

STORY OF SHOOTING

Defendant in Astoria Murder Trial Takes Stand.

FOREST-FISHER TRAGEDY

Old Sea Captain Tells How He Was Pursued and Killed by Fisher. Actual Killing Was Accidental. Case Goes to Jury Today.

ASTORIA, Or., April 5.—(Special.)—The arguments of the attorneys in the case of Captain C. M. Forest, on trial for the murder of George Fisher on December 3, were completed at this morning's session of the Circuit Court, but the judge's charge will not be delivered until tomorrow morning. Nearly the entire day's session was consumed in the introduction of evidence by the defense. A number of witnesses testified to the good character of the defendant, and numerous affidavits from persons residing at various points along the coast, and certifying to the defendant's reputation, were read and submitted. Following these, the defendant was called to the stand to testify in his own behalf. He said he was born in Sweden, was 61 years of age, and had sailed on vessels running to and from San Francisco for 40 years. 25 years ago, he was master, 12 years ago mate, and the balance of the time before the mast. He told of the last voyage he made on the schooner Annie Larsen from San Francisco to Astoria, arriving here on Sunday, December 3, stating that he was on duty for 10 hours and was completely worn out. Continuing, he told the details of the trouble with Fisher, which led up to the shooting, and in substance it was as follows:

Prisoner Tells His Story. "Fisher joined the schooner at San Francisco and was the last of the crew to come on board. He was a white man before and knew nothing of him. On the Monday evening after arriving here, he came to me and asked for \$5, saying he had no blankets or clothes. I went to the Astoria Box Company's office and borrowed \$20 from Mr. O'Brien, and returning, gave Fisher \$10. I also gave him a letter to Mr. O'Brien, telling him to go there and get his blankets. On Tuesday and Wednesday, Fisher worked. On Thursday morning the mate told me Fisher seemed to be sick. I went forward and found Fisher sitting on a bunk. He wanted to be paid off, saying he was ill with rheumatism. I told him I could not pay him, and to discharge him unless he was actually sick, but gave him a letter to Dr. Tuttle, asking the doctor to examine and report on the man's condition, and I also enclosed a hospital blank. "This was about 8 o'clock in the morning. Later I came down town and, as was walking on the street, Fisher grabbed me by the shoulder, whirled me around and calling me a vile name, wanted to know when I was going to pay him off. I got away from him and ran into the pilot's office, where I remained for some time to avoid him. "Fisher Continued to Abuse Him. "About 2 o'clock I went back to the vessel. Fisher followed me into the cabin and demanded his pay, calling me vile names, saying that if I did not give him \$5, he would kill me. I had a hard time to get rid of him, but finally gave him another letter to the doctor. In it I said I would examine him. "Fisher then went out and I supposed he had gone to bed or had left the vessel. "After writing a letter to my owners I went on duty, where Fisher again accosted me. He had been drinking and as he talked stuck his face close to mine, splitting tobacco juice on me. I had a half-burned cigar in my hand and I went on my hand and struck him on the face when the cigar struck him on the lip and burned him. "At that time, Fisher, who was a much larger and younger man than I, struck me a stinging blow beside the left eye, dazing me for a moment. I immediately went to the cabin to get a glass of water (pointing to the revolver, raised and stuck it through the rigging to frighten him, but it caught and was discharged. I had no intention of shooting him and did not know the gun was loaded. "Fainted After the Shooting. "After that, I went to the cabin, where I fainted. Soon afterwards a sailor called me and I went to McGrogger's office, telephoned to a doctor and the Chief of Police. I must have been out of my wits, or this tragedy would never have occurred. The whole affair took place inside of a minute. Had four or five minutes elapsed, I would have recovered my wits and I would not be in this jam today. To go from where Fisher and I stood to the cabin and return takes 40 seconds. I have done it several times in taking observations. "Asked where he got the revolver, the witness said it was given him by a former member of his crew when the latter was discharged after completing a trip to San Francisco. He said he had never loaded it or handled it in any way. He also stated he had never had a revolver on board before.

