Federal Court Sustains Old Law on Statute Book of Washington. -

SLOAN CASE ONE AT POINT

Spokane Judge Sentenced Him to Penitentiary-Likely to Have Indirect Bearing on Chester Thompson-1854 Law Valid.

OLYMPIA, Wash, March 19 .- (Spe cial.)—Graves' bill, regarding impris-onment of the criminal insane, passed during the recent session of the Legis-lature, is unconstitutional, according to the decision of the Supremo Court of this state in the Tom Brown case. this state in the Tom Brown case, which the Federal Supreme Court sustained yesterday. Another interesting fact in reference to the Federal Supreme Court decision is that the Washington law that the Federal Court was asked to pronounce unconstitutional, which it refused to do, was one of the earliest in this history of the territory, having been passed away back in 1854. Great interest was aroused here today by news of the decision of the Federal Court. One reason was, of course, that it was a compliment to the Suthat eral Court. One reason was, of course, that it was a compliment to the Supreme Court, another because it absolutely sustains the action of Superior Judge Huneke, of Spokane County, in committing Sidney Sloan, the Spokane parricade, to the State penitentiary. The decision, of course, may have an important bearing upon the decision of the State Supreme Court now under consideration in the Chester Thompson case, although in the latter Thompson case, although in the latter case rather different facts are involved.

Provision of 1854 Law.

The 1854 law provides, "When any The 1854 law provides, when any person indicted or informed against for an offense shall, on trial, be acquitted by reason of insanity, the jury, in giving their verdict of not guilty, shall state that it was given for such cause, and thereupon, if the discharge or going at large of such insane person shall be considered by the court manifestly dangerous to the peace and safety of the community, the court may order him to be committed to prison," etc.

The State Supreme Court in the

The State Supreme Court in the Brown case held that "it was the undoubted intention of the Legislature that imprisonment should not be continued after restoration to sanity," and fufther that "one so committed has the undoubted right at any time to assert that he is restored to sanity and demand that the court investigate that subject."

The Graves bill, among other things ontained a provision that after a crimcontained a provision that after a criminal had been sent to prison as insane, he could not have his sanity investigated until the prison physician reported reasonable ground for belief that sanity had been restored. This provision will probably place the Graves bill beyond the pale, for in this very Brown case the decision of the State Supreme Court said:

This petitioner cites Uniterwood vs. People.

The petitioner cites Underwood vs. People 32 Michigan 1 in support of his contention, but an examination of that case discloses that the Michigan statute provided that one acquitted on the ground of insanity should remain confined until an investigation as to his annity should be set in motion by the prison inspectors. The court said it practically leaves the liberty of the person contents to depend upon the uncontrolled please fined to depend upon the uncontrolled please. fined to depend upon the uncontrolled pleas ure of the inspectors. Under that statute the prisoner could take no step on his own initiative, but was left engirely to the will

Graves Bill Null and Void.

Lawyers here assert positively that is clear and vigorous statement by the State Supreme Court on a point ab-solutely parallel to the Graves bill pro-Graves bill is unconstitutional, and in-dicates that the Supreme Court of the state would have to so hold if the matter were ever brought before it. If the Graves bill is wiped out, only the 1854 law remains, and that having been passed upon affirmatively by the highest courts of the state and the Nation hereafter be more frequently en-

TO TUNNEL UNDER SEATTLE Harriman Line Will Run Beneath

Streets of the City.

SEATTLE Wash, March 19. (Spe al.). Work will be started at once by the Union Pacific on construction of a tunnel under the city from the depot to the buy on the north. By an agreement rached today, between Mayor Moore, and City Engineer Thompson with officials of the railway company, the plans of the tunnel were changed so that undermining of the public library will be avoided, but the tunnel will pass under proposed new City Hall. It was a give and take proposition. For a dis-tance of 20 feet the tunnel will pass under the city streets. Three shifts of workmen will be placed at work at once.

