Insurance Company Refuses to Pay Risk on Geary.

HE WAS KILLED IN THE PHILIPPINES

Clause Forbid Engaging in War, but Company Was Sotified and Accepted Premiums Regularly.

CORVALLIS, Or., Aug. 22.—Mrs. Mand Genry, widow of the Inte Captain Wood-bridge Genry, has begun suit in the Ben-ton County Circuit Court against the ton County Circuit Court against the Provident Savings Life Assurance Society of New York, for the recovery of the sum of \$500. The amount represents the policy held with the company by Captain Geary at the time he was killed in the Philippines. The holley was made payable to Mrg. Geary, tetting to day after proof of Genth. The company has been furnished with the paton of death, but returns to pay. The grounds for the returns are the following clause in the printed policy, to which Captain Geary subscribed when taking out the policy:

subscribed when taking out the policy:

That I will not personally engage in military or naval service in time of war without first obtaining in each and every case the written consent of the society." In her complaint Mrs. Genry alleges that the above stipulation cannot be pleaded by the defendant company, as a bar to sher proceedings, because, when making application for the policy, January 2 1395, Cuptain Geary, then Second Lieutenant, explained to the agent of de-fendant that he was sugaged in active millingy service, and was liable at any time to be called into the field; and that time to be called into the field; and that the agent of accombant puve the applicant written consent to engage at all times in active military service. This written consent, however, together with the pluthriff's copy of the policy, was de-stroyed by a fire which happened in Cor-wallis, July 4, 1896, and in which the Geary residence and a large part of the contests were destroyed. contents were destroyed.

As a further reason, Mrs. Geary alleges that the premiums on the policy have been regularly paid, and have always been accepted by defendant, with the full knowledge on the part of the latter that Captain Geary was in the field. When her husband went to Cuba, early in the Spanish-American War, the company was at once notified. When he went, later, to the Philippines, similar notification was given defendant. July 5, 1898, plaintiff paid and defendant accepted the regular semiannual premium on the policy. Jan-uary 5, 1885, the premium was again paid and accepted, as it was also on July 8, 1885. On the lith of October, following the last payment, Captain Geary was killed in battle in the Philippines.

An Incendiary Fire.

At 1 e'clock this morning the barn of Judge McPadden was destroyed by fire. The flames started in the upper story, in which 12 tens of loose hay was stored. A number of horses and cows in the lower story were saved. The rest of the contents, together with the building, were reduced to ashes. The loss foots up over \$50. The insurance is \$30. The fire was unquestionably of incendiary origin.

AFTER 52 YEARS. Man Who Came to Oregon in 1846

Reports From Mississippi. BALLEM, Or., Aug. 22.-Mrs. E. M. Croi man, of this city, has recently received a letter from a member of the company with which she crossed the plains in 1896, but of whom she had heard nothing for 52 gears. The letter came from I. Sutton Burns, who now resides at Booneville, Miss. He saw Mrs. Croisen's name in The Oregonian's list of pioneers, and wrote to inquire whether she is the same Mrs. Croisan who came to Oregon in 1846 with Captain Rice Dunbar's company. Mr. Burms went by the name of Sutton, when, as an orphan boy of 13 years, he came to bregon with his brother's family. The brother having died on the plains, the Sutton boy was cared for by the Croisans, and made his frome with them until 1888. In his letter Sutton relates stories of sev-

Old Philippine Penal Code.

State Librarian J. B. Putnam today received a copy of a translation of the penal code of the Philippine Islands. The code was established by an edict of King Al-fonso of Spain, in 18st. By this codesa crime or misdemeanor is defined to be a voluntary act or omission punished by law. Among those who are exempted from criminal liability are imbeciles and lunatics, and persons under 5 years of age. He who acts in defense of his per-son or rights is also exempt, provided there are the following attendant circumstances: (1) Illegal aggression; (2) reason provocation on the part of the other person defending himself. He who acts compulsion of an irresistible force" "under the impulse of an uncontrolls ar of an equal or greater injury" is also

Among the circumstances which are held to aggravate criminal liability are: "When the act is committed with treachery; when the crime is committed in consideration of a price, reward or promise? when the act is committed with abuse of confidence; when advantage is taken by the culprit of his public position; when the crime is committed in a sacred place in the pulace of the Governor-General, or in the presence of the latter, or where public authorities are engaged in the discharge of their duties, and when the culprit is a vagrant."

It is also provided that "the circum stance of the curpit being a native, mea tigo or Chinese shall be taken into conelderation by the Judges and courts the purpose of increasing or reducing the penalties according to the degree of re-spective intention, the nature of the act, and the condition of the person offended, thich shall be left to the judgment of the

The punishments provided are carefully graded, and range all the way from death to mere caution. The death penalty is to be inflicted by the garrote, upon a scaf-fold, within M hours after the notification, by day, in a public place set axide, for the purpose. Prisoners are required to labor in the penal institutions to watch they are sentenced, the product of their labor going to the state or to their cred-

itors, according to the sentence imposed.
Treason is punished by death; gambling by a fine of 625 to 6250 penetas, or impris-oument; parricide by death, assassingtion and homicide by imprisonment. Among other crimes made punishable are ducling; rape, seduction, discovering and revealing secrets, calumny, contumerobbery, burgiary, theft, all kinds of frauds, arson, damage to property and

85 and 60 Marry.

