

IN CIRCUIT COURT

JUDGE TERRELL REVERSED IN THE HAWKINS CASE.

The Mortgage, Figuring in the Litigation of Howell vs. Folsom, Declared Void.

Circuit Judge R. P. Boise held a brief session of his department of the circuit court yesterday, when two cases were decided by him.

In the appeal case, in the matter of the guardianship of John S. Hawkins, an insane, an appeal from the Marion county court, Judge Boise reversed the decision of County Judge G. P. Terrell, whereby the latter official sustained the motion to strike out parts of the answer of the petitioner, W. E. Hawkins.

Further decides that the order of the county court, appointing the respondent (Eugene Willis) as guardian of the estate and person of John E. Hawkins, is reversed, and the cause is remanded to the county court for further proceedings in accordance with the decision.

The case was the outgrowth of a contest for the appointment of a guardian of the person of John E. Hawkins, an insane, to succeed to the late Leo Willis. The appointment of Eugene Willis was petitioned for, and W. E. Hawkins also asked for the appointment.

Judge Terrell appointed Mr. Willis and the appeal was taken to the circuit court with the result above stated.

In the case of Linnie J. Howell, plaintiff, vs. Maggie Folsom, et al., defendants, a foreclosure suit, Judge Boise gave judgment for the plaintiff for \$400, but decided that the mortgage was not a lien on the property described therein, for the reason that the defendants had no legal title in fee simple. The mortgage was declared to be void.

The court adjourned at an early hour to Friday, July 21st, at 10 a. m.

THE WILLAMETTE LOCKS.

Quarterly Report of the River Craft Passed, and the Number of Passengers Transported.

The report of the Portland General Electric company, of the business done at the Willamette locks, at Oregon City, for the quarter ending June 30th, was received in the office of Gov. T. T. Geer yesterday. The report shows the passage of the following named vessels, together with the number of trips made by each and the number of passengers transferred:

Table with columns: Vessel Name, No. of Trips, No. of Passengers. Includes entries for Steamer, Motor, Fish, Pomona, Altona, W. M. Hoag, City of Eugene, Albany, Valley Queen, Stray Eagle, Annie, Salem, Kewanee.

In addition to the above there were passed through the locks, during the quarter, thirty-eight barges, and the United States snag-bow Mathomah passed through once, making the total number of vessels passed 46.

FISHING LICENSE.

Issued by the Fish Commissioner During the Month of May and Reported.

State Treasurer Chas. S. Moore yesterday received the report of Fish Commissioner P. C. Reed, of Portland, showing the amount of money received during the month of May in payment for fishermen's and other licenses, issued in his department. Following is the detailed statement of the receipts:

Table with columns: License Type, Amount. Includes Individual licenses, Drag sein licenses, Gill net licenses, Set net licenses, Found net, trap or weir licenses, Scow fish wheel licenses, Stationary fish wheel licenses, Dealers' licenses, Carriers' licenses.

Total \$1897

WOULD NOT SELL.

Several of the large Eastern hop firms are investing in land in the Willamette valley that is adapted to hop culture, for the purpose of engaging in hop raising on a large scale. During the past week, however, it is reported A. J. Jerman, of Howell Prairie, refused an offer of \$41,000 for 287 acres of this highly improved farm. The offer was made by a representative of an eastern hop company who, when he found he could not purchase the property, submitted another offer, agreeing to pay an annual cash rental of \$1,500 for the land but this was also refused. Mr. Jerman feeling satisfied that he can realize even more by conducting the farm himself.

A HOP CONTRACT.

A hop contract was yesterday filed in the office of County Clerk W. W. Hill. By its terms W. F. Davidson, of Champagnon, agrees to deliver to A. Lehman & Co., of Cincinnati, Ohio, at Aurora, 8,000 pounds of hops, the consideration being 12 1/2 cents. The contract provides that, in addition to the \$200 paid to the grantor on the signing of the agreement, 4 1/2 cents per pound shall be paid on September 1st, and the remainder of the purchase price upon delivery of the crop, at Aurora.

ANOTHER OPERATION.

Charles Kitchin, aged 17 years, who resides with his parents on a large farm near Chemawa, was brought to the Salem hospital Thursday night, suffering from appendicitis. Yesterday he submitted to an operation and at a late hour last night his condition was satisfactory.

NEWS IN GENERAL

A NEW DEPOT TO BE ERECTED IN THE TOWN OF AURORA.

Timber Lands Sold in Clatsop County—An Official Resigns—Eastern Oysters.