SAY HIS VOTE WAS ILLEGAL

Law and Order League Begins Prosecution of Cases at Woodburn.

WOODBURN, Or., April 5.—(Special.)—Andrew Anderson, a white man, was arrested today by Constable Beach on a warrant sworn out in Justice Hayes' court charging him with illegal voting at the municipal election held last Monday. It is alleged that Oster recently arrived from Germany, voted at this election, was challenged and swore his vote in. It is further alleged that Oster got out his first naturalization papers last Wednesday, two days after the election. The defendant gave bonds in the sum of \$100 and will plead tomorrow morning.

Music for Oregon "Squaws."

SALEM, Or., April 5.—(Special.)—Governor Chamberlain today appointed Martin F. Robinson to act as musical director to the Oregon State Band, on their trip to the Jamestown Exposition. With Colonel J. C. Cooper in charge of Oregon's aggregation of beautiful women made up in antique Indian costumes, this completes the staff, consisting of Dr. Horsfield, physician; Mrs. Horsfield, chaperone; and M. E. Robinson, musical director.

Guilty of Biking Farmers.

SALEM, Or., April 5.—(Special.)—H. F. Vanderhoof was this morning found guilty of forgery by a jury in Judge Burnett's department of the Circuit Court. Sentence will be pronounced next Monday morning. Vanderhoof is the man who worked the farmers throughout Marion County by representing himself as agent for a

PAVING HITS ANOTHER SNAG

Company Which Has Salem Contract Says Job Is Too Short.

SALEM, Or., April 5.—(Special.)—A surprising state of affairs has suddenly developed here in the street paving situation, and unless the City Council relieves it by taking immediate action, Salem will have no paved streets this year. A great rejoicing went up when the Council passed the State-street paving ordinance, recently, but now the company which will doubtless be the principal bidder, the Warren Construction Company, of Portland, states it will not install a plant with only three blocks on State street to cover with bituminous blocks, the contract for which amounts to \$20,000. The company's representative says it is too expensive, and it will not pay to put in a paving plant until the Council passes more paving ordinances. Aldermen Gessner and Low have opposed the State-street ordinance, and predicted that if passed, the work would be held up for the awarding of other contracts. They favored a plan and wanted the Barber Asphalt Company to put in the work. As the matter now stands, the Council has tied its hands unless the members agree and abandon the paving ordinance, which has been hanging fire for a long time. Mayor Rodgers today sent out notices for a special meeting of the Council Monday night, when the matter will be thoroughly investigated and City Recorder Moore will be instructed to advertise for bids. The Mayor said today that "it is the understanding that if this or any other company gets the contract for paving State street that they will go ahead with the work irrespective of any other ordinances, and I shall bring the matter before the Council Monday night."

CHURCH UNION IS URGED

SESSION OF EVANGELICAL ASSOCIATION AT CORVALLIS.

Reports Show Healthful Growth of Dallas College—Assignment of Elders Is Made. CORVALLIS, Or., April 5.—(Special.)—At today's session of the thirteenth annual session of the Conference of the United Evangelical Church, the committee on Dallas College reported a healthful growth and considerable extension in the work of that institution. The narrowing of the breach between the two branches of the Evangelical Church was worded by fraternal delegates, sent by the conference to visit the Evangelical Association. The discussion today showed a strong sentiment for union on a plane of assuring future success. Resolutions commending such a spirit and expressing a hope that the two churches would show a strong sentiment for union on a plane of assuring future success. Resolutions commending such a spirit and expressing a hope that the two churches would show a strong sentiment for union on a plane of assuring future success. Resolutions commending such a spirit and expressing a hope that the two churches would show a strong sentiment for union on a plane of assuring future success.

FLOUR MILLS GET NO GRAIN

Washington Railroad Unable to Haul Wheat from East.