William Miller better known as "Uncle Scotth." an octogenarian of this city, married today Mary Pearson, aged 90, of Riamath County. Miller is a well-known member of the Masonic fraternity, and is S years of age. He owns a large amount of real estate north of Salem.

Charged With Bicycle Stealing. Chief of Police Burns, of Oregon City. came to Saion today to take charge of. Ed Gratton, of Portland, who is wanted

LIFE-POLICY SUIT bleycle is not the one which Gration is alleged to have stolen, but is a Rambles bearing Multnomah County tax tag No bleycle is not the one which Gratton la

> Blankets for Alaska Indiana "Chief Johnson," of the Taku tribe, with headquarters at Juneau, Alaska, was in Salem today to purchase a year's supply of blankets. He is an extensive trader among the Indians, and buys about 500 biankets a year from the Salem Woolen Mills, but on this occasion he found the mills so crowded with orders that he could

get but a small part of that number for immediate delivery. State Fair Races. The State Board of Agriculture has is-sued the following speed programme for the coming state fair:

Monday, September 17-Pacing-For 2-year-olds (closed), add-\$ 100

Trotting—For 2-year-olds (closed), added ... 100
Trotting—2.25 class; 3 in 5 ... 400
Running—3, mile, introductory scramble; winner of one race this year to carry five pounds penalty; two or more races, 19 pounds; non-winners this year allowed 10 podnats; maidons sllowed 12 pounds. ... 300
Truesday, September 18—Pacing—2.40 class, 3 in 5 ... 300
Running—3, mile dash for 2-year-olds 190
Wednosday, September 19—Pacing—2.18; Saiem, Chamber of Commerce stake, 2 in 5 (closed). ... 1000
Trotting—2.20 class, 3 in 5 ... 400
Running—10 mile, 3-year-olds and inpwards

Running—One mile, s-, upwards Running—15 mile, 3-year-olds and up-Bunning—15 mile, 3-year-olds and up-wards Thursdey, September 20— Trotting—2:29; Capital City stake, 3 in 5 (closed) Pacing-2:23 class, 3 in 5.
Trotting-Consolation purse for beaten horses at this meeting. Conditions to be posted Taursday, Sepber 30.
Supplies A. The

ber 30 200
Busning & falle 200
Busning & falle 200
Busning & falle for 2-year-olds 150
Saturday September 22
Pacing 2:14: Citizens purse, 3 in 5 Pacing—2:14: Citizens' purse, 3 in 5 (closed)
Trotting—Free for all, 3 in 5.
Pacing—Consolation purse, 3 in 5, for non-winners in 2:18 pace, as per connon-winners in 218 pace, as her conditions.

Running-5% furlongs; consolation.... Capital City Brevities.

State Land Agent L. B. Geer left this evening on a tour of Crook, Harney, Grant, Morrow, Eherman and Wheeler Counties, looking after farms owned by the state John Huffman a farmer residing on the bank of the Willamette a few miles above Salem, was fined in Justice O'Donaid's court this morning for throwing a dead

hog into the river.

LIGHT SOCKEYE PACK. Only About 125,000 Cases-Ought to

Be 850,000. VANCOUVER, B. C., Aug. 22.—The sockeye salmon run of the Fraser River this season, which is now practically over, is the lightest on record. The total catch for the 47 cannories engaged in the business will be 125,000 cases at the outside. In a good year the total pack should be several fines as great. Thuring superal be seven times as great. During several seasons the aggregate pack has exceeded \$50,000 cases. Probably 100,000 cases of salmon were lost on account of the strike, but this year would have been light in any case. Five salling ships have been chartered to carry the pack to Liverpool, but it is not probable that more than one or two at most will be used.

Close Call for Senator Howe.

M'MINNVILLE, Aug. 22.—A few days ago, Senator W. A. Howe, of Carlton, was overcome by the fumes of carbolireum in a tank he was coating with the compession, and but for the help of a man who was working near, he would not have escaped. The man got the Senator out of the tank after he had fallen insensible.

Oregon Notes.

cases of diphtheria are reported at The Dalles. An Ashland cannery is working on corn and string beaus.

Mills at Ashland are paying 45 cents oer bushel for wheat. Point has been completed.

the section relates more of several incidents of the perillous march scross the mountains by way of "Applegate's cut-off," and of the hardships encountered in the Winter spent on the Universe of the Street Fair and Hardships for the Street Fair Work is in progress at Pendleton on buildings for the Street Fair and Har-vest Carnival.

