

QUARTER AT THE PRISON

Superintendent's Reports Filed Makes a Good Showing

Superintendent James, of the state prison, yesterday filed his report for the quarter ending September 30th, in the office of the secretary of state. The report shows a decrease of 17 prisoners for the quarter, the number at the prison at the close of the three months being only 289. The following statistics are taken from the report:

Miscellaneous Statement.
 No. convicts at close of quarter, 289
 No. at close last quarter, 306
 Decrease, 17
 Recd during quarter, 32
 Disch during quarter, 50
 Transferred from asylum, 1
 Daily average, 298.73

Earnings.
 Board U. S. prisoners, \$ 302.28
 Convict labor N. W. foundry, 3005.94
 Convict labor, brick yard, 760.60
 Team labor, brick yard, 330.00
 Earned by making brick, 3814.00

Receipts.
 Board U. S. prisoners for quarter ending June 30, 1903, \$ 20.71

Expenditures—Salaries.
 Salaries, \$5543.84

Miscellaneous Expenditures.

Meat, \$1453.10
 Flour and feed, 1495.74
 Groceries, provisions, crockery, 1651.52
 Dry goods, clothing, blankets, 619.45
 Leather and findings, 254.54
 Drugs and medicines, 97.80
 Stationery, postage, etc, 109.68
 Hardware and engineer's supplies, 317.44
 Light and lamps, 255.20
 Relief discharged convicts, 132.00
 Fire wood, 602.00
 Expenses, not classified, 200.05
 Machinery, farm implements, etc, 12.80

Total, \$7291.32

Penitentiary Betterment Fund.

Services, \$ 14.25
 Furniture and bedding, 869.50
 Dry goods, blankets, etc, 77.65
 Paints and oils, 394.75
 Lime, cement and sewer pipe, 65.52
 Hardware, glassware, etc, 422.17
 Lumber, 176.09
 Lumber, 6.20

Total, \$2026.13

Total expenditures, \$14,815.29

gaged. His ambitions were of the most exalted and highest character. His opportunities were not as great as many of his contemporaries, yet in spite of his surroundings in this respect, he arose to the highest position in the gift of the people of his adopted State.

He died ripe in years and honor and beloved by all who had the privilege of his acquaintance. He made an enviable record as Judge of the Supreme Court of Oregon. His honesty could not be questioned. His sincerity and desire to decide cases in accordance with the law were of frequent comment by the members of the Bar. He was a man of integrity and it is to be regretted that politics prevented him from following for a length of time his judicial career. In the short time he was a Judge of the Supreme Court he attained a standing of which any lawyer need be pleased.

It was gratifying to the many friends of Judge Kelly to know that the confidence reposed in him had not been misplaced and that he discharged the duties devolving upon him as Judge in a manner to meet the highest ideals of the legal profession.

"His life was gentle; and the elements so mixed in him, that Nature might stand up
 And say to all the world, 'This was a man.'"

From Crook County.

W. T. Stevens, the leading contractor and builder of the Bend country, was in Albany on a few days' trip, coming across the mountains by the wagon road. Since going there a few months ago he has erected six residences, besides doing other work, two being for himself, one in Deschutes and the other on his homestead near there. There are now four timber land towns within a radius of one and a half miles, Deschutes, Bend, Lytle and Widowville.

Deschutes has a store and the post office for all the towns, millinery store, butcher shop, five residences and a newspaper, The Echo, printed in Prineville.

Bend has a store with hall, meat market, hotel, school house, three residences, and the Bulletin, printed in a log school house.

Lytle has a sawmill, saloon, store and four residences.

Widowville has a store, hotel, saloon and two or three residences in its suburbs.

Prineville has organized an amateur athletic association, with Dr. Rosenberg as president; Harold Baldwin, secretary and treasurer, and C. M. Elkins, C. Sam Smith and Dr. Beknap trustees. A club house is to be erected at a cost of \$1500. Practically it is to be a club with a ladies' annex.

American Diplomacy

A story told by the late Commander Edward Barrett, U. S. N., shows that mess purposes on warships can be devoted to the service of diplomacy. According to this story, some American navy officers, wishing to conciliate an African potentate named King Billy, presented him with a discarded soup ladle, and a lot of gay ribbons. This so delighted his dusky highness that when he came aboard the ship to make a visit in state he wore the ladle tied on the front of his ample person with the variegated ribbons and also wore a dilapidated stovepipe hat.—Perth (N. B.) News.

