FLINCH UNDER FIRE

Prison Guards Hid During Tracy-Merrill Fight.

SECRET AT LAST LEAKS OUT

Outbreak Has Caused Many Changes at the Penitentiary With a View to Make It More Secure—Force of Guards Increased.

SALEM, July 31.—(Special.)—It leaked out today that when the firing of guns in the prison yard on the recent escape of Convicts Tracy and Merrill, called two penitentiary officials to the wall on the morning of the outbreak, they found two of the wall guards hiding and making no effort to discover what was going on inside the yard. To shield the men from public censure, the whole matter has been kept an official secret, but, like all good stories, the facts have gradually leaked out, a little at a time. Prison officials when interviewed about the matter today were very reticent, but would not deny it.

The outbreak has already resulted in several reforms at the State Penitentiary, and other changes in the way of improvement will be made in the immediate future. Through the changes that have already been made the prison has been greatly strengthened and it would now be extremely difficult for a similar escape to be made. The most important improvement needed cannot be effected, however, until such time as the Legislature shall appropriate money for that purpose.

Better Guns for Guards.

One of the first acts on the part of the prison management after the outbreak was to arm the wall guards with 30-30 Winchesters. While there is some question as to the efficiency of the riot guns in the hands of the guards at the time of the outbreak, it is known that Guard Jay McCormick, a crack shot, failed to hit Merrill, though he had everything in his own favor except the weapon. The guards are quite agreed that their old guns were unreliable. The weapons complained of have been discarded and the best rifles procured to replace them. The night guards are being armed with shotguns loaded with buckshot, it being believed by the prison officials that accurate shooting in the dark is impracticable with a rifle firing a single bullet.

The general public will doubtless be surprised to learn that rifle practice had not been required of the prison guards for a long time previous to the outbreak. One or two guards were in the habit of practicing at long intervals, but they were the men who needed the practice the least. A few years ago there was a target in the field in front of the prison, and the guards had regular dates for trying their skill and becoming familiar with their rifles. But the target has not been in position for some time. A few weeks ago a new target was erected near the brickyard, south of the Penitentiary, and now the guards shoot at the target once a week, under the direction of Second Warden Willey. One or two guards have become so proficient that they can place five or six bullets in the bullseye in quick succession at 300 yards. It is whispered around that one guard failed to hit the target at all, though the pile of timbers was about three feet square. His term of service is likely not to be long at the prison.

It should be said in connection with this subject that the abandonment of regular target practice a few years ago was doubtless due to the cutting down of appropriations and the consequent necessity for rigid economy in expenditures. The prison management did not feel able to supply the ammunition and the guards did not think they should purchase it themselves.

Prison Force Increased.

A number of new men have been added to the prison force. These took the places of the guards who were killed at the time of the outbreak, and others were either put on to increase the force or to replace others who have resigned. Two additional guards have been placed in the yards at night, and one additional guard is on the wall in the daytime. Before the outbreak the wall was left unguarded during the time when the prisoners were locked up at noon. Now one guard is kept on the wall all the time, so that no one can approach the prison from the rear without being detected. The prison yard has been cleared so far as possible of all boxes, outbuildings, woodpiles, etc., that could afford the prisoners good hiding places during attempted escapes.

One of the most important of the permanent improvements now being made is the erection of a new guardhouse at the center of the east wall. Material for this post was hauled to the grounds today and the structure will be put up at once. The east wall is the place where the prisoners would be most likely to attempt a break. The two guard posts at the end of that wall are about 700 feet apart. The millrace passes under the wall about the center, and scaling the wall at that place is not difficult. In fact, one of the guards is in the habit, on returning from fishing expeditions, of climbing the wall from the outside in order to secure the easier walking on the plank walk at the top of the wall. When the new guardhouse has been completed a guard will be stationed there and the danger of intrusion will be greatly lessened.

Strengthening of the wall itself is the improvement needed most of all. As this will entail considerable expense it cannot be undertaken until authorized by legislative appropriation. The wall should be higher and the buttresses should be removed, so that climbing the wall from the outside would not be possible without the aid of a ladder. It is expected that the annual report of the Superintendent of the Penitentiary will contain some definite recommendations upon this and other kindred matters which have been brought to notice by the recent outbreak.

PIONEER BREWER SELLS OUT.

Henry Rust Disposes of His Business at Baker City.

BAKER CITY, July 31.—(Special.)—The largest business deal that has been recorded in this city for some time was closed this morning, when Messrs. Carl Adler, Louis Sommer and Miles Lee purchased the Pacific brewery property of Henry Rust, the pioneer brewer of Eastern Oregon, for $25,000 cash down. The property is on the corner of Front and Washington streets, with a frontage of 101 feet on Front street and 100 feet on Washington street. It is the intention of the owners to erect a handsome business block on the ground next Spring. Mr. Rust will retain possession until then, when he will vacate, and the buildings now occupying the ground will be torn down.

Mr. Rust is one of the best-known citizens in this part of the state. He has long taken an active part in business and politics.

WHY HE KILLED INDIAN GIRL.

Chinaman Feared She Would Testify Against Him in Whisky Case.

