

FIRST TRIAL ON

(Continued from Page 2).

make the third count of this vote, they had made two already; but now on the morning of the 15th Mr. P. H. D'Arcy appears before that canvassing board and demands a recount of the vote, and from some reason or another Ehlen postponed—I believe he said the court met that day—on account of court they would have to postpone it; so they postponed it until the 20th. Now, on the 15th, Mr. Carson sends for Mr. Ehlen to have him come to Butte & Wenderoth's saloon, and he there tells him that if there is any trouble up there, he must keep his nerve, and Ehlen tells him, "I don't know whether I will be up there to count those votes or not. I will let Glynn count them. Well on the day that they were counted Ehlen left and then Glynn comes up on the 20th and all the board to count those votes and when they opened up this box, instead of those papers being there in the order in which they were when they left them, they were not in alphabetical order at all, but they were all mixed up indiscriminately, and in different kinds of shapes, so when they returned, Mr. D'Arcy was there and Mr. Richardson was there, and Mr. Hayes was there and various other parties, and when they opened up these sheets and went to count them they saw opposite Mr. Anglin ten votes had been added to Mr. D'Arcy, and Butteville, twenty votes had been added, and Monitor there had been ten votes added. Then they found where these votes had been changed and where they had been altered. Now, that will be the testimony upon that question.

"Now then, when these judges bring in these tally sheets which Hayes brought up here—when they are produced here on the stand you will see that they have been altered, that they have been changed—they were changed to correspond with the change made in the original tally sheets, as delivered to D'Arcy & Richardson's office upon this night of the 12th. Now, in regard to these other matters, I think that I have gone over about all the testimony that there is in this case. I think I have stated about what we expect to prove. I think that the testimony will show—in fact I know it will show—that, for instance, when Mr. Hayes went down to Butteville, where he got the duplicate from Mr. James Feller, the judge there, that that duplicate tally sheet was in the envelope unsealed, and not sealed up at all when he brought it up here; but when he returned it, the next day, on the Monday after, the tally sheet was all sealed up in good shape, and in good order. I think those things will appear. And we will show to you by these judges that Hayes would not give this man a receipt for these tally sheets at all; that they demanded a receipt for them, and refused to let them go, but by over persuasion, and by telling them that trouble existed here, they parted with these sheets; and that they came back in an entirely different, changed and altered condition than they were when they left their possession. I don't think there will be any question about the evidence upon that point.

"Now those, I believe, are the main features of this case, and I believe about the evidence which the state will expect to prove. And that after these votes were changed that the election was very close. I think that I will show that if these forged tallies had been permitted and had been counted by the judges—if they had permitted them to have stayed—the election would have been close; that that would have elected Mr. D'Arcy. I think they started to canvass it and I think they record will show that there was only about thirty-four votes difference in their election. Going back to this other question, about this tally where there was a discrepancy in Woodburn precinct of one vote, and the total showed sixty-seven for Mr. D'Arcy, when possibly in reality he ought to have had sixty-eight, or showed sixty-seven when the tally showed he ought to have had sixty-six, and then Mr. D'Arcy said that the figures should control and that the tallies should not, but when they came back on the third count, and the other tallies had been added, and the forged ones with them, then he claimed that instead of the figures showing—claimed that instead of the figures controlling that the tally ought to control, and Mr. Richardson claimed the same thing, and on the 21st of June he went to the state house and prepared an argument and brought down his books and argued before that canvassing board that these tallies ought to hold good, and be sustained by the board.

"I think that is about the testimony on the part of the people."

A COLLOQUY.

When Mr. Hayden concluded his statement this dialogue followed:

By Mr. McGinn: Mr. Hayden, have you produced in court that paper which we served you notice to produce?

Mr. Hayden: I have not.

Mr. McGinn: I would ask that there be subpoenaed for the defendant in this case, and at the expense of the defense, Mr. Tilmont Ford, and that he be requested to bring with him a paper, of which the following is a copy. (Mr. McGinn had in his hand a copy of the Statesman, of July 1, 1898, which contained the confession of Mr. Ehlen; the said confession having been received by Mr. Ford a day previous, and offered in evidence for the state at the preliminary examination of Messrs. D'Arcy, Richardson, Carson, Rafter and Hayes, but was rejected as not competent at that time).

