BENSON TURNS **OVER FEES TO STATE**

Law Doesn't Say He Must, but Secretary Wants to Remove All Doubt.

OPINION STATE ATTORNEY

Says the Secretary of State Acts Clearly Within the Law and Within His Rights-That Official Will Draw Flat Salary.

SALEM. Or., Dec. 12-(To the Editor.)-Under date of November 20, the Salem correspondent of The Oregonian has correspondent of the Oregonian has raised the question whether the previsions of the flat salary law have been violated by me in collecting the sum of \$2003 from the state for making copies of the laws and journals of the last Legislative Assembly for the State Printer and failing to return any unused balance above the amount actually paid out by me for clerk hire and other expenses necessarily in-curred in the performance of said service. In charging the state and receiving this amount for the service, I felt that I was clearly within the letter, intent and spirit of both the flat salary law and the resolution requiring me to furnish the State Printer these copies at the same rate as is provided by statute for rendering services of the character and that when it ices of like character, and that when it had imposed upon me, by resolution, du-ties in addition to those prescribed by statute, it intended that I should be com-

I have consulted with able legal counsel I have consulted with able legal counsel concerning any violation of the statute in connection with this charge and have been unanimously advised that I was clearly within the letter, as well as the spirit, of the law. However, as an additional precaution, I further referred the matter to the Honogable Attorney-General for his opinion and he advises that the resolution providing for this compensation in no manner conflicts with the flat salary law of 1905, and that I would be clearly within my legal rights to retain the exly within my legal rights to retain the ex-cess above the actual amount paid in fur-nishing the copies for the printer, which opinion is as follows:

Crawford Gives Opinion.

Salem, Dec. II, 1907.-Hon, F. W. Ben n, Secretary of State, Salem, Or.—Dear r: Tour request of recent date for an minion of this office upon the following propositions: First, as to whether you are entitled to retain all the compensation provided in House Concurrent Resolution provided in House Concurrent Resolution No. 21, for furnishing copies of the laws enacted by the people and those passed by the Legislative Assembly, with the journals of each House, to the State Printer for publication, as required by law; and, second, whether said resolution viblates the flat salary law (so-called), has our consideration.

"The first question requires an examination of the resolution as to navment for

tion of the resolution as to payment for the services thereby required, and rela-tive thereto it reads as follows:

For the purpose of meeting the expenses necessarily incurred by the Secretary of State in making such transcripts, he shall be allowed such compensation as is provided by law for like services in other cases.

vided by law for like services in other cases.

"Sention 2823 of Bellinger and vioton's
Annotated Codes and Statutes provides:
The fees of the Secretary of State shall
be as follows: For making copies of any record or file, each follo, 25 cents.

"Therefore, the compensation provided
in said resolution is 25 cents per folio.
The question is, does the resolution rethe compensation provided that seven plaines to the folion of the manner.

The Farrels have eral transactions charges, but Miller

am of the opinion it does not. The lan-guage of the resolution appears to preclude such a construction. It reads: shall be allowed such compensation, that is, the Secretary of State shall be allowed the compensation provided, and there is nothing in the resolution which provides that he shall render an account of extime of the clerks, proofreaders or any other expense relative to making tran-

Nothing Said About Balance.

"He is simply allowed the compensa-tion of 25 cents per folio, which is to cover everything, and the resolution does not say that he shall return any pari thereof. The compensation allowed is the same as is allowed court reporters and others who are required by law to make copies of such records. Had the Legislature intended to pay only what the Secretary of State might be required to actually pay out in cash, then it would have used appropriate language to con-vey such idea, and would either have re-quired a bill of items to be filed, showing the expenses, or it would have au ing the expenses, or it would have authorized the Secretary of State to employ the necessary clerks, proofreaders, etc., and to incur such other expenses as might be necessary and to pay the same out of the general fund of the state, the same as other clerks and employes of the state are paid. It would not have compelled a computation of the number of words to ascertain the folios in order to fix the amount of the compensation. to fix the amount of the compensation the Secreary of State was to receive. This view is strengthened by the fact that the services required by the resolution were not among the duties required by law of the session of the Legislature and by it required of the Secretary of State, and in the resolution requiring such extra services, compensation for the same was fixed. It would hardly be con-tended that if such a contract were made between two private individuals, the onhaving the services performed and pay-ing the compensation therefor could recover any part of the same because the contract said for the purpose of meeting the expenses of making such transcripts, or for the expense of performing the re-quired services, his said compensation was to be paid. No court would ever de-cree a return of any portion on that ground. Therefore, I am of the opinion that the Secretary of State is entitled to retain all of the compensation provided for him in said resolution No. 21.

