

New Trial Refused Mitchell.

"The motion in arrest of judgment will be denied. "The motion for a new trial will be denied. "Is the defendant in court?" Senator John H. Mitchell was not in court when Judge De Haven pronounced the words quoted from his decision in answer to the motions made last week by his attorneys. Senator Mitchell was represented by Judge Bennett and ex-Senator Thurston, and while Judge De Haven did not say that he would have rendered judgment upon the Senator, had he been in court, it is believed from the fact that he asked if "the defendant was in court," that he would have done so. Senator Thurston, when Judge De Haven put his query, rose and stated that he wished further time in which to draw up a bill of exceptions, and he was given until a week from Monday morning to present them. This means another ten days before Senator Mitchell will have judgment pronounced upon him.

Kansas' Oil War.

One of the peculiar features of the Kansas war on the Standard Oil company is that almost everybody seems to have expected that adverse decision by the state's supreme court on the refinery law and the decision is not going to make that war any less resolute. The court holds that the refinery authorized by the Kansas legislature last winter, for which an appropriation of \$410,000 was made comes in conflict with the provision of her constitution which declares that "the state shall never be a party in carrying on any works of internal improvement." An evasion of the constitution was attempted by making the refinery a branch of the penitentiary, but this was an afterthought and was not sufficient to save the law from annulment. Gov. Hoch says that if he had been the supreme court he would have strained a point to declare the law constitutional. In fact, the governor seems to be about the only person in high station in Kansas who was surprised at the decision. He, however, although surprised and disappointed, is not discouraged. He is in favor of continuing the war on the Standard Oil trust to the end. Some of the independent refiners in Kansas are not only saying that they expected this adverse decision, but they are expressing pleasure thereat. They say they can fight the Standard Oil better now than if the state refinery had stood. The decision, therefore, does not alter the situation in any material degree. It is fortunate that the matter was brought to a legal test promptly, so that the law's fate would be determined before the bonds were signed. Thus the taxpayers of the state are saved a big outlay which would have been made if the case had been delayed in getting before the courts. The Standard Oil trust is not doing any rejoicing over the decision. That corporation foresaw the attitude which the court would take. Possibly, too, it is looking for the maintenance of the war which the independent refiners promise. It is an interesting situation, and the country will give its attention to the developments in the contest from this time onward. If the refinery law had successfully run the gauntlet of the courts other states would have followed the Kansas example. Nevertheless, the subsequent features in the oil fight will be of national interest.

A Good Thing

According to testimony taken before the state insurance commissioner of New York in his investigation of the affairs of the Equitable life assurance society, that society has been, for number of years past "a good thing" to everybody carrying duplicate keys to its ground-floor doors. Everybody with a pull in politics or finance appears to have had a pull with the Equitable. A man armed with a pull, and also loaded up with stocks with which he did not care to part at the market price, could get more than the market price from the Equitable. People with properties on which they desired to borrow much more than the properties would bring at a forced sale have had only to call on the Equitable, provided, always, that they were in an official or financial position to do something for the inside management of the Equitable in return for the favor. "Tickle us and we'll tickle you" would have been an appropriate expression of the ground floor management of the Equitable, if all of these revelations are to be believed. A United States senator who is said to have been drawing, for a number of years, a salary of \$20,000 per annum as consulting attorney, and who had borrowed \$250,000 on property said to be not worth half of that amount, has admitted that he, as one of the executive board of the society voted to raise the salary of Mr. Hyde to \$100,000 a year, and later voted to place the salary of Mr. Alexander at the same high figure. What he would have done, or what he may have done as senator, in exchange for the favors he received is not yet developed and perhaps never will be. He may have considered him self capable, at any time, of putting on a toga and looking at any question coming before the Senate in which the Equitable might have had a vital interest, from the lofty point of view of an incorruptible public officer. He is

entitled also to believe that, in such a case, the officers of the Equitable would have continued their favors to him after he had declared a severance between the lawyer and the senator. Whether he held this privilege merely as a mental reservation or whether he had it denominated in the bond, it would be very interesting to know. Mr. Hyde, it appeared from the same testimony, was interested in eight different syndicates, the stocks of which were sold to the Equitable at large profits to everybody in on the ground floor. The great financial strength and solidity of the Equitable is clearly revealed in the fact that it has survived years of such mismanagement as this. The story recalls that of the man who was suffering a long illness under the treatment of a notoriously incompetent physician. When he regained a degree of consciousness enabling him to understand that he had lived against odds his only comment was: "Doc, if you couldn't kill me, nobody can." Since the Equitable is still solvent, after a long time in the hands of wreckers, it is not an inquest for which Mr. Morton and his associates are to draw their great salaries.

