

The Dalles Chronicle

SUIT WAS DISMISSED

O'Reilly Drops Case Against the Columbia Southern.

Mono, Or., Dec. 4.—In the case of Drake C. O'Reilly vs. Columbia Southern, E. E. Lytle, et al., a demurrer to the complaint was sustained some time ago and today a petition for a rehearing thereon was denied, whereupon the plaintiff abandoned and dismissed the suit.

President Lytle's View Of It.

E. E. Lytle, president of the Columbia Southern Railway, being questioned by an Oregonian reporter with reference to the dismissal of the O'Reilly suit, said:

"We regard this dismissal as a great victory and a vindication. The court sustained a demurrer to Mr. O'Reilly's complaint on a ground which he could not cure by amendment and there was therefore nothing for him to do but dismiss the suit. It is a very easy matter to rush into court and accuse others of fraud and rascality, and then to advertise these charges in the public press, but it is quite another matter to prove and establish the charges in a court of justice."

"I have refrained from saying anything for publication while this litigation was pending, because I do not believe in trying a lawsuit in the papers. Now, however, that the litigation has ended, I feel justified in saying that the false charges so freely circulated by Mr. O'Reilly against me and all others connected with the management of the road, Mr. O'Reilly's charges relative to the extension of the company's line from Moro to Shaniko, the work on which was begun about a year ago. He claims this line was expensively built and that the building of the line was made the excuse for robbing the treasury of the company of large sums, aggregating \$275,000. It is a sufficient answer to these charges to say that this extension was built at a total cost to the company, including rights of way, of \$9000 a mile. O'Reilly was in charge of the construction of the company's line from Wasco to Moro and that the cost the company \$11,000 a mile for construction and \$11,900 a mile additional for rights of way. The country is similar in both cases and rails and other materials were far higher when the Shaniko extension was built than when O'Reilly built from Wasco to Moro."

"The suit just dismissed never had any business in fact and O'Reilly knew this at all times. We are well aware of the purpose for which this suit was brought; it is sufficient to say that it was not brought for the purpose of redressing any wrongs which O'Reilly thought he had suffered."

Nicaragua Route Feasible for a Canal.

WASHINGTON, Dec. 4.—The report of the 15th main Canal Commission, submitted by the president to congress today, gives as the unanimous conclusion of that body that "the most practicable and feasible route for an isthmian canal under the control, management and ownership of the United States is that known as the Nicaragua Route. The commission estimates the cost of this canal at \$205,540,000. This estimate is much in excess of any heretofore made and is due to increased dimensions and other features not heretofore considered. The commission also estimates the cost of a canal by the Panama route at \$142,342,579, according to one route, or \$156,378,358 according to another route. As between the Nicaragua and Panama routes, the commission sums up a number of advantages favorable to the former. It states also that under the concessions given by the government of Columbia to the Panama Canal Company that government is not free to grant the necessary rights to the United States except upon conditions made by the company. The report is a document of about 17,000 words, almost as long as the president's message. Although the work of the commission is not yet completed, many of the field parties still being out, yet it has been sufficiently advised to make it practicable to present this preliminary report giving the essential findings.

Comment in London.

LONDON, Dec. 4.—The English press continues to discuss Mr. Kruger's letter of dismissal from Berlin, but refrains from saying what is in every one's mouth, namely, that the German emperor owed England this act of reparation for his indiscretion five years ago in telegraphing a letter of congratulation to Pretoria after the Jameson raid. It had been one of the commonest comments among Englishmen that the expectation of European intervention inspired by that dispatch was one of the main causes of the South African War. The German

emperor has made full amends, throwing a bucket of cold water upon Mr. Kruger's mission. Suspicious are entertained in diplomatic circles that the French government baited Kruger with the suggestion that it would follow the lead of the German emperor if he could be induced to intervene, but there is no direct proof of this theory.

What is more to the point is the obligation incurred by the foreign office here to follow Germany's lead in Chinese affairs when the emperor has shown himself so useful an ally. This might be a serious obstacle to a Chinese settlement if the powers were not already divided and Germany disposed to make concessions for the sake of restoring harmony. England's obligations to the emperor for timely services during the war in South Africa are so manifest that he will be in a position to claim Shan Tung after due consultation with his ally, in accordance with the third article of the recent agreement.

