

SALEM MAN TAKES CARBOLIC ACID

Swallows Deadly Poison and Tells His Wife but Physician's Efforts Are Unavailing.

INJUNCTION DISSOLVED BY JUDGE GALLOWAY

Defeated Democratic Candidate for City Marshal to Contest for Office.

(Special Dispatch to The Journal.)
Salem, Or., Dec. 7.—Charles McIlwain, aged 25 years, committed suicide in this city yesterday afternoon by taking a dose of carbolic acid. He took the deadly poison and told his wife, adding that she would be bothered with him but a little while longer. Mrs. McIlwain immediately gave the alarm and a physician was called, but upon his arrival it was found impossible to do anything to save the young man, the dose having been too great and the intoxication too immediate. He died about one hour after taking the acid.

A few months ago McIlwain married Leona Cameron of this city. Brooding over family as well as financial troubles, he is supposed to have caused McIlwain to become despondent, and that he was temporarily insane when he committed the deed.

Dissolves Injunction.
Judge William Galloway of department No. 3 of the state circuit court for Marion county handed down a decision yesterday afternoon in the case of J. E. Murphy against the assessor, county clerk and sheriff of this county for an injunction against the assessor levying taxes on his property for the city of Salem, and attacking the constitutionality and legality of the amended charter of the city of Salem, deciding the case in favor of the city and dissolving the injunction.

Says Will Contest.
J. L. Skilton, the defeated Democratic candidate for city marshal in the municipal election held in this city Monday, has served notice upon the city council that he will contest the election of T. E. Cornelius, the successful Republican candidate. The election will be contested upon the grounds that Cornelius had not been a resident of Salem for three years prior to the date of his election as required by the city charter, and that the election so far as the second ward is concerned was irregular on account of the fact that many voters were declared disqualified by the judges who had not paid the required \$5 road tax.

Charged with Larceny.
John Kortes, an aged man, was brought to the Marion county jail yesterday, he having been bound over to the circuit court by City Recorder P. W. Mess of Mount Angel on the charge of larceny from a dwelling, and is held without bonds. The prisoner was brought to Salem by City Marshal Joseph Zollner.

In addition to a revolver and many skeleton keys, a complete set of burglar tools was also found in his possession, which leads the officers to believe he is an old-time crook, and Sheriff W. J. Culver will make an effort to establish the identity of the prisoner. Kortes is about 61 years of age, and is an entire stranger in this county.

INVESTIGATION OF TAXPAYERS PLAINTS

An investigation of the improvement of Union avenue between Belmont and Madison streets was commenced by the grand jury this morning on evidence furnished by Thomas Haislop, one of the property-owners. John Shergen, 225 Grand avenue, and Surveyor R. S. Greenleaf were witnesses before the grand jury today. Mr. Shergen and Mr. Haislop are the property-owners who made complaint to the grand jury. Mr. Greenleaf surveyed the fill in the street and the excavation from which the dirt was taken, showing that 2,516 yards had been paid for when but 824 yards had been put in. The contract price was 45 cents per yard, sublet at 20 cents a yard.

Further investigation of the Tanner creek sewer scandal was also made by the grand jury today. John M. A. Laue, a member of Mayor Williams' inspecting committee, is still serving in that capacity, and will probably be absent from the grand jury room for another day.

WILL SOON BEGIN PORTAGE ROAD WORK

Arrangements for consummation of the portage road project are now practically completed with the exception of the filing of an approved bond of \$50,000 by the contractors, McCabe Bros., of The Dalles.

They are expected to appear with their bond this afternoon or tomorrow. The bond will be forwarded at once with the contract, to the state portage board at Salem, for its final approval. Under the terms of the contract McCabe Bros. agree to build and equip the portage road for \$151,000, the amount of the state's balance in the fund appropriated for that purpose. The amount required above that sum will be taken care of by a separate contract between the contractors and the executive committee of the Open River association.

BUFFETED FOR DAYS BY STORM

Crew of Schooner Bella Tell Tale of Harrowing Experiences at Sea.

WIFE BEATER FINED AND REMANDED TO JAIL

Sewing Machine Man Is Fined for Assaulting One of His Tenants.

(Special Dispatch to The Journal.)
Eugene, Or., Dec. 7.—The crew of the schooner Bella, which was 45 days on the trip from San Francisco to Florence, tell a story of hardship. For days the vessel beat about outside the Blus-law bar trying to enter the river, but was driven away by the storm time and again. The men were kept constantly at the pumps for two weeks or more, the vessel having sprung a leak. Often the men fell from sheer exhaustion, and it was with difficulty that the officers kept them at the pumps to prevent the vessel from sinking. To add to the terror of the situation the provisions became scarce, and the men declare that for many days they had nothing but beans to eat. The crew will return at once to San Francisco, while the vessel will remain at Florence and be repaired by its owners, William Kyle & Sons. The cargo was badly damaged.

