

SALEM LAWYER WINS GREAT MINING SUIT

John A. Carson Apperas Against An Array of Counsel From Several States and Got Away With the Case

A cable dispatch received in this city Saturday night brought the news that a Salem lawyer had won out in a great lawsuit for valuable mines in the Copper River country, Alaska, before Federal Judge James Wickershams at Valdez.

The case is entitled Chittyna Exploration Company versus R. F. McClas, J. L. Sweeney, the Alaska Copper Company and others, about 25 defendants in all, for whom appeared F. D. Arthur, general counsel of the Alaska Copper Company, and Carson & Adams, of Salem. John A. Carson has had personal conduct of the case, has made several trips to Alaska, and one trip to the Philippines to gather up the testimony.

Depositions and type-written testimony consisted of over 3000 pages, with all of which the Salem lawyer became perfectly familiar. Counsel against defendants were also New York lawyers, Andrew Burlough, former general counsel and receiver of the Northern Pacific railroad, U. S. Senator Heyburn, of Idaho and Congressman Cushman, of Washington.

The copper mines in litigation are located 185 miles east of Valdez, and are alleged to be worth \$2,000,000 in the pleadings. The termination of this suit involves the construction of

a railroad, to cost five to seven million dollars.

On Mr. Carson's presentation of the matter Judge Wickershams ruled in favor of the Salem lawyer throughout, and gave him a decision on the merits Saturday, in spite of the prominent counsel, who were supposed to hold the court in line more on account of their political prestige, than from any familiarity with the testimony. In fact their presentation showed they were not familiar with the record.

The case will probably be appealed to the United States circuit court of appeals at San Francisco, of which Judge Gilbert, of Oregon, is a member. Here again Messrs. Carson & Adams will probably be asked to care for their clients, and their familiarity with the Oregon court decisions will be of great advantage to them.

It cannot be learned what fees the Salem lawyers will get out of this case, but they are certain to be large—probably the largest ever earned by a Salem law firm—and their friends will not begrudge them their good fortune. Owing to the fact that the Alaska code is copied from the Oregon statutes, and Oregon laws and court decisions have always been followed in that territory, Oregon lawyers have a great advantage in trying such cases.

DECISION IMPORTANT TO TIMBER LAND LOCATERS

The United States government has scored its first success in the timber entry frauds by a conviction for subordination of perjury before a jury in District Judge DeHaven's court in San Francisco.

The case involved 18,000 acres of land in Northern California, some of which, it is claimed, is mineral in character. The law relating to timber land entries has been for forty years uncertain, caused by the poor attempts of the clerks of the general land office to draft decisions in accordance with the analogies of law or the rules of jurisprudence. Again and again have they run amuck against the decisions of the courts, and were compelled to reverse themselves. This created so much confusion that the best land lawyers in America hardly knew how to advise their clients in such matters.

Judge DeHaven's decision is given in his usual clear-cut style, and it is

to be hoped will become the land office rule on the subject. He stated that where a person sought to acquire public timber land for his own use and had no agreement with any person previous to making his application at the land office, and then later, for some good reason, changed his mind and desired to dispose of his land to some one else, he had a perfectly legal right to do so. His honor said that he might even borrow money on the land, or give a note or a mortgage. All depended on the honesty of the intention of the entryman. But where an entryman makes an agreement with some party prior to the making of his application at the land office, and with the full knowledge and intent to transfer the land to some other party for a consideration, then the entryman is guilty of perjury, and a person or persons who induce him to enter into such an agreement are guilty of subordination of perjury.

WHY EX-GOV. GEER ISN'T GIVING THANKS

Hon. T. T. Geer, of Marion county, lost the governorship, lost the senatorship, and now he has lost his overcoat—although there is no evidence that it was a Republican party who stole the latter. The Portland Journal has this account of the last robbery:

"Although last Thursday was Thanksgiving day, several people omitted to give thanks. There was,

for instance, T. T. Geer, who was formerly governor of Oregon. No anthems of praise are forthcoming from the lips of this tall bard of the Santiam, and there is blood in his eye. For someone stole his overcoat.

When the former governor was in town the other day he left his overcoat in his room at the Imperial hotel. He returned to Portland last Thursday and found that his garment had disappeared.

LAWYERS WITH BAD RECORDS ARE CHOSEN

To Assist the United States District Attorney in Prosecuting the McKinley and Marie Ware Timber Fraud Cases

(Portland Oregonian, Nov. 30.) With many capable attorneys in the United States who could be employed, why is it that Attorney General Knox selected C. A. S. Frost, a man convicted of implication in the Name scandals, and Francis J. Heney, who defended the conspirators in that infamous fraud, to assist in the prosecution of those accused of fraudulent land deals? This is a question being asked by many in Portland and Oregon. No satisfactory answer appears to be forthcoming. It was a surprise when Heney was appointed in the face of the recommendation by District Attorney Hall, by the Oregon delegation, and by others properly interested, of an Oregon attorney for the place. The selection of Frost, who used a government position to

further a conspiracy that had for its object a gigantic robbery, and whom the court declared basely betrayed his government, is an enigma too deep for the lay to figure out. What sort of pull did such a man exercise to get his appointment, that wasn't requested by the district attorney, who has charge of the cases?

In his opinion in the Noyes conspiracy case United States Judge Gilbert says:

"The whole of the evidence concerning Frost convinces us beyond any reasonable doubt that he not only aided and abetted to the utmost of his power the efforts of McKenzie to obstruct the execution of the writs of supersedeas, but that, in his official capacity, he grossly betrayed the interests of the United States, which

were intrusted to his care." Judge Ross, in concurring, says: "I think the records and evidence show very clearly that the contempts of Judge Noyes and Frost were committed in pursuance of a corrupt conspiracy."

