

WHERE APPLES GROW IN CAR LOTS

BURRELL ORCHARDS CONTAIN 220 ACRES OF WINTER KEEPERS ---FINE WATER SYSTEM.

Nine miles west of Colfax at the little station of Diamond is located the best commercial apple orchard in this part of the country. This is a decidedly off year for apples in the northwest yet many carloads will be shipped from the Burrell orchards, owned by the Burrell Investment company.

The first apple trees on the place were put out by Quinlan Dimond on his homestead more than 30 years ago and have completed their usefulness. The real service which they performed was to demonstrate that apples could be grown profitably at this point. Mr. Dimond added to his land possessions until he had several hundred acres, but in 1893 he was caught in the hard times and never regained his financial standing. Sometime later 45 acres of the Dimond farm came into the possession of the Burrell company and in 1899, under the supervision of R. H. Lacey, local manager for the company, an orchard of nearly 60 acres was planted. Other plantings have been made at different times until now 220 acres are in apple orchards. Only the first orchard of 60 acres may be said to be in full bearing but the others are coming on rapidly and will be at their best within three or four years.

The main part of the orchard is a quarter of a mile wide and extends over the hill to the north for more than a mile. This is the long part of the "L" shaped farm. Over in the other extremity is another orchard of 64 acres.

J. N. Pocock, Jr., the farm superintendent, lives on the place with his family and thoroughly enjoys his work in the orchards. Their boys are manly little fellows and even "Billy," the youngest, makes a desperate effort to point out the beauties of the place to the visitor.

Summer spraying was in progress when a Gazette representative visited the orchards a few days ago. The codlin moth is the only pest that has found its way into the orchard and a thorough spraying in the spring just as the blossoms are falling and another in the middle of the summer is all that is required to keep the moth subdued. The mixture for the spray is made of a pound and a half of arsenate of lead to 50 gallons of water. The principal cost of the spraying is in the labor for a 200-gallon tank of the solution costs only 55 cents. In the spring it is necessary to rush the work in order to get through while the blossoms are falling. Three large power sprayers are used at that time and the solution is forced through the nozzles by a pressure of from 150 to 200 pounds. The summer spraying is done under a pressure of about 100 pounds and the solution is thrown onto the apples in the form of a fine mist. The sprayers in use hold 200 gallons and are operated by a 2-horse power gasoline engine. One man drives the team between the rows and looks after the machine while two others carry the bamboo poles, which serve as nozzles for the two lines of hose connected with the pump, and sprinkle every apple as they pass the trees.

Summer pruning has been done to some extent and the trees are kept low as it is much more economical to handle the fruit when much of it can be reached from the ground.

No irrigation is used in the orchards, but a fine water system supplies all the buildings and irrigates the garden. Springs supply the water and a tank with 8,000 gallons capacity has been constructed above the house. The dwelling house, mess house, bunk house and barns are all supplied with the running water and an underground system of tiling carries all the waste water to the hog yard.

Mr. Lacey is conducting experiments with a soy bean as a cover crop, but its worth has not been demonstrated. This fall the orchards will be sowed to wheat and the crop will be plowed under in the spring. An experiment is also being carried on with sulphate of iron to improve the coloring of the apples. The sulphate is sprinkled on the ground under the trees and worked into the soil.

To prevent crowding under ground as well as above only 40 trees are set to the acre.

Nothing but apples are grown in the orchards and these are limited to eight varieties of good shippers. The Yellow Bell Flower is the earliest. Other varieties are Rome Beauty, Ben Davis, Yellow Newtown, York Imperials, Jonathans, Arkansas and Wagener.

During the summer pruning and spraying only four men are employed on the place but from the time picking begins until packing is finished, a period of from 60 to 70 days, there will be from 50 to 70 people at work. Ample buildings are provided to take care of the large crowd during the busy season. The bunk houses are provided with bath rooms and everything is arranged for the convenience and comfort of the work men. Picking will begin about the second week in September.