Not Strictly in Conflict.

"Relative to the second question, ask-ing whether the resolution is in conflict with the flat salary law, to-wit: chapter & laws of 12%, which fixes the salaries of a number of state officers, and among those the salary of the Secretary of State. wreck on Moscow Branch.

COLFAX, Wash, Dec. 12.—(Special.)—
The Moscow-Colfax O. R. & N. mixed train was wrecked this evening about three miles from Colfax. A freightear from the center of the train jumped the track. Nine cars followed suit, several cars of State fixed at \$4500 per annum, he was not required by the general laws of the state, and is not now, to prepare for the State Printer copies of all laws that may be enacted by the people or the Legislative Assembly of the state, and the fournals of the two houses. Those duties or those services are services which trise in connection with legislation, and

the performance of them and the com-pensation for their performance is pro-vided for by each Legislative Assembly when it meets, and it is not necessary to require the same to be done by the Sec-retary of State. Therefore, no such serv-ices were considered to be included in his compensation of \$4500 per annum.

Doubt as to Spirit of Law.

"There is also another rule of construction of statutes which might be applicable to the matter under con-sideration. That is if two statutes are in irreconcilable conflict, the latter statute must prevail. Therefore, if such be considered to be the case in the matter under consideration, chap-ter 68 of the law of 1905 must be considered as modified by the resolution sidered as modified by the resolution referred to, as far as there would be any conflict. However, the question you propound is whether the resolution is in conflict with said chapter 68 of the law of 1995, and while the legal effect would be, if it is in conflict, that the latter statute must, prevail resolution the resolution has the vail, providing the resolution has the force and effect of a statute there is some doubt as to whether the Legislature in passing said chapter 68 did not intend to make the sum therein named as salary, full compensation for all duties then required to be performed by the Secretary of State, and all fur-ther duties which might thereafter be required of him. Therefore, while we are of the opinion that the resolution does not legally conflict with the pro-visions of said chapter 68, there may be a doubt as to whether the spirit of the same is not violated thereby. Very truly yours. "(Signed)

A. M. CRAWFORD,

"Attorney-General." Turns Back the Money.

On account of there being some latent doubt as to whother the spirit of the resolution is in conflict with the spirit of the flat salary law of 1905, and in order to forever eliminate any and all such possible doubt, and desiring not to retain any money to which I am not both legally and morally entitled, I have this day paid into the State Treasury the sum of \$1.389.37, being the amount over and above what has been paid by me in providing copies of the general laws and journals for the State Printer and indexing the general laws, a statement of such expenses being as follows:

Amount received for copying laws
and journals \$2,063.66
Amounts paid—
G. I. Staley, typewriter
rent \$ 8.63

rent Salesman, blanks.
A. McCulloch, typewriting and comparing.
Regina West, typewriting and comparing Miss Byrd, typewriting and comparing.
Clara Foster, typewriting and comparing. 84.50 88.00 2.59 ing and comparing.
Frank Davey, supervising, comparing and indexing laws
Baiance paid to State
Treasurer

1,389.37-\$2,003.00 I fell that in justice to the public, as well as myself, a statement from me concerning this matter, is in order, and that though legally entitled to the fees for this service, rather than have it questioned that the same were re-ceived in violation of even the spirit of the law, have voluntarily paid the balance, above the money actually paid out for the transcripts, into the State Treasury, although much time and labor in superintending and supervising the work was required.
FRANK W. BENSON,

Secretary of State.

