PRUNE CROP SUFFERS

Cold Weather Causes Dropping of Fruit from Trees.

WHAT THE YIELD WILL BE

Not More Than Half a Crop Expected From the Italian Variety in the Lowlands—Destructive Insect Appears.

> The prune crop of several Willamette Valley counties and of Clark County, Washington, has been badly damaged by cold rains and a frost. This is especially true of orchards in the low lands, where the trees were in blossom early and the pollen was exposed. In the foothills the bloom was late, and no damage was done by the cold weather. The trees which suffered most were of the Italian variety. They will not yield much more than half of a crop, but the fruit will be larger and of a better quality, and will command better prices than last year. Comparatively little damage was done to the Petite trees.

VANCOUVER, Wash., May 26.—The prunes have now so far developed that the prospects for the year's yield can be safely estimated. From information gathered from prune men from all parts of the county, the yield is estimated at 125 carloads of dried fruit, or about one-half of last year's yield. Estimates of the various prunegrowers vary from 75 to 200 carloads. This variation is largely due to the fact that the crop is decidedly spotted, and that while in this vicinity the trees bear all they can develop, in another locality the crop is an entire failure.

L. B. Clough, local agent for the Kelly-Clarke Company, and a prunegrower and shipper of 15 years' experience, said the prune crop this year would amount to 200 carloads of dried fruit, and that the fruit would be larger than last year, and consequently bring a better price, so that the total income from the season's yield will amount to as much as that of last year.

Scott Swetland, local agent for the Porter Bros.' Company, said the prospects are anything but bright, and that he doubted very much if the entire yield of the county would amount to 100 carloads of dried fruit. Mr. Swetland said the fruit would undoubtedly be larger and choicer than last year, and would consequently bring a better price. Mr. Swetland also stated that he looked for prunes generally to be higher than they were last year.

Harry Smith, of the firm of Packard & Smith, owners of one of the largest prune orchards of the county, said they would have about half a crop. He estimated the output of the county at 125 carloads, or about one-half of last year's yield. Mr. Smith also spoke of the little insect that has made its way into Clarke County and is playing havoc with the young prune trees. In Smith & Packard's orchard this insect has killed 150 out of 400 2-year-old trees. The insect is of the beetle species and is about the size of a small ant. It accomplishes its work of destruction by boring into the small tree and completely circling it next to the bark. The insect has been noticed in a number of orchards, and prune men view its work of destruction with alarm.

W. P. Crawford said that from what information he could obtain from the growers, he believes there will be at least a full half-crop, which will yield from 150 to 200 cars in the county.

Conditions in Polk County.

DALLAS, Or., May 26.—The prune crop of 1902 in Polk County, will be considerably smaller than that of last year. On a general average this year's crop will be about 80 per cent of the output of 1901. The main reason for this, the growers say, is that the unfavorable weather of the past month has caused a great many of the prunes to drop off the trees. The orchards in the eastern part of the county growing on the low lands have been the greatest sufferers. Many of the growers in that part of the county report that their orchards will fall short 50 per cent of last year's crop. In the western part of the county, where most of the prune orchards are located on the foothills, conditions are much more favorable. Most of the growers in this vicinity report that their crops will not fall far short, if any, of that of last year, while others claim that they will have even larger yields than they did one year ago. Mr. M. M. Ellis, owner of a 100-acre prune orchard near Dallas, says that he has experienced no trouble so far by prunes falling off, and also states that he, at the present time, expects to have a one-third larger crop than he has ever had.

INDEPENDENCE, May 26.—Continuous wet weather for several weeks has put the prunegrowers in this immediate vicinity in a bad frame of mind. While only a few weeks ago the prospects for a heavy crop of both the Italian and Petites were never better, at the present time a third of a crop is not expected. The trees this year carried even a larger crop of blooms than in many years. The growers are at a loss as to just how to account for the sudden disappearance of all the indications that were so favorable for the crop this year, unless it was the rain and a light frost that came about three or four weeks ago, but as the rains have not been any colder than the rains that generally come at this time of the year they are of the opinion that the frost was the immediate cause. One prunegrower who has an orchard near this city states that from an orchard which yielded 350 bushels last year he will not get over 25 bushels this year. He states that his neighbors are in the same shape. The different varieties are both affected the same. The condition is reported to be the same for a radius of three to five miles around the city, but nearer the foothills the crop is reported to be fair.