The Department Scandals.

The post office department, the department of the interior and the agricultural department have, in succession, been under fire. The attack on the department of agriculture has come through the revelations of crookedness connected with the reports of the cotton crop. An officer of the Southern cotton association recently charged that the reports of the department of agriculture always made the crop larger than the final figures at the end of the crop season warranted. As experience showed that the opposite was generally the case, this accusation attracted no attention at the outset. Usually the department's crop figures have been below rather than above the mark. The inquiry, however, which was started by these charges has revealed crookedness in the department by some of the minor officials, whereby the reports were given out in advance to Wall street operators, who were thus enabled to make large sums in speculation. One of these officials, Edwin S. Holmes, Jr., has just been dismissed from the department. President Roosevelt has ordered an immediate investigation into the management of affairs in the department of agriculture. Those who remember what took place by the President's order in the post office department, and what is under way now in the department of the interior, will not need to be told that the inquiry will be thorough. The workings of the entire department will be overhauled before the investigation ends. Attorney General Moody will have charge of the investigation. The success which his department has had in overthrowing the Northern securities company and in defeating the beef trust will show what the country may expect as a result of this inquiry. It is not at all certain that the graft is as widespread in the department of agriculture as some persons imagine. Carelessness, and not crookedness, is all that is charged against the head statistician, Hyde. No accusations of any sort are made against the secretary of agriculture, Wilson. But the investigation will cover all the bureaus and all the activities of the department. Guilt, when proven, will be followed by prompt punishment. The work which was done in cleaning out the post office department will be repeated in the case of the department of agriculture, if crime is shown. All these revelations of irregularities in several departments do not mean that there is more graft in the government today than in the past. The government officials are more vigilant in tracing out crime now when it is committed than they were formerly. The press is more active in detecting it and in pointing out its extent and its enormity than it was half a century ago or earlier. Wars always incite graft. The Mexican war furnished a host of tricksters who made money dishonestly out of contracts. This story was repeated in the rebellion on a far bigger scale. The Spanish war had a like tale to tell. For years afterward wars' demoralizing effects on the public service are seen. We had no right in the present day to expect exemption from the operation of this rule. But the manufacturers are being hunted down a little more vigorously than was done in the past. Neither high station nor wealth will save any official who transgresses today. The credit of President Roosevelt's administration depends, in a considerable degree, on the record for honesty and efficiency by his subordinates, and he is not likely to overlook this truth. The cotton report irregularities, despite the motives of the persons who made the original complaint against them, will incite an investigation which will enlist all the resources at the command of the President and the legal department of the government.

Forced to Starve.

B. F. Leek, of Concord, Ky., says: "For 20 years I suffered agonies with a sore on my upper lip, so painful, sometimes, that I could not eat. After vainly trying everything else, I cured myself with Bucklen's Arnica Salve." It's great for burns, cuts and wounds. At Chas. I. Clough, drug store; only 25c.

General News.

Engineer Wallace says he was not actuated by money considerations. Still a rise of \$30,000 has a sordid look.

Lawson expects to put the Standard Oil Company in the hands of a receiver. There will be an awful fight for the job.

It is with airships as with men. A steering apparatus which works all right on the ground gets out of order when it gets too high.

Major, W. C. Langfitt, who for more than six years has been in charge of river and harbor improvements in Oregon and along the Columbia River, has been ordered to duty in the office of Chief Engineer in Washington, and will be succeeded at Portland by Major S. W. Koessler.

Will and Coot Bird, brothers, engaged in a pistol duel on their farm near Troy, Ala. The former was shot to death and the latter was wounded in the leg. According to the report of the shooting, Coot was beating his sister unmercifully and Will went to her assistance. The tragedy was the result. Will falling dead at his sister's feet.

Owing to dilatory methods of paying laborers, a general exodus of workmen is taking place among the employes of the canal. Reports from Culebra indicate that, because they cannot get paid, laborers are quitting in scores, and have taken to the woods for bananas and other tropical fruits to ward off starvation. Unless a speedy change is made in the method of paying wages, the canal will be without laborers.

The Roosevelt, in which Captain Robert E. Peary hopes to reach the north pole, started on her long voyage Sunday. Captain Peary and a party of guests were on board at the start, and remained with the ship on her trip down the bay, but they left her at the narrows, returning to the city on a Navy tug. Capt. Peary started the same night by rail for Sydney, Cape Breton, where he will join the ship.

