

CASES ON DOCKET

LITIGATION TO DEMAND ATTENTION OF CIRCUIT COURT

During the February Term—Judge Burnett Will Open the First Department on the Second Monday of the Month for the Term.

(From Wednesday's Statesman.)

Department No. 1 of the State Circuit Court for Marion county will convene on Monday, February 10, 1902, at 9 o'clock a. m., for the regular February term, and thus far there are thirty-seven cases upon the docket to be disposed of. The court will meet on next Monday morning, February 23, for the purpose of disposing of the cases still remaining upon the October term docket and to adjourn that term of court sine die. The following is the docket for the adjourned October and the regular February term of the Circuit Court:

D. W. Truitt, plaintiff, vs. A. Geener, defendant; for money.

W. E. Mitchell, plaintiff, vs. Oregon Woman's Flax Fibre Association, defendant; mandate.

L. J. Davenport, plaintiff, vs. Fred Dose, defendant; mandate.

State of Oregon, plaintiff, vs. E. Curtis, defendant; criminal.

State of Oregon, plaintiff, vs. Philip Remy, defendant; criminal.

Coolidge & McClaine, plaintiffs, vs. W. R. Smith, defendant; for money.

Mary J. Shaw, plaintiff, vs. J. E. Ferris, defendant; ejectment.

Studebaker Bros., plaintiffs, vs. Joseph Schell, defendant; for money.

Frank W. Jewett, plaintiff, vs. H. G. McKinley, defendant; for money.

State of Oregon, plaintiff, vs. Fred Williams and A. Paterson, defendants; criminal.

State of Oregon, plaintiff, vs. George Lee Brown & Sons, plaintiffs, vs. O. W. Davis, et al., defendants; for money.

John Savage Sr., plaintiff, vs. Elizabeth Edgar, defendant; ejectment.

Eather C. Pohle, plaintiff, vs. Adam Ohmart, et al., defendants; for money.

State of Oregon, plaintiff, vs. John Gow and L. Derenberger, defendants; criminal.

State of Oregon, plaintiff, vs. A. M. Humphreys, defendant; criminal.

John Hughes, plaintiff, vs. Annie M. Raynaden, defendant; for money.

State of Oregon, plaintiff, vs. A. M. Humphreys, defendant; criminal.

J. W. Horn, plaintiff, vs. J. Connor, defendant; for money.

State of Oregon, plaintiff, vs. A. M. Humphreys, defendant; criminal.

O. Cone, defendant; for money.

Victor Combest, plaintiff, vs. J. B. Barnard, defendant; for money.

Madison Scott, plaintiff, vs. Southern Pacific Railway, defendant; damages.

W. H. Wehrung, et al., plaintiffs, vs. R. T. Denham, et al., defendants; for money.

J. E. Collins, et al., plaintiffs, vs. F. J. Bolter, et al., defendants; for money.

George A. Bark, plaintiff, vs. S. P. Kimball, et al., defendants; for money.

Ennis Brown Co., plaintiff, vs. W. S. Hurst, defendant; for money.

J. M. Wolfard & Co., plaintiffs, vs. J. G. Moore, et ux., defendants; for money.

Elsworth Webb, plaintiff, vs. Eugene Bower, defendant; for money.

F. M. Brooks, plaintiff, vs. Fred Bower, et al., defendant; for money.

David S. Liversay, plaintiff, vs. F. M. Cammack, defendant; for money.

J. W. Ransom, plaintiff, vs. Robert McFarlane, et al., defendants; for money.

McCormick Harvesting Machine Co., plaintiff, vs. J. B. Early, defendant; for money.

The Adams Mercantile Agency, plaintiff, vs. James T. Hopkins, et al., defendants; for money.

James Finney, plaintiff, vs. Wm. H. Egan, defendant; to recover real property.

Honeyman Hardware Co., plaintiff, vs. D. A. Holman, defendant; for money.

Duncan Ross, plaintiff, vs. Salem Light, Power & Traction Co., defendant; damages.

T. M. Hurd, plaintiff, vs. Ilma B. Hurd, et ux., defendants; for money.

THE CHILD TO THE FATHER.

