

# IMPROVEMENTS IN THE CITY

## Rain Has No Effect Upon Designs of Those Who Are Building

MANY NEW EDIFICES HAVE JUST BEEN COMPLETED AND MANY OTHERS IN DIFFERENT STAGES OF CONSTRUCTION - SEVERAL NEW CHURCHES BUILDING.

(From Saturday's Daily.)

In spite of the rain, every week sees new buildings started in Salem. Though this is not just the proper time of year to hurry buildings to completion, as dry weather cannot be expected for several months yet to come, the building goes right on just the same.

A trip around the city yesterday found a number of buildings in all stages of construction, though the heavy rains for the past few days have seriously interfered with work, and on most of the new houses the working forces have laid off all the week.

The frame work on C. L. McNary's new dwelling on Court street is all done, but the wet weather of the past two weeks has prevented the work from being rushed, and though the roof is ready for shingling, nothing in that line can be done until the arrival of dry weather, and little can be done inside until the shingles are laid. This is a two-story dwelling, and, when completed, will be one of the prettiest houses in the city.

Further east on Court street, Dr. D. F. Lane is erecting a neat six-room cottage adjoining his residence. It is a single story structure, though of handsome design, and will be a very pretty addition to that already popular locality.

On Winter street, a short distance from Court, Otto Krause has begun the erection of a modern dwelling which adjoins his own residence at the corner of Court and Winter streets. This house is not very far advanced, the foundation having but recently been laid. This is one of the prettiest locations in the city, and no doubt the dwelling will be made to correspond with the surroundings. When finished it will be occupied by Mr. and Mrs. Louis Lachmund.

Out in East Salem on Eighteenth street, between Chemeketa and Center, Mrs. Jane Walker is having the finishing touches put upon her new residence. This is but one of several new houses erected in that part of the city during the past summer but there is not a more artistically designed dwelling in that part of town than Mrs. Walker will have when it is completed.

Three new churches have made their appearance inside the city limits during as many months, and while all are not completed, work is being rushed as rapidly as the weather will permit.

The United Brethren in Christ have just completed a very cozy little church upon their property at the corner of Fourteenth and Marion streets. This structure has been completed and painted, and what a few weeks ago appeared to the passer-by as a desolate corner has been transformed into a place of worship.

The Mission Workers several weeks ago began the erection of a place of worship on Twelfth street, and owing to the extremely wet weather, little progress has been made for the past month. The frame work is up, however, and as soon as the rainy season is at an end the structure will be quickly completed.

## THEY WERE REJECTED

### SALOON MEN IN ALASKA DESIRE BAR PRIVILEGES IN Y. M. C. A.

(From Saturday's Daily.)

The three mining companies on Douglas Island, Alaska, are co-operating in establishing a Young Men's Christian Association with a \$8,000 building at Treadwell, to be open day and night for their employees. The building will be opened on Christmas day and will contain recreation rooms, gymnasium, bowling alleys, baths, smoking room, and a lecture and entertainment hall.

A. W. Reté, formerly general secretary of the Association at Kalamazoo, Michigan, and for several years engaged in conducting Associations among miners and soldiers in Alaska, made a canvass of the men in the mines. Eighty per cent of the employees signed for membership at a month, which it was agreed should be taken from their pay by the company.

The town, like most new mining towns, has no amusements other than those afforded by the saloons and dance halls in the neighboring towns. The several small churches a mile distant, are almost powerless to attract men or to minister to their social needs. The mills never stop except on Christmas and the Fourth of July, and the miners work on ten hour shifts day and night and know no Sundays.

Violent opposition to the establishment of the Association was shown by the saloon and gambling house keepers, and even threats were made on Mr. Reid's life. One of the saloon men, looking to the main chance, and not knowing the staff of the Young Men's Christian Association is made of, offered \$500 a month for the "bar privileges." Another would give \$200 a month for the privilege of running a

"black jack" table. The company furnishes light, heat and water free of cost, and will give a site for the building at the most central point on the company's ground.

