

WEATHER FORECAST.

Tonight and Thursday, fair.

Shirt Waists.

Trojan Waists are perfect fitting, are made of best materials; bishop sleeves; lace collars.

Belts, Waist Sets, Etc.

Just received a new line of Dresden spangled belts; also gilt, black, kid, leather, linen, etc. Gilt belting by the yard. New black and colored buckles; a large variety of waist sets, etc. See the line of 50c belts.

Wash Goods.

We show a fine line of ducks, piques, percales, dimities, dotted swisses, etc. See us for commencement costumes.

J. J. Dalrymple & Co.

PERSONAL.

Hon. T. T. Geer was in town Wednesday.

Hon. E. T. Hatch, of McCoy, is in the city.

L. B. Balsey, the Stayton merchant returned home today.

Attorney General Idelman returned to Portland this morning.

Mr. Haas, of the Garden Road, is spending a few days in Portland.

County Supt. J. S. Graham went to Portland this morning on business.

Apotheker Daniel J. Fry went to Portland on the morning local train.

W. J. D'Arcy is the orator of the Pioneer's reunion, of Polk county, on June 24th.

Chas. Corby, L. G. Barron and J. H. Wheeler, of Woodburn, were in town today.

Rev. D. L. McClain went to Philomath today to attend the United Brethren conference.

Rev. Kershaw, of Leslie M. E. church, is taking in the quarterly conference at Woodburn.

Capt. Miller, editor of the Woodburn Independent, passed through Salem today for the Independence encampment.

W. H. Queener, of Stayton, who has been looking after some legal business at this term of court, returned home today.

Peter Bach, who with a partner will succeed to the business of Thos. Burrows in the near future, went to Portland on the morning train.

The Wonderful Bicycleist.

Prof. Ed J. Baiden, a famous trick bicyclist, now in Portland, Ore., will give startling exhibitions of trick and fancy bicycling never before seen in this part of the country, on the race track in front of the Grand stand, in this city, June 14th, at the Conductor's picnic. Prof. Baiden rides a regular road Rumble bicycle, and has been secured at a heavy expense by the Conductor's committee. This will probably be his only appearance in Marion county. His wonderful of that slippery vehicle, (The Safety bicycle), must be seen to be appreciated. Remember the date, June 14th.

Soap Foam Washing Powder will not make the clothes yellow, nor burn the hands.

Special Sale.

Tan Shoes.

Wednesday and Thursday.

A box of tan shoe dressing given away with every pair of tan shoes sold for \$1.50 or more. Call and take advantage of this offer. We have an elegant line of new styles in tan shoes and can fit all.

See our lines of wash goods, the finest in the city.

Willis Bros. & Co. Court and Liberty. The Cash Dry Goods, Clothing and Shoe House.

The Strawberries Show.

Sonnemann has the first home grown berries, fresh, rich, ripe and sweet. Bananas, oranges, fresh and juicy, always at the old stand.

Sonnemann's Grocery.

124 Court street.

SOCIAL REVELATIONS.

Some Personal and News of the Doings of Oregon People.

Miss Helen Crawford returned to Albany today.

Miss Annice Jeffry has returned from Portland.

Mrs. Geo. M. Beecher returned by the Salem local last night.

Mrs. Handsacker of the state insane asylum force is at Portland.

Mrs. P. S. Knight left for Portland yesterday to be absent for a few days.

Mrs. Lou Chapman, of Turner, was a visitor to friends in Salem yesterday.

Mrs. Chas. Riely returned from a three months' sojourn in San Francisco, last night.

A number of G. A. R. and W. R. C. people go to Independence via the Altona this morning.

Miss Stella Dorris, who has been the guest of her sister, Mrs. H. H. Thompson, returned to Eugene today.

Mrs. J. A. Stites, who has been employed at the asylum for some time past, yesterday removed to Portland, to make her home.

