WAS NOT HIS WHEAT

Speculator Spicer on Trial for Wrongful Sale.

ISSUED WAREHOUSE RECEIPT

Defense Is That the Grain Was His and That the Money-Lender Was Fully Secured for All Ad-

The trial of William E. Spicer, on a charge of disposing of grain valued at 1866, for which he had issued a warehouse receipt to the Spokane & Eastern Investment Company, was begun in the criminal department of the State Circuit Court yesterday, and will continue several Gourt yesterday, and will continue several days. The attorneys are: District Attorney Chamberlain and Russell E. Sewall, for the prosecution, and Ed Mendenhall, J. B. Easter and Judge Ward, for the defense. The time yesterday was principally taken up in the selection of a jury, which was finally obtained as follows: Fred Benfield, Fred Emily, C. N. Proud, Milton York, Charles Porth, L. M. Cox. T. B. Tanner, John B. Quay, A. Bell, D. B. Mackie, A. P. Nelson, E. C. Bulman. The case is one of contradiction. Spicer alieges, among other defenses, that cer alleges, among other defenses, that the warehouse receipt was nothing more than a memorandum, and that he was in full possession of all the remaining wheat

on hand, as the result of transactions in which he and the Spokane & Eastern Investment Company were interested. The facts as outlined by Mr. Sewall, for the prosecution, are that, under a special statute passed in 1885, a warehouse receipt is a negotiable instrument, transferable from one person to another, and carry-ing the title to the grain with it. So long as the receipt is outstanding it is a crime to sell the grain without the written consent of the holder of the receipt. The Moscow branch of the Spokane & Eastern Investment Company was in charge of R. D. Miller, as manager, and Spicer was to buy wheat with the bank's money and turn over the warehouse re-celpts as he bought. Spicer finally want-ed to have grain sent to Portland, saying that he could save storage by putting it in his own warehouse here. This was agreed to, and the grain was sent and agreed to, and the grain was sent and stored. Spicer, on February 2, 1909, gave his receipt for 7221 bushels of wheat, valued at \$4650. The bank wanted money, and notified Spicer that if the wheat was not sold Mr. Miller would have to come here and sell it to make good the advances by his company, Miller came to Portland in September, and Spicer was to reise money enough to take up the loan. raise money enough to take up the loan, in which case the bank would return the warehouse receipt. Mr. Miller came, but did not find Spicer. He went to the waredid not find Spicer. He went to the ware-house and made a demand for the wheat, and C. M. McKittrick, bookkeeper for Spicer, told him it had been sent to the Portiand flouring mills. Mr. Miller after-wards telephoned to Spicer, who said he was sorry for it, but the grain was gone. Judge Ward, for the defense, began by saving. One tale is good until another

saying: "One tale is good until another has been told. Mr. Spicer was buying wheat at Moscow and doing business with the First National Bank at that place. Mr. Miller approached him and said he would like to let him have money, as his company had an abundance of money to lend. Spicer answered that he owed the First National Bank about \$7000 and couldn't change. Miller said he could ar-range that, saying to Spicer: 'You own range that, saying to Spicer. You own fine, revenue-paying property in Moscow bringing in a good rental. Give us a trust deed, and give us your note for \$7000, and we can settle that. You buy wheat and we will lend you money. Things went on in this way, and Spicer bought about \$75,000 wor... or wheat in his own name, and sold it in his own name. He issued only checks until such time as he give. only checks until such time as he gave a note to cover them. If he owed \$3000, he would give a note for \$5000 or \$7000. This gave him a credit of \$2500 or \$4000, and he

would check against it.
"There came a time when a great deal
of wheat would not bear inspection, and Spicer bought considerable of it at a reduced price. He told Miller it could be cleaned and worked over, and sold at Portland for feed, and Miller asked him why he did not do it. Spicer said he didn't have the money; it would take about \$10.600. Miller said there would be no trouble about that, there was considno trouble about that; there was considerable wheat at the Mutual wharf, and he could get an advance on that, On De-cember 23, 1899, Spicer took in drafts and cash and made a settlement, and there was nothing then owing to these parties There was the morigage for \$500 on the property. Everything else was paid for. "In January Miller came here to settle

up the business. Spicer was putting in new machinery to wash and take the smut off the wheat. Miller asked what was to be done with the wheat. There were about 2000 bushels in the mill at that time. Miller looked at it and told Spicer it looked pretty bad. Spicer told him it would be cleaned and sold for feed, and if there was any good wheat in it it would be sold to the mill. Miller said to hurry with the machinery and get the wheat moving. This was before the receipt was issued. It never was intended to be a warehouse receipt. ... is was a mill, and

