

Notice of the Sale of Lands Bid in by Marion County for the Delinquent Taxes of the Year 1900.

Notice is hereby given that by virtue of an order of the County Court of Marion county made on the 17th day of June, 1900, I will on Monday, the 7th day of August, 1900, at the west door of the court house sell to the highest bidder for cash in hand such property as was bid in by Marion county for the delinquent taxes of the year 1900 and has been unredeemed and to which Marion county has acquired title by reason of such purchase. Said sale will commence at 10 o'clock a. m. on that day and continue from day to day until completed. The lowest bid that will be received must cover the amount bid by the County at the sale of said property together with all subsequent taxes paid by the County, the accruing costs and interest allowed by law. The names and descriptions under which said property were advertised and sold are as follows:

ALLISON, C.—Begin 28 1/2 ft. S. 41 1/4 deg. W. from S. E. corner of Depot Grounds of O. & C. R. R. in Woodburn; thence S. 41 1/4 deg. W. 50 ft.; thence S. 48 deg. W. 100 ft.; N. 41 1/4 deg. E. 50 ft.; N. 48 deg. E. 100 ft. to beginning; 1/4 acre. \$2.88
SHATTO, G. L.—53 ft. by 100 ft. in N. W. corner of 1 acre of land deeded to Geo. A. Buchanan by Jno. H. Zimmerle April 10, 1890; 1/4 acre. \$1.59
DE LORNE, B.—Begin at S. E. corner of F. Malvois D. L. C. T. 5 S. R. 2 W.; thence N. 7 deg. E. 13 chs.; S. 2 1/4 chs.; S. 7 deg. W. 13.07 chs.; N. 85 deg. E. 2 1/4 chs. to beginning; containing 4 acres. \$1.19
CALNOR, F. and MARY.—Begin 24.04 chs. S. 15 min. W. and 3.08 chs. S. 89 1/2 deg. W. from N. E. corner of Benj. Cleaver D. L. C. T. 6 S. R. 1 W.; said beginning point being S. E. corner of the 1-acre tract owned by Catholic Church and on W. line of 8.80-acre tract owned by P. W. Moss; thence S. 89 1/2 deg. W. 2.73 chs. along S. line of Catholic Church lot to S. W. corner of said lot; thence N. 15 min. E. 1.75 chs. along W. line of Catholic Church lot; S. 89 1/2 deg. W. 54 1/2 chs. to E. line of Catholic Church lot; thence N. 15 min. E. 1.51 chs. along E. line of said lot to N. E. corner thereof; S. 89 1/2 deg. W. 18 1/2 chs.; S. 15 min. E. 11.97 chs. parallel with E. line of Butala's Add. to the N. line of a 20-acre tract sold to John R. R. 89 1/2 deg. W. 2.43 chs. to W. line of P. W. Moss' land; N. 15 min. E. 8.75 chs. to beginning; 3 acres. \$1.50
SHAW, W. E.—Begin on E. side of O. & C. R. R. track where N. line of land of G. W. Massey intersects said R. R. track; thence S. 15 min. E. along E. line of said R. R. track 10.33 chs.; E. 3.32 chs.; S. 18 deg. 30 min. W. parallel with W. line of Thos. Moisan D. L. C. to N. line of land now owned by G. W. Massey; W. 5.71 chs. along said N. line to beginning; containing 4 acres. \$1.58
HARRISON, SUSAN.—Begin at N. W. corner of a tract of land deeded by J. C. & E. J. Bair to Noah Rosenbaum, Jan. 16, 1900; thence W. 40 ft.; S. 120 ft.; E. 40 ft.; N. to beginning; containing 1/4 of an acre. \$1.04
JACKSON, MRS. M. E.—Begin in W. boundary of Sec. 36, T. 6 S. R. 3 W.; 17.39 chs. N. of S. W. corner of N. W. 1/4 of Sec. 36; said beginning point being N. W. corner of a 5-acre tract deeded Dec. 23, 1899, to G. C. Pugh by Mary E. Jackson; easterly on N. line of said 5-acre tract 46 rds. to N. E. corner of said 5-acre tract; thence N. 12.61 rds. to point which would be N. E. corner of tract herein described; westerly on line parallel with boundary of said 5-acre tract 46 rds. to said W. line of said Sec. 36; thence S. on said W. line of said Sec. 12.61 rds. more or less to beginning; 4 acres. \$1.48
