



Brokers chew
Piper Heidsieck
Plug Tobacco

"on the board." It helps them hold on until the right moment! It is a perfect chew—pleasant and satisfying. Just a nip of it now and then gives nerve to busy business men.

CHAMPAGNE FLAVOR.

DAILY CAPITAL JOURNAL.
BY HOFER BROTHERS.
SATURDAY, NOVEMBER 12, 1898.

FLETCHER AND BINGHAM.
No one can blame Editor Fletcher for sticking by his friends. It is a man's duty to do that, even when it becomes disagreeable. But no one can convince us that Mr. Bingham has a right to selfishly usurp the public positions of other men. Take the stove works case. From the beginning, when the sheriff appointed Clyde Brandenburg to take charge of the penitentiary stove foundry, Mr. Bingham was at work to have Supt. Gilbert put in charge, and even suggested him to the sheriff. Now it turns out that he had his way finally and Mr. Gilbert is manager and trustee. We can never believe that Governor Lord had Mr. Gilbert put in there. It is rather the work of State Treasurer Metcahan, who failed to collect of Loewenberg & Co. the notes due the state.

So Fletcher defends Bingham et al. for getting themselves a fat job and virtually putting a large business out of the reach of the state and the incoming administration and where they can keep hands on it. Of course, Mr. Metcahan will bank for this large wholesale and manufacturing business and Metcahan, Gilbert, Bingham et al., will lose nothing by it. But where will the state get off? Where does a little farmer get off who falls to pay for state land, or a loan to the state school land board? He gets off with an execution in the courts. But Loewenberg, who has paid the state nothing practically, he is protected and several high priced men like Gilbert and Bingham are forced onto the state payrolls besides.

It can not be that our esteemed contemporary, and ex-governor is where the carrion is, and will defend all of Bingham's schemes to a finish. If he does he will be rewarded. Perhaps he will be appointed receiver and manager of THE JOURNAL, when Bingham and Davis get an order to have one appointed. He would be their choice. He would be a safe man. No one would be skinned alive but the legislative committee clerks, see? That explains his flattery of Gilbert, Patterson, Bingham, et al.

JOURNAL "X-RAYS."

Roosevelt is the uncrowned king.
Bonds, stocks, etc gone up; wheat down; vote with the bondholders.
"Mr. Fletcher would make a dandy receiver for that paper of ours."—The Gang.
And Collector of Customs "Ike" Patterson is a stockholder in THE JOURNAL too.
"There is one reform editor who never hurts our feelings. It ain't Hofer."—De Gang.
One thing all the Salem newspaper men did agree upon—that they all read THE JOURNAL.

HOFER BROTHERS WIN.
Continued from First Page.

TESTIMONY AND ARGUMENTS.
Taking of testimony in the suit of Bingham et al for a receiver of THE CAPITAL JOURNAL was continued on Friday. N. J. Judah, of the Statesman, was called. He was a reader of THE JOURNAL. A paper like THE JOURNAL, to be properly conducted, editor ought to have \$18 a week, assistant \$15, reporters \$12.

Cross examined by Holmes: Had been in newspaper work ten years; value of services depended on experience of man employed; in this field he referred to wages for a routine service; he included responsibility in his estimate; every man had to get in and do all he could. In 1892 or 1893 such services were worth more. Wages had declined 30 per cent.

A. F. Hofer called: Identified the minutes of the record book of THE JOURNAL Co. as being in his handwriting; also accounting with company.

Cross-examined: bid the property in the name of Hofer Bros.—E. Hofer and A. F. Hofer. Received to the sheriff the amount of the judgment.

Frank Toews, news reporter of the Statesman called. Had five years experience. Was a reader of THE JOURNAL. Reasonable compensation for an editor would be \$17.50 to \$20 a week. Other reporters \$12 to \$15 a week; this was where an editor had two or three assistants.

Cross-ex: editor of a morning paper did not have to work at night but worked longer hours; wages had been inordinately low for five years; had some experience as a reporter before coming to Salem.

Here plaintiff rested in introduction of testimony. Mr. Holmes expressed surprise that, after subpoenaing the business manager and ordering the books brought into court, they had no desire to examine the same after charging all sorts of frauds in connection therewith.

Mr. Carson said that it was the duty of defendants to present an accounting and for them to file objections thereto.

The court ruled that the plaintiffs could file any motion they saw fit and he would pass upon it.

Mr. Carson then prepared what is termed a motion for an interlocutory decree demanding an accounting and cited authorities.

Mr. Bingham had also a large number of authorities from nearly every state in the Union, to read and also demanded an order for an expert accounting. The defendants must tender it. Mr. Carson said: "As long as we get what we want, we don't care by what name it is called."

