TO SUCCEED WRIGHT

John W. Arrasmith Will Be Grain Inspector.

AN EASTERN WASHINGTON MAN

Secretary of Republican Central Committee, and One of the Most Prominent Men in His Party-Wanted on State Board.

SEATTLE, Wash., Jan. 30.-George W. Wright is to be relieved as State Grain Inspector, and John W. Arrasmith, of Colfax, Whitman County, will succeed the disease generally runs its course in a few hours. If there were remedies, apposition to Arrasmith, and he will accept it. Mr. Wright's term would not sufficient to the disease generally runs its course in a few hours. If there were remedies, appointed in the world accept it. Mr. Wright's term would not sufficient to the disease would be impossible. cept it. Mr. Wright's term would not save expired until 1904. Mr. Arrasmith is have expired until 1996. Mr. Arrasmin is one of the most prominent Republicans in Washington. He was Speaker of the House in 1893, a candidate for Lieutenant-Governor in 1895, and is now secretary of the Republican State Central Committee. Arrasmith, it is understood, was con-diditate for a position on the Board of Control, but the Governor wanted him for Grain inspector. He is one of the large wheat-raisers of Eastern Washington, His appointment will give general satisfac-tion, as Arrasmith is very popular.

QUESTIONS AUTHORITY OF BOARD. Action to Declare Increase in State Assessment Null and Void.

OLYMPIA, Wash., Jan. 30.-Henry M. Thompson, of Lincoln County, has begun an action in the Supreme Court to declare null and void this year's real estate valua-tions as settled upon by the State Board of Equalization at its last regular session, last September. The proceedings were be-gun by an application for a writ of re-view, the affidavit of which states that when the State Board of Equalization raised valuations as returned by the varions countles of the state from \$236,144,299 to \$260,180,724 it did so without authority of law and in excess of its jurisdiction, and that the valuation so fixed greatly exceeded the valuation established in 1900. The Board of Equalization in 1900, it is further averred, fixed the real property valuation, and under the provisions of section 1660 of Ballinger's code the defendant board had no right to again pass upon the real estate valuations of the state, as real estate can only be assessed blennially. The affidavit alleges the Board of Equalization raised the valuation for the sole and single purpose of avoiding the provision of the statutes that only 5 mills upon the taxable property can be levied for school purposes, and for the purpose of raising the amount required for school purposes. The relator prays that the val-uations as returned by the various counties of the state be declared the true val-

ations for determining the taxes. Should the Supreme Court sustain Mr. Should the Supreme Court sustain Mr.
Thompson's contention, it will result in a tangle of grave importance. The tax rolls of the various countles have long since been extended and certified to, and thousands of dollars would have been extended and certified to. since been extended and certified to, and thousands of dollars would have been spent in clerical work in preparing them, to say nothing of the direct loss through the lowering of the assessment.

DRAW LOTS FOR MAYOR.

Anstle Wins at Aberdeen, and Wil Drop Case in Court. ABERDEEN, Wash., Jan. 30.-The May oralty contest between L. L. Maley an

William Anstle has been settled by draw ing lots, Anstle winning. The contest ha been continued since the election in De cember. Maley was declared to have bee elected by two votes by the convassin boards, but Anstle alleged fraud, and i a recount by the Council he was de have been elected by four votes. Male took the case into court, and Judge Lin of Olympia, who was called in, decide the election a tie. The Council cited th contestants to appear and cast lots, be Mayor Anstle refused, on the ground the be had taken an appeal to the Suprem Court. The Council thereupon selected one of its number and drew lots, Anstle winning. He will take the office on the result and save the expense of an appeal

ICE HARVEST IS NOW ON. About 15,000 Tons Will Be Cut at Ellensburg.

ELLENSBURG, Jan. 30.-The ice harvest began here today, and the product is as fine as has ever been cut in Kittitas Valley. It is an even foot thick, and is as clear as plate glass. R. P. Tjosseur & Son are now working a large force of men on their contract with the Northern Pacific, which calls for 8000 tons. Besides this, they have other contracts for 200 tons. Their reservoir, which receives a pure mountain stream, is alongside the railroad track, and it takes but a short time to fill a train. Private parties are also putting up ice on other ponds, and probably not less than 15,000 tons will have been cut here within the next 10

Another Bank for Ellensburg. ELLENSBURG, Wash., Jan. 20.-Ellens

burg is to have another bank. Organization of the Washington State Bank has just been effected. The capital stock is The stockholders are: Jacob Furth, president of the Puget Sound Na-tional Bank, of Seattle; C. J. Lord, presi-dent of the Capital National Bank, of Olympia; J. H. Smithson, C. H. Stewart, James Stevenson, C. W. Johnson, F. N. William Woodham and George E. Dickson, The directors are: Jacob Furth, C. J.

