

THE EUGENE WEEKLY GUARD.

ESTABLISHED FOR THE DISSEMINATION OF DEMOCRATIC PRINCIPLES, AND TO EARN AN HONEST LIVING BY THE SWEAT OF OUR BROW

VOL 33

EUGENE, OR., SATURDAY, FEBRUARY 25, 1899

NO 7

SPECIAL SALE

THIS WEEK ON

LADIES' OUTING FLANNEL

... Night Dresses ...

Great values in this line Remember the place.

Hampton Bros

WEEKLY EUGENE GUARD.

AT THE FRONT

Oregon Soldiers Sent to the Fighting Line.

IA OVENSHINE'S BRIGADE

Manila, P. I., Feb 19.—3 p. m.—General Ovenshine's line, consisting originally of the North Dakota volunteers, the fourteenth infantry, and two troops of the Fourth cavalry, stretching from the beach at Camp Dewey to General King's right, was reinforced by two battalions of Oregon volunteers and three troops of the Fourth cavalry, as infantry.

INTERESTING SUIT.—Jennings Bros & Brunson, who made such a rich strike in B-hemia last summer, now have a suit on their hands. G. G. Warner claims that the property was located by him and "jumped" by the other men; that he (Warner) has made his regular assessments and is entitled to the property. Messrs Laughlin & Lee, of Chicago, well known capitalists, it is said will help him fight the case in hope of securing a reward by winning the case and an interest in the mine. The property is very valuable and will doubtless be the cause of long litigation.

COUNTY COURT SUIT.—M. O. Wilkins has sued J. C. Goodale for the sum of \$435.

EUGENE Loan and Savings Bank

Of Eugene, Oregon!
CAPITAL (PAID UP) \$50,000
W. E. BROWN, President.
B. O. PAINE, Vice President.
F. W. OSBURN, Cashier.
W. W. BROWN, Asst. Cashier.
DIRECTORS: F. W. OSBURN, B. O. PAINE, W. E. BROWN, D. A. PAINE, J. F. ROBINSON, J. B. HARRIS, W. W. BROWN.
A General Banking Business Transacted on Favorable Terms

LANE COUNTY BANK

Established in 1852.
EUGENE, OREGON.
A General Banking Business in all branches transacted on favorable terms.
A. G. HOVEY, President.
J. M. ABRAMS, Cashier.
A. G. HOVEY JR., Asst. Cashier.

WHAT THEY DID

Forty Days Result of Legislative Work.