MAY BE SECOND KLONDIKE

Rich Strike Free Gold Reported on

South Fork Kuskokwim. SEATTLE, Wash., March 19. (Special. Advices of one of the richest strikes in Alaska's history, free gold pan-ning 8.50, to the ton, on the South Fork of the Kuskokwim River, have just been received here, in a letter from United States Commissioner P. H. McGraw at Bethel, on the Kushokwim. People from Fairbanks and nearby towns were rushin this city to William B. Knotts, May in this city to William B. Knotts, May in the field and it looked for a time as if the stampede would be as alleging descrition at Camby, Or., May 2 great as that to the Klonkike some years ago. Quite a town has sprung up on the site. "There is a whole farm of the gold-bearing field," says McGraw.

McNamara Says Not Guilty.

HILLSBORO, March

Herman Von Cleve, who is in the Mult-nomah County Jali at Portland, charged with grand larceny in the accord degree by his former employers Journeary & Burnham, New York City, the amount being \$165. The Governor will probably honor the requisition and sign the same tonight, which will be turned over to the officer. Arthur B. Gloster, who will take the prisoner back East for trial. Von Cleve, according to the evidence set forth in the requisition, has done time before in the requisition, has done time before

MILLWORKERS ON A STRIKE

Common Laborers at Aberdeen Want \$2.50 Per Day.

ABERDEEN, Wash, March 19.—(Spe-lal.)—The mill of the Wilson Brothers a closed on account of a strike of the omnion laborers, who have asked for common laborers, who have asked for an advance from \$2.5 to \$2.50 a day. Some time ago the common laborers at the Stade mill asked for a raise of 25 cents a day and were granted it about March is. At the new West mill it is said the advance asked for was also granted. Under these conditions the men at the Wilson mill struck, and the other hands, not skilled, went out in sympathy. The entire mill was abut down in consequence.

Buys Orchard at Hubbard.

OREGON CITY, Or., March 19.-(Speat Hubbard. The trees are for the most part Baldwins and Ben Davis, and are nine years old. The property formerly belonged to George W. Dimick, and con-sisted of 80 acres. Walter Dimick, the City Recorder, has purchased the other half.

FRANCHISE NOT EXCLUSIVE

PACIFIC STATES CAN'T KEEP OUT HOME COMPANY,

Decision by Supreme Court in Salem Telephone War - Multnomah Gets no Damages.

SALEM, Or., March 19 .- (Special.)-The Home Telephone Company will be allowed to come into Salem and do bus The decision of the Marion County ness. The decision of the Marion County Circuit Court was teday affirmed by Justice Bean of the Supreme Court, who decided that the Pacific States Telephone Company did not have sufficient cause to enjoin the city of Salem and Summer from entering into a contract with the city to furnish their telephone service, and put in a plat.

The franchise of the Pacific people was for in wars, for which they were to pay

for 10 years, for which they were to pay \$200 per annum, while the Home Telephone Company's franchise calls for a period of 25 years, and they are to pay the city one per cent of their gross earn-

Ings.

The county of Multnomah will not be allowed to collect damages to the amount of \$16.048.46 from the Willamette & Columbia River Towing Company for the damage done by the steamer Almond Branch, when she fouled the Morrison street bridge on February 19, 1901, Justice Bean affirms the decision of the Clackamas County Circuit Court, by Judge T. A. McBride, on the grounds that the defendants were not responsible for the defendants were not responsible for the accident to the bridge in any way. The actual damage done to the bridge amounted to \$5682.82, but the amount sued for

was treble the sum. was treate the sum.

The effort on the part of Katle White et al against Agnes Joyce et al, to contest the will of the late George Pickett is of no avail, and the will will stand as originally drawn, dividing the property and money in the manner stipulated therein. The document was a long one, and the The document was a long one, and the decision by Judge Slater voruninous, but the substance is that the charges made that Pickett was not accountable for his action, was blind, and unduly influenced when he signed the will, are not well

The decision in the case of Alfred Wol-

lenberg against S. K. Sykes, from the Douglas County Circuit Court, before Judge Hamilton, has been reversed by Judge Will R. King. The plaintiff entered into a contract with defendant for the construction of a residence, the amount involved being \$1500. In his ac-tion the plaintiff alleges that defendant did not faithfully perform his contract. Judge Moore affirms the decision of the Umstilla County Circuit Court, in the case of Baker County against A. H. Huntington and H. A. Duffey et al, and in a case where the plaintiff claims payment on certain moneys held by defendants.

