

The Kingdom Of the Useful...

Useful gifts are the best gifts. In choosing gifts for weddings, 14 the day or any gala event, remember our extensive stock of cut glass and silver table ware, which includes hundreds of things that combine utility and beauty. Priced at lowest possible rates.

BARR'S JEWELRY STORE

Cor. State & Liberty Sts.

Leaders in Low Prices

STEINER'S MARKET.

Chickens 3 cents per lb. Spring chickens—10@12c. Eggs—18c cash.

THE MARKETS.

PORTLAND, Or., July 14.—Wheat—Bluestein, 67c; Club, 6c. Tacoma, Wash., July 14.—Wheat—Walla Walla, 67c; Bluestein, 67c. San Francisco, July 14.—Wheat—Cash, \$1.15. Liverpool, July 14.—Wheat—September, opening, 72 3/4@73 1/2; closed, 72 3/4@73 1/2. Barley, 70@73c. Flax, \$1.45; Northwestern, \$1.70.

THE MARKETS.

The local market quotations yesterday were as follows: Wheat—66 cents. Oats—Nominal at \$1.05 per cental. Hay—Cheat, \$7.50; clover \$7.00; timothy, \$10; wheat, \$8. Flour—75 to 85c per sack; \$2.70 to \$3 per barrel. Mill Feed—Bran, \$18; shorts, \$20. Butter—16 1/2c per pound (buying); creamery, 30c. Eggs—18c cash. Chickens 5c per pound. Spring chickens—10@12c. Pork—Chest, 5@5 1/2c; dressed, 6 1/2c. Beef—Steers 3@3 1/2c; cows 3c; good heifers 4c. Mutton—Sheep, 2 1/2c on foot. Veal—4@4 1/2c, dressed. Potatoes—50c per bushel. Wool—Course, 14c; fine, 15c.

BALFOUR, GUTHRIE & CO.
Buyers and Shippers of
GRAIN
Dealers in
Hop Growers' Supplies
FARM LOANS
Warehouses at
TURNER, MACLEAY,
FRATUM, BROOKE,
SHAW, SALEM,
SWITZERLAND, HALSEY,
DERRY.
MFGRS. OF "ROYAL" FLOUR.
J. G. GRAHAM,
Manager
307 Commercial St., Salem.

FOUR APPEAL CASES ENDED

Supreme Court Hands Down Some Important Decisions

FAILURE TO PROVE EXISTENCE OF A CORPORATION PROVES DISASTROUS—THE CONTENT OF COURT CASES AGAINST O'DAY & TARPLEY REVERSED.

The Supreme Court yesterday handed down decisions in four cases, recently tried on appeal. They are:

Goodale Lumber Company, respondent, vs. W. A. Shaw, appellant; appeal from Marion county, Hon. George H. Burnett, judge; reversed and remanded. Opinion by Chief Justice F. A. Moore.

This was an action to recover on a promissory note for about \$400. At the trial the defendant questioned the corporate existence of the plaintiff, and a witness was introduced by plaintiff to prove that articles of incorporation had been prepared, and a copy of the articles were introduced in evidence over defendant's objection. The defendant filed a motion for non-suit which was overruled, and the case being submitted the court charged the jury that sufficient evidence had not been introduced tending to prove the existence of the corporation, and the jury returned a verdict for the plaintiff. The appellate court holds that a copy of the articles of incorporation, unsupported by other proof, was inadequate to prove the existence of the corporation; that a certified copy of the articles, as filed in the office of the Secretary of State and with the county clerk was required to prove their existence further, that it would be necessary to show that the stock of the corporation had been subscribed, and that a board of directors and officers had been elected. Hence, it is held that the trial court erred in instructing the jury that the document introduced was sufficient for that purpose. It is also held the court erred in refusing to grant the motion for a non-

MRS. FRASER'S Cut Price Alteration SALE

In about 10 days we expect to begin to enlarge the Leader Store in order to make room for the Boston Store stock, as we are now very much crowded in both stores. So we will have to begin to do some

Lively Selling which means the cutting of prices to the very lowest notch. Space will not permit us to quote all the great bargains, but the following prices are a few samples:

- 50c shirt waists.....25c
- 50c corsets.....25c
- 50c Lisle thread lace stripe hose.....25c
- 50c leghorn hats.....25c
- 50c sailor hats.....25c
- 50c ribbons.....25c
- 50c neckwear.....25c
- 50c parasols.....25c
- 50c white vests.....25c
- 15c wash goods.....9c
- 15c white vests.....9c
- 15c black hose.....9c
- 15c veiling.....9c
- 15c embroidery.....9c
- 15c baby bonnets.....9c
- 15c Chambray.....9c
- 15c ribbon.....9c

This is absolutely the **Cheapest Sale Ever in Salem** and we positively sell you what we advertise, and on account of the rush we will have we engaged several new sales ladies during this sale.

