

No. ~~86107-0~~

THE SUPREME COURT
FOR THE STATE OF WASHINGTON

CARL GEORGE JAEGEL and WAVERLY JONELL JAEGEL,

Appellants,

v.

STATE OF WASHINGTON and SKAGIT COUNTY,

Respondents.

SKAGIT COUNTY'S RESPONSE
AND
MOTION FOR COSTS INCURRED DUE TO FRIVOLOUS APPEAL

CLERK

2011 DEC -6 AM 8:45

STATE OF WASHINGTON

E

RICHARD A. WEYRICH
Skagit County Prosecuting Attorney

A. O. DENNY, WSBA #14021
Deputy Prosecuting Attorney
Attorney for Respondent

Skagit County Prosecuting Attorney
605 South Third Street
Mount Vernon, WA 98273
(360) 336-9460

ORIGINAL

TABLE OF CONTENTS

Table of Contents..... i

Table of Authorities ii

I. Nature of the Case and Decision1

II. Issues Presented for Review.....2

III. Analysis2

 A. Standard of review.2

 B. Because Jaegels’ alleged status is not relevant to the
 taxation of their property, dismissal of their complaint
 was proper.3

 C. Jaegels’ gambit to deprive the Skagit County superior
 court of jurisdiction is not supported by authority or
 reason.6

 D. Jaegels’ appeal is frivolous and warrants sanctions.....14

IV. Conclusion.....17

TABLE OF AUTHORITIES

Cases

<u>Burton v. Lehman</u> , 153 Wn.2d 416, 103 P.3d 1230 (2005).....	3
<u>Cowiche Canyon Conservancy v. Bosley</u> , 118 Wn.2d 801, 828 P.2d 549 (1992).....	7
<u>Ensley v. Pitcher</u> , 152 Wn. App. 891, 222 P.3d 99 (2009).....	7
<u>Fondren v. Klickitat County</u> , 79 Wn. App. 850, 905 P.2d 928 (1995).....	3
<u>Gash, Wooding, and Taylor, the Board of County Commissioners of King County v. Davies and Wood</u> , 1 Wash. 290 (1890).....	12
<u>Gaspar v. Peshastin Hi-Up Growers</u> , 131 Wn. App. 630, 128 P.3d 627 (2006), <i>review denied</i> , 158 Wn.2d 1029, 152 P.3d 1033 (2007).....	2
<u>Greenlaw v. United States</u> , 554 U.S. 237, 128 S. Ct. 2559, 171 L. Ed. 2d 399 (2008).....	7
<u>Lilienthal v. Wright</u> , 1 Wash. 1 (1890).....	12
<u>Lutz Tile, Inc. v. Krech</u> , 136 Wn. App. 899, 151 P.3d 219 (2007), <i>review denied</i> , 162 Wn.2d 1009, 175 P.3d 1092 (2008).....	15
<u>Martin v. Whitman County</u> , 1 Wash. 254 (1890).....	12
<u>Poindexter v. Greenhow</u> , 114 U.S. 270, 5 S. Ct. 903, 29 L. Ed. 185 (1885).....	11
<u>Rhinehart v. Seattle Times, Inc.</u> , 59 Wn. App. 332, 798 P.2d 1155 (1990).....	14
<u>Smith v. State</u> , 135 Wn. App. 259, 144 P.3d 331 (2006).....	7

<u>Troxel v. Granville</u> , 530 U.S. 57, 120 S. Ct. 2054, 147 L. Ed. 2d 49 (2000).....	13
<u>Waples v. Yi</u> , 169 Wn.2d 152, 234 P.3d 187 (2010).....	9
<u>Yurtis v. Phipps</u> , 143 Wn. App. 680, 181 P.3d 849, <i>review denied</i> , 164 Wn.2d 1037, 197 P.3d 1186 (2008).....	14

Statutes

RCW 84.36.005	4
RCW 84.40.020	4
RCW 84.40.030	4

Other Authorities

Black’s Law Dictionary	5
<u>Glacier Village-Eatonville LLC v. Dale Washam</u> , <u>Pierce County Assessor-Treasurer</u> , Board of Tax Appeals no. 08-148, Final Decision (October 30, 2009)	5

Rules

CR 4(b)(2).....	9
RAP 10.3(a)(6).....	7
RAP 18.9(a)	14, 17

I. NATURE OF THE CASE AND DECISION

Jaegels filed a complaint seeking (1) a declaration that RCW 84.56.010, .020, .050 and RCW 84.64 were unconstitutional as applied to them and (2) an injunction barring the assessment and collection of property taxes on property they owned in Skagit County. Record at 5-23.

The county and state separately filed answers, Record at 93-95, 190-93, and motions for judgment on the pleadings under CR 12(c). Record at 96-189, 194-266.

Jaegels did not file a response. Instead, they filed a “Notice” asserting the county and State had acted in concert with the “STATE OF WASHINGTON SKAGIT COUNTY SUPERIOR COURT a.k.a. IN THE SUPERIOR COURT FOR SKAGIT COUNTY, WASHINGTON” to “convert” their complaint “into what appear[ed] to be a security, which was sold into the international marketplace. Record at 80-86. In effect, Jaegels asserted a belief that the court did not have jurisdiction to hear and decide the county and state’s CR 12(c) motions.

On August 12, 2011, the court heard argument on the county and state’s motions and then issued its orders dismissing their complaint. Record at 272-73. (Jaegels have only appealed this order.)

After the superior court had dismissed their complaint, Jaegels noted a hearing on their previously filed motion for default judgment. The

trial court declined to entertain their motion for default. Record at 296. Jaegels did not appeal this order. Jaegels' notice of appeal, filed September 12, 2011, specifically requests review of the court's orders of August 12, 2001, a copy of which was attached to the notice of appeal, and does not mention the court's order of September 12, 2011.

II. ISSUES PRESENTED FOR REVIEW

1. Should the court affirm the superior court's order dismissing Jaegels' complaint?
2. Is Jaegels' appeal, which asserts that the superior court lacked jurisdiction to hear the county and state's motions to dismiss, frivolous and, if so, should the court impose sanctions against them?

III. ANALYSIS

Jaegels have only appealed the trial court's order of August 12, 2011, which granted the county and state's motions for judgment on the pleadings. Issues about Jaegels' motion for default judgment is not before the court.

A. Standard of review.

A trial court's decision on a motion on the pleadings is reviewed de novo. Gaspar v. Peshastin Hi-Up Growers, 131 Wn. App. 630, 634, 128 P.3d 627 (2006), *review denied*, 158 Wn.2d 1029, 152 P.3d 1033 (2007). Dismissal under CR 12(c) is appropriate only if it is beyond doubt that the

plaintiff can prove no facts that would justify recovery, considering even hypothetical facts outside the record. *Gaspar*, 131 Wn. App. at 635. “Usually, dismissal is granted ... ‘only in the unusual case in which plaintiff includes allegations that show on the face of the complaint that there is some insuperable bar to relief.’ ” Fondren v. Klickitat County, 79 Wn. App. 850, 854, 905 P.2d 928 (1995). In making this determination, the court must presume that the plaintiff’s allegations are true and may consider hypothetical facts that are not included in the record. Burton v. Lehman, 153 Wn.2d 416, 422, 103 P.3d 1230 (2005).

B. Because Jaegels’ alleged status is not relevant to the taxation of their property, dismissal of their complaint was proper.

Jaegels’ complaint alleges that RCW 84.56.010, .020, .050 and RCW 84.64 were unconstitutional as applied to them because:

- (1) They are not “14th Amendment citizens” and are not subject to the jurisdiction of Skagit County, the State of Washington, or the Skagit County Superior Court (Record at 15);
- (2) They have terminated their “charitable gift to the social security public trust and have refused any and all government benefits and privileges (Record at 16);

(3) They are not associated with Skagit County or the State of Washington (Record at Memo at 21-22); and

(4) They do not voluntarily “contract” with Skagit County and/or the State of Washington (Memo at 22-23).

Jaegels variously repeat these arguments throughout their Appellants’ Brief.

None of Jaegels’ four reasons is relevant to whether Jaegels’ Skagit County property is subject to property tax. With the exception of a few enumerated exemptions, none of which apply to Jaegels, the obligation to pay property taxes is based on the location of the property, not on the status of the property owner:

All property now existing, or that is hereafter created or brought into this state, shall be subject to assessment and taxation for state, county, and other taxing district purposes, upon equalized valuations thereof, fixed with reference thereto on the first day of January at twelve o'clock meridian in each year, excepting such as is exempted from taxation by law.

RCW 84.36.005. Thus, even if Jaegels were foreign citizens, they would have to pay real property taxes for the simple reason that they own real property in Skagit County. See RCW 84.40.020 (“All real property in this state subject to taxation shall be listed and assessed every year[.]”)

Also, the amount of the property tax is based on the value of the property being taxed. RCW 84.40.030 (“All property shall be valued at

one hundred percent of its true and fair value[.]”) The owner’s status has nothing to do with the amount of the tax. Further, property tax foreclosure proceedings are “in-rem”:

. . . Similarly, property tax foreclosure proceeding are also “in-rem.” See, e.g., RCW 84.64.050 (“the county treasurer shall proceed to issue certificates of delinquency on the property.”), and RCW 84.64.080 (“no assessments ... shall be considered illegal ... on account of the property having been ... listed ... without name, or in any other name than that of the owner. ... The court shall give judgment ... and such judgment shall be a several judgment against each tract or lot or part of a tract or lot.”).

Glacier Village-Eatonville LLC v. Dale Washam, Pierce County Assessor-Treasurer, Board of Tax Appeals no. 08-148, Final Decision (October 30, 2009). An in-rem proceeding is a proceeding against the property, not against the property owner. See Black’s Law Dictionary at 713 (1979) (“An ‘action in rem’ is a proceeding that takes no cognizance of owner but determines right in specific property against all of the world, equally binding on everyone.”)

Because property taxes are based on the property being assessed without regard to any “conduct,” Jaegels’ four excuses, which amount to bald claims that fail to distinguish their status from other persons who own property in Skagit County, are not relevant to (1) the establishment of tax

rolls, (2) the county Treasurer's duty to collect property taxes, or (3) a foreclosure for the non-payment of property taxes.

It follows that Jaegels' as-applied constitutional challenge must fail and the trial court's decision should be affirmed simply because Jaegels' alleged status has nothing to do with the application of the several challenged statutes and no conceivable set of facts would support their claim. The trial court did not err when it dismissed Jaegels' complaint.

C. Jaegels' gambit to deprive the Skagit County superior court of jurisdiction is not supported by authority or reason.

Jaegels' beliefs about the law approach delusion and nonsense. If they disagree with the law, they make up a reason to ignore it. See Appellants' Brief at 40 ("Plaintiffs rebut the form of the law in its application with the substance of the law.") If they fancy a premise, they justify it with random inferences. See Appellant's Brief at 11 (55. Does the SUPERIOR COURT interfere with discovery when its' (sic) judges and administration are directly asked to explain the SUPERIOR COURT investment derived from plaintiffs file documents which are tracked via Fidelity Select Energy Portfolio CUSIP 316390764, fund no.")

Jaegels' inconsistent and false premises are not supported by any citation to authority or reasonable fact. Where an appellant fails to support an argument with citation to relevant authority or to relevant facts in the

record, the court should not consider the issue. See Ensley v. Pitcher, 152 Wn. App. 891, 906 n. 12, 222 P.3d 99 (2009) (citing RAP 10.3(a)(6)); Cowiche Canyon Conservancy v. Bosley, 118 Wn.2d 801, 809, 828 P.2d 549 (1992); Smith v. State, 135 Wn. App. 259, 270 n. 11, 144 P.3d 331 (2006).

Should the court disagree, however, that Jaegels' "jurisdictional" argument has any merit, the following is provided.

In their Appellants' Brief, Jaegels expand on their views about "contracting" with the county, the state, and the court to assert that the superior court lacked jurisdiction to grant the county and state's motion for judgment on the pleadings because they did not "contract" with the "SKAGIT COUNTY SUPERIOR COURT."

Apparently Jaegels recognize the "superior court for the county of Skagit" as the only forum with jurisdiction to hear their complaint. However, they fail to provide any legal authority to support the idea that they have a contract with any court. Logically, this belief must fail. The superior court is not a party that can be "hired" to hear cases. See Greenlaw v. United States, 554 U.S. 237, 243, 128 S. Ct. 2559, 2564, 171 L. Ed. 2d 399 (2008) ("[W]e rely on the parties to frame the issues for decision and assign to courts the role of neutral arbiter of matters the

parties present.”) There is no precedent to support the idea that the filing of a complaint creates a contract between the court and a party.

