

LAUTH FOUND GUILTY

Verdict of the Jury Is Murder in the First Degree.

INSANITY GIVEN AS DEFENSE

Mrs. Lenore B. Jones Was Fatally Shot at Home of Parents in Oregon City After Quarrel Over Division of Property.

OREGON CITY, Or., Nov. 23.—(Special.)—The jury at 7:15 tonight returned a verdict finding Lauth guilty of murder in the first degree. The prisoner betrayed signs of nervousness but received the verdict without comment.

When the case was resumed this morning the defense called Dr. W. E. Carr, W. E. Wilson, Luther Moore and Police Officers Shaw and Noblett, who testified that the conduct and actions of the defendant, Lauth, on the night preceding the shooting, as well as the morning on which the crime was committed, were not those of a sane man, the purpose being to show that Lauth was temporarily insane and not responsible for the shooting. It was admitted he had done.

Judge McBride gave the jury lengthy instructions with respect to insanity as a defense. He said in part: "The law presumes every man to be sane until he establishes in the minds of the jury, beyond a reasonable doubt, the fact of his insanity. In other words, the burden is upon the party claiming insanity as a defense to make out that defense beyond a reasonable doubt, and if you have any reasonable doubt as to whether the prisoner was insane at the commission of the alleged homicide, if he did commit it, was sane or insane, the state is entitled to the benefit of such doubt and you should reject such defense."

Deputy Prosecuting Attorney Scheibel addressed the jury before the noon adjournment and made a strong case for a finding of insanity. He pointed out that the evidence had been offered by the state in establishing proof of the commission of a cold-blooded and premeditated murder. He pointed out that the evidence had been offered by the defense, and called particular attention to several inconsistencies in the story of the defendant as to his mental condition at various times prior and subsequent to the murder.

District Attorney Allen, who closed the case for the state, requested the prisoner to a severe arraignment, according to him for the illegal relations he had carried on with the woman he deliberately murdered. He reviewed the testimony of the witnesses offered by the defense, and called particular attention to several inconsistencies in the story of the defendant as to his mental condition at various times prior and subsequent to the murder.

(George W. Lauth shot and killed Mrs. Lenore B. Jones, a woman with whom he had been living, in Oregon City, September 6. The crime was committed at the home of the woman's parents, J. N. Woods and wife, the murderer made no attempt to escape.)

GAMBLING MADE TOWN DRY.

City on the Bay Will Have to Economize in Order to Meet Expenses.

TILLAMOOK, Or., Nov. 23.—(Special.)—This city has three saloons, each of which has been paying \$600 a year license. When the revenue commission was organized \$300 will have to be refunded to the saloonkeepers. The loss of the revenue from the liquor traffic will have to be made up either by a higher license or by a tax on the saloonkeepers. The general opinion is that the city will be able to get along without the saloon licenses though it will have to economize. The total levy in Tillamook City this year was 46 mills on an assessed valuation of \$18,000, 6 mills of which went into the town treasury, about \$190 in all. The charter does not permit more than 2 mills for general purposes. The debt of the town will be about \$150, at the first of the new year and the Council to be elected next month will have to devise means for meeting the deficit.

Nehalem, a town of 50 persons, has a saloon which pays \$400 a year license and which will have to go out of business. The town incorporated so as to be able to collect the license for public improvements. Early in the year Nehalem had two saloons and Tillamook five, but there was not enough business for that number.

The present disposition of the people of Tillamook County is to give the law a fair trial. To this end prominent citizens have formed a nonpartisan law-enforcement league. The local option law and prohibition carried in the county because the people want prohibition. The saloonkeepers and liquor law stopped. Saloonkeepers and gamblers now see that they themselves were to blame for the county going "dry."

Herbert both county and city authorities have been lax in enforcing the laws against gambling and illegal liquor selling. Last week the grand jury indicted several saloonkeepers and gamblers, hauled Sheriff Wolfe and Constable Marshall over the coals, and instructed the District Attorney to explain to these officers their duties. That every reason to believe that prohibition will be enforced in the county.

INJUNCTION ASKED IN COOS.

Prohibition Alleged to Have Been Signed Irregularly.