Mrs. Wm. P. Lord and Mrs. J. J. Murphy will receive their friends Saturday afternoon at the residence of the latter on Court street.

Mrs. A. F. Campbell and children went to Wilbur today, to attend the bedside of her father, Benjamin Grubbe, and old pioneer who is very ill.

Mrs. Dr. A. M. Belt, who has passed the last three or four weeks in Dallas visiting her sons Charles and J. C. Belt, returned to Salem yesterday and is at the home of her daughter Mrs. Geo. H. Burnett.

Mr. and Mrs. Bear (nee Ora Stroud) who were married at high noon on last Monday at the home of Rigdon Scott, left for a tour of Iowa and Indiana yesterday. They will be gone six weeks.

PINAFORTE AT CHEMAWA.

Prof. Heritage and the Salem Choral union will go to Chemawa Indian school this evening to render the opera "Pinafore" before the pupils and employes of that government institution. This service will be rendered free gratis by the organization but a 10 cent admission fee will be charged to defray expenses. A good many people from Salem are going down this evening.

Special Rates.

See Boise & Barker, agents for the O. R. & N. and Union Pacific railways regarding special round trip rates to the Republican national convention at St. Louis, the Democratic national convention at Chicago, Peoples party convention at St. Louis, national convention Y. P. S. C. E. at Washington, D. C., National educational Association at Buffalo, N. Y., and G. A. R. national encampment at St. Paul, Minn.

Woman's Relief Corps and Sons of Veterans.

On June 8th, 9th, 10th, 11th and 12th the O. C. & E. R. R. Co. will sell round trip tickets from all rail and river points to Independence to members of the above orders at one fare for the round trip, tickets good to return on June 15th.

State Treasurer's Sixteenth Notice.

STATE OF OREGON, Treasury Dept., SALEM, May 28, 1896. Notice is hereby given that there are funds on hand with which to redeem all outstanding state warrants endorsed by me "presented and not paid for want of funds" between the dates of October 8, 1895 and the date of this notice, with the exception of warrants drawn on the swamp land fund, and that all such warrants, properly endorsed, will be paid upon presentation at this office, interest thereon ceasing from, and after, the date of this notice.

Wanted—All girls to know that "Hoe Cake" will not make their hands red like common soap. Save the wrappers. They are worth a cent apiece.

There's more clothing destroyed by poor soap than by actual wear. "Hoe Cake" soap contains no free alkali and will not injure the finest lace. Try it and notice the difference in quality. John Hughes.

For Independence.

Notice to comrades and the public: The old soldier who runs the Alice will leave the Altona dock at 8 a. m. each morning for the Independence encampment. Fare for round trip 25 cents. Come back when you please.

An Open Letter From J. H. Albert, to Street Commissioner Culver.

SALEM, Or., June 10, 1895. To W. J. Culver, Street Commissioner:

DEAR SIR:—Referring to the following report of the action of the city council at its last meeting to wit:

"At this point Mayor Gatch called attention of the council to the state of abeyance into which the Mission street encroachments had fallen and suggested that the question be revived and that George G. Bingham, one of the parties interested in the immediate adjournment of the matter, who was present in the council chamber, be invited to address the council on the subject. This, upon motion, Mr. Bingham did, urging the necessity of promptly replacing the offending fences upon the correct lines of the street. The discussion became general and eventuated in an offer by me to give my services as a lawyer in behalf of the city in any event of legal prosecution arising from a settlement of the issue. The council thereupon ordered City Engineer Culver to remove the obstructions complained of, at once, placing them upon the original municipal lines and to report his action on the premises."

I beg to call your attention to your notice to me dated March 12, 1896, and my answer addressed to the common council of March 17th respectively, of which the following are true copies, to-wit:

SALEM, Or., March 12, 1896. Mr. J. H. Albert, Salem, Oregon: DEAR SIR:—At the regular meeting of the common council of this city held on February 18, 1896, a report was made by the committee on streets and public property showing that the fences along the north side of Mission street which enclose your lands, extend into the street, the report further states that the fence should be built with reference to the north line of the Leslie donation land claim and not the Wilson line.

