KISS LEAD TO DEATH

Mrs. Brown Saluted by Bert Whitman at a Party.

HUSBAND'S INSANE JEALOUSY

Refused to Accept Explanation That Other Women Were Also Kissed, and Nagged His Wife Until She Was Ready to Die.

PENDLETON, Or., Jan. 27.—(Special.)—Investigation this afternoon brought to light the causes leading up to the shooting of Mrs. Brown and the suicide of John T. Brown, whose bodies were found yesterday morning. The husband had become insanely jealous, caused by his wife allowing a young man to kiss her while playing a game of forfeits at a party in the country, where Brown was teaching school.

It was known at the inquest last night that Mrs. Brown had left a letter addressed to a young man named Bert Whitman, son of Mrs. Whitman, at whose house Brown boarded while teaching school. Also on a sheet of paper found on her breast was:

"Bert Whitman can explain all."

This letter, left addressed to Bert Whitman, was opened by the authorities, but its contents was not divulged until this afternoon. In the letter Mrs. Brown says (to Whitman) that her husband, Jack, has grown so jealous because of the kiss at the party that she finds it impossible to live with him longer, and as she no longer loves her husband as she should, she is willing that they both die. She gives her love to Bert, and speaks of the good times she enjoyed the month she stayed with her husband at Mrs. Whitman's home.

There is no incriminating evidence whatever to be found in the letter to Whitman, and the authorities declare that this kiss was the only cause for Brown's jealousy. Mrs. Brown, during November, stayed at Mrs. Whitman's with her husband. She then returned to the city and resumed her position as domestic in the home of Judge S. A. Lowell.

Letters found in Brown's valise today show that he had accused his wife of allowing this young man to kiss her, and she had replied that all of the other women at the party did and she thought nothing of it, but had she known that he, Brown, was going to take it so seriously she would never have permitted it. The last letter was written about three weeks ago, and she again denies any wrong intentions in allowing the kiss.

Brown suffered from dyspepsia and tuberculosis and was never known to smile. It is thought here that he brooded over this kiss and so magnified the action that he became insanely jealous. It is believed that he chided her so continuously about it that she grew desperate and discouraged and was willing to die.

MAY NOT GET DEPOSITORS.

Attorney-General Says Oregon Law in Favor of Assessors Is of No Effect.

SALEM, Or., Jan. 27.—(Special.)—Attorney-General Crawford today rendered an opinion in answer to a request from District Attorney George M. Brown, of Roseburg, in which he holds that the law requiring banks to give Assessors a list of depositors is void.

The question arose in Benton County, where the Assessor contemplated demanding such a list. The opinion follows:

Relative to your request for my opinion as to whether, under sections 3067 and 3068, B. and C. Comp., a president or other officer of a bank can be fined for not furnishing a list of the bank depositors to the Assessor of the county in which the bank is located, permit me to say that in the case of the First National Bank of Youngstown vs. Hughes et al., 5 Fed. R. 757, the court held that "A National bank may be compelled to disclose the names of its depositors, and the amounts of their deposits, under the compulsory process of a state court, in order to ascertain whether any money deposited therein, subject to taxation within the county, has not been duly returned for that purpose by the owners." This doctrine was affirmed on appeal by the Supreme Court of the United States; 106 U. S., page 524.

This was under a statute which authorized the Auditor (Assessor) to issue compulsory process to require the attendance of witnesses and to examine them on oath, and providing for punishment as for contempt in case of refusal to obey subpena to testify.

Our statutes confer no authority on Assessors to issue compulsory process to compel witnesses to attend, but in the light of the foregoing decision, the Legislative Assembly could so provide, and I have been unable to find that said decision has ever been disapproved. While the act is indefinite in many respects, it might be held good by the courts, if it had been duly enacted. The Legislative Assembly has, in my opinion, the power to compel the officers of a banking institution or express company or association doing business within this state to furnish a list of depositors to the Assessor, but in the present instance, I think the attempt to pass such an act failed. The title of the act is, "An act to empower Assessors to assess bank deposits." The body of the act is to compel the officers of the bank to furnish a list of its depositors, and providing a fine if they fail to do so on the request of the Assessor. The test as to whether the subject of the act is expressed in the title, as laid down in the case of Spaulding Logging Company vs. Independence I. Company, 42 Or., 294, as stated by the court at page 308 thereof, is, "Whether taking from the title the subject we can find anything in the body which cannot be referred to that subject."

The subject of the act under consideration is to authorize Assessors to assess bank deposits. The body of the act requires the Assessor to call upon bank officers and procure a sworn statement of the names of depositors, and to fine such officers if they fail to furnish it. The fining of the officers is not included in the title, to authorize Assessors to assess bank deposits. Any person reading the title would naturally conclude that the purpose of the act was to confer the power upon the several County Assessors of the state to assess money deposited in banks, and they would not for a moment suppose that it was intended to compel bank officials to furnish lists of depositors to Assessors, or to punish them by a fine if they failed so to do at the request of the Assessor.