SEATTLE, July 31.—Details of the murder of the Indian girl at Petersburg, Southeastern Alaska, by Hip Hay, the Chinese who committed suicide at Port Townsend last Saturday night, were brought south by United States Marshal James M. Shoup, of Juneau, today. The Indian girl had been educated at the Indian school, and was a worker in the Salvation Army among her own people. Her body was found where it had been buried by the murderer on July 20. The motive for the murder, the Chinese told one of his friends, was provided in her threat to testify against him for selling whisky to an Indian. On the last trip downward the Dolphin brought Hip Hay as a passenger. Marshal Shoup sent word ahead ordering his arrest, and he was placed in jail when the Dolphin reached Port Townsend. The next morning he was found dead in his cell. He had committed suicide by strangling himself with a shoestring.

Hip Hay was foreman in a large cannery at Petersburg, which is a small town on the coast. After the murder he severed the head and legs from the trunk of the body to facilitate burial. The ground over the remains was carefully replaced and covered with moss, but the body was found later. Feeling against the Chinese ran high, as suspicion immediately rested upon him. On the boat he said he had been forced to come aboard by a Japanese who was also a passenger.

FISHERMEN WIN OUT.

Strike at Bristol Bay Causes Prices to Go Up 100 Per Cent.

SEATTLE, July 31.—Information of a private nature reached here this morning from Bristol Bay, Alaska, giving the details of a strike among the salmon fishermen of that place which occurred June 24, involving 700 men. Fourteen canneries and fish-packing establishments were involved. After a hot fight, lasting five days, in which threats of violence were made by the strikers, the employers acceded to their demands, although by so doing the cost of the fish was increased over 100 per cent. The employers at first refused to grant the demands of the strikers, which was for an increase of from 2 to 3 cents for red salmon and a payment of 2 cents for dog salmon, which the cannerymen have heretofore rejected.

May Get Another Rural Mail Route.

EUGENE, July 31.—(Special.)—Special Agent C. E. Clement was here yesterday making an examination of a proposed new rural free delivery route. The route is to leave Eugene, following the main road to Springfield, crossing the bridge and returning through a thickly-settled farming community on the opposite side of the river. More than the required number of families reside along the route.

Postal Inspector F. W. Vaille has returned from a trip to McKenzie Bridge, where he went to study the advisability of increasing the mail service from triweekly to daily between Leaburg and McKenzie Bridge. Mr. Vaille will not make known the nature of the report he will make, but it is believed the increase will be recommended.

Aberdeen Brevities.

ABERDEEN, Wash., July 31.—(Special.)—The McWhinney Shipbuilding Company, whose yards were burned out last Saturday, is contemplating rebuilding its plant upon a much larger scale.

A move was made last night to resume open gambling here, after a cessation of the evil for several months. The City Marshal promptly closed the games, on learning of the condition of affairs.

Every member of the family of J. J. Robinson, living on E street, is violently ill as the result of eating what is now supposed to have been tainted meat, and the physicians say that the symptoms all point to acute ptomaine poisoning.

Astoria Brevities.

ASTORIA, Or., July 31.—(Special.)—The collections made by the police department from fines and forfeitures during July were the largest ever made in that month from the same source. They amounted to $320, while in the same month a year ago but $775 was collected.

The logging camp of Brix Bros., on Sisson Creek, which was recently damaged by fire, will resume operations tomorrow.

Bids were opened this afternoon for the improvement of Commercial street from Third street to Sixth street. The bid of W. A. Goodin of $2637 50 was the lowest, and the contract was awarded to him.

Eugene Brevities.

EUGENE, July 31.—(Special.)—Judge W. S. McFadden, of Corvallis, has volunteered to assist the prosecuting attorney in the case of the State against Heaton, charged with the murder of Benton Tracy, of Junction City. Tracy was a particular friend of Judge McFadden.

County Superintendent W. M. Miller has made up his annual report, from which it is learned that the number of inhabitants of the county between the ages of 5 and 21 years is 7755. Of these 3979 are males and 3776 are females.

Water and Light Bonds Voted.

WEISER, Idaho, July 31.—(Special.)—The election to vote bonds to the amount of $40,000 for the installation of a water and electric light system and purchase apparatus for a fire department was held today. The proposition carried by a vote of 122 for and 15 against. Work will be commenced as soon as bonds can be disposed of. A reservoir system will be used, the same power running both the electric light and water systems. The water will be taken from the Snake River.

City Bonding Proposition Carried.

ABERDEEN, Wash., July 31.—(Special.)—A special election held here today for the purpose of voting an issue of $100,000 bonds to be used for refunding the present municipal indebtedness, the improvement and extension of the water system, the construction of sewers and the building of a bridge across the Chehalis River to South Aberdeen, resulted in the entire proposition carrying by a vote of 427 to 255, being 18 more than the required three-fifths majority.

Coaling Station Contract Let.

SEATTLE, July 31.—The contract for the construction of a coaling plant at the Puget Sound navy-yard has been awarded to the Puget Sound Bridge & Dredging Company, of Seattle, at $365,000. Word to this effect was received today from Washington, D. C. The plant will be the largest on the Coast, and will be so equipped that it can load coal on a warship at the rate of 200 tons an hour.

The Largest Tree in the World.