SEATTLE, Wash., April 5.—(Special.)—Six hundred cars loaded with wheat are on the tracks of the Northern Pacific and Great Northern awaiting shipment to the flour mills. In the meantime the Puget Sound mills are practically closed again. A few of them were grinding for a short time this morning, but the wheat supply ran out. In the interior, the mills have been embarrassed all winter because of a lack of coal, and it is estimated that the flouring industry of Washington has been losing for months at the rate of \$500,000 a day. The Centennial mills of Seattle, which has plants located all over the state, has lost \$1000 a day because of a loss of contracts through the wheat shortage. "There is no danger of a local wheat famine, but big contracts have been given up, because wheat cannot be had. A week ago the mills retained \$500,000 and cars were loaded. Since that time the Great Northern has loaded 30 and the Northern Pacific 20 cars a day, but these have not been delivered."

NO CASE AGAINST COLLINS

Montana Attorney-General to Drop Prosecution of Ex-Treasurer.

HELENA, Mont., April 5.—Attorney-General Galet this afternoon filed a motion in the District Court for the dismissal of the suite of the state against Timothy E. Collins, ex-State Treasurer. Last October the Attorney-General filed suits against State Treasurer J. H. Rice and ex-State Treasurer Collins and A. H. Barrett, seeking to recover sums of money alleged to have been received in addition to all of his bondmen were made defendants. They include a number of prominent residents of the state and Great Falls parties. The precipice stated that the Attorney-General is not possessed of sufficient evidence to prove a case and further that the action cannot be successfully maintained even though sufficient evidence is secured to support it because barred by the statute of limitation.

WILL USE HARRIMAN TRACKS

Milwaukee Makes Mutual Agreement for City of Tacoma.

TACOMA, Wash., April 5.—(Special.)—From a reliable source it is reported that arrangements for a joint use of the tracks inside the city limits are being made by the Chicago, Milwaukee & St. Paul and the Union Pacific. The plan as outlined is for the Chicago, Milwaukee & St. Paul to use the Chicago, Milwaukee & St. Paul tracks from the city limits along Twenty-fifth street, which will connect with the Union Pacific right-of-way on Jefferson avenue. In return for this the Milwaukee will use the Union Pacific tracks on Jefferson avenue from Twenty-fifth street and across to Fifty-fifth street, and across to Fifty-fifth street. This arrangement would give both roads a belt line through the city. Negotiations for the purchase of additional property on Jefferson avenue have been completed by the Union Pacific, but the property is held at a high figure.

Smallpox at Yakima.

NORTH YAKIMA, Wash., April 5.—A case of smallpox was discovered here this morning in the St. Paul Hotel, where 30 men stay. Strict quarantine is being maintained by the Sheriff and deputies. The Health Officer fears a spread of the disease through the lower part of the city. Thirty-five cases are reported from Sunnyside and Outlook, in the lower valley. An epidemic of scarlet fever is also raging at Fruitvale.

Public Meeting to Talk Canal.

Eugene, Or., April 5.—(Special.)—J. A. Crow, chairman of the Staslaw Grant committee on the proposed canal from

GILBERT BANKRUPT

Former Salem Banker Files Petition at Los Angeles.

TO DODGE OREGON CLAIMS

Tilmon Ford, of Salem, Presses Demand for \$250,000—Other Unsecured Creditors. Mostly of Salem, to Number of 324. LOS ANGELES, April 5.—One of the largest petitions in bankruptcy that has been filed in Los Angeles in years was filed today by A. T. Gilbert, a real estate dealer of South Pasadena, formerly owner of the Gilbert Bank, of Salem, Or. Gilbert's bank in Salem failed about five years ago and the majority of the \$432,229 in claims, acknowledged in the petition today, are the result of that failure. Most of these claims, however, are classed as "unfounded claims." The largest single claimant is Tilmon Ford, executor of the estate of William Cosper, of Salem, Or., whose claim is given as \$250,000. There are 324 other unsecured creditors, nearly all of Salem. About \$50 worth of clothing are given as assets.