In my opinion, the body of the act is not germane to the title, and the act is void.

OUTLOOK FOR SALMON FISHING

More Canneries Will Be in Operation --Gray's Harbor Indians May Come.

ASTORIA, Jan. 27.—(Special.)—The present indications are that there will be greater facilities for handling fish on the Columbia River this coming season than ever before. Three, and perhaps four, new canneries will be in operation, as well as several new cold-storage plants, and the capacity of some of those already constructed will be increased. Considerable new gear is being prepared, especially new traps and seining grounds, but a scarcity of gill-netters appears probable, as the older fishermen are gradually dropping out of the business and the younger generation does not take kindly to it.

Last season the fishermen from the Sacramento River did not meet with the success of former years on account of the runs being so late, and they always quit and return to their homes as soon as the price is cut. Reports from Black Diamond, the headquarters of the Sacramento fishermen, state that for that reason very few of them will come north this year.

There is some talk of securing Indian fishermen from Gray's Harbor and the Northern Washington coast streams to come here during the season. It is understood that the consent of the Government officials can easily be secured, provided the Indians make their headquarters in the State of Washington.

COLFAX POLICE ARE CENSURED

Public Indignation Aroused and Mass Meeting Will Be Held Sunday.

COLFAX, Wash., Jan. 27.—(Special.)—Marshal MacKay and his deputy, Joseph Allphin, forming the police force of Colfax, were not removed from office at the special meeting of the City Council tonight. Mayor Van Scholck recommended the removal of both officers, on the ground that they had failed to do their duty when notified by the bartender in the Oxford saloon of an assault being committed on a 16-year-old girl in a room over the saloon.

Councilman Bellinger moved the adoption of the recommendation. Councilman Dreifrus seconded the motion. Councilman Johnson made a strong talk in favor of its adoption. These voted for the motion, and Councilmen Codd, Cairns, Eassing and Mastin voted against. The Council then unanimously voted to censure the officers.

Although the matter could not be acted upon at this special meeting, the Council informally discussed the advisability of revoking the license of the Oxford saloon, and this will be taken up at the next regular meeting.

Colfax citizens are indignant over what they term the "whitewashing" of the police officers, and an indignation meeting is called for the Courthouse Sunday afternoon, when the ministers are going to hold special services to denounce immorality in Colfax.

Paddy Burke and Charles Jacobson are still in the county jail, being unable to furnish bonds. Burke was also employed as bartender in the Oxford saloon. He is the bartender who recently supplied liquor to Joseph Richardson, who stood before the bar and drank 17 glasses of beer and then fell dead. It is charged that Burke had offered to supply all the liquor Richardson could drink, and that Richardson was drunk when he began the contest which resulted in his death.

Burke claims to be a pugilist. He is charged with having treated the girl in an unmentionable manner while she was helplessly drunk.

Prosecuting Attorney Robert M. Hanna brought Charles Jacobson, Pleasant Le Francis and Pat Burke into Justice I. B. Doolittle's court and dismissed the misdemeanor charged against them and recharged them with having committed a felony. It is now supposed that the Prosecuting Attorney has sufficient evidence to convict them upon the more serious charge or he would never have dismissed the former cases.

Ina Lee, the victim of the young men, is still retained at the county jail and will be held as a witness until after the cases have been concluded. The authorities have no information as to where three of the young men implicated are located, although it is supposed they are being hidden by relatives or friends in some part of the country surrounding Colfax. The three young men under arrest are in jail, unable to furnish $1000 bonds each, the court having raised their bonds from $300 when the new information was filed against them.

Alexander Kindness, the man who first gave the information, and later denied, in an affidavit, that he had told the officers anything regarding the matter, may be arrested upon the charge of having committed perjury.

BANQUET FOR BUSINESS MEN

Oregon City Board of Trade Will Arouse Interest in City's Future.

OREGON CITY, Or., Jan. 27.—(Special.)—At a meeting of the Oregon City Board of Trade this afternoon committees were appointed to arrange for a business men's banquet that will be held in this city within the next two weeks. The date for the banquet will be decided by the executive committee, which is composed of Harvey E. Cross, Mayor Grant B. Dimick and John Adams.