Jaegels’ belief that the form that they used for the headings on their pleadings identifies the only forum that can hear their complaint can only be described as convoluted and obscure. This is especially so when they advance their belief in an effort to deny the court’s jurisdiction over their complaint.

Jaegels assert that “Skagit County,” SKAGIT COUNTY,” and “WASHINGTON STATE” are non-governmental entities that have usurped the authority of the “county of Skagit” and “state of Washington.” Jaegels also assert that, because the county and state used “SKAGIT COUNTY SUPERIOR COURT” to identify the court on their respective motions for judgment on the pleadings, the county and state unlawfully transferred their complaint to a corporate court that lacked jurisdiction to hear and rule on their complaint.

Jaegels’ jurisdictional argument is internally inconsistent and is not supported by any fact or precedent.

For example, Jaegels’ summons provides “[t]his petition is issued pursuant to Rule four of the Superior Court Civil Rules of the State of Washington.” Record at 2. However, they fail to realize that CR 4 specifically allows for the use of the form “Skagit County” in the heading

of a summons. The court rule suggests the following to identify the court in a summons:

SUPERIOR COURT OF WASHINGTON
FOR [] COUNTY

CR 4(b)(2). This rule has the force of law. See Waples v. Yi, 169 Wn.2d 152, 161, 234 P.3d 187 (2010) (“If a statute and a court rule cannot be harmonized, the court rule will generally prevail in procedural matters and the statute in substantive matters.”) It would be absurd to conclude that simply styling an answer or a motion for judgment on the pleadings as suggested in the court rule style amounts to a change of forum.

In further example of the internal inconsistency in Jaegels’ assertions, they knowingly filed their summons and complaint, with attached memorandum, with the “SKAGIT COUNTY CLERK.” Their summons is stamped:

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA
2011 AUG -8 PM 4:25

Record at 1.

Another stamp on their summons identifies the court as follows:

SKAGIT COUNTY SUPERIOR COURT
NANCY K. SCOTT
SKAGIT COUNTY CLERK
MOUNT VERNON, WA

Record at 1.

Similarly, their complaint is stamped

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA
2011 AUG -8 PM 4:27

Record at 5.

It follows from the court rules and the fact of their knowingly filing their summons and complaint with the SKAGIT COUNTY CLERK that Jaegels chose to litigate their complaint in the Skagit County Superior Court.

If they had made any effort to determine whether another forum was available, they could have looked at the website administered by the “The State Supreme Court.” See <http://www.courts.wa.gov/>. The Court identifies the several superior courts in the state, including:

Court	County
...	...
Skagit County Superior Court	Skagit County
...	...

http://www.courts.wa.gov/appellate_trial_courts/?fa=atc.crtPage&crtType=Super.

Willfully ignoring the court rules and their own conscious choice of forum, Jaegels continue to assert that “SKAGIT COUNTY, Skagit County or SUPERIOR COURT OF SKAGIT COUNTY or any other variation of spelling, case usage or word orientation” including

“ ‘SUPERIOR COURT OF THE COUNTY OF SKAGIT,’ is a private tribunal, not created, established, authorized, or sanctioned by law[.]”Record at 13.

As with their other arguments, Jaegels fail to support this assertion with any citation to meaningful authority. For example, although Jaegels quote extensively from Poindexter v. Greenhow, 114 U.S. 270, 290, 5 S. Ct. 903, 914, 29 L. Ed. 185 (1885) at page 22 of their Appellants’ Brief, they fail to observe that Poindexter addresses the unlawful distraint of property, not the obligation to pay taxes. See Poindexter v. Greenhow, 114 U.S. at 273 (City treasurer, charged by law with the duty of collecting taxes due to the state of Virginia, erroneously refused cash and coupons in the amount of the tax of \$12.45 and instead seized a desk valued at \$30.) Jaegels also fail to observe that the language they quoted from Poindexter addresses whether an agent may raise a claim of sovereign immunity to avoid responsibility for his wrongful acts. The ellipses Jaegels used in the first line of the Poindexter quote replaces “In the discussion of such questions,” which refers to the use of the defense of sovereign immunity in such situations. See Poindexter v. Greenhow, 114 U.S. at 285 (“It is next objected that the suit of the plaintiff below could not be maintained, because it is substantially an action against the state of Virginia, to which it has not assented.”)

Further, Jaegels fail to acknowledge and distinguish over 100 years of precedent in using “Skagit County” and “State of Washington” to identify the county and state. The form “_____ County” has been used in litigation to identify the county since statehood. See Gash, Wooding, and Taylor, the Board of County Commissioners of King County v. Davies and Wood, 1 Wash. 290 (1890); Martin v. Whitman County, 1 Wash. 254 (1890). Even before statehood, the form “_____ County” was used to identify the territorial court from which an appeal was taken. See Lilienthal v. Wright, 1 Wash. 1 (1890) (“Appeal from District Court, Pierce County” used to identify territorial court from which order entered on March 16, 1888 was taken.)¹

In further example, “Skagit County” was an accepted reference for the county in 1888. “Skagit County” appears throughout A History of the Puget Sound Country, written by Col. William Farrand Prosser and published in 1903. See Appendix A.² And the words “Washington State” appear twice on the book’s title page.

The form “_____ County” appears in early newspapers. For example, the Washington Gazette, which used “King county” on its

¹ Washington was admitted as the forty-second state on November 11, 1889.

² Excerpts of A History of the Puget Sound Country are provided at Attachment A. A complete copy of the book is available on the website maintained by the Secretary of State. See http://www.sos.wa.gov/history/publications_detail.aspx?p=15.

masthead, published a paean to “King County” and other articles using the words “King County” in 1863:

The Washington Gazette
SEATTLE, KING Co. August 15, 1863

...

Resources of King County

King County, (so named after the Vice President under Pierce’s administration,) was organized in 1853-’54. Seattle, the County Seat, is situated on a beautiful elevation of land on Elliot’s Bay, near the mouth of Duwamish River, and may be seen from the Sound in passing up and down.

The agricultural resources of King County, are, without doubt, unequaled by any other county in Washington Territory, and . . .

Appendix B.³

Even the judges on the United States Supreme Court recognize that “Skagit County” well-identifies the county. See Troxel v. Granville, 530 U.S. 57, 61, 120 S. Ct. 2054, 2057, 147 L. Ed. 2d 49 (2000) (“In December 1993, the Troxels commenced the present action by filing, in the Washington Superior Court for Skagit County[.]”)

There is simply no precedent for Jaegels’ bald assertion that the superior court lacks jurisdiction to hear and decide the county and state’s motions for judgment on the pleadings because it is identified as the

³ http://www.sos.wa.gov/history/images/newspapers/SL_dir_seattlewashgaze/pdf/SL_dir_seattlewashgaze_08151863.pdf#page=2
http://www.sos.wa.gov/history/images/newspapers/SL_dir_seattlewashgaze/pdf/SL_dir_seattlewashgaze_08151863.pdf#page=2

Skagit County Superior Court in the county and state's pleadings. Jaegels' premise is an outlandish concept. Jaegels cannot file a complaint against the state and county in the superior court and then claim that the superior court lacks jurisdiction to rule against them because the county and state did not conform to their vision of the appropriate style. As set forth above, no fact or cogent analysis supports their argument or interpretation of the law.

D. Jaegels' appeal is frivolous and warrants sanctions.

The court rules authorize the appellate court, on its own initiative or on motion of a party, to order a party who files a frivolous appeal "to pay terms or compensatory damages to any other party who has been harmed by the delay or the failure to comply or to pay sanctions to the court." RAP 18.9(a). "Appropriate sanctions may include, as compensatory damages, an award of attorney fees and costs to the opposing party." Yurtis v. Phipps, 143 Wn. App. 680, 696, 181 P.3d 849, (citing Rhinehart v. Seattle Times, Inc., 59 Wn. App. 332, 342, 798 P.2d 1155 (1990)) *review denied*, 164 Wn.2d 1037, 197 P.3d 1186 (2008).

"An appeal is frivolous if, considering the entire record, the court is convinced that the appeal presents no debatable issues upon which reasonable minds might differ and that it is so devoid of merit that there is no possibility of reversal." Lutz Tile, Inc. v. Krech, 136 Wn. App. 899,

906, 151 P.3d 219 (2007), *review denied*, 162 Wn.2d 1009, 175 P.3d 1092 (2008). Although doubts as to whether an appeal is frivolous should be resolved in favor of the appellant, *Id.*, the meritless nature of Jaegels' appeal is not open to doubt.

First, Jaegels' premise that they can file a complaint against the county and the state, properly serving each defendant, knowing that their complaint would be set for hearing before one of the Skagit County judges and then deny the county and the state the right to oppose their allegation is absurd. The superior court properly rejected Jaegels' sophistry.

Second, when they filed their complaint, Jaegels already knew that their allegations about (1) being "14th Amendment citizens" not subject to the jurisdiction of Skagit County, the State of Washington, or the Skagit County Superior Court, (2) having terminated their "charitable gift to the social security public trust," (3) not associating with Skagit County or the State of Washington, and (4) not voluntarily "contracting" with Skagit County and/or the State of Washington were unsupported by fact or law. Jaegels raised these same arguments in litigation against the county, state, two cities and several judges and court commissioners. See Record at 146 (14th Amendment citizens), Record at 136 (style of process), Record at 138 (revocation of public trust); Record at 144 (lack of court jurisdiction),

etc. In that cause, the superior court sanctioned Jaegels for pursuing claims against the several defendants that were founded on these same arguments:

Plaintiffs' complaint and motions for summary judgment were not well grounded in fact; not warranted by existing law; and plaintiffs failed to conduct a reasonable inquiry into the legal bases to bring their complaint and file their motion for summary judgment. Plaintiffs' action and motions were frivolous and advanced without reasonable cause. The court will award appropriate sanctions.

Record at 188. Also, Record at 261 (court grants sanctions for State).

Third, Jaegels continue to press these same jurisdictional arguments without citation to supporting case law, reasonable interpretation, or logic. Jaegels expect the court to simply agree with them. If the court does not, they will undoubtedly allocate the court to the dustbin of "company" courts.

Finally, Jaegels concede that much of their dispute before the superior court and this appeal is about form over substance. See Appellants' Brief at 14 ("[T]his case could have easily been resolved by the defendants below amending their filings to comply with the demands of the constitution concerning 'style of process'.")

Jaegels' appeal is without merit. They willingly reject reason, intentionally ignore obvious errors in their claims and analysis, and fail to establish any possibility of reversal. The court should award a sanction

under RAP 18.9(a) to the county in the amount of the attorney fees reasonably expended responding to this motion for direct review.

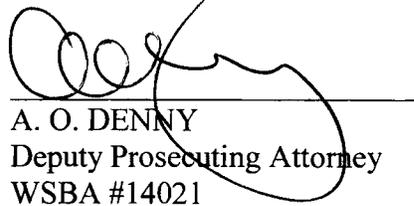
IV. CONCLUSION

Jaegels invoked the jurisdiction of the superior court, making the county and the state parties, but then attempted to preclude the county and state from defending themselves because Jaegels disliked the headings the county and state used on their answer and motions. For the reasons set forth above, the Court should deny Jaegels' appeal, find Jaegels' appeal to be patently frivolous, and award Skagit County its costs in responding to this appeal.

RESPECTFULLY SUBMITTED this 5th day of December, 2011.

RICHARD A. WEYRICH
Skagit County Prosecuting Attorney

By:


A. O. DENNY
Deputy Prosecuting Attorney
WSBA #14021

APPENDIX A



Wm. F. Prosser.

A HISTORY

OF

THE PUGET SOUND COUNTRY

ITS RESOURCES, ITS COMMERCE AND ITS PEOPLE

With some Reference to Discoveries and Explorations in North America
from the Time of Christopher Columbus Down to that of George
Vancouver in 1792, when the Beauty, Richness and Vast
Commercial Advantages of this Region Were
First Made Known to the World.

BY
COL. WILLIAM FARRAND PROSSER

Ex-President of the Washington State Historical Society.

