SUPREME COURT OPINIONS

THREE AFFIRMING DECISIONS ARE HANDED DOWN.

Counsel May "Comment Upon Evidence and Draw Legitimate Inference Therefrom."

SALEM, Or., March 31.—The Supreme Court today handed down four affirming decisions. The principal case was that of Huber vs. Miller, which attracted wide attention in Portland about two years ago because of the fraud alleged and the strong language used by Attorney Henry E. McGinn in denouncing the alleged conspirators. The principal points of law involved in the cases are as follows:

It is the privilege of counsel to comment upon the evidence, and to draw all legitimate inferences therefrom.

Where there is testimony from which the jury can fairly and legitimately infer the fact in issue, the jury are to determine the matter.

A County Court may give a guardian credit for money spent without its order, for the necessary maintenance of the minor child.

Uplands lying between a meander line and the line of a stream belong to the man who owns to the meander line.

J. M. Huber, respondent, vs. C. W. Miller, appellant, from Multnomah County, Arthur L. Frazer, Judge; affirmed. Opinion by Justice Wolverton.

This was an action to recover money alleged to have been loaned to defendant by plaintiff. The complaint contained two counts. By the first it was alleged that the plaintiff, on September 7, 1892, at the instance of defendant, advanced and loaned to him $1000, which defendant agreed to repay in six months, with interest at the rate of 10 per cent per annum, of which $375 as interest had been paid. By the second count, it is alleged that plaintiff advanced to defendant $1000 on October 14, 1892, which defendant agreed to repay in one year, with interest at 10 per cent per annum, and that no part of the principal had been paid, and but $145 interest. The answer consisted of denials only. Trial was had before a jury, resulting in a verdict for plaintiff, and defendant appealed.

On the appeal defendant asked a reversal on three grounds—that attorney for plaintiff was allowed in his argument to go outside of the evidence and to resort to personal invective and abuse; that the court erred in overruling a motion for a nonsuit, and that the court erred in overruling a motion to direct a verdict.

The plaintiff averred that he loaned the money to C. W. Miller, while Miller maintained that it had been loaned to a corporation known as the "Home Builders" and J. D. Cook and C. E. Howland. Among the remarks made by Attorney Henry E. McGinn were the following:

"Now, if there were ever two bunco men in the State of Oregon, those two men are Miller and Miller. A bunco man goes down ordinarily and meets a man at the train; he takes the man uptown, gains his confidence, and then takes him into a room and introduces him to a friend of his, another man, and that man fleeces him out of his money. According to the testimony of these people, that is about the basis these men acted upon.

"You can take the testimony of C. W. Miller; it was that Elmer Miller went to work and took this man into the office of C. M. Idleman and left Idleman to do the work, put their construction upon it. That is the testimony of Elmer Miller; he took him to Idleman's office to have Idleman fleece him there. . . . We tried a bunco man the other day in the criminal department of this court, but what that man did was a trifle compared with C. W. Miller, the man who bilked this old man out of his money. . . . In the start, who caused it to be done? The Millers, the Cooks and the Howlands, who preyed like vultures and wolves upon this community for four or five years; who, if they had their just deserts, would be in the penitentiary."

Other abusive language was employed. The Supreme Court says:

"It is the privilege of the counsel in argument to comment upon the evidence and facts proven, and to draw all legitimate inferences therefrom. In this the law accords to him a large degree of freedom, and the means thus accorded is justly regarded as most efficient in arriving at the truth. The latitude or range of argument, however, cannot be permitted to extend beyond the facts in evidence, and it is a just and ample cause for reversal where counsel, against objections, are allowed to state facts pertinent to the issue not in evidence, or to assume in argument that such facts are in the case.

"Now, there is evidence in the case upon which an inference may fairly be predicated that the plaintiff was induced to part with his money by indirection; that Miller and Miller were allied in some manner not fully disclosed with the makers of the alleged notes, and that all were engaged in a common purpose to obtain money on the credit of irresponsible parties. This condition gave rise to the especial characterization by counsel, and a comparison of the transaction with a bunco scheme. However severe the arraignment of the parties concerned, the argument was within the range of the facts in evidence, and there was no manifest attempt on the part of counsel purposely to drag into the case extraneous facts or matters not legitimately before the jury, with a view to influencing their verdict."

It is held that there was evidence upon the issues sufficient to take the case to the jury, and hence there was no error in overruling the two motions referred to.