ZENA, Or., May 26.—J. R. Shepard says: "In my immediate neighborhood Italian prunes are doing well, and as last year was a full 100 per cent crop, this may be from 70 to 80 per cent. In northeastern Polk County, taking in Eola and Spring Valley precincts, the crop will probably not exceed 50 per cent. Petite prunes last year were a light crop, about 33 per cent; this year a full 100 per cent."

The Crop of Yamhill.

McMINNVILLE, May 26.—The prune crop in Yamhill County is worse than decimated, and only favorable weather for the remainder of the season will secure a crop even in favored localities. At the present time four-fifths of a crop is predicted for this section of the county by Dr. G. S. Wright, one of the largest prunegrowers in McMinnville. The orchards on the low or valley lands immediately contiguous to McMinnville will have practically no fruit, but the prospects in the hill orchards are about the same as last year. The reason given for the advantage of the orchards on the highlands over the valley orchards the present year is that the trees in the latter locations bloomed about a week earlier than those in the hills, and the fruit being in full flower, the pollen was exposed to the cold rains which came on at that time. The trees on the higher lands bloomed late enough to miss the cold rains which destroyed the valley fruit, and the prunes were set before another cold snap came. In contrast with former years, the petite and Italian trees bloomed about the same time on the hills, which is considered an advantage for this year's crop.

Last year 92 tons of prunes were shipped from McMinnville. The present indications are that this year's shipment will be approximately the same. But the major portion of the Yamhill crop is shipped from Sheridan, North Yamhill, Lafayette and Newburg.

One-Fifth of a Crop.

CORVALLIS, May 26.—In a few small orchards in the foothills where the trees blossomed 10 days later than in orchards in the valley, there will be an average crop of prunes. In all other orchards, a conservative estimate by well-informed prune men places this season's possible crop at about 20 per cent of the crop of last year. In some of the valley orchards the owners regard the crop as almost a failure. The McLain orchard, near Philomath, was leased, and the lessee has, after an examination, determined that the crop will not be worth cultivating. In other orchards in the vicinity the condition is practically the same. In most instances the Petite and Silver prunes are a full crop. In this vicinity, however, the commercial orchards are all Italians, and in the latter pollinization was prevented by cold rains. Manager Johnson, of the Corvallis and Benton County Prune Company, which owns a 155-acre orchard north of Corvallis, says:

"The prune crop is badly injured, and while it would be difficult to make an accurate statement of the damage at this time, a conservative estimate would not place this year's prune crop in this county at more than one-fifth of last year's. What fruit we have, however, ought to be unusually large and fine. It was impossible for evaporators to handle the immense crop of last year, and for that reason the output of dried prunes this Fall will not be proportionately as small as the crop would indicate."

In Marion County.

SALEM, Or., May 26.—L. I. Reynolds, treasurer of the Oregon State Board of Horticulture, says: "As near as can be estimated, the prune crop of this locality will not exceed 30 per cent. of the crop of last year. The above is for the prune orchards north of Salem. I have not yet received enough reports from the district as a whole to give an accurate estimate of the prune crop of the second district."

SILVERTON, Or., May 26.—Charles Long, in speaking of the prune crop, said: "The yield here will be about 100,000 pounds, principally Italians, this year. We shipped 200,000 pounds from this locality last year."

ROSEDALE, Or., May 26.—Daniel Webster says: "Present indications are that this year's prune production in this locality will compare favorably with that of last year. The Italians are still falling slightly, but they can do that for a few days and then give us a good fair crop. It is a little too early to give positive information concerning the yield."

SUPERINTENDENT WAS COERCED.

Court of Appals Reverses Judgment Against Alaska Association.

SAN FRANCISCO, May 26.—The United States Circuit Court of Appeals today handed down a decision reversing that of the lower court in the case of Farce Domenico and 20 others against the Alaska Packers' Association. Domenico and his associates were fishermen in the employ of the company last year. They shipped to work in the company's cannery at Pyramid Harbor at $50 and $60 per month. When they reached their destination they demanded of the superintendent that he make new contracts, raising the wages to $100 a month. The superintendent protested that he had no authority to act in the matter, but the men said that they would take the chances. They had with them a shipping commissioner from Northwest Alaska, before whom they signed the contracts. Judge Ross, who wrote the decision for the court, declares that the superintendent was coerced into signing the new contract by reason of his not being able to secure other men, and had he not signed the new contracts great damage to the company's property would have resulted.

Oregon Mining Stock Exchange.

PORTLAND, May 26.

