## LIFE OF A LEASE

### Payments After Expiration Make Extension.

RULING OF SUPREME COURT

Listing of Swamp Land to the State Does Not Convey Title-Grantee Must Contest in the Land , Department.

and pays rent after the expiration of a 10-year lease, it is held that this uance of the relationship of landlord and tenant from year to year mder the original agreeme

Sharing of profits and losses is not alone evidence of partnership, but there must be community of interest and

The listing of land to the state a swamp land does not convey title, and the Secretary of the Interior may cancel the list any time before patent is-The state's grantee must confact, swamp land in the Land Depart-

SALEM, Aug. 4.-(Special.)-The Su-SALEM. Aug. 4.—(Special.)—The Supreme Court today rendered four decisions. In two instances, the findings of the lower court were affirmed, and the other two cases were reversed. The decisions, to brief, were as follows:

H. B. Parker, appellant, vs. Charles H. Page and James Brown, executors of the centre of E. C. Crow, deceased, from Clatsop County, T. A. McBride, Judge, affirmed; opinion by Justice Wolverton.

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firmed; opinion by Justice Wolverton.
This was an action to recover upon an alleged brench of contract. In 1867, E. C. Crow leased to H. B. Parker a tract of land on the water front in Astoria, for a period of ten years, at \$25 per month. It was agreed that whatever per-manent improvements remained on the land at the expiration of the lease should he purchased by Crow in case the lease could not be continued. Parker agreed that at the termination of the lease or any continuation thereof he would sur-render the property. A wharf and ware-house were built upon the property and at the end of the ten years no agreement was reached as to a continuance, but Parker remained in possession and con-tinued to pay rent. This action was brought about two years later. The theory of the plaintiff was that Crow and his executors had refused to renew the lease for a like term of ten years when the first term expired. The defense was that the lease had been continued as agreed, and that therefore the defendants Were not liable for the improvements,.

The Supreme Court holds that the evidence does not show that Crow ever

agreed to continue or refused to continue the lease. "When there has been a leasing for, a year, or for a term of years, and a holding-over after the term with the tacit acquiescence of the landlord, the relationship and agreement of the parties is converted into a technical tenancy to year. It is optional with the holding as a tresposs or to regard the act of the tenant as lawful, and the ten-ant has so alternative but to abide his determination, but when the landlord has e made his election by recognition of relationship, he cannot thereafter deny the relationship. Under the deny the relationship. . . . Under the terms of the original lease it was left absolutely to the option of the plaintiff (Parker) whether he would agree to a continuance of the relationship with from. If he had declined to continue relationship withand surrendered possession at the end of the term, there would have been but one thing for Crow to do and that would be to pay the uniue of the improvements. But instead of taking this course he con tinued in possession and the law charging him with full knowledge of the effect of his act in so doing, the new tenancy from year to year has been established through

It is therefore held that under the agreement plaintiff is not entitled to recover for the improvements for the reason that the lease was continued after the ex-piration of the lease.

J. O. Hanthorn, respondent, vs. James Quinn, appellant, from Columbia County, T. A. McBride, Judge, reversed; opinion by Justice Bean. This was a suit for the dissolution of an

alleged partnership and for an account-ing. Quinn was the owner of fishing grounds and a fishing right on the Eben Weld Donation Land Claim in Columbia County. His fish trans were washed out by the flood of 1894, and he thereafter entered into an agreement with Hanthorn by the terms of which Outpo leased the land to Highthorn for ten years, togethe with the use of a certain wharf and adjacent pasture lands. In consideration of which Hanthorn agreed that he-take charge of the premises and will in the first instance, each year, advance all moneys necessary therefor, and will construct all necessary buildings and make all necessary improvements, etc., in order to establish and operate upon said leased premises a fishery, etc." He aggred to operate the fishery, dispose of the fish caught, keep books of account, and at the end of each fishing season pay to the de-fendant "one-half the net proceeds de-fendant "one-half the net proceeds defendant "one-helf the net proceeds de-rived from said fishery, after paying all expenses and indebtedness incurred in es-tablishing, conducting and operating the same. By one clause of the agreement the two men mutually agreed that "they will each hear one-helf of the certification." will each bear one-half of the cost and expense of said buildings, improvements and gear and plant, and the necessary cost and expense of maintaining and operating said fishery, and that they will share equally in the profits and equally in the profits and losses of

Hanthorn began clearing the ground in order to build the fishery plant, but the work was so great that in four years he had spent \$16,000 and was compelled to give up the undertaking. He demanded payment of half the expenses of Quinn, but the latter denied his liability under the agreement, and this suit was brought.

