

THE MASTER FISH WARDEN

Files Report of Collection for the Past Month

STATE COMMISSION HELD A MEETING AND APPOINTED WATER BAILIFFS YESTERDAY.

The Law Will Be Strictly Enforced During the Present Closed Season—Fish Caught During This Time Will Be Confiscated by Deputies.

(From Wednesday's Statesman.)

Master Fish Warden H. G. Van Dusen was in Salem yesterday, and during the afternoon met with the State Board of Fish Commissioners in regular monthly session. Only routine business was transacted by the Board.

The Board appointed water bailiffs to work under the direction of the Master Fish Warden. Those named were Louis Himler, of Park Place, to guard the Clackamas river, and Joseph Sinnott, of Astoria, for the Clatsop county district, to succeed Fred Wickman, deceased. The water bailiffs serving last year were retained, and will work when called upon by the Master Fish Warden, when their services are required. They are W. M. Smith, of Park Place, for the Clackamas and Willamette rivers; H. S. Moody, Malcolm S. McCown and E. H. Joseph, on the Columbia.

Mr. Van Dusen reported the shutting down of the South Coos Bay hatchery, as all the young fish propagated there have been turned out. Supt. G. A. Brown, who had charge of the hatchery, has gone to his home in Oregon City.

The report of collections for the month of February, filed by the Master Fish Warden, shows that \$760 was received, on account of the following:

12 individual fishing licenses.....	\$ 12 00
4 gill-net licenses.....	10 00
18 set-net licenses.....	18 00
2 pound-net, trap or weir.....	30 00
14 fish-dealers' licenses, 1st class 140 00	
2 fish-dealers' licenses, 2d class 30 00	
1 fish-dealers' license, 3d class 20 00	
1 fish-dealers' license, 5th class 50 00	
1 fish-dealers' license, 11th cl.....	450 00
Total.....	\$760 00

Master Fish Warden Van Dusen expects to prevent illegal catching or illegal sale of salmon and sturgeon now while the season is closed. Except at the mouth of the Necanicum the closed season for salmon in Oregon went into effect Saturday morning, at 6 o'clock, and no fish may be taken before the middle of April. Further to caution dealers, hotel and restaurant men against violating the law intentionally or otherwise, Mr. Van Dusen has sent out a circular letter warning them of handling fish, and setting forth the proscription of the law on these lines. The wording of the circular was misinterpreted in that many understood it to mean that the sale of storage salmon was ordered prohibited. The circular follows:

"During the season beginning March 1 and ending April 15, it is unlawful to take or fish for salmon in the Columbia river or in any of the waters of the State of Oregon.

"In regard thereto I beg to notify you that during said named season it is unlawful for you to receive or have in your possession, sell or offer for sale salmon caught or taken during said named season.

"Section 23 of the general fish laws of the state provides that in all prosecutions under said section, the possession of any person during the close season named, of any species of salmon, shall be construed as prima facie evidence, that the same were unlawfully caught during the said season.

"It is also unlawful for you to receive or have in your possession, sell or offer for sale sturgeon during the season beginning March 1st and ending November 1st."

Mr. Van Dusen denies that this letter was intended to create the impression that he would endeavor to stop the sale of cold-storage salmon, those caught during the open season; however, he will leave it to his deputies to say whether fish found in the possession of any person was illegally caught or not. He has notified his deputies that whenever they have reason to suspect that a salmon offered for sale is an illegal one, they shall arrest the holder and he will be compelled to prove where the fish came from. Receipts given for the fish when received at the cold-storage plant in the open season, in all probability, will be sufficient proof of the fish having been legally caught, and it is not likely that much of the cold-storage fish will be disturbed. Only in cases of suspicious character will the deputies step in.

It is Mr. Van Dusen's intention to enforce the state laws regulating the closed fishing season more strictly this year than ever before, and to this end he will actively pursue his work, and will closely watch transportation companies handling fish. Last year, he declares, tons of Columbia river fish were shipped from Kalama to Washington interior points, and then reshipped to Portland as Puget Sound salmon. This will not be permitted this year; for every box brought into Oregon will be confiscated. Neither will the handling of fish from coast streams be permitted, as every stream in Oregon is closed to fishing now, with the exception of about 100 yards at the mouth of the Necanicum, and no salmon are entering that stream at present.