Barbara Stager, respondent, vs. Troy Laundry Company, appellant, from Multnomah County, Alfred F. Sears, Jr., Judge; affirmed. Opinion by Justice Wolverton.

The plaintiff secured a judgment against defendant for damages sustained in defendant's laundry. The principal rule of law laid down in affirming the judgment is as follows:

"If there is testimony in the case from which the jury can, by application of intelligent and reasonable deduction, fairly and legitimately infer the fact in issue, the jury are to determine the matter, notwithstanding other evidence may have been adduced in direct conflict therewith."

Otto Johnson, respondent, vs. James F. Tomlinson, appellant, from Tillamook County, R. P. Boise, Judge; affirmed. Opinion by Chief Justice Bean.

This was a suit to quiet title to a small strip of land lying between the Government meander line and the line of ordinary high water in Tillamook and Trask Rivers, both of which are tidal streams. The plaintiff contended that the land in controversy was upland, and belonged to him; the defendant claimed under a deed from the state, contending that the land was tideland. The Circuit Court decided in favor of Johnson, whereupon Tomlinson appealed.

The Supreme Court, in affirming the lower court, lays down the following rule of law:

"Where a stream is intended to be meandered by public surveys, the stream, and not the actual meander line, as run on the ground, is the true boundary of the riparian owner."

After an examination of the testimony it is held that there is a strip of upland lying between the meander line and the actual line as run by the Government and the line of ordinary high water, and that this land belongs to plaintiff, who is acknowledged to be the owner to the meander line.

Orpha Cutting, guardian, and Katie R. Wilson, appellants, vs. Fred Scherzinger, J. W. Hellenbrand, T. J. Lucy and G. H. Page, petitioners, respondents, from Tillamook County, R. P. Boise, Judge; affirmed. Opinion by Chief Justice Bean.

This was an appeal from a decree affirming in part an order of the County Court settling a guardian account. The bondsmen petitioned the County Court to credit the guardian with sums of money expended by him for the support, maintenance and education of his wards. At the same time, Orpha Cutting, who had been appointed guardian when C. D. Cutting was removed, filed a petition asking the court to approve as his final account a statement filed by C. G. Cutting. The court, however, decided that the credit should be allowed, and an appeal was taken.

The Supreme Court lays down the general rule that a guardian should procure authority from the County Court before expending any of the principal of the guardianship funds in his hands, but nevertheless he may expend such funds for the maintenance of his ward and thereafter have the court approve his action and allow him credit therefor. After a review of the evidence the Supreme Court holds that the money was actually expended as claimed by the bondsmen, and that the County Court properly gave the guardian credit therefor.

PRICE OF SALMON.

Will Probably Be the Same as It Was Last Season.

ASTORIA, March 31.—While no price for salmon has yet been fixed by either the fishermen or cannerymen, it is generally understood that the price will open the same as last year—5 cents per pound for the smaller fish and 6 cents per pound for all over 25 pounds. The Fishermen's Union will hold a meeting next Monday night, at which the price of fish will be agreed upon.

Bids have been opened by Constructing Quartermaster Goodale for the erection of an ordnance workshop at Fort Stevens. Five bids were received, as follows: Ferguson & Houston, $1237; C. G. Palmberg, $1378; J. W. Suprenant, $1495; J. H. Uric, $1214; Ferguson & Houston, with local slate, $1187. The bids have been forwarded to Washington, where the contract will be awarded.

Ben Waud, who was shot in the face at Westport a few days ago by Emil Hoglund, was placed before an X-ray machine last evening to determine if the bullet still remained in his body. The bullet entered his left cheek, and was believed to have passed out of his mouth, but the examination showed that it was lodged in his throat back of his tonsils. It is expected that there will not be much difficulty in removing it after he has recovered from the shock of the shooting.

The gasoline schooner Anita, which arrived in port last evening from Nestucca, has a cargo of 1800 cases of salmon for John Kiernan, of Portland. She left up the river today to discharge it there.

A call was issued by City Treasurer Dealey today for all general fund warrants indorsed prior to June 1, 1901.

Albert Silinski, Herman Weinester and Al Hoyt, who were arrested several days ago for the larceny of nine logs from Angus R. Foote, at Westport, were arraigned in the Justice Court for a preliminary hearing today. They waived examination and were held under 200 bonds each to await the action of the Circuit Court.