## MAJOR HANCOCK IS PARALYZED.

WASHINGTON, Dec. 12.—Major John Hancock, chief of the stationary division of the Pension Bureau, father-in-law of the Director of the Census, and a relative of General Winfield Scott Hancock, was stricken with paralysis at his desk today, and is in a serious condition.

## RUHLIN IS WILLING.

NEW YORK, Dec. 12.—Robert Fitzsimmons' recent announcement that he is ready to fight again has brought forth a quick reply from Billy Madden, manager of Gus Ruhlin. Madden says Fitzsimmons can meet Ruhlin and get \$2,500 from the Penn Athletic Club, of Philadelphia, for a six-round bout. The offer also holds good for Jeffries.

## WORK OF THE GRIM REAPER

### Mrs. O. G. Savage Cut Down In the Prime of Life

(From Saturday's Daily.)

Mrs. L. E. Savage, beloved wife of Mr. O. G. Savage, who resides at No. 413 High street, passed away at 8:12 o'clock yesterday morning, after an illness of five weeks' duration, of a complication of stomach troubles, aged 61 years and 7 months.

Loretta Elroy Purdy was born in Holmes county, Ohio, May 12, 1841, and was married to Milton Johnson in 1875 and moved to California, where Mr. Johnson died on September 14, 1890.

Mrs. Johnson continued to reside in California until on August 23, 1899, when she was united in marriage to Mr. O. G. Savage, with whom she came to Salem and has resided here continuously since.

Mrs. Savage was for many years a devout Christian and an active member of the First M. E. church. Possessed of a kind, charitable and sunny disposition, an affectionate wife and helpful mother, she was beloved by all who knew her and her memory will be forever cherished by a large circle of friends.

Beside a sorrowing husband she leaves two daughters, the Misses Effie and Annie Johnson, to mourn her sudden demise. The funeral services will be held at the First M. E. church, at 1:30 o'clock tomorrow afternoon, conducted by Rev. John Parsons, and burial will be had in the Oak Fellow cemetery.

## Death of Mrs. Hefty.

Mrs. Sophia Hefty, the aged mother of Mrs. Eugene Willis, formerly of Salem, but now a resident of Portland, and the late Mrs. John C. Booth, of this city, died in Portland yesterday afternoon. The remains will be brought to this city tomorrow (Sunday) morning, on the 11 o'clock train, where the funeral cortege will be formed and proceed to the City View cemetery, where short services will be conducted at the grave by Rev. Geiser and interment will be had.



## SKIN TORTURES

And all Forms of Itching Scaly Humours Instantly Relieved and Speedily CURED BY CUTICURA.

Complete Treatment (\$1), consists of CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTICURA OINTMENT, to instantly allay itching, irritation, and inflammation, and soothe and heal, and CUTICURA RESOLVENT PILLS, to cool and cleanse the blood. A SINGLE SET is often sufficient to cure the most torturing, disfiguring, itching, burning, bleeding, scaly, crusty, and pimply humours, when all else fails.

MILLIONS USE CUTICURA SOAP, assisted by CUTICURA OINTMENT for beautifying the skin, for cleansing the scalp, and stopping itching hair, for softening and whitening of falling hair, for softening and whitening of the hands, for baby itches and chafes, in baths for annoying irritations and chafes, or too free or offensive perspiration, for many sensitive, and delicate purposes which suggest themselves to women, and for all the purposes of the toilet, bath, and surgery.

## MRS. RANDALL GETS DECREE

### Judge Boise Rules Lingwall Was Not Innocent Purchaser

SHOULD HAVE MADE INQUIRIES OF TENANTS IN POSSESSION OF PROPERTY BEFORE BUYING—DEFENDANT MUST REFUND RENT MONEY.

Yesterday Judge Boise decided the case of Bessie Randall and Bessie O. Randall, a minor, plaintiffs, vs. C. G. Lingwall, defendant, in favor of the plaintiffs.

This suit was brought by the plaintiffs to have a deed made by T. J. Randall to the defendant, Lingwall, cancelled, and require the defendant to pay to the plaintiffs all rents collected by him of G. G. Gans, the tenant on the premises, which consist of the east half of block 39 and the east half of block 34, University addition to the city of Salem.

