HE PASSES UP LAST CHANCE

LAUTH'S ONLY CHANCE FOR LIFE LIES WITH THE GOVERNOR.

PARDON OR LIFE SENTENCE.

Twenty Days' Time For Filing Motion For Rehearing Expired on Thursday Evening.

Counsel For Convicted Murderer of Alma Nesbitt, Norman Williams, Takes Advantage of Privilege and Petitions Court for Rehearing—Raises Question

(From Saturday's Daily.)

So far as the courts are concerned, George W. Lauth, convicted of the murder of his mistress, Leonora B. Jones, in September, 1904, has passed up his last chance for life, that of filing a motion for a rehearing with the supreme court, and the mandate in his case will be sent down either today or tomorrow. He will be taken to Oregon City next week, when the sentence of death will be pronounced upon him. Not so with Norman Williams, the convicted murderer of Alma Nesbitt, for he took advantage of the last privilege granted him by the courts and petitioned the supreme court for a rehearing yesterday afternoon.

The opinions of the supreme court in both of these cases were handed down on Friday, April 29, and the twenty days' period in which the defendants were allowed to file motions for rehearing expired at midnight of Thursday of this week. Lauth has showed no disposition whatever for taking advantage of this privilege, nor did the counsel for Williams until Wednesday, when he appeared before the supreme court and asked for two days additional time in which to file such document, which was, of course, granted by the court. Henry E. McGinn, counsel for Williams, appeared before the court yesterday afternoon and filed the petition for a rehearing, which was taken under advisement by the court.

Williams' counsel asks for a rehearing on the ground that he believes the "court lost sight of a distinction which is everywhere to be found in the books, namely, that the proof of corpus delicti must be proven independent of any reference to the guilt of the defendant." He states further in his petition that in the opinion handed down the court laid great stress upon the fact that the circumstances point strongly to the guilt of the defendant and that the "rule requires that the proof of corpus delicti should precede any proof of guilt." The mandate in the Williams case will not be sent down to the lower court until this petition for a rehearing has been argued and decided by the supreme court, which will, in any event, operate to give him a longer lease upon life. If the petition is denied, Williams will be hanged in The Dalles at some future date to be fixed by the court.

BOMB EXPLODES

WORKMAN AND TWO DETECTIVES LITERALLY TORN TO PIECES IN WARSAW.

Deadly Missle Said to Have Been intended for Governor General Maximovitch, Who Was Expected to Pass Where Frightful Accident Occurred.

WARSAW, May 19.—A workman who was trying to avoid the observation of two dectestives on Midowa street today stumbled on the curb of the sidewalk, and a bomb, which he was carrying in his pocket, exploded, killing the workman and both detectives and injuring twenty-three others. A school boy was detained at the police station, having been noticed warning people against going into Midowa street.

Today's outrage is the sixth of a similar character in Warsaw since the January disturbances. The man who was carrying the bomb was identified as a Polish shoemaker named Dobrowolski, a member of the violent section of the Socialists.

It is believed that the bomb was intended for Governor General Maximovitch, who was expected to pass the spot on his way from cathedral services in honor of the czar's birthday.

The bodies of the victims were literally blown to pieces.

The Maid—How smoothly your "auto" runs?

The Chauffeur—Yes; I think something's broke.—Puck.

ALL HOPE IS ABANDONED

Negotiations for New Chinese Exclusion Treaty Seem to Have Been Suddenly Given Up.

WASHINGTON, May 19.—All hope of the success for the pending negotiations of the new Chinese exclusion treaty has, for the present, been abandoned by the Chinese officials as the result of a wave of resentment that swept over China since it became known that it was planned to transfer the negotiations to Pekin and that the department of commerce and labor was insisting upon its own interpretation of the exclusion law. The opposition of the Chinese to the proposed move to transfer the matter to Pekin is more capable of knowing the wishes of the Chinese in this country than their own government, that in negotiating an immigration treaty with the American minister at Pekin the Chinese negotiators will be at a great disadvantage.

