

PATRICK CASE UP AGAIN

David B. Hill Argues for a New Trial

One of the Most Famous Will Suits in Annals of New York

Albany, N. Y., March 1.—Another chapter was added today to the famous Albert T. Patrick case when David B. Hill appeared before the court of appeals and argued for a new trial in the case of the man convicted of the murder of William Marsh Rice, the Texas millionaire. Mr. Hill used as the basis of his argument for a new trial the report of the special committee of the Medico-Legal society, appointed to investigate the effects of the embalming before rigor mortis on congestion of the lungs, without withdrawing blood from the body. The report was wholly in favor of the convicted lawyer, every member of the committee signing an opinion that Rice did not die from chloroform poisoning, and that the condition of his lungs was entirely due to the embalming process employed by the undertaker. In its report the committee said, in part:

"It would be impossible for any one to discriminate from the post-mortem appearance between the administration of chloroform as the cause of death or as the result of the embalming process, as stated in the evidence. No one could truthfully have stated that death was wholly caused by the inhalation of chloroform, from appearances as presented at the autopsy, because of the presence of embalming fluid, and further because chloroform was not found by chemical tests.

"The committee is satisfied, after a review of all the evidence, that Rice died from old age, weak heart, etc., or, in other words, from the condition embraced in Dr. Walker Curry's certificate of death, and on which the authorities allowed the body to be cremated. It is also the opinion of the committee that no chloroform was ever administered to Rice by Jones, as stated by him, because it would have been impossible not to have detected the odor of chloroform, either in the room occupied by the deceased or on the body, as the amount of chloroform employed, as alleged, would have saturated the beard of the deceased and retained the odor for many hours."

It is confidently believed that on the strength of this report the court of appeals will grant a new trial to Patrick. In this event it is considered probable that Patrick, who has been in the death house at Sing Sing for nearly five years, will either be acquitted as was Roland Molinoux under similar circumstances, or that there will be a mistrial as in the case of Dr. Kennedy, and that the prosecution will then dismiss the case.

The Patrick case is one of the most famous in the annals of the New York courts. William Marsh Rice, an eccentric millionaire, died at his home in Madison avenue, New York city, on September 23, 1900. On the day before his death he ate inordinately of bananas, and, according to his physician, he was taken ill with indigestion the next day and died the day following. Albert T. Patrick was a lawyer,

practicing his profession. He took charge of the millionaire's affairs at the solicitation of the latter's wife, had an undertaker embalm the body and fixed the day for the funeral. Between the hour of Rice's death and the day of the funeral several suspicious things had happened. Several checks had been presented at the banks for certification. They were all signed by the dead man, and were payable to the order of Albert T. Patrick. The banks frankly admitted that the checks appeared to be good. But as the checks were for large amounts an investigation was started, and the net began to gather about the lawyer, Patrick.

Suspicion fell on Charles F. Jones, Rice's valet, who, it was learned, had had several conferences with Patrick immediately before and just after Rice's death. While the police were striving to straighten out the details, Patrick produced a will dated June 20, 1900, under which the bulk of the entire estate, aggregating \$5,000,000, was bequeathed to him. He also exhibited several checks aggregating \$160,000, which had been placed in his custody for various heirs and business interests identified with the late millionaire.

Then it transpired that there was another will in existence, dated four years earlier, in which the bulk of the estate was left to the proposed William Marsh Rice Institute at Houston, Texas. Groping in the dark, the police arrested Jones on suspicion, and then came the first sensation. Under the questioning of the police, Jones made the startling confession that Rice had been murdered by Patrick. Though he was in an adjoining apartment, Jones said he had not actively participated in the crime. Patrick had formed a plot to take the old man's life to prevent the revocation of the document. A cone, saturated with chloroform, had been placed over the old man's face while he slept, and death had thus been accomplished, according to the valet's confession.

Patrick's arrest followed immediately. He remained cool, and asserted his innocence. On April 1 the preliminary hearing in the case began before Justice (now district attorney) Jerome. The second great confession came on the second day of the hearing, when Jones, after passing a sleepless night in the Tombs, went upon the stand and confessed that he, and not Patrick, had killed the aged millionaire. With circumstantial detail, he related coolly and bloodlessly how he had fed the millionaire poison, and finally placed the cone over his face, all at the instigation of Lawyer Patrick.

