Heights with the historical Elmwood drive in the distance. Act third introduces you to quaint old Clarksville, Ohio, in its beautiful autumn dress. The historic Kronk Tavern in this act will be readily recognized by anyone who has ever visited the quaint old town of Clarksville, Ohio. With act four the scene goes back to Louisville, showing the new home of the Larkins' in Poverty Row, the beautiful St. John's Cathedral and the illuminated snow scene of Christmas Eve.

## Along the Water Front

The schooner A. J. West is at the West & Slade mill, loading for San Pedro.

The schooner Alcaldé arrived Saturday at the West & Slade mill, to load for San Francisco.

The schooner Henry Wilson is at the Wilson mill, completing her cargo for San Francisco.

The schooner Falcon arrived at the West & Slade mill, Friday, and is loading for San Francisco.

The schooners Wawona and Novelty are at the Anderson & Middleton mill, loading for San Pedro.

The schooner James A. Garfield sailed from the Anderson & Middleton mill Friday for San Francisco.

The schooner Resolute is loaded at the West & Slade mill, ready to sail for Sidney, New South Wales.

The schooner Jennie Thelin arrived in port Friday, and is at the West & Slade mill, loading for San Francisco.

The schooner John F. Miller arrived in port Friday, and is loading at the Anderson & Middleton mill for San Pedro.

The schooner Espada is still anchored at Cow Point, waiting for a high tide to cross that bar, with a cargo of lumber from the Aberdeen Lumber & Shingle mills, for Manila, P. I.

## More Riots.

Disturbances of strikers are not nearly as grave as an individual disorder of the system. Overwork, loss of sleep, nervous tension will be followed by utter collapse, unless a reliable remedy is immediately employed. There's nothing so efficient to cure disorders of the Liver or Kidneys as Electric Bitters. It's a wonderful tonic, and effective nerve and the greatest all around medicine for run down systems. It dispels Nervousness, Rheumatism and Neuralgia and expels Malaria germs. Only 50c, and satisfaction guaranteed by Smiths Drug Co., druggists.

## For Sale or Exchange.

1440 acres of unimproved prairie land in Holt county, Northeastern Nebraska, 60 miles from the Missouri river. Will grow corn, wheat, oats, rye, alfalfa or bluegrass. This land was bought for investment or speculation and lays in tracts from 81 to 150 acres each, right size for ranch or farm.

All clear, good title, will exchange any part or all for improved or unimproved Washington or Oregon property. Address A. B. NEWELL, Seattle, Washington. Box 818. 1m-F

## READ IT THROUGH.

"'Twould Spoil This Story to tell it in the Headlines.

To use an eighteenth century phrase, this is an "o'er true tale." Having happened in a small Virginia town in the winter of 1902, it is a story very much of the present. Up to a short time ago Mrs. John E. Harmon, of Meila Station, Va., had no personal knowledge of the rare curative properties of Chamberlain's Cough Remedy. "Last January," she says, "my baby took a dreadful cold and at one time I feared she would have pneumonia, but one of my neighbors told me how this remedy had cured her little boy and I began giving it to my baby at once and it soon cured her. I heartily thank the manufacturers of Chamberlain's Cough Remedy for placing so great a cure within my reach. I cannot recommend it too highly or say too much in its favor. I hope all who read this will try it and be convinced as I was." For sale by All Druggists.

## Boats and Boat Building.

N. A. Springer is again in business at his new place foot of Wishkah street. Estimates on and contracts taken for building boats of any description. Boats for rent. Parties wishing them on Sunday's will engage in advance. 47-1m



SAVE THIS CUT, you get the part to make a complete wolf, with each dollar purchase. The person having the largest number of complete wolves by August 31, 1903, at 6 p. m. gets

\$100.

The second largest number

\$25.00

JUST RECEIVED Spring Shirt Waists and Ladies' Tailor Made Suits.

**GEO. J. WOLFF,**

NOTICE

**Crowded for Room.** Must have space for the Spring Shipment of the **STEIN BLOCK CO. CLOTHING** which will arrive shortly. Will offer clothing at a big reduction during this month **25 per cent DISCOUNT** on **MEN'S SUITS, PANTS AND OVERCOATS.** **DON'T MISS THIS OPPORTUNITY.**

**GEO. FISHER,** 16 HERON STREET

**BECKER BROS.**

STAPLE and FANCY GROCERIES...

Entire New Stock. Prices Right.

Hay Flour and Feed.

G Street, next to postoffice. Tel. 745.

**DR. O. N. SULLIVAN, Oculist-Optician.**

Fits glasses to correct all defective eye sight. Cross eyes made straight without the knife. Headaches cured when from the eyes.

Office Todd's Pharmacy, Aberdeen, March 26 to April 2nd, Elma Hotel, Elma, March 22nd to March 26th.

**TO PROPERTY OWNERS**

If you have anything to sell or rent, or if you wish to invest in the best realty on Pacific Coast, from a money making point of view, Call or write.

**R. J. HILTS & CO.,**

49 G. STREET. TELEPHONE 934. Aberdeen, Washington.

**Pretty Things in Chairs.**

Some of the best values you ever saw and not a bit of doubt about the attractiveness of the price. Take any one of them and you'll find it full of good points.

**Look about and you'll discover** something that will be of much interest that you can own if you like

**J. S. COXEY,**  
Furniture and House Outfitter  
60 Heron St. Telephone 685.

**THE UNIVERSAL RANGE**

is universally admitted to be the best COOKING MACHINE MADE.

We carry these ranges, in sizes to suit the newest married couple, or the largest logging Camp, and the prices are right too.

Bread Pans, Bread Rasiers, (Have you seen them?). Japanned Bread and Cake boxes.

If there is anything that should be in the stock of a first-class Hardware Store that you cannot find here, we will be glad to know it, and guarantee that it will be on our shelves the next time you call

**WM. GRIGGS,**  
THE HARDWARE MAN.  
25 HERON ST. Tel. 491.