Lord, J. H. Smithson, C. H. Stewart, James Stevenson and C. W. Johnson, Offi-cers have been elected as follows: President, J. H. Smithson; vice-president, C. H. Stewart; cashler, C. W. Johnson, The bank will open for business next Monday.

Plended Guilty to Burglary.

VANCOUVER, Wash., Jan. 30.—Fred Pancoast, arrested here a week ago for burgiary, pleaded guilty to the charge before Judge Miller in the Superior Court today, and was sentenced to serve one year in the penitentiary at Walla Walla Young Pancoast is 18 years of age, and can neither read nor write. The offense which caused his arrest and conviction was that of rifling the pockets of a comwho was sleeping at Bennett's livery barn. The amount stolen was 60

Hop Sale at Chehalis. CHEHALIS, Wash., Jan. 30.—The Pat-terson hops at Olequa, 525 bales, were sold

yesterday to I. Pincus & Sons, of Ta-coma, at 13 cents. They are for shipment abroad. There now remain in Southwestern Washington less than 200 bales of hops in growers' hands.

SWINE PLAGUE AT TURNER. Professor Pernot Discusses the Dis-

ease-Not the Same as Hog Cholera. CORVALLIS, Or., Jan. 30.-A letter re-

and there is no known cure. The symp-toms are well marked, though it is often difficult to distinguish them from the difficult to distinguish them from the symptoms of hog cholera, a widely different disease. Plague and hog cholera are produced by different germs. In cases of plague, the lungs are generally the seat of the disease, while in hog cholera the disease generally appars in the intestinal tract. There are, however, acute cases of cholera in young hogs in which death occurs before the characteristic uiceration of the intestines appears, and in ceration of the intestines appears, and in such cases there is usually present a considerable congestion of the lungs, which, upon a cursory examination, is liable to lead to the bellef that the disease is swine cholers. It sometimes happens that hog cholera and the plague exist in the same animal at the same time. In many cases, the true character of the disease can only be determined by microscopic

"Hogs affected with swine plague 60 become mopy, refuse to eat, and appear to be cold. They shiver and invariably seek a warmer spot, often seeking to bur-row in straw, if it is present. A high fever is present, and as the disease progresses the animal becomes weak in the hind legs, frequently staggering about. The breathing is difficult, and death resuits from suffocation. In acute forms, sible, for lack of time. Whenever, at least in infected localities, a hog shows signs of sickness it should at once be separated from other hogs, the remaining hogs not affected being taken to other quarters. If allowed to remain on the same premises where the disease appeared they are, of course, subject to the same

"Infection may occur either through food or water supply. The water supply in infected districts should by all means be changed. The germs of the disease are carried in water from place to place, and may be transmitted long distances. Before hogs are returned to premises that have been infected, the place should be well disinfected with time, which should be brought into contact with all feed troughs, water troughs, hog-pens and inclosures. In every case where the body of a hog is opened for post-mortem examination the greatest care should be taken not to drop escaping blood. The germs of both hog cholera and plague are in the blood, and when the blood is spilled, millions of germs are liberated for future infection."

"WORKED-OUT" MINE ALL RIGHT. Rich Strike Made at the Bowden, in Southern Oregon.

GANT'S PASS, Jan. 30 .- At the Bowden a supposed "worked out" mine in the Gold Hill district, a rich ore body producing rock that averages \$100 per ton has been uncovered. The strike was made at a depth of 200 feet. The ledges uncovered shoys a width of three feet, with every prospect of growing larger as depth is

The Bowden has produced a large amount of buillion in days past, but for a long time, or until Houck & Haff, the present owners, got hold of it, the Bowden was considered worked out.

Seattle Men Sold Too Soon A rich strike has just been made in the Golden Standard mine, of the Foots Creek district, which was recently purchased and sold by representatives of Eugene Forbes, uncovered is a permanent one, and car-ries much rock that will average \$100 per

Oregon Mining Stock Exchange.

