NEW KIND OF BEER

Power of Pendleton Beverage Decided in Court.

IT WAS SOLD TO INDIANS

Federal Jury Says It is No Crime to Beat a Cash-Paying Slot Machine by Feeding It Lead

Venterday was "odds and ends" day in the Federal Court, and a number of minor cases occupied the attention of the Judge and jurors. The main point at issue in the cases at bar, were: Is there any dif-ference between Pendleton beer and a mixture called sarsaparilla and iron and, is it a crime to beat a slot machin by feeding it on lead slugs? Expert testi ny of various kinds was introduced relative to the former question, but the jury decided that the difference was so slight as not to be discernible by ocular inspection. It was also decided that it it is no crime to work a "skin" game on a slot machine by means of lead slugs, provided the machine does not balk at the method of procedure.

The principal case of the day was that of Frank Damain, a saloonkeeper of Pendleton, who was accused of selling er to an Indian named Fred Parr, from the Umatilla reservation. Another case of a similar nature was on the docket, and a number of red men, attired in gaily col-ored blankets and other gaudy Indian decorations, squatted about on the court room floor listening to the proceedings. One witness testified that he sa Damain place two glasses of what seeme to be beer on the counter and Parr drank the contents of one glass, Parr testified that the beverage was known as Pendle

The defense showed that Parr had o another occasion declared that he drank sursaparilla and iron, and that he saloon man had never sold him liquor. It was shown that Damain and the Indian had had a fight because the former would not sell him liquor, and that he had declared he would get even with Damain by ac-cusing him of selling liquor to Indians. Judge James Fee, attorney for the de-fendant, and John Parks, a real estate man of Pendleton, gave testimony about the resemblance between Pendleton beer and sarsaparilla and iron. They declared that they had tested the beverages and that no one could tell the difference between them by looking at them. They de-clared that Pendleton beer had no more foam than sarsaparilla and that some of It didn't have as much. Damain, the de-fendant, swore that it was sarsaparilla and iron that the Indian drank, and the jury decided likewise. The defendant was accordingly discharged.

The next case was that of John King, accused of feeding lead slugs into a slot machine in a Baker City saloen. It was allered that he "broke" one machine by this method and was beating the others at a rapid rate when he was detected. The prosecution could not show who owned the machines. Consequently, the court held that it was not shown that any one was being defrauded by the use of the lead sings unless it was the ma-chine. It was held that it was an essential part of the case to show that some one was being defrauded, and on account of this defect, the case was declared incomplete. The jury found the defendant not guilty without leaving the jury box. siderable amusement was occasioned by the remark of the court that the machine appeared to have worked as well with the slugs as genuine money, and he didn't think it was being defrauded.

O. Piton, a French bartender of Pendle

ton, was also before the court for selling liquor to Indians. It was charged that he dispensed of a bottle of gin to John Shumcain and Shet Too Mow NINI These typical redskins wrapped in their blankets, took the stand and with many grunts and gestures, told the court, through an interpreter, that Piton had sold them the "firewater." The jury The jury found him guilty and he was sentene two months in the Pendleton jail and a \$100 fine. The Indian witnesses squatted on the floor of the courtroom and wrap-ping their blankets about them sat like statues until court adjourned. Captain Jack, a grizzled old Indian policeman, kept a watchful eye on them. In the afternoon they received their witness fees, carefully wrapped the checks in their bandanna handkerchiefs and went away.

grunting and gesturing to each other.

This morning at 10 o'clock the trial of Asa B. Thompson, Receiver of the Land Office at La Grande, on a charge of so-liciting bribes to influence decisions on land-claim proofs, will be taken up.

DIDN'T PASS COUNTERFEIT.

Jury Refuses to Convict Austin Wells of Dividing the Spoils.

The jury in the case of Austin Wells, accused of passing a counterfeit gold coin at La Grande, a short time ago, returned s verdict of not guilty yesterday.