By Robert Bridges.

Father, it's your love that safety guides me.

Always it's around me, night and day.

It shelters me, and soothes, but never chides me.

Yet, father, there's a shadow in my way.

All the day, my father, I am playing Under trees where sunbeams dance and dart—

But often just at night when I am praying I feel this awful hunger in my heart.

Father, there is something—it has missed me—

I've felt it through my little days and years:

And even when you petted me and kissed me

I've cried myself to sleep with burning tears.

Today I saw a child and mother walking.

I caught a gentle shining in her eye.

And music in her voice when she was talking—

Oh, father, is it that that makes me cry?

Oh, never can I put my arms around her.

Or never cuddle closer in the night:

Mother, oh, mother!—I've not found her.

I look for her and cry from dark to light!

—February Ladies' Home Journal.

AT ASHWOOD.—Mr. D. H. Leech, of Salem, arrived in Camp last Wednesday morning and spent several days looking after his various interests here. He was very much pleased with the progress being made on the development work of the Ashwood and Red Jacket properties, and also expressed himself as pleased that considerable work was

being done in the camp. Mr. Leech has always been one of the most enthusiastic believers in the richness of this camp, and his belief is being verified every day.—Ashwood Prospector.

WHAT TO DO WITH AZALEAS.

Azaleas ought to make their annual growth shortly after flowering. As soon as the flowers fade put the plants in a warm, close place, and encourage growth by showering daily. Give a weak fertilizer. When growth ceases remove to a cooler place. Keep up the shower-bath, and be sure that the roots are always moist. In the spring put the plants out-of-doors, and leave them there until September or October, always taking care that they do not get dry at the roots.—Eben E. Rexford, in the February Ladies' Home Journal.

AMERICANS ARE TOO SELF-CONSCIOUS.

A Noted Lecturer's Comment on What He Calls One of Our Two National Vices.

It is peculiarly necessary that we in America should understand the danger of morbid self-consciousness, for it is one of our two most distinctive national vices, being equaled only by our irreverence. It is no accident that more books are written about America than concerning any other land, nor does it mean that we are more interesting (except to ourselves) than the rest of the world. It does mean that we are so self-conscious, so oversensitive to praise and blame—above all, so anxious to know what our neighbors are saying about us—that any traveler, however inane and incapable, who spends a few weeks upon our soil, may return home and write his book about us and we buy it by the hundred thousand. We are doing great things, thanks to our opportunities and our forefathers; but how much quiet, simple action the time and energy we spend in plumbing ourselves upon our achievements.—Edward Howard Griggs, in The Ladies' Home Journal for February.

FOR THE PLAINTIFF—The case of John Will, plaintiff, vs. Sing On, defendant, Horst & Lachmund, attachment defendants, and Ladd & Bush, garnishees, in which the plaintiff brought suit to collect a note given by the defendant, Sing On, for \$40, with interest at 7 per cent from January 24, 1901, was heard in Justice of the Peace J. O'Donald's court, yesterday afternoon and judgment was rendered against Ladd & Bush, as garnishees, for the full amount.

This suit has been pending for several months, and as Horst & Lachmund Co. was attached as garnishees, judgment was rendered against them for want of an answer. This firm would not acknowledge the summons and judgment on the ground that the name of the firm was Paul R. G. Horst & Lachmund Co. An execution was then issued and Ladd & Bush required to answer as to any money they might have belonging to the Paul R. G. Horst & Lachmund Co., commonly known as Horst & Lachmund, and it was proven at the trial yesterday that the firms were one and the same, and judgment was rendered as above stated. Turner & Inman were the attorneys for the plaintiff and G. G. Bingham and W. H. Holmes were the attorneys for the garnishees.

"FRENCH JOE" WAS FOUND TO BE ENTIRELY SANE

An Effort Made to Send Him to the Asylum for Treatment Was Unsuccessful—He Was a Pioneer.