324.00

WORKED SAME GAME HERE

Seattle People Arrested on Charge of Piano Swindles.

SEATTLE, Wash., Dec. 12. - (Spe cial.)-Mr. and Mrs. C. E. Farreli and C. K. Miller were arrested here tonight, charged with wholesale swindling of local piano dealers. The game was to rent a piano for a week and then sell the instrument. It is known that seven pianos have been disposed

The Farrels have confessed to sevquire the Secreary to return any balance that may remain over and above the actual expenses incurred for clerk hire, proofreaders and incidental expenses relative to making such transactions included in the one clee came along and Orchard said to picked up the bomb and left, taking it back to Pettibone's store.

Pettibone then went to the Sait Lake for smaller performances, but the local convention, the witness said and or convention, the witness said and or convention. for similar performances, but the local police declare they have sufficient evi-dence to obtain a conviction and prosecution will be instituted here.

GOING EASY ON EXCLUSION

Seattle Radicals Moderate Their Demands as to Orientals.

SEATTLE, Dec. 12.-The Japanese Korean Exclusion League of Seattle has radically modified its position on the exclusion of Orientals. When first organized the league declared in favor of the exclusion of all Orientals, and advocated this for months. Lately the sentiment has turned, and tonight the leaders of the league indorsed a petition which will be laid before Con-gress calling for the exclusion of Orientals, with the exception of mer-chants, students and travelers. A con-vention of exclusionists from all over the Coast will be held here in Febru

DEMOCRATS QUITTING MOORE Two Factions Will Name Municipal

Ticket in Seattle.

SEATTLE, Wash., Dec. 12.-(Special.)-A Democratic city convention called to frame a platform on which candidates for municipal nominations are expected to stand, turned down a luke-warm indorsement of Mayor W. H. Moore to-night by a vote of 1221/2 to 534. While the convention was in session Moore filed a declaration of his candidacy on the city party, or municipal ownership ticket, subject to the direct primary election in

February.

The defeat of Moore in the Democratic convention means a straight Democratic ticket, and that a faction of the Democrats will bolt to Moore.

GLEE CLUB STARTS ON TOUR University of Oregon Boys Appear

First at Albany. UNIVERSITY OF OREGON. Eugene, Or., Dec. 12-(Special.)—The University Glee and Mandolin Club left this morning on their 11th annual tour of the state. Altogether the troupe contains about 40 men, including Professor I. M. Glen, the coach, and Manager Clifford. The boys appear in Albany tonight, in Salem Friday night, and from there go to Eastern day night, and from there go to Eastern Oregon and to Walla Walla. Manager R. H. Clifford has worked industriously on his schedule and promises, if every-thing goes well, to turn quite a sum into the student body treasury.

TELLS STORY TREMBLING VOICE

Harry Orchard Displays Deep **Emotion in Rehearsing** His Crimes.

RELATES ALL THE DETAILS

Pettibone, He Says, Made Bombs Which Were Laid for Peabody. The Defendant's Connection With Other Murders.

BOISE Dec 12-Showing signs of deep emotion, Harry Orchard, in the Pettibone trial this afternoon, told of the assassina tion of ex-Governor Frank Steunenberg, in minute detail. He testified in regard to the deliberate preparation for the crime; of his unsuccessful attempt to end the life of the Governor and finally of the the life of the Governor and many of the placing of the bomb on the night of December 30, 1906. Tomorrow morning a narration of his arrest, confinement in the state penitentiary and his confession to Detective McParland, will end the direct examination, and the witness will be rned over to Clarence Darrow for cross-

Before telling of the Steunenberg mur der, Orchard detailed his alleged attempts on the lives of Fred Bradley at San Francisco; Justice Gabbert, Justice Goddard and Governor Peabody at Denver, and of plans which he said were made to kill Sherman Bell, Frank Hearne, David Moffett and John Neville. Throughout his story he pictured Pettibone as his pay-master, and in some of his attempted crimes he implicated the defendant as an active participant. In every detail his narrative was the same as given in the Haywood trial but Hawley in his questioning, was careful to lay emphasis the part alleged to have been taken by the defendnt on trial.