A VERY BOLD ROBBERY

Five Masked Men Robbed the Western Lumber Company of Portland of \$4,728.

PORTLAND, Or., Dec. 6.—Five masked men, by the exercise of the coolest kind of nerve and daring, robbed the Western Lumber Company of \$4,728 shortly before 6 o'clock last evening. The deed was planned and executed with the most consummate skill. In a flash the men had entered the main office of the lumber company, at the foot of seventeenth street, compelled all the employees to hold up their hands, dumped the till, containing the pay envelopes full of money into a gunny-sack, and vanished in the darkness and murky fog that admirably covered their retreat. The men had chosen their time well. It was the company's monthly payday. The men on the night crew had been almost entirely paid off. In a few minutes the rush of the day workers for their hard-earned coin would have commenced. Between these two times of danger the masked robbers acted, and acted quietly and quickly.

In the private office at the rear were W. B. Ayer, president of the company, and M. F. Henderson, vice-president, who were unaware that the treasury was being despoiled. Behind the paying counter in the main office were H. W. Hall, cashier, and Dan Campbell, assistant cashier. The latter had just paid off two employees when the masked men entered. To a sharp cry of "Hold up your hands, all of you," enforced by the flourish of a handy-looking revolver, the employees complied and stood looking in blank amazement at the scene before them. Two men guarded the exterior. One short man covered the two employees, while the other two did the work. Quick as a flash one of the men ran around back of the paying counter, ready with his pistol to meet any "gun play" on the part of the employees. Through the paying window itself a gray-headed robber climbed, grabbed the till of money and quickly dumped it into a gunny-sack that his companion held open. Then all three started to escape.

Meantime there were two diversions that threatened to break the successful course of the robbery. Willie Scott, the office boy, was near the door and attempted to dart out and give the alarm. He slipped and fell and was collared by one of the intruders and afterward closely covered. Ole Moe, the yard foreman, was outside, and saw the robbery going on. He armed himself with a heavy club and stood waiting for the first robber to come out. But he, too, came under the watchful gaze of two of the members of the party. He was compelled to throw up his hands and to drop the club, with which he had contemplated breaking a few heads and saving the company's money. When these difficulties were overcome, the party vanished as mysteriously as they came. No trace of their visit was left save the absence of the coin. The men wore black and white masks, but there was no clew as to their identity.

At 1:30 o'clock last night the police reported they had not been able to find anybody who had seen the faintest trace of the robbers.

Senator Day Strikes at the Trusts.

WASHINGTON, Dec. 4.—Senator Clay, of Georgia, today introduced bill providing for the admission free of duty of articles controlled by the trusts and for the refunding of tax collected on raw cotton in the event that the supreme court holds to be unconstitutional the law under which the tax was collected.

When you want prompt relief little pills that never gripe use DeWitt's Little Early Risers. Sold by Clarke & Falk's, P. O. Pharmacy.

DIED BY VIOLENCE NOT BY ACCIDENT

Startling Story of the Death of Barnes, the Stockman—Object of Murder, Robbery—Several Persons Suspected of the Crime, But No Arrests Made.

LAKEVIEW, Or., Dec. 5.—William Barnes, whose body was found near Wagontire mountain, Harney county, October 18, and whose death was attributed to an accident, was undoubtedly murdered, the object of the murderers being robbery. This conclusion is warranted by facts so far ascertained. Several persons are suspected of the crime, but no arrests have been made.

Barnes, who was a prominent stockman, was engaged in business at Hawton Butte, near Wagontire mountain, Harney county, was found dead near the mountain. It was alleged then that his horse, while he was riding over the range, had fallen with him and the fall caused his death. The story was related in about the following manner:

On October 1 Mr. Barnes started for a day's ride on the range, and as he did not return when expected, some near-by neighbors began a search, and discovered his horse grazing in an adjacent field, saddled and bridled as when he was ridden by Barnes. Several parties were notified of the fact and a vigorous search was made which resulted in the finding of young Barnes' body some distance from his premises. It was immediately surmised that his horse had fallen upon him and inflicted injuries that caused instant death.

