CRIMINAL

Will Make Another Trial.

Durrants Attorneys Fighting Hard to Save His Neck.

SAN FRANCISCO, Cal., June 3.—Despite the fact that his petition for a writ of habeas corpus in the United States district court had been denied by Judge Hawley, and that Judge Gilbert denied a similar petition on behalf of Durrant, the attorney for Salter D. Worden will attempt to secure such a writ in the circuit court and will also apply for leave to appear in the circuit court of appeals and to the supreme court of the United States.

WRIT REFUSED.

Murderer Durrant's first effort to gain a respite by appealing to the federal courts has failed, United States Circuit Judge Gilbert having refused to secure a writ of habeas corpus, for which his attorney applied. Notice of intention to appeal to the United States supreme court was filed and the application for leave to appeal will be made formally. This, however, may be refused as in the Butler case, although Durrant's attorneys are confident that leave will be given.

ARRANGEMENTS.

There will be 200 invitations issued for the execution of Durrant. Warden Hale has fixed 10:30 a. m. as the hour of execution. Twenty-five medical men will be permitted to witness the tragedy. At the request of his attorneys Durrant yesterday made a formal demand for release, claiming to be unjustly imprisoned. This will be part of the appeal to the supreme court, and is to cover the point which might be made that by failing to protest and demand his release he had lost the right to complain.

The appeal raises a point which, according to the statement of Durrant's counsel, has never been raised in this state and must be decided before Durrant can be hanged. The contention is that Judge Bahrs inflicted two penalties —imprisonment and death—while the law says one or the other.

Counsel will hold that Durrant's life in San Quentin is not detention, but imprisonment; that the position of the attorney-general is untenable, as life in the county jail carries with it no shaving, stripes and no indignity other than detention.

This statement will also be heard in the federal court where it is expected that the same course will be taken as in the Worden case—that of securing a writ of habeas corpus.

Endorse Bryan.

FRANKFORT, Ky., June 3.—The Democratic silver convention passed resolutions re-affirming the Chicago platform and pledging to W. J. Bryan the future support of the Democracy.

The Democratic silver convention met with 1000 delegates and spectators present. In calling the convention together State Chairman Johnson made a vigorous speech in which he advised justice and harmony.

Senator Gobel was elected temporary chairman and in a speech said the convention would deserve to win success in November by its action and that part of the action would be the reaffirmation of the Chicago platform. He said by misrepresentation and a mammoth fund McKinley had been elected president. He severely arraigned the administration of Governor Bradley.

Modern Woodmen.

DUBUQUE, Ia., June 2.—Neary every delegate to the head camp of Modern Woodmen was present at the opening session. The biennial report of Head Consul Northcut showed that during the past seven years the membership had increased from 40,000 to 240,000.

The head physician's report shows that in the past two years the board has accepted 127,110 applications and rejected 15,000. The rate of mortality last year was 4,90 per 1000, the lowest since 1886.

Fire Loss.

DEXTER, Or., June 3.—The residence of George Praton, of Trent, burned with all its contents.

Wooden sleepers on railways last about 15 years.

THE CUTTING SCRAPE.

Described by an Eye Witness of the Berry Affair.

BERRY, Or., June 3.—Your correspondent notices an article in the "Statesman" in regard to a row which occured at the Enterprise Lumber Co's. Saw mill between J. C. Roe, of the Enterprise lumber company and A.T. Zumwalt of Lyons, and as it is so far from the real facts we deem it our duty to state the matter as it is and can be vouched for by Mr. Ed S. Smith who witnessed the whole thing and is a disinterested party and a very reliable man. Mr. J. C. Roe is the agent for the assignee of the Enterprise Lumber Company, and as such is in charge of all said company's property here. He has posted notices forbidding any one to trespass on the property. Zumwalt came up here from Lyons with a party by the name of Maybee and made arrangements to move into some of the vacant houses belonging to the enterprise property and Mr. J. C. Roe was in the act of nailing up some of the buildings to prevent him to enter them and while so engaged Zumwalt and Maybee went past with hammer and nails and proceeded on to the mill and J. C. Roe went with C. E. Roe and Ed Smith to forbid him to tresspass on the property. It seems that the five men met under the mill and Roe said to Zumwalt and Maybee "did you not see those trespass notices" and Zumwalt said "yes,' Roe said "that means keep off from these premises. and you must go out of here." Zumwalt said, "I won't do it and he immediately began to draw a revolver. Just at that instant Zumwalt caught his heel on some planks, which lay on the mill floor, and fell backwards on them. Mr Roe says he saw the revolver and that Zumwalt was attempting to shoot him as he fell backwards and he jumped and caught Zumwalt by the hand as he was in the act of discharging the revolver just in the nick of time. As he threw it up it was discharged, the ball passing through Roe's clothes, making a slight wound on the shoulder or breast bone. Zumwalt had a jack knife in his left hand and attempted to use it on Roe, and Roe caught his hand and held it away in such a position that every time Zumwalt attempted to stab Roe he drew the knife across his own face making some ugly cuts. Mr. C. E. Roe came up by this time and J. C. Roe asked him to take the hand which held the knife while he secured the revolver; J. C. Roe, then choaked Zumwalt, until he began to beg for mercy and said he would give up the revolver and put up the knife and go away if he would let him up, which was done and Zumwalt then left in company with Maybee, who in the meantime had run away after being stopped from striking J. C. Roe with a large piece of scantling, by C. E. Roe. Your correspondent has taken pains to interview Mr. Smith, who seems to be a disinterested party, and is willing to vouch for the truth of the above statement, and we think that the Statesman or any other paper should not be so anxious for news as to publish such a misrepresentation.

