

## HOP CONTRACT SUIT.

## Rancher Asks for an Injunction Against Sheriff.

## MRS. PAYNE WANTS A DIVORCE.

## Judge Osborn's Court Takes a Recess In Respect to Colonel Haines—The Blotter and Trial Calendar.

James Montgomery, of Enumclaw, a hop rancher, applied for an injunction yesterday to restrain Sheriff Woolery from selling \$3,500 worth of hops stored at Enumclaw, the ownership of which is in dispute. The sheriff's sale is set for January 11, 1892, and the restraining order will be heard next Thursday.

Montgomery, in his application, states that he made a contract on July 27, 1891, to sell his crop of hops when gathered to Bors Bros., of New York. During the summer they advanced \$1,000 as part payment and took a mortgage upon certain property belonging to Montgomery to secure the fulfillment of the provisions of the agreement. Later on the hop dealers alleged that the mortgage was incorrect as to the description of the property and they secured another one describing other tracts. On Thursday last they seized the hops and unless enjoined will sell them on January 11. Montgomery wants the original contract and one of the mortgages to be declared null and void and the other mortgage to be corrected and asks that he be given possession of the hops and the privilege to sell them to whom he pleases.

## MRS. PAYNE WANTS A DIVORCE.

She gave up a pension for a cruel husband. Amanda M. Payne brought suit yesterday for divorce from her husband, George W. Payne. She alleges that they were married on July 29, 1891, and that at that time she was receiving \$8 per month pension as the widow of a deceased soldier. The marriage was not a happy one according to Mrs. Payne's story. She says that her husband has treated her in a cruel and inhuman manner, rendering her life a burden. She says that on the night of December 30, 1891, he called her a prostitute and cursed and abused her in the presence of another, to her exceeding shame, and that on the night of December 27, 1891, he accused her of unchastity and assaulted her by seizing her by the throat and choking her. All his accusations, she says, are untrue, and she wants a divorce. A hearing on the motion for alimony will be given on January 5.

## MOTIONS GO OVER.

## Judge Osborn Takes a Recess Upon Hearing of Colonel Haines' Death.

Only one department of the superior court, that presided over by Judge Osborn, was in session yesterday afternoon when the definite news of the death of Colonel J. C. Haines was received. The news was brought in and announced by Trusten P. Dyer at 2:10 o'clock in the afternoon. Upon the announcement being made Attorney W. Stewart moved that court adjourn until Monday. The motion was seconded by T. P. Dyer, and Judge Osborn was about to put it to a vote when Will H. Thompson offered as an amendment that a recess be taken until Monday. The amended motion carried and a recess was taken, all of the afternoon motions going over to Monday.

## Denny Hotel Company Gets Judgment.

Judgment by default was rendered yesterday against C. H. Kittinger in favor of

the Denny Hotel Company for the payment of the defendant's subscription to the capital stock of the company. This is one of the several suits of a like nature pending against the original subscribers to the hotel stock.

## New Suits Filed.

The following new suits were filed in the superior court yesterday: F. A. Stewart vs. John A. Friedrich et al.—Foreclosure of mortgage. J. Fairfield vs. Joseph Gavin—Suit for rent and damages. James Montgomery vs. James H. Woolery—Application for injunction. First National Bank of Slaughter vs. A. E. Greenfield et al.—Suit on promissory note for \$200.

First National Bank of Slaughter vs. L. F. Thompson and C. H. French—Suit on promissory note for \$1,500.44.

First National Bank of Slaughter vs. W. J. Fife and W. H. Fife—Suit on promissory note for \$200.

Charles Langert vs. Cascade Fire and Marine Insurance Company—Suit for \$700 insurance.

Amanda M. Payne vs. George W. Payne—Suit for divorce.

Carlock & Nicholas vs. James H. Fordham—Promissory note for \$255.

Alexander Olson vs. Oscar Hanson—Foreclosure of mortgage.

South Park Land and Improvement Company vs. Hiram L. Van Brocklin and H. H. Ames—Damages of \$200 for obstruction of road.

## THE BLOTTER.

SUPERIOR COURT—LITCHENBERG, J. Amanda M. Payne vs. George W. Payne—Hearing on motion for alimony set for January 5.

