

The Caldwell Tribune.

VOL. 17.

CALDWELL, IDAHO, SATURDAY, DECEMBER 3, 1898.

No. 2

NEW SENSATION SPRUNG

Jeff Gray Says Diamondfield Jack is Innocent.

'T WAS HE WHO KILLED THE SHEEP HERDERS

Fired Three Shots—Did Not Think the Men Were Badly Injured—Told No Who Would Go to the Assistance of the Men—Interesting Affidavit.

The defense in the Diamondfield Jack case has filed an affidavit to support that presented at the October meeting by J. E. Bower, who swore he was present and saw Jeff Gray shoot Cummings and Wilson, the sheepherders. This affidavit is by Gray himself, who is in the city in response to the summons or the board to testify against himself and for Davis.

JEFF GRAY'S STORY.

On the morning of February 4th he started for Buck Rice's place, the two having entered into an agreement to hunt horses together. He carried a rifle and a 44 calibre revolver. He overtook J. E. Bower who said he was going to Point ranch and then to Salmon river. Bower called his attention to some tracks and said he believed Billy Vail, who was believed to be spying for the sheepmen, was ahead of them. The two riders rode on to Rice's place and found him gone, whereupon Gray decided to go on to the Point ranch. As they proceeded they saw two sheep wagons, one on each side of Deep creek and about a quarter of a mile apart. Bower proposed to ride over and see if Vail was present and the two men proceeded to the wagon on the east side of the creek. The affidavit then proceeds:

WERE INVITED IN.

"Two men were in the wagon, evidently preparing dinner. We asked the time of day and they invited us to dismount. We did so leaving our horses standing a short distance from the wagon and in front of it. I left my rifle on the saddle and neither of us took off our overcoats." The men the affidavit goes on, sat down, Bower lighting a corn cob pipe. In a little while the range question came up and Bower said, "do you gentlemen think it is right to come in here and eat out this country?"

Wilson replied they had as much right there as anybody, whereupon Bower replied, "I don't think you have, you do not pay any taxes here."

Wilson affirmed they did, and Bower either said he lied or was mistaken, adding, "I think you are tramps in this country; what I mean is"—Before Bower finished the sentence Wilson said, "You are a d—d lying s—t" and jumped at Bower.

"I started to raise up," continues the affidavit, "and Wilson in rushing at Bower shoved head against me and I fell out of the wagon in front. I got up as soon as I could and saw Wilson had Bower over the dashboard, his back resting on it and the upper part of the body being out of the wagon. Wilson was on top of him and they were struggling, each of them having hold of a pistol.

THEN HE FIRED.

"As I raised up I saw the other man who I have since ascertained was Daniel Cummings, grasp a gun, which I

think was a Winchester, from the west side of the wagon near the head of the bed. He threw the gun down in my direction, and as he did so I drew my pistol and fired at him. As I fired he dropped the gun from his hands and it fell to the bottom of the wagon. Cummings himself did not fall.

"My attention was immediately directed again to Bower and Wilson. Bower was still pressed over the dashboard and Wilson had got the pistol away from him, but Bower had hold of his arm and apparently trying to prevent Wilson from turning the gun against him. Wilson was cursing and said, 'I'll fix both of you.' I shouted to him to drop the gun, but he paid no attention, and believing that Bower would be immediately killed I shot at Wilson.

"I think at the time I shot his struggle with Bower had turned his back partially towards me. He did not relax his hold on Bower and I thought I had missed him and immediately shot again. He apparently relaxed his hold on Bower who raised himself a little and said to me, 'don't shoot any more,' and I said I wouldn't and I reached up and pushed Bower up in the wagon.

"Bower seemed partially dazed. Wilson was bleeding from a wound in the chin and sat down for a second on the side of the bed. He said, 'I'm hurt pretty bad.' Bower said, 'I don't think you are; you had better lay down on the bed.' Bower tried to raise him on the bed, but he didn't seem able to and I had got back into the wagon by this time and helped Wilson to the bed.

LEFT THEM TO DIE.

Cummings was standing up at this time near the bed, but in a few seconds sat down on the bed or on the bench near the bed. The horses had run off 50 or 75 yards and Bower went after them. I remained in the wagon and asked the men if there was anything I could do for them. They said that there was another camp near by and some one will be over soon."