The banquet will be a $1-per-plate affair, and the purpose is to arouse interest of Oregon City business and professional men in the programme of the local commercial organization for the upbuilding of Oregon City and Clackamas County. Other committees were named this afternoon as follows:

Banquet, Dr. W. E. Carll, J. E. Hedges, W. A. Huntley and Judge T. F. Ryan; reception, Franklin T. Griffith, J. H. Westover, George A. Harding, Frank Busch, Sol Gardo, G. L. Hedges and Dr. E. A. Stover; programme, E. G. Caufield, C. H. Dye, J. J. Cooke, John Adams and Senator George C. Brownell; invitation, Mayor Grant B. Dimick, L. L. Porter, C. H. Caufield, C. D. Latourette and C. G. Huntley.

Yeats to Lecture at University.

SAN FRANCISCO, Jan. 27.—William Butler Yeats, the distinguished poet and man of letters of the Celtic revival, who has come to California to lecture at the University of California and at Stanford, arrived late last night on the Overland from the East. His visit has been eagerly looked forward to by friends of the revival adn the literary classes of the city. Few men of the present generation have achieved fame at so early an age as Mr. Yeats. He is but 36 years of age and his name is heralded by the critics.

Smallpox at North Yakima.

NORTH YAKIMA, Wash., Jan. 27.—(Special.)—Two more smallpox cases have developed. This makes a total of three for the city. C. O. Kelso and E. J. Barnes are the new patients, both of whom are quarantined. A number of people have been exposed to the disease lately, and it is expected that more cases will develop.

It is understood that there was one case here in the earlier part of the month, but it was not considered smallpox by the attending physician, and no care was taken to prevent it from spreading.

Committees of La Grande Club.

LA GRANDE, Or., Jan. 27.—(Special.)—At a meeting of the board of directors of the La Grande Commercial Club last night the following standing committees were appointed for the year:

House committee, F. L. Myers, William Miller and John Collier; athletics, J. H. Peare, J. B. Gilham, C. S. Williams, J. P. Donnelly; entertainment, J. M. Murphy, A. V. Andrews, C. A. Vurpillat; finance, J. W. Scriber, Turner Oliver and A. S. Geddes.

Convicts Make Up the Fund.

SALEM, Or., Jan. 27.—(Special.)—Attorney-General Crawford rendered an opinion today in which he holds that a liberal construction should be given the act of the Legislature of 1903 creating the penitentiary betterment fund and that any expenses the Governor may incur for repairs or improvements to the buildings or equipment may be paid from the fund. This fund is made up of the proceeds of convict labor.

Knights of Pythias Meet at Union.

LA GRANDE, Or., Jan. 27.—(Special.)—The district convention, Knights of Pythias, No. 11, will meet in Union, January 28. The lodges of District No. 11 are: Blue Mountain, No. 28, of Union; Red Cross, No. 27, of La Grande; Orion, No. 73, of Elgin; Kinsman, No. 73, of Wallowa. Union is making elaborate preparations for the occasion.

Extradition for William Van Winkle.

SALEM, Or., Jan. 27.—(Special.)—Governor Chamberlain today honored a requisition from the Governor of Washington for the extradition of William Van Winkle, who is under arrest in Portland and is wanted in Chehalis to answer to a charge of larceny.

LAND IN A MUDDLE

State Board Working Hard to Straighten Matter Out.

GOVERNOR IS INTERESTED

What Led to Complications and How Title Can Be Obtained From the State and the General Government.

SALEM, Jan. 27.—(Special.)—Governor Chamberlain, as agent of the state in the selection of lieu lands, and the members of the State Land Board, who have charge of the sale of state lands, are working together in an effort to bring about the best possible solution of the difficulty which resulted from the sale of school sections which were also used as base for the selection of lieu land.

At the meeting of the board yesterday, a number of applications were presented asking the state to relinquish its claims to lieu land, so that the men who had purchased the land from the state might perfect their titles under the Federal laws.

H. J. Stillman, of Pendleton.

THE CHAMPION TRAP-SHOOTER OF THE NORTHWEST

PENDLETON, Or., Jan. 27.—(Special.)—H. J. Stillman, of this city, who holds the championship of the Pacific Northwest as a trapshooter, made the highest average, 90.75 per cent, at the two-day shoot of the Pendleton Sportsmen's Association, last week. Mr. Stillman did remarkable work to win out over T. B. Ware, of Spokane, who was just two birds behind. Mr. Ware has won more high averages than any other shotgun man of the West. Mr. Stillman is vice-president of the Oregon Fish and Game Protective Association. He won the state live-bird medal at Portland in 1890.

These were cases in which the state's title had failed. Whenever the board approves these applications the Governor makes the relinquishment and the purchasers are given every opportunity to protect themselves if they can.

There are a number of instances in which school sections were sold by the state in place. Later these same sections were used as base for the selection of lieu land and the lieu land was sold. In these cases the policy adopted by the Governor is to protect the man who purchased the school land. There are other cases in which school sections were used as base and the lieu land selected thereon sold, after which the school sections were sold in place. In these cases the Governor tries to protect the man who bought the lieu land, and refuses to make a relinquishment until it shall be determined finally that the state's title is invalid. Wherever the state's title has failed, the purchasers are entitled to repayment of the purchase price.