'We will show you that Miller never called this a warehouse receipt, and looked at and always called this wheat Spicer's wheat Miller never paid any freight or storage, and did not exercise any ownership over it at all. In January, 1900, Miller got another set of notes for \$600, drawing no interest. These excited attention, and Miller was asked why they did not draw interest, and he said it was because he had already securied notes in Idaho. Another trust deed was executed by Spicer covering property here and in Clackamas County. Mr. Spicer thought he could make arrangements to pay all the notes as fast as they became due. The bank commenced suit to foreclose the trust deed on the Moscow property on September 16, and October 17 this indictment was returned. It is just such a case as has happened here and in other states, one of the curses of the law tha tmer-try to collect debts through the process of the criminal court. There is no man who will go so far to protect a man under the warehouse law as I will, but they were not operating under this law. Miller was anxious for him to go shead and sell the wheat as fast as he could. Spicer was paying them \$500 per month, and they closed him out, and he could no do anything for a long time, and now is doing a little business in a small way, "The income of his Moscow property is

\$350 per month. There is a mortgage ahead of theirs, making altogether about \$25,000 due, but the property is worth much more than that; the income pays 6

per cent interest on over \$80,000.
'Just as fast as the wheat was sold the money was sent to them to be credited on these notes given for this wheat. ited on these notes given for this wheat. How the bank people got an idea they had any interest in this wheat I can't imagine, because on December 28 it returned Spicer all of his notes. They evidency understood the wheat was Mr. Spicer's, because when the money did not come fast enough they asked him to transfer the wheat on the Mutual wharf, which was done. I believe they claim that 22,000 is due them, but it is not nearly that much; but they have not credited him with everything.
"McKittrick was mistaken when he said

"McKittrick was mistaken when he said the wheat was sold to the Portland flour-ing mills. Miller knew it was disposed of, and he wrote to Spicer, saying he was glad it was sold. Spicer gave him a reOregon portage railway

FINANCES

been sent. If wheat had gone up, it would have been all right, but it went down; but they are secured by property. Spicer offered to pay them \$550 and \$1000 every four months, which he could have done from the income of the property. They got hold of every dollar's worth of his property and want to crowd him to STATE TREASURER MOORE'S BL. ENNIAL STATEMENT.

eipt only to be a memorandum, showing the amount of wheat that had been hipped to this mill, so as to show the ficers of the bank where the wheat had

and feed business on the East Side.

With Exception of Two Special his property, and want to crowd him to earth because they can't get more, and to keep him out of the way so he cannot re-Funds, Affairs Are in Good Condition-Recommendations.

deem."

Little evidence has so far been introduced. C. M. McKittrick, who was Spicer's bookkeeper, testified concerning the receipt, which he signed Spicer's name to, followed by his initials, "C. M. M."

R. D. Miller identified the receipt, and part of a letter relative to it was read. Spicer, before going to Moscow, was engaged for a number of years in the grain and feed business on the East Side. of Oregon, with the exception of two special funds, scalp bounty and swamp and, are in good condition." Such is the statement made by State Treasurer Moore in the advance sheets of his blennial report. "All warrants on the general fund for

