SOMETHING NEW!! New Store, New Goods.

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Has just opened a large and well selected assort-

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THE LA CREOLE ACADEMY. Dallas, Polk County, Oregon.

REV. W. D. NICHOLS, Principal.

The Academic Year will be divided into four terms Medican weeks each.
First Term will commence October 10, 1864.
Second Term will commence January 2, 1865.
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EXPENSES:
Primary, \$4 00 per term.
Common English, \$6 00 per term.
Higher English \$8 00 per term.
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No deduction will be made for absence, except cases of protricted sickness.

Mr. Nichols comes among us highly recommended as an able and efficient teacher.

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Dallas, Sept. 2, 1864. OREGON

IRON WORKS.

A. C. GIBBS & CO.,

Steam Engines, Boilers, AND ALL KINDS OF MILLS: Hoisting Machines,

Reapers and Mowers, Quartz Mills, Amalgamating Pans,

COOKING RANGES,

connected with this Establishment.
PLANS AND SPECIFICATIONS for Mills and

Salem, Jan. 15, 1855y1

D. McCULLY.

Summons.

John Kelly ss. John Hull. In the County Court of Donglas county, Oregon.

To JOHN HULL, said defendant: You are hereby summoned and required to be and appear in the County Court of Douglas county, Oregon, at a regular term of said court to be begun and held at the court-bonse at Rose-burg, in said county, on Monday, the third day of April, a. n. 1865, and answer the complaint of the plaintiff on file against you in the above entitled cause, and you are hereby motified that unless you do so appear and answer said complaint, plaintiff will take a judgment against you for the sum of one hundred and ten dellars, with interest at the rate of ten per cent. per annum from the first day of May, a. p. 1861, and his costs and disluresments in this action.

J. F. WATSON, Plf's Au'y.
By order of Hon. Wm. R. Willis, said Judge.
Roseburg, Feb. 11, 1865.

Forman Spencer, Pitff, er. Florn and Joseph Savage and Alexander Adair, Defts. In the Circuit Court of the State of Oregon for Yambili county, April term, 1965. Bill for Partition of Real Estate and Settlement of the Tile.

term, 1865. Bill for Partition of Real Estate and Settlement of the Title.

THE above mamed detendant, Alexander Adair, is hereby summoned, in the name of the State of Oregon, to be and appear at and in the court above mamed on or before the first day of the April term thereof, commencing on the second Monday of said month for the year 1815, and answer the complaint of Forman Spencer in the above entitled action, who said to obtain partition of the west half of donation land claim No. — Notification No. 1831, being the land belonging to the heirs of Phebe A. Farage, situate in Yambill county, Organizate to settle the title to the same. And if you fall to appear or answer, plaintiff will apply to the court for the relief therein demanded.

STEWARD & LAWSON,
Solicitors for Complainant.

By order of Hon. R. P. Boise, Judge of the Third Judicial District. Feb. 12, 1865. Mw6pd

By order of Hon. R. P. Beine, Judge of the Third Judicial District.

Summons.

In the Circuit Court of the State of Oregon for Yambill county, April term. 1865. William Merchant, plaintiff, ex Andrew Merchant et al., defenuants—Suit for Partition of Real Estate.

THE above-named defendant, Alexander [Andrew] I Merchant, is bereby summoned and respired, in the name of the State of Oregon, to be and appear at and in the court above maned on or before the first day of the April term thereof, 1865, and answer the complaint of William Merchant, plaintiff in the above-antitled action, who sees to obtain partition of the cast half of the donation land claim of R. bert Merchant, of Medicanded, among the beirs thereof, also, the issuacre tract of land bought by said Robert Merchant of Stephen and Elizabeth Becombann; all situate on North Fork of Yambill river, in Yambill county, Oregon. And if you fail to answer, the plaintiff will apply to the Court for the relief in said complaint demanded.

By order of Hon, R. P. Boise, Judge of M. Jodicial

Oregon Statesman.

SALEM, OREGON, MONDAY, MARCH 27, 1865.

The Oregon Statesman.

CORRESPONDENCE.

Governor A. C. Grams—Dear Stre: Will you please state, whether at the time I recordly met you in Portland, and went in company with you to have Mr. Rigdon, of this county, or any other gentleman of his company, rejected by the beard convened at Salem to examine their fitness to command the infantry company raised in this and Douglas countie? or if I have at any other time, in any manner, used my influence in reference to these appointments, and if so, in what way?

Respectfully, your obedient servant, B. J. PENGRA.

STATE OF OREGON, EXECUTIVE DEPARTMENT, PORTLAND, March 7, 1865.