- 31	Yesterday's quotations:	
1	Bid.	Airire
-	Alaska M. & M. Co	1
- 1	Adams Mountain	- 3
7-	Astoria-Melbourne (Gtd.)10	- 2
	Bronze Manarch	1
nd.	Caribou 234	- 3
9-	Chicago 17%	- 10
ls	Chicago 65a	- 3
	Crystal Consolidated 4%	
6-	Cascade Calumet 25	2
33.	Gold Hill & Bobemia pta	2
2	Huronian 5%	11
in	Lost Horse	
	Oregon-Colorado M. & M. Co24%	
d	Riverside	
y	Sumpter Consolidated 24.	
n,	Sweden Copper Co	9
41	Sales:	Del
ie.	1000 Caribou	
ıt.	1000 Caribou	22.00
t.	500 Lost Horse	
E/C/II	500 Oregon-Colorado	. 9
ie.		
GB I	CARLOTTE C. A. C. C.	

SPOKANE, Jan. 20.-The closing quotation | Bid. Ask. | Bid.

quotations of mining	stocks:
Alta\$0 Belcher Best & Belcher	
Challenge Con Chollar	10 Savage 10 Seg. Belcher 61 Sierra Nevada
Crown Point Gould & Curry Hate & Norcross. Justice	5 Standard 3 3 5 Union Con 26 Utah Con 14 Yeilow Jacket ,

NEW YORK, Jan. 30.-Mining stocks today Adams Con\$0 20 Little Chief

BOSTON, Jan. 30.—Closing
Adventure \$22.25 Oscools
Alloues \$25 Parrott
Amalgamated 75 62 Quincy
Baltid 38 75 Santa Pe Cop.

22 50 Tamarack

Trimountain 2 50 Tamountain
25 60 Trimountain
13 50 Trimity
57 50 United States
43 27 Utah
13 50 Victoria
21 75 Winona
54 75 Winona Copper Range ... Cominion Coal... Franklin Isle Royale Mohawk Old Dominion ...

Good Strike on Rock Creek. BAKER CITY, Or., Jan. 30.-Samples were received in this city yesterday from a ledge on a trio of quartz claims, on Rock Creek, which assay from \$4 to \$17 a ton. The main vein is crosscut by a two-foot ledge, from which the samples were secured, and the indications promise greater values with depth. The property is owned by James Chord, Frank Geddes and Walter Mead, and it is understood a

GRADUATING EXERCISES.

President Lee Will Deliver Bacen laurente Sermon at Monmouth.

MONMOUTH, Or., Jan. 30.-The midyear graduating exercises of the State Normal School will begin Saturday evening, at which time the junior reception will be held. President W. H. Lee, of Albany College, will deliver the baccalastreate sermon Sunday. Class exercises will be on Monday afternoon, and graduating ex-ercines proper Monday evening. The ad-dress to the class will be delivered by ceived at the Agricultural College Indicates the existence of swine plague at Turner. Professor Pernot, State Bacteriologist, and head of the bacteriological department at the college, has written for specimens, and these are expected in a day or two.

"The fact that the same disease is reported as widely prevalent in Umatilla County," said Professor Pernot today "suggests the importance of taking immediate steps for preventing the spread of the disease. It is highly contagious, Valley.

LAND BOARD'S HARD TASK

ARID LAND APPLICATIONS BRING UP MANY QUESTIONS.

Most Difficult Is That Regarding the Improvement Lien-Company Refuses to Accept Terms of State,

SALEM, Or., Jan. 30.-The State Land Board just now has a difficult task on its hands in passing upon various questions that arise under the arid land act passed by the last Legislature. The principal question that has arisen is now under consideration in the application of the Pilot Butte Development Company for a con-tract for the reclamation of an 85,000-acre tract in Crook County.

It will be remembered that the company reclaiming land does not acquire full title to the land, but has: lien thereon for the amount of the actual cost of reclamation, and may charge water rates for water furnished to settlers. A person desiring to D. Latourette as administrator, decied the

reclaim the land, but to secure possession and control of vast areas for a considerable number of years. Land thus secured, it is alleged, would be used for pasturage, and the applicant, without aiding at all in the development of the country, would be used for the free type of the vould get practically the free use of the land in the meantime. The law provides that the work must be begun and completed in a reasonable time, but what is a reasonable time in such matters is a ques-tion open to discussion. While the Land Board and the company were settling this question, time would elapse, and in the question, time would chapte, and in the end the land would drop back into the public domain without any good having resulted, but with the company ahead to the extent of free and exclusive use of the pasturage. The question is whether the board can and should pass upon the feasibility of reclaiming certain land, or wheth-er this question should be left to the general land office,

PIGHT OVER AN ESTATE.

