HORSEWHIPPED AN EDITOR

WOMAN MADE THINGS LIVELY FOR HIM.

He Refused to Apologize for an Article in His Paper—Her Husband Joined In.

WALLA WALLA, Wash., Nov. 18.—While Walter Lingenfelder, editor of the Statesman, was on his way home at noon today he was met near his home on East Main street by Walter Schumacher and Mrs. Schumacher, who demanded that Lingenfelder get down on his knees and apologize to Mrs. Schumacher for an article published by him last week. They regarded the article as a reflection on the character of her father, the late T. J. Robinson, who was for many years City Marshal. Lingenfelder told them he see them in a tropical climate before he would do it. Thereupon Mrs. Schumacher began striking Lingenfelder with a buggy whip.

When Linigenfelder attempted to evade her blows he was grappled with by her husband, and as the two men struggled she rained blows on his face and head. M. Ryan ran across the street and separated the combatants, and a neighbor frantically telephoned for the police. Lingenfelder was given a pair of black eyes and was considerably bruised about the face and head.

Lingenfelder has been renting a residence of Schumacher, and during his absence two weeks ago Schumacher raised the rent in an endeavor to get them out. On Lingenfelder's return he had an interview with Schumacher, during which blows were struck by both men. In the evening the Statesman contained a bitter paragraph declaring an unnamed man a contemptible whelp, who had robbed his mother and married money made by robbing a municipality and blackmailing fallen women. This paragraph the Schumachers aver was aimed at them, and the fight today was their mode of getting even.

When T. J. Robinson came to Walla Walla from Portland several years ago he brought his wife and daughter, Mattie, a handsome, black-eyed girl. She and Walter Schumacher, who came here a child with his parents from Humboldt County, California, became lovers, and every one expected them to marry. Suddenly the marriage of Mattie Robinson and Deputy Sheriff "Allie" Brown, of Portland, was announced. Young Schumacher went wild over the news, but clung to the hope of eventually marrying Mattie. After a few years the court set Mrs. Brown free, and not long afterward she and Walter Schumacher were married. They lived in Portland last Winter. Walter Lingenfelder came to this country from Iowa, and was a schoolteacher for some years. With C. H. Goddard he started the Argus, a weekly Democratic paper, which he conducted until last Spring, when he sold out and became editor of the Statesman.

TESTIMONY IS FINISHED.

Considine's Side of the Case Is Now Before the Jury.

SEATTLE, Nov. 18.—All the testimony and the evidence for and against John W. Considine, charged with the murder of ex-Chief of Police Meredith, is now before the jury. One witness for the defense was heard this morning, and one, by special permission, during the afternoon. After this the defense rested. The rest of the morning and afternoon sessions, up to 5 o'clock, was taken up with the state's testimony in rebuttal.

Tomorrow morning the argument will begin. No limit has been fixed upon counsel, and they could not indicate tonight how much time each would require. The first address for the state will be made by John B. Hart, who has been Prosecuting Attorney Fulton's assistant throughout the case. The argument for the defendant will be begun by Will H. Morris. James F. McElroy will close for the defense. The state's closing argument will be made by Mr. Fulton. It can hardly be reached before noon Wednesday. Judge Emory's charge to the jury will then be delivered, and the case will probably be placed in their hands for deliberation late Wednesday afternoon.

VALUABLE CARGO.

Steamship Brought Products From Alaska Valued at $200,000.

SEATTLE, Nov. 18.—Products of Alaska valued at $200,000 were brought to Seattle as the cargo of a single vessel, the Senator, Captain James B. Patterson, which arrived from the North today. Fish and fish products made up the entire shipment. There were 17,215 cases of salmon from Petersburg, Girard Point and Sitka Bay canneries, and 2500 cases of fish guano and 520 barrels of fish oil from the Kliasnoo fisheries.

On the return the Senator got aground on a rocky bottom at the north entrance to Wrangel Narrows, bending several plates on the starboard side forward. She hung fast about 20 minutes and then hauled herself off. While the springing of the plates did not cause a leak, it may later be necessary for the vessel to go into drydock.

The Senator brought 89 passengers from various Southeastern Alaska points, prominent among whom were Professor C. C. Georgeson, special agent of the United States Agricultural Department; W. T. Summers, president of the First National Bank of Juneau, and Dr. B. K. Wilbur, of Sitka.

Theft of a Camera.

