

BRIEF CITY NEWS.

CULTIVATORS GARDEN TOOLS—
At the Mitchell, Lewis & Staver
branch, Salem, Oregon. dw2t.

THE MITCHELL—
Is the bicycle they buy. Call at
Mitchell Lewis & Staver and see it.
Salem, Oregon. dw2t.

CAPITAL CITY GOLF CLUB—
Will give the fifth of its series of
dances Wednesday evening, April 2,
at Tioga hall.

WRITE OREGON POULTRY—
Journal for a sample copy. A practical
poultry paper for breeders of
poultry. Address Salem, Ore.

BRIGHT SUNSHINE—
Brings happiness. Coupled with a
Hennie buggy, joy is complete. Mitchell
Lewis & Staver sells this buggy. Salem,
Oregon. dw2t.

YOU NEED A—
Cream Separator. The American is
considered the best. Mitchell, Lewis &
Staver Branch sells them. Salem,
Oregon. dw2t.

ENERGETIC MAN WANTED—
To learn insurance business. Salary paid while learning. Apply Monday
a. m., Room 10, McCornack bldg.,
Salem.

REV. SHUPP ILL—
Rev. N. Shupp is confined to his
room with Pneumonia and will not be
able to attend to his duties for several
days. He is being attended by Dr. W.
B. Morse.

FOR RURAL CARRIER—
An examination will be held here
on Monday, March 31, at 9 a. m., for
the position of carrier on Rural
Route No. 4, J. W. Haas, route inspec-
tor.

OREGON POULTRY JOURNAL—
Is the only poultry paper published
on the coast that gives the com-
mercial side of poultry raising along
with the fancy. Send for sample
copy, Salem, Ore. dw

NEW CONCRETE WALK—
A much needed improvement is be-
ing made at the northwest corner of
Court and Liberty streets, in the shape
of a new concrete walk, alongside the
property of D. F. Wagner.

RATES AGAIN REDUCED—
From all points. Before you make definite arrangements for that trip East let us quote you rates via the Illinois Central Railroad. Our rates are the lowest to be had, and it will pay you to write us. If you haven't time to communicate with us tell the agent from whom you purchase your ticket that you want to travel by way of the Illinois Central, and you will never regret the trip. If any of your relatives or friends in the East are coming West while the low rates are in effect, write us about them, and we will see that they get the lowest rates with the best service. Through tourist cars, personally conducted excursion cars, free reclining chair cars, in fact all the latest conveniences known to modern railroading. For particulars regarding rates, time, service, stop-overs, different connections and routes, etc., etc., call on or address B. H. Trumbull, Commercial Agent, 142 Third street, Portland, Or.

ARE YOU RAISING CHICKENS—
If so you need a practical poultry
paper. Write for a sample of the
Oregon Poultry Journal and see if
there is not enough information in one
issue to make it invaluable to you.
Address Salem, Ore. dw

A CARD OF THANKS—
Mr. and Mrs. M. Haberly desire to
express their sincere gratitude to all
those who so kindly and sympathetically
volunteered their aid and condolence
during their recent sad affliction
caused by the loss of their daughter,
Miss Marie Haberly. dw

MORE EMPLOYEES REQUIRED—
The business at the Southern Pacific
passenger station in this city has increased
to such proportions that the company has found it necessary to employ more help during the day time,
and a man is expected to arrive here
and enter upon his duties about April

A CREAMERY ASSOCIATION—
The Sunrise Co-Operative Creamery
Association was incorporated at the
Capitol yesterday. The corporation
will operate a creamery and deal in
the products of the same, at Myrtle
Point. The company has a capital of
\$3000, and Wm. Russell, B. C. Shull,
and W. T. Warner are the incorporators.

NEW MACHINERY COMING—
Some time ago the proprietors of the
Salem Steam Laundry ordered some
new and improved ironing machinery
and yesterday Colonel J. Olmsted re-
ceived a dispatch from the factory notifying
him that a carload of laundry
machinery had left Rochester, N. Y.,
on March 22d for Portland, including
his machinery, which is expected to
arrive in a few days.

FINAL ACCOUNT ALLOWED—
The final account of T. K. Ford upon
the estate of Thomas Combest, deceased,
and his application for discharge as
administrator thereof, was heard before
the Marion county probate court
yesterday and there being no objections
thereto, upon motion of W. T.
Slater and W. M. Kaiser, the court de-
creed that the administrator be dis-
charged from his trust and his bonds
released from further liability.