The question was whether under this agreement a partnership existed. In the ower court testimony outside the agreement was taken and the decision was that a partnership existed and that Quinn was liable for half the expenses incurred to date. The Supreme Court, in reversing this decision, holds that the written agreement contains all the terms of the contract.

"A pertnership is defined as a voluntary contract between two or more persons, agreeing to put their money, effects, labor and skill, or either or all, in some lawful enterprise or business with a view of dividing the profits or sharing the 

partnership are a community of interest in the property and business and the right of survivorship. Every member of a partnership is a principal, having a joint erest in the property, is an agent of associates, and upon the death of his partner is entitled to retain and dispose of the partnership effects in the settle-ment of its affairs. A mere agreement to share in the profits and losses of an en does not of theelf create a part-

The Supreme Court holds that the agree-

does not create a partnership for the reason that it lacks the essentials of a partnership agreement—community of interest and control. It is also held that beest and control. It is also held that be-fore plaintiff can recover under the clause quoted referring to the sharing of profits and losses, he must first fulfill his part of the agreement, to erect a fishery, and having falled in this, he cannot recover.

Thomas Miles, appellant, vs. Columbia River Packers' Association, respondents, from Clatsop County, T. A. McBride, Judge, affirmed; opinion by Chief Justice

Miles brought an action against the de-fendant company to recover wages due himself and eight others for services rendered at the request of Fritz Miller, who operated a seine on Matthew's Sands. The plaintiff alleged that Miller was the agent of the association and had author-ity to employ laborers. After the plaintiff had introduced his testimony in the court below, a non-suit was granted upon the ground that the evidence introduced did not make out a case.

The Supreme Court reviews the evi-dence at length and sustains the lower court. The evidence showed that Miller dence at length and sustains the lower court. The evidence showed that Miller had operated a seine and sold his fish to the association, issuing orders on the association in payment of the wages of his men, the orders being charged to his Beyond a rumor that Tracy was seen to the Crack country.

CONVICT IN ROUGH COUNTRY WEST OF HARRINGTON.

Posse Has Concluded to Head the Fugitive Off Instead of Following After Him.

SPOKANE, Aug. 4.-The pursuers of Tracy are proceeding on the theory that he is somewhere in the southeastern portion of Lincoln County. Sheriffs Cudihee and De Bolt arrived in Reardan, 15 miles east of Davenport, at an early hour this morning, having traveled all night. Later they left for Edwali and a telephone mes-sage from there says they left for the south, presumably for the Crab Creek

There being no evidence that | near Odessa, in the Crab Creek country,

seen and picked up with a boat hook and in it several men jumped and rowed

around,
John Wilson was saved, but his partner,
Henry Hemi, was drowned. The drowned
man was 19 years of age, a native of
Finland, who had been in this country
but a short time. His body has not been

POLICE LOOKING FOR HIM. Man of Good Family Said to Have , Issued Worthless Checks.

SAN FRANCISCO. Aug. 4—The Call says that Philip D. Watkins, society man and member of a prominent family of Mentclair, N. J., is being sought for by the police for having obtained large sums of money in various cities by false presents. T. Wesley Wright a voune comtenses. T. Wesley Wright, a young commission merchant of this city, who has known Watkins and his family for 14 years, was the unfortunate indorser of a check on the Amesbury National Bank, of Amesbury, Mass., for \$400. E. H. Hussey. captain of the University of California track team, who met Watkins on his re-cently returned trip from the East, was induced to lend Watkins \$400, and a num-ber of other persons have lodged similar

ARCHITECT AND CONTRACTOR AT OLYMPIA DISAGREE.