Today's quotations were:

	Bid.	Asked.
Alaska M. & M.	9¾	11
Bronze Monarch	17¾	18½
Caribou	8¾	8
Copperopolis	22¾	1 00
Crystal Consolidated	14¾	17½
Chicago	7¾	8½
Cascade Calumet	2¾	4
Gold Hill & Bohemia	12	25
Hurdsian	6½	8
Lost Horse	3½	8½
Oregon-Colorado M. M. & D.	...	50
Riverside	...	7
Sumpter Consolidated	3¾	4½
Sweden Copper (Gtd.)	87½	90
Winnipeg (Ltd.)	10¾	15

SPOKANE, May 26.—The closing quotations for mining stocks today were:

	Bid.	Ask.		Bid.	Ask.
Amer. Boy	5¼	5¾	Ramb. Car	78	83½
Blacktail	13	13½	Republic	9¾	10¾
Butte & Bos.	2	3½	Reservation	¾	1
Deer Trail	1	1¾	Sullivan	6¾	8
Gold Ledge	1¾	1¾	Tom Thumb	22	22½
L. P. Surp.	5¾	6¼	San Poil	6¾	8
Mtn. Lion	23	25	Trade Dollar	22	22¼
Morn. Glory	2¼	2¾	Fish'maiden	5	7
Prin. Maud	2¼	2¾	Ben Hur	10¾	13
Quilp	28	34			

SAN FRANCISCO, May 26.—Official closing quotations for mining stocks:

Adams	$0 07	Justice	$0 04
Andes	2	Mexican	23
Belcher	6	Occidental Con	22
Best & Belcher	21	Ophir	1 35
Bullion	2	Overman	24
Caledonia	71	Potosi	35
Challenge Con	16	Savage	15
Chollar	17	Seg. Belcher	2
Confidence	60	Sierra Nevada	20
Con. Cal. & Va.	1 40	Silver Hill	41
Crown Point	6	Union Con	25
Gould & Curry	12	Utah Con	1
Hale & Norcross	21	Yellow Jacket	30

Silver bars—51⅝c per ounce.
Mexican dollars—Nominal.
Drafts—Sight, 15c; do telegraphic, 17½c.

NEW YORK, May 26.—Mining stocks today closed as follows:

Adams Con	$0 20	Little Chief	$0 12
Alice	45	Ontario	8 00
Breece	50	Ophir	1 25
Brunswick Con	10	Phoenix	6
Comstock Tunnel	5	Potosi	30
Con. Cal. & Va.	1 40	Savage	12
Deadwood Terra	1 00	Sierra Nevada	20
Horn Silver	1 25	Small Hopes	40
Iron Silver	73	Standard	3 25
Leadville Con	5		

BOSTON, May 26.—Closing quotations:

Adventure	$ 24 00	Osceola	$ 62 00
Amalgamated	69 87	Parrott	30 00
Daly West	44 00	Quincy	130 00
Bingham	37 00	Santa Fe Cop	1 87
Cal. & Hecla	565 00	Tamarack	170 00
Centennial	19 75	Trinity	13 25
Copper Range	58 75	Utah	21 50
Dominion Coal	135 50	Victoria	4 25
Franklin	11 00	Winona	3 00
Isle Royale	12 50	Wolverines	55 00
Mohawk	42 62	United Copper	36 25
Old Dominion	29 50		

THE ERIE RAILROAD

Beginning on June 15 next will inaugurate a new limited train service between Chicago, New York and Boston, leaving Chicago at 10:30 every morning, and arriving in New York at 3:30 the next afternoon, with a Boston sleeper reaching there the second evening. Travelers going East will find in this train everything that comfort and luxury can suggest or demand—Pullman drawing-room sleeping cars of the latest type; unequaled dining-car service, with meals at popular prices; fast time over a track made perfect with rock ballast, and made safe by the operation of the block signal interlocking system.

If you have not seen the beautiful valleys of the Susquehanna and Delaware Rivers traversed by the Erie, you have missed one of the most delightful sections of the East.

Be sure that your tickets read via the Erie Railroad.

CITY WINS GASTON SUIT

WAS TO ENJOIN COUNCIL FROM OPENING UP MAIN STREET.

Supreme Court Affirms the Decision of the Lower Tribunal—Judgment in Bank Case Reversed.

SALEM, Or., May 26.—The Oregon Supreme Court this afternoon handed down two opinions and disposed of several motions as follows:

Mary W. Gaston, appellant vs. the City of Portland et al., respondents, appeal from Multnomah County, A. L. Frazer, Judge; affirmed. Opinion by Justice Wolverton.

