SUPREME COURT OPINIONS

THE LAW INTERPRETED AS TO VALIDITY OF WILLS.

Suit Over Logs From Douglas County Adjudicated—Three Decisions Given.

SALEM, Or., Feb. 17.—Three appealed cases were decided by the Supreme Court today. The principal rules of law laid down are as follows:

When a testator has seen the witnesses attest his will, and knows that they subscribed it in that capacity, and when he has made no objection thereto, the instrument is properly executed.

The appointment of a guardian of a person alleged to be non compos mentis, by a court of competent jurisdiction, must necessarily create a presumption of the mental infirmity of the ward, but such presumption may be overcome by evidence showing that the ward was in fact of sound and disposing mind when he made a will on the same day.

If a testator, at the time he executes a will, understands the business in which he is engaged, and has a knowledge of his property and how he wishes to dispose of it among those entitled to his bounty, he possesses sufficient testamentary capacity, notwithstanding his old age, sickness, debility of body, or extreme distress.

Where a case is referred to a referee to take the testimony and report findings, it is his duty to find upon all the material issues, and upon a failure to do this the report should be set aside.

Andrew J. Ames, respondant, vs. Mary E. Ames, appellant, from Linn County, R. P. Boise, Judge, affirmed; opinion by Justice Moore.

This was a controversy respecting the probate of an alleged will. Andrew J. Ames filed a petition in the County Court of Linn County, showing that Lowell Ames, his brother, died in said county, April 16, 1899, being at the time a resident thereof and having an estate of the probable value of $2500; that he left a will in which he named Andrew and Joseph Ames, his brothers, as executors, that the testator was over 21 years of age, of sound and disposing mind and memory; that he left as his only heir, his widow, Mary E. Ames. The will was executed January 30, 1899, and by its terms the testator bequeathed to his niece, Anna Ames, the sum of $500; to Andrew J. Ames, the undivided half of his real property, or in case he should not die seized thereof, the sum of $1000; and to Joseph Ames the remainder of his property. No provision whatever was made for his wife. The widow contested the will, alleging that her husband was not capable of making a will; that undue influence had been used, and that the will was not properly witnessed. The County Court decided the case in favor of the widow, setting the will aside. The case was taken to the Circuit Court, where Judge Boise reversed the County Court, upheld the will, and ordered that the executors be appointed as nominated. The case was then appealed to the Supreme Court.

The evidence shows that in January, 1899, George Knable, a son of Ames' wife by a former husband, charged Ames with a heinous crime and demanded money for himself and property for his mother, as a condition of his not starting a criminal prosecution. As Ames became afraid of his stepson he had a guardian appointed for himself so that he could not be driven into disposing of his property as demanded. On the same day his attorney advised him to make his will, and he did so, prior to having a guardian appointed. The terms of the will were outlined by Lowell Ames to N. M. Newport, who drew the will and read it to Ames in the presence of the witnesses. Ames then signed the will in the presence of both witnesses, and it was then signed by both witnesses in his presence and in the presence of each other.

The Supreme Court holds, after a review of the evidence that the testator was competent to make the will; that no undue influence was used by the brothers; and that the will was properly witnessed.

B. B. Sutton, respondent, vs. W. B. Clarke and J. L. Baker, appellant, from Douglas County, J. W. Hamilton, Judge, reversed; opinion by Chief Justice Bean.

This suit was brought for the purpose of recovering pay for certain logs alleged to have been sold by plaintiff to the firm of Clark & Baker. The defendants set up the defense that they were given a term of credit which had not yet expired, and also set up a counter claim of damages for breach of a contract for the delivery of logs. By stipulation, the cause was referred and the referee in due time made his findings, which were in favor of plaintiff for $208 16. A motion was made by defendants to set aside the report, on the ground that the referee did not find on all the material issues. This motion was overruled, and judgment rendered for plaintiff, from which defendant appealed.

The Supreme Court says that two questions were presented by the proceedings—whether the money was due on logs delivered by plaintiff, at the time the action was commenced, and what amount of damages, if any, were sustained by the breach of contract alleged by defendant.

"The referee seems to have deemed it unnecessary to find upon the question of damages," says the opinion, "because performance of the contract was waived, or because such performance was impossible for want of sufficient water to float the logs to mill. But these matters are not pleaded as a defense to the counter claim nor as an excuse for failure to perform. They were both, therefore, immaterial questions, under the pleadings, and could not properly form the basis of a judgment. It is the duty of a referee, in a case of this kind, to find upon all the material issues made by the pleadings, and for a failure to do so the motion to set aside the report should have been allowed."