By the court: I will look at the paper.

By Mr. Hayden: I would like to state in regard to that matter, that if I had that paper, or knew where it was, I would willingly produce it.

Mr. McGinn: Mr. Tilmont Ford, who was attorney for the state in the justice court.

Mr. Hayden: I would like to state to the court that I never had that paper that I know of; I never had the possession of it.

Court: The motion is now to have a subpoena issued.

Mr. McGinn: Yes, your honor, at the expense of the defense in this case, requesting Mr. Tilmont Ford to produce that.

Court: The statute provides that you

may have a subpoena issued for any number of witnesses, without an order of the court; you can issue a subpoena accordingly.

Mr. McGinn then arranged for the preparation of a subpoena for Mr. Ford. He approached Mr. Hayden with some remarks, and Mr. Hayden answered by saying: "You can't scare me, Henry." The court called them to order, saying: "Let this case proceed in an orderly manner; avoid any police court proceedings."

STATEMENT FOR DEFENSE.

Hon. A. S. Bennett, one of Mr. Richardson's counsel said:

"May it please Your Honor, and Gentlemen of the Jury:

"The defendant in a criminal case always labors at a great disadvantage in attempting to state to a jury what the testimony may be in defense, because it is seldom that the defendant is in a position to know just exactly what the testimony on the part of the state will be until it is produced in court, and, therefore, the defendant is unable to state how to reach that testimony. In this case, however, gentlemen, I think that the evidence which I close a good many things that have not been presented to you upon the part of the state. In the first place I think the evidence will disclose that there is and has been for some time a very bitter feeling among certain members of the bar in this county, and the bar has been divided up, as it were, into factions, and a great many people have arrayed themselves behind one faction and a great many behind the other, and there is a very great amount of bitterness of feeling among the different attorneys. Now, the election came on, and among the candidates at that election was the defendant, P. H. D'Arcy, a man who had lived here in your county from childhood, and upon whose reputation there has never been a blemish in all the years he has lived here. He was a candidate for the high office of judge of this district, and when the returns commenced to come in, it became apparent that the judgeship contest was going to be a close one, and the friends and partisans, some of whom were members of the bar, desired, of course, to have their candidates elected to the position of judge, and some of the members of the bar desired to have Mr. D'Arcy elected—were strong partisans of his—and when it became evident that the vote was going to be close, there was a great deal of interest taken in the matter, and people, members of the bar, and everybody, were scurrying back and forth, here and there, and everywhere, and there was a great deal of talk and a great deal of suspicion, and at first it seemed as though Mr. D'Arcy had the matter all his own way, and thought he was going to be elected, but as the returns commenced to be counted, when the count was being had, and mistakes were found here and there, and all these mistakes seemed to be against Mr. D'Arcy, all the time against Mr. D'Arcy, until he and his friends began to think that there was something wrong, and that they were in some way being counted out; and they were very active, they were looking out and trying to protect, as best they could, Mr. D'Arcy's interest. Now then, when it came to count the votes there were found to be a vast number of mistakes in the tally sheets—the totals did not always correspond with the votes as they were carried out, in some precincts there would be mistakes of as high as 100 votes, unquestioned mistakes that there was no sort of question about, and there was nobody could question but the officers had made a mistake, so their tallies didn't correspond with the totals of those precincts. Now, there was very many of these mistakes, not on the judgeship altogether, not perhaps at all upon that; but upon other offices, some of which were not at all close, and where there was no sort of question as to who was elected; there was a very great number of mistakes, and among these mistakes, when it came to the final show-down, and the final count, whether honestly or dishonestly I shall not undertake to say to you, it was found that there were three precincts in which the tallies seem to show for Mr. D'Arcy a larger number of votes than the totals of those tallies showed. Mr. D'Arcy was naturally very much worked up about it, and he felt that he ought not to be cheated out of the vote, if it belonged to him; then, besides, there were votes claimed for others in other counties in the judicial district, and in other precincts, about which there was no suspicion of anything being wrong, and the vote being so close Mr. D'Arcy believed, that, in order to protect his interests, it was necessary that he should file a contest; and gentlemen, he did so, and I think the very day after this contest was filed Mr. D'Arcy—somewhere about the 20th, I think—Mr. D'Arcy and these other defendants were arrested on this charge, for the first time made against them. And I think the evidence will disclose now that at different times parties came to them and tried to compel them, and tried to hold this over their heads for the purpose of compelling Mr. D'Arcy to drop this contest, saying to him, if you will drop this contest, we will drop this criminal prosecution, but if you do not we will push him to the bitter end; and trying to force him to drop the contest, (and they came not only from this county, but from other counties) by holding this thing over his head. Now, gentlemen, as I have said before, we do not know exactly what the testimony on the part of the state will disclose, but, if we are correctly informed, the whole case of the state, so far as it affects any substantial matter, will come from the mouths of two witnesses, one of those, Mr. Ehlen, who was county clerk here, will stand before you, by his own confession, as a defaulter and absconder."