Wife Beater Fined.
Walter Edger, who was arrested Sunday morning for beating his wife, was fined \$20 and costs in the justice court yesterday. Having no money, he will serve a term in jail.

Valuable Farm Sold.
The old Whitney farm of 330 acres, immediately south of Eugene, and one of the best places in the county, has just been sold by Fred Justison and M. Hanson to Robert Holzgang and Max Hauth of California for \$10,000.

IS FREE FROM ALL FEAR OF CARNEGIE

(Continued from Page One.)

Instance of Receiver Lossner, appointed by the federal bankruptcy court to take charge of the affairs of Mrs. Chadwick. Deputy United States Marshal Fanning last night served papers at the home of Banker I. Reynolds attaching the securities which he claims he holds for Mrs. Chadwick.

Reynolds is in New York, and it was claimed in the petition that he had threatened to transfer the assets to certain creditors of Mrs. Chadwick.

OTHERS TO ANSWER

(Journal Special Service.)
Elyria, Ohio, Dec. 7.—Prosecutor Stroup said this morning that it was not unlikely that the grand jury would return an indictment against the New York attorney who had attested to the genuineness of the signature on the Carnegie note. A subpoena has been issued for President Beckwith, Cashier Spear and six directors of the Oberlin bank.

GOVERNMENT IN RETREAT

Washington, Dec. 7.—At the conclusion of the conference between Attorney Odham and Comptroller Ridgely in regard to the Chadwick case this morning, neither would say anything. District Attorney Burnett, of New York, came here last night to consult the department of justice regarding the case.

FIVE TEAMS PROTEST IN BICYCLE RACE

(Journal Special Service.)

New York, Dec. 7.—When Johann Stoel, the Holland rider, who is the team mate of Arthur Vanderstuyt, of Belgium, gained a lap on the leaders early this morning, after relieving his partner, five teams left the track, protesting his gain. The withdrawal of these teams leaves only 13 remaining in the international six-day race.

At 1 o'clock the 13 teams then in the lead had covered 900 miles, which is 85 miles and three laps behind the record made by Elkes and McFarland in 1900. Floyd Krebs, of the team of Krebs and Folger, was the only rider to suffer a spill, which accident was caused by the loosening of one of his tires.

At 8 o'clock this morning the teams of Vanderstuyt and Stoel and Root and Dorlon, of Sheephead Bay, L. I., were tied for the lead with 1,025 miles and five laps, the other contestants being one lap behind.

CHOCOSAS HARD DEATH

(Journal Special Service.)
Santa Rosa, Cal., Dec. 7.—A. B. Higgins, a retired rancher, committed suicide this morning by throwing himself under an engine at the California Northwestern depot. His despondency was caused by financial troubles.

Now Is the Time to Select Your Piano

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\$450 PIANOS NOW \$386
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\$300 PIANOS NOW \$238

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LOWEST PRICES

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JAPANESE SEIZE AKASAKA HILL

(Continued from Page One.)

The Japanese, victorious, swarmed over the hills and occupied them with reserve troops.

The commander of the Japanese naval guns at Port Arthur reports the Russian turret ship Poltava sunk, and that the battleship Retvizan has been hit so often that she is now listing heavily to port and is apparently out of action. He adds that 75 shots took effect on the two vessels.

General Assault Looked For.

There is an air of great expectancy and work here at the war office, which, coupled with other indications, are taken to mean that the date has been set for a general assault on the stronghold and that it will be of such overpowering character that Stossel's men will either be completely destroyed or compelled to surrender. In view of the fact that the fighting in the last few days, it is believed the Russians will choose death to surrender, and that the downfall of the fort will be accomplished only by the annihilation of its garrison.

Sailors Fight Ashore.

It is no longer believed that a rally will be made by the Russian ships or that any attempt will be made in this direction. This surmise comes from the fact that sailors are now almost as common among those killed on the field as soldiers, showing that the men from the vessels are believed to be better sacrificed in land work than in what would certainly be a losing fight by sea.

It is doubted if any of the Russian vessels is capable of fighting. All certainly are short of ammunition, as every reply of the garrison at Port Arthur indicates the use of inferior powder, and even this is husbanded for the repulsion of assaults only. It is inconceivable that this condition would exist while sufficient stores were still retained on the ships which are now lying in the harbor, useful only as targets for Japanese gunners.

MAY PRESAGE BATTLE.

Japanese Are Thought to Be Planning Offensive at Mukden.

(Journal Special Service.)