Mr. Van Dusen expects no such difficulties as he met with last year in securing convictions of violators of the fishing laws. Conditions in this respect have changed, and a majority of the people are beginning to realize the importance of at least a partial protection of one of the state's most important industries.

There was considerable dissection caused on the first day of the closed season because of deputies stepping in and confiscating fish which it was alleged were caught on the last day of the season. One instance is reported

ed where a fisherman down the river sent some salmon to a dealer Friday, but the fish did not arrive until Saturday morning. The closed season began at midnight Friday night. The dealer refused to accept the fish and they were confiscated by a deputy. This deputy afterwards, it is said, offered to sell the fish to the dealer to whom they had been sent. The dealer did not understand what authority the deputy had to sell the salmon if he—the dealer—could not. As a compromise, however, the dealer offered to buy the salmon providing the deputy would send the money to the fisherman down the river. This the officer refused to do, saying that the money had to go into the State Treasury. The sale was not consummated.

TWO ORDERS MADE IN THE PROBATE COURT.

Final Account of George J. Pearce, Administrator of the E. C. Small Estate, Approved by County Judge John H. Scott.

The final accounts of the administrator, Geo. J. Pearce, upon the estate of E. C. Small, deceased, was yesterday allowed by the Marion county probate court, and he was discharged from his trust and his bondmen exonerated from all further liability. Wayne Waters, A. A. Lee, and C. L. McNary, appraisers of the estate of Peter O. Smith, deceased, filed their inventory and appraisal thereon, showing that the estate consisted of both real and personal property the value of which is estimated at \$260.

PARDON IS WANTED

FOR AN OLD SOLDIER SERVING A LIFE SENTENCE.

He Killed His Wife After Suffering Abuse at Her Hands for Years—The Prisoner Has a Good Record.

(From Wednesday's Statesman.)

Gov. T. T. Geer yesterday received a petition for the pardon of Wm. F. Beckman, who is serving a life sentence in the Penitentiary, for the murder of his wife in Douglas county, on September 10, 1894. The petitioners show that Beckman was a soldier in the Federal army during the Civil War and was wounded at the second battle of Bull Run. He was honorably discharged, and went to Minnesota where he lived until 1892, and where he was highly respected. In 1892 he married a widow in Renville, Minn. This woman had a bad reputation, and her grown son was a "tough." After their removal to Oregon, the woman and her son hectorated the old man, abused him, secured his money, and at times drove him out of the house to sleep in a barn, while the woman entertained other men in the house, until in the spirit of desperation, the old man shot his wife, from the effects of which she died. The man was convicted of murder in the second degree, and sent to prison for life.

Beckman is now 72 years old, and broken in health. His friends are urging the pardon, and are supported by the trial judge, Hon. J. C. Fullerton, of Roseburg, also a portion of the jury trying the case. Among the petitioners are many of the old man's former acquaintances in Minnesota, nearly all of whom give the woman a bad reputation.

MANY HOP CONTRACTS PLACED ON RECORD.

Twelve Cents the Ruling Figure in a Number of Sales of the 1902 Crop as Shown in the County Recorder's Department.

Twelve hop contracts were yesterday filed for record in the Marion county recorder's department, representing 163,000 pounds or 906 bales of the 1902 10,000 pounds at 12 cents.

Frank Van Wassenhove, of Champeog, to Lillenthal Bros., of New York, crop of Marion county hops. All except three of these contracts were made by one firm in this city, representing 140,000 pounds of the amount involved, the consideration for all of the latter amount being 12 cents per pound. The contracts follow:

- Hofer & Zorn, of Champeog, to Lillenthal Bros., of New York, 40,000 pounds at 12 cents.
- James Coleman, of St. Paul, to Lillenthal Bros., of New York, 18,000 pounds at 12 cents.
- Ah Chung and Hofer & Zorn, of Champeog, to Lillenthal Bros., of New York, 16,000 pounds at 12 cents.
- Hofer & Zorn and Bernier Bros., of Champeog, to Lillenthal Bros., of New York, 14,000 pounds at 12 cents.
- Lee Moon and Hofer & Zorn, of Champeog, to Lillenthal Bros., of New York, 20,000 pounds at 12 cents.
- Hugh Cosgrove, of Champeog, to Lillenthal Bros., of New York, 10,000 pounds at 12 cents.
- A. B. Crosby, of Woodburn, to Krebs Bros., of Salem, 10,000 pounds at 11 1/2 cents.
- C. J. Cooley, of Mt. Angel, to Krebs Bros., of Salem, 8,000 pounds at 10 1/2 cents.
- P. Greeblau and Jim Hing, of St. Paul, to Lillenthal Bros., of New York, 6,000 pounds at 12 cents.
- Emil Struve, of Butteville, to Lillenthal Bros., of New York, 6,000 pounds at 12 cents.
- S. J. Kerr, of St. Paul, to Krebs Bros., of Salem, 5,000 pounds at 11 cents.