Nattie Bowers vs. W. L. Bowers—Plaintiff's motion for default granted.

John Buchanan et al. vs. Hiram Lumber Company—Defendant's motion for judgment by default granted.

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## HARDEE'S MINE DEAL.

## He Claims That Owens' Drafts Were His Commission.

## OWENS' LETTER NOT RECEIVED.

## Principal and Agent Give Contradictory Versions of the Transaction—The Hearing Continued.

John F. Hardee, who was arrested December 22 on a warrant sworn out by H. K. Owens, the civil engineer, charging him with larceny by embezzlement, was given a hearing before Justice Von Tobel yesterday. At 5 o'clock last evening the examination was not concluded and a continuance was granted until Monday morning at 10 o'clock.

According to Mr. Owens' story he met Hardee some time in October and had a conversation with him about a mine in the Kootenai country, near Ainsworth. Hardee said that the mine, which was owned by E. Harrop, contained a rich deposit, and that Harrop was anxious to bond it with a view to selling it. After some correspondence with Mr. Harrop, Mr. Owens' concluded to purchase the bond, the price being \$1,000. He engaged Hardee, who posed as a mining expert, to examine the mine and to act as his agent should a deal be made. He gave him \$1,000 in drafts—one \$500 draft and two others for \$250 each. He went to Ainsworth with Hardee and remained a few days, and then went away. He afterward wrote to Hardee telling him that he did not wish to buy the bond on the mine and to not to turn the draft over to Harrop. He never heard from Hardee until the news came that Harrop had been given the drafts; that he had indorsed them, taking \$500 and turning over to Hardee \$500. Mr. Owens declared that it was a cold-blooded steal.

On the stand Hardee told at length the business relations that had existed between himself and Mr. Owens. He said: "I became acquainted with Mr. Owens several months ago. One day I returned from British Columbia, and, meeting Mr. Owens, told him that I knew of a mine near Ainsworth which the owner, E. Harrop, was anxious to bond. He wrote to Harrop, and Mr. Owens engaged me to act as agent for him. I was to take an interest in the mine, and for handling his interest I was to receive a commission and have all of my expenses paid."

I went to Ainsworth and saw Harrop. I arranged privately with him to receive a commission should I succeed in making a deal for the sale of his property. Of course I didn't tell Mr. Owens about that.

Well, I didn't hear from Owens at all. If he wrote to me I didn't get the letter. I closed the deal by buying the bond on the mine with the \$1,000 which Owens gave me. It was Owens' money and I acted for him. I then asked Harrop about the commission he had promised me. He said he had not forgotten it, and he gave me \$500 and kept the other \$500 himself.

Hardee was not cross-questioned. When he had finished his story the case was continued until tomorrow morning, when he will be put on the stand again.

## THE TEACHERS' CONVENTION.

Creditable Showing of Seattle and Ballard Schools—School Notes.

Superintendent Barnard, of the city schools, is enthusiastic over the results of the recent convention of the Washington State Teachers' Association at Fairhaven. The Seattle schools took a prominent part in the meeting, and their exhibit attracted a great deal of attention and praise.

Among its best features were the drawing and crayon work and clay modeling by pupils under the instruction of Miss E. S.

Small. Another thing that added materially to the entertainment of those who attended the convention was a physical culture drill given by sixteen grammar grade pupils of the Seattle schools in the Fairhaven open-house. The class consisted of eight boys and eight girls, clad in neat uniforms, who had been thoroughly trained by Miss Goodrell, the instructress in physical culture. The entertainment was pronounced a splendid success by some of the best educators in the state, who were among those who witnessed it.

Count School Superintendent V. A. Pusey, who returned on New Year's night, was also highly pleased. He said: "The gathering was a very enjoyable one and was a success in every way. The Ballard exhibit escaped mention in the published reports, though it was almost as good as that of Seattle, and was consequently a very creditable showing."

"There were in attendance about 200 teachers from various portions of the state. There were a good many more not enrolled who attended merely as visitors. The teachers all left Fairhaven New Year's eve, some coming down on the Premier, others on the City of Seattle and still more by rail."