Grant's Pass can get a fall of 47 feet by bringing water from Rogue River, at Savage Rapids. At Corvallis, a petty thief has stolen the rope from the flagpole of a Second

Oregon volunteer. William Abrams has sold A. N. Mc

Mary C. Boyson has sold George Tay lor 14 acres of land, adjoining Corvallis on the north, for \$900.

A Harrisburg company has contracted with R. C. Edwards, of Lowell, for 6,000,-000 feet of logs next Summer. Max Pracht is now booming some Movican springs—claiming the waters are a specific for kidney troubles.

Albany boys are turning honest "quarters" by selling baskets of fruit to pas-sengers on trains that stop there.

In Harney County, \$5 to \$5 per head is paid for horses by speculators, who want them to sell to the Government. Since the terrible accident at Eddyville recently, the County Court of Lincoln County has condemned two other

J. B. Graham, formerly of Idaho, died at La Grande, August 20, from dropsy. His age was 60. He left a wife and

H. C. Grady, of La Grande, has re-celved a personal letter from Adlal Stev-enson, who says indications are favorable for Bryan's success in Illinois.

The big circus is to play at Salem and Medford, and will pass other Oregon towns. The reason it stops at those places, says the Eugene Guard, is that the animals must be unloaded for a day J. W. Walters, who has operated a mill not far from Monroe for some time, has purchased a mill at Elmira, in Lape y, and has contracted with b for 3,000,000 feet of logs in the Lake Cr

J. A. Masterson, a stockman of Elgin has returned from Nome. He went on the Despatch, taking up 100 fat steers and 300 fat wethers, but the venture was not a success, and it took close figuring

to bring him out even. A man from Los Angeles passed through Rogue River Valley last week, having about 100 Belgian hares for sale at prices ranging from \$10 to \$50 apiece. Farmers generally had judgment enough to prefer cows to rabbits.

Wesley January has started for the Big Elk country to gather fir burrs or cones, says the Corvailis Gazette. He is in the employ of a Silverton man, who has a contract for 1000 sacks. It is con jectured that they are to be used for

medicinal purposes.

About 200 teams and 300 men are at wark on the extension of the Sumpter Valley Railroad into Grant County. More teams and men could be used if they could be had. The grade will be completed to the neighborhood of Clif-ford by the first of October. Tracklaying will begin before the first of Septem-

A 5-year-old son of Mr. and Mrs. John Kiger, who live south of Corvallis, was missed last week by its mother, who, after a search, found the child in a watering trough, drowned. Instantly the and Gratton of Portland, who is wanted in Oregon City to answer to a charge of sensible mother seized the body and begen efforts ut resuscitation. For fully by the Constable at Gervais, and a bicycle formerly in his possession was found in the break near Chemawa. The

NEW PRICES FOR PRUNES

AGREED UPON BY WILLAMETTE VALLEY PRUNE ASSOCIATION.

Makes a Difference How the Fruit Is Packed-New Warehouse Machinery to Be Purchased.

SALEM, Or., Aug. 22.—About 10 days ago the Willamette Valley Prune Association decided upon a scale of prices at which the association will offer to sell the goods under its control. These prices were made known at the time to the members of the association and to outside buyers, and were made public today. For Fellenberg prunes the asso-ciation price is fixed on a basis of 3 cents in bags, %4 cents in 50-pound boxes, and 34 cents in 25-pound boxes. By the "basis price" is meant the price paid for the four sizes, 80 to 70, 70 to 80, 80 to 90, and 90 to 109 prunes to the pound. On the basis above stated, the largest size

Ronde wheat. Most of that included in the sale is now in the Conley warehouse, on the Elgin branch.

ALBANY, Or., Aug. 22—Notwithstanding the damage to some of the vegetables and wheat, Mr. Beece, of the State Board of Agriculture, of this county, has decided to prepare an exhibit for this county, for the State Fair, and will make it as big as possible, covering manufactured goods as well as the products of the farm. In some lines the specimens will equal if not surpass those of any former year, the crop of apples, pears and peaches among crop of apples, pears and peaches among the fruit, and corn and a few other veg etables being the best for years.

Hops at Aurora.

AURORA, Or., Aug. E. Hop-pickins will begin here about September I. There is no mold nor lice this year; hence a choice quality is almost assured. Of course, heavy rains could yet do much damage, but as picking is so near at band, growers do not worry now. Thirty-five cents per box will be paid for pick-ing. At this price it is not hard work to earn \$1 40 to \$3 10 per day.