Developments, however, indicate an altogether different cause of death. It is well known that Barnes was furnished financial aid by his uncle a few years ago to enter into the horse business, which proved to be a successful venture, and he was prospering, and was known to have had some money about his person about the time of his death. When his body was found the vest he wore was missing and his pockets had been relieved of their contents. A search was made for the missing garment, which proved fruitless.

Shortly after the remains had been removed to Prineville, Crook county, for interment, Barnes' house was entered by thieves and several articles taken therefrom. This outrage brought about investigation and the guilty parties, presumably becoming alarmed, returned the stolen property, leaving it in a woodpile where it was afterwards found. Recently the vest Barnes wore was found near the scene of the tragedy, dry and unharmed, with his pocketbook containing \$85 and an empty buckskin posse. These articles had evidently been dropped there after Barnes' death and the finding of his body.

It is now believed and openly stated that a cold-blooded murder for the purpose of robbery was committed. Suspicion has been placed on certain parties who reside in the vicinity, but owing to a lack of evidence the names of the suspected characters are withheld. If the parties should be arrested and found guilty they will be made to pay the penalty of a dastardly crime, for Barnes had many warm friends and acquaintances.

Taxes Almost Wiped Out.

WASHINGTON, Dec. 5.—The revenue reduction bill has been completed by the republican members of the ways and means committee, and Chairman Payne will introduce it before the close of the session today. It is understood in addition to the abolition of the stamp taxes on telegrams express receipts and patent medicines which had been heretofore reported, will be the reduction of the beer tax to \$1.50. The present tax is \$2 per barrel, with a 7 1/2 per cent rebate to \$1.35, so that the reduction will be 25 cents per barrel. Chairman Payne had called a meeting of the full ways and means committee for tomorrow to consider the bill.

The decision concerning beer was arrived at after some discussion and by a divided vote. It was first attempted to make the reduction on tea, and this was not concurred in, and the question recurring to beer, the reduction was decided upon. The stamp taxes were almost entirely wiped out with the exception of the stamp tax on stocks.

Pro-Beer Resolution.

WASHINGTON, Dec. 4.—Representative Salzer today introduced in the house the following resolution: "Whereas, the war in South Africa has degenerated into relentless and ruthless extermination of a brave people, fighting for their homes and liberty."

"Resolved, That the congress of the

United States protest in the name of humanity and civilization against a continuation of a war which outrages the feelings of all liberty-loving people, and, "Resolved, That the congress of the United States, being committed to the principles of arbitration for the settlement of international disputes, urges upon the government of Her Majesty the wisdom of adopting this policy for the purpose of stopping the awful atrocities now going on in South Africa."

Do not get scared if your heart troubles you. Most likely you suffer from indigestion. Kodol Dyspepsia Cure digests what you eat and gives the worn out stomach perfect rest. It is the only preparation known that completely digests all classes of foods; that is why it cures the worst cases of indigestion and stomach trouble after everything else has failed. It may be taken in all conditions and cannot help but do you good. Sold by Clarke & Falk.

TO TAKE EFFECT ON ITS PASSAGE

Committee's Recommendation on the War Revenue Bill—All Substitutes Defeated.

WASHINGTON, Dec. 6.—The Ways and Means committee voted to report the revenue reduction bill as introduced with an amendment making the act take effect on its passage instead of thirty days thereafter. All substitutes and amendments by the minority were defeated, 6 to 9.

The committee met in special session at 10 o'clock this morning to consider the bill reducing the war revenue taxes about \$40,000,000, framed by the republican members of the committee and introduced by Chairman Payne. There were but two absentees—Bahecock, rep., and Robinson, dem. When the beer section was reached fixing the rebate at 20 per cent instead of 7 1/2 per cent, which makes the rate \$1.60 per barrel. Representative Richardson, ranking member of the minority, moved a further reduction of all the increase made by the revenue act. The effect of this motion, if carried, would have been to make the rate \$1 per barrel. The motion was defeated by a party vote.

The consideration by sections proceeded, the bill being preserved in the main, as framed by the republicans.

Confession of Martin Stickel.

TACOMA, Dec. 5.—Martin Stickel, one of the assassins of the pioneers, Cornelius Knapp and his wife, near Castle Rock, in Cowlitz county, one night last week, was arrested in a scow on the Columbia river near the mouth of the Cowlitz river, and brought to the jail in Tacoma last night by Sheriff Kirby, for fear that the man would be lynched. Stickel has made a confession saying the crime was planned by him and a man named Ed Pierce about a week before it was committed.

