

DUDLEY NEWELL'S BODY FOUND BELOW TOWN

The body of Dudley Newell, the University of Oregon student who drowned in the Willamette while rafting the rapids at Judkins' Point, was found by a man named McDonald near the Walker Young dam two miles below the city late yesterday afternoon. The body was lying in shallow water, it having been washed to the shore by the high water.

A telephone message from the owner of the place, the Ed. Bushnell farm, about 3:40 o'clock this afternoon brought the first news of the finding of the body. It was stated that the body would be brought to the city in a boat, landing at the Eugene Lumber company's mill where it will be met by a vehicle to convey it to the undertaking rooms. It is expected to arrive about five o'clock.

C. YORAN FOR SCHOOL DIRECTOR

Eugene, Oregon, May 31, 1906.

W. C. Yoran, the undersigned, legal voters of School District No. 4, Eugene, Ore., request that you allow your name to be placed before the voters of said school district as a candidate for election to the office of director of said school district at the coming general election June 18th, 1906, here pledging your loyal support:

- J. Fickard, O. Stoel, L. L. Good-
- F. L. Chambers, L. Bilyeu, J. Gearhart, W. J. Thomason, Frank
- Mrs. Burlingame, D. R. Kay-
- Albert Rogers, W. A. Kuy-
- J. L. Page, S. S. Spencer,
- J. Brown, G. W. Griffin, R. H.
- J. W. Buxter, F. J. Berger,
- W. E. Dunn, Wm. Anderson, C.
- Hales, O. E. Smith, F. M. Wil-
- Geo. H. Croner, David Link,
- H. Potter, G. F. Skipworth, J. P.
- Snodgrass, S. B. Eakin, W. H.
- W. C. P. Barnard, J. O. Watts,
- A. Coppennell, R. W. Newland,
- W. C. B. McKinnis, H. M.
- D. Tilton, G. H. Yering-
- S. L. Long, W. K. Scarborough,
- T. Neelin, R. Mount, John Da-
- F. S. Tingley, W. W. Chessman,
- D. Matlock, L. L. Whitson, W.
- Olson, E. C. Smith, C. E. Loo-
- J. H. Glass, W. W. Moore, Mar-
- Miller, F. C. Potts, C. Land Ro-
- C. D. Combs, W. T. Gordon,
- J. McClanahan, E. O. Potter, G.
- Chickman, F. R. Wetherbee, Alex
- Cokerline, J. A. Maurer, A. G.
- W. W. Morris, J. H. Bower,
- E. Wheeler, S. D. Allen, L. G.
- C. A. Wintermeier, E. H. Pat-
- J. S. Luckey, Julius Gold-
- Myron C. Judkins, W. Kuy-
- J. F. Kelly, R. A. Booth,
- L. Lewis, L. M. Travis, L. R. Ed-
- W. C. B. McKinnis, H. M.
- W. C. P. Barnard, J. O. Watts,
- T. B. Luckey, F. E. Taylor.

P. CO. PURCHASES SPRECKLES ROAD

It is reported in Portland that the P. Co. has purchased the Coos Bay, Oregon & Eastern railroad, in Coos county and extending from Myrtle Point, a distance of thirty miles. The price paid was \$1,000,000, and the former owners are A. B. Spreckles & Co., of San Francisco.

A section of the line—from Marshfield to Baerer Hill—will become a part of the Harriman road to be extended down the coast to meet the Santa Fe at Eureka. It is said there is an agreement between the Southern Pacific and the Santa Fe, that Harriman shall not build a coast line north of the northern boundary of California and Ripley shall not extend the Santa Fe north of that line.

McDOWELL AND EMMA SMITH MARRIED

McDowell, the young man arrested yesterday on a statutory charge, preferred by Emma Smith, to keep his promise and marry the girl. Late yesterday afternoon Judge Wintermeier tied the knot for them.