GRAND JURY TAKES RECESS.

No Indictments in Beef Inquiry Until After June 7, When Body Reconvenes.

CHICAGO, May 19.—The grand jury which has been investigating the beef industry adjourned today after being in session exactly three months. It will reconvene on June 7 to vote upon the indictments which, in the meantime, may be prepared by the office of United States district attorney. Jesse P. Lyman, former president of the National Packing Company; Hector Streyckmats, former confidential stenographer for Armour & Co., with Gustav Freunde, former head of the Aetna Trading Company, were placed under bonds to assure their attendance as witnesses at the July term.

TO HEAR FROM GOVERNOR,

Secretary Hitchcock Declines to Pay Any Attention to Communication From Company.

WASHINGTON, May 19.—Secretary Hitchcock has been notified by an Alaska development company that it has dropped the name of Governor Brady from its directorate. The action was taken because of the secretary's notification to the governor that unless he retired from the company it would be necessary to relieve him from his office. The secretary refuses, however, to recognize the communication from the company and says he will await further communication from the governor.

GO GLIMMERING

HORRIFIED, HIS HEAD HANGING, HOCH HEARS HOW HIS HOPES HERE HINGE.

Jury of His Peers Find Him Guilty of Murder and Judge Pronounces Sentence of Death by Hanging—Is Ready to Die, Says Condemned Man.

CHICAGO, May 19.—Johan Hoch, who by his own confession is several times a bigamist, and who was charged by the police with having married at least forty women in the past fifteen years, was today found guilty of murder and the death penalty was recommended by the jury in Judge Kersten's court. The crime for which Hoch will be led to the gallows was the murder of his last known wife, Mrs. Marie Walcker-Hoch. Hoch had been married to this woman but a few days when she became suddenly ill an died. He then formed an alliance with the sister of the dead woman, and securing the latter's money, fled from Chicago.

The verdict was one of the quickest on record in Cook county, the jury having reached a decision in less than a half hour. Three ballots were taken.

Hoch's attorneys will ask for a new trial, although the condemned man, after reaching his cell, declared he was read to die and would be better satisfied if they did not make the effort.

A READY REPLY.

The late Laurence Hutton, a scholar and one of the best critics of the age, was well known also for his ready wit and for his aptness at short and pithy sayings.

One day, while on a visit to Rome, he stopped with a friend at some hostelry or public garden for a glass of wine. When brought to them, however, the beverage was so poor that it was quite impossible to drink it. The next week the friend, who had gone on to Verona, leaving Mr. Hutton still in Rome, wrote to him that he had found a place where beer was better than any he had ever tasted before. By return mail Hutton dispatched these few words of warning to his friend:

"I don't wish to alarm you, sir, nor cause you needless fear, and yet I hope you'll not forget that Romeo and Juliet—according to Shakespeare—when passing through Verona were both laid out on the bier."

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A shipment of the famous

FLORSHEIM SHOES and OXFORDS

for men. All new styles, perfect in design and make up. None equal for service. Made up in Chocolate, Tan and Patent Leather. Our prices are lower than any HIGH CLASS Shoes are sold for in Salem. See and be convinced. A pleasure to show them.

E. L. IRVIN & CO. THE PRACTICAL SHOE MEN

326 State St. Salem, Oregon

REPAIRING A SPECIALTY

State News

Southern Oregon Fair.

The next second southern Oregon district fair will be held at Roseburg on September 12-16. It has been four years since a fair of this kind has been held in Douglas county.

An Honored Pioneer.

T. W. Davenport, of Silverton, Or., will be 79 years old on July 30 next. He is enjoying good health. Some years ago he retired from farm life and is now living a comfortable life with his family in Silverton. He is erecting a modern residence, which will be ready in a few weeks for him to move into.

Wool Pool Sold.