Proceeding, the affidavit says Gray said, "I hope you boys will come out all right," got out of the wagon, threw the empty shells from his pistol, and rode away with Bower. He would have appraised the other camp of the shooting, but supposed the men had heard the shots and would soon be over. Gray states he told his brother Alec. Buck Rice and others of the shooting. He had always intended to disclose the facts before he would allow an innocent man to suffer.

Two Pointed Questions Answered.

What is the use of making a better article than your competitor if you can not get a better price for it?

Ans.—As there is no difference in the price the public will buy only the better, so that while our profits may be smaller on a single sale, they will be much greater in the aggregate.

How can you get the public to know your make is the best?

If both articles are brought prominently before the public both are certain to be tried and the public will very quickly pass judgment on them and use only the better one.

This explains the large sale on Chamberlain's Cough Remedy. The people have been using it for years and have found that it can always be depended upon. They may occasionally take up with some fashionable novelty put forth with exaggerated claims, but are certain to return to the one remedy that they know to be reliable, and for coughs, colds and croup there is nothing equal to Chamberlain's Cough Remedy. For sale by all druggists.

From New Zealand.

Reefton, New Zealand, Nov. 23, 1896. I am very pleased to state that since I took the agency of Chamberlain's medicines the sale has been very large, more especially of the Cough Remedy. In two years I have sold more of this particular remedy than of all other makes for the previous five years. As to its efficacy, I have been informed by scores of persons of the good results they have received from it, and know its value from the use of it in my own household. It is so pleasant to take that we have to place the bottle beyond the reach of the children. E. J. SCANTLEBURY. For sale by all druggists.

FILIPPINOS WILL FIGHT

Will Resist American Ownership of Islands.

INDEPENDENCE ALONE WILL SATISFY THEM

Will Take Seventy Thousand Troops to Quell Insurrection—Will Not Permit Their Homes to Be Bought and Sold Like Merchandise.

Madrid, Dec. 1.—Advices from from the Philippines say the insurgents there have decided not to recognize the cession of the islands to the United States and that they will resist to the last. It is also claimed that the United States will require 70,000 troops to put down the rebellion and it is alleged that the insurgents hold 10,000 Spanish prisoners whom they will force to serve against the Americans.

The Philippine insurgents demand 7,000,000 pesetas for the release of the forty friars imprisoned since the commencement of the war.

The Independent party of the Filipinos is not disposed to accept the result of the deliberations of the peace commissioners at Paris, judging from the tone of the native press. The Independent publishes a particularly bombastic leading article to the effect that the Filipinos will decline to permit their homes to be bought and sold like merchandise. It then repeats that the Filipinos are ready to fight in defense of their rights and asserts that the government and people are unanimous in claiming nothing less than independence.

It is claimed by the insurgents that they had control of the islands before the United States put in an appearance and, therefore Spain assumes to accept \$20,000,000 for something which does not belong to her.

IN FAVOR OF EXPANSION.

Both Idaho Senators Define Their Positions Upon This Important Question.

A Boise special says:—Senators Shoup and Heitfeld left today for Washington. Before their departure they expressed themselves quite freely on the questions arising in connection with our newly-acquired possessions. Speaking of Hawaii, Senator Shoup said:

"I would give the islands the same form of government that exists in other territories of the country. That would keep them in large measure under Federal supervision, while giving those people a voice in Congress as well as the right to formulate laws for local government."

The Senator said he earnestly favored retention of the Philippines and Porto Rico. And added, "I believe they should be placed under the control of a civil commission until the requirements of those countries and the character of the people are fully understood."

As to Cuba, he said he was in favor of a military government for the present. "Under the Teller resolution," he said, "we are bound to give the Cubans a chance for self-government; if they fail, of course the United States must step in and take permanent charge."

Senator Heitfeld said he was "a Populist imperialist." He did not want to see the flag taken down from any place where it was once raised. He was in favor of a territorial form of government for Hawaii, but as to Porto Rico and the Philippines, he preferred to

wait until full reports were submitted before expressing an opinion as to the kind of government that should be provided.

"The United States," he said, "was obligated to give the Cubans a chance to establish a government of their own, but from what he had heard, he was of the opinion they would fail and this country would be obliged to take permanent possession. That he considered of far more importance than the Philippines and Porto Rico."

Metropolitan Opera House N. Y.