Everything as far as possible for

use is raised on the farm. The 11 horses are able to do all the work during the busiest weeks and then other teams are hired so that the work is done at the proper time.

A packing house 30 by 56 feet is connected with a warehouse 40 by 96 feet. The packing house is equipped with 16 packers and the place is lighted with a gasoline system with 1200-candle power lamps providing light equal to day light for the short days of autumn when the packing is in progress. The building is so constructed that an addition can easily be made. The production of the orchard is increasing so rapidly that an addition will be necessary next year. Double siding and flooring with paper between makes the building easy to heat for the comfort of the packers and for the preservation of the apples should they be held until cold weather.

Every box of apples shipped bears a label showing the variety, the place where grown and the number of apples in the box. All the best apples are wrapped.

Last year 45 car loads were shipped. They went to British Columbia, Montana, the Dakotas, New York and three carloads went to England. The best net returns last year was \$1.53 a box. In 1907 some sold as high as \$2.25.

It is very seldom that there is a large crop of apples two years in succession. This year is the light one. At the present time the trees are showing many terminal buds and unless frost nips them it will be necessary to thin three-fourths of the fruit from every tree next spring. Under favorable conditions the crop from the Burrell Orchards next year will run more than 50,000 boxes.

PAVING FEVER SPREADS TO LOWER MAIN STREET AND ALLEY

New Work Will Add Many Dollars to Improvements Now Under Way.

Main street from the Inland street bridge to the O.-W. R. & N. tracks will be paved in the near future if the plan proposed at the meeting of the city council Monday night is carried out. A resolution providing for such improvement was read and the date for hearing objections was set for September 4. The estimated cost of the improvement is \$20,498.62.

Another resolution was read providing for paving the alley between and parallel with Main and Mill streets and extending from Inland street to Canyon street. The estimated cost of this work is \$6254.34 and the date for hearing is the same as for the lower Main street improvement.

J. R. Butcher and A. Yaisley were awarded the contract for laying the steel and decking on the Inland street bridge. Their bid was \$555.

Health Officer Stult reported the condition of health in the city at the present time as good but expressed his fear that contagion might arise if sanitary conditions on Morton street were not improved. He urges a sewer for that street.

On motion the clerk was instructed to notify E. M. Woodin to put in concrete sidewalk in front of his property on West street.

The petition of the residents of the east side of Mill street for a parking strip from the new high school to Canyon street the same width as in front of the high school was granted.

SATISFACTORY BOND SALE.

Low Interest Rate Saves School District Much Money.

Bonds of \$65,000 for school district No. 1 were sold Monday afternoon by Treasurer Duncan to the state at par, the bonds to bear 4 1/2 per cent interest. There were two other bids. The Dexter Horton National bank of Seattle offered to take the bonds at 5 per cent and would give a premium of \$325. The Union Trust and Savings bank of Spokane offered a premium of \$507 for the bonds at 5 per cent. Only three bids were received and as the offer of the state was the best it was accepted.

The sale of bonds will permit the calling in of nearly \$50,000 in warrants which are bearing seven and eight per cent interest. The bond sale is considered very advantageous as the interest rate is low and the district has the privilege of taking up the bonds at any time.

STREET WORK BEGUN.

Grading on Main Street and Preparing Curbs on Mill.

Main street is being plowed up preparatory to putting on the crushed rock as foundation for the new paving. Work at the plant has been delayed for a few days on account of the non-arrival of the engine to furnish power for the crusher. The engine has now arrived and the crusher will be in operation by Monday and rock will be hauled to the street at once. Drilling and blasting at the rock quarry is going on so that a large amount of stone will be ready for the crusher. About two weeks will be required to set up the "hot stuff" plant and it will be three weeks before any finished surface is laid. The mixture is put on the streets at a temperature of 250 degrees.