Efforts to Kill Peabody.

The testimony this afternoon began with the trip to Canon City to kill Beabody, the witness stating that in going he followed Haywood's instructions. He told of securing a position as insurance agent on recommendation of Pettibone, Howard Hawkins, and J. C. Sullivan of Denver. He said that he located Pea-Denver. He said that he located Pea-body's residence and studied his habits for a week, then going back to Denver and meeting Haywood and Pettihone at the latter's store, and telling of the plans. He said he got 50 pounds of dynamite at Max Malich's place, where it had been left by Adams, Malich and himself, after stealing it from a magazine. The powder he said, was taken to Pettibone's store where he and Pettibone made the bombs. Orchard had the lead case made at a plumber's shop.

Orchard had the lead case made at a plumber's shop.

The Peabody bomb was introduced in evidence and Orchard displayed considerable emotion as he identified it. The muscles about his mouth twitched and his voice trembled. He then related his failure to place the bomb, of his going to Rocky Ford and of his return to Denver.

Bomb Kills Wrong Man.

Next came the narration of the second npt on Judge Gabbert, in which he Petitione assisted. A bomb, he said, was set with a wire stretched across the path frequented by Gabbert. He testified that Pettibone watched the Gabbert residence and when their intended victim appeared, gave him a signal to tie a purse to the wire so that Gabbert would pick it up and set off the bomb. Some one else came along and Orchard said ... said, was set with a wire stretched across

made another attempt alone. He place the bomb at the same place, but a mini man named Valley came along ahead of Gabbert, picked up the purse, and was blown to pieces. Orchard then told of making a bomb and placing it at Judge Goddard's gate, Max Malich going with him. The next morning he passed there and dropping a newspaper, stooped down and fastened the wire from the bomb into a screweye previously placed in the gate. This attempt, he said, also failed.

Bell Digs Up the Bomb. .

After his arrest, he told McPartland about planting the bomb and it was dug up by Sherman Bell. The witness said that after this he and Pettibone watched Sherman Bell, intending to shoot him with sawed-off shotguns, but when Moyer heard of it he told them he wanted nothing pulled off in Denver as he would be blamed and he had been in jail long enough. It was then that the Steunenberg affair was proposed. Moyer wanted him, he said, to go to Goldfield and get John Neville, because he knew too much, and Haywood said the time had come to

get Steunenberg.

It was agreed that he should go to Goldfield first, and then to Caldwell, but Orchard said he never intended to kill Orchard said he never intended to kill Neville. He went to Canyon City for the bomb he had made for Peabody and then returned to Denver, where he said he bought a round-trip ticket to Portland and started for Idaho. His movements in this state were narrated very carefully. He told of going to Walket and meeting Jack Simpkins, and of their going to Caldwell.

After the first attempt to kill Steunenberg, he said Simpkins became scared and left, going to Silver City. He told of telephoning to Bill Esterly at Silver City and trying to get him to come to Caldwell.

How He Killed Steunenberg.

"On the night of December 20," said Orchard, "I saw Steunenberg at the Saratoga Hotel. I went to my room, got the bomb, took it to Steunenberg's residence and fastened it to the gate, covering it with snow. The bottles in the bomb were stationary, a piece of fish line being fas-tened to the cork and to a picket in the gate. It was dark when I set the bomb. I thought I saw a man cross the street just before I got there. After setting the bomb I started back to the hotel and met Steunenberg about two blocks from the house. Then I started to run so as to get back to the hotel before the explosion. I met several people, but none of them recognized me. I was within two blocks of the hotel when the bomb ex-ploded. I went on to the hotel, and into the saloon, helping the bartender tie up a package and then went to my room to

Got Money From "Pat Bone."