The largest theatre in that city was recently filled with the speech of one of our famous public men reproduced on the famous Gramophone, talking machine. Every one could hear it. Buy one, give an entertainment, charge 10 and 20 cents admission. It will pay for itself in one night. For catalogues send to R. G. Spaulding & Co., State agents, 734 Main St., Boise, Idaho.

NOTICE FOR PUBLICATION.

Land Office at Boise, Idaho, July 13, 1898.

NOTICE is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim and that said proof will be made before Clerk of the Probate Court of Canyon County, at Caldwell, Idaho, on Tuesday, August 23, 1898, viz: John L. Bardsley, of Caldwell, Idaho, Homestead application No. 3089, for the SW 1/4 Sec. 21, T. 3, N. 4, E. 3 W. Boise Meridian, Idaho. He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Daniel E. Gott, Nampa, Idaho, Harvey W. Sutton, Middleton, Idaho, Horace B. Averb, Caldwell, Idaho, George W. Cristester, Caldwell, Idaho. Nov. 26—Dec. 31 JAMES KING, Register.

NOTICE FOR PUBLICATION.

Land office at Boise City, Idaho, Nov. 21, 1898.

NOTICE is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Clerk of the Probate Court of Canyon County, Idaho, at Caldwell, on Tuesday, January 2, 1899, viz: Jacob Nielson, Hd. application No. 1133 for the

SW 1/4 Sec. 22, T. 4 N. R. 2 W., B. M. He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Victor Hamer, Herbert S. Bown, Joseph Hoagland and Charles Lock, all of Caldwell, Ida. Nov. 25—Dec. 31. JAMES KING, Register.

NOTICE FOR PUBLICATION.

Land Office, Boise City Idaho, Nov. 7, 1898.

NOTICE is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Clerk of Probate Court at Caldwell, Idaho, on Tuesday, December 28, 1898, viz: Minerva S. Botwell, widow of John S. Botwell, deceased. Hd. No. 2207 for the SW 1/4 Sec. 34, T. 5 N. R. 4 W. B. M. Idaho. She names the following witnesses to prove her continuous residence upon and cultivation of said land, viz: John B. Newport, Patrick F. Carron, Frank G. Gilbert, all of Lower Boise, Idaho, and William B. Odum, of Parma, Idaho. Nov. 12—Dec. 17. JAMES KING, Register.

DESERT LAND, FINAL PROOF.—NOTICE FOR PUBLICATION.

Land Office at Boise City, Idaho, Nov. 10, 1898.

NOTICE is hereby given that Reuben B. Wright of Boise City, Ada county, Idaho, has filed notice of intention to make proof on his desert-land claim No. 1538, for the SW 1/4 Sec. 24, T. 3 N. 4 E. 3 W. B. M. before the Register and Receiver at Boise Idaho, on Wednesday, the 21 day of December, 1898.

He names the following witnesses to prove the complete irrigation and reclamation of said land: Wade P. Hart, of Boise Idaho, Florence E. Lowell, James H. Lowell and Walter W. Hart, all of Boise Idaho. Nov. 12—Dec. 17 JAMES KING, Register.

Notice of Sale of Impounded Stock.

NOTICE is hereby given that I have this day seized and impounded the following described animal, to-wit: One black horse, no brand, white in forehead and hind feet white. Broke to work, and that said animal will be sold at public auction to the highest bidder at the city pound on Wednesday, the 30th day of November 1898, as required by Ordinance No. 12 of the town of Caldwell. Dated this 21st day of Nov., 1898.

H. N. MAXEY, Town Marshal.

Notice of Sale of Impounded Stock

NOTICE is hereby given that I have this day seized and impounded the following described animal to-wit: One red yearling heifer with white face, no brand. And that said animal will be sold at public auction to the highest bidder at the city pound, Thursday, the 17 day of Nov. 1898, as required by Ordinance No. 13 of the Town of Caldwell. Dated this 7th day of Nov., 1898.

H. N. MAXEY, Town Marshal.

THE OFFICIAL COUNT.

County and Legislative.