FRESNO, Cal., July 31.—What undoubtedly is the largest known tree in the world has been recently discovered far up in the Sierras in this county. The monster was measured six feet from the ground and it took a line 154 feet and 8 inches long to encircle it, making it over 51 feet in diameter. This tree is on the Government reserve and will escape the woodman's ax.

Smallpox at Asylum.

SALEM, Or., July 31.—(Special.)—A patient at the Asylum has contracted smallpox, and as a result a quarantine has been established against all visitors except relatives of the patients. Precautions have been taken to prevent a spread of the disease.

To Become Head of Idaho 'Varsity.

FRANKLIN, Ind., July 31.—Professor Horace Ellis, who has been superintendent of the city schools, has resigned to accept the presidency of the Idaho State University. Professor Ellis is very popular here.

First Grain-Field Fire This Year.

WALLA WALLA, Wash., July 31.—(Special.)—The first grain-field fire for the season occurred this afternoon eight miles south of this city, W. C. Steen losing 1200 sacks of wheat and some outbuildings.

LIE AWAKE NIGHTS!
A Simple, Pleasant Remedy.
Horsford's Acid Phosphate taken just before retiring quiets the nerves, nourishes the body and induces refreshing sleep. It supplies the needed brain and nerve food.

Bombast once signified the cotton that was employed to stuff garments, particularly the enormous trunk hose worn in the fourteenth and fifteenth centuries.

RIGHTS OF THE DEFENSE

"BOB" SMITH TAKES UP HIS HANDY PEN AGAINST REAMES.

And Makes an Appeal for His Client Which Is Ingenious, Whether It Is Convincing or Not.

GRANT'S PASS, Or., July 30.—(To the Editor.)—An editorial referred in The Oregonian of recent date to the case of the State of Oregon vs. T. J. Gibson, has called forth a reply from the Prosecuting Attorney, A. E. Reames. I am averse and opposed to trying cases in the press, but as one of Gibson's attorneys, and as an attorney of the Supreme Court of this state, I cannot permit the unfair presentation of the case made by Mr. Reames to go unanswered. I am aware that a good many people invest the man who by the accident of ballots occupies the office of Prosecuting Attorney with infallibility of judgment and purpose, but like every attorney who has had much experience in criminal trials, I am also aware that many men are through mistaken zeal vigorously prosecuted without legal evidence of their guilt. Mr. Reames is a vigorous prosecutor, and seems to be well adapted to the work of the office, and I have no doubt believes he has written an impartial statement of the case, and which I believe is one-sided and unfair, for the reason that because of his mental attributes that make him a vigorous prosecutor, and his pride in his success and his zeal in his work, he is unable to see but one side, and that side is his side.

The letter of Mr. Reames plainly illustrates the kind of evidence he believes should be sufficient to convict, and the arguments he uses to secure a conviction. I wish to call attention to some of the points he affects to make.

In the first place the gun Schonbachler had is called "a harmless old muzzle-loading, single-barreled shotgun." In answer to that I need but to say that the trial Judge charged the jury that that gun was a dangerous weapon. The gun was a 16 gauge, with a 36-inch barrel, and to all appearances and as far as the evidence showed was in perfect order, except the absence of the piece of wood that fits under the barrel in front of the lock. The prosecution offered evidence to show the gun had a small load, and this was one of the chief arguments of the prosecution; but there was no evidence that Gibson knew how the gun was loaded, or even knew that was the gun or could tell at his distance that it was. When one considers the stress Mr. Reames gives to this point in his letter and remembers the argument he made upon it as I do, he may well wonder what the law of self-defense amounts to in this country. If a 16-bore shotgun is not a dangerous or deadly weapon, then in the name of reason what is such a weapon? How close would the Prosecuting Attorney like to stand to such a gun as a target if he did not know how it was loaded, or if it was loaded with buckshot? Again, must one who is assailed with a gun even consider the load that may be in the gun or its range? Is it a prosecution that is based on such reasoning or is it something else? It was probably the same fair line of reasoning that led Mr. Reames in his closing argument to compare the defendant to Merrill and Tracy. When objection was made to such reference he stated that he withdrew the words, but he had craftily succeeded in getting his insinuation before the jury, when the defendant's attorneys had no opportunity to reply.

The impartiality of the Prosecuting Attorney's letter is again shown in his statement of the threats made by both parties. He states the evidence showed that Gibson threatened to kill Schonbachler. This was testified to by Elisha Frankmer and Sam Hogue. Six witnesses testified that Frankmer's reputation for truth and veracity was bad, and to offset this the state called, I believe, four witnesses who said they had not heard it questioned, and one who testified he had heard it discussed a great deal for nine years, and it was good. Sam Hogue is Frankmer's father-in-law, and was a very old man, and the Prosecuting Attorney had to shout in his ear to make him hear, and Hogue testified he did not hear all the conversation, and one witness testified Hogue told him he did not hear any threats made. Frankmer, according to his own evidence, was drunk shortly after, if not at the time he met Gibson.

Of course the prosecution can have no object in or desire to unfairly convict or mistate the evidence. Mr. Reames states that Schonbachler "Had imbibed liquor too freely, and in his talkative way had made threats against Gibson."

