

THE BICYCLE PATH

SURVEY OF THE SALEM-AURORA ROUTE IS COMPLETED.

The Work Required Exactly One Week—Considerable Grading Will Be Necessary.

County Surveyor B. B. Herrick and assistants yesterday afternoon completed surveying the route for the bicycle path to be constructed between this city and Aurora.

The continued rainy weather interfered considerably with the progress of the work which would have been finished earlier had weather conditions been favorable for outdoor work.

Mr. Herrick says it will require considerable grading to construct the path over the surveyed route, but he thinks the greater part of the work can be done with a plow.

The next grade to be established will very likely be between this city and Jefferson—a continuation of the main path to be built south from Portland.

Portland Surveyor Herrick expects, on Monday, to begin the work of locating the path between Salem and Jefferson, but he will be obliged to abandon the work on the following day, as he has been summoned to Dallas that day, as a witness in the Magers' case.

Sheriff F. W. Durbin was yesterday notified that his order for bicycle tags could not be filled and forwarded to him before June 14th.

ANOTHER DIVORCE SUIT.

Ella Jones, vs. Cullen Jones. Title of Case—Action for Money.

If the filing of divorce proceedings continues at the present rate for any length of time, Judge Boise's department of the circuit court at the July term, will be occupied largely in the settlement of domestic troubles.

Another suit of the character alluded to in the above, was yesterday begun in the circuit court, Ella Jones desired to be divorced from Cullen Jones, to whom she was married at Patterson, Green county, Illinois, June 12, 1880.

In department No. 1, of the Marion county circuit court, H. L. Fenton and A. F. Toner, partners doing business under the firm name and style of Fenton & Toner, of Dallas, yesterday began an action for money suit against T. T. Shaw.

W. C. T. U. OF THE COUNTY.

Annual Convention at Brooks During the Current Week.

The W. C. T. U., of Marion county, met in annual convention in the First M. E. church at Brooks on May 16th. The exercises commenced promptly at 2 o'clock p. m., President Steele in the chair.

The members present at the county convention were as follows: Salem—Mrs. M. J. Jory, Mrs. Allan Rhodes, Mrs. Armstrong, Mrs. Ramp, Mrs. Jory, Mrs. Lehman, Mrs. Vandevort, Mrs. Sherwood, Miss Blanche Matheny, Brooks—Mrs. E. J. Harris, Mrs. M. L. Jones, Mrs. E. J. Darcus, Mrs. J. B. Jones, Mrs. F. J. Bolter, Mrs. J. B. Jones, Mrs. F. Pederson, Mrs. E. K. Shaw, Woodburn—Mrs. Corby, Mrs. Morcom, Mrs. Johnson, Mrs. Wright, Mrs. Ingle, Mrs. Cathy, Champoux, Mrs. Mendenhall, Mrs. Lizzie Hopkins.

The election of officers resulted as follows: President, Mrs. R. M. Steel, of Turner; vice president, Mrs. Mary Morcom, Woodburn; corresponding secretary, Mrs. Dora Corby, Woodburn; receiving secretary, Mrs. Mary Cathy, Woodburn; treasurer, Mrs. Richmond, Woodburn.

After passing suitable resolutions, and addresses by the late organizer and others, the meeting adjourned.

A SURPRISE.—Miss Bina Blame was pleasantly surprised at her home in West Salem, Thursday evening, by a large company of her young friends. The evening was passed in games and social converse, supplemented by the serving of fine refreshments at midnight.

The medical directory gives the names of 34,394 physicians in England. This is nearly twice the number that France boasts—17,735.

fred Paulson, C. E. Shanna, Claud Matheny, Roy Edwards, Donald Fettes, Pinking Lemley, Arthur Nought, Alex Smith, H. R. McDowell, F. C. Loose, and J. C. Nelson.

IN PROSPECT.—The Salem Chamber of Commerce, through its secretary, Henry B. Thielsen, is in correspondence with a manufacturer at South Bend, Indiana, who contemplates locating at some desirable point in the Willamette valley, possibly this summer. In his letter of inquiry, the gentleman did not state the character of the enterprise he represented but simply inquired as to the available electric and water power the city afforded.

