

amount of such attorney's fee", and upon such remission it will be affirmed; the costs of the appeal are to be taxed against the plaintiff.

The court also made the following minor orders in cases now pending: B. F. Foley, respondent, vs. J. D. Lacer appellant; ordered on stipulation that appellant have until June 10th, and the respondent until July 1st, to serve and file their respective briefs. James C. Brown et al., respondents, vs. W. W. Whittington et al., appellants; ordered on stipulation that respondents time to serve and file their brief, be extended to August 1st. Julia E. Hoffman executrix, vs. E. H. Habighorst et al., ordered on stipulation that appellants have until July 1st, and the respondents until September 1st, to serve and file their respective briefs.

Thomas J. Hammer, respondent, vs. F. O. Downing, et al., appellants; ordered on stipulation that appellants time to serve file their brief be extended to August 1st.

COLLECTION OF TAXES.

The Sheriff's Office Kept Busy Issuing Receipts—Bicycle Tags Are Still In Demand.

Sheriff F. W. Durbin and his deputies were kept busy yesterday, receiving and receipting for taxes, the office being crowded the greater part of the day with property owners of Marion county, anxious to settle their indebtedness. During the day over \$5,000 was received on account of taxes for 1898. The unpaid taxes become delinquent on Thursday of this week, June 1st, at which time costs will be added.

During the day five persons registered their bicycles, paid the tax due on their wheels, to be used in the construction of the new bicycle paths. Those registering their wheels were: Mrs. W. I. Babcock, Victor; D. R. Hammark, Imperial; W. S. Gilmore, Crawford; A. M. Van Cleave, Field; Joseph Keppinger, Hartford.

Try Allen's Foot-Ease

A powder to be shaken into the shoes. At this season your feet feel swollen, nervous and hot, and get tired easily. If you have smarting feet or tight shoes, try Allen's Foot-Ease. It cools the feet and makes walking easy. Cures swollen and sweating feet, blisters and callous spots. Relieves corns and bunions of all pains and gives rest and comfort. Try it to-day. Sold by all druggists and shoe stores for 25c. Trial package FREE. Address, Allen S. Olmsted, Le Roy, N. Y.

SALVATION ARMY MARRIAGES.

"Lassie" Officers Must Not Wed Below Their Rank—Other Restrictions.

When a young woman becomes an officer in the Salvation Army she surrenders, to an extent, her free choice in the matter of a husband to the good of the cause she has pledged herself to serve. It takes some time and trouble and expense to become an officer in the army. Applicants must not be less than 17 years old, and they should not be over 33, but this is modified frequently.

The cadet must serve four months in the training school, and may not, after all, pass the requisite examination. These four months are not spent in an easy, jolling way in the barracks with a makeshift of study. There are not alone lectures to be attended, but the "lassie" is supported to earn her living, that is, earn the actual cost of her food by selling War Crys. The life is hard, and requires great devotion to the cause, industry and perseverance. If at the end, or before the end of her probation she retires or is retired by her superiors, all the time spent in the academy has been wasted. When she graduates and is made a lieutenant, she promises to give her services to the army for at least three years, to be zealous in the cause and obedient to her superiors.

It is against the rules of the Army for an officer to wed her inferior in rank. There is said to be occasional disagreements in the best regulated families. A wife who is a lieutenant might receive commands from her captain husband and not rebel, for women have been schooled for many generations to the idea of obedience to the husband. But if the case were reversed, and the captain-wife should be obliged to reprimand her lieutenant-husband in public, or worse yet, put her soldier-husband in the guardhouse, family trouble, separation and possibly divorce might follow.

Gen. Booth is a great believer in matrimony. For the proposed farm colony which he explained in his "Through Darkest England, and the Way Out of It," the general even advocated a matrimonial bureau. Nevertheless, it is conceded that the value, to the army, of a woman is lessened when she becomes a wife. She then adds to her duties, already hard, of wifehood, and possibly motherhood. Should a handsome young colonel ("lassie") fall in love with a mere soldier in the ranks, and the two of them make up their minds that existence isn't worth while unless they exist together, they carry their troubles to the officer in command of their division, who investigates the case. Even if there can be nothing found against the young man except the difference in rank between him and his sweetheart, the young woman has to wait or resign. In any case, even when their ranks are equal, the two young lovers must wait a year after their engagement has been publicly announced.