Wool Wanted

Wool wanted at the highest price at the Eugene Woolen

Baseball Items

McCormick's Grays took a fall out of the Springfield baseball aggregation on the Eugene grounds yesterday afternoon by the score of 12 to 3. Barring one inning, the second, when Springfield went up in the air and Eugene made nine runs, the game was a fairly good one and interested the large number of spectators present. The official score is as follows:

EUGENE.

	ab	r	lb	sb	po	a	e
Moore, 3b	5	3	2	3	1	4	0
Brooks, 2b	5	1	2	1	2	2	0
Nelson, lf	5	1	3	3	2	0	0
McCormick, ss	3	0	0	0	1	0	1
Branstetter, lb	3	1	1	1	12	0	0
Oakley, cf	5	1	1	1	1	0	0
Wilson, rf	4	2	1	2	0	0	0
McEwen, c	4	1	1	1	1	0	0
Hanns, p	5	2	1	1	0	6	0

SPRINGFIELD.

	ab	r	lb	sb	po	a	e
Hill, lb	5	0	2	0	9	0	1
Fulton, ss	5	0	0	0	0	1	2
Hollen, p	4	1	0	1	5	0	1
Anderson, lf	3	2	2	2	1	0	1
Lenley, c	3	0	3	1	0	0	0
Greenleaf, cf	4	0	1	0	1	0	1
Humphrey, 3b	4	0	0	0	3	2	1
Smitsen, rf	4	0	0	0	3	0	0
Fountain, 2b	4	0	0	1	3	0	0

SCORE BY INNINGS.

Eugene	2	3	0	0	0	0	1	x	12
Springfield	0	1	0	0	0	0	0	0	3

SUMMARY.

Earned runs—Springfield, 2; Eugene, 1.
Struck out—By Hanns, 8; by Hollan, 3.
Bases on balls—Off Hanns, 2; off Hollan, 2.
Double play—Fountain to Hill.
Umpire—Vincent.
Scorer—Robinson.

Jay McCormick's baseball team was trounced good and hard by the Springfield team in that city Sunday afternoon by the score of 12 to 3. Quite a crowd of the Eugene fans drove over to see the game and as usual the people of Springfield turned out en masse. The locals attribute their defeat to the fact that they were unable to connect with Talafero's offerings at the proper time, although thirteen hits were secured.

GOOD ROAD WORK BY CRUSHER CREW

Lowell, May 28.—Lane county rock crusher No. 2, under supervision of Superintendent Goodenow, is now located at Lowell, 23 miles southeast of Eugene, and has been doing some good work. As in "ye olden times" the rain fell and the winds blew, but harmed not their good crushed rock road that was made last fall, and they are working hard at it again this spring, having about two and one-fourth miles graveled.

The people in this community are very much pleased and are doing their part in making this part of the county a model in good roads. Let the good work continue until Lane county is one continuous section of good roads and the banner county of Oregon.

RAILROADS ARE AGAIN UNDER FIRE

Washington, June 1.—Inquiry into the relations of the Pennsylvania and Baltimore & Ohio railroads with the coal industry have been resumed by the interstate commerce commission. Casatt's assistant, Postlewait, denied owning any coal mine stock, although he had sold a large interest within the past two years. It developed today that the Frick company was specially favored in the car supply by the railroads.

CASTRO REFUSES TO RESUME PRESIDENCY

Washington, June 1.—The state department is advised that Gomez has asked President Castro to resume the presidency. Castro refused, but is willing to act as Gomez' secretary. Gomez will now call the legislature to accept Castro's resignation as president of Cuba.

Death From Lockjaw

never follows an injury dressed with Bucklen's Arnica Salve. Its antiseptic and healing properties prevent blood poisoning. Chas. Oswald, merchant, of Rensselaerville, N. Y., writes: "It cured Seth Burch of this place, of the ugliest sore on his neck I ever saw." Cures cuts, wounds, burns and sores. 25c at W. L. DeLano's drug store.

The exhibit from Eugene to the Made in Oregon fair has been returned to this city.