GRADUATING EXERCISES.—Saturday was commencement day at the Kaiser school in district No. 88, Miss Anna Lindgren, teacher. Last night an elaborate program was enacted at the school house, concluding with an oyster supper.

TO LOCATE NEAR SALEM.—Says the Pomona, (California) Times, of May 10th, "Archie Davis, wife and children and the mother of Mr. Davis, left for Salem, Oregon, last Saturday. The father of Mr. Davis has been there for some months. They have traded property in this county for a quarter section of land near Salem. Mrs. Davis is a daughter of Judge and Mrs. Barnes."

TO ORATE.—Frank Davey, of this city, has received an invitation to deliver the 1891 Fourth of July oration for the celebration at Fossil, the capital of the new county of Wheeler. He will accept, no doubt, and the residents of that city and surrounding country, who attend the celebration, will have the pleasure of listening to an eloquent, as well as a patriotic, address.

CIRCUSES COMING.—Ringling Bros.' great three-ring circus and Sells Bros., also, are headed for the Pacific coast and will be in Salem during the summer. The leads of the Capital City have already begun to lay aside their nickels in anticipation of the great event.

A MIRE OF CRIME.

CORRUPTION REACHES EVEN THE NEW YORK UNDERTAKERS.

A Ghoulish Tale Unfolded Before the Mazet Committee—Paying Political Debts.

NEW YORK, May 19.—The feature of today's session of the Mazet investigating committee was the unearthing of the alleged system of corruption in the disposition of dead bodies from the city hospital. A ghoulish tale that was well corroborated and replete with detail. By several witnesses it was stated that an undertaker, named Marren, illegally secured the funerals of all bodies taken to the Harlem hospital, and that he was enabled to do this by bribing the clerks in the employ of the city to break the rules. It was also shown that, apparently, an acquaintance existed between Marren and Croker, Croker and Carroll.

Before the committee yesterday, J. H. McCarthy, judge of the city court, said that he had contributed \$2,000 or \$3,000; he was not sure which, to the democratic party at the election in 1897, when he secured his position on the city bench. He thought he had drawn a check to Croker, as chairman of the finance committee of Tammany Hall. He said he approved of judicial candidates contributing to their political organizations.

THE CANAL COMMISSION.

President Will Appoint Major Simonds to the Post.

Washington, May 19.—President McKinley has already practically selected the personnel, and it may be stated positively, that the nucleus of the new Isthmian Canal commission will be formed by Admiral Walker, Colonel Hanks and Professor Haupt, three members of the expiring Nicaragua canal commission. Several members will be added, mainly engineers of high technical requirements, and among them will be Major Simonds, United States engineer corps.

It is understood that among those under consideration for membership on the new Isthmian Canal commission, are Messrs. from civil life, are Messrs. Bogue, of New York, formerly chief engineer of the Union Pacific railroad; Morrison, of New York, a prominent bridge engineer, and Noble, of Chicago, at present a member of the deep waterway commission.

TO EXPLORE ALASKA.

A Party of Eminent Scientists to Sail from Portland.

Portland, May 19.—A large party of eminent scientists, mostly from the leading educational institutions of the country, will leave Portland on the steamer Geo. W. Elder for the purpose of exploring Alaska. This will be one of the largest scientific expeditions ever organized, and will be thoroughly equipped for exploring the resources of Alaska.

E. H. Harriman, a New York capitalist, is the organizer of the expedition, and nearly every institution of learning, of prominence in America, will have one or more representatives in the party, which will be absent for about two years.

The medical directory gives the names of 34,394 physicians in England. This is nearly twice the number that France boasts—17,735.

REBELS WILL SURRENDER

Aguinaldo to Meet the Americans

AND SECURE TERMS

Will Meet the Commission in Manila Today, Accompanied by Members of His Cabinet.

MANILA, May 19. (Friday).—The Philippine Commissioners, who are coming to confer with the American commissioners regarding surrender, arrived last night at San Isidro, and are coming to Manila today. The people of Manila are confident that the insurrection is ending.

THE END IN SIGHT.

Washington, May 18.—The war department officials are firmly convinced that the end of the insurrection in the Philippines is at hand, and that the insurgent cabinet and Aguinaldo, who are to meet General Otis tomorrow, will succumb to the inevitable and surrender. Their forces, it is said at the department, are evidently so demoralized by the persistent advance of the Americans, that they are ready to accept peace on the best terms they can obtain.