Joseph Simeneau, upon complaint of Louis Kibele, was yesterday examined by Dr. J. D. Shaw and County Judge John H. Scott as to his sanity, and pronounced sound of mind but physically infirm. Mr. Simeneau, more familiarly known as "French Joe," is one of the earliest settlers in this country, having come to Oregon in 1853, and is 82 years of age. Earlier in life he owned and operated a large farm on French Prairie, but his property has been eaten up long since and during recent years he has been doing odd jobs around the saloons in this city and being cared and provided for by a number of his friends and the proprietors of the saloons. He occupies a small hut which stands on the Salem Light, Power & Traction Company's premises between Trade and Mill streets. He recently suffered an attack, the nature of which was not known to his friends who thought that the old man was becoming mentally unbalanced, and as an act of kindness and charity sought to have him taken to the Asylum where he would receive medical treatment and be well cared for. When it was found that his mind was sound but that some care should be offered him, County Judge Scott proposed to have him taken to the poor farm to which proposition Joe strenuously objected. He is being generously provided for by his friends at present, and is receiving proper medical treatment.

What Do the Children Drink?

Don't give them tea or coffee. Have you tried the new food drink GRAIN-O? It is delicious and nourishing and takes the place of coffee. The more Grain-O you give the children the more health you distribute through their systems. Grain-O is made of pure grains, and when properly prepared, tastes like the choice grades of coffee but costs about 1/2 as much. All grocers sell it. 15 cts. and 25 cts.

"STAR-5-STAR" SHOES—Head the list for quality. The New York Racket sells them at "racket" prices. 21d.

SOME PRETTY VALENTINE GIFTS.

A heart-shaped cut-glass flask for perfume, or a heart-shaped box with silver top for the toilet-tablet, or a ring with a true lover's knot encircling a whole pearl, a turquoise, or an amethyst, which is the February birth stone, would please a young girl. A heart-shaped locket with a single pearl, and having a place for hair and a photograph inside, is a pretty gift, as is also a pendant of the same shape for the watch chain.—February Ladies' Home Journal.

LUCAS' CASE TRIED

ON THE CHARGE OF EMBEZZLEMENT OF MONEY.

Alleged to Have Been Entrusted to Him to Pay Men Working on the New Building at Chemawa.

(From Wednesday's Statesman.)

The preliminary hearing in the case of the State of Oregon, plaintiff, vs. James S. Lucas, defendant, was held in CRY Recorder N. J. Judah's court yesterday afternoon, when all of the testimony on both sides of the case was taken, the arguments made and the court took a recess pending the submission of authorities from the prosecuting attorney, and the defendant's counsel, which must be taken into consideration before the case is decided.

The State alleges that James S. Lucas, the defendant, was supervising the construction of a new Government building at the Indian Training School, at Chemawa, for which work Messrs. Pugh & Van Patton had the contract, and that Lucas was given the power to employ and discharge laborers engaged in the masonry work upon the structure and that the wages due these laborers were paid through Lucas. On December 29, 1901, Lucas, it is alleged, drew \$400 out of the bank on the contractor's check, with which it was intended that the men should be paid. Instead of paying the men, he absconded with the whole amount, and was later apprehended by the Seattle police and brought back to this city upon a requisition from Governor Geer.

There were eight witnesses examined on the part of the prosecution, besides the prosecuting witness, W. D. Pugh, the testimony of which on the part of the contractors was that no written contract was signed or entered into by and between them and the defendant, and that Lucas was an employee and an agent of the contractors, and had absconded with their money which was turned over to Lucas to be paid to the laborers. The other witnesses for the prosecution testified merely that they were working under Lucas, and that they had received their wages from or through him, and that he had not paid them their last wages due but that they had been paid in part, or at the rate of 50 cents on the dollar, by Mr. Pugh after Lucas had departed.

Lucas was placed on the stand in his defense, and testified in substance that he had put in his bid as a subcontractor to Pugh & Van Patton, offering to do the masonry work upon the building for the sum of \$2000. Pugh & Van Patton to furnish all materials, that they had requested him to furnish a bid bond but later, as he had been awarded the contract he did not deem it necessary to furnish a bid bond and no bond was given. He also stated that he had insisted many times upon a contract being drawn up and signed by all parties concerned, and as the matter was put off from time to time he finally had a contract drawn up himself, which he claimed was satisfactory to all involved, but that it had never been signed, and that he had worked for about three weeks before the contract was drawn up. He claimed that he had employed all the men, except one whom he had hired at Pugh's suggestion and had supervised the work. Pugh, he testified, had issued him seven checks for the sums of \$50, \$230.25, \$225, \$265, \$250, \$200 and \$400, respectively, aggregating the sum of \$2070.25.