ABERDEEN, Wash., Nov. 18.—E. H. Haydon, a photographer, who came here from Anacortes, has disappeared. The Sheriff from that place came here last Saturday with a warrant for Haydon's arrest for larceny. Complaint was made by an Anacortes man, who said Haydon had carried off a camera when he left that place. At Anacortes Haydon went by the name of Younger, and his whereabouts were unknown until the man from Anacortes came here on business and noticed in a window of Haydon's gallery a photograph of a cat which had been taken at Anacortes. It is a peculiar picture, and it led to Haydon's arrest. The Sheriff had his man in charge all day. Haydon promised to square the matter, and, on pretense of going to the rear of the gallery he made his escape.

Robbed by Masked Men.

PULLMAN, Wash., Nov. 18.—Frank Churchill, a bachelor rancher living near Freeze, a small country postoffice on the edge of the timber in Latah County, Idaho, was held up and robbed of $127 50 in gold and silver at his home a few nights ago. Two masked men entered his cabin and compelled him to deliver his money at the point of revolvers. The robbers have had time to flee the country or hide all evidence, and their capture is not expected.

Gold-Seeker Will Leave Early.

SEATTLE, Nov. 18.—Winter travel to the Koyukuk will begin December 1. On that date Archie Burns, of this city, will leave for the most northern placer gold diggings of Alaska. He will have about 1900 miles to travel over ice and snow. From Dawson Burns expects to follow the frozen river to Fort Yukon, and thence go overland by the Chandler route.

NOYES WANTS TIME.

Asks for Continuance in Order to Get Witnesses.

SAN FRANCISCO, Nov. 18.—Attorney Francis Heney on behalf of his clients, Judge Arthur B. Noyes, et al., presented an affidavit to the Court of Appeals asking that a continuance be granted for the purpose of allowing the respondents an opportunity to secure certain witnesses and depositions necessary to establish the innocence of the accused. The attorney for the respondents also asked the court to strike out certain parts of the evidence. Attorney Heney asked that all evidence tending to establish a conspiracy be stricken out, as the existence of a conspiracy between Noyes and McKenzie to defraud certain claimholders in the vicinity of Nome had not been proved.

In the affidavit, Judge Noyes makes formal denial of each allegation that has been made against him. Noyes asked for at least 90 days time and six months, if possible, in which to make his final presentation. Among those he wishes to cooperate with him are E. R. Beeman, now in Minneapolis; Alexander McKenzie, at present in St. Paul, and Archie T. Wheeler, in Minneapolis. The witness Chipps, who testified against the Judge from Alaska, was declared to be unworthy of belief.

At the conclusion of the reading of the affidavit, United States District Attorney Wood and Thomas J. Geary, late attorney for Alexander McKenzie, said that they did not join in the petition for a stay of proceedings. The court then stood adjourned until the afternoon at 2 o'clock.

At the afternoon session the continuance asked for by the defendants was refused. The attorneys then resumed their arguments, which had not been concluded at the time of adjournment.

Asphyxiated by Gas.

SAN FRANCISCO, Nov. 18.—G. S. Snow, a miner from Granite, Colo., was found in his bed at the International Hotel today asphyxiated. One of the gas jets was wide open. He came here to see the Jeffries-Ruhlin fight. The sum of $186 was found in his pockets. Death was supposed to have been accidental.

BETTER STREETS AT ASTORIA.

City Council Orders Improvements—Petition for a Drawbridge.

ASTORIA, Or., Nov. 18.—The Council this evening passed an ordinance ordering the improvement of several streets. Five blocks on Commercial street, in the central part of the city, will be improved.

The County Court today sent a request to Major Langfitt, United States Engineers, for permission to construct a steel drawbridge across the Lewis and Clark River near its mouth. The bridge will be used in connection with a road that the county proposes to build from the south approach of the Young's Bay bridge to Warrenton.

A letter has been received at the Fish Warden's office from the superintendent of the Government hatchery on the Little White Salmon River. Eggs to the full capacity of the hatchery have been secured.

A few of the middle river traps are still in operation, but the run of fish is small. Steelheads bring 4 cents per pound, and silversides sell for only 1½ cents per pound.

Two young men of this city, Eldridge and Kruse, have recently received patents for a can body-making machine that will greatly facilitate manufacture. It is of very simple construction, and works as fast as the tin can be fed. This, in connection with an ending machine, and a crimper, both invented by Charles E. Forey, of this city, work together in a line and automatically finish the can from the sheet tin.

