

## MAY FIX DAM

### Parkersville Drainage District Loses Its Suit Over Vattier Dam

The suit of the Parkersville Drainage District against William, Francis and Walter Vattier, which has been pending for years, over the result of the damage done by the backwater from the Vattier's mill dam across Little Pudding river, was settled today in the supreme court, by the judgment of Judge Galloway, of the Marion county district court, being reversed. The decision was by Judge Moore.

Fifty-seven years ago, William Parker built a dam across the Little Pudding river for the purpose of running a grist and saw mill. The dam backed up the water for five or six miles. Some three years ago, a drainage district was established, having within its boundaries the land on which was the backwater. Adjoining and just above this was 53 acres of land, which the government patented to the state in 1891, the title of which is now vested in the Miller heirs.

After the creation of the Lake Labish drainage district, one of the employes went to the dam one Sunday night and blew out a section with dynamite. The Vattiers, who are the successors of Parker in the ownership of the dam, started to repair the dam, when the drainage district got out an injunction in Judge Galloway's court restraining them from doing so, on the grounds that the dam was a nuisance.

The opinion of the lower court was reversed and the suit dismissed. The attorneys were G. G. Bingham and W. E. Richardson for the appellants and W. H. and Webster Holmes for the respondents.

An important decision was that in the case of W. P. Resen vs. Umatilla county. Appealed from Umatilla county. Affirmed. Opinion by Judge Bean.

Umatilla county had passed a law imposing a tax on sheep of foreign ownership. Resen brought suit for damages and won. The county took an appeal, but the decision of the lower court was affirmed.

Other decisions were: State vs. Wong Chow Queen, appealed from Multnomah county. Opinion reversed and new trial ordered.

Heywood Bros. and Wakefield company vs. Doernberger Mfg. company, from Multnomah county. Reversed.

P. A. Mann vs. Charles Parker and others. From Baker county. Opinion reversed and suit dismissed.

Mining & Smelting Company vs. Columbia Gold Mining Company. From Baker county. Reversed and new trial ordered.

Benjamin H. Bowman vs. George P. Holman, from Multnomah county. Motion to dismiss appeal. Granted.

R. W. Frame vs. Ben Grumbaum and Lee Hirschland, from Baker county. Petition for rehearing denied.

William D. Huffman vs. Fannie E. Huffman, to vacate a part of a decree of divorce, from Harney county. Reversed.

F. C. Sexton vs. Malcolm McIntire, suit for accounting, appeal from Wasco county. Modified.

## There is Nothing

In which delay is so dangerous as in eye trouble; when you consider that you can get along fairly well without any sense except sight, you will understand how important it is to take no chances with it.

OUR BUSINESS IS TO TELL YOU WHEN YOU NEED GLASSES.

WE HAVE THE PROPER MEANS OF FIXING OUT.

## Barr's Jewelry Store

State and Liberty Sts., Salem

## NOW FOR THE BIG CIRCUS

### Greatest on Earth, With Acres of Canvas, Thousands of Actors, and a Splendid Menagerie

Wednesday will be circus day, when all the poster promises that have decorated the bill-boards, are to materialize.

The omnipresent clown will be there with a new make-up, but with the same delightfully reminiscent smirk. The wonderful trained animals performing feats, seemingly impossible; the daring equestrian; the hair-raising aerialist; the beautiful horses; the hundred and one pictured features will all make their appearance, and the long anticipated enjoyment of circus day is a reality.

The Forepaugh-Sells show is practically new this year. The present owners have brought all their combined resources to aid in perfecting an organization which it is hoped will win for itself the distinction of being the greatest circus exhibition in the world. Chief among the many features is the spectacle entitled "Fighting the Flames," a decided novelty representative of a great fire scene. The spectacle will occupy the oval of the large arenic tent. A scene representing a block of sky scrapers in the busy section of a city. The streets are filled with groups of happy, holiday making people, bands of music parading. The alarm of fire is heard. Flames are seen bursting from the windows of a large hotel. Then the rush of engines and all manner of modern fire fighting apparatus. There are one thousand actors participating in this scene.

The Lowande family of equestrians in a new and novel exhibition. The Walkowsky of Russian whirlwind dancers. Captain Webb's two groups of educated seal and sea lions. A unique exhibition of horse accomplishments, four distinguished equine prize winners appearing in one ring. The Runyon family, a troupe of English acrobats; eight thrilling hippodrome events; while the stages and circus rings are occupied by the different performers, just in the way of good measure, and merriment, groups of clowns, forty in all, will circulate in the hippodrome oval, present pantomime comedies and laugh-provoking conceits.