Latter Says He Will Quit Rather Than Give Up-State Board Will Take Up Matter Today.

OLYMPIA, Aug. 4,-(Special.)-There is a regular meeting of the State Capitol Commission tomorrow and it promises to be burdened again with the old war between the contractor and the architect. Peace had reigned for several months-probably because work had been abandoned-but the difficulties arose again apparently as soon as the work was resumed. In the present difficulty, the architect, according to friends of his, will quit the job if he does not get his own way this time.

induced to lend Watkins \$400, and a number of other persons have lodged similar complaints with the authorities.

Watkins was formerly manager of the Amesbury, Mass., file works, and Chief

Duncan, became engaged in a fight Saturday evening in this city, and Duncan knocked Duffield down and was pounding him with his fists, when he drew a knife and began stabbing Duncan. He cut open his left arm three or four inches, and also cut him about the body. Duffield was arrested, and is now in the county isil awaiting trial charged with assating jail, awaiting trial, charged with assault with a deadly weapon,

Pleasure-Seeker Accidentally Killed BOISE CITY, Idaho, Aug. 4.-Ole Garrett, bookkeeper for the Central Lumber Company, at Caldwell, was accidentally killed last evening near Ketchum. Mr. and Mrs. Garrett were in the mountains in that vicinity for an outing. While they were crossing a stream, Mrs. Garrett handed her husband a shotgun. As she did so, both barrels were discharged and the unfortunate man's right arm was entirely shot away. He bled to death,

AT THE HOTELS.

THE FORTLAND.

Mr & Mrs J H Hart,
Brooklya

Mss Eijen M Bart,
Brooklyn N Y

Miss Eijen M Bart,
Brooklyn N Y

Miss Adelside P Hart,
Brooklyn N Y

Miss S Hart, Brooklyn G L Moses, city

Mr & Mrs W Low-J

ett, fam and md,
Los Angeles

Mrs T L Craig, Los A S M Marrion, Salt Lk

Mrs Pred S Stumbon,
Seattle

Mrs T L Craig, Los A S M Marrion, Salt Lk

Mrs Pred S Stumbon,
Seattle

Mrs T B Stanson,
do

E D Frost,
do Geo Pettingill, U S N C S Bloom, N Y
I T Corkey, Iowa
Dr Stone and fam,
Wallace, idaho
Ed L Howe, Chicago
G H Emerson, Hogum
C F White, Cosmopolis
C A Murray, Tacoma
A J McCaba,
G H Emerson, Hogum
C F White, Cosmopolis
C A Murray, Tacoma
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G H Emerson, Hogum
C F White, Cosmopolis
C A Murray, Tacoma
A J McCaba,
G H Emerson, Hogum
C F White, Cosmopolis
Nas G Smith, EvansVille
Miss Edythe H Johnstone, Ohio
Miss E C Dixon, S F
Miss E C Dixon, S F
Miss F C Callaghan,
San Francisco
J Wadsworth, S F

Mrs A R Caba,
A T Pritchard, Seattle
W B James, Chgo
C S Bloom, N Y
I T Corkey, Jow
C S Bloom, N Y
I T Corkey, Jow
C S Bloom, N Y
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I T THE FORTLAND.

THE PERKINS. C B Sampson, Penditnima E Pillwood, Spokn G A Park, Eugene J H Brown, Eugene J H Brown, Eugene C C Calkins, Iowa C H Marvin, Glenwood W R Davis, do F A Philbrim, Sumptr Janaes Mott, N Y Mrs F C Craigle, Boe-E J Garvey, Huntingth E Taylor, Spokane Miss E D Gould, N H O W Hurd, Florence Roy W Logan, Moro E L Hanys & wf. Payton G L Hanys & wf. Payton Mrs Dan Dunlap, Wallender, St. Paul Mrs Dan Dunlap, Wallender, St. Paul Mrs W W W C Cabul Day