Few Hop Contracts in Clackamas. OREGON CITY, Aug. 2.-It is a not

GALLERY OF OREGON NEWSPAPER MEN-NO. 21



E. J. KAISER, OF THE ASHLAND RECORD.

ASHLAND, Aug. 22.-E. J. Kalner, proprietor of the Valley Record, established that publication in Ashland 13 years ago, and has been its editor and manager ever since has been a resident of Ashland for 17 years, coming here from Yreka, Cal., when a At the age of 13 years he began work as a printer's apprentice on the Yreka Journal, and has since been continuously engaged in the business mapped out for his life's work.

price in bags, and % cent is added for 50-pound boxes, and ½ cent for 25-pound boxes. For Petite prunes above the 50 to 70 size, 3 cents is taken as a basis price, which would make 4% cents the price for the 50 to 60 size, in bags. The asso-ciation expects to effect sales of its prunes at these prices, and anticipates orders within the next few days. At a meeting of the Board of Directors held this forenoon the manager was directed to purchase machinery for the new watehouse, which will be erected on Trade street, just above the O. R. & N. Co.'s

Daniel Webster, the Rosedale fruitgrower, who was a leading spirit in the organization of the Cured Fruit Associa-Olwell's fruit-packing house at Central Point has been completed.

In Klamath County, the demand for horses is the greatest ever known. tion of the Pacific Northwest said today

Reynolds, of the State Board of Horticulture, says that there is thus far no material indication of brown rot, and unless the weather shall be unfavorable, the fruit will probably be free from this

BETTER WHEAT PRICES. The Pacific Coast Company Offers 46

and 48 Cents. La Grande Chronicle

The report of Friday, to the effect that the wheat market stands below 45 cents, is erroneous, according to the statement of U. G. Couch, agent for the Pacific Coast Elevator Company at Island City, who reports that his company is paying & and 48 cents. This is admittedly a quotation above the regular export marthe regular export market price, and is in competition with the local mills, which usually establish a price a couple of cents higher than the general buyers offer to pay. As far as is known, the Pacific Coast Company is the only exporting firm that offers the prices above stated. In the general mar-ket from La Grande to Elgin there are haphazard quotations of from 41 to 43 cents.

A Pool of Pranegrowers.

Salem Statesman, The Williamette Valley Prunegrowers' Association, through its board of directors, has pooled 15 or 29 carloads of Italtors, has pooled is or 20 carloads of Italian and French prunes, belonging to the members of the organization, and quoted the following prices, per pound, to Eastern buyers: 20s to 40s, 5% cents; 4% to 50s, 5% cents; 50s to 70s, 4% cents; 50s to 50s, 5% cents. While these figures are considerably above the market price, the association has made sales on this basis and these has made sales on this basis and there is but little doubt that the whole crop of prunes in this section will be disposed at remunerative prices

To Begin Picking August 28 MILWAUKIE, Or., Aug. 22.- J. S. Risiev Son, who have one of the best yards in Clackamas County, report that their yard is free of lice and that the crop will not be quite as large as last season, but the quality will be better; the stems and leaves are smaller, and will dry better. The hops have a nice golden-green color now, which is what the hopmen like. Last year they were a dull green, with thick stems and large leaves. The Risleys will pay their pickers. cents per box, and will start August

28 to gather the crop. Hops of Greenville.

FOREST GROVE, Or., Aug. 22.-William Moore, a merchant at Greenville, said today that he had an excellent hop crop-last year, both in quantity and quality, but he will have a greater yield and of better quality this year. He will commence picking September 1.
George Beal, of Septems was offered HS
per ton yesterday for timothy hay. This
is the highest price tendered in this section this year. F. W. Johnson, of that

Sale of 25,000 Bushels of Wheat. LA GRANDE, Or., Aug. 22.—The Pacific Coast Elevator Company today, through W. T. Couch, purchased of A. B. Conley

place, sold 50 tons at \$12 50.

cents in 59-pound boxes, and 5% cents in able fact that but few Clackamas hop-25-pound boxes, with \(\frac{1}{2} \) cent drop for each smaller size. For Petites, \(2\frac{1}{2} \) cents of the size of \(\frac{1}{2} \) to 70 to the pound and smaller, which would be \(3\frac{1}{2} \) cents per pound for the \(\frac{1}{2} \) to 70 size. This is the ing placed on record. Agents for buvers are busy soliciting growers to enter into contracts, but apparently few care to the up their crops in this way. One grower here who contracted to deliver his crop to a buyer had previously made arrangements with a local bank to get what money was needed to care for his crop. Banks here say that they have money to loan on hop crops, and any reputable grower can get all the runds that he needs to harvest his hops.

Mining Stock Quotations.

gon Mining Stock Exchi		
Listed Mines-		Asked.
Adams Mountain	80 05	\$0.05%
Buffalo	1%	3
Buffalo	5	5%
Gold Hill & Bohemia	···· 5	516
Goldstone Consolidated	***** ******	4
Helena No. 2	***** 32	82%
Isabella		729
Lost Horse	915	177
Mary Owner	017	276
Mountain View Oregon-Colorado M. M.	246	247
Oregon-Colorado M. M.	& D. 5	514
		10
Umpqua		31/4
Rockefeller Sumpter Free Gold	356	514
SAI	ES.	21/2
Adams Mountain	1000 shar	res at 5
Gold Hill & Bohemia	30	000 nt 5
Helena		00 at 81%
Helena No. 2	1/4	500 at 32
		Mr
Isabella	48	100 at 1
		00 at .0005
	79	000 at 146
Lost Horse		500 at 314
May Queen		900 at 25