This was an action brought by appellant to restrain the city of Portland from opening up Main street in Amos N. King's addition. The street was ordered established, and the viewers assessed the benefits to the property of plaintiff at $755, and assessed her damages at $3070, or damages amounting to $2315 in excess of benefits. Plaintiff was also allowed $128 costs, the total damages being $3198. Displeased with the awards made by the viewers, plaintiff appealed to the Circuit Court in April, 1900, and obtained a judgment for $2662 50 and costs taxed at $135 80. The property assessed was sold for the amounts of its assessment to A. G. Noble. The money so realized was appropriated for the payment of damages and costs and warrants covering plaintiff's claim were drawn, but plaintiff failed to call for them, and when the city attempted to open up the street, she commenced a suit to restrain the city from further proceedings in the premises. The trial court rendered a decree dismissing the complaint, from which plaintiff appealed.

In disposing of the case, the court treated with two questions: First, whether the plaintiff could safely and lawfully draw her award from the fund thus created by the city, and, second, whether the appropriation of the fund and the issuance of the warrants, they being in excess of her awards, were operative and effective as the final and requisite acts under the charter to accomplish the appropriation of her land. The court held that plaintiff's acceptance of the amount of her judgment would not have prevented her from insisting upon the invalidity of the sale, and on this point said:

"Either the plaintiff must be permitted to refuse to accept the fund and thereby defeat the appropriation of her property sought to be condemned or her acceptance will not estop her to recover the property unlawfully sold. The city cannot condemn her property in one direction and sell other of her property to create a fund to pay for that which is condemned. Such a course would result in confiscation by indirection. The estoppel must proceed, if at all, from a ratification of the sale on the part of the plaintiff by accepting of the purchase price, or part of it, knowing the sale to be invalid."

The court held that the city is under no obligation to refund to Noble since he purchased without any recourse and at his own risk, from which the opinion holds that the disbursement of money to the plaintiff, as a creditor of the city, should not work a ratification of the sale in his favor. Neither can the city be restrained from the payment of the amount of plaintiff's award under the warrants issued.

The second question involved a construction of Section 117, of the City Charter. The court held that there is no vague or double meaning in the provisions of the charter governing this subject, as to when the appropriation of the property condemned will take place and the city entitled to enter. The object of the charter was construed to be to secure to the owner just compensation for property taken without his consent and against his will and wish. Payment into court of damages assessed have been held in this state to be sufficient because the depository is considered safe, for the funds are placed beyond the retraction of the appropriator, and all that is necessary for him to do is to demand and receive his compensation.

On the matter of the awards that were given, the opinion held that the fact that the appropriation and the warrants were for a greater sum than plaintiff's damages, with costs added, amounting to more than plaintiff was entitled to, does not conflict in any degree with the object of the charter. In conclusion, the opinion held that the error in making the appropriation and in drawing the warrants, whether it was clerical or by misapprehension of the authorities in directing the course of the procedure, is not fundamental, and does not vitiate the proceedings. The decree of the trial court is affirmed.

Fred Nodine, respondent, as the First National Bank of Union, a private corporation, appellant, appeal from Union, W. R. Ellis, Judge; reversed and remanded. Opinion by Chief Justice Bean.

This was an action brought to recover an alleged balance of $17,213 78, claimed to be the amount remaining due on deposits in the bank made between 1883 and September, 1894. In answering, defendant admitted a balance due as per statements made monthly to plaintiff of only $4 82, which plaintiff had accepted as the true condition of his bank account; that the transactions from which plaintiff claimed a balance due were had prior to 1894, and the cause of action was not instituted within the required six years. A reply was made by plaintiff alleging that he had refused to accept the bank statement of September, 1883, as correct. A trial was had and plaintiff was awarded judgment for $5,091 90, from which defendant appealed.

The court holds as a settled fact that an account rendered and delivered to the debtor which exhibits the creditor's demand, becomes as between them an account stated, unless objected to within a reasonable time, and where, as in this case, the facts are undisputed, and the question as to what constitutes a reasonable time is one of law for the court, and not of fact for the jury. In disposing of the case the opinion says:

"At one time this rule applied to accounts between merchants only, but it has now become so extended as to embrace practically every kind of transaction involving the relation of debtor and creditor, and applies to a bank and its customer or depositor. The relation of a bank and its depositor is that of an ordinary debtor and creditor, except that by custom the bank is only liable upon demand made at its place of business. In other respects the dealings between a bank and its customer are governed by the same rules as those between other debtors and creditors. When the pass-book of a depositor is written up and delivered to him, or the bank renders him an itemized statement of his account and he retains the same without objecting thereto within a reasonable time, it constitutes an account stated.