HOPS AT 12 1-2 CENTS.

Contract Made for 12,000 Pounds of This Year's Crop.

SALEM, Or., March 31.—The top record in hop contracts was reached here today in an agreement between James B. Hunt et al., of Gervais, and Lilienthal & Co., of New York. The contract is for 12,000 pounds of the 1902 crop at 12½ cents, and for an advance of 6 cents per pound. The highest figure offered in any other contract filed before today was 12¼ cents.

W. F. Buckner, of Jefferson, today contracted with the E. Waltenberg Company, of New York City, for 8000 pounds of this year's crop at 13 cents.

Examination of Mail-Carriers.

J. W. Haas, of Portland, inspector of rural mail routes of the Pacific Coast and Western States, was in Salem today and conducted an examination of candidates to supply a vacancy in the carriers operating out of Salem. But two candidates appeared—William Hayden and H. A. Johnson, Jr. The successful applicant will not be known until the papers have been passed upon by the Civil Service Commission at Washington.

The examination required of prospective carriers in the rural mail service is not severe, nor does it embrace many branches. Requisite qualifications are good penmanship and orthography, with facility for reading letter addresses.

Mr. Haas left today for North Ontario, Cal., where he has official business.

Medical Students Graduate.

The 35th annual commencement exercises of the medical department of Willamette University were held in the First Methodist Episcopal Church in this city this evening. The graduates were:

Doctor of Medicine—Frank E. Beauchamp, Walter W. Bruce, Orland W. Bean, James W. Thomas, Augustus E. Tamiesie.

Nurses—Miss Lida L. Thompson, Mrs. M. M. Patton.

Received at Asylum.

Alice F. Hedges, aged 41 years, and Augusta Henness, aged 42 years, of Oregon City, and Robert Hill, aged 70, of Klamath Falls, were received at the insane asylum today.

Received at Penitentiary.

Thomas Woods, convicted of larceny in a warehouse, and sentenced to 18 months' imprisonment, was received at the penitentiary today from Umatilla County.

Old Hops at 13 1-2 Cents.

Al Jerman, of Howell Prairie, today sold 100 bales of 1901 hops to Faber & Neis, of Albany, at 13½ cents. This transaction represents about all of the 1901 crop remaining in the hands of growers, and practically cleans up last season's yield, so far as the growers are concerned.

Homestead Patents Received.

OREGON CITY, March 31.—Homestead patents were received at the Oregon City Land Office today for the following settlers: Anton Kerowski, Addison G. Hotchkiss, Abraham Grossen, Martin Gutsengat, John Erickson, Alexander Anderson, Claiborne F. Bigbee, John W. Davis, John C. Holden, heirs of Arden K. Handy, Peter A. Syron, Albert E. Rosner, David Olin, Charles H. Barberow, Marcus D. Swabb, Harry R. Brock, George Kellow, Carl C. Jensen, Edwin J. Kellow, Martin Hammer, Felix Dempsey, Harley H. Small, Joseph Wierl, Leroy Francis, Charley M. Doty, John Lomker, Sherman D. Barney, Albert Ennis Cooper, Daniel Bray, John F. Hantelman.

NATIVES ARE STARVING

MUCH DISTRESS AMONG THEM AT CAPE NOME.

Their Winter Supply of Fish Is Short—Charity Reaches Its Limit.

NOME, Jan. 17, via Seattle, March 31.—R. T. Chestnut, under date of January 9, writes concerning the destitution prevailing at the native village west of Cape Nome. He says:

"It seems that there are 12 or 15 of the natives, mostly women and little children, who are absolutely destitute. They are without food or clothing. For the past two or three weeks they have been in a most deplorable condition, coming to the roadhouses of Mrs. Rigley and Mr. McCullen, at the west side of the Cape, and to Mrs. Ginivin's, east of that point.

"It is pitiful to see such distress. The miners have furnished these poor natives meal after meal, and have given them provisions to carry back to their miserable igloos. The limit of their charity has about been reached, and it is suggested that it is about time that the Government officials, either civil or military, or both, lend a helping hand."

V. H. Francis, who reached Nome Monday evening from Cape Nome, says that the condition of the natives at that place has not been exaggerated. They have not been allowed to catch their usual supply of fish, for some reason or other. Mr. Francis says there are 17 natives at the village of Six Igloos, on the other side of Cape Nome, four of them being men, the others women and small children. They have no furs of which to make clothing, no mukluks, and most of them are wearing gunnysacks for foot covering. The white people at Cape Nome have done what they could, but they are not able to meet the emergency. As Mr. Francis passed through the village the cry for food was so great that he gave all he had, a sack of meal.