If the young woman is fully determined to marry her soldier and not to resign her position in the Army she makes her decision known, and no doubt goes up a peg or two in the estimation of her superiors, who at once set themselves about helping her in any way in their power. This can be done in only one way, and that is by taking her young soldier lover in hand, giving him plenty to do, which, if he does well, is made the basis for his rapid promotion. But even with the best of good luck some years of waiting must be passed before the two can marry. Every case is taken in the Salvation Army and that its officers do not make unwise marriages. The ordinary soldier enjoys the privileges that are usually accorded to mediocrity by marrying whomsoever he pleases.

AND FIVE DECIDED BY THE STATE SUPREME COURT.

New Trial Granted in an Eastern Oregon Criminal Case—Klamath Falls to Pay Its Bonds.

(From Daily May 30th.)

The supreme court held a brief session at 9:30 a. m., yesterday to hear arguments in the case of Rachel Hiltz, respondent, vs. Freeman S. Ladd and Mary A. Ladd, appellants, an appeal from Union county. The case was originally set for the Pendleton term of the court, but was not ready when the court met in Eastern Oregon, and was, for that reason, transferred to Salem. The court also handed down decisions in five cases, heretofore heard, as follows:

State of Oregon respondent, vs. F. S. Ivanhoe appellant, an appeal from Union county, Hon. Robert Eakin, judge; reversed and a new trial ordered. Opinion by Associate Justice F. A. Moore.

The defendant was indicted for the crime of assault with intent to kill, by shooting and wounding one R. C. Greig, and having been convicted of an assault with a dangerous weapon, was sentenced to pay a fine of \$500, from which he appealed. The evidence showed that the defendant went to the place where the difficulty occurred to suppress a combat between Greig and a Mrs. Dalzell, and at this time, in self-defense, he shot Greig. The jury having been in consultation all night, returned into court and announced its inability to agree, being equally divided. The court thereupon gave them further instructions, urging them to reach some kind of an agreement, and again sent them out, and a verdict was reached finding defendant guilty of assault with a dangerous weapon. From these instructions delivered to the jury after the disagreement, the defendant appealed, and the appellate court holds the charge of the judge to be erroneous and orders a new trial.

Town of Klamath Falls, appellant, vs. Lipman Sachs, et al., respondents, an appeal from Klamath county; Hon. H. K. Hanna, judge; affirmed. Opinion by Chief Justice C. E. Wolverton.

The suit was brought to enjoin the prosecution of an action, brought by Lipman Sachs against the plaintiff, to recover upon two coupons for interest payments upon bonds, and to have the bonds declared null and void. The plaintiff contends that the bonds, issued to provide funds for the erection of a plant to furnish electric lights and a water system for Klamath Falls, were delivered to the contractors without warrant of law, but it was proven that the contractor had sold the bonds to Lipman Sachs before maturity. The court, in discussing the matter, says:

"The issue is raised that the bonds were delivered without authority of the board of trustees. But, touching this, there is no evidence in the record showing the manner of their delivery by Reames (one of the trustees of Klamath Falls). The complaint alleges no fraud in the delivery, but simply that the bonds were turned over to Gates (the contractor) contrary to the conditions of the ordinance. But the burden of proof regarding this matter was with the plaintiff to establish, and not having done so, we must conclude that the fact is otherwise than as alleged, and that the bonds came rightfully into the hands of Gates. These conclusions affirm the decree of the court below, and it is so ordered."

Thomas Schneider, appellant, vs. James H. Hutchinson respondent; an appeal from Union county; Hon. Robert Eakin judge; affirmed. Opinion by Associate Justice R. S. Bean.

This action was brought to recover possession of certain land in Union county, being state school land. A demurrer was entered from the files and judgment entered for plaintiff, for the reason that defendant had failed to comply with some rule of the court. Later the court, upon satisfactory showing, set aside its judgment and permitted defendant to answer. A trial was had and the defendant and his predecessors in interest showed adverse possession prior to the sale of the land by the state to the plaintiff. The court held that the action was barred by the statute of limitations, and from this decree, and the action of the court in setting aside the default of defendant, the plaintiff took an appeal. The appellate court supports the trial judge, holding that the statute of limitations wins against the state board of school land commissioners, and the judgment of the lower court is affirmed.

D. Grant Beale, et al., respondents, vs. Wm. Hite et al., appellants, an appeal from Coos county; Hon. George H. Burnett, judge, affirmed. Opinion by Associate Justice R. S. Bean.

This was an action to recover 160 acres of land in Coos county, commenced in September, 1895. The defendant claimed title by adverse possession. The plaintiff claims title through his father who purchased the land from the state, having been selected as a swamp and overflowed land. Defendant attempted to homestead and preempt the property after settling thereon but was unable to do so, the property having gone to the state prior to his occupancy. The lower court held the title, acquired by plaintiff through the state and the United States, to be perfect, and the defendant appealed. The appellate court affirms the decision of the lower court.