By Mr. Hayden: "I object to that argument, I don't think he has got a right to argue the case; he should state what he expects to prove."

Mr. Bennett: "I am not arguing the case, I am stating what, as I understand the facts in this case, the evidence in this case will disclose to the jury."

Court: "You would not be permitted to prove that he was a defaulter or absconder; you can prove it by general reputation, but not by particular acts, as suggested by you now."

Mr. Bennett: "It seems to me it will become important in the evidence in explaining the motives and conduct of

Mr. Ehlen."

Court: "If it is connected with this case; but I question at this moment whether you would be entitled to show any particular acts of a wrongful nature, unless they were connected with this particular case."

Mr. Bennett: "We expect they will be connected in this particular way upon the cross-examination of Mr. Ehlen; if he testifies, as we are informed he will testify, we expect to show that he is an absconder. The district attorney has already stated that he left here on the 19th or 20th, and we expect to show that—"

Court: "On the statement that you will connect it with this case, I suppose you will be entitled to state it to the jury. That, of course, is not intended to be a ruling on the evidence."

Mr. Bennett: "Gentlemen, I am simply stating to you what I understand the evidence will disclose. I understand that the evidence will disclose to you that at the time Mr. Ehlen left here—that is referred to by the district attorney—that he was then a defaulter in the sum of some thousands of dollars, two or three thousand dollars, and that he left at that time because he was such defaulter, that he went away, left the country, went somewhere. I don't know where; whether he went out of the state or no further than Portland, I am not informed; but at any rate after this matter came up and this contest was in issue, and after they had failed to elect Mr. D'Arcy to drop his contest by the threat of this prosecution, then, in some way the district attorney learned where Mr. Ehlen was, learned his whereabouts and as I understand, and am informed, the testimony will disclose, went down to Portland and brought him up here with the understanding and the agreement, that if this matter—if he would testify against these defendants in this matter—that he would be permitted to fix up the matter of his default, and that it would be arranged so that that could be fixed up and so that he should not be prosecuted upon that matter. Now, gentlemen, with this understanding, he came back here. I don't think he has ever testified; he has never testified except before the grand jury, I presume he has testified there, because his name is upon the indictment, and I presume he has testified there; but we expect, gentlemen, that the evidence that I have disclosed and other evidence will show to you that he is a person whose testimony is unworthy of credit. The other person upon whose testimony the state will rely is the testimony of J. W. Roberts, and in that case we know, what Mr. Roberts will testify to by what he has testified to before, because he was a witness in the preliminary examination; and, gentlemen, what the district attorney informs you that Mr. Roberts will testify that this matter about which he will testify happened on the night of Friday, the tenth day of June, the testimony in the case will show that at first this witness swore positively that the thing happened on Saturday, the eleventh day of June—on an entirely different day, and an entirely different time; that he was cross-examined in relation to that and persisted in stating that he saw these people up there on that time; that he brought memorandums that he had made at the time and a statement which he said he had made at the time, or immediately afterwards, to substantiate his story; that it was on this particular evening, on the evening of Saturday, the 11th, that he had seen these people up here. The afterwards it was brought to his attention that they were talking about arresting him for perjury, and it was brought to his attention, as the evidence will disclose, that these defendants could absolutely show by a hundred witnesses that they were not there at that time at all, because fortunately for them, it happened that this particular night was the night of certain graduating exercises at which there were a large number of persons present, and at which Mr. Richardson was cutting an important factor and all of these people knew he was there at that time, from early in the evening until late hours at night, and covering all the hours at which Mr. Roberts had testified positively that he was here in the lobby of this court room, then this gentleman for the first time came back two days after the date he first testified, came back and changed his story, and tried to make it appear that these defendants were in this court house at another and different time."

