



Another Large Shipment of New Models in Thomson's Glove Fitting Corsets

THOMSON'S "GLOVE-FITTING" "HABIT - HIP"

All models with hose supporters attached have "VELVET GRIP" FASTENERS

Thomson's "Glove Fitting" Corsets were awarded GRAND PRIZE AND A GOLD MEDAL AT THE ST. LOUIS WORLD'S FAIR last year. The jury of awards was composed of the most eminent specialists, and their verdict is the highest recommendation that any corset could have. We are showing a very complete line of both staple and fancy models at such lower prices than "regular stores" ask for the same numbers.

The New Plaid Fancies in Our Dress Goods Department are Strictly Correct

Better see them before the assortment is broken

Novelty Ribbons for Ladies' Collars. New Dress Silks

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

Sells the Best Grades of Merchandise at Cash Store Prices

CHICAGO HORSE SHOW.
CHICAGO, Oct. 23.—The sixth annual exhibition of the Chicago horse show association in the Coliseum today and will continue until the end of the week. Entries in almost every one of the ninety-nine classes were more numerous than at any previous exhibition

CHICAGO STORE

PEOPLES BARGAIN HOUSE

Salem's Busy Store

Offers special bargains all over the house this week that will make our competitors jump sideways. We are overstocked in some of our departments so we have decided to CUT the life out of the prices to reduce the stock and make room for our extensive Christmas display. It will pay you to read over carefully the numerous wonderful bargains we are offering.

- 45c 40 inch Wool Serge Dress Goods yd 25c
- 20c School Plaid Dress Goods 12 1/2c
- 75c Scotch Tweed Dress Goods 45c
- 65c Fancy Dress Goods, yd 39c
- \$1.25 Broadcloth, 54 inch, yd 75c
- 75c Zebelines, Special, yd 45c
- Novelty Waistings at sale prices
- 500 yards Velvets, all colors, yd 30c and 40c
- Fine Imported Dress Goods at sale prices
- Fine Black Dress Goods, yd 30c, 40c, 75c and 98c
- 30c India Silks, all colors, yd 20c
- 50c Novelty Wash Silks, yd 30c
- 75c Black Silk Tafeta, yd 45c
- Remnants of Silks Half Price.
- \$1.35 36 inch Black Silk Tafeta 89c
- Evening shades in Silks, Sale prices
- \$1.35 Black Silk Peau de Soie yd 85c
- \$1.50 Silk Voiles, sale price, yd 95c
- Ask to see the new Morie Silks—
- Chicago Store, Salem's Silk House.
- 20c Swansdown Flannels, yd 12 1/2c
- 12 1/2c Cashmere Flannellets 8 1-3c
- 1000 yds Fancy Outing Flannels 5c
- 15c Daisy Flannels, yd 10c
- 15c Velvet Wool Flannels, yd 10c
- All Pure Wool Flannels at sale prices
- 75c Double Blankets, price 39c
- Extra Large Blankets 90c, \$1.25 and \$1.50
- \$1 Comforters, sale price 60c
- \$2 Comforters, sale price \$1.25
- 1000 yds. Standard Calicoes, yd 4 1/2c
- \$1 White Bed Spreads, price \$2.95
- 1-3c Lace Stripped Scrim, yd 4c
- 1000 Towels, 4c, 6 1/2c, 8 1-3c and 10c
- 45c Bleached Table Damask, yd 29c

Salem's Greatest Growing Store.

McEVROY BROS.

Corner Commercial and Court Streets, Salem

IN SHADOW OF PENITENTIARY

UNLESS GOVERNOR INTERCEDES RYAN MUST SERVE SENTENCE

APPELLATE COURT AFFIRMS

Decree Under Which He Is Convicted of Larceny and Is Given Three Years.

Supreme Court Defines New Rule Governing Opinions in Which Demurrers Are Sustained to Criminal Indictments in the Interest of Justice.

In an opinion rendered by Chief Justice Wolverton of the supreme court yesterday, the decree and judgment of the circuit court for Marion county was affirmed in the case of the state vs. J. C. Ryan, in which the defendant stands convicted of larceny and is under sentence of three years in the penitentiary.

