

STATE OF OREGON MADE PLAINTIFF

Suit to Compel the Restitution of \$100,000 Fees Collected by F. I. Dunbar

LEADERS HOLDING BACK

But Federal Government to Take Hand

Chicago, March 29.—No strike called until we give the government an opportunity to mediate declared Garretson and Morris this morning. Later the strike ratified the leaders' decision. The conservative stand of the leaders has reassured the public. It is believed that if the radicals are restrained until Monday a strike will be averted.

Blame for Weeks.

Washington, March 29.—President Taft, in a signed article in the Federationist, resents the attempt of railroad managers, who, he says, have endeavored to shift the blame to the men's union for so many weeks. He declares that overworkmen in charge of trains is a condition for which the companies are responsible.

CHICAGO STORE

PEOPLES BARGAIN HOUSE

OUR EASTER DISPLAY

NEW GOODS!

cannot be surpassed by any house in the Willamette valley. Choice goods and correct styles stand out prominently in every department of this progressive, always busy store.

FOR MONTHS PAST OUR BUYERS HAVE BEEN BUSY AWAY SELECTING THE CHOICEST AND NEWEST GOODS IN OUR SPRING TRADE, AND KNOWING THE WANTS OF THE PEOPLE WE HAVE MADE PREPARATIONS TO DO THE BIGGEST BUSINESS THIS SEASON IN THE HISTORY OF OUR HOUSE. THE STOCK WE HAVE FOR YOU TO SELECT FROM IS GREAT AND ON ACCOUNT OF THE BIG VOLUME OF BUSINESS WE DO, WE AFFORD TO GIVE YOU CLOSER PRICES THAN ANY OTHER HOUSE IN SALEM.

Easter Novelties On Display!

fine Silks, Fine Millinery, Spring Dress Goods, Ladies Coats, Spring Suits, Long Gloves, Fine Shoes, Ribbons, Lace, Embroideries, Silk Waists, Petticoats, Fancy Neckwear, Fancy Belts, Collings, Dress Trimmings.

WE ARE THE MAKERS OF LOW PRICES

SALEM'S FASTEST GROWING STORE.

KEVOY BROS. Corner of Commercial and Court Streets

DUNBAR DEMURRER SUSTAINED

Suit to Obtain \$100,000 State Fees

Will Now Be Presented With State as Complainant

Judge Galloway has sustained the demurrer argued in the suit to compel restitution of fees collected by Secretary of State Dunbar. The matter was argued before him late Thursday afternoon by Counsel Bingham and Clyde Fulton for defendant and L. H. McMahan for plaintiff. Mr. Fulton argued that no one had a right to ask return of the fees but the persons who paid them, and they could not sue to recover them for the state, but only for themselves, on the ground that the state had no right to allow such fees to be collected. Judge Galloway said he would stay over at Salem until this afternoon to hear all that could be presented as he desired to have to have the case fully presented on its merits.

Decision of Galloway.

In suit of Sears vs. Dunbar the court having taken matter under advisement, being suit of taxpayer to compel return of fees paid to the late Secretary of State Dunbar, in amount of \$100,000, motion to strike out part of pleadings was overruled. Demurrer to complaint is sustained. Judge Galloway, in rendering his decision, said the only case cited by counsel for defense was that of Sears vs. James, superintendent of the state prison, where the Oregon supreme court held that suit could not be sustained by a private party, but must be brought in the name of the state. The court would so hold in this case, as the result would be the same action.

McMahan's Next Step.

L. H. McMahan, counsel for Sears, stated that he had served a notice on District Attorney McNary asking that official to intervene in behalf of the state and make the state party plaintiff instead of Sears. If Mr. McNary declined to do this McMahan said he would bring mandamus proceedings under the decision of Hunt vs. Williams, citing decision by the supreme court, to compel enforcement of the laws through the district attorney's office. The matter was argued at 1 p. m.