The only evidence of Schonbachler's drinking was one witness who said he "smelt liquor on him." But why did not Mr. Reames give the threats made by Schonbachler? He stated the character of the threat Gibson made, and if his desire is simply to put The Oregonian right, why omit this important part?

James Deveney, James McGalliard and W. H. Zumwalt testified that on the evening before his death Schonbachler got off the train at Merlin and stopped at Guild's store and began a conversation by saying: "I have been to Grant's Pass to see them —— — ——, and they won't do nothing, and I'm going to take the law in my own hands." When asked whom he referred to he said Gibson. When McGalliard told him he should not make threats he again said: "I don't care a —. Gibson or me, one must come down. Tomorrow morning I take my old shotgun and blow his —— —— brains out." Mr. Zumwalt, who is an old pioneer of Oregon, tried to pacify him, but he only became more earnest, and Zumwalt was so impressed and alarmed by what he said that he went to J. L. Riggs, a distant relative of defendant, and told him what he had heard, and advised him to inform Gibson, and Gibson was informed at 11 o'clock the next day. All three witnesses testified that Schonbachler was sober.

Schonbachler's house and Gibson's were about 200 yards apart. One was in full view of the other. Schonbachler remained in the house all next day till about 6 o'clock and when the evening meal was on the table as Gibson left his house he took his gun and started out. The wife went out on the porch and followed him, with her eye on every step. On the first trial she said: "I knew there was trouble." She heard Gibson say, "Put down that gun," and then heard a shot. Schonbachler fell at a point across his own line on Gibson's land. Gibson was 75 yards from the boundary line. He was on his way to call Van Dorn who lived across the river about 400 yards distant, to take his, Van Dorn's, boat and row down and get Gibson's boat which the current had carried down on Schonbachler's land, a few days before, to avoid crossing Schonbachler's land to get it. Gibson had crossed his own field in the morning for the same purpose, but could not get Van Dorn to answer, and went again in the evening when he could have no thought of finding Schonbachler in his field.

Gibson never at any time testified "he made up his mind to kill Schonbachler when he saw him coming from the house." On the first trial he said he thought he would have to kill him because he thought Schonbachler intended to kill him. There was much evidence to contradict Van Dorn and he was impeached by his testimony taken at the Coroner's inquest, where the defendant was not represented. His testimony was at variance with Mrs. Schonbachler's testimony in many material points.

I will not take the space to reply to all the opinions given by the prosecuting attorney. I have, I believe, given enough to show whether or not the statement of Mr. Reames is fair or unfair. The verdict, I will say, was a shock and surprise to the whole community and to all connected with the trial with the possible exception of Mr. Reames.

No argument or reasoning is needed to call attention to the prosecution's earnest efforts other than the comments of the prosecuting attorney on the conduct of Gibson. Gibson after committing the deed gave himself up immediately. He is a son of a pioneer family of Lane County, and on the trial showed his reputation has been the best all his life. From the time he was arrested he has been hysterical, and as many believe insane. He has at times been able to assume a careless air and for most of the time unable to control his feelings. At the first trial he bore the ordeal quite well. He did, I think, smile once in an effort to hide his own feelings, but laughed never. But even if he laughed I think he should only be convinced on legal evidence. The criticism of the defendant seems to go much farther than an attempt to correct the editorial statement. It smacks of the inquisition and of prejudice.

In conclusion allow me to say, not as applying to this case alone, but to all others, because I believe it is an abuse that needs correcting, that on the argument of the case the deputy prosecuting attorney addressed the jury for 25 minutes, not even giving an outline of the prosecution's theory. The defendant's attorneys addressed the jury for two hours and 15 minutes, and the prosecuting attorney took two hours and 30 minutes to reply (?) in an argument going over the whole case, when the defendant's attorneys had no right to reply. It was in that argument that the defendant was compared to Merrill and Tracy and in which the jury was warned not to turn the defendant loose on this community to repeat his crime. The defendant was compared to the bank cashier who had borne a good name for 25 years and suddenly stole the funds and fled to Canada.

"Unless we have the support of the press in the enforcement of the law we cannot have, universally, the support of the people." Who is "we?" What should be the mission of the press? It seems to me that under our present system more than ever the press should act as Blackstone says the Judge should, "as counsel for the defendant." Because of high rates of taxation men in rural communities are often hurried to their trial withiut time or opportunity to prepare, to save expense. The moment one is arrested some begin to murmur against taxation. Politically ambitious officers in obedience to such clamor and often because of fear of the press, perhaps without any wrongful intention, and prompted only by what is a desire to be efficient, deprive accused persons of fair trials, and unjustly convict them. It has almost become an axiom that "a trial court should never grant a new trial." The law is supposed to be vindicated only by convictions and the people interested only in verdicts of guilty. Today in this state the prosecuting attorney can act as a magistrate. He produces the evidence, hears it and passes on it. The Judges of the feudal period had no such authority even over the villeins. Now give in addition the support of the press by all means.