Fannie E. Hindman, respondent, vs. S. M. W. Hindman, appellant, from Linn County, R. P. Boise, Judge, affirmed; opinion per curiam.

The opinion says: "This is a suit for a divorce on the ground of cruel and inhuman treatment. No questions of law are involved in the case. An examination of the record has satisfied us that the decree should be affirmed, and it is so ordered."

Lydia Willis, appellant, vs. Jeanette Booth, administratrix, respondent, in matter of will of Verona Wichser Booth, deceased; rehearing denied.

J. O. Hanthorn, respondent, vs. James Quinn, appellant; appellant allowed until April 1 to file brief and respondent 30 days thereafter to file reply brief.

Brentano vs. Brentano; motion to strike out supplemental brief overruled.

SUIT FOR DAMAGES.

Sum of $5000 Demanded From Railroad Company.

ASTORIA, Or., Feb. 17.—The February term of the Circuit Court was convened today and will be in session for some time, as there are a large number of civil and criminal cases on the docket. The case of Mrs. Ella Scott, administratrix, vs. the Astoria & Columbia River Railroad Company is set for retrial before a jury, on next Thursday. The suit is to recover $5000 damages for the death of Engineer W. M. Scott, who was killed in a wreck near Bugby's Hole, on the evening of January 12, 1900. The first trial was held in the September term and the jury failed to agree.

A suit was filed in the Circuit Court today by the Herald Union Publishing Company against County Judge J. B. Gray, Commissioner Chris Peterson and Andrew Young and County Clerk Wherity. The suit is to restrain the defendants from making any contracts for county printing until the matter is passed upon by the court. The plaintiff asks for $100 damages because the contract was not awarded to it. The complaint alleges that the plaintiff filed a list of subscribers as required by law, and also submitted the lowest bid.

The Alaska Fishermen's Packing Company at a meeting several months ago increased its capital stock from $70,000 to $200,000, and the original stockholders in the company were allowed until the 15 of the present month to purchase additional shares if they desired. At that time 145 shares of the new issue, representing a value of $72,500 had been sold.

The steamer Vanguard brought down from Cathlamet this morning three tons of steelheads for the local cold storage plants. The run of steelheads in that vicinity is increasing and there are considerable chinooks caught. The price of steelheads there is 5½ cents per pound, and chinooks 5 cents per pound.

The funeral of the late Captain J. T. Rustad, who was killed on Saturday evening, was held this afternoon and the interment was in Greenwood cemetery. The funeral was under the auspices of the Masons.

A gray eagle, measuring 7 feet 2 inches from tip to tip, was shot this morning at Smith's Point, within the city limits, by Jacob Millereek.

Captain Kennedy, of the British steamship Pembrokeshire, was able to be about the streets today with the aid of a cane. He is very badly bruised about the right side and thigh, but will be fully able to take command of his vessel when she goes to sea.

JURY IS MADE UP.

Trial of Humphrey, Warehouseman, Will Proceed Today.

SALEM, Or., Feb. 17.—The trial of A. M. Humphrey, on the charge of violating the grain warehouse law, was commenced today. A few days ago Humphrey filed an affidavit for a change of the place of trial, alleging that because of the prejudice of the people against him it would be impossible for him to get a fair and impartial jury here. At the commencement of the trial, however, 12 jurymen satisfactory to both sides were secured without going outside the regular panel. The trial will continue tomorrow.

C. F. Keller addressed about 70 citizens of Salem at W. C. T. U. Hall this evening on the doctrines of Socialism. He will speak again tomorrow night.

Judge J. F. Caples, of Portland, was in Salem today and will appear before Governor Geer tomorrow to intercede for the pardon of E. D. Horner, who is serving a sentence for forgery in Lane County.

It was learned today that George Rayne will in the near future erect a two-story business block on his property on State street, between Commercial and Liberty. This will be a very valuable improvement in a part of the city that has been long neglected.

PENSIONS GRANTED.

Awards to War Veterans in Oregon, Washington and Idaho.

WASHINGTON, Feb. 17.—Pensions have been granted as follows:

Oregon—Original—Levi J. Shaner, Hardman, $6; John Cruthers, Eugene, $6; Douglas A. Morris, Sylvan, $6; Thomas J. Warmoth, Brownsville, $6. Increase, restoration, reissue, etc.—Albert K. Olds, Portland, $6; James S. Stark, Huntington, $10; William K. Hicks, Woodburn, $12; Charles Bohn, Hubbard, $8; Orrin S. Allen, Beaverton, $12; Joseph Anson, Island City, $16; George S. Munn, Salem, $10; Jacob J. Endicott, Myrtle Point, $12. Mexican war, Silas Hawk, Medford, $12; George Friederich Binnicker, Canyon City, $12. Renewal, widows, etc.—Catherine Blair, $12.