In another place: "For these shocking offenses it is apparent that no punishment that can be lawfully imposed in a contempt proceeding is adequate."

The sentence imposed upon Frost for the "gross betrayal of the interests of the United States" was 12 months in the Alameda county jail. He served a portion of his time, and was pardoned. Now he is to be intrusted with the task of looking after interests similar to those he "grossly neglected" on a previous occasion.

BAKER CITY POLICE CHIEF.

Fatally Injured by an Insane Prisoner in His Custody.

Baker City, Or., Nov. 30.—Chief of Police Kilbourne was assaulted by James Welch Sunday morning at 9 o'clock and fatally injured. Kilbourne arrested Welch for being drunk and disorderly on the streets, and took him to jail.

While searching him Welch suddenly turned on Kilbourne who is an old man, past 65 years of age, knocked him down, jumped on him, breaking three ribs and kicking out all his teeth.

Two men chanced to pass the jail and, hearing the disturbance, rushed to the chief's assistance, else he would have been killed outright. The men succeeded in overpowering Welch, and they held him until Deputy Sheriff Snow arrived and took him to the county jail.

Kilbourne was taken to the hospital and later taken home. The latest news from Mr. Kilbourne's residence is that death is fast approaching. There is intense feeling among the citizens, and if the chief dies before morning, it will be hard to restrain the people and save Welch from mob violence.

Welch seems to realize what he has done, and says that he was crazy. He says that he was at the insane asylum for several months for insanity some years ago. Welch is from Joseph, Walla Walla county.

Chief of Police W. H. Kilbourn, who was assaulted and fatally injured this morning, is an old resident of this county. He served two terms as sheriff of the county, and has been chief of police of this city for the past three years. He is very popular in the county and city.

Whayne Insurance Suit.

Louisville Ky., Nov. 30.—A suit that may develop into a second Hillmon insurance case came up for trial today before Judge Gordon. The suit is that of the Fidelity Trust Co., as executor of Robert C. Whayne, against the Provident Life Assurance Society of New York, to enforce the collection of a policy for \$75,000 held by Mr. Whayne.

Mr. Whayne was found dead near his home in Beechmont shortly after he had started out hunting. The insurance company contends that he committed suicide, while his executors maintain that his death was accidental. The deceased carried an unusually large insurance on his life. Following the present suit will come the trial of the case brought by Mr. Whayne's executors against the Equitable Life Assurance Company to enforce the collection of a \$150,000 policy.

Trial of Mrs. McKnight.

Cadillac, Mich., Nov. 30.—The Wexford county circuit court was thronged today when the case of Mrs. McKnight, the Kalkaska woman charged with poisoning her husband and children, was called for trial. An extra panel of talismen was on hand and the work of selecting a jury was commenced. The trial promises to be one of the most sensational that has ever been held in Michigan.

Annual Bazar.

The ladies of the Methodist church will hold their annual bazar Tuesday afternoon and evening, December 1st, in the Sunday School rooms. Many beautiful and useful articles will be on sale. Refreshments and home-made candies will be sold.

Byron P. Cardwell, a Portland banker and former public official, is dead.

It is a pleasure for me to recommend Dr. Wright's painless methods of extraction. Had a very badly decayed tooth extracted, and say that it positively did not hurt me.

FELIX MUSEY, Salem, Or.

Above the Rest Because it's Best

A 5c cigar with a 10c aroma. A cigar of one price—one quality.

SOLD EVERYWHERE

The Largest Selling Brand of Cigars in the World.

The Band is the Smoker's Protection.

HOBOS ARE PLENTIFUL IN ALBANY

It Requires Constant Vigilance on Part of Police to Keep Them From Causing Trouble

Herald, Nov. 29th: Hobos are unusually plentiful in Albany now, and are becoming very troublesome. Hundreds of these human parasites pass through the city every week, and try to beg throughout the residence part of the town, but the local police pass them on as rapidly as possible. They sometimes stop over night on the outskirts of the town, and their camp fires may be seen along the railroad

track almost every evening.

In the southern part of the city hobos have been very troublesome begging, and even demanding food at the residences of that part of town. Several instances have been reported recently where they became very insolent and arrogant to women, from whom they endeavored to secure something to eat.

The policy of the local police in dealing with these pests is to get them out of the city as soon as possible. The night police are compelled to look after a large number of hobos every night. They see that as many as possible leave on outgoing trains, and lock all others up in case they have no money with which to secure lodging. The threat of hard work on the streets is usually sufficient incentive to induce hobos to leave town on the next train.

If your watch needs repairing bring it to W. Calvet, 158 State street, practical watchmaker, who will repair it in an artistic manner. cod

Just call around at the Fair Store and look over our holiday stock. We have the largest stock of toys and holiday goods in Salem, and at prices that will astonish you. The Fair Store, 274 Commercial street. 30-

Wanted.

A girl for general housework, at good wages to right party. Small family. Apply at 189 Court street, or call up Main 1281. 11-30-38

I had two bridges placed in my mouth, and a tooth extracted, and can say that it is the only dental work I have ever had done that did not torture me beyond endurance. MISS NETTIE KLAMPE, Salem, Or.

"Holoma" A Story that Thrills

If you believe, or are interested, in the transi-tion of the soul of a human being at death into another body whether man or beast, just read this story. It is the most startling tale of its kind that has ever appeared. In the

Metropolitan Magazine for DECEMBER

R. H. RUSSELL, PUBLISHER, 3 WEST 29TH STREET, NEW YORK