The following paragraphs will be of interest to the readers of the Statesman:

DRUGS AND MEAT.

The contracts for supplying the soldiers' home with drugs and meat have not yet been let. It is understood that Governor Geer, who is now in San Francisco, must first be consulted in regard to the proposals submitted.

HAS A PIANO.

Rev. Arthur Lane, of St. Louis, (Marion county), is the happy possessor of an elegant piano recently purchased from George C. Will, of Salem. It is the same manufacture as one recently sold by Mr. Will to Rev. Placidus, of Mt. Angel.

A NEW DEPOT.

Next week the Southern Pacific will begin the erection of a depot at Aurora that will be second in size to only one other along the line in the state. In dimensions the building will be 24x32 1/2 feet with a 50-foot platform. The city will vacate 10x150 feet of ground for use by the railroad company.

HAS RESIGNED.

James Byron, one of Douglas county's commissioneers, has resigned, his business interests requiring more attention than he can give them and hold the office.

AT BOSWELL.

The editorial excursion last Sunday evening made a short stop of ten minutes at Boswell Springs in order to give them an opportunity to taste that famous water. Afterward Mrs. Boswell's splendid collection of oil paintings attracted attention and the stop was doubled in length. Mrs. Boswell is an artist of exceptional merit and her paintings, which are numerous, afford rare pleasures to the numerous guests at Boswell Springs hotel.

CAN KILL DEER.

The open season for deer begins July 15, but venison cannot be sold at any time under a penalty of \$100 to \$500. The state game warden is actively engaged in enforcing the game laws, having deputies in every part of the state who have orders to prosecute to the full extent any violation of the game laws.

DOUBLE DUTY.

Rev. Theo. J. Daum will assume charge of the Brooks parish in the future in connection with the Gervais parish. Rev. LeMiller will continue in charge of New Era and points between there and Gervais.

A SOLID ROAD.

Hauling gravel for the Parkersville road (north of Salem) has been discontinued owing to lack of funds. The portion of the road that has been finished, bids fair to make a solid road bed under all conditions of weather and hauling.

A HUBBARD BUILDING.

Klinger Bros. are among the enterprising men of Hubbard. They are putting up a new saloon building on the west side of the main street.

HARD LUCK.

The Gervais Star says: "Bradford Graves is home from Astoria where he has been seeing the past month. He reports an unpleasant experience with his employer and loss of wages earned. * * * M. Mickel is home from the lower Columbia where he has been employed on the scining grounds. He reports that he was not paid for his work and consequently lost the months work."

AT FALEM.

Says the Forest Grove Times: Rev. T. L. Jones accompanied his wife to Salem last week, where she went for treatment in the hospital there, having been afflicted with inflammatory rheumatism in her right arm for four months.

EASTERN OYSTERS.

Eastern oysters have been awarded Oregon for propagation by the United States fish commission in large amount, the allotment amounting in weight to about 300 pounds. The oysters will arrive near the last of October or first of November, and will be placed with the others planted three years ago by the government in Yaquina bay. The work of the state university, and is more particularly under F. L. Washburn, professor of biology of that institution.

TIMBER LAND SELL.

Says the Astorian: M. J. Kinney has sold to the Willamette Pulp & Paper Company, of Oregon City, a large tract of timber land on the Lewis and Clarke river in this (Clatsop) county. The consideration is not yet given out, but it amounts to a good many thousands of dollars. Mr. Kinney has still a large tract of timber land left in this county and it is in fact one of the largest timber land owners in the county. J. C. Pierce, of San Francisco, president of the company, Mr. N. R. Lang, the general superintendent of the company's mill at Oregon City, and J. H. Walker, land agent of the company, made a special trip to this city to close the deal.

TRY THIS.

Few people, even among the cultured, can read the following paragraph of 39 words without a mistake. Try it: "Cleopatra, isolated in the oasis,

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soon became acclimated and had ample leisure to contemplate all the scenic details of her inextricable sword. The woman resisted the allopathic misogynt, who gave a courteous diagnosis and humbly craved precedence for a tiny idol in the form of a vase with an esthetic acoustic apparatus. This told the news like a book, but it might have been a dog living in squalor from the look she launched at him when he wrote down his address. She ate her breakfast and then fraternized with a national expert in appendicitis, who attended the obsequies."—Christian Advocate.

NEW BOOKS ADDED.

Valuable Works Ordered for the State Library—Reference Books for Use of the Courts.

