

TEST CASE IN UPPER COURT

Validity of Oregon License Law Will Not Be Considered in Local Trial.

FRIENDLY SUIT ARRANGED

Oregon and Washington Will Submit Propositions to District Court for Final Decision.

The case of the state of Oregon vs. Alexander Grant will be tried in the justice's court this afternoon. The case had originally been set for trial yesterday, but by mutual consent the trial was deferred until this afternoon. Yesterday the names of jurymen were drawn and Constable Utzinger summoned the jurors.

The case against Mr. Grant, while involving indirectly several important legal points, will not be made a test case of the validity of the fishing laws of this state. Mr. Grant declined this year to pay the Oregon license after having taken out license in the state of Washington, and Fish Warden Van Dusen's office caused his arrest. In this case the state is merely after the license money.

Should the jury find Mr. Grant guilty this afternoon the defendant's attorneys, Smith Bros., will doubtless take an appeal to the circuit court. If, on the other hand, the case goes against the state, it will end with the verdict of "not guilty." Deputy-Prosecuting Attorney Abercrombie will appear for the state. He realizes that it will be difficult to secure a conviction from a jury. However, he says the result of the case will not stand as a precedent, and that, apart from the license money involved, the action will prove of no particular importance.

"The differences between the states of Oregon and Washington will be submitted to the United States district court," said Mr. Abercrombie yesterday. "Attorney-General Blackburn has agreed to arrange for submission of a statement of legal propositions to the district court, and the question of the validity of the Oregon law will be decided there. The suit will be a friendly one, in which the attorneys-general of both states will agree upon the propositions to be submitted to the court."

Under the present law seiners are required to secure fishing licenses from both states. It is contended that the laws of the states in this respect are unconstitutional. The question of the boundary line between Oregon and Washington is also involved. It is probable the legal statement to be agreed upon will include all the points at issue, and when the district court renders a decision the matter will be finally settled.

NEXT WEEK'S PROGRAM.

New Bill at Hedricks Will Be Greatest Show Ever in Astoria.

Manager Hedrick is determined that the standard of the Astoria stage shall be raised. His latest achievement in securing attractions for his popular and progressive playhouse is in the bill to commence on next Monday evening. The list is headed with Sampson and Zaccho.

Sampson, quite naturally, should be

a strong man. This particular Sampson is without question the greatest of muscular marvels now before the world. He is now creating a big sensation at the Lyric in Portland.

One of Sampson's marvellous feats is performed in public. Monday evening he will give an open air exhibition before the theater, withstanding with his hands the strain of two heavy horses pulling their hardest in opposite directions.

Zaccho is no less a wonder than Sampson. Sufficient to indicate her unparalleled strength is the statement that she will with her teeth lift a platform on which stands the heavy electric piano at which is seated the pianist, and will hold the great weight during the playing of an overture.

Another feature, alone more than worth the price of admission, is Ted McKenna and his dog. Ted's dog is without doubt the most accomplished canine in America. He possesses almost a classical education and can do more tricks than a whole box of monkeys.

There will be a free band concert at Hedrick's each evening and a full orchestra will furnish the music. Don't miss the place, and don't miss the show, the best the world affords in vaudeville, corner Twelfth and Duane streets.

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EDITORS VISIT ROSEMOUNT AND HEAR PARKER'S SPEECH

The Democratic Scribes Gather at Candidate's Home, Where Charles W. Knapp Makes Address.

Esopus, Sept. 8.—Judge Parker today received pledges of loyal support from the editors of more than 200 democratic newspapers, representing chiefly the middle west and south. They came on a special train from New York to the Hyde Park crossing, thence on the excursion steamer St. Johns, on which they afterward had luncheon and returned to New York. Speeches were delivered at the edge of the Rosemount veranda.

After the speeches an informal reception was held. Josephine Daniels of Raleigh, N. C., introduced Charles W. Knapp of St. Louis as the spokesman for the editors.

Knapp was followed by Parker, whose speech was listened to with the closest attention by the editors, few of whom had ever heard him speak before.

Editors from various sections of the country brought to the candidate reports of the political situation in their territory.

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CANDIDATE FOR GIBBET

Coroner's Jury Finds George W. Lauth Guilty of Murder in the First Degree.

VICTIM HAD WILD CAREER

Unseemly Conduct Caused Her Husband to Leave Her—Father of Woman Weeps With Murderer.

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The coroner's jury, impaneled to inquire into the cause of death of Mrs. Jones, the victim of the insane jealousy of George W. Lauth, on Tuesday, this morning returned the following verdict:

"We, the jury impaneled to investigate the cause of death in the case of Mrs. Lenora Jones, find that her name was Lenora B. Jones, and that she was aged about 28 years, and that she came to her death at the Good Samaritan hospital, Portland, Ore.

"We find that George W. Lauth purposely and of deliberate and premeditated malice killed said deceased by shooting her with a pistol September 5, 1904, about 9:30 a. m., in Oregon City, Clackamas county, Ore., in a house located on the south side of Fourth street, between Main street and the Southern Pacific railroad, from the effects of which shooting said deceased died September 7, 1904. Dated, September 8, and signed by J. S. Purdon, A. B. Moore, J. A. Tufts, John Younger, W. H. H. Samson, A. M. Frost."