I am aware that the legal profession has done much to hinder the enforcement of the criminal laws against the guilty, but the pendulum of popular opinion and in some instances the press, has swung too far to the other extreme, and for my part I earnestly hope that while the prosecution of people accused of crime is committed to the hands of fallible men, sometimes passionate, narrow and cruel, vain and zealous, that the press of this country will withhold its support from attorneys for the prosecution as well as the defense, and give it first and last to Justice, the mother of all, and the only guide for its enforcement, whose principles and truths can never be written on a cash register.

Personally Mr. Reames and myself are the best of friends, and I regret that my client's interests call on me to criticise his letter, and it is only his letter and matters necessarily connected therewith that I desire to call in question, and not the gentleman's personality outside of this case.

ROBERT GLENN SMITH.

BATTLE FOR MINE NOW ON.

Woman Says She Owns Yukon Claim, Man Denies Sale.

SEATTLE, July 31.—The Eagle Mining Company is suing Miss Ella R. Garret for a title to claim No. 4 on Glen Gulch, and on account of the richness of the claim and the many peculiar circumstances surrounding the case, the litigation has aroused great interest in the Yukon basin. In the Spring clean-up this year, $60,000 was washed from the dump, and the money is now held by the United States Marshal at Rampart, pending the settlement of the suit.

The claim was staked for Miss Garret by Jack Belsea, each taking half. Henry Thumm, of Seattle, bought Miss Garret's half for $1750 before it was known how rich the ground was. Then Miss Garret alleges Belsea sold his half to her, but she failed to have the signature witnessed, and Belsea now denies the sale. The Eagle Mining Company has been working the ground claimed by Belsea, and last Winter Frank Hyett, who says he witnessed the sale of Belsea to Miss Garret, rode all the way to Nome, 2000 miles, on a bicycle, to get an injunction preventing the Eagle Mining Company from working the property. The case is now being heard at Rampart by Judge Wickersham.

New Mining Company.

BAKER CITY, Or., July 31.—(Special.)—Articles of incorporation were filed with the County Clerk yesterday incorporating the Monster Quartz Mining Company. The incorporators are: William Eblen, F. L. Evans and Antone Klauser. The capital stock is placed at 1,000,000 shares of the par value of $1 each.

New Factory for Forest Grove.

FOREST GROVE, July 31.—(Special.)—It is now settled that a Seattle company will establish a condensed milk factory here. Citizens have donated a five-acre tract for the plant, and representatives of the promoters are on the ground to begin work at once. A brick structure 100x120 will be erected for the factory.

The Crescent Flouring Mill received 500 bushels of this year's crop of wheat yesterday, which is the first that has been delivered here this season.

MAD DOG SCARES.

Vicious Animals Should Not Range the Streets and Parks.

Chicago Record-Herald.

There is a tendency upon the part of some of our exchanges to chide the public for permitting itself to be moved by the "mad dog scare." The Pittsburg Gazette, for instance, says:

"Not all dogs that show fury and bite are mad dogs, and not all the people who die after being bitten are victims of hydrophobia. A majority of them are victims of their own imaginations."

Pursuing the same subject and a similar line of argument, the Philadelphia Record says:

"It is almost certain that the popular fallacies about mad dogs and hydrophobia have killed more persons than has hydrophobia itself. Fairly sensible persons, when bitten by a cross dog, often become panic-stricken and die in great agony after exhibiting many of the alleged symptoms of hydrophobia, although the dog in each case may have been free of rabies."

These statements may be true enough, and it undoubtedly is unfortunate that people sometimes permit themselves to be scared to death. But why should dogs that are merely vicious be permitted to run at large? Why should dogs of any kind be left to roam at will? Most people have the good taste to keep their children from tearing around through the streets and over their neighbors' lawns and from being public nuisances. Why should their dogs be exempt from restrictions? If dogs were not left to run loose there would be no unwarranted mad dog scares.

The bands of elk that wintered in the Jackson Hole country, Wyoming, four years ago, were estimated to number 60,000. They now number less than 10,000, according to the estimate of the ranchers.

HIGH MASON PASSES AWAY

DEATH OF JACOB WEATHERWAX, OF ABERDEEN.

One of Gray's Harbor's Most Prominent and Best-Known Citizens—Lieutenant in Civil War.

ABERDEEN, Wash., July 31.—(Special.)—Jacob Weatherwax, the youngest of seven sons of the prominent Weatherwax family, of this city, and one of the most prominent Masons in the Pacific Northwest, died here of double bronchial pneumonia this morning, aged 62 years. Mr. Weatherwax was one of the most popular and universally esteemed men in this section of the state. Everybody on Gray's Harbor knew him and considered it a privilege to be numbered among his friends. During his 14 years' residence here he was always foremost in every enterprise that had the welfare of the city for its object. In industrial, mercantile, fraternal, social and religious circles his name was always a prominent feature.

While not seriously ill, he had been ailing for a few weeks, but it was not until early this week that his condition was considered critical, and then the highest medical and professional care could not stop the ravages of the disease that had attacked him. His death has caused universal sorrow, and the entire city will suffer an almost irreparable loss in his removal.

He was born in Michigan in 1840, and lived the greater part of his life in that commonwealth, from which state he volunteered as a private for the Civil War in the Second Michigan Cavalry, being mustered out at the end of the conflict with the rank of Lieutenant. He was married 25 years ago to Miss Martha Burke, of Greenville, Mich., who survives him, with two daughters, three brothers and a host of nieces and nephews, all of whom are now here in Aberdeen.

