

ON THE BENCH 33 YEARS

JUDGE BOISE'S LONG JUDICIAL SERVICE IN OREGON.

An Active Member of the Bar From Pioneer Times and Still Vigorous-Sketch of His Life.

SALEM, Or., Aug. 12.—Judge R. P. Boise, who now presides over the equity department of the Circuit court in the Third judicial district, is the oldest Judge now on the bench in the state and has served more years as a Judge than any other man in Oregon. He is now in his 82d year and has occupied a seat upon the bench for 33 years. He is the son of a slight defect in his hearing he is in full possession of all his faculties. His rulings and decisions are so generally satisfactory that appeals from his decrees are uncommon except in cases in which it is understood from the beginning that the question involved must be passed upon by the court at last resort.

Reuben P. Boise was born at Blandford, Mass., June 8, 1818. His early life was spent on a farm and his early education was received in a country school. He took a course of higher instruction at Williams College, graduating from that institution in 1842. After two years' teaching in a country school in Missouri, he returned to the home of his father, where he practiced his profession at Chillicothe, Pa., Mass. He came to Oregon early in 1851, and located at Salem. He was one of the all-important question before the officials of the Territory at that time was the location of the capital, the Supreme Court being divided upon the question and a majority of the court differing from the majority of the Territorial Legislature. Senators and Judges Nelson and Strong were of the opinion that Oregon City was the lawful location of the seat of government and they held court at that place. Judge C. C. Pratt held that Salem was the proper place to hold court and he refused to sit with the other two Judges at Oregon City. Attorney and eminent supporter of Judge Pratt's view of the capital question, Mr. Deady frequently took opportunity to address the people who gathered at the courthouse on the subject of the capital question. The addresses, together with some quiet talking by Mr. Boise, made many converts from among those who inclined to the opinion that Oregon City was the seat of government. The United States Congress finally decided that Judge Pratt's opinion was correct and by this victory Mr. Boise gained considerable standing among the leading men of the Territory.

In 1852, Mr. Boise took a donation land claim a short distance above Dallas and made that his home, though continuing in the practice of his profession. He was a member of the Territorial Supreme Court in 1853 and 1855 and was elected by the Assembly to the office of Prosecuting Attorney. Gambling was quite common at that time, peering as much so as at present, and many early cases were tried by him. The criminal work was quite extensive and kept the Prosecuting Attorney fairly busy. Gamblers were hunted down with special vigor, and many of which might inspire the Prosecuting Attorney, who held office a half century later. Mr. Boise made it his business to learn the names of all men who frequented the place, and when the grand jury met he called as many of them as he was wanted to testify before that body. While many of the men who were called to testify were not in accordance with what they knew, he seldom failed to find witnesses enough to secure a conviction.

The trip from one county seat to another was made on horseback, the Judge and several attorneys usually riding in company. Lawbooks were not plentiful and some of the standard works on common law were carried in the saddlebags from one county to another. The constant reliance upon the old common law authors who condensed their works to concise statements of fundamental principles, gave the attorneys of that day a thorough knowledge of the essentials of law and it is frequently mentioned by attorneys today that Judge Boise has a wonderful familiarity with the law books of that day. This knowledge is particularly applicable in an equity court.

In 1857, Mr. Boise was elected one of Polk County's Delegates to the Constitutional Convention, which was held at Astoria. He served in the important position of chairman of the committee on legislation. In the same year he acquired the title of "Judge," by being appointed by President Buchanan a justice of the peace on the bench of the Territory. The following year, under the state organization, he was elected Supreme Judge and by virtue of his office he presided over the court. He continued in this office by re-election until 1859, when he was defeated by Judge R. F. Bonham. He then engaged in the practice of law at Salem until 1854 when he was elected a member of the Board of Capital Building Commissioners. In 1872 he was re-elected to the Supreme bench. Two years later the Legislature reorganized the courts, and Judges Condit and Judge Boise was appointed Supreme Judge. His appointment was for a short term and at the expiration in 1880 he was re-elected to the Circuit bench in the Third district. He continued in this office until 1882, when he returned to the practice of law at Salem. In 1888 he was again elected Circuit Judge for a term of six years and he held office to be ready for another term when the present has expired.