MINING IS ACTIVE.

Several Important Sales of Property in Myrtle Creek District.

ROSEBURG, Or., Nov. 18.—The new Myrtle Creek mining district, 20 miles south, is now attracting considerable attention from outside capitalists. Recently Messrs. London and Hemrich, of Seattle, purchased the Little Chieftain mine for $30,000. The same men have now secured the Continental claims of G. W. Crews, on the same ledge, for $12,000.

McCarthy & Johnson, of Portland, have bonded the claims of Hall, Rice and Cummings, in the same district, for $12,000, and also the property of Robinson and Oatman, for $10,000. Assays of ore from these claims show values ranging from $40 to $400 per ton. Considerable development work has already been done.

Oregon Mining Stock Exchange.

Yesterday's quotations:

	Bid.	Asked.
Adams Mountain	2½	2½
Astoria-Melbourne (guaranteed)	13½	25
Buffalo	2	3
Copperopolis	14½	20
Champion	30½	50
Caribou	2½	3½
Gold Hill & Bohemia	7	10
Huronian	5½	7
Lost Horse	2½	3
Oregon-Colorado M. M. & D.	24½	27
Riverside	2½	3½
Sumpter Consolidated	2½	4
Sales:		
2150 Copperopolis		15
1000 Riverside		3

SPOKANE, Nov. 18.—The closing quotations of mining stocks today were:

	Bid.	Ask.		Bid.	Ask.
Amer. Boy	2½		Morrison	1	2½
Blacktail	8½	9½	Prin. Maud	1½	2½
Crystal	7	11½	Quilp	2½	2½
Deer Trail	2½	2½	Ramb. Car	48½	51½
Gold Ledge	1½	1½	Republic	3½	4½
I. P. Surp.	4½	4½	Reservation	5	5½
I. Dreyfus	3½	4½	Sullivan	9½	10½
Min. Lion	23	23½	Tom Thumb	13½	14½
Morn. Glory	1½	2½			

SAN FRANCISCO, Nov. 18.—Official closing quotations of mining stocks:

Andes	$0 02	Occidental Con	$0 04
Belcher	6	Ophir	76
Best & Belcher	16	Overman	6
Caledonia	24	Potosi	4
Challenge Con	10	Savage	6
Chollar	5	Sierra Nevada	10
Confidence	70	Silver Hill	33
Con. Cal. & Va.	1 00	Standard	8 25
Crown Point	3	Union Con	12
Gould & Curry	8	Utah Con	1
Hale & Norcross	17	Yellow Jacket	12
Mexican	19		

NEW YORK, Nov. 18.—Mining stocks today closed as follows:

Adams Con	$0 20	Little Chief	$0 11
Alice	45	Ontario	2 50
Breece	1 00	Ophir	78
Brunswick Con	16	Phoenix	7
Comstock Tunnel	8	Potosi	3
Con. Cal. & Va.	1 55	Savage	8
Deadwood Terra	30	Sierra Nevada	8
Horn Silver	1 80	Small Hopes	40
Iron Silver	61	Standard	3 50
Leadville Con	5		

BOSTON, Nov. 18.—Closing quotations:

Adventure	$ 22 50	Osceola	$ 98 00
Allouez	4 50	Parrott	36 50
Amalgamated	87 00	Quincy	155 00
Baltic	44 00	Santa Fe Cop.	4 00
Bingham	29 50	Tamarack	280 00
Cal. & Hecla	710 00	Trimountain	41 00
Centennial	17 00	Trinity	26 25
Copper Range	61 00	United States	15 50
Dominion Coal	48 50	Utah	23 12
Franklin	16 50	Victoria	6 50
Isle Royale	23 25	Winona	2 00
Mohawk	41 25	Wolverines	58 50
Old Dominion	26 25		

Large Shingle Mill Finished.

ST. HELENS, Nov. 18.—The most extensive and up-to-date shingle plant in Oregon has just been completed by the Olsen & Nordby Lumber Company, of Portland, at Runyon, a new station on the Astoria & Columbia River Railroad, near the junction of the Beaver Dam flume and Beaver Slough. The plant has a manufacturing and drying capacity of one carload of first-class shingles per day. The company has an abundance of cedar timber. The plant has also a sawmill for the manufacture of doors. Shingle bolts may be floated down the Beaver Dam Company's flume a distance of seven miles to the factory, or shipped by rail. Logs may also be towed in from the Columbia River by way of Beaver Slough.