WASHINGTON STATE LIBRARY
OLYMPIA, WASHINGTON

ILLUSTRATED

VOLUME I

“Examine History, for it is Philosophy teaching by Experience.”—*Carlyle.*

THE LEWIS PUBLISHING COMPANY

NEW YORK CHICAGO

1903

prudent and satisfactory administration, and his re-election in 1900 was the occasion of no alarm whatever in business or political circles. That re-election, however, was not due to his personal popularity but to feelings of distrust and hostility in Republican ranks because of the men and methods employed in securing the nomination of P. C. Sullivan, the Republican candidate. All the remaining nominees on the state ticket of the Republican party were elected by handsome majorities. These officials were as follows: Lieutenant Governor, Henry McBride; Secretary of State, Sam H. Nichols; Treasurer, C. W. Maynard; Auditor, John D. Atkinson; Attorney General W. B. Stratton; Superintendent of Public Instruction, R. B. Bryan; Commissioner of Public Lands, S. A. Callvert; justices of the supreme court, T. J. Anders and Mark A. Fullerton. On the death of Governor Rogers in 1900 Henry McBride, the lieutenant governor, became governor for the remainder of the term. Governor McBride was formerly a judge of the superior court in Skagit county, and is a man whose ability and integrity are unquestioned. His administration thus far has been marked by an effort to secure the creation by the legislature of a railroad commission to adjust matters of traffic and taxation between the state and the railroad companies doing business therein, on a more equitable and satisfactory basis; but although the legislature is Republican by a large majority, the desired result has not yet been accomplished. In the meantime the whole state of Washington and particularly the Puget Sound country, with all its cities, towns, villages and rural districts, and with all its mining, manufacturing, commercial and other diversified industries, has been enjoying for the past seven years a period of unexampled prosperity.

CHAPTER XXX.

RISE AND GROWTH OF SEATTLE.

The history of Seattle is practically the history of the Puget Sound country. Although some settlements had been made around the headwaters of the Sound as early as 1845, they were few in number and sparsely distributed over that section of the country. The first settlers of Seattle arrived on the site of that city in 1852. The first plats of the city were filed May 23, 1853, by A. A. Denny, C. D. Boren and D. S. Maynard. The semi-centennial of the founding of the city was celebrated in Seattle in 1903. The year 1853 was a notable one in the annals of Seattle, of the Puget Sound region, and of the territory of Washington. That year marked also the beginning of territorial government north of the Columbia river. It marked the arrival in the territory of Governor Isaac I. Stevens and the completion of the preliminary surveys of the Northern Pacific Railroad, though many years were to come and go before that great enterprise, which meant so much to the territory,

Cascades and the waters of the Pacific Ocean, and between British Columbia on the north and Skagit county on the south. In its eastern part it is rugged and mountainous, having within its limits Mt. Baker, whose snow-capped summit may be seen for more than one hundred miles in almost every direction. These rugged and rock-bound ranges are proving rich in gold and silver, and several districts—the Slate Creek and Mt. Baker among them—are developing some valuable properties. Nearer the seashore there are belts and valleys of rich agricultural land well adapted to fruit, hay, grain and a variety of farming products. The Nooksack flows westward from its sources near the summit of Mt. Baker, and its valley land is among the most productive in the state. The Skagit also has its sources in the same region, and on its headwaters are said to be some very profitable mines. Besides its wealth of precious metals, it contains large deposits of iron, coal, copper, lead and other mineral resources. Its coal mines are the oldest in the state.

Ever since the first Spanish explorers looked in upon this point of the northwest coast, Bellingham Bay, the chief seaport of the county, has been considered one of the very best harbors in the Puget Sound region and, indeed, on the northwest coast. This bay has an area of about eighty square miles of water surface from five to fifteen fathoms deep, an average depth of about ten fathoms, and ships sail into it from the ocean without tugs. It is entirely free from the ravages of the teredo, because of the fresh water which flows into it from the Nooksack river and from Squalicum, Whatcom and Padden creeks. Whatcom is the county seat, and its admirable supply of water is taken from Lake Whatcom, a beautiful sheet of water twelve miles long, 316 feet above the sea level and only two and one-half miles distant. This water is pure, cold and clear, affording an inexhaustible supply of the very best quality.

The chief industry of the county is the manufacture of lumber and shingles. Its timber resources are enormous and of the best quality. It is now the greatest shingle producing county in the world, having within its limits sixty shingle mills with an aggregate daily capacity of six million shingles. There are twenty-two sawmills in the county, the largest of which has a capacity of 250,000 feet in ten hours. Even more wonderful has been the development of the fishing industry in this county. Fishing and canning operations are now conducted on Bellingham Bay with large investments of capital and on a gigantic scale. About 2,500 men are employed in the canneries alone, and the expenses involved in these operations, including boats, scows, nets, pile-drivers, shipbuilding and other allied industries, amount to hundreds of thousands of dollars per annum and require investments of capital reaching into millions of dollars. Yet so rich are the waters of the Pacific in food fishes of various kinds that the business has been

fleet with an admiral in command and held his ground in spite of the wrath of Sir James Douglas and the haughty threats of numerous English officers, who were not accustomed, at least in this part of the world, to the sight of orders disobeyed and commands treated with contempt. In this instance they deemed discretion the better part of valor and left the valiant captain to the quiet possession of his camping ground and that part of the island which he occupied.

This county was created in October, 1873. Friday Harbor is the county seat. It has an area of 500 square miles; population, 3,500; assessed valuation of property, \$998,924. The name was given to the island of San Juan by the Spanish navigators who first explored the beautiful waters surrounding it, and left the name, at least, as a souvenir of their courage and skill as "toilers of the sea." This and neighboring islands are noted for the mildness, serenity and equability of their climate, as well as the charming beauty of their scenery. Sheep and wool have long been successfully produced. Indeed, these islands are famous for their excellent fruit of many varieties, their dairy and live-stock productions, and they are becoming favorite summer resorts from all parts of the coast. San Juan Island is also famed as the location of the most extensive lime quarries on the northwest coast, from which lime of very fine quality is shipped in every direction. Coal has been found on Waldron Island. This archipelago is in the center of a vast fishing industry, where salmon, cod, halibut and many other varieties of fine food fishes are to be had and are being taken by the great fishing companies having their headquarters on Bellingham Bay. This part of the Puget Sound Country, the counties of San Juan, Island, Whatcom and Skagit, has beyond question a brilliant future because of its many advantages.

SKAGIT COUNTY.

This county lies immediately south of Whatcom county, and in like manner extends from the waters of the Sound to the summit of the Cascades. It has a frontage of twenty-four miles on Puget Sound, and through it from east to west runs the Skagit river, navigable for about sixty miles, and one of the largest in western Washington. It has an area of 1,800 square miles, made up of some exceedingly rich valleys, tide lands and river bottoms, rugged mountains full of mineral wealth of all kinds, and a vast supply of fine timber. Its chief industries are farming, lumbering and coal mining, which give profitable employment to its rapidly growing population. Its tide-marsh lands produce the finest crops of oats in the state, from 90 to 120 bushels to the acre, that of 1900 amounting to 1,526,000 bushels. The lowlands, marshes and valleys of this country have long been noted for their immense crops of hay and other products, including hops, fruit

GEORGE HOLCOMB.

George Holcomb is one of the popular and enterprising young men of Everett, where he is now holding the position of city treasurer. He was born on the 2d of July, 1866, in Ulster, Bradford county, Pennsylvania, and is a son of Charles W. and Fanny J. (Davidson) Holcomb. His father is a native of Ulster, Pennsylvania, and was descended from English ancestry. The family, however, is one of long connection with America, for prior to the Revolution representatives of the name came to the new world. During his active business life Charles W. Holcomb followed farming, that being for a long period his chief occupation. In 1891 he came to Everett, where he is now living retired at the venerable age of seventy-seven years. His wife, who was born in Pennsylvania, is now living at the age of seventy-two years, and she is also a representative of an old American family. The children born to this worthy couple are as follows: Ancil, who is a resident farmer of Snohomish county; Fred, who is living in Everett; Bert, who makes his home in Duluth, Minnesota; John W., a resident of Buffalo, New York; Fannie J., who is living in Everett; and George.

The last named pursued his education in the public schools of Ulster, Pennsylvania, until 1886, and after putting aside his textbooks he spent a year and a half in Kansas. On the 18th of December, 1889, he came to the northwest, locating in Seattle just after the great fire which practically destroyed the city. There he was engaged in the livery business for a time and later was connected with the street railroad work until 1891. In that year he came to Everett, where he was again connected with the street railroad work for two years. In 1893 he became a factor in commercial circles here, establishing a grocery store which he conducted with success until 1901. The following year he was elected city treasurer for the year 1903, and is now the incumbent in that position. He has taken a very active interest in local politics and also in the success of his party in state and nation, doing everything in his power to promote Republican sentiment and to secure the success of Republican measures. Fraternaly he is connected with the Knights of Pythias, with the Improved Order of Red Men, the Woodmen of the World, the Order of Pendo, and the Independent Order of Foresters. In the upbuilding and progress of Everett he has ever manifested a deep interest during the years of his residence here, and has given his support to those measures calculated to prove of public good. His strict integrity and honorable dealing in business commend him to the confidence of all; his pleasant manner wins him friends; and he is one of the popular and honored citizens of Snohomish county.

ROWLAND E. DAVIS.

Rowland Edwin Davis holds and merits a place among the representative citizens of Anacortes and Skagit county, and the story of his life offers a typical example of that alert American spirit which has enabled many an individual to rise from obscurity to a position of influence solely through native talent, indomitable perseverance and singleness of purpose. He was

have become most estimable members of society: Jacob, who is a farmer near Milton, Oregon; Thomas R., who is engaged in a hardware business in Mount Vernon; Henry, who is engaged in ranching in Snohomish county, Washington; George W., who is associated with his brother in the hardware business at Mount Vernon; James B., who leases his father's ranch near Fir; William, who is a rancher on Laconner flats, Washington; Louisa is the wife of L. P. Hemingway, who, with James B. Hayton, leases the farm near Fir; and Cora, who is the wife of Alfred Polson, who is a rancher in Skagit county, near Fir.

Mr. Hayton belongs to the Grand Army of the Republic. He has lived to see wonderful changes in his adopted state, and has the satisfaction of knowing that he has materially contributed to the development of the resources of his section. He is a man who is held in the highest esteem and is justly considered a representative citizen.

THOMAS R. HAYTON.

Thomas R. Hayton, one of the leading business citizens of Mt. Vernon, Washington, was born January 7, 1863, at Coal Run, Pike county, Kentucky, and is a son of Thomas and Sarah E. (Sanders) Hayton, the former of whom is living retired, and the latter died in 1896.

Mr. Hayton's preliminary education was obtained in the public schools of Missouri and supplemented by a course at the State University of Washington, from which he was graduated in 1887. He arrived in Washington with his parents when thirteen years of age. During the summers, from 1885 to 1889, he taught school through Skagit county, and in the latter year was elected superintendent of the schools of Skagit county, in which position he served acceptably for two years.

In 1891 Mr. Hayton gave up teaching in order to engage in a hardware business at Laconner. In November, 1901, he moved the store to Mt. Vernon. During the first year here, he formed a partnership with his brother, George W. Hayton, and they are now jointly conducting one of the largest and best appointed hardware stores in Skagit county.

In January, 1890, Thomas R. Hayton was united in marriage with Miss Hattie E. Marshall, who was born in Visalia, Tulare county, California, and is a daughter of Alexander Marshall. The Marshalls are of German descent. One child, Gladys E., has been born of this union.

In politics Mr. Hayton, like his father, has always been identified with the Republican party, and takes an active interest in local matters and county conventions. His fellow citizens elected him to the office of county treasurer in 1896, a position he held with the greatest efficiency until 1901. During 1892-3 he served as one of the city councilmen of Laconner. Fraternally Mr. Hayton belongs to the Masons and Woodmen of the World. In religious belief he is a Baptist.

HORACE PERCIVAL DECKER.

Horace Percival Decker, proprietor of the water system of Mt. Vernon, Washington, and one of the city's leading men, was born April 19, 1858, in Solano county, California, and is a son of George Washington Decker,

who was born at Taunton, Massachusetts, of an old American family of Revolutionary stock, originating in Germany. George W. was a soldier in the Civil war, but by trade he was a cabinet-maker, which he followed, and also farmed. His death occurred in 1869. His wife was Sarah Ann (Daily) Decker, and she was born in London, England, and died in 1897. The family born to these two was as follows: Danville Decker, a manufacturer of illuminating gas at Chico, California; H. P.; Emma, widow of James J. Carter, resides in San Francisco; Lilah married Louis Vogel, upholsterer and furniture dealer in Sacramento, California; Richard, a plumber, who died in Sacramento in 1899.