County Judge Puts in a Man Not Asked for by Either Side.

OREGON CITY, Or., Jan. 30.—County
Judge Ryan today played an important
part in the fight over the estate of John
Green. He accepted the resignation of C.

HEAD OF WASHINGTON NATIONAL GUARD.

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ADJUTANT-GENERAL DRAIN.

OLYMPIA, Wash., Jan. 30.-The cement of Governor McBride that he will retain in office Adjutant-General Drain will give much satisfaction to Guardsmen and to the public generally throughout the General Drain was appointed by Governor Rogers without solicitation, it is said, on his part. He was and is a Republican, and, so far as known, supported the regular Republican nominees on the state tick-Drain was a business man of Spokane, and three years ago was elected County Clerk. In the Summer of 1900, while out hunting, he had the misfortune to receive a gunshot wound in his right hand, so serious that the hand had to be amputated. His loss, however, did not interfere with his activity and efficiency as a National Guardsman, with which organization he always had been prominent, and the fitness of his apolntment as Adjutant-General was everywhere recognized when it was first made. Under the Washington law, the Adjutant-General is practically the head of the State Militia organization.



to the full amount of all money spent in any way in connection with the reclamation of the land, and, on the contrary, to the interest of the state, to have the amount of the lien as small as possible. If the lien is so heavy that settlers can-not afford to buy the land, the develop-Butte Company have thus been unable to

Contract the Company Wants. The company wishes to have the con-tract drawn in such a manner that the cost of reclamation shall be determined after the work is completed, and the amount of the lien declared accordingly. The Land Board has taken the position that due regard for the interests of the county requires that a maximum limit be fixed, and that if the actual cost of recia-mation be less than this limit, the amount of the lien shall be declared at the amount of the actual cost. Because the Land Board and the officers of the company cannot agree, a contract has not yet been

The Land Board, in taking the position actual cost of reclamation in order to ac-quire an excessive lien upon the land, but caution has been exercised because in drawing this first contract under the new law a precedent will be established. If in this case the company should be permitted to proceed under a contract fixing no maximum limit to the cost, other comcontract, and in the course of time the State Land Board would be involved in controversies over the amount of the cost. As the companies must pay all the ex-penses of reclaiming land, they will be in the exclusive possession of the evidence of the cost of improvements. The State Land Board would therefore be, in a measure, fighting without weapons, and would be at an almost overpowering disad-

vantage. A General Hold-Up.

must pay off the lien. Hence it is to the | Cross, and named County Recorder T. P. interest of the company reciaiming the Randall administrator. The controversy land to have the amount of lien figure up is over a small piece of land about 18 miles up the Clackamas River. Joseph Green, the petitioner, and a brother of the deceased, first asked that H. E. Cross he appointed administrator of the estate, and afterward sold the land to Dan J. Moore, representing the Clackamas Development Company. Green then turned nd and sold the land to George Brown ment of the country is retarded instead around and sold the land to George Brown of promoted. And it is in this particular for \$1100. Brown, who is an engineer in that the State Land Board and the Pilot the employ of the Portland City & Orethe employ of the Portland City & Ore-gon Railway Company and the Oregon General Electric Company, filed a peti-General Electric Company, filed a peti-tion for the appointment of Latourette as administrator. This petition was present-ed to the court first, and was granted. The Oregon General Electric Company wants the land for its power plant, and the Clackamas Development Company wants to secure the property for logging

CAPITAL STOCK INCREASED.

Alaska Fishermen's Packing Com-ASTORIA, Or., Jan. 30.—The stockhold-ers of the Alaska Fishermen's Packing Company held a special meeting this afternoon and decided to increase the capital stock from \$70,000 to \$200,000. For 15 days the Land Board, in taking the position it has, does not intend to be understood as intrinsting that this or any other particular company will misrepresent the ticular company will misrepresent the new stock for each share already held at the privilege of purchasing one or two shares of this new stock for each share already held at the privilege of purchasing one or two shares of this new stock for each share already held at the privilege of purchasing one or two shares of this new stock for each share already held at the privilege of purchasing one or two shares of this new stock for each share already held at the privilege of purchasing one or two shares of this new stock for each share already held at the privilege of purchasing one or two shares of this new stock for each share already held at the privilege of purchasing one or two shares of this new stock for each share already held at the privilege of purchasing one or two shares of this new stock for each share already held at the privilege of purchasing one or two shares of this new stock for each share already held at the privilege of purchasing one or two shares of this new stock for each share already held at the privilege of purchasing one or two shares of this new stock for each share already held at the purchasing of the pur its par value of \$500. After 15 days any shareholder can purchase any amount of the stock remaining at the same price.