In the case of Eva Galigher against John D. Galigher, in an action for divorce on the grounds of cruelty, nonsupport on the grounds of cruelty, nonsupport and other cruelties, and answered by the husband in a cross-petition alleging infidelity on her part, Justice Eakin affirmed the decision of the Douglas County Court, and allowed the divorce.

In the case of J. W. Christian, executor of the estate of Etha Christian, deceased, against the city of Edgene, to restrain the city's action in opening Twelfith street, Judge Eakin affirm

Twelfth street, Judge Eakin affirms the decision of the Lane County Circuit Court, holding that plaintiff is bound by performance of same as drawn

In the case of William Renshaw and Air Walker against G. R. Chrisman, County Judge Edwards and H. M. Prics, Commissioner, in which the plaintiff seeks to enjoin the defendants from issuing an order prohibition this ng an order prohibiting the sale of in-toxicating liquors within the city limits, the Supreme Court affirms the decision of the Lane County Circuit Court, and law, and the action on part of

MRS. VELGUTH ASKS DIVORCE

Suit Instituted at Oregon City-Inhuman Treatment Complaint,

OREGON CITY, Or., March 18.—(Special)—Mrs. Clara Velguth today filed a sult for divorce against Arthur E. Velguth, alleging cruel and inhuman treatment. They were married in Portland, November 4, 1800, and the plaintiff desires to resume her maiden name of Clara Glibert. Velguth is a brother of Bernard Velguth, who embeggled the funds of the Portland Gas. Company.

Dycle A. D. Knotts, who was married in this city to William B. Knotts, May II, 1800, has instituted a suit for divorce.

NORTH POWDER IS BURNING

FINE CROP OUTLOOK

Eastern Orégon Farmers Rejoicing Over Recent Rain.

GROUND IS SOAKED DEEP

Prospects for Spring Wheat Were Never so Bright-Fruitmen Are Pleased With Backward Season-Sheep Safe on Ranges.

THE DALLES, Or., March 19 .- (Special.)-The rain and snow which have fallen here since Sunday morning now aggregate one inch of moisture. Showers still continue and the snow on high elevations, which varied from four to six inches in depth, is gradually dis-

This will further retard plowing and seeding, which, owing to the miry condition of the soll, had but fairly begun throughout the country. When this last storm fell, farmers from the Tygh Ridge wheat belt reported that the conditions for Spring grain have not been as favorable in many years as now, because of the heavy freezing which loosened the ground to a depth of 18 inches, and the thorough soaking from the deep snow and heavy rain.

Owing to the long drouth and the lateness of Fall rains, there is less acreage in Winter wheat than usual, but under the present favorable conditions for Spring seeding, there will be about the usual annual acreage in The fruitgrowers regard the late

snow storm as most beneficial, since it checks the budding until the danger of killing frosts is past. No loss of sheep is feared, since lambing on the sheep ranges of the county has not yet begun,

ONE JURY CASE FOR TERM Mysterious Sheep-Stealing Case Goes Over to Next Term.

ALBANY, Or., March 19 .- (Special.) Judge Goorge H. Burnett convened his department of the State Circuit Court for Linn County this morning to complete the work of the term. There will be but one jury case to occupy the attention of the court, all of last work between the court, all of last work between the court, all of last works. week having been used in trials of law cases. After selecting the jury for the case of A. L. Weddle vs. Jerome Smith and J. H. Weddle this morning. the remaining jurors were excused for the term, indicating an early comple-tion of the work here.

Harry Beard, indicted for larceny by ballee of a horse, withdrew his plea of "not guilty" this morning and entered a plea of "guilty." Judge Burnett will

sentence him tomorrow.

