

WILL NOT PROSECUTE MORE "SAWDUST" CASES

DEPUTY DISTRICT ATTORNEY
WILL DISMISS ALL PENDING SUITS.

PUBLIC PREFERS MILLS TO FISH

Public Sentiment Out of Sympathy
With Enforcement of the Law—
Jury Quickly Acquires
Bigelow.

Deputy District Attorney Schuebel expressed himself Friday morning as thoroughly satisfied that it is a useless undertaking to prosecute any more sawdust cases. "I will dismiss all the cases pending, and will absolutely refuse to prosecute any others that may be brought to my attention until public opinion undergoes a change and demands an enforcement of the law. I have no fault to find with the jury. Yesterday's jury I consider a representative body of men, and their attitude simply reflects public sentiment. It shows that while it may be possible to secure a conviction of the big corporations, the people in general are out of sympathy with the law. Personally, I do not care if the people of the county want to jeopardize the fish industry. It will save me a good deal of trouble and I am not going to needlessly spend the tax-payers' money trying to enforce a law which the public does not stand by."

Acquittal after about ten minutes of deliberation is the wind-up of the sawdust prosecution against H. Bigelow, and for that matter, of all sawdust prosecutions in this county. Bigelow was charged with permitting sawdust and planer shavings to be deposited in the Abernethy.

The state's witnesses showed and the defense practically admitted that nearly all the sawdust in the creek got there after Mr. Bigelow took charge two years ago. The defense relied on was that Mr. Bigelow had taken reasonable precautions, and should not be prosecuted for a technical violation of the law. That there was sawdust in the creek was an admitted fact.

Justice Stipp instructed the jury shortly after 8 o'clock Thursday night, and ten minutes later the verdict of not guilty, signed by Spencer Thomas, A. F. Parker, Lawrence Mautz, Harry Oine, H. Blackenship, J. Roman, was turned in.

It is the expressed opinion of a num-

ber of attorneys, not connected with the cases, but who have followed closely the three trials, that the conviction of the corporation case and the acquittal of the other two is a circumstance not to be attributed to the character of the defendants but to the merits of the cases. Many are inclined to the belief that the evidence in the Crown-Columbia case did not give rise to the doubt which the conflicting testimony in the other two cases produced in the minds of the jury.

EMPLOYEE GIVEN ICY BATH

A total loss of fish rack material and a narrow escape for several men endeavoring to avert disastrous results are the result of a high stage of water on the Clackamas which tore away several hundred feet of fish rack just above the O. W. P. bridge across the Clackamas Wednesday morning.

For several days the water had been alternately rising and falling and the authorities had anticipated just such an accident and were planning on removing the racks within a day or two. This morning at nine o'clock the woodwork started to pull out, and United States Fish Commissioner J. N. Wisner, foreman Irve Wilson, Louie Himler, Henry Huorth, and others were engaged in towing the pieces in such a manner as to avoid piling up on the false structure now in process of construction by the O. W. P. About 150 feet of the rack suddenly gave way and Himler and Wilson were given an icy bath. Himler was completely covered for a time with drift and brush, but finally succeeded in swimming down stream a short distance and was pulled out of the water when emyoelamfwyepet the water. Wilson was standing on a piece of rack and was thrown into the water when Himler was knocked out of the boat. Wilson also finally succeeded in pulling himself up on a piece of rack, after an attempt on Wisner's part to reach him by boat had proved unsuccessful.

Huerth was given about the same kind of a dose as the other two men got. Nobody was hurt, though there was considerable danger from being crushed against the piling by the sharp wooden points on the rack material.

So far as fishing is concerned little harm results, since the authorities were about to discontinue anyway. The loss of material amounts to about \$600. The greatest danger lay in the fact that the material might lodge up against the piles of the bridge, and thereby cause a great accumulation which would threaten the safety of the structure. The officials were notified of the condition of affairs, and the United States Fish Hatchery employees did all in their power to direct the movement of the material away from the foundation of the bridge.

E. C. Chapman of Clackamas was in town Wednesday and Thursday.

Mrs. H. E. Stevens and children have returned to their home at Milwaukee after a short visit with Mr. Stevens' mother, Mrs. Bingham, of Canemah.

Mrs. Edna White and daughter Laura, returned Wednesday afternoon to their home at Cathlamet, after a two days' visit with the former's sister, Mrs. Ben Doolittle.

G. N. Joe, who left Oregon City about four months ago for Japan, on a business trip, has started for his home and will probably arrive here in about two weeks. Mr. Joe has selected a fine stock of Japanese ware during his trip abroad.

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depends in a great measure upon good toilet preparations. The fairer and more delicate your complexion, the greater care it requires to preserve it. If your skin is naturally rough and red, a good toilet preparation used faithfully, will remarkably improve it. You can depend upon the effectiveness of all toilet helps you get here.