I am instructed by the council to take the necessary steps to remove this obstruction.

You are respectfully notified to remove the fences belonging to you along Mission street to a point at least 30 feet from the Leslie line within ten days.

W. J. CULVER, Street Commissioner. SALEM, March 17, 1896.

To the Hon. Common Council of the City of Salem:

GENTLEMEN:—Referring to a certain notice served upon me, this day, by W. J. Culver, street commissioner, I beg to say, that the surveyor's report with its accompanying plat, on file with the city recorder, shows that the road or street referred to, was located "along the south line of the Wilson claim."

The records of the United States land office show the Wilson claim (No. 44) to have been established prior to the Leslie claim (No. 45) and that the south boundary of the Wilson claim is a right line projected from its southwest to its southeast corner.

The charter of the city of Salem recites that the "limits of the city shall be as follows, commencing in the middle of the main channel of the Willamette river at the corner of the late W. H. Wilson's claim, thence east, following the southern boundary to the southeast corner of said claim, etc., etc."

My southern boundary fences were located by City Surveyor Culver about one year since, as being just thirty feet north of the southern boundary of the city, the Wilson line, in regard to the location of which there can be no dispute. This line is now confirmed by the city surveyor and has not been disturbed by any subsequent survey; indeed, it is established by him in the plat prepared by him for the "com" on streets and public property.

I have no respect for the report of a committee which directly contradicts the facts clearly established by the data upon which it pretends to base its findings. I deny its right to relocate a road already legally established or to carve a slice (however small) from the municipal domain for the benefit of an adjacent proprietor.

Relying upon these facts, I will forebear resist any attempt on your part, or your servants, to invade or trespass upon my premises.

Respectfully, J. H. ALBERT. (Signed.)

I wish to supplement this with the statement that the iron stake set by you near the west end of my property on the Wilson line is in position now, the oak stake at the east end having been covered up in the fill since made by me, but both 30 foot stakes, as set by you for a line upon which to place my permanent fences are intact and exactly in line with the fences placed over two years (instead of about one year ago) the intervening fences conforming exactly to that line. The contention of the committee that the fences should be 30 feet from the "Leslie" (No. 45) instead of the Wilson (No. 44) line, which it claims it overlaps, suggests the undisputed fact that the Wilson claim has priority in date, its south line was run through virgin territory, and as two bodies cannot occupy the same space at the same time, the northern boundary of the Leslie claim must necessarily be limited to territory lying south of the south line of the Wilson claim, and it is not possible for the former to encroach upon, or overlap the latter in case they conflict, but the south line of the one and the north line of the other must be, and are identical, the question of priority in time of the Wilson claim now being RES ADJUDICATE.

You admit that the United States patent projects the south line of the Wilson claim from a certain point in the Willamette river its southwest corner, south 70 degrees, 21 minutes east, 83 chains to the southeast corner of said claim. You admit also that the United States patent projects the north line of the Leslie claim from some certain point in the river south 70 degrees 21 minutes east, 52.69 chains to its northeast corner, the two lines as fixed by the patent being identical the entire length of the Leslie claim and that my fences are today just 30 feet from that line, that the fence on the south side of said line meanders the space at various distances of from 15 feet to 25 feet from said line and not equidistant from any alleged line.

