

INDICT MONTE AND WRIGHT

GRAND JURY FINDS TRUE BILLS AGAINST TRACY'S FALLS.

MURDER IN FIRST DEGREE.

Held to Trial for Causing Death of Frank Ferrell, Shop Guard.

Accused to Face Charge on May 22—Wright Will Be Released From Walls Monday, but Will Be Arrested Immediately.

“Harry Wright and Charles Monte are accused by the grand jury of and for the county of Marion, state of Oregon, by this indictment, of the crime of murder in the first degree, committed as follows: “The said Harry Wright and Charles Monte, together with Harry Tracy and David Merrill, the said Harry Tracy and David Merrill being now deceased, on the 9th day of June, 1902, in the county of Marion, state of Oregon, then and there being, did then and there unlawfully, feloniously, purposely and of deliberate and premeditated malice, kill Frank Ferrell by then and there unlawfully and feloniously shooting the said Frank Ferrell with a gun, said gun being then and there loaded with powder and leaden balls, contrary to the statutes in such cases made and provided, and against the peace and dignity of the state of Oregon.”

That Harry Wright and Charles Monte must face a jury of twelve men upon the charge of murder in the first degree is now a settled fact. The Marion county grand jury returned an indictment against the suspects yesterday based upon the evidence which was produced before that body on Thursday of last week. Wright and Monte are accused by the indictment of killing Frank Ferrell by snooting, on June 9, 1902. Although the shot which killed Ferrell was fired by Harry Tracy, the notorious outlaw, who in company with Dave Merrill escaped from the Oregon penitentiary on that day, the state proposes to prove that the convicts came into possession of the guns used through Wright and Monte, who, it is claimed, smuggled the weapons into the foundry of the prison for the purpose for which they were used. The evidence in the hands of the prosecution is said to be conclusive and District Attorney J. H. McNary feels confident he will be able to send the accused men to the gallows since if they are found to have been accessories to the crime even before the fact, in the eyes of the law they will be held equally as guilty of the crime as the parties who actually committed the murderous deed.

During the progress of the grand jury's investigation several important as well as interesting legal points presented themselves for the consideration of District Attorney McNary. The first was that since Harry Tracy and Dave Merrill were the principals in the crime for which Harry Wright and Charles

Monte must also answer, whether or not it would be a legal requirement to make the former two defendants in the case together with the latter, even though both of the former are deceased. It was finally decided that this was not necessary.

Another question arose as to whether or not a confession made by Monte could be used as evidence against Wright, his partner in crime. It was found that it could not, as the confession was made after the crime had been committed. It is stated by the district attorney that if Monte had made his confession before or while the crime was being planned and carried out, he would have been permitted by law to use the confession in his effort to secure the conviction of Wright.

Charles Monte being a convict in the penitentiary, under sentence for committing another crime, the question also came up as to whether or not the authorities of Marion county can get jurisdiction over him at this time, or before 1908, when the term which he is serving expires. Governor Chamberlain would have been willing to pardon Monte in order to place him in the jurisdiction of the circuit court for this county, but under the law the prisoner would not have been compelled to accept the pardon. However, all the authorities bearing upon the point were carefully looked up and District Attorney McNary is now positive that he can take the convict out of the penitentiary to try him for a crime greater than that for which he is now serving time.

The cases against Wright and Monte will probably be brought to trial on May 22, the day when the jurors will report to the court for further duty. Harry Wright will be released from the Walls Walls penitentiary on Monday at next week and Sheriff Culver will be on hand to take him into custody and bring him to this city, where he will be confined in the county jail to await his trial upon the charge of murder.

SHOOTS HIS SON

TO SAVE LIVES OF HIS GRAND-CHILDREN, FATHER KILLS HIS BOY.

Frenzied With Excessive Drinking, Joseph Starkey Attempts to Exterminate Brother's Family, When His Aged Father Pulls Gun and Shoots to Kill.

PLACERVILLE, Cal., April 10.—Yesterday afternoon at Indian Diggings in Eldorado county, Austin Morgan Starkey, aged 74 years to save the lives of two of his grandchildren and himself, shot and killed with a Winchester rifle, his son Joseph Starkey, aged 35 years. It seems that the son had been drinking to excess and as a result had become frenzied. Yesterday he attempted to exterminate his brother John's family with an axe. John's three children were in front of his residence when their uncle Joseph attacked them and one little girl, aged 10 years, was killed at once. The other two children, with their grandfather, ran into the house and barred the door against Joseph, who pursued them and with his axe began to hew down the door. A call to him to keep back was unheeded, and as he was forcing his way through the door, to advance upon them, the old man raised his rifle and shot him dead.

