

WIFE MURDERER CAN NOT ESCAPE ROPE

JOHN D. ROSELAIR OF HILLSBORO MUST HANG

Supreme Court Affirms Decision of Lower Court—Finds Murder Was Premeditated—Baker County Murderer Must Go to Pen For Life—Other Supreme Court Decisions.

Salem, Ore., July 12.—The judgment of the lower court of Washington county, in which John D. Roselair was convicted and sentenced to hang for the murder of his wife at a lonely cabin near Hillsboro, was affirmed in an opinion handed down by the Supreme Court yesterday. Roselair's own confession of the crime proved fatal to him, he having admitted that he cut his wife to pieces with a large butcher knife in a fit of anger because his victim threw a pan of milk in his face, but contended in his confession that the killing was done in self-defense. The Supreme Court took particular notice of the plea of self-defense, but finds that the plea was taken into consideration that part of the murderer's confession stating that "after I had discovered the seriousness of my act, I finished the killing of my wife to put her out of misery," is sufficient cause for a verdict of murder in the first degree, it being a forethought and absolutely premeditated.

The defendant's counsel objected to the introduction of the confession on the ground that it was made while Roselair's mind was in a deranged condition, and objection was also interposed to testimony of expert insanity physicians, who swore that the murderer was sound of mind when writing the confession. Chief Justice Moore writes the opinion, and holds that if Roselair's mind was unfirm at the time he committed the crime, the state was entitled to employ expert witnesses to ascertain the condition of the brain afterward, and in the opinion of the court the defendant's confession is admissible as evidence, providing it was not extorted by threats or induced by promise of immunity which methods are not shown to have been adopted in this case.

Roselair will be returned to Hillsboro, Washington county, immediately after the mandate is returned, and sentenced.

An affirming opinion was handed down in the case of State vs. D. R. Trapp, appellant from Baker county. The defendant in this case was indicted for murder in the first degree, for shooting and killing Chris Jaspersen in a saloon in Huntington on July 27, 1908. He was found guilty of murder in the second degree, and sentenced to life imprisonment, from which judgment he appealed. Justice Eakin writes the opinion in brief form, there being no substantial defense prepared by Trapp's counsel, other than that the defendant was

intoxicated at the time he killed Jaspersen and that the trial court erred in omitting to take into consideration two affidavits signed by bystanders witnessing the shooting. The court holds that murder committed by a person while under the influence of liquor is inexcusable, and while the affidavits would possibly tend to substantiate Trapp's cause for a new trial, counsel failed to file them within the given time of 10 days after the jury's verdict had been returned.

James McAvoy will be compelled to abide by the judgment of the lower court of Grant county, sentencing him to serve three years in the penitentiary for assault with a dangerous weapon, the Supreme Court finding the action in order today. McAvoy was put off a freight train on which he was stealing a ride in Grant county, and resented the action of the brakeman, drew a revolver, and fired three shots, with no injurious effect. The only question presented to the Supreme Court was whether the trial court erred in failing to instruct the jury that "the fact the defendant did not take the stand to testify in his own behalf should not be used as circumstances against him." The objection is not found in the bill of exceptions nor was it brought before the attention of the trial judge, therefore it cannot be considered, as decided by Justice Eakin.

Other opinion were handed down as follows: Anna Oliver, appellant, vs. Fred Synhorst, respondent; affirmed by Justice McBride. This is an action brought in La Grande to prevent the respondent, who is street superintendent of that city, from tearing down certain fences belonging to the appellant to make way for a street.

J. W. Robinson et al., respondents, vs. Ed Holmes, appellant, appealed from Crook county; reversed by Chief Justice Moore. The suit was brought to recover money.

A petition for rehearing in the case of Sam Carnes et al., appellants, vs. James Dalton, respondent, was denied in an opinion written by Justice King. The appellants in this case are water users in Baker county, and bring action to compel the respondent to desist from acquiring more than his portion of irrigation.

