

O.C.T. Co's ALTONA Fast Passenger Steamer

CLEARING PRICES

Still rule on all lines of Ladies waists and Men's straw hats.

J. J. Dalrymple & Co.

STRAW HATS. I have a few bargains left in men's and boy's straw hats that I will close out at racket prices.

Wiggins' Bazaar

OREGON PERSONALS. A. Strong, has gone to Curry county. L. A. Savage returned today from Newport.

HOT BARGAINS!

SHIRT WAISTS—4 price. Any waist in the store for the usual price.

WILLIS BROS. & CO. No. 332 Commercial street

SPECIAL SALE

Boys' Blouse Waists!

Blouse Waists in dotted and striped percales. Blouse Waists in black satteen.

Blouse Waists in fancy cutting flannels. Former price \$1, 2c, 4c and 5c all on for

20 CENTS EACH!

T. HOLVERSON.

MORE EXCURSION TRAINS.

Hundreds of Y. P. S. C. E. Visitors Pass Through Salem. A large crowd of Salemites were at the depot throughout the day

JOHN DURBIN, SR., DEAD.

A Marion County Centenarian Passes Away. John Durbin, the oldest resident of Marion county and possibly of the state, departed this life at about noon today at the Sol Durbin home

STATE FAIR MEETING.

At a meeting of the executive committee of the state fair board in session as THE JOURNAL goes to press, the sum of \$150 was appropriated, instead of \$75, for base ball prizes.

Hop Contract.

A contract for the delivery of 10,000 pounds of hops at 9 cents, by Russell Catlin and James Lion to Horst & Lachmund, was filed in the county recorder's office today.

WILHOIT SPRINGS.

Will be visited by hundreds of Salem people tomorrow, but to those who remain at home, we extend a cordial invitation to call at our restaurant and enjoy a chicken dinner for only 15 cents.

SENTENCED.

Gardner Receives Sentence.

Docket Entries Made at Today's Session of Dept. No. 1.

F. L. Gardner, the Monitor postmaster and merchant, was this morning sentenced to 7 years imprisonment by Judge Geo. H. Burnett, having been convicted by a jury trial of the crime of rape committed on 14-year-old Mable Hitchman on April 30, 1907, at his place of business at Monitor, this county.

The trial took place July 7, and within five minutes after leaving the court room the jury returned a verdict of "guilty as charged in the indictment." Gardner's attorney, Tilmann Ford and E. J. Hendricks fled a motion for a new trial on the grounds of "surprise and additional evidence."

Promptly at that hour court opened. Judge Burnett said there were two things to consider in the motion for a new trial: surprise at the unexpected change of date on which the alleged crime was said to have been committed, and newly discovered evidence that could not have been previously obtained with reasonable diligence.

The defendant was asked if he had anything to say before sentence was pronounced on him. Gardner arose and declared his innocence of the charge. He had never been guilty of the crime in all of his life. He could not see how a jury could return a verdict of guilty from the testimony introduced at his trial.

Judge Burnett then sentenced the man to seven years imprisonment. Scarcely had sentence been pronounced when Gardner buried his face in his hands and wept like a child, exclaiming between his sobs, "My God My God, I would rather be shot. Won't somebody shoot me?"

Gardner has been married several times, his last wife is still living but he has no children. The maximum sentence for this crime is 20 years so it will be seen the man received a comparatively light sentence.

MARION COUNTY INJUNCTION CASE.

Major D. C. Sherman of the law firm of Sherman, Condit & Park, who have been employed by Treasurer Brown to appear for him in the court house warrant injunction suit, filed a motion before Judge Hewitt this morning asking to have complaint of plaintiff made more definite and certain. The amended complaint when filed, will probably be demurred to.

IN PROBATE COURT.

The death of Sam B. Parish at Portland last week, left the J. L. Parish estate without an administrator. Subsequent to his death, Mrs. Henrietta Parrish, today petitioned the probate court for the appointment of Dr. E. A. Pierce as administrator of the estate.

Rev. N. Shupp, presiding elder of the Portland district, will preach at the Chemeketa street Evangelical church at 8 p. m., tonight. Quarterly conference will be held immediately after this service.

WILHOIT SPRINGS.

About Seventy-Five Local Bicyclists Will Visit This Resort Sunday.

Wilhoit Springs, the popular pleasure resort of Clackamas county will be visited Sunday by about seventy-five Salem bicyclists. The springs are located about 22 miles north-east of Salem, and 12 miles from Mt. Angel.

Those who have registered for the trip are: B. P. Taylor, C. M. Lockwood, A. W. Long, Chas. Murphy, Webster Kincaid, Ray Gilbert, Ernest Welch, N. E. Litherland, C. B. Irvine, J. E. Baker, J. L. Freeland, R. Churchill, Harry Shaw, Theo. Both C. S. Hamilton, Max O. Boren, O. J. Shirley, W. A. Irwin, Otto Wilson, Matt Wain, C. Mine, Watt Shipp, Roy Damon, F. J. Lousignoot, Albert Hoff, Turf Meulhaupt, Henry Myers, Paul Sroat, J. W. Sayre, Fred Palmer, W. Pruitt, D. Farrar, R. Dickinson, G. L. Price, J. E. Allison, J. Fisher, Chas. Cleaver, G. A. Molden, H. W. Moir, A. E. Crosby, G. W. Herschbach, M. P. Baldwin, F. A. Sutton, D. B. Cronwell and Jay Bowerman.

THE SOCIETY NOTEBOOK.

LAWN SOCIAL.