ITEMS.	Receipts for 1899	Receipts for 1900	Total	
			701 899 91	
dance in treasury January 1, 1899	705 515 00	775 AVE 22	1 540 522 91	
liance in treasury January 1, 1839. Receipts— ite tax terest on deferred payments of state tax ness for violation of game law preme Court fees lited States, mobilization and mustering in Sec- ond Regiment, Oregon Volunteers, lited States, equipment furnished Second Regi- ment, Oregon Volunteers, sa of ordnance stores surance licenses les of books les of books les of books les of books and paper le of old typewriter and furniture le of old books and paper le of old gas fixtures ansfer from Oregon stove foundry fund and of United States prisoners le of brick wrietied deposits ty of Salem, State street improvement atte Board of Agriculture, unexpended appropria- tion, fair of 1839 cond Eastern Oregon Agricultural Society, unex- pended appropriation, fair 1839 ummon school fund—	3,059 47 50 00 6,710 65	3,406 64 11 50 7,293 95	6,466 1 61 56 14,000 6	
ond Regiment, Oregon Volunteers,	3,044 22	*******	3,044 2	
ment, Oregon Volunteers, by statess of ordnance stores	9.790.89	29,837 34 60 4 134 55	29,837 3 6,854 8	
les of books	1,222 21 135 50	2,367 36	4,589 5 135 5	
le of old typewriter and furniturele of old books and paper	49 77	20.00	49 7 20 0	
ne of did gas fixtures ansfer from Oregon stove foundry fund	1.772 70	18,677 08 1,898 12	18,677 0 2,666 8	
reited deposits	10 44 99 35	*******	10 4 99 3	
ty of Salem, State street improvement	83 01	700.00	83.0	
tion, fair of 1899 cond Eastern Oregon Agricultural Society, unex-		545 30	541 E	
pended appropriation, fair 1890	455,720 01	392,583 94	878,313 90 428,530 0	
ayments on lands	21,464 55	26,371 48 2,067 50	47,836 0 2,168 1	
lines for violation of food law	*********	65 00	65 0	
mmon school fund— 'ayments on notes 'ayments on lands naurance tax 'scheated estates 'ines for violation of food law	********	50 00 17,770 10	50 0 17,770 1	
mmon school fund, interest— nerest on notes tents and interest on land sales scheated estate, interest ransfer from Agricultural College fund, interest ransfer from University fund, interest recultural College fund	179,068 33	174,596 65 44,125 73	353,663 9 366 117 9	
ransfer from Agricultural College fund interest		20 25 853 71	30 2 850 7	
ransfer from University fund, interest		1,196 43	1,196 4	
ayments on lands	23,833 11 7,670 63	24,976 14 4,198 18 2,700 00	48,809 2 11,868 7 2,700 0	
ricultural College fund, interest—	8,818 44 2,716 36	12,110 74 708 98	20,929 1 3,425 3	
ransfer from common school fund, principal		1,000 00	1,000 0	
ricultural College fund, interest— interest on notes tents and interest on land sales. ransfer from common school fund, principal iversity fund ayments on notes 'ayments on lands ransfer from common school fund, principal ransfer from common school fund, principal ransfer from university fund, interest iversity fund, interest	2,442 96	12,218 00 346 00 1,265 00	2,788 9 1,265 0	
diversity fund, interest—	7,415 91	6,504 06	13,922 9	
tents and interest on land sales	929 70	\$26 64 635 00	1,356 3 635 0	
urston monument fund, interest on note	1,475 84	A,404 06	5,879.9	
les of swamp land	182 22	2,346 62 443 08	2,478 S 443 O	