One of the heavy bitumen mixers came by freight over the Inland and was skidded across to a flat car on the O.-W. R. & N. tracks for transfer to the plant in the old brick yard. Plenty of local men have been found so far to handle the street work.

EXAMINERS GO TO GREENER PASTURES

STATE EMPLOYEES ARE WELCOME TO BOOKS BUT NOT MONEY SAYS CITY ATTORNEY.

Two examiners under the state board of accountancy received a chilly greeting when they appeared in this city Monday morning and announced their intention to check the city books and each to draw a salary of \$8 a day for their work. The state examiners were Arthur Osborne and Fred D. Chesnut. They were informed by City Attorney Sherfy that they were perfectly welcome to the city books and could work on them all they pleased but they need not expect any pay from the city as he believed the law under which they were working was not constitutional.

These examiners had recently checked the books at Oakesdale and while in this city presented their expense vouchers to Auditor McCroskey expecting to get their pay for that work. Mr. McCroskey doubted his authority to issue the warrants and called on County Attorney Paul Pattison for an opinion of the attorney and the warrants were not forth coming. The books of the municipalities of Rosalia, Malden and Lamont have also been checked but the state employees who did the work will not get their pay until the constitutionality of the law has been passed upon by the supreme court. A similar case is being carried to the supreme court from Thurston county and the Whitman county officials will be guided by that decision.

Attorney Pattison's opinion on the matter is as follows: Mr. S. M. McCROSKEY, Auditor of Whitman County, Colfax, Wash.

Dear Sir:— In reply to your question submitted to this office as to whether or not you should draw warrants in payment of services rendered by Fred D. Chestnut and Arthur Osborne for auditing the accounts of the City of Oakesdale, beg leave to advise as follows:

In my opinion the method of payment, provided by the legislature under chapter thirty of the laws of 1911 for work performed in auditing public accounts, is unconstitutional under the following provisions of our State Constitution, Article 7, Sec. 1, Art. 7, Sec. 9, Art. 11, Sec. 12, Art. 11, Sec. 15.

The construction of the foregoing sections of our constitution makes it clear that the legislature has no power to impose taxes upon Counties, Cities and Towns for any purpose other than a general state purpose and in order to do so they must make a general state levy and provide for its distribution by appropriations duly made by the legislature. This law attempts to divert money raised by the municipality for a specific municipal purpose to payment of employees of the State of Washington.

Further it is clearly the intention and purpose of the constitution and statute that county funds shall only be expended for county purposes and upon proper vouchers audited by the Board of County Commissioners. This law attempts to take County money out of our general fund for the purpose of paying for work performed for a city and then provides that the county can get its money back, if such money happens to be paid in to the credit of that particular city, to reimburse the county.

I do not question the police power of the legislature to provide for a State Board of Accountancy, but I do believe, under the clear mandates of our constitution, that the method of payment of this board must be provided by the legislature by a general appropriation for that purpose and can not be done in the way contemplated by the act in question.

I will therefore advise that until such time as our State Supreme Court has passed upon the constitutionality of this act you should refuse to issue any warrants in payment of services performed in auditing accounts under said statute.

Very truly yours,

PAUL PATTISON, Prosecuting Attorney.

Not meeting with success in Whitman county the examiners took their departure hoping to find a county where money is easier.

Hurt in Runaway.
James Trevehan, a driver for the Potlatch Lumber company, was severely bruised and cut about the head in a runaway accident Tuesday forenoon. The team ran into a telegraph pole near the O.-W. R. & N. depot and the driver was thrown out receiving painful injuries.

Bootlegger Pays \$100 Fine.
W. C. Adams, the Garfield druggist who entered a plea of guilty to the charge of selling liquor in dry territory, was given a fine of \$100 and costs amounting to \$13.10. He was not present at the time the liquor was sold in his store.

Brides Reception.
The Rebekahs gave a reception to the three brides, Mrs. Charles Boyd, Mrs. George Gill and Mrs. Lynn Nell, Thursday evening at Odd Fellows hall.