J. B. Pufnam, state librarian, has ordered a large number of new books for the library, they being recent editions on works of law, needed by the supreme court and the attorneys practicing before that tribunal. The Oregon state library, for its size, is one of the best in the country, and Engstrom, attorney, visiting the library, frequently express their pleasure at finding so choice a selection of standard works of law and all agree that the collection compares favorably with like institutions in the richer and more populous states in the East.

Among the volumes ordered by the librarian, and which are expected to arrive in the next few days, are the following:

- Desty's Federal Procedure, 2 vol.
Warner's American Law of Administration, second edition, 2 vol.
Randolph's Commercial Papers, second edition, 3 vol.
May's Practice of United States Supreme Court, 2 vol.
Tucker's Constitution of the United States, 2 vol.
Andrew's American Law.
Brandenburg's Digest of the Bankruptcy Laws, of 1898.
Carter's Jurisdiction of the United States Courts.
Van Inhering's Struggle of Law.
Cooley's Constitutional Limitations, sixth edition.
Bradner on Evidence, second edition.
Maxwell's Criminal Procedure, second edition.

UPON THE RECORD, WHICH IS THE PARTY OF THE TRUSTS?

"But for the democratic action in congress a stringent national law against trusts would be in force today," declares a writer in the St. Louis Globe-Democrat. The republicans passed the law in 1890. The democrats destroyed it in 1894 and defeated its re-enactment in 1897. The proof is easily within reach of every one. It is distinctly set forth in the laws passed by congress and it is plain to be disputed. In the McKinley tariff law of 1890 was the following section: "Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several states, or with foreign nations, is hereby declared to be illegal." Any person engaging in such combination was to be deemed guilty of misdemeanor, and, on conviction, fined not to exceed \$5000, or imprisoned for not more than one year, or both in the discretion of the court. The law containing this most sweeping provision against trusts was passed in 1890 by a vote of 164 to 142. Every vote for it was republican and every vote against it, except two, was democratic. It passed the senate by a straight party vote of 49 to 25. The only bill ever passed by congress in the direction of tearing up the trusts in the union, in every state in the union, and in every shape and form, received almost unanimous democratic opposition.

In the next congress the democrats controlled both houses and proceeded to extend the trusts the greatest act of friendship they have ever received from any source. No one was more prominent in this deed than William J. Bryan, who was a member of the ways and means committee, and one of the framers and champions of the Wilson tariff law of 1894. The Wilson law killed the complete and effective provision against trusts in the McKinley law, substituting the following section, which is of no practical use whatever: "Every combination, conspiracy, trust, agreement or contract is hereby declared to be contrary to public policy, legal and void, when the same is made by or between two or more persons or corporations either of whom is engaged in importing any article from any foreign country into the United States." The McKinley law placed a heavy penalty upon trusts of every kind and everywhere in the United States; the Wilson law swept this rule and guard away and limited the penalty to imports alone. Mr. Bryan worked and talked for the Wilson bill incessantly. He and his fellow democrats in congress tore down the wall that shut out trusts, and they came trooping in all over the country as a result of the democratic overthrow of the law of 1890.

More than this the democrats in the last congress prevented the restoration of the provision against trusts in the present, or Dingley, tariff law. The republicans had no majority in the senate, and the democratic senators would not permit the anti-trust clause of the McKinley law to be inserted in the Dingley law. The new congress is republican in both branches. For the first time since 1890 the republicans have the power to put back into a tariff law the section which they passed before and which declared all trust combinations, no matter what their form or location, to be illegal and subject to a fine of \$5000 and imprisonment for one year. A comparison of the McKinley law of 1890 and the Wilson law of 1894 will convince any investigator that the democratic party, with Bryan as one of its most prominent and zealous leaders, stepped in and saved the trusts at the most critical time in their history. The official evidence is within the reach of all, and it is incontrovertible.

STATE TAXES PAID

MANY OF THE COUNTIES HAVE MADE SETTLEMENT.

Amounts Paid by Each, and Balances Due on the Account of the Levy for Last Year.

Many of the counties of the state have paid their state taxes for 1898 in full, while all of them have settled in part their indebtedness on that account. The following named counties have paid in full:

Table with columns: County Name, Amount Paid. Includes Baker, Benton, Clackamas, Clatsop, Columbia, Coos, Douglas, Gilliam, Harney, Jackson, Josephine, Klamath, Lake, Lane, Lincoln, Marion, Morrow, Polk, Sherman, Umatilla, Union, Wasco, Washington.