ransfer from common school fund, principal ransfer from university fund, interest diversity fund, interest nterest on notes tents and interest en land sales ransfer from common school fund, interest urston monument fund, interest on note we per cent of sales of Government lands les of swamp land les of tide land itversity lax egon Soldiers' Home, National fund- ransfer from treasurer, Oregon Soldiers' Home Inited States aid es for teachers' state vertificates and diplomas tet scalp bounty fund- ax on sheep ax on rena and other personal property	38 79	21222122	38 7	
Inited States ald es for teachers' state certificates and diplomas	1,838 00	417 00	2,255 0	
Tax on sheep Tax on real and other personal property tichery funds, licenses, fines and sales of confiscated fish and gear egon stove foundry fund		3,873 99 3,755 66	3,873 9: 3,755 6	
cated fish and gear	15,523 65	13,653 55	29,177 2	
ransfer from treasurer, Oregon stove foundry	17,974 51	1,916 67	17,974 5 3,416 6	
onvict labor	6,995 81 1,000 00	10,567 00 9,548 33	3,416 6 17,562 8 10,548 3	
Refund of money advanced for making brick	*******	687 56	478 2 687 5	
egon stove foundry fund ransfer from treasurer, Oregon stove foundry cant of foundry convict laber ayment on note tefund of money advanced for making brick nterest on note due January 1, 1901. egon portage rallway fund- ransfer from treasurer, Oregon Portage Rallway- tent of land at Cascade Locks neral fund warrants on appropriations for mili- tary purposes C. Noon Bag Company, refund	4,434 38	75 00	4,434 3 75 0	
tary purposes	23,509 84	58,911 78 1 20	82,421 6 1 3	
Totals	\$1,014,548 14	11,894,004 59	\$4,572,251 9	
Disbursements.		24		
	Dist	Digh	Total	
	burwement	Disbursemen for 1900	4	
ITEMS.	emo emo	0		
	nta	100		
neral fund— Varrants paid nierest on warrants Sounty bond paid nierest on bounty bond	\$ 906,171 27 1 16 671 57	709,408 10	\$1,645,579 2	
nierest on bounty bond	50 00 68 25	11111111111	50 0 68 2	
mmon school fund—	645,759 66	553,439 00	1,199,198 6	
Varrants paid	4,073 97	2,700 90	18,282 7 2,700 0	
ransferred to Agricultural College fund, interest.	*********	1,265 (9)	1,000 0	
Variants paid	14,175 88 199,905 88	19,277 44 297,457 34	33,453 S 407,363 S	
ransferred to common school fund, principal	**********	17,770 10 635 00	17,770 1 635 0	
ricultural College fund, loans	35,260 00	21,400 00	56,760 0	
mmon school fund- oans Varrants paid ransferred to Agricultural College fund, principal, ransferred to University fund, principal, ransferred to University fund, principal, mmon school fund, interest. Varrants paid pportioned to counties ransferred to common school fund, principal ransferred to common school fund, principal ransferred to University fund, interest ricultural College fund, loans ricultural College fund, interest. Varrants paid varsferred to common school fund, interest iversity fund, loans liversity fund, loans liversity fund, interest. Varrants paid	99 950 00	11,848 75 852 71	28,717 6 852 7	
dversity fund, loans liversity fund, interest— Varrants paid 'ransferred to university fund, principal	8,717.50	6,566 41	15,282 9	
OF THE PARTY AND ADDRESS OF THE PARTY OF THE	0,111 90	16 00	16 0	