"The plaintiff retained the account rendered him in September, 1894, for almost, if not quite, six years without objecting thereto, and, under the law, it became an account stated, and a complete defense to this action unless impeached by fraud or mistake. The statute of limitations seems to have been confused in the instructions with an account stated. An account rendered becomes an account stated if not objected to within a reasonable time, and this is a matter wholly distinct from the statute of limitations."

The judgment of the lower court was reversed and the cause remanded for a new trial.

B. I. Ferguson, appellant, vs. Mrs. Ollie M. Byers, respondent, on motion to retax costs, per curiam; motion denied.

C. E. Harmon, administrator of the estate of Horace Gasquet, deceased, appellant, vs. Charles Decker, respondent, appeal from Josephine County, affirmed, March 10, 1902; on petition for rehearing, petition denied; opinion by Justice Moore.

S. Spencer, respondent, vs. V. C. Paterson, appellant, petition to retax costs, petition denied; opinion by Justice Moore.

The following orders were made:

M. S. Crossen, respondent, vs. E. W. Oliver, appellant; ordered on motion that respondents' time to serve and file his brief herein be extended to June 5, 1902.

J. E. Cullison, respondent, vs. F. O. Downing, et al., appellants; ordered on stipulation that appellants have until June 5, 1902, to serve and file their reply brief herein.

Ida M. Tobin, et al., respondents, vs. the Portland Flouring Mills Company, appellants; ordered that nothing in the opinion in this cause was intended to prevent interested parties from having Balfour, Guthrie & Co. or other persons who may have received wheat from the warehouse at Halsey from being made parties.

Carver C. Wood was admitted to practice as an attorney on motion of R. J. Fleming.

COMMENCEMENT EXERCISES.

Candidates for Degrees in Oregon Universities and Colleges.

SALEM, Or., May 6.—Candidates for honors and degrees at Willamette University during the coming commencement are as follows:

College of Liberal Arts.—Degree of A. B., Clarence A. Housel, Idaho City, Idaho.

Preparatory and Normal — Walter C. Winslow, L. Leon Clark, Victor G. Evans, Wilbur F. Scott, N. Pearl Rhodes, Minnie L. Cornelius, Nellie A. Parsons, Maud I. Griswold, Helen K. Winslow and Sylvia E. Metcalf, of Salem; George M. Hunt, of Sublimity; W. Alma Sover, of Richland; Amy E. Martin, of Dayton; C. Olive Baxter, of Dolph; Gustina A. Randall, of New Era, and Mary Percefull, of Portland.

College of Music—Gertrude A. Brewer and Bertha A. Jennings, of Salem.

College of Oratory—Lucy E. Edwards, of Baker City.

There will probably be two graduates from the law department.

FOREST GROVE, Or., May 26.—June 18 will be commencement day at Pacific University. The members of the graduating class and the degrees they will receive follow: Miss Harriet E. Scholfield, B. S.; Miss Vesta M. Lewis, A. B.; Arthur E. Yoder, B. S.; Harold B. Millis, B. S.; Walter A. Dimick, B. S.; Abel Meresse, B. S.; R. W. Faulkner, B. S.

MONMOUTH, Or., May 26.—The arrangements for the annual commencement exercises of the State Normal School at Monmouth are fully completed. The following seniors from a class of 25 will take part in the exercises: Miss Elva Wheeldon, salutatorian; T. C. Allen, valedictorian; Miss Mona East, Miss Ora Overholtzer and Miss Neva J. Whitney will each deliver an oration. A life-size portrait of President T. F. Campbell will be presented to the school by the memorial association, composed of the alumni of Christian College, State Normal School and members of the senior class. It is expected the presentation speech will be made by the Hon. W. D. Fenton, who will also address the class. The presentation speech will be responded to by Supreme Justice Wolverton. The alumni banquet will be held in the afternoon and the reunion in the evening. Mrs. Hallie Parrish-Hinges, of Salem, will furnish some special numbers during the exercises.

OREGON CITY, Or., May 26.—The public schools of Oregon City will close next Thursday, after a most successful school year. Examinations are now being held in the different grades, and 32 pupils are candidates for graduation in the eighth grade. Next Thursday afternoon the eighth grade graduates will hold exercises. The class officers are Alan Cooke, president; Clara Koerner, vice-president; William Wilson secretary. On Tuesday evening, June 3, the High School graduating exercises will be held in Shively's Opera House. The graduates are Clara M. Caufield, Maude W. Cooke, Edna M. Daulton, Mary E. Mitchell, Roma G. Stafford and Florence F. Sullivan. The class officers are Mary E. Mitchell, president, and Maude W. Cooke, secretary.