271 Commercial St.
Mrs. Fraser

suit, and the case is therefore reversed, and remanded for a new trial.

A. C. Hough, as administrator of the estate of Ernest L. Moon, deceased, respondent, vs. The Grants Pass New Water, Light & Power Company, appellant; appeal from Josephine county, Hon. H. K. Hanna, judge; affirmed. Opinion by Associate Justice C. E. Wolverton.

This was an action to recover damages for the death of Enoch L. Moon, who was a line man in the employ of the defendant corporation, and was killed while repairing a light wire in Grants Pass. The wires were dead when he began work on them, and negligence is charged by the plaintiff against the defendant, in not notifying the engineer at the light station to not turn on the current. While deceased was working on the wire the current was turned on and defendant killed. The defense testified that word had been sent by a notified rider to the power house not to turn on the electric current, but it was received too late by the engineer. It was shown that the usual mode of communication was by telephone, but this was not used on this occasion. The court holds, where the negligence of the master is combined with the negligence of a fellow servant in producing the injury which would not have happened but for the negligence of the master, and the person injured is himself free from negligence, the negligence of the fellow servant will not relieve the master from liability for the injuries so received. The appellate court, therefore, affirms the decision of the lower court.

Ellis G. Hughes, appellant, vs. Charles E. Ladd, and F. B. Prax, respondents; appeal from Multnomah county, Hon. J. B. Cleland, Alfred P. Sears, Jr., and M. C. George, judges in joint session; affirmed. Opinion Per Curiam.

This was a suit by Ellis G. Hughes to

compel Charles E. Ladd to pay and discharge two certain promissory notes, one of which was executed by Hughes, Ladd and other persons, composing the finance committee of the Chamber of Commerce, as joint makers, and the other by the Chamber of Commerce, the payment of the latter guaranteed by the finance committee. The controversy grew out of transactions connected with the erection of the Chamber of Commerce building in Portland. The contention of Hughes was that, as between the parties to the notes, he was a surety, and entitled to have Ladd as principal exonerate him by paying the obligations. The appellate court, in discussing the contention and the case says:

"We find no basis for such a contention in the record, but deem it unnecessary to state at length the reasons for our conclusion. The case was tried before the judges of the Circuit Court of Multnomah county, sitting in banc, and an elaborate and carefully prepared opinion, covering the whole ground, was filed by Judge Cleland, in behalf of himself and associates, with the reasons and conclusions of which we are entirely satisfied. It would be useless labor, therefore, for us to go over the same matters again. It is sufficient to say that, after an examination of the record, we are all agreed that the decree should be affirmed."

State of Oregon, respondent, vs. Thomas O'Day and L. H. Tarpley, partners as O'Day & Tarpley, appellants; escheat case and contempt case; appeal from Multnomah county, Hon. John B. Cleland, judge in escheat case, and Hon. Arthur L. Fraser, judge in contempt case; reversed. Opinion by Associate Justice R. S. Bean.

This was a case to settle an estate. P. C. McCann died in Multnomah county, and the county court appointed J. S. Cooper as administrator. He administered the estate, consisting of personal property, and filed his final account, when he was removed and John F. Logan appointed. A few days later an information was filed in Judge Cleland's court, for a decree escheating the estate to the state, alleging the death of McCann without heirs. The court, interested in all persons interested to appear and show cause why the estate should not be escheated, and summons was served on Cooper and Logan, but on no one else, and Logan answered. Later the county court ordered the distribution of the estate among the heirs, and it was transferred to O'Day & Tarpley, attorneys for the heirs. On the following day a receiver was appointed in the escheat case, and notice was served on Logan and O'Day & Tarpley. A receiver was appointed, and O'Day & Tarpley were ordered to turn over to him all the property received from the administrator, which they refused, and an information was filed before Judge Fraser, and they were adjudged in contempt, and ordered imprisoned until they complied with the order of the court and they appealed. The appellate court holds in effect, that the county court had full jurisdiction to determine who are the heirs, and the escheat law cannot interfere with the jurisdiction of the county court in probate matters. In view of this, the judgments of the lower court are reversed.

The case of the Salem Light & Traction Company, respondents, vs. F. H. Anson, appellant; an appeal from Marion county, was argued and submitted by G. G. Bingham for respondent, and Tilmon Ford and W. T. Statar, for appellant.