Transferred to Agricultural Col Transferred to University fund,	lege fund.	Interest	41-11-11-1	1,000 (0)	1,000 00	as to render its requirements before the amendment of 1899 nugatory, and affirmed
Common school fund, interest-			14,175 86	19,277 44	33,453 30	the decision of the lower court to the effect that the state could not collect
Apportioned to counties	fund, prin	cipal	**********	267,457 34 17,770 10 635 00	407,363 22 17,770 10 635 00	such interest. This renders void all the interest charges against all the counties
Agricultural College fund, loans	rest		35,260 00	21,400 00	56,760 00	prior to June 1, 1899, except Curry, Jackson and union, which are not affected by
Warrants paid	fund. Inter	rest	6,868 88	11,848 75 852 71	18,717 63 852 71	ties not being payable until 60 days later
University fund, loans			8,717 50	11,700 00 6,566 41	33,950 00	than the other counties charged with in- terest. I would, therefore, recommend
Warrants paid Transferred to university fund. Transferred to common school :	principal fund, inte	rest	CLEAN SO	16 00 1,196 43	15,283 91 16 00 1,196 43	that by appropriate resolution the Legis- lature authorize me to credit off all these
Five per cent United States land :	hale lund,	Warrants	1,475 84	4,335 49	5,811 33	void charges so they will not have to be carried along on the books.
			4,000 00	*********	4,000 00	Scalp-Bounty Warrants.
Warrant pald			1,294 22	***********	1,486 83	"Scalp-bounty warrants, issued under the law of 1886, to the number of 9008.
University tax fund, warrants Oregon Soldiers' Home, Nationa United States maintenance fund	fund-		8,858 35 12 00	7,000 99	15,919 34	amounting to \$99,948, have been indorsed, 'Not paid or want of funds,' while only
National fund, warrants paid State Board of Examiners' fund,		DECEMBER D. WARREST	3,942 98 556 37	6,587 93 1,259 26	10,530 91 1,815 63	50 warrants, amounting to \$516 and in- terest, have been paid. I now have on
State scalp bounty fund-			*****	516 00	516 00	hand in the state scalp-bounty fund the sum of \$9459 82, with which I am prepar-
Interest on warrants Hatchery funds, warrants paid Oregon stove foundry fund-			1,409 05	5,668 17	6,465 22	ing to make another call. This will pay warrants to the amount of about \$500
Warrants paid Transferred to general fund			544 99	1,809 17 18,677 08	2,354 16	and interest, and will include those in-
Oregon portage ranway rund, vo	ucher pal	d	*******	9 60	18,677 08 9 60	dorsed prior to August 1, 1899. Multno- mah, Washington and Polk Counties did
Military fund — Warrants paid December ! Balance in treebury, December !	1, 1900		23,274 69	89,147 15	52,421 84 944,623 40	not levy any scalp-bounty tax, and Clackamas levied the tax on sheep only.
Totals					-	All other counties made the levy as pro- vided by law. About November 15 I wrote
The following summary show term, the receipts and disburser term:	es by fun ments, an	d the balar	ances at t	nd at the e	ng of the	to the County Treasurer of every county in the state in which the scalp-bounty tax had been levied and which had not paid, asking them to deposit the scalp
	Bal	Receipts 1829-1909	Total	Disbursement for 1886-1900.	Balan	bounty money in their hands in the State Treasury, as required by law, or give their
	Balance in ury Jan. 1	8-190 190		200	A De	reasons for not doing so. Quite a num- ber immediately paid; a few others prom-
FUND.	0 10	a for		9-10	200	ised to pay soon. In a number of counties
	27	. 4		ents		that levied the tax it was not segregated on the rolls and it has gone into the gen-
	88-			1	treas- 81,1960.	eral fund of the counties with other county funds. The Treasurers of these
General	\$191,236 62	\$1,628,923 20	\$1,820,139 82	\$1,667,837 59	\$ 152,322 33	countles report that no scalp-bounty money has come into their hands. A
Common school, interest	70,747 80	461,851 26	1,819,427 40 532,598 38	1,222,446 39 452,221 62	596,981 01 73,376 76	number of the County Treasurers report that they are holding the scalp-bounty
Agricultural College, Interest	2,548 60 538 67	25,354 52	72,886 59 26,393 59	56,790 00 19,570 34	16,126 59 6,722 35	fund in their hands on orders of their County Courts, waiting to see whether
General Common school, principal Common school, interest. Agricultural College, principal Agricultural College, interest. University, principal University, interest Thurston monument, interest.	3,053 27 2,661 54 14 44	36,328 34 15,814 33 14 45	39,421 61 18,475 87	23,750 00 16,496 34	5,471 61 1,979 53	or not the countles making no lovy will be required to pay. If the payment of
Pive per cent U. S. land sale	10010.00	5,879 90	28 89 5,879 90 8,306 22	5,811 33	68 57	the bounty on wild animals is to be con-
mude land	10,901,75	5,618 T8 2,478 84	21,680 41	1,486 83	30,153 58	tinued by the state and by special tax, I would suggest that the law he so
Salmon industry	1,747 60	463 08	1,346 08 1,747 00	427607101	1,747 03	amended that its constitutionality cannot be questioned, and that the tax be levied
Military tax University tax Oregon Soldiers, Home, National	26,812 24	11,076 61	16,362 42	15,919 34	523 79	and made payable in the same manner
State Scalp bounty	********	1,255 00 7,629 65	2,255 (H) 7,629 (K)	1,815 60 548 13		and at the same time as other state tax, in order that warrants may be paid with-