VANISHED INTO THIN AIR.

Commission Firm Which Did Business Under an Imposing Name.

NORTH YAKIMA, Wash., March 31.—The Reidel-Allinger Company, which opened up an office a few weeks ago to do a commission business, succeeded in "doing" a number of farmers and others, and has vanished into thin air. G. W. Allinger, a young man with one arm, was all that was known of the company here. He gave it out that he had a rich partner in San Francisco, and had a bank account of $4000 all his own. Business was not rushing, and Allinger announced that he wanted to go to San Francisco, and if any of his farmer friends had stuff they wanted sold while he was there he would be pleased to accommodate them. They made up a car of apples, which he agreed to sell for a commission. He consigned the fruit to himself at Tacoma, and there reconsigned it to San Francisco. Soon the owners discovered that he had left town without paying a number of small bills, and they made an investigation, with the result that they found themselves holding the sack. The St. Paul & Tacoma Lumber Company, which had a claim of $50 for apple boxes, attached the fruit as soon as it reached San Francisco, and had it sold. L. B. Kinyon gave nearly 300 boxes of apples, Jake Raimer 40 boxes, and Tom Lindsay about the same number. C. A. Bryant sent $300 worth of potatoes.

More Time Desired.

Many holders of desert land claims in the lower valley north of the Yakima River have petitioned Congress to pass a law allowing them an extension of time in which to prove up. They have held their lands for several years, hoping to be able to make arrangements to comply with the law, which requires that they shall be reclaimed within a certain time. The prospects are now good that they will be able to get water on their lands, though not within the time required, and if they cannot get an extension they will lose valuable property. They have enlisted the support of Congressman Jones and Senator Turner. Such legislation as they ask is not without precedent.

BLIZZARD AT NOME.

Temperature 32 to 46 Degrees Below Zero—Heavy Snow.

NOME, Jan. 17, via Seattle, March 31.—A severe blizzard began yesterday afternoon and all last night it shrieked and howled through Nome, blowing the loose snow into huge drifts on the streets and sidewalks. This morning the early waterman had a hard time breaking trails. Sleds overturned and there were toboggan races.

The weather since January 4 has been intensely cold, the thermometers about town ranging from 32 to 46 below. The cold has been continuous and steady, and many cases of frost-bitten noses, faces and fingers are reported.

A man who gave his name as William Clark Gowan, but who is identified as Morris Burn, was brought to the City Hospital January 8 by J. D. Mitchell, who lives about a mile this side of Kenny River. Burns' hands and feet are badly frozen, and he is not in his right mind, whether the result of being frozen or not has not yet been determined.

Mitchell found Burns outside of his cabin, near Penny River, this morning. He was lying on the trail, and his hands were frozen, as well as his feet. Mitchell took him into the cabin and went out to procure some snow to thaw the man's hands. When he returned, Burns had taken the covers off the stove, and the flesh on his hands was literally roasted. For three hours he worked with Burns, and did everything in his power to extract the frost from the frozen members. Then he started for Nome, and Burns was placed in the City Hospital.

YOUNGEST MEMBER OF STATE AND CONGRESSIONAL CONVENTIONS.

FRED W. BASCHE, OF BAKER CITY.

Fred W. Basche, the youngest member of the state and Congressional conventions, was born in Baker City, January 12, 1880. He is the son of Peter Basche, the leading hardware merchant of Eastern Oregon, and was elected a delegate from Baker County, receiving 95 votes out of a total vote of 131 in a contest between 14 contestants for the four delegates awarded to Baker City.

Oregon Mining Stock Exchange.

PORTLAND, March 31.