Meeting of Polk County Teachers.

DALLAS, Or., Nov. 18.—The instructors at the Polk County Teachers' Institute to be held at Dallas, November 20-22, will be: J. H. Ackerman, State Superintendent of Public Instruction; S. Y. Gillam, editor of the Western Teacher; R. F. Robinson, Superintendent of Common Schools, Multnomah County; C. C. Poling, president of Dallas College; and Mrs. E. M. Pennel, of the Oregon State Normal School at Monmouth. It is expected that this will be the most largely attended and interesting institute ever held in the county.

TWO VERDICTS RENDERED

SUPREME COURT REVERSED ONE LOWER DECISION.

Subscriptions to Stock of Corporation Involved—Complex Question in Administration of an Estate.

SALEM, Nov. 18.—Two decisions were handed down by the Supreme Court today. An appeal from Marion County was affirmed, and one from Multnomah County was reversed.

Claud Gatch, administrator, respondent, vs. David Simpson, Fannie E. Hubbard, administratrix, and J. H. Albert, appellants; R. P. Boise, Judge; appeal from Marion County. Opinion by Justice Bean; affirmed.

This proceeding was instituted in the County Court by Claud Gatch, administrator of the estate of W. J. Herren, deceased, against M. W. Hunt, administrator of the estate of J. J. Shaw, deceased, former administrator of the Herren estate, and against the sureties on Shaw's bond, to require the former to file papers and vouchers in his possession showing the disbursements made by his intestate, and the latter to make final settlement of their principal's accounts.

The petition alleges, in substance, that April 29, 1891, Shaw was appointed administrator of the Herren estate by the County Court of Marion County; that he qualified by giving bonds as required by law, with defendants Hubbard, Simpson and Albert as sureties; that thereafter he disposed of all the property of the estate except four lots in Astoria, appraised at $4000, and received therefor, $11,462 64; that prior to April 29, 1894, he disbursed as such administrator, the sum of $8061 15, and on that day filed his semi-annual account, which was approved by the court, showing a balance on hand of $3461 49, applicable to payment of claims; that the court ordered him to pay a dividend of 10 per cent on the approval claims; that, after filing his semi-annual account, he made no other report showing condition of the estate; that he died June 24, 1895, without having fully administered the same; that a request has been made of Hunt, the administrator of Shaw's estate, and of Simpson, Hubbard and Albert, that they file an account showing condition of the Herren estate and how much money was disbursed under the order of the court, April 26, 1894, but that they have refused to comply with such request.

A demurrer to this petition, on the ground that the court was without jurisdiction, and that the petition did not state facts sufficient to constitute any cause of suit, or proceeding, being overruled, Hubbard, Simpson and Albert filed a joint answer denying the allegations of the petition, and Hunt filed a statement of the receipts, which, upon their face, purported to be payments made by Shaw in the administration of the Herren estate, amounting in the aggregate to $322 00. Upon trial, the County Court found that Shaw had the sum of $1136 46, for which he should be charged, with interest at 8 per cent per annum, less credit for taxes, leaving the sum of $1290 72 on June 4, 1898. The court entered an order allowing his final account.

An appeal was taken to the Circuit Court, where the decree of the County Court was affirmed, and Hubbard, Simpson and Albert, Shaw's sureties, appealed.

The opinion by Justice Bean says, in part:

"The objection that the petitioner has no authority to institute this proceedings is, in our opinion, without merit. It is next alleged the court was without jurisdiction, because the petition does not allege that Shaw's administrator had in his possession any property belonging to the Herren estate, but no relief is asked against him, except that he file in the County Court such vouchers and papers belonging to the Herren estate as may be in his possession; and, besides, it is not clear upon what ground the sureties on Shaw's bond, who alone appeal, can urge this question.

"Again, it is contended that the County Court is without jurisdiction to compel the sureties of a deceased administrator to make final settlement of the accounts of their principal. . . . Such settlement therefore is a prerequisite to an action by the petitioner to recover from the sureties the fund in Shaw's hands at the time of his death, belonging to the Herren estate.