Stickel's arrest has also cleared up the mysterious murder of a rancher named Shanklin in that part of the country a year ago. The works of Shanklin's watch were found in another case in Stickel's possession and he made a confession of that crime, implicating Pierce. He said they got about \$30 and a watch of Shanklin's, but Pierce took the case and gave him the works. Stickel says Pierce did the shooting. Stickel is a single man about 30 years old.

The Porto Rican Legislature.

SAN JUAN, P. R., Dec. 4.—The Porto Rican house of delegates met today in joint session with the executive council. The two bodies adopted a resolution to cable greetings to President McKinley. Governor Allen's message points out that the finances of the island are in a satisfactory condition, showing a balance of \$1,583,909. The receipts from May to October, inclusive, were \$1,041,696. Governor Allen suggests improvements in the revenue laws and recommends the establishment of more schools and the reorganization of the judiciary.

Roberts at Durban.

DURBAN, Dec. 5.—Lord Roberts, when he arrived here, was accorded a tumultuous reception. Members of the Irish association dragged his carriage to the town hall. The streets were profusely decorated and crowded to suffocation. Numerous addresses were presented to the field marshal.

Sick Headache absolutely and permanently cured by using Moki Tea. A pleasant herb drink. Cures constipation and indigestion, makes you eat, sleep and happy. Satisfaction guaranteed or money back. 25cts. and 50cts. Blakeley, the druggist.

ACCEPT HAY'S PROPOSAL AS TO CHINA

All Governments Excepting One Have Instructed Their Peking Representatives to Sign the Agreement.

CHICAGO, Dec. 6.—A special to the Times-Herald from Washington says: American diplomacy leads the world. The great powers have practically reached an agreement as to the basis of future movements in China, and this basis is that which was proposed by Secretary Hay.

Secretary Hay has cabled Minister Conger to sign for the United States an agreement which the ministers reached at Peking. This agreement was sent to the home governments for their approval, and with a single exception every power has already cabled its representative at Peking to sign the agreement and that power will probably do so tomorrow or the next day. Thus the concert of the powers is preserved and a practical and national basis of settlement has been reached at last, thanks to the skill and firmness of the American secretary of state.

The chief features of the agreement are as follows:

"It is stipulated that the punishments to be meted out to guilty Chinese are as severe as it is possible for the Chinese government to administer, but not more severe. The government of China is not to be asked to do the impossible. It is expected that under this obligation the government will punish severely eleven ring-leaders in the acts upon the legations and in the incitement of anti-foreign outrages. Some of these will be beheaded. Others will be banished or degraded."

If Great Britain and Germany had been permitted to have their way the dynasty would have been compelled to behead men who are beyond the reach of the emperor's government—men who are in the western provinces and in command of military forces sufficient to protect them. Secretary Hay has from the first contended that while in justice all these heads should be taken off, it is necessary to catch your hare before cooking him, and that is what was simply asked to require the Chinese government to decapitate men whom it could not get hold of. These guilty officials will be banished and degraded and thus it will be made impossible for them to return to positions of power.

It is stipulated in the agreement that the Chinese government is formally to admit its liability to the powers for damages and for the expense of military operations. This done the amount of indemnity to be paid each nation is to be ascertained afterward by means of careful inquiries and estimates. This part of the plan will require much time, and while, of course, it will give rise to opportunities for trouble-making powers to precipitate new complications, it is felt that a great point has been gained by making the amount of indemnity a subject of negotiation, as it should be, rather than a preliminary condition.

Other features of the agreement pertain to the legation guards to be kept at Peking, to the razing of the Peking forts, and other military precautions similar to those proposed by the French government a month ago.

To all these conditions it is understood Li Hing Chang and Prince Ching, representing the emperor, are willing to accede.

American Horses Unsurpassed.

NEW YORK, Dec. 6.—A number of Canadian horse experts, mostly veterinarians, have just passed through this city on their way to St. Louis and Western points to pass on heads of horses selected by British military agents for use in the Transvaal. One of these experts, Dr. William Darcus Hamilton, who will examine a large number of horses at St. Louis that have been selected for the imperial police who will patrol the Boer country, said that the satisfaction American-bred horses had given the British military authorities was remarkable, and he did not know what his government would have done if it had not been for the dependence that could be put upon the American horse market, especially in the West. "Good horses are scarce in Europe and

Asia," he said, "and even then the few that can be procured in those countries cannot be relied upon to do the work required as well as the American-bred animals."