Governor Joseph W. Folk, of Missouri, has in a recent issue of the Independent a brief and timely article on the above topic. The keynote of his presentation is: "No official has a right to ignore any law. It is not for him to say whether the law is good or bad, but to enforce it as he finds it upon the books." It is suggestive of things out of joint that any official finds it necessary to exploit this theory in words. His acts should be sufficient evidence that he understands this simple fact—that he understood and subscribed to it in taking his official oath. Good or bad the laws should be enforced without regard to wealth or title or position. If bad, the way to prove them so and to secure their modification or repeal is to enforce them rigorously and persistently.—Oregonian.

The story of the loss of the Japanese cruiser Takasago in December last, only published since the destruction of Rojensky's fleet, is a military classic. After the Takasago struck a mine and began to sink, the crew assembled in perfect order on the upper deck there to wait the battle with a stormy sea and death. Captain Ishibashi ordered every man to use a life belt, and directed that no one jump overboard until the ship actually sank. The crew then joined in singing the National anthem, cheering the Emperor and lastly they sang, "Gallant Sailors," their voices ringing out above the storm. After that, as a relaxation, the men were allowed to smoke, and thus they went calmly to their deaths. Of 500 men who went down with the Takasago only 133 were rescued.

If a battle takes place in Manchuria of any considerable importance before the final treaty of peace between Russia and Japan, it will be far the greatest in the history of the world, discarding as legendary the wild Greek tales of Xerxes' army, millions strong. The Japanese today have six armies in the field, composed of twenty six divisions, and totaling a force of at least 600,000 men. Five of these great armies are understood as operating against Linievich, so that the forces immediately opposed to him will be at least 500,000 strong, and it may be even larger. The Japanese force of artillery is estimated at 1800 guns. Figures even approximately correct of the Russian army are more difficult to get at. It is reliably given out and known that the Russian army has been reinforced since Mukden, but it is believed that it does not greatly exceed 350,000 men, with 1200 guns. If each side should bring into the battle its full quota, therefore, nearly 1,000,000 men and close to 3000 cannon will be engaged. The front of the Japanese armies covers about 100 miles, extending in one vast semicircle from the Liao river to the mountains south of Kirin, the two flanks being advanced toward the Russians.

Dr. P. J. Sharp, the experienced dentist is located in Dr. Wise's dental parlors, and is prepared to do nothing but first class work and give the best of satisfaction. If your teeth need fixing call upon him.

RED FRONT SHOE STORE.

Is now located in the Store formerly used as the Model Restaurant, where LADIES', GENTLEMEN and MISSES', CHILDREN FOOT WEAR of the latest and best quality will be constantly kept in stock.



My experience in the shoe business for 30 years give me the advantage in selecting boots and shoes suitable for the Tillamook trade. The public are cordially invited to examine my goods and get prices before purchasing elsewhere.

The Red Shoe Store is the only Boot and Shoe Store in Tillamook county.

All goods purchased of me will be repaired at the following rates: Men's Shoes, half soled - 60c. Ladies' " " - 40c. Misses' " " - 35c.

P. F. BROWNE, Salesman

Pacific Navigation Co.

STEAMERS—SUE H. ELMORE, W. H. HARRISON. ONLY LINE—ASTORIA TO TILLAMOOK, GARIBALDI, BAY CITY, HOBSONVILLE.

Connecting at Astoria with the Oregon Railroad & Navigation Co. and also the Astoria & Columbia River R. R. for San Francisco, Portland and all points east. For freight and passenger rates apply to SAMUEL ELMORE & CO. General Agents, ASTORIA, OR. B. C. LAMB, Agent, Tillamook Oregon. Agents J. O. R. & N. R. R. Co., Portland. J. A. & C. R. R. Co., Portland. Sue H. Elmore carries Wells Fargo Co.'s Express

Centrally Located. Rates, \$1 Per Day. LARSEN HOUSE, M. H. LARSEN, Proprietor. TILLAMOOK, OREGON. The Best Hotel in the city. No Chinese Employed.

Headlight and Oregonian, \$2.25 a year.

Advertisement for Stevens rifles, featuring an illustration of a man with a rifle and text describing the quality and availability of the rifles.

Advertisement for Tillamook County Bank, detailing its capital, services, and directors.

Advertisement for Fureka Harness Oil, featuring an illustration of a horse and harness and text describing the product's benefits.

In the County Court of the State of Ore. for Tillamook County. In the matter of the Estate of Herman Brown, deceased. Notice is hereby given.—That the designated administrator of the Estate HERMAN BROWN, deceased, has filed in above entitled court his final account such administrator, and said court has Monday the 7th day of August, 1905 the hour of 10 o'clock a.m. at the office of the County Clerk of said County in Tillamook City in said County and State, at time and place for the hearing of object thereto, and the final settling of said estate. Dated this 20th day of June, 1905. FRANK SEVERANCE, Administrator of the Estate Herman Brown, deceased. H. T. BOTTS, Attorney for Administrator.