AMERICAN WHEAT DEMANDED. WASHINGTON, April 10.—The state department received the following cablegram from American Consul Hirsch at Malaga, Spain: “Wheat was reduced 50 per cent today on account of the poor crop. Advise sellers that American wheat is in great demand.”

REPORTS ARE ONLY MEAGRE

BUT RUSSIANS, LIKE DROWNING MEN, GRASP AT STRAWS.

FLEETS ALREADY JOIN BATTLE.

So Declare Rumors That Set Citizens in St. Petersburg Ago.

Absence of Adequate Drydock in Philippines Relieves United States of Necessity of Deciding Question—No Place for Russian Boats to Clean Up.

ST. PETERSBURG, April 10.—Russia's information regarding Bojostevnik's fleet is based solely on foreign telegrams, which are all too meagre to prevent the quick ripening of a crop of rumors, according to one of which the adverse fleets have already joined in battle. Others of these dispatches are attempting to locate variously the battleship division of the squadron.

Some naval officers conjecture that the four battleships are delaying in order to effect a junction with Nebogotoff's division, but general credence is given to the report that the battleships are taking a southern route through the Sunda straits. Meanwhile, events in Manchuria have come to a pause, and at home the main attention is being given to the work of the Boulanger commission charged with formulating the plan for a representative assembly promised by the imperial rescript of March 3. The commission is meeting twice weekly.

Revolutionaries today contrived an impromptu meeting in front of the public office of the iron works at the hour of beginning work. An immense crowd of workmen was attracted and revolutionary speeches were made, red flags were produced and proclamations distributed. Six policemen, who attempted to disperse the crowds, were roughly handled, but the assemblage scattered at the approach of the police reserves.

Washington, April 10.—There is no dock in the Philippines big enough to handle any great Russian battleships so that fortunately it will not be necessary for the state department to decide whether or not the Russian vessels can dock in our ports to clean their bottoms. The naval records show that the dry dock at Saigon, which is 500 feet in length, will accommodate the Russian ships, so that the French government is liable to be confronted with the question.

Paris, April 10.—The authorities here are satisfied that the Russian second Pacific squadron will not seek to put in at Saigon, in French Cochinchina, as the shallow harbor was not permitted the entrance of deep draught warships.

Manila, April 10.—The German steamer Struve, which arrived here from Saigon, has reported that on Sunday she sighted two Japanese cruisers in the Chinese sea, headed for Singapore.

TREAT AGAIN POSTPONED. Famous Nan Patterson Trial Goes Over for Another Week Pending Smith Extradition.

NEW YORK, April 10.—The trial of Nan Patterson on the charge of killing Caesar Young, which was to have begun before Recorder Goff in the court of general sessions today, was postponed for one week upon request of the prosecution.

The postponement was granted on account of the fight against extradition being made by J. Morgan Smith and his wife, who are now under arrest in Cincinnati charged with conspiracy with Nan Patterson in connection with the Young case. The Smiths are wanted here particularly to be witnesses at the murder trial. The motion for a delay was strongly opposed by Abraham Levy, chief counsel for the defendant. In granting the postponement, Recorder Goff said he did not think the interests of the defendant or of public justice would be interfered with because of a week's delay.

Miss Patterson was not taken to court today.

INVENTOR IS BLOWN UP. Dr. Freiberg of New York College, Discovers New Explosive That Injures Him Severely.

NEW YORK, April 10.—It is believed by scientists that a high explosive of even greater strength than nitroglycerine or nitrochloride has been discovered by Dr. Ludwig H. Freiberg of the chemistry department of the College of the City of New York.

The discovery is the result of an explosion which occurred Saturday while Dr. Freiberg was experimenting in the laboratory of the college with a substance called by chemists nitro-cinnamic acid, which is used in the manufacture of indigo, and heretofore considered by the scientific world as a harmless liquid. Dr. Freiberg was injured by the particles of flying glass.

Nitro-cinnamic acid is extracted from niter and cinnamic acid. Dr. Freiberg is positive that he is on the track of a high explosive that may rival all others, because the explosion took every direction, and did not confine itself to one path.

WILL EITHER BREAK OR MAKE. Factions of Unionist Party in England Will Make an Effort to Get Together.

LONDON, April 11.—A new move is on foot as a result of the Brighton rebuff of the recently appointed union junior lord of the treasury, to effect a closer union between the Balfourite and Chamberlainite sections of the Unionist party. At a private dinner of the

tariff reformers last night, Joseph Chamberlain in a short speech dwelt on the urgency of effecting unity in the party.

