

STATE GOV. PARTY TO DUNBAR SUIT

Demand on Ex-Secretary to Refund Fees May Be Far- Reaching in Scope.

ALL OFFICIALS INTERESTED

Case Assumes Startling Proportions When District Attorney McNary Enters into Matter—Argue Motion to Oppose Suit April 9.

SALEM, Or., March 29.—(Special.)—Judge Galloway today sustained the demurrer filed by the defendant in the Sears-Dunbar case, which will now develop a new phase of the suit, as Attorney McMahon this afternoon filed a motion to substitute the State of Oregon in the relation of John H. McNary, District Attorney, for Plaintiff Sears. McMahon joined McMahon in this motion, which is based on an affidavit of McMahon to the effect that the State of Oregon is the real party in interest, and that it is the desire of Plaintiff Sears that the state be substituted.

Shortly before noon McMahon sent to the office of the District Attorney an amended complaint with the State of Oregon, plaintiff, on the relation of Plaintiff Sears, to sign in his official capacity. Mr. McNary did so and returned the amended complaint, which with the necessary affidavit and motion, was presented to the court at 1 o'clock.

Mr. Bingham, on behalf of Mr. Dunbar, vigorously opposed the motion to substitute the State of Oregon for the plaintiff Sears, and especially pleaded for time in which to consult with Mr. Fulton. McMahon tried to get the time for hearing argument on the motion to substitute set for the next morning, but it was finally agreed that the motion should be argued before Judge Galloway at McMinville on April 2.

BRIDGE TO BE COMMON-USER

Houqua and Aberdeen Discuss the Bridge Project With Chittenden.

ABERDEEN, Wash., March 29.—(Special.)—A mass-meeting of business men of Houqua and Aberdeen was held here tonight at the suggestion of Major Chittenden, of the United States Engineer's office at Seattle, to discuss a bridge proposed to be built across the Chehalis and Houqua Rivers by the Puget Sound & Gray's Harbor Railway Company.

J. B. Bridges, attorney for the railway corporation, announced at the outset that all of the interests of the Puget Sound & Gray's Harbor Railway Company had been purchased by the Union Pacific Company, and that whatever action was taken would be in the interest of that corporation. Major Chittenden was chairman of the meeting.

INCREASE IN BANK DEPOSITS

Financial Reports at Eugene Show Prosperous Conditions.

EUGENE, Or., March 29.—(Special.)—The condition of the three Eugene banks today as compared with the same date last year, especially in the matter of deposits, shows an unusual increase with each institution. When the First National was called upon for a statement on March 22, the banks showed deposits in round numbers of \$1,266,000, as compared with \$927,000 on the same date last year, or an increase of \$339,000 in the last 12 months, or an increase in deposits of over 36 per cent.

THIRD VICTIM OF TRAGEDY.

J. D. Maxwell Dies From Bullet Wound Inflicted by Son-in-Law.

OREGON CITY, Or., March 29.—(Special.)—The body of Joseph D. Maxwell, who died in the Good Samaritan Hospital last night as a result of a bullet wound inflicted by William W. Henderson, who killed his wife and then suicided, was brought to this city today and removed to Holman's undertaking parlors, where an inquest was held, which developed nothing new. An autopsy showed, however, that Maxwell's skull was fractured by the bullet from a .38-caliber revolver, which showed it was down the side of the man's head.

body was embalmed, pending the arrival of W. D. Maxwell, a son of the dead man, from California. The daughter of Maxwell's daughter, Mrs. Martha Ellen Henderson, were interred today by the Coroner in Mountain View Cemetery. No instruction had been received from her relatives concerning the disposition of the body, which was being held until it became known whether Maxwell would recover, but after his death there was further reason for deferring the interment. The dead woman's estate was probated this afternoon and C. A. Nash was appointed administrator. The value of the property is \$4000.

WILL SAVE OLD BUILDING.

Governor Intercedes to Preserve Historical Structure at Olympia.

OLYMPIA, Wash., March 29.—(Special.)—Destruction of the building here in which the first Legislature met was prevented today by Governor Mead. The city in enforcing fire protection plans had ordered this and a number of other frame buildings destroyed.