Mr. Zumwalt claims a bill of sale of some lumber at the mill which both the assignee and the laborers say was given to cover up the lumber by J. S. Lee, one of Enterprise Lumber company partners and as such is fraud. But be that as it may Zumwalt must know that he was trespassing, as he admitted he had seen the notices which were posted and if he has any claims to the lumber, should take them up with the assignee in a legal way. He evidently thinks that the best way, as he has tried to use a revolver on Mr. W. W. Caskey, also drew one on Mr. J. C. Roe once before with little or no provocation. Mr. Roe says he was arrested and gave bail to appear before the grand jury as he did not care to make the county a bill of expense by a trial before a justice. He has Zumwalts revolver which he says he is going to hand over to the proper authorities and he thinks that it should not be given to Zumwalt again as he will yet succeed in killing some one with it.

JUSTICE.

STATE NEWS

The old corps of teachers has been retained by the McMinnville school board.

The Douglass county Sunday school convention will be held in Roseburg June 11, 12 and 13.

The precipitation this year on Mt Hood has been 86.5 inches less than for the same period last year.

Hark, hark, hark, the dogs do bark, the gypsies are coming to town. Lock your stores and bar your doors leave noohing of value around."

About 500,000 feet of balm and white fir logs are being put in the Santiam at different points up the river. In fact the river in places is literally jammed full.

The O. R. & N. eastbound train that passed through Pendleton Monday carried 1500 crates of strawberries, most of them from Hood River, but a few from Walla Walla. The berries filled two refrigerator cars.

Gilbert, the 9-year-old son of Geo. Herren, fell 50 feet down the face of the bluff, Tuesday afternoon, and received a five-inch scalp wound and sundry bruises, from which he will probably recover.—Oregon City Ex.

When Noah Petit was working on the trestle of the O. C. & E. road, just north of the bridge at Albany, he lost his balance and fell to the ground, about eighteen feet below. Fortunately he struck on his feet. His ankles were sprained and his back badly wrenched.

Burglars broke into the store of John Sylvester, in Pilot Rock, Umatilla county, last Saturday, night and stole $215 in cash and checks amounting to $50. The safe was blown open with such a heavy charge of powder that all of the store fixtures were wrecked and the safe blown clear across the room and wrecked.

Frank Castile, of The Dalles, accused of murdering John Beck at a mask ball at Cleveland, in Klickitat county, Wash., was acquitted after a trial lasting five days. Self-defense was the plea. The jury was only out an hour.

Roy Durham, son of Mr. and Mrs. John Durham, of Pendleton, was seriously injured by being thrown from a horse last Saturday. He fell upon a broken beer bottle, and a piece of glass penetrated his side, between the fifth and sixth ribs, penetrating the pleural cavity.

$100 Reward, $100.

The reader of this paper will be pleased to learn that there is at least one dreaded disease that science has been able to cure in all its stages, and that is Catarrh. Hall,s Catarrh Cure is the only positive cure known to the medical fraternity. Catarrh being a constitutional disease, requires a constitutional treatment. Hall'sCatarrh Cure is taken internally, acting directly on the blood and mucous surfaces of the system, thereby destroying the foundation of the disease and giving the patient strength by building up the constitution and assisting nature in doing its work. The proprietors have so much faith in its curative powers, that they offer One Hundred Dollars for any case that it fails to cure. Send for list of testimonial.
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Few realize that each squirrel deroys $1.50 worth of grain annually. Wakelee's Squirrel and Gopher Exterminator is the most effective and economical poison known. Price reduced to 30 cents For sale by G. W. Putnam, Steiner Drug Co., Lunn & Brooks, G. L. L. Baskett and A. I. Stone. d & w-3 10-4m

A New York court has held that a Salvation Army barracks comes under the head of disorderly houses.