Mr. Bingham denied that the pleadings admitted any accounting contrary to that provided by law. Defendants were served with a notice to bring their books here and they did so. It was true defendants had received a large sum of money and their books showed what was done with this money—every dollar. The come here to try their case and then in the midst of the trial they ask an interlocutory decree to go forward and prepare an accounting. They were not out under oath and there was no rule of any court requiring a defendant to go ahead in a case like this and prove the allegations of the complaint. Defendants were here on trial and a right to be heard if Bingham and Davis had any questions to ask.

Mr. Bingham said they must first establish their right to an accounting. They had done that and they asked the court to determine how this accounting was to be had. "In many respects this case is peculiar in this state, and stands alone in this respect," said Mr. Bingham.

"I don't think there has been anything like it," said the court.

Then Mr. Bingham read another long rambling lot of decisions from New Jersey, South Carolina, Rhode Island and Oualassa. One case was where a man invested \$10,000 in Confederate bonds, a parallel case to their buying stock in THE JOURNAL.

Judge Boise heard all the argument and said:

"I don't think there is anything yet on which the court could find anything affirmatively. The case is in no position for the court to order an accounting. The motion is overruled."

M. L. Chamberlain, president of the JOURNAL COMPANY, called by defense. Had been a stockholder from its organization. Directors held meetings once a year and sometimes often. There was generally a report of the condition of the business by A. F. Hofer, Jr., and it was accepted and approved. Compensation of defendants was talked over at these meetings and salaries were raised and lowered as business permitted. Mr. Chamberlain identified original contract of Hofer Bros. with the late T. C. Shaw and E. M. Walte, W. H. Ryars, and M. L. Chamberlain as directors, employing them to conduct the paper, which up to that time had been a great loss on their hands.

They are Coming



English and German Expert Specialists.

Five Physicians and Surgeons, all graduates from the best Medical Colleges in the world. Incorporated under the laws of California for \$250,000. Established 26 years. A part of the staff of the English and German Expert Specialist and Dr. Myers & Co., will make their regular monthly visit to Willamette Hotel Salem Nov. 19.

The staff of the English and German Expert Specialists is composed of five regularly graduated doctors each a physician who has had many years experience in curing all manner of chronic diseases. During the past quarter of a century the success of this most worthy and popular institution has been phenomenal. Diseases which have baffled the skill of other physicians and stubbornly refused to yield to ordinary medicines, methods and appliances, are quickly subdued and mastered by the English and German Expert Specialists. They have the largest and best equipped medical institution in America. The English and German Expert Specialists are not only competent and reliable, but are responsible, being backed by ample capital and able management.

HOMES CURES. While it is preferable in many instances to see a patient, the English and German Expert Specialists have cured thousands of person whom they never have seen. If you cannot see the doctors write the home office for question list and free advice in regard to your ailment.

CALL ON THE DOCTORS WHEN THEY COME. All ailing people should see the English and German Expert Specialists. A friendly talk, which costs absolutely nothing, is bound to result in a great deal of good, whether treatment is taken or not. **CONSULTATION FREE.**

THE ENGLISH AND GERMAN EXPERT SPECIALISTS.
A Staff of the Most Eminent Physicians and Surgeons in the World.
Main office: 731 Market St., San Francisco.

E. Hofer and A. F. Hofer were called and subjected to a cross-examination as to their services and compensation.

Both testified to having voluntarily reduced their wages during the hard times, and that the printing material could be replaced for \$1000 or less. The new press was bought with their own money.

M. Carson asked how defendants had travelled east on transportation from railroad companies. This was ruled out by the court as improper cross-examination. A. F. Hofer produced the ledger showing personal accounts of Hofer Bros. for each week since their employment by THE CAPITAL JOURNAL Co.

At the conclusion of the testimony Mr. Holmes on behalf of defendants offered to submit the case without argument.

Mr. Carson cited authorities to the point that a resolution or bylaws fixing the salaries of directors must be entered on record to be binding against the corporation. But his authority was all relating to an insolvent corporation.

He claimed that the evidence of all the witnesses was that the services of these defendants were not worth what they charged. He cited Thompson on corporations, that directors and interested parties could not vote salaries in which they were interested.

The corporation had now no property. It was insolvent because there was nothing left of it. This was the highest proof of insolvency and entitled them to a receiver.

Mr. Carson labored along for an hour or more with citations of authority of scattering character. When he quit Mr. Holmes briefly summed up the case for defendants.

Contention of plaintiffs was contrary to law and equity and wholly wrong for there it was said the laborer is worthy of his hire. The wages account of Hofer Bros. for these many years was unchallenged.

Plaintiffs had never assailed the validity of that judgment. It imparted absolute verity of accounts. All the loud charges of fraud in their pleadings had never shown up. They had proven none of their allegations.