Patrick was convicted, and a motion for a new trial having been denied, sentence of death was imposed upon him. About two years ago he succeeded in getting a new trial, which likewise resulted in a verdict of guilty. Since that time he has remained in the death house at Sing Sing, spending all of his time in the study of medicine with a view to fortifying himself with knowledge to prove that death could not have come to the millionaire in the manner alleged without leaving traces other than those offered in evidence at his trial.

Shortly after his first conviction the lawyer, through his attorney, offered the 1900 will for probate, and Surrogate Fitzgerald threw it away as a forgery. Patrick appealed the will case and was again defeated and the fortune passed irrevocably out of his hands.

Direct Primary Election.
(Roseburg Plaindealer.)

The direct primary law will result in the virtual election of United States senators in Oregon by direct vote of the people. There will be two places for the candidates for the leg-

Scrofula

It is commonly inherited. Few are entirely free from it. Pale, weak, puny children are afflicted with it in nine cases out of ten, and many adults suffer from it. Common indications are bunches in the neck, abscesses, cutaneous eruptions, inflamed eyelids, sore ears, rickets, catarrh, wasting, and general debility.

Hood's Sarsaparilla and Pills

Eradicate it, positively and absolutely. This statement is based on the thousands of permanent cures these medicines have wrought.

"My daughter had scrofula, with eleven sores on her neck and about her ears. Hood's Sarsaparilla was highly recommended and she took it and was cured. She is now in good health." Mrs. J. H. Jones, Parker City, Ind.

Hood's Sarsaparilla promises to cure and keeps the promise.

islature to sign. The first one will say that the candidate, if elected, will vote for the nominee of the people. The second will say that the candidates who are elected will sign the first blank. Those who sign the second blank will remain at home. The people will argue that if the candidates are afraid to trust them, they (the people) will not desire to trust them (the candidates). In the first election of United States senator a year from next January, the fifteen hold-over state senators will have a voice, and this may cut some figure. But if the direct primary laws stand it will become impossible for a member of the legislature to go contrary to the will of the people, as expressed at the polls, in the matter of their choice for United States senator, as it would be for a Presidential elector to attempt to select some other man than the one at the head of his party's ticket in national elections.

TWO INSTITUTIONS.

Receive Money from the Estate of the Late Patrick McIntee, of Hubbard.

Patrick McIntee, who died at Hubbard, made several provisions in his will among them the request that, after the provisions had been carried out, that any unexpended balance should be divided between two charitable institutions.

John Scholl, A. Coyle and G. M. Fry, the executors, have decided that the balance, which amounted to \$258.66, shall be divided between the Salem hospital and the Odd Fellows' home in Portland, each institution to receive the sum of \$129.33.

What Time Proves.

This thing of being sick and looking for a cure is a mighty serious business. People are not given to joking even at the first symptom of the approach of the Grim Destroyer. They do not want to be the subjects of experiment, but want medicine that has had the test of years behind it. A medicine that has been made and used for 29 years gives assurance of its worth, and can be taken with a faith that they have the very best cure the world affords. All this can be said about Dr. Gunn's Improved Liver Pills as a remedy for sick headache, dyspepsia and indigestion, it begins right at the source of the trouble and removes the cause. Sold by all druggists for 25c per box. One pill a dose.

For sale by Dr. S. C. Stone, druggist.

A Couple of Good Homes.

Ex-County Clerk W. W. Hall and Henry Vandevort have bought a strip of land between State and Court streets, near 16th, extending about 100 feet wide clear through from one street to the other. It lies just west of the W. C. Hawley residence, and will be immediately improved by these gentlemen. Mr. Hall is already at work excavating, and Mr. Vandevort will soon follow. They will each build substantial residences, facing state street, spending several thousand dollars each on improvements. The ground will be graded and platted, with a concrete driveway through the center, and will give ingress and egress for all.

A sewer is being laid through to Court street, which will accommodate both families. It is also the intention of both to build a house on Court street for rent, and all four buildings will be accommodated with one sewer and the common driveway through the center will make the place very convenient. Messrs Hall and Vandevort are to be congratulated upon their enterprise and prospective new homes.

Miss Dora Wienhart, of Eugene, died Monday afternoon at the home of her parents. She was aged 17 and had been an invalid most of her life.

Women of the World will hold another convention at Cottage Grove on March 5th.