BIERG, JNO. & ELIZ.—Begin at N. E. corner of Sec. 24, T. 7 S. R. 1 W.; thence S. 30 chs. to first E. W. legal subdivision line; W. on said line 5 chs.; N. parallel with Willamette Meridian 20 chs. to N. line of Sec. 24; E. 5 chs. to beginning; containing 10 acres. \$1.54
PACIFIC LAND & CO.—Salem Fruit Farms No. 2; 12.63 acres. \$2.49
PACIFIC LAND & ORCHARD CO.—Lot 9, E. Salem Fruit Farms No. 2; 9.54 acres. \$1.87
SWARTZ, R. L.—Begin at corner of Secs. 9, 10, 15 & 16, T. 7 S. R. 2 W.; thence W. 2.94 chs. to N. E. corner of Sec. 9, T. 7 S. R. 2 W.; thence S. 15.98 chs.; E. 2.94 chs. to line between Secs. 15 & 16; N. 15.98 chs. to beginning; containing 4.70 acres. \$1.99
PFENNIG, CAROLINE.—Begin on E. line of J. C. Caplinger D. L. C. T. 7 S. R. 2 W. N. 66 deg. E. 75 chs. from S. E. corner of said claim; thence N. 53 deg. 15 min. E. 13.60 chs.; S. 3.68 chs. to beginning; containing 6 acres. \$1.69
MATTHEWS, H. V.—Heirs—Lots 9, 10, 11, 12 & E. 1/2 lot 13, Garden City Add. Salem; 27.81 acres. \$44.25
MAYBORN, GEO. B.—All that part of N. W. 1/4 of N. W. 1/4 of Sec. 14, T. 10 S. R. 5 E., lying N. of N. fork of Santiam river; 5 acres. \$2.00
CARMODY, HENRY.—Begin at S. E. corner of Frank Perrett's lot running easterly 150 ft.; thence northwesterly 164 ft.; S. 229 ft. to beginning; 1 1/4 acre. \$1.32
FOURNIER, AUGUSTIN.—S. E. 1/4 of Sec. 34, T. 9 S. R. 6 E.; 160 acres. \$4.86
HIBBARD, MRS. JOHANNA.—Running from corner of Secs. 1, E. 11 and 12, T. 10 S. R. 5 E.; S. 12.16 chs. and S. 31 deg. 45 min. W. 16.33 chs. to place of beginning on northerly line of O. & C. R. R. 50 ft. at right angles from center of main track; thence N. 58 deg. 15 min. W. 2 chs.; S. 31 deg. 45 min. W. 1 ch.; S. 58 deg. 15 min. E. 2 chs.; S. 21 deg. 45 min. E. 1 ch. to beginning; 2.5 acres. \$1.59
SMITH DON A.—All that part of N. E. 1/4 of S. E. 1/4 of Sec. 29, T. 9 S. R. 4 E., lying N. of N. fork of Santiam river, excepting that part thereof platted and known as Town of Niagara; 10 acres. \$2.9
HENKLE, C. I. and MINNIE.—Begin 100 ft. E. of Sec. line and 370 ft. N. of center of track of O. P. R. R.; thence N. 265 ft. to N. E. corner of W. H. Burns' land; thence W. 100 ft. to Sec. line; N. to N. W. corner of S. W. 1/4 of Sec. 29, T. 9 S. R. 4 E.; thence E. 275 feet; S. parallel with Sec. line to point 370 ft. N. of center of O. P. R. R. track; thence W. 175 ft. to beginning; 2 acres. \$2.00
HENTLE, HORTENSE.—Begin at N. E. corner of lot 2, blk. 1, Thudley's Add. to Mill City; W. 50 ft.; N. 60 ft.; E. 50 ft.; S. 60 ft. to beginning; containing 1.16 acre. \$1.09
HUDLON, H. A.—Begin 249 ft. N. and 482 ft. E. of N. E. corner of school lot in Mill City; S. to Co. road; northeasterly along County road to 1/4 Sec. line; N. 380 ft.; W. to beginning; containing 1 acre in S. W. 1/4 Sec. 29, T. 9 S. R. 3 E.; 1.35
CASE, C. M.—Begin at S. W. corner of Elisha Thompson's land; easterly 267 ft. to land of Wm. A. Thompson; S. 40 ft. to Co. road; Budlong's land; westerly 267 ft.; N. 40 ft. to beginning; in Sec. 29, T. 9 S. R. 3 E.; 1/4 acre. \$2.9