Washington—Original—George N. Mott, Seattle, $6; war with Spain, Nathan Jetmore, Vancouver Barracks, $6; Albert Henry, Spokane, $10; Edward T. McClanahan, Palouse, $6; David G. LeSourd, Tacoma, $8; James M. White, Spokane, $8; war with Spain, John C. Burnett, Tacoma, $6; Walter Wilber, Northport, $6; William L. Wilkin, Seattle, $12. Increase, restoration, reissue etc.—William D. Myers, Spokane, $35; Andrew J. Stark, New Whatcom, $10; Joseph B. Long, Wayside, $12. Original widows, etc.—Hannah M. Griffith, Everson, $8; Mary A. Vanskike, Blaine, $8; Martha Currington, Black Diamond, $8; Mary E. Brown Spokane, $8; Ernestine Deutsch, Anacortes, $8.

Idaho—Original—John Mayze Laclede, $6. Increase, restoration, reissue, etc.—James Wolfenberger, Troy, $8; Robert L. Jimerson, Payette, $8.

DAM WASHED OUT.

It Furnished Power for Roller Mills at Monroe.

MONROE Or., Feb. 17.—The mill dam across the Long Tom River at this place was broken by high water Saturday. This dam furnished power for the large roller mills here, and the break will cause a tie-up of the mills for some time. Reconstruction of the dam will not be possible before low water.

The recent freeze did not damage crops in this locality. The fine weather of the past few days has caused grass to grow, and the buds of many kinds of early foliage are already bursting. Hazel brush is in full bloom.

The price of land in general is advancing in this section of the state. Farms which a few years ago could have been purchased at $10 per acre are now held at $20 to $25 an acre. Many new families are seeking homes here.

Dick Fruit, a member of the senior class of the Oregon Agricultural College, is lying at the point of death at the home of his uncle, Byron Woolridge, four miles west of Monroe. Consumption is the cause. The sufferer is a popular young man.

BROKE JAIL AND ESCAPED.

Two Prisoners at Jacksonville, Who Were Held for Robbery.

JACKSONVILLE, Or., Feb. 17.—Thomas Tetherstone and M. M. Reed broke jail last night, and are at large. They robbed J. Nunan's store recently, and were held to answer to the Circuit Court in bonds of $500 each, and in default of which they were committed to jail. How they got out the Pauley cells no one knows, but the cells were open this morning. They escaped from the main building by tearing away a section of the corrugated iron ceiling. The Sheriff has offered $300 reward for their capture, and a number of citizens are out in pursuit. There is no clew to the direction the culprits took. Two other prisoners were in jail, but they did not try to escape.

PRIZES FOR GOATS.

Exhibition Will Be Held at Dallas Next Thursday and Friday.

DALLAS, Feb. 17.—An Angora goat show will be held here next Thursday and Friday. It will be the third annual exhibition of the Polk County Mohair Association. Diplomas will be given to prize-winners. No entrance fee will be charged for competition, and feed will be furnished to exhibitors free. Two grades of goats are eligible for entry, thoroughbreds in the one class and all other kinds in the second. Fifty-two prizes will be awarded, 26 in each class. Free space will be given to those persons who desire to exhibit sheep or poultry.

LARGE DEAL IN MINES

RED BOY AND CONCORD PROPERTIES UNITED.

In Granite District, Eastern Oregon—Paid-Up Stock, $3,000,000—None on the Market.

BAKER CITY, Or., Feb. 17.—The greatest mining deal in the history of Eastern Oregon was closed here today. The noted Red Boy and Concord mines, of the Granite district, were consolidated The consolidation was perfected by the incorporation of the Red Boy Consolidated Gold Mines Company, under the laws of West Virginia. Notice of the filing of the incorporation papers on February 13 was received from the Secretary of State of West Virginia today. The incorporators are:

E. J. Godfrey, of Portland; Clark Taber, of Granite; J. H. Robbins, of Sumpter; James A. Howard, of Pendleton; C. A. Johns, of Baker City; and N. C. Richards, of Sumpter.

The capital stock is $3,000,000, with a par value of $1 per share. The powers of the corporation are extensive. The stock is divided into common and preferred, and a dividend of 3 per cent is guaranteed on the preferred stock annually, after which the common stock shall receive a dividend of 3 per cent, and out of any surplus remaining both stocks shall receive equal dividends. The stock is all paid up, none having been placed on the market.