Upon cross examination he stated that he did not agree to give a bond, but stated that one had been requested and that he had negotiated for bonds and stated that Pugh did not request him to furnish bonds for the faithful performance of his duty. He stated that he had quit work on Friday, December 20th, before the building was completed, and when asked what he had done with the \$400, the amount said to have been embezzled, he refused to answer and the defendant's counsel objected to the question and it was withdrawn. Further questioning brought out the statement that Lucas had never quit the contract, but had left the city to go to Seattle, where he claimed he had another job, and intended to return when he got ready.

Two other witnesses were examined for the defense including one Walter Breed, who testified that he had worked for Lucas and had not received a cent in payment for his last week's work, and it developed upon cross examination that he had shipped Lucas' household goods to Mrs. Lucas in Seattle.

After the examination of the witnesses was concluded, Mr. Ford, one of the defendant's attorneys, asked if there had not been an information drawn up at first charging the defendant with larceny by bailie, and the prosecuting attorney waived the opening argument and W. M. Kaiser opened the argument for the defense. At the conclusion of the argument on both sides, the court took a recess, subject to call, pending the submission and consideration of the authorities.

LITIGATION IN THE STATE CIRCUIT COURT

A Motion to Require an Itemized Statement in the Hansen-Brey Action—Cost Bill Objected to in Another Case.

In the suit of Otto Hansen, plaintiff, vs. Clara F. Brey, et al., defendants, in department No. 2 of the Circuit Court, wherein the plaintiff demands judgment in the sum of \$13.50 alleged

to be due for labor performed and materials furnished in the reconstruction and repair of a building belonging to the defendants, the latter yesterday by their attorneys, Bonham & Martin, filed a motion to require the plaintiff to make his complaint more definite and certain so as to include an itemized statement of the amount and kind of materials furnished, and the kind and amount of labor performed and by whom performed.

In department No. 1 of the Circuit Court the defendant, The Oregon Woman's Flax Fibre Association, in the action for money, wherein W. E. Mitchell was the plaintiff and in which a decision was rendered in favor of plaintiff, filed a motion to relax the costs, as the plaintiff's claim was allowed in full by the clerk of the court and the defendant's claim was only allowed in part. The defendant objects to the allowance of several items included in plaintiff's cost bill, as follows: Clerk's fee of \$5, which defendant claims was a disbursement paid before the first trial of the cause; sheriff's fees of \$20, as expense for keeping attached property for ten days; actual reason that no keeper had actual charge of said property; \$4 notary's fees, no part of which, it is claimed, is a proper disbursement at the second trial of the cause, and the stenographer's fees of \$20.50 for the reason that this disbursement was incurred in preparing for the first trial in which the judgment of the Circuit Court was reversed by the decree of the Supreme Court. Defendant also claims that there were a number of items of defendant's cost bill disallowed, which should not have been disallowed for the reason that they were just and made under the authority of the court.

NOT ENOUGH YET.—There has been great increase in the number of cattle and other live stock on the farms of the country surrounding Salem, and throughout Western Oregon, and in fact all over the Northwest. But the number is not yet sufficient to supply the demand. The Salem butchers have so far been able to secure all the beef cattle they have needed the past season from the surrounding country, and a good many head of cattle, hogs and sheep have been shipped out. But it is likely that from now until spring a few car loads will have to be shipped in. It is not thought it will be necessary to go far for them—probably to Southern Oregon. It will probably be a surprise to a good many readers when they are told that at Seattle the firm of Swift & Co., the great Eastern meat men, are shipping in a great deal of fresh meat in refrigerator cars to the Sound metropolitan, from their packing houses at Chicago, Omaha and other points. Their shipments even include dressed poultry. They are selling it out to Seattle and other markets at wholesale. They sell in competition with local butchers. There are six Eastern firms competing for the trade of the Northwest with local men in packed meats, lard, etc., and the Eastern product is coming in at the rate of hundreds of car loads each year. There is room for vast increase in the raising and fattening of live stock on the ranges and farms of the Northwest. There is no danger of the business being overdone, for the markets are increasing faster than it is possible the business of supplying them can possibly grow.