Estimated Receipts of Astoria.

The ways and means committee of the Council has filed its estimate of the recelpts of the city during the present year The total amount is \$45,886 53, derived from the following sources:

Rock for Jetty.

Another ton of black powder was explod. ed today in the hill near Bugby's Hole in the effort to discover rock suitable for use What the outcome will be remains to be seen. Until some agreement is reached, practically all proceedings under the arid land act will be held up. The Board real-by the Government, which has a lease on



The Late B. F. Fletcher.

ONE OF THE BEST-KNOWN MEN ABOUT SILVERTON

BILVERTON, Or., Jan. 20.-B. F. Fietcher, who died at North How-ell Prairie, January 24, came to Oregon in 1864, and was one of the best-known men in this section. He was born in Newport, N. H., March 18, 1828. He went to Illinois in 1844, where he was married to Eliza A. Turner in 1847. They crossed the plains to Oregon in 1864. Seven children were born to this union. The mother and three daughters preceded Mr. Fletcher to the grave. Of the children who remain are E. B. Fletcher, of Lawrence, with whom he lived; Mrs. M. Woodward, of Walla Walla; Mrs. E. H. Stone, of Athena, Or., and Mrs. S. T. Hobart, of Silverton, Or. The funeral was at Bethany, and was conducted by Rev. L. H. Pederson, of Silver-

izes that in a matter affecting such vast the property for quarrying purposes. The areas of land as are now being applied for, blast was under the direction of the Govareas of land as are now being applied for, a mistake at the outset will be followed by never-ending trouble. Should land companies secure large areas in Eastern Oregon under the provisions of the arid land act, and upon terms fixed by this board, and future developments prove that the terms were not wisely fixed, this board would occupy a very unenviable place in the history of Oregon. On the other hand, if the arid land business is so managed as to accomplish the ends intended-the actual reclamation and settlement of arid land—the board which inaugurates the sys-

tem will get credit for establishing an in-valuable industrial enterprise. Another Question. Another question the board is confront another question and the authority to deny an application upon the ground that the land applied for, or any certain portion of it, is so situated as to be impossible of reclamation. It has been alleged in letters written to the Land Board by set terms in Eastern Oregon that certain com-panies are asking for contracts for the reclamation of land which cannot be re-

ernment and railroad engineers. Congratulates 1905 Fair Board.

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The Astoria Progressive Commercial Asociation is taking up the question of im proving the sanitary condition of the city. A committee has been appointed to prepare ordinances governing the matter. The association, at its meeting last even ing adopted a resolution congratulating the directors of the Lewis and Clark Exposition upon the selection of Henry E. Reed as secretary.

Charity Concert. GRANT'S PASS, Jan. 30,-A charity con cert was given in this city last night for the benefit of little Dollie Frazier, who overturned a boiler of scalding water upon herself recently while aiding her mother with the family washing.

Boring for Oil Day and Night. DALLAS, Or. Jan. 30.—The boring for oll at the Whitaker place continues day and night. The drill is down 300 feet. The claimed, and that the purpose is not to operators are prepared to bore 2000 feet.

C. GRANT PERKINS DIES

ONE OF THE MOST PROMINENT MILLMEN IN KLONDIKE.

Formerly Connected With Several Portland and Paget Sound Banks -Death Comes Suddenly.

SEATTLE, Jan. 30 .- News of the sudden death of C. Grant Perkins, one of the most prominent millmen in the Klondike, in Dawson, Wednesday evening, was re-ceived by private telegram today. Mr. Perkins was formerly connected with the banking firm of Ladd & Tilton, of Portbanking firm of Ladd & Tilton, of Port-land. Taking advantage of his early finan-cial training, he accepted a responsible position a few years later with Dexter Horton & Co.'s Bank, of Seattle. This he finally gave up for the position of man-ager and cashler of the Merchants' Bank,

of D. M. Littlefield, now an inspector of customs. Mr. Perkins is survived by a wife and daughter.

of Port Townsend. There he met and married Miss Lucy Littlefield, daughter

Oregon Pioneer of 1854. EUGENE, Or., Jan. 30,-Mrs. S. J. Bon nett, an Oregon pioneer of 1854, died last night at the family residence here, aged 79 years. She was born in Randolph County, Virginia, in 1833. With her parents she went to Iowa, where she was married in 1846 to Samuei J. Bonnett, who survives her. They came to Oregon in 1854. She left six sons and three daugh-ters—Alfred, Marion, Perry and Albert, and Mrs. S. H. Thomas, of Eugene; Charles and Marielius, of Harney County; Mrs. R. P. Day and Mrs. Norris Brown of Oakland, Cal.