He called a meeting of his party for Thursday to discuss relations with the colonies and the possibility of reaching an agreement on the fiscal question. No secret is made of the fact that it will be a momentous meeting, upon which will hang the fate of the Unionist party and further, that if no compromise can be arranged, Chamberlain will make an open split from Balfour, which would result in a speedy fall of the government.

LOSES ONE FOOT. Knight of Road Gets Badly Mashed Up in Freight Yards at Albany.

ALBANY, April 10.—Rudolph Olsen, a Swedish hobo, about twenty years old, had one foot so badly crushed in the freight yards here tonight that it had to be amputated, while the heel of the other was badly mangled. He arrived in the city via the hampers and while trying to hit terra firma his right foot got mixed up with the wheel and rail, with the result that it was crushed so badly that it had to be amputated at the hospital to which he was taken.

He was going through to Astoria, where he said he expected to procure work.

ANOTHER GUM-BOOE INQUIRY. Commissioner Garfield Will Draw Curtain of Secrecy About Investigation of Oil Trust.

TOPEKA, April 10.—Commissioner of Corporations Garfield announced tonight that the investigation of the Standard Oil Company in Kansas will be started at once. The hearings will all be secret, and no intimation of the commissioner's work will be made public until the report is given to President Roosevelt.

IT IS ACCEPTED

JOHN D. ROCKEFELLER FINDS NO DIFFICULTY THIS TIME IN PLACING DONATION.

American Baptist Missionary Union Solicits Funds From Standard Oil Magnate, All of Which Is to Be Spent Outside of Country.

BOSTON, April 10.—A gift of \$200,000 from John D. Rockefeller to the American Baptist Missionary Union was announced today by Treasurer C. W. Perkins, member of the executive committee. One-half of the amount was received last Friday and the receipt of the donation was made public at that time. At a meeting today Treasurer Perkins said an additional \$100,000 from the same source was at his disposal to be used exclusively for the construction of mission buildings in foreign countries. This money has not been received, but will be available whenever the demands of the work contemplated require it. Neither gift, the treasurer stated, was voluntarily contributed by Rockefeller, both having been solicited by officers of the union.

Remanded for New Trial. Justice Bean also handed down an opinion in which he reverses the decree of Judge Alfred F. Sears, Jr., in the case of the Pacific Mill Company of Honolulu, appellant, vs. Inman, Poulsen & Co. of Portland, respondent, and remanded the cause for a new trial.

This is an action which was brought by the plaintiff to recover damages for a breach of contract, which was non-suited by the lower court upon motion of the defendant company. The contract alluded to was between the plaintiff and defendant for the establishment of a lumber yard in Honolulu, and the complaint avers full performance by the plaintiff and readiness and willingness to perform, and a breach by defendant. The only question taken up by the appellate court was whether the plaintiff company had collected on the new subscriptions to the capital stock as represented, which the court held it did, and if the officers of the company have misapplied, wasted or dissipated the capital stock, the defendant is not without remedy, but has no excuse for refusal to abide by its contract.

Court Has Jurisdiction. The motion of respondent to dismiss the appeal was denied by Justice Moore in the case of George Wolfer, respondent, vs. W. S. Hurst and H. A. Hinkle, appellants, an appeal from this county. This is an action of forcible entry and detainer to recover possession of about eighty acres of hop land situated near Hubbard. The plaintiff secured a judg-

NO SETTLEMENT AS YET. Coatmakers' Strike in Chicago Still on—Deliveries Are Made to Freight Offices.

CHICAGO, April 10.—Nothing in today's developments indicate a peaceable settlement of the strike inaugurated by the teamsters against the mail order house of Montgomery Ward & Company.

The wagons and vans of the big store, manned by non-union men, made several turbulent trips today delivering goods to the railroad freight houses. Although big and noisy crowds followed the caravans and the police were forced to break a number of blockades, the deliveries to the railroads were declared by the officials at the store to have been a great deal more successful than last week's efforts.

AND HER NAME WAS MAUD. Tacoma Girl Takes Carbolie Acid in Attempt to Commit Suicide.

TACOMA, April 10.—In the presence of her sweetheart, Maud T. Brook of 1115 South Eleventh street, attempted suicide this afternoon while standing on a public street. She drank nearly a teaspoonful of carbolie acid from a bottle which she carried in her hand, waving the bottle containing the acid in the man's face, fell swooning into his arms. She was taken to a hospital and will probably recover.