Umpqua SPOKANE, Aug. 22.-The closing bids for

SAN FRANCISCO quotations for minir	Aug. 22.—Official closing stocks:	1
Alpha Con Andes Belcher Best & Belcher Rullion Caledonia Challenge Con Confidence Con Cal & Va. 1	7 Ocieldental Con	2:

١	NEW YORK, Aug. 22Mining stocks today closed as follows:
	Chollar
ŀ	BOSTON, Aug. 22Closing quotations:
	Adventure .\$ 2 50) Humboldt \$ 25 00 Allouez M. Co. 11 12 Oscocola 67 75 Amai. Copper. 88 50) Parrott 41 75 Atlantic 23 00 Quincy 140 00 Boston & Mont. 320 00 Santa Fe Cop. 4 50 Butte & Boston 83 00 Tamarack 200 00 Cal. & Hecla 760 00 Utah Mining 31 00 Captennial 16 75 Wolverines 40 50

Franklin 14 00 Robbed and Murdered.

VANCOUVER, B. C., Aug. 22.—Thomas Olsen, aged 65, and supposed to have in his possession several hundred dollars was found murdered today at Chemainus was found murdered today at Chemainus He had been struck on the head with a blunt instrument. Robbery was undoubtedly the motive.

Idaho Notes. Mullan has 400 voters, but so far only

25 have registered.

Governor Steunenberg has proved up on a 180-acre timber culture claim, three miles south of Caldwell. A company has been formed at Boise to dam Ten Mile Creek and secure a reservoir supply of water for irrigation. The water power of Post Falls, on the Spokane River, is to be converted into electrical power and transmitted to the Coeur d'Alenes district for operation of

Jack Murray, of Mullan, killed a mule deer some days ago, and hung it in a tree with a half-inch rope. Next morning it was gone He followed a trail, found the carcass partly eaten, set a rifle in a V-shaped pen, with the deer's head attached to the trigger by a string. and bagged a 200-pound mountain lion

WHAT THE LAND LAW SAYS

NOMINAL RESIDENCE NOT SUFFI-CIENT FOR HOMESTEAD.

Timber Claims May Be Taken as Homestend, but Scrutiny of Entrymen's Intent Is Required.

OREGON CITY, Aug. M .- (To the Editor.)—The following expressions are contained in a letter received in this morning's mail from a prominent business man in the Willamette Valley:

in the Willamette Valley:
"I am anxious to take up a homestead
if I can do so lawfully, and without evading the law or stretching my conscience,
. Do you think that the law requires
a person to make his domicile upon the
land, or only a 'residence'?"
It is understood that the land referred
to he heavily timbered. The laws of June
3, 1878, provide for the sale of timber

to he heavily timbered. The laws of June 3, 1878, provide for the sale of timber land at 25 50 per acre in cash. Timber land is defined as being land more valuable for timber than for agricultural purposes. Under the homestend law land is secured by the payment only of the prescribed fees and commissions, and five years' residence and cultivation. The requirements as to residence and cultivation and cultivations. requirements as to residence and cultivation are modified in the case of soldiers, their widows and heirs; but others can only escape these requirements by commuting their entries. The commutation commuting their entries. The commuta-tion of a homestead entry consists in paying for the land the Government price of \$1.25 or \$2.50 per acre. This cannot be done until after at least 14 months'

residence and cultivation.

The law does not expressly probibit the taking of timber land under the home-stead law, providing the entry is bona fide and the entryman takes the land for the purpose of making it a home and not merely for the purpose of securing the timber. In other land districts in the country, very remote from Oregon City, it is claimed that many are taking advantage of the homestead laws to secure land valuable only for its timber. making a colorable showing of 14 months' residence and cultivation upon a home-stead claim, utterly worthless for any-thing else but its timber, many have secured patents upon the payment of the Government price of \$1.25 per acre. This is cheaper than buying it under the tim-ber law at \$2.50 per acre; but it often re-quires considerable nerve and a somewhat quires considerable nerve and a somewhat elastic conscience. Hundreds who have done this and made proofs that were good upon their face, would probably have been dealed their patents if any contest had been made.

The ease with which this has been accomplished in many cases has led to the widespread idea that "residence and cultivation" of a homestead means simply a pretonse at cultivation, and a single

a pretense at cultivation, and a single visit once every six months. The Regis-ter and Receiver have no power to re-ject any proof that is good upon its face, but they are admonished in the decisions to carefully scrutinize all homestead proofs upon lands which they have any reason to believe are more valuable for timber than for agricultural purposes. So many inquiries have reached the office in regard to the law governing these ques-tions that we ask a little of your space in quoting decisions of the Secretary of

in quoting decisions of the Secretary of the Interior. In Howden vs. Piper (3 L. D., 185), it is held that an act of settlement must consist of some substantial and visible improvement of the land having the character of permanency with the intent to

appropriate it under the law.