DRAINING HIS LAND—
J. E. Murphy, the brick and tile
manufacturer whose place is near the
State Fair grounds, is the kind of a
doctor who believes in taking his own
medicine. He has commenced
the construction of a ten-inch tile
drain 1600 feet long. It is sunk from
three to nine feet in the ground, and
it drains his twenty-two and a half
acres of land into the ditch by the
side of the wagon road leading to the
Fair Grounds. This new drain will
enable him to work his ground to better
advantage, both for agricultural
and for brick and tile purposes.

BACK FROM NEW MEXICO—
Alex Moir, formerly a clerk in the
Ladd & Bush Bank, returned to Salem
yesterday, after an absence of two
years, spent in New Mexico and California.
He spent a good portion of the time
in New Mexico, for the benefit of
his health, and later went to High-
lands, California, coming home from
that place yesterday, for a visit to his
parents, Mr. and Mrs. John Moir.
The young man is much improved in
health, and he expects to return to
New Mexico or Arizona in the course

of a few months. His coming was a pleasant surprise to his parents and friends, who did not look for the wanderer's return until later in the spring.

NEW TRUSTEES CHOSEN—
The services at the Liberty street
Evangelical church on Good Friday
morning were well attended, and quite spiritual. At the close of the service an election for trustees was held. D. Stewert, whose term had expired, was re-elected by a large majority. F. Aschenbrenner, who is about to move to Iowa, tendered his resignation as trustee. John Mumford was elected to fill the unexpired term of Mr. Aschenbrenner. John C. Shultz remains the treasurer of the board and church.

ASSAULTED A CHINAMAN—
Wong Sam, a Chinaman working
about different offices and business
houses in this city, was assaulted on
Saturday night, by Richard Ely, Jr., a
former reform school ward, while
walking down State street. The blow
struck by Ely broke the inoffensive
Chinaman's nose and otherwise dis-
figured him. Ely was arrested, and
arraigned in Justice of the Peace O'Donald's court yesterday, where he
pleaded not guilty, and his hearing
fixed for 10 o'clock this morning. P.
H. D'Arcy has been retained to assist
Deputy District Attorney McNary in
prosecuting the case. Ely is held in
\$50 bonds.

THE BUTTER-INDUSTRY—
There is considerable activity in but-
ter making among the farming class
of the Willamette valley hereabouts,
just now which gives promise of con-
tinuing to a great extent. A local firm
—the Salem Creamery—sold thirteen
separators last month and could have
disposed of six more had not its stock
of such machines been exhausted.

A. A. Underhill, recently from Wis-
consin, is now one of the proprietors
of the Capital City Creamery, at Sa-
lem, having purchased a one-third in-
terest from George W. Weeks and H.
B. Thielson, the promoters of the es-
tablishment. . . . A dealer was asked
yesterday about the state of the butter
market and he replied that the supply
was about as usual at this time of year but the quality showed
considerable improvement over any
previous season and "country" butter
could be sold much more readily. The
paying price for such butter is at
present from 17@22 cents.

RATES AGAIN REDUCED—
From all points. Before you make definite
arrangements for that trip East let us
quote you rates via the Illinois Central
Railroad. Our rates are the lowest to be had,
and it will pay you to write us. If you haven't time to
communicate with us tell the agent from
whom you purchase your ticket that you want to travel by way of the Illinois Central, and you will never regret the trip. If any of your relatives or friends in the East are coming West while the low rates are in effect, write us about them, and we will see that they get the lowest rates with the best service. Through tourist cars, personally conducted excursion cars, free reclining chair cars, in fact all the latest conveniences known to modern railroading. For particulars regarding rates, time, service, stop-overs, different connections and routes, etc., etc., call on or address B. H. Trumbull, Commercial Agent, 142 Third street, Portland, Or.

DO IT NOW—
Make inquiries regarding the best
route to take on that trip you are
contemplating this summer. The Canadian
Pacific Railway can offer greater
inducements to travelers than any other
route. The scenic beauties are unsur-
passed, the traveler passing through
the heart of the Cascade and Rocky
Mountain ranges during the day-time
—two days and one night of the grandest
scenery in the world—passing the
famous summer resorts and Hot
Springs at Field, Laggan, Sicamous,
Donald, Glacier and Ranft, and
through the famous farming districts of
Assiniboine, Manitoba, North Dako-
kota, and Minnesota. Making a trip
via this route and the beautiful pas-
senger steamers "Athabasca," "Assin-
iboine" and "Manitoba," across the
Great Lakes, the tourist avoids the
heat, dust and other objectionable fea-
tures of summer travel. First class
and Tourist Sleeping Cars. Dining cars
and Observation cars on every train.
For rates and other information, call
on or address F. R. Johnson, F. & P.
A. Canadian Pacific Railway, No. 142
Third Street, Portland, Oregon.

