



Boys' and Childrens' Department

We have a stock of 250 Boys' and Childrens Suits, all sizes, and the very CHOICEST PATTERNS. In order to dispose of this broken lot and make room for our spring goods we will cut the price 33 1-3 per cent. If you want a suit for your boy now is your chance. This is not a lot of shelf worn goods, but a great many of them are from lines of our new spring goods that have been sold down to one or two of a kind. Don't fail to see this line before you buy.

Men's Clothing

Our clothing department is complete. We have the largest stock of Men's Clothing in Salem and we have got them for sale. We guarantee a perfect fit at prices that cannot be beat. We are now just at the close of the twentieth year of the clothing business in Salem and we are happy to say that at no time during all these years have we enjoyed a better business than now. We would kindly ask you to call and investigate our mammoth stock and get our prices and then act as your better judgment would dictate.

HATS

As we have intimated before, we are leaders in Salem for Men's Hats. We carry the JOHN B. STETSON Hat. No better hat in the market anywhere than this. If you want a hat call and see us and we will do the rest.

SHOES

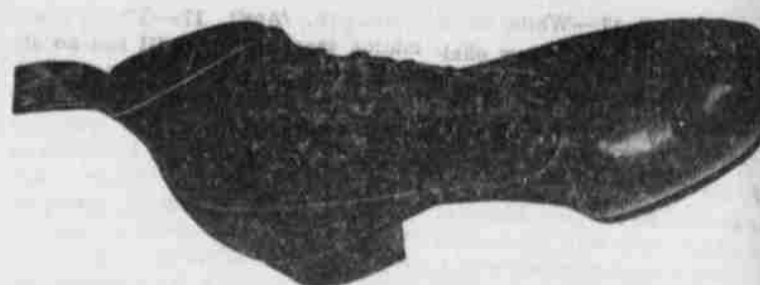
We are proud of the PACKARD SHOE and our customers are satisfied. Try a pair and you will be our customer for shoes ever after.

MEN'S FURNISHINGS

Our store is full to the ceiling of Men's Furnishing Goods, all weights and quality. We are anticipating a large business in this line and we are ready with prices that cannot be beat by any house in Salem. In fact, our stock is complete in every line usually carried in a first-class Men's Furnishing store. All we ask is a chance to show our goods and give prices and then if you can do better you will have satisfied us and we will be as good friends as ever.



SECRETARY



Remember we are
at the old stand

G. W. JOHNSON & CO.

257 Com'l St.
SALEM

THE DAILY JOURNAL

Scripps News Association Telegrams.
3 and 5 O'clock Editions.

BY HOFER BROTHERS.

Daily One Year, \$4.00 in Advance.
Daily Three Months, \$1.00 in Advance.
Daily by Carrier, 50 Cents Per Month.
Weekly One Year, \$1.00 in Advance.

JOURNAL SPECIAL DELIVERY.

One Week \$ 10
One Month 35
Three Months 1.00
At Journal Office.
At Daue's Grocery, South Salem.
At Bowersox Grocery, Yew Park.
At Asylum Avenue Grocery Store.
Electric Grocery, East State St.



PROTECT OUR RIVER FRONT.

The protection of the Salem water front is the most important thing that the Greater Salem Commercial Club has taken up in all its history. An appropriation by congress will be needed to properly protect it. The river must be diverted in its channel, so as to wash this shore, or it will leave this shore and make a new channel.

The danger is not alone to our water front for the purposes of navigation, but to the sanitary interests of the city, caused by too much dead water standing this side of the gravel bar, that is extending its ugly long arm down in front of the whole city.

The harbor must not only be protected from filling in with mud, silt and sand in time of flood, but there must be a stream of living water from

the main channel of the river, or the main channel itself must be brought to this side of the river.

The Commercial Club is in communication with the United States engineering department, for the purpose of directing their attention to the problems involved, and the community may rest assured that Captain Langit and his aids will leave nothing undone within their power and authority to protect the interests of navigation.

The Greater Salem Club is also preparing a map showing the peril to our harbor from encroaching accretions of gravel and dead water.

