

THE PROSECUTION RESTS

DEFENSE IN CONSIDER MURDER TRIAL OPENS TOMORROW.

About One Hundred Witnesses Have Been Subpoenaed—Case Will Go to Jury in a Few Days.

SEATTLE, Nov. 9.—All the evidence tending to convict John W. Conditine of the murder of ex-Chief of Police William L. Meredith is now before the jury. Rebuttal may throw some new light on the testimony already heard, or may tend to offset portions of the mass of evidence which the defense proposes to introduce, but the main story of the killing of the ex-chief of police, so far as the prosecution is concerned, has been told from the witness stand. Shortly after 4 o'clock this afternoon, the state rested. What the defense expects to prove will be stated at the opening of court Monday. At the outset of the trial the defense had called by subpoena 45 witnesses, so that the names of several names have been added to the list, and between 90 and 100 witnesses are now expected to be in attendance in court. Perhaps not all of these may be called upon to testify, but at the least it is possible to be made in the examinations. It will take five or six days to hear the testimony of the defense. The case will probably go to the jury Wednesday or Thursday.

Expert testimony of physicians and surgeons was brought in by the prosecution in furtherance of the effort to show that Meredith was in a state of unconsciousness by the blows struck upon his head with his own revolver by Tom Conditine, and that he was unable to defend himself, much less to make any movement at the time John Conditine fired the shot, one of which is admitted to have caused Meredith's death. Mrs. Meredith, the widow of the deceased, was brought in to stand a few moments this afternoon. Few questions were asked her.

Judge Arthur Griffin, of the Superior Court here, and H. M. Hammond, a Western Union operator, were the two most important witnesses today. Judge Griffin was in Guy's drug store at the time of the killing of Meredith. His story of the tragedy was as follows:

"I was in Guy's drug store at the time Meredith met his death. I had been there but a few minutes, when there was a loud report at the doorway. At that moment, a man rushed in, whom I afterward learned to be John Conditine, and crouching low, ran to the rear of the store. He was followed by Chief Meredith, who was running rapidly after him, and carrying raised in his arms a shotgun. After the latter pursued Conditine down the store, he fired the second charge from the gun. Throwing it aside, he drew a revolver, and as he did so Conditine grappled with him. About this time Tom Conditine ran into the store, and grappled with Meredith, and his brother, John, and attempted to take the revolver from Meredith's hands, which were high in the air, and held up there by John. Tom finally secured the gun and struck Meredith over the head with it two or three times. John still held Meredith. There were others in the room by this time, and they pulled Tom away. As the blows descended upon Meredith's head he seemed to weaken. His clothes were flying and his head fell over. He was leaning against a showcase, apparently partially unconscious. I heard a report, and then I fired a second one, and saw John Conditine fire at Meredith. As he fired the second shot Meredith seemed to reel away from him and was falling to the floor. Stepping toward him, Conditine pressed his revolver against Meredith's body and fired the third and last shot. I do not know how long the entire affray lasted. It might have been 30 seconds, perhaps more, perhaps less."

H. M. Hammond testified that he was at the corner of Taylor and Second avenues, across the street from Guy's drug store, when his attention was attracted by the discharge of a gun. He took it to be a pistol shot. He looked across the street, and saw a man in a dark suit of clothes run toward the store entrance of Guy's drug store. He saw a puff of smoke in front of this man, but saw no revolver. He saw Meredith standing in front of the store, and saw him run into the store after the man with the light suit of clothes. He then heard two loud reports, followed a moment later by three sharp reports. Hammond's testimony was the most important offered by the state in its effort to establish the sixth-shot theory. In the matter of the smoke, and the appearance of the man with the light clothes, Hammond's testimony is not corroborated by that of any other witness. The witnesses who were closest to the shooting swear they only heard five shots, rather upsetting the state's sixth-shot theory. Witnesses for the state have also sworn that Meredith made a movement with his right hand toward his right coat pocket, in which there was a revolver, just as Conditine shot him."

SMOOTH GAME OF A PRISONER.