THOMPSON, E. A. (Jno. Ross).—Begin at N. E. corner of E. A. Thompson's 1-acre tract; N. 4 rods; W. 8 rods; S. 4 rods; E. 8 rods to beginning; containing 1.5 acre; also begin at S. E. corner of N. 1/2 of 1/4 of Mill City; W. along S. line of said blk 8 rods; N. 20 deg. 30 min. E. 20 rods; E. 8 rods; S. 20 deg. 30 min. W. 20 rods to beginning; containing 1 acre in Sec. 29, T. 9 S. R. 3 E.; 1.28
THOMPSON, W. A.—Begin at N. E. corner of Elisha Thompson's land; southeasterly 10 rods; southwesterly to County road; westerly along County road; M. A. Budlong's S. E. corner; northeasterly to beginning; containing 1 acre in Sec. 29, T. 9 S. R. 3 E.; 1.28
O. & C. R. R. (W. H. Udy, contractor).—W. 1/2 of N. W. 1/4 Sec. 27, T. 9 S. R. 3 E.; 80 acres. \$3.17
MARINAN, J. T.—That tract lying between 'Y' and main line of O. P. R. R. right of way in N. E. 1/4 of S. E. 1/4 of being all land enclosed by 'Y' track. \$2.00
HUGHES, WM.—Begin on N. line of right of way of O. C. & E. R. R. 36 rods E. of 1/4 Sec. line; Sec. 27, T. 9 S. R. 3 E.; on W. line of land heretofore deeded to Henry Joost, 38 1-10 rods; W. 12 7-10 rods; S. 3 rods; N. 1/2 of S. line of said right of way of said R. R.; thence along said right of way to beginning; equal 3 acres. \$1.01
COOPER, S. D.—W. 1/2 of S. E. 1/4 of N. W. 1/4 of Sec. 16, T. 7 S. R. 2 E.; 20 acres. \$1.09
ELLIS, EPHRAIM.—S. E. 1/4 of N. W. 1/4; S. W. 1/4 of N. E. 1/4; and N. W. 1/4 of S. E. 1/4; and N. E. 1/4 of S. W. 1/4 of Sec. 24, T. 9 S. R. 3 E.; 160 acres. \$4.75
ARMSTRONG, W. H.—Begin at S. E. corner of N. W. 1/4 of Sec. 20, T. 9 S. R. 3 E.; thence W. 80 rods; N. 30 rods; E. 80 rods; S. 30 rods to beginning; containing 15 acres. \$5.1
PENDERSON, BERTRAM.—N. W. 1/4 of N. E. 1/4 and N. 1/2 of N. W. 1/4 of Sec. 16, T. 9 S. R. 3 E.; 120 acres. \$2.97
REICHERT, C. H.—S. 1/2 of S. W. 1/4 Sec. 18; 80 acres. \$3.50
MILLER, ELIZABETH.—S. E. 1/4 of N. E. 1/4 of S. W. 1/4 of Sec. 16, T. 7 S. R. 2 E.; 10 acres. \$4.0
SHERWOOD, ALENA.—S. W. 1/4 of N. E. 1/4 of S. W. 1/4 of Sec. 16, T. 7 S. R. 2 E.; 10 acres. \$4.0
WARNOCK, HEIRS.—Begin on W. line of Stephen Jones' D. L. C. No. 47, T. 6 S. R. 1 E.; 4.25 chs. northerly from S. W. corner of said claim; thence W. 7.5 chs.; E. 7.50 chs. to W. line of said claim; S. to beginning; containing 10 acres. \$5.1
NBAL, ELI.—Und. 1-5 interest 100 acres of W. 1/2 of Geo. Neal W. 1/2 of N. E. 1/4 and N. 1/2 of D. L. C. T. 9 S. R. 1 W.; 1.43
TWA Y, JNO.—(same); lot 5, blk. 1, Remington's Add., begin at N. E. corner lot 7, Mrs. Remington's Add. to Woodburn; S. 3 deg. 30 min. W. 3 10-100 chs. to S. E. corner lot 7; N. 86 deg. 30 min. W. on S. line of lot 80 6-10 lks. to S. E. corner of E. P. Adams' 1-acre lot; N. 3 deg. 30 min. E. parallel to N. line of lot 7; S. 86 deg. 30 min. E. 80 6-10 lks. to beginning; being fraction of lot 7. \$2.9
MINNIS, WM.—Woodburn; Mrs. Remington's Add., lot 4, blk. 13. \$1.64
BROWN, A. W.—Woodburn; Thos. Add., lot 20, blk. 1. \$3.1
KICKOTS, F. U.—Woodburn; Thos. Add., lot 9, blk. 2. \$9.3
COBROVE, EMMA.—Woodburn; Thos. Add., lots 18, 19, blk. 2. \$1.58
UNKNOWN.—Woodburn; Thos. Add., lot 29, blk. 2. \$1.14
GOBALET, J. W.—Woodburn; Thos. Add., lot 30, blk. 2. \$9.4
SALNAVE, A. W.—Woodburn; Thos. Add., lot 7, blk. 1. \$1.29
THOMAS, J. A.—Woodburn; Thos. Add., lot 23, blk. 1. \$8.4