NECESSITY OF PROMPT ACTION.

The members of the Salem Fruit Growers' Union are making a serious mistake in not promptly closing their contracts for delivery of the 1903 crop through the Union.

The large Portland distributing house stands ready to put its best man at the service of the Union, and he will visit every market in the Northwest to place the Salem product.

As Salem has never been in the general market with fresh small fruit, this preliminary work is important, and the earlier it can be attended to the better for our sales this season.

If this Union is made a success this year, next year it will go on its own impetus, and only one object-lesson of successful co-operation is necessary with Mohair, hops, prunes or strawberries.

All growers of strawberries, cherries and other small fruits who are not yet in the Union should become stockholders, unless they wish to dispose of their product at an individual sacrifice.

Without co-operation the growers of perishable fruits will be at the

mercy of an army of commission men at Portland, and elsewhere. It will be a skin-game all the time and the grower the worst offixed the prices for the rest.

There is almost 50 per cent difference between the price the consumer pays for fresh fruit, and what the grower gets for it at the present time.

The consumer will get just as cheap fruit at retail, but the grower will get more. It rests with the growers whether they will take advantage of co-operation and accomplish this change.

PRIZES FOR BIRD-LORE.

The public school children of the state are to be offered prizes for essays showing familiarity with Oregon birds.

This is an important educational movement and will tend to make the boys and girls more familiar with the little feathered friends that more than we have any idea make it possible for mankind to live in comfort and plenty on this beautiful earth.

The John Burroughs Society of Portland has, through the generosity of Mrs. Rose E. Burrell, of that city, two cash prizes to award for knowledge of the native birds of Oregon. These prizes are given yearly to the classes of the highest grade in the elementary schools of the state.

The first prize is \$12.00, the second \$8.00, to be awarded to those who can name the most birds by sight and song, and who write a sufficiently excellent composition on the subject. The relative markings for the two examinations will be, upon a scale of 100, 60 per cent for the field test and 40 per cent for the composition test. That is, actual knowledge of the birds will count for more than excellence in composition.

The competition is open to the class graduating in February as well as to the class graduating in June. The compositions must be in the hands of the corresponding secretary of the John Burroughs Society, 624 Williams Avenue, Portland, Oregon, not later than June 1.

Any subject based upon personal observation of our native birds will be acceptable. One particular bird may be selected for study, or some such subject as the following may be chosen: "Nests of Oregon Birds," "Feeding Habits of Our Native Birds," "Bird Friends of the Farmer," etc. In all observations time and place should be carefully recorded.

The field examinations will be given the last week in May and the first week in June. All who send compositions will be considered as applicants for a field examination, and the address of each writer should be enclosed with the composition.

All persons who kill birds, or collect eggs or nests, even for the purpose of study, are excluded from the competition.

REFORM OF LIBEL LAW.

The first change in the New York libel law sought to be made by the bill recently introduced and which has the endorsement of the leading newspaper publishers of the state is to allow the defendant in a suit to plead and prove facts in reduction of the

plaintiff's compensatory damages, though such facts were not known to him at the time of the publication.

Its purpose, more specifically, is to enable the defendant to show competent facts in regard to the plaintiff's true character, which he is now often not permitted to do by reason of the rule generally applied that such facts to be admitted must have been known at the time of the publication. The proposed law should also permit inquiry as to whether the attorney bringing the suit is actuated by malice.

This rule has resulted from blindly following the letter and ignoring the principle of Hatfield v. Lasher. In that case the facts were pleaded in mitigation of punitive damages; and the court held that as the only importance of such facts was to show a lack of malicious motive on the defendant's part, only such facts as he knew at the time of the publication could influence his motive; and that therefore they alone were admissible.

Trial courts have quite generally applied this rule to facts which were not introduced in mitigation of punitive damages or addressed to proving innocent motive, but which were introduced in reduction of compensatory damages.

The distinction has never been passed upon by the appellate courts, but in two cases at trial term the injustice of the rule was so patent that it was modified by the trial judge in the interest of justice. The first is that of *Witcher v. New York Tribune Association*, decided by Judge McAdam in the New York superior court 1891.