RETURNING VOLUNTEERS.

Washington, May 18.—Secretary Alger had a long conference today, with the heads of staff of the bureaus of the department, regarding the arrangements for the return of the volunteers. Nearly every state has requested that the regiments be returned to the states when they came, as the people want to see them as an organization instead of as individuals. If this be decided upon, while awaiting muster out, they will be held in camp either at San Francisco or at state camps where these exist. It is expected that the Oregon regiment will be sent to Vancouver Barracks, and Washington troops to the post near Seattle. It is asserted, however, that the soldiers prefer to be mustered out at San Francisco, as they will then receive travel pay to their homes, and can make transportation rates that will give them extra money.

MANILA, May 20.—(Saturday, 1:45 a. m.).—Two military and two civil Filipino commissioners, appointed to co-operate with three citizens of Manila, in negotiating terms of peace, arrived here today. They have submitted no new proposition, but want an armistice, pending the session of the Filipino congress.

IN A FERMENT.—Havana is in a ferment again over the idea that the Washington administration has determined to take the arms of the Cuban troops and to retain them in military possession. This view of the latest news from Washington has been telegraphed to the various cities.

Governor-General Brooke is thus far unaware, save through the press telegrams, of any dissatisfaction on the part of General Alger, secretary of war, with his (Brooke's) plan to have the arms deposited in the care of the mayors of municipalities, nor has he received any inkling of the secretary's purpose to lay the matter before President McKinley. Consequently, unless instructions to the contrary are received from the Washington administration, the governor-general's order respecting the distribution of the \$3,600,000, as modified, will be issued tomorrow.

THE PRESBYTERIANS

REV. SAMPLE, OF NEW YORK, IS THE MODERATOR.

A Victory for the Conservative Element—A Message to the Peace Conference.

MINNEAPOLIS, May 18.—Rev. Dr. R. E. Sample, of Westminster church, New York, was elected moderator of the one hundred and eleventh annual assembly of the United States Presbytery in the United States which convened in Westminster church today.

Immediately after the roll call in the afternoon, the election of moderator was taken up, and Dr. Sample was elected on the first ballot, receiving 338 votes (300 being necessary for the choice), to 12 for Rev. Matthias Haines, of the First church, Indianapolis, and 13 for Rev. Dr. R. E. Coyle, of Oakland, California.

The contest was a spirited one, and Dr. Sample's election is regarded as a triumph for the conservative element. The new moderator expressed his gratitude that the assembly should have chosen him to so high a place, and spoke of the problems that confront the church, and of the urgent necessity for carrying the gospel into the new lands opened by the Spanish-American war.

A resolution was adopted, directing the moderator to send to M. de Staal, president of the international peace conference, this message: "We are invoking the blessing of Almighty God on your deliberations."

NEW YORK, May 19.—A somewhat heated debate over national expansion marked the second day of the annual session of the reformed Presbyterian church synod, held in this city today. Rev. S. M. Kilgour, of Madrid, N. Y., in his report of the committee on sign

of the times, referred in glowing terms to the recent war. Elder Wm. Dearness of Cincinnati, opposed the report, saying:

"Any man, who reads approvingly of Dewey's doings or those of his fleet, should learn something about the first principle of Christianity. Uniformed men are a disgrace to any Christian country, and it is time we learned to civilize men without killing them. This is a religious body, and we should not set our approval on any war, the justification of which is in grave doubt. We should approve no war except one brought in strict self defense. I move that all reference to the war be eliminated from the proceedings of this synod."

Then followed the report by Rev. W. H. Galley, of the Philadelphia Presbytery, suggesting giving thanks to God for the victories of the United States on land and sea. A lengthy debate followed, and Elder Dearness moved that the reports be "purged of all politics and poetry." The reports were accepted, but the secretaries were authorized to strike out anything not bearing on the synod's affairs.

