

ATTORNEYS IN GILBERT CASE

Make Claim for Their Fees Before State Circuit Court

SEVERAL PROMINENT LAWYERS TESTIFY AS TO THE REASONABLENESS OF THE CLAIM AND THE VALUE OF THE SERVICES RENDERED—NEW SUIT FILED.

(From Saturday's Daily.) In the second department of the State Circuit Court the claim of Brown & Wrightman, for \$6,500 attorneys' fees in the case of Ford vs. Gilbert came on for hearing yesterday afternoon and, several witnesses were examined, but the case was continued over until 10 o'clock this morning.

On the part of the claimants only four witnesses were examined, including the deposition of Attorney Charles H. Carey, of Portland, and J. N. Brown one of the claimants. The principal witness on the part of the claimants, during yesterday's session, was Hon. W. H. Holmes, testified as to the reasonableness of the claim. Mr. Holmes testified that he considered that a reasonable fee for the case of Emma Johnson vs. Ford and Gilbert, in the United States Circuit Court would be \$2,000; in the United States bankruptcy proceeding he thought that \$2,500 would be about right, and in the present suit, in the State Circuit Court, he placed the fee at \$500. John Bayne also testified on the part of the claimants, but not as to the reasonableness of the claim.

The last witness examined was W. T. Slater, for the creditors, the substance of his testimony being that he and W. M. Kaiser, as attorneys for the defendant, Timon Ford, as executor of the estate of Wm. Cosper, deceased, in the bankruptcy suit in the United States Circuit Court, did most of the work toward defeating the petition for bankruptcy. The case will probably occupy the attention of the court until noon today before it is submitted.

A WALLA WALLA MAN TELLS OF HIS EXPERIENCE AT THE STATE FAIR—HE WAS PLEASED.

(From Saturday's Daily.) The Walla Walla Union, in a recent issue, says of the return of a horse-man from the State Fair in this city:

Flushed with victory and carrying a lame leg, contracted in attempting to lead a train where the crowd was the thickest, Judge Thomas H. Brents yesterday returned from the Oregon State Fair at Salem. The speedy little horses that have made the Brents stables famous all over the Northwest did not come back to Walla Walla, but are spending the present week in Portland and will go there to race at North Yakima, Spokane and Lewiston. Judge Brents is well pleased with the splendid showing made by his horses and declares them to be "the only equines on the turf." He says the Salem Fair was a splendid success in every way and that the stock show was the best he has ever seen. To a reporter for The Union, Judge Brents said:

"If the Walla Walla valley fruit fair has as many people as assembled to witness the Oregon State Fair at Salem, this city will be completely snowed under. There were banks of people on every hand and standing room was at a premium. At the race course people would go into the grand stand and never leave it all day. They would munch sandwiches brought to them by messenger boys rather than go out to get their meals, for they knew that if they once gave up their seats they would never get them back again.

"In the stock show I got a ribbon for each of my colts and that is better than many another who entered stock. Thus far this season Helen Norte has won \$900, although I have not as yet been able to collect it all. The only race in which any of my colts were entered and failed to get a place was on Friday, when Belladi was hurt and the flag dropped before she reached it. The horses will be brought back here to winter and will train next spring at the local track.

"There was the finest collection of stock on display at the Salem Fair that I ever had the pleasure of viewing. It was wonderful the splendid cattle and horses exhibited there. I heard many from the East declare they had never seen anything like it.

"Yes, I came back with a limp. The crowds were so great that the people lined up and fought for places on the trains back to the city. I was in one of those battles and received an honorable wound. A man tried to kick me out of his way. I got hurt, but I caught the car."

THE HAULING OF GRAIN

MANY FARMERS HAVE COMPLETED THE WORK OF STORING WHEAT—A SHORTAGE.

(From Saturday's Daily.) Grain has been moving into the city warehouses since harvest, all of the farmers having secured all of the teams and help available in order to get their grain in before the rains set in. The greater portion of the wheat has already been hauled in and many of the farmers have preferred to store their grain upon their farms for various reasons.