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Druggists and Booksellers.

MACKSBURG FARMER KILLED BY GIANT POWDER EXPLOSION

Fifty pounds of giant powder, placed near the stove to dry, exploded and instantly killed Thomas Hansen a farmer living two miles south of Macksburg and seriously injured his wife about noon Thursday, while the two were seated at the dinner table not ten feet away from the explosion. The house is a total wreck. Mr. Hansen must have died almost instantly, and his wife was rendered unconscious for a long time and suffered severe injuries. Just how serious her condition is will be ascertained when she reaches Portland where she was taken to a hospital for proper care Friday morning.

The accident happened at noon Thursday, but Coroner Holman was not notified until late in the afternoon. Mr. and Mrs. Hansen were seated at the dinner table when the explosion occurred. According to Mrs. Hansen her husband had brought 50 pounds

of giant powder into the house to use for blowing out stumps. He placed about 20 pounds in the oven to dry quickly, and about 30 pounds more beside the stove. Evidently the fire smoldering in the stove flared up more than was expected, and caused the fearful explosion. Mr. Hansen was hurled several rods, where his mangled body was found later. The wife was thrown almost the same distance, but miraculously did not share the same fate that her husband did. The room was a small affair, only about ten feet square, and the entire cabin was badly torn up and splinters hurled several hundred feet away.

At the inquest conducted by Coroner Holman late yesterday afternoon the jury determined that nobody was to blame for the accident. Mr. Hansen, about 58 years of age, and is survived by his wife and three children, one son and two daughters.

SHOT HIMSELF BECAUSE OF DIVORCE

R. E. BENSON FIRES BULLET INTO HIS BREAST IN G. C. BROWNELL'S OFFICE.

Rash Deed is Committed Within Half-Hour After His Wife Secured Her Decree of Separation.

Raleigh E. Benson, whose wife had just secured a divorce from him half an hour before, sent a bullet into his breast just below the heart at one o'clock Thursday afternoon in Attorney G. C. Brownell's outer office. His weapon was a 38 calibre revolver which he had borrowed from his aunt, Mrs. Charles Read on some pretext. Dr. Mount was summoned immediately and later took the wounded man to the Gladstone hospital. The bullet glanced upward, a client of Mr. Brownell's was seated close by, Mr. Brownell and Miss Moulton had just stepped into the private office when they heard a shot, and rushing out, found Mr. Benson sitting in the chair, a revolver close by. Help was summoned immediately.

The attempt was evidently premeditated, since Mr. Benson had made several attempts to borrow a weapon the last day or two. Benson is 34 years old and has a father in Portland, J. F. Benson. He was married in 1901, and was sued by his wife on the ground of abandonment and non-support. Two children, Rita, aged four, and Geneva A., aged three, were the fruits of the marriage. His wife is prostrated with grief at the unfortunate affair.

In order to fully establish the motive and his sole responsibility for shooting should Mr. Benson die, District Attorney Allen propounded the following questions to the wounded man, and got his signed statement:

What is your name? My name is Benson.

Raleigh E. Benson? Yes.

Did you write this letter? Yes, sir.

How long ago? About one hour ago.

Did you shoot yourself? Yes.

Why? I did not want to live.

Was it on account of the fact that you had separated from your wife? Yes.

Have you anything to say farther? That is all, I guess.

Did anyone else have anything to do with it? I did it myself.

Have you any relations here? I have an aunt, Mrs. Chas. Reed, living here in Oregon City.

How old are you? 34 years.

Your wife's name is Laura Benson? Yes.

How long have you been married? About 5 years.

That is all.

(Signed): RALEIGH BENSON.

Witness: Eva L. Moulton.

**THANKSGIVING DINNER
BY CLACKMAS GRANGE**

Clackamas, Nov. 7.—Mrs. Gault of Parkplace will address the Mothers' club of Clackamas at the school house Friday, November 9, at 3:30 p. m.

DRANK FORMALDEHYDE THINKING IT WHISKEY

MOUNT PLEASANT MAN VICTIM
OF AN ALMOST FATAL MIS-
TAKE FRIDAY.

BADLY BURNED BUT RECOVERING

Poison Taken From An Unwrapped
Package—Incident Teaches
Us: "Smell Before We
Drink."

Alfred Holland of Mount Pleasant swallowed a large dose of formaldehyde Friday afternoon from the effects of which, Dr. Stuart, who attended the patient soon after it happened and also Saturday morning, reports a gratifying recovery.