Oregon Mining Stock Exchange.

PORTLAND, Feb. 17.

Yesterday's quotations were:

	Bid.	Asked.
Alaska M. & M.	9¾	11¾
Adams Mountain	2¾	6
Astoria-Melbourne (Gtd.)		50
Bronze Monarch	17¾	18½
Caribou	2½	5
Copperopolis	20	1 00
Crystal Consolidated	14¾	17
Chicago	7¾	8
Cascade Calumet	2¾	3½
Gold Hill & Bohemia	3¾	20
Hunolan	3¾	8
Lost Horse	2¾	3½
Oregon-Colorado M. M. & D.	24½	28
Riverside	¾	½
Sumpter Consolidated	2¾	3¾
Sweden Copper (Gtd.)	87½	90
Winnipeg (Ltd.)	9¾	12

Sales:	Price.
1000 Bronze Monarch	17½
2000 Crystal Consolidated	15
2000 Cascade Calumet	3
100 Sweden Copper	87½

SPOKANE, Feb. 17.—The closing quotations of mining stocks today were:

	Bid.	Ask.		Bid.	Ask.
Amer. Boy	7	9	Morn. Glory	3¾	3½
Blacktail	12½	13	Morrison	2	3¼
Butte & Bos.	2	3	Prin. Maud	3½	3¾
Ben Hur	13½	16	Quilp	31	
Deer Trail	2	2½	Lamb. Car	80	84½
Fish'maiden	5½	6¼	Republic	8	8¾
Gold Ledge	1¾	2	Reservation		2¾
I. X. L.	8½	9	Sullivan	3	3½
L. Dreyfus	1½	2¾	Tom Thumb	23	23½
Mtn. Lion	32½	33	Trade Dollar	7½	9

SAN FRANCISCO, Feb. 17.—Official closing quotations of mining stocks:

Belcher	$0 04	Occidental Con	$0 09
Best & Belcher	25	Ophir	95
Chollonia	2	Overman	7
Challenge Con	10	Potosi	11
Choller	10	Savage	8
Confidence	58	Sierra Nevada	12
Con. Cal. & Va.	1 25	Silver Hill	67
Crown Point	6	Standard	3 15
Gould & Curry	13	Union Con	21
Hale & Norcross	31	Utah Con	17
Justice	10	Yellow Jacket	17
Mexican	35		

NEW YORK, Feb. 17.—Mining stocks today closed as follows:

Adams Con	$0 20	Little Chief	$0 12
Alice	45	Ontario	6 75
Breese	65	Ophir	99
Brunswick Con	9	Phoenix	6
Comstock Tunnel	5	Potosi	10
Con. Cal. & Va.	1 25	Savage	8
Deadwood Terra	50	Sierra Nevada	12
Horn Silver	1 40	Small Hopes	30
Iron Silver	64	Standard	3 00
Leadville Con	31		

BOSTON, Feb. 17.—Closing quotations:

Adventure	$ 20	Old Dominion	$ 21 50
Allouez	3	Osceola	77 50
Amalgamated	71	Parrott	35 25
Baltic	39	Quincy	140 00
Bingham	22	Tamarack	252 00
Cal. & Hecla	624	Trimountain	73 00
Centennial	14	Trinity	12 50
Copper Range	59	United States	18 00
Dominion Coal	73	Utah	24 25
Franklin	13	Victoria	5 00
Isle Royale	21	Winona	11 50
Mohawk	34	Wolverines	50 50

UP AGAINST UNCLE SAM.

Attorney at San Francisco Charged With Fraudulent Use of Mails.

SAN FRANCISCO, Feb. 17.—C. R. Mains, an attorney, was arrested by the United States Marshal today and charged with having used the United States Mails for fraudulent purposes. At his own request he was taken before Commissioner Heacock immediately and his hearing was set for Wednesday afternoon at 2 o'clock, with bail at $1500.

It is alleged that Mains has been representing himself as the Western representative and attorney of the American & European Fuel Mining & Transportation Syndicate, and also a representative of the American & London Safety Deposit Surety & Investment Company. "The combined capital" of these syndicates in the pamphlets and on the letterheads used by Mains is placed at "$4,000,000,000." Mains sent literature relative to the plans and objects of the fuel syndicate broadcast throughout the United States. Among those who answered him was a Dr. Charles E. Bennett, of Wauson, O. While the doctor thought well of the scheme, he had the discretion to inquire of the postal authorities what the standing of Mains might be.