At the spacious home of L. M. Benninghoff corner of Chemeketa and Nineteenth streets on Tuesday evening last, the Ladies Aid society of the Seventeenth and Chemeketa Evangelical church gave an ice cream social. The affair was a splendid success financially and that it was a success from a social point of view is freely attested by the hundred persons who enjoyed the evening's exercises.

BASEBALL NEWSLETS.

A match game is scheduled to take place between the Salem Juniors and an Albany nine some time next week. The bartenders have accepted the challenge recently issued by the barbers and a game will be played at the fair grounds on Tuesday afternoon of next week.

Manager Doug Minto, of the Salem team, can arrange for a catcher in the meantime, a return game with McMinnville team will be played on the fair grounds diamond next Saturday afternoon.

The McMinnville team was scheduled for an exhibition game with the Chemawa Indian Training school nine before the Chautauqua at Gladstone Park this afternoon, should the game take place, the writer predicts the Indian boys "will not do a thing" to the team from the West Side.

One of the leading woolbuyers estimates that about 2,500,000 pounds of wool have changed hands at The Dalles this season.

Hop Growers Attention.

"Hop Evener" something new and useful invented by A. J. Jerman, of Switzerland, on exhibition at Wm. Brown & Co., 230 Commercial street, every hop grower should have one. Call and see it. d&w 7 12 1m

Solid Gold Set Rings

\$1.00. =

A fine assortment of bargains left from the W. W. Martin bankrupt stock. Must be sold regardless of cost.

Watch Cleaning..... 75c Main Springs..... 75c

C. H. HINGES,

Leading Optician, Watchmaker and Jeweler. Second door north of P. O. Eyes Tested Free.

CAPITOL.

The Kincaid Warrant Suit.

Semi-Annual Report of State Treasurer not Filed.

A JOURNAL reporter today made inquiries at the governor's office for the semi-annual report of the condition of the state treasury required to be filed July 1, but elicited the information that no such report had yet been filed.

The state weather bureau forecasts as follows: Sunday and Monday fair warmer. The state officials and their families are all preparing to take summer outings.

The recent decision of State Supt. Irwin in the Sunnyside school district case is entirely disregarded by the directors, and his decision has no power behind it to enforce his decree. It seems a farce to put the people to all the trouble of appearing and hiring lawyers and having a trial only to learn afterwards that the opinion rendered has no more force than a kitten mewling.

THE KINCAID WARRANT SUIT.

It is earnestly expected that the supreme court will soon hand down a decision sustaining the secretary of state, H. R. Kincaid, in his refusal to draw warrants and issue about a million dollars script before the legislature has authorized it. Mr. Kincaid thinks it would be a crime for him to do this and the people almost unanimously, regardless of political complexion or party lines, think he is right. Even those who thought he was wrong in trying to keep the railroad commission from getting their money think that the secretary is right about this warrant case.

The members of the supreme court are directly interested in the case in a pecuniary way and many people are asking "Will this influence them in their decision?" It is to be presumed and hoped not. But really, is a court which is directly and pecuniarily interested, morally qualified to act on the case? There are eminent legal advisors who assert that the court is disqualified to pass upon the case. Be this as it may, the case is one of the greatest importance that has been before the court for many years.

It is plain that if the secretary of state, or any officer of a state department were asked to perform an act clearly beyond the hints limits down in the constitution, or attempting to act in a manner inhibited by the constitution, the supreme court could be called upon to restrain such an official from any conduct in conflict with the fundamental law. But in this case Secretary Kincaid is seeking to act strictly according to the letter of the constitution. He is striving to keep within the bounds of that instrument as it applies to his duties as auditing officer. He is refusing to go beyond the limitations laid down for him in that instrument as construed by this very court in 1878.

He desires that conduct of his official duties as a servant of the people shall not pass the limitations expressly placed upon him by the constitution framed by the people themselves. There is absolutely no conflict between his department and the higher law of the state, and hence the supreme court can have no jurisdiction in the matter. The attempt to create new duties for the secretary of state, exactly the reverse of those prescribed for him by the law, the constitution and also by a supreme court decision, on this identical question is a novelty in jurisprudence.

OREGON C. E. DELEGATES.—At the great C. E. convention at San Francisco, Oregon had the largest number of registered delegates of any other state with the exception of California. There were 505 in attendance from Oregon. State President H. S. Gile, previous to the convention, predicted that the Oregon delegation would number 500. A number of the Salem delegates have returned home.

LOST.—Purse between Summer street and penitentiary, containing railroad ticket and some money. Finder return to this office and be rewarded.

Special for Friday and Saturday.

HOSIERY!

All grades in black, tans and ox bloods in ladies' misses' and children's, at reduced prices.



257 Commercial st.

THE

Last and Final Week

Will positively wind up

SATURDAY

We have decided to close out our store here and next Saturday night will be the last chance you will have to buy goods at your own prices.

SHAW'S Bankrupt Stock

Corner State and Commercial streets.

REED'S OPERA HOUSE

Patton Bros. Managers.

ONE NIGHT ONLY JULY 21.

Interest you sure. The mere announcement of a Yale show means it's worthy of your immediate attention.

CHAS. H. YALE'S GORGEOUS SPECTACLE GREATER TWELVE TEMPTATION



THE MARVELOUS DELIRIUM TREMENS SCENE

With a company of 60 people, will be with you for the first time performance embraces all kinds of stage amusements skillfully and rolled into one gigantic whole!

seat sale open Friday, morning 9 a. m. Prices 50c and \$1.

Wanted to Exchange,

A good square piano for a horse. Tent and bicycle for Bryan money. Stove and furniture for McKinley money.

J. L. FREELAND, Opera house block, Salem.

ORIGON FRUIT & PRODUCE CO.