The case of the State of Oregon vs.
Jack Smith, charged with larceny of
26 head of sheep, will be tried at the
next regular term in June. This case, next regular term in June. This case, continued by consent of attorneys, was the most interesting of the docket, involving as it did some of the prominent people of the Tallman neighborhood, and being shrouded in mystery, the sheep having been missing for three months, then being found on a neighboring farm. Many other animals were missed in the same neighborhood but missed in the same neighborhood, but were never found. Smith is a promi-nent farmer, against whom suspicion was never before directed.

KELLY GRANTED INJUNCTION

City of Albany Restrained From Removing Improvements.

ALBANY, Or., March 19.—(Special.)

—The City of Albany is made defends
ant in an injunction suit brought by Percy R. Kelly, one of the leading at-torneys of the town, today. Kelly al-leges that the city is threatening to tear down some improvements he is erecting back of his business block on the main street of the city, and asks that the city be enjoined from so do that the city be enjoined from so do-ing. The complaint states that the plaintiff has used every endeavor to keep within the requirements of the city laws governing improvements within the fire limits of the city, and was acting under assurances from those who have authority to grant im-provement permits. It also alleges that the city is showing preferences, and discriminating against the plaintiff.
Judge William Galloway granted a temporary injunction, and will hear the cause on its merits next Monday.

TAKEN FROM DEPRAVED HOME

Five Albany Children to Be Given Pleasanter Surroundings.

ALBANY, Or., March 19 .- (Special, -Nearly an entire family was sent from Albany to the Boys' and Girls' Home in Portland this morning. The five children of Mr. and Mrs. Joshus Ballard, who have been a terror to people residing in the eastern part of the city, were the objects of the order made by the County Judge. For some time. Mr. Ballard has been a shiftless, ne'er-do-well, and his children, the oldest of whom is but 10 years of age. were being taught to follow in the footsteps of the father. The latter's profanity and vulgarity constituted him a very questionable tutor for children who were apt pupils, and the destitu-tion and squalor of the home made the lives of the little ones exceedingly un-pleasant. Every child was taken this morning, the youngest being barely

SALEM. Or., March 19.—(Special.)— Superintendent of Public Instruction Ackerman made public tenight the fol-iowing list of successful teachers who have taken examinations for five-year certificates, and life diplomas. They are scattered over the entire state. The state examinations were very rigid this year, and many of the candidates failed to pass. Those who passed the five-year examination for certificates to teach are: HILISHORO. March 18—(Special.)—
John T. McNamara, the Tillamook exDeputy Sheriff, charged with largeny
from a building, pleaded not guilty today
and the court set next Monday for trial
MeNamara is the young man who was
largely interested in the Tillamook illicit
Illutor sales last Fall, and it was only a
few days after his departure from Tillamook County that he was arrested here,
charged with entering the Tusalatin Hotel
and stealing several valueless articles.

Take Prisoner to New York.

SALEM, Or. March 19—(Special.)—
Governor Chamberlain today received
from Governor Hughes, of New York, a
veduisition for the return to that state of

THIS IS

The Last Day

IN WHICH TO PURCHASE STOCK IN THE

ANGLO-AMERICAN OIL AND COAL CO.

At \$1.50 a Share

This is the initial price of this stock. Not one share has been sold for less than \$1.50 a share. Remember, also, there is no preferred stock. Every share stands on

After This Day (March 20) the Price Will Be Advanced to \$2.00 a SHARE

THE PAR VALUE OF THIS STOCK IS TEN DOLLARS A SHARE, FULLY PAID AND NON-ASSESSABLE

The price will be again advanced as fast as work on our properties and on the Guggenheim and Morgan Railroad progresses. Investigate at once and get in NOW. Send in your Subscription at once. Make all Checks and Drafts payable to Anglo-American Oil & Coal Co. We employ no agents. Stock can be subscribed for only by mail or at our office. We employ no agents.

OFFICERS AND TRUSTEES: FRED S. STANLEY, Second Vice-Pres.

Deschutes Irrigation & Power Co.