A great deal of disappointment has been expressed as to the yield, which has fallen considerable short of what

was expected before and during the early part of harvest, and as nearly as can be estimated at present, the total yield will fall short of last year's crop at least 2 per cent.

There is very little of interest in the local wheat market, in fact, there is practically nothing doing as, at the price the market offers, about 53 cents, the farmers are not disposed to sell, and stock is changing hands very slowly, and what sales are made are of a compulsory nature.

OPENING OF THE SCHOOLS

City Supt. L. R. Traver's Plans for the Coming Year

TEACHERS ARE ASSIGNED TO THE SEVERAL SCHOOLS BY THE NEW SUPERINTENDENT—HOW HE PROPOSES TO BEAUTIFY THE GROUNDS.

(From Saturday's Daily.) City Supt. L. R. Traver, of the Salem public schools, has perfected his plans for the winter's work in the schools, and he expects to have all in readiness for the opening day, next Monday, to begin the best and most successful term of school ever enjoyed by the people of this city.

One of the new city superintendent's most ardent desires is to have the school grounds of the different schools improved and beautified, and he proposes to inaugurate a campaign with this end in view, believing that with little trouble and expense, the spacious grounds around the buildings can be beautified in a manner that will add attractiveness to the schools, and will result in practical instruction for, and in the development of a taste for the beautiful with the pupils. His plan is to plat the grounds, and apportion the several plats among the various grades, the pupils of each grade to improve and beautify the plats in competition with the other grades. The good natured strife to excel will not be barren, he argues, while the practical knowledge gained by the pupils in caring for public grounds will be of great benefit not only now but in the after life of every child in the schools. The superintendent is now taking steps to inaugurate his plan early in the school year, and his efforts will doubtless meet the approval and hearty cooperation of the school board and the patrons and parents generally.

Superintendent Traver has assigned the teachers to the several schools, ready for the work beginning next Monday morning. He himself will have his office and headquarters in the East school building, and while he will not regularly teach classes in the schools, will have general supervision of the entire system.

His assignment of the teachers to their work is as follows: East School—W. J. Crawford, principal; Misa Geer, Clara G. Scott, Emma Kramer, Ethel L. Rigdon, Margaret J. Cosper, Pearl L. Applegate, Julia McCulloch, Ethel Fletcher, D. Gans, Anna Gover and Allena Mellen, assistants. North School—L. H. Baker, principal; Maude Meyers, Orville Ballou, Myra Nichols, Ella L. Welch, Miss Nellie Colby, assistants. North School—J. S. Graham, principal; N. Adda Hart, Mrs. C. M. Ogle, Nellie Starr, J. Litchfield, Annie M. Gordon, Ida Miller, assistants. West Park School—W. M. Smith, principal; Minnetta Magers, Ermine E. Bushnell, Hallie C. Thomas, Bertha Ketchum, Mrs. L. H. Van Winkle, assistants. Central School—Mrs. Alice H. Dodd, principal; Marie F. D'Arcy, Anna Fischer, Bertha G. Byrd, assistants.

MILLIONS IN CAPITAL

A BIG OIL COMPANY FILES ARTICLES OF INCORPORATION YESTERDAY.

(From Saturday's Daily.) In the State Department yesterday two new companies were incorporated by filing articles. They were:

The Twin City Oil Company will secure and develop petroleum, asphalt and coal lands, and mining properties of all descriptions, and will do a general oil mining and development business, and deal in the products of the lands and mines. The headquarters are in Portland, and the capital is \$1,500,000, with shares at \$1 each. John F. Evans and A. C. Vaughan are the incorporators of record.

The Thompson Harrowjack Company will engage in the manufacture and sale of harrowjacks and other agricultural improvements, with headquarters in Moro, Sherman county. The company has a capital of \$5,000. N. W. Thompson, R. J. Ginn and W. H. Moore are incorporators of record.

EVEN A STOIC GROANS

Under the torment of neuralgia, when every nerve in face or limb throbs and jumps, Philosophy cannot endure this agony, but Perry Davis' Painkiller relieves it. Bathe the parts affected freely, keep them warm and do not expose yourself to marches right along. Medical science has not found the equal of Painkiller in the treatment of neuralgia.

A RUNAWAY ENGINE.