THE PEACE CONFERENCE

THE HAGUE, May 18.—The peace conference called by the czar of Russia was opened this afternoon in the hall of the "House in the Woods," two miles from The Hague. M. DeBauffort, president of the council and minister for foreign affairs of the government of the Netherlands, delivered the inaugural address, and welcomed the delegates. Then DeBauffort spoke of the high honor of the choice of The Hague as the meeting place of the conference, and extolled the noble initiative of the czar, saying this would be a red-letter day in the history of the country, and expressing the hope that his majesty would be able to look back at the day as the most glorious of his life. He concluded with calling attention to the allegorical group over the doorway of the hall, Peace entering to close the temple of Janus, and added:

"I trust this beautiful allegory will be an augury of your labors, and that after you have completed them you will be able to say that peace, whom art introduced to the hall, left it to spread its blessings among the whole of humanity."

M. de Staal, Russian ambassador to Great Britain, and head of the Russian delegation, informally assuming the presidency of the conference, said:

"Though to the czar is due the initiative of the conference, we owe much to the queen of the Netherlands for inviting us to her capital." After expressing his regret that M. De Bauffort had not accepted the presidency of the conference, M. de Staal said, in conclusion: "I cannot consider my election otherwise than inspired by the emperor, who was the initiator of the conference. On this ground I accept, with deep gratitude, the distinguished honor, and I shall use every endeavor to justify your confidence. I am perfectly aware that advanced age is, alas, a privilege and weak auxiliary, but I hope that it will at least constitute a claim upon your indulgence."

M. DeBauffort was appointed honorary president and the leading Dutch delegate, A. P. C. Van Karnebeck, former minister of foreign affairs and deputy, was appointed vice-president. After the appointment of nine secretaries, M. de Staal's proposal, that the sessions be secret, was adopted. The next session will take place on Saturday, when the delegates will arrange a program and appoint the necessary committees.

The session today only occupied twenty-five minutes, and the apparent unanimity displayed was considered to augur well for the outcome.

CONGRATULATIONS.

Washington, May 18.—The following cablegram has been addressed by the czar to the emperor of Russia on the occasion of the opening of the disarmament conference:

"Washington, May 18.—To His Majesty, Nicholas II, Emperor of all the Russias, St. Petersburg: On this day of good omen I send my heartfelt congratulations on the opening of the conference at The Hague which had its origin in the enlightened and generous initiative of your majesty. (Signed), William McKinley."

THE CZAR'S HOPE.

New York, May 18.—A dispatch to Journal and Advertiser from William T. Stead, who is at The Hague in the interests of the peace conference, says:

"While I cannot repeat directly anything the Czar said to me during our interview a few days ago, at St. Petersburg, it is permissible to tell America that he is full of hope for results from the peace conference."

"So far from regarding a war with the United States as the inevitable destiny of Europe, the czar expressed the utmost confidence that the American delegates will stand by those of Russia, England and France in securing the establishment of some definite practical system of international arbitration for all disputes turning on the question of law, on the interpretation of treaties, or the investigation of questions of facts."

"The czar also believes the Americans will favor the recognition of the principle of arbitration in all questions not involving national honor and interest."

"It will be proposed that each power name one of its highest court judges to act as a permanent arbitrator, who shall always be at the service of other powers when invited, thus eliminating political or other influences in the selection of a member of a court of arbitration."

"While the 'United States of Europe' is still far in the future, still the czar's ideas are all tending toward that."

"He is in earnest about checking armaments and he hopes for a great benefit resulting from the conference. 'It is Germany which is the stumbling block on the limitation of the armament. France is thoroughly with Russia. Russia, America, England and France will be able, I think, to rule the conference.'"

THE FAIR GROUNDS

TITLE TO THE PROPERTY IS NOT QUITE CLEAR.

The Attorney General's Decision on the Sufficiency of the Deeds Offered the State.

(From Daily May 20th)

Attorney General D. R. N. Blackburn has rendered a decision on the sufficiency of the deed, tendered by the state board of agriculture to the state of Oregon, conveying the fair grounds, in return for the appropriation of \$7,000, provided for by the state legislature for the purpose of taking up the outstanding state fair warrants. The several questions asked by the secretary of state are answered by the attorney general as follows:

"1st—The deed referred to, which I return herewith, is properly and legally executed, so far as appears from the face of the deed. It conveys to the state of Oregon (so far as the said board can convey the same) the lands known as the state fair grounds, consisting of 168.25 acres, more or less, but not consisting of 160 acres or more."