This is the case in which the defendant, Ryan, was convicted of the larceny of \$2000 in gold, which was put up by John F. Roth, a former druggist of Albina, on an alleged bogus footrace which took place in this city in September, 1904. The testimony in the case tends to show that a footrace was arranged between two supposed professional sprinters, Huston and Morris. Roth claims that he remains veiled into the trap laid for him by Huston and Ryan, the latter representing that he only desired Roth to put up his money, as a business man, as a guarantee of good faith and for a showing of responsibility.

He came to Salem on September 23 and claims he was induced to draw his \$2000 out of the bank and put it up on the race, together with that of Ryan. The race was to have come off at the baseball grounds on asylum avenue, but, as there was a crowd there the contest of sprinters and runners repaired to an open field nearby, where the race was pulled off. While the race was being pulled off Huston, the man backed by Ryan and Roth, fell down and Morris won easily. Bets were declared off, however, and the race was to have been run again ten days hence. In the meantime, however, the defendant, representing that the satchel containing the money had been deposited in the bank, also that it was his understanding the race was to have been repeated on the following Saturday and Roth and Huston, not showing up on that date, he felt in duty bound, as stakeholder, to turn the money over to Raymond and Morris, which he did.

During the trial it developed that the money which Roth put up was not all his, but that the greater portion of it belonged to his brother as treasurer of a lodge, and he immediately set about to prosecute Mr. Ryan, the others having disappeared, for fraud and larceny. The case was tried in the justice of the peace and circuit court, a jury verdict of guilty having been found in each case, and Judge Burnett rendered judgment in accordance with the verdict and sentenced the defendant, Ryan, to three years' imprisonment, from which the appeal was taken. The supreme court holds the evidence sufficient to show conspiracy to defraud Roth of his money and affirms the decree of the trial court.

Guilty Should Not Escape.

A peculiar legal entanglement has arisen out of an opinion rendered by the supreme court, August 7, 1905, in the case of the state vs. Jesse Eddy, jointly indicted with James Winkle, from Lane county, in which the decree of the trial court, in overruling a demurrer against the indictment, was reversed and the case ordered to be retried for such proceedings as might be necessary, not inconsistent with the opinion."

The statute regulating the procedure in criminal actions, as in the case at bar, requires that the appellate court, when reversing, affirming or modifying the judgment or order appealed from, must either order a new trial or the defendant discharged, as the case may be. In ordering the case remanded for such further proceedings as might be necessary, etc., the counsel for the defendant and the district attorney became involved in another controversy, the former contending that the reversal was tantamount to a discharge of the defendant, and so moved the trial court, while the district attorney objected and moved that the cause be remanded for a new trial.

The case coming up again upon a motion to modify the supreme court grants the motion and modifies the opinion that the trial court, in its discretion, may order a new trial. In explaining its position and its reason for not electing to discharge a new trial or the discharge of the defendant, the supreme court says that it would be useless to order a new trial upon an issue which has already been settled, and the foundation overturned, "as it might result in discharging a defendant in a criminal action, however guilty he might appear to be, and, possibly, before another indictment could be returned or a new information filed, it might be difficult again to apprehend such defendant and bring him to trial, assuming that he could be charged a second time for the same crime without an order submitting the cause."

In remanding the cause without ordering a new trial or the discharge of the defendant the supreme court explains that it remains within the discretion of the trial court to resubmit the cause to a grand jury or to a district attorney after a demurrer to an indictment or to an information has been sustained, and its discretion in this re-

spect cannot be controlled or reviewed by the appellate court, except for an abuse thereof.

Is Plenty of "Cause."

Deeming the allegations contained in the complaint "sufficient to constitute a cause of action," and especially so since there was no motion to make it more definite and certain, the supreme court, in an opinion rendered by Justice Moore, reverses the decree of Judge Burnett, which granted a nonsuit, in the case of A. C. Keene, appellant, vs. Nancy J. Eldridge, and remands the case for a new trial.

This was an action brought by the plaintiff and appellant for the recovery of \$390.48, the alleged surplus of the amount received for the sale of a piece of property belonging to the Keene estate, of which the plaintiff was an heir, sold to satisfy a mortgage held by the defendant and a Mrs. Harding. The case was thrown out upon a motion for nonsuit because the complaint was not explicit enough in its pleadings, but the court held there was sufficient evidence for ground of action and reverses the judgment of the lower court.

And the Fence Remains.

In the case of M. Christensen, respondent, vs. Grover Simmons, appellant, an appeal from Marion county, in an opinion of which Chief Justice Wolverton is the author, the decree rendered by Judge Galloway is affirmed.