Minor orders were made as follows: C. H. Abernathy et al., respondents, vs. Iri Orton, appellant; ordered on stipulation that respondents have until September 1st to serve and file their brief.

Oregon Land & Construction Company, respondent, vs. Allen Ditch Company, appellant; ordered on motion that respondent have 15 days additional time to petition for modification of the decree.

M. S. Crossan, respondent, vs. E. W. Oliver, appellant; ordered on motion that appellant's time to file petition for rehearing be extended 30 days.

M. A. Lawrey, respondent, vs. Henry Y. Sterling, et al., appellants; ordered on motion that appellants have 30 days additional time to file a petition for rehearing.

Tilmon Ford, as executor, plaintiff, vs. A. T. Gilbert, et al., defendants, Henry B. Thielson, appellant, and Claud Hatch, receiver, et al., respondents; ordered on stipulation that respondents have until September 1st to serve and file their brief.

Pacific Coast Biscuit Company, appellant, vs. G. A. Dugger, respondent; motion for an extension of time to serve abstract and brief in behalf of appellant taken under advisement.

DEEDS RECORDED.

Six real estate transfers were filed in the county recorder's department yesterday, the consideration aggregating \$2284, as follows:

J. K. Smith and wife to Joseph N. Smith, lot 14, of Sunnyside Fruit Farm No. 8, 10 acres, w. d. \$1000

Wm. Eldredge, 41 acres in section 31, T 5 S, R 2 W, w. d. 700

Robert E. Johnston and wife to John and Theresa Zoller, lots 1 and 2, block 23, of Gercais, w. d. 350

Julius Fisher and wife to J. P. Guild, lot 5, of Johnson's addition to Silverton, w. d. 125

N. S. Brown and wife to Abbie G. H. Davis, lots 1 and 2, block 16, of Whitney's addition to Stayton, w. d. 100

B. B. Colbath, sheriff, to D. E. Swank, east half of block 4, of Amsvillie, s. d. 7

A HIGH DIVE.

WHEELING, W. Va., July 14.—In full view of several hundred people, Theodore McGraw, a messenger boy, has jumped from the suspension bridge over the Ohio river, a distance of 150 feet, for a paltry sum. A professional high diver had failed to appear, whereupon young McGraw, who was one of the assembled spectators, quietly announced he would make the leap, mounted the rail and dropped off. He disengaged a skirt that hurried to him, and swam the 50 yards to shore, landing without a bruise.

CURE DRINK HABIT.

TERRE HAUTE, Ind., July 14.—State Factory Inspector McAbee has sent a circular letter to the larger manufacturing concerns in the state recommending that they provide bathing facilities for the employees. He cites the beneficial results from such a course at Michigan City, and says a bath after a day's work will do much to remove the desire for stimulants.

THE DAIRYMEN VISIT SALEM

Pure Food Congress Made a Short Stop Here Yesterday

THE EASTERN MEMBERS OF THE PARTY WERE DELIGHTED WITH WHAT THEY WITNESSED—HARRIMAN LINES' REPRESENTATIVES TO BE IN SALEM TONIGHT

Fifty-two officers and members of the Pure Food and Dairy Congress, of the United States, who have been holding a session in Portland during last week, passed through this city yesterday afternoon in three special cars, attached to the regular north bound overland, bound for Portland. They left Portland yesterday morning, to make a short circuit of the Willamette valley, going up the west side to Corvallis where they were feasted. Crossing over to Albany on the Corvallis & Eastern railway they made connections with the afternoon overland for Portland. A banquet has been prepared for them by the Commercial Club of Portland, which took place last night and the party expects to depart from there this morning on their return East.

President H. B. Thielson, Secretary N. J. Judah and Scott Bosworth, of the Greater Salem Commercial Club, met the train at the station and extended greetings to the party and spoke several good words, incidentally, for Salem and her surrounding country. They also took a supply of the pocket folders, setting forth a brief description of Marion county and its resources, recently compiled and issued by the Club, and made a generous distribution of them among the members of the party and which were thankfully received.

A Statesman reporter was introduced to a number of the most prominent members of the party all of whom were visibly impressed with the wonderful beauty and the vast expanse of practically undeveloped resources and were very candid in their expressions of genuine surprise and pleasure. They were all very much taken up with Salem, with what meagre glimpses they gained in passing through, and expressed their regrets in not being able to stop off for a visit.

"The people of the East," said one enthusiastic member, "are hungry for information regarding this country, and every little leaflet or article in the newspapers, which has any reference to it, is 'gobbled' up and eagerly devoured. Why, if the people back there had any idea of what a truly wonderful country this is, could see and learn what we have, this valley would be literally swarmed with prospective settlers."