In Doble vs. Jameson (13 L. D., 21), it is held that "going on the land and doing a little slashing. 30 or 30 feet square, and hiring men to build a house, 12x14 feet. and make necessary improvements to es-tablish a claim, and also building snother house 14x20 near the site of the first, with a kitchen 10x14 feet, containing four rooms in all-staying all night, and three months later moving his family in and staying two or three days, the next month staying one day, the month following two days, and three months later staying two nights and one day," is not settle-

nent. In Wright vs. Larsen (7 L. D., 555), it is held that "while lands chiefly valu-ible for timber and stone, and unfit for ordinary agricultural purposes, are not excluded from settlement by the act of time 8, 1878, yet settlement on such lands should be carefully scrutinized, as the exception in said act is in favor of the onn fide settler. A settlement for the surpose of securing the timber on the and, or for any other purpose than es-tablishing a home, is not a bona fide settlement within the meaning of said

In the case of George H. Hegeman (II L. D., 7), the claim of the settler was rejected, though his proof showed that he made actual settlement immediately after filing, that he built a house 12x15 feet, with shake roof and board floor, woodshed, road, and one and one-half acres prepared for crop; that his residence was continuous, and that his improvements were worth 1230 Paragues provements were worth \$320. the tract contained 1,000,000 feet of fir timber the Secretary decided that the claimant's good faith was not clearly

shown.

Note that constitutes residence, in the view of the Department of the Interfor, is fully set forth in the following decisions.

4 L. D. 413. To establish residence as required by the homestead law, there must be a combination of act and intent, the act of occupying and living on the claim and the intention of making the rame a home to the exclusion of a home elsewhere.

4 L. D. 301. Residence is not established or maintained by occasional visits to the land. Inhabitancy must exist in good faith and be exercised to the exclusion of a home elsewhere.

5 L. D. 179. To acquire residence under the 4 L. D. 413. To establish residence as re-

5 L. D. 179. To acquire residence under the comestead law the former residence must be abandoned, and such change can be effected only by the concurrent act and intention of the D L. D. 340. To establish residence there

must be concurrent with the act of settlement, or going upon the land, an intent to make it a home to the unqualified exclusion of one elsewhere.
11 L. D. 450. Fitness of the land as a per-

manent abode, the period of inhabitancy, and the claimant's relation to the land after final proof, may be considered in determining wheththe claim of residence is made in good 6 L. D. 422. A claim of residence is not con-

6 L. D. 422. A claim of residence is not consistent with the substantial maintenance of a home elsewhere.
10 L. D. 340. Acts indicating an intention to make the land a home to the exclusion of one elsewhere are required to establish the fact of residence in good faith.
8 L. D. 286 and 331. Occasional or periodical visits or even courtinuous presence on the land.

visits, or even continuous presence on the land, not with a view of making it a permanent home, to the exclusion of one elsewhere, but merely for the purpose of carrying cut the let-ter of the law, and with intent to discontinue inhabitancy at the end of the period required, is not in any proper sense compliance with law, no matter how honest the entryman may be in believing he is complying with the law. 18 L. D. 22. Residence cannot be acquired or maintained by going upon or visiting a claim solely for the purpose of complying with the law. home, to the exclusion of one elsewhere

THE MONTANA State School of Mines At Butte, Montana, will open Sept. II, 1900. Full four years' course of instruction offered; two terms of 20 weeks each per year. Tuition free to Montana students; others pay \$25 per term. For other infofmation address N. R. Leonard. Butte. Mont.

The Oregon Mining Stock Exchange

Auditorium, Chamber of Commerce Bidg., 2. 0. box 079. Portland, Or. Open call every day at 10:30 A. M. Phone Main 310, Oregon. Columbia Main 230. J. E. Haseitine, Free, David Goodsell, Treas, F. J. Hard, Sec. Directors—L. G. Clarke, J. E. Haseitine, David Goodsell, P. J. Jennings, L. G. Davidson, J. L. Hartman, E. A. Clem.

by occasional visits to the land while the actual home is shewhers. The foregoing decisions are but a few among scores that might be cited, and they are submitted because, owing to the present widespread excitement over timber lands, they bear upon questions that are of practical and general interest. CHARLES B. MOORES. Register United States Land Office.

A Full County Ticket Nominated Joint State Senator Goes to C.

VANCOUVER, Wash, Aug. 11 -T Clark County fusion convention met he today and nominated a full county ticks

BEATTLE, Aug. 22—The Government has chartered from the British American Steamship Line for user is transports between the Pacific Coast and the Philippines the large steamers inversess, Carlisle City and Ping Susy. The former is a turret steamer of 3ill tons, due to arrive here September 19. The Carlisle City is of 3000 tons, due here September 19, and the Ping Susy is of 3500 tons due here in November. They will be used for carrying forage and other army supplies. today and nominated a full county tich. The meeting was called to order by C. Bush, chairman of the county centre committee. P. Hough was chosen chaiman, V. J. Fike, secretary, and J. Padden, assistant secretary.