PEELED WITH BAD EGGS

FORMER PORTLAND DOCTOR IS ROUGHLY USED.

Traveling Specialist Draws Gun on Mob and Is Arrested for Carrying Weapon.

BELLINGHAM, Wash., March 29.—(Special.)—With well-matured eggs and shouts of rage and curses, scores of citizens of Bellingham, a town near Bellingham, assaulted Dr. S. Von Schultz, formerly of Portland, and pelted him until he resembled a walking omelet. It is charged that the doctor, a traveling specialist, committed offenses on several boys of the town. As the mob pressed the physician after calling him outside his hotel, he drew a revolver, but before he could use it the mob was soled and he was hustled to jail.

PRISONER ELUDES HIS GUARD

Negro, Convicted of Taking Stolen Money, Makes Good Getaway.

HILLSBORO, Or., March 29.—(Special.)—Charles Patton (colored) a prisoner at the County Jail, and who was to have been sentenced Saturday for receiving stolen property, took his bid this morning, between 3 and 3 o'clock, and, although closely pursued, hid himself in the dense timber north of town. A posse of several men spent the day searching for the fugitive.

Cases in Supreme Court.

SALEM, Or., March 29.—(Special.)—The following cases have been set for hearing in the Supreme Court: Tuesday, April 9—Landswick vs. Lane, from Multnomah County; MacDonald vs. Lane, from Multnomah County; Wednesday, April 10—Lambert vs. Howard, from Douglas County; Marsters vs. Umpqua Valley Oil Co., from Douglas County.

Law and Order Ticket.

WOODBURN, Or., March 29.—(Special.)—At a largely attended meeting tonight, the following Law and Order and Street Improvement ticket was selected to be voted upon at the annual election next Monday: R. L. Randall, Mayor; Henry J. Altmy and George A. Landon, Councilmen; J. J. Hall, Recorder; S. C. Berry, Treasurer; Z. J. Riddle, Marshal. The sentiment of the meeting was emphatic in favor of law and order and the improvement of streets.

Stockmen Sue Great Northern.

HELENA, Mont., March 29.—Three suits, originating in Flathead, Chouteau and Cascade counties, respectively, were transferred to the United States Court in this city today. The complainants aver that owing to alleged unnecessary delay in livestock shipments last Fall, their consignments depreciated in value to the total amount of approximately \$30,000, and the recovery thereof from the Great Northern is sought.

Switch Key Only Known Mark.

BUTTE, Mont., March 29.—With Union Pacific switch key No. 223 as the only means of identification, an unknown man about 45 years of age was found dead today in a pool of rain water on the flats. An inquest will be held. There are no signs of foul play.

KISER PHOTO CO. Scenic Photos—Lobby Imperial Hotel.

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BAD MAN AT LARGE

Lane County Posse Is Scouring the Woods.

RUNS GAUNTLET BULLETS

Unknown Individual Who Has Been Pillaging Homes Defies Capture and Appears to Lead the Life of One Chained.

EUGENE, Or., March 29.—(Special.)—Lane County is having a Tracy experience of her own. For the past two months a desperado has taken refuge in some deserted cabins in the Lorane country and has lived off the settlers by entering their homes at night and stealing such things as he wanted and mysteriously avoiding all attempts at capture.

KICKS COUGAR FOR A DOG

SAVAGE BEAST ENTERS BUNKHOUSE DURING NIGHT.

Man Who Makes Mistake Is Badly Scratched and More Scared Than Big Cat.

WALLOWA, Or., March 29.—(Special.)—A cougar created a great deal of excitement at the logging camp of McCully & Rumble, on the Wallowa River just below the fish hatchery, Tuesday night at a few minutes before midnight. Ira Lively and V. F. Gormley had entered the bunkhouse and left the door slightly ajar. After they retired a cougar arrived and entered the building.

VITAL STATISTICS LACKING.

State Health Officer Complains the Law Is Not Fulfilled.