Mr. H. P. Decker was educated at night after he had finished his day's work, from books he saved the money to buy, and what he has thus learned is all the more prized because of the effort required to obtain it. During these days he was living in Sacramento county, California, where he worked on a farm as a boy. After he had well grounded himself in the rudiments of learning, he fitted himself for the trade of machinist and followed that calling in Sacramento. There he remained until 1879, when he went to Victoria, British Columbia, and continued to work at his trade there and at Nanaimo, the same province. Returning to San Francisco in 1887, he was employed upon the railroad for about three years, and in 1891 went to Seattle, Washington, and continued working upon the railroad for one year. His next change was made when he began to speculate, and he continued to operate on his own account until October, 1901, when he located at Mt. Vernon, Skagit county, Washington, and constructed the best and most complete hotel in the county, at an expense of about eleven thousand dollars, known as the Hotel Mt. Vernon. After conducting it for eight or nine months he leased it. He constructed the water works system of the city, which he now owns in partnership with R. M. Darrow, and this system is the first and only one established to supply a city of seventeen hundred people from natural springs, but it is fully equal to the demand of 242,000 gallons per day, as well as for a much larger amount. The company is incorporated under the name of the Mt. Vernon Water and Power Company, with H. P. Decker president; R. M. Darrow secretary and treasurer; Willis B. Hurr vice-president. In politics Mr. Decker is a Republican, and is very active and served a number of times as delegate to county conventions while residing in Seattle.

On June 17, 1894, he was married to Margaret Sidney, and she was born in Denmark but married in Seattle, Washington. One child, Roy Leverne Decker, was born to this marriage, on January 29, 1896. Fraternally he is a Mason, and has passed all the degrees from blue lodge to thirty-second degree. He is also a member of the Modern Woodmen of America; Woodmen of the World; Royal Neighbors; Brotherhood of Railroad Trainmen and National Association of Engineers. Mr. Decker is one of the most popular men of Mt. Vernon, as well as successful, and the future before him is a very promising one.

Skagit county, from June to October of that year. He then came to the property on which now stands the town of Sumas, nearly ten years before the town was thought of, and as he has since then made this locality his home, he is one of the oldest settlers of the county. He took up a pre-empted claim one mile west of the townsite, and as logging seemed about the only business in which a man could obtain money, he soon engaged in it, although he endeavored to clear off his property in the meanwhile. That he was successful in his undertakings, his present prosperity certainly indicates. A few years ago he located in Sumas and established himself in a real estate and mining business, and he was one of the promoters of the gold mining discoveries at Mt. Baker with R. S. Lambert and Jack Post. He was actively engaged in the Post-Lambert properties for some time, and still has large holdings in gold mining claims, not only at Mt. Baker but in the Republic (Washington) district and in Alaska. He was also one of the original locaters and later full owner of the Silver Tip mine. Mr. Van Valkenburg also has large realty interests in Sumas and vicinity, and carries on a successful real estate business in this town. He was justice of the peace for several years.

In February, 1888, he was married in Whatcom county to Miss Matilda J. Post, and they have two children, namely: Lydia and Frank. He belongs to the Odd Fellows and is justly regarded as one of the prosperous and leading men of Sumas, in whose development he has played so important a part.

SAMUEL F. COOMBS.

Samuel F. Coombs, of Seattle, Washington, for upward of forty-three years a resident of Puget Sound, was born in South Thompson, Maine, April 16, 1831, upon the homestead established by his grandfather, an old soldier of the Revolutionary war. The progenitor of the Coombs family in America was descended from the Huguenots of France, and emigrated to New England about 1760. In his native state Samuel F. grew to manhood and became a prominent and influential citizen and while yet a young man, in 1858, was elected to and served in the state legislature of which James G. Blaine was an honored member.

In 1859 Mr. Coombs started for California, by the Panama route, arriving at San Francisco in October, and at Port Madison on the 20th of December. At the latter place he began work in a mill, but shortly afterward was engaged to teach the village school, numbering among his pupils the sons of Edward Hanford—Thaddeus, Cornelius H., Frank, Jud and Clarence; also sons of A. B. Young—who are now among the prominent men of the state.

In the spring of 1861 Mr. Coombs came to Seattle and found employment in the store of Henry L. Yesler, where he remained for several years, a part of the time acting as deputy under T. D. Hinkley, the second postmaster and agent for the Wells-Fargo Express Company. In 1867 he opened a hotel where now stands the Hotel Northern, and dubbed it the Western Terminus. Seattle at that time was booming on account of Governor Stev-

business of manufacturing paper, starting in the mill and working his way upward through the various departments, so that he became thoroughly familiar with the work in principle and detail. After mastering the trade he was appointed superintendent of the Champlain Fibre Company of Willsboro, New York, and served in that capacity for two years. He next took charge of the Clarion Mills of the New York & Pennsylvania Company, at Johnsonville, Pennsylvania, superintending their operation for five years.

Mr. Jordan came to Everett as a stockholder and assistant treasurer of the Everett Pulp & Paper Company, and soon afterward was made treasurer. He looks after the entire mechanical operation of the plant, and his thorough understanding of the business in every department well qualifies him to superintend the labors of the men who are employed in the factory. This is the only mill on the Pacific coast or, in fact, west of the Mississippi river manufacturing these grades of paper, and the business has grown to extensive and profitable proportions and has become one of the leading industries of Everett, contributing much to its business development.

A prominent and active member of the Republican party, Mr. Jordan is now serving as a member of the state central committee from Snohomish county. He belongs to the Chamber of Commerce, to the Benevolent and Protective Order of Elks and is a thirty-second degree Mason.

HARRISON CLOTHIER.

Harrison Clothier, deputy county assessor of Mr. Vernon, Washington, was born July 9, 1840, at Corinth, Saratoga county, New York, and is a son of E. K. Clothier, born in Saratoga county, New York, of an old American family. The great-grandfather was in the Continental army, although the family originated in England, near London. E. K. Clothier was a farmer by occupation and died in 1866. He married Lucy Clothier, born in Saratoga county, New York, and a daughter of Ambrose Clothier, a brother of the father of her husband. The following children were born to E. K. Clothier and wife, namely: Webster, a farmer of New York; Mahlon E., a farmer and merchant of Platte Center, Nebraska; Herman, a farmer of New York; our subject; and Lydia, who married Milo Clothier, a cousin and a farmer of Saratoga county, New York.

Harrison Clothier was educated in the common schools of Saratoga county and high school of Macedon Center, Wayne county, New York, from which he was graduated in 1868, and for the following two years he taught school in New York, after which he went to Minnesota and taught school in that state one term, whence he went to Wisconsin and taught school for seven terms, and then, removing to Oregon, taught school there one term. In 1875 he located in Whatcom county, Washington, and in that part which is now Skagit county he taught two terms. In the spring of 1877 he platted the town of Mt. Vernon, and in 1880 was elected auditor of the county of Whatcom (now Skagit county). Four years later the county was divided, and he was elected one of the first county commissioners of Skagit county. In the fall of 1886 he was elected probate judge of the county and in 1889 was elected a delegate to the constitutional convention. When the county

treasurer died in May, 1891, Mr. Clothier was appointed to fill the vacancy by the county commissioners. From January, 1893, to 1895, Mr. Clothier's attention was occupied with attending to his real estate interests, but in the latter year he went to Anacortes and managed a sawmill, remaining there until January, 1899, when he was appointed deputy assessor, and is thus engaged. In March, 1877, with E. G. English, Mr. Clothier started a general merchandise store. At that time there was what was called a tree farm (or jam) in the river for a mile or more, and the waters were not released until 1878, when the first steamer went through. Those were the days when there were not more than a dozen settlers between Mt. Vernon and the Cascade mountains. There were no roads save the Indian trails, and it took an entire day to go a few miles through the dense undergrowth. Although not so very many years have intervened, a wonderful change has been effected, and flourishing cities stand where once the Indian reigned supreme.

In politics Mr. Clothier is a Republican, but was formerly a Democrat, and has always taken an active part in public matters. He has attended several county and one state convention as a delegate, and was chairman of the Skagit county Democratic central committee from 1884 to 1886. He is a prominent Mason, joining that order in 1880. In addition to other honors, he was the first postmaster of Mt. Vernon, being appointed in 1877, and held the office until he was elected auditor, and he was the regular Democratic nominee for state treasurer in 1892.

JARED C. PARKER.

Jared C. Parker, one of the enterprising business men of Whatcom, Washington, and a successful printer, was born at Davenport, Iowa, December 11, 1854, and is a son of Jared C. and Susan M. (White) Parker. The father was a successful physician of Davenport, Iowa, and died in 1863. He was born in New York, as was also his wife, and both came of Revolutionary stock. Mrs. Parker lives at Watervliet, Michigan. She is a cousin of Elmer White, the prominent naval official recently retired. Four children were born to Dr. and Mrs. Parker, namely: Jared C.; Merwin W., a bookkeeper of Watervliet; Adelia, who married Dr. W. L. Garrett of Watervliet; Ella G., who married Robert P. Moore, a baker of Watervliet, but is now a widow.

Jared C. Parker was educated in the public schools of Davenport, Iowa, and Adrian, Michigan, and at the age of sixteen years began to learn a trade, selecting that of bookbinding. Beginning his term of service at Davenport, he continued it at Adrian, and after four years, in 1875, he removed to Chicago and worked at it for six months. His next change was his location in Boone, Iowa, where he established a bookbinding establishment of his own. For four years he carried it on successfully, but in 1879 he removed to Marshalltown, Iowa, and after a year pushed on to Salt Lake City, where he soon established a bookbindery, remaining in that city for seven years. In 1887 he made another change and located at Cheyenne, and thence, after eighteen months, went to Denver, and for three years

operated a plant in that city. At the expiration of that time he went to Ogden, Utah, spent a year, and in 1891 went to Olympia, and two years later finally settled in Whatcom, where he now owns and operates the largest printing establishment and bookbindery in the city, his plant being equipped with the latest machinery and appliances, and he controls a very desirable trade which is constantly increasing. In politics he is an active Republican, and socially is connected with the Commercial Club, while his fraternal affiliations are with the order known as the Fraternal Aid.

On August 23, 1877, Mr. Parker married Ida M. Campbell, a daughter of James Campbell, a capitalist, of Salt Lake City. Three children were born of this marriage, namely: Merwin W., who is twenty-five years of age and in business with his father; James C., who is twenty-two years of age and is an architect in Tacoma, Washington; George H., who is nineteen years of age, is a clerk in Tacoma. In 1891 Mr. Parker was married to Frankie L. Lyon, a daughter of a music dealer at Topeka, Kansas. One daughter has been born of this union, Laverne, who is nine years old.

MAYNARD P. HURD.

Hon. Maynard P. Hurd, one of the leading citizens of Skagit county, Washington, a prominent and successful attorney at Mt. Vernon, was born March 25, 1866, in Wentworth, Cumberland county, Nova Scotia, and is a son of R. G. and Margaret (Malone) Hurd. R. G. Hurd was also born in Nova Scotia. His ancestors were English born, and they settled in Connecticut, his parents later removing to Nova Scotia. His wife was born in Ireland, and died in November, 1892. A half-brother, James Nickle, is a carpenter, residing in Mt. Vernon, and has four sisters, as follows: Ella, who is the wife of L. J. Ford; Anna, who is the wife of C. Yule, in a hardware business at Whatcom; Abbie, who is the wife of Fred Raymond, a shoe merchant at Whatcom, and Miss Irene, who lives with her father at Whatcom.

Maynard P. Hurd obtained his education in the public schools of Columbus, Nebraska, and in the Fremont Normal and Business College, concluding in 1887. During the time he was taking his business course he kept himself busied with various occupations, working on railroads, clerking in stores, and teaching school. His spare hours during the latter period were employed in the reading of law, under Colonel Whitmoyer, of the firm of Whitmoyer, Girard & Post, of Columbus, and he was admitted to the supreme court of Nebraska in 1889. In 1900 he went to Laconner, Washington, and formed a law partnership with Harry McBride, now the governor of Washington. In 1892 Mr. Hurd was elected to the Third state legislature, and in 1898 he was elected prosecuting attorney of Skagit county. His services in this position were so valuable that he was re-elected in 1900 and served until January of the ensuing year. Many memorable cases came within his jurisdiction during his term of office, and he secured the conviction of several murderers, probably the most notable being Alfred Hamilton, who was convicted of the murder of D. M. Woodbury, one of the most prominent attorneys in the county. Hamilton took a change of

operated a plant in that city. At the expiration of that time he went to Ogden, Utah, spent a year, and in 1891 went to Olympia, and two years later finally settled in Whatcom, where he now owns and operates the largest printing establishment and bookbindery in the city, his plant being equipped with the latest machinery and appliances, and he controls a very desirable trade which is constantly increasing. In politics he is an active Republican, and socially is connected with the Commercial Club, while his fraternal affiliations are with the order known as the Fraternal Aid.