ENGAGE IN FIRST FIGHT. Conrad Krebs of the firm of Krebs Bros., and Sam Jones of Books, became involved in a quarrel in front of Eckert's saloon on Commercial street yesterday and finally engaged in a fist fight, during which several hard blows were delivered. The result was that Mr. Krebs paid a \$5 fine in the police court, it being shown that he was the aggressor.

SHOULD HAVE REPAID CASH

MULTNOMAH ERRED IN EFFORT TO RESCIND AGREEMENT.

COMPROMISED TAX CERTIFICATE

After the Court Attempted to Annul Its Action on the Ground of Invalidity.

Supreme Court Denies Motion to Dismiss Appeal in Marion County Suit to Recover Possession of Hop Land—Opinions Handed Down Yesterday.

In reversing the decree of the lower court in the case of Multnomah county, respondent, vs. Title, Guarantee and Trust Company et al, appellants, yesterday the supreme court, in an opinion rendered by Justice Bean, holds that while the board of county commissioners has authority to adjust or compromise pending controversies as to the validity of a tax certificate, the court of Multnomah county erred in its attempt to rescind a compromise entered into with the trustee of the defendants' property in that it failed to refund the money which had been paid and accepted as full satisfaction of the rights of the plaintiff, and the action was dismissed.

This action was brought to set aside a compromise concerning the validity of certain tax certificates aggregating \$25,000, against block 178 of Portland, and eighty acres of land in the Quinn donation land claim in or near the city. The property was assessed to P. A. Marquam for the year 1894 and to his successor in interest, the defendant trust company, for the years 1895 and 1897, inclusive. In the passing of title to the property from the plaintiff to the trustee the latter proposed a compromise of the delinquent taxes due upon the property for \$15,774.53, which was accepted by the county commissioners. Two years later the county commissioners brought this action to rescind the compromise on the ground that it was without jurisdiction and that it was illegal and void.

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ment in the lower court and the defendants appealed. The motion to dismiss the appeal was made upon the ground that the supreme court had no jurisdiction of the cause for the reason that no undertaking for the payment of the rent of the premises was given within the time prescribed and that no appeal exists from the judgment rendered in actions of this kind.

Some Other Opinions. J. B. Brown, respondent, vs. Theresa Feldweert, appellant, from Lane county, J. W. Hamilton, judge; affirmed. Opinion by Chief Justice Wolverton.

This was a suit upon a note for \$215 in favor of Dr. Meyers & Co. The plaintiff alleged that the note was endorsed to him for value before maturity. This the defendant did not deny, but set up as a defense that the note was procured by fraud and that plaintiff was not an innocent purchaser. The supreme court holds, as did the lower court, that by failure to deny the allegation of the endorsement for value before maturity, the defendant had made admissions which precluded her introducing evidence in support of her defense, and the judgment against her must stand.

Alfred Lewis et al, appellants, vs. Joseph T. Beeman, respondent, from Jackson county, H. K. Hanna, judge; reversed. Opinion by Justice Moore.

This was a suit to foreclose a mechanic's lien. Only part of the defendants sued, for which reason the suit was dismissed. The supreme court holds this was an error, and finds for the appellants.

The Moore-Schafer Shoe Company, appellants, vs. M. Billings, Charles Andrew and Goddard-Kelly Shoe Company, respondents, from Multnomah county, M. C. George, judge; affirmed. Opinion by Chief Justice Wolverton.

IT WAS A FIZZLE PROMISED WOLF HUNT FOR PRESIDENT DEVELOPED INTO FUN FOR THE HOUNDS ONLY.

Roosevelt and Party Have Sport of Witnessing Dogs Do all the Killing—However, He Enjoyed Good Old-Fashioned Oklahoma Drenching.

OKLAHOMA CITY, Okla., April 10.—The president and his party began their return this morning after experiencing a western rain storm during the night. A special from Frederic says: “The wolf chase, to which the president was so eagerly looking forward, began early this morning. There were about forty dogs in the pack, and those which had not been tried had been nosing all around this portion of the reservation since they arrived in camp and every now and then a cheery yelp told their masters that they had scented game.

A party of about a dozen, including President Roosevelt and his doctor, had not traveled far until the dogs were leading them on to what turned out to be a fresh scent. Soon the leaders were rewarded by seeing a neighborhood raving a lank grey Wolf deliberately loping as if unmindful of its pursuers. The dogs all seemed to catch sight of the prey at the same time, for pursuers and dogs now set forward with renewed energy. The wolf tried to elude its pursuers by dodging but this only hurried matters as it enabled the foremost dog to catch up with its prey. As the wolf turned to beat off its assailants other dogs sprang upon the bristling animal and bore it to the ground, where it was quickly dispatched without the aid of the hunters. Two other wolves were killed in much the same manner.

