

IS CHAUNCEY THE HEIR?

Defense in Famous Suit For Land Title Deny It.

WAS KNOWN AS MILLER

Chauncey First Discovered He Was an Heir to the Rose Estate Through a Letter Written By Atty. Jackson.

The Chauncey suit which was filed in February last, and in which the plaintiffs lay claim to certain interests, as heirs of the Rose estate, to all that property in the southern part of the city that comprises the original one-half of the Aaron Rose donation land claim, or that portion which it was alleged was the individual property of Sarah Rose, was brought to issue in the circuit court of Douglas county this morning at 10 o'clock. Judge Geo. H. Burnett, of Salem, presided, since Judge Hamilton's relationship to certain defendants in the action necessarily disqualified him from hearing the case.

The case was brought to trial on amended complaint, and Attorney Jackson, for plaintiffs, stated that Sarah Rose, wife of Aaron Rose, died on Dec. 15, 1886. That Rose and wife were the owners of a donation land claim of 320 acres; that the south half, less 14 acres that had been sold was the property of Sarah Rose. Following the death of Sarah Rose, deeds were obtained from all of her heirs to this property with exception of two children of a brother. From these heirs no deeds were ever obtained because of the fact that they could not be located. Prior to the death of Aaron Rose he gave deeds to this property as it was sold in lots and block and never recognized the interests of the two heirs, which practically amounted to three-fifths of the estate.

Attorney Rice, for the defendants, briefly outlined the reply by denying the whole claim set up by the plaintiffs, and stating that they denied that Chauncey was a rightful or legal heir; denied that the plaintiff, Chauncey, was a son of Warren Chauncey or a nephew of Mrs. Sarah Rose; denied that plaintiff had now, or ever had, any interest, right or title to any portion of the estate of Sarah Rose or of the defendants in the action, and that the defendants in the case would establish the fact that following his wife's death Aaron Rose had secured deeds from each and every heir of the estate. Following this wholesale denial

Mr. Chauncey was placed on the stand and told the story of his claim to a part of the estate. Witness testified that he first heard of the case, and the knowledge of his interests, through a letter by Attorney Jackson to the U. S. pension department; he alleged that he knew he had an Aunt Sarah Rose, and that she had moved to Oregon, but further than that he lost all trace of her, but that he came to Roseburg just as soon as he had received the letters from Mr. Jackson.

On cross examination by Attorney Dexter Rice for the defense, plaintiff was asked why he had lived in California for 30 years under the name of Geo. Miller, and if it was not because he had once killed a man in Montana in a quarrel over a mining claim, and if he, Chauncey, had not, in substance, so told Albert Abraham and Thos. Cobb?

The witness refused to answer this question, and the court was requested to require an answer. The court ruled that since it was a question which might involve the witness, or was incriminating in its nature, he would not require an answer, but that the refusal of Mr. Chauncey to reply would be considered by the court in arriving at a decision.

Counsel for defense further introduced evidence to show that until about two years ago, when Chauncey applied for a pension under that name, he had been known as Miller.

At 2:30 this afternoon Mr. Chauncey was excused from further testimony. With exception of the matter relating to his past the plaintiff made good in his statements, and maintained his ground under rigid cross-examination.

Two other witnesses for plaintiff were placed on the stand to develop some minor claim, and as was to be expected Mr. John Chauncey, of Michigan, a brother of the plaintiff, is testifying regarding family history. Witness stated he is 70 years old today, a native of Illinois, and an old soldier, having served four years and four months and identified plaintiff as his brother.

DR. COOK'S DATA GOES COPENHAGEN

(Special to The Evening News.)
NEW YORK, Nov. 22.—The data by which Dr. Cook hopes to prove that he is the original discoverer of the North Pole will be taken aboard the liner United States Thanksgiving day for Denmark, where it will be passed upon by the faculty of the University of Copenhagen. While making the trip it will be locked in the ship's strong box. Walter Lonsdale, Dr. Cook's private secretary, accompanies the data, and states that it consists of 50,000 words.

"Junk," a book to stagger sorrow; 50c at Roseburg Book Store. tf

AMERICANS HAVE REIGN OF TERROR

(Special to The Evening News.)
BLUEFIELDS, Nicaragua, Nov. 22.—A travelling salesman representing American houses was imprisoned by order of Zelaya. It is estimated there are no less than twenty in prison.