A JUVENILE SINGER—
A pleasing incident occurred last
Sunday afternoon in this city that
will be remembered for a long time by
those who were fortunate enough to be
the principal participants in it. The
Salem band was giving one of its con-
certs at the intersection of State and
Commercial streets, during the after-
noon, and were standing in the form
of a circle as is the usual position of
the players on such occasions. During
the production of the several num-
bers two boys, either of whom is not
yet 5 years of age, wandered into the
circle and began to keep time in a
manner that pleased the musicians
and also demonstrated that the little
fellows had ears for music. But this
was not all; as the band was in the
midst of a piece entitled "The News-
boy" one of the midgets quickly stopped
his dancing movements and began
singing the words of the song, his
sweet voice rising above the notes of
the instruments so sweetly that im-
mediately the musicians were attracted
and could hardly resist changing to
an accompaniment for the little solo-
list, who was none other than Master
Roy McIlwain, son of the proprietor
of the Capital bakery, on Court
street.

ALL NATURE SMILED—
Yesterday was a beautiful day. All
nature wore a broad and pleasing
smile, and most of the people ditto.
Such beautiful sunshiny weather puts
new life into the things that grow
from the earth, and it sets all the
creatures that move on top of the
earth, to moving with more energy.
The sunshine glows into the heart of
mankind and warms up the life of all
that are not dead to feeling. It makes
the blood course faster and quickens
the nerves. The sunshine of yester-
day brought the crowds out onto the
streets. The atmosphere was invigor-
ating—just a little crispness, a re-

minder of the damp days of the past
winter. It was one of the most pleas-
ant days of the whole year for wheel-
ing—no dust and the mud about dried
up—and the men and women who own
row wheels, were taking in large
long draughts of the ozone that ex-
pands the lungs and puts bloom on
the cheeks of beauty. The street cars
were well patronized. Such weather
is a good thing for the street railway
lines. Rainy days are good to force
the regular customers into the cars;
but the bright days bring people who
take long rides for pleasure, and
these fill the cars. It is a well known
fact among street railway men that
the excursion travel is the kind that
helps to pay dividends—the regular
travel may keep up the expenses. The
fine weather is appreciated by the
farmers, too, for it puts the ground
in condition for plowing and seeding,
matters that have been long delayed
by the many rainy days the past sev-
eral weeks.

DECISIONS OF SUPREME COURT

J. M. Huber, the Salem Baker,
Wins His Case.

SUED FOR TWO THOUSAND DOL-
LARS LOANED A FRIEND TEN
YEARS AGO—OTHER OPINIONS
HANDED DOWN YESTERDAY
AND TWO CASES ARGUED.

In the Supreme Court, yesterday,
several cases were decided. They are:
J. W. Huber, respondent, vs. C.
W. Miller, appellant; appeal from
Multnomah county, Hon. A. L.
Frazer, judge; affirmed. Opinion
by Associate Justice C. E. Wolverton.

This was an action to recover money
alleged to have been loaned to defendant
by the plaintiff, the well-known
Salem baker, who resides on Chemeketa
street. The complaint contains two
counts. The loaning of \$2000 on two
different dates in 1892, on which only a
portion of the interest had been paid and
no part of the principal. The answer
consisted of denials only. The
appellant relied for reversal upon
these points: First, his motion for a
nonsuit at the close of plaintiff's testi-
mony; second, his motion to direct a
verdict for defendant; and third, his
reference to the argument of plaintiff's
attorney in going over defendant's ob-
jection, outside of the evidence, adduced
and resort to personal abuse of defendant.
On the first two questions the testi-
monies was properly submitted to the
jury. On the question of abuse by
plaintiff's counsel the court in its opinion
says:

"By presiding over the trial and not
the bearing of the parties and wit-
nesses, and the testimony in detail,
and having in mind the full scope of
the case as it appears upon questions
of fact to be submitted to the jury, the
trial judge acquires exceptional facil-
ties and advantages for determining
whether excess in argument through
invective and abuse is being indulged in,
in, hence it is that the appellate court
will not disturb his ruling touching the
matter."

The remarks com-
plained of do not fall within the pro-
scription of the exceptions (noted in the
opinion), and we cannot, therefore,
disturb the discretion of the trial
court, although we are impressed that
it should have been exercised differ-
ently."

Barbara Stager, respondent, vs.
The Troy Laundry Company, ap-
pellant; appeal from Multnomah
county, Hon. A. F. Sears, judge;
affirmed. Opinion by Associate
Justice C. E. Wolverton.

This was an appeal from a second
judgment against the defendants in this
case. The action grew out of an
injury received by plaintiff, while oper-
ating an ironing machine in defendant's
laundry, where a guard plate for the
employee's protection had been re-
moved. The principal error relied
upon for reversal was the trial court's
refusal to instruct the jury to find a
verdict for the defense. The appellate
court finds that there was sufficient
evidence introduced, regarding negli-
gence of the defense, to justify the
case going to the jury for consideration;
hence no error was committed by
the court in giving or refusing to give
certain instructions, and the decision
is affirmed.