The Judge has a very strong dislike for technical questions in practice. He declines to be cases tried out on the merits, if possible, and he sometimes evidences a distrust of attorneys who quibble over small technicalities of procedure. While he is patient with attorneys and witnesses who are slow of testimony with apparent good intentions, he is ready and plain in his disapproval of an attempt to trifle with the court or to mislead by an incorrect statement of law or fact. Young attorneys receive his consideration at his hands and it is not uncommon for him to take charge of the examination of a witness where the attorney seems unable to draw out all the essential facts.

On one occasion, in the argument of a case which had been tried before Judge Boise, the attorney made statements which were not in accordance with the testimony or the law cited. After he had concluded several times by the Judge, the attorney said, impatiently: "Well, your Honor, it may be that I don't understand the facts in this case." Instantly came the answer: "You can't have any controversy with the court on that point. Mr. Blank, for the court will agree that you understand the facts, but the law that applies to them."

In this instance the attorney was either

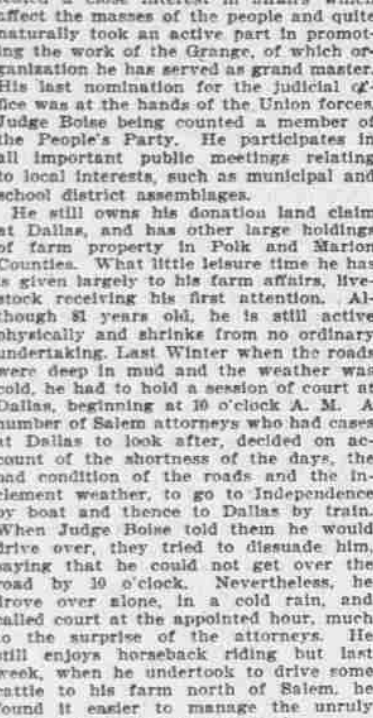
TEACHING THE DAIRYMEN

AGRICULTURAL COLLEGE PROFESSOR IN A PERIPATETIC ROLE.

Goes to Creameries and Dairies and Gathers, as Well as Imparts Information—To Publish Results.

SALEM, Or., Aug. 12.—Professor F. L. Kent, of the dairy department of the Oregon Agricultural College, was in Salem this week, visiting the creameries. He is on a tour of the creameries all over the state, and makes it a point to miss none of them, large or small. He travels principally on his bicycle, in order more conveniently to reach the many small creameries scattered over the state. He has two objects in view: First, to gather information, which will be published in a bulletin for free distribution among the farmers and others interested in the dairy industry; second, to give the individual creamery men such personal information and assistance as he is able in the short time he can devote

JUDGE R. P. BOISE



OLDEST JURIST IN OREGON, AND WHO HAS SERVED THE GREATEST NUMBER OF YEARS ON THE OREGON BENCH.

MAN SHOT FATHER BY MISTAKE.

Were Out Hunting and Got Separated.

EUGENE, Or., Aug. 12.—Dr. Ransome, who lives in Turner, was in Eugene last evening, seeking medical treatment for a bullet wound received several days ago, while hunting in the Cascade Mountains. The doctor and his family, on a party of hunters, were camped on the banks of Crescent Lake, the headwater of the Willamette. The doctor and his son were hunting one day, and had with them a bird dog. The men were out in the woods, and the dog was barking at a deer, and fired. The bullet struck his father in the left shoulder, passing through the muscle and shoulder blade. The patient was cared for in camp for a couple of days, when, finding that he was growing worse, camp was broken, and the party started for Eugene. The doctor here last evening. Doctors were called, and they pronounced the wound serious, but not necessarily fatal. The patient will be kept here until he can be sent home to his family in comfort.

Company C, Fourth Regiment, O. N. G.

went over to the McKenzie last evening on a practice march. It went into camp and spent there. Some target shooting was engaged in during the day. The members of the company are: Company B, Philippine veterans, went over on bicycles, thinking to make a night attack and stampede the "rookies" and capture their camp. The "rookies" did not stampede, and the "vets" returned without any loot. Quite a number of visitors were over to the camp today.