Payton
Mrs Dan Dunlag, Wallace, Idaho
Mrs W E Cahill, Dayton
Mrs R E Peabody, de
Miss M Finn, do
L K Moore, Moro
J O Eirod, Moro
Thoe Brent, W W
L W Bell & wf, Quinn
R H Read, Ill
J F Tamlesle, Hillsbor
H C Atwell, Forest Gr
Mrs A W Beant, W W
J Miss W W
J Miss W
J H L Drake and
Miss W W
J Miss W
J Mis

THE IMPERIAL

W C Adamson, Little W H Crawford, Union Rock, Ark
Mrs Adamson, do
C A Burden, Eugene J Senter Sente Hatch, Loa Ang W L Johnson, Ore City Pearle Wills, Weston H A Webber, S F Mrs L Stibott, Iowa Mrs E L Morgan, S F G Claudie Wagner, S F G Seares, Chirago Claudie Wagner, S F G Wilder, Chicago Claudie Wagner, S F G Wider, Chicago Claudie Wagner, S F G Seares, Chirago C Mrs Kinnet, S F Mrs Stoiz, do
I Thomas, do
S A Raiche, Astoria Mrs Haskell, do
R J Moylan, Carrollin Mrs Crate, do
R J Moylan, Carrollin Mrs Crate, do
R J Moylan, Carrollin Mrs Haskell, do
E Sharpe, Tacoms
L Aberneyar, Seattle
M L Kingsley, Chicago C P Smeade, Halock
Cora Gallagher, Taco
S E Prinne, Salem
A E Hargreeves, Taco
A Brown, Pendleton
G W Brown, do
G W Byer, Ky
Mrs W S Myers, Ky
Mrs W S Myers, Ky
Mrs W S Myers, Ky
Mrs W G Myers, Ky
Mrs W G Myers, Ky
Mrs R Grohard, Benton
Dr J M Connelly, Monmouth
Mrs Cooper, Ind
Mrs Cooper, Ind
Mrs Connelly, do
J A Beattle, do
Andrew Frice, do
Andrew Frice, do
J N Harney, Moscow
Mrs E Mellrown,
Grangeville
Mrs Branson, S F
E L Cleaver, Ill
Mrs Cleaver & dau, Ill
Mrs Mattic Taylor,
A W Prescott, Salem THE IMPERIAL.

Mrs Cleaver & das, Ill Seattle
Miss Mattle Taylor,
Walla Walla
J W B Dulley, St Paul

Mais Malla
J W B Dulley, St Pauli
J W B Dulley, St Pauli
G F Smith, Castle Rk N J Dupont, Valley
W A Neirelter, Go
Cra Neirelter, Go
L S Kennedy, Corvallis
Chas Kennedy, Gotallis
Chas Kennedy, GotalGey W Horton, Iowa
J Costella, Iowa
F C Hurt, Corvallis
S Graendyke, S F
T B Williams, Rainier
F T B Williams, Rainier
G T H Cranapton, Gotal H Cranapton, Gotal H Reeve, Chicago
N M Monigomery, city B H White, Canby
W Taylor, Canby
M R Boyles, Molalia
E Davenport, Ore City
John C Moser, Kan
A Stapier, Kan
C Flichford, Kan
C E Brooks, Centralia
E B Bidwell, Astoria
T A Callins, city
R G Hill, Seattle
T B Bidwell, Astoria
T A W Premott, Yalley
Mray W Packwell,
Mray E Packwell,
Mray C Packwell,
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Mray C Pac THE ST. CHARLES.

Hotel Brannwick. Senttle.

European plan. Popular rates, Modern improvements. Business center. Near depot.

Tacoma Hotel, Tacon

American plan. Rates, Il and up.

Hotel Donnelly, Tucoma,

Write Ray & Sons, Salt Lake City,

Big Salmon Run Has Begun.

Greely Returns From Alaska. SEATTLE, Aug. 4.—General A. W. Greely, Chief of the United States Signal Service, returned from Alaska today en lone on the government delegraph line

Klamath School Statistics.