In Masonic circles Mr. Weatherwax attained a distinguished eminence that is rarely accorded to one man, and his prominence in the fraternity was the greatest mark of confidence that the order could possibly bestow. When he died he was past grand commander of the Knights Templar, State of Washington; most excellent high priest of the grand chapter, Royal Arch Masons, of this state; grand marshal of the blue lodge of Washington, and worshipful master of Aberdeen Lodge, No. 52, F. & A. M., besides being a member of the Eastern Star and an eminent noble of the Mystic Shrine. His last public appearance was on the evening of July 5, when the Masonic lodges of Gray's Harbor tendered a banquet in this city to most Worshipful Grand Master John Arthur, at which brilliant function Mr. Weatherwax acted as toastmaster.

His funeral will take place Saturday, the services being according to the solemn and impersive ritual of the blue lodge assisted by the Royal Arch Masons and commandery.

Successor to Weatherwax.

WALLA WALLA, July 31.—Grand Secretary Y. C. Blalock, of the Royal Arch Masons, for the State of Washington, tonight received notification that Grand High Priest Jacob Weatherwax had died at Aberdeen this afternoon. Mr. Blalock announces that Deputy Grand High Priest Nathan S. Porter, a resident of Olympia, will succeed Mr. Weatherwax, who was a past grand commander of the Knights Templar.

Funeral of Mrs. F. L. Davidson.

SALEM, July 31.—(Special.)—The funeral of Mrs. Mary Melson-Davidson, who died in this city last night, will be held tomorrow. Mrs. Davidson was born in Shelby County, Missouri, in 1851, and came to Oregon with her parents in 1864. She was married in 1869 to T. L. Davidson, who, with a son, T. L. Davidson, Jr., survives her. She leaves five sisters and one brother. They are Mrs. L. B. Plants, Milton, Or.; Mrs. J. H. Wilson, Palo Alto, Cal.; Mrs. S. P. Gerrigues, Heppner, Or.; Mrs. Ella B. McDowell, San Jose, Cal.; Mrs. M. J. Wilson, Salem, and J. A. Melson, Salem. The funeral will be conducted from the residence of Mrs. M. J. Wilson on State street tomorrow at 2 P. M., Rev. John Parsons officiating.

Dr. J. Rex Byars.

SALEM, July 31.—(Special.)—Dr. J. Rex Byars, aged 25 years, died in this city today of consumption. Deceased was a son of W. H. Byars, and was graduated from the medical department of Willamette University in 1901. During the Summer of that year he served as physician on a passenger steamer running to Hong Kong, and has since resided in California for the benefit of his health. He served during the Philippine War as hospital steward in the Second Oregon. He was a very popular young man, and had a wide circle of friends here.

Oregon Pioneer of 1852.

ROSEBURG, July 31.—Henry G. Brown, an Oregon pioneer of 1852, died at his home near Elkton yesterday, aged 73 years. He was a brother of Hon. A. F. Brown, of Oakland, and leaves a son and three daughters, Samuel T. Brown, Mrs. Mattie Atkinson, Elkton; Mrs. Hattie Atkinson, Mount Idaho; Mrs. Carrie Damon, Grant's Pass. Mr. Brown's wife died only two weeks ago. She was a sister of Hon. D. W. Stearns, of Oakland. They were among the county's most highly respected pioneers.

Well-Known Washington Pioneer.

WALLA WALLA, Wash., July 31.—(Special.)—John Dooly, one of the richest men in the Northwest, and a well-known pioneer of this section, died this morning of blood poisoning. He was 73 years of age and a native of Ireland. Forty-five years ago Mr. Dooly was one of a party that made the official survey of the Canadian-American line.

Prominent Aberdeen Business Man.

ABERDEEN, Wash., July 31.—(Special.)—H. L. Cook, a prominent merchant of this city, died suddenly yesterday morning of heart disease. He was 36 years of age.

Payments on State Taxes.

SALEM, July 31.—(Special.)—Multnomah County today paid $7000 on the second half of its state taxes for 1902, and Douglas County paid $1262 to apply on its acount for the same purpose. The second half of the state tax is not due until December 1, but some of the counties which have money on hand seem disposed to pay up before that time. Under the new law the counties must pay half their state taxes by June 1 and the other half six months later. Under this arrangement all the counties have money to meet the taxes when due and it is no longer necessary to charge interest for delinquencies.

Railway Tracks Not Disturbed.

SAN FRANCISCO, July 31.—Master of Transportation Richardson, of the Southern Pacific Company, stated to the Associated Press today that the seismic disturbances in Santa Barbara County had not destroyed any railroad property and that the tracks of his company were intact. All trains are running on time.

Questions for Teachers' Examination

SALEM, July 31. — (Special.)—Superintendent of Public Instruction J. H. Ackerman today sent out the lists of questions to be used in the regular teachers' examinations to be held in all the counties in the state August 13 to 16 inclusive.

AT THE HOTELS.

THE PORTLAND.