\$4,579,951 96;\$4,672,951 96;\$4,572 951 96

\$3,896,552 T2 \$4,573,251 96 \$3,637,625 56 \$ 944,623 40 762,639 20

905-29 116-68 2,175-00 16,159-25 20,636-84 4,499-78

4,729 16 21,631 24 9 60 82,631 84

which appropriations were made and not exhausted have been paid as presented, except for about two menths in the early part of 1836, and about three months in the early part of 1800, when they had to be indorsed. Not paid for want of funds.' This is the case nearly every year, owing to the fact that the fiscal year ends on to the fact that the fiscal year ends on December 31, and appropriations and the state tax levy are made for the fiscal years ending December 31, so that the funds applicable to the payment of general expenses are practically exhausted soon after the first of each year, while the counties do not and cannot, as the law is at present, commence paying state tax before about April 1 of each year. If the law could be so changed that the board of levy could estimate and levy the state tax to cover the expenses of the state from April 1 to March 31 there would scarcely ever be any necessity for indorsing warrants, and a consider-BALEM, Jan. 21 .- "The financial affairs for indorsing warrants, and a considerable amount of interest would thus be saved to the state. I would, therefore, recommend this change in the law. However, no warrants drawn on funds for which the apropriations are not exhausted will have to be indorsed this year, the general fund on hand being ample to pay all expenses, including that of the Legislature, until the counties commence paying the tax levied on the 1900 roll. The last Legislature inadvertently dropped from the appropriation bill the item of 425,000 for conveying insane to the Asylum, which has made it necessary to indorse all warrants drawn for that purpose during the term, aggregating aproximately ever, no warrants drawn on funds for ing the term, aggregating aproximately that amount. The appropriation for the Reform School became exhausted about July 1, 1996, so that warrants for exof that institution amounting to about \$14,000, have been indormed during the last six months. There have also been minor deficiencies in a few other appropriations, necessitating indorsements of warrants aggregating about \$12,000. The payment of state tax by counties has generally been prompt and satisfactory during the term; but very few have let it go delinquent, so that interest charges have been few and for small amounts only, while guite a number have paid off considerable amounts for former years that accumulated during the hard times period. The prosperity prevailing throughout the state during the term has enabled the borrowers from the trust enabled the borrowers from the trust funds to not only meet their accruing in-terest promptly, but to pay up a very large amount of interest that accrued during the hard times period from 1893 to 1897, as evidenced by the large number of receipts for money, the number issued being over 7500, against about 5500 for the preceding term, and the amount of money distributed to the schools of the state on August 1 of each year of the term, exceeding over \$22,900 the distribution for any other biennial period, and I am pleased to be able to report that with few exceptions the loan notes now in this department are in first-class condition. "I am pleased to be able to report that every county in the state has paid the full amount of state tax charged against them for the years 1858 and 1839 except Jackson, which owes a small balance on 1838 tax, and Tillamook and Union, which owe small balances on 1839 tax. The Legpreceding term, and the amount of money 1888 tax, and Tillamook and Union, which owe small balances on 1899 tax. The Legislature of 1899 authorized Jackson County to withhold the payment of the balances remaining unpaid for the years 1897 and 1898 until a suit it had pending against the railroad company, involving the assessment of the railroad companys property in Jackson County, is determined by the Supreme Court, the amounts withheld erty in Jackson County, is determined by the Supreme Court, the amounts withheld being the state tax on the railroad com-pany's property for those years as as-sessed by the county, which is being con-tested by the company. Tillamook and Union have this year paid large amounts of state tax for years prior to 1898, which accounts for the amounts remaining due accounts for the amounts remaining due from them on 1885 tax. There is some question about all the amounts shown to be due from the other countles on state be due from the other counties on state tax. Clatsop County claims there was an error made in the summary of their 1832 tax roll, by which their state tax for that year was several thousand dollars more than it should have been, and for which they win apply to this Legislature for relief. The balance due from Multnomah on 1837 tax is claimed to be the amount of raise of the State Board of Equilibration on personal property, which Equalization on personal property, which was declared to be void by the Supreme Court in the case of Dayton v. Board of Equalization, 32 Or., 131. The balances against Marion County were determined to be void by the courts in the case of the State v. Marion County. I have been to ascertain from the presen officers of Gilliam and Lake for what reason they do not pay the small balances due from them on 1894 and 1895 tax, re-

spectively. A short time before I assumed the duties of State Treasurer, the state instituted suit against Ciatsop, Mar-ion and Washington Counties for the balances due on state tax and interest on deferred payments of state tax as provided by the laws of 1893. In the case against Marion County, the facts were stipulated and the case tried out, and the Supreme Court recently decided (36 Or., 371) that the Legislature, subsequent to the law of 1883, providing for interest on deferred payments of state tax. had so changed and amended the law as to render its requirements before the amendment of 1899 nugatory, and affirmed the decision of the lower court to the effect that the state could not collect such interest. This renders void all the interest charges against all the counties prior to June 1, 1899, except Curry, Jackson and Union, which are not affected by us decision, the state tax in these counties not being payable until 80 days later than the other counties charged with in-terest. I would, therefore, recommend that by appropriate resolution the Legis-