The Tribune had published concerning the plaintiff that he had committed suicide. The defendant could not, of course, fully justify, but it sought to prove in reduction of damages, among other facts, and alleged by way of answer that the plaintiff at the time of the civil war had been guilty of more than one act of atrocious homicide.

The decision ignored precedents and allowed the introduction of the evidence, though it came to the defendant's knowledge after the publication of the libel. It says:

"A person bringing a slander or libel suit in effect puts his character on trial. Character is what the man is. Reputation is what people say he is. In determining whether character has been injured, the jury is entitled to know who the plaintiff is, where he belongs, and how much and what kind of character he has capable of injury, so that they may intelligently fix its pecuniary value and the extent of the injury."

"This is good common sense as well as law. When a person wants an injury repaired, it is always competent to ascertain the reasonable value. Juries always consider this and it is unless for courts to shut their eyes to it."

"The plaintiff's proposition is that the defendant cannot show certain truths because it did not know them at the time it published the article complained of. The want of this knowledge may be unavailing to relieve from the charge of malice, but

OUR LINOLEUMS IN GREAT FAVOR

Have just received a new line of patterns in both printed and inlaid. Some fine things in Florals. Standard American made and unsurpassable anywhere.

The House Furnishing Co.,

Stores at SALEM and ALBANY

Super-Heated Air for Disease.

The latest and greatest cure for Chronic Diseases.

SOMETHING NEW IN MODERN SCIENCE OF HEALING

I have just put in a complete system of Super-Heated Air System for curing chronic diseases of all kinds, such as rheumatism, catarrh, kidney and liver trouble, stiff joints, etc., without medicine or torture of any kind. Call and investigate.

W. G. ROBBINS, Osteopath.

On Court Street Just North of the Opera House.

the defendant is entitled to a photograph of the truth, which is available either in justification or mitigation, so far as the question of damages is concerned."

The second case is that of *Smith v. Mathews*, decided by Justice Spring of the Buffalo supreme court. The charge was that the plaintiff had eloped with a man named Rutherford; and an application was made for a new trial on the ground that the defendant had discovered that the plaintiff, while not having eloped, lived in adulterous intercourse with him. The competency of the evidence was attacked on the ground that it was not known to the defendant at the time of the publication.

The injustice of the general rule is commented upon, the court saying: "This is not a justification, nor technically in mitigation, but in diminution or reduction of damages."

The second change sought by New York libel reform bill is to give the defendant an opportunity to retract a libelous statement before the beginning of the action; and if it does so, to confine the recovery of compensatory damages only, unless actual malice is shown.

It proceeds upon the theory that it is simple justice, if the defendant has been guilty of no malice and has made a full and fair retraction as far as possible, that there is no reason why the defendant should be punished if the plaintiff has been made good for all the damage he has suffered.

The common experience of publicists is that they are now generally of misstatements until serious summons and complaint, at time it is too late to make a retraction which would have any weight with the jury. That was the case in the suit brought by L. H. Hofer Bros. In blackmailing which this provision is intended to reach, the opportunity is withheld.

The legislation asked for is most moderate of any legislative force in this country respecting libel. In Connecticut the general law provides that after a retraction the plaintiff can recover special damages which are set forth in the statute. To the same effect is the Michigan statute.

In all cases under the proposed New York bill the plaintiff may recover full compensatory damages, and always a question for the jury whether the retraction was made in a full and conspicuous manner in the original article.

The Salem city council has a simple act of justice in demanding that the clubs that dispense liquor to their members and guests should be licensed. The license can be easily paid than by some saloons clubs take the cream of the trade. Drug stores that sell liquor bona fide prescription. The "annual pass" ought to be abolished.



The doctor orders the medicine, the medicine aids nature, and nature makes the cure. Ask your own doctor about it. He has our formula. He knows why Ayer's Sarsaparilla makes the blood pure and rich, why it tones up weak nerves, and why it overcomes all debility.

Ayer's Pills aid the Sarsaparilla. They keep the liver active, cure constipation, biliousness, sick-headache, nausea.

J. C. AYER CO., Lowell, Mass.