By relinquishing its claim to lieu land, the state gives the purchaser the first chance to secure the land under Federal laws. Many are taking advantage of this opportunity, though it is but a partial remedy. As the purchaers have a choice between losing their land altogether or securing it in some way from the Federal Government, they quite generally accept the latter alternative. The conditions have been brought about in this way:

Men who dealt in mineral base attempted to adjudicate the mineral character of certain school sections, and upon approval by the local land office this land was used as base for the selection of lieu land. Men desiring to purchase lieu land from the state paid the operators from $1 to $1.50 per acre for base and then paid the state $2.50 per acre for the lieu land. The lieu land was generally bought on the installment plan, paying one-fifth each year. When the adjudication proceedings reached the General Land Office in Washington the base was not allowed, and hence the state's lieu land selection failed.

The state has no other base to substitute for that which was held to be invalid. The purchasers are apparently without title, are out the amount they paid to the dealers in base, and are entitled to repayment of what they have paid to the state. The adjudication proceedings are pending on appeal before the Department of the Interior, so that no third person can yet step in and take the lieu land. While the matter is thus pending, the purchasers from the state can secure state relinquishments and carry these with them when they go to local land offices to apply for the land under the Federal laws. Until the relinquishment has been filed no third person can apply for the land. As the purchaser from the state files his relinquishment and application under the Federal laws at the same time, he is protected. He may secure the land from the Government under the timber land laws, homestead laws, or by means of scrip.

Thus far the applications for relinquishments have been by small holders, but it is expected that some large holders of lieu land certificates will be presenting applications soon. According to the statement made by the Clerk of the board yesterday, about 70,000 acres of the lieu land selections have been disapproved. In trying to straighten out the difficulty the State Land Agent is working in harmony with the Clerk of the Land Board, and the records are kept together, so that no further trouble will be created.

FIRE THREATENED WEISER.

Bucket-Brigade by Quick Action Saved Heavy Loss.

WEISER, Idaho, Jan. 27.—(Special.)—This city was threatened with destruction by fire about 2 o'clock this morning. At that hour the roof of the pumphouse that supplies water for the Weiser Hotel was discovered in flames. An alarm was sounded by the engine at the electric light station, and a number of persons with buckets of water extinguished the flames.

It was discovered that a stove in the pumphouse, kept there for the purpose of keeping the water pipes from freezing, had become overheated and set the side of the building on fire, from which the flames quickly spread to the roof. The pumphouse is located within 15 or 20 feet of the hotel, which is a building of more than 100 rooms, and is surrounded by boxes, wood and other inflammable material, which, if ignited, would have taken the entire block and caused a damage of $100,000 or more. Prompt action was all that saved it.

FROZEN ON YAKATAGA BEACH.

Prospector Stevens Loses His Life and His Companions Badly Nipped.

SEATTLE, Jan. 27.—A special to the Post-Intelligencer from Skagway says:

The steamer Excelsior, arriving at Juneau today from the westward, reports that W. D. Stevens, a prospector, was frozen to death at Yakataga Beach January 18. E. Rhodes and Martin Falkner, who were with Stevens, were also badly frozen. The latter two arrived at Juneau on the Excelsior for treatment.

Johnson, chief of the Eagle clan of the Taku tribe, was drowned near Klinaoo January 22. Chief Johnson's house, set on an elevation above Taku village, is a familiar sight to all tourists. The chief owned a schooner and was widely known as a trader among the whites.

POOR MAIL FACILITIES AT BAKER

Letters Often Delayed Many Hours in the Postoffice.

BAKER CITY, Or., Jan. 27.—(Special.)—The business interests of the city have been handicapped for the past year and a half by the poor mail facilities. All the mail trains, except one, pass through this city at night, or at an extremely early hour in the morning. Mail for Portland and the Coast towns must go out at 7 o'clock P. M. or 3 A. M. The postoffice closes at 6 o'clock and the mails, both east and west, are closed at 8 o'clock in the evening. Letters mailed in any of the mail boxes, or at the postoffice, after 8 P. M., must wait from 16 to 24 hours before being dispatched.

To avoid these aggravating delays the management of the Geiser Grand Hotel has opened a sort of volunteer branch postoffice for the accommodation of business men, and all the night mail is carried to the hotel, where the hotel messenger assorts it and mails it on the trains. While this is an accommodation to the public, it is a great nuisance and trouble for the hotel people.