Escaped Convict Located.

Me ?

That's the personal question a woman asks herself when she reads of the cures of womanly diseases by the use of Dr. Pierce's Favorite Prescription.

Why shouldn't it cure her? Is it a complicated case? Thousands of such cases have been cured by "Favorite Prescription." Is it a condition which local doctors have declared incurable? Among the hundreds of thousands of sick women cured by the use of Dr. Pierce's Favorite Prescription there are a great many who were pronounced incurable by local doctors. Wonders have been worked by "Favorite Pre-scription" in the cure of irregularity, weakening drains, inflammation, ulceration and female weakness. It always helps. It almost always cures.

helps. It almost always cures.

"Three years ago," writes Mrs. John Grahsm, of soil Plumb Street, [Frankford] Philadelphia, Pa., "I had a very bad attack of dropsy which left me with heart trouble, and also a very weak back. At times I was so bad that I did not know what to do with myself. My children advised me to take your 'Favorite Prescription,' but I had been taking so much medicine from the doctor that I was discouraged with everything. I came to Philadelphia two years ago, and picking up one of your little books one day began to read what your medicine had done for others, I determined to try it myself. I took seven bottles, and boday I am a strong, well woman, weighing 16s pounds. Have gained as pounds since I started to use 'Favorite Prescription.' \*\*

Dr. Pierro's Pleasant Pollets clear the

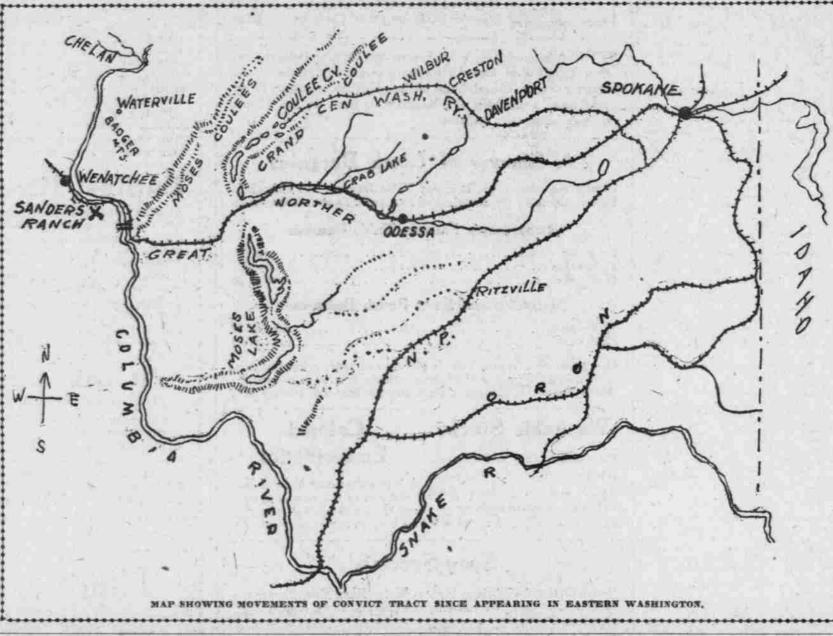
Dr. Pierce's Pleasant Pellets clear the



# **Blood Poison**

orile, lasts one month. For sale only can't Nau, Portland Hotel Pharmacy.





George H. Small, respondent, vs. Elmer D. Lutz, appellant, from Lake County, H. L. Benson, Judge, reversed, and com-plaint dismissed; opinion by Justice Bean, Plaintiff claimed title to land by purchase from the state under the swampland act. Defendant held under a patent from the government under the homestead The plaintiff secured his deed from the state after the department of Interior had issued a swamp land list, showing that the state was entitled to but later the list was cancelled. Held that the listing of certain lands to the state as swamp lands, by the Secre tary of the Interior, is not conclusive, but may be revoked any time prior to the issuance of a patent. Until the patent has een issued, the land department may determine for itself under what circumstances and upon what notice it will cancel the list. If the cancellation is made without notice to a grantee of the . he still has the right to show nce other than the approved list, state. that the land was in fact within the terms of the swamp land grant, and should be patented to the state. But, in our opinon, this showing must be made to the Secretary of the Interior, and before the legal title passes from the government. It is therefore held that plaintiff's complaint did not state a cause of suit.