Yesterday's quotations were:

	Bid.	Asked.
Alaska M. & M. Co	9½	11
Bronze Monarch	17½	18½
Caribou	2½	6
Copperopolis	21	1 00
Crystal Consolidated	14½	17½
Chicago	7½	8½
Cascade Calumet	2½	4
Gold Hill & Bohemia	16½	20
Huronian	5½	7½
Lost Horse	3½	5½
Oregon-Colorado M. M. & D.	..	50
Riverside	1	....
Sumpter Consolidated	2½	3½
Sweden Copper (Ltd.)	87½	90
Winnipeg (Ltd.)	10	15

Sales:	Price.
1500 Bronze Monarch	17½
1500 Crystal Consolidated	15
2500 Cascade Calumet	3

SPOKANE, March 31.—The closing quotations of mining stocks today were:

	Bid.	Ask.		Bid.	Ask.
Amer. Boy	5½	6½	Prin. Maud	3½	3½
Blacktail	13	13½	Quilp	30	36½
Butte & Bos.	3½	4½	Ramb. Car	86	87½
Ben Hur	14	16	Republic	10½	10½
Deer Trail	2	3	Reservation	⅝	1¼
Fish'maiden	5	7	Sullivan	9	9½
Gold Ledge	1½	1⅝	Tom Thumb	22½	23½
L. P. Surp.	7½	8	San Poil	27½	30
Mtn. Lion	26	31	Trade Dollar	11	14
Morn. Glory	3	3½			

SAN FRANCISCO, March 31.—Official closing quotations of mining stocks today were:

Alta	$0 06	Justice	$0 06
Alpha Con	2	Kentuck Con	1
Andes	4	Mexican	47
Belcher	5	Occidental Con	8
Best & Belcher	27	Ophir	99
Bullion	2	Overman	7
Caledonia	46	Potosi	10
Challenge Con	18	Savage	5
Choliar	12	Seg. Belcher	1
Confidence	60	Sierra Nevada	26
Con. Cal. & Va.	1 30	Silver Hill	50
Crown Point	4	Union Con	27
Gould & Curry	9	Utah Con	5
Hale & Norcross	26	Yellow Jacket	15

NEW YORK, March 31.—Mining stocks today closed as follows:

Adams Con	$0 40	Little Chief	$1 15
Alice	45	Ontario	7 50
Brsece	50	Ophir	95
Brunswick Con	9	Phoenix	6
Comstock Tunnel	5	Potosi	12
Con. Cal. & Va.	1 20	Savage	4
Deadwood Terra	50	Sierra Nevada	22
Horn Silver	1 40	Small Hopes	45
Iron Silver	70	Standard	3 45
Leadville Con	7		

BOSTON, March 31.—Closing quotations:

Adventure	$ 20	Osceola	$ 60
Allouez	3 75	Parrott	28
Amalgamated	62 25	Quincy	125
Baltic	48 25	Santa Fe, Cop.	2 50
Bingham	24 00	Tamarack	275
Cal. & Hecla	600 00	Trimountain	95
Centennial	20 50	Trinity	14
Copper Range	73 00	United States	18 25
Dominion Coal	122 50	Utah	22
Franklin	12 00	Victoria	6 25
Isle Royale	15 50	Winona	1 25
Mohawk	33 75	Wolverines	51
Old Dominion	19 25		

A Special Dividend Ordered.

VANCOUVER, Wash., March 31.—A special dividend, amounting to about $1000, has been ordered paid by the Controller of the Currency out of the funds of the suspended First National Bank, for the purpose of paying certain depositors whose claims were not proven at the time the last dividend was declared.

Everett Brevities.

EVERETT, Wash., March 31.—A landslide on the Great Northern coast line near Richmond Beach struck two rear coaches of an east-bound overland; partly derailing them.

The Northern Pacific passenger and freight depot will soon commence building.

Boy Run Over by Train.

EVERETT, Wash., March 31.—George Dezort, 9 years old, was killed this morning by a Spokane train near Lowell. The boy and a younger brother were going to school. They stepped from the track, but the air suction drew the elder boy under the wheels.

FORCES ARE DRAWN UP

(Continued from First Page.)

accused of brutality, and the unwarranted arrest of people against whom there was not the slightest foundation for a charge. If these things had occurred once or twice they would probably be overlooked, but it seems that Fackler delights in blundering, and his unfitness for the position is daily demonstrated. But the Mayor will not listen to his removal, and says all the charges are the result of spite work, and it is extremely probable that if Campbell is again elected he will retain Fackler. The Fackler feature of the campaign against the Mayor is not by any means confined to Democratic ranks, but Republicans deprecate the retention of the Chief, and many of them say they will vote against Campbell simply on that account. This instance demonstrates the Mayor's fealty to friends, which appears to be carried to the point where it endangers his success at the polls.

Perkins Is There, Too.