"2d—There is nothing apparent upon the face of the said act (the same being a portion of the special appropriation bill, to be found on page 145 of the session laws of Oregon, for the year 1899), to indicate that any thing more was required of the State Board of Agriculture in this respect, than to make, execute, acknowledge and deliver to the state of Oregon a deed for the land known as the 'state fair grounds,' consisting of 160 acres, or more. The fact that there was a mortgage on said lands to the 'board of school fund commissioners' for the sum of \$11,000, in addition to the principal, was also a considerable amount of interest remaining due and unpaid, was a matter of record in Marion county, Oregon, of which the legislative assembly, which made the appropriation, had, at least, constructive notice, and the presumption is that it actually knew this to be a fact."

"The wording of the proviso with reference to the deed is as follows: 'provided, that the above sum shall not be available unless the lands known as the state fair grounds, consisting of 160 acres or more, are deeded to the state.'"

"This proviso is fully complied with when the state board of agriculture executes, acknowledges and delivers to the state a deed sufficient in form and substance to convey to the state the lands referred to. There is no requirement that the land conveyed should be free from incumbrances. But the state board of agriculture has not, according to the abstract submitted to me (which I herewith return to you) a good and perfect legal title to the land described in said deed, and can not, therefore, give, by any conveyance it might execute, to the state a perfect and valid title to the same."

"It is my opinion that the sum of \$7,000 so conditionally appropriated is not payable to the state board of agriculture, but to the persons who hold the warrants which constitute the 'warrant indebtedness' of said board referred to in the said appropriation act. I am of the opinion that you would not be authorized to issue a warrant to the treasurer of said board for said sum of \$7,000, or any part thereof."

"4th—Section 3587 of Hill's Annotated Laws of Oregon provides, among other things as follows: 'The rate of interest in this state shall be 8 per centum per annum, and no more, on all moneys after the same become due . . . or on money due from the day the balance is ascertained.'"

"These warrants were issued by the state board of agriculture upon agreements by it for the payment of money, and the money represented thereby became due from said board to the persons to whom said warrants were issued, immediately upon the presentation of the same to the treasurer for payment and his indorsement thereon, 'not paid for want of funds.' The rate of interest on these warrants is 8 per cent per annum. It has been held by some courts that the issuance by a company or corporation, to a creditor, of a statement, showing the amount then due him from such company or corporation, is a settlement of a matured account, or an account stated, and the creditor is entitled to legal interest thereon from the date of the statement, but I think these warrants would draw interest from the date of the indorsement by the treasurer of the board."

"5th—The first proviso in said appropriation is that 'the management of the state fair is by legislation placed in the hands of a board of five members, no more than one of whom shall reside in Marion county.'"

"An act was passed by the legislative assembly (Session Laws of 1899, page 263) amending section 3151 of Hill's Annotated Laws of Oregon so as to read as follows: "

"Section 3151—With thirty days after the passage of this act and its approval by the governor, the governor shall appoint five residents of the state, not more than one of whom shall reside in Marion county, who, when organized as a board, shall constitute a state board of agriculture, etc."

"This act was approved February 20, 1899, and, within thirty days thereafter, the governor appointed, as members of such board, five residents of this state, one of whom resided in Marion county, Oregon. Four of these appointees met at the state house in Salem, and attempted to organize, but one declined to accept the appointment, failed to qualify and was not present at said meeting, and I gave it as my opinion, in answer to a question heretofore submitted to me, that there was no legal organization of said board."

"The one who failed to qualify, the late Senator Reed, was a resident of Douglas county, Oregon, and, thereafter, the governor appointed, in his place and stead, Mr. Jasper Wilkins, of Lane county. These five gentlemen all qualified in the manner prescribed by law and, upon the call of the governor, met in Salem, on or about the 27th of April, 1899, and organized. Al-

though there are some irregularities in the record of said meeting, yet I do not think they are such as to affect the legality of the organization of said board. At this meeting a resolution was duly adopted and entered on the record, or minutes of said meeting, whereby the president and secretary of the said board were authorized and empowered, in behalf of, and in the name of, said board to duly make, execute, acknowledge and deliver to the state of Oregon a quit claim deed for the said lands known as the state fair grounds, in consideration of the payment of the warrant indebtedness of said board not exceeding the sum of \$7,000, but subject to the mortgage for \$11,000 heretofore referred to. I am of the opinion, therefore, that the first proviso attached to said special appropriation has been substantially complied with.