Sheep raisers within and near Scio made up a pool of about 2,600 fleeces. Last Friday it was offered for sale. M. Senders of Albany was the successful bidder, his bid being 27¾ cents per pound. This, we believe, is the highest price paid for wool in the past twenty years. The wool is to be delivered at West Scio on June 15.—Scio News.

Breaking Flax.

Tuesday we visited the flax breaking mill in this city, now being operated by Eugene Bosse. There we found six or seven men engaged in convering flax straw into tow, of which several tons are on hand ready baled for shipment. There is enough straw on hand to keep the mill in operation for several weeks.—Scio News.

Tillamook and the Outside World.

A stage line will be established between Forest Grove and Tillamook about June 1, it is said, and will make regular trips between the two places. A stage will leave Tillamook on alternate days and drive to "McNamer's Camp," where the passengers will remain over night, reaching Forest Grove the following morning.—Hillsboro Independent.

Wool at Silverton.

The wool pool was sold last Saturday at auction sale. The pool consisted of about 19,000 pounds, and three buyers were in the field ready for the sale. Messrs. Schutman of Portland, Johnson of Salem and Craig of this city. Craig made a bid of 27¾ cents per pound and this encouraged the Salem buyer to go higher, and the entire load was sold for 27⅞ cents.—Silverton Appeal.

Poor Hops, Strawberries, Etc.

The hop crop in the vicinity of Parkersville, Marion county, looks very discouraging, too much cold weather is supposed to be the cause. Strawberries will also be light in most places in that section.

The prune crop in the locality of Lewisburg, Marion county, is almost a failure, especially on the low lands. Cherries and pears will make about half a crop. Apples will be much lighter than usual. Grains of all kinds are looking well and the prospects for a heavy yield are good. There will be an abundance of potatoes and vegetation.

Turntable and Sidetrack.

Thirty men and four teams have begun the work of constructing the switch for the new turntable at the western end of the Southern Pacific yards in Eugene. The turntable will be located just west of the new stock yards south of the tracks. The teams are engaged in plowing and scraping the earth and hauling it to make the "fill" for the track leading to the turntable. The sidetrack extending the length of the yards south of the main line will be extended west a distance of 170 feet, giving much more room for passing trains. The new turntable and the switch extension will be completed by June 1, the time set for extending the Albany local to Eugene.

An Interesting Find.

While Sid and Ernest Carter were going through a lot of old papers belonging to their father, John L. Carter, deceased, preparatory to destroying all that were of no value, they found in an old letter a Wells-Fargo & Co.'s draft drawn by the Folsom, Cal., office on their New York branch, for $200, payable to C. T. Palmer, agent, and endorsed over to John L. Carter. The draft was dated February 15, 1861, and is older than either of the sons who unearthed it.

The draft will be forwarded at once for collection, as no doubt it is just as good today as the day it was drawn.

A number of very old coins were also found in an old chest and among other things of interest was a Christmas almanac over sixty years old.—Ashland Tidings.

Improving Crater Lake Park.

W. F. Arant, superintendent of the Crater Lake National park, who has been in Ashland for a day or two en route home from a few weeks' trip to the north, left for Klamath yesterday. Although the last congress only appropriated $3,000, one-third of the amount recommended by him for improvement work in the park, Mr. Arant has a scheme of work in the way of buildings, roads, etc., outlined and to be submitted to the department for approval for the fiscal year beginning July 1, and in accordance with the limited funds available, that will be of great benefit to the park. The appropriation of the last two congresses for improvement work in the park have not been such as its importance justifies, Mr. Arant thinks, but he is making the best showing possible with the funds available, and living in hopes that as the wonders and attractions of Crater lake become better known it will receive more recognition from the hands of the national congress.—Tidings.

Fruit Prospects Around The Dalles.

Down in western Oregon they are complaining that there will not be more than from one-third to one-half a crop of prunes in the state this year. So far as the Dalles district is concerned, we were not aware of the fact for up here it will, if anything, be better than that of last year, when the yield was 1,000 tons right in our own district.