MARSHFIELD, Or., Nov. 23.—(Special.)—E. A. Seabrook left this morning for Coos, where he will appear before Judge Hamilton Friday and ask for temporary injunction restraining the County Court from giving notice to saloonkeepers to cease the sale of intoxicants. The title of the case is In re Marasden vs. L. Harlocker, E. A. Anderson and Lloyd Spires, comprising the County Court.

The plaintiff alleges that no order of the County Court was made for a prohibition election, and his contention is supported by affidavits of the members of the court. He says that after the election of September 22 it did not meet again till November 13. The prohibition petition was not filed till September 20. The members of the court signed the order for the election individually at different places, and it is alleged that this was illegal.

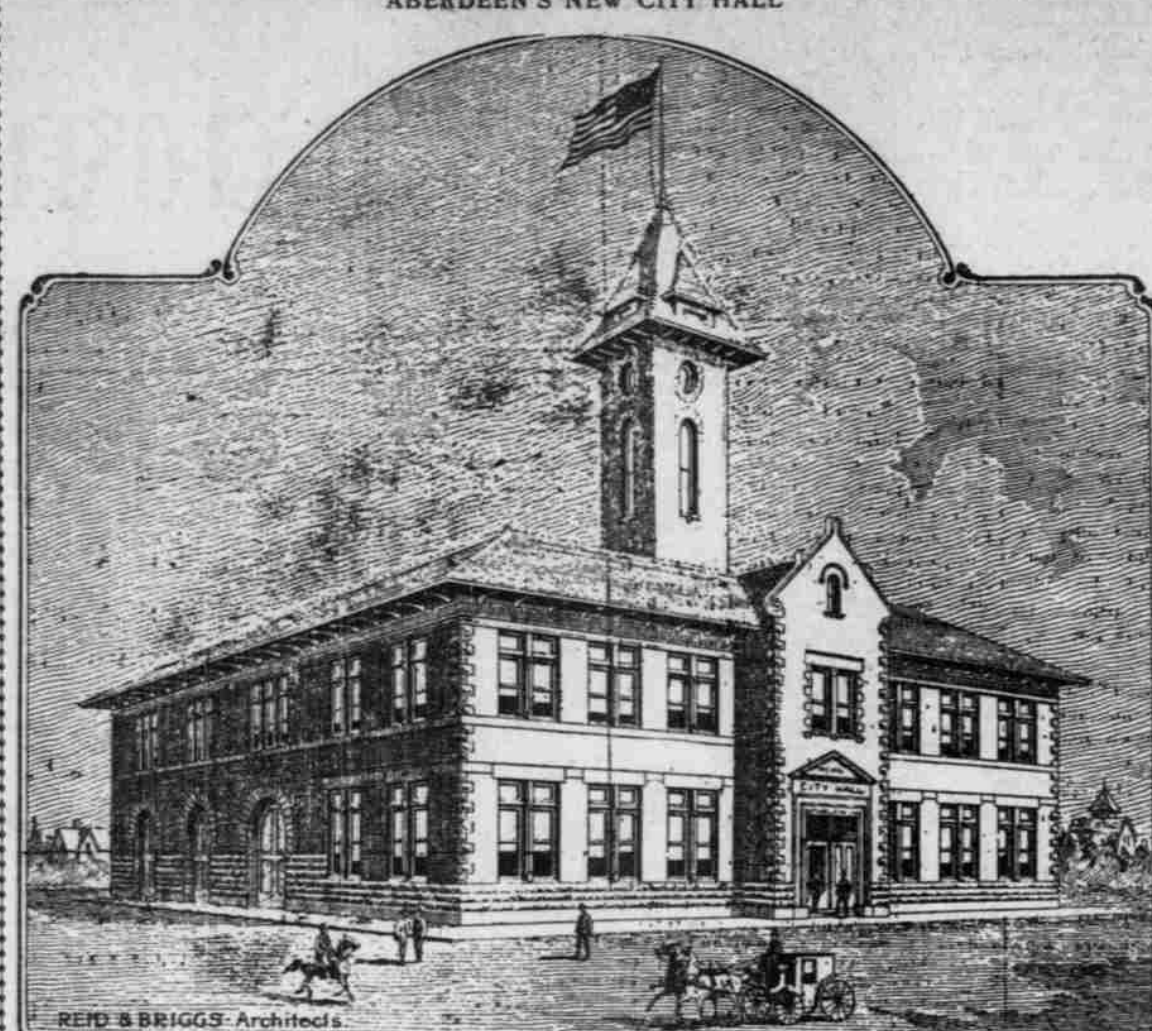
DECLARE FOR HIGH LICENSE.