It is remarkable fact that a man never appreciates the sufferings of others until he himself, has passed through the fire of pain or remorse. Then it is that he looks around for those who are suffering; he wants them to profit by his experience; he gives his time and

money gladly for the benefit and never tires of his zeal. There are plenty of men weak and worn out, struggling with remorse and fear, and the natural outcome of habits that brought incapacity; a sense of lonesomeness and a feeling as if the best side of life had been banished forever. Such men should write to Thomas Slater, Box 390, Katamazoo, Mich. He will send free of charge by mail, in a plain sealed envelope full particulars about the method he used, and this will enable any man to get a complete cure at home. It is the method Mr. Slater used to cure himself of the troubles that sap the strenght and vigor. The cure was so complete, so satisifying and such a wonderful change from his former condition that he will gladly tell others all about it, sending all particulars. He figures that he doesn't know of a better way to show his appreciation of his own cure and the sufferings of others. There must be generous men in this world to off-set the tide of avarice. Write to Mr. Slater.—it will cost nothing for his description and method.

STATE FIELD DAY

— OF —

THE I. A. A. O.

Will hold its annual field meet at the

State Fair Grounds

SALEM,

JUNE 5,

2 P. M.

Teams from University of Oregon, Eugene; Oregon Agricultural College, Corvallis; Oregon State Normal School, Monmouth; Pacific College, Monmouth; Pacific University, Forest Grove; Willamette University, Salem; will participate.

Track Events—120 yard hurdle, 220 yard hurdle, 100 yard dash, 220 yard dash, 440 yard run, 880 yard run, mile run, mile walk, two mile bicycle race.

Field Events—Hammer throw, shot put, pole vault, broad jump, high jump.

The championship cup, now held by the University of Oregon, will be held during the year 1897-8 by the team winning the most points in the games of June 5. Handsome gold, silver and bronze medals will be awarded to those gaining first, second and third place in each event. Excursions by boat and rail. Chemawa Indian school band and other bands from surrounding colleges. Admission 50 cents. This will be the greatest athletic meeting ever held in the northwest.

Manager, F. E. Brown, Willamette University.

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6:00 P M	Lv	Portland	Ar	9:30 A M
8:30 P M	Lv	Salem	Lv	7:10 A M
7:45 A M	Ar	San Francisco	Lv	8:00 P M

Above trains stop at all principal stations bet. Portland and Salem, Turner Marion, Jefferson, Albany, Tangent, Shedds Halsey, Harrisburg, Junction City, Eugene, Creswell, Cottage Grove, Drain, Oakland and all stations from Roseburg to Ashland, inclusive.

ROSEBURG MAIL.—DAILY.

8:30 A M	Lv	Portland	Ar	4:30 P M
11:00 A M	Lv	Salem	Lv	2:00 P M
5:20 P M	Ar	Roseburg	Lv	7:30 A M

Pullman buffet sleeper and second-class sleeping cars attached to all through trains

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BETWEEN PORTLAND AND CORVALLIS.
Mail trains daily [except Sunday.]

7:30 A M	Lv	Portland	Ar	5:50 P M
12:15 P M	Ar	Corvallis	Lv	1:05 P M

At Albany and Corvallis connect with trains of the O. C & E. Ry.

EXPRESS TRAIN DAILY [EXCEPT SUNDAY.]

4:50 P M	Lv	Portland	Ar	8:25 A M
7:30 P M	Lr	McMinnville	Lv	5:50 A M

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PORTLAND-SALEM Daily Salem service: Steamer Ruth for Portland, Monday, Wednesday and Friday at 10 a. m. Steamer Elmore for Portland Tuesday, Thursday and Saturday, at 7:15 a. m. Returning, leave Ash street dock, Portland, daily except Sunday, at 6 a. m. Passengers given transfers to electric line at Oregon City if desired, making it possible to reach Portland at 1 p. m.

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Fare from Albany or points west to San Francisco: Cabin, $9; steerage, $5; to Coos Bay and Port Orford, cabin $6; to Humbold. Bay, cabin $8; round trip, good 60 days, $16t

RIVER DIVISION

Steamer "Albany" between Portland and Corvallis, through without lay-over. Leaves Salem 10:45 a. m. Tuesdays, Thursdays and Saturdays, leaves Portland, Yamhill street dock, 6:00 a. m. Sundays, Wednesdays and Fridays.

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