Made Himself Sick, Got Out of Jail, and Then Escaped From Hospital. WALLA WALLA, Wash., Nov. 9.—Friday, Neal McKear, a county prisoner doing time, appeared with a red rash on his face and person, and complained of fever. County Physician Stiles pronounced McKear a sufferer from scarlet fever. The prisoner was removed to St. Mary's Hospital, and placed under guard. The other prisoners were removed to the city jail and the county jail was fumigated. Much apprehension was felt over the possibility of nearly a score of United States prisoners, who had been confined with McKear. Last night McKear stole the sheets of his sleeping guard, and escaped from the hospital in his underclothing and a blanket. This morning one of the United States prisoners in the city jail exhibited the same symptoms displayed by McKear. Health Officer Alban pronounced the case one of scarlet fever. The prisoner confessed that McKear and himself had produced their symptoms by rubbing their faces and persons with a mixture of kerosene and black pepper. McKear is still at large.

"SCABS" AND UNION MEN CLASH.

One Man Was Shot, and Future Trouble is Imminent. NORTHPORT, Wash., Nov. 9.—Ed Kennedy, formerly a mine foreman at the smelter here, was seriously wounded in a desperate battle between union men and Joplin smelter men. The nonunion men were in a saloon, drinking when Kennedy came in. He had been drinking, and was singing a song which referred to "scabs." There were a number of other union men in the room, and an altercation arose. Finally, the Joplin men threw off their coats, and said they were ready for business. In the melee a number of shots were fired. The fighters went outdoors, and the bartender saw the last man to pass through the door fired at another man ahead of him. Kennedy was picked up in the alley, suffering from a gunshot wound in the back. The man who did the shooting escaped in the darkness. Officers have gone to the smelter grounds to search for him. Excitement is intense, and it is feared that a more serious collision may follow.

NOYES ON THE STAND.

He Does Not Believe McKear Said What He Said He Did. SEAN FRANCISCO, Nov. 9.—Arthur H. Noyes, Judge of the United States District Court at Nome, and one of the respondents in the Nome contempt proceedings, was a witness today before United States Commissioner Heacock. He was on the stand for about an hour for

OPPOSES FRENCH TREATY

REPRESENTATIVE TONGUE HOLDS THAT IT IS UNFAIR.

His Letter to a League, Which Asked His Support for the Proposed Reciprocity Measure.

HILLSBORO, Or., Nov. 9.—Representative Tongue recently received from the secretary of the National Business League a set of resolutions favoring the ratification of the proposed reciprocity treaty between this country and France, and asking Mr. Tongue's support. Today, Mr. Tongue sent a reply as follows: Mr. Austin A. Burnham, Secretary National Business League, Chicago, Ill.: Dear Sir: I am just in receipt of yours of the 1st inst., enclosing a copy of resolutions adopted by the executive committee of your league, favoring the ratification of the proposed reciprocity treaty between the United States and France, and now pending before the Senate of the United States, and asking me to give your committee assurance of support. Waiving all discussion of the general principle of reciprocity, permit me to say that the treaty negotiated between John A. Kasson, on behalf of the United States, and Ambassador Cambon, on behalf of France, on the 24th of July, 1899, does not contain such reciprocity as meets with my approval, and will not have my support.

In that treaty the United States grants definitely and distinctly a reduction of 5 to 20 per cent of existing duties upon a very large number of manufactured and agricultural goods coming from France and Algeria to the United States. Further than this the United States also agrees that should a lower rate of duty be granted by other nations upon any of the articles included in that convention, no matter what concessions may be made by such nations to us, or the reduction, similar reductions are to be made at once in favor of France and Algeria. In return for such concessions the United States grants a limitation upon her right to declare a tariff war against the United States. And it is that, there is a very large reservation.

In article 1 France agrees that the products of the United States are to be admitted into France and Algeria upon the payment of the minimum rates of duty imposed upon such duties by any other nation. Or, in other words, that she will deal with the United States fairly and on an equal basis with any other nation, without discrimination. But even that is not without exception. She reserves the right to impose discriminating duties to such nations as she may choose, upon a number of manufactured and agricultural products from the United States. In this treaty the United States grants favors to France. France, on the other hand, simply agrees that she will not discriminate against us, except upon the importation into France of horses, dogs, cats, birds, boots, shoes and a large number of other articles. This is not reciprocity. It is not a fair agreement. It is not to be ratified.