A new school has been opened at Latona, in charge of Miss Beatrice Evers. Miss Schofield has been transferred from the Columbia to the Mercer school.

The position vacated by Miss Mary Brown is being temporarily filled by Miss Allis.

## BREVITIES.

License to wed were issued yesterday for Olaf Halling and Florence Branning, both of Tacoma.

B. Jelich, of Olympia, was received at Providence hospital yesterday, suffering from the grip.

At Providence hospital yesterday five patients were received and one discharged. At Grace one was received.

Mrs. L. Morrison, of Mount Vernon, was discharged from Providence hospital yesterday after a serious illness.

The spring term of the Seattle Female college will begin January 6. For information apply to W. W. Beck, Lavenua park, Wash.

John Burns and W. H. Ellis, petty larceny thieves, were sentenced to thirty days each in the county jail yesterday by Judge Rivers.

James Parker was arrested last night on a second-hand clothing dealer on Pike street.

A. Ho, who was arrested several days ago, charged with being illegally in the country, was sent back to British Columbia by Commissioner Kiefer yesterday.

D. Gilroy was arrested on suspicion yesterday morning by Officer Osborn, and was on his way to the county jail yesterday.

The city mission has fallen in debt to the amount of \$30 in running its free meals kitchen, and the management earnestly begs of the charitable to come to the rescue.

Health Officer Spelling swore out a warrant yesterday for the arrest of John Doe, a street peddler, on a charge of selling wormy prunes.

The case will come up before Judge Rivers in the municipal court next Tuesday.

James Mulligan and Frank Guy, aged 31 and 41 years respectively, were arrested at 11:25 o'clock last night by Officers Corbett and Thom on a charge of fighting. Guy was discharged from the city jail yesterday morning.

Notice to Members of Order of Railway Conductors.

Grand Chief Conductor Clarke has called special meeting of Mount Tacoma Division, No. 249, for Monday, January 4. Time of meeting will appear in Monday morning's Tacoma and Seattle papers. All members are requested to attend.

THOMAS BROWNLEE, C. C.

Business Men's Jubilee.

"Our jubilee was one of the finest entertainments the city of Shennadoah ever had. We procured the largest opera-house in the city and it was crowded. We realized \$400. The entertainment is a capital one."

REV. S. B. FRIDLEY, Shennadoah, Pa.

## CITY BUOYS WANTED.

## Port Warden Calls Attention to an Urgent Need.

## A DEAL HALF CONSUMMATED.

## City Advised to Sue O. I. Co.—Damage to the Virgil Price Still Unsettled—Water Front Notes.

Port Warden Rogers, in his annual report, urges the city council to have some good buoys placed in the harbor in forty fathoms of water and establish a nominal rate for their use by vessels. He says the lack of good buoys in this harbor has been a great inconvenience to vessels loading here. He also urges the board of public works to get out an injunction to prevent the Oregon Improvement Company from repairing the ship at the foot of Jackson street. It appears the Oregon Improvement Company, after the fire, agreed to sell the improvements on this ship to the city at a nominal rate, provided the company was allowed to use the foot of Main street as a dock between its two wharves.

The city never bought the improvements, however, and Captain Rogers says the Oregon Improvement Company has taken in more wharfage from that ship than he has from all the city slips put together, because it was more convenient. Now, he says, it has become dangerous, and the city proposes to repair it, and he thinks this should not be permitted, as the street belongs to the city, and all the business can be done on the other city slips.

## VIRGIL PRICE ON THE WAYS.

The wreck of the tug Virgil Price was placed on the marine ways at the dry dock Friday evening, but no satisfactory adjustment of the loss has yet been made.

Port Captain Rathbone, of the Union Pacific, said last evening that he expected to reach an understanding with Captain T. N. Price, the owner of the tug, very soon, and, if not, the company would go ahead and repair her.

The damage is variously estimated from \$1,500 to \$2,500 by those who viewed the wreck as it lay on the ways. The bow was cut off just forward of the house as clean as though she were an apple box. The balance of the hull seems to be but little damaged aside from the stem and guards being smashed in several places by the cables used in raising her. The rudder stock is broken off, and the house is completely demolished. Her machinery is all right aside from the little damage it sustained by lying in the salt water.