"Now, gentlemen of the jury, we expect that the evidence in this case will show you that both of these gentlemen are entirely unworthy of credit. We expect that the evidence in this case will show you that these defendants are men of sterling character, and of sterling and unquestioned integrity, who have lived here in your community for years, and upon whose character there has never been a blemish, and gentlemen, after these matters are made to appear before you we expect to ask you to say whether, upon the testimony of these witnesses you can say beyond a reasonable doubt that these defendants are guilty of this or any crime."

AMBITIOUS RUSSIA.

An American Mining Engineer on the Future of the Slav.

"Americans do not dream of the wonderful things that are going on in Russia," said W. E. Bratton, an American mining engineer, to a Post reporter at the Elbitt.

"I have been in Siberia for a year in the interest of a London company, and while in the czar's dominions I found out enough to make me absolutely certain that the Russians contemplate the execution of the most gigantic scheme of territorial absorption ever undertaken by any race on this earth. There is no limit to their ambition, and the idea of failure in their plans is not conceivable. To begin with, the will of the Russian people is absolute, and not the caprice of the czar, as most of our countrymen are apt to think. The czar can no more go against the public opinion in his empire than the president of the United States can defy the wishes of the American people."

"In a long talk with a high Russian official last summer he outlined to me the national program. Among other things, he said: 'The great belt of open country lying between the Ural mountains and the Pacific ocean and in-

cluded within the north temperate zone is going to be thrown open for settlement. It will be a breeding ground for millions of our race. We will rear countless numbers of men and women, and half the men will be trained for war. We will be able by that time to put more soldiers in the field than all the rest of Europe together. When this condition arrives, what power or what combination of powers will be able to stop us? America will be our only rival, but between us and the great republic across the sea there will be no clash for she will be supreme in her quarter of the world, as we will be in Europe and Central Asia."

"We are satisfied with present home conditions, but just as soon as the opportune time comes we will without bloodshed or revolution dispossess the czar, and have a representative government. Look now at the condition of Europe; there are really, but four leading powers—Russia, England, Germany and France. France is fast disappearing as a factor in the situation, for either she will go to the wall through some crisis like that now threatening her or by the sure process of internal decay England then will seize upon all her territorial possessions. In a quarter of a century from now France will be of no more consequence than Spain is today. Then Germany will be left between England and Russia, and Germany, too, will be unable to stand the test of the survival of the fittest. I don't say these things will occur in a few years, but a century is nothing in the history of nations."

"Now, then, what have we left but a fight to the finish between the Slav and the Anglo-Saxon? After all, racial antipathy is at the bottom of the strife. The Russian despises the Briton, and the hatred is returned with vengeance. In the long run we shall beat England. We will do it by sheer force of numbers, if through no other means. England can continue to boast of her superiority on the sea, but it need not continue to have a title there, for we will shut her out of all Eastern ports, and by land she will no more compare with us than a pigmy with a giant."