NEW LAWS TO OBEY

- S B 2 by Bates of Multnomah—To create the office of tax collector in Multnomah county.
- S B 106 by Daly of Benton—To amend the charter of Corvallis.
- H B 109 by Maxwell of Tillamook—To prevent production and sale of unwholesome foods and medicines (Looney pure food bill.)
- S B 103 by Fulton of Clatsop—To incorporate the town of Sasado.
- H B 103 by McCourt of Marion—To raise the salary of sheriff of Marion county.
- H B 182 by Maxwell of Tillamook—To regulate and fix salaries of Tillamook county officers.
- S B 184 (substitute for S B 40) by Morrow of Morrow—To fix salaries of county officers in Clackamas, Morrow, Wasco and Yamhill counties.
- S B 193 by Kaykendall of Lane—To amend the charter of Eugene.
- S B 198 by Fulton of Clatsop—To amend the charter of Astoria.
- H B 214 by Knight of Clackamas—To incorporate the town of Canby.
- S B 200 by Brownell of Clackamas—To create a separate commission for transaction of county business in Clackamas county.
- H B 340 by Dawson of Gilliam—To amend the charter of Arlington.
- S B—by Proebstel of Umatilla—Incorporating Weston.
- S B—by Dufur of Wasco—Incorporating Dufur.
- H B—by Fordney of Willamette; Incorporating Enterprise.
- H B—by Sullivan of Umatilla; Withdrawing school lands from sale and placing interest on school loans at 6 per cent.
- S B—by Mitchell of Wasco; Incorporating Dalles City.
- S B—by Mitchell of Wasco; Incorporating Mora.
- S B—by Kelly of Linn; Incorporating Brownsville.
- S B—by Kelly of Linn; Incorporating Lebanon.
- S B—by Smith of Baker; Incorporating Burns.
- S B—by Howe of Yamhill; Incorporating Carlton.
- S B—by Daly of Benton; To protect salmon in Alsea bay and tributaries.
- S B—by Selling of Multnomah; To create a trust fund in Multnomah county.
- S B—by Brownell of Clackamas; To provide for the election of road supervisors.
- S B—by Bates of Multnomah; To create the office of clerk of the justice court in cities of 50,000 population or over.
- S B—by Bates of Multnomah; To authorize Multnomah county to lease the upper deck of the steel bridge.
- S B—by Fulton of Clatsop; To provide for the sale of tide lands.
- S B—by Fulton of Clatsop; Revising laws relating to negotiable instruments.
- S B—by Morrow of Morrow; Providing for the extirpation of thistles.
- S B—by Dufur of Wasco—To authorize the town of Antelope to borrow \$5,000 to build water works.
- S B—by Proebstel of Umatilla—To incorporate the city of Pendleton.
- H B 22 by Reeder of Umatilla—To amend charter of town of Adams.
- H B 38 by Hill of Multnomah—To regulate pilotage on Columbia and Willamette rivers.
- H B 40 by Myers of Multnomah—To create office of state biologist, without salary.
- S B 66 by Reed of Douglas—To reduce salaries of Douglas county officers.
- H B 74 by Maxwell of Tillamook—To incorporate Nehalem.
- S B 76 by Harmon of Josephine—To provide that summaries only of county assessment rolls be transmitted to secretary of state.
- S B 91 by Patterson of Washington—To amend charter of Hillsboro.
- H B 97 by Whitney of Linn—To amend the charter of Albany.
- S B 100 by Daly of Benton—To incorporate town of Tillamook.
- S B 116 by Morrow of Morrow—To incorporate the town of Canyon City.
- S B 125 by Fulton of Clatsop—To constitute beach of Clatsop county a public highway.
- S B 135 by Harmon of Josephine—To amend the charter of Grant's Pass.
- S B 152 by Louney of Marion—To authorize Jefferson Institute to sell out to the school district.
- S B 159 by Brownell of Clackamas—To amend charter of Oregon City.
- H B 159 by Maxwell of Tillamook—To incorporate Port of Tillamook and provide for the improvement of Hoquartion slough.
- S B 168 by Daly of Lake—To incorporate the town of Lakeview.
- H B 189 by McQueen of Lane—To incorporate Cottage Grove.
- H B 70 by Whitney of Linn—To amend charter of town of Tangent.

THE BRANTON CASE

His Efforts to Escape From the Gallows.

THE ARGUMENT

SALEM, Feb 21.—In the supreme court, yesterday, the case of the State of Oregon, respondent, vs Claude Branton, appellant, an appeal from the circuit court of Lane county, Hon J W Hamilton, judge, was argued and submitted. A brief statement of the case is as follows:
The appellant, Claude Branton, was severely indicted by the grand jury of Lane county, Oregon, on the 26th of October, 1898, charged with the crime of murder in the first degree, by killing John A Linn on the 15th of June, 1898, in Lane county. On the day that the indictment was returned into court the defendant was arraigned, entered a plea of not guilty the following day, and thereafter was duly convicted of murder in the first degree, as charged in the indictment, and was sentenced according to law.
On October 29, 1898, the same grand jury returned into court an indictment against Courtland Green, charging him with the crime of murdering John A Linn. There was no reference by innuendo, or otherwise, contained in the last indictment to the complicity of Branton, or any one else in the commission of Green's crime. Each separate indictment contained the statement of a complete crime charged against each of the defendants. The theory of the prosecution was that Branton and Green were both actually present aiding and abetting each other in the commission of the criminal act of killing Linn. That the criminal act took the life of the deceased was in law the act of each individually, as well as of both.
The contention of the state was that murder, unlike riot is a several crime. That in a crime like murder the criminal can be indicted alone, tried alone, and the full penalty be inflicted upon him the same as though he committed the crime unaided. That a criminal act is unlike a civil action. That in a criminal cause the defendant cannot be heard to plead or say that another has paid the debt I owe the law.
After the trial of the appellant had been set, but before trial had, Courtland Green pleaded guilty to the indictment against him. The counsel for appellant claimed that Green's plea of guilty was an acquittal of Branton and made various moves in the case on that theory, and the ruling of the court thereon is assigned as error.
They sought to withdraw Branton's plea of not guilty, in order to demur on the grounds that Green had pleaded guilty, and also moved the court during the trial to instruct the jury to return a verdict of acquittal as to Branton, on the grounds that Green had pleaded guilty to killing John A Linn, and claiming that was acquittal of Branton. It was also claimed that the court erred in overruling defendant's motions for a continuance, and that the court erred in overruling appellant's motion for a new trial.