B. J. PENDRA, ESQ.—DEAR SIR: In reply to yours of the 4th instant, I have to say, that at no time did you try to influencement to have Captain S. Rigdon, or any of the officers of his company, rejected by the Military Board. It would have been of no avail if you had tried to exert such influence, for I do not have the appointment of such boards nor any control over them. I have the honor to be, sir, very respectfully, your obedient servant,

A. C. Gimss.

CATTAIN DRAKE and others, forming the Military Board of Examiners recently convened at Salem—Gentleres. Will you please do not the fave to state, whether I have at any time, in any manner, directly, or indirectly endeavored to influence you to reject S. Bigdon as Captain, Mr. May as First Licetenant, and J. G. Phillips as Second Lictuenant, of the military company recently raised in Lane and Douglas counties? An early answer is desired. Respectfully, your obedient servant, B. J. PENGRA.

Salem. March 10, 1865.

B. J. Pengma—Dear Six: Your communication of the 4th inst. is received. In reply we have the honor to state that you never attempted, directly or indirectly, to induce the action of the Examining Board, in the examination of Messis. Rigdon, May and Phillips, as officers of the company of infantry recently raised in Lancand Douglas counties.

Very respectfully, your obedient servants.

John M. Drake, Capt. 1st Ogn. Cav.,
H. Carlester Asst. Surg. 1st Ogn. Cav.,
Examining Board.

Salem, Oregon, March 10, 1865.
In connection with the subject matter of the above correspondence, the undersigned desire to say to the public, that a board of officers to consist of John M. Drake, ist Oregon Cavalry, Capitain Charles, Lafollet, 1st Oregon Infantry, and Assistant Surgeon Herace Carpenter. Ist Oregon Cavalry, were ordered to assemble at Salem, from time to time, to examine the officers appointed by the Governor of Oregon for the 1st Regiment Oregon Infantry. The orders, cuanating from Headquarters, District of Oregon, directed that two members of the Board should constitute a quorum, in the accidental absence of a third; and that the examination should extend to the loyalty, moral character, physical ability, general information and aptitude for the service, of the applicants.

amination should extend to the loyalty, moral character, physical ability, general information and aptitude for the service, of the applicants.

The Board convened on the 18th of February, 1865, Captain Lafollet absent, and proceeded to exaculate Messrs, Rigdon, May and Phillips, appointed by the Governor, to command the company raised in Lane and Douglas counties. The examination of these gentlemen was satisfactory on all points except that of "general information and aptitude for the service," in which they were found atterly deficient. They were rejected.

which they were tound utterly denotes. Lucy were rejected.

The Board in this case, as in all others of the kind, was subject to no control, or influence of any character, but the judgment of its members, their sense of duty to the service and their consciences. Responsibility in this matter rests with the Board alone. Its members have no desire to avoid it: they could not, if they would, as their action may be made a subject of military investigation at any time, by the authority convening the Board.

John Drake, Capt. Ogn. Cav.

ard.
John Drake, Capt. Ogn. Cav.,
H. Carpenter, Asst. Surg., Ogn. Cav.,
Examining Board.

FALSE AND ERRONEOUS INCOME RETURNS. We have been requested, by the United States Assessor for this district, to publish the following communication just received from the Treasury Department :

TREASURY DEPT., OFFICE OF INTER. REV. WASHINGTION. January 9, 1865. Complaints continue to be received at this office that many persons liable to income tax fail to make full returns. Those complaints have become so general that I deem it a duty I ow to the public service to call the attention of Assessors to the subject, that they may exert the necessary dilligence to remove, if possible TREASURY DEPT., OFFICE OF INTER. REV.) the necessary dilligence to remove, if possible,

Any taxpayer who renders untrue returns commits a tripple offense. First, against the country he defrauds; secondly, against his neighbor, whom he injures by casting upon him a larger share of the public burden than he ought to hear; and thirdly, against the law, which is violated both civilly and criminally, and which

porance, sometimes to carelessness and inad-vertence, and sometimes, also, to a deliberate purpose to defrand the Government. When their correctness is suspected. Assistant Assessors ought not to hesitate to make the necessary inquiries, in order to ascertain the truth. Oth-

erwise, their duty is not performed.

Delicacy under such cuircustances must be laid aside, and respect for wealth, influence or social position must yield to the higher obliga-tions of official responsibility. Honest men, when properly interrogated, will not in general refuse satisfaction to Government officers, and the dishonest should not be suffered to escape under pretense of sensibilities too nice to endure a disreputable imputation without offense. A a disreputation imputation without offense. A cheerful submission to a proceeding which a due execution of the law requires, is demanded in times like these equally by patriotism and good sense, and an appeal to those possessed of such qualities will seldom fail to produce the desired response. If any errors are believed to exist, it is not necessary to assume, in the first place, that they have been committed willfully; but, on the contrary, it may be well to advise the taxpayer to amend his return, and to accept it if he avails himself of the opportunity. If he refuses to do so, Section 14 of the late Act authorizes a mode of proceeding, which, if vigorously pursued, will

eviscerate the truth.