**Saengerfest at Wheeling.**

Wheeling, W. Va., Aug. 21.—Everything is in readiness for the opening of the great Saengerfest of the central Ohio Bezirk, which is to take place at the Court theatre in this city tonight. The city is full of German singers from all parts of Ohio and West Virginia. The district embraces all of Ohio, excepting Cincinnati and nearly all of West Virginia. Twenty-six German singing societies will be represented in the festival and many of them will take part in the chorus contests, which form one of the most interesting features of the Saengerfest. An orchestra of 45 pieces has been engaged to play the accompaniments and furnish the instrumental music for the festival in general. Another interesting feature will be the singing by a chorus of more than 600 school children under the direction of Miss Robinson. The Saengerfest will last three days and will wind up with a grand open air celebration, with music, dancing and popular games. More than 3000 German singers, many of them accompanied by their wives, are in the city and the hotels are taxed to their full capacity. The program for the three principal concerts is unusually interesting and ambitious. Prof. H. M. Schockey will conduct at the concerts.

**Both Want the Child.**

Two petitions for the guardianship of Clara Barnes, the minor child of Joseph Barnes, deceased, were filed in the clerk's office this afternoon. One was asking the appointment of John Bierward, and stated the child's father was dead and that the mother had been divorced from the father, and the petition alleged that she was an improper person to be guardian. The other petition was from Ardula M. Porter, who states she is the child's mother, and asks to be appointed guardian. Judge Scott will take testimony and determine who is to have the custody of the girl.

**CASTORIA.**  
The Kind You Have Always Bought  
Bears the Signature of *Chas. H. Fletcher*

Miss Lillian Green and Miss Clara Zwicker returned last evening from Newport.

Mrs. Lena Bestne of Portland arrived yesterday to visit friends in this city.

Miss Louise Hoyt and mother returned last night from an outing at Newport.

Mrs. J. C. Middleton and son, of Indiana, are visiting Mr. and Mrs. W. F. Babcock.

Mr. and Mrs. Louis Lachmund and Mrs. F. Folsom left this morning for Seaside.

S. T. Newkirk and wife of Hubbard are visiting Walter Johnson and family.

Mrs. W. Magee of Lebanon is visit-

## BUILD IT IN THE CEMETERY

### Ice Trust Should Have Monument, If it Was Built Over its Members

New York, Aug. 21.—Wesley Oeler, president of the ice trust, was a witness before the grand jury this morning. He was indignant to think that he should have been summoned. He said if the public knew the facts it would erect a monument to the trust instead of vilifying it. The state expects to show the ice trust, and the independence conspire to keep up the price, and create a shortage.

## Personals

E. T. Barnes is home from Newport.

J. D. Barber is in town today on business.

Frank Lovell left last night for Cascadia.

Chauncey Bishop is at home from Portland.

T. B. Jones has returned from Portland.

Paul H. Sroat has returned from Portland.

Otto Headrick left last night for Newport.

Lee George has returned from Portland.

Fred Wiggins went to Jefferson yesterday.

E. L. Irwin went to Albany on business today.

A. A. Lee came home last night from Newport.

Homer Smith returned from Portland last night.

R. P. Boise, Jr., returned from Portland last night.

Mr. and Mrs. E. J. Swafford are home from Newport.

C. Hurley returned this morning to his home in Gervais.

Mrs. W. A. Irvin returned last night from Newport.

G. L. Scobie left today for a week's outing at Nye Beach.

Conrad Krebs came down from Independence yesterday.

Mrs. F. L. Hargrove returned last evening from Newport.

Henry Ottenheimer returned from Portland this morning.

Miss Julia Williams went to Woodburn last evening.

W. W. Davis, of Eugene, was in town today on business.

Mort Pilkenston returned yesterday from a visit to Portland.

Miss Minnie Frickey left last night for Chattanooga, Tenn.

Guy Hoyt left yesterday for a ten day's outing at Newport.

Miss Nellie Peterson returned from Portland yesterday.

William Welch returned last night from a visit to Portland.

County Treasurer Richardson left this morning for Newport.

Milo Atterbury went to Roseburg yesterday to visit relatives.

Miss Grace Vaughn, of Albany, visited Salem friends yesterday.

Misses Edna and Frances Pohle returned from Newport last night.

Justice Thomas G. Halley has returned from a visit to Pendleton.

Mayor Frank Waters went to Portland on this morning's local.

Miss Mary Davenport left this morning for her home in Silverton.

Miss Edna McFarland and niece returned from Portland yesterday.

Miss Clara Foster and Miss Louise Hoyt returned from Newport last night.

Richard Loewenfeld went to Newport yesterday for a ten day's outing.

Mrs. Ira Campbell and child, of Eugene, are in the city visiting friends.

