Mr. Holmes. Mr. Carson was called What do you think of those away part of the time by other busi-Schilling's Best advertisements? plaintiffs that they had acquired the

Is other tea colored?

Is Schilling's Best pure?

Is Schilling's Best moneyback if you don't like it?

ment

DAILY CAPITAL JOURNAL.

BY HOFER BROTHERS,

MONDAY, OCTOBER 31, 1898.

Daily, One Year \$3.00, in Advance Dally, Four Months \$1 00, ir Advance. all the evidences of bad faith. Weekly, One Year \$1.00, in Advance

BINGHAM ET AL. KNOCKED OUT Continued from First Page.

The suit of Bingham and Davis for complaint set out no facts showing of directors they could make any kind box, while 12 names were out; that an injunction and receivership insolvency of the company as re- of accounting they saw fit. \$1,945,49 obtained against "THE CAPI- NAL.

He made no charge of positive insol-Bingham and Davis appeared yency or even danger of insolvency.

through their attorney, John A. Car- He did not show the necessary con. son, and Hofer Bros. were represented dition to authorize appointment of a by Wm. H. Holmes and D.C.Sherman. receiver.

Mr. Carson stated to the court that Mr. Sherman now showed by this special actica at 8 a.m. was begun authorities that a receiver could only at 10 o'clock today. utterly wanting in the demands of

The second branch of the suit was, plaintiff. to secure the appointment of a All that the plaintiffs contended for receiver. An alldavit was read from Mr. was that by delaying this execution Bingham claiming that the judgment and granting a receiver, they could do was obtained in default, that none of no harm. Plaintiff had introduced no the officers of THE JOURNAL would evidence to disprove the answer of defend against the suit. Hofer Bros to their petition.

That the claim for wages was in-Then Major Sherman read affidavita valid, the defendants had no claim at in reply to Mr. Bingham's afficavits law, as it was not founded on any from E. Hofer, A. F. Hofer, and M. contract entered of record on the L. Chamberlain, showing that the books of the corporation. This Mr. sums claimed by Hofer Bros., were Carson called to the especial attention due and actually owing to Hofer of the court. The reply of defendants Bros. Mr. Chamberlain as president was that Bingham and Davis had pro of the company, swore that Bingham cured their stock for political pur- had requested Chamberlain to defend

this newspaper. Yet these are the kind of men they are anxious to get into basiness of the newspaper. The answer as published was read in full and Major allege was insolvent. Sherman proceeded with his argu-

Plaintiffs as good business men had volity of the groundwork of the jail. Indictments were also returned not invested in this stock without whole proceeding on the part of plain- against seven men, charging them fully investigating the same. After biffs. They waited until late Saturday with altering election returns. Upon Hofer Bros, began their suit these aight before taking any steps to start motion the seven indictments were

ceeded. A large crowd of lawyers had gathered and enjoyed the gleams of humor thrown into the situation by

ness and was not present to enjoy the

Holmes exposed the pretense of

stock as a business venture. They

denied that they had objected to the

editorial policy of THE JOURAAL

except as it was abusiye, scurrilous,

foolish and venal. They had im

properly alleged in a court pleading

that silver was not money, that its

coinage was a faise and chimerical

idea. At last it must be proven in

court whether this was true or not.

airing given his pleadings.

plaintiffs began an action that bore this preliminary hearing. MR. BINGHAM TALKS. As counsel for himself and Mr. drawn. The grand jurors were first They had taken no steps to secure a a temporary injunction. They had Davis, Mr. Bingham now arose to drawn from the full panel of 31. One allowed Hofer Bros., to take all steps argue the case at 10 o'clock, the time became sick and was excused. By in protecting their claim and now set for the sale. When the Hofers order of the court, a name, to fill the came in at the last moment. Their constituted a majority of the board vacancy, was drawn from the jury

against THE CAPITAL JOURNAL was quired by the code. No such facts He showed that the debt of THE on a case as petit jurors heard before Judge Boise at 8 a. m. on had been set out in their petition. JOURNAL Co. to Hofer Bros. was re- The court's ruling quashing the in-

amidavits of the plaintiffs seeking to Not a claim was shown to be in ex- duced in 3 months 8000 due the Hofers. dictments in the election fraud cases stop the execution of a judgment for istence against THE CAPITAL JOUR- The business was so prosperous they was made after the first four persons were paying off their debts. He claim- had been indicted, tried and con-TAL JOURNAL Co. by Hofer Bros. in Mr. Bingham made his affidavits ed there was not a word of evidence as victed. Counsel for the convicted Judge Burnett's court for wages due entirely on information and bellef. to what their pay should be. He read men claim that since their clients