The remedy is to provide a night clerk at the postoffice and arrange for a mail messenger service to and from all trains. Inspector Clark, of the postal service, has been appealed to, and he has recommended that a night clerk be installed at the office and the postoffice lobby kept open all night, so that letters can be deposited in the office at any hour of the night.

Business men have to allow for a delay of at least 12 hours in all matters of business transacted by mail, especially with Portland, and it often occurs that other places are given the preference over Portland in the matter of mail orders on account of this unreasonable delay.

Senator Mitchell has been appealed to, and there is a fair prospect for a change for the better soon. The same trouble, it is said, afflicts other Eastern Oregon towns in the matter of mail accommodations.

NOT GOOD FOR ROAD TAXES.

"Deficiency Certificates" May Be Made Good Out of Road Fund.

OLYMPIA, Wash., Jan. 27.—(Special.)—In an important opinion given today on the new road law, Attorney-General Stratton holds that "deficiency certificates" cannot be accepted in payment of road taxes for the year 1904 and subsequent years, but that the treasury must demand that the payment be made in money. "Deficiency certificates" were issued in great numbers and in comparatively large amounts in nearly all the counties of the state, under a provision of the law of 1895, which provided that a person might work out on the road more than the amount due for road tax and receive a certificate which would be accepted as payment of road taxes to the amount thereof in subsequent years. Many of these certificates are now outstanding.

It is apparent, however, that the certificate holders will not lose by the repeal of the old law, as Mr. Stratton holds further that the new districts formed by the law of 1903 must assume all liabilities of the old districts, and that the deficiency certificates should be ordered paid by the County Commissioners out of the road and bridge fund of the new district assuming the indebtedness.

Why the Teacher Resigned.

EUGENE, Or., Jan. 27.—Miss Carrie Hal, one of the teachers in the Geary public school, of this city, has resigned her position because of an unruly boy being transferred from the Patterson school to Miss Hall's room in the Geary school. It seems the boy in question is very hard to manage, and upon the suggestion of his parents Superintendent Bechdolt transferred him to the Geary school and put him under Miss Hall's care, in hope that he would like her better than his other teacher and improve in his deportment. Miss Hall declared she would not take the boy, and said she would resign if the Superintendent insisted upon putting the boy in her room. The change was made, and Miss Hall forthwith handed in her resignation. The matter has caused considerable comment in school circles.

Familiarity Cost His Life.

VANCOUVER, B. C., Jan. 27.—A shocking murder is reported from the small lumber town of Jaffray in the Crow's Nest Pass region. John McGee, a young lumberjack, was instantly killed by Louis Gillier, proprietor of the only saloon in the lumber town.

Gillier killed McGee with two shots from a 16-bore shotgun at close range. While in a hilarious condition produced by too much alcohol, McGee, it is said, acted in a familiar manner toward Mrs. Gillier, and the latter's husband, who was only a few feet away, immediately killed the lumberjack. Gillier made no attempt to escape. He waited for the Sheriff to come and arrest him. He is now in Fernie jail.

Booth-Tucker Looking at Lands.

LOS ANGELES, Cal., Jan. 27.—Commander Booth Tucker, of the Salvation Army, who has been looking into the feasibility of locating a colony of the denizens of large cities in Southern California, has arrived here. He is enthusiastic over the possibility of thus recovering from abject poverty the unfortunates who live upon charity. He will go from here to the northern part of the state and thence to the Army colony in Colorado.

Workman Arrested for Insanity.

ASTORIA, Or., Jan. 27.—(Special.)—L. A. Segar was arrested by Sheriff Linville this afternoon on the charge of insanity and will be held in the county jail until tomorrow, when he will be examined by the County Board. His affliction is that he imagines some one is after him to do him injury. Segar is an ironworker, about 30 years of age, and came here from the East about a year ago. His father is a resident of Seaside.

TRIED TO SAVE WIFE

Constable Shot Down by Drunken Husband.

ENACT TRAGEDY ON HILL-TOP

Citizens See Officer Fall and Open a Fusillade on Murderer, Who Escapes Through Back Door, but Finally Surrenders.

SPOKANE, Wash., Jan. 27.—(Special.)—While attempting to arrest Payne Sly at Troy, Idaho, this morning, Constable J. H. Hays was shot and killed by the infuriated Sly, who had previously fired a number of shots within his house, said to be directed toward his wife, with whom he had quarreled.

Sly was considerably under the influence of liquor and before giving himself up exchanged a number of shots with citizens who were trying to avenge the death of the Marshal. Sly was wounded in the hand, his clothes have a number of bullet holes in them, and he also has a slight wound in the side. He says Constable Hays shot him first.

The tragedy was enacted in plain view of many citizens, as Sly's house is located on a little hill. His children gave the first intimation of the row, running from the house and crying that their mother was being shot. Constable Hays walked up the hill and Sly came to the door, ordering the officer to keep away, at the same time flourishing a rifle.