STEVENSON, MRS. B. P.—Gervais; lots 5 and 6, blk. 12. \$1.60
RYLAND, MRS. S. C.—Gates; Gates' Add., lot 3, blk. 2. \$1.70
ROBERTSON, MRS. W. B.—Gates; Gates' Add., lot 3, blk. 1. \$1.70
COLLINS, J. H. and CREAIG, J. H.—Gates; W. 1/2 lot 2, blk. 2. \$1.10
COLE, AMANDA.—North Salem; S. 1/2 of N. W. 1/4 of blk. 73. \$1.03
GOOD, D. A.—North Salem; W. 1/2 of blk. 8. of blk. 71. \$1.35
COOPER, WM.—North Salem; N. 1/2 of S. W. 1/4 blk. 67. \$1.69
COLE, AMANDA.—North Salem; N. 1/2 of N. E. 1/4 blk. 67. \$1.62
MCNARY, H. L. Heirs.—North Salem; lot 2, blk. 3. \$1.35
JONES, GEO. H.—Salem; Nob Hill Add., begin at N. E. corner of lot 12, blk. 21, Nob Hill Add. to Salem; westerly on N. line of lot 28 ft.; southerly on right angles 25 ft.; westerly at right angles to Commercial St., 62 ft.; southerly on W. line of lot 25 ft. to S. W. corner of lot 12; easterly on S. line of lot 100 ft.; northerly on E. line of lot 12; beginning; being fraction of 12, blk. 21. \$2.7
JONES, GEO. H.—Salem; Nob Hill Add., lot 11, blk. 21. \$2.7
JONES, GEO. H.—Salem; Nob Hill Add., S. 1/2 lot 5 and lot 6, blk. 21. \$1.55
JONES, GEO. H.—Salem; Nob Hill Add., E. 38 ft. lot 1, blk. 21. \$1.55
KUPNER, AUG. SR.—Salem; J. Myers' Add., lot 8, blk. 3. \$1.72
SMITH, P. O.—Salem; J. Myers' Add., lot 6, blk. 12. \$1.73
PRATT, A.—Salem; J. Myers' Add., lot 4, blk. 1. \$6.12
PRATT, A.—Salem; J. Myers' Add., lot 1, blk. 1. \$1.72
PRATT, A.—Salem; J. Myers' Add., lot 2, blk. 1. \$1.72
PRATT, A.—Salem; J. Myers' Add., lot 3, blk. 1. \$1.72
HEARST, W. R.—Salem; Morning side Add., lot 9, blk. 9. \$1.15
HEARST, W. R.—Salem; Morning side Add., lot 8, blk. 9. \$1.15
HARRIS, M. M.—Salem; Morning side Add., lot 7, blk. 9. \$1.15
FULLER, H.—Salem; Morning side Add., lot 6, blk. 9. \$1.15
HEARST, W. R.—Salem; Morning side Add., lot 5, blk. 9. \$1.15
HEARST, W. R.—Salem; Morning side Add., lot 4, blk. 9. \$1.15
CONLEY, L. A.—Salem; Morning side Add., lot 2, blk. 9. \$1.15
MICHELSON, J. M.—Salem; Morning side Add., lot 1, blk. 9. \$1.15
THE OREGON LAND CO., Chas. Scott, assignee.—Salem; Mill Add., lot 11, blk. 3. \$2.7
MORRILL, E. R.—Salem; Mill Add., lots 8, 9, blk. 3. \$1.62
MORRILL, E. R.—Salem; Mill Add., lot 4, blk. 3. \$1.62
THE OREGON LAND CO., Chas. Scott, assignee.—Salem; Mill Add., lot 2, blk. 3. \$2.5
SALEM IMPROVEMENT CO.—Salem; Mill Add., lot 11, blk. 2. \$1.35
SALEM IMPROVEMENT CO.—Salem; Mill Add., lots 9, 10, blk. 2. \$3.61
VAN SCOY, THOS.—Salem; Meyers' Add., lots 9 to 12, blk. 13. \$3.60
AIKEN, J.—Salem; Meyers' Add., lots 3, 7, 8, blk. 13. \$2.70
VAN SCOY, THOS.—Salem; Meyers' Add., lots 1, 2, blk. 13. \$1.77
GOODELL, M. E.—Salem; Knight's Add., lots 1, 2, blk. 1. \$7.20
FAIRMOUNT PARK CO.—Salem; Fairmount Park Add., fraction of S. of blk. 18. \$1.69
MORRISON, M. E.—Salem; Edley's Add., E. 87 ft. lot 1, blk. 5. \$1.69
BOWEN, O.—Salem; Capital Park Add., lot 30. \$1.88
BOWEN, O.—Salem; Capital Park Add., blk. 25. \$1.50
HARPOLE, JAS. Heirs.—Brooks; lot 5, blk. 3. \$1.31
DOUGHERTY, M. Heirs.—Salem; begin on line a continuation of E. line of blk. 1, Salem; 172 ft. northerly from W. corner of blk. 1; northerly on said W. line continuation 89 ft.; easterly parallel to N. line of blk. 1, to alley of said blk. extended; southerly parallel to said W. line continuation 89 ft.; westerly parallel with N. line of blk. 1, to beginning; being fraction N. of blk. 1. \$9.00
SALEM IMPROVEMENT CO.—Salem; University Add., lot 8, blk. 26. \$1.92
SALEM IMPROVEMENT CO.—Salem; University Add., lot 1, blk. 26. \$1.92
HAMMILL, O. T.—Salem; University Add.; S. 1/2 lots 3, 4, blk. 6. \$12.60
SULLIVAN, C. M. and D. J.—Salem; St. Elmo Add., lot 1, blk. 1. \$1.35
CRUSE, M.—Salem; Riverview Park Add., lots 1 to 4, blk. 13. \$1.08
HAYES, V. M.—Salem; Pleasant Home Add., lot 10, blk. 4. \$1.81
AITKEN, JAS.—Salem; Pleasant Home Add., lot 6, blk. 4. \$1.81
BOMHOFF, W. M.—Salem; Ogle's Add., lots 9 to 18, blk. 1. \$28.80
BOMHOFF, D. H.—Woodburn; Ogle's Add., lots 7, 8, blk. 1. \$1.15
LEWIS, F. B.—Turner; Western Add., lots 3 to 6, blk. 3. \$3.45
MOORE, G. A. G.—Turner; Turner's Add., lot 4, blk. 17. \$1.20
LEWIS, F. B.—Turner; Western Add., lots 1 to 5, blk. 14. \$5.94
UNKNOWN.—Turner; lot 4, blk. 15. \$1.51
UNKNOWN.—Turner; lot 3, blk. 15. \$1.51
HUMPHREYS, T. D.—Woodburn; Mrs. Remington's Add., lot 4, blk. 1. \$2.68
WATSON, J. W.—Woodburn; Mrs. Remington's Add., begin at N. E. corner lot 7, Mrs. Remington's Add. to Woodburn; S. 3 deg. 30 min. W. 3 10-100 chs. to S. E. corner lot 7; N. 86 deg. 30 min. W. on S. line of lot 80 6-10 lks. to S. E. corner of E. P. Adams' 1-acre lot; N. 3 deg. 30 min. E. parallel to N. line of lot 7; S. 86 deg. 30 min. E. 80 6-10 lks. to beginning; being fraction of lot 7. \$2.9
MINNIS, WM.—Woodburn; Mrs. Remington's Add., lot 4, blk. 13. \$1.64
BROWN, A. W.—Woodburn; Thos. Add., lot 20, blk. 1. \$3.1
KICKOTS, F. U.—Woodburn; Thos. Add., lot 9, blk. 2. \$9.3
COBROVE, EMMA.—Woodburn; Thos. Add., lots 18, 19, blk. 2. \$1.58
UNKNOWN.—Woodburn; Thos. Add., lot 29, blk. 2. \$1.14
GOBALET, J. W.—Woodburn; Thos. Add., lot 30, blk. 2. \$9.4
SALNAVE, A. W.—Woodburn; Thos. Add., lot 7, blk. 1. \$1.29
THOMAS, J. A.—Woodburn; Thos. Add., lot 23, blk. 1. \$8.4

