

IS STILL A MYSTERY

No Light on Failure of the Vancouver Bank.

EXAMINER REMAINS IN CHARGE

The Body of President Brown Was Laid at Rest Yesterday—He Also Left Farewell Message to His Wife.

VANCOUVER, Wash., April 22.—There were no new developments today concerning the failure of the First National Bank and the subsequent double suicide that occurred in connection therewith.

Bank Examiner Maxwell, who is acting as temporary receiver, has as yet nothing to give out in connection with the failure, and the cause of it is still shrouded in mystery.

The bodies of the dead president and cashier were removed to their respective homes last night after dark. The grief of the families of the deceased officials is pitiful in the extreme. While enough of the condition of the bank has leaked out to satisfy the depositors that the working of the bank was deliberately planned and systematically carried out, still no suspicion attaches that the families of the deceased officers knew anything concerning it, and the double shock of the startling disclosures attending the failure, and the subsequent announcement of the remarkable suicide fell with crushing force upon them.

Brown's wife and daughter, the latter being Mrs. Harriet Brown Carpenter, were both ill at the time of the failure of the bank, and he is in a dying condition as a result of the terrible accident. He is 32 years of age.

It is now certain that neither official went home after leaving the bank Friday evening. It is also practically proven that the fatal shots, which ended the lives of both, were fired at the same time, at 7:30 o'clock. No man has yet been found who saw either man after they left the bank at 6 o'clock, one hour and a half before they are supposed to have killed themselves.

It was given out today by members of the Brown family, that Brown also left a dying message, which was found on his person. It was scribbled on a leaf of a small memorandum book.

This book is in the possession of the family, and could not be seen. The committee of prominent citizens who requested Levi Ankeny, the Walla Walla banker, to reorganize the wrecked bank, are as yet unable to report results. Mr. Ankeny is favorable to the project, but can do nothing until the investigations of the Controller of the Currency reach that stage that he can make a statement of the bank's condition.

FUNERAL OF PRESIDENT BROWN.

Large Cortège Followed Remains to the Last Resting Place.

VANCOUVER, Wash., April 22.—The funeral of Charles Brown, the dead bank president, which took place from the family residence at 2 o'clock today, was largely attended. The funeral services, which were conducted by the Rev. T. L. Elliott, of Portland, were brief and simple in the extreme. The grief-stricken wife upon whom the shock falls heaviest, and whose life at times during the past two days has been almost despaired of, by sheer force of will power insisted upon rising from her bed when the body was brought to the home and followed her dead husband to the cemetery. The following persons, all of whom were intimate friends of the deceased, acted as pallbearers: George H. Stevenson, L. B. Clough, A. J. Cook, E. M. Randa, Chas. Knight and A. C. Chumaseo.

With the exception of S. W. Brown, the aged father, and the funeral services, the oldest daughter, who are confined to their beds by sickness, all the members of the immediate family were present.

Charles Brown was a man of high culture and fine literary taste. He was naturally possessed of a gentle disposition and of generous impulses. In recent years, however, as a result of financial reverses, and of his extreme sensitiveness, he was strongly inclined to be pessimistic and to see the dark side of things, and was morose and melancholy and morose and morose.

He possessed the confidence and esteem of his fellow citizens to a remarkable degree. He was a member of the E. L. Canby, the dead cashier. Large properties have for years been entrusted to the management of these men by their business acquaintances and friends with out the thought of a bond or security and with implicit confidence in their honesty. Even now many of the friends whom they served and who followed them refuse to believe the story of their guilt. It is a common thing since the failure of the bank to hear leading citizens and large depositors of the bank remark: "I would have trusted Brown and Canby with all I am worth and would do so yet were they alive."

The time of the funeral of Mr. Canby has been postponed from 2 o'clock to 11:30 A. M. tomorrow.

SUPREME COURT DECISIONS.

Linn, Coos and Benton County Cases Passed Upon.

SALEM, Or., April 22.—The Supreme Court today handed down decisions in three appealed cases, in two of which the lower courts were reversed, and in the other the judgment appealed from was modified. The decisions are as follows:

J. L. Lewis, respondent, vs. John Craft and M. R. Craft, appellants, from Linn County, George H. Burnett, Judge, reversed. Opinion by Justice Moore.