"Now, a settlement by the administrator would manifestly not be binding on the sureties. . . . Nor can Shaw's administrator be compelled to make final settlement. The sureties of an executor or administrator, in the absence of fraud or collusion, are bound by the judgment or decree against their principal in the course of administration. . . . The remaining question is as to the amount which should be charged against Shaw on final settlement, and in that regard the findings of the court below must be affirmed. Shaw's semi-annual account of April 29, 1894, which was approved by the County Court, showed a balance in his hands at that time of $3461 49, and this account and the findings of the court furnish at least prima facie evidence against the sureties.

"The burden of proof was therefore upon them to show that this fund has been properly administered. Upon the final settlement, the court allowed for all disbursements shown by the testimony. The decree of the court below is therefore affirmed.

D. R. Hawkins, plaintiff and appellant, and George W. Caldwell, plaintiff, vs. August Donnerberg et al., appellants, and A. P. Armstrong et al., defendants; appeal from Multnomah County, John B. Cleland, Judge. Opinion by Justice Moore; reversed.

This is a suit by a judgment creditor of an insolvent corporation to recover from certain of its stockholders the sum alleged to be due from each respectively on account of stock subscription. The facts are that the Citizens' Real Estate & Investment Company, having been duly incorporated under the laws of the State of Oregon, with a capital stock of $500,000, divided into 5000 shares, of the par value of $100 each, adopted by-laws containing the following provision: "The stock of this corporation shall be paid for in monthly installments of 5 per cent upon the par value thereof."

September 18, 1891, L. L. Hawkins loaned said corporation the sum of $8000, for which it executed to him its promissory note, payable on demand, with interest at the rate of 10 per cent per annum. February 21, 1894, B. A. King loaned it $2500, and took its note for the sum, payable in 30 days, with like interest. These notes were assigned to plaintiff, who, November 19, 1898, secured a judgment against said corporation for the sum of $11,373, upon which was collected $4421 25, and $1396 37, December 27, 1898, and July 21, 1899, respectively. Said corporation is now insolvent. The complaint alleges that the defendants subscribed for stock of said corporation, and stipulated in their agreement to pay monthly therefor the sum of $5 per share until the par value thereof was fully paid; they became the owners and holders of said stock on or before the date set opposite their respective names, upon which there is now due and unpaid, not including interest, as follows, to wit: "Donnerberg & Co., July 11, 1891, six shares, $120." Then follow like statements in respect to the other defendants. A demurrer to the complaint having been overruled, each defendant averred in his answer "that more than six years have elapsed since the cause of suit, alleged in the complaint, accrued against these defendants, and the said suit is barred by the statute of limitations of the State of Oregon." A trial resulted in a decree for plaintiffs, and defendants appealed. The opinion by Judge Moore says, in part: "If the several defendants had executed to the Citizens' Real Estate & Investment Company 20 promissory notes, each for one-twentieth of the face value of the stock subscribed for, and consecutively payable in from one to 20 months, respectively, the statute of limitation would undoubtedly begin to run against the corporation upon the maturity of each of said notes. This being so, it cannot be supposed that the statute would not also be set in motion upon the maturity of the several installments. An examination of the transcript shows that more than six years had run against the corporation in favor of the defendants, and hence the decree is reversed.

STORY IS SCOUTED.

Conspiracy for Independence of Alaska Wholly Discredited.

WASHINGTON, Nov. 18.—Army officials wholly disgredit the published story of the reported conspiracy to secure the independence of Alaska. The only report made by General Randall to the War Department from his headquarters at Vancouver, touching Alaskan affairs, related to the transfers of two engineers from Valdez to Fort Egbert. The cynical suggestion is thrown out at the department that the story is devised to secure the return of soldiers to Alaska.

Part of Land Entry is Illegal.

OREGON CITY, Nov. 18.—A decision was received from Commissioner Hermann, of the General Land Office, today, upon the legality of the homestead entry of Elijah S. Hanson, who settled upon his claim near Detroit, Marion County, in November, 1900. The land was then unsurveyed and under the law the claimant had three months in file on the land after the survey. This he failed to do. The proclamation creating the reserve, however, did not include all of the claim and the Commissioner holds the entry was illegal as to the S½ ¼ of the NE. ¼ and NE. ¼ of the SE. ¼, Sec. 12, T. 10 S., R. 5 E., and it is held for cancellation as to these tracts. It will remain intact as to lots 2 and 3 of Sec. 7, T. 10 S., R. 6 E. The proclamation relating to the land in which the last named property is situated was not made until two months after the first one was made and Hanson filed his entry just one day before the three months of grace had expired.