## OLYMPIAN IN PREMIER'S PLACE.

The "Hoodoo" Lifted by Capt. O'Brien Saving a Man's Life.

The steamer Olympian will take the place of the Premier on the Whatcom route while the latter is laid up for repairs. Those who have been talking about the Premier being "hoodooed" now say that the Olympian will lift the "hoodoo."

Captain O'Brien did his best to do this himself on his last trip, for when the vessel put into the Schome dock on her last trip on New Year's eve, he rescued John M. Cohn, who had fallen from the wharf and had been hanging to a pile for half an hour.

Building a Light-Draft Steamer. J. J. Holland began the construction of a new stern-wheel steamer yesterday morning for Messrs. Shepard, Henry & Co.

When finished she will be called the Florence Henry, and her dimensions will be seventy-five feet long, eighteen feet beam, and four feet hold. She will be of light draft—drawing only fourteen inches of water. Mr. Holland is putting in two arc lights and expects by working night and day to have the boat finished in twenty-five days. In about a week he also expects to begin the building of another steamer.

## The Bark Venezuela in Distress.

SAN FRANCISCO, Jan. 2.—The brig Courtney Ford sends word from Willapa harbor that she passed the British bark Venezuela, from Yarmouth, at sea in distress. She was short of provisions, and the Ford gave her a small supply.

[The Venezuela left Callao October 19, and is supposed to be in the vicinity of the Columbia river. She is of 34 tons burden and commanded by Atley.]

## The State of Indiana Disabled.

BOSTON, Jan. 2.—The British steamer State of Indiana, from New York, December 29, for Bristol, England, with a cargo consisting chiefly of grain, flour, lard and oil cake, arrived at this port today in distress and reports that she was disabled in a heavy storm encountered on December 23.

## Shipping Intelligence.

SAN FRANCISCO, Jan. 2.—Cleared—Brh Angeroa for Victoria; bk Richard for Nanaimo. Sailed—Stmr Columbia for Astoria; stmr Point Loma for Gray's Harbor.

SAN FRANCISCO, Jan. 2.—Arrived—Stmr Hattie Gage, from Sitka via Port Townsend. Departed—Bk Richard III, for Nanaimo; Br strm Quadra, for Victoria.

## Ship Frankenstein Disabled by Storm.

PORT TOWNSEND, Jan. 2.—[Special.]—The British ship Frankenstein, loaded with wheat from Tacoma for England, was towed back from the cape this morning in distress by the tug Wanderer. She lost her main topgallant yard in the recent blow.

## WATER FRONT NOTES.

Tug Violet went up the Snohomish after a scow.

Tug Wasp went to Lowell with a scow of machinery.

Steamer Grace broke down again yesterday, and tug Mystic took her run.

The Seattle Dry Dock and Ship Building Company is building an addition to the dry dock wharf.

Steamer Wasco will be in shape to resume her run today. She leaves for Whatcom at 8 o'clock this morning.

Steamer Francis Cutting was brought around from Salmon bay to Smith's cove yesterday. She will probably soon begin fitting out for her cruise to Alaska.

Steamer Mabel left with eighteen tons of freight and a big load of passengers for Port Gardner, Everett and Snohomish yesterday. The cut rate appears to have greatly increased her passenger business.

Steamer Premier is laid up in Tacoma to have a new wheel put on. Port Captain Rathbone said the route would be covered, though he did not think the Schome would cover it alone. It is not known yet what arrangements will be made to cover the run.

Several members of the crew of the schooner Alice Cooke, loading at Port Ludlow, came in yesterday, and reported having been discharged for refusing to work New Year's day without extra compensation, owing to the fact that it was a legal holiday.

Steamship City of Puebla arrived in port from San Francisco at 12 o'clock last night, having made the trip in sixty-one hours, after stopping at Victoria and Port Townsend. This is one of the quickest trips on record. She had a pleasant trip up, though a little rough at times.

STRUCK BY A FALLING LIMB. A Sawyer Has His Nose Broken on Mercer Island.

John McCloud, a young man about 25 years of age, employed as a sawyer in J. L. Taylor's logging camp on Mercer island, was taken to Providence hospital last evening suffering from a serious wound in the face inflicted by a falling limb.