The character of services rendered was different from that of witnesses who testified as to wages they should receive. They had all the work to do and the responsibility besides of management.

O.R.&N.

| DEPART FOR | TIME SCHEDULE, From Portland. | ARRIVE |
|--|---|---------------------------------|
| Fast Mail | Salt Lake, Denver, Fort Worth, Omaha, Kansas City, St. Louis, Chicago and East. | Spokane Flyer 10:15 a.m. |
| Spokane Flyer | Walla Walla, Spokane, Duluth, Milwaukee Chicago and East | 4 p.m. |
| 8 p.m. | OCEAN STEAMSHIPS. All sailing dates subject to change. For San Francisco: Nov. 1, 4, 7, 10, 13, 16, 19, 22, 25, 28. | 4 p.m. ex Sun |
| 8 p.m. ex Sun, Saturday | COLUMBIA RIVER STEAMERS | 4 p.m. ex Sun |
| 7 a.m. Tues Thurs and Sat | WILLAMETTE AND YAMHILL RIVERS Oregon City, Dayton and way landings | 3:30 pm Mon Wed |
| 6 a.m. Mon Wed Fri | WILLAMETTE RIVER Portland to Salem and way landings | 4:30 p.m. Tues Sat |
| Leave Riparia 1:45 a.m. Mon Wed Friday | SNAKE RIVER Leave Riparia daily except Sat. day. Leave Lewiston daily except Friday. | Lv Lew 1:00 a.m. Sun Tues Thurs |

WILLAMETTE RIVER DIVISION.
PORTLAND-SALEM ROUTE—Steamers for Portland Tuesday, Thursday and Saturday at 7:15 a.m.
Transfers to street car line at Oregon City if the steamers are delayed there and trip tickets to all points in Oregon, Washington, California or the east. Connecting made at Portland with all rail, ocean and river lines.

W. H. HURLBURT, Gen'l Pass. Agt. Portland, O.
G. M. POWERS, Agent, Trade street dock, Salem.



200 Miles
shorter and a whole half day quicker than any other line to Omaha, Kansas City, St. Louis and all other southern and southeastern cities. Three routes east via Denver, St. Paul, and Billings, Mont. Tickets at offices of connecting lines. If you go east via Omaha, you can stop off and see the Trans-Mississippi exposition.

YOUR FACE
Shows the state of your feelings and the state of your health as well. Impure blood makes itself apparent in a paly, a swollen complexion, pimples and skin eruptions. If you are feeling weak and worn out and do not have a healthy appearance you should try Acker's Blood Purifier. It cures all blood diseases where cheap Sarsaparilla and so-called purifiers fail, knowing this well every body is on a positive guarantee. Lunn & Brooks, druggists.

ACKER'S DYSPEPSIA TABLETS ARE
sold on a positive guarantee. Cures heart burn, raising of the food, distended eating or any form of dyspepsia. One little tablet gives immediate relief. 25c and 50c. Lunn & Brooks, druggists.

The sooner a cough or 'croup' is cured the better. Lingering coughs are dangerous. One Minute Cough Cure quickly cures it. Why suffer when such a cough cure is within reach? It is pleasant. Stone's Drug Store.

ACKER'S ENGLISH REMEDY WILL
stop a cough at any time, and will cure the worst cold in twelve hours, or money refunded. 25c and 50c. Lunn & Brooks, druggists.

Overcome evil with good. Overcome your coughs and colds with One Minute Cough Cure. It cures croup, bronchitis, pneumonia, influenza and lung diseases. Stone's Drug Store.

Many a household is saddened because of failure to keep a safe and certain cure for croup such as One Minute Cough Cure. See that your tin is one as protected. Stone's Drug Store.

When you ask for DeWitt's Hazel Salve don't accept a counterfeit. There are many cases of piles being cured by this, than all others. Stone's drug store.

A cough is not like a fever. It quickly will have to run a certain course. Cure it quickly with One Minute Cough Cure, the best remedy for all. We recommend it because its good. Stone's drug store.

Soothing, healing, cleansing, DeWitt's Witch Hazel Salve, the enemy of sores, burns and wounds. It never fails to cure piles. Lunn & Brooks, druggists.

Constipation prevents the body from ridding itself of waste matter. DeWitt's Little Early Risers remove the trouble and cure sick headache, biliousness. Small sugar coated, don't gripe or cause nausea. Stone's drug store.

NOMINATE A CITY TICKET.
By Direct Vote of the Resident Qualified Electors of the City of Salem.