The case was tried in the Federal Court

Eaturday. The evidence went to show that a counterfeit \$5 gold piece was passed in Pollock's Restaurant through the connivance of a waiter. A party of four young men, two of whom pleaded guilty to the charge, divided the money obtained in exchange for the bogus coin, and it was shown that Wells was one of the The evidence did not show, however, that Wells had connived to pass the coin in the restaurant or that he had had anything to do with the exchange of it. So far as the testimony disclosed, his ceive a portion of the spoils, it could not ved that this was done with the knowledge of how the good coin was ob-

HOW THE MONEY WAS SPENT.

Captain Anderson Makes Report on Thanksgiving Day Donations.

Captain John Anderson has issued the following statement of the disbursement of Thanksgiving day donations entrusted to the care of the Volunteers of America:

Balance on band\$112.65 One hundred and six dollars of the above sum was received from the public schools. About \$50 worth of provisions was donated us by merchants. Every one who applied to us for help was given a box, with few exceptions. Some we could not find, for their friends failed to state the correct address.

balance of what is on hand will used by us in relieving some poor families during the Winter work. We exbath school from some of these homes. At present, we need old clothes and shoes and even furniture for some needy families we know of. We do not sell any of the old clothing or furniture given us for the poor, but give it out where it is most needed. In conclusion, on behalf of who were made happy on Thanksgiving by receiving a box of groceries from us, we want to thank the press, business men, schools and school children for their co-operation in this enterprise."

Citizens' Ticket at Salem.

and Rev. P. S. Knight, the pioneer Con-gregational minister, was nominated as candidate for Mayor. A number of stir-ring addresses were made and the citi-sens' campaign opened with an abundance of enthusiasm. Resolutions were adopted indersing the nonpartisan administration of the city during the last five years and favoring a continuance of the same policy of economy in the management of mu-nicipal affairs.

FIREMEN'S NEW QUARTERS.

Sunnyside Companies Go on Duty by First of the Year.

Preparations are being made to fit up the building on the corner of East Thirty-fifth and Belmont streets, Sunnyside, for quarters for the combination chemical and fire engine. The lodges, which have had quarters in the hall on the second floor, have moved, and work on the building will be started at once, so as to be ready for installing the two companies by the first of the year to take the place of the hose waron which now occupies the lower hose wagon which now occupies the lower There will be five permanent men.

PETITION FOR IMPROVEMENT.

Twenty-Eighth Street to Be Graveled in the Spring.

C. N. Atwood, appointed to circulate a petition for the improvement of East Twenty-eighth street, between East Stark and the Sandy road, will get the blanks ready and begin work this week. Some signed up now the work would be started before the bad weather is over, and the consequence would be an inferior improvement, but there is no danger of this Even under favorable circumstances the contract cannot be let and work started much under six months after the petition has been filed. Notices of intention to improve and time to remonstrate conme many weeks.

INSPECT G. A. R. POSTS.

J. S. Foss Appointed to Visit All the Portland Organizations.

J. S. Foss, of George Wright Post, No has been appointed department inspec-tor by Department Commander D. H. Turner. John E. Mayo, Assistant Adjutant-General, by direction of Commander D. H. Turner, has issued the following

under general orders No. 5: The annual inspection of posts will take place between November 1 and December 21, in accordance with the rules and regu-lations, and post commanders are urged to see that their posts are properly in-spected. Comrade J. S. Foss will inspect posts No. 1, 3, 12 and 57. All other posts will be inspected by the senior past post commander present when inspection takes place, and post commanders are requested to see that inspection reports are for warded to these headquarters not later than January 1, 1904.

The appointment of S. A. Howell, of Post No. 36, as alde-de-camp is an-

Tired of Dakota "Twisters."

Phillip Silscher, an old soldier, who has en in Dakota for the past year and a half, has returned to Portland. He said that he liked Dakota very well, but the storms and "twisters" were too much for him. He got tired sleeping in cellars and running for cellars every time a cloud was seen, so he came back to Oregon to enjoy himself. Mr. Silscher remarked that it was a common occurrence for a man to be lifted into the next township. He had seen pumps and wells pulled out of the ground by a cyclone. Mr. Slischer says it was too great a strain on the nerves

Inspected Schoolhouses.