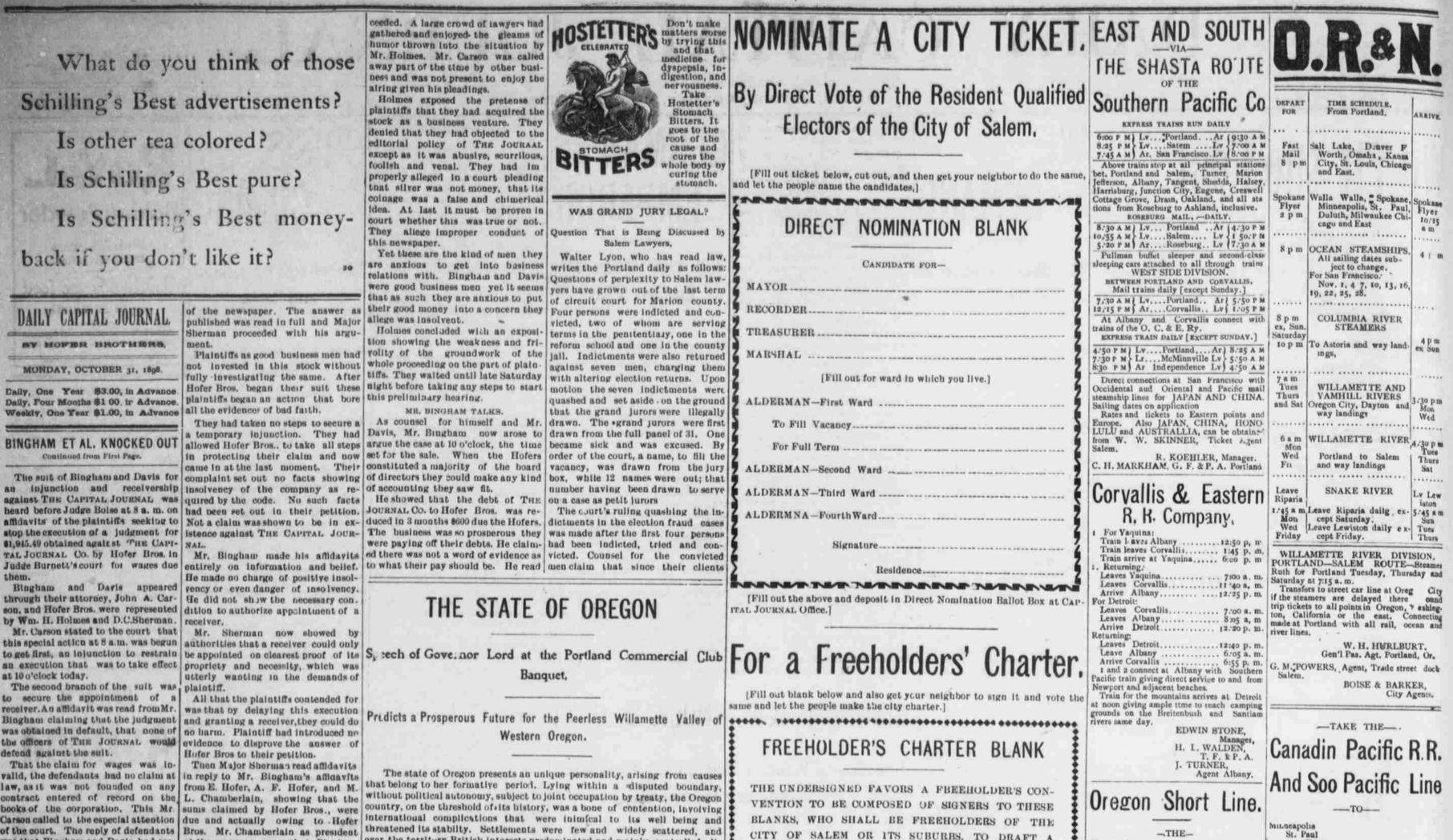
THE STATE OF OREGON

Banquet,

Western Oregon.