TO FORESTALL CREDITORS

Former Banker Seeks to Evade Payment of Oregon Creditors. SALEM, Or., April 5.—(Special.)—The filing of a petition in bankruptcy by A. T. Gilbert is a move on the part of the former Salem banker to forestall efforts of his creditors in this state to get judgments against him before their claims are barred by the statute of limitations. When the Gilbert Brothers' bank failed some five years ago, efforts were made by many creditors to get Gilbert into bankruptcy, but he fought the move upon the ground that he was not insolvent and that his property would be sufficient to pay all claims. The Federal Court found in his favor and a suit was then brought in the Circuit Court here for the appointment of a receiver. The business was closed up after some delay and the creditors were paid 25 cents on the dollar. The receivership proceedings did not bar the collection of claims, however, and the creditors still have a valid claim against Gilbert for the unpaid portion of his deposit in the bank. The bankruptcy proceedings now brought in Washington will put an end to the claims and relieve Gilbert from further liability. Gilbert's failure was due to high living.

FRIENDS LAUD ASSASSIN

CROWD UP TO SHAKE HIS HAND AT THE TRAIN.

Man Who Slew Wife's Lover Idolized by Neighbors—Rush to Go on His Bonds. LEON LAKE, Wash., April 5.—(Special.)—Ernest Heener, who late Tuesday night slew Alfred Everman while the latter was about to depart for Baker City, Heener, was escorted to the train this evening by nearly all the population of this hamlet. When the train pulled out Heener was so busy shaking hands with his friends that he came near being left behind and was obliged to run to get aboard. Heener was taken to Colville, where prosecuting Attorney Rochford will determine the degree of murder to be made in the complaint, and then Heener will appear before Judge Carey of the Superior Court, where a \$5000 bail for release on bail will be made and the time for trial, if trial there be, will be decided. It is believed that bail Leon Lake citizens will vie with each other in determination to go on the bond. The preliminary hearing of Mr. Heener was held this morning in the office of the wife of Oscar Schaeffer, of Baker City, Or. The couple have been living here as man and wife ever since January 23. This evening Bunnell was bound over to the higher court by the Police Judges on \$1000 bail on the charge of adultery. Mrs. Schaeffer says that after she has visited with her mother awhile she may return to her husband.

A HALF-MILLION TROUT FRY

Clackamas Hatchery Ready to Stock Streams of Northwest.

OREGON CITY, Or., April 5.—(Special.)—Five hundred thousand trout fry are nearly ready for distribution at the United States Bureau of Fisheries hatchery at Clackamas River. The bureau has just received 32,000 rainbow trout eggs and expects to get in some black spotted trout. The fry will be in lots of 5000 to 15,000 in Oregon, Washington and Idaho. Steelhead eggs are now being taken at the new Casadero station, and are being sent to the Clackamas Hatchery, where they are being hatched under the direction of George H. Talbert. The hatcheries on the Upper Columbia are not in operation, but the equipment is being placed in shape for Fall work. Superintendent O'Malley, in charge of Government fisheries operations in Oregon, reports that more than 60,000 steelhead eggs have been taken in the Applegate River, a tributary of Rogue River.

Wind and Rain at Castle Rock.

CASTLE ROCK, Wash., April 5.—(Special.)—This section was visited by a heavy wind and rain storm last night and this morning and the rain is still falling in torrents. Heavy snow is reported in the hills and the logging camps are idle in consequence.

HE STOLE ANOTHER'S WIFE

For This, a La Grande Man is Under \$1000 Bonds at Lewiston.

LEWISTON, Idaho, April 5.—(Special.)—Charles E. Bunnell, of La Grande, Or., was this afternoon arrested for stealing the wife of Oscar Schaeffer, of Baker City, Or. The couple have been living here as man and wife ever since January 23. This evening Bunnell was bound over to the higher court by the Police Judges on \$1000 bail on the charge of adultery. Mrs. Schaeffer says that after she has visited with her mother awhile she may return to her husband.