The First National Bank of Hillsboro respondent, vs. Lizzie A. Mack et al., appellants; appeal from Washington county; Hon. Thos. A. McBride, judge; reversed. Opinion by Chief Justice C. E. Wolverton.

The action was brought to enforce the payment of a note for \$110 and interest, and at the trial a verdict was rendered for \$123, in favor of the plaintiff; but the court entered a judgment for an additional sum, equivalent to the amount of the attorney's fee prayed for. From this an appeal was taken, and the court reversed the judgment of the lower court, "unless within ten days the plaintiff shall remit the

POTATOES AND BERRIES.

Both Are a Scarce Article in the Salem Market.

Old potatoes are a very scarce article in the Salem market at present, and lovers of this vegetable are just now compelled to subsist on the "new" crop which retails at 2½ cents a pound and they come from California; not the nice fresh ones that are grown in Oregon.

In mentioning the condition of the Portland potato market, the Oregonian of yesterday said: "Farmers who had hung on to their potatoes until the past week reckoned well, as the price of old potatoes went up to \$2 a sack, wholesale. Potatoes, however, have mostly left the farmers' hands, except in a few isolated cases, where a few sacks were still on hand. New potatoes from California are in the market, but they are small and watery and do not find favor with the average housekeeper. Restaurant men and boarding-house keepers are doing more or less complaining about the prices of beef and potatoes, the two fundamental principles in supplying the inner man."

The strawberry market in this city is in a demoralized condition also, on account of the scarcity of the crop. The Oregon berry has not yet appeared due to the exceedingly cold weather, and what have been on sale were Californians. So far the cheapest price has been two boxes for 25 cents, and the berries not in the freshest condition, either.

REBEKAHS INCORPORATE.—The articles of incorporation of the Rebekah Assembly Independent Order of Odd Fellows of Oregon, were filed in the office of the secretary of state, for Oregon, and in the county clerk's office for Marion county, yesterday.

The objects of the organization are: to promote fraternity among its members; to have supervision of the actions of subordinate Rebekah lodges, and to pass laws for their guidance. The assembly owns property valued at \$200, consisting of paraphernalia, regalia and money. It derives its revenue from its members by levying a per capita tax of 25 cents on the membership of the Rebekah lodges in the state. The articles of incorporation provide, that when the assembly surrenders its charter, its property goes to the grand lodge of Oregon, I. O. O. F., under the direction of which organization it operates. Salem is given as its principal office and place of business, though its annual meetings are to be held wherever appointed by the grand lodge, I. O. O. F. Arnette Weatherford, of Albany; Nettie J. Ungerman, of McMinville, and Jessie A. Miller, of Portland, are the trustees signing the articles.

NEW FURNITURE STORE.—Salem is to have a new furniture store about the 1st of June. F. W. Hollis, who was so long connected with Buren & Hamilton, has decided to open a new business about that time. Mr. Hollis has a host of friends in the Capital City that he has gained by honest dealings and courteous treatment who will be glad to see him embark in the new venture for himself. He will use the room now occupied by the Boston Shoe company's store, which will be neatly fitted up for him.

NEW TELEPHONE LINE.—W. H. Dancy, local manager for the Oregon Telegraph & Telephone Co., stated yesterday that a new office would be opened by his company, at Falls City, Polk county, this week, the line connecting that place with the system having been completed. The Falls City wire is an extension of the Dallas line, and brings that portion of Polk county in closer connection with the outside world.

LOANS APPROVED.—The board of state school land commissioners approved a number of applications for loans, yesterday, the aggregate amount of the authorized loans being \$23,800. A number of applications, aggregating \$4,500, were rejected by the board, and among those approved, there are several where the amounts were reduced.

Gov. T. T. Geer yesterday received the statement, made by Frank Lawrence Smith, convicted of murder in the first degree in Jackson county, and who was sentenced to be hanged on Friday, May 26, 1899, but whose sentence was commuted to life imprisonment at 9:30 p. m. on Thursday, by the governor. The statement was made at 8 o'clock on Thursday evening, when Smith had given up all hope of escape from the gallows, and was to be given out at 10 o'clock on Friday morning, the day he expected to die. Following is the statement in full:

"Jacksonville, Oregon, For 10 o'clock Friday, May 26, 1899.—I, Frank Lawrence Smith, now standing upon the gallows, do solemnly and publicly declare that I never murdered Peter Nelson and never assisted any other person in the act of murdering Peter Nelson. I forgive all my enemies; I pray God to Bless my poor old Mother and my sister; I wish to thank father Desmaries, the Sheriff and his deputy, and also the Death Watch, Mr. Kearney, for all their kindness towards me. I go to my God for justice and mercy. O Sacred Heart of Jesus have mercy on me. O Blessed Virgin Mary pray for me. Into thy hands O Lord I commend my Soul. Amen. (Signed) F. L. Smith, 5 p. m., Thursday, May 26th."