SAFFINGFIELD, MARY.—Woodburn; Yew Park Add., lots 10 to 13. \$1.22
MC DONALD, MRS. E.—Woodburn; Yew Park Add., lots 19, 20, 21. \$1.80
JOHNSON, W. H.—Woodburn; Yew Park Add., lots 26, 27. \$1.24
JONES, HARRISON.—Brooks; blk. 32. \$1.20
DEBART, HARRY.—Silverton; Alton's Add., lot 6. \$1.67
DOWN, MRS. IDA.—Silverton; South; N. E. 1/4 of lot 20. \$2.25
BOWEN, OWEN.—Silver Falls City; lot 3, blk. 26, and lot 6, blk. 18. \$1.20
DAYTON, E. F.—Silver Falls City; lot 1, blk. 17. \$1.11
FRAZIER, B. G.—Scotts Mills; lot 15, blk. 17. \$1.24
TUXBERRY, W. D.—Salem; Yew Park Annex, lot 3, blk. 13. \$1.35
W. J. CULVER, Sheriff and Tax Collector.

MONTE IS MAN SAYS WITNESS
CAPTAIN REILLY SAYS HE SOLD GUNS TO DEFENDANT.
MORRIS TELLS DAMAGING TALE.
Fellow Convict Narrates the Graphic Story of Introduction of Rifles to Penitentiary.