Mexico having gone to the gold standard, Mr. Bryan will have to find an entirely new issue. And it is pretty generally understood that he is hunting for one. He stuck to the old one after most every one else had abandoned it.

MUCH SECRECY IS MAINTAINED

NEW DEVELOPMENTS IN BEEF TRUST INVESTIGATIONS.

EIGHT MYSTERIOUS TRUNKS

Unearthed by Secret Service Men Said to Belong to Packers of Chicago.

Secretary of Safe Deposit Company in Whose Vaults the Boxes Are Found Ordered Into Court—He Brings the Goods With Him.

CHICAGO, April 10.—The contents of eight mysterious trunks, unearthed by government secret service men in the vaults of the National Safe Deposit Company, occupied the attention today of the federal grand jury investigating the business affairs of the so-called beef trust. A subpoena duces tecum for Daniel Peckham, secretary of the safe deposit company, was issued by Judge Landis to force the company to produce the trunks in the jury room. The trunks were taken to the office of District Attorney Morrison, where, it is said, they were opened and the contents examined.

What the trunks contained and what connection they have in the case is not known, as the government officials refuse to discuss the matter, declining either to deny or confirm the explanation current that the trunks might belong to the packers.

CAPTAIN ASSUMES ALL BLAME Pierce Insists He Was Responsible for Beaching Steamship Centennial.

PORT TOWNSEND, April 10.—The steamship Centennial, which grounded at Marrowstone at high tide last night, bound from San Francisco to Seattle, is still held a prisoner on the sands, but is in no danger. Low water today showed the vessel resting even on its keel, removing of fears of her back breaking, while absence of water in the well shows she is not leaking. Lightening the cargo will begin tomorrow, and it is expected the vessel will be lightened enough to slide off on the high tide. A large fleet of tugs will be on hand to make a supreme effort when the tide is at its fullest. Captain Pierce insists upon assuming all blame for the mishap, and assumes all responsibility without offering an excuse of any sort.

JOBBERS ARE DISSATISFIED. Wholesale Interests Don't Like Railroad Rates and Will Say So This Week.

PORTLAND, April 10.—The North Pacific Coast Jobbers' Association, representing the wholesale jobbing interests of Portland, Seattle and Tacoma, is dissatisfied with the compromise proposition offered by the transcontinental railroads at a meeting between the association and the railroad men last week, regarding the readjustment of the freight tariffs between coast points and the interior.

It is stated that the jobbers will, at a meeting with the railroad men which is expected to occur on Wednesday or Thursday, decline to accept the proposition and renew the request that concessions asked for at the meeting between jobbers and the traffic men held in January be granted.

REPORT SHOWS BIG INCREASE. WASHINGTON, April 10.—The monthly report of the department of agriculture will show the average condition of winter wheat on April 1 has been 91.6 against 76.5 on April 1, 1904, and 83.1 the mean average of the last ten years.

QUALITY

Should be the first consideration with all buyers
Reliable Merchandise
Costs more than merchandise of uncertain quality, but the best is always the more economical in the end. We make it a point to keep such goods as will be up to the standard of quality desired by the best trade.

OUR CASH PLAN

And our economical business methods enables us to sell the best at a lower price than is usually asked for medium qualities. Let us show you our

Summer Wash Goods

The assortment is unusually large. The new patterns are very attractive. An inspection of our

Dry Goods Department

Will convince you that we are offering great values in the most desirable novelties of the season.

Barnes' Cash Store
E. T. Barnes, Prop.

Is the place for cash buyers to trade
Shoes Clothing
Everything in ladies' and gent's furnishings. The new shapes in Men's Straw Hats
Are now ready for you



Suit Megaphones

Every Spring Suit we sell will be a Megaphone for us, calling attention to our superior garments.
Spring styles are different—Coats longer, Trousers wider—collars and lapels wider, with many new knicks in the cut and make up.
Pick out your favorite; you'll find the right shape, the right shade, the right weight at just the right price.
Look or buy—you'll be welcome here at any time.
We've a Heaping Measure of Value
in store for you, regardless of whether you buy a suit at \$10, \$15, \$18 or \$20.
We'll be satisfied when you are, but not until then is your money ours

Trousers

Extra Trousers are the salvation of many a passable suit.
The Spring styles are very neat, while the tailoring is simply perfection in trouser making. Trousers Cassimeres, Worsteds and Flannels. New Spring patterns.
We've Trousers for \$3.00, Trousers at \$7.00, or at any prices in between.

Salem Woolen Mill Store