As to the newspapers. The Ledger and News, the dailies of Tacoma, are controlled by the same man, S. A. Perkins, formerly Senator Hanna's private secretary. Perkins desires to be a power in Washington politics, but thus far he has not been greatly successful. It is said that he took a dislike to Campbell because Campbell would not train right at the beginning of his administration. At any rate, Perkins' newspapers have been hammering the administration for over a year past and exploiting its shortcomings in the most exaggerated manner.

Where Praise Is Weakness.

Finally, when the campaign came on, the Ledger swallowed its dose of crow with a very wry face, and has since been ostensibly a Republican paper supporting the re-election of Mayor Campbell. But it is not the kind of support that carries weight, and its faint praise is really hurtful to the Republican candidates. The News is making a hot fight on Campbell and the Republican ticket, but as everyone knows that both papers are controlled by Perkins, and his hatred for Campbell is understood, the paper's influence is extremely light.

Newspapers Cut Little Ice.

It is generally admitted that the attitude of the papers will not cut much figure either way. But if this was all Mayor Campbell had to fear he would have cause for very little worry. The Republican majority is too narrow normally to make the Republicans feel entirely safe, and with the fight the Democrats are putting up it has caused no little apprehension among the Mayor's supporters.

Democrats Stick Together.

For the first time in their history in this city the Democrats appear to be a unit. For several years past the ticket opposing the Republicans has been a mongrel affair, composed in the main of Populists, and this has led influential Democrats to take little interest in the outcome of any election. This time, however, every man on the ticket is an out-and-out Democrat, and the rank and file of the party is showing great interest.

Frank B. Cole, the Democratic candidate for Mayor, is one of the best-known and most-popular men on Puget Sound. It is said he doesn't know what it is to have an enemy. He is the publisher of the West Coast Lumberman, a trade paper of some influence; he has been successful in business, and is at present City Treasurer, being one of the few Democrats to hold an office in Tacoma in recent years. His party is well organized for the campaign, and workers are tireless in his behalf.

Turner Looks on Benignly.

In addition, the state Democratic machine is taking considerable interest in the campaign, and Senator Turner was recently in the city rendering what aid he could toward Democratic success. The state committee and Turner are desirous of success for Cole, particularly, because in that event they could pit Cole against Cushman for Congress. As matters stand, unless a very popular man is nominated against Cushman, the Democrats have no show in Pierce County. This city and county have tasted the sweets of having a member or two of Congress, and they have no desire to be unrepresented in a fight against Seattle for Government patronage. With Cole successful in the race for Mayor, the Democrats would rally around such a leader in the Fall campaign, and Turner would stand some chance of getting a Representative or two in the Legislature. This fact accounts for the interest of state Democrats in the Tacoma campaign.

Republicans Are Stirred Up.

The activity of the Democrats has stirred up the Republicans. While, as has been said, there will be Republicans who will bolt Campbell for various reasons, there will be many others who will be spurred to renewed energy by the fact of Democratic enthusiasm. Many Republicans who are ordinarily content to vote only, and allow the hard work of a campaign to be done by the other fellow, are out with their coats off for the ticket. They are accomplishing results, too, and the result of their hard work will be apparent Tuesday, when a big vote will be cast.

Both sides are claiming victory, and each advances reasons why its particular ticket will win. The Republicans are depending considerably on the Mayor's administration and the normal Republican majority, while the Democrats are building on Cole's popularity and dissatisfaction in the ranks of the opposition. The conservative Republicans and Democrats admit the result will be close and that it is anybody's battle. And, indeed, that is the way it looks to the impartial observer.

Delegates Go to Roseburg.

SALEM, March 31.—William Brown, Eugene P. McCornack and J. J. Murphy, Marion County delegates to the First Congressional District Convention, left today for Roseburg. These men each carried a number of proxies. The Marion County delegation is instructed for Tongue.

FIGHTING FRUIT PESTS.

Rogue River Orchardists in Concerted Action.

GRANT'S PASS, March 31.—Rogue River Valley orchardists have begun a united and determined campaign against the codling moth. Thousands of gallons of poison have been sprayed upon Southern Oregon trees with the hope of destroying the much-dreaded pest, or at least preventing it from doing so much harm this year as it has in the past.