I note your dread of a tariff war with France. It seems to me that such a war is unwarranted. We have not discriminated against France. We have not treated her or her subjects differently in any unfriendly way. We have imposed no duties upon her products that are not imposed upon the products of every other country. Our tariff laws are designed to protect our own industries, not to discriminate against those of any other nation. France has no right to take offense. She will not take offense. Our purchases from her are not small. We pay \$2,000,000 to \$4,000,000 per annum. There are few of our importations from that country that could be made from any other resources, or dispensed with, without inconvenience. Under such circumstances there is little to be gained by a tariff which we should not be the greatest sufferers.

HOME FROM BUFFALO.

about eight of the states besides Oregon are entitled to sums paid by them. The Governor of the State of New York advises that his state has been paid in full.

BAKER CITY, Nov. 9.—Fred R. Mellis, who had charge of the Oregon Mineral exhibit at the Pan-American Exposition, has returned to this city after an absence of almost six months.

Mr. Mellis speaks in the highest terms of the exposition in general, and of the Oregon exhibit in particular. He says the same amount of advertising could not have been obtained for \$300,000 in any other way and it only cost \$17,500, as there is a remainder of \$280 of the same appropriation which will be used to purchase the exhibit for the Charleston exposition.

He reports that Oregon secured 14 gold medals and 20 silver medals, besides a large number of honorary citations of honorable mention. The Oregon mineral exhibit was by far the best at the fair, and attracted a great deal of attention. Of the four silver medals awarded to the Pacific Coast States, Oregon received two. There were no gold medals awarded for minerals.

Speaking of the exposition as a whole, Mr. Mellis said it was a success, every way except financially, and, in his opinion, there was no necessity for it falling short in that particular, but on the contrary there should have been a surplus. The buildings cost four times as much as they should have, and the gratuity was too much in evidence.

THE Case of Mrs. Emmett.

HALESY, Or., Nov. 6.—(To the Editor.)—Referring to the correspondence of C. G. Gray in yesterday's issue of your paper regarding the actions of the husband in the lamentable tragedy that occurred in the death of Marie Emmett, would you ask what excuse he has to offer for the husband becoming intoxicated and returning to his newly wedded wife at the hotel and administering severe rebuke in the way of slapping her, as admitted by his own testimony at the coroner's inquest, wounding the feelings of one of the writer's nearest and dearest friends, and whose heart-broken father have the sympathy of

GOVERNOR GEER IS CO-OPERATING WITH THE EXECUTIVE OF MICHIGAN.

SALEM, Nov. 9.—Governor Geer is co-operating with Governor Bliss, of Michigan, to collect interest on money advanced by states to raise and equip volunteer troops during the Civil War. Oregon has a claim of \$143,817.87, and Michigan has a similar claim, and there are about six other states having claims of some character, all of which have been disallowed. It appears that the act of Congress under which they were filed makes no provision for their payment, examination or settlement. With this ruling of the Treasury Department, the State of New York was referred to the Court of Claims. This tribunal allowed a part, and disallowed a portion of the claim, and both the United States and the State of New York appealed to the Supreme Court of the United States. The decision of this court amounts to an emphatic and positive declaration that it is the duty of the United States to reimburse the state to the amount of interest expended by them in borrowing money to help preserve the Union.

It is believed that under this decision

Embelsler Gives Himself Up.

SEATTLE, Nov. 9.—W. M. Simmona, formerly cashier of the Florence & Cripple Creek Railway, of Victor, Colo., surrendered himself to the police here today, after having been a fugitive from justice since September, 1900. He is wanted for the embezzlement of about \$1500 of the company's funds. Simmona says he expects no mercy. He claims to have toiled as a day laborer in the hope of making restitution, but became discouraged at his meager savings.

Telegraph Manager Resigns.