The state of Oregon presents an unique personality, arising from causes that belong to her formative period. Lying within a disputed boundary, without political autonomy, subject to joint occupation by treaty, the Oregon country, on the threshold of its history, was a bone of contention, involving international complications that were inimical to its well being and threatened its stabilty. Settlements were few and widely scattered, and over the territory British interests predominated and mainly controlled direction of public affairs.

There was no regular government, entrusted with powers that had for



control of the entire property.

the case for plaintiffs and concluded would take judgment.

of their petition alleging that for come into court with. mercenary purposes Hofer Bros, had He concluded with a plea that their lished it in the interest of the Reput- not get a temporary restraining order guaranty of fair dealing, and of rights of person and property. lican party. This was donied. They when the case was in court instead had changed the paper to advocacy of of waiting uutii the last moment. free silver and other false and chimerical ideas.

Judge Bolse asked if plaintiffs had not had knowledge that defendants had a judgment and would take execu-

He said they were in court when judgment was taken, but had no idea that Hofer Bros, would proceed to put It into judgment.

Mr. Carson read authorities assert. ing the rights of minority stockholders. Any scheme to freeze out a minupon by the courts.

TALKED AGAINST TIME.

The majority stockholders were in the saddle and were riding the minority with whip and spur. If this judgment was executed the corporation was insolvent. They would not ask the court to hastily appoint a receiver. They would ask an injunction to restrain this sale which would exhaust all the assets. Mr. Bingham had found a case that exactly fits this case. He would not read it in full, but would leave it for the court to consider. After the plaintiffs had absorbed all the earnings of this corporation, they had gone farther and taken a judgment aglost the company and would subject the stockholders to still greater expenditures.

Mr. Carson now picked Mr. Carsod bow picked up volume of receivership cases handed him by Mr. Bingham, and read and commented, Mr. Bingham occasionably helping him to a felicitous thought. He was talking to kill time and scemed to man disorders of the distinctiy femilie organism, and impurities of the blood scames disorders of the distinction of the blood scames disorders of the distinctive femilie and scemed to use of an ot give the court in the transment was will fail to perform their proper functions, with the result that the blood becomes impure. Left to her somath so they cause for Hofer Bros. They had been in constrol of Thus Capital Journanat, for the scheric feres the sale would take place at for thofer Bros. They had been find with the result that the case for Hofer Bros. They had been find with a perform the short of Thus Capital Journanat, for the scheric feres the sale oblock.
D. C. Sherman new reviewed the case for Hofer Bros. They had been find with a perform the short of Thus Capital Journanat, and well, Then a course of Dr. Heree's Bros. They had been the clease and only on the delicate and important or a store to Dr. Incort of Thus Capital Journanat, and well the blood and make her a wear we hold their management aver been called in question by any well we first we well well the first management are been called in question by any well we first well both remedies. These consults are been well well the old time meditions who have been to protect the adverse parties. This had been first the blood scene well wells and strength and the schere of the short of the 111 volume after volume of

ever been called in question by any stock holder, and not then until

ses and not for a valid considera- | against the claim of Hofer Bros., but tion. This he claimed cut no figure had produced no facts to constitute and was not to be considered. He a valid, legitmate, or meritorious de charged that Hofer Bros. had con- fense against such claim. A. F. to fraudulently and unlawfully get an affidavit showing that the dorpora-Mr. Carson concluded his review of except to Hofer Bros., for wages.

Mr. Sherman showed in conclusion protect themselves as they had ample He dwelt especially on the clause opportunity if they had any case to

MR. HOLMES' ARGUMENT.

company which plaintiffs claimed did own bills." This saily raised a smile set aside and vacate the judgments not exist. Plaintiffs had not made as coming from Mr. Bingham. the sheriff a party, nor given any THEY WERE HELPLESS bond to protect the adverse party, he argued, unless this action was convicted have failed, however. His review was clearly a source of granted for the protection of their The questions are as to the legality.