## MINE WILL NOT BE CLOSED.

Searles Estate Will Continue Devel-

opment at Cornneopia. BAKER CITY, Or., Aug. 4 .- (Special.)-George D. Beattys, trustee in bankruptcy of the John Searles estate, has returned to this city from Cornucopla, where he went to inspect the Cornucopia mine and other property belonging to the Searles estate. He says without reservation that the property is truly a bonanza, and he expresses opinion that the property is wich enough to pay all of the unsecured indebtedness of the estate and leave Mr. Scarles a rich man,

In regard to the future of the mine he said it would be worked for the purpose of development only. Development makes the mine more valuable, and at the same time the ore, when put through the mill, yleids sufficient money to pay all ex-penses and leave a good sum in the bank to the credit of the estate each month. The authoritative announcement that the cornucopia mine is not to be closed down was good news to the business interests of the city, because it means the distribution of a great deal of money wagen and ore-hauling, of which the peo ple of Baker City and the Panhandle district of this county get the lion's share, Mr. Beatty's came out from New York at some of the Western assets

Business at Land Office.

The monthly report of Receiver George W. Bibee, of the United States Land Office, was completed today and forwarded to Washington. As Mr. Bibee did not assume the duties of his office until July 15, the first half of the month's work was transacted under the supervisi Receiver Galloway. A summary of the report follows:

Liomestead entries

Acres embraced in homestead entries
Final homestead proofs

Acres embraced in homestead 23,146,14 Acres emoraries

Timber entries
Cash sales
Acres embraced in cash sales.
Received from cash sales.
Pees and commissions
Total amount received
Donation certificate

Kinmath Hot Springs

the non-suit was properly granted. It is also held that there was no evidence that any authorized agent of the association ever assured the men that the association would pay their wages.

George H. Small, respondent, vs. Elmer There is nothing new today as to the outlay's exact whereabouts.

Tracy is believed to have spent the day outlay's exact whereabouts.

Tracy is believed to have spent the day outlay west of Harrington, awalting for darkness to sneak toward the wild region in Southeastern Lincoln County.

A special to the Chronicle from Odessa

states that a man answering his descrip-tion was seen by Mrs. Craben, a farmer's was traveling north on the road that leads to Wilbur, riding one horse and leading another, and carried two rifles. He did not stop nor speak to the woman as he passed. It is suspected that he merely turned north to find a hiding place. The plan of the officers' campaign has been somewhat changed, the programme now being to get in front of Tracy and head him off instead of pursuing him. De Bolt tried this plan Saturday night, lying in walt for the outlaw near Odessa. but the road forked and Tracy took the ng fork, swinging sout hand missing

Signs point strongly toward the theory that Tracy' plans to work through the Crab Creek and Rock Lake region, passing near Sprague and working toward Idaho. Along this route are many hiding places. It has long been known as a fa vorite haunt of horse thieves and deseradoes who might give aid and sympa-

### FIGHT OVER WATER POWER. New Point in Law Raised as to the

Transmission of Electricity.

SALEM, Or., Aug. 4.-(Special.)-In the ase of the Union Light & Power Company vs. John Lichty, George G. Bingham to-day filed an answer which raises a new question in the law concerning electricity, The question is, Can one proprietor of a water power transmit that power by electric current outside the basin drained by the stream furnishing the power, if such use of the water power conflicts with the needs of other proprietors? The Union Light & Power Company has an electric light and power plant operated by water held by a dam across Silver Creek, near Sliverton. Lichty put in a dam a few miles farther up the stream to secure power for his own needs. The company brought suit to restrain him from an leged wrongful interference with the supply of water by the erection of his dam. In his answer Lichty contends that he is taking no more water than is necessary, and no more than he is entitled to as a riparian proprietor. As a further defense he denies the company's right to complain and gives as a reason the fact that the company transmits power over the divide to Woodburn, It is a rule of law that riparian proprietors cannot, so long as other proprietors object, convey water for irrigation or power purposes over the di-vide and out of the basin in which it in found. Mr. Bingham will contend that the same principle of law should apply in the suggestion of the court to examine this case, though the power is transmitted some of the Western assets. He said he by wire, and that so long as the water was more than pleased with the Cornusupply is inadequate to the needs of all users, none should be appropriated to create power to be used outside the basin So far as Mr. Bingham has learned, this question has never been raised before,