At this point in his testimony, court adourned until tomorrow morning at 10

At the morning session, Orchard re-lated his attempt to kill Fred Bradley in San Francisco. All communications and money received by him in the Bay City, the witness said, came from Petti-bone by registered letters, signed "Pat Bone," a name frequently used by the defendant defendant.

Reward for Marked Rats. SEATTLE, Wash., Dec. 12 - (Special.) -Whoever finds a live rat with a peculiar marking on it, said marking to have its character announced later, will, upon

presentation of said rat to the special sanitation officers, who have in charge the campaign being raged against burbonic plague, be given a reward of 31. This was decided upon today, and Sunday five marked rats will be liberated by the sanitation officers, who are desirous of ascertaining how far a rat will travel in a given time.

MISSIONARY WORKERS MEET

Women's Branch Oregon Conference

in Session in Salem-

SALEM, Or., Dec. 12.—(Special.)—The Women's Home Missionary Society of the Oregon conference of the Methodist Episcopal Church met in this city today for its 21st annual session. About 75 dele-gates are in attendance. The proceedings were opened this afternoon with devo-tional exercises led by Rev. W. H. Sel-leck, of this city. Papers were read upon "The Immigrant Problem," by Mrs. T. E. Cornellus; "Mother's Jewels Work." by Mrs. Butler; and "Our Work in Alaska," by Mrs. F. I. West!

by Mrs. F. J. Hard.
This evening the society engaged in a
prayer service, led by Rev. W. H. Selleck, and an informal reception was held. Sessions will be held tomorrow forenoon

GOOD CHANCE TO FEEL SORE

President Orders 90-Mile Riding Test for Army Officers.

VANCOUVER BARRACKS, Wash. Dec. 12.—(Special.)—In a letter to the War Department, President Roosevelt war Department, President Rooseveit states for the horsemanship test of officers next year he will recommend a ride of 90 miles, to be made in three consecutive days. The prescribed ride this year was 15 miles, to be made in two hours. It was considerable of an effort of the recommendation of the recommenda some of the more corpulent officers survive this test, and it is evident that the 90-mile test of next year will be a severe strain on men unacto the saddle.

TO DISPOSE OF ADAMS' CASE

Judge Wood Calls Special Session of Court in Kootenai County.

SPOKANE, Wash., Dec. 12.—(Special.)— Judge Woods, of the North Idaho Judicial district, today ordered a special term of the district court in Kootenal County to convene December 27. This is presumed to be for the purpose of taking action on the Steve Adams order, that Adams may be taken to Colorado, as Judge Woods has announced that he could not issue the order during a vacation of the Kootenal court enai court.

DEAD OF THE NORTHWEST

William H. Miller.

M'MINNVILLE, Or., Dec. 12. - (Special.)—William H. Miller, who died in Tacoma, November 20, 1907, from paralysis of the brain, caused by a sliver entering the corner of his eye during a fall while foreman of the National Lumber Company, was born at Bolstfort, Lewis County, Washington, November 22, 1874. He was married to Miss Laura Russell, February 24, 1895. He was the oldest child of John H. and Melissa C. Miller. His father died August 3, 1898. His mother was married to John J. Givens in 1901, who now resides at McMinnville. He leaves a wife and son, Ray, 11 years old; a mother and stepfather, also five old; a mother and stepfather, also five brothers and two sisters—Jay Albert and Louis Miller, of Bolstfort, Wash.; Walter Miller, of Bellingham, Wash.; John C. Miller, of Tacoma, Wash.; Mrs. Glen Roundtree, of Bolstfort, Wash., and Mrs. Olive McAdams, of South Bend, Wash. He was buried at Cen-tralia, Wash., November 22.

M. A. Thourbourn.

Fruit Meeting in Eugene.