Prominent Visitors.

W. E. Coman, General Agent, and George M. McKinney, Immigration Agent, and staff, of the Southern Pacific Company, will reach this city on the 4:34 train this afternoon. It is the desire of these gentlemen, in the interest of Salem and the Willamette valley, to meet the Greater Salem Commercial Club, the mayor, officers and aldermen of this city for the purpose of a brief general conference on immigration matters and to this end there will be a meeting of the Greater Salem Commercial Club, at the city hall, at 7 o'clock, this evening, at which time a place it is hoped that all officers and members of the club, now in the city, will be present as well as Mayor Bishop and the members of his administration.

It is an opportunity fraught with advantage to Salem and there should be no lack of interested citizens to meet the enterprising agents of the railway company who are here for the good of Salem as well as for the interests of the great corporation they represent.

STRIKE AT ROSEBURG

MEN EMPLOYED ON STREET WORK DEMAND SHORTER HOURS AND MORE PAY.

ROSEBURG, July 14.—Union No. 9952, of this city, instituted a strike Saturday, among the teamsters and other laborers employed by Contractor F. J. Blakely, in the stone improvement work. Of the 51 men employed about four-fifths quit work. 80 per cent of all were union men. Those remaining at work will be induced to join the strikers. The cause of the strike was the refusal of the contractor to meet the demand for a raise in wages and an eight-hour day's work. Teamsters and teams have been receiving \$3 a day of 10 hours, and laborers \$1.75 for the same length of time. The schedule presented and refused by Contractor Blakely is as follows: Man and team, 3 1/2, eight hours to constitute a day's work; men employed as finishers, \$2.50 for eight hours; subforemen, \$3, eight hours; common laborers \$2 for eight hours.

Regarding the strike and the price asked, Mr. Blakely says: "Before setting my price in connection with a bid in the street improvement work, I made an investigation as to the cost of labor here and fixed the amount accordingly. I employed these men at the previously learned rate of pay, which they willingly agreed to accept. I fully recognize their union, but in the face of the previous understanding as to their permanent rate of pay, I cannot raise their wages. The street improvement work will be pushed right along and completed within the time stipulated in the contract."

Although the matter is the occasion of some comment among citizens, there is no special public interest manifested.

BOSTON'S GRAIN EXPORTS.

NEW YORK, July 14.—Up to date there seems to be no improvement of the conditions in grain exportation from this city, says a Boston special to the Times. Many of the large ocean liners which make this port are leaving without an ounce of cereal. The steamships that have left during the past week carried out only 170,000 bushels, compared with 351,000 in the same week a year ago.

Legal Blanks, Statesman Job Office.

Second Hand Bicycles

We have them from \$5.00 up to \$17.50

All in A1 shape. This rainy weather of the last two days has enabled us to put several of these in good shape. If you are in need of a bicycle call in and look them over

Shipp & Hauser

In the meantime don't forget we are in the

Bicycle Repair Business

Rambler BICYCLES

\$35.00 and \$40.00

Bicycle Sundries of all kinds.

Shipp & Hauser

258 Commercial St.

WALDO HILLS COAL MINE

Drilling for It on the Blair Forward Place Still Goes On

L. H. McMAHAN DENIES THAT INDICATIONS OF OIL HAVE BEEN FOUND, BUT IS HOPEFUL OF DISCOVERING A GOOD VEIN OF COAL.

The drilling for coal on the Blair Forward place, near Willard, is progressing quite favorably for all concerned and up to last evening a depth of about 425 feet had been reached and, while the indications are all that could be wished for or were expected, as yet nothing has been brought up which insures the striking of coal, oil or other valuable mineral products, but the promoters are in no wise discouraged for they have every reason to believe that their efforts will be rewarded. The Silvertonian, of Friday, July 11th, issue, has the following to say about the venture:

"We visited the Blair Forward farm, where a drill has been working the past week, last Sunday. The men who are engaged in the enterprise certainly mean business. They have on the ground a fine power drill, a ten horse power boiler and all kinds of tools.

"The shaft is being sunk about two hundred yards below the old coal tunnel on the opposite hill-side. The drill has not moved since last Saturday noon. All specimens of ore have been gathered up and it is impossible for one to know what has been found. Two oil experts were on the ground last Sunday and from all indications, and reports oil has been found.