Women

constant surprise to Mr. Bingham. rights. If the sale could proceed, mi- of the detention of the four convicted He showed uncasiness and jumped up nority stockholders had no rights, men and if they are illegally detained ority stockholder should be frowned and down several times as the careful Here the counsel shed tears over the as to how to secure their release. Some and at times caustic analysis pro- wees of minority stockholders. He attorenys claim that the grand jury

renewed the request that he was not was a legal body.

particular about a receiver at this time if this sale could be restrained, and sat down.

whose faces are disfigured THE COURT BULES. Judge Boise now called for Mr. eruptions pimples and blotches too Bingham's affidavit, in which he asked fail to under. frequently that proceedings be restrained. He examined it carefully for a few minutes and then outward ruled aganist plaintiffs for the reason symptoms of that whereas the suit for an injuncinward dis. that whereas the suit for an injunc-orders. They tion and receiver was filed before ad resort to var-ious cosmet-ics, o in t. ments and powders, not knowing that all the while the trouble is not in the solutely dangerous to use outward applica-tions, for if the skin slowe is cleared, the real disease is likely to attack some internal to life itself. In the majority of cases the parties fully investigated in ample

to protect the adverse parties. This "Dr. Miles' Enterative Nervine has done a

"I cannot say too much for Dr. Pierce's Pa-vorite Prescription," writes Miss Clars Baird, of Bridgeport, Montgomery Co., Funna., "for the good it did me. If any one doubts this give them my name and address."

became alleged stockholders. He showed that it was sgreed that A. F. Hofer and E. Hofer should each receive \$25 a week as wages in conduct N. Y.; cloth binding, ji stamps.

their object the protection of person and property, or the conservation of the public good. To establish trading posts and absorb the territory as a colonial dependency of the British kingdom, wherewith to earich its people and exspired to wreck the corporation, and Hofer as business manager also filed tend its domain, was the animating and controlling thought of those who represented British interests and policy. "While this state of things existed, tson owed no debts of any character a few missionaries with their families came from the east by way of Cape Horn to Oregen. The object of their mission was to t ach the savage and IOTENAL office.] reclaim him from barbarism. They sought to plant in his darkered mind with a demand that unless restrained that plaintiffs had not acted in good the germs of light and liberty, of Christian loye and charity. To aid in the When you call or DeWitt's Witch Hazel from further prosecution, A. F. Hofer faith, or taken the necessary steps to accomplishment of this high undertaking they located land claims, built Salve don't accept anything else Don't be talked into substitute or piles for sores for homes, schoolhouses and churches, and established rules aud regulations for burns. Stone Drug Store. the government of their society. This was the beginning of social organiza-

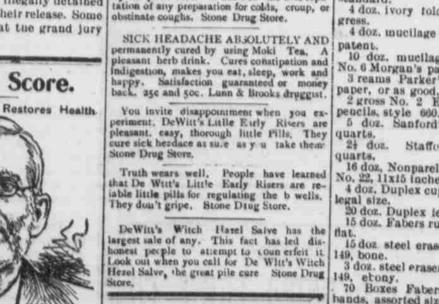
tion or government, and though not invested with the attributes of sover-DYSPEPSIA CAN BE CURED BY using Acker's Dypepsia Tablets, One little eignty, it represented and put in practice, through the intelligence and changed the policies of THE CAPITAL motion should be disallowed. If they wisdom of those who were authorized to control and direct its affairs, the refunded, sold in handsome tin hoxes at 25c. JOURNAL. For years they had pub were honest and sincere why did they principles of a progressive and Christian civilization, which are always a Lunn & Brooks, druggists. More than twenty million free samples of DeWitt's Hazel Salve have been distributed. What better proof f their confidence do you

[Concluded on Third Page.]

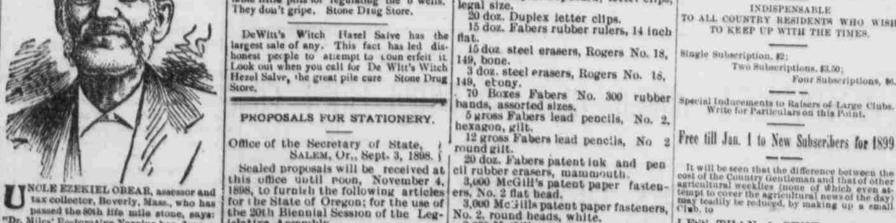
want ? It cures piles, burns, sca ds, sores in the shortest time. Stone Drug Store. from the records that they were to were indicted by the jurors that re-Taking the record book of THE have "reasonable compensation." But turned the election fraud indictments EXPERIENCE IS THE EEST TEACHER CAPITAL JOURNAL Co senior counsel they held a majority of the stock they are illegally heid, if the court roughs, colds or croup. Should it fail to give inmediate relief money refunded, 25c and counting of Hofer Bros. with the directors and they could "audit their jury is to be sustained. Motions to sec. Lunn & Brooks, druggists.