LIVINGSTON, Mont., Sept. 26.—A runaway Northern Pacific engine on the mountain grade near here this morning, crashed into another engine bound in the opposite direction in which Engineer Owens was fatally burned, and Fireman Hose seriously injured.

CASTORIA. The Kidney How Always Bought. Bears the Signature of Dr. J. C. Hutchins.

PARDONS ARE IN DEMAND

Three Petitions for Executive Clemency Have Been Received

TWO PORTLAND BOYS SERVING TIME FOR BURGLARY, AND J. H. GATES FOR FORGERY, WISH TO BE RELEASED FROM PRISON.

(From Sunday's Daily.) Gov. T. T. Geer yesterday received three petitions for pardons. They are in the cases of two men sent to the Penitentiary from Multnomah county for burglary. The story of the crime is that H. S. Warriner and Louis Level, broke into a toolhouse in Portland, and took therefrom some tools, which Warriner claimed were his own.

In the case of Level, it is represented that he did not know that his action was a crime, that he merely assisted a friend to secure the latter's tools for use the next day, and when indicted and brought into court and under advice of some of his family, he pleaded guilty, thinking he was only charged with minor delinquency. He had no attorney when in court, and was sentenced to two years in the Penitentiary. It is shown that the young man comes from an industrious, hard working family; that his father, an old Union soldier, is in feeble health, and requires the aid of his son; that the prisoner has a good record in the prison, and it is asked that he be pardoned. The brother of the prisoner was before the Governor yesterday, presenting the petition and pleading for the prisoner's release. The petition is accompanied by a letter from Judge A. L. Frazer, the sentencing judge, recommending clemency, and setting forth the facts that the circumstances surrounding the case were unknown to the court at time of passing the sentence. The petition is signed by the following residents of Portland:

W. Strahlman, I. Fleischner, W. Harris, A. Haglund, J. G. Meybraun, Jack King, W. A. Wiss, Burton F. Kirkland, P. E. Winklebeck, E. E. Page, C. C. Cline, John Grant, Alex McDonald, B. Fosdick, J. Work, George H. Durham, Matt Troy, The Stephenson Co., by H. L. Stephens, Leon S. Rosenblatt, Herman Grammel, M. Murdoch, S. C. Spencer, E. M. Sargent, F. C. Geer, R. A. Haber-sham, F. X. McAtee, W. A. Hopper.

In the petition for Warriner's pardon it is urged that he was young and inexperienced when he committed the deed, and that he secured the tools for the purpose of equipping himself for a job of work that had been promised him in case he had the necessary tools. It is further shown that he is the only son of a widow upon whom the mother depended for her support, and his release from prison is urged in the hope that he will have an opportunity to re-establish himself as a man and a citizen. The petition bears among others the names of the following well known citizens of Portland:

I. W. Pratt, Joseph Simon, George H. Hill, W. D. Fenton, P. S. Malcolm, J. M. Hudson, G. M. Wells, G. M. Hyland, Henry Roe, B. G. Whitehouse, Donald Mackay, Sig. Sichel, Dell Stuart, F. H. Alliston, E. Everett, G. W. Hazen, J. M. Long, Alex Sweek, M. L. Pises, S. C. Spencer, W. T. Young, C. H. Gantenbein, C. J. Schnabel, J. G. Mack, C. A. Dolph, Russell B. Sewall, R. R. Giltner, R. W. Hoyt, Eugene D. White, Chas. Feldenheimer, Charles Hussey, J. Thorburn Ross, H. H. Northup, L. G. Clarke, Phil Met-schan, Max Meyer, J. W. Cook, L. F. Chumjian, L. C. Henriksen, Jacob Meyer, Solomon Hirsch.