Hays started to enter the house, when Sly commenced shooting. The first shot missed and Hays drew and fired, the bullet striking Sly's hand. Sly then fired again, dealing the Constable a mortal wound in the neck. Hays turned and staggered a few yards and fell dead.

By this time a number of citizens, attracted by the shooting, secured guns and opened a fusillade on Sly's house. Sly returned the fire for a time, and then escaped by the back door, running to his father's house, where he gave himself up.

An angry crowd of citizens collected and threats of lynching were heard on all sides. To avoid trouble the officers took the prisoner to Moscow, where he was jailed.

Sly has quarreled with his wife on numerous occasions, and is said to have been handy with his gun when drinking.

Hays had been Marshal of the town of Troy for ten years, and is well-known throughout Latah County. Sly formerly conducted a store at Troy, but recently has been following the occupation of a common laborer.

NOT ENOUGH FLAX RAISED.

Mill Will Be Built When the Acreage Reaches 1000.

SALEM, Jan. 27.—(Special.)—Threshing flax seed out of the straw and spreading the straw in fields to rot is now in progress at Eugene Bosse's flax establishment at this place. Twenty men are engaged at the threshing-house and 15 men and boys are employed to spread the straw on a field just east of town. Two hundred tons of straw will be spread out evenly over 60 acres of land and left exposed to the weather until it has retted enough for the scutching mill. It will then be put through a scutching mill, which will turn out clean flax fiber. The fiber will be stored away to await the building of a linen mill.

"The erection of a linen mill here in the Willamette Valley is delayed only by the lack of a supply of fiber," said Mr. Bosse today. "It wont do to build a mill to run two or three months in the year. We must have enough fiber to keep a mill running the year around. That will take 4000 acres of flax. Whenever we can get that we will have raw material enough to operate with and a mill will be built."

Mr. Bosse has 260 acres of land leased for flax-raising purposes, and farmers of this vicinity will put in about 100 acres more this season. Mr. Bosse thinks the amount should be increased this year to 1000 acres and in a year or two increased to 4000 acres.

Mr. Bossee says that in the first year of the flax manufacturing industry in Oregon, it will be best to manufacture such plain articles as toweling and gradually work into the manufacture of better grades of linen goods. He is anxious to increase the supply of flax fiber until a mill can be built, for the rapid development of the industry cannot begin until linen manufacturing has been established as a permanent enterprise.

Mr. Bosse says he is offering farmers $8 to $10 per ton for mowed flax and $12 to $15 for pulled flax, and at these prices the returns are good if the crops are fair.

LOSES GOODS AND MONEY.

Result of Captain Harts' Attempt to Smuggle Goods From the Orient.

SAN FRANCISCO, Jan. 27. — Captain William W. Harts must lose the sum of $1971, which he paid under protest into the San Francisco Custom-House as a treble value penalty for merchandise he attempted to smuggle into this port from the Government transport Thomas on July 10 of last year. He will lose also the merchandise, which has been seized by the lynx-eyed customs officers. They say that it was a clear case of attempted smuggling.

Captain Harts was loudly and verbally indignant when his Oriental curios were seized, and he took an appeal to the Secretary of the Treasury. In answer, the Secretary of the Treasury has decided that the fine, which is treble the appraised value of the smuggled goods, must remain in Uncle Sam's treasury, and that the goods must be sold at public auction for the benefit of the Government.

Customs Collector Stratton was notified yesterday by the Secretary of the Treasury that the department, after a rigorous scrutiny of the case here, indorsed his action in imposing the fine and seizing the goods. The Collector was instructed further to place the matter in the hands of United States District Attorney Woodworth, in order that the goods might be legally declared forfeited.

School Exhibit From Union.

LA GRANDE, Or., Jan. 27.—(Special.)—The regular examination of Union County teachers for state and county certificates will take place at the High School building in Union, commencing February 10, at 9 o'clock A. M., and lasting until February 13, at 4 o'clock P. M.

Professor E. E. Bragg, County Superintendent of Schools, is collecting examination papers and other classes of work in schools in the county, which will be forwarded to St. Louis, to go into the exhibit from this state to the great exposition. The exhibits will be secured from all sources obtainable from the public schools of Union County.

Election on Incorporation.

LA GRANDE, Or., Jan. 27.—(Special.)—At the regular January term of Union County Court a special election to vote on the incorporation of Island City and for the election of municipal officers, was ordered, and Saturday, January 30, 1904, between the hours of 8 o'clock A. M. and 7 o'clock P. M., set as the time for the election.

Benjamin Brown, William Thomas and William Day were appointed judges, and A. E. Hunter, Peter Bousquet and S. E. Rinehart clerks of election.