VALIDITY OF NEW ROAD LAW. Decisions Which Throw Some Light on This Question.

SALEM, Jan. 30 .- "The first section the road law passed by the last Legisla-ture materially affects ranchers in East-ern Oregon," says I. Campbell Martin, of Dayville, in a recent letter to The Ore-gonian. Mr. Martin wishes information upon the legal effect of this section of the etatute, which reads as follows:

All roads or thoroughfares not heretofore le-gally established within the State of Oregon that may have heretofore been used, or may hereafter be used for a period of 10 consecu-tive years or more by the general public to the purpose of travel without interference o protest, are hereby declared to be county roads Commenting upon this section of the law, the Blue Mountain Eagle, of Canyon City, said in a recent issue:

This law will materially affect many residen of the county who have not heretofore fenced their ranches and across which there has been a road in general ure for the past 10 years. Such a thoroughfare, under this law, is made a public highway, and cannot be changed at the pleasure of the owner of the land which it crosses. Where such a road exists the own-er of the property that it crosses will have to regularly petition the County Court and obtain an order before he can legally change the road

Martin is whether this section of the law is constitutional in view of the funda-mental principle that private property shall not be taken for public use without due process of law and without just compensation. While the Oregon Supreme Court has not had occasion to pass upon the section quoted, it has rendered two decisions in road cases, which throw some light on the question raised. One of the most recent decisions approaching this question was rendered just a year ago in the case of C. E. Bayard against the Standard Oli Company, appealed from Wasco County. In discussing the subject of public easements the opinion written by Justice Wolverton says:

Use by the general public, under a claim of right, adversesy, and not by mere permission of the owner, for the period preactibed by the statutes as a limitation beyond which actions for the recovery of real property cannot be maintained, will establish an easement in favor of the public. But the use must be continuous and uninterrupted, and substantially by way of a certain and well-defined line of travel for the entire period.

continuously for 10 years, adversely, der claim of right, and not by permission No stock is to be sold to any one except a of the owner the road has become a public

This decision was rendered prior to the passage of the act of 1901, and therefore declares the rights that may be acquired by the public regardless of this statute, About 15 years ago the Supreme Court held that mere uses, however long con-tinued, will not be sufficient to create a right in the public. This rule was laid down in a case in which it was shown that the owner of the land maintained a gate across the road, and persons using the road opened and shut the gate when they passed over the road. Thus there was not uninterrupted uses under claim of right. The fact that the land owner maintained gates was sufficient to show that he had not made a full dedication of the road to

the public.

The statute of 1901 provides that when the public has used a road for 11 consecu tive years "without interference or pro-test," the road shall be a public highway. No reference is made to any "claim of right" on the part of the public, and there-fore if the statute stands the test of the constitutional provision, it must be upon the theory that by permitting the use of the road without interference or protest the owner of the land intends to dedicate it to the public. It will be noticed that the statute says

roads "not heretofore legally establish These words must be given some significance, and since the statute would cover all roads used for il years, without the employment of the words "not heretofore legally established," it is fair to presume that the Legislature meant this act to ap ply only to roads which have been estab-lished but which are not legal highways owing to some defect in the proceedings. It is well known that many roads have been laid out and are now in use, in pursuance of proceedings which are fatally defective. In all cases of this kind which have been taken into the courts, it has been held that after Il years' use, such roads are in fact legal highways, however defective the proceedings may have been. The Legislature, by using the words "not heretofore legally established." Indicated an intention to apply the act to roads which had been the subject of proceedings. but which still required remedial legis-lation to make them legal. The Oregon Supreme Court has held that courts will be slow to declare a road a public highway merely upon adverse uses, so it is probable that this statute would be given a construction as favorable as possible to the property-owner.
In prairie countries, where fences are

CASTORIA

The Kind You Have Always Bought

Bears the Chart Hetcher.