STEAMER RUNS INTO FISH BOAT. Occupants Jumped Overboard and One of the Men Is Drowned.

ASTORIA, Aug. 4.—(Special.) — As the steamer T. J. Potter was coming over from Ilwaco last evening, about 10 o'clock, from liwaco last evening, about 10 o'clock, and when opposite Smith's Point she ran into a fishnot that was attached to a boat occupied by John Wilson and his boatpuller. Henry Hemi. The fish boat was pulled toward the steamer, and to escape being drawn under the paddle-wheel the two men jumped into the river to save themselves. The fish boat was noticed by those on the steamer just before the men jumped and the engines were immediately stopped. A number of life buoys were thrown out in the direction the voices were heard, but they were tion the voices were heard, but they were not seen by the men. The stemmer was backed toward where the cries for help not seen by the men. The steamer was backed toward where the cries for help came and presently the fish boat was the first Monday in September.

there is nothing new today as to the of Police Osgood, of that city, wires that the Superintendent of Construction for be is wanted there for fraudulent check the state, has stood with the architect, and the instructions to remove it from in hiding in the rough Lake Creek June of this year, while traveling west from Boston, Watkins met Miss Maude Shonfeld, daughter of Henry Shonfeld, one, of Omaha's wealthlest and mosttion was seen by Mrs. Craben, a farmer's few hours' acquaintance with Watkins, the wife, two and a half miles north of that girl consented to be his wife, and they town, about 9:30 o'clock last night. He were married. She had started with the intention of visiting her slater, Mrs. A. L. Ball, of Ogden. Utah, but has thus far failed to reach there. The Pinkerton have been instructed to search for the The Pinkertons couple.

## NORTHWEST DEAD.

Funeral of Dr. H. J. Rossiter. HOQUIAM, Wash., Aug. 4.—(Special.)—
The funeral services of the late Dr. H. J.
Rossiter were held at the opera-house
yesterday, in the presence of a larg concourse of friends and relatives. The funeral procession, which was half a mile long, with the Hoquiam town band leading, was composed of Woodmen of the World, Maccabees and Elks. The casket was covered with beautiful floral tributes received from the different lodges of which deceased was a member, also wreaths from the medical profession in Portland and Puget Sound cities,

Miss Mabel Hewitt, of Snlem SALEM, Aug. 4.—(Special.)—Miss Mabel Hewitt, daughter of Mr. and Mrs. Joel Hewitt, of this city, died at Casendis, Linn County, this morning of consumption. Deceased was 23 years old and had resided in Salem nearly all her life. She was educated in the Salem public schools and the Capital Business College, and had been employed for the last two years as bookkeeper for Buren & Hamilton.

Mrs. Augusta A. Melcher.

SALEM Aug. 4.—(Special.)—Mrs. Augusta A. Melcher, aged 53 years, died at her home near Whiteaker yesterday of cancer. She left two daughters—Mrs. Augusta Frank and Mrs. Minnie Boldingheimer. both of this county.

Earthquake in Montana. HELENA, Mont., Aug. 4.—An earth-quake in Missoula County last evening caused slight damage. It lasted about two seconds, vibrations being quick and short. At Bonner one of the large dy-namos at the electrical plant was shaken from its adjustment. At Clinton the shock was quite severe and several old buildings collapsed.

State Senator Briggs, who returned this morning from Bonita, says two seismic shocks were distinctly felt there last evening at 6:25. The first shock was accompanied by rumbling sounds, but the second was more severe. Neither did any damage.