All other fruits, save cherries, will yield abundantly; that fruit will be little more than three-quarters of a crop. Last year fifty tons of cherries found a ready market at our cannery at $80 per ton.

Fully 5,000 boxes of peaches were also disposed of by growers here, and these will be as plentiful this year.

Plums, of which we had 150 tons last year, were injured very slightly this year in exposed places, the frost of two weeks ago doing the damage.

Apples are also going to be all right this year. Last year we raised 40,000 boxes, valued at $30,000.

And this is saying nothing of pears, grapes, apricots, quinces and other fruits.—The Dalles Chronicle.

Killed at Lebanon Paper Mills.

Ogden Huston, an employe of the paper mill in Lebanon, was instantly killed Thursday morning while at work in the factory. Mr. Huston was at work on one of the lower floors of the mill, engaged in cleaning the chain and wheels of the conveyor used in carrying the cooked straw to the upper floors, having thrown the belt that drives the conveyor, off the pulleys. While at work on the conveyor and with his arm in the chute another employe of the mill, not knowing that Huston was at work there, threw on the belt and the conveyor chain suddenly started and, catching the unfortunate man's arm, drew him suddenly and violently against a large piece of timber on the floor, breaking his neck and causing instant death. The timber was within six inches of the wheel and the man's death was inevitable when he was caught in the chain. Huston was heard to call for help when he found himself caught in the moving conveyor, but before aid could be rendered he was dead.

The deceased was married, and a wife and several children survive him.

A Railroad Tunnel.

Operations are expected to begin some time next month in the building of the new Sierran tunnel near Truckee, Cal., by the Southern Pacific company. This proposed tunnel, which is one of the chief features in the plan of improvement decided upon for that route some years ago and which the S. P. company has been gradually carrying out, will be the longest in the country, approximating nearly seven miles from end to end. Its purpose is to get rid of about 1,500 feet of the climb over the summit of the range, which constitutes the most expensive section of the system to operate, not excepting the Tehachapi grade. Besides, it will abolish twenty-eight of the forty miles of snowsheds which must be maintained now to keep the road open for the traffic during winter, but which are, in the summer, a standing menace to traffic operations owing to their liability to be destroyed by fire. Another advantage to be gained by the tunnel is the saving in time between San Francisco and Chicago, the tunnel and the Lucin cut-off being relied upon to cut down the through transit of passenger trains from three to two and one-half days. The San Francisco Chronicle is of the opinion that the haulage through the tunnel will be done by electric motors to avoid the difficulties of keeping such a long bore free from the smoke of coal or oil locomotives. Practically an unlimited amount of electric power is available for the purpose, as it can be easily generated with the water of the neighboring mountain streams.

Soldier of Fortune and Misfortune Works in Paper Mills.

William F. Lukes, who wears the medal of honor and received the thanks of congress for valor during the Korean outbreak of 1871, is employed as a common laborer at an Oregon City paper mill.

Lukes has had a most eventful career. He was left to himself when but 9 years old, and became a cook. He went to California when but 15 years old and prospected all over the coast. He was mining in Mexico when Maxmillan's army started for the City of Mexico. He and his companions enlisted as privates and he was made a captain for conspicuous gallantry at the battle of Acapulo. He was captured soon after, released on parole, rejoined Maxmillan; was captured again and with two companions sentenced to be shot the next day. That night they broke out of the blockhouse, swam a river and escaped.

After Maxmilian's capture, Lukes drifted out to China and was in Tien Tsin during the massacre of 1869. He enlisted in the U. S. S. Colorado and sailed with the fleet under Admiral Rogers to attack the Korean forts in 1871. Under the command of Lieutenant Magee, his company landed and engaged the Koreans. After two days of fighting the natives were driven into one of their numerous forts. Two unsuccessful attacks were made upon it and in the third Lieutenant Magee was killed. The command fell to Lukes, who was a petty officer, and the fort was captured.