"See what we have already done in the acquisition of Turkestan, Manchuria and Mongolia. As sure as fate, China—not a part, but all of it—will in no distant time be an integral part of the great Russian empire. There is no human power that can stop us. Our Siberian railroad is but the beginning of a system of railway lines that will penetrate every part of China, and will make our hold on that country permanent, and I can tell you still more. Russia doesn't want any outsiders in China or any other part of her Asiatic dominions, and when the time comes she will say to England and to Germany and even to the United States, this territory is exclusively for us; we do not mean to be rude; but, gentlemen, you must get out. And get out they will, for with all the railways in our possession and with a million of soldiers, who will oppose us?"

"This was only a small part of what my Russian friend told me, but before I left the country I talked with other high-class men, and every one confirmed his statements. My own judgment is that there is nothing improbable or visionary in the program. I think that Russia is as certain to dominate Asia as we are to rule this continent. The Englishmen I met abroad are certain that ultimately they have got to fight Russia, for the Slav is not going to be satisfied with Korea, China, Persia and the rest; he has pushed his iron highway within seventy-five miles of the Indian frontier, and dreams of the day when he will strip John Bull of all his possessions there. This he can do as easily as we could take Canada, for the geographical situation is almost identical"—Washington Post.

Bismarck's Iron Nerve

Was the result of his splendid health, indomitable will and tremendous energy are not found where stomach, liver, kidneys and bowels are out of order. If you want these qualities and the success they bring, use Dr. King's New Life Pills. They develop every power of brain and body. Only 25 cents at Dr. Stone's drug store.

WEALTH IN MULES.

The Humble Butt of the Paragapher Worth More Than a Horse.

On January 1, 1892, there were, according to the official figures, 16,200,000 horses in the United States, representing a total value of a little more than a billion dollars, or \$1,007,597,584 to be exact. At the same time the number of mules in the United States was 2,315,000, representing a total value of \$175,000,000. Since then conditions have operated to diminish the commercial value of horses, the total number of which in the country on Jan. 1st last was 13,700,000, and the estimated value was \$1,100,000,000, less than \$500,000,000 a decrease of more than one-half in six years.

"The horse has had to encounter the ruinous competition of the bicycle, the electric car, the cable car, the automobile and much new and improved farming machinery; but these forms of competition which have reduced so largely the number and value of horses in the United States have been of small effect upon the number of mules, though in reducing the demand for them the new conditions have diminished the value. At the present time, taking the whole country, the average value of a horse is \$55, and taking the whole country except the New England states where mules are very few in number, the value of a mule is \$42. Mules are worth more than horses—a pecuniary degradation for the "prince of animals" and a marked distinction for the patient, humble, long-suffering unmusical, American mule, the butt of the paragapher, the accepted type of stolidity and the time-wasting quadruped of many parts of the country. The decline in the value of the horse compared to the mule is due to a variety of causes, the first and most important of which is that the demand for higher-priced horses has visibly diminished, while the horse of all work of the farm, and of the highway remains in great demand. Again, horses have always been in largest demand in level parts of the country. It is in

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A Farmer's Fortune.

The Remarkable Way in which Adam Salm Acquired Success and Happiness.

From the Vernon Times, Vernon, N. Y.

Every one in Vernon and for miles around knows honest, good natured Adam Salm, and not only in Vernon County, N. Y., where he has resided for twenty-eight years and conducts his large and well-kept farm, but wherever he is known his word is respected.

His happiness, success in life and even life itself was due to a victory over disease.

"It was a wonderful victory" he says, "from the dreadful disease which threatened to visit my life and one that has made life miserable for thousands and filled innumerable premature graves. It is that form of disease known as rheumatism, and which held undisputed sway until its conquering enemy came in the form of Dr. Williams' Pink Pills for Pale People."

"For a long time I experienced untold sufferings from the ravages of this fearful ailment. All kinds of remedies were resorted to for relief, but it was the same experience that had come to countless victims of rheumatism—immunity from excruciating pain for a time, but after temporary relief came suffering once more, as the insidious malady took a new grip on its distracted victim.