SIMONS SUED FOR LIBEL IN SUM OF \$15,000

Another sensation in the matter of the injunction suit against the city, filed yesterday by L. Simons, seeking to restrain the payment of the warrants for Kelsey & Young's \$2300 bill against the city, was sprung late this afternoon when J. D. Matlock, a member of the former fire and water committee of the council which is accused by Simons of conspiring to defraud the city, filed a suit against Simons for libel in the sum of \$15,000. L. Bilyeu appearing as the plaintiff's attorney.

Portions of the complaint as filed are as follows: "That said statement was made in said complaint by the said L. Simons with the intention to injure this plaintiff in his character and reputation and that said publication was false and defamatory and known to be so by the said defendant, L. Simons, at the time of said publication, and that by means thereof the plaintiff herein was greatly prejudiced and injured in his reputation and his good name. "That thereafter and on the thirty-first day of May, A. D. 1906, the said L. Simons, further intending and contriving to injure this plaintiff in his personal reputation and bring his good name into dishonor and disrepute, caused the substance of said allegation above contained and contained in said complaint to be published in the Eugene Daily Guard and in the Eugene Morning Register, daily newspapers published and circulated throughout the said city of Eugene and Lane county and throughout the state of Oregon generally, and thereby did greatly injure and damage the reputation and good name of this plaintiff.

"That said charge in said complaint was made wilfully and maliciously and with the intent to injure and damage the reputation of this plaintiff, and this plaintiff has been damaged and injured thereby in the sum of five thousand dollars, and for the further sum of ten thousand dollars punitive damages herein."

Personal.

From Friday's Daily Guard.
Dr. W. Kuykendall went to Portland today.
J. M. Deeds is on a trip to Southern Oregon.
J. B. Winstanley left today on a trip north.
Miss Lulu Gilestrap is visiting at Cottage Grove.
B. A. Washburne went to Junction on business today.
Rev. T. S. Handsaker came up from Portland yesterday.
Mrs. Eugenia Hoffman returned to Portland this afternoon.
Bert Eastland returned yesterday from a visit in Portland.
J. P. Bryson, of Junction, as a caller at the Guard office today.
A. Wilhelm and Frank Dinges, of Menoure, were in Eugene today.
M. O. Warner returned today from a trip to his mines in Jackson county.
Hon. and Mrs. R. A. Booth returned today from their farm at Wilbur.
Mrs. Todd, nee Bertha Fields, returned to Portland today, after a visit here.
C. C. Startevant, the Crow merchant and postmaster, was in the city today.
W. E. Brown returned today from a short business trip to Cottage Grove.
Mrs. Emma Lawrence is here from Point Richmond, Cal., to spend the summer.
Mrs. Wm. Doherty returned to Portland today after a visit with relatives in Eugene.
Eli Perkins and son John went to Portland today. Mr. Perkins will go from there to North Yamhill, where his brother, Joseph, is very ill.
Charles Spores and wife, of Douglas Island, Alaska, and Mrs. Ruric, of Portland, who have been visiting George Spores and family on the Mohawk, left today for their homes.
Mrs. R. Bennett and child, of Monroe, returned home today after a short visit here.
Professor J. D. Baughman arrived yesterday from Riddle, having completed his school work there.

Following the Flag

When our soldiers went to Cuba and the Philippines health was the most important consideration. Willis T. Morgan, retired Commissary Sergeant U. S. A., of Rural Route 1, Concord, N. H., says: "I was two years in Cuba and two years in the Philippines, and being subject to colds I took Dr. King's New Discovery for Consumption, which kept me in perfect health. And now, in New Hampshire, we find it the best medicine in the world for coughs, colds, bronchial troubles and all lung diseases. Guaranteed at W. L. DeLano's, druggist. Price, 50c and \$1. Trial bottle free.

Of course a leathery complexion made unbecomingly by eruptions is call for a general reform in living. The diet should be plenty of Hollister's Rocky Mountain Tea, 35 cents, tea or tablets. Lion Drug Co.