This county is entitled to 30 delegat to the state fusion convention—If Demorate, 13 Popullats and four Silver Repullcans. The following were elected, near all of whom are understood to be an Rogers men: Wall was summoned to Comstock today to sitend Wes Carson, who is said to have out his own throat with a rasor with suf-

all of whom are understood to be an Rogera men:
Democratis—Dr. R. D. Wlawall, R. Shaw, J. W. Wentworth, J. A. Munda V. V. Rand, W. S. Wood, J. A. Padde Charles Daly, S. S. Campbell, J. J. Heal P. Hough, J. R. Wood, F. J. Lacharf, Populists—C. A. Rush, A. Highs, C. Wood, Frank Beler, N. Ennis, C. Wood, C. H. Ricker, H. W. Rand, J. Wood, M. Englemen, Joseph Bows, E. Edmunds, Joseph Wright,
Silver Republicans—Henry Vanatta, R. Geborne, C. E. Coryell, Charles Smit,
All of these delegates were presente to the convention by J. W. Wentwort who said that they promised they wou attend in person. Wilson, a deaf druggist, was killed at Summer the 20th by a train. J. W. Hardin, of Alpowa, has a crop of caster beans that is looking well. Gittelsohn's clothing store, in Sneho-mish, was burned August 20. Loss, \$2000; insured.

The supposed wife of Dixon, the deed-forgor, turns out to be Mrs. Frederick Cameron, of Seattle, attend in person.

Northern Pacific builders are putting in new bridge spans at several points on Lightning recently shattered a door leading to the beilty of the Sharpstein school, at Walla Walla. ows: Joint Senator-C. J. Moora. Representatives-Dr. Wiswall and C. Harry Leland, agent of the State His-torical Society, is in Rustern Washing-ton, gathering facts and relics.

Tacoma has begun the work of repair-ing a dozen bridges in that city, to make them safe. The estimated expense is \$1140.

The O. R. & N. Co. has cut its freight rate one-third on carload lots of material from Portland for rebuilding Pomeroy's burned district.

John A. Humbird has purchased of Henry Wood 430 acres of land in Thurs-ton County. The price paid was \$3700.

The price of salmon at Gray's Harbor has been reduced from II to 75 cents per fish, by agreement of fishermen and ship-

Three Large Transports Chartered.

Cut His Own Throat

Washington Notes.

insured.

the Chehalis River.

COTTAGE GROVE, Or., Aug. 31-Dr.

Professor T. A. Yowell, formerly princi-pal of Randall school, is under arrest at Seattle on a charge of pocket-picking. He declares his innocence. Henry Prescott, an aged resident of Olympia, died the 20th inst, in a room in his bullding. He came to the territory in 1857, and was II years of age.

General Manager I. C. Atkinson is out of the Port Angeles Eastern Railway. L. A. Pope succeeds him. The president says the work of building the road will now Spokane has a beer war. One

brewers has cut the price from \$5.50 per barrel to \$7, with 5 per cent of on col-lection lay, to meet another concern's cut to \$5.50. State Superintendent of Schools F. J. Browne is accused of making a ruling against exchange of school books, that means a loss of thousands of dollars to

the taxpayer. McCormick and Anderson, the alleged onfidence men, have been held in \$5000 onds at Walla Walla to answer in the Superior Court to charges of cheating men with poker dice.

A photograph has been taken of Chief

Spencer, of the Yakimas, who is 100 years of age. It is the only one ever taken, and even then the old fellow refused to dress in his native garb. Mrs. R. W. Linville, of Aberdeen, saved

Tyear-old Laura Benham from drowning August 19 by pulling a small boat to a point where the child was struggling in the waters of Gray's Harbor. Klickitat County farmers complain of the condition of the road leading to the Columbia River. They say unless it is rapaired there will be very little Klickitat wheat brought to The Dalles this Fall. State Auditor Cheetham has issued a statement enowing a great fall in the

statement mowing a great tall in the price of money. The state is paying but 3½ to 4 per cent interest, whereas it was paying 8 per cent a few years ago.

A new telephone building is to be put up in Tacoma at the corner of E and Eleventh streets, on two lots just bought for a site. All main lines will be put on underground conduits—St in Fortland. Charles W. Flood, a Spokane man, who banked in his trunk and hid the key in a hed, mourns the loss of four school war-rants for \$50 each, a mortgage note, and a deed to some property. No clew to the

The body of the man found in the Touchet River, near Prescott, Sunday afternoon, has proven to be that of Leroy Libby, a farm hand. He committed suicide, because of ill-health and despon-