BAKER CITY, Nov. 9.—E. L. Pearson, who has been manager of the Western Union Telegraph office in this city for three years, has resigned and gone to Arizona with his wife for the benefit of his health. Mr. Pearson has been in the service of the company on the Pacific Coast for many years, and had many interesting and exciting experiences during early days. He is succeeded by A. E. Tunnescliff, night operator.

\$315,000 For Part of Klondike Claim.

SEATTLE, Nov. 9.—In Seattle today, Thomas Lloyd sold Frank Berry and Isaac Rosenthal, of Dawson, three-fourths of claim No. 24, on Bonanza, in the Klondike, for \$315,000. John Moe, Lloyd's partner, retains his quarter interest. The claim is said to be very rich.

New Washington Postmasters.

WASHINGTON, Nov. 9.—Washington Postmasters were appointed today as follows:

H. L. Hart, at Cokedale, Skagit County; D. J. White, at Eslegrove, King County.

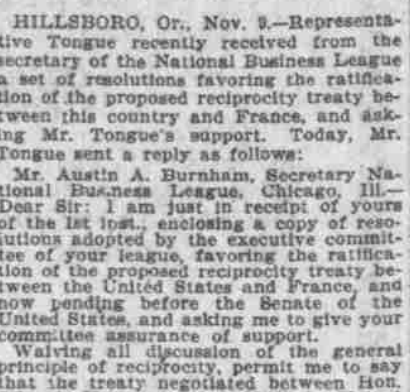
Postoffices to Be Advanced.

WASHINGTON, Nov. 9.—The fourth-class postoffices at Granite and Townsend, Mont., and Waterville, Wash., will be raised to the Presidential grade January 1.

A Daily Nuisance

A Simple Remedy Which Will Interest Cataract Sufferers.

In its earlier stages cataract is more of a nuisance than a menace to the general health, but sooner or later the disease ex-



tends to the throat, bronchial tubes, and even to the stomach and intestines. Cataract is essentially a disease of the mucous membrane, the local symptoms being a profuse discharge of mucus, stoppage of the nostrils, irritation in throat, causing coughing, sneezing, gagging and frequent clearings of the throat and head. The usual treatment by local douches, snuffs, salves, etc., often gives temporary relief, but anything like a cure can only be obtained by a treatment which removes the cataractal taint from the blood and the disappearance of the inflammation from the mucous surfaces. A new remedy which meets these requirements and which so far has been remarkably successful in curing cataract is Stuart's Cataract Tablets. These tablets act upon the blood and mucous membranes only. They can hardly be called a secret patent medicine, as they are composed of such valuable remedies as salutarina, hydratin, eualyptol and similar cleansing antiseptics, which cure by eliminating from the blood and mucous surfaces the cataractal poison. Stuart's Cataract Tablets are a large, pleasant tasting lozenge, taken internally, allowing them to dissolve slowly in the mouth. In this way they reach the throat, fauces and the entire alimentary canal.

If desired, they may also be dissolved in water and used as a douche. In addition to the internal use, but it is not at all necessary to use a douche; a few of them dissolved in the mouth daily will be sufficient. However, when there is much stoppage of the nose, a douche made from these tablets will give immediate relief, but the results of the internal use of these tablets will cure the whole cataractal trouble without resorting to the inconvenience of a douche. Dr. Bement states "The internal treatment for cataract is rapidly taking the place of the old plan of douching, and local application, and further says that probably the best and certainly the safest remedy at present on the market is Stuart's Cataract Tablets, as no secret is made of their composition, and all the really efficient remedies for cataract are contained in this tablet." Druggists of Stuart's Cataract Tablets at 50 cents for full-sized packages. Ask your druggist and if he is honest he will tell you there is no safer, more palatable, more efficient and convenient remedy on the market.

