

PAW MADE INSANE

Pendleton Teacher Kills His Wife and Himself.

LEFT A NUMBER OF LETTERS

Jury Decides Murder and Suicide Were Committed Under the Spell Cast by Actors in a Local Theater.

PENDLETON, Or., Jan. 26.—(Special.)—Insanely jealous, without cause apparent to a coroner's jury, John T. Brown, a Umatilla county school teacher, induced his wife to submit to being killed and then ended his own existence. The dead bodies of the two young people were found on the crest of the hill south of this city this morning about 10 o'clock. A letter of instructions, written by the husband and left at the home of E. L. Smith, where the two had been living for the past two weeks, read as follows:

"Mr. Smith: Mrs. Brown and I are tired of life. You will find our bodies on the hill south of southeast of here. Please send my personal effects to my mother, Mrs. M. A. Brown, Retinbeck, Ia. Yours truly, JOHN T. BROWN."

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There were, Mr. Davis held, two Alexander Dunsmuir—one who went to his business day by day and whom his associates had never seen under the influence of liquor, and another Dunsmuir, drunk and in an abnormal condition.

Judge Drake, the trial judge, at the conclusion of Mr. Davis' address, asked him to point out what standing Mrs. Hopper had in court. She was not below the law. She was no relation, and he could not see that she could have any standing.

Mr. Davis said he had not talked of these points, having made his strong plea on the soundness of Alexander Dunsmuir's mind, and the intervenor having taken part in the case made it unnecessary.

The case closed this afternoon, and Judge Drake reserved his decision.

Following the argument of Mr. Davis, E. C. for the defendant, Sir Charles Tupper, K. C. for the intervenor, argued that the interests of Mrs. Dunsmuir, plaintiff's mother, had been ignored. He adopted plaintiff's counsel's argument of the incompetency of Alexander Dunsmuir to sign a will.

E. V. Ballard, K. C. for plaintiffs, argued that undue influence was shown in both the will and the subsequent agreement. He referred to the duplicity of Mr. Wilson, of San Francisco, and the conversations with Mrs. Alexander Dunsmuir when she was told that if the will was set aside, the money which would be lost, as if Dunsmuir was insane when he signed the will, he was insane when he married.

He stigmatized Attorney Wilson's line of action as dishonest, and said that James Dunsmuir signed the agreement with Mrs. Alexander Dunsmuir, promising half profits in the San Francisco business, realizing that she would never live to enjoy the money.

Mr. Bowell laid stress on the fact that Mrs. Dunsmuir had been informed of the will and said Alexander Dunsmuir either did not know he had signed the will or defendant got it signed by undue influence and had imposed the fact on Alexander Dunsmuir's mind that he must keep quiet about it. Mr. Bowell claimed that Dunsmuir did not think it was a will that he signed, but probably thought it a document relating to business in British Columbia. He also held that Lowe, a witness, testified that he did not know it was a will he had witnessed, which, according to California law, annulled the testament.

The evidence tending to show that Dunsmuir's mind was unsound was dealt with at great length. Mr. Bowell said that a man who used alcohol as Alexander Dunsmuir had could only come to one end—insanity. He held that Dunsmuir was shown conclusively to have been demented when the will was signed.

OELRICHS DID NOT GO TO BANK

Nor Did He See Checks Delivered to the Nelsons.

SAN FRANCISCO, Jan. 26.—When the hearing of the Fair case was resumed today before Commissioner Hosmer, Herman Oelrichs, husband of Theresa Fair, testified that he had been in the city of the arrangements for the funeral of Mr. and Mrs. Charles L. Fair in this city. The offer of a settlement of the claims against the estates of the victims of the automobile accident in France, which had been presented by Mrs. Nelson, mother of Mrs. Fair, and her family, was not made by him, but was suggested by J. M. Oelrichs, in the interests of the Nelsons.

He had met Mrs. Nelson, A. L. Nelson and C. J. Smith, all claimants to a portion of the property, but had no direct knowledge of the money which had been in detail many of the circumstances concerning the case and its attempted settlement, but nothing of importance not already published was developed.