This was an action brought by Lewis to recover \$300 paid by him to the defendants on account of the purchase price of some cattle, and also for damages for the refusal of defendants to deliver the cattle. The plaintiff alleges that by a written agreement defendants had undertaken to deliver 200 calves to the plaintiff at \$15 per head, the calves to be delivered at plaintiff's home, but later this agreement was modified so that 184 calves were to be delivered at Lebanon, when the remainder of the purchase price should be paid. It was alleged that plaintiff tendered payment of the balance due, but defendants refused to deliver the cattle. The defendants allege that the agreement had not been changed and that they had tendered the cattle as agreed, with the condition that Lewis pay the balance before taking possession, but that he refused to do so, and the money due. The parties introduced testimony to support their contentions, at the close of which the trial judge instructed the jury to bring in a verdict for plaintiff for \$300, because the defendants had failed to deliver the cattle as agreed.

The defendants appealed to the Supreme Court, where they secured a reversal, the higher tribunal holding that it was error for the court to give the instructions mentioned. The court lays down the rule governing such transactions as follows:

The rules of the law do not require the performance of vain things, and since the vendor of goods in the failure of the purchaser to pay the purchase money upon the delivery thereof, may treat such delivery as conditioned, though apparently absolute, no just reason exists for requiring the vendor to make more than a conditional offer of goods in exchange for the purchase money when the price or value thereof is payable in cash. The principle thus announced

prevents an irresponsible purchaser from securing personal property from an unsuspecting vendor, which he might immediately transfer to an innocent purchaser or apply to the payment of his debts, and the application of this rule can do a responsible purchaser no injury, for if he agrees to pay cash upon delivery, he cannot complain because the terms of his contract are specifically enforced.

It is held that the question as to the place of delivery should have been left to the jury, and because of the instruction given, the case is remanded for a new trial.

Jefferson Williams, Jr., administrator, appellant, vs. S. J. Culver, respondent, from Coos County, Henry L. Benson Judge, reversed. Opinion by Chief Justice Bean.

This was an action upon a promissory note executed by defendant to P. W. Williams, since deceased. The defense was that the note was a renewal of an old note, and that the defendant was entitled to several credits thereon. The trial resulted in judgment for the defendant and plaintiff appealed. In the court below a witness was permitted to testify that he saw the defendant give one Mosier \$100 to give to Williams. The Supreme Court holds that this was error, for it does not appear that Mosier had any authority to collect money for Williams, so its delivery to him, with directions to pay to Williams, without further proof, is no evidence of such payment.

On cross-examination the plaintiff was asked whether he had not stated in presence of Mrs. Day that his brother, J. H. Williams, "had got all that Culver owed his father, P. W. Williams." Plaintiff denied making such a statement, and Mrs. Day was called to testify that he did. It is held that the admission of this testimony was improper, for the reason that statements made by the plaintiff before he was appointed administrator cannot be used against him in his representative capacity. Neither did his testimony lay a foundation for impeachment, for since the cross-examination was not genuine, it could not be made use of for the purpose of impeachment. For these errors the case is remanded for new trial.

J. R. Smith et al., respondents, vs. M. W. Wilkins, et al., respondents, and P. E. Beach, appellant, from Benton County, J. W. Hamilton, Judge, modified. Opinion by Chief Justice Bean.

This is a contest between a mortgagee and mechanic's lien claimants as to the right of priority. The case was decided by the Supreme Court and reported in 11 Oregon, Supreme Court Reports, at page 121. The case was then sent back for a new trial to determine the interests of Beach. The property upon which a lien was claimed was a hotel and the lots upon which it stood. The decree was that the lots be sold first and the proceeds be applied first to the satisfaction of the mortgage, the balance, together with the proceeds of the sale of the hotel, to be applied to the satisfaction of the mechanic's lien, pro rata.

The decree, after the first appeal, was that all the lien claimants, except Beach, be postponed to the lien of the mortgage, both as to the land and the building. It is now held by the Supreme Court that since Beach is the owner of the property, he participated in the appeal, it was error to enlarge the relief as to the other claimants, and they should take under the former decree, while Beach alone can participate in the sale of the property, until after the satisfaction of his claim, the other mechanics' lien claimants being postponed to the mortgages on the building, as well as the lots.