WILL WED TODAY.—The marriage of Mr. Homer H. Smith and Miss Frances G. Parkhurst is announced to take place at the Parkhurst home, No. 310 Summer street, this afternoon. The young people are both well and favorably known in social and business circles in this city.

Paderewski's first opera is called "Manru." It deals with Gypsy life. It received its first performance in Dresden on May 29, 1901, and was sung in New York this winter.—Ladies' Home Journal.

SOUGHT DEATH BY HANGING

Emil J. Peiffer, a Patient at the Insane Asylum

STRANGLED HIMSELF IN HIS ROOM ON THE VIOLENT WARD YESTERDAY MORNING.

Made a Rope Out of a Sheet, and With a Loop Around His Neck, Hanged Himself to the Transom of His Room—Found Dead When Patients Were Called for Breakfast.

(From Wednesday's Statesman.)

Emil J. Peiffer, of Sellwood, Oregon, a patient on the violent ward at the Oregon Hospital for the Insane, committed suicide, in his room, at an early hour yesterday morning, by hanging, and when the room was opened a few hours later, he was dead.

Peiffer was a violent patient, and had been on the violent ward at the Asylum for a year, or since the date of his arrival there—February 27, 1901. He was 27 years old, a big, strong man, and had made several attempts to escape from the attendants. On Monday night he was taken to his room as usual, and with two other patients retired. Some time toward morning he had evidently been awakened, when the suicidal mania seized him, and tearing up the sheet on his bed, he twisted it into a rope, climbed up to the transom where he fastened the improvised rope, and sprang down, death coming as a result of strangulation. The two men occupying the room with the suicide could throw no light on the subject of the suicide of their room-mate, as they had slept throughout the night, and were unaware of Peiffer's death until called for breakfast by the attendants. Dr. D. F. Lane, the coroner, was immediately notified, and that gentleman went out to the Asylum and investigated the matter. He decided that there were no suspicious circumstances surrounding the case, and that an inquest was not necessary.

The remains were yesterday afternoon prepared for burial and will be shipped to Sellwood on this morning's train, where the parents of deceased live, and where interment will be had. As stated above, Peiffer was brought to the Asylum from Sellwood, on February 27, 1901, at which time he was 26 years old. He was 6 feet and 1 inch in height, weighed 160 pounds, and was physically a strong man. Before his commitment he had suffered three or four attacks of insanity. He was a single man.

HE STOLE AN OVERCOAT AND WAS ARRESTED.

Will Porter in the Toils of the Law for Taking a Garment Not His Own—Claims He Took It By Mistake.

Will Porter was arrested last evening by Officers Lewis and Murphy, charged with the larceny of an overcoat from a local cigar store yesterday afternoon. He was placed in jail and upon being questioned by the officers he claimed that he had taken the coat through a mistake, and intended to return it. The overcoat which young Porter is charged with having stolen, is the property of Herbert Farrar and, from what facts can be obtained concerning the matter, Porter went into the cigar store, removed the overcoat which he was wearing—a short coat of dark material much the worse for wear—and hung it on the coat rack. After sitting around for awhile he finally got up, put on Farrar's coat, a long dark coat practically new, and walked out of the back door. As soon as the coat was missed the officers were notified and a search was at once instituted, but Porter was not found until about 9:30 o'clock.

It later developed that the overcoat which was worn into the cigar store and left hanging on the coat rack was the property of a Mr. White, who is employed at the Club Stables, and of whom Porter had borrowed the coat on Monday afternoon. Porter will probably be brought up before City Recorder N. J. Judah this morning and given a chance to give an account of himself. Porter has a bad record, having been in trouble a number of times in the past, according to report.