Taxpayers who are not cognizant of their Taxpayers who are not cognizant of their responsibilities ought to be informed of them, and those who are unable to make out their returns, out to be kindly assisted by the Assistant Assessor; but wilful and incorrigible offenders should be made to recognize the power of the law in the prompt and sure visitation of its penalties. Let Assistant Assessors understand that it is their business not merely to take returns, but to assertain whether they take returns, but to ascertain whether they are correct, and when they have reason to believe When anincreased assessment is sworn down un truly, the case should be reported to the Assessor, who should, when probable cause appears, in-stitute an investigation, and make it searching

A false return, even though accepted without alteration and tax payed, has no binding effect on the Government. When the fraud is discovered, the Assistant Assessor may make the proper increase, and if the taxpayer shall swear down the assessment on the increased return, he may be proceeded against for the perjory; or, which is the better way, instead of the increase being made, an investigation may be had under Section 14, the just amount of duty ascertained, and an hundred per cent. added

We also keep the STAPLE ARTICLES in the Dry Goods line, which Goods we have purchased in this market under the hammer, and are offering them at New York Cost, and less.

We publish this eard in order that we may make new acquaintances, and induce those who have not heretofore purchased of as, to call and examine our stock.

office.

The special income tax, if fairly assessed and collected, will produce more than thirty-five millions of dollars. It depends on the Assessors and their Assistants mainly whether the expectations of the Department and the country, on the subject, shall be realized or disappointed. Very respectfully, JOSEPH J. LEWIS, Commissioner.

THIS much desired article can now be found at BELL& BROWN'S. These outs have received the Highest Premiums at the Oregon State Fairs.

E. HARTLESS.

THE DELANEY MURDER TRIAL. The trial of George P. Beale and George Baker, accused of the murder of Daniel De-laney, who was murdered at his residence on the 9th of January last, came on for trial this 21st day of March 1865, in the Circuit Court of Oregon for Marion county, Hon. R. P.

TESTIMONY FOR THE STATE.

testifies as follows:

I was sitting by my fire at home, about a mile from my father's house. The little boy came to my house on the 10th of January last—the boy that lived with father. The hoy said that "the old man was killed, and "Jack"—(this Jack was the watch dog). Mr. Pate went to Wm. Delaney's and I went to Simeone' for of Mr. Delaney, which he believed to be correct, and explained the same to the jury].—
The front doer and the closet doors were burst open—those that could not be easily opened, were chopped open by an axe; couple of marks on the outside door, apparently done by an axe; the trunk in the house was chopped open; the closet in which father kept his papers was consend by the axe; some "rumaring." but not opened by the axe; some "rumaging," much, was found to be done up stairs.

bench on the porch. I assisted in removing the clothes of deceased from his body. Father and Mr. Beale were acquainted. It was generally supposed in the community that father to by any one; do not think had a good deal of money. Mr. Beale has about it more than others. had a good deal of money. Mr. Beale has said as much as "he supposed father had a good deal of money"—can't say that Beale had ere said he knew father's business. Father kept the date of the month on the slate; the last date on the slate is in father's handwriting, and was the 9th day of January. I have some knowledge of the amount of money found on the premises after his decease by ourselves. It was about \$24,000; most of it was found up

Cross examined by Logan for the defense.— Most of the money was found in two barrels of corn, up stairs. Prisoners have been acquainted with each other eight or nine years. One of them worked for my brother, Daniel Delaney; I knew they were acquainted; heard them speak of each other. Baker worked for me eight or ten years ago. [Here was a good deal of testimony about the wood-house.] The wood-house is put up against the other house, and is a kind of a shed. Two beds in the house, back from the fire-place. Some appearance of things having been moved, up stairs; the up stairs all in one room. The barstairs; the up stairs all in one room. The bar-rels of corn, three in a room, could be easily seen by any one. Father had lived on that farm ever since 1845 to my recollection. The children lived there with him most of the time. After the children left there, the negro woman stayed there with him; the negro woman had two children; the little boy Jack was one of negro woman's children. Mother left about one year and a half before the murder; she was helpless and could not be well taken care of there; she was taken to one of my brother's. Re-examined by Prosecuting Attorney.-Father lived there alone for some time. Mr. Beale went out into that vicinity frequently; frequently seen him out there packing a gan. Father's clothes have been in my costody since they were taken from the body of the deceased. [Here the clothes were exhibited to the jury.