BREWERY WORKERS STRIKE

Threaten to Tie Up the Tire Industry at St. Louis

St. Louis, March 29.—Failing to obtain a new scale of wages, all the brewery workers of the city went on a strike at noon today.

The brewers and freight handlers who have struck and it is believed that the drivers, firemen, engineers and the allied crafts will join the strikers to tie up the entire industry. The strike was followed by a conference at which Adolphus Busch personally appeared to his men not to strike. The brewers have already granted an eight-hour day, and a five per cent increase in wages, and the unions demand a "closed shop."

Mr. and Mrs. Charles Park left last evening for Chicago and other cities of the East.

Competition Is Sharp.

New York, March 29.—There will be keen competition in the bidding for the bridge loop. Half a dozen large contracting firms have staffs of men at work in the main office of the rapid transit commission on the detailed plans and specifications.

The commission expects to receive bids from the Degnon Contracting company; the Cranford Contracting company; William Bradley, John Shields and the McBean company. The Degnon and Cranford companies are now employed in building two sections of the Brooklyn subway extension. There will also be some out of town competitors. The bids will be received on April 11th.

Pawabroker Implicated.

Chicago, March 29.—After his arrest the first two of the biggest residence burglars the past year in this city, John Edwards, a negro ex-convict, is said to have confessed and implicated Sam Silverman, a pawnbroker. The police are searching Silverman's shop for \$25,000 worth of jewelry Edwards is accused of stealing from the homes of Robert McGann and George Castle, Edwards, according to the police, says he sold the jewels to Silverman for \$1300.

Morocco Must Comply.

Paris, March 29.—The main column of the force dispatched from Algeria occupied Oujda this morning, without resistance, and will remain until Morocco accedes to the French demands for full satisfaction in the matter of the assassination of Mauthin. Premier Clemenceau has cancelled his plans to visit Spain. The situation is grave.

GRAFT CASES DRAG

Schmitz and Ruef Keep Their Counsel and Saw Wood

San Francisco, March 29.—This being Good Friday there is a temporary cessation in the graft investigation, as far as the grand jury is concerned, but Langdon, Heney and Burns set to work early on the evidence gathered in the Home telephone case since the last indictment was returned, and there is every likelihood that when the inquisitorial board reconvenes tomorrow everything will be in shape for returning additional true bills. That a perjury indictment will be returned against B. Cass, of the Los Angeles company, unless he changes his testimony, seems certain. Heney claims to be absolutely in possession of facts that shows that Cass did not tell the truth. Without request District Attorney Brown, of Oakland, at an early date began to sift out testimony affecting the granting of the Home franchise by the Oakland supervisors. Schmitz is silent on all subjects on which he is to be arraigned on the graft scandal. Concerning the discovery of the secret vault in his old home he will not tell to what uses it was put. Ruef in his new prison, appears as cheerful as ever this morning. He expresses himself as pleased with things.

Tom Harris Will Be Hanged Today.

Columbia, S. C., March 29.—Tom Harris, the North Carolinian who confessed to the murder of Mrs. Horatia Morgan, will be hanged today. It is the first hanging that has ever occurred in Charleston county, and the first since the execution of the last convict in the state prison.

Charged With Assassination.

Moscow, March 29.—A woman named Alexanderoff has been arrested here on the charge of inciting the assassination of Dr. Joffe. The actual murderer has not been located.

THAW'S LAWYERS CONFIDENT

Say His Sanity Is Evident and Handicap Jerome

New York, March 29.—Peabody this morning after a visit with Thaw, announced that the prisoner was looking fine. The lawyer said: "I never saw him looking more fit for any kind of an emergency." It is intimated that if the case is resumed the defense will rest in rebuttal immediately, without the examination of more witnesses. In reaching this decision Thaw's attorneys were guided by the belief that Jerome, if Thaw is declared sane, will be handicapped in making an appeal for the first degree verdict.