"It happened one learn of the wonderful power of Dr. Williams' Pink Pills for Pale People in conquering rheumatism, but long suffering had made me incredulous as I had spent many dollars for other remedies, without finding relief and this experience had emboldened me against proprietary medicines. I finally concluded to try these pills and I bought one box of them, and before they were all used I experienced a relief such as I had not enjoyed since my affliction began. With the depletion of the first box came another

and another until twelve boxes had been consumed.

"Just six months from the time the first box had been taken I was a cured man, and with the consumption of the last pill went out my blessing to Dr. Williams' Pink Pills for Pale People and to the management which is spreading its efficacy throughout the world relieving suffering humanity from the chains of disease. This is no fairy tale, but a true story prompted in the fullness of a grateful heart, and given for the benefit of those who may be similarly afflicted."

This is to certify that the article published in the Vernon Times of December 17, concerning my cure of rheumatism by the use of Dr. Williams' Pink Pills for Pale People is true and published with my sanction.

ADAM SALM.

Subscribed and sworn to before me.

Geo. L. Bowers, Notary Public.

The blood is the vital element in our lives consequently it must be kept pure, rich and red in order to have perfect health. The cause of Mr. Salm's sickness was impure and impoverished blood. He had skilled medical treatment and used many remedies, but derived no benefit until he commenced to take Dr. Williams' Pink Pills for Pale People and these cured him.

This remedy fills this remedy is the best means of imparting those elements that purify, vitalize and enrich the blood, thus aiding bodily functions and arousing every organ into healthful action and in this way restoring the entire system.

That is the reason why Dr. Williams' Pink Pills for Pale People cure so many diseases, why doctors prescribe them, why druggists recommend them and why they are so universally used.

these that the use of mechanical contrivances has become more general, while mules, in greatest demand in hilly regions remain in demand in these. A final reason for the greater average value of mules compared with horses is to be found in the question of forage. A horse is very much more expensive to maintain than a mule, and, moreover, horses are more numerous, relatively, in those parts of the country in which the climate is rigorous and severe than in the milder regions of the country, in which mules are cheaply housed and cheaply fed. In the state of Minnesota, for instance, there were at the time of the last count 400,000 horses and only 8,500 mules, and Minnesota is one of the states in which winters are very severe. In South Carolina, on the other hand, there were on Jan. 1st 65,000 horses and 100,000 mules, and in Georgia there were 110,000 horses and 165,000 mules.

First among the states of the country in the number of mules is Texas, next comes Missouri and then Georgia and Tennessee. California has a considerable number and Kansas and Arkansas a large number, too. The leading states for horses in respect to their total number and the hay and oat crops to maintain them are Illinois and Iowa. Two states which have, relatively, no mules to speak of when compared with the number of horses, are New York and Michigan. Pennsylvania, because of its coal and iron mining industries, has nearly ten times as many mules as New York.

The American mule, as has often been truly said, is worthy of much better and higher recognition than popular estimate awards it. The American mule is an animal of endurance and an important factor in the wealth of the agricultural states, more particularly in the great cotton belt where "ten acres and a mule," is the measure of the ambition of many of the negro tenant farmers.

FOR LA GRIPPE.

Thomas Whitfield & Co., 240 Wabash av., corner Jackson-st., one of Chicago's oldest and most prominent druggists, recommend Chamberlain's Cough Remedy for la grippe, as it not only gives a prompt and complete relief, but also counteracts any tendency of la grippe to result in pneumonia. For sale by Lunn & Brooks, druggists.

DOCTOR MEYERS & CO. Specialists for Men

These physicians have been treated ailments since 1887. They are the largest and best equipped medical institution in the West, and the most extensive practice in the U. S.

No Pay Till Cured.

Subscribers who can't pay their bills will be treated free of charge.

ALL FREE.

731 MARKET ST. Elevator Entrance.

FERRY'S SEEDS

were known years ago—their fame grew every year—and the demand for them is now so great that they are not to be had in any quantity. For sale by leading druggists. They will give you the best paper and always worth the price you pay for them. Buy all risk—buy Ferry's.

1899 Seed Annual is free. Send for it.

W. H. FERRY & CO., Detroit, Mich.

NOTICE TO CREDITORS.