A petition was also received for the pardon of John H. Gates, formerly a resident of Woodburn, who is serving a term in the Penitentiary from Lane county, having been convicted of forgery. Gates will be remembered as having cut a quite a figure in a sensational \$1,500 deal during the last session of the Legislature, while acting as clerk of the janitors at the Capitol. Among the names appearing on his petition for a pardon are the following:

J. H. Settlemier, J. M. Poorman, Walter L. Toomey, O. D. Henderson, W. P. Pennebaker, A. E. Austin, J. H. Cornwall, J. A. Austin, J. H. Mack, W. F. Miller, S. I. Guiss, R. H. Scott, Geo. W. Schiede, F. C. Prevost, H. L. Moore, L. W. Newsam, J. L. Storey, C. A. O'Leary, E. P. Morcom, H. Overton, A. S. Auterson, Grant Corby, A. Barshan, P. L. Ken-dall, J. H. Broyles, W. H. Broyles, D. H. Bromhoff, Chas. H. Mosher, Chas. C. Hall, Chas. L. Ogle, G. W. Whitney, S. E. Hargis, Fred W. Wendell, M. Hicks, S. B. Brown, John S. Carroll, Benjamin Brown, Walter Scott, J. G. Reeves, O. S. Pomroy, B. McKee, C. O. Boynton, L. Walker, D. S. Linzey, Joe Engle, Allie Engle, J. H. Hogsett, Z. Broyles, E. T. Moores, J. G. Moore, A. M. Shaw, H. D. Brown, W. H. Rogers, S. C. Mills, John Haze, James Gow, J. C. Gow, C. H. Trask, A. L. Prevost, G. U. McGuire, J. A. Knight, W. E. Finzer, J. R. Lowden, George Lowden, H. T. Hayes, S. Tomlinson, M. G. McCorkle, Lewis Prevost, T. M. Humphreys, H. L. Gill, S. M. Wilcox, C. P. Whitman, R. A. Moshberger, C. W. Corby, W. P. Hall, J. J. Hall, A. W. Bennett, E. H. Wright, Wm. Simpson, Fred Doo, T. O. Strang, F. W. Settlemier, Jesse Jobson, B. F. Hall, H. E. Cole, John Whitney, O. A. Moshberger, Wm. Parker, Ernest Armes, Wm. Meehan, A. W. Amundson, Herman Van Dusen, A. Dawson, P. A. Cochran, Jacob Ogle, Amos Beach, J. A. Whitney, W. W. Engle, James Forbis, S. F. Berry, M. Hicks, John A. Carson, L. H. McMahon, W. W. Hall, F. W. Durbin, E. B. Col-bath, Jno. G. Bates, T. A. Howard, J. Reas, T. H. Mitchell, H. C. Roche, A. Schwabam, G. M. Hall, Eugene Moshberger, A. Wood, Frank Daver.

OUT OF POLITICS.

WASHINGTON, Sept. 26.—Acting Secretary Sanger has issued a circular to the officers and employees of the War Department, warning them against political assessments and the partisan activity of officers.

CULINARY CLIPPINGS.

Eggs with innatoes are tempting. Poach as many eggs as are needed; put

them on a hot platter; cover with hot tomato sauce; sprinkle over grated cheese and put into the oven until the cheese is melted; serve hot.

AFTER MANY YEARS.

SAN FRANCISCO, Cal., Sept. 27.—The British ship Claverdon, 215 days from Hamburg, on which 60 per cent re-insurance was paid, arrived tonight.

TENDERED TO ALGER.

SAGINAW, Mich., Sept. 27.—Governor Bliss tonight tendered the United States Senatorship, made vacant by the death of James McMillan, to General Russell A. Alger, ex-Secretary of War.

A LABOR CANDIDATE.

BUTTE Mont., Sept. 26.—A special from Helena says, Martin Dee is the nominee for Congress of the Labor Party. The State Convention chose him at the closing session this morning.

ADVERTISING THE STATE

The Immigration Movement Toward the Willamette Valley

SALEM IS TO BE CONGRATULATED FOR GETTING OUT THE FIRST ADVERTISING MATTER TO THE HARRIMAN BUREAU—POSTAL CARDS ANSWERED.

(From Sunday's Daily.) The approaching winter and spring will see an immigration movement toward Oregon, and especially to the Willamette Valley heretofore unknown in the history of this region. For years Oregon has been looked up and talked about in the Eastern States and Middle West as a country of vast resources and of delightful climate. Chance visitors have written about it, but there has been no systematic advertising campaign. Prospective immigrants have been deflected into the better advertised, though really less desirable parts of Washington, the glories of which the Northern Pacific and Great Northern Railways have advertised to the world for years. They have kept a standing invitation for the agriculturist to settle there. Washington has been filled with a highly prosperous and contented people almost wholly through the invitation of the railroads.