SUICIDE OF INDIAN FAMILY.

Father, Mother and Daughter Purposely Eat Wild Parsnips.

BURNS, Or., Aug. 10.—A few days ago, Snowdell, a Puyallup Indian, and his family, last week, his child, a 14-year-old girl, on account of bad health, ended her life in the same way. Her mother, upon learning of her death, procured some parsnips, and, eating them, also ended her life. It is unusual for Indians to commit suicide.

MAN WHO SAWED JAIL BARS.

He is Arrested at Colfax—Prominent Citizens are Implicated.

COLFAX, Wash., Aug. 12.—Yesterday afternoon Sheriff Canutt effected what he regards as an important capture in the arrest of a man who is now confined in the jail as a "suspect" in the actual charge against Boyle is that on April 24, 1900, he sawed the bars of one of the windows of the County Jail for the purpose of escape. He was caught then on trial for embezzlement of 15,000 bushels of grain, and Dan McDonald, charged with burglary. Clifford was recaptured at once, but McDonald made good his escape. The officers at once suspected that the work of sawing the steel bars had been done from the outside. Lee Carter, chief-ward in Barrell's hardware store, reported that on April 22 a man came into the store and bought two hack saws, saying he wanted the best made, as he had hardened metal to work in. He described the man, and by his description the officers recognized the man as one who had been seen hanging around the jail the day before the escape.

Watermelons and Cucumbers are Making a Great Run in Burns at Present.

Representatives of the Government are in this county buying melons and horses for army service. In all to date they have purchased 300 melons. Thirty-one of these were watermelons and the remainder cantaloupes. The price paid for melons was \$30 each, and the horses ranged in price from \$25 to \$50. They intended buying 200 horses and 20 cantaloupes of the melon purchased were 1-1/2 year-olds.

FOUR GREAT GROUPS

CLAIMS ON WHICH SUMPTER'S FUTURE LARGELY DEPENDS.

They Bear Development and Promise Important Results—Progress of Active Mining Operations.

SUMPTER, Or., Aug. 12.—There are four groups of claims situated eight or nine miles from here, upon the success of which more than usually depends the future of the district, not only of this town, but the whole surrounding country, depends. It can be stated with some degree of accuracy that the experimental stage, as it is well known to those who have visited and carefully examined the district, there is an immense ledge, commencing with the Nevada Pole mine, which is also located the Excelsior and Eureka, Columbia, Golconda and several miles away, the Red Bay and Concord. It is between the Golconda and Nevada Pole that the four groups spoken of are situated. They embrace in all about 12,000 feet, and are on the same vein.

DUBOIS WINS HIS POINT.

Gets Fashion Agreement Favoring Him for Senator.

CHICAGO, Aug. 12.—Senator Helfield and ex-Senator Dubois, of Idaho, left for their homes tonight. Their conference with the officers of the National committee was satisfactory. The three fusion elements have a tentative agreement by which the state officers are to be divided between the Populists and the Democrats and the Senatorship is to go to Fred Dubois, representing the Free Silver Republican element. "No trouble will be experienced in ar-

PLACER SEASON PROFITABLE.

R. G. Smith Talks About Southern Oregon Properties.

The placer mining season of 1900-1901 has been more than usually profitable, according to R. G. Smith, of Grants Pass, who is staying at the Imperial for a few days. Mr. Smith is more or less interested in the mining industry of that section, and is therefore well informed as to its present condition and future prospects.