from his claim, was through our neighborhood; it would have been out of his way to pass by father's. William Delaney, son of deceased, testifies:

am acquainted with the prisoners; I have known Mr. Beale since 1843; have known Mr. Baker for some time. Mr. Pate came after me on the 10th of January; said father was killed. We went and found father dead in the yard, and the house broken open. Miller and yard, and the house broken open. Miller and David Delaney were along. [Here witness took the diagram and explained the position of affairs about the house.] The door was bursted open by a stick of wood about as large as a man could well lift; two marks with poll of the axe over the lock; door was locked by the buttons on the inside, and had the appearance of having been bursted open while it was buttoned fast, the buttons being alleghed to the coning fast, the buttons being attached in the casing, and the casing was forced in. The windows were usually closed by father by boards placed on the inside, and then fastened in by crossbars. Father usually kept a kuife and pistol by him, and also an axe on the inside of the nouse for defense. It was generally supposed in the neighborhood that father had a good deal of money. The trunk was opened by an axe, and everything appeared to have been jerked out "helter-skelter." We found some three or four empty purses lying around that father usually kept money in. We found an old-fashioned inkstand, with a paper in it giving an account of the amounts and location of his money. His general custom was never to go out of doors general custom was never to go out of doors after dark. [Defense here objected to proving customs of deceased.] Witness says that deceased always done up his business in time to close up his house before dark. I don't know that he was afraid to stay there, but he was afraid to be caught out after dark; he thought it he cost himself was the three darks. if he got himself shut up in the house, no one could hurt him; that was his idea about it. The body was from thirty to forty feet from the gate; head towards the house. Baker and Beale were acquainted with each other. We crossed the plains with Beale in 1843. Beale thought father brought money across the plains. About two weeks before the morder. Beale went out and hought a keg of butter of father. I expect Beale was as intimately acquainted with lather's affairs, as any of his own rons. Beale and I have talked about father's money, we concluded that father must have about 850,000, -I don't think Baker knew the boy—

axes in the house. Mr. Beale and I have both the prisoners; I saw Beale at Taylor's on talked about father's money a hundred times.
I have talked with other people about it. Mr.
Beale settled out there in 1851. Mr. Beale and or how; saw Baker next day, the 9th, he was father were well acquainted; we were all going up Mill creek; I was coming to town; friendly with Mr. Beale; Mr. Beale purchased Baker had a double harreled shot gan with him. vegetables frequently of father; Mr. Beale could go to father's as easy as I could. I expect I told Mr. Beale that he could get butter David Delaney, son of deceased, sworn and cestifies as follows:

I was sitting by my fire at home, about a inquired of me to know the best way to get into father's.

Re-examined by Presenting Attorney.— The boy showed us how he could lock the door and fasten it by the buttens; and done it very readily. They kept a dog there that belonged to me; he was tied to the work-bench on the porch, so as to allow him to pass the door. I

the doors and windows at dark; kept arms for his defense—a shot gan. It was supposed in the community that father had a good deal of money. Beale was intimate with father. I left in March 1864; the boy Jack came back after I left. An argument was raised in the house as to whether Jack could fasten the up-per button, and thereupon Jack went and locked the door and fastened both the lower and upper button. I knew of father keeping money in the closets.

Cross-examined.-Mr. Beale was intimate with father and ourselves. Mr. Baker worked for me one winter, and Beale came and went during the winter, and was not more intimate with Baker than men world naturally be. I have talked with other nen about father's money; always waived the matter when spoken to by any one; do not think that Benle talked

was about \$24,000; most of it was found up stairs, in barrels of corn; \$3,000 was found in shot was not a great many shot—the stairs, in barrels of corn; \$3.000 was found in the grainary. Mr. Beale and Mr. Baker have taking effect on the inside of the arm, some been acquainted with each other nine or ten striking in the breast; also a shot in the head. done apparently by a pistol ball, striking in the back of the head. [Mr. Smith described the door-fastenings, as related by the Mesers. De-laneys.] The house was "rumaged" over channer and closet doors being bursted open, &c. I noticed shots about the porch and wood-house. Some of the back-shot passed through the weather-boarding. Heard, on Friday even-ing after the murder. Mr. Cross and I stood in front of Strang's tin shop, in Salem, talking: soon I saw Mr. Beale in front of us. Beale inquired if Cross had purchased Delaney's farm, and also if they had found any of Delaney's money. Some one said they did not think Delaney had much. Benle replied he knew better, that he could count up over \$50,000 that he knew Delancy to have. I replied, 000 that he knew Delaney to have. I replied, "George, you know a good deal of Delaney's business." Yes, says he, "I know more about it than Delaney's own boys." Beale also remarked that he believed that it was the "niggers" around here. I replied, "white niggers, George." He also said that "there was getting to the many dark ingers saying here.

ting to be too many d-d niggers around here, anyhow." Beale also said that he had a U.S. in his possession for some time, to sell for Mr. Delaney; did not sell it, and then returned it. On cross-examination, said that he believed the little negro Jack was possessed of as much sense as children, ordinarily. that the person washing was Beale; did not Dr. Swigget, sworn. I was called by the know Beale's veite.

Think that the shot in the side, or that in the head, either would have been sufficient to produce death. The shot in the side, if it entered the pericordiam, would have killed him in fifteen minutes. [The Doctor, at the end of his examination, gave notice that he had not been "summoned" to attend.]