INJUNCTION SUIT AGAINST THE CITY

Mayor F. M. Wilkins today signed the warrants for the payment of the claim of F. C. Kelsey and Willard Young, engineers, in the sum of \$2450, the balance due on the contract for furnishing plans and specifications for a city water works and electric light plant. Immediately thereafter a suit against the city asking that the city be enjoined from paying the warrants was filed in the circuit court.

L. Simons, a well-known citizen, appears as plaintiff and John M. and Geo. A. Pipes as his attorneys. EXCEEDS DEBT LIMIT.

The complainant recites in part as follows: "That on or about October 17, 1905, J. D. Matlock, R. B. Henderson and W. W. Calkins, constituting the fire and water committee of the common council of Eugene, pretending to represent the city, entered into a pretended contract with the defendants, F. C. Kelsey and Willard Young. Said pretended contract was to the effect that Kelsey and Young were to do certain work for said city, as engineers, for the purposes of enabling said city to erect an electric light plant and water power and water plant and the contract price of said work was to be \$2300. That after on or about the 17th day of May, 1906, the city council allowed the claim and ordered warrants to be issued against the general fund of said city for \$2300, being an alleged balance on said contract so issued in the name of Kelsey & Young. Said warrants are as follows: No. 67 for \$800; No. 68 for \$855; No. 69 for \$825.

"That at the time said pretended contract was entered into, and at the time said claim was allowed by said city and at the time said warrants were so issued by said city, the said city of Eugene was indebted in a sum largely in excess of said limitation of \$3000 and at said time of the making of said pretended contract and at the time said claim was allowed and said warrants issued, warrants had been issued and were outstanding and were unpaid against the general fund of the city greatly in excess of said limitation of \$3000, after deducting what money there was in the treasury of said city applicable to the payment of said warrants.

"That the making of said pretended contract and the allowing of said pretended claim and the issuing of said warrants, was and is in violation of the said provisions of said charter of said city, herein set forth, and for that reason said claim and the warrants issued therein is void and is not a legal claim against said city of Eugene."

Section 37, Chapter 7, of the Amended charter of Eugene is quoted: "The council shall not in any way create or contract any indebtedness which shall singly or in the aggregate exceed the sum of \$3000, except as in this act otherwise specially provided." Section 44, Chapter 7: "The common council shall have power and authority to borrow money on the faith and credit of the city, or loan the credit thereof, or both, not to exceed the sum of \$5000, except as in this act otherwise specially provided."

CHARGES CONSPIRACY.

The complaint goes on to recite as follows: "That said fire and water committee made the contract secretly with Kelsey and Young and never reported or submitted the same to the city and the common council never at any time acted upon or adopted the contract. That the committee exceeded their authority and fraudulently concealed the nature and contents of the pretended contract from the public and kept the contract hidden away so that none other of the members of the council or the officers of the city had an opportunity to see or know what the terms of said pretended contract were, and the plaintiff believes that the committee and Kelsey and Young fraudulently conspired together for the purpose of defrauding the city of Eugene out of said sum of \$2300 by agreeing to allow an exorbitant claim without any just consideration or compensation therefor. That the work to be done by Kelsey and Young was not worth any such sum as agreed to be paid and the work actually done under said pretended contract was not worth anything to the city and was not nor is not of any value. That for the reasons herein alleged said pretended contract is void and is of no force and effect against the city."

The plaintiff prays a decree to the effect that City treasurer Frank Reiser and the city be perpetually enjoined from paying the warrants and that the claim and warrants be held null and void and not a legal claim against the city. That a temporary injunction issue out of the court pending this suit, enjoining the treasurer and the city from paying the warrants.

JUDGE B. F. BONHAM DIED AT SALEM

L. N. Roney this forenoon received a message from his wife at Salem stating that her brother-in-law, Judge B. F. Bonham, died there this morning at three o'clock, after a long illness.

Judge Bonham was born near Knoxville, Tenn., October 8, 1828. He was one of Oregon's most distinguished citizens. Coming to this state in 1853, he settled in Marion county. In January, 1856, he was elected auditor of the territory, which position he held until the admission of the state in 1859. In 1858 he was elected to the last territorial and the first state legislature. In 1870 he was elected as one of the justices of the supreme court of Oregon, becoming chief justice in 1874. In 1885 he was appointed by President Cleveland as consul-general to Calcutta, serving four years. He returned to Salem in 1890, where he resided till his death.