A. W. Malcomson, of New Orleans, wired his firm from Costa Rica that he had just escaped from jail. It is said hundreds of Americans are held for sympathizing with Estrada.

NO ALUM IN HIS BREAKFAST BREAD

(Special to The Evening News.)
BOISE CITY, Idaho, Nov. 22.—State Dairy and Food Inspector Jas. H. Wallis, of Idaho, has issued a statement that his department is not "boozing" one brand of goods to the detriment of another. It appears that a controversy has arisen among the baking powder manufacturers as to the relative desirability of alum and cream or tartar, as the basis for their product. Some have sought to make Inspector Wallis the champion of one of them. He denies the accusation emphatically and declares that all his department asks is that manufacturers "label their goods in a proper manner and that they do not adulterate them."

COAL EXPERT IS VERY POOR WITNESS

(Special to The Evening News.)
SEATTLE, Wash., Nov. 22.—Andrew Kenny, a coal expert of the land office, resumed the stand today in the Cunningham case. He admitted there might have been openings on some claims discovered by him. His testimony was uninteresting.

ASTOR CANNOT BE TRACED BY WIRELESS

(Special to The Evening News.)
TAMPA, Fla., Nov. 22.—A wireless from San Juan today says that the Astor yacht is not in that port, but failed to state if it had been there.

NEW YORK, Nov. 22.—Despite the wireless message from a steamer at Caracas which reported Astor safe at San Juan harbor Nov. 15, the search for Astor is being continued.

GENERAL FIGHT FIFTY MEN IN IT

(Special to The Evening News.)
MOBILE, Ala., Nov. 22.—Nellie Nelson, of Barnsville, refused to dance with Wesley McKenzie and for this reason Bob Pierce shot Mark McKenzie dead, and John Farley, Walter Pierce, John Pierce and Fred and Walter McKenzie are seriously injured. When Nellie refused the dance McKenzie made a slighting remark. The girl informed the brother, when a general fight began in which thirty persons were involved. Pierce's head was crushed with a club and McKenzie was shot through the heart.

REAL ESTATE MEN IN SELF DEFENSE

(Special to The Evening News.)
SEATTLE, Wash., Nov. 22.—Unscrupulous promoters in every field spoil many legitimate undertakings and in no line are the distressing effects felt more than among real estate men. Recognizing the fact, the organizer realty dealers of Seattle have decided to take a stand against those agencies that have made capital by misrepresentations. A committee has been appointed to investigate the methods of advertising of certain operators and it is reported that some of their details are to be laid before the coming session of the King county grand jury. This step will have a clarifying effect upon the atmosphere that will be felt all over the Northwest, for there is no denying that some newcomers have been "bunked" by taking for granted, without investigation, the alluring inducements offered in many quarters. The result is bound to cause dissatisfaction sooner or later and the man who suffers gives a black-eye to the whole section. The opportunities with the land are so bright in the Northwest, that there is no occasion for misrepresentations and no extenuation under any circumstances.

PROPERTY OWNERS IF FEMALES VOTE

(Special to The Evening News.)
SEATTLE, Wash., Nov. 22.—In furtherance of their campaign for suffrage in Washington, organized women of Seattle are planning to make a good showing at the coming school election in December. Registration is going forward quietly and they predict a surprising showing when the vote is counted. At the general election next year, the constitutional amendment, authorizing for submission to the voters, for an extension of the suffrage to all women, will be an important issue and an active fight is to be made for it by the Washington Equal Suffrage Association, which has issued the second number of "Votes for Women", a monthly publication.

SHIPWRECK SEA NONE DROWNED

(Special to The Evening News.)
LOS ANGELES, Nov. 22.—One hundred and fourteen passengers and seamen from the ill-fated steamship St. Croix, a dozen suffering painful injuries, and many worse from a fearful night's exposure to the wind-swept sand dunes of Malibu beach, are safe in this city after a thrilling escape from a fire that left the ship a twisted hulk. That scores escaped without loss of life is regarded as almost a miracle by refugees that experienced the hurried disembarkment from the doomed ship. From the shore, huddled around fires of driftwood, they watched flames from the vessel to the waters edge. Careful roll call accounted for every soul on board of the St. Croix.

NOTHING DEFINITE.