THE OLD RELIABLE

Absolutely Pure

THERE IS NO SUBSTITUTE

FAIR LEGACIES BOUGHT UP

MRS. OELRICHS AND MRS. VANDERBILT NOW THE OWNERS.

Herman Oelrichs Explains How the Settlement of the Big Estate Was Effected So Promptly.

SAN FRANCISCO, Jan. 27.—The cross-questioning of Herman Oelrichs was begun today by Commissioner Hosmer, who is taking depositions in the Charles L. Fair estate contest, now pending in New York. The witness said that he did not favor the holding of an autopsy on the remains of Mr. Fair and his wife when they reached here from France, but by the advice of his attorney he consented. Although a settlement had been made with the Nelson family, of which Mrs. Fair was a member, an autopsy was held in order to perpetuate evidence.

The $125,000 paid to the Nelsons came from Mrs. Theresa Oelrichs and Mrs. Virgina Vanderbilt, the witnesses paying it out of their interest in the James G. Fair estate. As to the legacies of Charles L. Fair and Caroline D. Fair, these have never been paid, but all of them have been bought up by Mrs. Oelrichs and Mrs. Vanderbilt, who now own the legacies. Mr. Oelrichs knew that Charles L. Fair inherited one-third of his father's estate, which has an estimated value of from $10,000,000 to $15,000,000, but he knew nothing of the value of the estate of the mother of Charles L. Fair.

When asked if he had ever participated in the settlement of the big estate which had taken less time than the one involving the Nelsons, he answered that he had taken part in a settlement with the James G. Fair estate that took only one day. In that time he settled with all claimants. This estate was worth $15,000,000. The settlement of the Theresa Fair estate was also consummated in one day.

DROPPED THROUGH SIDEWALK

Clarence J. Brown Is Drowned at Port Townsend--Body Recovered.

ASTORIA, Or., Jan. 27.—(Special.)—A telegram was received this morning stating that Clarence J. Brown, of this city, was accidentally drowned at Port Townsend, Wash., last night.

Mr. Brown went to Port Townsend a few weeks ago to settle up the estate of his father, who died there recently, and the accident occurred by his falling through a rotten sidewalk while on the way to the residence where he was lodging. The body was recovered this morning and taken in charge by the Port Townsend Elks, the deceased having been a member of that order in this city.

Charles V. Brown, a brother of the deceased, left this evening for Port Townsend, and it is the present intention to hold the funeral services there with the interment beside the grave of his father. Charles W. Abercrombie also left for Port Townsend this evening, as a representative of Astoria Lodge, No. 180, B. P. O. Elks, and as such will assist in conducting the funeral.

The deceased was born at Fort Canby 35 years ago, but when quite young moved with his parents to Port Townsend, where he grew to manhood. Several years ago he returned to Astoria and remained here until he married, when he removed to Alaska, but his wife being taken ill with consumption, he took her to California, where she died last February. He then returned to Astoria. He leaves a mother and sister, residing at Seattle, and a brother, Charles V. Brown, of this city.

Funeral of David Millhollen.

CORVALLIS, Or., Jan. 27.—(Special.)—David Millhollen, a pioneer of the Willamette Valley, was buried yesterday in Oakville cemetery, a few miles east of Corvallis.

Mr. Millhollen was born in North Carolina 77 years ago, and crossed the plains with an ox team in 1852. Since that time to within a few months past he had resideded continuously in the southern part of Linn County. He was a highly-esteemed citizen. Surviving children are: W. H. Millhollen and Mrs. J. H. Hamlin, of Portland; Mrs. D. B. McKnight, Albany; Mrs. C. M. Thorp, Oakville, and Mrs. Taylor Porter, of Corvallis, with whom deceased was living at the time of his death.

SMALL BOAT IN WHIRLPOOL.

Six Indian Occupants With Load of Gold Caught in the Colorado.

LOS ANGELES, Cal., Jan. 27.—A special to the Express from Beals, Cal., says:

Six Indians and about $1200 in gold were lost by the upsetting of a boat on the Colorado River, near the Indian reservation, a few days ago. Two prospectors witnessed the accident and managed to save one of the occupants of the boat.

The surviving Indian said that he and his companions had been working in the placer fields on the Arizona side and were on their way to Needles to get provisions. The boat was caught in a whirlpool and before the men who were propelling it could get the craft under control it was upset by the others, who became panic-stricken.

TRY-OUT FOR REPRESENTATIVE

Agricultural Society Selects Orators for State Contest.

CORVALLIS, Or., Jan. 27.—(Special.)—The annual oratorical contest among students of the State Agricultural College, occurs at the college armory next Friday evening. The contestants obtaining first, second and third places receive gold or silver medals and small cash prizes in addition.