Investigation revealed Mains' record, and his arrest followed. Mains also informed Bennett that he had $25,000,000 of bond-secured paper to dispose of, and $1,333,000 subject to his order here in San Francisco. W. Scott Gifford is represented in the prospectus as the "actuary" of the company. A warrant has been issued for his arrest. Mains is said to be an Eastern lawyer, admitted to practice at Battle Creek, Mich.

Well Known at Detroit.

DETROIT, Feb. 17.—C. R. Mains, who was arrested today at San Francisco by the United States Marshal, was the central figure in a sensation which stirred the whole state about two years ago. Mains at that time was one of the most prominent attorneys in Battle Creek Mich., and was arrested on a charge of conspiracy to kill. This conspiracy, it was alleged at the time, was against the life of S. F. Hurlbut, an attorney of that place, who had brought charges of perjury against Mains. It was alleged that Mains hired a man by the name of "Mollie" Maguire to sandbag Hurlbut and bring him in an insensible condition to a place where Mains was waiting, and where he expected to revive Hurlbut, and, by threats of death, compel him to sign a statement exonerating Mains from the charge of perjury. "Mollie" Maguire was arrested, and confessed the part he was to have taken in the alleged conspiracy. Mains was acquitted of the conspiracy charge, but afterward was disbarred by the Michigan Supreme Court.

THE PENDLETON DISPUTE.

The Court Denies One Injunction and Sustains Another.

PENDLETON, Or., Feb. 17.—Judge Ellis handed down an opinion in the city injunction cases this afternoon. He ruled partly for the one and partly for the other side in the controversy. He sustained a demurrer of Mayor Halley and Councilmen Clopton, Johnson, Wells and Dickson against an injunction brought by Marshal Heathman and Recorder Beam, but sustained an injunction against Lane and Frazier, who were elected by these four Councilmen and the Mayor to take the places of the old officers.

The Judge held that there was not sufficient ground in the complaint for an injunction against the Mayor and the four Councilmen, but sustained the injunction against Lane and Frazier in so far as they might interfere with the old officers in carrying out their duties. Plaintiff has until tomorrow to decide whether to file an amended complaint.

A Variety of Arrests.

John Tharp, arrested last week for horse stealing, was today held to the Circuit Court in $500 bonds. He was also arrested charged with "endeavoring to incite Pearl Smith to perjury" in swearing falsely in Tharp's favor. He was held in $250 bonds for this offense. Smith was arrested on a charge of accepting a bribe of $100 to swear falsely for Tharp. He is in jail.

KILLED BY EXPLOSION.

Water Coming in Contact With Molten Metal Causes Death of Man.

EVERETT, Wash., Feb. 17.—James Perrit, a laborer at the Puget Sound Reduction Company's plant, was instantly killed last night by the explosion of molten metal into which water was accidentally introduced. Perrit was a member of the Catholic Foresters. He left a wife.

Killed by a Slide.

Two Japanese section hands were killed by a slide on the railroad near Edmunds today while working to clear the tracks of a succession of slides blocking the line from Everett to Interbay.

Jail-Break Frustrated.

Sheriff Zimmerman's deputies frustrated an attempted jail-break in the county jail yesterday. Two prisoners held pending an appeal on seven years' sentences for highway robbery cut through the iron plate of the floor and would have liberated 34 convicts had they not been discovered in the nick of time. They used a file, a saw and a chisel, which had been smuggled in.

High water in the Stillaguamish River carried away 100 feet of the wing dam at Arlington.

WILL SOON BE FINISHED.

Irrigation Ditch Near Medford Will Be 65 Miles Long.

MEDFORD, Feb. 17.—The Fish Lake irrigation ditch will be completed by the first of May. The ditch starts at a point on Little Butte Creek, about 20 miles north of Medford. The most difficult part of the work is now completed. The two largest rock cuts have been finished, the first being 2000 feet in length and the second 800 feet in length. A ditch five feet in depth has been blasted through these rocks. The ditch is 65 miles long. The flume across the South Fork of Little Butte is practically completed, and the Lake Creek flume is well advanced. A new lumber contract has been made, and 2000 feet a day is being sawed for the company. All team work is completed, and the company stock has been placed in Winter quarters. If the good weather continues about 45 days more will be required to complete all of the work and supply Rogue River Valley with water for power and irrigation purposes.

DEATH ON A TRESTLE.

Southern Pacific Train Struck a Man Near Turner—He Died Soon After.

SALEM, Or., Feb. 17.—George Greenbalge, a farmer residing near Turner, was killed by a Southern Pacific train near that place yesterday afternoon. Greenbalge was crossing a trestle. He crouched down on the ends of the bridge timbers so as to be in a place of safety, but just as the train reached him he raised up to drag his dog off the track. The cars struck him, knocking him off the bridge into the creek. He died within a short time after the accident. He is a widower and left no family.