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MORRIS TELLS DAMAGING TALE.

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Accused Takes Stand in His Own Behalf—Tells of His Movements in May and June—Gives Lie to John's and Morris' Story—Arguments Begin.

(From Wednesday's Daily.)

The case of the State of Oregon, vs. Charles Monte, who is charged with the crime of murder in the first degree, will be placed in the hands of the jury some time today and probably before another sunset the accused man will have learned his fate. All yesterday forenoon and until late in the afternoon the twelve jurors listened attentively to the testimony offered by the state and the defense through the long list of witnesses and the hour of adjournment came as a pleasant relief from the severe strain. Throughout the entire day Monte sat with his attorneys and paid close attention to every detail of proceedings. At times he showed signs of extreme nervousness while at others he seemed perfectly cool and collected. His nervousness was especially visible during the time convict James Morris, of the Oregon penitentiary, occupied the witness stand and told in a straightforward manner the story of Monte's alleged confession in which the accused man admitted to his partner in crime that he and Harry Wright were responsible for the outbreak which occurred at the penitentiary on the morning of June 9, 1902, and which resulted in the death of Guards Frank Ferrell, S. R. T. Jones and B. F. Tiffany. Later when he himself took the witness stand he did not hesitate to show his hatred for his fellow-convict and also took occasion to score a number of the prison officials.

Makes Strong Case.

The state made a strong case against the defendant, although much of the testimony introduced by the prosecution was of a circumstantial nature. The attorney for the defense fought every inch of the way and repeatedly interposed objections to the questions propounded to the witness by the district attorney during the progress of the trial. The only witness introduced in their effort to prove an alibi was their own client, all the other witnesses for the defense, with the exception of one, being called to impeach the testimony of W. J. Reilly, the Portland gun dealer, who testified on the part of the state to the effect that he had sold two 30-30 rifles to Charles Monte just prior to the time of the prison break. The last witness was called by the defense to establish an alibi for Harry Wright, who was jointly indicted with Monte.