ALBANY, May 26.—The commencement Day of Albany College will be June 18, when the orations will be delivered in the United Presbyterian Church. Other exercises will be held Friday, June 13, and on Sunday, Monday and Tuesday. The reunion and banquet of the alumni will be held in the college hall on Wednesday evening.

EVIDENCE AGAINST BALLIET.

His Chief Clerk and the Postal Inspector Tell Their Stories.

DES MOINES, Ia., May 26.—The prospects of Lettson Balliet winning in the case against him in the Federal Court here, alleging that he used the mails for fraudulent intent, are not overly bright. The case is attracting a great deal of attention and is being stubbornly contested on both sides.

S. H. Rolland, formerly of Marengo, Ia., but now of San Francisco, who was chief clerk in the office of Lettson Balliet at that place, was the principal witness for the Government today. He testified that to his personal knowledge the company had collected $116,000 from the sale of stock in the White Swan mine up to June 1, 1901. Nothing was said of the past year's business. The prosecution asked him a great many questions to show how this money had been disposed of, especially in the way of advertisements. Among the advertisements introduced as exhibits were a write-up in Ainslie's Magazine, for which it was declared that $750 had been paid; another in the Broadway Magazine, which had cost $150; write-ups in the New York Sun, Boston Journal, Philadelphia Ledger and a Baltimore paper, for which it was declared that $3900 had been paid, the contract having been let to a syndicate; a write-up in the Chicago Inter Ocean, costing $750; copies of the Baker City Herald, of which Mr. Rolland testified 200,000 copies had been ordered and mailed out of the office of the company. All of these write-ups, Mr. Rolland declared, were paid for. Up to June, 1901, he declared, all of the money had been deposited in Lettson Balliet's name, the company having no account of its own.

Postoffice Inspector C. E. Stewart stated that he had called upon Balliet in his office in the Iowa Loan & Trust building, in Des Moines, during the month of February, 1900, and asked to see the title to the mine in which he was selling stock. Balliet admitted he did not have the title, but stated that it had been sold at Sheriff's sale and that he was about to purchase it, having made $20,000 or $30,000, or more than enough to purchase the mine on which he had an option. Stewart also stated that Balliet admitted that he owned the Mining News.

Mrs. Young, who was on the stand Saturday, completed her testimony this morning. She testified that money derived from the sale of White Swan stock had gone into the Baker City Herald. Regarding the last trial of the case, when she was here, Mrs. Young admitted that she had been employed by Balliet to take down shorthand notes of the evidence for the use of defendant. As to the papers she had taken from Balliet's office and which she was introducing in evidence, she declared that she took them because they belonged to her and because Balliet did not want them filed in the office.

LONG BEACH EXCURSION.

Saturday, May 31, the O. R. & N. Co.'s Seaside steamer T. J. Potter will leave Ash-street dock at 10 P. M. for Astoria and Ilwaco. The round-trip rate to Long Beach points will be only $2 50, with privilege of returning from Astoria Sunday night by train. Particulars at O. R. & N. ticket office, Third and Washington.

It is no longer necessary to take blue pills to rouse the liver to action. Carter's Little Liver Pills are much better. Don't forget this.

ATTACKED BY TRAMPS

MINERS, BEATING THEIR WAY WEST MEET DESPERATE TRIO.

Probably Fatally Wounded One of the Gang and Believe They Killed Another.

BAKER CITY, Or., May 26.—The full particulars of the shooting affray on a west-bound freight train on the O. R. & N. last night are as follows: Robert Nelson and a man named Bardette, two miners, who were beating their way to this city on a freight train, were attacked this side of Huntington by three tramps, two white and one colored. The tramps entered the stock car in which Nelson and Bardette were riding, and ordered them to throw up their hands. One of the tramps had a gun, and he fired a shot so close to Nelson's head that the concussion knocked him down. Nelson had a large revolver in his pocket, which he drew and opened fire on the trio. While on the floor Nelson was struck twice in the left arm. Nelson fired three shots at the negro, all of which took effect. The negro was shot four times, however, one bullet going through the body and one each in the left foot and one in the right hip. The shot through the body entered under the right nipple, and is considered fatal. Nelson insists that he fired only three times at the negro. He fired a fourth shot at one of the white men as he was leaving the car, and he thinks he killed this man, as he saw him reel and fall from the car. When the train reached Durkee the trainmen were notified, and they in turn notified the officers in this city, and Deputy Sheriff Snow went in search of the other tramps, but up to a late hour this afternoon no trace of them had been discovered.