ONE DIVORCE GRANTED.—In department No. 2 of the Circuit Court Judge Boise yesterday granted Hester G. Thompson a divorce from G. F. Thompson, on the ground of desertion. An interesting part of the testimony related to the two children of the marriage, a girl and a boy, aged respectively seven and five years. It appeared from the testimony that G. F. Thompson deserted his wife about two years ago, leaving her the care and custody of the two small children. After she brought suit for divorce and shortly before the case was set for trial, the defendant came to where Mrs. Thompson was living with her father and mother, at Dallas, Oregon, and upon the pretense of wanting to visit his children, took them to the hotel and then suddenly departed with them for parts unknown. Judge Boise awarded the legal custody of the children to Mrs. Thompson. Bonham & Martin appeared for Mrs. Thompson, and Deputy District Attorney J. H. McNary for the state.

INDISPOSED.—Sheriff F. W. Durbin has been complaining for several days, past of ill health until Sunday morning he was feeling so badly that he was obliged to return to his home, where he has since been suffering from some unknown complaint, the nature of which his friends fear indicates that he is threatened with an attack of pneumonia, but it is hoped that their fears may not be realized.

SAD NEWS.—Frank A. Turner yesterday received the sad news of the demise of his mother, Mrs. Sarah J. Turner, who passed away at the family

home, in Des Moines, Iowa, early yesterday morning after brief illness, aged nearly 72 years. Deceased leaves a husband, one son, F. A. Turner, of this city, and one daughter, Mrs. Ailie T. Miner, of Des Moines, and who was formerly a teacher in the schools in this city, to mourn her untimely demise. She had been failing for several months but her condition was not considered serious until a few days ago. Mr. Turner is not able to go to Iowa in time to attend the funeral on account of the distance.

A RUSH.—The rush of taxpayers continued in the sheriff's department yesterday over \$5000 was passed over the counter to apply on the 1901 taxes, and the result was that the deputies, E. B. Colbath and J. O. Estes, who are working alone during Sheriff Durbin's indisposition, were obliged to suspend operations at 4 o'clock for a few minutes in order to deposit \$9757 in the bank which it was not considered safe to carry over night in the sheriff's vault.

Joints Like Rusty Hinges.—are among the consequences of rheumatism. The sufferer can move knees and elbows, but the effort makes him wince. He rejoices when a good rubbing with Perry Davis' Painkiller drives the stiffness out and brings the freedom of motion back. No wonder our grandfathers believed heartily in this beneficial liniment. There is but one Painkiller, Perry Davis'.

A FRATERNAL VISIT.—Last evening was a red letter night in the history of Chadwick Chapter No. 37, Order of the Eastern Star, in this city, the occasion being an official visit to the lodge by Mrs. Clara Marsden, of Burns, worthy Grand Matron. A large membership was in attendance to greet the eminent visitor, and a most enjoyable evening was spent. After the lodge meeting the members and guests adjourned to the banquet hall, where elegant refreshments were served. The tables were beautifully decorated with flowers emblematic of the order. It was at a late hour when the happy crowd finally dispersed, all agreeing that it had been a most enjoyable and profitable evening, spent in the lodge home of the chapter.

"NOTHING SUCCEEDS LIKE SUCCESS."

The Oregon Fire Relief Association has been a success ever since it began business in January, 1895, and is now growing faster than ever before.

Its annual report of December 31, 1901, shows a net gain in amount of insurance in force of \$2,628,787, which is 50 per cent more than the net gain of any previous year. It paid 135 losses during the year, amounting to \$22,600.

It is strictly a mutual institution which furnishes the best of

Fire Insurance at Cost.

For further particulars, address A. C. Chandler, secretary, McMinnville, Oregon, or if you reside in Marion county, call on or address H. A. Johnson, (agent), Salem, Oregon.

INSURANCE COMPANIES PAY THEIR STATE TAX.

Remittances Received by the State Treasurer from a Number of the Companies Operating in Oregon.