Richard Williams, R. K. Warren and Mrs. L. H. Sitton, of the Board of Edu-cation, visited the Brooklyn Schoolhouse and annex yesterday to ascertain conditions by personal inspection.

East Side Notes.

The annual banquet of Washington Chapter, No. 18, Royal Arch Masons, will evening

W. S. Falling, of South Mount Tabor, who has been confined to his home for over three months severely ill, is still in a serious condition. Mr. Failing is an old resident and a well-known fruitraiser.

PERSONAL MENTION.

Mrs. E. F. Smith, of Hood River, is isiting friends in the city. M. N. Gortner, a capitalist of Hills boro, was at the Perkins vesterday, Thomas B. Neuhauser, a merchant of

The Dalles, was in the city yesterday. F. B. Waite, a well-known Roseburg eattleman, is stopping at the Perkins. H. Wise, a prominent merchant of Asoria, is registered at the Portland. C. J. John, a mining operator from Sumpter, is among the guests at the

Colonel F. J. Parker, of Walla Walla, was among yesterday's arrivals at the Imperial.

Thomas Prince, the prune king of Oregon, came in yesterday from Dundee and registered at the Perkins. El. Franklin Lewis, secretary and treas

urer of the Nome Quartz Mining Com pany, registered at the Imperial. Charles E. Griggs, of Tacoma, is stop-ping at the Portland. Mr. Griggs is one of the principal lumbermen of the Sound

country.

B. F. Laughlin, of The Dalles is guest at the Perkins. Mr. Laughlin is one of the most extensive wheatraisers of

Captain Richard Chilcott has returned from Seattle, where he has spent the past week. He resumed active campaigning for the Valdez, Copper River & Tanana Railroad, and the project seems to be making satisfactory progress.

A party of politicians and business men consisting of C. E. Roosevelt, F. L. Poole, C. B. Wade, R. Alexander, F. G. Hailey, W. Matlock, R. J. Stotes and W. T. Hislop, came down from Pendieton yes-terday to attend the Thompson trial, which begins today in the Federal Court. J. C. Kaupisch, formerly of this city,

but of late in the creamery business in Corvallis, is in town renewing his ac-quaintance with old friends. He claims to be the oldest man in the creamery business on the Coast and says he had the first separator ever used in this country when ne was in Illinois some 54 years ago.

NEW YORK, Nov. 30,-(Special.)-F. F.

Forward, of Portland, is registered at the Imperial Hotel, and Mrs. F. T. Post, of Spokane, as at the Fifth-Avenue

STOLE CHEAP JEWELRY.

Store of McAyeal Bros. Visited by Thieves.

Thieves with a craving for quantitie of cheap jewelry broke into the store of McAyeal Brothers, 389-391 East Burnside street, early yesterday morning and stole watches, collar buttons and charms to

the value of \$175. Costly goods were piled about the in-terior of the store, but the burglars took nothing but the jewelry. They forced an entrance by breaking down the back door. Detective Weiner says that it was done by amateurs or hobos.

TO CURE A COLD IN ONE DAY SALEM, Or., Nov. 20.—(Special.)—A Take Laxative Bromo Quinine Tableta All druggists refund the money if it falls to cure 'citizens' convention was held tonight E. W. Grove's signature is on each box 25c.

CAPTAIN JACK (SUMKIN) OF THE UMATILLA INDIAN POLICE



UMATILLA INDIANS RECEIVING THEIR FEES AS WITNESSES IN THE WHISKY-TO-INDIAN CASES.

JUDGE AND COMMISSIONERS AR-RANGE FOR JUNE ELECTION.

Portland Will Have 58 Precincts-County Outside of City Limits 25.

There will be 83 election precincts in Multnomah County at the election to be held in June, 1904.