With Oregon the case has been different. The O. R. & N. has kept up an immigration bureau in a desultory sort of way for some years, and has succeeded in materially adding to the population and wealth of the country along its lines; but the great Willamette valley and the country of Western Oregon has been almost totally neglected. The Southern Pacific, under its former management, followed out the policy of its dominating spirit by "charging all the traffic would bear" on the products shipped out and supplies shipped in, with no apparent desire to have more people come into the country along its Oregon lines. What advertising it did was for California.

With the advent of the new administration of affairs of the road—the domination of the Union Pacific, the O. R. & N. and the Southern Pacific by Mr. Harriman—a change has come. It is the policy of the Harriman lines to build up the country through which they pass, and to this end an immigration bureau has been established with headquarters in Chicago, which will seek to induce those in search of homes to come to Oregon. The bureau will advertise the country as a whole, and have asked the people of the various communities in this state to issue supplementary advertising matter setting forth the advantages of each as a place of residence. The people of Salem, through the Greater Commercial Club have agreed to furnish 100,000 pamphlets descriptive of this section, and 20,000 of them have already been shipped to Chicago, the railroad accepting them at the depot in Salem, and forwarding them without charge, and forwarding, both in subject matter and from an artistic standpoint, are commendable. This is the first lot of advertising matter to be received by the bureau from Oregon, and Salem is to be congratulated on being the first on the ground. Results may be looked for in the near future, and the Commercial Club should be given every assistance in the good work.

Pledges Received.

The Greater Salem Commercial Club is meeting with excellent success in its campaign to secure funds for the pamphlets to be sent to the Harriman Immigration Bureau. The postal cards are beginning to reach the secretary's office with pledges, while some citizens are dropping in and leaving their cash subscriptions and contributions. The subscriptions and pledges thus far made are as follows:

Table listing names and amounts of pledges received for the immigration pamphlet campaign.

TO THE OLD HOME

If you are going home—to your childhood's home—this year, remember that the NORTHERN PACIFIC leads to everybody's home. You can go by way of St. Paul to Chicago, or St. Louis, and thence reach the entire East and South. Or, you can go to Duluth, and from there use either the rail lines, or one of the superb Lake Steamers down the lakes to Detroit, Cleveland, Erie, and Buffalo—the Pan-American City. Start right and you will probably arrive at your destination all right, and, to start right, use the Northern Pacific, and preferably the "NORTH COAST LIMITED" train, in service after MAY 5th. Any local agent will name rates. A. D. CHARLTON Assistant General Passenger Agent, PORTLAND, OREGON.

Dry Goods and Millinery. We have just received from Chicago, 500 ladies' hats, no two alike, also a great variety of feathers, wings, plumes and other novelties. These combine the features of style, quality and reasonable prices. These novelties are the best ever brought to Salem. Our trimming department, under the management of Mrs. F. S. Gilbert and Mrs. D. L. Fiester, are now prepared to trim your hats in the latest at short notice. NEW DRESS GOODS direct from New York. For choice goods at reasonable prices. GREENBAUM'S DRY GOODS STORE. NEXT DOOR TO THE POSTOFFICE.

THE PRUNE HARVEST. THE QUALITY OF THE FRUIT IS EXCEPTIONALLY GOOD—RIPE PRUNES IN DANGER.

(From Sunday's Daily.) The prune harvest is in full blast throughout the valley, and is progressing under very favorable conditions. Those who began last week are so far along with their work that they entertain no fear of damages through the inclemencies of the weather, but those who waited until their prunes were quite ripe before harvesting are becoming anxious, by reason of the heavy rain showers of the past two days. So far very little damage has been done. The ripeness of the fruit cracked a trifle, but not enough to injure them, but the growers are fearful lest long continued cold rains will ruin their crop.

The quality of the prunes this year is exceptionally fine, especially the Italian variety, which are said to be better this year, what there is of them, than ever before.