IN PORTLAND TODAY.

Governor McBride Left Walla Walla Last Night.

WALLA WALLA, Wash., Feb. 17.—Governor McBride and Messrs. Lister, Reed and Neal, of the State Board of Control, completed their examination of the penitentiary today and found things fairly satisfactory. They left for Portland tonight, en route to Vancouver. No announcement of appointments or changes in the penitentiary officials has been made. Politicians of all grades and factions interviewed the Governor. He listened patiently and said remarkably little.

ROBBERIES AT LONG BEACH.

Seventeen Houses Ransacked—Burglars Are in Jail.

ILWACO, Wash., Feb. 17.—Seventeen houses on Long Beach, belonging to Portland people who spend their Summers at the seaside, have recently been ransacked by burglars. The thieves have been arrested, and are now in jail. It is not believed that anything of great value was stolen.

NORTHWEST DEAD.

Charles Welch.

SALEM, Or., Feb. 17.—Charles Welch died at his home in this city tonight, aged 81 years. Deceased was born in Richland County, Ohio. He moved to Indiana when 4 years old, and lived there until 1891, when he came to Salem. In 1857 he married Hannah E. Adair. He was a lifelong member of the Presbyterian church, and an elder for over 50 years. He left the following-named children, all grown and residing in Salem: Mrs. Flora A. McCoy and Ella L., Olive B., Annora M. and Frank A., William H. and Arthur D. Welch. The funeral will be conducted Wednesday morning at 10 o'clock, Rev. A. H. Ketchum, of the Presbyterian Church, officiating.

Mr. Welch was a member of the Odd Fellows' lodge and encampment. These orders will conduct general services at the grave.

Walter W. Murphy.

SALEM, Or., Feb. 17.—Walter W. Murphy, aged 49 years, died at his home on Howell Prairie yesterday afternoon.

Polk County Brevities.

DALLAS, Feb. 17. — Saturday evening Louis Butler and Lee Walton were committed to the county jail for assault and battery in West Salem, Polk County.

The second basket-ball team of Dallas College played the Dixie team Saturday night. The score was 16 to 15, in favor of Dallas.

The Polk County Republican Central Committee, M. D. Ellis, chairman, will meet in Dallas March 1.

Sheriff J. G. Van Orsdale's second term expires at the coming election. This fact is producing a great crop of candidates for the office.

The teachers' examination for this county last week resulted as follows: First-grade certificates: Miss Abbie G. Wetkal and C. G. Graham, of Falls City; second grade, Miss Myrtle Gardner, Buell; C. E. Mulkey and Miss Edith Houk, Lewisville; B. F. Merrill, Independence; third grade, Ivy G. Burton, Independence; Winifred Arant, Monmouth, and Dora Roy and W. J. Starr, Dallas.

Work of Salmon Hatcheries.

OREGON CITY, Feb. 17.—J. Nelson Wisner, Jr., field superintendent, United States Commission of Fish and Fisheries arrived last night from Southern Washington and Oregon districts. He has established headquarters at Oregon City. Five hundred thousand more whitefish fry have recently been planted in Lake Sequalitchew, Pierce County, Washington, and today Messenger Leighton Kelly was dispatched with another 250,000 for the same place. It is yet too early to note results of those planted last year.

The commission is again taking up the hatching of steelheads in this vicinity. Heretofore attempts to take these eggs here in the Willamette near the falls have been unsuccessful, owing to the warmth of the water and the difficulty of preserving them.

New Creamery Will Begin Work.

OREGON CITY, Feb. 17.—The Clear Creek Creamery, at Stone, about eight miles from Oregon City, which was incorporated a year ago, will be ready to start up March 1. The creamery is the only one in this section of Clackamas County. The milk will be secured from 350 cows, owned by 55 co-operative stockholders. The plant is to be run on the hand-separating and cream-gathering process. Each stockholder will have a separator and the cream will be collected from each route, one through Redland and Viola and one through the Eagle Creek and Currinsville districts.

Arrested on Suspicion.

VANCOUVER, B. C., Feb. 17.—The man suspected of being Kauffman, the alleged murderer of a San Francisco policeman, was arrested here today, but he does not tally with the description sent from San Francisco. The suspect, who gives his name as Frank Arnold, of Syracuse, N. Y., is the supposed murderer who has been traced up the Coast to various points. His height is 6 feet 2½ inches, but he weighs only 150 pounds, and is four inches taller and 100 pounds lighter than the man wanted. He says he is 23 years old, and he looks that age. He has a crippled right hand and wrist.