On August 23, 1877, Mr. Parker married Ida M. Campbell, a daughter of James Campbell, a capitalist, of Salt Lake City. Three children were born of this marriage, namely: Merwin W., who is twenty-five years of age and in business with his father; James C., who is twenty-two years of age and is an architect in Tacoma, Washington; George H., who is nineteen years of age, is a clerk in Tacoma. In 1891 Mr. Parker was married to Frankie L. Lyon, a daughter of a music dealer at Topeka, Kansas. One daughter has been born of this union, Laverne, who is nine years old.

MAYNARD P. HURD.

Hon. Maynard P. Hurd, one of the leading citizens of Skagit county, Washington, a prominent and successful attorney at Mt. Vernon, was born March 25, 1866, in Wentworth, Cumberland county, Nova Scotia, and is a son of R. G. and Margaret (Malone) Hurd. R. G. Hurd was also born in Nova Scotia. His ancestors were English born, and they settled in Connecticut, his parents later removing to Nova Scotia. His wife was born in Ireland, and died in November, 1892. A half-brother, James Nickle, is a carpenter, residing in Mt. Vernon, and has four sisters, as follows: Ella, who is the wife of L. J. Ford; Anna, who is the wife of C. Yule, in a hardware business at Whatcom; Abbie, who is the wife of Fred Raymond, a shoe merchant at Whatcom, and Miss Irene, who lives with her father at Whatcom.

Maynard P. Hurd obtained his education in the public schools of Columbus, Nebraska, and in the Fremont Normal and Business College, concluding in 1887. During the time he was taking his business course he kept himself busied with various occupations, working on railroads, clerking in stores, and teaching school. His spare hours during the latter period were employed in the reading of law, under Colonel Whitmoyer, of the firm of Whitmoyer, Girard & Post, of Columbus, and he was admitted to the supreme court of Nebraska in 1889. In 1900 he went to Laconner, Washington, and formed a law partnership with Harry McBride, now the governor of Washington. In 1892 Mr. Hurd was elected to the Third state legislature, and in 1898 he was elected prosecuting attorney of Skagit county. His services in this position were so valuable that he was re-elected in 1900 and served until January of the ensuing year. Many memorable cases came within his jurisdiction during his term of office, and he secured the conviction of several murderers, probably the most notable being Alfred Hamilton, who was convicted of the murder of D. M. Woodbury, one of the most prominent attorneys in the county. Hamilton took a change of

attended school at Sumner. Mr. Blumberg then taught school for five years, during the winter seasons, spending the summers in farm work. In the spring of 1888 he went to Sheldon, Iowa, where he worked until January, 1889, as a hotel clerk, going then to Skagit county, Washington, again spending the summer on the farm and the winter in the schoolroom. In the fall of 1890 he opened a grocery store at Avon, Skagit county, but disposed of it in the following year and taught school for two years at Laconer. He then went to Anacortes and worked for a year as a section hand on the railroad, later was given charge of the warehouse at Anacortes for the Seattle & Northern Railroad Company, until the fall of 1898.

At this time Mr. Blumberg came to Mt. Vernon, having been appointed deputy county auditor. He remained in that capacity until February, 1902, when, upon the resignation of Auditor Grant Neal, now a member of the state board of control, he was appointed auditor, and in the fall was elected auditor by the heaviest vote in the county. Mr. Blumberg is still filling the duties of this responsible position, with the greatest efficiency. He is an active and influential member of the Republican party, and, with one exception, has attended all of the county conventions of Skagit county since 1890. He has served on the county central committee, and in 1894 was deputy superintendent of schools for this county.

On October 1, 1890, Mr. Blumberg was united in marriage with Allie Bartholomew, at Seattle, who was born in Worthington, Indiana, and is a daughter of Cynthia A. Bartholomew, who accompanied her to Washington in 1872. Mrs. Blumberg's father was a soldier in the Civil war and resides with a son at Peoria, Illinois. Mr. Blumberg and his estimable wife have a family of five sons, namely: Irvin A., born in December, 1891; Frank E., born in January, 1894; Judson A., born in January, 1896; George, born in September, 1898; and Edward F., born in July, 1901. The family belongs to the Episcopal church. Mr. Blumberg is fraternally associated with the order of Odd Fellows, the Knights of Pythias, the Ancient Order of United Workmen, and in the Masonic fraternity is senior warden of the blue lodge and is secretary of Mt. Vernon Chapter No. 17, R. A. M. He is a first-class citizen in every way and is representative of the intelligence, responsibility and progressiveness of the great state of Washington.

WILLIAM H. T. BARNES.

Among the best citizens of the locality, esteemed alike for his sterling worth of character and his activity in the business world, is William H. T. Barnes, a worthy representative of an honored old family. He was born in Lodi, Columbia county, Wisconsin, on the 17th of March, 1853, and is a son of James and Ann (Oates) Barnes, both natives of England, and both descended from prominent families of that country. The father, who also followed the profession of pharmacy, passed away in death on the 16th of January, 1902, but the mother is still living, and now makes her home in Seattle. In this family were two sons, the brother of our subject being James, who is engaged in the real estate business in North Yakima, Washington, while the daughters are: Hattie A., the wife of John H. Sarlington,

the Susquehanna river at Nineveh, New York, also three others across the Susquehanna, and he lost his life in Nineveh, New York, in 1852, by the bursting of a dam; he was the only one on the bridge at the time. His wife was Alta A. (Carter) Williams, born in Berkshire county, Massachusetts, and coming of an old American family of Revolutionary stock and English descent. Her father was born in Massachusetts. The children born to Mr. and Mrs. Joseph Williams were as follows: Charles K., of Sandersfield, Massachusetts, is sheriff of Berkshire county; Benjamin F., of Wallingford, Connecticut, in the Britannia works; David P., who was superintendent of the Holyoke Massachusetts Paper Company, died in 1902; our subject; Jeannette, widow of John Palmer, who was connected with the Panama road across the Isthmus. The last named went to Panama in 1853 and returned to Wallingford, Connecticut, and later to New York city in 1902, having been there for forty-nine years; for thirty years of that time she resided on the Isthmus without once returning to her old home, even on a visit. The mother of this family died in 1862.

Robert W. Williams was educated in the county schools of Lee, Massachusetts, until 1861, at which time he removed to Boston, Massachusetts, and for two and one-half years went to school in that city and studied dentistry. In January, 1864, he enlisted in Company I, Fifty-seventh Massachusetts, under General Bartlett, and on April 24, 1864, the regiment was sent south and participated in the battle of the Wilderness, May 5 and 6, Spottsylvania on May 12, in front of Petersburg on June 17, and after that participated in the campaign of the Army of the Potomac until March 25, 1865. While in front of Petersburg our subject lost his right leg, and was also slightly wounded in the battle of the Wilderness and Spottsylvania. When he was first wounded he was first sergeant, and was afterwards brevetted captain, being mustered out in October, 1865. The first business that he was able to transact after his return from the army was in the Boston custom house in 1866, from which he was transferred to the business office of the Boston postoffice in 1872 and remained there until his resignation in May, 1888. During that time he was postmaster at Somerville, Massachusetts, two years, was transferred from there to Roxbury, Massachusetts, and there he tendered his resignation on account of ill health. Believing that he might be benefited, Mr. Williams went to California, but shortly went farther north to Puget Sound. His steamer unfortunately met with very severe weather and barely escaped, but in December, 1888, he finally reached Mt. Vernon. Two years later he built a hotel in Burlington, Skagit county, and later organized the Boston Shingle Company, at Sedro Woolley, Washington. He organized the Williams & Henry shingle mill located at Milltown, Skagit county, in 1897, and is still conducting it, the plant having a capacity of eighty thousand shingles per day. In politics he is a stanch Republican, and has represented his party in county conventions a number of times. On December 25, 1867, he was married to Alma A. Parker at Boston; she is a native of Vermont and a daughter of A. H. Parker, a farmer of Vermont. Three children have been born to Mr. and Mrs. Williams, Walter W., Emma and Lena. Fraternally Mr. Williams is a thirty-second degree Mason and Knight of Honor, Red Man, belongs to the

Knights and Ladies of Honor, Grand Army of the Republic post, of which National Commander Stewart has appointed him aide-de-camp with the rank of colonel.

ISAAC DUNLAP.

Isaac Dunlap, one of the leading ranchmen of Laconner, Washington, was born November 3, 1832, in Philadelphia, Pennsylvania, and is a son of James Dunlap, born in Ireland and died in 1853, and his wife, Mary (Moore) Dunlap, born in Ireland and died in 1870.

Isaac Dunlap was reared in the public schools of Philadelphia, and concluded his education in 1848, after which he learned the trade of a chandelier-maker in his native city, there remaining until 1852. For the next eleven years he lived in Linn county, Iowa, and worked upon a farm, but in 1863 he crossed the plains with a single mule team to California. During that hard trip a child was born to him and his wife. There were ninety-three wagons in the train, and Indians did not dare attack it on account of its strength. Upon arrival in California Mr. Dunlap went to San Joaquin county and engaged in farming for thirteen years, and in 1877 he removed to Laconner and purchased land on the flats, since which time he has been acquiring land until he now owns five hundred and fifty acres of some of the finest land in the world, capable of averaging one hundred bushels of oats to the acre. A portion of this land has been producing oats every year for thirty years, and no change is shown in the crops. He bored two wells, ninety-three feet deep, and for a distance of ninety feet the soil is the same straight through. Three and one-half acres of the tract is devoted to fruit-raising. In addition to his landed interests Mr. Dunlap is a stockholder of the Poison Hardware Company, which has stores at Laconner, Seattle and Wenatchee. In politics he is a stanch Republican, and has attended state and county conventions; was elected county commissioner of Whatcom county and twice for Skagit county, and was one of the first commissioners of the newly created county of Skagit about 1883. Several times he has been elected road supervisor of Skagit county. His ranch is two and one-half miles from Laconner.

On December 24, 1859, he was married to Susan Maxwell, born in Iowa, and a daughter of Thomas Maxwell, of Scotch descent. The following children have been born to Mr. and Mrs. Dunlap, namely: James, a farmer at Laconner, has been county treasurer three times; Alexander I. is manager and stockholder of the Poison Hardware Company at Laconner; William is a farmer on his father's ranch; Samuel is a farmer at Ridgeway, Skagit county. William also owns a fine farm, but rents it while he takes care of that of his father. The family own about twelve hundred and eighty acres in Skagit county. There are also three daughters in the family, namely: Mary married Louis McFarland, a farmer near Laconner; Rosanna married Arthur Flagg, a farmer near Laconner; Rowena married Martin Best, a farmer near Laconner. Fraternally Mr. Dunlap is a member of the Odd Fellows. The Dunlap family is a large one, for there are twenty grandchildren, and among them all there has so far been but one death, and that was of an infant scarcely a year old.

to Puget Sound, via San Francisco, and assisted in the construction of the Northern Pacific Railroad at Tacoma and got out piles for the first terminal wharf at Tacoma. The next two years he was at various places and variously employed, prospecting for gold, working in a mill, etc. In 1876 he rode on horseback from Los Angeles, California, to Pueblo, Colorado, for the purpose of seeing the country and with an idea of locating. However, he did not find a location then, and, after a visit to the Centennial Exposition at Philadelphia he returned to Puget Sound. He came up the Skagit river and was the first settler within the township east of what is now Sedro Woolley, and built the first cabin. Being ahead of the survey, he squatted, but pre-empted when the survey was made, on land located five miles east of Sedro Woolley, and here he lived, labored and prospered for a quarter of a century. He sold his farm in 1902, having moved into Sedro Woolley, where he has a pleasant home.

Mr. Conmey knows all the hardships and privations of the early pioneer. A year after his settlement here other settlers came, and soon the work of clearing away the timber and making roads and farms was carried forward. Mr. Conmey cut logs on Skagit river and sold them to the mills, he helped to build the roads, and he was what was known as a "swift water man," running a canoe on the river to carry the mail and also his neighbors. In politics he early took a prominent and active part, affiliating with the Republican party, and has attended many of the county conventions of his party. Mr. Conmey was married in December, 1885, at Birds View, Skagit valley, to Miss Meta Behrens, a native of Germany, and they have five daughters, Anna, Mamie, Katie, Eleanor and Matie.

FRED F. WILLARD.