Mukden, Dec. 7.—A tremendous bombardment of Poutiff hill took place from 6 o'clock yesterday morning until 1 o'clock in the afternoon. It is thought the bombardment is but the beginning of a Japanese offensive movement. Such a movement on their part would be welcomed by Kuropatkin, as he is now believed to have not only a superior force, but the better position. His troop assignments would undoubtedly make a defensive battle advantageous.

ECONOMY ON COAL.

(Journal Special Service.)
Tangier, Dec. 7.—The Russian transport Danieper, of the Baltic fleet, sailed for the far east today, having in tow two destroyers. This was done in order to save coal.

SQUADRON IS READY.

(Journal Special Service.)
Island of Formosa, Dec. 7.—It is reported that the Russian squadron, commanded by Admiral Voeikow, will leave Jibuti tomorrow, having coaled and provisioned.

HUMANITARIAN AT MALAGA.

(Journal Special Service.)
Malaga, Spain, Dec. 7.—The Russian cruiser Isuramad arrived here today.

VALUABLE GEMSTONES STOLEN.

(Journal Special Service.)
Detroit, Dec. 7.—The Detroit Museum of Art was broken into last night and robbed of precious relics, mostly gold and silver, valued at \$20,000. A gold watch, once the property of Winfield Scott, was among the booty taken.

SENTENCE DEFERRED IN LAND FRAUD CASE

(Continued from Page One.)

self and his co-defendant. During the weary hours of the morning and early afternoon Emma Watson sat in the marshal's office waiting for the hoped for release. Marie Ware came in and spent most of the morning with her. Up to 2 o'clock Puter had still been unsuccessful.

Tarpley was not required to give additional security for his appearance for sentence, as he is already under bond for \$4,000. Walgamot's bond also continues in force and was deemed sufficient to hold him until sentence. The exaction of bonds in the case of McKinley, Puter and Emma Watson was due to the fact that no security had previously been required of them under the particular indictment on which they were convicted, although they had all given bonds for the coming trial.

The conspiracy charged against the defendants in the case to be tried next week is similar to that for which they have just been tried. They are accused of conspiring to defraud the government of public lands by forging homestead applications, affidavits and proofs. It is charged that in the first case they prepared papers in the names of fictitious persons; thereby securing patents to six quarter sections of land in township 24, south, range 1 east. The homestead applications were filed in April, May, June and July of 1901.

Marie Ware Accused.

Thereafter certain of the claims were sold to Clyde D. Lloyd and to Edwin Hobson. Marie Ware is accused of having executed many of the forged signatures and McKinley others. As United States commissioner, Marie Ware certified to the acknowledgment of some of the instruments, while Puter and McKinley were both notaries public, certified to others of the deeds.

Emma Watson is alleged by the indictment to have figured as the medium for conveying the lands to innocent purchasers. As published in The Journal, both Senator Mitchell and Congressman Hermann have been subpoenaed to appear as witnesses in this case. From them it is hoped to learn the full particulars of the negotiations carried on at Washington by Puter and Emma Watson, and which resulted in issuing patents upon the fraudulent homestead claims. Their testimony may also reveal the identity of the "prominent attorney" who first introduced Puter to Senator Mitchell.

To Reconvene Grand Jury.

It is the intention of the government to reconvene the federal grand jury before the expiration of the present term of court, probably some time in January, and to submit evidence against a number of persons who are believed to have been deeply involved in the land frauds. Plain intimations were given by Mr. Henry in his address to the jury yesterday that steps will be taken against C. E. Loomis, S. B. Ormsby and George Sorenson, and rumor also involves others even more prominent.

The convictions obtained yesterday, following so closely upon the conviction of the former surveyor-general, Henry Meldrum, are regarded as a signal triumph for the government. Both cases were remarkable for the thoroughness with which the government's evidence was prepared, as well as for the masterly conduct of the trial. Both Mr. Henry and Mr. Hall have been the recipients of many congratulations.

Henry's Brilliant Work.

Mr. Henry was first called to the attention of Attorney General Knox by whom he was appointed to conduct the land fraud prosecution, in the Alaska United States circuit court of appeals at San Francisco. In that case Mr. Henry represented Judge Noyes, who was convicted, fined and then removed from office by the president upon the recommendation of the attorney general. Mr. Henry had never been in Alaska and was not acquainted with Judge Noyes until two days before the trial commenced in San Francisco, but the high reputation which he had earned at the bar led to his selection by the accused. Subsequently Mr. Henry argued the Noyes matter before Attorney General Knox and the force and ability with which he presented his case won the admiration of the attorney general and led to his retention to prosecute the land fraud cases.

Mitchcock's Congratulations.

Colonel Greene, who has been engaged for the past two years in unearthing the Oregon land frauds and in gathering evidence to be used in the government's prosecutions, received the following telegram this afternoon from Secretary of the Interior Hitchcock:

Washington, D. C., Dec. 7.—A. R. Greene, Special Inspector, Portland, Or.

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