Other cases decided by the court
were:

In the matter of the guardianship of
Katie R. Wilson, Maggie F. Wilson,
Maurice B. Wilson and Enos I. Wilson,
minors. Orpha Cutting, as guardian,
and Katie R. Wilson, appellants, vs.
Fred Scherzinger, J. W. Helliesbrand,
T. J. Lucy, and G. H. Page, petitioners,
respondents; appeal from Tillamook
county, Hon. R. P. Boise, judge; af-
firmed. Opinion by Chief Justice R.
B. Bean.

Otto Johnson, respondent, vs. James
F. Temlinson, appellant; appeal from
Tillamook county, Hon. R. P. Boise,
judge; affirmed. Opinion by Chief Justice R.
B. Bean.

The case of F. Krause, et al., ap-
pellants, vs. Anton Mueller, et al., re-
spondents, was argued and submitted by
Ed. Mendenhall and Wallace Mc-
Cannan for respondent, no one appear-
ing for appellant.

In the case of Isaac White, appellant,
vs. W. M. Ladd, respondent, which was
also argued, Wirt Minor appeared for
appellant, and S. B. Linthicum for re-
spondent.

Minor orders were entered of record
as follows:

Edgar Propletton, respondent, vs. Geo.
W. Jones, et al., appellants; ordered on
motion that appellants' time to serve
and file their brief be extended to
May 1st.

F. C. Reed, appellant, vs. F. L. Dun-
bar, Secretary of State, respondent;
owing to the illness of the Attorney
General it is ordered on motion that
respondent have until May 1st to serve
and file his brief.

R. D. Hume, appellant, vs. Jesse
Turner, et al., respondents; ordered on
stipulation that appellant's time to serve
and file his brief be extended to May 1st.

A. L. West, respondent, vs. Thomas
Edwards, appellant; ordered on stipula-
tion that appellants have until May 1st

16th to serve and file their brief.

The Advance Thresher Company, ap-
pellant, vs. Addie C. Esteb, et al., re-
spondents; ordered on stipulation that appellant's
time to file a petition for rehearing be
extended to April 20th to serve and file a brief

C. E. Harmon, administrator, appellee,
vs. Charles Decker, respondent; ordered
on stipulation that appellant's time to file
a petition for rehearing be extended to April
20th to serve and file their brief.

Salem Flouring Mills Company, re-
spondent, vs. Wm. P. Lord, Governor,
et al., appellants; ordered on stipula-
tion that appellants have until May 1st
to serve and file their brief.

16th to serve and file their brief.

Scenery, costumes, electrical effects,
in act all the appurtenances necessary
to a complete production of "The Tam-
ing of the Shrew," are carried by the
James B. Delcher Company, who will
present Mr. Charles B. Hanford, and a
competent company including Miss
Helen Grantley in Shakespeare's immor-
tal comedy at the Grand Opera House
on Thursday, April 19th. The coming
revival of "The Taming of the Shrew"
will be one of the most pretentious on
tour this season.

There is no authentic news from the
Polk county oil well since the report
that it was struck. Come to think
about it, that was good enough news.
But the public would like to have the
particulars, fully confirmed.

The propositions to beautify Salem
are all right. But talking about beau-
ty, the hundreds of sweet faces under
the new Easter hats on Sunday last, in
Salem, ought to establish the reputa-
tion of the Capital City in this line.

DO YOU GET UP WITH A LAME BACK?

Kidney Trouble Makes You Miserable.

Almost everybody who reads the news-
papers is sure to know of the wonderful
cures made by Dr. Kilmer's Swamp-Root,
the great kidney, liver and bladder remedy.

It is the great medi-
cal triumph of the nine-
teenth century; dis-
covered after years of
scientific research by Dr. Kilmer, the emi-
nent kidney and blad-
der specialist, and is
wonderfully successful in promptly curing
lame back, kidney, bladder, uric acid trou-
ble and Bright's Disease, which is the worst
of kidney trouble.

Dr. Kilmer's Swamp-Root is not recom-
mended for everything but if you have kid-
ney, liver or bladder trouble it will be found
just the remedy you need. It has been tested
in so many ways, in hospital work, in private
practice, among the helpless too poor to pur-
chase relief and has proved to be successful in
every case that a special arrangement has
been made by which all readers of this paper
who have already tried it, may have a
sample bottle sent free by mail, also a book
telling more about Swamp-Root and how to
find out if you have kidney or bladder trouble.
When writing mention reading this generous