Albany Candidates for Council See Way to Pay Off City Debt.

ALBANY, Or., Nov. 23.—(Special.)—A sensation in municipal politics was created tonight when J. L. Tomlinson, John Fohay and E. R. Huston, supposed to be anti-alcohol candidates for City Councilmen, from the First, Second and Third Wards, respectively, issued a joint statement in the course of which they affirm that "as the citizens of Albany have registered themselves very emphatically in favor of the policy of licensing saloons," they accept their verdict and abide by the license policy.

They are in favor of raising saloon license rather than increasing taxes.

ABERDEEN'S NEW CITY HALL



ABERDEEN, Wash., Nov. 23.—(Special.)—The plans for the City Hall, which is to be erected immediately, call for a two-story brick and stone structure that will cost from \$20,000 to \$25,000. The building will be a permanent home for the city employees and the headquarters of the fire department. Since the fire which destroyed the business portion of the city, over a year ago, the Council and other officers of the municipality have been occupying limited and very inadequate quarters. With the new City Hall and the new sewer and water system, and many new brick buildings in the business district, the future prospects of Aberdeen are most encouraging.

REID & BRIGGS, Architects.

to pay off city indebtedness and will make their campaign on that issue.

Order of Prohibition in Linn.

ALBANY, Or., Nov. 23.—(Special.)—The County Court met in special session this afternoon in compliance with the provision of the law requiring that an order of prohibition be made prior to December 1, 1904, in all precincts which voted dry at the recent election, which order will be promulgated according to the requirements of the law.

Home Court Issues Legal Order.

EUGENE, Or., Nov. 23.—(Special.)—The County Court met in special session this afternoon in compliance with the provision of the law requiring that an order of prohibition be made prior to December 1, 1904, in all precincts which voted dry at the recent election, which order will be promulgated according to the requirements of the law.

PLAN TO RAISE PORTAGE FUND

Prominent Unaffiliated Men Put on Committee to Canvass the Country.

PENDLETON, Or., Nov. 23.—(Special.)—At a mass meeting of business men and prominent farmers the subject of raising \$5000 as Unaffiliated County's portion asked by the Open River Association for the portage road was discussed and plans decided upon. A committee was appointed to take active charge of the work and is composed of the following: George Swinger, M. W. Wyrick, W. P. Temple, T. J. Kirck, extensive wheatraiser, and County Commissioner Horace Walker.

The committee will make a thorough canvass of the county, and will plan to divide the county into districts and each member of the committee have charge of the district he may choose. In this manner it is believed that the entire county can be covered in a few days and the desired amount raised without difficulty. A large portion of the amount asked for has already been donated.

CONTRACT FOR SEWER LAY.

Ashland Improvement Depends on Award of Circuit Court.

ASHLAND, Or., Nov. 23.—(Special.)—The City Council last night awarded the contract for extension of the new sewer system for Ashland to J. E. Frick of this city, for \$25,000. There were five bids, Portland and San Francisco parties figured upon it, the highest estimate being \$43,000. The city has already laid trunk lines at a cost of \$30,000 and the contract now let is for about 12 miles of six, eight and ten-inch laterals to cover all streets within the sewer district which embraces the greater part of the city.

Pipe for Kelso Water Works.

KELSO, Wash., Nov. 23.—(Special.)—The Kelso Light & Water Company has completed the big well and is putting the finishing touches on the \$200,000-gallon reservoir located on Onorato Hill, one-half mile northwest of the city, and at an elevation of 200 feet above the level of the business portion of the town. The supply pipes are beginning to arrive. 15,000 feet of four, six and eight-inch pipes are now being distributed. This is the first installment of pipe on a total of nearly five miles of mains necessary to complete the system, which is now expected to be finished by February 1, 1905, giving the city one of the best plants for fire and domestic uses in Washington.

Gold Brick From the Vesuvius.