EUGENE, Or., Dec. 12 -- (Special.)-Plans are under way for an important meeting of the Lane County Horticultural So-ciety with the officers of the State Horticultural Society, in Eugene, the week in January. President W. K. Newel and Secretary H. M. Williamson, of the State Board, will be here to address the meeting, and there will be some members of the faculty from the Agricultural Collegs in attendance.

Will Continue 2 1-C-Cent Rate. MONTGOMERY, Dec. 12.—The Southern Rallway today agreed to keep in force the 24-cent passenger rate until the

GRANTS PASS, Or., Dec. 12 .- (Spe-Brauer's hand-painted china at Metz-ger's, 342 Washington st.

Cuba Eats Fruit

New York eats meat, Canada eats pork and Iceland eats fat. The colder the climate the fatter the food because fat heats the body and heat is life.

The finest fat that grows makes

Scott's Emulsion

It is the Norwegian Cod Liver Oil. SCOTT'S EMULSION is full of heat and nourishment. It has a power in it that gives vigor and new flesh to those who suffer from consumption and other wasting diseases.

All Druggists; 50c. and \$1.00.

Dadway's

Purely vegetable, mild and reliable. Regulate the Liver and Digestive Organs. The safest and best medicine in the world for

of all disorders of the Stomach, Liver, Bowels, Kidneys, Bladder, Nervous Diseases, Loss of Appetite, Headachs, Constipation,
Costiveness, Indigestion, Billousness, Fever,
Infiammation of the Bowels, Piles and all
derangements of the internal viscera. PERFECT DIGESTION will be accomplished by
taking RADWAY'S PILLS. By so doing

DYSPEPSIA Sick Headache, Foul Stomach, Billousness will be avoided, as the food that is eaten contributes its nourishing properties for the support of the natural waste of the body.

25c a box at Druggists, or sent by mail. RADWAY & CO., 55 Elm St., N. Y. Be sure to get "RADWAY'S" Pills

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TO FIFTH DEATH

Who Is There Still Talking Calamity?

Hard Times? Nonsense! Let's Tell You DURING THE MONTH OF NOVEMBER THE TOTAL SALES OF EILERS PIANO HOUSE, IN PIANOS AND ORGANS, WERE \$102,869.45. Please note that this does not include the business done

in Seattle and Tacoma, nor in San Francisco and the California field, which ALTOGETHER WILL AMOUNT TO OVER A QUARTER OF A MILLION DOLLARS. A QUARTER OF A MILLION DOLLARS OF PIANO BUSINESS, WE SAY, DURING THE MONTH

OF NOVEMBER. · A GREATER RECORD than ANY NOVEMBER heretofore. To be sure, we now hustle a little harder and make

prices and concessions considerably lower, but it sells pianos. The people everywhere have the "wherewithal" to

buy! Why shouldn't they? Secretary Wilson, of the Department of Agriculture, shows that THIS YEAR'S FARM PRODUCTS ARE \$657,000,000 ABOVE THE VALUE OF LAST YEAR'S, and nearly FIFTEEN HUNDRED MILLION ABOVE THE VALUE OF 1903.

Doesn't this mean something?

"Ocean vessels are now loading in the port of Portland, with an estimated carrying capacity of 175,000 tons. Placed stem to stern, they would reach three miles," says yesterday morning's Oregonian.

THREE MILLION DOLLARS is undoubtedly a low estimate of the value of the products which will be moved from Portland at the present time by this fleet. THREE MILLION DOLLARS in HARD MONEY,

which will surely come to Oregon from this one source alone, and is sufficient to transact all the business in this territory for years.

No wonder business is good! STRANGE, HOW MANY PEOPLE THERE ARE WHO ALWAYS INSIST UPON BUYING WHEN PRICES ARE HIGH. SHREWD BUSINESS MEN AND WOMEN BUY WHEN PRICES ARE DOWN. THEY BUY NOW BECAUSE OF THE EXTRAOR-

GIFT PROBLEM HERE! EILERS PIANO HOUSE

DINARY CONCESSIONS THAT WE ARE NOW IN

POSITION TO MAKE. YOU SOLVE THE XMAS

353 WASHINGTON ST.

A strike on the Taire avenue and L last Monday because employed is not a laker. He was a hu hy the name of Senits ters, stonemasons and Milwantee & St. Paul railroad contrac-tors today annuoneed a reduction of

was calebrated with source caledonian Society banquat held in the Cafe Olympus last evening. Sociamen from all over the Sound were on hand to taste o' th' haggis, and driak a wee dram, just enough to give views for lift lift on the way home.