J M Church, La Grnd
M B Travis, Chicago
Jas S Buchanan, N Y
E T Coman, Colfax
C W Smith & wife, Menlo Park
Bruce Sikes, Minnpls
J H Hawthorne & wf, Lewiston
J D Gulick, N Y
W L Stirling & wife, Walla Walla
Lewis Sears, Seattle
C Wills, Seattle
F W Friedhoff, Chgo
F D Newburger, Chgo
A Stoddart, St Paul
S Witkowski, San Fr
C L Knabe, Chicago
F H Laird & wife, Beaver, Pa
A W Mardemont & wife, England
G F Grove, N Y
R G Brier
M I Edwards, Texas
W B Covell, Hartford
C M Butcher, Iowa Cy
W E Foster, do
J E Switzer, do
W H Stewart, do
J F Wright, Iowa
D T Corley, Iowa
S J Rosenthal, Olymp
A R Harlow, Seattle
H S Winans & wife, Denver
W S Taylor & w, Chg
W P Bonney, Tacoma
J H O'Bryan & wife, city
M Lobe, Tacoma
Mrs Gus Greenfeld, do
E J Miller, Ill
A B Scott, Bethany, Ill
H B Hall, Boston
Mrs A C Allen & md, Salt Lake
L Harris, Butte
W V Fuller, Dalles
R Rainaker, Seattle
G Rainaker, Seattle
J C Jorgare, Minnpls
R Portuguese, San Fr
A H Wagner, San Fr
E N Alden, N Y
W B Dennis, Black Butte
S Watson, Chicago
F M Gray & w, Miles, Mich
C M Cole, San Fran
M J Watts, Brookline, Mass
Miss M B Lewis, do
Oscar Hayter, Dallas
Chas Nesbit
M C Grace
H M Comer & wf, Ga
T T Goodwin, N Y
J A Dunlap, N Y
H G Halfhill, N Y
J Freund, San Fran
A M Gayle, Chicago
W T Rhodes, Seattle
W A Douglas, Buffalo
E A Waix & wf, N Y
Geo A Smith & wife, Denver
Mrs S Danziger, Astoria
C E Brady, Colo Sprgs
J A Lynch & fy, St L
A H MacNeil, N Y
E J Goodkind & son, Helena
E C Williamson & wf, St Louis
H G Hochstadter, N Y
H G Lazell, M D, Richmond, Va
H M Carruthers, N Y
S E Waggoner, St L
W Palache, San Fran
Waddington, Paris
H Outray, Paris
Cte de Perigay, Paris
Dr H Gibray, N Y
A J Talmice, Dalles
J F Harley, Seattle
C H Amesl, Snohomish
J Q A McDowell & w, Newcastle, Pa
Mrs J H Redick, Spok
E J Burns & wf, S F
W W Lovell, wf & fy, Los Angeles
Mrs C R Craig, do
T L Craig, do
S A Bonnifield, S F
F J Lins, San Fr
F Schwabacher, S F
E E Smith, Chicago
G H Vawter, Chicago
C W Tarbut, Pomeroy, Wash
Wiley B Allen, San Fr
F D Stanley & wife, Perry
Mrs L C Stanley, do
Mrs Robt Smith, do
G Ponair, San Fran
Miss F Day, San Fran
Harry Gray & wf, Cal
G Holterhoff & wf, do
Miss Holterhoff, do
Miss Bashford, do
C E S Burch, Seattle
A L Blanck, Denver
L P Winslow, Batavia, Ill
R E Winslow, do
O H Fithian, do
J T Brooks, St Joe
Jas Monahan, Spokn
Jas Ravensley, Pendleton
J F Asch, Pendleton
A G Butterfield, Weiser, Idaho
E A Paddock, do
S Greedyke, San Fran
W S Lysons, Kelso
Mrs E C Rurove, St Paul, Minn
Miss F M Cole, do
Mr White, Brecklnrdg
G W Billings, do
W W Wheeler, Des Moines
Margaret B Casey, Chicago
Rose Kelly, Chicago
Robt Moon, Mt Carroll, Ill
Retta A Moon, do
A C Montgomery, Denver
W G McKenzie, Pittsburg, Pa
R J Cooper, do
Wm Wyht, Phila
H Koren, Butte
W W Haney, S D
H W Johnson, Armour
F H Johnson, do
Wm Eccles, Viento
M E Buchene, Minnpls
A D Rothstein, Seattle
Mrs L Byrne, Seattle
Miss Agnes Byrne, do
Miss Maymne Locey, Chico
D E Fulton, Wash
Mrs Fulton, do
H B Budd, do
Mrs Budd, do
F Tallman, Albany
Henry Pape, Salem
Jas Mott, N Y
Mrs Mott, N Y
Mrs O C Vaughn, Chgo
Mrs A Walker, do
D C Cannon, Sioux Cy
Mrs Cannon, do
F L Johnson, Cedarvill
Mrs Johnson, do
Jesse Hardesty, Cal
Mrs G B Dowell & 2 sons, Elder, Ia
Mrs Lane, Pendleton
F E Huntington, Marion, Ia
Mrs Huntington, do
L P Owen, do
Earl Granger, do
J Dittenhoffer, do
Mrs Dittenhoffer, do
Louis Hoebel, Syracuse
Mrs Hoebel, do
R Gordon, Chicago
Mrs Gordon, Chicago
Anna Jeness, Iowa
Emma Jeness, do

THE PERKINS.