This is a case in which the defendant, Simmons, as supervisor of a certain district in this county, directed the plaintiff, Christensen, to remove his line fence in order that the county road may be established in accordance with a survey made by Surveyor Seth R. Hammer, in June, 1879.

Upon a re-survey made by Surveyors Herrick and Culver, recently, and before the action was begun, it was found there was a difference of one-third of a chain in the measurement from a given point, the corner of the Hughes premises and the supposed location of a stake driven by Hammer. Christensen brought suit as an injunction against the road supervisor to restrain him from removing his fence and the lower court sustained his contentions.

In affirming this decision the supreme court holds the survey taken by Herrick and Culver is more apt to be correct than that represented by the witnesses, which was based upon the location of a stake and monument, which had been removed, and it so concludes.

His Bondsmen Are Liable.

C. H. Banning, appellant, vs. J. L. Roy and J. W. Leavelle, respondents, from Coos county; J. W. Hamilton, judge; reversed and remanded. Opinion by Justice Bean.

This was an action on a bail bond. In March, 1904, plaintiff commenced an action at law in the circuit court against one Romander for the recovery of money. Romander was arrested and furnished bail in the form of a written undertaking executed by the defendants and in favor of the plaintiff. Judgment in the sum of \$22.50 was secured against Romander, but no reference was made to the previous arrest and there was no provision that execution against the person might issue.

When satisfaction was sought in serving execution against the person it was found he had fled and this action was brought to collect the bail from his sureties. The trial court sustained the defendants' demurrer to the complaint and dismissed the action on technical grounds and the plaintiff appealed.

The petition for a rehearing in the case of Samuel Casto, appellant, vs. Emma Murray, et al., respondents, in which the supreme court rendered an affirmatory opinion several weeks ago, was also denied by the court yesterday.

PATRONS MAY PROTEST.

Residents Along Route of Electric Railway Kick Against Doubled Rate.

CANAL DOVER, Ohio, Oct. 23.—A mob of several hundred persons gathered in the streets of New Philadelphia today and threatened violence to the operations of cars between there and Uhrichville because the management of the road doubled the rate of fare between the two towns. Many persons were ejected from the cars during the day, which roused the ire of the citizens. The line has been suspended until an understanding with the county commissioners may be arrived at.

SIMPSON FUNERAL TODAY.

WICHITA, Kan., Oct. 23.—The funeral of ex-representative Jerry Simpson, who died here today from aneurism of the aorta, will be held at Wichita Wednesday, at the Scottish Rite temple. The body will lie in state from 1 to 5 o'clock Tuesday. It will be a Scottish Rite funeral entirely. Interment will be in Maple Grove cemetery.

POLO SEASON IS ON.

DANVILLE, Ill., Oct. 23.—A season of twenty-one weeks' duration will be inaugurated with the opening game here tonight on the schedule of the Central polo league. The league is composed of eight clubs: Danville, Marion, Indianapolis, Ft. Wayne, Logansport, Lafayette, Terre Haute and Anderson.

TO UNIFY MARITIME LAWS.

BRUSSELS, Oct. 20.—The international congress of maritime laws today drew up a protocol for submission to the governments represented covering the proposed change in maritime procedure to secure a unification of the maritime laws of all countries.

Fred Kutz and H. Wolfe departed last evening on the overland for San Francisco, where they will remain in the future, employed in a large meat market in that city.

Professor Ackerman has returned from Canyon City, where he attended teachers' institute. Prof. Ackerman says that he traveled in a foot of snow east of the mountains.

STRIKE TAKES SERIOUS PHASE

SPREADING SO RAPIDLY IT CANNOT BE STOPPED.

BURSTING FORTH PREMATURELY

Threatens to Spread to all Branches of the Labor Organizations in St. Petersburg.

Continuation of Strike a Week Longer Will Force Every Factory to Shut Down on Account of Lack of Coal—Situation at Deadlock.

ST. PETERSBURG, Tuesday, Oct. 24.—The railroad strike situation has now entered a highly serious phase. The movement is spreading rapidly to all the railroads of the empire and apparently cannot be stopped, while in many cities it is communicating itself to the mill and factory employes. A general strike in all branches of labor, which the Socialists planned for the end of the year, is suddenly bursting forth of its own volition.