Nelson and the colored tramp are at St. Elizabeth's Hospital. The negro is in a critical condition. Bardette is in the county jail, being held as a witness. Nelson is not seriously hurt. Bardette had a Winchester rifle in his blankets, but was unable to get at it in time to take a hand in the fight. Nelson and Bardette appear to be honest miners, as they say. They claim to have friends living at Hereford, this county.

ROBBERS SHOOT POLICEMAN.

Fairhaven Officer Probably Fatally Wounded While Doing His Duty.

WHATCOM, Wash., May 26.—At Fairhaven about midnight last night two men held up a saloon known as "Butch's Place." In accomplishing this and effecting their escape from the police three men were shot, one probably fatally. They are: Policeman Anders Peterson, shot in the left side just below the heart; Nightwatchman S. A. Grandjeau, shot in right side; Thomas Barger, a bystander, shot through the right shoulder, not seriously wounded.

Robers entered the saloon a few minutes before midnight from the rear. There were two bystanders and a bartender there as they came in. Barger started to run out of the front door, pursued by the smaller of the two men, when the taller one fired over the shoulder of his companion and struck the fleeing man in the shoulder, not inflicting a serious wound. Before entering Barger's shoulder the bullet passed through a wooden partition at the front of the saloon, which served as a screen.

As the robbers were effecting their retreat with the cash register, Policeman Peterson started to enter the saloon through the door which they were coming out of. The officer and the robbers commenced shooting at about the same time, exchanging eight shots, with the result that the officer sustained a wound just underneath his heart, which is expected to cause his death. The robbers retreated a few steps further and stopped and opened the till, from which they abstracted only $3.

In making their escape they were observed by Nightwatchman Grandjeau, of the Puget Sound Packing Company's cannery, who notified the police. Here the robbers had to ascend a steep mound known as Deadman's Point. A cordon was thrown around this. In the darkness Watchman Grandjeau and Policeman Defries mistook each other and commenced firing, exchanging seven shots, Grandjeau being wounded, but not seriously, in the right side.

Posses were quickly formed and sent out in every direction, and steamers were sent scouring over the Sound to try and intercept the fugitives. The steamers and posses, save one which went in a southerly direction, have returned without news. Developments of the morning show that the robbers have unquestionably gone south, and all efforts are being centered in that direction.

GUILTY OF MURDER.

Jury Returns a Verdict in the Case Against Schevie.

ST. HELENS, Or., May 6.—At 8 o'clock yesterday morning the jury in the Schevie trial returned a verdict of guilty of murder in the first degree. Notwithstanding the fact that it was Sunday morning court was convened, and the jury discharged. The defense was given until Friday to argue a motion for a new trial. The verdict of the jury had but little effect upon August Schevie. His sister and father kissed him good-bye and wept over him, but he only laughed and said he would get a new trial. If the motion for a new trial should be denied the death sentence will be pronounced next Friday.

Saturday afternoon the Judge, jury, attorneys, court officers and the prisoner were driven out to the scene of the murder to view the grounds. The spot selected for this crime was a lonely and desolate one, fully four miles from the nearest human habitation, and on a mountain road that is seldom traveled in Winter time, and then only by pedestrians. And it was by the merest accident that the crime was detected at all. Had it been at any other season of the year there could have been no chance of discovery, unless a hunter should have passed through the wood and discovered the body.

Stole Two Suits of Clothes.

VANCOUVER, Wash., May 26.—David Denison and John Howard were tried before the Superior Court today on a charge of grand larceny, and were found guilty. The crime was committed about a month ago. They stole two suits of clothes, valued at $31, from the firm of Deierling & Padden.

Strictly Reliable

Dr. Talcott & Co.

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Practice Confined to Disorders of the Male.

By far the most frequent cause of nervous disorders of the male is

A Damaged Prostate Gland

The Prostate Gland, so-called neck of bladder, is a structure very rich in nerves. When the terminations of these nerves are kept in a constant state of excitement, by chronic inflammatory processes, it appears very clear that by transmission of this irritation to other nerves the patient may be subject to nervous phenomena of the most varied character. Prematureness, etc., are not weaknesses, but symptoms of this inflammation. We have prepared a colored chart, which we will send free on application, by which any one interested can readily understand why, if he has been treated for a weakness, he has not been cured. We particularly solicit this class of cases, and can promise a speedy cure without stomach drugging.