WOODMEN MEMORIAL.

Annual Services Will Be Conducted Next Sunday—An Unveiling Ceremony.

On Sunday, June 4th, the Woodmen of the World will decorate the graves of their departed "neighbors" all over the United States and Canada or where a "neighbor" lies buried. This is in accordance with the ritual of this order, which sets apart the Sunday nearest the 6th of June for this annual service. And wherever a "neighbor" has died within the preceding year a monument will be unveiled over his grave with impressive ceremony. Salem Camp No. 115 will observe this custom and the "neighbors," five of whom lie buried in the cemeteries south of Salem, will be remembered by the annual decoration service. Within the past year it has been the misfortune of this camp to lose one of its members by the hand of death—Berjamin Estes—and a beautiful monument has been erected to his memory by the order, which will be unveiled at this time. Woodmen decoration day has become as common as any other public day and the members of that fraternity and the public in general look forward to that day as regularly as the decorations of the G. A. R. The public is invited to attend these ceremonies as an interesting program will be arranged for the occasion. This custom, since its adoption by the Woodmen of the World, is becoming quite general, and many of the other fraternal orders have adopted it.

Don't expect local applications of soaps and salves to cure Eczema. They reach only the surface, while the disease comes from within. Swift's Specific

S.S.S. For The Blood

is the only cure and will reach the most obstinate case. It is far ahead of all similar remedies, because it cures cases which are beyond their reach. S.S.S. is purely vegetable, and is the only blood remedy guaranteed to contain no potash, mercury or other mineral.

Books mailed free by Swift Specific Company, Atlanta, Georgia.



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The Kind You Have Always Bought

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SIGHTSEEING.

DISTINGUISHED VISITORS PASSING THROUGH THE WEST.

Prominent Educators and Railway Magnates on the Way to Alaska—On a Special Train.

LEWISTON, Ida., May 29.—E. H. Harriman, the well-known railway financier, visited Lewiston today accompanied by a corte of O. R. & N. magnates, and fifty savants from the leading universities of the country. The party is traveling in a special train, and is under the escort of President Mohler, Traffic Manager Campbell, Chief Engineer Kennedy and Counsel Cotton, all of Portland. While here, the O. R. & N. officials stated that the construction of the railroad from Riparia to Lewiston would be immediately begun. The party did not remain long in the city, but at 2:30 p. m. took the steamer Spokane, which had been held in readiness for them, and went down the Snake, intending to go as far as Ainsworth by boat, and rejoin their special train for Seattle. They will sail from Seattle, June 1st, for Alaska, having chartered the steamer George W. Elder for the trip. Harriman is chairman of the executive board of the Union Pacific and Oregon Short Line roads.

Vienna correspondence of the London financial press reports that new undertakings in Hungary during 1898 involved capital of 15,218,980 florins, against a minimum for the decade of \$356,900 in 1897 and a maximum of \$8,879,000 in 1895.

Sleeplessness, melancholia, stomach pains, heart troubles. Hulyan cures. All druggists. 50 cents.

Exports of the United States to the British possessions in Africa, during the nine months ending with March, increased \$2,699,000 over the same period a year ago. The month's exports to those points, however, decreased \$81,500.

Don't fail to try
BEECHAM'S PILLS
when suffering from any bad condition of the stomach or liver.
10 cents and 25 cents, at drug stores.

LANDS, PATENTS, PENSIONS AND CLAIMS.

Washington Law and Claims Company, Rooms 5 and 7, 472 Louisiana avenue, N. W., Washington, will, on very reasonable terms prosecute land claims, including mineral lands and mines, applications for patents and pensions, and all other claims before congress, the District of Columbia courts, the several government departments, the court of claims, and the supreme court of the United States.

The company will also aid lawyers, at a distance, in preparing their cases for the supreme court of the United States, and for a small consideration will furnish correspondents information concerning matters in Washington that they may desire to know. Send for circulars.

JOHN G. SLATER, President.
(In writing please mention this paper.)

CALLS FOR BIDS FOR WOOD.