E. J. Lalley, Charles Scott, Gill Scobie are among the Salemites at Newport.

Miss Lillian Green and Miss Clara Zwicker returned last evening from Newport.

Mrs. Lena Bestne of Portland arrived yesterday to visit friends in this city.

Miss Louise Hoyt and mother returned last night from an outing at Newport.

Mrs. J. C. Middleton and son, of Indiana, are visiting Mr. and Mrs. W. F. Babcock.

Mr. and Mrs. Louis Lachmund and Mrs. F. Folsom left this morning for Seaside.

S. T. Newkirk and wife of Hubbard are visiting Walter Johnson and family.

Mrs. W. Magee of Lebanon is visit-

ing her uncle, S. O. Long, and family of this city.

M. L. Keith and wife of Portland are visiting friends and relatives on Howell Prairie.

I. D. Whitmore, who has been visiting Salem friends, left for Portland this morning.

Dr. and Mrs. T. C. Smith, Jr., and son Malcolm, returned last night from Newport.

Miss Helen Magee has returned to Cottage Grove after visiting Mrs. W. A. Cummings.

Mr. and Mrs. I. D. Whitmore of Portland are visiting Mr. and Mrs. J. C. Whitmore.

Mrs. Newkirk, of Hubbard, is in the city, visiting her daughter, Mrs. W. W. Johnson.

The Misses Jennie and Bessie Clark, of Portland, are visiting Mrs. W. Starr of this city.

C. W. Holcomb of Portland was in the city yesterday looking after the cannery business.

Mr. and Mrs. A. G. Fry of Silverton, who were married yesterday, left today for Portland.

R. N. Iddings went to Independence yesterday for a few days' outing in the mountains.

Mr. and Mrs. L. Minaski, of San Francisco, are visiting their sister, Mrs. T. C. Smith, Jr.

Harold Wilkins, of Corvallis, was in town last evening on business. Mr. Wilkins left for Portland this morning.

Mrs. and Mrs. Frank Durbin and mother, Mrs. Dan Durbin, returned yesterday from an outing at Newport.

R. A. Schramm and wife, who have been visiting relatives in this city, returned to their home in Portland this morning.

Mr. and Mrs. H. Cornelius, who have been visiting in this city, returned this morning to their home in Jefferson.

Mrs. J. M. Long, who has been visiting relatives in Tacoma and Portland for the past month, returned home yesterday.

Miss Zula Hunt, who has been visiting her sister, Mrs. Frank Allen in Sumpter, returned to her home in Salem this morning.

H. W. Porter, of Portland, who has been visiting Salem friends, left this morning for a hunting trip and outing near Grants Pass.

Mrs. H. M. Reese and Miss Ruby Hayden, of Polk county, returned home last night from a vacation in the mountains near Gates.

Mrs. O. W. Moon, her sons Harold and Max, Miss Hilda Ling and Geo. W. King, returned home last night from a visit of ten days to Newport.

Miss Theo Bennett left this morning for Portland, where she will visit a few days. Miss Bennett will then go to Gearhart for a several weeks' outing.

Mrs. M. W. Worthington and family, who have been visiting Mrs. J. W. Pratt and family of Yew Park, left this morning for their home in Philomath.

M. D. Shanks, who has spent the summer in Washington, arrived in Salem yesterday, enroute for Stanford University, where he will continue his studies.

Mr. and Mrs. G. G. Molsan left on this morning's local for their home in Gervais. Miss Molsan has been in the hospital here for several weeks and is much improved in health.

Sheriff and Mrs. Culver returned home last night from a visit of two weeks to Pononia lake. While there they ascended Mt. Jefferson beyond the snow line, but did not attempt to reach the summit.

Mrs. William Butte and son returned from Washington Sunday. Nothing has been heard from her father who was lost in the woods near his home a month ago, and all hopes of finding him alive have been abandoned.

Mrs. Ernest Hofer and son Mac came over from Newport, arriving here Monday night on the delayed train. Col. Hofer and Lawrence are now on the road to Tillamook, driving over in their private rig. The colonel will take part in the development league meeting to be held there on the 24th.

**When You Want Harness.**  
Call on F. E. Shafer, at his new store, 187 Commercial street, near Ferry. The finest stock of harness in Salem.

**The Texas Wonder.**  
Cures all kidney, bladder and rheumatic trouble; sold by all druggists, or two months' treatment by mail for \$1. Dr. E. W. Hall, 2928 Olive street, St. Louis, Mo. Send for testimonials. Sold by Stone's drug stores.