Wiliam Taylor, sworn.—I was not acquinted with Baker; was with Beale; Beale was at my nouse on the 8th of Jan. last, seven oreight miles from here; brought some horses out there on Sunday in the afternoon; he staid all night; slent with me; had a knife and cistal with him. Sunday in the afternoon; he staid all night; slept with me; had a knife and pistol with him; staid with me; had a knite and pistol with lim; staid with me till Monday morning; sent my team to town that day. Beale was in the habit of coming to my house; whan he left my house he started toward town; Whitsel lives two miles and a half from my house, not on the road to town; Mill creek bridge is on the road.

Baker: I was at home on the 9th of January last; started to town with my brother; met road to town; Mill creek bridge is on the road.

Baker on horse-back with a shot gon; spoke to him; saked him which way he was going.

The boy Jack -- a mulatto -- was calle l. [Defense objected to his testifying, on the ground that negroes could not, under the law, testify in a criminal trial where a white man was on trial Objection overruled.) Jack is about seven or Objection overruled.) Jack is about seven or eight years of age. To try his intelligence, he was asked if he knew what a lie was, if a chair was called a hat if that would be a lie? Answer, "you bet it would; asked what kind of a place hell is? Answer, "a place where most of people go; asked if it was wrong to lie? said it was; said he did not understand what it was to be a witness, and other questions. Logan to be a witness, and other questions. Logan made a speech against admitting the boy to made a speech against admitting the loy to to be a witness, and other questions. Logan made a speech against admitting the boy to testify, arguing that the boy had not sufficient intelligence to take the bath. Mallory spoke in favor of admitting him. The Judge sustained the objection in a very able opinion on the point raised, and rejected the boy as a witness.

J. H. Whitsel, sworn.—I live about seven

WHOLE NO 732.

and was riding on a dark bay horse; my brother bad some conversation with him; when about sixty yards off heard my brother say to Baker that "there is some ducks over there;" Baker was about as far from my brother as I was, but paid no attention to the ducks; met Mr. Lewis soon after; Lewis went on up the road.

Peter Bilyen, swern.—I amacquainted with the prisoners, I was at Beale's saloon on the 9th of January until 9 o'clock in the evening; Beale never staid late in his saloon; Beale was Beale never staid late in his saloon; Beale was not at his saloon that evening. At nine I put out the lights, locked up and took the key to Mr. Adkins who was in Baker's hoose a few doors distant; found him there with a Mr. Hoxic and a couple of half-breed girls; I know of Baker having a dark hay horse; never heard Beale talk of Delaney's money.

Cross examined.—It was not Beale's custom to stay late in his saloon. I think Adkins left the saloon about seven o'clock that evening leaving me in charge.

leaving me in charge.

A. H. Day, sworn.—I know Beale by sight;
I don't know Baker; I left Salem about nine o'clock at night on the evening of the 9th of January; I went out of town with Mr. Rector. January; I went out of town with Mr. Rector.
Out one mile and a half from town by a school
house met two men, one on horseback the other
over in, the field afoot; remarked to Rector
that it was strange to find two men out that
way at night; their faces looked dark; the man
on the horse had the rim of the hat pulled down
over his face; I said, good evening to him, but
he made no reply; was riding a dark horse.
Cross examined.—About a mile and a half
from town when we met them; clothing looked
dark; couldn't tell exactly; hat rim turned
dark; couldn't tell exactly; hat rim turned

dark; couldn't tell exactly; hat rim turned down; the moon was about three hours high; foggy; I supposed the face was made dark on account of the hat rim being turned down. Enoch Rector, sworn.—Am not acquainted

with the prisoners; have seen Beale; on the evening of the 9th of Jan. was on drill at the armory in Salem; went out with Mr. Day; live reven miles from town. [Made the same statement with regard to meeting the men as Mr. Day did].

Martin Chamberlin, sworn.—I am not ac

painted with the prisoners; I live four miles rom town, the other side of Pringle's school coase; attended drill in town on the evening of the 9th of January; went out of town soon af-ter Day and Rector; saw a man and horse in the corner of the fence near Mr. Davidson's; the man had on a light colored coat; his face was turned from me; I rode past in a walk; the man was about thirty feet from me.

Cross examined. — Could not distinguish whether the man holding the horse was an In-

dian or a white man. Mrs. Eliza Yocum, sworn.—I am acquainter Mrs. Eliza Yocum, sworn.—I am acquainted with Beale, but am not with Baker. I reside in part of the same house that Beale lived in on the 9th of last January; I heard some one come into Beale's room about ten or cleven o'clock at night; heard him say that he had got lost in coming home; said there was mud in his eyes yet; he inquired for something to eat; he went out and washed, and came back and inquired for the key of the saloon; went out again and staid half an hour; heard him ask for bread and butter. The partition between the rooms is thin; I am satisfied in my own my mind that it was Beale's voice; have heard him talk in there before.

own my mind that it was Beale's voice; have heard him talk in there before.