Fred F. Willard, assessor of Skagit county, Washington, and residing at Mt. Vernon, that state, was born March 7, 1860, in Essex county, New York, and is a son of Sidney S. Willard, born in Troy, New York. He came of a good old American family of English descent, and died in 1900. His wife bore the maiden name of Roxy E. Westcott, and she also was born in Essex county, New York. Her grandfather was a soldier in the Continental army, and her father served in the war of 1812. The family descended from English and Scotch ancestry. The children born to Mr. and Mrs. Sidney Willard were as follows: Augustus, a hotel man and wheat speculator of Necedah, Wisconsin; Elizabeth resides at New Lisbon, Wisconsin; and Fred F.

Fred F. Willard was educated in the public schools of Wisconsin, after which he attended high school, from which he was graduated in 1879, and in the following spring he went into northern Nebraska and engaged in the cattle business for two years. From there he went to Minnesota, and embarked in the lumber business, remaining from eighteen months to two years. His next location was in South Dakota, where he was interested in lumber for two years, and for three years operated a general mercantile business. In the spring of 1890 he went to Stanwood, Snohomish county, Washington, and took up a timber claim. Remaining there for two years,

he then went to Skagit county, and worked in lumber and shingle mills at Sedro until the fall of 1898, when he was elected both town clerk and school clerk of the district, and he held those offices until he was elected assessor of Skagit county, in the fall of 1902, on the Republican ticket. While in Sedro, now Sedro Woolley, he was police magistrate during the years 1901 and 1902, in connection with his clerkships. He was also field assessor for the Sedro Woolley district during 1899, and was census enumerator for that district in 1900.

On August 3, 1895, he was married to Rose Lederle at Sedro Woolley. She is a native of Pennsylvania and a daughter of Joseph Lederle, who was born in Germany. One son, Jesse, was born November 17, 1896, and a daughter, Rose, was born July 25, 1898. Mr. Willard is a member of the order of Odd Fellows, Modern Woodmen, and Eagles. Politically he is a Republican, and has always taken an active part in public affairs. He has represented the party in nearly all county conventions since he has been in Skagit county.

IRA H. CASE.

The Case Investment Company of Tacoma, which has its offices at 501-502 Bernice building, is one of the solid financial concerns of this bustling western city. The capital stock of the company is twenty thousand dollars, and its general purposes are to buy, sell and develop first-class mining propositions, to deal in stocks and bonds, to secure franchises, to organize and finance corporations, and in a general way to promote the moneyed interests of the Puget Sound country. The enviable success and the confidence and patronage won to this company from the solid business men of Tacoma, are due in no small degree to the excellent gentleman who is its president and manager, Ira H. Case.

The last two generations of this family were natives of Illinois, and Charles Case was born in the industrial city of Kewanee, Henry county. He was a farmer by occupation, and about 1870 went to Kansas to live, afterward spent some years in California, and in 1880 returned to the old home at Kewanee to spend the remainder of his days. His death occurred in 1899. His wife was Lucinda Hill, a native of New York state.

Kewanee, Illinois, is the birthplace of Ira H. Case, the son of these parents, and the date of his birth was in 1861. His mother died when he was scarcely one year old, and he was reared under the care of his grandparents in the vicinity of Lansing, Michigan. As he was able to attend school only until he was thirteen years old, most of his education has been acquired in the more rugged school of life, and the fact that he is a well rounded and intelligent man is evidence that he improved all the opportunities which came to him. In 1878 the family moved to Neillsville, Wisconsin, and here Ira spent the day in clerking in a store and the evening in the study of law, which was the profession toward which his ambitious mind had turned. Later he entered a law office, and with the practical and theoretical knowledge of the subject here gained he was admitted to the bar at the age of twenty-two. Then, in 1883, he went to South Dakota and practiced law

with two other parties, a shingle mill at Burlington, Washington. In 1893 he erected a second shingle mill at a cost of twenty-two thousand dollars, which was operated by the Mt. Vernon Shingle Lumber Company, with Mr. Dale as secretary and manager, but the mill was destroyed by fire that same year. In 1898 Mr. Dale was honored by election as county assessor, and re-elected in 1900, serving until January, 1903. When he first arrived the country was very sparsely settled, and communication with commercial centers was difficult. During all these years Mr. Dale has watched and participated in the wonderful progress and development of the country, and has always contributed his part to assist. During the seventies lumbering was the only industry in the Puget Sound district. What is now the best portion of the country was then wild land, and all of the tide lands have been reclaimed since 1876.

In politics Mr. Dale is a Republican and has participated in nearly every convention since the formation of Skagit county. He has also represented the county in state conventions. On December 16, 1877, he married Mary A. Stevens, at Edison, Washington. She was born in Houston county, Minnesota, a daughter of Edwin Stevens, a farmer of Minnesota and Iowa. Two boys have been born to Mr. and Mrs. Dale, namely: William Edwin, a stationary engineer of Mt. Vernon; James Arthur. Both have had the advantage of a two years' course in the Acme Business College of Seattle. The two daughters of the family are Miss Adelaide and Miss Ella. Mr. Dale is a Mason and belongs to the Hesperus Commandery, and is also a Knight of Pythias, uniform rank. He is now in the real estate and abstract business in Mt. Vernon, Washington, and is one of the successful men of the city.

THOMAS L. RICHARDSON.

Thomas L. Richardson, senior member of the great lumber firm of Richardson & Todd, Tacoma, Washington, is one of the progressive and enterprising citizens and, in contributing to the success of the city's interests, has gained fortune and prominence for himself.

Mr. Richardson was born in 1848, at Wintersville, Sullivan county, Missouri, and is a son of Hiram and Nancy (Harris) Richardson. The father was born in Kentucky and came to Indiana when a youth. He married there and removed to Sullivan county, Missouri, and was one of its earliest settlers. He lived on the same farm, where all his children were born, all his life, and our subject's eldest brother still lives there, the old place never having been out of the family. Hiram Richardson died some years since, and his wife, a native of Kentucky, died in 1876.

Thomas L. Richardson was reared on the farm and attended one of the old log-house schools. It was of the kind supplied with a fireplace which required the services of a half dozen lads to bring in the huge back log. The children sat on puncheon seats, and during cold weather warmed up at the fire in regular succession. Nevertheless the necessary rudiments were well drilled into the pupils, although sometimes the birch was brought into use. Our subject, however, left his books when but a lad of fifteen years, and in the early part of 1864 enlisted in Company I, Forty-fourth Missouri

APPENDIX B

THE WASHINGTON GAZETTE.

VOL. 1.

SEATTLE, KING COUNTY, W. T., AUGUST 15, 1863.

NO. 1.

The Cavalryman's Story.

"Till again," the grandeur faded,
Sitting by the fire-beam door,
Till again the tale unrolled,
How you rode of yore;
It will quicken the slow beating
Of my pulse once more.

And the broad and bearded ponies,
Of the re-charge, during fight,
Through the country of the foe
In the night springing,
Told with homely grace the story
By the old man's side.

"God I've thought were we grand there,
Every man of us was tough
As the way, brown haired panther,
And our blades were now high
As the choice you were when grizzly
Spun and wore the steel.

"We had watered by the river
In the twilight and damp,
Where we had to fight forever
With the intricate rump
That came rearing round at night-time
Through the fog and damp.

"But the enemy spring had brought us
Round as right as you could hit
And you knew there you had thought us
As a grizzly and true;
I could not of better luck
Than enough for three.

"Dashed we through the Rappahannock,
By brave Bonham's party led,
Each man more for a square took
On an F. F.'s head;
How our horses stirred the mud up
In the river bed!

"Oh! the wild strutting gallop
Round behind the enemy's line;
When a few men left to wallop
Surely we were there,
Trove through the horsemen's landing
Of his riding line.

"Hewed the delicate-handed ladies,
Killed behind their rear and rear,
But the sharp-eyed had blooded babies
Grown from the air,
And their, their ghastly mothers
How showed a fear.

"And the heavy-handed weary,
Held us steady and high,
As upon their midnight dreary
Made a morning sky;
Once it was the light of freedom
Flashed as we went by.

"The detour and the lowly
Tenderly we left unharmed,
One had made their weakness body
And their mother's hand;
But we passed the redoubt
On the western end.

"How we thundered down the highway
To the frightened village;
How we roared all the by-ways
Underneath the trees;
How we swung the steel missiles
Like a storm of bees!

"Over camps and dusty ridges
Dashed we on the night steers,
And the thunderous rumble bridge,
Tracked for iron teams,
Quiet as thought wood burning skyward,
With their change and teams.

"Flashed the well-lit army store-house—
Some smelted as never before;
Burst the doors of every warehouse,
Halted was their store;
Many a rebel named his release
For a month or more.

"Honor meant along before us,
Threatening death to every man,
And at times in shadow of W
Darkened like a lion;
But we rode of with that honor
Hardly kept the van.

"Then at dark we camped so wary
Out upon the rocky ledges,
With the stern banners starry
Holding all our lights;
And the pickets trail was motioned
Through the silent night.

"The long stretch days of danger
Bored us through the foe's hand,
Every man now, during rages
Bearing in the hand,
All of his un-voiced value
Lightly as his hand.

"Though the pills gathered thickly
How by hand on every hand—
They again kept quickly
Forward through the land,
Through a hundred leagues of foam
Reached us our hand.

"Oh! the memories of battle
But we remember by your side,
I can hear the heavy march
How he led when
And I never in my dreaming
That wild and I did.

—Harper's Weekly.

The Question of Endurance.

The following paragraph is from an editorial article in the Raleigh (N. C.) Progress of the 13th inst., a rebel paper of high position and much influence:

The great number of the enemy's forces and the multitude of their shipping make it easy for them to carry on simultaneously all these operations, and they do not care for delay, for it is our people who are suffering, not theirs. The longer this style of warfare lasts the greater will be the mass of plunder carried north, the more of our mills, machine shops, and railroads they will have destroyed, the more of our national resources they will have ruined and wasted, and the better chance they will have for an irrevocable advance at last. They are in no hurry. Last year indeed there was urgent haste to get the rebellion crushed in thirty days or in sixty. Now we hear much less of their vehement urgency; and the whole Yankee nation seems to have laid out its accounts for the war as the settled business of life, rather than consent to peace and separation. They are perfectly willing to fight upon the present system for twenty years or fifty. They are willing during all that time to go on submitting to such defeats as they have sustained at Fredericksburg and on the Rappahannock, because by these defeats they lose not a foot of ground—they lose nothing but men, and men are of less value to them than to us. One thousand gallant Southern lives lost to us are ill balanced by the killing of five thousand of their base hirelings. Jackson alone is a dearer loss to us than Hooker and his whole one hundred and fifty thousand would be to them, and they speculate that it may be Lee's turn next, or Longstreet's, and that at any rate they are killing us slowly off, and they are, in the meantime, stealing much and raising more, and their women and children are safe at home, many of them dressed better than ever before in the spoils of our houses, while Confederate women and children are routed out of house and home and chased like wild beasts. In short, if we can endure this war for the next half century they can, and they will wish us joy of our victories and our glory. We urge nothing, suggest nothing, hint nothing—only state the facts. Such is the policy of the enemy—such is his calculation—such is his interest and intent.

Taking no account of the writer's bitterness, we fully agree with him as to the general power of endurance in this war. It is of course extremely desirable to the people and the Government of the United States to put an end to the rebellion as soon as possible, but, be the time long or short, they can and will fight on till the work shall be accomplished. If five years are found necessary, they will fight five years; if ten, ten; if twenty, twenty. Time is important, but final success is immensely more so.

The North Carolina Editor is certainly correct in his conclusion, that, if the present style of warfare continues much longer the Federal armies will be sure to make an irremediable and overwhelming advance at last. Every month and every week, the Federal strength is rapidly becoming greater and greater in proportion to that of the rebel power of resistance. The whole war is upon Southern soil, and, whilst distance and pain and desolation reign throughout the South, quiet and ease and abundance prevail in the loyal States. The Southern ports are blockaded, the Southern railroads are almost worn out, Southern labor, white and black, is almost utterly broken up, Southern regions are ravaged by the progress of loyal and disloyal armies as by the conflagrations of fire, Southern money has become a fiction, Southern commerce of life is held at prices without parallel in the history of other civilizations or barbarisms, and Southern resources are man-to supply the

immense army losses by battle and pestilence and fatigue and want have been wholly exhausted by rigorous and all-embracing conscriptions, while, in the loyal States, commerce is as free as the breeze, labor receives its rich reward, no hostile force sets its blighting foot upon the fields, the currency is sound and plentiful, all the means of living in comfort are within the grasp of the whole population, and there are probably five millions of men who can be added to the armies at the discretion of the Federal Government. The extraordinary contrast that shows the blank hopelessness of the rebellion.