Lukes looked for the body of the commander and found the Koreans were carrying it off to the mountains. Calling for volunteers but two men responded. They soon overtook the retreating Koreans and a desperate hand-to-hand fight took place. When reinforcements arrived the marines found Lukes with eighteen sword wounds lying unconscious across the body of his commander and his companions dead. Scattered around them were the bodies of sixteen Koreans. The carbine, which Lukes carried in the engagement, is in the museum at Washington. The steel barrel was cut half way through by a great two-handed sword carried by one of the Koreans.

Magee's body was shipped to America for burial, while the man who rescued it lay thirty-nine days unconscious from the eighteen sword cuts he had received on the head. Then he suffered from three or four epileptic fits a day. Surgeon General Gilchrist operated on him at Yokohama and then he was sent to the Brooklyn naval hospital, where a number of other operations were performed. He was discharged from the navy on account of his infirmity and soon after inherited $18,000, which he spent for treatment and operations at the hands of the greatest specialists both in this country and Europe without obtaining beneficial results.

After his discharge he was given a vote of thanks by congress, breveted a captain, and received the medal of honor, upon which is engraved: "For valor. William F. Lukes, landsman and a member of Company D., U. S. S. Colorado. Capture of Korean forts, June 11, 1871." He was also given a pension of $60 a month, and when he reaches the age of 60 it will be raised to $75, the salary of a retired captain.—Oregon City Enterprise.

BATTLE MAY BE IMMINENT

OR ROJESTVENSKY MAY HAVE AVOIDED ADMIRAL TOGO.

MAY HAVE GONE TO THE NORTH

Vice Admiral Birileff Leaves to Take Command of Affairs at Vladivostok.

He Will There Make Preparations for Repairing and Refitting Vessels of Pacific Squadron Upon Arrival—Will Have Powers of Army Commander.

PARIS, May 19.—Apparently the complete disappearance of the Russian far eastern fleet leads to the belief that a battle is imminent or that Rojestvensky has succeeded in establishing a naval base. On the other hand, it is pointed out here that the position of the fleet on May 16 in latitude 13.30 and longitude 111.30 indicated that it might have been decided to follow the course north of Luzon into the Pacific instead of going through the Straits of Formosa, where Togo is believed to be awaiting Rojestvensky.

St. Petersburg, May 20.—Vice Admiral Birileff, who has been named for the supreme naval command in the Pacific, will leave for Vladivostok on May 25 to assume charge there and make preparations for repairing and refitting the vessels of Rojestvensky's fleet when they arrive.

By imperial command, Vice Admiral Birileff will have all the rights and powers of a commander of the army, and the commander of the Vladivostok garrison will be subject to his orders, thereby avoiding the possibility of authority in case of a siege, as at Port Arthur.

"I have no intention of relieving Rojestvensky of the immediate command of his fleet if he is well and able to perform his duties on his arrival at Vladivostok," said the admiral.

Knicker—Why did you tell your wife you were sitting up with a fat friend?

Bocker—Because the last time she said my excuse was too thin.—Washington Post.

A VISIT TO DR. DARRIN

(Albany Herald, 1903).

Mr. A. G. Byers, of Independence, Or., visited Albany last week to bring the doctor a patient for his wonderful treatment for deafness. To a reporter he stated that he had been almost totally deaf from his youth and that in May of 1902 he applied to the doctor while in Salem. In three months he was perfectly and permanently cured, and that he had no return of the malady since. We tested him in a whisper, and without hesitation he answered all questions. Below we give his sworn statement, published last year in the Salem Journal:

How Young Mr. Byers Recovered His Hearing.

(Salem Journal).

Mr. A. J. Byers, of Independence, Or., accompanied by his son, A. G. Byers, called at the Journal office this afternoon and made a statement relative to the condition of the younger man. He had been deaf from his infancy, and later the difficulty gradually increased to such an extent that he was almost totally deaf. Two months ago the young man came to Dr. Darrin for treatment, and today called at the Journal office to state that he could hear as well as anybody. The reporter talked to him in a low voice and was convinced that his hearing was as good as the best. This remarkable cure of necessity makes the young man feel happy, and his father is more than pleased. Their purpose in coming to the Journal office was to make a statement to the public concerning the wonderful cure.