At Bed Time.

I take a pleasant herb drink, the next morning I feel bright and my complexion is better. My doctor says it acts gently on the stomach, liver and kidneys, and is a pleasant laxative. It is made from herbs and is prepared as easily as tea. It is called Lane's Medicine. All druggists sell it at 25c. and 50c. Lane's Family Medicines moves the bowels each day. If you cannot get it, send for a free sample. Address, Orator F. Woodward, Le Roy, N. Y.

COLD SNAP OVER

IT LASTED ONLY ABOUT FIVE DAYS IN ALL.

It Has Been Succeeded by a Mild, Salubrious, Wet Rain, Dear to the Hearts of All True and Patriotic Webfeet.

The maximum temperature for the twenty-four hours previous to 3 o'clock yesterday afternoon was 28 degrees, Fahrenheit, and the minimum 20 degrees. Oregon's cold snap, so far as Salem was concerned, only lasted about five days, during which time the average minimum temperature was 15 degrees and the maximum 32 degrees. A considerable amount of snow has fallen also, but on account of its melting so rapidly it was impossible to measure. It accurately, but it was estimated altogether to equal about two inches of rainfall.

Oregonians are as fond of the beautiful snow, and the numerous pleasures which it affords, as any true lover of the beauties of nature elsewhere, but, inasmuch as its visitation is almost invariably accompanied by mud and slush under foot, making everything disagreeable, they dread to see the soft, downy flakes fluttering in the air. This brief spell of snow was quite different from its predecessors in that the weather was cool enough to prevent its melting so rapidly, and when it did go off a gentle rain came during the night and before morning almost every vestige of it had disappeared, unaccompanied with the usual disagreeableness.

The slough was frozen to a depth of two inches and afforded unbounded pleasure to those skilled in the art of skating, for about two days and evenings, and, fortunately, no serious accidents resulted, as is customary upon such rare occasions in this temperate climate.

MRS. SANGSTER'S ADVICE TO AN ENGAGED GIRL.

"I am engaged to be married. Ought I to tell my fiance, who does not suspect it, that I have been engaged before this, and that the engagement was broken by mutual consent?"

Certainly, you should tell your fiance. Do not begin wedded life with a secret.—Feb. Ladies Home Journal.

EDUCATIONAL CONVENTION

In the Interest of the Willamette University

WILL BEGIN IN SALEM ON NEXT SUNDAY MORNING—POPULAR MEETINGS TO BE HELD

Throughout Western Oregon—Prominent Men Will Preside at the Meetings of the Convention and Great Good Will Be Accomplished.

All arrangements for the educational campaign of the Methodists in Oregon, and especially in Western Oregon, have been completed, and success is assured, for the reason that the workers in the interests of Willamette University—and it is in the interest of that great institution that the campaign is being inaugurated—are enthusiastic and earnest, and certain to meet with the desired success.

The campaign will begin on Sunday, the second day of February, and will last about two weeks. The chief speakers will be Bishop Earl Cranston, D. D.; Rev. W. F. McDowell, D. D.; Rev. M. E. Mills, D. D., and President J. H. Coleman, D. D.

On Sunday, February 24, Drs. McDowell and Coleman will be in Salem, and the Bishop and Dr. Mills will be in Portland. The program for all the meetings within the bounds of the Portland district are to be arranged by the Presiding Elder, Dr. Rockwell. The Presiding Elder of the other districts will be responsible for the meetings held in their respective districts.

Educational Convention.

The convention to be held in Salem will open Monday, February 24, and close Wednesday, February 27th. Bishop Earl Cranston will be president of the convention. The program follows:

Monday, 7:30 p. m.

Governor T. T. Geer, presiding; addresses by Bishop Cranston and Dr. Mills.

Tuesday, 7:30 p. m.