Mr. Oelrichs stated that he did not until after three interviews with Mr. Harvey, who represented the Nelsons, that he consented to sell their claims by signing checks for \$25,000. He handed the checks to his counsel, but did not see them delivered. He said that if Mrs. Nelson had testified he went with her to a bank to see them cashed, her statement was untrue.

TRIED TO ROB POSTOFFICE

Grant's Pass Visited by Thieves, Who Are Scared From Work.

GRANT'S PASS, Or., Jan. 26.—Burglars attempted to rob the Grant's Pass post office last night and endeavored to secure admittance to the building by prying open the iron doors in the rear. The postoffice is a one-story brick annex to the Masonic Temple, and the rear door and windows are protected by iron-covered doors secured fastened by means of iron bars.

The burglars had been seeking an entrance by prying open the double doors and succeeded in bending the iron bar fastening nearly double, but were frightened away as darkness was nearly gained. W. I. Sweetland's pack of sheep dogs was in the back room of his meat market, and when the door was unlocked in the morning the dogs were ranged along the partition wall, and slaughtering and on being liberated immediately started out in pursuit.

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Harry Vernon Bennett, of 628 Sutter street, is the man she accuses of having wrecked her life and been responsible for her untimely death. The following note was found folded in the woman's bosom:

"May the power controlling this universe pardon Harry Bennett and force him to come and do what is right; make me his wife and be sincere and true to me as I am to him. May he never rest until this prayer is answered."

The following letter, written just before the woman died, also was found:

"Dear Harry—I will just write a line or two to let you know that I am still living. Just think what the cold glitter of gold will do. The day you left me in Los Angeles I thought that if you did not return, life would not be worth living. Well, I am here, and I am glad to hear from you. You know, and may you never have cause to suffer. You have had your revenge. Oh! Heaven, may you never have cause to suffer."

The letter was unsigned, as the gas had evidently done its work.

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Harry Bennett is about 30 or 32 years of age, and is present visiting in the East. From letters found on the dead woman it was learned that the young man's parents reside at the Lenox hotel in this city. Mrs. Bennett was communicating with them, and she was loath to believe that her son was responsible for the woman's despondency.

Mrs. Pitman engaged a room at 298 Turk street and found many letters addressed to her and signed "Harry Bennett." They are all of an endearing nature and show that the man and woman were on the most intimate terms. The liaison seems to date back two or three years.

Mr. Pitman had an aunt residing in Oregon City, distant about 14 miles from Portland, by the name of Eva Fletcher. It is said that this woman died recently and left her estate to Mrs. Pitman.

It is not known where Mrs. Pitman and Bennett first met, but it is evident from the correspondence found that Bennett had met the woman at various cities in his state.

An attorney who says he had Mrs. Pitman's affairs in charge, declares that he will hold young Bennett responsible for her death. It is said financial losses on account of Bennett were one of the causes that led to the suicide.

A letter found in the dead woman's room was written to the proprietors of the Patrick House in Los Angeles, and is signed by Mrs. J. H. Bennett. She states that she has written three letters to her son and has received no answers, and she asks that if the letters are still there that they be returned to her. This letter was written January 6.

There are letters among her effects from Stella Baker, of Eugene, Or., to whom she had loaned money, and Susie Morrow, of Monmouth, Or.

A girlish letter to Mrs. Pitman begins "Dear Aunt Alice," and is signed "Elva." It is postmarked Goldendale, Wash. Mrs. Pitman recently told Attorney Maples that Bennett had induced her to sell out a lodging house in Portland, Or.

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Mrs. Pitman was the widow of the late H. M. Pitman, who, prior to his death, was engaged in the retail grocery business in this city. For a year prior to her death she lived at 213 Sixty street, where she had a lodging-house, which she sold on December 4. Her successor said last night:

"I bought the house from Mrs. Pitman December 4, but she lived at the house until December 23, telling me before she left that she was going to San Francisco to meet Bennett."

"She was not the result of her first impulse to commit suicide, however, because she was going to kill herself while she was here. It was on December 17, I think, that she was disappointed because she failed to receive a letter from Bennett, and she tore around the house and cried and made an awful fuss. She said she would kill herself and that she was going to take laudanum, but I told her she would have to get out of my house because I wanted no suicide here. She then decided to telephone Bennett in San Francisco and talked with him quite a while. She said he was sick and that a letter was then on the way to Portland. I think the letter arrived next day."