"Aero-Car-Boat" Flies.
Berlin.—In the gray dawn of a morning Berlin was traversed by one of the queerest vehicles ever built—an aeroplane convertible at will into a motor car or a motor boat. Its journey was made as an automobile, and it was driven by the inventor, Herr Fritz Grawert.

The machine, which is intended to serve as an engine of offense in war, has behaved more successfully on terra firma than it has done so far in the air. It was taken to the military airship station at Tegal, where it is to exhibit its versatile accomplishments for the benefit of the army authorities. Major Gross, commander of the aerial fleet, said today that he was favorably impressed with the Grawert's possibilities.

Daily East Oregonian by carrier, only 15 cents per week.

CONSUMPTION STARED BUSINESS MAN IN THE FACE

A local case of consumption, that most dreadful of all diseases, is the latest to flee before the advance of the world-famous scientists, Fer-Don's European Medical Experts, now located at 637 Main St., Pendleton, Oregon.

This is a case of which the doctors who accomplished the cure, as well as Fer-Don himself, are justly proud, while the words—almost fall to express the happiness and gratitude of the patient, Mr. C. Steinhauer, a prominent man of McCloud, Siskiyou county, California, now stopping at 502 1-2 K street, Sacramento. The terrible destroying effects of the tubercular germ are mighty powerful, and unless the advance of this germ is checked, a life is soon wasted. There are cases of tuberculosis that cannot be cured, and then again there are many that can, if the proper treatment (advice, medicine, care, etc.) is given. Mr. Steinhauer being in the last named class and being fortunate (or wise) enough to go direct to the fountain of health as soon as possible after the first symptoms appeared, as a result is today sound, happy and healthy, instead of lying cold and still in a silent tomb. Our graveyards and cemeteries are filled with persons who, had they like Mr. Steinhauer, been fortunate enough to have secured the services of such learned doctors as Fer-Don's European Medical Experts would today be perfectly well and enjoying every minute of their life on this mundane sphere. These physicians can positively cure consumption in its first and second stages, but no medical power on earth can accomplish a cure in the third or last stage. The physician who tells you he can cure you if in the last stage of consumption is what the world terms a faker. Fer-Don's specialists do not under any condition accept cases in the last stages, consequently they know just what they have to accomplish when a tuberculosis case is taken. Here is what Mr. Steinhauer says:

Tells of White Plague.
"Consumption certainly had me in its grasp. I felt myself gradually growing weaker and weaker and the cough, weak lungs, and all other symptoms indicated consumption in the first stage. Death was staring me in the face and I knew that unless something was done, that I would soon succumb to the dreadful white plague. I always have a horror of this one disease over all others, and when one of the various doctors who had been treating me with no avail intimated that I had consumption in the first or primary stage, instead of worrying and making myself sicker or trying to myself and friends, to think something else was the matter

with me; my wife and I had a real earnest heart-to-heart talk. She had been reading in the newspapers of the many cures of various diseases made by Fer-Don's medical experts in Sacramento, Oakland, Medford, Roseburg, Eugene and Redding, and finally said: "I am going to take you to Fer-Don's, and have you thoroughly examined." I said, "All Right," so we came down and after an examination I was satisfied with the diagnosis, and decided to undergo their course of treatment. This was December 12, 1909. I have been under their care less than three weeks and my cough is cured, my pains are all gone, and I have gained NINE POUNDS! I am feeling so well and strong that it is hardly possible to believe that such a marked change could be made in my condition in so short a time. I am firmly convinced that they saved my life, and I feel as if I could not thank them enough."

What His Wife Says.
"Oh, you don't know how happy I am that I persuaded my husband to come and see you, for had he not done so, I fear I should soon have been left alone, as Mr. Steinhauer was so awful weak. He suffered dreadfully with pain between the shoulder blades and lungs and was perfectly miserable. Some of my friends almost persuaded us not to visit you, as they said they thought we could do better with our home doctors. I told them we had tried local physicians in vain. I don't know why anybody in the world should be prejudiced against the work done by Fer-Don's European Experts, as they certainly are doing a wonderful work for suffering humanity in Salem and surrounding towns; in fact, there isn't a town in the entire state that does not know of Fer-Don's European Medical Experts. These European Medical Experts are now in Salem. Many are taking advantage and are seeing and consulting these wonderful men."