County Judge and Commission with the assistance of the County Clerk have just finished making the precinct boundaries, and will publish the result of their labors in pamphlet form soon. There will be 58 precincts in the limits of the City of Portland, and 25 precincts outside of the city limits. In 1901 there were 57 city precincts, and only 13 county precincts, while in 1899 there were 26 ounty precincts and 54 city precincts,

making a total of 80.

The reduction of the number of county precincts for the 1901 election was the result of the law providing for the elecbe held in Burkhard Hall next Friday evening. tion of road supervisors. This act provide deputy in the Sheriff's office yesterday evening. more than one election precinct. If the precincts were allowed to remain as they were in 1839 it would have been necessary to elect 26 road supervisors. No such number of road supervisors were required, there being only II in service at the time the law to elect went into operation. The County Court to overcome the difficulty, consolidated the precincts, two for one, which made 13 precincts and 13 road su-pervisors. The statute for the election of road supervisors has been repealed, and they will be appointed by the Board of County Commissioners in January, as in the past, and the election precincts are to be changed back pretty much as they

were in 1899 and previously. There will be an exception in West Port-land, which will have two election precincts instead of one, and the eastern part of the county in the vicinity of Bridal Vell will constitute one big election precinct, the same as in 1901. There are not a great many voters in this terfew changes in precinct boundaries, so as to equalize the vote. There are now only 10 wards in the city, there being only six wards on the west side, where before there were seven. On this account some changes have been made. Precinct boundaries have been kept within ward lines, but this is not necessary so far as the county elecion is concerned, and at the election, which occurs in 1905, the city officials arrange their own precinct boundaries and appoint their own judges and clerks of election.

WANTS DIVORCE AND ALIMONY. Mrs. M. F. Thompson Sues Her Hus-

band, W. H. Thompson, Mrs. M. F. Thompson, who alleges that her husband, William H. Thompson, has

abandoned her and their two children, yesterday filed suit against him in the State Circuit Court for a divorce.

They were married in this city June 5, 1889. Mrs. Thompson sets forth in her complaint that Thompson deserted her and the children on May 15, 1903, and, al-though he earns \$100 per month from Abbott & Church Company, his employers, refuses to contribute anything to the support of the family. She states that she made a demand upon him several days ago when he informed her he would never pay another cent for their maintenance until she obtained a divorce or agreed to remain silent while he secured one.

Mrs. Thompson further alleges that one of their children is an invalid, and is ex-pensive to care for. She asks the court to allow her \$50 per month permanent allmony.

TO TRY SAMUEL BAUMAN.

Jury Will Decide His Guilt or Innocence of Murder.

A. H. Maegley Anthony Neppach L. S. Normanden Paul Bliss H. P. Christenson B. F. McCauley

These persons comprise the jury chosen in Judge George's court yesterday morn-ing to try Samuel Bauman for the murder of Adolph Burkhardt on the night of October 31, near Bertha. The killing was the result of Halloween pranks indulged in by Burkhardt, a young companion named Harry Fuller, and others. According to statements that have been made, Burkhardt and Fuller started from Portland to visit the home of H. B. Hayward, where they frequently went, and reached Bauman's house, which is close by, about 11:30

Flection of officers of posts in Portland and the state will take place this week. In Portland post nominations have already been made.

TO HAVE 83 PRECINCTS

P. M. Bauman was in bed, and was awakened by numerous pistol shots fired by Burkhardt and Fuller. He arose and ready been made.

Burkhardt was struck and killed by a bullet, but whether it came from Bauman's rifle remains to be proved at the The state will endeavor to show that

Bauman fired directly at Burkhardt and that the shooting was not accidental. The defense will endeavor to establish a contrary state of facts and to convince the jury that Bauman was only protecting his home and property when he discharged his rifle, and had he not been aroused from sleep by a fusillade of shots by Fuller, Burkhardt and others, nothing would have happened. The jury was taken out to view the scene in the afternoon. John Manning and A. C. Spencer are en-

gaged in prosecuting the case, and Ed and A. R. Mendenhall appear as attornevs for the defendant. Bauman is a married man, and his previous reputation

JAMES STOTT IS REMOVED.