Fatally Wounded in Drunken Row. FORT BENTON, Mont., Aug. 4 - During a drunken row which occurred in a gaming house here last night, John Reavis and John Allen, the former a bar-tender and the latter a sheepherder, are in the hospital fatally wounded, with no chance of recovery. Allen shot Reavis through the stomach, but before the latter fell he crushed his opponent's skull in. The men had been playing poker and the trouble arose over Allen, who was intoxicated, being slapped during an argu-ment over the cards.

At Walls Walls Thursday. WALLA WALLA, Wash., Aug. 4.-(Special.)-President A. L. Mohler, of the O. R. & N. Company, has telegraphed Mayor Gilbert Hunt that the railway presidents. Mellen, Hill and Mohler, will be at Walla Walla on Thursday morning at 10 o'clock to confer with farmers and citizens about freight rates to tide-

water. Arrangements are being perfect-ed and an enthusiastic meeting is assured. Circuit Court Adjourns.

Auditor Atkinson, the only member of the commission in the city. Contractor Goss, however, has declined to remove respected citizens, who happened to be the stone. He maintains that it is good traveling in the same coach. After a material and that the architect is merely material and that the architect is merely beginning a series of abuses of his position in order to hamper the constru-tion of the building. The amount stone involved is very small.

If neither the architect nor contractor will recede from the positions they have now assumed, the commission will be confronted with a serious problem. It is only by the closest kind of work that the building can now be got ready for the session of the next legislature, and it would be a very critical time in the contruction of the building for the architect to resign his position. It is generally conceded that a new architect could not take up the work where Mr. Ritchie would leave it off and successfully carry it through so that the Legislature could meet in the new building.

New Member of Varsity Faculty. SALEM, Aug. 4 .- (Special.) -- Professor C A. Dawson, of Ohio, was today elected to the chair of English literature in Wil-lamette University, to succeed the late Myron E. Miller. Professor Dawson held Myron E. Miller. Professor Dawson held the assistant professorship in the same department of Williamette University for six months last year, and has just re-ceived his degree from the University of California. The election of Professor Dawson completes the university faculty. Sohn W Reynolds, of this city, was re-cently elected acting dean of the college of law.

Bishop Ridley Resigns. VICTORIA B. C. Aug. 4. Right Rev. William Ridley, bishop of Caledonia, has resigned his noat. He only recently returned from England, where he collected a large sum of money to rebuild the church, schools and mission house at Metaland, where he was resulted to the church schools and mission house at Metaland. lakahila, burned last year. It was Bish-op Ridley who was sent out to British Columbia to succeed Rev. Dr. Dupcan, who, taking offense, moved to New Metiakahtla. In Alaska, taking many of his Indians with hkn.

VANCOUVER, B. C., Aug. 4.—There cems little doubt from the returns today hat the big animon run has begun. The biggest catch made so far this season by a single hoat is 700. The average catch per boat during the night was 200, but many boats caught 400 fish. Fishing in the North on the Maas and Skeena is practi-cally over. The salmon season in the North has exceeded expectations.

SALEM, Or., Aug. 4.—(Special.)—The annual report of the schools of Klamath County shows a total school population of 1072, as against 1072 for the preceding year. The enrollment has increased from 128 to 765. There are now 256 persons of school age who did not attend any school during the year, while for the preceding 12 months the number was only 232. The average daily attendance, in the meantime,

WEISER, Idaho, Aug. 4 - (Special.) -- Date Harkins, the convict, who escaped from the state penitentlary at Boise last Friday night, has been traced to this vicinity, and officers from Boise and Canyon County assisted by the Washington County officers, are searching for him. He was traced from Caldwell to this city.

Gambler Uses Knife on Another. WEISER, Idaho, Aug. 4.—(Special.)—
Two gambiers, Tom Duffield and Sam outries aromativ answered

the steamer Bertha. General Greely went to Alaska to inspect the work being from Vaides to Eagle City.

has increased from 405 to 483.