## For the Hunter And the Fisherman

# We Have Rifles and Fishing Tackle

We have all kinds. Whether you want to fish for minnows in mountain streamlet, or for speckled beauties in the rivers, or for the great and strong fellows that live in the sea, you will find the necessary tackle here. Everything for the fisherman. And whether you want to shoot the chipmunks in the fence rows or the buck, elk or deer in the fastnesses of the mountains, you will certainly find rifle here suitable. Every kind of rifle, and everything for the hunter. fishing tackle and rifles, we can certainly satisfy you.

## Watt Shipp THE BICYCLE MAN

## CITY NEWS

A Collection of Important Paragraphs for Your Consideration

L. Lachmund and sons filed a contract Monday for the purchase of 20,000 pounds of hops from David Jacobson. The contract was made in July.

The local W. C. T. U. will serve dinner tomorrow—circus day.

A fresh shipment of melons just received at H. H. Ragan's.

Business on Asylum avenue is growing, and the latest addition is a neat little confectionery and ice cream establishment. It is called "The Avenue," and is a credit to the neighborhood.

The people are still anxious for oiled streets as well as paved streets.

Strangers in town constantly talk about the absence of mosquitoes, fleas and flies, besides other nuisances very common in the eastern states at this time of the year.

"Rube" Cummings, the expressman, had a small runaway yesterday afternoon. His team, which was left unattended, became frightened and ran a short distance, striking a tree and breaking the harness.

J. A. Patterson has purchased the stock of new and second-hand goods of A. Scott, two doors north of his store. He will unite the two stores, greatly increasing his floor space and room, and so will be able to make a much better display of his stock.

**Ohio Democrats Meet.**

Columbus, O., Aug. 21.—Columbus has seldom seen a larger congregation of Democrats from all parts of the state as today, the opening day of the Democratic state convention. The hotels in the central part of the city are crowded with Democratic politicians and the headquarters of the contending factions are busy as bee hives. The convention is of particular importance owing to the fact that not only a full state ticket is to be selected, but that the convention will also take decisive action in regard to the attitude of the Democratic party of Ohio in the coming presidential campaign. Aside from the temporary organization of the convention no slate has been prepared and all the fighting for the nominations will be done on the floor of the convention hall.

Judge R. F. McCann of Dayton has been selected for temporary chairman. Price Russell, of Wayne county, for temporary secretary; Bert Barlow, of Butler county, for sergeant-at-arm. The total number of delegates will be 936, thus making the total number required for a choice, 469. It is the general understanding that the Pattison faction, composed of the friends of the late governor, is still in control and will exert a dominating influence in the convention. It is believed that a powerful effort will be made in the convention, to commit the Democracy of Ohio in favor of Wm. J. Bryan's candidacy for president.

## REAL ESTATE TRANSFERS

Marion County Land That Is Changing Ownership — Prices That Obtained.

May Porter and Frank Porter to Clara Whitney, 10 acres, \$12. Wm. Goodrich to A. Welch, right of way for railroad.

**Hop Contracts Filed.**

Contracts for the sale of hops to Klaber, Wolf & Netter, of Portland from the following Marion county growers, were filed in the county recorder's office today:

Claud Lightfoot and H. E. Manning, 20,000 pounds, at 15 cents  
Ed Butterfield, 6000 pounds, at 15 cents.

T. M. and T. W. Cully, 10,000 pounds, at 15 cents.  
J. R. Jordan, 6000 pounds, at 15 cents.

G. Hagg and P. Fellar, 6000 pounds, at 15 cents.  
George W. Knight, 7000 pounds, at 15 cents.

These sales were made July 30.

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**MARRIED.**

FRY-ROBINSON—At the residence of the officiating minister, in Salem August 20, at 2 p. m., Mr. Arthur G. Fry to Miss Josie Robinson, both of the Silverton neighborhood. The young couple took the afternoon train for Portland for a short wedding trip.

**Norwich Union Fire Insurance Society.**

Frank Meredith, Resident Agent. Office with Wm. Brown & Co., No. 129 Commercial Street.

## NEW TODAY

For Rent—Housekeeping rooms, upstairs at 223 South Commercial street.

For Sale—A rubber-tired open buggy; panel seat; good as new; at a bargain. Call at 263 Front St. 8-21-31.

Wanted—At the Hilke Millinery store, apprentice girls to commence work September 3rd. 8-21-1w—

Have You Insurance—On your property? If not, why not? It is dangerous to go without it. See W. A. Linton, the leading Fire Insurance man, for rates. No. 279 first floor, McCornick Bldg., Court St. Phone 1321. 8-13-31—

Hay for Sale.—Baled Clover or chest; \$6 per ton, in lots of two tons or over. Thos. F. Walker, Phone Suburban 154. 8-21-1m

## Money to Loan

THOMAS K. FORD, Over Ladd & Bush's Bank, Salem, Or