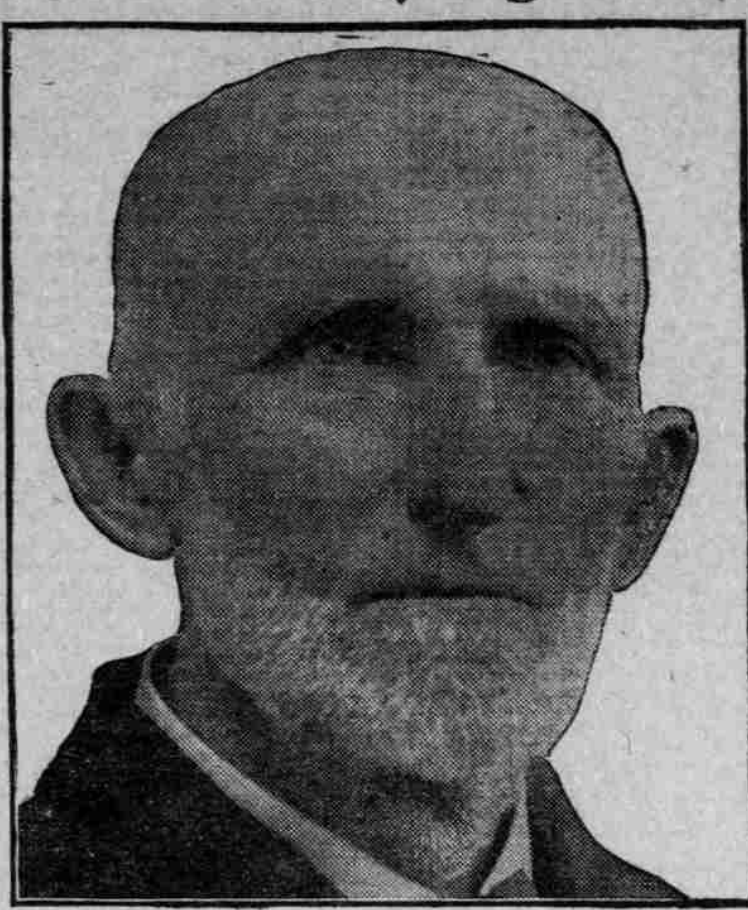
Chehalis Receipts Increase.

CHEHALIS, Wash., April 5.—(Special.)—Chehalis postal receipts for the past year reached the highest point in the history of the city, being \$9517.75, which represents a substantial gain over the year ending March 31, 1906. The office will be advanced in the new classification.

Major May at Oregon City.

OREGON CITY, Or., April 5.—(Special.)—Major May, of the Third Regiment, Oregon National Guard, of Portland, expected here tomorrow to examine conditions relative to the proposal to establish a military company in this city. The necessary signatures for a full company

Strong and Vigorous After Forty-eight Years Married Life



MR. EMERY SOUTHWICK.

Mr. and Mrs. Emery S. Southwick, of Woonsocket, R. I., have been married 48 years, and are still hale and hearty, and owe their old age and vigor to DUFFY'S PURE MALT WHISKEY. Mr. Southwick wrote on Sept. 10th, 1906:

"I deem it sufficient to say that I have used DUFFY'S MALT WHISKEY and have received marked benefit from it. If I live till the 10th of October I will complete my 72 years, and I guess I shall, for I am in pretty good health now. Your Malt Whiskey must have the credit therefor."

Mr. Southwick is one of the many thousands of men and women through the United States who owe their vigor, strength and long life to the great Tonic Stimulant and Renewer of youth, Duffy's Pure Malt Whiskey, and join in extolling its merits.