D. W. WAKEFIELD. . Third Vice-Pres.

Wakefield, Fries & Co. GEORGE H. HILL .. Sec. and Treas.

Vice-President Title Guarantee &

Trust Co,

Office Will Be Open From 7 to 9 o'Clock This Evening.

LOUIS G. CLARKE President President and Manager Woodard, Clarke & Co., Chemists and Druggists,

H. L. PITTOCK ... First Vice-President

Publisher Daily Oregonian. OFFICES: 402 AND 403 OREGONIAN BUILDING, PORTLAND, OREGON

Telephone Main 4507

John W. Belin, Brownsville; Josephine M. Locher, Burns. Locher, Burns.

The following persons completed successfully their examinations for state life dlplomas:
Lata E Koller, Pendleton; Frank K. Welles,
Pendleton; Maude A. Zimmerman, Lents; Lacille G. Deoly, Portland; Raymond E Baker,
Myrtic Point; Mra Ora O. Holaday, Deer
Island; James M. Powers, Salem; Cora M. Suilivan, Pendleton; Margaret Monks, Portland;
Lena B. Harkey, Burns, Mra. Elizabeth S.
Ruck, Oregoit City; Anna T. Donovan, Portland; Tillie D, Kylloneu, Fozsil.

ATTACHING HIS SIGNATURE Governor Mead Is Busy Signing Bills at Olympia.

OLYMPIA, Wash., March 19 .- (Spe-H. B. 444, authorizing County Commissioners to grant franchises to lay water pipes and conduits on public highways.

H. B. 262, amending the school code in relation to the duties of the Superintendent of Public Parts and

Public Instruction.

H. B. 397, relating to the certification of teachers in cities employing 400 or more teachers in the public schools.

H. B. 178, relating to cities of the second class and providing for their government.

S. B. 227, authorizing any county or adjoining codnites to create assessment districts to pay for improvements of rivers, lakes, canals

S. B. 125, amending the law relating to the c. n. 120, amending the law relating to the organization, classification, incorporation and government of municipal corporations.

H. B. 231, amending section 41334 or Ballinger's code relating to the appropriation of land and highways for corporate purposes.

S. B. 29%, amending the code in relation to be construction and maintenance of systems of drainage. 456, providing for the filling of private property in cities of the first and a classes when necessary as a sanitary measure

SHEEPMEN MEET THURSDAY

Session of Commission at Pendleton Postponed Two Days.

PENDLETON, Or., March 19 .- (Special.)-As only one member of the sheep commission has arrived in this city, the first meeting of that body will probably not be held until Thurs-day. Thomas Boylen arrived this morning, while Dan Smythe wired from Grand Forks, N. D., that he could not arrive before Wednesday night or Thursday morning, and W. H. Stusloff wired from Salem that he could not

reach Pendleton before Wednesday,
The sheepmen of this county are
taking a particular interest in this
meeting, and many of them came in today in anticipation of its being held tonight. It is generally conceded that Smythe will be secretary of the board if he desires it, also that this city will be the headquarters of the commis-

sion.

Local stockmen also say that the
State Inspector should be an Eastern Oregon veterinarian, and a man who

HOQUIAM, Wash., March 19 .- (Special.) -After curtailing their output one-half during the past @ days, the National Lumber & Box Company began operating their sawmill to its full cutting capacity today. The large sheds and yards are now quite empty of stock and if vessels and cars can be obtained the mill will

WINLOCK CITIZENS METE OUT SEVERE PUNISHMENT.

Brute Is Taken From Jail by Orderly Crowd and Chastized With Leather Strap.

WINLOCK, Wash., March 19 .- (Speial.)-E. C. Cottrell, proprietor of the Winlock Dairy Lunch, was arrested last night for beating his wife. After guard, went to his wife, whom he had so cruelly beaten, and begged her to go on his bend. Upon her refusal, he struck her squarely in the face, knock-ing her down. He was then taken

Cottrell, took him out and whipped him unmercifully with a tug, taken from a heavy buggy harness. He was then put back in jail.