The Medical Experts have some great testimonials from people who have been treated and are very nearly cured and will be about next week.

No Mail Appointments.
Fer-Don made a statement that no appointments will be made to see his experts by mail, as all must call in person. Those living a distance should call at once if they wish to be examined, as the crowds are large and there will be only a limited number of patients treated this month by these medical experts. Their offices are at 637 Main St., above French Restaurant, Pendleton, Oregon, and the hours are 10 to 12 mornings, 2 to 4 afternoons. Open evenings from 7 to 8 o'clock. Sundays, 10 to 12 noon. One dollar is charged for examination.

BURGLARS ENTER STORE AT ATHENA

MOSGROVE MERCANTILE CO. LOSSES BY LOOTERS

Make Entrance Through Back End of Building and Appropriate Clothing for Their Use—Mischcreants Believed to be Transient Laborers.

(Special Correspondence.)
Athena, Ore., July 12.—The general merchandise store under the name of the Mosgrove Mercantile company of this city was the field of a looting gang last night as it was broken into and several things stolen. When the clerks of the store opened it this morning they found the back door of the dry goods department broken open and upon searching over the store several articles were missing. The looters made away with two blue serge coats valued at ten dollars apiece, and two good suitcases. They then went into the grocery department and after drinking a bottle of grape juice and helping themselves to the tobacco made their escape. No clue has been found as to the identity of the night raiders, but it is thought that it is the work of some of the idle laborers that are camping on the creek near town. By all appearances the raiders became alarmed and cleared out before they had quite finished their night's work, or probably the loss would have been greater. A strong effort is being made by Marshal Gholsen to discover the whereabouts of the burglars and it is thought that their identity will be found out within a few days, although Mr. Kholson has made no statement to that effect.

An Invitation to Women.
The Lydia E. Pinkham Medicine company of Lynn, Mass., cordially invite any woman interested to call at their laboratory at Lynn, Mass., and see for herself the care which is taken with the vast correspondence of this received from the women of this country. No letter or testimonial has ever been made public without the written wish or consent of the writer. No confidence has ever been violated, and never in their history have they sold or disposed of any of their letters from women. It is for these reasons that thousands of suffering American women every year feel free to write Mrs. Pinkham for her valuable advice, which is always given free of charge.

FEATHER DEALERS TRY SMUGGLING PLUMES
London.—Startling figures regarding the slaughter of birds for the Paris and London millinery markets have been given to the Selborne society by James Buckland. "Bird life," said Mr. Buckland, "is being reduced at an alarming rate by the traffic in feathers and the killing in the breeding season, when feathers have full luster, smoothness and elasticity."
"During 1898, 1,538,733 egrets were killed in Venezuela for their plumes, and in 1908 the number had fallen to 257,916—the effect of ten years' slaughter. The same thing is happening in every country where the white heron is found."

Napoleon's Grit
was of the unconquerable, never say die kind, the kind that you need most when you have a bad cold, cough or lung disease. Suppose troches, cough syringes, cod liver oil or doctors have all failed, don't lose heart or hope. Take Dr. King's New Discovery. Satisfaction is guaranteed when used for any throat or lung trouble. It has saved thousands of hopeless sufferers. It masters stubborn colds, obstinate coughs, hemorrhages, la grippe, croup, asthma, hay fever and whooping cough and is the most safe and certain remedy for all bronchial affections. 50c and \$1. Trial bottle free at Tallman & Co.