After all the witnesses had been examined, Deputy District Attorney C. L. McNary, made the opening address to the jury and he carefully reviewed the testimony offered by the state during the day, which he said was sufficient to convince his own mind that Charles Monte at least was one of the parties who furnished the guns to Tracy and Merrill with which they effected their escape from the Oregon penitentiary on that fatal June 9. Mr. McNary made an able argument as did also Hon. P. H. D'Arcy, who followed for the defense. At the conclusion of Mr. P. H. D'Arcy's remarks the court adjourned until 9 o'clock this morning, when Attorney H. J. Blyger will also address the jury on behalf of the defendant and will be followed by District Attorney J. H. McNary, who will make the closing argument for the state.

Other Testifies.

A. C. Dilley, a guard at the penitentiary at the time of the Tracy and Merrill outbreak was the first witness called to the stand by the state. He described in detail the general surroundings at the prison shop buildings where the bloody tragedy occurred on the morning of the break, also the positions occupied by Tracy and Merrill while at work in the shops. He testified that Tracy and Merrill had frequent opportunities to communicate with Wright and Monte and that Tracy and Wright were detected at different times whispering to each other on the sly.

Frank Girard, who was employed as shop guard, also gave a minute detail of what happened at the Oregon penitentiary on the morning of June 9, 1902, and in every way corroborated the testimony given by Mr. Dilley. The same ground was gone over by John Stapleton, who was also employed as a shop guard at the time of the prison break and murder.

Dr. C. H. Robertson, of this city, was called to testify in relation to the nature of the wound which caused the death of Frank Ferrell. The testimony of these witnesses was introduced by the state to prove the death of Ferrell, to show the manner in which he came to his death and to establish the fact that Tracy and Merrill had repeated opportunity to communicate with each other while confined in the Oregon penitentiary and plan the prison break.

Monte testified that in his confession Monte told him that he and Wright scaled the prison walls on the north side of the building, that Wright proposed to kill the nightwatch, to which he protested on the grounds that it would awaken other officers asleep in the building, and that the alarm might result in their capture. Monte told also that he and Wright scaled the wall by means of a rope. The witness said the defendant and his partner had arranged to meet Tracy and Merrill in the east part of Marion county after the break, but that they failed to make connection and did not meet the escapees until they had crossed the Columbia river. The further Monte was the effect that he and Wright helped Tracy and Merrill while the escapees were in the neighborhood of Kalama, Kelso and other Washington points, but that after Tracy had killed Merrill and reached the vicinity of Seattle, he became uncontrollable and was too much on the kill, so they left him to fight his own way. That he had different conversations with Monte on the subject both while confined in the county jail at Pendleton and at the penitentiary.

Stands Up Under Fire.

The efforts of Attorney Blyger to shake the testimony of Morris on cross-examination proved fruitless. Morris made a splendid witness for the prosecution. He told a straightforward and never contradicted himself in the slightest detail and when turned over to the attorneys for the defense he was perfectly at ease and answered all questions readily. Eugene Johns proved a very unwilling witness and it was with the greatest effort that District Attorney McNary drew from him what little testimony he gave. He admitted having been in the company of Monte and Wright and overheard them talking about guns, but he avoided giving any testimony which might directly implicate the defendants with the act of carrying the guns over the prison walls. He said that after Monte had been released from the penitentiary he had accompanied him to the institution one day but, after walking about the grounds for a short time they were ordered away by an officer. For what purpose they went there he failed to state. He also testified that Monte had given him money on various occasions, in all about \$15 or \$20.

Monte the Man.

W. F. Reilly of Portland, testified that he conducted a gun store in Portland during the year 1902 and identified Monte as the man to whom he had sold two 30-30 rifles a few days before the outbreak at the penitentiary. Mr. and Mrs. Hugo Kunze identified the defendant as the man who came to their home, two and a half miles east of Woodburn, a few days after the prison break and asked if they knew the whereabouts of Tracy and Merrill, saying he was a friend of the escaped convicts and anxious to find them in order to offer them assistance. Harry Helmen testified that Wright came into his saloon in this city shortly after his release from the penitentiary and during a conversation made the remark that there would be something doing at the penitentiary about June 9 or works to that effect. M. Leslie, a local plumber, related a conversation held with Monte, while he was doing plumbing work at the penitentiary, during which the latter said he knew who furnished the guns to Tracy and Merrill, but would never tell. Charles A. Carlson, an employe at the prison, testified that he heard Wright say, shortly before his release, that things would be smoking over the walls of the penitentiary in a few days.