State Treasurer Chas. S. Moore is in receipt of remittances from a number of insurance companies, in payment of the state tax of 2 per cent on their net premium receipts for the past year. The remittances so received are: Penn Mutual Life.....\$1615 57 Mutual Life of New York.....1041 71 Washington Life.....557 44 Scottish Union & Nat'l Fire...423 98 Union Mutual Life.....370 08 Continental Casualty Co.....92 18 Security Trust & Life Ins. Co...5 81

CATTLE ARE DYING.—Gov. T. T. Geer yesterday received a letter written by Albert Walker, of Bly, Oregon, saying that many cattle have died at Fort Klamath of Anthrax, that some of these cattle were bought and brought into the Bly neighborhood to winter, and some died with the disease there. Some of the stockmen in that section call the disease blackleg, and the writer asks that the matter be investigated. Governor Geer has referred the matter to the State Veterinarian for investigation. The letter is accompanied by one from Col. C. A. Cogswell, who urges action for the protection of Southern Oregon cattle men.

ONE LICENSE.—A marriage license was issued yesterday to Peter Fuhr and Miss Gena E. Burtness, Eilef K. Burtness witness.

IN CIRCUIT COURT YESTERDAY AFTERNOON

An Important Order Was Made by Judge R. P. Boise Regarding the Funds in the Hands of the Receiver of the Williams & England Bank.

Department No. 2 of the state circuit court continued in regular session yesterday afternoon during the course of which the court ordered that the receiver, W. T. Slater, reserve forty per cent of the cash on hand, belonging to the insolvent Williams and England Banking Co., pending the termination of Phil Metschan's appeal to the Supreme Court from the opinion of Judge Boise disallowing his and other claims for interest upon his principal deposit with the insolvent corporation. It is quite probable that all parties interested in that case will appeal to the Supreme Court in order that the case may be rehearsed in full and a final decision obtained.

The suit for an accounting, entitled, W. K. Allen, et al., plaintiffs, vs. Allen Packing Co., et al., defendants, which was set for hearing at 2 o'clock p. m. yesterday was dismissed by agreement of both parties.

CASTORIA. The Kind You Have Always Bought. Share the Signature of Dr. H. H. Fletcher.

Mrs. Z. J. Riggs departed on the overland last night for San Francisco for a visit to her parents, Mr. and Mrs. A. C. Rusofson, having received the intelligence that there was sickness in the family.

J. M. HUBER'S APPEAL CASE

Heard in the Supreme Court Yesterday Afternoon

THE ACTION WAS BROUGHT TO COLLECT MONEY LOANED TO THE APPELLANT.

Mr. Huber Secured Judgment Twice in the First Court, and His Antagonist Is Trying to Have the Verdict Set Aside.

(From Wednesday's Statesman.)

In the Supreme Court yesterday the case of J. M. Huber, respondent, vs. C. W. Miller, appellant, an appeal from Multnomah county, was argued and submitted, by Judge H. E. McGinn for respondent, and N. H. Bloomfield and L. R. Webster for appellant. The court ordered on motion of respondent that the record of the proceedings of the first trial be made a part of the transcript. A brief statement of the case follows:

On the first day of December, 1898, the respondent commenced an action in the Circuit Court of the state of Oregon for the county of Multnomah against the appellant C. W. Miller, to recover a judgment against him for the sum of \$2,000, with interest on \$1,000 thereof from the 7th of September, 1892, at the rate of 10 per cent per annum, and interest on the remaining \$1,000 thereof from the 14th of October, 1892, less the sum of \$375 interest on the first \$1,000, and less the sum of \$145 paid of the last \$1,000. The respondent alleged that this sum had by him been advanced and loaned to the appellant at his special instance and request. The appellant answering, denied that he had ever borrowed any money from Mr. Huber, and the only question presented in the case for determination was one of fact—Did the respondent lend \$2,000 to the appellant? The cause was twice tried—the first time, on the 7th and 8th of March, 1899, resulted in a verdict for the plaintiff for the full amount sued for, both principal and interest. This verdict was by the trial court set aside on the 9th of May, 1899. The second trial, commenced on the 12th of September, 1899, was terminated on the 15th of September, 1899, and again resulted in

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T. D. JONES, Prop. SALEM, OREGON.

a verdict for the plaintiff in the full sum claimed by him. This verdict the trial court refused to set aside, and it is to reverse the judgment obtained on the second verdict that this appeal is prosecuted, and the only error relied upon to work a reversal of the judgment is the absence of evidence to sustain the verdict. One minor order was made, as follows: Flanagan & Bennett Bank, appellant, vs. R. A. Graham, et al., respondent; ordered on stipulation that appellant have until April 20th to serve and file its brief.

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