"ALL WRIGHT-POR MORE THAN HALP A CENTURY" MIXTURE

drive by the shortest route, thus making roads across uninciesed land. It is hardly probable that the Legislature intended to declare all such roads to be public high-ways after 11 years' use, when the public had merely taken advantage of the permission of the land owners to cross their property. As applied to roads established and used after defective proceedings, of which the land owner had notice, the statute in question would be fair and equi able, but if applied generally to all road used for Il years, it would be extremely unfair, and detrimental to the public, for if so stringent a law is to be in effect property-owners must discontinue su favors to the public. Lawyers generally take the view that the statute applies only to roads that have been established, but by defective proceedings.

A COMMON CASE. She Lived Alone Because She Would

Not Live With Her Children.

HILLSBORO, Or., Jan. 29,-(To the Ed! tor.)-Yesterday's Oregonian container a short editorial, prompted by the recen death as announced by your local correspondent at this place, of the late Mrs. Spencer. The editorial referred to reflected upon the relatives of deceased. To those who are not acquainted with the persons interested, the editorial would have no personal significance, but to the residents of this community it is evident

that the article had particular reference to the old lady Spencer, whose photo ap-pears in today's paper. In justice to her immediate relatives and to her neighbors and friends, the impression suggested by your editorial should be corrected. The facts, briefly stated, are: That the old lady persisted in "looking out for herself" and living alone, contrary to the wish of her sons and daughters. Many times the old lady was importuned by her son Oliver and daughters to live with them. This fact is not only borne out by the statements of her relatives, but by her own statement made to her neighbors but one week prior to her death. The fact is also that her son Oliver, with difficulty, could scarcely prevail upon her even to accept his hospitality at the table, and in this she refused oftener than she accepted. It is evident to those who know the facts in this case that the old indy was self-willed and that she was living according to her wont and decididly against the wishes of her children. The criticism made by the editorial referred

o, if based upon facts, would be com-nendable, but does not fit this case. W.

Cmatilla County Will Soon Know If Swine Plague Exists There.

PENDLETON, Or., Jan. 30.-Professor E. F. Pernot, of the State Agricultural College, state bacteriologist, will be asked to settle the controversy as to whether it is hog cholera or swine plague that has caused so many deaths in Umatilla County during the past few months Specimens will be sent there for microscopic examination to determine the exact nature of the malady.

Will Do Time in Penitentiary. Fred Cantonwine, the Portland boy who was arrested for stealing a kedak and vercont, was yesterday sentenced to the enitentiary for 1% years by Judge Ellia Charged With Horse-Stealing.

Tom Kane was arrested at a ranch 16 niles south of Echo today, on a charge of stealing horses in Gilliam County. He is held here, pending the arrival of offi-cers from Gilliam County. Sunday School Convention

On February 6 and 7 the Umatilla County Sunday School Association holds the annual convention in Athena. Attendance of several state workers is expected, and most of the Sunday schools of this county will be represented

Property-Owners Will Remonstrate. BAKER CITY, Jan. 20.—Meetings held by the property-owners of Front and Cen-

Colds

You first take cold, then you cough. Then you have a doctor. He says it's bronchitis, and he orders Ayer's Cherry Pectoral. It is his favorite prescription for colds and coughs. If he knows of anything better, tell him to give it to you.

"I had a very severe cough for many weeks. Nothing relieved me until I tried Ayer's Cherry Pectoral. This rapidly and entirely cured me."

J. J. Hargrave, New York City. J. C. AYER CO., Lowell, Mass.

ter streets for the purpose of considering the proposition put forth by the City Council to pave those thoroughfares with wood blocks treated with carbolineum solution resulted in a contrary sentiment. Petitions remonstrating against the pro-posed improvement have been prepared, and will be presented to the Council at the meeting next week. Center-street landholders will petition the Council to have that street surfaced with crushed rock or screened gravel, and that the curb lines be re-established the entire length of the thoroughfare,

Supreme Court Cases Set for Trial. SALEM Jan. 30.—Cases were today set for trial in the Supreme Court as fol-

February 16-The Irving Park Associaon, respondent, vs. Virginia Watson, appellant, and J. C. Altree, respondent, vs. Moseo Gregaon, appellant. February 11-F. L. Richmond, respondent, vs. Southern Pacific Company, ap-

February 12-Sol Hirsch, appellant, vs. Salem Flouring Mills Company, response

ent.
February 13-I. H. Taffe, respondent, vs. Oregon Railroad & Navigation Company, appellant, and Carl O. Johnson, respond-ent, vs. Portland Granite & Stone Com-

Northwest Pensions.

pany, appellant.