Judge Bonham was married in 1858 to Miss Mildred A. Baker, daughter of John Baker, a pioneer of 1847.

When our soldiers went to Cuba and the Philippines health was the most important consideration. Willis T. Morgan, retired Commissary Sergeant U. S. A., of Rural Route 1, Concord, N. H., says: "I was two years in Cuba and two years in the Philippines, and being subject to colds I took Dr. King's New Discovery for Consumption, which kept me in perfect health. And now, in New Hampshire, we find it the best medicine in the world for coughs, colds, bronchial troubles and all lung diseases. Guaranteed at W. L. DeLano's, druggist. Price, 50c and \$1. Trial bottle free.

ITEMS FROM LIVELY SPRINGFIELD TOWN

The News was informed this week that Springfield would soon have a vinegar factory.

Will Cheshire has leased the west half of the A. N. Rowe building and will put in a pool and billiard hall and cigar store. He expects to be ready for business in a few days.

Ten of the Eugene high school students made application for work at the Booth-Kelly mill and will go to work as soon as school closes. They all belong to the band and will likely give Springfield plenty of music this summer.

Fred Russell was up from Wendling last Friday. We understand he has handed in his resignation to the Booth-Kelly Co. as manager of their store, to take effect about the 15th of June. He will go to Colfax, Wash., to enter business for himself.

Ben Davis, an old resident of Springfield but who has been making his home in Santa Rosa, Cal., for the past year, returned last Friday for an extended visit. He tells some very old stories regarding the Santa Rosa earthquake disaster and says he don't care to be shook up again.

A very pleasant surprise was given Johnnie Sinner last Saturday evening, it being the anniversary of his birthday. Refreshments of ice cream, cake and candy and an enjoyable evening was spent by all. Those present were: Orville Howard, Johnnie and Katie Sinner, Pearl and Clara Collins, Frank Mulligan, Jesse Meant, Earl Jarne, Charlie Harper, Lulu Signor, Jessie Casteel, Cecil Richmond, Edith Hutchins, Ida Bidwell and Don and Leslie Fischer.—News.

Yesterday's Albany Democrat: M. S. Durbin left today for the Bohemia mining country, where he has been stationed by the government as forest guard. In this office he will practically remain at one place, instead of going from place to place as the ranger is required, although he will have quite a territory he is expected to guard.

Charles C. Hayden and Margaret E. Tallman were granted a marriage license this afternoon.

LOG DRIVER
DROWNED IN
UPPER RIVER

Saturday's Daily Guard
Norman Dereche, an employe on a log drive being brought down the Willamette river for the Booth-Kelly Lumber Co. by the Hills brothers, was drowned in the river some time this forenoon.

The drive where Dereche was working is in the upper river above Lowell. No particulars of the drowning have been received here, further than that the man was driving logs in a boat and the boat was swamped. The body had not been recovered at last accounts.

Dereche was about 22 years old and was of French birth. He was quite well known here and about the logging camps of the county.

He came here from Canada, where he has relatives.

THE FROST BROTHERS
CAPTURED AT LAST

It has been known for some time that the Frost brothers were unlawfully killing deer in the mountains of Douglas county, but not till the other day was it possible to obtain evidence. Game Warden Baker was lucky enough to catch the men in camp with the evidence in their possession—fifty-one deer hides. One of the men gave the game warden the slip in the mountains, getting away with hand-cuffs on. The other was fined \$250, and in default of payment was committed to jail at Roseburg.

An Alarming Situation

frequently results from neglect of clogged bowels and torpid liver, until constipation becomes chronic. This condition is unknown to those who use Dr. King's New Life Pills, the best and gentlest regulators of stomach and bowels. Guaranteed by W. L. DeLano, druggist. Price 25c.

Mrs. W. Sanders this week shipped a carload of cream back to the East.