The United States can keep up this struggle throughout the remainder of the century and great the year 1900 with a voice of cheer. And the struggle must be kept up till the mighty object is accomplished, be the cost in blood and coin what it may.—There is to the loyal States no choice between their own political annihilation and the restoration of the Union. The struggle for the Union is to them the struggle for existence. Even the Southern organs admit, and not only admit but boast, that a permanent separation between the Southern States and the Northern States would be followed at once by the breaking up of the latter into half a dozen petty Powers bound together by no common nationality, none of them acknowledging the treaty obligations of the country or holding themselves responsible for any portion of the public debt, and all of them establishing their own tariffs and keeping themselves in constant readiness for the perpetual wars that would be inevitable. No human being, whose brain is not "juggled and out of tune," can suppose that the loyal States will bow to such a horrible destiny so long as they have the power to resist it, and, as all well know that they can resist it for an indefinite period, they will make up their minds to the darkest and the worst unless, in mercy to themselves, their wives, and their children, they shall lay down their arms and give their assent to the re-establishment of a government, which, for nearly a century, has been the glory of the world.

The North Carolina Editor concludes his gloomy statement with saying, "we urge nothing, suggest nothing, hint nothing—only state the facts." And he may well say this, for, short of the restoration of the Union, there can be nothing for him to urge or suggest or hint. He cannot expect or desire that the rebel States assume the offensive and undertake to invade the loyal States, for he knows, that, if they were to attempt this, their invading forces would be scattered like the foam of the sea.—Louisville Journal.

A Soldier's Remarks of a Growler.—A professional growler was going on about the war in a hotel, a few weeks since, criticizing everybody and everything, and denouncing our generals as blockheads and blunders, when a young soldier, to whom the conversation was principally addressed, replied:

This war has done one thing, at least. It has developed more military genius than any other war in history. Why, there are men in every village in the North, who, with their teeth cocked upon a stove, a cigar in their mouth and a gin cocktail in their hand, will fight a better battle in ten minutes than was ever fought by Caesar or Napoleon. I have no doubt there are those in this room who can capture Vicksburg and Charleston while a man is tying on a cravat, march into Richmond in forty seconds, and put down the rebellion in half an hour. Hatred, Hooker and Grant are good enough so far as they go, but they have no military genius. To find that, you must go North and sit among the bar room and freckle barons.

The growler did not say anything more.

THE NATIONAL DEBT.—The official statement of the total amount of public debt up to July 1st, is \$1,097,974,864.

WHAT HAS BEEN ACCOMPLISHED.—The month of July thus far has been a crisis for the Jeff. Davis conspiracy, and a perfect avalanche of victories for the Union. Over 80,000 prisoners have been taken by the Federal forces, and the rebel ranks, decimated by over 20,000 more killed and wounded—making in all 100,000 men, besides 50,000 stand of arms and 300 cannons at Vicksburg, with commissary stores and ammunition to great quantities, and cannon, arms and stores at Fort Hudson. Add to this the demoralization of Bragg's army and the thousands that have left in disgust, and are now in the moonshins of Tennessee; the rout of Lee's army, and the probability of its capture or of its being cut to pieces before it can reach Richmond; the taking of Morris Island; the rout of Johnson by Sherman, the defeat of Price at Helena, together with minor successes of the Federal arms, and we think it about enough glory for the space of half a month. Davis stated in his speech in Mississippi that the fall of Vicksburg would be the ruin of the Southern Confederacy, and we are inclined to think that he was about right, and that the treason-batched administration denounced the "Southern Confederacy" is about played out. North Carolina is preparing to leave the rotten concern; Louisiana is ready to step back into the Union; Tennessee will take her place among the loyal States in a few short months; and the power-hungry conspiracy of Jeff. Davis and Co. will be left to struggle in its death agonies alone. When the early frosts shall come, Union armies will pierce the very center of the cotton States, and give the finishing blow to the vitals of the rebellion.

The Louisville Journal in an article appearing early among the friends of the Union, closes with the following paragraph:

"And in this relation a great and solemn duty rests upon the Administration, whose policy, more than all other things, has brought about whatever distraction exists amongst the loyal men of the country. It is time, high time, past high time, for the Administration to concede something, to concede much, to concede everything, to the conservative sentiment of the people. Something at least must be conceded; and we accept the revocation of the Order suppressing the Chicago Times and prohibiting the circulation of the New York World in the department of the Ohio as an assurance that something will be conceded. Nothing recognizes the necessity of this would be madness. Let the Administration, in this dread emergency, but the above party, may be guided alone by the interests of the country and of humanity as they are defined in the constitution of our land, and all will be well. Let the Administration do this, and the people on their part will rally around it as one man. The Administration has in its own hands and has had from the beginning the whole question of unity or division in the loyal ranks. Would to heaven, that by a noble exertion of lofty independence, the Administration would now at last solve this question in the interest of unity and of the national salvation.

Mrs. Partington declines taking any stock in the Atlantic Telegraph. She thinks that joint stock companies always get into debt, and so it is doubtful if they can pay out their cable. Besides it would not surprise her to hear at any time that the cable had gone to the bottom.

A little white room, with gilt ceilings, in the Tuilleries is the council chamber of the celebrated coquette, consisting of her Majesty, Madame de Morcy, Madame de Guille, Madame de Fezouy, and Madame Drouyn de L'Hays, who discuss in the very whorwhol that they shall be clothed.

The Washington Gazette,

SEATTLE, KING CO., AUGUST 10, 1863.

To the Public.

The town of Seattle and County of King possess more extensive and varied resources than any place or region of country on Puget Sound. Seattle harbor is one of the finest and best on the northern coast of the Pacific. King county undeniably comprises a larger body of good agricultural lands than any other county in the Territory. The facilities for carrying on extensive lumber manufactures are unsurpassed by any other portion of the country, and recent discoveries have proved the existence of numerous rich coal mines as among its various other resources. Add to these the natural advantages the now completed University—destined to make Seattle the educational centre of the Territory, the probability of the final and permanent location of the Capital at this point, and the already organized Agricultural Society, calculated to give a new impetus to the development of the unbounded wealth of the soil—and this town and county can claim with certainty a bright and promising future. Hitherto the people of this section have been quietly and modestly pursuing the "virtuous way," conscious of the opportunities and advantages of their town and county, and perhaps too supinely biding their time when the good future in store for them should begin to dawn, while other communities with not a tithe of their resources have been talked, written and pushed into a greater but less deserving notoriety. It is now time this section of country should have an advocate, an exponent, a medium through which its great advantages, natural and acquired, may be made known, and whereby a portion of the thousands of immigrants now wending their way to the Pacific coast in search of new homes and new fields of labor, may find out a desirable spot to settle upon, develop, and upon which to grow rich and prosperous. In short, King County, Seattle and vicinity want a newspaper—that best and cheapest promulgator of all sorts of useful information—and the little sheet herewith presented as a prospectus for such an institution, is offered with the conviction that no community in this Territory is more deserving of it, or better able to support it.

THE GAZETTE, if its publication be continued, will be devoted to the interests of Washington Territory in general, and of Puget Sound, King county and Seattle in particular. In local or party politics it will take no part, but will give the right to speak on political subjects of general interest and will, at all times, sustain the Union and the National Government.

THE TERMS of the paper will be FIVE DOLLARS a year, payable half-yearly in advance. These terms, though they may seem high for the size of the paper, will be necessary, on the start, to meet the expenses of the new enterprise at a time when printing paper and materials are high; but the public will consider that a small sheet is better than none, and that a prospect of this kind is general in its usefulness, and will repay every man in the community ten fold for the investment. Should the required number of subscribers to warrant the publication not be obtained, the money will be refunded to those who may have paid.

Subscriptions will be received and receipts for by the following gentlemen, who are authorized to act as agents, on the terms

stated, and will give any further information on the subject which may be desired: Messrs. S. F. Coombs, D. Horton, H. L. Vesler, C. C. Terry, and John A. Saffron, Seattle; E. Smithers, Black River; L. T. B. Andrews, Squak Valley; L. McMillan, White River.

THE UNIVERSITY.—By reference to an advertisement in another column of this paper it will be seen that this institution will commence its first quarterly session on the 15th of September next. Those intending to join the school should commence with the beginning of the school year, as there are apparent advantages in joining the classes at their formation. There is every reason to believe that the School, under its present management, will give general satisfaction to its friends and patrons, and it is hoped the patronage will be commensurate to the pains-taking efforts of its conductors in providing the public with so excellent an institution.

THE news from the Cariboo mines is generally unfavorable. A few claims are paying well, but a great majority of the mines are not making grub. Private letters from that region represent the mines as about "played out." On the contrary, the mining prospects of this Territory, Idaho and Oregon, are daily becoming brighter and more encouraging. Water is scarce in some localities, but another season will remedy this evil.

THE *Monteclair* has information from persons returned from Boise, that for miles the road is lined with wagons and pack trains on the way to the mines. In a whole day's journeying the traveler is never out of sight of teams. It is computed that there are full five hundred teams on the road to Boise, and the pack-trains no mean undertaking to compute.

OFFICIAL.—The following is the official vote for Delegates to Congress in this Territory:

Geo. E. Cole	1,572
J. O. Raynor	1,381
L. J. S. Turney	98
L. G. Kinney	17
Scattering	6

It is announced through the Collector of Customs at San Francisco, that the embargo on live stock, which has lately troubled the Victorians as well as the stock traders of the Sound, will be immediately removed.

HOUSE-RAISED TOBACCO.—The *Olympian Press* has seen a specimen of tobacco, raised by Capt. Warren Gore of Nisqually, which is superior to anything of the kind sold by tobacco merchants in the country.

ARRIVAL OF IMMIGRANTS.—The first train of the overland immigration arrived in the Walla Walla valley on the 4th inst. They report that they have had a favorable journey.

It is stated upon rebel authority that Sam Houston of Texas, threatens to take up arms against the 'Confederacy,' unless he is treated more civilly.

NEWSPAPER AT BOISE.—It is said that arrangements have been made for the publication of a newspaper at Bannock City, Idaho Territory, to be called the *Boise News*.

CLAIMS against the city of New York for damages sustained by the late riots, thus far presented, foot up \$950,000.

Large numbers of immigrants are arriving daily in the Boise mines.

Resources of King County.

King County, (so named after the Vice President under Pierce's administration,) was organized in 1853-'54. Seattle, the County Seat, is situated on a beautiful elevation of land on Elliot's Bay, near the mouth of the Duwamish river, and may be seen from the Sound in passing up and down.

The agricultural resources of King County are, without doubt, unequalled by any other county in Washington Territory, and its products, this season, will bring more ready cash on the farms where it is raised. The best feature of our town is that the country back of it and around it grows much faster than the town itself.

I have just returned from a trip up the White River valley, in this county; the farmers were all busy in gathering their wheat and hay; in many instances as high as \$4 to 4 tons of hay to the acre will be harvested. About 500 tons of hay will be raised in the county, which will bring at least \$14 per ton on the banks of the river. The farmers on this river have most of them carved their farms from the timber bottoms. On the Kidd farm there are 36 acres cleared; on S. W. Russell's is a clearing of 20 to 30 acres, besides a prairie of the same amount. Mr. Atford has 40 or 50 acres cleared. There are upwards of 60 settlers in the White river valley, and it is fast settling up. I noticed a field of wheat on H. McKabe's farm, of about 20 acres, winter wheat, and free from smut. D. A. Nealy has some 20 acres of potatoes. I saw one piece of 5 acres and another of 5 to 6 acres in onions which were looking finely. Onions grow well in this valley, though in many instances they have failed this year on account of bad seed; the seed raised in this country does much better than that brought from California. As high as 65 bushels of wheat have been raised from an acre and from 400 to 600 bushels of potatoes per acre. Oats is the easiest crop, in connection with potatoes. On Mr. Adams' place I was shown a piece of about one acre of onions, which will produce over 400 bushels—the smallest of these are now not less than two inches in diameter, and I measured some over four and a half inches through. I saw a field of carrots and turnips which will yield, according to the estimate of Mr. Adams, 3000 bushels to the acre.

The hay crop of King county will no doubt be the principal crop and yield the best profit to the farmer. Many are preparing their land for Timothy hay—the seed once sown the crop is there every season, only needing to be harvested. Good farms remain to be taken in this valley, but not adjoining on the river. From the river back to the bank of fir timber, in some places, it is five miles—making a tier of farms five or six deep from the river. It is generally conceded that the land grows better as you go back from the river toward the high land.