McCloud was engaged in sawing a tree about noon yesterday when a limb, about three feet long and four inches in diameter, which had been broken from the main trunk, fell and struck him on the nose, breaking the bridge, cutting the flesh of both cheeks and throwing him to the ground in an insensible condition.

The efforts of the men about the camp to revive him were unsuccessful for three hours and during that time on several occasions he was thought to be dying. As there was no physician in the vicinity, Mr. Taylor and his son took the tug Abe Perkins, with which they were towing logs, crossed Lake Washington and came to the city for surgical assistance. They were unsuccessful in getting a physician to go to the camp, so Mr. Taylor returned alone and brought McCloud to Providence hospital, where Dr. Rufus H. Smith extracted a piece of bone from the smashed nose and dressed the bruised flesh.

McCloud will be slightly disfigured and find some difficulty in breathing through his nose.

## Eastern Wool Market Dull.

C. L. Hibbard returned from the East yesterday after a month's stay in Boston, New York and other Eastern cities. He reports business generally a trifle dull, the hide and wool market being especially quiet. He says there are millions of pounds of wool stored in Boston on account of the dull market. The weather East was fine when he left, but as he came West he found more snow and colder weather until reaching the mountains.

## Accident to Courthouse Flag.

While the big flag was being hoisted at half-mast on the pole at the courthouse yesterday, as a sign of respect to the memory of Colonel Haines, the halyard broke and let the flag fly out in the street and drop in the mud. The pole is 145 feet high, and a man will have to climb it today to put the halyard through the pulley again.

## Snow in the Mountains.

Sheriff Woolery and Deputy Sheriff Holden returned yesterday from Walla Walla, where they went to take Glacier and "Crown Oil" Miller to the state penitentiary. At Easton, on the way back, they saw eight feet of snow on the level.

## CARPETS

## ORIENTAL RUGS.

Just Received a large line of Irish Flannel, Curtains, Dotted Swiss Muslin for Sash Curtains. We are headquarters for Window Shades, Linoleum, Oil Cloth, Etc.

DAULTON, CARLE & CO., Successors to GRAHAM & DAULTON, [BOSTON BLOCK SEATTLE.

## WINDING UP THE ESTATE

OF

# Chester Cleary

AT 8:00 O'CLOCK on Thursday afternoon word was received from the creditors to close out the entire stock at once regardless of cost or value as the prices only convey a vague idea of the grand bargains awaiting the public on the reopening of the store Monday morning, January 4:

33-inch Cashmeres, all colors, reduced from 25c to 10c per Yard.  
36-inch Plaid Dress Goods, reduced from 25c to 10c per Yard.  
33-inch Worsted Plaids and Stripes, reduced from 35c to 15c per Yard.  
Surah and India Silks, former price 50c and 75c per Yard, reduced to 25c per Yard.  
Standard Prints, full assortment, reduced to 3c per Yard.  
Belfast Crash, pure linen, reduced from 12½c to 5c per Yard.  
Best grades English Sateens, reduced to 5c per Yard.  
All best French Sateens, reduced from 35c and 40c to 10c per Yard.  
60-inch Satin Table Damask, strictly all linen, reduced from 75c to 25c per Yard.

Extra Large White Bed Spreads, reduced from \$1.50 to 75c each.  
Full regular size White Bed Spreads, reduced from \$1.25 to 50c each.  
Our 10c Bleached Canton Flannel, reduced to 5c per Yard.  
Best quality Zephyr Yarns, complete assortment of shades, reduced to 1c per ounce.  
Twenty bales heavy Bed Comforters, regular price \$1.00, reduced to 45c each.  
Turkish Towels, reduced from 20c to 10c each.  
Turkish Towels, reduced from 25c to 12½c each.  
Turkish Towels, reduced from 30c to 15c each.  
Turkish Towels, reduced from 37½c to 22½c each.

To avoid the big afternoon rush we would suggest to the patrons of this Great Sale to do their shopping as early in the forenoon as possible. Positively no wholesale customers waited on after 10:00 a. m.

WANTED---CASH BOYS AND SALESMEN. APPLY AT STORE BEFORE 9:00 A. M.