Marion Square League.

The members of the Marion Square Improvement League are requested to meet at the residence of Mrs. D. J. Fry on Wednesday afternoon at 2:30 o'clock, for important business.

Col. James K. Kelly

(Oregon Law School Journal.)

Col. James K. Kelly, who was a pioneer settler in Oregon, died quite recently in the City of Washington. He had been residing in the National Capital for several years. Col. Kelly was one of the foremost men of our State. He was one of the pioneer lawyers who came to Oregon at an early date and impressed his individuality upon the affairs of our Commonwealth.

He was a good lawyer, a colonel of volunteers in the Yakima Indian War, a United States Senator from Oregon, a Judge of the Supreme Court of this State, and filled many places of honor and trust with marked and conspicuous ability. He was kindly disposed towards all. Although he met with disappointments such as most men in public life encounter, yet he had the courage to proceed with the work in which he was en-

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DRESS GOODS

Here's where we have the prestige. Such a line was never before shown in the valley. We are the Salem agents for Wm. F. Read's dress fabrics, considered the best in this country. We are now showing Read's Zibelines, Nubs, Henriettas, Granite and Basket Cloths, Crepes, Cheviots, Armenian Zibs, Lansdowne, Panne Mohair, Fancy Suitings, Arizolas, Etc., Etc.

You will not find such a fine line of dress goods anywhere else in the city.

CLOAKS, SUITS, SKIRTS, FURS, ETC.

We know that we are selling more ready-to-wear garments than any store in town. Our styles are the best shown; our prices the most reasonable.

AUTO CAPS

Came Saturday. Better hurry if you want one. All colors.

50c each

GOLF GLOVES

All prices and colors. We are showing a swell line.

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Don't Forget

The sale of men's clothing. Finely tailored suits, the latest styles on sale right at the time you need them at these reduced prices:

- \$20.00 suits \$18.00.
- \$17.90 suits \$15.85.
- \$15.00 suits \$13.85.
- \$13.50 suits \$10.50.

Come and see them. If they are not the best values in town, don't buy.

The Greatest Sale of Men's White Shirts Ever Held In the State Here it is;

Regular \$2.50, \$2.00, \$1.50, and \$1.25 White Shirts for men are offered at

45c Each

WHY DO WE DO IT?

LISTEN! They are shirts that are made in the finest manner, of the very best materials. The bosoms are of fancy linens, such as cords, embroidered styles and figured.

The only reason for our offering them at this remarkably low price is this. The bosoms are long instead of short—short bosoms being a little more desirable just now—but if you are not particular about the length of the bosom you will not miss this sale. There are most all sizes in these shirts. They will be on display in our window tomorrow. Take a peep at them in the morning. Come in and examine them and we'll wager that you will get a supply.

Dalrymple's Dalrymple's Dalrymple's Dalrymple's

Laws and Decisions

(Oregon Law School Journal.)

While an assignment for the benefit of creditors, executed within the four months period, is an act of bankruptcy, yet if honestly made for the purpose of applying all the property of the assignor to the payment of his debts, the assignee who accepts the trust in good faith and executes it intelligently, successfully and honestly, is entitled, upon turning over the proceeds of the sale of property to the trustee in bankruptcy of his assignors, to be paid a fair and reasonable compensation for his services and those of his attorneys. Summers v. Abbott, 10 Am. B. R. 254.

Where a debtor being unable to pay his debts and having a large amount of property which he honestly and in good faith desires should be applied ratably to the payment of his debts, he has a perfect legal right to make a general assignment for the benefit of his creditors, and is under no legal obligation to have himself adjudged bankrupt. Summers v. Abbott, 10 Am. B. R. 254.

In the Matter of Dresser, 10 Am. B. R. 270, it was held that a bankrupt is exempt from arrest upon civil proceedings in a state court, while he is in attendance upon the bankruptcy court in the performance of his duties to the bankrupt estate.