The only claim that the Leslie line should be placed north of the Wilson line, is that of an interested party, based upon the theory that the field notes of the Leslie survey, although they describe the line as "running along the Wilson line," allege that they, (the field notes), fix the northeast corner at a point 10 feet within the Wilson claim. There is not a vestige of the alleged "old corner" and but one witness tree and that so nearly in the course of the line as to be of no value in fixing the corner by its distance therefrom, answering in that respect just as well for the true corner on the Wilson line, leaving only its course with which to support the theory of the alleged mistake of the surveyor, of which advantage is proposed to be taken, (a surveyor having recently placed a new corner there) as against the course of the true line 70° 21', given in the United States patents to both claims. The prior survey of the same line in the Wilson line, correctly, as proven by the compass, as well as by the originally established corner and witness trees, without any conflict: give such a preponderance of testimony in favor of the true line 70° 21' as to establish the original corner on that line beyond reasonable doubt; without relying upon the all-sufficient fact in itself, of priority of title.

Besides, the Leslie patent describes the land by metes and corners, not by "metes and bounds," thus, "thence S. 70° 21' E. 72.69 chains, thence 23.50 chains, etc." Not S. 70.21 east, to a corner, or a stake, hence a mistake of the surveyor in the field notes or in establishing a corner would be corrected by the course and distance given in the patent. The description in the patent is paramount. The field notes are auxiliary only. The tail does not wag the dog.

The paradoxical statement of the committee, in its report of April 18th, that "the Wilson line, S 70° 21' E, is not a straight line," I beg to refer to the ghosts of Euclid and Legendre. Our city charter confers upon the council "exclusive power." See sub. div. No. 33, Sec. 6. "To provide for the surveying of blocks and streets of the city, and for marking the boundary lines of such blocks and streets, etc."

In accordance with Sub. Div. No. 27, authorizing it to make bylaws and ordinances not inconsistent with the laws of the United States or of this state, to carry into effect the provisions of this charter, the council passed an ordinance on April 9th, 1891, providing for the survey and establishment of the common boundaries of all the blocks and streets of the city, which was done under contract with J. H. Greer, and stands today as the official survey of the city, no additions having been since made thereto, except to extend existing streets. Section 1, title 2, chap. 7, further provides, "when any street improvements are ordered to be made in the city of Salem, or sidewalks are ordered to be built, all such improvements shall be made, and all such sidewalks laid according to a survey duly made and recorded, by virtue of an ordinance, passed April 9th, 1891, known as ordinance No. 14, to provide for a re-survey of the city of Salem, which said re-survey is commonly known as the "new survey," recorded in Sec. 25th, 1892, in book of deeds, page 121 to 124, by Geo. A. Edes, clerk of Marion county."

This survey, gives Leslie street as the extreme southerly street of the city, disposing of the territory lying south of Leslie, as follows: "The fractional blocks lying along the south line of the Wilson claim are of the following widths, on the west side of Commercial street 298 feet. On the east side 299 feet on the west side of..... street (Liberty) 303 ft. 8 in. and on the east side 304 ft. 8 in. On the west side of Church street 312 feet" thus giving measurements extending these fractional blocks (the boundaries of which are the cause of the present controversy,) through to the Wilson line, leaving no vacant strip for either street or road; but as before stated, I have placed my fences upon a line fixed by you 30 feet north of my south line, the easement of the public however being restricted to the use of said strip as a road the fee remaining in me.

The charter further authorizes the Council Sub. div. 30, sec. 6 to provide for the prevention and removal of obstructions from the streets." This must be done by ordinance not inconsistent with the laws of this state. It cannot try titles or fix or change lines or break inclosures in violation of state laws, these not being classed among police powers, but may only mark such boundaries after having been legally established. However the only legislation by the Council under this charter provision, is found in sec. 9 title 1 chap. 4 of city laws as follows:

"Sec. 9. Any person who shall willfully place any obstruction in the streets or alley of this city..... shall on conviction thereof before the recorder be fined not exceeding \$30 for each offence, and Sec. 11. It shall be

the duty of said Supervisor of roads to make complaint to the recorder against every person violating any of the provisions of Sec. 9 and 10 of this title" and explicit as it is, no steps appear to have been taken under it. If you can conscientiously swear out a warrant against me under it, it would seem to be your duty to do so, and the Recorder's duty to place such warrant in the hands of the Marshal for service.