COTTAGE GROVE, Or., Nov. 23.—(Special.)—F. H. Hartman, manager of the Vesuvius Mining Company, came from the mines yesterday and brought a gold brick containing several thousand dollars. This is a clean-up of 20 days' run in the new plant installed this Fall. The company is much elated over the product of the first run and it is stated that the plant will be kept in constant operation. Large earnings are expected as the property is extensively developed.

Collins Postoffice Destroyed.

COLLINS, Wash., Nov. 23.—(Special.)—Fire destroyed the store, postoffice and laundry at noon Sunday. A heavy wind prevailing, nothing was saved. Captain Belcher made several attempts to save the postoffice records and papers, but owing to the smoke and flames was unable to save anything. All records, books, etc., were destroyed. The loss is \$2000. This will in no way interfere with business at Collins Hot Springs, as the store building was situated about two blocks away.

DAM IS A MENACE

Fish Warden Would Have More Stringent Laws Made.

OREGON CITY, Or., Nov. 23.—(Special.)—Deception and fraud in procuring a divorce last week is charged by Kate B. Linn against F. E. Linn. Mrs. Linn today filed a sensational motion through her attorney, G. E. Hayes, in which she asked the court to vacate the order granting the divorce and open up the case that she may be given an opportunity to make an answer to the complaint and make a defense to the suit.

PASSAGEWAY SHOULD BE EASY

Take by Rod or Net Should Not Be Permitted Within Five Miles of Obstruction in Any Oregon Stream.

SALEM, Or., Nov. 23.—(Special.)—The dam as a menace to the fishing industry in Oregon is one of the important subjects discussed in the biennial report of Master Fish Warden Van Dusen, and concerning which he recommends the enactment of stringent laws. He would not only require builders of dams to construct fishways in accordance with plans approved by the Fish Commission, but would also forbid fishing in the vicinity of a dam. Six hundred feet the limit under the present law, is too close, he thinks, for fishing with a rod and line, and he would not permit other kinds of fishing within five miles. Upon this subject he says in part:

From the experience had with dams and obstructions during the past two years, I am fully persuaded that any one being privileged the right to harness and take the waters of this state for power, irrigation or other purpose, can, without jeopardizing their interests, well afford to put in a dam which will allow easy passageway for fish directly through their dams so that fish will have no trouble in ascending or descending the stream.

The law should make it clear that what sort of a fishway should be provided, and require of all persons desiring to obstruct any of the waters of this state by a dam or otherwise, that they first prepare plans and specifications of the dam or obstruction contemplated, together with the proposed fishway, and secure the approval of the State Fish Warden before they are put in place. For obstruction, for it is much easier and less expensive to have the passageway built right in the first place.

The principal trouble arises where dams have been erected and fishways not put in afterwards; the owner thinks the passageway he has provided is good enough and does not like the additional expense when required to clear up the dam. The law should require that at all times be required to maintain and keep free the passageway for fish, which should, in the first place, be constructed according to specifications, and if he fails to maintain such a fishway and to keep the same free and easy for the passage of fish at all times he be deemed guilty of a misdemeanor, and be liable to prosecution by any peace officer or any other person.

The matter of fishing in the fishway, or within 500 feet thereof, should be modified, and made so that it would be a misdemeanor to fish within a specified distance of the dam as well as that of the fishway, for the fish are sure to be stopped and their ascent to the stream hindered, and put in a great extent by the dam no matter how easy a passage may be provided, and while they are stopped and shut off in this way they should be left alone and not collected. The limit, that is, 500 feet for hook and line fishing, is altogether too close, especially for large streams and other than rod and line fishing should be limited to at least five miles, or restricted entirely.

The dam is, without doubt, one of the most serious affairs that we have to contend with today, for they are invariably located on the best salmon-breeding streams that we have, and stop and interfere with the salmon ascending the stream to their spawning grounds or the hatchery, and if concessions are not made in the matter of fishing streams, in which these dams are located, it will only be a question of a few years before the salmon product will be lost entirely to the stream, for they are collecting in great numbers below the dams, where they will remain for days before taking the fishway, and are a great temptation to the unscrupulous fisherman. It is a well-known fact by those familiar with the subject that no dam that has stood the test, and has proven to have been a complete obstruction to salmon, has ever been removed.