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the annual report of Major General MacArthur, commanding the department of California, is the strong language used in reference to the treatment in San Francisco of the soldiers returning from the Philippines and mustered out there. He says the greatest matter of concern which occupies the attention of the department is to get the soldiers returning from the Philippines into possession of the money due on their final payments and safely out of the city before they can be swindled. The ingenuity of the criminal classes of San Francisco to effect this purpose, he says, and the simplicity and apparent inability of the soldiers to protect themselves are alike amazing. Everything has been done in the premises that is possible in behalf of the soldiers' interests. Quoting from Colonel Markley, the chief paymaster, on this subject, General MacArthur writes:

"The stupidity and imbecility of these 'short term' men coming from the Philippines are almost unbelievable. Young Americans amply able to take care of themselves anywhere, under any circumstances, while in service abroad, seem to take leave of their senses when they arrive on United States soil, and willingly become the prey of the sharks found in every big city. Instances and figures could be given to prove that out of 200 of these men paid off and permitted to go to the city on leaving the boat, with railroad tickets purchased and money orders (payable to themselves at the homes), 50 would turn up next morning robbed of everything, many dangerously injured by blows and drugs. On one occasion, out of 30 men who foolishly stayed over one night, 13 turned up next morning, beaten, robbed of tickets, orders and clothes."

A satisfactory wireless telegraph system has been maintained at Fort Mason and Alcatraz island, the details being very much improved in design by the operators in charge.

General MacArthur, in conclusion, commends the staff officers for efficient service.

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Correct Clothes for Men



HERE are clothes that strike the happy medium—where merit and moderate price meet. In style, fit, fabric, and tailoring they are equal to fine custom-mades; but they cost you no more than ordinary ready-mades. See that this label

Copyright 1903, A. B. & Co.

Alfred Benjamin & Co.
MAKERS NEW YORK

is on your clothes and stop wasting money, time and patience on the other kinds.

Equal to fine custom-made in all but price. The makers' guarantee, and ours, with every garment. We are Exclusive Distributors in this city.

Herman Wise

Notice to Taxpayers.

The county board of equalization will convene at the county clerk's office on September 26, 1904, and continue in session daily thereafter for a period of one week, for the purpose of publicly examining the assessment roll for the year 1904 and correcting all errors in valuation, description or quality of land, lots or other property, and all interests are notified to appear at the above time and place for the purpose of lodging objections, if any there be, to said assessment.

T. S. CORNELIUS,
Assessor of Clatsop County, Oregon.
Dated Astoria, August 29, 1904.

Notice to Water Consumers.

Saturday, September 10, is the last day on which to pay water rates to avoid the penalty charged all delinquents.

Expert Chiropodist.

Mrs. O. O. Fletcher, at Occident hotel, room 7, will remove corns, bunions, warts, moles and ingrowing nails without pain or soreness. Satisfaction guaranteed.

Read the Astorian Wants.

Seattle Policeman is Scored for Alleged Indiscipline.

Seattle, Sept. 8.—Both his limbs paralyzed and suffering intense agony, Charles Anderson, the victim of Detective A. G. Lane's "spectacular" gun play, lies in Wayside Mission hospital. His condition is critical. Lane says he shot Anderson because he thought he was a burglar, while Anderson was merely ill and had crawled into an alley. Lane, in plain clothes, called to him to throw up his hands. Anderson did not understand the command, and Lane fired into his back, striking it at a point near the region of the base of the spine.

Indignation is strong against the officer. In his efforts to prove that Anderson is a burglar Lane yesterday searched the wounded man's room, and claims to have found a dark lantern, a mask and other burglar tools. Twenty-four hours before the same room was searched by three newspaper men, who found nothing of the kind. At police headquarters it is openly stated that some one placed the burglar articles in the room that the detective might find them to make his defense stronger.

Lane has been involved in two other shooting affrays and one alleged brutal assault in which he is now the defendant in a suit for false imprisonment.

BATTLE WITH HORSE THIEVES.

Sheriff of Malheur County Wounded During Encounter.

Wallace, Idaho, Sept. 8.—A report was received here today from Thompson Falls, Montana, that Sheriff Lawrence of Malheur county, Oregon, and Hess and Chester, the two horse thieves who escaped from the Malheur county jail August 7, met Tuesday night at a store on the Flathead river, Montana, and exchanged shots. According to the report, the sheriff sustained a scalp wound at the first shot. He returned the fire and one of the outlaws fell, shot through the shoulder.

During the excitement and darkness both horse thieves escaped. Sheriff Lawrence has been on the trail of the robbers 10 days, following them through the Coeur d'Alenes over into Montana. They are supposed to be headed for the Flathead reservation.

LIBERTY TO BE CLEANED.

New York, Sept. 8.—The statue of liberty, erected on Bedloe's island in 1886, is to be repaired. It has begun to show the effects of the weather which detracted much from its appearance. The war department, which now has control of the island, will have the statue thoroughly cleaned, the bronze tablets repaired, the masonry renovated and an electric passenger elevator installed to replace the wooden stairway running to the observation tower.

Miscellaneous Wants