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The Home of the Overcoat. THE FINEST OF MODERN SUITS. Our stock consists of the justly celebrated makes of the Stein-Bloch Co., Rochester, and Hart, Schaffner & Marx, Chicago and New York, bought by us early in the season, at much less than present prices. The lines consist of the extreme and conservative fashions for men, in Vicunas, Worsteds, Tweeds and Serges, equal to tailor-made. All suits fitted exactly by our experienced tailors. Our prices, \$12.50 TO \$25.00. STYLE IN HATS... Pautouris---New creations, the swell, soft hat of the season, just out in the East, in our celebrated Multnomah make, at \$3.00. Sole Agents for the "MILLER DERBY"—the best made for \$5.00. All hats conformed to the head.

Sam'l Rosenblatt & Comp'y. The Reliable Popular-Price Clothiers. CORNER THIRD AND MORRISON STREETS.

this entire community, and little should be said on this matter, lest it should wound their feelings, which are already burdened with grief. We leave the matter here and allow the public to draw their own inference. VINDICATION.

Sumpter School Tangle Settled. SUMPTER, Nov. 9.—Sumpter school matters have been settled for the present at least. At a meeting of the directors Thursday the resignation of Directors Hawley and Principal Holland were accepted. Professor C. A. E. Smith, formerly principal of the Huntington School, was chosen to fill the vacancy created by Professor Holland's resignation, which position has been held for several weeks by Professor F. P. White. A special meeting of the voters of the school district will be held Saturday, November 23, for the purpose of electing a director to fill the vacancy caused by Director Hawley's resignation.

Wagon Went Over the Grade. THE DALLES, Nov. 9.—A wagon containing a 1500-pound piece of electrical machinery for the Wasco Milling Company went over the Deschutes grade, about 20 miles from here, yesterday. The machinery was in transit from this place to White River. Although considerable damage is not considered sufficient to cause any material delay in the completion of the plant.

Bids Asked on County Roads. ASTORIA, Nov. 9.—The County Court decided today to advertise for bids to be opened on November 27 for clearing the right of way 20 feet in width on three miles of the new wagon road being built between the city and the Upper Nehalem Valley.

Pianos. Just received, one car of HARDMAN PIANOS, all new designs, handsome cases. Allen & Gilbert Co. Successors to The Wiley B. Allen Co. Our large trade demonstrates that the public appreciate the fact that we are selling the best high-grade pianos made at prices usually charged for inferior and un-known makes. Retail store, 209-211 First.

Garland Stoves and Ranges. The World's Best. WESTERN ELECTRIC WORKS. 305 1/2 WASHINGTON STREET, PORTLAND, OR. Wiring Houses for Electric Lights, Bells. And telephones keeps us pretty busy, but we will attend to all orders to wire factories, houses, stores, etc., or fit them up with arc or incandescent lighting promptly and with scientific skill. All wiring is guaranteed, and work of this character cannot be excelled by anyone or compete in price with the Western Electric Works.

Hazelwood Eggs are Strictly Fresh! As they are gathered every morning and placed in cartons furnished by us for that purpose. They are then delivered with the milk to our nearest creamery, hence we have no hesitancy in recommending them to those desiring a superior article. Ask your grocer for them.

Hazelwood Cream Co. BOTH PHONES 154 382 WASHINGTON STREET. Buy only what you have to have and you will always be able to buy what you want. When you want an UMBRELLA drop in for a minute. We have what you will be looking for. LOCOMOBILE TICKETS WITH EACH SALE. WE MAKE THE CELEBRATED ANTI-RUST UMBRELLA FRAME. JOHN ALLESINA. 309 Morrison St., Opposite Postoffice.

Library Association of Portland. SEVENTH AND STARK STREETS. Hours—From 9 A. M. to 9 P. M., except Sundays and holidays. 29,000 VOLUMES 250 PERIODICALS \$6.00 A YEAR \$1.50 A QUARTER SPECIAL RATES TO STUDENTS \$1.00 A YEAR

Cured of Piles After Many Years. Mrs. D. E. Reed, of Albany, says: "I would not take \$500 and be placed back where I was before I used the Pyramid Pills. I suffered for years and, if it be how 15 months since I used it and not the slightest trace of the trouble has returned." For sale at all druggists. Little book, "Piles, Causes and Cure," mailed free on request to Pyramid Drug Co., Marshall, Mich.