"Scalp-bounty warrants, issued under the law of 1889, to the number of 9008, mounting to \$99,948, have been indorsed, 'Not paid or want of funds,' while only 50 warrants, amounting to \$516 and in-terest, have been paid. I now have on hand in the state scalp-bounty fund the sum of \$9459 82, with which I am prepar-ing to make another call. This will pay warrants to the amount of about \$8500 and interest, and will include those in-dorsed prior to August 1, 1899. Multno-mah, Washington and Polk Counties did not levy any scalp-bounty tax, and Clackamas levied the tax on sheep only. All other counties made the levy as pro-vided by law. About November 15 I wrote to the County Treasurer of every county in the state in which the scalp-bounty tax had been levied and which had not paid, asking them to deposit the scalp bounty money in their hands in the State Treasury, as required by law, or give their reasons for not doing so. Quite a num-ber immediately paid; a few others promleed to pay soon. In a number of counties that levied the tax it was not segregated on the rolls and it has gone into the general fund of the counties with other county funds. The Treasurers of these counties report that no scalp-bounty money has come into their hands. A number of the County Treasurers report that they are holding the scalp-bounty fund in their hands on orders of their County Courts, waiting to see whether or not the counties making no levy will be required to pay. If the payment of the bounty on wild animals is to be continued by the state and by special tax, I would suggest that the law he so that the law he so number of the County Treasurers report Senatorial race.

Smith of Marion was presiding over the sequired to pay. If the payment of the bounty on wild animals is to be continued by the state and by special tax, I would suggest that the law be so amended that its constitutionality cannot be questioned, and that the tax be levied and made payable in the same manner and at the same time as other state tax, in order that warrants may be paid within a reasonable time after they are issued."

New Features of Report.

The statistical portion of this report presents many new features that will meet with hearty approval Instead of the old form of financial statement, showing receipts and disbursements by mere mention of funds, the general statements in this report show the sources from which the various funds derive their revenue, and, as far as possible, the manner in which the money is expended. The long

Several Hundred Pianos for Sale

THE WILEY B. ALLEN CO.

We actually have ONE THOUSAND PIANOS to dispose of before we remove to San Francisco, and we must be there very soon.

CAN WE DO IT?

Some people thought we never would get rid of our enormous stock of sheet music and small musical instruments, but there is not a vestige of anything left in those departments; and we will now proceed to get rid of our pianos and organs as quickly and just as abruptly as we did our other musical goods.

If there are any Portlanders who think we are going to transport these one thousand pianos to San Francisco (where our future headquarters are to be), they simply don't know us. These Pianos are going to be sold right here in Portland and throughout Oregon and the Northwest.

HOW WILL WE DO IT?

We have fitted up our storerooms at 209-211 First Street so as to display the different makes of pianos that are for sale, and it must be remembered that the entire building, covering four floors, is "chock-a-block" with pianos from the highest to the lowest degree. Almost every make of piano known to the trade can now be seen in our warerooms. First come first served. Store open night and day continually during this sale.

THE WILEY B. ALLEN CO. 209-211 First Street Portland, Oregon

sting information regarding the sections of the state that borrow most extensively from the school funds, but will also throw around the trust funds a new safeguard in the shape of publicity. who are interested may now examine into the sufficiency of the security taken by the State Land Board for loans made in the several countles.

VOTED FOR SENATOR.

(Continued from First Page.)

today's proceedings in the House was the separate ballot to be cast for United States Senator, on the second Tuesday of the legislative session, after organization, in accordance with the Federal law gov-erning such elections.

In anticipation of this event, the lobby

was thronged with spectators, including many well-known residents from all por-tions of the state, and representing all shades of politics. The confraternity of Federal office-holders was greatly in evidence, taking more than ordinary interest in all the proceedings. Some remark was caused over the presence of several prom-lment Democrats, holding, high place in their party councils; but these men sol-emnly averred that they had just hap-pened along, and, being in Salem, were naturally curious to be present when a ote for United States Senator was taken, Among the best known of the politicians now in Salem is the veteran diplomat, John P. Ward of Portland. He reached here last night from California, fortui-tously, in time to witness the start in the Senatorial race. Smith of Marion was presiding over the

list of warrants paid, which served no other purpose than to make work for the printer, has been omitted. The list of warrants is published by the generatry of State, and the reprinting of it in the report of the Treasury Department has been an unwarranted extravarance.