To guard against this tremendous destruction stringent laws should be passed, and the people themselves, that is the owner or occupant of the dam, should be required to maintain a baiter continually on the premises to see to it that the salmon and other fish are not molested in any way, and that the said owner or occupant be personally liable and guilty of a misdemeanor if they neglect to do this. The waters, in the first place, rightfully belong to the salmon product, which has brought millions of dollars into this state, and will continue to do so long after the mills and mines are a thing of the past, if it is rightly fostered. Be that as it may, they are entitled to the right-of-way and should not be shut off or interfered with from ascending the stream to the hatchery or to their spawning grounds.

DIVORCEE CHARGES FRAUD.

Kate B. Linn Files Sensational Motion in Court at Oregon City.

OREGON CITY, Or., Nov. 23.—(Special.)—Deception and fraud in procuring a divorce last week is charged by Kate B. Linn against F. E. Linn. Mrs. Linn today filed a sensational motion through her attorney, G. E. Hayes, in which she asked the court to vacate the order granting the divorce and open up the case that she may be given an opportunity to make an answer to the complaint and make a defense to the suit.

In the motion that was filed this afternoon Mrs. Linn alleges that several times since the filing of the divorce suit against her husband, she has been visited by her husband at the home of her father, B. L. Commons, in this city, before the time expired in which she could defend herself against the divorce proceeding. A few days after the divorce had been filed, the woman represents that Linn called on her and remained all night with her, when he confessed that he had been busy in filing the suit for divorce, which he said he would not prosecute, as she desired again to live with her, asked her forgiveness and asked her that it would be best if she let him go to employ an attorney to fight the case.

Mrs. Linn further alleges that Linn remained all night in her company on the night of November 13 last, and on the following morning appeared in the Circuit Court and obtained a decree dissolving the marriage relations existing between them by Linn on October 8 last. Linn visited her at the home of her father, B. L. Commons, in this city, before the time expired in which she could defend herself against the divorce proceeding. A few days after the divorce had been filed, the woman represents that Linn called on her and remained all night with her, when he confessed that he had been busy in filing the suit for divorce, which he said he would not prosecute, as she desired again to live with her, asked her forgiveness and asked her that it would be best if she let him go to employ an attorney to fight the case.

OFFICER SHOTS DOWN THIEF

Spokane Merchant Was Speeding Away With Pair of Stolen Shoes.

SPOKANE, Wash., Nov. 23.—(Special.)—Fred Brown stole a pair of shoes from a North Side store tonight and as he was running away with his plunder a bullet from Officer Willis' revolver brought him down. Willis says he commanded the man to stop before shooting. An eyewitness of the affair declares the officer gave no warning before using his weapon. The bullet perforated Brown's body from the lower back and is expected to prove fatal.

Brown has been a hanger-around-town for some time, and is a well-known character. He is nearly crazed with grief and anxiety. Officer Willis is one of the oldest members of the local force.

Open Gambling at Pendleton.

PENDLETON, Or., Nov. 23.—(Special.)—The Merchants' Cafe, which was one of the largest gambling-houses in the city during the heavy run the past summer and fall, opened its doors last night and is again in operation. This is the only house in the city that has openly defied District Attorney G. W. Phelps' order to remain closed after election day. The District Attorney's office has been notified of the reopening of games at the Merchants' Cafe and arrests are expected to follow in a day or two.

Sawreckers Get Poor Loot.

EVERETT, Wash., Nov. 23.—Sawreckers blew to pieces the safe of the People's Union Store, at Stanwood, during the night. The explosion damaged the store fixtures and stock \$200, and awakened Manager Reed, who lives 50 yards from the store. He reached the store quickly and the two burglars fled, securing only 70 cents and leaving \$50 in the wreckage.

Prosperity at Silverton.

SILVERTON, Or., Nov. 23.—(Special.)—The past year has been a very prosperous one for Silverton. Several blocks of its business streets have been graded and improved, a number of new store buildings have been erected, several of which are of brick. About 60 new residences have been built and there is not a vacant house in the town.

Found Hanging to a Juniper.

PRINEVILLE, Or., Nov. 23.—George Welsener, of Seio, an employe of the Deschutes Irrigation Company's experiment farm, two and one-half miles from Bend, was found dead hanging to a juniper tree yesterday.