Smallpox Makes a Panic.

WALLA WALLA, Feb. 17.—Smallpox has broken out at Riverside, a station 20 miles from this city, on the line of the Washington & Columbia River Railway. Mrs. A. L. Lindsey, wife of a fireman on an engine engaged in construction work, has been taken down, and a rigid quarantine was established yesterday. At Riverside a gang of men is employed in filling in a large trestle, and a locomotive is used in the work of shunting cars. The appearance of smallpox nearly caused a panic in the camp.

New Teachers in Douglas County.

ROSEBURG, Feb. 17.—The successful applicants for teachers' certificates were announced today. There were five successful candidates for state papers, as follows: Milton Germond, Wilfred Brown, Mary Hefty, Ethel Putnam, Lulu Tidd. For county papers there were 20 successful applicants, 10 of them women. Twelve applicants for county papers failed to pass.

Large Ore Deposit Opened.

BOISE, Idaho, Feb. 17.—News has been received under date of February 2 from the foreman of the Gold Ridge Company at Thunder Mountain, announcing that a tunnel being run on the Fairview No. 3 has opened a great ore deposit. He does not give values, but says that the ore pans well in free gold, and that it is similar to that in the Dewey property, two miles east.

HAWAIIANS WILL PROTEST

Mass Meeting to Take Action on Bill of Wilcox in Congress.

HONOLULU, Feb. 9, via San Francisco, Feb. 17.—A mass meeting was held last night under the auspices of the Republican Territorial Central Committee to protest against the bill recently introduced in Congress by Delegate Wilcox providing for the establishment of a National lazaretto at Molokai. The meeting was largely attended, representatives from commercial interests and various prominent people being present. The greatest interest was taken in the proceedings by natives, several of their leaders being heard in opposition to the measure.

It is understood that the Home Rule party's executive committee will send their version of the present political quarrels to President Roosevelt, in order to offset any adverse report which might be made by Senator George R. Carter, who leaves Tuesday for Washington. It is stated that they will forward resolutions of the same character to the joint resolution passed by the last Legislature, which demands the removal of Governor Dole.

Edward M. Griffith, of the Forestry Bureau, who has been here several weeks on a special mission of inspection, will leave February 14 on the China for Manila, as he is to engage in similar work in the Philippines. He will recommend the appointment by the department of forest rangers, and the establishment of a forestry bureau in the Hawaiian Islands.

The transport Thomas arrived this morning from San Francisco after an uneventful voyage. She will sail for Guam and Manila February 11.

DUMONT NOT DISCOURAGED.

Orders a New Motor, and Will Try Again to Cross Mediterranean.

NEW YORK, Feb. 17.—M. Santos-Dumont is already at work preparing his plans for the rebuilding of his airship, wrecked on his last attempt to cross the Mediterranean, says a Journal and American dispatch from Monaco. Efforts to grapple his motor, the sinking of which was the most serious loss of the disastrous attempt, have all failed, and he has ordered a new and more powerful one. That he will ultimately cross the sea is regarded here as a certainty, for only his death will stop him. Though he was near to death from drowning, from being smothered in the silken folds of his collapsed balloon, and from being burned to death by the igniting of the oil he uses for fuel, his peril seems to have have made the least possible impression on him. The peril to which he was exposed and the narrowness of his escape he dismisses with a shrug of his shoulders, but on the subject of the loss of his motor and the delay in his plans caused by that misfortune he is desperately eloquent.

Education in the South.

MILWAUKEE, Wis., Feb. 17.—Professor O. F. Hillyer, professor of biblical language at the Atlanta Theological Seminary, in an address at Plymouth Congregational Church, made the statement that there are twice the facilities for the education of the negroes in the South to that for the whites. The latter, Mr. Hillyer said, had been neglected, and it was to the advantage of good citizenship that attention be made to this phase of development in the South. Professor Hillyer has come North for a three months' leave of absence, to arouse interest in the poor whites of the South. He says the greatest problem in the educational and religious work in the South is to secure men for the work. If 100 churches were to be organized there today, he said there would be no men for pastors.

For Self-Supporting Rectors.

NEW YORK, Feb. 17.—To establish an order of Paulist Fathers among the clergy of the Protestant Episcopal Church is the latest proposition of some of the members of that body. The subject emanates from the Middle West. The idea of the advocates of the scheme is to have rectors of small parishes engage in some other business which would support them permanently, regardless of the inability of the parish to pay them salaries. The originator of the plan is the Rev. Conrad R. Birnbach, of Pittsfield, Ill., formerly of Hammonton, N. J. He says:

"The population of this country respects us where we are known. But in most places we are still unknown, or, what is worse, mistakenly known as a cranky set of people. Matters have been made much worse in the case of small parishes, which tenaciously stick to their privilege of calling their 'preachers' from everywhere, the further the better. On account of this evil, the church is in small places usually represented by that floating class of clergymen who are always looking for something better."