I wish you to understand that I am now, and have been at all times ready to submit to the legal process or decree of any tribunal of competent jurisdiction relating to my boundaries but the council is not such a tribunal, and I will not submit to its unlawful dictation, in a matter which is beyond its jurisdiction, in which it is an interested party, and of which I believe it knows less than I do, myself. As to the order of the council, that you "remove the obstruction complained of," etc., it is hardly necessary to remind you, that an act, performed by you, in order to constitute an "official act," must be within the scope of your authority, and that your powers are limited to those expressly conferred by law, which cannot be enlarged by resolutions of the councils, nor your unlawful acts, un-

der its instructions justified, by the volunteer services of an interested attorney tendered for your defense. His cheap advice should not incite you to break into my enclosure or invade my premises, without due process of law, any more than it should move you to apply the torch to my house, or thrust a knife into my back, upon his promise to defend you without charge. Among your powers enumerated by law, you will find no warrant for such summary action, as is contemplated by the council. Indeed there is no ordinance authorizing any action on your part, in the matter of obstructions in streets and alleys except herebefore mentioned. (See section 9 and 11, title 1, chapter 4, of City laws.)

Relative to the specific action which the mayor and volunteer lawyer, urged the council to impose upon you; I beg to quote from the criminal code section 1788: "If any person shall willfully break down or destroy any fence belonging to, or enclosing LAND NOT HIS OWN..... such person upon conviction thereof shall be punished by imprisonment in the county jail not less than three months nor more than one year, or by a fine of not less than ten dollars nor more than four hundred dollars." I find no exemption in favor of mayors, volunteer lawyers or street commissioners. Now this discarded city attorney, who volunteers his services as an inducement for you to invade my premises, ought to know that he is inciting you to commit a crime, but I will not do him the injustice to say positively THAT HE DOES KNOW IT, but the validity of this notice to you does not depend upon his knowledge, as you understand that "No man can plead ignorance of the law, in justification of an unlawful act." As a citizen I am guaranteed security in my person and property against unreasonable seizure. You cannot lawfully dispose of or disturb me in the peaceable possession of either, without a warrant or other legal process from a court of competent jurisdiction; and before serving it, you are required to exhibit such warrant or process on my demand.

I again warn you against being incited by false representation to commit under the cover of your official title, an act which would be clearly a

Special Friday and Saturday, DRESS GOODS

Bargains! Bargains! Fancy mixtures from..... 18c up. Plain cashmeres from..... 21c up. All wool serges from..... 34c up. Big reductions in fine suits.

Stock's

257 Commercial st.

THE LATEST!

Pineapple, 10c can. Corn, 5c can. Steel-cut Oat Meal, not rolled oats, the new breakfast dish. Good canned peaches cheaper than any sold in town.

HARRITT & LAWRENCE,

P. O. Grocery.

der its instructions justified, by the volunteer services of an interested attorney tendered for your defense. His cheap advice should not incite you to break into my enclosure or invade my premises, without due process of law, any more than it should move you to apply the torch to my house, or thrust a knife into my back, upon his promise to defend you without charge. Among your powers enumerated by law, you will find no warrant for such summary action, as is contemplated by the council. Indeed there is no ordinance authorizing any action on your part, in the matter of obstructions in streets and alleys except herebefore mentioned. (See section 9 and 11, title 1, chapter 4, of City laws.)

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Awarded Highest Honors—World's Fair, Medal, Midwinter Fair.

DR. PRICE'S CREAM BAKING POWDER

Most Perfect Made, 40 Years the Standard.

Special Friday and Saturday, DRESS GOODS. Bargains! Bargains! Fancy mixtures from..... 18c up. Plain cashmeres from..... 21c up. All wool serges from..... 34c up. Big reductions in fine suits. Stock's 257 Commercial st.