From wire information received from Portland this afternoon it is learned that Kuehnner and Haas have made no definite plans regarding the Coos Bay and Inland Electric Railway, to date notwithstanding reports to the contrary. It was reported in town Saturday that the promoters had left Portland for Marshfield with a crew of surveyors and ample supplies, but such information could not be substantiated at Portland, the headquarters of the promoters. F. E. Aller, who is at Portland at present, intends to investigate the intentions of the company thoroughly that the public may learn regarding its determination.

DANCES—NOTICE—DANCES

Notice is hereby given that on and after Saturday, November 20, 1909, the dances given at the Armory Hall will be conducted by Prof. W. F. Williams. Social dances every Saturday night from 9:30 to 12 o'clock. Dancing lessons will be given from

7 to 9:30 same evening on any of the following dances: Waltz, Two Step, Three-Step, Jive Waltz, Schottische, Newport, Var Souvina and Barn Dance.

All those coming into the class on November 20, and not later than November 27, will be given a full term of 12 lessons on any of the above dances for only \$5.00. After November 27 the full rate of \$9.00 a term will be charged. Private lessons given by appointment at the hall or at your own homes. We guarantee or money refunded.

DIES AT BOISE.

A message was received here this morning to the effect that Enos Dixon, for the past fifty years a resident of Douglas county, had died suddenly at Boise, Idaho, death resulting from a stroke of paralysis. The deceased was 65 years of age and was one of the best known residents in this section. He leaves two brothers, R. V. and J. R. Dixon, and three sisters, Mrs. E. R. Ryan and Mrs. Sarah Shaver, of Portland, and Mrs. Rhoades, of Missouri, to mourn his sad demise. The remains will be shipped to this city for interment. Funeral announcement will be made later.

A GREAT STORM IN WEST INDIES

(Special to The Evening News.)
CAPE HAYTEN, Hayti, Nov. 22.—Many bodies of victims drowned and otherwise killed in the terrific storm which swept over the West Indies November 21, are being washed down the Yagou river out to sea. According to Monte Christie reports, the people are destitute wherever the storm ravaged the country, and are suffering intensely.

HAMILTON'S CASE SET FOR TOMORROW

(Special to The Evening News.)
OLMPIA, Wash., Nov. 22.—The attorneys for the state appeared in the Supreme Court this morning and asked that the date of the hearing for application of former Adjutant General Hamilton for writ of habeas corpus be set for tomorrow, instead of December 5. The order was made in order to prevent further delay of the trial.

BRUTE MURDERER IN ELECTRICAL CHAIR

(Special to The Evening News.)
AUBURN, N. Y., Nov. 22.—Theodore Rezzo, the confessed slayer of Teresa Percechia and Freddie Infersino was sent to the electric chair at 6:15 this morning. The crime was an extremely brutal one, the victims being children of two Italian men against whom the murderer held a grudge.

VESSEL ASHORE NEAR TELLER

(Special to The Evening News.)
NOME, Alaska, Nov. 22.—The schooner Duxbury was caught in an ice floe at the port of Clarence Bay. The reports say the vessel was forced ashore opposite Teller, when the crew reached the shore on the ice and escaped.

PROMISED TO MARRY BACKED DOWN

(Special to The Evening News.)
AUBURN, Cal., Nov. 22.—Alma Bell, the slayer of Joe Armes, her lover, took the stand today personally in a battle for life and freedom. Her direct statement of the case is quite lengthy and was confined to the main facts. The defense is that Armes promised to marry her, and then refused to do so.

REAL ESTATE TRANSFERS

Oregon Idaho Company to Chas. A. Becker, 1/2 of the W 1/2 of Sec. 30, lots 1 and 2; the E 1/2 of the SW 1/4 and the S 1/2 of Sec. 31, the W 1/2 of the SW 1/4 and the SE 1/4 of SW 1/4 of Sec. 32, all in tp. 22, S. R. 6 W. of W. M. Consideration \$18,000.
Oregon Idaho Co. to Geo. N. Kesterson, the N 1/2, the NE 1/4 of the SE 1/4, and the NW 1/4 of the SE 1/4, of Sec. 25, tp. 22, S. R. 7 W., containing about 400 acres. Consideration \$500.
J. G. Flook to Mary E. Hoek, all of lots 3, 4, 5, 8, 9, and 10 in blk. 2, Waite's addition to the city of Roseburg. Consideration \$10.
Katy T. McWilliams to Chester W. Hopkins, certain land all situated in Douglas county. Consideration \$10.