WASHINGTON, Jan. 29.-Pensions have en granted as follows: Oregon-Increase, restoration, reissue, etc.: William T. Welch, Salem, \$10; Sanford Smith, Hood River, \$10; Jeptha Hart,

Harlan, \$8. Original: Owen Hatfield, Dayton, \$8: Ezeklel Gillett, Pine, \$8: Elijah William, Giendale, \$5.
Washington-Original: Patrick Mulcahy, North Yakima, \$12; Charles E. Truax, Al powa, \$5. Increase, restoration, reissue, etc.: John W. Smith, dead, Everett, \$12; Martin L. Rowley, Trent, \$8. Original widow's, etc.: Ann J. Smith, Everett, \$8. Idaho-Original: Daniel T. Guthery,

Pioneer Found Dend in Bed. PENDLETON, Or., Jan. 30.—John Luhrs an Oregon pioneer of 1853, a native of Germany, was found dead in bed this ning at the home of his sister. Mrs. morning at the nome of me sisker, Airs. H. Stewart, of this city. He lived on Stewart Creek, 25 miles from here. Apo-plexy was the cause of his death. Mr. Lubrs retired in his usual good health, apparently, last night.

Snow Nearly All Gone at Salem. SALEM, Or., Jan. 30.—The weather has been fair in Salem today. While there was no rain predicted, the temperature has been above freezing, and snow is

Woman's ness can be complete without children; it is her nature to love Nightmare

as much so as it is to love the pure. The critical ordeal through which the expectant mother must

and want them

pass, however, is so fraught with dread, pain, suffering and danger, that the very thought of it fills her with apprehension and horror. There is no necessity for the reproduction of life to be either painful or dangerous. The use of Mother's Friend so prepares the system for the coming event that it is safely passed without any danger. This great and wonderful

applied externally, and has carried thousands remedy is always

of women through the trying crisis without suffering.

Send for free book containing information of priceless value to all expectant mothers.

The Bradfield Regulator Co., Atlanta, Ga.

The Health of a Manly Man

Why will not all men insist upon having it, when it is so easy to get and to keep. Some men are eaten alive by tape-worms, others wander hopelessly for years dying slow deaths from bowel disease.



"After taking two Cascarets, there came on the scene a very unexpected visitor in the shape of a tape-worm eighteen feet long at least, which I am sure caused my bad health for three years." Geo. W. Bowles, Baird, Miss. "After taking Cascarets I have had a natural relief without king medicine of any sort during the past two weeks. This taking medicine of any sort during and had not occurred for ly years."

- Chas. E. Penny, 601 Yates Ave., Brooklyn.

"I have been using Cascarets for stomach trouble of six years standing. I am cured and recommend them to all who need a remedy."—Bev. E. M. Chandler, Mill P. O., Mo. "Cascarets cured me of the plies, with which I had long guffered."-J. L. Wolleson, Perry, Oklahoma. "Carcareta are the only remedy I have ever used that cause fine, easy movement of the howels without impairing the metions of the stomach." - Chas. S. Campbell, Sunbury, Pa. "I used Cascarets for insomnia, with which I have been afflicted for twenty years. They gave me immediate relief,"

-Thos. Gillard, Eigln, Illinois.

"For three years I have been afflicted with diabetes. Since using Cascarets I have found great relief and feel that I must send you my personal recommendation."

—C. H. Lyman, 812 West Ave., Buffalo, N. Y.

"I have given Cascaretr a thorough trial in an obstinate case of constituation at a time when piles were forming. It yielded nicely to the treatment."

T. Dale Givan, M. D., Nixa, Mo. "Cascarets cured me of flux of long standing.

They are worth their weight in diamonds."

— Leopold Kahn, Wapakoneta, Ohio.

Business as well as social life of today is one of strain and effort, and the struggle for existence in competition makes life a fight day in day out, in which care of body, nerves, blood is more or less neglected. Men wonder what's wrong with them. No man can stand such unnatural conditions unless he counteracts them by using Cascarets Candy Cathartic, causing regularity of body in spite of irregularity of habits. A man who "feels bad" should take Cascarets, find out what's wrong and be cured.

Best for the Bowels. All druggists, ioc. 25c, 5oc. Never sold in bulk. The genuine tablet stamped C C C. Guaranteed to cure or your money back. Sample and booklet free. Address
Sterling Remedy Company, Chicago or New York.

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