The payment at maturity of one of two of his notes by the bankrupt while insolvent and within the four months period, to a bank which had purchased the notes of the payee, constitutes a preference, which must be surrendered to entitle the bank to prove a claim upon the other note which had not matured at the time the first note was paid. In re Thompson's Sons, 10 Am. B. R. 288.

While the language of section 57h forbidding proof of claims subsequent to one year after the adjudication, etc., is unqualified, it cannot be intended to govern the allowance, if a claim offered for proof after the expiration of the year, where the delay was caused by the fraud of the bankrupt in so preparing his schedules as to lead creditors to believe that there was practically no estate for distribution. In such case the bankrupt is estopped from making objection to

the proof. In re Towne, 10 B. R. 284.

The distinction between "proved" and "allowed" is always made apparent through the Bankruptcy Act, and the term "provable claim," in section 59b, providing that three or more creditors who have provable claims against any person, etc., may file a petition to have him adjudged a bankrupt, is not to be given the same meaning as allowable claims. Matter of Hornstein, 10 Am. B. R. 308.

Since the amendment of 1903 to the Bankruptcy Act, the bankruptcy court has power, between the time an involuntary petition is filed and the selection of a trustee, to enjoin all persons within its jurisdiction from doing any act that will interfere with or prevent the due administration of the Bankruptcy Act, and comity does not require said court to compel persons, whose rights are seriously jeopardized by proceedings in a state court to resort thereto for protection. Matter of Hornstein, 10 Am. B. R. 308.

A creditor with an unsurrendered preference should always be allowed to "prove" his claim and may be a petitioner in bankruptcy, but the claim will be "allowed" only upon condition that the preference is surrendered. Matter of Hornstein, 10 B. R. 308.

Toast—"The Police"

Endless stories of Charles Hunt, chief of police of Portland, Me., are told by his admirers, and among them is one that illustrates the ready humor of the old man. At a dinner given by prominent citizens of that place, the chief was the principle guest, and in the course of the feast he was called upon to respond to the toast, "The police." Amid applause Mr. Hunt arose in the full dignity of his gorgeous uniform, and in a silence indicative of the affection felt for him, said with a comical wink: "Here's to the police; first in war, first in peace, first in the pockets of the countryman."—Boston Post.

Not a Candidate.

Miss Lizzie Cornelius, of Turner, wishes the Journal to inform its readers that she is not a candidate for the appointment to the Turner postoffice. Her name has been mentioned for the position by some of the most prominent citizens of Turner, but she does not wish to have the position.

E. A. Truelove is suing the city of Albany for \$10,000 damages.

The National Graindealers' association has resolved in favor of congressional enactments empowering the interstate commerce commission effectively to equalize railroad rates.

A conference between Eastern Western railroad men on freight on imported goods designed for sale in the West, was begun at New York yesterday.

THE GREAT SALE AT 149 STATE STREET

Has been a grand success. The people know that when they can get a good thing they should take it, and so they have. There is quite a number of articles left.

There are several fine overcoats. A fine line of coats for children; children's suits, and the prices on them will compel the customers to take them.

A few pairs of boys' and ladies' rubber boots left for 90 cents which are worth \$1.50. The long-leg gum boots, which were sold at \$2.50, now go at \$1.50 per pair.

Bicycle caps, only a few left. Our clothing stock is going down rapidly. You save 40 per cent by buying them now.

The ladies have found out where to buy their passmentary as jet trimming. Only about 75 of our corsets and corset waists left to sell at 15 cents each, which are worth from \$1 to \$2 each.

While we are closing out these lines mentioned at sacrifice prices, we also carry a side line of our own in gents' furnishings goods, notions, stationery, cutlery, etc., that defies competition.

This sale will continue until all the lines mentioned above are disposed of. Remember the place.

S. F. FRIEDMAN

IT'S ABOUT TIME

For Steel Rims and Mud Guards. We fit them to all makes of wheels

A LARGE SHIPMENT OF UMBRELLA COVERS

Arrived a few days ago at prices from \$1.00 to \$4.00

FOOTBALL

We have the best line of football suits, belts, head-gears, etc., in the city.

...SHIPP & HAUSER...

258 Commercial Street.

Give Us a Call.

We Try to Please

THE OLD RELIABLE



Absolutely Pure

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