Beginning with the Mammoth, on the east it is succeeded by the Grand Trunk, Bald Mountain and Ibez groups. The Mammoth was located by Andy Smith in 1852 as a placer claim, but how much was taken out is not known. The Mammoth, in working the placer, Smith struck the ledge, and with a hand mortar and pestle pounded out a considerable amount of gold after which he sold it. The buyers got a four-stamp mill in San Francisco, shipped it to Portland, thence up the Columbia River to the Dalles, from whence it was brought by teams to the placer. It is in a somewhat dilapidated condition. Two thousand tons of ore were milled, which brought \$4,000. A good deal was lost in the process. The mill and some apparatus which were used, the Mammoth produced altogether about \$100,000, and that within a depth of 35 feet. The property lay idle for 18 years when it was purchased by an old-timer, who, who consist of New York, Boston and Lowell people of abundant means. They took the property a year ago. They incorporated under the laws of Oregon for 1,000,000 shares at a par value of \$1 per share. It is a close corporation. The property comprises three claims on the ledge and 12 claims on the vein. The ledge was cleaned out and staking begun. At 100 feet and 200 feet levels were run, but without disclosing any values of consequence. An immense "horse" was struck through the ledge values again appeared. At present the shaft, which is an incline, has attained a depth of 250 feet, and assays running from \$1 to \$250 have been obtained. There is a good hoisting plant upon the property, and an excellent road has just been completed to it. More than 100 feet of work has been done and \$100,000 has been obtained. H. S. McCullum is the resident director and active manager of the property. He has had many years' experience in Colorado, Idaho and Utah. Twenty men are employed.

Continuation of Good Values.

Where the Grand Trunk property begins and extends for a distance of 400 feet. Work upon this property was begun in June of last year and has been progressing steadily. Over 100 feet of tunnels and cross-cutts have been driven on this property, the main tunnel being in 1200 feet. Fair values have been obtained, but the property has not yet reached the stage of being ready to be run, which, if it proves that the values continue, will determine the erection of a 10-stamp mill and other appliances for the treatment of the ore. There is a good hoisting plant upon the property, and an excellent road has just been completed to it. More than 100 feet of work has been done and \$100,000 has been obtained. H. S. McCullum is the resident director and active manager of the property. He has had many years' experience in Colorado, Idaho and Utah. Twenty men are employed.

Why \$150 Was Not Collected.

Hannaford Says Transfer by Drays Could Be Made Cheaper.

WALLA WALLA, Wash., Aug. 12.—President Mellon and party arrived at 5:30 and left at 6 P. M. today. J. M. Hannaford, general traffic manager of the Northern Pacific, after reading the statement of B. Campbell, traffic manager of the O. R. & N., in which that gentleman disputed the statements of President Mellon, said: "It is true the O. R. & N. never collected the \$150, but it is a ton for switching grain from Portland to Albina, because after the O. R. & N. established that rate at Northern Pacific found it could have this work done by drays for less money."

Salmon and Skeeters.

Corvallis Times.

This is a big fish story, but it is truth. It relates to salmon fishing in the Acute-Henry Hollow, of Corvallis, is there, and has written how about it. At the right season, salmon are so abundant in Cook Inlet that in rowing a boat the oarsman strikes the fish on the back with his oars. In a drag on one side a 30-fathom net takes anywhere from 200 to 1000 salmon. Three hundred are considered a light catch, and a haul of 143 is not infrequent. The only other living creatures at the inlet as abundant as the salmon are the skeeters. They light on a man's body and have their bills in to the bone before the victim can say "ouch." Sometimes men dare not venture out at night without wearing a mosquito net as a means of protection. It is a common practice to smoke the pests out of the tent at night and then close up so they cannot enter. Horn flies are also abundant. Mr. Howell doubts if horses or cattle could exist in the vicinity of the inlet.

Advanced From Prospect to Mine.

The Ibez, concerning which considerable has been written and more has been said, is the western extension of the Bald Mountain. This property is no longer in the realm of prospect, but has developed into a mine. It was purchased in February of last year by S. Chapman and associates, who own the Grand Trunk and have been working it ever since. Sixty-five thousand dollars was paid for it when it was a prospect. Since commencing work Mr. Chapman has done over 300 feet of work. About 60 feet of work had been done when this syndicate took hold. It has been opened up by four tunnels. No. 1, running 200 feet; No. 2, 100 feet; No. 3, 75 feet, and No. 4, 80 feet. Besides these tunnels, there is a shaft 30 feet deep. All of these workings, excepting tunnel No. 4, are in one level. The property is no longer in the realm of prospect, but has developed into a mine. It was purchased in February of last year by S. Chapman and associates, who own the Grand Trunk and have been working it ever since. 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