On the Duwamish, Black, Cedar, and Green Rivers are just as good farming lands as on White river, but not quite so extensive. On Lake Washington, Lake Sammamish or Squak Lake, and in the valley known as Squak valley, are found some fine farming lands. Some fifteen or twenty settlers have moved into that section of the country within a few months. A Mr. Coate has moved his family there and will put in from 50 to 75 acres of wheat this fall. He has about 100 acres of prairie land which in this valley, is much better for agricultural purposes than any I have seen in Washington Territory. The farmers in this county are generally fore-handed, and what would be called independent.

Among the resources of King County may be mentioned that of Coal-mines. On Black river there is a vein some four feet

thick, which has been worked; but the mine is not worked now. On Green and Cedar rivers there are also veins of coal. But probably the largest deposit of coal in King county and no doubt the largest in the Territory, is in the hills adjacent to Sammamish or Squak valley. Mr. Andrews, a citizen of Seattle, visited that section of the county last May, and upon examination in various directions in the low mountains adjacent to the valley concluded that there was a large coal field in that vicinity, and of a very excellent quality; that owing to the dip or inclination of the lead being nearly parallel with the surface of the mountain, it can be very cheaply and extensively mined. The means of transporting the coal will be by way of Lake Sammamish and Washington, between which there is a channel that with a little expense can be made navigable. The coal can be loaded at the head of the lake in a scow or boat, carried down Black and Duwamish rivers to Elliot's Bay and the Sound. Mr. Andrews has a claim upon which there are three different veins of coal one above the other, within the distance of about one-fourth of a mile up the mountain side, with an average thickness of twelve to twenty feet each. Mr. Andrews is now making a road from the coal deposit to the lake, a distance of about four miles. I have witnessed the burning of the coal in a blacksmith's forge, which proved superior to any on the Pacific Coast for that purpose. Mr. Andrews will have a ton or two of the coal in Seattle in a few days, where it can be inspected by all those who may feel an interest in it.

I will briefly refer to Seattle and the facilities for milling etc., in the vicinity of the town. The Seattle Mill Co. have their Saw and Grist Mills located here in town. The ship *Arcton* runs regular from this mill to San Francisco. She has just arrived, and is discharging freight at Capt. Lamb's Point opposite the town. The freight consists mostly of machinery for a new mill on that point, which will be put up under the supervision of J. R. Williamson, formerly one of the firm of the Washington Mill Co., or Adams Blinn & Co. This mill is to be owned, I learn, by parties in San Francisco, Victoria, Whidby's Island and Seattle; the machinery will be of the latest improvement. Operations have commenced on the mill, and opposite the town on Bainbridge Island, Capt. Bentler has also commenced work on a new mill, which will make three mills in sight of town, and Port Madison mills are only about twelve miles from here. The object of money being invested in mill property near the mouth of these rivers no doubt, is the extensive quantity of timber on their tributaries, where the land has not been surveyed. Within a short distance of Seattle, is the best anchoring grounds on the Sound, proven so by I. I. Stevens and those employed by the U. S., in looking out a route and terminus for a Northern Pacific Railroad. For particulars, reference may be made to Stevens and McClellan's Report on the Northern Pacific Rail Road Route. Hon. W. H. Wallace presented a petition for a wagon road last winter, from Seattle to Intermont Muller's Military Road on the Columbia river via the Snoqualmie Pass, which petition was referred to a committee, and I think a favorable report was made donating two townships of land for that purpose. What we need now is a tri-weekly mail from Seattle. There is a mail route from this place to the Seachomish lately established. John A. Saffron has just completed his foundry, and in a few days will be ready to solicit patronage in that line. After getting a full supply of iron, a machine shop will be connected with the foundry so that work can be finished up on short notice, and in a workmanlike manner. The steamer *J. B. Libby*, of this place, was fitted up at Mr. Saffron's shop, and is now engaged in towing on the Sound. S. F. C.

An exchange says: "Truth is crowded out of this town." This, the Springfield Republican thinks, is almost as bad as the up-country editor, who said—"For the evil effects of intoxicating drink, see our inside."

"I hope to live to see the day," said Eard Broogham, "when every peasant in England can understand Newton." Wouldn't it be better that they had a little Isaac first? inquired Cobett.

The Chemist to his Love.

I love thee, Mary, and thou lovest me. / Or what flame is like the affinity / That is to exist between us, under bodies / I am not certain to give you.

A Balloon Duel.

Perhaps the most remarkable duel ever fought took place in 1808. It was peculiarly French in its tone, and could hardly have occurred under any other than a French state of society.

THE YAZOO RIVER.—Yazoo is an Indian name, signifying the River of Death. The water of the river is stagnant, slimy thickness, and invariably produces an incurable disease when used any length of time.

They say the alligator has his tender spot somewhere about his belly. That's the rebel's tender spot just now.

The Counselor Peased.

At a trial in the Court of the King's Bench, in 1833, between certain publishing tweedledums, and tweedledees, as to an alleged piracy of an arrangement of the "Old English Gentleman"—an old English air,—Tom Cooke, the composer, was subpoenaed as a witness by one of the parties.

"Now, sir, you say the two melodies are the same but different. What do you mean by that, sir?"

To this Tom promptly answered—"I said that the notes in the two copies were alike, but with a different accent, the one being common time, the other in six-eight time; and consequently the position of the accented notes was different."

Sir James—"What is a musical accent?"

Cooke—"My terms are a guinea a lesson, sir." [A loud laugh.]

Sir James, (rather ruffled)—"Never mind your terms here. I asked you what was a musical accent? Can you see it?"

Cooke—"No!"

Sir James—"Can you feel it?"

Cooke—"A musician can? [Great laughter.]

Sir James, (very angry)—"Now, pray, sir, don't beat about the bush, but explain to his lordship [Lord Denman who was the judge that tried the case] and the jury, who are supposed to know nothing about music, the meaning of what you call accent."

Cooke—"Accent in music is a certain stress laid upon a particular note in the same manner as you would lay a stress upon any given word for the purpose of being understood. Thus, if I were to say 'you are an ass,' it rests on ass; but if I were to say, 'You are an ass, it rests on you, Sir James."

Reiterated shouts of laughter, by the whole court, joined by the bench itself, followed this repartee. Silence having been at length obtained, the judge with much seeming gravity accented the chop-fallen counsel thus:

Lord Denman—"Are you satisfied now, Sir James?"

Sir James (who depreed as he naturally was, to use poor Jack Reeve's own words, had become scarlet in more than name), in a great huff, said—"The witness may go down!"

And go down he did, amidst renewed laughter, in which all joined, particularly the learned brothers, except one who did not see any joke in the matter.

WESTERN ANTIQUITIES.—A writer in the St. Louis Republican avers that the discoveries of ancient remains in the valley of the Mississippi, prove this country to have been inhabited from a very remote period. He says: The ancient potter in the valley of the Mississippi was not so much of an artist as his plastic brother in the valley of the Nile, but still many of the specimens of his workmanship, which are constantly coming to light, exhibit taste, skill and judgment.

A Little Dish of "Peace."

Mr. Wall, of New Jersey, who was confined in Fort Lafayette a year or two ago, and afterward sent to the United States Senate to complete a vacant term, lately made a speech in Philadelphia. The feeling in regard to the orator, who is known to favor submission to the rebels, was so strong in that city that he was protected by speaking by two hundred "mignons of Abe Lincoln," who were also the municipal "tyrants and despots" of Philadelphia.

In the course of his speech the orator said that if the North, which is the stronger of the belligerents, did not offer overtures of reconciliation the war would become one of subjugation and annihilation. Of course it will. When some citizens aim to overthrow the Government of the people, and the people accept the war, there can be but one of three results: either the rebels must be subjugated by the superior power of the Government; or they must conquer the Government; or the war must continue until the weaker party is exhausted or annihilated.

That is exactly the feast of "Peace" to which Messrs. Vallandigham, Wall, Wood, Rynders, Brooks, & Co. invite the country.—Harper's Weekly.

SINGULAR SPECTACLE IN BATTLE.—At the battle of Stone river, Tenn., while the men were lying behind the crest waiting, a brace of frantic wild turkeys so paralyzed with fright that they were incapable of flying, ran between the lines and endeavored to hide among the men. But the frenzy among the turkeys was not so touching as the exquisite fright of the birds and rabbits. When the roar of battle rushed through the cedar thickets, flocks of little birds fluttered and circled above the field in a state of utter bewilderment, and scores of rabbits fled for protection to our men lying down on the left, nesting under their coats and creeping under their legs in a state of utter distraction.

A rather smart Indiana woman writing from Louisville to the Indianapolis Journal, describes Gen. Boyle as very gruff, and expresses the hope that he won't look at her "mug of milk." Prentice supposes the delicate creature means her bosom.

It was not Snook's wife who "loved to make bread 'cause it cleaned her hands so beautifully," nor who wanted a dark-colored tea-set that "wouldn't show the dirt." It was a base slander upon Mrs. Snooks, and we are happy to record the fact.

It is said that Gen. Bragg and Gen. Breckridge are trying, like a couple of owls, to hoot each other down.

TALK OF THE PICKETS BEFORE VICKSBURG.

We have all read a great deal of "table talk," and have found some of it very spicy and amusing, but doubt whether any would prefer it, refuted as it is, to some of the "picket talk" before Vicksburg, while that place was besieged. Our lines were within a few hundred yards of those of the rebels, and as a ravine intervened, it was necessary to throw out pickets on the side of each hill, to prevent the possibility of surprise. By mutual consent neither side would fire on the other's guards; and as they could not fire leaden ones they amused themselves by shooting pithy wordy bullets at each other. With the two as an audience, they would keep up the noisy battle the whole night through. The Indianapolis Journal gives the following specimens:

Federal picket—"I say, Secesh, have you anything to eat over there?"

Secesh—"Plenty."

Federal—"What's the use of lying now; come over and get a cup of coffee."

Secesh—"Confound you! come over and get Vicksburg."

Federal found that a stamper.

Another: Secesh—"Hello, Yanks, why don't you make another charge on us?"

Federal—"Its against our principles to charge on Prisoners."

An Irishman being on duty the other night was taunted by the rebels about the non explosion of our shells, when a shell from the Sixteenth Ohio Battery burst immediately over the loquacious Secesh.

"Blas't ve," cried the Irishman, "stick that in yer knapsack and stop yer jaw."

To this elegant speech no answer was returned.

Quite an excitement was raised a few nights since by a deep-voiced private in our rifle corps calling out as follows:

"Attention, battalion! Order arms! Fix bayonets! Shoulder arms! Charge bayonets! Forward, double quick." Just at this juncture an entire volley of musketry from the rebels greeted our pits. It was dark, and they thought a charge was being made. As soon as the report of the discharge had died away our hero cried out, as though he was commanding a regiment:

"Why are you wavering there?—Forward! I say, forward!"

Another volley came rattling over their heads, when, having carried the joke far enough, the boys fell to shooting at the excited rebels, and ceased only when the pickets were put out.

Aunt E. was trying to persuade little Eddy to retire at sundown:

"You see, my dear, how the little chickens go to roost at that time."

"Yes, aunty," replied Eddy, "but the old hen always goes with them." Aunty tried no more arguments with him.

"Take off your hat, man," cried a Judge to an An-axon in a riding dress, "I'm a lady," was the reply; "I'm not a man." "Then," said his lordship, "I'm not a Judge."

The young man who asked the daughter's hand and got the father's foot, had the consolation of knowing that his wooing was not bootless.

The thoughts of certain women are always fixed on the opposite sex.—Even when they laugh they say "Te-he."

DECLARATION OF SERVICE

I, Judy Kiesser, hereby certify that on December 5, 2011, I caused the original of the foregoing "Skagit County's Response and Motion for Costs Incurred Due to Frivolous Appeal" to be mailed by U.S. Mail to the Washington State Supreme Court (Clerk of the Court) and that I caused to be served a true and correct copy of the document to which this is attached upon the individuals listed herein, also by U.S. Mail:

**CARL GEORGE JAEGEL
WAVERLY JONELL JAEGEL
15873 MCLEAN ROAD
MOUNT VERNON, WA 98273**

**CAMERON G. COMFORT
CALLIE CASTILLO
OFFICE OF THE ATTORNEY GENERAL
REVENUE DIVISION
PO BOX 40123
OLYMPIA WA 98504-0123**

I declare under the penalty of perjury of the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

Signed at Mount Vernon, Washington this 5th day of December.



Judy L. Kiesser
Legal Assistant to A.O. Denny