Robert Baker, sworn.—On the 9th of January last I was at D. W. Jones' shop in Salem; between nine and eleven at night heard some one washing; Mr. Pleasants was sleeping with me; he got up to see if the person was washing in the rain barrel; heard Pleasants ask. "Is that you, George;" heard replied, "It is," and also "are you scared;" when Pleasants returned he said it was Beale.

Cross examined.—Said that he did not know that the person washing was Beale; did not

Dr. Swigget, swern.—I was called by the Coroner to assist in making an examination of the dead body of Daniel Delaney, deceased. Found him as before described, with arms drawn up; had received three shots, one in the left side by shot-gun; think this shot entered Baker and Pleasants were sleeping there; the pericardium, (hining membrane of the heart). Was also shot in the head by a pisted bail. [Described it in surgical language, &c.] Think that the shot in the side, or that in the following the surgical language of the Delaney murder in my shop; heard him say that Delaney had been very suspictous of persons; had suspected him; never heard

between seven and eight o'clock; Beale was not there then; Mrs. Beale and her mother

miles and a half from my house, not on the road to town; Mill ereck bridge is on the road from my house to Delaney's; Whitsel's is on the course toward Delaney's. I have heard Beale speak of Delaney's moving; Beal said that he had been packing apples for Delaney in a very narrow room; room; roo nails in them; struck the kegs with a hammer, they were very solid and he believed there was money in them. This was about four years ago.

Cross examined.—When I saw Beale laat he was traveling toward Salem about one hundred yards from the house; I think Beale had two coats on, the outside coat had been dark, but was faded out some.

Re-examined.—I think Beale's pistol was a small sized one; I remarked to him why have you that pistol here on Sunday? he replied that that pistol had saved him in several foxes.

The boy Jack—a mullatto—was called. [Defense objected to his testifying, on the ground that negroes could not, under the law, testify in

wind was blowing when I called to Baker about the ducks; don't know that Baker heard

I saw Baker.
Reuben Lewis, sworn.—I am acquainted with Beale; know Baker whon I see him; I went up Mill creek road on the 9th of January last; there was a man ahead riding a dark bay horse; had a gun; was a hundred and fifty yards

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Legal and all transient advertisements must be prepaid to insert insertion.

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Denied Clark's.

would have been to go by Daniel Clark's.

Re-examined.—I should suppose that it was two and half miles from where I saw the man last to Delaney's in a straight line. There is a foot-bridge across Mill creek near "Herron's" between Rector's bridge and the upper bridge, and the last time I saw Baker he was half a mile below this ford.

W. S. Barker, sworn.—I reside in Salem: am acquainted with the prisoners; I saw Baker with a horse hitched in the yard; my shop is in the same block with Baker's residence; idd not see him leave; I was in Beale's saloon on Tuesday; Beal said he had been at Swartz's mill to see about some lumber, and it got to be night before he left, and had lost his way coming home; Beale was blacking his beots about ing home: Beale was blacking his boots about.
9 o'clock in the morning; never heard Boale say anything about Delaney's money.

Cross examined.—Think he said he had been at the mill, and night come on, and he had

at the mill. and night come on, and he had difficulty in getting out.

H. W. Sheldon, aworn.—I know the prisoners; I live where Baker did; I had a conversation with Baker on the day after Delamay was killed, I asked him where he went the day before; I think he said he went over the river after oats for his horse; never heard Baker talk of Delaney.

Cross examined.—Conversation with Baker occurred by asking Baker "Did you go a hunting yesterdny!" He said no, "I went over the river after oats."

T. B. Itiokey, aworn.—Am acquainted with

T. B. Rickey, aworn.—Am acquainted will Beale; saw him on the 8th January last; and on dark clothes and dark hat; he was

light colored hat; never heard Beale talk of Delancy's affairs.

Cross examined.—I thought there was someting unusual about Beale on that day, arising from the fact that he was on horseback.

J. C. Atkius, called.—I have been stopping at Beale's saloon, in Salem, for the last six months. Know both Beale and Baker. Beale was not at his saloon on the 9th of January last. Beale went to Mr. Taylor's—so he said, I left the saloon about 7 o'clock in the ovening, leaving Mr. Bilyen in charge; walked around awhite, and then went into Baker's house. While there, Baker came home about eleven o'clock at night; came into the kitchen, in the back of the house, and set his gun down. His face was dirty; he then went out and stayed about ten minutes, when he came into the kitchen again. Baker came into the sitting-room once; didn't stay long, and then went out.

room once; didn't stay long, and then went out. Went back to Benle's between 11 and 2 o'clock at night. Beale was there the next morning.