POLITICS LEADS TO CIVIL SUIT

Ex-Commissioner Byrne Wants Damages for Being Called a Politician.

OLYMPIA, Wash., Jan. 26.—(Special.)—The Superior Court of Thurston county is now occupied with a libel suit, the principals in which are two prominent citizens of the city, John Byrne, ex-County Commissioner, and George H. Funk, ex-Prosecuting Attorney.

The suit was inaugurated by Mr. Byrne, who is a Democrat, against Mr. Funk, who is a Republican, as a result of political controversies arising in the campaign of 1902. Mr. Byrne demanding \$5000 for an alleged libelous statement that appeared in the Daily Olympian of this city over Mr. Funk's signature.

Both principals to the suit were at that time in county office. Mr. Byrne, as a member of the Board of County Commissioners, was one of the parties to an agreement entered into between the Commissioners and the Northern Pacific Railway Company whereby an amount considerably less than the total tax due from the company for previous years was accepted by the county and litigation regarding the assessment was dismissed.

Mr. Funk, as Prosecuting Attorney, declined to act on the matter or represent the county in the preparation of the necessary papers in the compromise.

The controversy aroused an issue which student James will inform Sheriff Allen of this statement made by Ebert.

Directed the Investigation into the Causes of the Iroquois Theater Disaster

JOHN E. TRAEGER, CORONER OF COOK COUNTY.

In his being condemned to die upon the gallows.

"It seems hard," he said, "to be cut down in the prime of life, but there is no help for it now, and no use worrying over it."

A reference to the two deputy sheriffs who were shot down by him on the Harney county plains did not carry to his mind any suggestion that it was hard for the friends and relatives of these men to have them cut down in the prime of life.

"What else could I do?" he asked. "What would you or anyone do? Those two men came out there armed with a rifle and shotgun and one of them tried to get the drop on me. I shot in self-defense." But a moment later he admitted that he knew one of the men, an officer of the law, an admission which carried with it the assertion of a right to defy and overthrow all law and order. Ebert does not claim that he would have been shot if he had surrendered when called upon to do so.

Born of good family, educated in the public schools and graduated from the Audubon county, Iowa, High School, Ebert started out in life with every opportunity that a man could desire. He was a member of the law, an admission which carried with it the assertion of a right to defy and overthrow all law and order. Ebert does not claim that he would have been shot if he had surrendered when called upon to do so.

Joseph Bush was born in Missouri in 1833, and crossed the plains with his father, the famous pioneer, John S. Bush, in 1844. The elder Bush died in 1881, and Joseph Bush and his three brothers all continued to reside in this county. The three brothers, W. O. Bush, Louis Bush and Sanford Bush, still survive him.

FUNERAL OF H. H. ALDERMAN.

TILLAMOOK, Or., Jan. 26.—All the business houses and the public schools were closed today during the funeral of the late Sheriff of this county, H. H. Alderman. The public services took place at the Christian Church, Rev. Mr. Paterson preached a sermon, during the course of which he paid high tribute to the deceased, who was widely known and universally respected. The pallbearers were prominent citizens of Tillamook.

Mrs. S. A. McCune.

FOREST GROVE, Or., Jan. 26.—(Special.)—Mrs. S. A. McCune, aged 74 years, died at the home of her daughter, Mrs. S. T. Walker, here, today. She came to Oregon in 1852. The following children survive her:

J. W. McCune, of Spokane; Melvin McCune, of Napa; John McCune, of Tappan; Mrs. Anna Putman, of Wapato, Wash.; Miss Emma Dyer, of Balaclava.

Henry Klensmith.

OREGON CITY, Jan. 26.—(Special.)—Henry Klensmith, aged 61 years, died of pneumonia at his home near Clarkes, this county, yesterday. Burial took place today at the Clarkes cemetery. The deceased is survived by a wife and several children. He had resided in this county for about 20 years.

Delayed to Get More Practice.

WILLAMETTE UNIVERSITY, Salem, Or., Jan. 26.—(Special.)—The basketball game that had been arranged between the teams of Willamette and Dallas College for next Saturday had been called off by the manager of the Dallas team. The reason given was their desire for longer practice before the game.

First Payment on Inheritance.

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