Cottrell came to Winlock about a year and a half ago from parts unthown, and married Mrs. Mattie Soren mercial Hotel. A short time afterward

His real name is supposed to be

Crushed to Death by Logs.

ing it. He lived about two hours, but

back to jail.

At 1:30 this morning a determined mob of men broke into the jail and got

he was arrested and convicted for as-

SALEM. Or. March 19.—(Special.)—
While leading piling from a dereick to a flatcar at Marion, a small station 16. Wisconsin, has purchased 409 acres of fine before coming to a decision. SALEM, Or., March 19. - (Special.) -

Our clients who have purchased Nevada Mining Stocks ON INSTALLMENTS

E. J. RATHBONE Field Supt.

Katalla, Alaska,

Formerly Superintendent of Water Lines of the O. R. & N. Co.

WATSON ALLEN ... Capitalist, Seattle

have been able in a short time to make profits ranging from

ROBERT S. McBRIDE, Business Manager

\$100.00 to \$7000.00. You can do the same. We have the reputation of being the most reliable brokerage firm in Southern Nevada, and we are. We will, at all times, give you a square deal, and make you as much money as possible. Write our San Francisco office at 515 Kohl Building for particulars

regarding installment stocks Patrick, Elliott & Camp (San Francisco) UNDER LAWS OF NEVADA 515 Kohl Bdg.

Clarke, aged 34 years, was almost instantly killed by a failing log which had become detached from the chains swingis practically untouched and contains of the contains of the contains and conta

never regained consciousness. He leaves a widow and two small children. He is the nephew of F. M. Lack, a well-known farmer of that community.

BIG ORCHARDS IN JACKSON

Over 300,000 Fruit Trees Planted in Southern Oregon Last Year.

MEDFORD, Or., March 19 .- (Special.) district, 350,000 fruit trees have been added to the orchard wealth of Jackson County during the past year. The acreage reported exceeds 7000, and of this amount, the larger portion Carroll, though nothing is known of has been devoted to Comice pears and

Wisconsin Men Buy Timber.

OREGON CITY, Or., March 19.-(Spe-

Benson Going to California.

SALEM, Or., March 19.-(Special.)-Sec- 5 SALEM, Or. March 19.—(Special.)—Ser-retary of State Frank W. Benson leaves tomogrow night for California on a re-cuperating trip which will probably cover most of the Summer months. He will visit San Francisco and nearly all the Coast points south. His family will not accompany him, but his family hysician, Dr. E. Steiner, will doubtless accompany the Secretary on his southern journey.

Mr. Benson is feeling much stronger and improved, and says he hopes to be back at his post before long. His brother, Judge Benson, has made arrangements to act in his place during his absence.

Freight Embargo Still On.

TACOMA, Wash., March 19.—(Special.)

General Manager Horn, of the North-ern Pacific, said today that he is not yet able to make any announcement cor

Why Vinol Is Better Than Any Other Remedy to Restore

Health and Strength



Because Vinol is a real Cod Liver Preparation and does not contain a single disagreeable or harmful ingredient and is not a secret formula.

Because Vinol contains all the medicinal elements—the soothing, healing, strengthening and flesh creative properties of Cod Liver Oil - but without oil or grease. Because everything in Vinol,-except the tonic iron and a

fine old wine, - is actually extracted from fresh cods' livers

Because Vinol is deliciously palatable and agreeable under all conditions. Everybody likes it. Because Vinol tones up the system, strengthens every organ,

nerve, muscle and fibre of the whole body and thus overcomes weakness by thoroughly eradicating the cause of disease. That's Why Vinol is altogether different and better than any other remedy for Coughs, Colds, Bronchitis, and all Throat,

That's Why Vinol Restores Health and Strength to Delicate Children, Feeble Old People, Weak and Sickly Persons, Nursing Mothers, and Convalescents.

WE RETURN MONEY IF IT FAILS TO GIVE SATISFACTION WOODARD, CLARKE & CO., Druggists

Lung and Wasting Diseases.