CARNEGIE'S COAT-OF-ARMS.
Weaver's Shuttle. Crossed by a Shoemaker's Knife.
Edinburgh.—A finely finished drawing, representative of both the weavers' and shoemakers' crafts, in which is introduced the shuttle and the knife—the weaver's coat or arms—has just been placed in a position of honor in Skibo castle.
On the occasion of the drive last summer which is annually provided by Mr. Carnegie to the old folks of his native town who have been connected with hand-loom weaving, the Laird of Skibo wrote recalling the fact that his ancestors on his father's side were weavers, and on his mother's side were shoemakers, and that his emblems of nobility would naturally be a weaver's shuttle crossed by a shoemaker's knife. "Some of the old weavers," Mr. Carnegie added, "may think over a proper motto."

Weigh Yourself Before Using.
Weigh yourself before commencing to use Samose, the great flesh forming food. The wonderful sale on this preparation since first introduced in Pendleton and the remarkable results following its use have made Koepkens enthusiastic believers in the great value of Samose. They have given their personal guarantee to refund the money if Samose will not make this people fat and restore strength and health to those who use it.
This is a strong guarantee, but Koepkens has seen so many of their customers who a few weeks ago looked like walking skeletons become plump and well solely through the use of Samose that they feel they cannot say too much to induce people to try it.
This marvelous flesh-forming food is assimilated as soon as it is taken into the stomach, makes good rich blood, tones up the weakened system, helps to assimilate the food and makes the user plump, well and rosy.

WIPE OUT PIRATE BAND.

Contabulary Captures Eleven Moros; Leader Is Killed.

Victoria, B. C.—From Manila the steamer Bellophon brought news of the capture and wiping out of the Moro pirates who recently killed three Dutch traders and looted a trading town in the Toll Toll Celebes group. Harji Alsad, the leader, was killed by his own people on the Island of Manucanua, where he had taken refuge when Governor Reed and a party of the Philippine constabulary went in pursuit of the pirates. Governor Reed captured eleven members of the band and he authorized the headmen of Toll Toll to capture or kill the leader of the band. The headmen took the field and four days later came back with the head of the pirate chief and claimed his reward.

The Hot Weather Test makes people better acquainted with their resources of strength and endurance. Many find they need Hood's Sarsaparilla which invigorates the blood, promotes refreshing sleep and overcomes that tired feeling.

PREACHER TELLS WHY JEFFRIES LOST FIGHT

Minneapolis, Minn.—The Rev. G. L. Morrell, pastor of the Peoples church of this city, electrified his congregation Sunday morning by preaching on the sermon topic of why Jeffries lost, treating his novel theme from the standpoint of a sporting writer.

"There are five reasons why Jim Jeffries lost the fight to Johnson," said the pastor. "He is too old and he has been out of the game too long. He lived a life of luxury during his period of non-fighting and that did not help him."

"Then again, he was surrounded by a bunch of fool trainers who did not give him the proper advice, and spent more time massaging him than in giving him the right kind of training for a fight."

"Another reason is Jeffries' race hatred. He was so anxious to win from the black man, and hated him so vigorously that he could not do himself justice for fear that he would lose."

Mr. Morrell declared flatly that he was in favor of pugilism. He said he believed in it as a manly sport, tending to bring out many of the best things in human beings. "I wish that I could see the fight pictures," he said. "I could not see the fight, but I do not think it is right for any governor or mayor to seek to stop the presentation of the pictures."

The Rev. Mr. Morrell visited with both Jeffries and Johnson when they were here on theatrical tours before the fight. He wanted Jeffries to win. During the progress of his sermon his congregation so far forgot churchly customs as to applaud the pastor.

A Frightful Wreck of train, automobile or buggy may cause cuts, bruises, abrasions, sprains or wounds that demand Bucklen's Arnica Salve—earth's greatest healer. Quick relief and prompt cure results. For burns, boils, sores of all kinds, eczema, chapped hands and lips, sore eyes or corns, it's supreme. Surest pile cure. 25c at Tallman & Co.

FEMALE JURY FINED HER.

Woman Defendant Got Harsh Treatment from Her Sex.