The poison was administered to Mr. Holland by his neighbor, Mr. Cahill, by mistake. Mr. Cahill was just returning from the city with two bottles in his pocket, purchased at a drug store. Both were wrapped up in the same style, the one containing formaldehyde, the other the liquid that touches the warm spot. Mr. Cahill stopped his team to chat with Mr. Holland. Upon the latter complaining of being a bit cold from plowing all day, Mr. Cahill offered something that is calculated to drive away the cold, pulled the bottle from under the seat, uncorked it, without pulling off the wrapper and Mr. Holland took a good swig, when he suddenly experienced a burning sensation in his throat and stomach. Mr. Cahill immediately drove back to the city where Dr. Stuart took the patient in charge.

Holland's throat and stomach are badly burned. The fact that he is resting easy today is a matter upon which he may congratulate himself. That the effect was not fatal, considering the size of the dose, is something for which Mr. Holland may be especially thankful.

JUDGES AND CLERKS OF CITY ELECTION

CITY COUNCIL SELECT OFFICIALS
TO PRESIDE OVER BALLOT-
ING ON DECEMBER 3.

At the meeting of the city council, Wednesday night, the recorder was authorized to buy the necessary polling books for the city election to be held on December 3, also to give the usual notice of the election.

The following judges and clerks of the election were approved by the council:

First Ward—Judges, H. W. Trembath, W. L. Little, Jack Confer; clerks, R. Koerner, J. E. Rhoades. Second Ward—Judges, G. C. Babcock, E. D. Kelly, S. S. Walker; clerks, Chas. Kelly, W. R. Logus. Third Ward—Judges, Henry Brandt, Chas. Moran, J. Michaels; clerks, F. M. Darling, G. L. Story.

INTIMACY WITH MYERS NOT TRUE

Accuses Her Husband of Consorting
With Other Women at The
Oaks and of Non-
Support.

The trial of Gaston vs. Gaston was resumed when court convened Thursday morning. Mrs. Nettie Gaston occupied the stand in her own defense all morning and part of the afternoon. She proved an excellent witness, and gave detailed and forcible accounts of her grievances, which, if true, make her case a stronger ground for divorce than the plaintiff's.

She denied all the insinuations of intimacy with one A. Myers, and alleged repeated acts of cruelty on the part of Douglas Gaston, who it is said, repeatedly stayed away from home nights, went out to the Oaks with other women, failed to contribute adequately to the support of herself and child, and loafed about the house most of the time. She was inveigled into signing a confession of intimacy with A. Myers, which, it appears, was designed to be used as a means of extracting money from Myers to avoid disgraceful exposure.

Mrs. Gaston was vehement and decisive in her answers and had frequent tilts with the attorneys conducting the cross examination.

The plaintiffs concluded their examination of witnesses at the afternoon session Wednesday. Joseph Gaston, uncle to the plaintiff, Joseph Gaston, brother to the plaintiff, Mr. and Mrs. W. J. Patton, Mrs. Sophia Gaston, Mr. Cassar, private detective, and

attorneys Freeman, Herz, Haecker, and Griffith were put on the stand to testify. Suspicious actions on the part of the defendant, pointing to guilty relations with Myers, were the substance of the recitals given.

The main dispute in the case involves the truth or falsity of a confession on the wife's part, a subsequent affidavit retracting this confession, and a subsequent affidavit declaring the previous affidavit to have been false. The contention of the defense is that the first confession and the last affidavit were obtained by force and duress, and that love for her child and promises of future happiness were circumstances which led her to sign the documents which furnish the damaging evidence.

Late Wednesday afternoon two informations were filed by the district attorney. They are against Adam Foshag and Gottlieb Gross. Both were arraigned Thursday and pleaded not guilty. Foshag's trial is set for Monday, November 13, and Gross' will probably be held about Wednesday, November 14.

Foshag is charged with assault with a dangerous weapon on Charles Betts, whom he is alleged to have cut over the shoulder with an axe last May. Gross is held on a statutory charge, the complaining witness being Minnie Frederic. George C. Brownell appears for both defendants. J. E. Hedges appears as a special assistant in the prosecution of the Foshag case.

No. 5 to Serve Willamette.

The arrangements for the discontinuance of the Star route between Oregon City and Wilsonville are now complete. As previously announced, Wilsonville will be served from Sherwood with lock pouch by rural delivery. Willamette will be served by Oregon City rural carrier No. 5 with lock pouch.

Deputy Fish Warden H. A. Webster of Clackamas was in Oregon City on business Wednesday and Thursday.

Willamette Falls Camp No. 148 will give a benefit dance in armory hall Saturday evening, November 10. Music by Fox's orchestra. Everybody invited.

Miss Amanda Clear, who had been visiting Mrs. John Carothers of Canemah for the last week, returned Thursday morning to her home at Sherwood. She was accompanied by Miss Ada Frost, who will visit with her a week.

A MATTER OF HEALTH



OREGON CITY BOWLING ALLEYS
—HIGH SCORE, NOV. 7.
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C. B. Frissell, Proprietor.

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