Wasco and Wheeler Counties, sat down in some confusion, and amidst the laughter of a number of his conferrees, and those in the lobby. At the proper time, he showed himself fully equal to the occasion, and in a handsome, many speech save his reasons why he had determined

been an unwarranted extravagance.

The present report sets forth the brief, comprehensive summary of transactions, and then takes up each separate fund, giving a clear explanation of its purpose, etc., and setting forth the receipts and disbursements by years and showing balance on hand.

The list of loans outstanding which is balance on hand.

The list of loans outstanding, which is yet to be published, will be arranged so as to show the loans by counties and the total amount loaned to the residents of each county. Heretofore the list has contained no information regarding the location of the loans placed. The new arrangement will not only

Bride's name, nor, in fact, of any of the others placed in nomination. Hedges of Clackamas, on behalf of the minority, presented the name of William Smith, of Baker, present State Senator, who received the solid vote of his party. Story of Multnomah, in nominating H. W. Corbett, of Portland, did little more than present the name of his candidate, stating that Mr. Corbett was so well known throughout all the state that it was unnecessary to dwell at large upon

his merits.
Colvig of Jackson County stood sponsor for the Binger Hermann boom, and, in a reminiscent speech, reviewing the career of Mr. Hermann from childhood's happy hours to three years' service in the office of Commissioner of the General Land Office, presented the name of his

Hume of Curry seconded the nomination of Hermann, and Stewart of Jackson County that of Mr. Corbett. The vote was then taken.

Congressman Bailey Is Senator. Congressman Bailey Is Senator.

AUSTIN, Tex. Jan. 22—Congressman Bailey was elected United States Senator today after a long debate in the House over the majority and minority reports of the Bailey investigating committee. The majority report exonerated Mr. Bettley from any moral or legal wrong-doing in the matter of recurring a new permit for the Waters-Pierce Oil Company but sewerely criticised those who pany, but severely criticised those who had seen fit to criticise Mr. Balley and state officials. The minority stops with the exonbration of Mr. Balley and the state officials, and does not seek to destate officials, and nose not seek to de-nounce their critics. The majority report was adopted, 107 to 2. The vote for Sen-ator in the House resulted: Balley, 110; Chilton? John H. Regan I, M. M. Crane 1. In the Senate the ballot was: Balley 29, ex-State Senator Atios 2.

pletion of her voyage from the United States to the Asiatic station. Captain Colby M. Chester, the present commander on being relieved will return to this coun-

Sharkey and Maher Matched.

LOUISVILLE, Ky., Jan. 21.—Torn Sharkey and Peter Maher were today matched to meet in a 25-round contest be-fore the Louisville Athletic Club in Feb-ruary. They will meet at catchweights.

How It Goes in Dallas. During the present cold and grip a hitty-two thousand seven hundred and cozes of Laxative Bromo-Quinins have nuchased by the following wholesale ouses of Dallas: J. W. Crowdus & Co., Pour Co. and Patton-Worsham Drug Co.

Its least virtue is that

it lasts so. Soap is for comfort; the

clean are comfortable. Pears' soap cleanlinessis perfect cleanliness. All sorts of people use it, ail sorts of stores sellin, especially druggists.

SPLIT, BRITTLE, DULL HAIR. All Come From Dandruff, Which Is

Caused by a Germ. Split hair, harsh hair, lusterless hair crittle hair, falling hair, all owe their origin to dandruff, which is caused by a measly little microbe that burrows into the scalp, throwing up the cuticle into dandruff scales and sapping the vitality of the hair at the root, causing the sev-eral diseased conditions of the hair till it finally falls out. Modern science has it many raiss out. Modern science has discovered a remedy to destroy the dan-druff microbe, which is combined in New-bro's Herpictde, which may be had of any druggist. Allays itching instantly and makes bair soft as silk. Take no sub-

stitute; nothing "just as good."

A LOCAL A LOCAL CATARRE DISEASE Get a well-known.

ELY'S **CREAM BALM**