SALEM, Or., March 29.—(Special.)—Wholesale neglect on the part of officials in the employ of State Health Officer Dr. Robert C. Yonney in reporting contagious diseases, birth and death cases, has forced him to resort to radical measures to overcome the trouble. He has consulted with Attorney General Crawford, who states that if county or city officers refuse to comply with the law and do not enforce it, mandamus proceedings can be brought to compel them to do so, and in violation of the Attorney-General says in his opinion, rendered today.

TEACH SCIENCE FORESTRY.

New Department Added to State College at Pullman.

PULLMAN, Wash., March 29.—(Special.)—A school of forestry, under the direction of W. S. Thornber, professor of horticulture, will be established at the Washington State College, beginning next Fall. The course is a two-year one, and will be open to students who have completed the equivalent of two years' high school work. The work includes the history of forestry, silviculture, forest mensuration and valuation, protection, dendrology, forest products, technology, economics and forest management. The importance of forestry in the United States is considered under the following heads: "The forest and the public; the consumption of wood; National and state reserves, and forestry as a profession."

EARTH SHAKES IN TACOMA.

Early Morning Shock Rattles Dishes in the Houses.

TACOMA, Wash., March 29.—Three distinct shocks of earthquake were felt here a few minutes before 7 o'clock this morning. Windows rattled in heavy brick buildings, and people in the skyscrapers felt a sensation of dizziness. The first shock, at 5 A. M., was barely perceptible, and people thought it a blast at the Narrows. It caused a disturbance of dishes and looking glasses. At 5:50 came the second and more distinct shock.

DESTINED TO BECOME POPULAR

A well-known hygienist says that DR. PRICE'S WHEAT FLAKE CEREAL FOOD

is destined to become the most desirable and popular breakfast food upon the market, as its great richness in nutrition, its easy digestibility, its delicious flavor, makes this certain. Served hot or cold for a light breakfast or noon day luncheon, it will satisfy any unpurged taste and prove most conducive to good health. It is the only food containing celery.

SEALED Raising Library Fund.

SEASIDE, Or., March 29.—(Special.)—The beautiful drama, "Hearts and Diamonds," was rendered in Gilbert's Hall last Tuesday evening by a local amateur troupe. The object of the play was to raise funds for a library and reading-room, which has long been needed in Seaside.

SMALLPOX ON RESERVATION.

SHANICO, Or., March 29.—A case of smallpox has materialized at the Warm Springs reservation, and Superintendent Covey has ordered a large supply of vaccine points, and is using every possible means to prevent the disease from becoming general.

GIRL WIFE'S SACRIFICE.

To Save Her Father, She Will Tell of Cruelties of Husband.

SEATTLE, Wash., March 29.—(Special.)—"To prove that her father, William Constantine, a wealthy meat packer, was temporarily insane when he rushed into the office of his son-in-law, Jesse Hall, October 2 last, and shot the latter three times, Myra Hall will go on the stand tomorrow and sacrifice her reputation by swearing that her husband, the cougar, but in the darkness the animal escaped.

MRS. SULLIVAN DIVORCEE.

Separated From Her Husband, Who Is United States Attorney.

SEATTLE, Wash., March 29.—(Special.)—On the grounds of incompatibility of temperament and that the husband absented himself from home during her illness, Lena Saunders Sullivan, wife of United States District Attorney Potter Charles Sullivan, of the Western District of Washington, was granted a divorce this afternoon by Judge Gilliam. The husband did not contest the application for a decree and announcement was made that the judge had agreed to an equal distribution of the property pending the decree. The latter consists of extensive tide lands in Tacoma, mining property in Nome and the home in Seattle. The couple were married in Tacoma in August, 1906; the bride, Lena Saunders, being one of the most popularly known young women of that city.

LAD WHO RAN AWAY FROM MOUNT

Angel Is Recovered by Father.

SPOKANE, Wash., March 29.—(Special.)—Leon Sanders, 15 years old, who six months ago disappeared from Mount Angelo College, has been found in Spokane by his father, W. T. Sanders, proprietor of the Ruby Creek Lumber Company, Boise, Idaho, who has searched

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