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Mercury and Potash

ONLY SERVE AS A MASK FOR CONTAGIOUS BLOOD POISON

They hide its repulsive form, and this serpent disease, stupefied by these drugs, lies dormant until the effects have worn off or treatment is discontinued, when it breaks down the mask and becomes as full of life and venom as ever. Mercury and Potash may dry up the sores and eruptions, but at the same time they drive the poison back into the blood and system, where it feeds upon the tender tissues, membranes and nerves, finally breaking out in most disgusting sores and even destroying the flesh and bones.

Mercury and Potash cannot accomplish a radical and permanent cure. They have a palliative but not curative effect upon this treacherous snake-like disease. These drugs produce mercurial Rheumatism, destroy the teeth and corrode the membranes of the stomach and bowels, causing inflammation and dyspepsia, nervousness and general derangement of the system.

S. S. S. is a Specific for Contagious Blood Poison, and the only antidote for the peculiar virus that spreads so quickly throughout the system, corrupting the blood and infecting every organ and fibre of the body.

SSS

S. S. S. destroys the serpent, and eliminates every atom of poison from the blood, it makes a thorough and radical cure of the disease, and at the same time builds up the general health. S. S. S. contains no minerals of any kind, but is a purely vegetable remedy and we offer $1,000 for proof to the contrary.

Write us about your case and our physicians will cheerfully advise without charge. Our home treatment book will be sent free to all who desire it. THE SWIFT SPECIFIC COMPANY, Atlanta, Ga.

Constipated Old Age

Isn't it too bad that so many people, when they get old, get cranky and rickety and mean, and don't feel right towards themselves or anybody else; yet it need not be so.

"Cascarets make me feel so light-hearted and lively, that though I have seen three score and three, a few more scores I yet may see."—James S. Millar, Villa Park, Cal.

"For many years I have been troubled with constipation. I used one 25c and two 50c boxes of Cascarets, and they have effected a permanent cure. Since my discharge from the army in 1865, I have never before found a lasting remedy."—B. J. McGwern, 949 Chapline Street, Wheeling, W. Va.

"I was troubled with something that baffled the skill of physicians for 25 years; I used five boxes of Cascarets and am in better health than ever before."—C. C. Redick, Chase City, Va.

"Six month's ago I took Cascarets for constipation contracted during the War of the Rebellion. The result is wonderful and I advise all old soldiers to try them."—Jas. Putman, late Capt. 53rd Ill., Haney, Wis.

"I was feeling bad, losing flesh, had dull headache, cold feet, and couldn't sleep well. I took Cascarets, and in four weeks gained 15 pounds. Am feeling fine now."—A. B. Story, veteran Mexican and Civil Wars, Epworth, Ia.

"I have been using Cascarets for some time for constipation, and their greatest benefit has been to cure me of asthma. I am in my 80th year and had been suffering with asthma for years."—T. M. White, Bob Lee, Georgia.

"Being now in my 79th year, I had suffered for five years from kidney trouble, disordered stomach, indigestion, no appetite, twinges of rheumatism. After five weeks taking Cascarets, all the above bodily annoyances were driven from my system. I now feel able to dance a break-down."—Frank O. Mahoney, West Side, Hannibal, Mo.

All old people's muscles get weak and flabby, and it's the same with the muscular walls of their intestines as with the muscles of their arms. When the bowels grow weak, the old folks get constipated, bilious, sick, helpless, irritable, and that's the chief cause of their death. Old folks should take Cascarets Candy Cathartic bowel tonic, keep their liver lively, their bowels regular and strong and live to be a hundred.

Cascarets Best for the Bowels. All druggists, 10c, 25c, 50c. 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. 591

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Cancers, tumors, congested gland and lump in the breast cured permanently. No knife, X-ray or electricity. 28 years' practice. Hours, 11 A. M. to 2 P. M., and evenings. 354 Corbett street, J. L. Bohannon & Co.

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Opium and all drug habits cured at home by a treatment wholly new in method, action and results. No pain, suffering or prostration. You continue your regular work every day. No dreaded last stage, or substitution, but a thorough, lasting cure.

From the time of taking the first dose of my remedy all desire for drugs disappears.

No payment until cured. Call or write in strictest confidence. DR. BRUCE KIMMIS, 268½ Morrison street, rooms 25, 26 and 27, Portland, Or.

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

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BREAKFAST—SUPPER.

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NO PAIN! NO GAS!

No charge for painless extraction when teeth are ordered. All work done by graduate dentists of 12 to 20 years' experience; a specialist in each department. We will tell you in advance exactly what your work will cost by a free examination. Give us a call, and you will find we do exactly as we advertise.

Set of Teeth	$5.00
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Gold Crown	$5.00
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