WORST ON EARTH CATARRH OF THE LUNGS OFTEN FIRST STAGE OF CONSUMPTION

Rockefeller Is Designated as the Premier Criminal.

ARRAIGNED BY DR. MATHEWS

Seattle Lecturer Scores Capitalists Who Use Portion of Wealth to Hoodwink Church People and Securing More in Return.

BELLINGHAM, Wash., Nov. 23.—(Special.)—John D. Rockefeller is the greatest criminal that is walking on the face of the earth," said Dr. M. A. Mathews, of Seattle, in a lecture here today. In leading up to the arraignment of Rockefeller, Dr. Mathews, who was lecturing on "The Wealth of Altruism," began talking on the selfishness and corruption of the capitalists in this country, how they use their immense wealth in securing privileges that a poor man could not get, how they get the immense throngs of church people under their influence by donating large sums of money, and then exchange tract of timber, was sold to T. Furushima and C. Miyahama for \$10,000. These men represent British Columbia Japanese and Japanese who are now in Japan they will take charge of the contract on December 1.

Experienced Japanese will be employed, and also white men, if they desire to work for Japanese wages. Several inexperienced men will be placed with them and after a crew has become proficient in the operating of the shingle mill another plant will be bought and the process repeated. Unlike the present managers of the shingle industry, the Japanese will not close the mills when the market is weak. Work will continue, but the scale of wages will go up and down with the demand. If at any time they are unable to dispose of the product they will store the shingles and keep on manufacturing. Mr. Furushima says that about the same wages will be paid in good times as paid now by the majority of the mills that only cut when the demand is heavy.

JAPANESE BUY SHINGLE MILL

Scale of Wages Will Go Up and Down With the Market.

BELLINGHAM, Wash., Nov. 23.—(Special.)—The first Whatcom County shingle mill to pass into the hands of the syndicate of Japanese capitalists who are trying to get control of the industry in this state, is the Vanderhoof mill at Sumas. Yesterday the plant, together with the mill, was sold to T. Furushima and C. Miyahama for \$10,000. These men represent British Columbia Japanese and Japanese who are now in Japan they will take charge of the contract on December 1.

WOMEN SHOULD BEWARE OF CONTRACTING CATARRH

The cold wind and a rain, sleet and mud of November are especially conducive to catarrh of the lungs. Few women escape.

Upon the first symptoms of catching cold Peruna should be taken. Colds lead to catarrh. Catarrh ends in consumption. Delays are dangerous.

Pe-ru-na for Colds and Catarrh.

The following interesting letter gives one young woman's experience with Peruna:

Miss Rose Gerbing, a popular society woman, of Crown Point, Ind., writes: "Recently I took a long drive in the country, and, being too thinly clad, I caught a bad cold, which settled on my lungs, and which I could not seem to shake off. I had heard a great deal of Peruna for colds and catarrh, and I bought a bottle to try. I am pleased that I did, for it brought speedy relief. It only took about two bottles, and I consider this money well spent."

"You have a firm friend in me, and I not only advise its use to my friends,

but have purchased several bottles to give to those without the means to buy, and have noticed without exception that it has brought about a speedy cure wherever it has been used."—Rose Gerbing.

Pe-ru-na Contains No Narcotics.

One reason why Peruna has found permanent use in so many homes is that it contains no narcotic of any kind. Peruna is perfectly harmless. It can be used any length of time without acquiring a drug habit. Peruna does not produce temporary results. It is permanent in its effect.

It has no bad effect upon the system, and gradually eliminates catarrh by removing the cause of catarrh. There is a sculler's of homes where Peruna has been used of and on for twenty years. Such a thing could not be possible if Peruna contained any drugs of a narcotic nature.

Address Dr. Hartman, President of The Hartman Sanitarium, Columbus, Ohio.

All correspondence held strictly confidential.

Shot in the Heart He Falls and His Neck Is Broken.

BUTTE, Mont., Nov. 23.—A. E. Schwan, whose domestic troubles have sometimes led to blows and threats to kill, was himself the victim of a fatal road last night. He was shot through the heart and his neck was broken. A remarkable circumstance attended his death in the fact that, after being shot through the heart, the bullet entering the back and penetrating the skin under the breast, he lived for three minutes, walking through three streets and a hallway, finally falling to the floor and breaking his neck.