"We were told that last Saturday night oil was flowing from the pipes, but we give the report for what it is worth. But they have evidently found something, as the drilling company has a contract to drill 2000 feet and they have drilled only 250 feet. They would not stop at this depth unless either oil or coal in paying quantities had been discovered. If oil has been found, as reported, Silverton will boom as it never boomed before. The report is almost too good to be true, but if it is true—"

The above article was submitted to L. H. McMahan, of this city, one of the prime movers in the enterprise, for his perusal, and when asked for a confirmation or at least a statement upon the matter, said:

"The drill is down 425 feet in sandy clay rock, or conglomerate in which clay predominates. We have neither found oil nor any indication of it, nor have we found coal. So far, we have found nothing that is prohibitive and somewhere between where we are and China there may be coal, or even oil.

"This proposition is simply a gamble and we may win or we may lose. At present we are paying out about \$100 per day and our only show to get that back is to strike coal or oil. As for oil we have but little, if any, hopes of striking it. It is a popular delusion that oil goes with coal. The fact is, oil is not found in coal strata.

"All we know about this venture is that there is a superficial vein of good coal

in the hills on each side of where we are going down. This indicates that there may be lower down, coal in sufficient quantities and of a quality to pay for mining. If there is, we will find it and develop a mine. If there is not we will foot the bills and not lose any sleep over the failures."

LETTERS FROM MANY CRANKS

Governor Geer Is Asked to Grant Tracy a Full Pardon

THE WRITER PRAISES THE OUTLAW TO THE SKIES, AND EVIDENTLY CONSIDERS HIM VERY MUCH INJURED—QUEER PROPOSALS MADE TO GOVERNOR.

Gov. T. T. Geer is daily in receipt of letters regarding Tracy, the escaped convict-murderer, and they propose all kinds of things. Most of these communications criticize the manner of pursuit, and many of the writers desire their expenses advanced for the chase, and they agree to go out and run the murderer down, the expense money to be deducted from the reward. A man giving the name of "Paul Kruger," of The Dalles, is among those writing the Governor in this connection. A peculiar communication was received from one man recently, who proposed to go on the trail of Tracy for \$100 per month, and asked the Governor to give him the contract, but imposing the condition that all other men be taken off the trail of the fugitive immediately.

But the strangest letter received by the Governor was one coming to hand yesterday. It is a typewritten letter, on a neatly printed letterhead bearing the following: "Seattle Hygienic Sanitarium, incorporated under the laws of the State of Washington, 2399, H. T. Turner, M. D., President; Dr. H. B. P. Barry, Secretary; 66 and 67 Hincley Block, Seattle, Washington, Telephone Blue 525."

Following is a verbatim copy of the letter:

"To Governor Greef of Oregon
"Your Excellency. The so called Outlaw Harry Tracy, who so conducted himself in and around Seattle as to have gotten the sympathy of the great mass of the thoughtful people of this City. On every side we hear the expression 'Tracy is a brick. He is a jewel, a persecuted man who has abilities that should not be hunted by Blood Hounds and Bounty seekers, dead or alive.' The expression is in every one's mouth that he has committed no murder, has killed only in self defence, that the Winchester that he carries, is one he got from the guard at the Penitentiary, that no guns were smuggled into the prison as reported, that he has done no more than any man would do if he had the ability. There is no question but that he is a very remarkable man, whose ability has never been known before in the history of the world.

"Why not issue an edict of pardon for him and place him in some responsible position where his qualifications and ability can be put to use for the benefit of humanity? He will fully appreciate the position and opportunity; and that big Heart of his, and great Soul would be a great benefit to the race; perhaps as a detective."

"In discussing this possibility on your part with some of our business men, one suggested that it would be a bad precedent to establish and place before the world. My answer was, 'universal good to his fellow men. This I believe is your great opportunity. Very Respectfully Yours
"H. T. TURNER, M. D."

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., call on or address B. H. Trumbull, Commercial Agent, 142 Third street, Portland, Or.

BACK IN SALEM.

F. S. Stewart, a former Salem boy, bids good-bye to Spokane, is again in the city on business. Mr. Stewart started with the Chicago Portrait Company about five years ago as solicitor, and is now road manager for Oregon, Washington, Montana, Idaho and Utah. He has recently had a promotion by having more territory added to his management which necessitates a larger force of men to operate it properly. He says that this offers to a very young man of ability and energy a very lucrative position and rapid promotion. Some of his men are now clearing from twenty to fifty dollars per week. He will be at the Cottage Hotel until 4:30 p. m. today and will be glad to explain the working of the company to any who desire to accept of a position with them. He has worked himself to the head of the business by close application and he says there are many positions equal to his to be filled by competent persons who are willing to make the effort.