Judge Boise found the facts to be that in 1888, O. Randall, then being the owner of the premises, conveyed them to his brother, T. G. Randall, and that this deed was recorded; and that in 1891 T. G. Randall reconveyed the premises to his brother, O. P. Randall, who went into possession of the premises, paying rent monthly to O. P. Randall, until the latter was accidentally drowned while attempting to cross Rogue river in Southern Oregon in 1898.

O. P. Randall neglected to put his deed from his brother, T. G. Randall, upon the records, and T. J. Randall, learning of this fact, sold the premises to the defendant, Lingwall, soon after his brother's death in the spring of 1898. The plaintiff, Mrs. Bessie Randall, soon after the death of her husband, procured letters of administration and included the premises in dispute in her inventory as part of the estate of her deceased husband, O. P. Randall, and, so soon as she discovered that her deceased husband's deed was not of record, commenced immediate search for it and finally found it among some papers which her husband had left with a railroad agent in Southern Oregon, and she immediately had the same recorded; but his record was some time after the record of the defendant, Lingwall's deed, who claimed to be an innocent purchaser of the property.

At the time he procured his deed from T. J. Randall he came to Salem from Portland and went with T. J. Randall to view the property, but he did not go into the dwelling house nor make any inquiries of Mr. Gans or any member of his family as to how he was holding possession of the premises, although he saw that Mr. Gans and his family were in the actual, open and visible possession of the property.

Judge Boise held that when the defendant, Lingwall, saw that Mr. Gans was in possession of the property that it was his duty to make inquiry of the parties in the actual possession as to the ownership of the property, and not having done so he could not claim to be an innocent purchaser, without notice that the title to the property was in the heirs-at-law of O. P. Randall, deceased, and not in T. J. Randall, from whom he was purchasing it.

Judge Boise found that the plaintiffs were entitled to a decree for the cancellation of the deed from T. J. Randall to the defendant, Lingwall, and recover rents collected by the defendant from G. G. Gans, the tenant, less any money paid out by him for repairs and taxes. Tilmon Ford and W. T. Slater appeared for the plaintiffs and John H. Hall appeared for defendant.

## Mechanic's Lien Suit.

Judge Boise yesterday rendered judgment for the defendant in the suit of Ferdinand Haselbacher, plaintiff, against Anton Gehrmann, defendant, to foreclose a mechanic's lien. The plaintiff claimed to have performed labor for the defendant in the capacity of a carpenter, and having filed a lien against the property for an alleged balance of about \$50, brought suit to foreclose the lien, and apply the proceeds of the sale of the property to the satisfaction of his claim.

In deciding the case Judge Boise held that there was but a single question involved, and that was as to whether or not the work was performed at an agreed price, or was left for a settlement at a reasonable value. In this particular he found that the weight of the testimony was in favor of the defendant, since the plaintiff's main witness failed to substantiate his contentions, and the further natural custom that a man ordinarily has some definite understanding with workmen as to the probable cost of an undertaking before it is performed. The court held that the plaintiff failed to establish a lien against the defendant, and ordered the case dismissed, and the costs assessed to the plaintiff, who appeared by M. E. Pogue. The defendant was represented by Bonham & Martin.

## Motion to Strike Out.

In department No. 1 of the Circuit Court yesterday, in the suit of Theo. M. Barr, plaintiff, vs. Cornelius Spore and Henry O. Robinson, partners comprising the firm of Spore & Robinson, and Andrew Martin, Hanson and Herman D. Landon, partners comprising the firm of Hanson & Landon, defendants, a motion was filed by Hanson & Landon, the defendants, for an order striking out a portion of the complaint and also requiring the plaintiff to elect whether he will sue these defendants jointly as alleged partners of the other defendants, or upon their alleged individual liability.

This suit was instituted several days ago by Theo. M. Barr to recover the sum of \$3,242.70, alleged to be due upon slate roofing, sheet metal, steam boiler heating apparatus which he alleges to have furnished the said defendants for use in the construction of the Government building at Fort Columbia, Washington.

## Granted a Divorce.

In the divorce suit yesterday of J. H. Long vs. Bertha Long, Judge Boise rendered a decision granting a divorce to the plaintiff.