Notice is hereby given that the county court of the state of Oregon for Marion county, did duly appoint John A. McIntire as executor of the last will and testament of Leonard B. Judson, deceased, and all persons having or claiming to have any claim, account or demand against the estate of the said testator, Leonard B. Judson, are hereby required to present the same to the said executor, duly verified, as required by law, at his residence at Warrenton,

Clatsop county, Oregon, within six months from the date of the first publication of this notice.

Dated at Salem, Oregon, this 21th day of February, 1899.

JOHN A. MCINTIRE, Executor.

Warrenton, Oregon.

John A. Carson, attorney for executor, Salem Oregon. 5:2-5:1w.

SUMMONS.

In the Circuit Court of the State of Oregon, for Marion County.—No. 7082.—Department No. 2.—

J. Gurney Fowler and W. J. Casner, plaintiffs, vs. Edward Harrison, Nellie C. Harrison, his wife, and Featon M. Bagley, defendants.

To Featon M. Bagley, one of the above named defendants:

In the name of the state of Oregon, you are hereby requested to appear and answer the complaint filed against you in the above entitled cause in the above entitled court, on or before the twenty-fifth day of March, 1899, and if you fail so to appear and answer, plaintiff will apply to the court for the relief commanded in the said complaint, to-wit:

For judgment against the defendant, Edward Harrison, in the full sum of Twenty-two Hundred Dollars, (\$2200), with interest thereon at the rate of 8 per cent per annum from the first day of November, 1897, less Sixty-seven Dollars and sixty-five cents (\$67.65) paid June 27, 1897, on account; also Forty-three Dollars and fifty cents (\$43.50) paid on account of insurance, with interest thereon at the rate of 8 per cent per annum from April 29, 1898, and the further sum of \$750 Hundred and Twenty-two Dollars (\$750.22) attorney's fees and the costs and disbursements of said suit, and for a decree of this court adjudging that the said indebtedness and the whole thereof is a first lien and incumbrance of the following described real property, situated in the county of Marion, state of Oregon, to-wit: The east half (1/2) of the donation land claim of John M. and Nancy C. Harrison, deceased, said claim being known as Claim No. 56, Notification No. 481, being parts of sections 28, 29, 32, and 33, 1/4 west of the Williams Meridian and bounded as follows: Beginning at a point 23 chains and 35 links north and 4 chains and 47 links west of the northwest corner of said section 32; thence east 80 chains; thence south 80 chains; thence west 80 chains and 7 links; thence north 80 chains to the place of beginning, and containing 640.25 acres of land, the land intended to be conveyed by the mortgage in said complaint being 320 acres, more or less, and directing that the said real property be sold for the satisfaction of said debt and the purchaser at said sale take such title thereto as was had by the defendant Edward Harrison on the first day of November, 1892, together with all title which he and the said Nellie C. Harrison have since acquired and that the purchaser at said sale may be put into possession of said premises and that the above named defendants and all persons claiming under them, be foreclosed and barred of all rights and equity in the said premises and that plaintiffs have such other and further relief as to this court may seem meet.

This summons is published by order of the Hon. E. F. Bower, judge of this court, and made on the fourteenth day of February, 1899, the date of the first publication February 17, 1899.

GEORGE W. HAZEN, H. J. BIGGEL, Plaintiff's Attorneys.

2:17-w7L

NOTICE TO CREDITORS.

Notice is hereby given that the undersigned, A. D. Smith, was by an order of the county court of the state of Oregon, for Marion county, duly made and entered of record, on the twenty-first day of January, 1899, duly appointed administrator of the estate of Marcette S. Smith late of said county, deceased, and the said A. D. Smith has duly qualified and entered upon the discharge of his duties as such administrator. All persons having claims against said estate are hereby notified to present the same to said administrator duly verified, as by law required, at No. 56 Court street, in the city of Salem, Oregon, within six months from the date hereof.

Dated this first day of February, 1899.

A. D. SMITH, Administrator of said estate.

2-3-99 w