Real Estate Transactions.

James W Martin to Frank Hubbard, quit claim to 169 acres in tp 16 s r 1 east; \$900.
J H Pratt and wife to Charles Sherbondy, 49 acres in tp 17 s r 4 west; \$3,000.
Charles Sherbondy and wife to J H Pratt, 155 1/2 acres in tp 18 s r 11 west; \$3,000.
State of Oregon to John F Kelly, 120 acres in tp 16 s r 1 west; \$300.
A F Johnson et ux to J I Jones, 10 acres in tp 20 s r 3 west; \$500.
U S to Frank Hubbard, 160 acres in tp 16 s r 1 west; patent.
Frank Hubbard to Booth-Kelly Lumber Company, 169 acres in tp 16 s r 1 east; \$600.
U S to Lewis A Crane, 160 acres in tp 19 s r 2 west; patent.
John F Kelly to The Booth-Kelly Lumber Company, 120 acres in tp 16 s r 1 w; \$300.
B F Mulkey and wife to Noah Mast, 100 acres in tp 17 s r 5 west; \$2,500.
G W Long and Lizzie Hamilton to Sarah E Bennett, lots 5 and 6, block 6, Long and Landess addition to Cottage Grove; \$150.
Mary Ann Stewart Warner et al to Thomas E Warner, quit claim to 329.34 acres in Tp 18 S R 1 W; \$1.
SUIT OF DIVORCE.—Peninah Fogle has instituted a suit in the circuit court of Lane county, against her husband, Millard Fogle for a divorce. The complaint alleges these facts: The couple were married in Ohio, May 9 1875; they moved to Oregon in 1892 that the issue of said marriage is one son, Clyde V Fogle, 22 years of age that plaintiff educated and supported said son since June 1 1895; that defendant deserted plaintiff in June 1, 1895 and has since neglected to support plaintiff.
The Spanish Indemnity.
Washington, Feb 20.—The house committee on appropriations has ordered a favorable report on the bill to pay Spain \$20,000,000 for the Philippines. Chairman Cannon was directed to call up the bill today under suspension of rules.
Daily Guard Feb 20
Rev W L Matlock, who has been acting as supply pastor at the Baptist church while attending the Divinity school, last night joined the Christian church.

QUESTION OF REGULARITY.

The Anti-Slot Machine Bill Passed by the House Was a Duplicate and Not Original Bill.

THE ARGUMENT

Portland Telegram: "Will the Proebstel bill, to abolish nickel-in-the-slot machines, become a law?
"This is a question that is agitating the cigar dealers just now and causing them considerable perturbation of spirit.
"The only hope of cigar dealers lies in the alleged irregularity in the passage of the bill by the house. The senate passed the bill by a large majority, and a duplicate of the bill was passed by a similarly heavy vote in the house. The reason the house could not get action on the original bill was that Representative Curtis of Clatsop county, who had it referred to the printing committee, of which he is chairman, had the bill in his pocket and himself in Portland when it was called up. This bill was never reported on by the committee, and it was not believed that the committee had any intention of reporting on it.
"The house however, resented this disposition on the part of the committee to hold the bill back, and when it was called up obtained a duplicate copy, with the proper indorsements from the senate. It was this bill that was passed by the senate. It was this bill that was passed by the house, and is now in the hands of the governor awaiting his signature.
"The question now arises whether the house had a right to take action on a duplicate copy of the bill as long as the original was in existence, and no showing was made as to its loss. If the action of the duplicate bill is held to be legal there is every prospect that the bill will become a law. If it was not all legal efforts to legislate against these popular cigar winners and nickel losers have been for naught."