Minister of Finance Koskovoff yesterday received a telegram from the governing committee of Moscow, Bourne stating the continuation of the strike a week longer will force every factory in the Moscow region to shut down owing to the lack of coal, whether or not the factory hands took part.

Threatens to Spread.

The same condition of paralysis threatens all the industries of Russia, unless the strike is speedily settled. The inhabitants of Moscow are already feeling the effects of the strike in the increased prices of food and are even confronted by famine. As the demands of the men are purely political it seems impossible to satisfy them by economic concessions. Prince Hilkoif, minister of the railroads, in receiving the members of the deputation sent by the strikers, stated that while in England and the United States he worked sixteen hours daily in order to increase his salary, and pointed out the superiority of production of foreign workmen in quality and quantity at the same wages received by Russian workmen.

The deputation entered a protest against any man being required to work sixteen hours a day, because of such long hours he was precluded from the opportunity of educational improvement. The Prince, in reply, said that even with sixteen hours a day it was possible to devote one hour each day to reading or other forms of amusement.

The Prince talked to deaf ears. The men spoke of nothing but political rights, which, of course, the prince was powerless to grant. The situation is apparently at a deadlock from which egress only may be had by the surrender of one side, or perhaps the proclamation of martial law on railroads. A flood of dispatches from the railroad centers of Russia announced the complete tying up of all transportation.

The last link that bound the Moscow commercial center of the empire with the outer world was broken yesterday when the men on the Nicholas road, connecting Moscow and St. Petersburg went on a strike. St. Petersburg has one line to the frontier and the employees of this line held a meeting last night to decide whether to participate in the strike.

Witte Appointed Premier.

St. Petersburg, Oct. 24.—It is persistently reported in clubs and official circles late last night that Emperor yesterday appointed Count Witte premier, with a portfolio of minister of finance. All this morning's papers give prominence to the report.

Witte Is on Top.

St. Petersburg, Oct. 23.—Count Witte, it now seems, will definitely come into imperial favor, and the slightest observers consider it certain he will shortly be active in the direction of a government premier and the head of a responsible cabinet position. Since his return from the United States Witte has arranged himself on the side of the Liberals, and has not only advocated the complete liberty of speech of the press and of the assembly as of the corollary of the coming down but urged the extension of the powers of the duma along the lines demanded by the reformers and the extension of representation to the ranks of the laboring classes.

The emperor to whom Witte outlined his views, displayed much sympathy with them, and it is learned he has favored a number of ministers suggested by the count, including General Troppoff, assistant minister of the interior, one of his majesty's most broad-minded advisers. The question of appointing a cabinet with a responsible premier will likely be decided Wednesday.

IS GETTING WARM.

Investigation of Land Fraud Cases in Idaho Attracts Considerable Attention.

SPOKANE, Oct. 23.—A Moscow, Idaho, special to the Spokesman-Review says the land fraud cases against Kettensch, Kester, Dwyer and Robinett, prominent citizens of Lewiston, were called today in the United States court and passed over till tomorrow. The jury venire is guarded in a close and secret manner by the officials. United States Attorney Brick refused to confirm or deny the report that William Dwyer has offered to turn state's evidence. Dwyer indignantly denied the report. The town is full of strangers and it is believed there is an army of secret service men who have been at work during the summer gathering evidence.

FRENCH PRESIDENT IN MADRID.

President Loubet Visits Spanish Capital and King.

MADRID, Oct. 23.—Monarchical Spain gave a most hearty welcome today to President Loubet of the French republic. En route to the capital President Loubet, accompanied by Premier Rouvier and a numerous suite, stopped at the Escorial and deposited a wreath on the tomb of King Alfonso II. Madrid was reached at an early hour this afternoon. From the moment when the train bearing the French executive arrived at the station until the nation's guests were safely conducted to their apartments in the royal palace Madrid resounded with acclamations of welcome, the booming of guns and the playing of the national anthems of France and Spain. A gala dinner and reception took place this evening. President Loubet and party will remain in Madrid until Friday, when they will depart for home by way of Lisbon and Bordeaux.

ENGINEER AND FIREMAN HURT

And Two Unknown Tramps Killed by Freight Collision on Oregon Short Line.

POCATELLO, Oct. 23.—Traffic on the Granger-Pocatello division of the Oregon Short Line was delayed several hours today by a collision of two freight trains near the border station. Two unknown tramps received injuries from which they died. The engineer and fireman of one of the trains were painfully injured.