Hon. C. P. Bishop, mayor of Salem, presiding; addresses by Dr. McDowell and President Coleman.

Wednesday, 9 a. m.

Meeting in the chapel with the students, Dean W. C. Hawley, A. M., LL. D., presiding.

Wednesday, 7:30 p. m.

General W. H. Cjell, president of the Board of Trustees, presiding; address by President J. H. Coleman, D. D.

The following topics will be discussed at the day sessions:

"The Duty of the Methodist Episcopal Church to Higher Education in Oregon"—T. B. Ford, D. D.

"Importance of Christian Culture in Our Educational System"—Rev. G. H. Bennett.

"Value of the Institution of Higher Learning to the Municipality and to the State"—T. T. Geer, Governor of Oregon.

"Orfins, Growth and Present Outlook of the University"—Prof. J. T. Matthews, A. M.

"The Alumni of Willamette University"—N. M. Newport, A. M.

"How to Build Up the Student Body"—G. M. Booth, A. M.

Some of the above speakers will address the people of Woodburn on Thursday, February 6th, and others will address the people of Hillsboro, Friday, the 7th.

Bishop Cranston and Dr. Mills will hold a meeting at The Dalles on the 6th of February in the interest of the University.

Dr. Mills is expected to spend the Sabbath, February 9th, in Eugene. It is expected that the other members of the speaking force will spend the second Sabbath and Monday in Portland and vicinity.

Roseburg and Grants Pass will be visited by Drs. Mills and McDowell on Tuesday and Wednesday. Other meetings may be arranged.

The above subject to revision as circumstances may demand. Pastors and interested laymen are cordially invited. Those desiring entertainment please report to Rev. John Parsons, D. D., of Salem.

The committee on arrangements and through whose efforts the program was arranged, consists of Gen. W. H. Odell, Rev. John Parsons, D. D., and Rev. D. A. Watters, Presiding Elder.

Shake Into Your Shoes.

Allen's Foot-Ease, a powder, it cures painful, smarting, nervous feet and ingrowing nails, and instantly takes the sting out of corns and bunions. It's the greatest comfort discovery of the age. Allen's Foot-Ease makes tight or new shoes feel easy. It is a cure for sweating, callous and hot, tired, aching feet. Try it today. Sold by all druggists and shoe stores. By mail for 25 cts. in stamps. Trial package FREE. Address, Allen S. Olmstead, Le Roy, N. Y.

A GREAT CROWD.—Every person who is in a position to judge, who has been interviewed on the prospects, has predicted an unprecedented rush to the Pacific Northwest during March and April, the months of the immigrant excursions. J. M. Hanaford, third vice-president and head of the traffic department of the Northern Pacific Railway Company, is in Portland. In an interview he said yesterday: "Everything points to the largest immigration

the Pacific Northwest has known, and I would not be surprised if all the transcontinental roads were taxed to their fullest carrying capacity as soon as the low rates go into effect. The Northern Pacific will be amply prepared for the rush, however, having added largely to its equipment. Other roads have made similar preparations. Much valuable assistance will be given this westward movement of population by the Lewis and Clark Exposition to be held in Portland in 1905. The advertising this event will give the Pacific Northwest cannot be overestimated."

O. P. Coshov, of Roseburg, had business before the Supreme Court yesterday and went to Portland during the afternoon.

Northwestern Nurseries

WHOLESALE AND RETAIL.

Large stock of fruit trees and shrubbery. All stock free from pests and diseases. All trees delivered free in Salem. Write for catalogue. February and March are good months to plant trees.

T. D. JONES, Prop.

SALEM, OREGON.

Capital Normal and Correspondence School

SALEM, OREGON.

Winter term opens January 24. Special classes will be formed for February examination. Send for sample lists of correspondence work. Address J. J. Kraps, First National Bank Building, Salem, Oregon.

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and besides him, we have to pay a force of over 40 men, who are employed in the several departments of our establishment in printing of various kinds. Everything printed here, from a calling card to a newspaper. Will you become one of our patrons and help to promote home manufacturing?

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(JAMES GILL, Lessee).

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If you are interested in hop news and prices, it will pay you to get the reports of the

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