"6th—I know of no law, which the provision that 'no indebtedness shall be incurred in the future outside the amount appropriated,' can be complied with so 'as to protect the secretary of state in the issuance of a warrant or warrants for said indebtedness.' The board might comply with this condition for a number of years, and then violate it, trusting that the state would, as it has done in other instances in the past, assume and pay the liabilities incurred outside the amount appropriated."

"The state was under no obligation to assume, or to agree to pay, this warrant indebtedness, or any part thereof; but the legislative assembly is almost, if not altogether, the exclusive judge of the propriety of making appropriations, and its action in this respect is, as a general rule, binding on all the other departments of the state government and state officials. I assume, therefore, that the legislature had the power and the right to make this appropriation for the purpose of paying said indebtedness; but it had also the right to attach to the appropriation such provisos and conditions as it deemed right and proper, and necessary to protect the state against any liabilities that might be incurred by this board in the future. The only object to be attained by this proviso, so far as I can see, is to notify the state board of agriculture that, in the future, it must incur no indebtedness which will be in excess of the annual appropriation and its receipts from all other sources, and to warn the public against trusting said board beyond its ability to pay promptly."

"7th—My opinion is that the intention was that a good and perfect title to the lands should be conveyed to the state. The general rule is that, when a party agrees to execute a deed for a piece or parcel of land, a deed that will convey title to the grantee is intended, and that the grantee can not be compelled to accept a deed, good in form, but which, owing to defects in the title of the vendor or grantor, does not convey the title to the premises described. The board, in this case, when it accepts the condition attached to said appropriation and demands the payment by the state of said 'warrant indebtedness' in a sum not exceeding \$7,000, must execute and deliver, or cause to be executed or delivered, a deed or deeds which are sufficient to convey to the state the title to the lands known as the state fair grounds. There is certainly no presumption that the legislature intended the state to pay out \$7,000, and get in return therefor only a valueless piece of paper; but, on the other hand, so much thereof as may be necessary, is to be paid out when the fee simple title to said land is vested in the state by a good and sufficient deed of conveyance. This is not accomplished by the deed tendered."

The largest room in the world, under one roof and unbroken by pillars, is at St. Petersburg. It is 620 feet long by 150 feet in breadth. By daylight it is used for military displays, and a whole battalion can completely maneuver in it. By night 20,000 wax tapers give it a beautiful appearance. The roof is a single arch of iron.

The largest dwelling house in the world is the Freilhaus, in a suburb of Vienna, Austria, containing in all between 1200 and 1500 rooms, divided into upward of 400 separate suits. This immense house, wherein a whole city lives, works, eats and sleeps, has thirteen courtyards—five open and eight covered—and a garden within its walls. In 1752 the first Boston stage coach started for New York, and now 700 railway trains are sent out of the city daily.

WHEN HOME FROM MANILA.

(By S. A. Clarke.)

When our boys come home from Manila.

What tales they will have to tell Of lovely scenes in the Philippines

Where the Filipinos dwell: Of the tropic isles where the summer smiles—

As it can in that Orient clime; Where the olive wives of the fair ones gules

Delightfully suit the time.

Of the stern array in the battle's fray, The yell, the charge and the rout;

The pouring hell of the shot and shell From the Filipino redoubt;

From the battle cry came the victory For that shout swelled far and high—

As summers led how the battle sped; Of the wounded and the dead.

When they shall grow old—those boys in blue—

Who went to the Philippines— As ever they meet they will gladly greet

And talk of those tragic scenes; And many a word will be scarcely heard—

So tender its tone will be— For 'twill tell of someone who is dead and gone

In those battles beyond the sea.

Now soon they will come to each swathing home—

Those men from the Orient— The deeds they have done will be laurels won,

And worn to their hearts content.

But the highest praise of those coming days

Will be fame was accorded when The Oregon boys all did recognize

As "a band of true-gentlemen."