# XMAS SHOPPING

IS SO EASY AT **Holverson's** AT THE OLD WHITE CORNER

Because there is such an extensive variety of new and beautiful things. Our store is magnificently prepared to supply all wants, and our stock is as thoroughly complete as it is possible to make it in an up-to-date store.

## WE NAME A FEW OF THE MANY ITEMS OF INTEREST:

- HANDKERCHIEFS** Notice our Court street window. These dainty little things are sure to please. We have them in many shapes, plain, hemstitched, embroidered and lace-edged, prices from 5c up.
- GLOVES** Make a splendid present for women. If you don't know the size we will exchange, or give you a glove order, so they will surely be right. A good glove can be had from \$1.00 up. Our \$1.50 glove is guaranteed.
- Men's NECKWEAR** Only the latest styles, patterns and silks are shown, and we carry a complete line to select from. Prices ranging from 25c to \$1.50, according to quality and style.

Santa Claus has made his headquarters in our basement, where you will find everything new in Dolls, Toys and Games to make the little people happy. Bring them along, and don't fail to see our toy window on Court St., and guess how many tooth-picks are stuck into the apple. The first nearest guess recorded gets the large beautiful doll. Come often and guess every time.

MAIL ORDERS WILL RECEIVE PROMPT ATTENTION.

## AN OMISSION FROM CODE

### Important Law Overlooked and Left Out of New Compilation

COMPILERS WERE UNDER THE IMPRESSION THAT SECTION HAD BEEN REPEALED, BUT ATTORNEY GENERAL BLACKBURN HOLDS THAT IT WAS NOT.

The new Oregon Code, compiled by Judge C. B. Bellinger and W. W. Cotton, has been issued. This code was authorized by the last Legislature and hereafter will be used in the courts in the place of the codes heretofore in use. One thousand copies of the code has been delivered to the Secretary of State and will be distributed by him.

The new code is in two volumes and comprises 1,850 pages. The index is very full and complete, far surpassing any of the previous codes in this respect. The index references are to sections instead of to pages as in previous codes. Each section is followed by annotations referring to both the Oregon Reports and the Pacific Reporter.

A close examination of the new code, however, has disclosed the fact that one of the laws passed by the Legislature of 1899 is left out. It is section one of the bill known as House Bill 319, found on page 94, General Laws of 1899, prescribing the duties and compensation of the State Land Agent and fixing the price of lien lands. It was evidently omitted because of an understanding in the minds of the compilers that it was repealed by Senate Bill 126, passed at the same session and approved one day after House Bill 319 was approved.

As soon as the discovery was made the matter was referred to Attorney General Blackburn for his opinion as to whether said enactment had been repealed, and that officer, after careful review and comparison of the laws and the authorities, declares that in his judgment it has not been repealed, but is in full force and effect. He calls attention to the fact that all departments of the State Government have recognized the force and validity of the law in question, the Governor by appointing an officer under that law and sanctioning his acts, the Legislature by making appropriations at that session and the subsequent one for the support of said officer, the Secretary of State by auditing claims thereunder, and the State Land Board by giving effect to the work of the Land Agent. The Attorney-General in conclusion says:

"These two acts were passed at the same session of the Legislature, and it is said in Smith vs. People, 47 N. Y. 330, that 'statutes enacted at the same session of the Legislature should receive a construction if possible which will give effect to each.' I am, therefore, strongly inclined to the opinion that it was not the intention of the Legislature to repeal Section 1 of House Bill 319, and that it was not repealed."

## TO MAKE BINDER TWINE

### EUGENE BOSSE SAYS OREGON FLAX WILL MAKE BEST IN THE WORLD.

Very few people realize the great importance of the flax industry and what it means to Salem, the Willamette valley and the state of Oregon when the success of the experiments which are being carried on by Mr. Eugene Bosse for the Pacific Coast Flax and Linnen Company, is established beyond a doubt. That it will be a success, Mr. Bosse is perfectly satisfied in his own mind, but in view of the numerous handicaps he was placed under this year, and the many difficulties which he was obliged to encounter and overcome, which resulted in the flax maturing too late in the season, necessitating the cutting of a portion of the crop by machine, the test was not considered a fair one, although the qual-

## DOLLS' HATS

The Latest Styles, Only

25c These hats are put up with the same taste and care as ladies hats of high grade variety. We simply arrange the price so low that all the little folks can buy dolly a hat for Christmas, and also advertise our Millinery Department.