From among the local contestants is also to be selected a representative at the state intercollegiate oratorical contest. Those who participate next Friday evening, their subjects and societies represented are as follows:

Kate Daniels, "The Paramount Issue;" Clay Darby, "Louis XIV and Absolutism;" Isabel Whitby, "An Unappreciated Hero;" Ralph Shepard, "The Spirit of Unselfishness;" Guy E. Moore, "Fashion an Impediment to Social Progress;" John Witty, "John Marshall, the Expounder of the Constitution;" Mary Southerland, "Robert Burns, Song-Writer of Scotland;" Lena Tartar, "Alexander Hamilton, the True Founder of the American Republic."

WENT AFTER WIFE WITH GUN

Beal Could Not Enter Neighbor's House, but Fired Through Window.

HILLSBORO, Or., Jan. 27.—(Special.)—John M. Beal, aged about 30, was today bound over in the sum of $500, to appear before the next term of Circuit Court to answer the charge of having shot into the window of the house of William Menefee, the Gaston druggist.

Beal resides at or near Gaston, and is the son of George Beal, a well-known and highly respected pioneer. Young Beal had some trouble with his wife, and she had gone to Mrs. Menefee's to remain over night. Beal appeared at the house about midnight, Monday, and demanded that she come out. Mr. Menefee talked to Beal through the window and told him that the wife was stopping with Mrs. Menefee.

After the window was closed Beal shot into it, using a breechloading Winchester shotgun. The glass was shattered and strewn all over the bed on which Menefee was sleeping.

NIGHT CLERK ROBBED GUEST.

Confesses Crime and Is Bound Over to the Grand Jury.

HOQUIAM, Wash., Jan. 27.—(Special.)—A. C. Truax was arrested and confessed to stealing $285 from the till of the New York Hotel, rifling and burning the United States mail that was in the hotel office. Truax has been employed as night clerk at the hotel the past two weeks.

Last night John Olsen, a guest, gave him $285 to put in the safe. Truax stole the money and hid it, claiming the till was rifled during his absence at the postoffice. He was suspected and later gave up, confessing the crime. All the money was found except $20, which he spent.

He was bound over and will be taken to the county jail tomorrow.

SLAUGHTER OF DEER.

Driven From Mountains by Snow, They Fall Prey to Pothunters.

HEPPNER, Or., Jan. 27.—(Special.)—Thirty deer were slaughtered by a party of pothunters in the Blue Mountains south of here recently. The names of the hunters have not yet been obtained. Some of the meat was jerked and sold in Heppner.

At this time of year the deer congregate in herds to browse on shrubbery in the canyons, being driven down from the mountains and hillsides by deep snow. Surrounded by deep snow, it is an easy matter to stalk the unsuspecting animals and kill them in large numbers. The matter will be investigated.

Wedding Guest a Murderer.

VICTORIA, B. C., Jan. 27.—The marriage feast of two Slavonians at Fernie was turned into a riot by two wedding guests getting drunk.

Martin Funfer and Rosie Rak were married. A happy procession wended its way to the home of the bride's parents, where an all-day celebration of dancing and beer drinking had been arranged.

All went merrily until noon, when Stephen Baronick began firing a revolver, as he said, "just to make a noise and help the celebration along." One of the bullets hit a fiddler named John Wollos, lodging in his brain. At once the scene changed from merriment to pandemonium. The wounded man is not expected to recover. Baronick is in jail, and will be charged with manslaughter should his victim die.

Leckenby Has Done Good Work.

LA GRANDE, Or., Jan. 27.—(Special.)—The board of regents of the Oregon Agricultural College have chosen George Gamle to succeed Professor Leckenby, of the Eastern Oregon Experimental Station, situated at Union. Professor Leckenby having resigned on account of failing health. Mr. Gamle has been a resident of Union County for several years and the station will no doubt continue to prosper under his supervision.

Professor Leckenby has been at the station for over three years and has done some wonderful work on experimenting on grasses, grains, beets, etc. This station now has 620 acres of land under cultivation and a large barn has been erected for the purpose of breeding fine stock in 1904, in connection with the other work being done.

Episcopal Delegates Must Be Males.

SAN FRANCISCO, Jan. 27.—The Episcopal Convention for the Diocese of California today adopted an amendment to the constitution providing that hereafter all lay delegates to the convention shall be males. The convention established a new branch of the new Church Women, which will deal exclusively with woman's work and meet at the same time as the regular state session of the diocese.

Davis Must Stay in Jail.

SAN FRANCISCO, Jan. 27.—The case of Thomas Davis, accused of assaulting a woman on the high seas, who was indicted yesterday by the United States grand jury, has been demitted by Judge DeHaven, of the District Court, to the United States Circuit Court. He was at first allowed bail, which order is now vacated, and he must remain in jail.