

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 GAIETY 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 Henie 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, McCormack blk., 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. 1, J. W. Haas, route inspector.

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

NEW CONCRETE WALK— A much needed improvement is being 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.

NEW BASEBALL TEAM— The Capital Business College boys have organized a baseball nine, to be known as the Capital Business College Team, and elected Geo. McCorkle as captain. They will be in readiness for a good game soon.

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 occasioned 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 1st.

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. Omatend received 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 decreed that the administrator be discharged from his trust and his bondsmen 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 Highlands, 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 trustee was held. D. Stewart, 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 Mumm was elected to fill the unexpired term of Mr. Aschenbrenner. John C. Shults 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 disfigured 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. 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 butter making among the farming class of the Willamette valley hereabouts, just now which gives promise of continuing 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 Wisconsin, is now one of the proprietors of the Capital City Creamery, at Salem, having purchased a one-third interest from George W. Weeks and H. E. Thielson, the promoters of the establishment. 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 considerably 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. It is the popular tourist route. The scenic beauties are unsurpassed, 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 Assinaboine, Manitoba, North Dakota, and Minnesota. Making a trip via this route and the beautiful passenger steamers "Athabaska," "Assinaboine" and "Manitoba," across the Great Lakes, the tourist avoids the heat, dust and other objectionable features 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. tf.

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 concerts at the intersection of State and Commercial streets, during the afternoon, 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 numbers 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 Newsboy" one of the midgets quickly stopped his dancing movements and began to sing the words of the song, his sweet voice rising above the notes of the instruments so sweetly that instantly the musicians were attracted and could hardly resist changing to an accompaniment for the little soloist, who was none other than Master Roy Mellwain, 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 all that are not dead to feeling. It makes the blood course faster and quickens the nerves. The sunshine of yesterday brought the crowds out onto the streets. The atmosphere was invigorating—just a little crispness, a re-

minder of the damp days of the past winter. It was one of the most pleasant days of the whole year for wheezing—and the men and women who own wheelchairs, and all others who could borrow wheels, were taking in large, long draughts of the ozone that expands 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 traveler 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 several weeks.

DECISIONS OF SUPREME COURT

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

SUED FOR TWO THOUSAND DOLLARS 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 Chemeke 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 testimony; 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 objection, outside of the evidence, adduced and resort to personal abuse of defendant. On the first two questions the appellate court holds that the testimony 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 noting the bearing of the parties and witnesses, 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 facilities and advantages for determining whether excess in argument through invective and abuse is being indulged in, hence it is that the appellate court will not disturb his ruling touching the matter. \* \* \* The remarks complained of do not fall within the prescription 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 differently."

Barbara Sizer, respondent, vs. The Troy Laundry Company, appellant; 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 operating an ironing machine in defendant's laundry, where a guard plate for the employe's protection had been removed. 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 negligence 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 Eros I. Wilson, minors, Orpha Cutting, as guardian, and Katie R. Wilson, appellants, vs. Fred Scherzinger, J. W. Hellebrand, T. J. Lucy, and G. H. Page, petitioners, respondents; appeal from Tillamook county, Hon. R. P. Boise, judge; affirmed. Opinion by Chief Justice R. S. Bean.

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

The case of F. Krause, et al., appellants, vs. Anton Mueller, et al., respondents, was argued and submitted by Ed. Mendenhall and Wallace McCammant for respondent, no one appearing 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 respondent.

Minor orders were entered of record as follows: Edgar Popleton, respondent, vs. Geo. W. Jones, et al., appellants; ordered on motion that appellants' time to serve and file their reply brief be extended to May 1st.

F. C. Reed, appellant, vs. F. L. Dunbar, 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.

16th to serve and file their brief. The Advance Thresher Company, appellant, vs. Addie C. Esteb, et al., respondents; ordered on motion and affidavit that respondents have until April 20th to serve and file a brief herein.

C. E. Harmon, administrator, appellant, vs. Charles Decker, respondent; ordered on stipulation that appellant's time to file a petition for rehearing be extended 20 days.

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

AN EXCELLENT ATTRACTION— Scenery, costumes, electrical effects, in act all the appurtenances necessary to a complete production of "The Taming of the Shrew," are carried by the James B. Decher Company, who will present Mr. Charles B. Hanford, and a competent company including Miss Helen Grantly in Shakespeare's immortal 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 beauty, the hundreds of sweet faces under the new Easter hats on Sunday last, in Salem, ought to establish the reputation 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 newspapers 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 medicinal triumph of the nineteenth century; discovered after years of scientific research by Dr. Kilmer, the eminent kidney and bladder specialist, and is wonderfully successful in promptly curing lame back, kidney, bladder, uric acid troubles and Bright's Disease, which is the worst form of kidney trouble.

Dr. Kilmer's Swamp-Root is not recommended for everything but if you have kidney, 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 purchase relief and has proved so successful in every case that a special arrangement has been made by which all readers of this paper who have not 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 offer in this paper and send your address to Dr. Kilmer & Co., Birmingham, N. Y. The regular fifty cent and dollar sizes are sold by all good druggists.

INSOMNIA

"I have been using CASCARETS for Insomnia, with which I have been afflicted for over twenty years, and I can say that Cascarets have given me more relief than any other remedy I have ever tried. I shall certainly recommend them to my friends as being all they are represented." THOS. GILLAND, Elgin, Ill.



Pleasant, Palatable, Potent, Taste Good, Do Good, Never Sickens, Weakens, or Grips, No. 25, 50c. CURE CONSTIPATION. S. C. STONE, M.D. PROPRIETOR OF STONE'S DRUG STORES. SALEM, OREGON.

The stores (two in number), are located at No. 235 and 297 Commercial street, and are well stocked with a complete line of drugs and medicines, toilet articles, perfumery, brushes, etc.

DR. STONE Has had some 25 years' experience in the practice of medicine, and now makes no charge for consultation, examination or prescription.

He does a cash business. He neither buys on time nor sells on time. Ledgers, journals, day-books, bookkeepers' bill collectors, and all the modern paraphernalia of credit drug stores, are unknown in his business, hence a full stock and correct prices.

YOUR FAITH will be as strong as Shiloh's Consumption Cure

and ours is so strong we guarantee a cure or refund money, and we send you free trial bottle if you write for it. SHILOH'S costs 25 cents and will cure Consumption, Emphysema, Bronchitis and all Lung Troubles. Will cure a cough or cold in a day, and thus prevent serious results. It has been doing these things for 50 years. S. C. WELLS & Co., Le Roy, N. Y. Kaff's Clover Root Tea corrects the Stomach

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