Defense's Case.

The first witness called by the defense was Monte, who denied the greater part of the testimony introduced by the state and said that he was a victim of circumstances. He related the story of how he was discharged from the penitentiary on May 29, 1902, and wandered from place to place until Sunday, June 8, the day before the prison break, when he arrived at Seapooze, where he remained until the following day. He admitted going to Portland four days after his release from the penitentiary and returning to this city on May 29, and also admitted being in the company of Eugene Johns and Harry Wright, but denied ever holding any conversation with reference to the matter of carrying guns over the prison walls. He further admitted giving money to Johns and going to the penitentiary with him, and also admitted talking with convict Morris about the Tracy and Merrill escape, but positively denied having made a confession. He stoutly denied the story of W. J. Reilly as well as that of Mr. and Mrs. Kunze, and claimed he had nothing whatever to do with the escape of convicts Tracy and Merrill.

J. T. Lacy, E. F. Brown, F. C. Steigle and R. C. Winters, all of Portland, were called to the stand for the purpose of testifying to the testimony of W. J. Reilly. The first named, who was in the employ of Reilly during 1902, testified positively that Reilly did not sell two 30-30 rifles to Monte as claimed by that gentleman. He had in his possession a book alleged to be the sales book of the firm at the time in question.

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which was introduced in evidence. District Attorney McNary introduced a letter written to him unsolicited, by Lacey, in which the latter severely scored Reilly. The testimony of the other witnesses, in fact, was also detrimental to Reilly.

A. Harn, of Georgetown, Wash., testified that Harry Wright was in his employ at the time Tracy and Merrill escaped from the penitentiary, but that he went by the name of Henry Charles.

In rebuttal the state called George S. Downing, Al. Horron and A. C. Dilley to prove the good reputation of W. J. Reilly as to truth and veracity.

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Twice-a-Week Statesman	\$1.00	\$1.00
Pacific Homestead (weekly)	\$1.00	\$1.00
Northwest Poultry Journal	\$1.00	\$1.00
Total	\$3.00	\$3.00
CLUB B—		
Twice-a-Week Statesman	\$1.00	\$1.00
Twice-a-Week Portland Journal	\$1.00	\$1.00
Northwest Poultry Journal	\$1.00	\$1.00
Total	\$3.00	\$3.00
CLUB C—		
Twice-a-Week Statesman	\$1.00	\$1.00
Twice-a-Week Spokesman Review (new)	\$1.00	\$1.00
Northwest Poultry Journal	\$1.00	\$1.00
Total	\$3.00	\$3.00
CLUB D—		
Twice-a-Week Statesman	\$1.00	\$1.00
Weekly Oregonian	\$1.50	\$1.50
Northwest Poultry Journal	\$1.00	\$1.00
Total	\$3.50	\$3.50
CLUB E—		
Twice-a-Week Statesman	\$1.00	\$1.00
McCall's Magazine	\$1.00	\$1.00
Pacific Homestead (weekly)	\$1.00	\$1.00
Hoards Dairyman	\$1.00	\$1.00
Northwest Poultry Journal	\$1.00	\$1.00
Total	\$5.00	\$5.00
CLUB F—		
Twice-a-Week Statesman	\$1.00	\$1.00
Northwest Horticulturist (M)	\$1.00	\$1.00
Pacific Homestead (weekly)	\$1.00	\$1.00
Northwest Poultry Journal	\$1.00	\$1.00
Twice-a-Week Portland Journal	\$1.00	\$1.00
McCall's Magazine	\$1.00	\$1.00
Total	\$5.00	\$5.00
CLUB G—		
Twice-a-Week Statesman	\$1.00	\$1.00
Woman's Home Companion	\$1.00	\$1.00
Pacific Homestead (weekly)	\$1.00	\$1.00
Northwest Poultry Journal	\$1.00	\$1.00
Weekly Oregonian	\$1.00	\$1.00
Total	\$5.00	\$5.00