The appeal in the case of J. H. Howell et al., appellants, vs. George W. Davis et al., respondents, was dismissed today by stipulation. This was the suit over the possession of 30 Club which was owned by Howell in Lincoln County. Davis, the lessee of the quarry, was victorious in the Circuit Court, and so far as the record shows is yet in supremacy. He is the ex-clerk of the State Land Board, in whose office of office a defalcation of \$30,000 was reported to the late Legislature.

TELEPHONES TO BE TAXED.

Astoria Will Collect Ten Cents Per Month on Each Instrument.

ASTORIA, Or., April 22.—The Council this evening passed the ordinance to tax the telephone company to pay a 10-cent tax per month on each telephone instrument in the city. The ordinance goes into effect May 10.

Factory Changes Hands.

A deed was filed for record today whereby the Pacific Sheet Metal Works transfers to D. Wiley McCaughy, of Chicago, the land and building in front of lots 1 and 2, block 3, McCaughy's addition, and its manufacturing plant, located thereon. The consideration named is \$100, but there are \$20 in revenue stamps on the deed.

Commercial Club Incorporated.

Articles of incorporation of the Astoria Commercial Club were filed in Clatsop County Clerk's office today. The object of the club is to promote the interests of Astoria, the mental and physical culture of its members, and the encouragement of social and moral pleasures among its members. The annual meetings of the club are to be held the first Monday in December of each year.

L. A. Loomis Much Improved.

L. A. Loomis, ex-president of the Ilwaco Railway & Navigation Company, who was brought over from his North Beach home last evening, suffering severely with kidney troubles. Today he is much improved, and is considered to be out of danger.

BORN AND RAISED IN POLK COUNTY

Man Sentenced to Life Imprisonment in California for Murder.

SALEM, Or., April 22.—News was received today that Robert Glaze, a young man who was born and raised in Polk County, was recently found guilty of the murder of his partner, William Trevelia, in San Francisco, and sentenced to life imprisonment. The Glaze family is well known among the early settlers of this section of the state. An older brother, Til Glaze, killed a man named Whitley in a duel at Dallas many years ago, and he and his wife lived with the Trevelia family for many years. Robert Glaze went to the Sandwich Islands, married a wealthy woman, and later became a partner with Trevelia in the Windsor Hotel, in San Francisco. The killing of Trevelia was the result of domestic trouble between the Glaze and Trevelia families. Glaze's mother still resides near Falls City, Polk County.

SUCCESSOR TO IVEY.

Candidates of Duncan B. Harrison, of Illinois, Is Announced.

WASHINGTON, April 22.—The Treasury Department has announced the candidacy of Duncan B. Harrison, of Illinois, for appointment as Collector of Customs at Sitka, Alaska, to succeed J. W. Ivey. Harrison is strongly endorsed by Senator Mason and others of the Illinois delegation. He served as a Major of volunteers during the Spanish War, and has since become well known as a theatrical manager. No action has been taken upon his application.

The Indian Office, upon complaints from Wallawa County, Oregon, that Indians have been wandering off the Bonanza reservation and making themselves generally obnoxious, has written the agent at Umatilla for a report. If the charges are sustained, a restrictive order will no doubt follow.

Next Answer to Circuit Court.

ASTORIA, April 22.—George Wilson was arraigned in the Justice Court this afternoon on two informations charging him with larceny from dwellings. He was held on \$300 bonds on each charge to answer to the Circuit Court.

DEATH UNDER A SLIDE

WOODCHOPPER CAUGHT BY AN AVALANCHE OF SNOW.

He Was Working Alone in a Gulch Near Eastern Oregon Mine at Time of Accident.

BAKER CITY, Or., April 22.—A special telegram from Mammoth Mine, Oregon, says that a snow slide occurred a short distance from the Mammoth mine this morning, which resulted in the death of Fred J. Rummel, a woodchopper, aged 35, who came there a few days ago from California. He was working alone in a gulch at the time of the accident. His relatives live in California.

SALOON HELD UP.

Four Washington Robbers Secured \$2500—No Clue to Them.