Court Dismissed Appeal.

OREGON CITY, Nov. 18.—The appeal in the Christensen will case was dismissed in the Circuit Court this morning. Last April, Juns Christensen, of Sandy, was taken to Portland for treatment and 11 days later he died. F. S. Dunning, a Portland undertaker, immediately filed an application in the Multnomah County Court for letters of administration. T. G. Jonsrud, Justice of the Peace in Cascades Precinct, began proceedings in the Clackamas County Court to probate the will. Dunning appeared in court and objected to the jurisdiction of the court, but asked if the court should take jurisdiction that he be appointed executor of the will. He alleged that he was the chief creditor of the estate and his claim was for funeral expenses. The court refused to grant his petition and appointed Jonsrud executor, and Dunning appealed. Christensen had a farm at Sandy.

Telephone Directors Chosen.

PIERRE, S. D., Nov. 18.—A meeting of the stockholders of the Pacific Wireless Telephone & Telegraph Company was held here today. Directors elected for the ensuing year are: A. M. Stevenson, J. C. Bailey, A. L. New, General Irving Hale, G. B. Begole and F. H. New of Denver; J. E. Hipple of Pierre; Geo. M. Mix of Lead City, and I. M. Humphrey of Rapid City. The company has begun establishing stations. The first one connects Catalina Island with Los Angeles and the others are being established in the Puget Sound country.

Thief Was Foiled.

LA GRANDE, Nov. 18.—Andy Geary was arrested last night for attempting to steal money from a "twenty-one" table. He was alone in the rear room of a saloon and dropped the drawer and its contents on the floor in his haste. No charges were preferred, and he was released, but instructed by the Marshal to leave town. Geary was sentenced five years ago, when only 15 years old, to serve two years for robbery. He was released after serving 10 months.

Death of Jesse Cox.

EUGENE, Or., Nov. 18.—Jesse Cox, one of the respected pioneers of this county, died at his home, at Goshen, this morning, aged nearly 81 years. He came to Oregon from Missouri in 1852. He was a member of the Cumberland Presbyterian Church all his life. He left a widow and five grown sons—Washington Cox, of Fall Creek, this county; Calbour and James Cox, of Eastern Oregon, and Robert and Thomas Cox, of Palouse, Wash.

Runaway Boy Captured.

ST. HELENS, Or., Nov. 18.—Joseph Elliott, a 16-year-old Indian boy who ran away from the Chemawa school some months ago, was found in a logging camp on Milton Creek and was captured by Detective J. K. Blakesley and M. Campbell of the school. He was taken back to the school this morning.

Inquiries About Cariboo District.

VICTORIA, B. C., Nov. 18.—The Department of Mines is receiving hundreds of applications for information of the recent gold finds in the Cariboo district, and in answer is sending maps and all information of the district in its possession. A big rush to the district is looked for in the Spring.

Circuit Court Opened in Linn.

ALBANY, Or., Nov. 18.—Department No. 2 of the Circuit Court, R. P. Boise, Judge, convened this afternoon with a docket of 40 cases. Nine are for divorce. The case of most importance is one against the City of Harrisburg for an injunction to prevent the opening of a new street.

New Bank Opened.

VANCOUVER Wash., Nov. 18.—The new Vancouver National Bank, of which Levi Ankeny is president, and W. P. Conoway cashier, opened its doors for business this morning. The new bank occupies the property formerly occupied by the First National Bank of Vancouver.

Shipment of Prunes.

WALLA WALLA, Wash., Nov. 18.—Today J. P. McMinn shipped six carloads of prunes. The fruit was dried and packed by him at his place in Umatilla County, near the state line.

CANVASS OF THE OHIO VOTE

Nash, for Governor, Has a Plurality of 67,467.

COLUMBUS, O., Nov. 18.—The official tabulation of the vote cast at the recent election in Ohio was partly completed tonight, and the Secretary of State announced the results so far as the work has progressed. The total vote cast was 940,147. The total vote cast for the various candidates for Governor was 827,566, as follows:

Nash, Republican	436,092
Kilbourne, Democrat	368,625
Thompson, Socialist	7,839
Juergens, Socialist-Labor	2,994
Richardson, Union-Reform	2,718
Pinney, Prohibition	9,878
Nash's plurality	67,467

The Prohibition party is the only one of the minor parties holding enough votes to give its ticket a place on the ballot at the next election without petition. The footings on the regular state ticket have not been completed, but it is believed that the highest vote cast for any one candidate was received by Judge Price, Republican candidate for Supreme Judge.