The following paragraphs concerning fruit drying are from the Itemizer, of Dallas, Polk county, Oregon: Hugh Hayes, just north of town, is drying about 1,500 bushels of his own prunes, the E. C. Parker crop of 600 bushels, and besides that will dry some on the shares or pay 45 cents a bushel for them.

The fruit evaporator of H. S. Eutz is in full swing. His own crop of prunes will amount to 700 bushels, and he has bought of Rufus Remington about 500 bushels, S. R. Smith 200, Dr. Pink 200, J. F. Leach 500 and Thomas Boothby 700, at from 35 to 40 cents depending upon the size and quality of the fruit.

R. H. Hibbard expects his dryer to pan out 40,000 pounds of dried fruit this season. S. P. Kimball has started up his big evaporating plant near the city park, and will either buy or dry on the shares all the fruit that offers. The price of prunes depends mostly on the size. He expects to have about 5,000 bushels of his own.

J. B. Munn's dryer is now in operation, and he expects to cure about 1,500 bushels of fruit during the season. He has purchased the crops of E. Cadwell, Robert Hutton, J. B. Embree, R. B. Carpenter, and Mr. Mason, near Independence, at from 35 to 40 Fern on the shares, giving him twelve cents a bushel, and will dry for Henry pounds of dried fruit for every bushel of green.

TWO NEW COMPANIES

ARTICLES FILED IN THE STATE DEPARTMENT AT THE CAPITOL.

In the State Department yesterday, two new companies filed articles. They are: The New Era Mining & Power Company will own and operate mining properties, smelters and mining machinery of all kinds, and operate water ditches and furnish power. Prairie Cl, Grant county, is the headquarters, and the company has a capital of \$2,500,000. M. L. Hasbroeck, S. I. Holknapp and B. N. Carrier are the incorporators. The King Estate will hold and distribute the estate of A. N. King, deceased and deal in property of all kinds with headquarters in Portland. The capital is \$200,000, and N. A. King, O. A. King and R. W. Montague are the incorporators.

TO ADVERTISE CAPITAL CITY

Salem Push Club Sends Postal Cards to Business Men

URGING THEM TO ASSIST IN BEARING THE EXPENSE OF SENDING ADVERTISING LITERATURE TO THE HARRIMAN IMMIGRATION BUREAU.

(From Saturday's Daily.) The return postal cards asking for contributions to the advertising fund of the Greater Salem Commercial Club were mailed yesterday. They went to something less than three hundred of the best business men and most prominent property holders, professional men and public spirited citizens generally.

As an answer is called for in each case, and the card is attached for the answer, it is to be presumed that not one of the recipients will fail or refuse to make some kind of a response. Each one will at least say a good and polite word on the return card, and most of the men who receive them will pledge something for the good of the city where they make their homes, own their property or earn their livelihoods. This is a very convenient way to close the matter up. It will save a lot of time. It will save the time of the men who are expected to contribute to the work, and of the members of the committee, who are all very busy men. It should not be necessary to say another word to any person addressed, further than is said on the printed card. There are plenty of the recipients, no doubt, who will appreciate this saving of time. They will feel relieved that they are not obliged to entertain the members of the committee in their place of business, taking up valuable moments when they would like to be attending to their business.

The Statesman hopes to be able to print the full list of contributors to the \$1,000 fund within a few days. It would be a nice thing if this could be done tomorrow. Possibly this will be the case.

GERVAIS PUBLIC SCHOOLS

DEDICATION YESTERDAY OF THE BUILDING RECENTLY ERRECTED IN THAT CITY.

The dedication of the new \$2000 public school of Gervais, Marion county, Oregon, occurred yesterday at 10:30 a. m. The building is a credit to the district. The directors, Dr. C. S. White, John D. Smith and Edward Ziegler, are deserving of great praise for their public spirit and careful management of the construction of the building. Hon. P. H. D'Arcy, of this city, delivered the principal address on the dedication of the building. Mr. D'Arcy's address occupied about an hour in its delivery, and is reported to have been an eloquent and scholarly effort and thoroughly enjoyed by the patrons, teachers and pupils.