In seasons past much trouble has been experienced in getting all orchardists to spray at the right time, or to choose the proper fluid. There were also owners of small orchards who would take no care of their trees, and who would allow their trees to become the breeding-place for millions of the destructive pests. Uncared-for orchards of this kind would offset all of the care and patience taken by the owners of surrounding orchards. The principal aim of Commissioner Careon this season has been to get all orchardists interested in the important work of spraying and to bring about a concerted action in this regard. The efficient manner in which the spray pump is in use would indicate that his work is bringing about the desired results.

FOUND REVENGE AT LAST.

Husband Killed the Agent of His Wife's Unfaithfulness.

OAKLAND, Cal., March 31.—After brooding over his wife's unfaithfulness for 30 years, Thomas Devine today sought revenge by murdering John O'Connor, the destroyer of his home and happiness. Devine is a section boss, and lives at Edgewood, Siskiyou County. Yesterday he quarreled with his wife over O'Connor, and immediately left for Oakland with the avowed intention of seeking revenge. He arrived in San Francisco last night, and this morning he purchased two revolvers in San Francisco, crossed the bay to Emeryville, where O'Connor is employed in a pumping plant operated by the railroad company. Before going to the plant he blackened his face, that O'Connor would not know him, and when he reached his enemy he drew his pistol and shot the latter twice in the head without warning.

O'Connor has a wife and 11 children living at Emeryville, and Devine has a wife and three daughters and a son.

JAILBREAK FRUSTRATED.

Revolver, Saw and Knife Found in Possession of Prisoners.

SEATTLE, March 31.—What is considered by them to have been a well-planned jailbreak, aided by supplies smuggled in by visitors, was frustrated last week by the Deputy Sheriffs in charge of the King County Jail. A careful "shake-down" of the different cells in the north tank Sunday resulted in the discovery of a 38-caliber bulldog double-action revolver loaded with imitation wooden cartridges tipped with tinfoil. A bottle of croton oil, a saw and a knife were also found. The real failure to break jail occurred a week before the "shake-down." The plan was made by Al Hamilton, Whatcom County's condemned murderer; Ed Roberts, alias the "Skagway Kid," who is a highway robber, and Frank Hart, a burglar.

NORTHWEST DEAD.

Mrs. A. K. Bonzey.

THE DALLES, March 31.—Mrs. Mary Bonzey, relict of A. K. Bonzey, of this city, died here last night after a prolonged illness. Mrs. Bonzey had lived in The Dalles over 40 years. She was about 82 years of age.

John Luper.

ALBANY, Or., March 31.—John Luper, a pioneer of 1853, died at Tangent Saturday evening at the age of 77 years. He was buried today. He left a wife and one son, L. B. Luper.

Mrs. H. N. Anderson.

ABERDEEN, Wash., March 31.—Mrs. H. N. Anderson, Sr., died today, aged 54 years. She was the mother of 12 children. The remains will be taken to Altoona, Pa.

Soldiers Ordered to Vancouver.

VANCOUVER BARRACKS, March 31.—General Randall has telegraphed orders for the Seventeenth Regiment to leave San Francisco for Vancouver Barracks at once, and not to go into camp at the Presidio, as is customary. General Randall expects the Seventeenth to reach Portland Wednesday, and upon their arrival at Vancouver they will at once go into barracks with the companies here. On account of sickness and mustering out of men whose time has expired, the regiment now has only 200 men to a battalion.

An inspection of all the troops stationed at Vancouver Barracks was held by General Randall this morning. The parade was an imposing spectacle. The Seventh Infantry troops are expecting orders to go to the Philippines at any time.

Injured Man Recovering.

THE DALLES, Or., March 31.—R. E. Haworth, who was shot in the foot by E. J. Green at Stevenson, Wash., on the 20th inst., is slowly recovering from his wound. He will probably be crippled for life. The bullet used by Green appears to have been of the dumdum variety, which spread after entering the heel, carrying bits of clothing, and shattering the foot badly. The attending physicians consider all immediate danger from the wound past.

Taxes Paid by Linn County.

ALBANY, Or., March 31.—The County Treasurer this afternoon remitted to the State Treasurer $24,196, being one-half of the state tax. He also paid off the remaining indebtedness of the county, about $14,000, leaving over $30,000 on hand in the general fund. The school fund per capita is about $5, the largest yet made.

FUNERAL OF OREGON PIONEER OF 1850 TODAY.