KILLS ONE; HURTS ONE; ROBS SALOON

DESPERADO IS CAPTURED AFTER RUNNING FIGHT IN WHEAT FIELD---CONFESSES.

LeRoy Cantril was shot in his son's saloon by a thug Monday night and died at St. Ignatius hospital three hours later.

Deputy Sheriff William Cole was shot in the right arm while trying to stop the desperado in his rush to escape.

Carl Weems, the murderer, is captured the following day near Diamond by a harvest crew after a hot chase.

The murderer talks freely and admits his guilt but asks for an attorney before making his plea in court Saturday morning.

Springing over the bar when the front part of the First and Last Chance saloon was left alone for a moment at 9:30 o'clock Monday night a desperado was rifling the cash register when LeRoy Cantril, proprietor, entered from the back room. Without a word the desperado pulled a gun and shot the old man in the abdomen inflicting a wound from which he died a few hours later. Jamming more than 40 silver dollars into his pockets and firing two more shots at Frank Cantril and his brother, the murderer ran from the door he met Deputy Sheriff William Cole, who was about to enter unarmed. A flash of the gun at short range and the deputy's right arm was put out of business. The villain fired a second shot which went wild, then made his escape in the darkness.

A commotion by a drunken man in the back room had called the saloon men from the bar room. While they were gone the stranger appeared and grasped the opportunity to rob the cash register. Returning to the bar room the old man was shot down without a word of warning. Later the man who was making the "stall" in the back room was found and placed under arrest. It is an open question as to whether he was a party to the plan or not.

Several people were on the street near the saloon when the shooting began and a cry of "police" brought Deputy Sheriff Cole from his automobile as he was passing. He was returning from a trip in the country with Deputy J. B. Eastep and had left Eastep at the court house only a moment before. Eastep had put his automatic in his pocket as they started on the trip and knowing this Cole left his gun at home.

When the murderer made his escape from the saloon he dashed around the corner on Upton street towards the river but finding his escape in that direction was cut off by the river wall, he turned and ran around on Main street down past the Reid building and over the bank.

Crowds poured out of the Bungalow theater on the next corner and from all up and down the street, but they stopped in front of the Last Chance. The posse which scoured the railroad yards and the underbrush along the railroads towards the fair grounds and the Crest consisted of half a dozen county and city officers.

The dying man was soon removed in an automobile to the hospital and breathed his last at 10 o'clock. The bullet entered the lower part of the abdomen and penetrated the intestines. He was 55 years of age and is survived by a wife and one son.

An operation showed that the bullet had perforated the bowels, cutting the large intestine in two places and the small intestine in one place. The large vein coming up from the right leg was cut and the wounded man died from hemorrhage. The autopsy revealed the bullet lodged near the spinal column after grazing the base of the appendix.

Deputy Sheriff Cole was shot in the right arm above the elbow and the bullet passed through the muscle and lodged under the skin on the inside of the arm. The bullet hit the bone and when removed was found to be as flat as a coin. After the wound was dressed Cole was taken to the hospital.

A 32-caliber Iver Johnson revolver was the gun used by the hold-up man.

Descriptions of the fleeing man differed in many particulars. It was reported that he wore a white shirt, black shirt, black coat, no coat, a gray or brown suit, black slouch hat, light hat and clothing of various other colors. Half a dozen people in as many different directions say that the last shot fired by the desperado was directed at them.

One or two suspects were placed under arrest by the officers making the search, during the early part of the night, but none of them seemed to exactly fill the bill.

The Capture.
Shortly after noon on Tuesday a telephone message to the sheriff's office reported that a desperate char-

acter was at large near the Fred Schreiber farm in the vicinity of Mookonema. A man had called at the Schreiber residence and asked for something to eat. He took a shot at a dog which barked at him. It was immediately suspected that the man was the one wanted in Colfax for murder the previous night. The chase began at once.