- CANDIDATES NAMED.**
- FOR MAYOR—**
J. A. RICHARDSON, W. T. GRAY, PHIL METSHAN, C. P. BISHOP, MELANCTHON W. HUNT, JEFFERSON MYERS, FRED WIGGINS, LOT L. PEARCE.
- FOR RECORDER—**
ED. N. EDEB, C. K. BRANDENBURG, STEVE M'FADDEN, F. A. TURNER, A. O. CONDIT.
- FOR MARSHAL—**
O. D. HUTTON, DOC GIBSON, J. C. JOHNSON.
- FOR TREASURER—**
A. A. LEE, JOS. BAUMGARTNER.
- FOR ALDERMAN, FIRST WARD—**
J. M. LAWRENCE, FRANK WATERS, LOT PEARCE, ED. HORGAN.
- SECOND WARD—**
E. F. PARKHURST, J. P. FRIZZELL, EBE LAFORÉ, E. B. PHILBROOK.
- THIRD WARD—**
HIRAM SMITH, A. BLOSSER, G. I. STAHL.
- FOURTH WARD—**
JOHN S. GRAHAM, GEO. G. BINGHAM.

The JOURNAL will keep standing a list of all persons publicely named for city offices for information of its readers. THE JOURNAL has no candidates for any office.

[Fill out ticket below, cut out, and then get your neighbor to do the same, and let the people name the candidates.]

DIRECT NOMINATION BLANK

CANDIDATE FOR—

MAYOR _____

RECORDER _____

TREASURER _____

MARSHAL _____

[Fill out for ward in which you live.]

ALDERMAN—First Ward _____

To Fill Vacancy _____

For Full Term _____

ALDERMAN—Second Ward _____

ALDERMAN—Third Ward _____

ALDERMAN—Fourth Ward _____

Signature _____

Residence _____

[Fill out the above and deposit in Direct Nomination Ballot Box at CAPITAL JOURNAL Office.]

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THE SHASTA ROUTE
OF THE
Southern Pacific Co.

YACUINA ROUTE
Corvallis & Eastern Railroad
Connecting at YACUINA with the
YACUINA BAY STEAMSHIP COMPANY

Grace Dollar and Navarro
First-class in every respect. One of the above steamers is due to sail from Yacina about every five days.

Shortest Route Between
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Cabin \$10.00
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Quickest.
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Line for all points East and southeast. FREE reclining chair cars, Pullman palace sleeping cars, and upholstered tourist sleeping cars on all through trains.

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When Going East

Use a first-class line in traveling between Minneapolis, St. Paul and Chicago, and the principal towns in Central Wisconsin. Pullman Palace Sleeping and chair cars. The Dining cars are operated in the interest of its patrons, the most elegant service ever inaugurated. Meals are served a la Carte.

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CASTORIA. The Kind You Have Always Bought

There is nothing left to be desired. Rates always low to all points east. For particulars see THOMAS, WATT & CO. 227 Commercial Street

Foul-Smelling Catarrh.

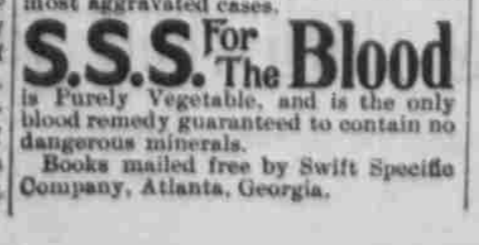
Catarrh is one of the most obstinate diseases, and hence the most difficult to get rid of.

There is but one way to cure it. The disease is in the blood, and all the sprays, washes and douching mixtures in the world can have no permanent effect whatever upon it. Swift's Specific cures Catarrh permanently, for it is the only remedy which can reach the disease and force it from the blood.

Mr. B. P. McAllister, of Harrodsburg, Ky., had Catarrh for years. He writes: "I could see no improvement whatever, though I was constantly treating with sprays and washes, and different kinds of douching remedies. In fact, I could feel that each winter I was worse than the year previous."

"Finally I was brought to my wits end, and I decided to try Catarrh as a blood disease, and after thinking over the matter I saw it was unreasonable to expect to be cured by remedies which only reached the surface. I therefore decided to try Swift's Specific, and after a few bottles were used, I noticed a possible improvement. Continuing the remedy, the disease was forced out of my system, and a complete cure was the result. I have since used the medicine, and have never had a return of the disease, which has never before been cured. I am sure that Swift's Specific can reach the disease and cure it."

To continue the wrong treatment for Catarrh is to continue to suffer. Swift's Specific is a real blood remedy, and cures obstinate, deep-seated diseases, which other remedies have no effect whatever upon. It promptly reaches Catarrh, and never fails to cure even the most aggravated cases.



S.S.S. The Blood
is Fully Vegetable, and is the only blood remedy guaranteed to contain no dangerous minerals. Books mailed free by Swift Specific Company, Atlanta, Georgia.