The total vote cast at the late election is the smallest since 1894. Two years ago the total vote cast was 920,872, and the total vote cast for Governor was 908,159, a difference of 18,613. The difference between the vote cast for Governor and the total vote cast this year is only 12,581.

BOOKS WILL BE EXPERTED

COUNTY OFFICERS MUST GIVE UP THEIR RECORDS.

Circuit Court Decides That Examination May Be Ordered Whenever It Is Deemed Advisable.

SALEM, Or., Nov. 18.—The Circuit Court, Department No. 1, decided today that it will be necessary for the county officers to produce their books for experting, in accordance with the recent County Court order to that effect. The Circuit Court refused to grant the application for a restraining order. County Judge Scott has therefore won in his dispute with the county officers. The latter say they will not go to the Supreme Court with their case.

This decision has been awaited anxiously for several weeks. It is of interest to other counties, as well as to Marion. County Judge Scott said today that the work on the books will begin in a few days.

The opinion is by Judge R. P. Boise. The facts of the case are that on October 22, 1901, the County Court made an order engaging George W. Buchanan and George P. Clark, of Portland, to expert the books of Marion County. The county officials then filed a motion to have the court vacate its order. The motion was overruled and a writ of review was taken to the Circuit Court. The decision in brief is as follows:

"An order was entered by the County Court in due form, employing men to expert the books of the county. The Clerk, Sheriff, Recorder and Treasurer began proceedings to set aside the order. A writ of review was taken from the decision of the court below dismissing the application to vacate the order. The petition for revision undertook to set out that the County Court was divided in the matter when the order was made for experting the books; that the men employed were incompetent and not residents of the county. The court below summarily dismissed the proceedings without effort to ascertain the facts.

"My impression is, if this application had been demurred to in the court below, that the demurrer ought to have been sustained. I do not believe that the application is a competent proceeding to reach this order. These facts, which are stated in the application, were not competent to be tried in the County Court. The question of whether the men employed by the County Court are competent or not is a question to be decided by that court, and I do not think it is reviewable upon application by this court. That they lived out of the county, I think, presents an issue which the parties are not called upon to try.

"The argument to the court rested upon the fact or statement that the County Court had no authority to make such an order; that the law required such an examination of the books by the court in July and January; and that if such an order could be made to expert these books by calling in experts to assist the court before that time, it was premature. There are two questions presented here; one is whether the court had power to appoint these experts to assist the court. It has been decided by the Supreme Court of this state that the County Court may employ help to collect taxes in addition to the Sheriff's exercise of that authority. I think that the employment of help to put these records in shape so that the County Court may readily examine the records is a matter in which the court would be authorized to employ aid, more than for the collection of taxes. I think the County Court would have that right under the decisions that have been made in the Supreme Court.

"It would not be proper for this court to review the decision of the Supreme Court on that subject.

"There is a statute requiring the County Court to look into the records. The question is, therefore, whether the Commissioners could do it at any time other than that specified. It was conceded in the argument that before the existence of the present statute the County Court could have looked into the business at any time. But this statute has limited the time. If that is the case, I think the authority which existed before still exists, but the statute calls the attention of the court to the duty it should perform. Within recent years there has been a change in collecting county revenues, and the compensation of the county officers. At this time it is provided that all fees collected by the Clerk, Sheriff and Recorder shall be paid to the County Treasurer, consequently this record is a record of the revenues of the county. The Legislature may have thought it necessary that this be constantly guarded by the County Court, which is to see if the revenues collected by these officers are properly paid over to the county. Had any right of law existed for examining these in July, the next term that the County Court sat, with reference to county business, the court could examine the reports and know the entire amount of revenue and the condition of books in which these revenues are kept. They should be ready July 1, and I think it would be legal to have them experted before that time, if necessary. I do not think it is necessary now to show the reason of the court in dismissing this writ, but I think the County Court has this authority and that the court may exercise it at any time it is opportune. The writ is therefore dismissed."

AN IMPORTANT DISCOVERY

Harvard Professor Believes Hydrogen to Be of Composite Nature.