Frank Freeman's heading crew joined the posse. The fugitive hiked across the fields peeping at his pursuers with his little Iver Johnson. A man on horseback with a Winchester circled in front, a header bed loaded with harvest hands armed with a rifle, a shot gun and other arms and drawn by four big horses dashed through the fields in pursuit. A little farther back in the chase was Lee Hubbard's header box containing Deputies Eastep and Ritz and Special Deputy Charles LaRue, who had gone out in an automobile and arrived on the scene a few minutes too late to assist in the capture. Many shots were exchanged but no one was hit and the murderer did not give up until overtaken by the big wagon and found himself covered with a Winchester. The capture was made about a mile east of Diamond.

Coming back to town in the automobile the captured man admitted the shooting and inquired where he hit the old man. When told that the bullet entered below the stomach he said, "I thought I hit him higher up." He also said that he did not intend to hit the big fellow outside (meaning Cole). He told of going up the O.-W. R. & N. track towards the Crest immediately after the shooting in the saloon and how he had laid down in the bushes while the switch engine passed with a searching party. Stopping to get something to eat and shooting at the dog, he said, was where he made a fool of himself.

Carl Weems is the name given by the captured murderer. He said he came from Jacksonville, Florida, and had been in Colfax eight or nine years ago and was well acquainted with the country around here. He is a slight built, stoop shouldered fellow and gives his age as 26. According to the story of his life which he is very free to tell, he was born when his father was 64 years of age. His early education was neglected and he is able to read and write only to a limited extent. His memory, however, is wonderful and he can give detailed descriptions with names and dates of places where he has worked. He told the same story without variation to several different people. He claims to have worked for Link Blaine in 1903.

When searched his pockets were bulging with \$43.35, all in silver. The amount taken from the cash register was supposed to be about \$40. He claimed to have worked on the hoe-down with the Adams rig at Endicott for five days, but was let out Sunday morning and came to Colfax that night. When he arrived here he had \$14. In reply to the question if he had been drinking when he robbed the saloon, he said he had been drinking some all day but was not drunk.

Trembling like a leaf Weems was glad to get behind the prison bars for it gave him a good scare when someone shouted, "Get a rope," as he was being taken from the automobile to the jail.

When Weems was arranged before Judge Neil Wednesday forenoon, he was dressed in his old black shirt and blue overalls. His black coat, one pocket containing a handful of cartridges was left in the sheriff's office.

After the information charging first degree murder was read by Prosecuting Attorney Paul Pattison, the prisoner was asked if he wanted an attorney and stated that he did. The case was continued to 2 o'clock. The defendant had no means for his own defense and Attorneys U. L. Ettinger and C. F. Voorhees were appointed by the court to look after the interests of the prisoner. He is to be taken before the court to plead at 9 o'clock Saturday morning.

CANTRIL BURIED AT ORIFINO.

Murdered Man Had Recently Returned to Colfax from Pomeroy.

Relatives left for Orifino, Idaho, Wednesday night with the body of LeRoy Cantril for burial. Death occurred at St. Ignatius hospital about 1 o'clock Tuesday morning following the shooting in the First and Last Chance saloon the previous evening. The dead man was 55 years of age. LeRoy Cantril formerly lived at Pomeroy and had been employed as an engineer with a threshing outfit near that place during the present harvest season. He came to his home in this city last Friday and by chance happened to be in the saloon when the till was robbed. The Last Chance saloon was jointly owned by his son, Frank, and Sam Shreffler, of Pomeroy. He is survived by a wife and one son besides two brothers, Warren and William Cantril, who formerly lived at Pomeroy.

Barn for 300 Horses.

The big livery barn being erected by August Siler for O. B. Johnson is rapidly taking shape and will be completed in about 30 days. The building is 90 by 100 feet with a basement that will provide hitching room for 300 horses. About 100 wagons can be stored on the main floor and the loft will contain many tons of feed. The new barn is by far the largest of any thing of the kind in the city and will be a great convenience to farmers who wish to get their wagons under cover while they are in town.