NAMES OF CANDIDATES.	COUNT										Majority	
	East Caldwell	West Caldwell	Nampa	Middleton	Lower Boise	Rowell	Emmett	Falks Store	New Plymouth	Payette		Total Vote
State Senator.												
Martin, p.....	65	112	39	62	51	23	100	25	12	69	558	
McDonald, r.....	61	123	136	54	24	29	100	32	40	121	719	
Riggs, f.....	48	59	85	41	27	2	68	27	26	103	480	
Representative.												
George, p.....	46	113	37	62	21	18	53	26	22	45	443	
Maxey, f.....	52	113	98	49	24	12	103	25	23	114	593	
Murray, f.....	72	76	180	46	22	4	89	35	26	127	677	
Madden, p.....	81	155	57	70	78	17	78	28	17	81	682	
Smith, r.....	51	76	76	47	7	9	84	24	32	101	507	
Adams, f.....	54	74	123	53	20	2	107	34	21	119	607	
Barnum, p.....	67	141	35	81	96	38	69	32	31	55	645	
Ettinger, f.....	56	86	80	43	10	25	96	25	29	102	553	
Bates, f.....	58	84	119	41	62	24	94	25	29	142	681	
Clerk and Recorder.												
Cooper, r.....	50	139	30	40	28	22	42	23	12	41	427	
Deyers, r.....	47	65	90	43	54	24	105	30	43	152	653	
Meek, f.....	92	122	136	76	30	9	109	33	23	134	764	
Sheriff.												
Geisler, p.....	67	118	42	52	50	23	74	24	26	179	655	
Campbell, r.....	64	128	121	51	41	32	116	45	36	84	718	
Wilson, f.....	60	85	98	74	26	1	84	22	20	82	582	
Assessor.												
McConnell, p.....	70	153	34	71	73	46	90	20	11	34	602	
Neblitt, r.....	45	96	85	50	21	3	85	47	37	59	538	
Wells, f.....	65	64	127	41	24	10	80	20	36	241	708	
County Attorney.												
Griffith, p.....	57	119	37	36	47	38	55	26	17	64	486	
Smith, r.....	75	129	103	61	44	14	94	35	39	127	718	
Feltham, f.....	61	78	114	64	12	1	111	25	26	105	608	
Probate Judge.												
Wallace, p.....	80	146	51	65	47	26	74	39	20	135	600	
Coxe, r.....	36	75	79	51	19	9	89	23	44	125	547	
Dempsey, f.....	65	79	110	41	39	3	105	32	21	65	550	
Treasurer.												
Jenkins, p.....	57	105	32	78	44	13	68	28	11	49	485	
Smithson, r.....	42	101	94	38	31	10	111	17	35	81	590	
Bane, f.....	78	100	114	54	35	25	99	45	30	163	739	
County Supt.												
Conrod, p.....	32	84	26	35	25	26	44	11	9	32	324	
Clemens, r.....	61	94	96	59	41	22	77	24	43	94	590	
Walling, f.....	89	121	172	68	47	5	137	24	25	166	881	
Surveyor.												
Nettleton, r.....	50	105	115	52	18	19	96	26	40	93	614	
Healdon, f.....	100	131	130	83	60	12	118	47	30	150	859	
Coroner.												
DeLano, p.....	21	85	34	22	31	22	49	14	16	65	379	
Branthoover, r.....	41	103	96	51	22	13	97	31	41	156	648	
Calloway, f.....	94	101	117	64	46	4	108	41	24	122	691	
Commissioner—1st dist.												
Marrimon, p.....	37	107	32	62	52	45	61	16	11	32	458	
Jordan, r.....	32	75	121	47	21	1	100	26	29	71	523	
Shaw, f.....	105	127	106	48	38	5	93	41	40	178	778	
2nd dist.												
Petersen, p.....	37	70	33	12	52	8	61	18	10	22	333	
Footo, r.....	97	142	108	89	38	41	124	33	45	127	835	
Watkins, f.....	44	77	109	82	27	4	78	35	26	126	608	
3rd dist.												
Richards, p.....	31	65	22	36	32	15	31	16	11	21	280	
Smernage, r.....	34	97	74	59	27	12	121	29	26	45	512	
Hyder, f.....	100	112	141	54	47	29	102	45	16	245	922	

p.—Populist. r.—Republican. f.—Fusion. (Dem. and S. Rep.)

Awarded Highest Honors—World's Fair, DR. PRICE'S CREAM BAKING POWDER MOST PERFECT MADE. A pure Grape Cream of Tartar Powder. Free from Ammonia, Alum or any other adulterant. 40 YEARS THE STANDARD.