The various counties have paid the following amounts:

Table with columns: County Name, Amount Paid. Includes Baker, Benton, Clackamas, Clatsop, Columbia, Coos, Curry, Crook, Douglas, Gilliam, Grant, Harney, Jackson, Josephine, Klamath, Lake, Lane, Lincoln, Marion, Morrow, Polk, Sherman, Umatilla, Union, Wasco, Washington, Yamhill.

This leaves balances unpaid in the cases of the following named counties:

Table with columns: County Name, Amount Paid. Includes Curry, Crook, Grant, Linn, Malheur, Multnomah, Tillamook, Umatilla, Union, Wallowa, Washington, Yamhill.

In addition to the above unpaid balances, the following counties owe taxes on former years, all of which are being interest, and many of which are included in the suits brought by the state against some of the counties, and which action, against Marion county, was adjudged adversely to the state:

Table with columns: County Name, Amount Paid. Includes Clatsop, Douglas, Gilliam, Jackson, Lake, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, Yamhill.

The best material of which to make fighting soldiers is found in boys from 15 to 21. This is the expression of old commanders. There were many captains in the civil war who were under 20 years of age. There were brigadier generals only 21 years old. General Grant was under 40 when he entered the war. Stonewall Jackson had won immortal fame at 38 and died at 39. General Sheridan was a general at 30. Fitzhugh Lee was a major general at 29. Alexander had conquered the world before he was 33. Napoleon became master of Egypt, crossed the Alps and fought the battle of Marengo at 30. Young men make the best soldiers.

A Russian journal has just published a curious portrait of Tolstol. The philosopher is dressed in a short pair of knickerbockers and a sort of loose athletic shirt. As a matter of fact, Tolstol is an enthusiastic cyclist. He declares that he has to thank his bicycle and his vegetarian diet for the robust health which he still enjoys at the age of 70. Twenty years ago a celebrated Russian physician advised Tolstol to avoid too much muscular exercise, but the patient was obstinate, and did exactly the contrary. He has ever been a lover of sports and remains in the best of health.

A THEORY UPSET.

Culmo—The theory that diet moulds the character is completely upset by statistics from Paris. Cawker—What statistics are you thinking about? Culmo—Parisians eat 100,000 pounds of snails daily, and yet the people of Paris are considered fast.

THE BEST READING FOR THE FARMERS

—IN THE—

Central Willamette Valley

Is the Twelve-page Weekly edition of the

Oregon Statesman

Together with either of the following well-known weekly papers: Chicago Inter-Ocean, New York Tribune, St. Louis Globe Democrat; also Demorest's Family Magazine and McCall's Magazine—monthly. The clubbing rates are as follows:

Statesman and Gold Democrat - \$2.00

The Globe-Democrat is issued in semi-weekly editions, 8 pages each Tuesday and Friday.

Statesman and Demorest's Family Magazine \$2.00

The Demorest Magazine is a fine monthly publication.

Statesman and Inter-Ocean - \$1.50

Statesman and Tribune - \$1.50

Statesman and McCall's Magazine \$1.50

The above magazine is of much interest to women and would be just the thing for the farmer's wife or daughter. A free pattern given with each subscription.

Send your subscriptions to the

STATESMAN PUBLISHING CO.

Salem, Oregon.

Don't Forget

This offer is one of the best ever made by a newspaper in Western Oregon.

REAL ESTATE.

Bargains offered by Salem Land office.

Large modern residence on Court street, hot and cold water with bath; fine grounds. House cost more than we are offering the place for. Price \$2,500.

House and barn in Highland Addition; house 16x20; barn 17x40; all new; good water. Price \$300.

246 acres near Lyons in Linn county; 8 acres in cultivation; 50 acres open; balance fine saw timber. A good saw mill capable of turning out 15,000 feet per day run by water power on the place. All goes for \$3,500.

211 acres, 3 miles southwest of Stayton; 260 in cultivation; good house and barn; running water; fine house and barn. Stock and implements go with the place. Price \$7,750.

A number of choice residences for rent. Inquire at the Salem Land office, up stairs in the Statesman building.

NEVER DRINKS.

Amanda Way, of Boise, Idaho, is the oldest Good Templar in the world. She joined the order in 1854.

The largest consignment of butter on one vessel, 700 tons, recently sailed in the Australian for England. The India had also on board 438 tons, so that Melbourne in one week sent out a shipment of 54,000 boxes of fresh butter, the largest exportation from any port in the world.

Do We Want Wood?

Well yes! And a whole lot of it, too. If you are indebted to the STATESMAN for subscription and have good big fir wood, then haul us enough to cover what you owe.

We want it before the rainy season sets in.