WHITMAN GETS HEARING ON TAXES

ASSESSOR WILL APPEAR BEFORE STATE EQUALIZATION BOARD EARLY NEXT MONTH.

Olympia, Aug. 16.—September 5, is the date set by the state tax commission for the assessor of Whitman county to appear before the board of equalization to present his figures to the board, according to a formal letter received by Geo. W. Walter from the tax commission. If Whitman county has a complaint to make concerning state taxes the board will consider it at that time, as it will take up all complaints from any county and give them a fair hearing and decide whether or not the county is receiving unfair treatment in regard to state taxes. If any county thinks it is paying more state taxes than its just share the board wishes to hear the complaint. To the commissioners of Whitman county the state tax commission has sent a notice warning them that the taxing board is liable to a fine of from \$100.00 to \$500.00 if they do not comply with the provisions of the law which requires that an estimate of all expenses for the ensuing year be made before the fixing of the tax levy, so that every person may know exactly how much money is to be spent and for what purpose it is spent.

Lawrence Visits Garfield.

In his automobile and accompanied by his wife, J. C. Lawrence of the public service commission made a tour of the Eastern Washington counties, going down the Yakima Valley, passing through Ellensburg, North Yakima, Prosser, Kennewick and crossing the river at Wallula went up through Walla Walla, Prescott, Waukegan and Dayton into the Palouse country and their old home at Garfield in Whitman county. On their return they went through Cheney, Reardan, Davenport, Wilbur, Almira, Coulee City, Waterville and then to Mayfield. Mr. Lawrence said that he had not been in the Big Bend country for 17 years and the changes that have taken place were a great surprise to him, as the country was then a barren waste, but that now it is well settled and he says that the farmers of the Big Bend country have done more than the Palouse farmers for they have put up fine houses, spacious barns and good outbuildings. He says that the trip was a most enjoyable one and that the roads are in good condition.

Steamboats and Trains Dry.

Every steamboat and railroad train in the state of Washington can be made dry, if the law covering the sale of intoxicating liquors is enforced as the supreme court says in affirming the Kitsap county superior court in the conviction of the purser of a steamboat of selling liquor in Kitsap county without a county license, that no liquor can be sold under any circumstances on a steamboat or train in any county or town in the State of Washington, without the boat or train having a license issued at that town or county, and this will put every steamboat and train dry.

State Road Causes Trouble.

A claim for \$5,175 damages for the alleged careless manner in which the rock cuts were made on the state road in Klickitat county near Lyle has been filed against the state by the North Bank Railroad company. This road which is known as the Sam Hill road, being built near Mary Hill, a town owned by Sam Hill, has caused the state more trouble than any other road built by the state. It was claimed Mr. Hill wanted it for his especial benefit and Mr. Bowlby pointed it out with particular pride, but it cost him much trouble during the legislative session, and now the state has a law suit to face on account of this road. The company claims that they have expended the amount of the damages asked for in replacing broken rails, in renting equipment to carry away the debris and in employing crews to watch the track. The state has taken no action in the matter as yet but have referred it to the attorney general for an opinion. Notice has been received by Governor Hay that the road built in King county between Kirkland and Lyle at a cost of \$50,588, is in a very bad condition and is going to pieces. This road was built in November and December, 1910, and was accepted by Mr. Bowlby. The highway board is considerably worried over the matter as this is the second complaint received against work done under H. L. Bowlby, the deposed highway commissioner, and a trip to King county to inspect the road will be made by Governor Hay and J. C. Lawrence of the public service commission, he being also a member of the state highway board.

Cashier Resigns.

Charles E. Scriber, who has been cashier of the Colfax National Bank for a number of years, has tendered his resignation to the board of directors. He has been on his homestead at Frontier for two or three months and has decided to give up banking for a time.