Schwan has had trouble with his wife, who is owner of the Schwan Printing and Engraving Co. in Albany, and a foreman of W. F. Meyers. He followed his wife last night, making threats demanding that he give his revolver to kill Meyers. He appeared at the home and created such a disturbance that neighbors attempted to get him away.

John Evans, a boy of 18 years, tried to make Schwan leave the place, finally bringing out a revolver, which he fired twice, as he says, to scare the man. One of these shots evidently took effect.

FATAL ACCIDENTS TO MINERS.

ROSSLAND, B. C., Nov. 23.—Emil Nikolm, cage tender in the Josie mine, at Rossland, lost his life yesterday by plunging 500 feet down a shaft. His duties were to load and unload cars. The accident was not seen by anyone, but it is supposed he started the car into one of the compartments when the cage was at the bottom of the shaft, and in an endeavor to get to the bottom of the shaft and was instantly killed. Rescuers descending the shaft had great difficulty on account of the gas.

Missourian Sent to Asylum.

LA GRANDE, Or., Nov. 23.—(Special.)—Arlie W. Reavis was committed to the insane asylum at Salem today. Reavis is a young man and was confined in an asylum in Missouri once before. He came to Oregon some months ago, purchasing some timber land in Western Oregon, but has recently shown signs of insanity.

ROSEBURG LAST NIGHT AFTER AN ILLNESS OF EIGHT MONTHS. THE BODY WILL BE TAKEN TO PORTLAND TONIGHT AND FUNERAL SERVICES HELD FRIDAY MORNING BY ARCHBISHOP CHRISTIE AT THE CATHEDRAL OF THE IMMEDIATE CONCEPTION.

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NORTHWEST DEAD.

Abraham Hackleman.

ALBANY, Or., Nov. 23.—(Special.)—Abraham Hackleman, one of the most prominent pioneer citizens of Oregon, and one of the founders of the city of Albany, died at his home in East Albany this morning. He had been ill only a short time with pneumonia.

Mr. Hackleman was born in Indiana in 1820 and was 75 years old at the time of his death. He crossed the plains to Oregon in 1841 and took up a donation claim on the site of Albany, one-half of the present city being located on the original claim. The log cabin he erected on his claim has the first house in this part of the state.

In 1850 he laid out 70 acres as the City of Albany, and has added three additions to the city since that time. Mr. Hackleman was a director and president of the road at different times. He was also interested in the Oregon & Pacific Railroad, now the Corvallis & Eastern.

Mr. Hackleman was a leader in the Democratic party in this county. He had served as County Commissioner and as City Councilman of this city. Besides his large property interests in Albany and Linn County Mr. Hackleman owned 300 acres of land in Crook County. He left one daughter, Mrs. Price, of Southern Oregon, and three sons, Thurston P., Denver D. and Frank A., all residents of Albany and vicinity.

Mrs. Myrta A. Twitchell.

ROSEBURG, Or., Nov. 23.—(Special.)—Mrs. Myrta A. Twitchell, wife of Dr. J. C. Twitchell, Coroner of Douglas County, died at the family home in

Do you know "The Song of Sixty Years?"

There are four verses. Verse 1. Ayer's Hair Vigor makes the hair grow. Verse 2. Ayer's Hair Vigor stops falling hair. Verse 3. Ayer's Hair Vigor cures dandruff. Verse 4. Ayer's Hair Vigor restores color to gray hair. Sold for 60 years.



MISS FLORENCE KENAH.

Miss Florence E. Kenah, 434 Maria street, Ottawa, Ont., writes:

"A few months ago I caught a severe cold, which settled on my lungs and remained there so persistently that I became alarmed. I took medicine without benefit, until my digestive organs became upset, and my head and back began to ache severely and frequently."

"I was advised to try Peruna, and, although I had little faith, I felt so sick that I was ready to try anything. It brought me blessed relief at once, and I felt that I had the right medicine at last. Within three weeks I was completely restored, and have enjoyed perfect health since."

"I now have the greatest faith in Peruna."—Florence E. Kenah.

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