BOSTON, Nov. 18.—Professor E. C. Pickering, director of the Harvard observatory, has made a discovery that he regards as important. In a statement just out he says:

"The spectrum of a streak of lightning was photographed last July. From such a small beginning two discoveries have developed. Not only are the chemical elements, so-called compounds, but it is likely that hydrogen itself, which chemical theorists have thought to be the one element of which the others would sooner or later prove to be compounds, seems to be of composite nature."

Other photographs made at about the same time show the curious fact that the spectrum of lightning is not always the same. Some of the photographs show a doubling of the bright lines. Professor Pickering was at first inclined to believe that this was a sort of composite photo, but he now concludes that the doubling looks as though hydrogen, the only element studied in the lightning spectrum, and hitherto believed to be least likely ever to be proved a compound body, is made up of at least three components. This conclusion he bases upon the fact that there were 30 lines in the hydrogen spectrum on one photo, three in another and one in the third, the different flashes having been photographed under different circumstances. Another remarkable circumstance in connection with the study of picturing of spectra of lightning flashes is that they are similar to that of the second new star in the constellation Perseus, known as Nova Persei No. 2, which were taken on March 23, 1901.

ACCUSED OF GAMBLING.

Judson's Opinion of a Man Backing the Wrong Color.

S. Judson was arrested last night by Policeman Welch, charged with gambling, at the Favorite saloon, and when taken to the police station, he deposited $50 bail out of the $300 he carried in his pockets. The police stated that a man complained that he had lost 75 cents gambling with Judson, and that the latter's arrest followed. Judson said: "I'm sorry I'm arrested. When the fellows win, it's all right with them. When they lose, it's another story."

Folk Shot by Accident by Hunters.

AUGUSTA, Me., Nov. 18.—Although the Legislature passed a law imposing a maximum penalty of 10 years' imprisonment or a fine not exceeding $1000 for negligence or carelessness which should result in the shooting of a human being by hunters, the record of such fatalities in this state during the present season is very heavy. The record up to the present time shows that 12 persons have been shot by accident and that five of the victims have either been killed outright or wounded so that death resulted. In four instances the shots were fired by unknown persons. The persons who lost their lives are: Henry McPeters, Milford, Me.; W. C. Luckey, Dayton, O.; Leslie Bowker, Marshfield, Me.; Frank Leonard, Frank Fortune, John G. Weeks, Boston, Mass.

Thus far no steps have been taken, so far as can be ascertained, toward prosecuting in any case, although the game wardens frequently have called public attention to the law.

Trolley Car Jumped the Track.

YOUNGSTOWN, O., Nov. 18.—A trolley car on the Youngstown & Sharon Electric Railway jumped the track at Hubbard, seven miles from here today, while going at a good rate of speed. Six passengers and the motorman received more or less serious injuries. There were 30 passengers on the car.

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Duffy's Pure Malt Whiskey cures consumption, coughs, colds, grip, bronchitis, catarrh and all diseases of the throat and lungs. It also cures nervousness and indigestion. It 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, makes the old young, keeps the young strong.

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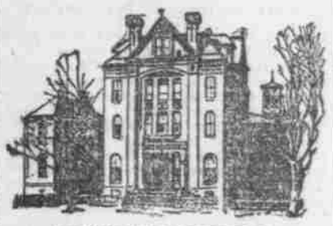

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Harrisburg, Pa., Oct. 29, 1900.
We have been using Duffy's Pure Malt Whiskey in our institution for some time and find it agrees better than other brands in the convalescence of disease and in emergency work. E. O. PEARSON, M. D., Resident Physician; H. L. KAUCHER, M. D., Visiting Surgeon.

THE READING HOSPITAL.
Reading, Pa., Oct. 12, 1900.
We have used Duffy's Pure Malt Whiskey in typhoid and other exhausting diseases, and have found it eminently satisfactory. DR. JOSEPH CLOTHIER, Resident Physician.

Duffy's Pure Malt Whiskey has stood severe tests for nearly 50 years, and has always been found absolutely pure and is certain great medicinal properties.

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FREE To any reader of this paper who will write us we will send free two of our patent game counters for whist, euchre, etc. Send 4 cents in stamps to cover postage. They are unique and useful.

It is the only whiskey recognized by the Government as a medicine. This is a guarantee. All druggists and grocers, or direct, $1.00 a bottle. DUFFY MALT WHISKEY CO., Rochester, N. Y.

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