I. R. Moores, called.—I am acquainted with the defendants. I assisted in arresting Mr. Baker; Baker was arrested down town. In going to the jail, Baker inquired three times what he was arrested for. I told him, on the third inquiry, that he was arrested for the murder of Mr. Delaney; says be, "is that sill, I thought, may be, that there had been some stealing done around town." Said he could prove where he was at on that day, that he had been out buying cattle; had been all around; didn't know very well where people lived, but that he remembered of being at Mr. Moisan's, on French Prairie.

I heard Mr. Beale talking in the store on Wednesday evening. Mr. Beale expressed his opinion freely on the subject; said there could have been no purpose in killing the little boy Jack, as he was not able to testify; was too young, and not very smart, anyhow. I noticed Beale's conversation particularly, more than the rest. Beale said Delaney was very suspicious; was always armed; could not have been got out of his house except by one of his sons. or some one in whom he had confidence; that he believed Delaney'a money was not boried, but that it was fastened in the house so that it would take a carpenter a long time to get at it. Beale was listened to with great attention. Beale said he was as well acquainted with Delaney's business as any of his sons.

Found, in examining the premises. Baker's two guns, a shot-pouch, buck-shot, small shot, and two pair of shoes in the wood-house. Scarch was made on Saturday afternoon; mud on the shoes was dry; found the old-fashioned block matches on the premises.

Cross examined.—Mr. Baker has been engaged in the butchering business.

I had my suspicions aroused when I heard Beale talk in the store; listened to learn the facts, not to find evidence. Beale and that Delaney was a very strong man; was not 72 but only 62 years old.

Re-examined.—[A double-ha

ker; saw Baker leave town between 9 and 10 o'clock on the 9th of January; live at Baker's house. Baker had on a pair of boots which the legs had been cut off of; returned that night between 11 and 12 o'clock; Baker did not say where he was going when he left; uben he came back, he came in at the back door; came in a hurry and set his gun down and went out again. The next day I noticed that he had on a new pair of shoes. The day Baker was arrested, he gave his wife \$20, which is all the money I saw him have. When he went away arrested, he gave his wife \$20, which is all the money I saw him have. When he went away he took a double-barreled shot-gun; brought the same kind of a gun back again; that gun (pointing to the gun in court) looks like the one; couldn't say positively as there are many guns alike. I have seen Baker give his wife money before, several times, but not so much as \$20.

Cross examined.—Bakar seemed to be intoxicated when he came in; I did not see his face; wore these old boots often about the house.

Marion Taylor, called .- I know Mr. Beale.

on him; it was the same horse that the Sheriff took from me.

Cross-examined.—Baker was drunk when he came home at night; staggered some. I was bearding at Baker's. Baker came in at the back door, when coming from the butcher shop or stable. I did not take care of the horse. Baker had been engaged in the hatchering business. I have seen Baker with Beale, not often.

butiness. I have seen Baker with Beale, not often.

E. O. Smith, called.—I am acquainted with both the prisoners. Baker kept his horse where I keep mine, in the stable back of "Dan's" butcher shop. Baker's horse was not in the stable at 7 or 8 o'clock in the evening of the 9th of January last, as I was at the stable and know; I know Baker's horse well.

apply to the Court for the react in said companie demanded.

By order of Hou, R. P. Boise, Judge of M. Judicial District.

By order of Hou, R. P. Boise, Judge of M. Judicial District.

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VEGETABLE UNIVERSAL PILLS. T is generally known that my Grandfather was the original inventor of these remarkable pills. He was a scientific man, and a medical practitioner of the Old School. But becoming alarmed at the mortality that attended the Bleeding and Mineral Practice, be turned his attendion to the study of nature and the philosophy of disease, as also to the natural remedial agents which he found to exist exclusively in the Vegetable Kingdom. In his researches and investigations, he became fully satisfied that the life was in the blood; that by whatever name diseases were distinguished, imparity of the blood was the source of all—a simple and truthall doctrine, which, in reducing all diseases to a unit, necessarily established the fact that all were to be treated on the same general principles, viz. by purgation.

Now the grand difficulty consisted in devising a vegetable compound that would invigorate, purify, and cleanse the blood, correct and regulate all the different secretions, and by purgation discharge the whole mass of murbid matter from the body, without reducing the stength. After thirty years of close application, he considered his object fully accomplished in the production of these pills, which have now been before the public One Hundred and Fourteen Years, and it is now (1965) nearly 31 years since Dr. Brandrech's Vegetable Universal Life Preserving Fills were first presented to the American public—during which time their superior excellence and virtues have been extensively proclaimed by papers and pamphiets. restore health, is a knowledge not to be hidden. I, therefore, as a man desiring to do my daty faithfully have dotted down some of my thirty-five years experience with Brandrath's Pills, which are an effectual assistant of nature, and cause the expulsion of agriculture levels.

ciples, viz: by purgation.