Scattle's Fourth of July celebration cost Scattle's Fourth of July celebration cost \$5515, according to a statement just made public. The principal expenditures were: Fireworks, \$1555; music, \$1451; sports, \$1255. The committee has \$502 for next year. There were 578 contributors to the fund. Rev. Charles Cornwall, of Walla Walla, thinks he was chloroformed by burglars last Sunday night, but drove them off by struggling and shouting. Neighbors are divided in opinion as to whether he

are divided in opinion as to whether he suffered from an intense nightmars or an anesthetic administered by burglars. The Seattle Times is disconcerted at these statements by Colonei A. P. Tug-weli, a Tacoma politician, about Gover-nor Rogers: "We will beat him, blank him, if we beat Bryan for President in doing it! If the vote of this state settles doing it! If the vote of this state settles the Presidential election, and Rogers is nominated, we'll carry him down to feat if we carry Bryan down with him Tugwell is earnestly for Fawcet, of Tooma, for Governor, and the Times is strenuously against him. Speaking of the Tacoma candidate's personal character and Tacoma's criticism of Scattle censul methods, the Times says: "In our judg-ment such a nomination would be albolutely fatal to success, and the Times will not feel bound to support any such candidate." Further: "We will not support Fawcett's candidacy if he be nomi-

THE ORIGINAL.

ANTI-ROGERS DELEGATIO

CLARK COUNTY PUSIONISTS SES 20 DELEGATES TO SEATTLE.

J. Moors, of Skamania.

The county ticket numinated is as fo

Ricker. Commissioners—Second district, W. Dair: Third district, J. R. Curten, Auditor—V. J. Fike, Tressurer—C. P. Sush, Sheriff—Charles W. Caples.

Sherin-Charles W. Capies.
Prosecuting Attorney-E. M. Greene.
County Clerk-F. C. Briggs.
Surveyor-M. G. Lisher.
Coroner-R. L. Burnett.
Assessor-I. R. Fletcher. Chairman county central committee-

PACIFIC COUNTY CONVENTIONS. Populists and Democrats Name Stat

Delegates and Adjourn. SOUTH BEND, Wash, Aug. 28-Th SOUTH BEND, Wash, Aug. 22—TP.
Populist county convention met today an
nominated S. Butta for Deputy Fish Com
missioner, W. B. Donaldson for Superfit
tendent of the Chinock Hatchery, and S.
T. Church, S. K. Clyde, John Stewart an
C. D. Knapp, delegates to the state con
vention. They are uninstructed. The con
vention then adjourned subject to the ca
of the chairman, the plan of fusion with of the chairman, the plan of fusion wi the Democrats having carried. The at tendance of delegates was light. The cor-vention will probably be called to mee again September 4, the date to which th Democrats adjourned.

The Democratic Delegates.

The Democratic County Convention me last night and elected A. P. Cochran, J. Brumbach, Val Heath, J. L. Myer William Bullard and Phillip P. Atto delegates to the state convention. A me jority of the delegates are understood favor Rogers for Governor. Owing to dearth of candidates the convention a journed to meet September 4 to nomina a county ticket. M. W. Johnson we chairman and J. J. Brumbach, secretar of the convention. Assistant Attorner General Vance addressed a fair-sized at dience, devoting much of his time to denouncing Roosevelt. A banquet follow at the Hotel Albee.

STOREHOUSES FOR TAKU.

30 to Be Built by United States Pur SEATTLE, Aug. 22.—The United State
Government will build, within the nex
four months, 30 large storehouses a
Taku, China, for the accommodation o
a vast supply of commissary and othe
goods which have been and will be trans
ported to that point for the maintenance. chases at Seattle. corted to that point, for the maintenan

The material for these warehouses will be purchased by the Quartermaster's De partment, of this city, and shipped to th Orient at an early date. Advertisement are now out which include 513,000 feet o common lumber, with sash, doors, hard ware and corrugated from. Bids will be opened at II A. M., August 25, The Depot Quartermaster at Quartermaster at Taku Captain J. C. Byron, who assisted Catain Robinson, Jr., in dispatching to first four transports from Puget Sou

THUNDER STORM AT ASHLAND. Did Some Damage, But Greatly Freshened Things.

ports to the Philippines.

ASFELAND, Or., Aug. 22.—During the thunder storm in this vicinity, which last ed for several hours, with sharp and fre ed for several hours, with sharp and tre-quent flashes of lightning, a pine tre-on the Gore ranch of Butler & Thomp-son, a few miles southeast of this city was struck by lightning, and a nearly stack containing 170 tons of timothy hay was totally destroyed. The storm was general as far north as the Rogue River Twenty-six-hundredths of an inch fell in this city, and it freshe

up the appearance of things greatly. Diphtheria at The Dalles. THE DALLES, Or., Aug. II.—Two well-developed cases of diphtheria were reported to the city authorities has night Dr. Giesendorffer. The sufferers as daughters of George Bunn, and the have been ill for several days without dector being called. As Mr. Bunn's red dence is somewhat isolated from othe houses, it is hoped the disease may b confined to the one family. Mr. Bunn-eldest son was buried last week, an-many friends visited the house at tha time, after the children were taken sic

Killed a Cannery Boss. VICTORIA, B. C., Aug. M.-The steam ship Tees brings news from Ketchika that United States Marshal Hasey and killed Dan Robinson, a cannery box there, August 19, while the latter was re eisting arrest AVOID UNKNOWN