Duffy's Pure Malt Whiskey

Is an absolutely pure, gentle and invigorating stimulant and tonic, builds up the nerve tissues, tones up the heart, gives power to the brain, strength and elasticity to the muscles and richness to the blood. It brings into action all the vital forces, it makes digestion perfect and enables you to get from the food you eat the nourishment it contains. It is invaluable for overworked men, delicate women and sickly children, as it is a food already digested. It strengthens the system, is a promoter of good health and longevity, makes the old young and keeps the young strong. Duffy's Pure Malt Whiskey is recognized as a medicine everywhere. This is a guarantee.

Sold by all druggists, grocers and dealers, or direct, in sealed bottles only; never in bulk. Price \$1. Insist on the genuine and see that the "Old Chemist" trade-mark is on the label. Beware of red-dyed bottles and spurious malt Whiskey substitutes offered for sale by unscrupulous dealers. They are positively harmful and will not cure. Illustrated Medical booklet and doctor's advice free. Duffy's Malt Whiskey Co., Rochester, N. Y.

adjoined this afternoon and Judge Burnett discharged the jury after one of the shortest and least expensive sessions ever held. Of the five criminal cases handled, two were sent to the penitentiary, William Bell and James Stewart. Portellia forfeited his bail, and two were used as witnesses in the Fairground case and released.

CONSTANTINE FOUND GUILTY Plea of Insanity Awaits Little for the Seattle Butcher. SEATTLE, April 5.—William Constantine, who, on October 2 last, shot six bullets into his son-in-law, Jesse Hall, and was charged with the crime of assault with intent to commit murder, was tonight found guilty by the jury of assault with a deadly weapon with intent to do bodily harm. Intense interest was felt during the two weeks' trial. A plea of insanity was entered by the defense, alleging transitory fury induced by the recital of marital cruelties inflicted upon the 35-year-old wife by her 23-year-old husband. Many expert alienists were put on the stand. The similarity to the Thaw trial added to the local interest. Packed courtrooms listened daily to the story of gross wrongs indignities rectified by many witnesses. Constantine is a wealthy butcher.

Part of Jetty Carried Away. ASTORIA, Or., April 5.—(Special.)—During the gale this morning about 100 feet of the outer end of the jetty trestle was carried away.

Big Increase in Police Fines. HOQUIAM, Wash., April 5.—(Special.)—Police reports show fines collected for the month of March to be \$75, or \$5 more than the month of March last year.

Gale Sweeps Gray's Harbor. HOQUIAM, Wash., April 5.—(Special.)—Necessary signatures for a full company

have been obtained and it is expected that an infantry organization will be formed in place of the company recently disbanded at La Grande.

NO PEACE AT GOLDFIELD YET Miners Misunderstand Motion and Will Have Another Meeting. GOLDFIELD, Nev., April 5.—The result of the miners' meeting last night seems to have been negatived by the officers of the Miners' Union, who say today that the action was really misanderated and that the miners themselves apparently did not understand the purpose of the question before them and voted blindly. It is said that the motion, which was placed before the committee and which was intended to sever the relations between the miners and the Industrial Workers of the World, was juggled. At any rate the officers of the union today state that no favorable action toward a segregation of the unions was taken. Another meeting in consequence of the misunderstanding has been called for tomorrow.

Missionaries in Conventon. SEUGENE, Or., April 5.—The convention of the Oregon Christian Missionary Society is in session in this city with delegates from Lincoln, Marion, Benton, Linn and Lane Counties. Cathart Treated and Cured by "THE HOUSEHOLD SURGEON." Druggist refund money if DR. PORTER'S ANTISEPTIC HEALING OIL fails. Tired and nervous women find help in Hood's Sarsaparilla. It enriches their blood.

Advertisement for California Fig Syrup Co. featuring the text: "One of the Important Duties of Physicians and the Well-Informed of the World" and "Truth and Quality". The ad describes the benefits of the syrup and provides contact information for San Francisco, Cal., Louisville, Ky., and New York, N. Y.

KISER PHOTO CO. Kiser Photos—Lobby Imperial Hotel.