Season, but Lawyer Works Trick Before Jury.

SEATTLE, Wash., Dec. 13-(Special.)— Despite the fact that Game Warden bourn was the ploneer wheatraisers bourn, one of the ploneer wheatraisers of Lygh Ridge. He leaves a wife and two children.

Despite the fact that Game value of Lygh Ridge. He leaves a wife and two children.

Harry Rief falled to make out a case against the proprietors of the Olympus Cafe, whom he arrested for selling pheasant, the County Commissioners today allowed Rief's bill for the dinner, which has since become famous. The amount was \$4.50 and there was considerable dis-cussion before it was finally allowed. Rief fell down on the prosecution of the case because he declared that he identified what the lawyer for the defense said was an "amatoid bone" in the bird. After the Game Warden had expatiated upon the peculiarities of the bone in question, the lawyer proved by a work on natural history that there was no such bone. Rief had a witness to support his contention that he had eaten of pheasant. out the jury brought in a verdict of not

Urge Action on Bartlett Bill.

ctal.)-The Commercial Club unantmously passed a resolution favoring the Bartlett bill in Congress, in which it is proposed that miners, on account of the financial stringency, be relieved of GAME WARDEN, HOWEVER,
LOSES IN DETECTIVE GAME.

Late Pheasant in Restaurant Out of
Season, but Lawyer Works assessment work done in time

Points Gun Wrong Way.

SOUTH REND, Wash, Dec. 12,-Spe Bend Hospital from the effects of accidental shooting, near Leban. He and Arthur Ide were examining a Colt's automatic revolver and had taken out the cylinder, but there had been a cartridge left in the barrel and the revolver accidentally went off in Ide's hand, 'the bullet piercing Stephens' thigh.

Election at Seaside.

SEASIDE, Or., Dec. 12.—(Special.)—The city election, which occurred yesterday, was a quiet affair. W. S. Henninger was elected Mayor and Edward Henninger was elected Treasurer. W. E. Burke suc-ceeded himself as Police Judge and City

J. Haycock and H. C. Anderson. Fred Moore was elected Councilman-at-Large.

The Councilmen for the ensuing year are Alex Duncan, Howard Leighton, T.

All of the five amendments to the charter Roseburg Robbery Frustrated.

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ghtist mbers and then gend B Roditcheff from the latt arose and dehad ny intention of of He would let his words ar spoken, however

ROSEBURG, Or., Dec. 12-(Special.)-A man giving the name of Kelly was caught in the act of attempting to break into Josephson's department store to-night. He had tried the back door with a jimmy or a crowbar, only to find it would not yield, and then went to the

front door evidently with the same inten-tion, where he was detected, and word sent to the night watchman to secure him. He was promptly arrested and will have a hearing early next week.

Walla Walla Bonds Legal. OLYMPIA, Wash., Dec. 12. - (Special.)—The State Supreme Court today held that the \$100,000 Walla Walla bend issue for the building of a city hall and fire station is legal. This

hall and fire station is legal. This was a suit brought by Stanley E. Dean, on the ground that they were in cess of the 5 per cent legal debt limit, New President of Switzerland.

BERNE, Switzerland, Dec. 12.—The Federal Assembly today elected Dr. Er-nest Brenner, Radical, to be president of the Swiss Republic for 1908. Mr. Bren-ner is vice-president of the Council. SCENIC PHOTOS FOR CHRISTMAS,

Fine Seth Thomas clocks at Mets-ger's, 342 Washington street.

THREE WATCH SPECIA

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