Neckwear 25c, the best values ever given in Salem. Silk Handkerchiefs 25c, initial corners Laundry Bags, Doilies, Filo Silk, Battenburg Patterns, in great variety and low prices. Rubber Toys for the babies, they are almost indestructible.

## Greenbaum's Dry Goods Store

Next Door to the Post Office

ity of the fibre is excellent, and he desires to give it a full test the coming year.

The flax, or most of it, is stored in the warehouse at the old mill and will not be processed until spring on account of the climatic conditions and the inadequacy of the facilities at hand. Mr. Bosse could not work his flax up now nor did he so desire, and would the climate permit, for the recent flood swept the improvised dam from the creek and robbed him of his power, but he says this will not interfere with his work when he gets ready, for, if necessary, he will substitute steam or electric power.

He is already making preparations for next year's work and has many things already under way which he does not care to make public at this time, but one thing he did say, and that was that, by a series of tests he had discovered that the fibre of the Willamette valley flax was far superior in strength to the Manila fibre and he asserted that it would furnish material for the manufacture of binder twine right here in Salem such as would be superior to any other, including the Manila twine, and at half the cost. This fact in itself is sufficient to warrant the establishment of a plant here if for nothing else.

Mr. Bosse has many other things which he is keeping secret for the time being and which he says will surprise the natives when given to the public.

The United States Department of Agriculture has contracted with Eugene Bosse, manager of the Pacific Coast Flax and Linnen Company, to grow here next spring and turn to fibre twenty acres of flax, with seed the Department has ordered sent direct from Belgium, Russia and Holland.

This is an important recognition of the Willamette valley and Salem as the future Belfast of the United States.

## IS HER FATHER'S CHILD.

MINNIE BRUGGER, PRACTICALLY CUT OFF BY JACOB BRUGGER, CONTESTS WILL.

HILLSBORO, Or., Dec. 12.—Contest proceedings have been commenced in the county court to set aside the will of Jacob Brugger, who died in this county a year ago, leaving an estate valued at \$25,000. Brugger left several hundred dollars by will to charity. The charitable institutions named in the will were St. Vincent's Hospital and Orphans' Home, Portland; St. Mary's Home, Beaverton, and the county poor farm of Hillsboro. The remainder of his property is devised to his children, and \$50 to Minnie Brugger. The will does not state that Minnie is a daughter of the deceased, but she claims to be, and alleges that Mr. Brugger was not mentally fit to make a will; that he had been ill so long that his mind had become impaired. She further alleges that the testator was unduly prejudiced against her by reason that others sought to make him believe that he was not her father. Those who knew Jacob Brugger say he was of sound mind at the time of making the will, and that there appears no good reason for setting it aside.

## FOR HUSBAND AND SON

MRS. BALDWIN, OF PORTLAND, PLEADS FOR PARDON WITH GOVERNOR GEER.

Mrs. Geo. Baldwin, of Portland, appeared before Governor Geer yesterday to plead for the pardon of her husband and son, George and Wm. Baldwin, who are serving terms of two and one years, respectively, in the Penitentiary, upon conviction of the crime of manslaughter, in Portland, in the case of the death of Frank Carlson, which was caused by a blow in the solar plexus delivered by young Baldwin during a fistie altercation. The son was convicted of the crime, while the father

## CASTORIA

For Infants and Children. (The Kind You Have Always Bought) Bears the Signature of *Dr. J. C. Altman*

CONDITION OF MARTINDALE. WESTON, Or., Dec. 12.—Principal James Martindale, of the Eastern Oregon State Normal School, still lingers with a condition somewhat improved over what it was. For a long time there was thought to be no hope for the Normal's new head. Principal Martindale came here from Albany. His condition is still grave.