A. G. BYERS.

Subscribed and sworn to before me, E. Hofer, a notary public, in Salem, Oregon, this 10th day of May, 1902.

(Seal) E. HOFER,
Notary Public for Oregon.

Byers' Condition Two Years Later.

"Dr. Darrin: My hearing is all right yet, and has been ever since being cured by you last year. There is no sign of deafness now, and can be referred to by letter or in person at Independence, Oregon."

A Happy Man.

The following is an extract from a card from Mr. Austin, of Portland, telling how his wife was cured of total blindness:

"I wish to make known what Dr. Darrin has done for my family. Eight years ago my wife was totally blind from what doctors called 'nervous abhorence of light.' In that condition she visited him, and was cured, so she could see as well as ever in her life. I know of hundreds who have been as miraculously cured. I am employed on the O. R. & N. railroad, and can be referred to at any time. I most earnestly recommend the afflicted from whatsoever cause to consult Dr. Darrin.

"W. 'STUB' AUSTIN."

Dr. Darrin's Place of Business.

Dr. Darrin can be consulted free at the Hotel Smeede, Eugene, Or., until July 1 from 10 to 5 o'clock daily; evening, 7 to 8; Sunday 2 to 4 p. m.

The doctor makes a specialty of all disease of the eye, ear, nose and throat, catarrh, deafness, bronchitis, la grippe, heart, liver, bladder and kidney diseases, or those who suffer from apathy and indifference; also genito-urinary and skin diseases, in either sex, such as blood taints, seminal weakness and lost vigor, varicoceles and stricture.

All curable chronic diseases treated at $5 a week, or in that proportion of time as the case may require. The poor treated free, except medicines, from 10 to 11 daily. No case published except by permission of the patient. All business relations with Dr. Darrin strictly confidential. One visit is desirable, though many cases can be treated by home treatment by writing symptoms.

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Castoria is a harmless substitute for Castor Oil, Paregoric, Drops and Soothing Syrups. It is Pleasant. It contains neither Opium, Morphine nor other Narcotic substance. It destroys Worms and allays Feverishness. It cures Diarrhœa and Wind Colic. It relieves Teething Troubles and cures Constipation. It regulates the Stomach and Bowels, giving healthy and natural sleep. The Children's Panacea—The Mother's Friend.

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Stories of Old Oregon,

Which is declared by competent judges to be the most in eresting sketch book that has ever appeared in the west, is now being sold by subscription, but it has also been placed with G. W. Putman, druggist, 135 North Commercial street, who will be pleased to show it to all who desire to see the work

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DR. C. GEE WOO

This wonderful Chinese doctor is called great because he cures people without operation that are given up to die. He cures with those wonderful Chinese herbs, roots, buds, bark and vegetables, that are entirely unknown to medical science in this country. Through the use of these harmless remedies, this famous doctor knows the action of over 500 different remedies which he successfully uses in different diseases. He guarantees to cure catarrh, asthma, lung, throat, rheumatism, nervousness, stomach, kidney, bladder, female trouble, lost manhood, all private diseases; has hundreds of testimonials. Charges moderate.

Call and see him. Consultation free. Patients out of the city write for blank and circular. Enclose stamp. Address The C. Gee Wo Chinese Medicine Co., 251½-253 Alder St., Portland, Oregon. Mention this paper.

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Mayor Dunne's real sympathies can be determined as soon as it is ascertained whether his thirteen children also struck.

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APPROPRIATE FOR DECORATION DAY

Tin Vases, painted green, with a wire 5 inches long on bottom, to run it into the ground, will stand up and hold water. Special during our special week

No. 3

measure 10 inches long; 3 3-4 inches wide on top,

10c each, 3 for 25c

12 inches long, and 4 1-3 inches wide on top,

15c each, 2 for 25c

Flowers will last all day and longer without wilting.

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