Notice is hereby given, that, pursuant to the order of the common council of the city of Salem, Oregon, passed at the regular meeting of Tuesday, May 2, 1899, bids for furnishing the city of Salem with one hundred (100) cords of big fir wood, and not larger than 9x13 inches, cut from green timber, will be received at the office of the city recorder on or before the expiration of thirty (30) days from the date of this notice: Each and every bid filed in this behalf must be accompanied by a certified check (or a cash deposit) equal to ten (10) per cent of the aggregate sum so bid, and the city council reserves the right to reject any and all bids submitted. Deposits to be returned to unsuccessful bidders.

In testimony whereof I have hereunto affixed my official signature, this, the eighth day of May, 1899, at my office in the city hall, Salem, Oregon.

N. J. JUDAH,
City Recorder.

LEGAL ADVERTISEMENTS.

NOTICE FOR PUBLICATION.

Land Office at Oregon City, Or., May 9, 1899.

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 county clerk of Marion county, at Salem, Oregon, on June 30, 1899, viz: Mary L. Koenke, formerly Mary L. Rains; H.

E. 10473 for the NE¼ of Sec. 18, T. 9 S., R. 3 E.

He names the following witnesses to prove his continuous residence upon the cultivation of said land, viz: John M. Barham, of Mill City, Oregon.

Andrew Taylor, of Mill City, Oregon. Charles Case, of Salem, Oregon. Ruben Proddy, Marion, Oregon. CHAS. B. MOORES, Register.

NOTICE OF HEARING OF FINAL ACCOUNT.

Notice is hereby given that the final account of Andrew Hansen, as administrator of the estate of Henry P. Anderson, deceased, has been filed in the county court of Marion county, state of Oregon, and that the Twelfth day of June, 1899, at the hour of 10 o'clock a. m., has been duly appointed by such court for the hearing of objections to such final account and the settlement thereof, at which time any person interested in such estate may appear and file objections thereto in writing and contest the same.

ANDREW HANSEN, Administrator of the Estate.

5:12-5W

NOTICE OF FINAL SETTLEMENT.

Notice is hereby given that the undersigned has filed his final account of the estate of Priscilla Larkins, deceased, in the county court of Marion county, Oregon, and that the court has set the same for hearing, together with any objections thereto, on the second day of June, A. D. 1899, at 1 o'clock p. m. of said day, at the county court room in the county court house at the city of Salem, in Marion county, Oregon, and that the same and any objections thereto will be passed upon by the said court at said time and place.

Dated this April 29, 1899, A. D. W. F. BOOTHBY, Administrator of the Estate of Priscilla Larkins, deceased.

5:5-w5t

NOTICE OF ASSIGNEE'S FINAL ACCOUNT.

Notice is hereby given that H. A. Sargent, the duly appointed, qualified and acting assignee for the benefit of the creditors of J. C. Roe, P. S. Dykeman, and J. S. Lee, partners doing business under the firm name and style of the Enterprise Lumber Company, has filed his final account as such assignee, in the office of the clerk of the circuit court, of the state of Oregon, for Marion county, and the said account will be presented to the said circuit court for a settlement, on the third day of June, 1899, or as soon thereafter as the said court can hear the same.

All persons interested in said account are hereby notified to inspect the same and to file their objections, if any, thereon on or before the date last above named.

Dated at Portland, Oregon, this twenty-ninth day of April, 1899. H. A. SARGENT, Assignee.

A. C. Emmons and John A. Carson, attorneys for assignee.

5:5-w5t

NOTICE FOR PUBLICATION.

Land Office at Oregon City, Or., April 25, 1899.

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 County Clerk of Marion county at Salem, Oregon, on June 9, 1899, viz: Morgiana H. Dunham, H. E. 11242, for the south one-half of southeast quarter and northeast quarter of southeast quarter of section 33, and southwest quarter of southwest quarter of section 34, township 9 south, range 5 east.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz:

William B. Ashley, of Detroit, Oregon; John C. Mackey, of Detroit, Oregon; Frank Perket, of Detroit, Oregon; Robert M. Poe, of Detroit, Oregon.

CHAS. B. MOORES, Register.

4:28-5W.

ADMINISTRATOR'S FINAL NOTICE.

Notice is hereby given that the undersigned has filed his final report as administrator of the estate of Harriet J. Holden, deceased, with the County Court of Marion county, Oregon, and said court has set the time for hearing said final report on Saturday, June 10, 1899, at 10 o'clock a. m. of said day, in the County Court room in Salem, at which time, the same and any and all objections thereto will be heard by said court.

HORACE HOLDEN, Administrator. Frank A. Turner, Attorney for Administrator.

5:12-5w.