SEATTLE, April 22.—Two masked robbers successfully held up the saloon of Harry Collins, at Newcastle, last night, and escaped with a cash booty of \$2500. There is no clue to the highwaymen, though half a dozen Deputy Sheriffs, reinforced by scores of armed citizens, are scouring the country for a trace of them. Collins was alone in his saloon about 10 o'clock, when suddenly he saw the heads of four revolvers pointed at him and heard the command "Hands up!" The robbers forced him to open the safe, which contained about \$2500 in gold and silver currency. The money drawer was also emptied, as were also Collins' pockets. A wallet was taken from the saloon-keeper's person which contained about \$100. After robbing the room and finding nothing more of value, the robbers forced Collins to sit down in a chair while they backed out of the place and disappeared in the darkness.

PRISONER ESCAPED.

When Officer Opened Door of Jail—Tried to Saw Way Out Before.

CHEHALIS, Wash., April 22.—Early this morning a prisoner, Al Brinker, escaped the County Jail door, Jack Dever made his escape, and is still at large. Brinker followed Dever a short distance, and took a shot at him, without effect. Dever was armed with a revolver, and the robbers, having been tried for burglary and grand larceny. He had a saw in the jail, and attempted to saw his way out during the night, but broke the saw. He had not been kept in the steel cage since his conviction for petty larceny, as it was not supposed he would attempt to escape.

Preferred to Leave State.

ALBANY, Or., April 22.—Frank L. Owens, a resident of this city for several years, was arrested this forenoon for stealing some lead pipe. Upon pleading guilty, he was given the odd alternative of going to the penitentiary or leaving the state within 24 hours. He left for California.

Pleaded Not Guilty.

SALEM, April 22.—C. Wright, the man charged with stealing a horse from H. S. Ivey, of this city, and trading it to a man in Yamhill County, pleaded not guilty when arraigned today, and will be tried at the June term of court.

Counterfeiter Sentenced.

SPOKANE, April 22.—Ed Hanson, the last member of the gang of counterfeiters recently captured here, was sentenced to 10 years at hard labor on McNeil Island by Judge Hanford this morning.

ASTORIA-NEHALEM ROAD.

Clatsop County Court Opened Bids, but Let No Contract.

ASTORIA, April 22.—The County Court opened bids this afternoon for constructing a road from 7th, leading from this city to the Upper Nehalem Valley. They were as follows:

Sebastian Glaser—For constructing the twelfth mile of the road, \$125; thirteenth mile, \$125; fourteenth mile, \$125; fifteenth mile, \$125. This bid included grading and surfacing with rock or crushed gravel and building two small bridges.

W. A. Goodin—For grading first mile, \$120; second mile, \$125; third mile, \$121; fourth mile, \$123; fifth mile, \$119; sixth mile, \$140; seventh mile, \$135. These figures were for a 16-foot roadbed, and for a 10-foot roadbed a reduction of 30 per cent was made. Mr. Goodin's bid for surfacing with crushed rock was 25 cents per lineal foot; plankings, 34 cents per lineal foot; turnouts, 75 cents per lineal foot; special trees, \$12 per lineal foot.

Jacob Butts—This bid was on grading the fifth mile of the road only and for a 16-foot roadbed and was \$75. For a 10-foot roadbed the bid was \$40. For a 10-foot roadbed 16-foot dikes, without plankings, 20 cents per lineal foot; board sidewalks, \$30 per thousand, board measure.

The bids on the first seven miles of the road are about the same as those received before and which are rejected on account of being too high. The court will probably not let any contract for several days.

WILL MEET ONE DAY SOONER.

Oregon-California Field Day to Occur May 6.

EUGENE, Or., April 22.—The date of the track meet between the universities of California and Oregon has been changed from May 7 to May 6. The California team will reach Eugene May 4. It is scheduled to meet the University of Washington at Seattle May 10. The Oregon men are training faithfully at the corner meets and Trainer W. O. Trine expects to turn out a very strong team. The local field day, which occurs next Saturday, will be interesting as well as a measure to determine the strength of Oregon's team this year.

MCKINLEY DAY COMMITTEES.

Dr. T. C. Smith Will Act as Marshal at Salem.

SALEM, Or., April 22.—The committee on reception and entertainment of President McKinley on the occasion of his visit to Salem, May 2, held a meeting this afternoon. Sub-committees were appointed and other details arranged. The corner-stone for the Federal building was ordered.