S W Wallace, Salt Lk
Mrs H J Wallace, do
Miss Leda Wallace, do
H W Stewart, Monmouth, Ill
Neal McClanahan, do
M T Nolan, Dalles
T F Johnson, Spokane
Mrs Johnson, Spokane
Fred H Merritt, Tacoma
Jos Jorgens, Minnpls
R Cooper, Wash
W H Moore, Moro
Edmund Crofs, Markham, Wash
F Dolizal, Fremont
G M Scheer, Altoona, Pa
Mrs G M Scheer, do
L C Scheer, do
Mrs A M Andrews, Spokane
O C Maxwell, Elgin, Or
Mrs Maxwell, do
Miss Anna Stinson, Colfax, Wash
W E Frazier, Albany
F D Culver, Reading, Mich
Hanna L Tuttle, Indp
G J Schnoebel, New Rockford
R R MacLeod, San Fr
F L Charboneau, Tacoma, Wash
John H Wright, St L
Daisy H Wood, Boulder, Colo
Mary E Wood, do
F L Stewart, Kelso
Wm M Hunter & fmy, Dayton, O
J P McCallum, Pittsburg, Pa

THE IMPERIAL.

L H Leach, Chehalis
A D Bernie, Cathlamt
W R Creighton, Ridgefield
Cydie Gumm, Spokane
H B Thomeson, Chemawa
Mrs Thomeson, do
A M Gillis, Athena
Florabel Patterson, Monmouth
B A Love, Allegheny, Pa
Mary Aiken, Bellefontain
B L Sharpstein, W W
F Jewell, Chicago
Eva Wentworth, Loraine
G A Young, do
Edith Young, do
E L Dwyer, Astoria
W J Cook, Astoria
F Caniature, do
J M Griffith, Callahan
S E Purvine, Salem
F Pelton, St Paul
Tony Hupprich, Canyon City
James B Gray, do
Frank Davey, Salem
W Stott, La
Mrs W E Brehm, Boise
W D Simpson, St Pl
A C Jackson, Albany
Mrs Jackson, do
Will C Logan, Wilhoit Springs
C W Carson, Spokane
Mrs Carson, Spokane
J H Shoop, Freeport, Pa
P D Gilbert, Albany
L R Shoop, do
Geo W Hicks, S F
J W Henderson, Mex
G H Pledge, Mex
W B Campbell, Mex
C D Jessup, Salem
J Levine, St Paul
W E Frazier, Albany
H W Holley, Everett
H L Kingsley, Chgo
W Wasson, San Fran
Mrs Wasson, San Fr
A S Bowman, San Fr
J Martin, San Fr
Cora M Gayer, Clevel'd
Miss Trowbridge, do
Miss M Slett, Wooster
Mrs E S Commins, do
W H Hislop, Seattle
Theo Witt, San Fran
Mrs S B Eakin, Eugene
Mrs H E Bickers, Salem
Mabel Bickers, Salem
Wm Jennings, Baker C
T Webster, San Fran
H Wiley, San Fran
W H Fowler
Mrs Fowler
Master Ned Fowler
Miss N Lane, Pendleton
E L Smith, Hood River
Mrs Smith, Hood River
Miss A C Smith, do
Mrs W M Stewart, do
Mrs E J Bushee, do
E C Bushee, do
Clark W Thompson & family, Cascades
T R Allen, Denver
M Raymond, Seattle

THE ST. CHARLES.

Mrs A N Scoggin, city
A Morrison, city
W G M Hays, Pullmn
Frank Bartlett, city
Mrs Smith, Castle Rk
Jas Dart, St Helens
G W Horton, Charles City, Ia
J Castella, do
Mort Cochran, Hubbard
B L Wilson, Stella
Norman Wilson, do
E E Burton, Eugene
W F Dryman, Eugene
M Wise, city
G P Miller, city
N Syverson, city
M Baker, Cascd Locks
T Merrill, do
F E Simpson, do
O P Cooper, Wichita
D A Herren, Heppner
H D Wood, Heppner
J F Graham, Marshland
B A Reynolds, Tecumseh, Neb
J Farman, do
C L Clemens, Gresham
G R Shaw, Cleone
J B Yeon, Rainier
L Price, Scappoose
Jas G Brown, city
Wm Roberts, Salem
Chris Roberts, Salem
W Stott, Los Angeles
John Weell, Astoria
Walt Hinman, Buttevl
S Eager, Seattle
W T Farrington, Dalles
J U Hartley, Olequa
Ed Kinney, Chinook
John J Wood, Chinook
W Brinckerhoff, Atchison, Kan
R Groesbeck, Crowley, La
J H Dunne, city
A R Badge, Toledo
R B Bates, Portage
Wm C Roach & wife, Spokane
J B Love, Lancaster
Alex Barr, Latourell
Capt H Reeve, Woodland
Capt J Brown, city
Andrew Jacke, city
J H Wemer, Roxwell
H Nelson, Troutdale
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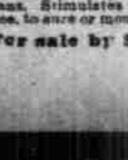

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