and applications for writs of habeas and applications for writs of habeas burns there is one reliable remedy. DeWitt's corpus on the part of counsel for the Witch Hazel Salve. When you call for De





CHARTER.



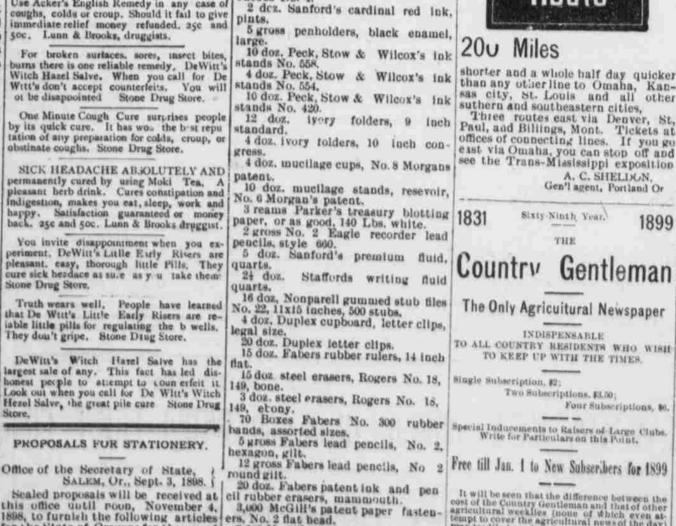
islative Assembly.

30 reams first class Congress Note, 15 doz. v pound, No. 7 ruling, white laid, or bar, No. 4. ther good paper. 20 reams letter paper 12 lbs., No. 7 ruling, white staid, Carew, Charter Oak Scotch linen or other good paper.

20 reams typewriter paper, letter size, Paragon letter wove No 34. Valley Paper Company, or other good paper

reams typewriter paper, legal Paragon letter wove No. 34, Valley Paper Company, or other good paper.

6 reams typewriter paper, legal size, Paragon letter wove No. 14, Valley Paper Company, or other good paper. 6 boxes Little's satin finish carbon paper, blue, size 8x13.



6 boxes Little's satin finish carbon

10,000 No. 64 envelopes. 60 lbs. No. 1

12 gross railroad steel pens, No. 49.

6 gross Esterbrook & Co's. Probate

6 gross Esterbrook & Co's. Judge

6 gross Esterbrook & Co's. Chancel-

6 gross London Incandescent, M.

20 gross Gilott's steel pens No. 404.

4 gross Gillot's steel pens, No. 303,

8 gross Esterbrook "J" pens. 6 gross Falcon steel pens No. 048.

paper, +blue, size 8x10+.

steel pens No. 313.

Jacobs No. 4.

quill steel pens No. 312.

fors steel pens No. 239.

rag, XXX,

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marked "Proposal for Stationery." None but the best quality of goods will be accepted. The right to reject any or all bids is reserved

All the above articles must be delivered at Salem, Oregon, on or before December 10, 1898.

Very respectfully, H. B. KINCAID, Secretary of State.



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ng cars on all through trains.

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Those are the points that make railroad travel dessrable. Those are the qualities that are the delight of the pas enger over the popular

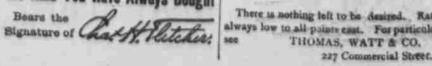
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great deal of good. I suffered for years from deoplessness and nervous heart trouble. Would feel weary and used up in the morning, had no ambition and my work seemed a burden. A friend recommended Dr. Miles' Nervine, and I purchased a bottle under protest as I had tried so many remedies unsuccessfully, I thought it no use. But it gave me restful sloop, a good appetite and restored mo to onergetic health. It is a grand good medicine, and I will gladly write anyone inquising, full particulars of my sat-

are sold by all drug-Milos' Nervine E Restores