This part of the ceremony will be under the direction of the Government's supervising architect, Major C. F. Cramer. The stone will be laid by the president and the material will be determined by the

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The World's Greatest Medicine

The old family remedy. Cures nervousness and indigestion. Gives power to the brain, strength and elasticity to the muscles, and richness to the blood. It is a promoter of good health and longevity. Make it your drink; keep the young strong.

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contractor. A finance committee was appointed, consisting of L. L. Pearce, H. D. Patton, G. B. Gray, F. C. Perkins and George E. Waters. The committee will raise \$500 to defray the expenses of the reception. Dr. T. C. Smith was appointed marshal of the day and the following named gentlemen were selected as his aids: Charles A. Murphy, G. H. Burnett, E. C. Crandall, G. M. Minto and M. W. Hunt. Committee on carriages and parade was appointed, consisting of S. L. Hayden, W. H. Holmes, Dr. J. F. Calbreth and R. P. Bolte.

The general committee will hold another meeting Friday evening when additional committees will be named on reception, decoration, music and transportation.

A BIG MINING DEAL ON.

Several Baker County Properties Will Probably Change Hands.

BAKER CITY, April 22.—Several mining deals of considerable magnitude are being negotiated. The Leo, in the Alamo district, is being experted by representatives of an English syndicate, under a bond for a large sum. If the report is favorable and the deal is closed, \$100,000 is to be expended on the property this season. A party of Eastern capitalists have a bond on the Climax, located near the Golconda, which will be closed up and the purchase money, \$150,000, paid over within 30 days. Some negotiations are being made for the Blue Bird, for some time. The deal was advanced beyond the negotiation stage yesterday when the owners accepted the proposition of the prospective purchasers to bond the mine for six months on condition that they spend a large sum of money in development work, and at the expiration of the time pay \$50,000 for the mine.

Examine the Richmond.

L. Delorme, of Montreal, Canada, who represents the principal stockholders of the Richmond mine, and Leon Sholer, a prominent French mining engineer, have just completed a careful examination of the property. When asked for a statement, Mr. Sholer said all he could say was that he found a shaft 250 feet deep, two tunnels extending about 300 feet, and that there was pay ore in sight. As to his report to the stockholders or the recommendations he will make, he declined to say. The two gentlemen left for the East last night.

Quotations of Mining Stocks.

SPOKANE, April 22.—The closing quotations for mining stocks today were:

Stock	High	Low	Close
Amer. Boy	7 1/2	8 1/2	8 1/2
Blackfoot	3 1/2	4 1/2	4 1/2
Butte & Bos.	1 1/2	2 1/2	2 1/2
Clark	1 1/2	2 1/2	2 1/2
Conjunctive	1 1/2	2 1/2	2 1/2
Deer Trail	1 1/2	2 1/2	2 1/2
Goldfield	1 1/2	2 1/2	2 1/2
Evening Star	1 1/2	2 1/2	2 1/2
Gold & Silver	1 1/2	2 1/2	2 1/2
Iron Horse	1 1/2	2 1/2	2 1/2
Iron Mountain	1 1/2	2 1/2	2 1/2
Miller Creek	1 1/2	2 1/2	2 1/2

SAN FRANCISCO, April 22.—Official closing quotations for mining stocks today were:

Stock	High	Low	Close
Alma	10 1/2	11 1/2	11 1/2
Andes	10 1/2	11 1/2	11 1/2
Belcher	10 1/2	11 1/2	11 1/2
Best & Belcher	10 1/2	11 1/2	11 1/2
Calumet	10 1/2	11 1/2	11 1/2
Challenge	10 1/2	11 1/2	11 1/2
Chollar	10 1/2	11 1/2	11 1/2
Consolidated	10 1/2	11 1/2	11 1/2
Con. Cal. & Va.	10 1/2	11 1/2	11 1/2
Crocker Point	10 1/2	11 1/2	11 1/2
Gold & Silver	10 1/2	11 1/2	11 1/2
Hale & Norcross	10 1/2	11 1/2	11 1/2
Imperial	10 1/2	11 1/2	11 1/2

NEW YORK, April 22.—Mining stocks today closed as follows:

Stock	High	Low	Close
Adams Con.	10 1/2	11 1/2	11 1/2
Alma	10 1/2	11 1/2	11 1/2
Breese	10 1/2	11 1/2	11 1/2
Butte & Bos.	10 1/2	11 1/2	11 1/2
Clark	10 1/2	11 1/2	11 1/2
Conjunctive	10 1/2	11 1/2	11 1/2
Deer Trail	10 1/2	11 1/2	11 1/2
Goldfield	10 1/2	11 1/2	11 1/2
Iron Horse	10 1/2	11 1/2	11 1/2
Iron Mountain	10 1/2	11 1/2	11 1/2
Leadville Con.	10 1/2	11 1/2	11 1/2

BOSTON, April 22.—Closing quotations:

Stock	High	Low	Close
Adventure	17 1/2	18 1/2	18 1/2
Am. Co.	27 1/2	28 1/2	28 1/2
Am. Copper	12 1/2	13 1/2	13 1/2
Atlantic	34 1/2	35 1/2	35 1/2
Boston & Maine	12 1/2	13 1/2	13 1/2
Butte & Boston	110 1/2	111 1/2	111 1/2
Cal. & Hecla	88 1/2	89 1/2	89 1/2
Central	30 1/2	31 1/2	31 1/2
Franklin	19 1/2	20 1/2	20 1/2

NO WANTON INJURY ALLEGED.

Non-suit in Case of Oregon City Passenger Against Southern Pacific.

OREGON CITY, April 22.—In the suit of William Wilson vs. The Southern Pacific Company, for \$5,000 damages for injuries received on account of being put off the train, August 28, 1900, the court sustained the second motion of defendant for a non-suit. Judge McBride permitted the non-suit on the ground that the complaint did not allege that the plaintiff was wantonly injured by being ejected from the train, it alleging only negligence. The plaintiff was a trespasser, was stealing a ride, and was not entitled to the same consideration as a passenger.

In the suit of the Oregon City & Southern Railway Company vs. Oregon & California Railroad Company, the motion of defendant to consolidate the three suits at issue between the two companies was denied, but as to the injunction suits brought by C. W. Gannon and the Oregon & California and Southern Pacific Company against the Oregon City & Southern the motion was allowed. The last two



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the building grows, becoming higher,
broader, more solid, until at last the
growth is complete.

The best building material—
That's Ayer's Sarsaparilla. Day by
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blood so thoroughly, makes me feel so much better in every way, that I would
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One dollar
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All druggists.

Ask your doctor what he thinks of Ayer's Sarsaparilla. The probability
is he has prescribed it a great many times and knows just what it will do.
Then ask him if he does not think it is precisely the medicine you need this
spring.
J. C. AYER CO., Lowell, Mass.

being equity cases, are consolidated for
trial. The plaintiffs are allowed until
Wednesday evening to file an amended
and supplemental complaint, and the de-
fendant until the same time to plead. The
condemnation suit will be heard separately.

FOUND DEAD IN HIS ROOM.
An Ex-Soldier a Victim of Apoplexy
at Vancouver.

VANCOUVER, April 22.—James Connelly, an ex-soldier, died at his room in the Wolfe Hotel here some time last night. His body was discovered this morning. The coroner was at once notified. He did not deem an inquest necessary, the city physician testifying that the man came to his death from apoplexy. He had been drinking heavily for several days, which practically brought on the attack. Connelly was an unmarried man, and had lived in Clark County for about 12 years. He had no relatives in these parts, so far as known. On his body was found \$1 and a certificate of deposit for \$100 issued by the Commercial Bank of this city. He also possessed a small tract of land near here.

James C. Ash, of Albany.
ALBANY, Or., April 22.—James C. Ash died here last night, aged 73 years. He came to Oregon about 25 years ago, since then working as an operator in the woolen mills at Brownsville and Albany. He leaves a wife, a daughter, Miss Ash, of this city, and a son, James, and daughter, Mrs. Beam, of Pendleton.

Samuel G. Gourley.
ALBANY, Or., April 22.—Samuel G. Gourley, a prominent farmer residing near this city, died this forenoon, aged 44 years. He came to this state from Canada. He leaves a wife and two children.