Sheriff Storey Removes Chief Deputy, and Offers H. C. Smith the Job. James Stott was removed as chief

Stott in writing that his commission would be revoked and that his services were no longer required. Sheriff Storey says it was only a per sonal matter between them and that had not one word to say concerning Mr. Stott's honesty or efficiency, and so in formed him in the letter of dismissal.

Mr. Stott declined to discuss the subject with an Oregonian reporter, remarking simply that he was out. After disposing of Mr. Stott, Sheriff Storey waited upon Herbert C. Smith, Chief Deputy Clerk in the State Circuit Court, and offered him the vacant place the salary of which is \$150 per month

while Mr. Smith now receives only \$100,

but still he was not tempted to make a change and told the Sheriff so. Mr. Smith said he appreciated the offer, but his relations with County Clerk Fields were very pleasant and he did not think it would be fair to leave him. James Stott was appointed chief deputy ritory. In the city limits there are a in the Sheriff's office because of political influence, and it is stated that he assisted in the election of Storey. It has been known in Courthouse circles for a long time that the relations between Sheriff Storey and Mr. Stott were strained and that the sheriff was anxious to get rid of his chief deputy and several times threatened to discharge him. Herbert C. Smith has a considerable political following and some say this fact influenced Sheriff Storey to offer him the chief deputyship, but this the Sheriff denies. He alleges that there is no politics in it whatever, that he re-moved Stott for personal reasons and offered Smith the position because petency, and still hopes that he

MRS. HARRISON TO APPEAR.

In 20 Days She Will Come to Port-

land to Right Her Case. Inez E. Harrison will have an oppor tunity to appear before Judge Cleland and fight for her share of property which



Tired babies become rested babies when fed on Mellin's Food. Mellin's Food nour-

You will be giad that you sent for a sample of Mellin's Food when you see how eagerly

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is trying to take from her by means of a suit, the title of which is M. C. Harrison and Company against M. C. Harrison and wife. Mrs. Harrison avers that her hus-band is suing himself through the me-dium of his business name and trying to

shut her out by not serving summons upon her yesterday.

J. F. Boothe, attorney for M. C. Harrison & Co., agreed with John F. Logan that Mrs. Harrison may have twenty days time within which to appear in the case. She is at the present time in San Fran-cisco, where she is suing her husband for

Decisions Today.

Judge George will announce decisions today as follows: J. E. Blackburn vs. Leander Lewis. Mary W. Gaston vs. James Frainey

Court Notes.

Albers Bros.' Milling Company has filed an attachment suit in the State Circuit Court against E. E. McGinn to recover \$485 for goods sold between February and November 28, 1903.

EVIDENCE IS DAMAGING.

Two Men Charged With Holding Up Saloon Held to Grand Jury.

So damaging was the evidence presented against John Thompson, alias L. Con-nors, of Denver, and Bert Coble, charged with holding up the South Portland Ex-change saloon, 643 Fourth street, two weeks ago, that Municipal Judge Hogue yesterday bound them over to the grand jury. They were held under \$2000 bonds, which they were unable to furnish, and will therefore spend the time in the

county jall.

The defense had no testimony to offer, and, though Attorney J. T. Logan tried to shake the evidence of the witnesses for the presecution he could not convince the court of his clients' innoces

Sam Phillips, a colored porter, was the star witness for the prosecution. Thoma son had asked him where it was possible to dispose of jewelry with no questions asked. Then he told the negro that he and an accomplice had committed the robbery of the Italian saloon at 643 Fourth street. Sergeant Carpenter had asked what he knew about the robbery, and he repeated Thompson's words.

"Aren't you a stool pigeon for Carpen-er?" asked Logan, but the porter stoutly

denied it.