Black Hair

For 50 years Ayer's Hair Vigor has been restoring color to gray hair. It never fails to do this work, either. Besides this, it keeps the scalp clean and healthy, stops falling of the hair, and makes the hair grow thick and long It's a regular hair-food.

"Ayer's Hair Vigor keeps my scalp clean and healthy. It stopped the falling of my hair, also, and made it grow nicely. I receive many compliment for my beautiful head of hair."

Mrs. L. E. Stevens, Cle Elum, Wash

$1. All druggists. J. C. AYER CO., Lowell, Mass

Bold Safe Robbery.

NORTHAMPTON, Mass., Feb. 17.—Five men early today overpowered the watchman in the street railway company's office, blew open the two safes, secured $300 in cash, $300 in checks and escaped.

A HERO

Of the Spanish-American War Has Been Cured by Duffy's Pure Malt Whiskey.

SERGT. JAMES J. WARD.

Sergt. Ward, Co. C, 71st Va., stationed at Newport News, Va., returned from the Spanish-American war broken down in health from exposure and the hardships of the tropical climate. His doctor prescribed Duffy's Pure Malt Whiskey. After he had been using it for two months he said he had fully recovered his robust health and cleaned his system of all fever and other disease germs. He was troubled with indigestion and it cured him. He cannot say too much in favor of Duffy's Pure Malt Whiskey and what it has done for him.

Many of our brave soldiers returned sick and broken down just as Sergt. Ward did, and have been restored to perfect health by Duffy's Pure Malt Whiskey. It is a blessing to the thousands who need a body builder; it rids the system of all disease germs, and it aids digestion, stimulates the blood and is a food for body and brain. If you feel tired and worn out just try Duffy's Pure Malt Whiskey. We

will guarantee that inside of two weeks you will feel so much better that you will say it is the best medicine in the world. Do not fill your system with harmful drugs. Doctors prescribe and hospitals use Duffy's Pure Malt Whiskey whenever an absolutely pure alcoholic stimulant and tonic are required. Write Duffy Malt Whiskey Co., Rochester, N. Y., for free advice and free medical booklet. All druggists and grocers sell Duffy's Pure Malt Whiskey; $1 a bottle. Be careful and see that you get the genuine; look for the trade-mark and name on the bottle, and see that the seal on the cork is unbroken. Refuse substitutes; they are injurious.

Distinguished everywhere for Delicacy of Flavour, Superior Quality, and Highly Nutritive Properties.

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FALLING HAIR

FINALLY BALDNESS

Destroy the cause, you remove the effect.

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THE MODERN APPLIANCE.—A positive way to perfect manhood. The VACUUM TREATMENT cures you without medicine of all nervous or diseases of the generative organs, such as lost manhood, exhaustive drains, varicocele, impotency, etc. Men are quickly restored to perfect health and strength. Write for circulars. Correspondence confidential. THE HEALTH APPLIANCE CO., room 47-49 Safe Deposit building, Seattle, Wash.

Sore throat and lungs chest pains

Pains in the throat and chest are liable to be serious pains. When inflammation gets into the throat or chest you want to get it out as quickly as you can, for they are the tender organs of the body and it does not take disease long to get a foothold that will cause you endless misery and perhaps death.

Bronchitis, pleurisy, asthma, trachitis are all represented by pains in the throat and chest, and what is good for one is good for the others, and Dr. Halpruner's Pain Remover is the right medicine to give you the relief and cure you ought to have.

The way to use it is to rub the Pain Remover in from the outside and then take from ½ to 1 teaspoonful in a wine glass of water internally. This starts up a vigorous circulation of the blood, which puts the inflammation out like water puts out fire. It is a wonderful medicine; it softens, loosens, heals, allays and removes inflammation and brings quick relief when others fail. You ought to have a bottle of this wonderful medicine in the house, there is no telling how quickly you will need it during this changeable weather. All druggists, 50c and $1 — but demand the genuine

San Francisco, Cal.

I am now having a friend of mine in Los Angeles use your Wonderful Pain Remover for the consumption. He has had the consumption bad for quite a while and you would be perfectly surprised to see the improvement in his condition since he commenced to use this medicine. I have no doubt whatever that it will cure him permanently and entirely, and he himself has already admitted this great improvement in his