FREDERICK FLOREY

FOREST GROVE, Or., March 31.—Frederick Florey, the Oregon pioneer of 1850, who died at Wapato yesterday, will be buried in the Almoran cemetery tomorrow. Mr. Florey was aged 77 years. In 1855 he was married to Miss Elisabeth Doty. He left a wife and the following children: Henrietta, Alfred, Mrs. Jenette Steventon and Mrs. Elisabeth Erph, of Wapato; Frederick and Charles Florey, of Portland.

92 YEARS OLD, KIDNEYS HEALTHY

MRS. REBECCA SMITH, OF WESTFIELD, N. J., WHO IS 92 YEARS OLD, WAS CURED OF KIDNEY AND BLADDER DISEASE AND IS KEPT PERFECTLY HEALTHY BY WARNER'S SAFE CURE. A TRIAL BOTTLE OF THIS GREAT CURE SENT ABSOLUTELY FREE TO ANY READER OF THE OREGONIAN.

Doctors Say: "Almost Every One Has Kidney and Bladder Troubles Before Fifty Years of Age."

MRS. SMITH, 92 YEARS OLD.

On November 18, 1901, Mrs. Smith says: "I was 92 years old my last birthday. My husband was a veteran of the Civil War. I have a daughter and eight grandchildren living. Some years ago I had a great deal of sickness, and for a long time did not know that it was caused by the diseased condition of my kidneys and liver. As soon as my doctor found I had kidney trouble he prescribed Warner's Safe Cure. I had experimented with other remedies, which did me no good whatever, but as soon as I took a few doses of Warner's Safe Cure I felt better, and a few bottles completely cured me and made me feel like a woman thirty years younger. My kidneys, liver and bladder are in just as healthy condition since I have used Warner's Safe Cure as they were fifty years ago. It is a greater medicine that it is claimed to be. Notwithstanding I am 92 years old, I possess a good head of hair, my sight and hearing are good, and since I have used Warner's Safe Cure I have enjoyed the very best of health. I cannot speak too highly of this great medicine. No doubt it has saved the lives of thousands of people who would have gone to early graves had they neglected their kidneys and bladder and not taken Warner's Safe Cure. It is truly a Godsend to any one who is troubled with diseases of the kidneys, liver or blood.

Kidney disease, if neglected, quickly spreads and causes serious complications, such as Bright's disease, gravel, uric acid poison, rheumatism, rheumatic gout, dropsy, indigestion and liver trouble. Every one should make a test, and if the slightest trace of kidney disease is found to exist, no time should be lost in sending for a trial bottle of Warner's Safe Cure, which is guaranteed to cure any diseases of the kidneys, liver, bladder or blood.

THOUSANDS OF MEN AND WOMEN HAVE KIDNEY DISEASE AND DO NOT KNOW IT UNTIL TOO LATE.

TEST YOUR KIDNEYS Put some morning urine in a glass or bottle; let it stand for twenty-four hours. If then it is milky or cloudy, or contains a reddish, brick-dust sediment, or if particles or germs float about in it, your kidneys are diseased. This is the supreme moment, when you should begin to take Warner's Safe Cure to arrest all these unnatural conditions, for they are the unmistakable symptoms of kidney disease. If, after you have made this test, you have any doubt in your mind as to the development of the disease in your system, send us a sample of your urine, and our doctors will analyze it and send you a report, with advice, free.

Warner's Safe Cure

Is purely vegetable, and contains no harmful drugs; it does not constipate; it is now put up in two regular sizes, and is sold by all druggists, or direct, at

50 CENTS AND $1.00 A BOTTLE.

(Less than one cent a Dose.)

Refuse substitutes. There is none "just as good as" Warner's. Insist on the genuine Warner's Safe Cure, which always cures. Substitutes contain harmful drugs, which injure the system.

TRIAL BOTTLE FREE.

To convince every sufferer from diseases of the kidneys, liver, bladder and blood that Warner's Safe Cure will cure them, a trial bottle will be sent absolutely free to any one who will write Warner's Safe Cure Co., Rochester, N. Y., and mention having seen this liberal offer in The Oregonian. The genuineness of this offer is fully guaranteed. Our doctor will send medical booklet, containing symptoms and treatment of each disease and many convincing testimonials, free, to any one who will write.

Dr Price's Cream Baking Powder

Superlative in strength and purity

Improves the flavor and adds to the healthfulness of the food.

PRICE BAKING POWDER CO., CHICAGO.

NOTE.—There are imitation baking powders sold cheap by many grocers. They are made from alum, a poisonous drug, which renders the food injurious to health.