SILV-LAW OPPORTUNITIES.

Hundreds of Millions of Feet of Fine Fir Lumber.—Bar in Good Condition.
The Siuslaw river probably offers the best opportunity to be found in the state for a profitable investment in the lumber trade, says the Florence West. While on many rivers the timber conveniently situated for logging has nearly all been cut, on this river it hasas yet hardly been touched. Along the main stream and its tributaries there are hundreds of millions of feet of the finest fir timber that can be found.
The booms already built will catch and hold the logs with perfect safety thus removing one great risk in the business of logging. Since the work was done on the jetty in 1897 there has been enough water on the bar so that vessels could cross at any time. With the improving prospects in the lumber trade we believe that business men having capital to invest would do well to examine the opportunity for a profitable venture on the Siuslaw river.
Peace Reigns in Paris.
PARIS, Feb 20.—The city is calm today, and stringent precautions have been taken to maintain order. About 160 persons were arrested yesterday for taking part in the disturbances. Of this number 60 were detained in custody.

PROPERTY SOLD.

The property belonging to the estate of Alice E Gager, deceased, being 15.4 acres in T 17 S R 2 W; has been sold to Mary E McPherson for the sum of \$345.
Portland Telegram Feb 20: The Chinese M E mission is prospering under the superintendant, Rev C E Ulmer. Yesterday five Chinamen were baptized by Rev Dr G W Gue.

HAVE NO HAY LEFT

Cold Weather Is Over and Stock Men are Happy.

LITTLE LOSS OF STOCK.

LONG CREEK, Or, Feb 18.—Stock men generally throughout Grant county are congratulating themselves on their escape from a hard winter with but little loss of stock.
They are of the opinion that no more cold weather will be experienced, and that their hay is practically all gone, they are jubilant.
During the past few days stockmen from nearly every section of the county have taken advantage of the break-up that is now on and visited Long Creek, their supply point. Among them were owners of large cattle bands who have determined to buy the experience the past long winter has afforded them, and already several have purchased ranches, and in some instances lien lands, for the purpose of raising more hay in the future than in the past.

THE FROST AND THE CROPS.

Considerable Damage Done to Trees, Fruit and Grain.
Salem Journal, Feb 21:
"The actual damage done by the late frost to fruit and other trees is not yet definitely known, but it is generally acknowledged to be the worst ever experienced in Oregon.
"In and about Salem, on the low lands, there is little question but the fruit crop in general is wholly killed with the exception of apples and a very few pears. In some localities the trunks of prune trees are completely girdled, and cannot recover. In other sections the bark is ruined only on one side, and the trees may live but their strength will be greatly impaired.
"In the city all delicate varieties of roses are killed, and nearly all frozen down to the snow line. Small fruits have fared in a similar manner. Some strawberry beds that were protected by the snow are in a good condition, while others are completely ruined.
"In the red hills, south of the city, the crops of peaches, plums, and some varieties of plums are almost completely ruined, while the Italian prunes seem to be safe.
"It cannot yet be stated to what extent the grain has been killed. The rule appears to be that all wheat that was protected by a covering of snow has come through all right, while all that was not so protected has been to a greater or lesser degree killed, and must be resown."

Fruit Growers.

All fruit growers of Lane county are requested to meet at the Court House at 1 o'clock p. m. Saturday, Feb 25 for the purpose of effecting a permanent fruit growers association. The committee recently appointed to draft Constitution and By Laws is ready to report.
J G STEVENSON, Secretary.
Five Chinamen baptized.
Portland Telegram Feb 20: The Chinese M E mission is prospering under the superintendant, Rev C E Ulmer. Yesterday five Chinamen were baptized by Rev Dr G W Gue.

Advance Agents

Of Spring are here. New things in the famous

E. & W. Collars and Cuffs

"OMRO" 3 1-2 INCHES HIGH
"SAC"

The new round corner lap collars. Both very dressy shapes.

Watch for more good things in due season. All staple lines complete. Prices always right.

F. E. DUNN.