North Yakima.—The claim for the first woman's jury, variously made by Idaho and Colorado counties, belongs to Sheridan county, Wyoming, according to Mrs. W. D. Wrighter of this city, who says she was summoned for a women's jury there 17 years ago. The case arose over a woman who slapped a little boy who threw stones at her child. The judge in the case was M. L. Blake, now at Washington, D. C. and the attorney for the defense was E. E. Lonabough, recently prominent in the Wyoming mining cases.

Mr. Lonabough thought that by calling a jury of her peers and sex his client would have an easy chance to get off, but he reckoned without his host, for the female jury fined the slapping woman. It seems that on the stand she made the mistake of asserting that she would repeat the chastisement under similar provocation, which was taken for defiance. Mrs. Wrighter was assistant postmistress at the time, and therefore not eligible to serve. There are a number of Wyoming people in this part of the state who distinctly remember the case.

Mrs. Wrighter has lived here two years and is a member of several social organizations and women's clubs.

State of Ohio, City of Toledo, Lucas County, ss.
Frank J. Cheney makes oath that he is senior partner of the firm of F. J. Cheney & Co., doing business in the City of Toledo, County and State aforesaid, and that said firm will pay the sum of ONE HUNDRED DOLLARS for each and every case of Catarrh that cannot be cured by the use of Hall's Catarrh Cure.

FRANK J. CHENEY.
Sworn to before me and subscribed in my presence, this 6th day of December, A. D. 1886.
A. W. GLEASON,
Notary Public.

Hall's Catarrh Cure is taken internally and acts directly on the blood and mucous surfaces of the system. Send for testimonials free.

F. J. CHENEY & CO., Toledo, O., Sold by all Druggists, 75c.
Take Hall's Family Pills for constipation.

Smugglers Pass Lines.
Berlin.—Smugglers with diamonds worth \$400,000 from the Southwest African fields have succeeded in evading the Colonial officials at Luderitz Bay and escaped for Europe. It is believed they are aboard a German liner. The government, which is entitled to 33 1-3 per cent of the value of the jewels, is watching all vessels which arrive. The revenue officers assert that diamonds worth many millions have been smuggled out in recent years. The smugglers have not been detected, but are supposed to be women who conceal the stones in their clothing.

Men's oxfords cheap at A. Eklund's.

UNION OF HARVEST HANDS IS BROKEN

WALLA WALLA FARMERS REFUSE TO HIRE MEMBERS

Discriminate Against Wearers of Red Ribbons—Police Assist in Stopping Movement—Plenty of Labor—Wheat Market Is Slow.

Walla Walla, Wash.—Harvest is going right along, and the threatened combine of the Industrial Workers of the World, which had the police and farmers guessing for awhile last week, has dissipated, and nothing but its memory can be found. There are few red ribbons in evidence on the streets today, and few men are talking Industrial Workers of the World principles, even in the "jungles" outside the city limits.

Two causes contributed to this. The first was the prompt and firm action taken by the police. At the first sign of street speaking and disturbances, the troublesome men were arrested and given fines. This not filling the bill, the next man was given a 25-day jail sentence. And the backbone was broken. The Industrial Workers of the World learned its lesson in Spokane, and the officers here were equally determined, and show it from the start.

Shy at Red Ribbon.
The farmers too, soon found a remedy. A red ribbon was a sign of scarlet fever quarantine, and the man wearing it on the street was not asked if he wanted work. If he approached a farmer who was getting together his crew, he was told there was nothing doing for the "I won't work" bunch. This boycott soon had its effect, and the red ribbon disappeared by magic from the coats and shirts of the men who really wanted to work. Those who did not still wear them, and they are about the only ones who do.

There is little trouble in securing men to fill the harvest crews, and the farmers say they can pick the best of it. This makes them independent.

Men's oxfords cheap at A. Eklund's.

and the Industrial Workers of the World men in this manner failed of accomplishing what they otherwise might have done, had the help for harvest been scarce.