A Village Blacksmith Saved His Little Son's Life.

Mr. H. H. Black, the well-known blacksmith at Grahamsville, Sullivan Co., N. Y., says: "Our little son, five years old, has always been subject to croup, and so bad have the attacks been that we have feared many times that he would die. We have had the doctor and used many medicines, but Chamberlain's Cough Remedy is now our sole reliance. It seems to dissolve the tough mucus and by giving frequent doses when the croupy symptoms appear we have found that the dreaded croup is cured before it gets settled." There is no danger in giving this remedy for it contains no opium or other injurious drug and may be given as confidently to a babe as to an adult. For sale by Blakeley, the druggist.

Childstayer Gibson in Jail.

MAKESVILLE, Ky., Dec. 6.—John Gibson, of Castlettsburg, who is charged with having murdered his infant step-daughter by forcing a red hot poker down her throat, was placed in the Makesville jail today for safe keeping. It was apparent that to take him to the scene of his crime meant death by burning at the stake. The deputy sheriff having him in charge spent most of last night driving over the country to avoid meeting the mob searching for the prisoner.

Gibson, who has never denied his crime, intimates that others were implicated for the purpose of getting the life insurance on the child. He said the object in burning the child in spots with the poker was to make it appear she died of smallpox. He declared he could not tell how the child's legs were broken. He seems willing to go to Castlettsburg to face the mob.

Catarrh Cannot Be Cured.

with local applications, as they cannot reach the seat of the disease. Catarrh is a blood or constitutional disease, and in order to cure it you must take internal remedies. Hall's Catarrh Cure is taken internally, and acts directly on the blood and mucous surfaces. Hall's Catarrh Cure is not a quack medicine. It was prescribed by one of the best physicians in this country for years, and is a regular prescription. It is composed of the best tonics known, combined with the best blood purifiers, acting directly on the mucous surfaces. The perfect combination of the two ingredients is what produces such wonderful results in curing Catarrh. Send for testimonials, free.

F. J. CHENEY & Co., Props., Toledo O. Sold by druggists, price 75c. Hall's Family Pills are the best. 12

State Teachers' Annual Meeting.

ALBANY, Or., Dec. 5.—Reports received from different parts of the state indicate that the attendance at the State Teachers' Association's annual meeting, December 26-29, will be about the largest of any yet held. Several special excursion parties are being organized at different points for the convention. The leading educators of the state will be in attendance. It is anticipated the convention will play an important part in the school legislation of the next session.

His Life Was Saved.

Mr. J. E. Lilly, a prominent citizen of Hannibal, Mo., lately had a wonderful deliverance from a frightful death. In telling of it he says: "I was taken with Typhoid fever, that ran into Pneumonia. My lungs became hardened. I was so weak I couldn't even sit up in bed. Nothing helped me. I expected to soon die of Consumption, when I heard of Dr. King's New Discovery. One bottle gave great relief. I continued to use it, and now am well and strong. I can't say too much in its praise." This marvellous medicine is the surest and quickest cure in the world for all Throat and Lung Trouble. Regular size 50 cents and \$1.00. Trial bottles free at Blakeley's drug store; every bottle guaranteed. 2

His Ashes Scattered to the Winds.

NEW YORK, Dec. 5.—In the presence of a number of his lifelong friends the ashes of the late Justice Albert Hoffman, of Hoboken, were scattered to the winds. The body was incinerated at Fresh Pond, L. I. When the work had been done the ashes were taken charge of and thrown into the air. This was in accordance with the wishes of the former judge. He had expressed a wish to be cremated and said he did not want his ashes taken home to be knocked about. He wanted them to return to mother earth.

DeWitt's Witch Hazel Salve will quickly heal the worst burns and scalds and not leave a scar. It can be applied to cuts and raw surfaces with prompt and soothing effect. Use it for piles and skin diseases. Beware of worthless counterfeits. Sold by Clarke & Falk's P. O. Pharmacy.