C. H. MACK, DENTIST. Successor to Dr. J. M. Keene, old White Corner, Salem, Or. Parties desiring superior operations at moderate fees in any branch are in especial request. DEPOT EXPRESS. Meets all mail and passenger trains. Baggage and express to all parts of the city. Prompt service, Telephone No. 70. JAMES RADER.

Capital Transfer Co. HARRY TOWN, PROP. Express, baggage and all kinds of work done promptly. Leave orders at Patton's store. MONEY TO LOAN. On farm land security. Special rates on large loans. Loans considered without delay. HAMILTON & MOIR. Bush Bank building.

MONEY TO LOAN! On city or farm property. T. K. FORD. Over Bush's Bank, F. VAN DER BAAN, Carpenter, Bullder and Jobber. 48t Winter street. Hard times prices always.

C. H. LANE, MERCHANT TAILOR. 211 Commercial st., Salem Or. Suits \$15 upwards. Pants \$5 upwards.

C. M. EPPLEY, formerly of Clark & Eppley, is now prepared to serve the public with everything first class in his line, at Simpson Bros. old stand. THE ELECTRIC GROCERY. RILEY BOARDING HOUSE. The popular place 347 High street, has been reopened, and is prepared to receive boarders and roomers at the most reasonable rates. Nice suite of rooms on the ground floor. Sunday dinner from 1 to 2. SHENFIELD & RAINE, Proprietors.

HOME RESTAURANT. S. Richardson, Prop. Two doors north Hotel Willamette. Home cooking and home made pies and cakes 43 ways on hand. J. H. HAAS, WATCHMAKER AND JEWELER. Makes a specialty of fine repair work. See Thomas clock, etc., 215 Commercial Street.

DY LINE TO PORTLAND. STEAMERS. Altona and Ramona. LEAVE. DAILY. Portland, 6:45 a. m. 9:30 a. m. 10:15 a. m. 6:00 a. m. Quick time, regular service and cheap rates. M. P. BALDWIN, Agent, Salem.

FOR SALE—Three acres of land in Yew Park, with good house and barn, 100 fruit trees, all rich garden land, for sale cheap. Apply to Lewis Pettysjohn. 58 1/2 mo. PASTURE—First class pasture for horses or cattle. Just south of Morningdale. \$1.00 a month. Best grass and water. Inquire at JOURNAL office. 6 1/2 mo. PUBLIC MEN, POLITICIANS AND BUSINESS MEN can obtain all newspaper information from the press of the state, coast and country from the Press Clipping Bureau, Allen's Union Block, Portland. 12-20tf FOR SALE—Eight milch cows and two 2-year olds. Inquire of M. J. Egan, Gervais, Or. 2 24 tf

FOR SALE—Pioneer crockery and grocery store, established 1857; place of business first one of the best locations in the city; a capital of about \$5,000 required; object of closing business, on account of health. Jno. G. Wright, Salem. 58 1/2 drm FOR SALE OR RENT—40 acres land 5 miles out. Partly improved, wood and pasture, good house, large barn, 2 acres bearing orchard, lot of small fruit, good water. Wood stumpage can be had. Box 145, Salem. 58 1/2 FAPERS.—Portland, Sacramento, Seattle, Tacoma and San Francisco papers on sale at Miller's Postoffice block. P. O. NEWS STAND.—Local Subscription Agency for all newspapers and magazines. Fine stock of cigars and confectionery. F. W. Miller, Prop. 1 14 tf

FOR SALE.—One house and two lots, situated in Wheatland, Yamhill county. All set in good fruit. For sale at a bargain. The property is that known as the Wheatland hotel. Price \$150. Address, A. care Jour. 4 2 tf

WOLZ'S MARKET. FREE DELIVERY. WOLZ & MIESCKE, Prop. Dealers in all kinds of fresh and salt meats. Fresh sausage a specialty. 171 COMMERCIAL ST.