VOLUNTEERS AT WORK

Hoping to Save More of the Imprisoned Miners

CLOTHING IS FOUND

Hope is Entertained That More Men Are Alive—Tearing Down of The Barriers Begins Today.

(Special to The Evening News.)
CHERRY, Nov. 22.—Fifty volunteers today are working in an effort to tear down barriers behind which it is believed seventy or more survivors are imprisoned. There is additional hope that there are more men alive in the last tunnel. This was received this afternoon when the rescuers broke through a wall of earth and found tools and clothing of miners piled in a heap. There were no dinner pails. It is believed that an outbreak caused the men to retreat in the tunnel. The rescuers believe they will find living men behind the masses of earth.

HERMANN TRIAL SET JANUARY 10

PORTLAND, Or., Nov. 22.—It was practically agreed in the federal court today before Judge Bean that Blinger Hermann's trial will begin January 10th. This date was set tentatively by the court after discussion between Henev and McCourt.

FOR GENERAL LEVY Drain Nonpartei Admires Ryaa's Stand.

The proper mode for making a road levy for a county, is by general levy. Commissioner Ryan has the correct idea as to the levy, though he may be a little too high in his figures. A jump from 2.09 tax to 5 mills is a big jump in one year, but is far better than a retrograde movement back to 2 mills. One is in the line of progress, while the other is returning to the idea of primitive times. Everywhere throughout the State through the Development League better roads is the cry all along the line. We want better roads in Douglas county. Not only those leading into Roseburg, but such roads as will enable farmers to get to the city other than through the cow paths where you have to let down the bars to get through. Active road work gives employment to idle hands, and distributes money to all parts of the county. What is better than to use the taxes paid upon the farms into a redistribution or return to the hand that gave it? It is the essence of banking in another form, and the essence of common sense. All taxation should be made for the good of the whole, and not alone for the benefit of the office holders and politicians. A straw vote is not the final settlement of the matter, but rather a test of hat the people want. Let us have a new deal in the January meeting.

LETTER LIST.

The following letters remain uncalled for in the Roseburg postoffice, being advertised November 22, 1909.
R. C. Blair, John Burdson, Eugene Bowers, Ben Bruntz, J. H. Crocker, H. Francis, B. Hoaghes, Wm. King (2), Miss Gladys Karges, Joe G. Landess, Will Moore, Mrs. M. Moore, Oliver Oshorn, Mrs. Lottie Phillips, J. Peirce, Wm. Rooney, J. H. Snyder, Earnest Smith, Mrs. Eldo Stone, Mrs. S. Snodgrass, Roy R. W. Turner, Mr. Toxer, Wm. Taverner, J. S. Wiley, T. J. Woodrey.
In calling for the above letters please state date advertised.
C. W. PARKS,
Postmaster.

HERMANN GRAND BALL—PRIZE WALTZ

On Thanksgiving Eve, November 24, 1909, at the Armory Hall, Roseburg, Oregon. Given by the Roseburg Orchestra of 10 pieces under direction of Prof. W. F. Williams, \$10.00 in prizes given away to best lady and gentleman dancer.
A good time to all who attend. Come and see the prize waltz. Dancing from 8 p. m. to 2 a. m. Tickets \$1.00 a couple. Spectators 25 cents.

INSURE NOW.

Insure your property in the Oregon Fire Relief Association, (McMinnville.) Old and tried, cheapest and best. See Bonnie Buchanan, in Abraham building.
Dr. Byron K. Miller, of Portland, is in the city looking after his holdings at Gordon Valley. Mr. Miller recently purchased 160 acres of choice land from W. C. Harding and expects to see the same out to fruit in the near future.
Nothing is too good for the Irish, neither is cement culverts too good for the county. Use the best, as it is the cheapest in the long run. See Pat.

THANKFULNESS

Men who've been buying their Clothes of us find ample reason for thankfulness when they compare their personal appearance with that of most men wearing ready-made Clothing.

Buy your Thanksgiving suit here and you too will have reason to be thankful.

A heavy shipment of Stylish Suits and overcoats just received.



Josephson's
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