CHILDREN GETTING EXCITED

There is a Sharp Contest Over the Most Popular Teacher

The children of Lincoln school are working hard for their most popular teacher—so far Miss Bessie Smith. The children of the East school seem to favor Miss Shepard, and the children of the North school Miss Misamore. There will be heavy voting Thursday, and many are saving their ballots for the last day. No ballots will be counted until the sealed ballot box is opened Friday at noon, and the vote finally counted.

Like Finding Money.

Finding health is like finding money—so think those who are sick. When you have a cough, cold, sore throat, or chest irritation, better act promptly like W. C. Barber, of Sandy Level, Va. He says: "I had a terrible chest trouble, caused by smoke and coal dust on my lungs; but, after finding no relief in other remedies, I was cured by Dr. King's New Discovery for Consumption, Coughs and Colds." Greatest sale of any cough or lung medicine in the world. At J. C. Perry's drug store; 50c and \$1.00; guaranteed. Trial bottle free.

Granted Full Pardon.

John A. Long, of Multnomah county, who has served a term in the penitentiary for larceny from a store, and has been released for some time, was yesterday granted a full pardon by Governor Chamberlain. This was done on the petition of a large number of his friends in Multnomah county, so that his citizenship would be destroyed.

DO YOU SUFFER

From Bloating, Heartburn, Nausea, Belching or Cramps? If so we want you to try Hostetter's Stomach Bitters at once. A dose before meals will tone up and strengthen the digestive organs and cause the bowels to relax. Then these ailments will quickly disappear. It has made thousands of weak stomachs strong during the past 50 years. It also cures Indigestion, Dyspepsia, Insomnia, Chills, Colds, La Grippe and Malaria.

HOSTETTER'S STOMACH BITTERS

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March Number

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American, Page and Elwood fences are the heaviest and best. Prices lower than any other fences of same weight. Barb wire, plain wire, fence posts and shingles. Call and get prices, or write for particulars and prices.

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Legislators and all will receive courteous attention. French dinners and oysters any style. Come and see.

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—the old story, told times without number and repeated over and over again for the last thirty years. But it's always a welcome story to those in need of strength and health. There's nothing in the world that stops wasting diseases as quickly as Scott's Emulsion.

We'll send you a sample, free! SCOTT & BOWNE, 409 Pearl Street, New York.

Spray Your Fruit Trees.

Persons having fruit trees and ornamental trees that, under the state law, are required to be sprayed at this season of the year, are requested to leave their orders at F. A. Wiggins' implement house or with the Oregon Nursery Company. The expense is very small, and the increase in fruit and quality will more than repay all cost to the owner. Or apply to E. C. Armstrong, manager of the city spraying outfit, who will at once attend to the matter. 2-27-tf



IT'S SURE PURE

If it comes from our grocery store. The best quality of everything is carried in stock—from the cheapest that is good to the best that money can buy.

We can especially recommend the butter that we are selling for 70c, or the cheese for 20c, to please the inner man. Why not try them?

Harritt & Lawrence



THE MILL WILL NEVER GRIND with the water that is past, but unlike the mill, our past orders have been filled so successfully that new ones are constantly coming in from our old patrons. Are you to be one of them? Our flour is the finest that is milled, and is ground from the best selected Valley wheat; in fact the cream of the wheatfields, and it makes the most delicious bread—white and palatable.

Salem Flouring Mills



DEFY ANYONE TO COME NEAR IT

In purity, smoothness, mellowness or richness of flavor the distillers of the Cedar Brook whiskey will if we call on them. No one should be without a bottle of this choice whiskey in the house as a preventive of grip pneumonia and other maladies coming from colds. A little Cedar Brook whiskey will warm the blood, stop or prevent chills and cure colds like a charm.

E. Eckerlen WHOLESALE HOUSE

Fine Property at a Bargain

Choice piece residence property on principal street within three blocks business part of city. Nice large, modern home, about one acre of ground near school and car line, all kinds of fruit, beautiful shrubbery, etc. All modern conveniences. These are both extra choice buys for homes or investments.

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There are no less than fourteen remedies in this standard family medicine. Among them we might mention sarsaparilla root, yellow dock root, stillingia root, buckthorn bark, senna leaves, burdock root, cimicifuga root, cinchona bark, phytolacca root. Ayer's Sarsaparilla is certainly a medicine, a genuine medicine, a doctor's medicine.

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AYER'S HAIR VIGOR—For the hair. AYER'S PILLS—For constipation. AYER'S CHERRY PECTORAL—For coughs. AYER'S AGUE CURE—For malaria and ague.