In the County Court of the State of Ore. for Tillamook County. In the matter of the Estate of John Tonic, deceased. Notice is hereby given.—That the designated administrator of the Estate JOHN TONIC, deceased, has filed in above entitled court his final account such administrator, and said court has Monday the 7th day of August, 1905, the hour of 10 o'clock a.m. at the office of the County Clerk of said County in Tillamook City in said County and State, at time and place for the hearing of object thereto, and the final settling of said estate. Dated this 20th day of June, 1905. DAVID FITZPATRICK, Administrator of the Estate of John Tonic, deceased. H. T. BOTTS, Attorney for Administrator.

EXECUTORS' NOTICE. NOTICE IS HEREBY GIVEN.—That the undersigned have been duly appointed by the County Court of the State of Oregon, for Tillamook County, executor of the last will and testament of HENRY H. DOWNING, deceased, and of his estate. All persons having claims against said estate are hereby required to present the same to us, properly verified as by law required at the office of H. T. Botts, in Tillamook City, Oregon, within six months from the date hereof. Dated this 13th day of July, 1905. HARRY SWEENEY & FRANK R. STEINHARDT, Executors of the last will and testament of Henry H. Downing, deceased. H. T. BOTTS, Attorney for Executors.

TIMBER LAND ACT, JUNE 3, 1878.—NOTICE FOR PUBLICATION. United States Land Office, Portland, Oregon. April 21st, 1905. Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada, and Washington Territory," as extended to all the Public Land States by act of August 4, 1892, CHAS. H. GOYNE, of Tillamook, county of Tillamook, State of Oregon, has this day filed in this office his sworn statement No. 6583, for the purchase of the N. 1/4 of Section No. 25, in Township No. 2 North, Range 7 West, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before the County Clerk, of Tillamook County, Oregon, at Tillamook City, Oregon, on Tuesday, the 26th day of September, 1905. He names as witnesses Jones T. Birtle, of Tillamook, Oregon; Walter J. Smith, Wm. Illingworth, Samuel Smith, of Wilson, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 26th day of September, 1905. ALGERNON S. DRESSEB, Register.

TIMBER LAND ACT, JUNE 3, 1878.—NOTICE FOR PUBLICATION. United States Land Office, Portland, Oregon. April 21st, 1905. Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada, and Washington Territory," as extended to all the Public Land States by act of August 4, 1892, FRED ARTHUR, of Tillamook City, county of Tillamook, State of Oregon, has this day filed in this office his sworn statement No. 6582, for the purchase of the W. 1/4 of E. 1/4 of Sec. No. 28, in Township No. 2 S., Range No. 7 W. and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes, and to establish his claim to said land before the Register and Receiver of his office at Portland, Oregon, on Thursday, the 12th day of October, 1905. He names as witnesses W. C. Trounbley, of Tillamook, Oregon; George Williams Wm. Reifenburg, Winfield S. Cone, of Bay City, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 12th day of October, 1905. ALGERNON S. DRESSEB, Register.

TIMBER LAND ACT, JUNE 3, 1878.—NOTICE FOR PUBLICATION. United States Land Office, Portland, Ore. July 13th, 1905. Notice is hereby given that in compliance with the provisions of the act of Congress of June 3, 1878, entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada, and Washington Territory," as extended to all the Public Land States by act of August 4, 1892, BERTHA V. HOLDSWORTH, of Portland, county of Multnomah, State of Oregon, has this day filed in this office her sworn statement No. 6606, for the purchase of the lot 8, in sec. 34, 1p. 4 S., range 10 E. lot 1 and 2, and sec. 3 Ne 1/4, of section No. 3, in Township 36, 3 North, range 20, 2 West, and will offer proof to show that the land sought is more valuable for its timber or stone than for agricultural purposes and to establish her claim to said land before the Register and Receiver of his office at Portland, Oregon, on Thursday, the 12th day of October, 1905. She names as witnesses W. S. Bryant, of Portland, Oregon; Timothy Corcoran, of Jewell, Oregon; W. A. Wheeler, of Portland, Oregon; Cora E. Wheeler, of Portland, Oregon. Any and all persons claiming adversely the above-described lands are requested to file their claims in this office on or before said 12th day of October, 1905. ALGERNON S. DRESSEB, Register.

Table for A. & C. R. R. TIME CARD, showing departure and arrival times for various routes including Portland, Astoria, and Seaside.