Nichola Casciato, one of the proprietors
of the saloon, could not positively identify Thompson and Coble, but said there
was a strong resemblance. G. McKew, the only American in the saloon at the time of the hold-up, gave practically the Sergeant Carpenter told how he found four skeleton keys in Thompson's trous-er legs. Thompson also maintained two

separate tooms on First street.

American Weapon Best in World. WASHINGTON, Nov. 30 .- The Board of Ordnance and Fortifications, in its annual report, says the results of tests made with the three-inch rapid-fire guns rec nded by the board for adoption the Army "show that when equipped with these guns and carriages the field artilour Army will have a weapon equal, if not superior, to that of any other



Mrs. Fairbanks tells how neglect of warning symptoms will soon prostrate a woman. She thinks woman's safeguard is Lydia E. Pinkham'a Vegetable Compound.

"DEAR MRS. PINKHAM: - Ignorance and neglect are the cause of untold female suffering, not only with the laws of health but with the chance of a cure. I did not heed the warnings of headaches, organic pains, and general weariness, until I was well nigh prostrated. I knew I had to do something. Happily I did the right thing. I took Lydia E. Pinkham's Vegetable Compound faithfully, according to directions, and was rewarded in a few directions, and was rewarded in a few weeks to find that my aches and pains disappeared, and I again felt the glow of health through my body. Since I have been well I have been more careful, I have also advised a number of my sick friends to take Lydia E. Pinkham's Vegetable Compound, and they have never had reason to be sorry. Yours very truly, Mrs. Max Farrbanks, 216 South 7th MBS. MAY FARBANES, 216 South 7th St., Minneapolis, Minn." (Mrs. Fair-banks is one of the most successful and highest salaried travelling saleswomen in the West.) — \$5000 forfelt if original of above letter arouing genuineness cannot be produced.

Mrs. Pinkham invites all sick women to write her for advice. She has guided thousands to health. Address, Lynn, Mass.

the board during the next fiscal year. The board renews former recommenda-tions that appropriations by Congress should be sufficient to provide a reserve supply of ammunition of at least 100 rounds for each large callber gun and mortar, and at least 250 rounds for each rapid-fire gun as soon as mounted, saying:
"As without an adequate supply of ammunition it is needless to say that the armament of the coast defense is use-

N. Y. CENTRAL BOOMS OREGON.

A picture of interest to every Oregonian in Desember Four-Track News, a beauti-fully illustrated and deeply interesting magazine for five cents at newsdealers.

CRUSHES OU living things is the serpent, and the vilest and

most degrading of all human diseases is Contagious Blood Poison. The serpent sinks its fangs into the flesh and almost instantly the poison passes through the entire body. Contagious Blood Poison, beginning with a little ulcer, soon contaminates every drop of blood and spreads throughout the whole system. Painful swellings appear in the groins, a red rash and copper colored splotches break out on the body, the mouth and throat become ulcerated, and the hair and eye brows fall out; but these symptoms are mild compared to the wretchedness and suffering that come in the latter stages of the disease when it attacks the bones and more vital parts of the body. It is then that Contagious Blood Poison is seen in all its hideous-The deep eating abscesses and sickening ulcers and tumors show ness. the whole system is corrupted and poisoned, and unless relief comes soon this serpent disease tightens its coils and crushes out the life. The only

antidote for the awful virus is S. S. S. It is nature's remedy, composed entirely of vegetable ingredients. S. S. S. destroys every vestige of the poison, purifies the blood and removes all danger of transmitting the awful taint to others. Nothing else will do this.

Strong mineral remedies, like mercury and potash. Strong mineral remedies, like mercury and potash, dry up the sores and drive in the disease, but do not cure permanently.

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incurable, but we have

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Bronchitis, Influenza, Catarrh.

It cures because the air rendered strongly antiseptic is carried over the diseased surfaces of the bronchial tubes with every breath, giving prolonged and constant treatment. Those of a consumptive tendency, or suffer-ers from chronic bronchitis, find immediate relief from coughs or inflamed conditions of the throat. CRESCLENE is a boon to ASTHMATICS.

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