ATTORNEY GETS GOOD JOB.

ST. PAUL, Oct. 23.—Edward J. Cannon, a well known attorney of St. Paul, has been appointed division counsel for the Northern Pacific, with headquarters at Spokane. It is understood his salary is \$7500.

JEROME ENDORSED BY BAE.

NEW YORK, Oct. 23.—The members of the New York bar, irrespective of politics, have formed an organization favoring the re-election of W. T. Jerome as district attorney.

EXECUTIVE BOARD CENSURED.

BOSTON, Oct. 23.—At a meeting of Congressional ministers today, resolutions were unanimously adopted expressing regret at the action of the executive committee of the interchurch conference on federation in excluding the representatives of the Unitarian church.

A TOBACCO EXPOSITION.

NEW YORK, Oct. 23.—A tobacco exposition, the first of its kind ever held here, opened at the Grand Central palace today under the auspices of the Retail Cigar and Tobacco Dealers' association of New York. The exhibition represents every phase of the tobacco trade from the growing of the leaf to the manufacturing of cigar.

CHINA UP TO DATE.

PEKIN, Oct. 23.—Much interest is manifested in the military maneuvers begun by the Peiyang army today in the neighborhood of Paoching, the first of the kind ever held in China. Upwards of 40,000 men of all arms are taking part. They have discarded Chinese dress for up-to-date uniforms similar to those of the Japanese army. The maneuvers are to be attended for purposes of study by military officers from every part of the empire.

PRESIDENT IS IN ALABAMA

RECEIVES CORDIAL INNOVATION ALL ALONG THE ROUTE.

ARE GIVEN HEALTH CLEARANCE

Principal Stop at Mobile, Where the President Delivers Address to the Multitudes.

Brief Stop at Alabama's Capital and Only Two Hours Devoted to Mobile—At Booker T. Washington's Town Today.

MOBILE, Oct. 23.—At the many little stations through which President Roosevelt's special train passed today people gathered who cheered and waved flags as the special passed en route to Mobile. At Troy the students of the normal school grouped alongside the track and greeted the president with cheers. He appeared on the rear platform and bowed his acknowledgments. At Brinson, Georgia, Secretary Brassell of the Alabama board of health boarded the train, and on the affidavits of Surgeon General Rixey, issued a clean health certificate to the presidential party.

The principal stop of the day was at Mobile, where the president spent two hours late this afternoon and delivered an address. The president was escorted to Bienville square, the route of procession having been elaborately decorated with lights and burning in national colors. The sidewalks along the line of march were packed with humanity and at several points hundreds of school children were massed, who sang national anthems and songs as the procession passed.

The speaker's stand was erected in a square brilliant with electric lights and overhead the magnificent grove of live-oaks formed a canopy of green. It is estimated that when the president began his address forty thousand persons were within the sound of his voice. The president will spend tonight outside of Montgomery. Early tomorrow a start will be made for Tuskegee where the train is expected to arrive at 8:30.

Mobile, Ala., Oct. 23.—President Roosevelt and his party today had their first taste of the hospitality of Alabama. After an all-morning ride across fertile sections of Georgia and Alabama the presidential special reached Montgomery shortly after 11 o'clock. The stop in the capital city was very brief, only long enough, in fact, for the train to be switched from the tracks of the Atlantic Coast Line to those of the Louisville & Nashville and then to resume the journey to this city. During the forenoon and early afternoon the special received rousing welcomes all along the route. Throngs of men, women and children were at every station and waved flags and shouted as the train rushed by. Mobile was reached on schedule time this afternoon. As the president emerged from the canopy of flags at the station and entered the

(Continued on Page Seven.)

REPUTABLE CLOTHING

THE PROBABILITY OF GETTING BETTER CLOTHING THAN S. W. M. MAKE IS REMOTE



WE believe ourselves able to judge clothes and have had many lines to select from. In points of Quality, Style Fit and Price our Fall line is second to none.

The reputation of the S. W. M. Clothes is something you can depend upon. We can't afford to sell you inferior goods, every garment is guaranteed.

Of the New Styles We Offer:

- Suits double or single breasted, full length, worsted or fancy chevots.....\$10 to \$25
- Overcoats or Raincoats in full or medium length, light or medium weights.....\$12 to \$22.50

SALEM WOOLEN MILL STORE
C. P. BISHOP, Proprietor