Wheat Market Is Slow.
Little is doing in the wheat markets of Walla Walla these days, and, although the price has advanced a shade, farmers are generally unwilling to let go their holdings, and are selling just enough to tide them over the harvest season. Club this morning was quoted at 72 cents on the opening of the market, and remained firm all day, advancing just a trifle towards the close. Bluestem is about 3 to 4 cents in advance of this, the buyers setting the price according to the needs of the mills they represent.

Much indignation is said to be harbored in the breasts of the grain growers who are on the line of the Oregon Railway and Navigation company, and cannot sell to Tacoma and Seattle shippers. It is claimed that in no case do the Portland buyers pay as much as the Sound dealers, and that the prices are usually anywhere from 2 to 5 cents under the quotations offered by Seattle and Tacoma.

Grain Goes to the Sound.
Most of the grain in the valley has gone to the Sound this year, despite the fact that it has to be hauled over a mountain, whereas the Portland dealers have a water grade all the way down. In some cases, however, the Oregon Railway & Navigation company controls the shipping field, and consequently the Portland buyers have a monopoly. In such cases, the farmers affected claim they lose several cents on every bushel of grain sold.

Knocks Down His Lawyer.

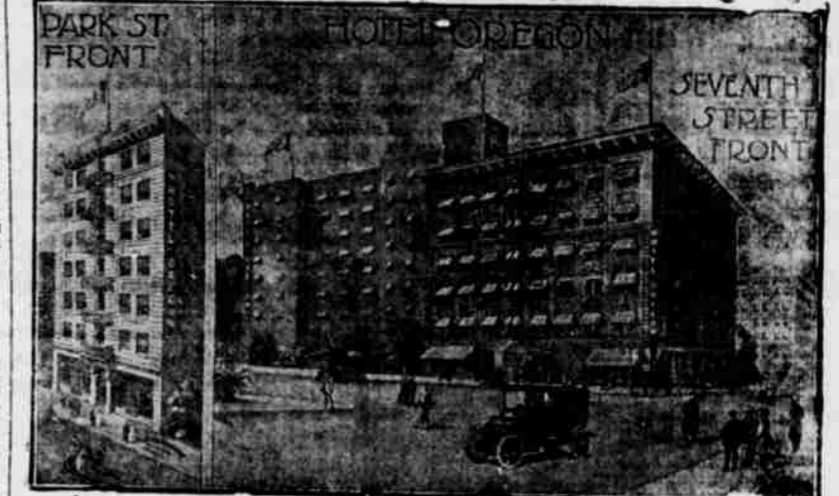
Paris.—The lawyer of a man named Tamborino, who was being tried for theft in the Paris courts pleaded that Tamborino was not quite accountable for his actions.

This defense made the prisoner so angry that he leaped over the dock and knocked his lawyer flat on the floor of the court.

"There," exclaimed the lawyer, "did I not tell you my client is irresponsible?"

And the prisoner was acquitted.

Men's oxfords cheap at A. Eklund's.



Hq., Oregon, located corner of Seventh and Stark Streets, extending through the block to Park Street, Portland, Oregon. Our new Park Street Annex is absolutely fireproof.

Rates \$1 per Day and Up. European

LET AN ELECTRIC MOTOR DO YOUR WORK

Steadiest, cheapest and most reliable power for small or heavy work. Less danger and easier to operate—you turn a lever and it does the work.

The Housewife's work will be lessened when Electricity and Gas come into the home.

COOK WITH GAS

Make the work easier for her and save on your fuel as well. No dirt, dust and excessive heat. No fuel to handle and fires to kindle—and it costs less.

For her sake, put gas in your home before the hot weather arrives.

COLUMBIA LIGHT & POWER COMPANY

Successors to N. W. Gas and Electric Co. Matlock Building. Phone Main 40.

Drugs

Just Arrived

Quality Toilet Soap, fine floral odors, 16c cake, 3 for 25c. Look at our window.

SPECIAL—Duroy's Claret Soda, 5 cents. Delicious and refreshing.

F. J. DONALDSON,
Reliable Dispensing.