Now the grand difficulty consisted in devising a veg-

monious humors—the occasion of every sickness. Let us admit that corrupt humors prevent the free circula-tion of the blood, that Brandreth's Pills take out these lumors, giving health for pain, and strength for weakness.

No man is sick save when the principle of corrup-

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Nos. 411, 413 and 415 Battery street.
San Francisco, Jan. 7, 1865.

Battery street.

Boise, presiding.

to Wm. Delaney's, and I went to Simmons', for others to go with us. We got George Miller. Wm. Pate and Wm. Delaney, and went over to father's and found him dead in the yard. Mr. Simmons followed us soon after. We found the door bursted open, apparently with a stick of firewood laying near; found the house jumbled up; closets broken open; a demijohn of molasses bursted open and run out. [Here witness was shown a diagram of the premises of Mr. Delaney, which he believed to be correct, and explained the same to the jury.]—

It has been my father's custom to fasten up the doors and windows at dark; kept arms for his deference. and I started to go to latter?. All, I ale with to Wm. Delaney's, and I went to Simmons', for others to go with us. We got George Miller, Wm. Pate and Wm. Delaney, and went over to father's and found him dead in the yard.

From the house to the gate was almost thirty or forty feet. I was among the first that examined him; he was lying on his back; found him shot in the breast and in the head. Found shots had also lodged in the porch and work-bench on the porch. I satisfied in a smooth

the apron and vest showing shot-holes.]
By the Defense.—Had Mr. Beale a "claim"

wate did.

We examined for tracks at the time of finding lather; looked around and found some tracks, but never fairly struck the track until Mr. Headrick (the Sheriff) came. [Here witness took the diagram and explained to the jury how the tracks led off from the house in a crenitous direction, over a recky point, keeping on the rocks as much as possible; want on about a quarter of a mile, to where a house had been tied.] The horse was intended to a white oke, in a bunch of firs. The horse was about a quarter of a mile, to where house, the theore was about a quarter of a mile from the house, but the route the morderers took to reach the house was much further. Father's house is about eight miles from there. After the tracks reached the house, their general course was toward Salem The tracks wound backwards and forwards, in a zig zag manner, following fern ridges and bushy places, so as to avoid being traced. From the appearances, I should think the horse had stood there an hour or so; he was in an out-of the way place, and would not have been noticed by a passer by in day-light, unless the appearance that some one had been there, and stood for a while before leaving with the horse. Cross-examined.—I he most out is going to be laney's, in an out-of the way place, and would not have been noticed by a passer by in day-light, unless the horse had stood there an hour or so; he was in an out-of the way place, and would not have been noticed by a passer by in day-light, unless the horse had stood there an hour or so; he was in an out-of the way place, and would not have been noticed by a passer by in day-light, unless the horse had stood there an hour or so; he was in an out-of the way place, and would not have been noticed by a passer by in day-light, unless the horse had stood for a while before leaving with the horse.

Cross-examined.—I have been deferred to the house to Delaney's, the lower bridge is tooth brushly and hilly, there is also as big slough to gross in going by the lower bridge is tooth brushly and hilly, there is also as big slough to gross in going by the lower bridge is tooth brushly and hilly, there is also as big slough to gross in goin Mr. Headrick (the Sheriff) came. [Here wit-ness took the diagram and explained to the jury how the tracks led off from the house in a

herseback; it was something unusual to see Beale on horseback; saw him riding along the street with another man; have seen Beale fre-quently about the street; he usually were a light colored hat; never heard Beale talk of

kitchen again. Baker came into the senta-room once; didn't stay long, and then went out Went back to Benie's between 11 and 2 o'clock at night. Beale was there the next morning

Marion Taylor, called.—I know Mr. Beale. I live between 7 and 8 miles from town. Beale was at father's house on the 8th of January last; had some conversation on that night. Beale said he would rather walk to town than ride; offered to bet my brother half a dollar he would beat us into town. I came in with father's team; went to Beale's saloon and to his house, when I got to town; did not find Beale there; went hack home on the direct room; didn't see any thing of Beale. It was foggy on the 9th of January, and cold and moddy. Summer Hauxhurst, called.—I am acquainted with Beale and Baker. I went to Baker's house on the evening of the 9th of January. Baker came in between 10 and 11 o'clock at night. Baker came in and put his guo down, and then went out. Couldn't say that his face was black; it was a hittle dirty. I don't think he was in the habit of washing his face very clean. Baker went out and washed himself; came in and got his supper. I rode Baker's horse down to French Prairie; it was a dark hay horse; Bill Barker took the horse from me; it stood in E. O. Sanith's stable; saw Raker have the horse in the back yard, and ride off on him; it was the same horse that the Sheriff took from me.

George W. Taylor, sworn.—I was sequented with the deceased, Daniel Delaney; he lives