The present indications are that the Thaw trial will be resumed. Thaw's conduct before the commission Thursday, the attorneys today said, was such that the commission could not be otherwise than convinced of his sanity. It is asserted that Thaw, answered in a rational manner every question put to him. Jerome admits "much coherency" in Thaw's conversation.

Brief Telegrams.

Cardinal Machi, secretary of apostolic briefs, at Rome, died of apoplexy today. He was born in Brazil in 1832.

On account of prostrated wires there is no confirmation of the report of loss of life as the result of a severe tornado at Marietta, I. T., by which it is said many were killed. A tornado is also reported to have struck Rock, I. T.

At LaCrosse, Wis., the LaCrosse cracker and candy factory and the A. W. Roosevelt Plumbing Supply Company were destroyed by fire this morning. Loss \$150,000.

General Cosia Rica has organized a provisional government for Honduras, headed by Rosales, Oqueli and Ignacio Castro.

At Louisville, Ky., "Cozy" Donlan, a player of the Boston National league baseball team, died this morning of typhoid fever.

Injured in a Wreck.

Los Angeles, Mar. 29.—Of the injured brought to this city last night from the Colton wreck seven are in a serious condition, being seriously injured. They are C. H. Warrington, the engineer of the wrecked engine; Victor Chapp, fireman; the porter, Julius Keith, of New York; T. L. Davis, of Carmago, Oklahoma, and three Italian emigrants.

Murderer Hanged at San Quentin.

San Quentin Prison, March 29.—Leon Soerder was hanged this morning for the murder of his brother-in-law, Jos Blaise, of San Francisco, three years ago. He lured Blaise to America from Germany and had him insure his life in Soerder's favor, and soon after Soerder stabbed him to death.

Cantata Postponed.

Owing to the sickness of some of the singers, the cantata which was to have been given in the East Salem Congregational church, on the 5th of March, has been postponed. The cantata, which is a production of merit, written by Prof. Parvin, will be published.

Washington Lady Suicide.

Washington, March 29.—Mrs. Florence McComas, sister-in-law of Judge McComas, the former senator of Maryland, committed suicide this afternoon by shooting. She was 54 and had been married 30 years.

Dr. J. F. COOK
THE BOTANICAL DOCTOR.
MOVED TO 310 LIBERTY STREET
FOR ANY DISEASE CALL ON DR. COOK. CONSULTATION FREE.

SCHOOL BOARD VACANCY.

May Have to Be Filled by Action of Board.

The Salem school board hoped to defer electing a member of the board to fill a vacancy caused by the resignation of Hamilton Smith until the June election.

Dr. Epley, a member of the board, on the 20th inst., addressed the following letter to Superintendent J. H. Ackerman:

"According to the wording of the law, are we, the remaining members of the board of education of school district No. 24, in duty bound to elect a director caused by the resignation of Mr. Smith, or have we the power to defer the election of such director until the general election held in June and thus fill the vacancy by election by the people?"

Superintendent Ackerman, being away from the city, Chief Clerk E. E. Carlin looked up the question and answered the communication after consultation with the attorney-general as follows:

"Replying to your favor of March 20, I will say that, according to the wording of the law, the election of a director to fill a vacancy cannot be deferred, but that the board may proceed at once to fill such vacancy."

State Is Substituted.

L. H. McMahan, at 1 p. m., filed an amended complaint in which the district attorney of the fourth district joins him.

The petition moves the court for an order substituting the state upon relation of District Attorney McNary as plaintiff, instead of Sears. It asks:

1st. For an accounting of all sums of money received by Dunbar.

2d. That he be required to pay the state the sums found to have been received.

3d. Judgment and costs.

Counsel Bingham asked that the matter go over. McMahan asked that the matter be argued this evening, and that it be passed on tomorrow.

Judge Galloway asked if counsel was willing to let this be heard before Judge Burnett.

It was finally agreed that the matter was to be argued at McMinnville a week from next Monday.

Much Improved.

Albert Rape, who has been very ill with pneumonia, in Portland, is reported to be out of danger, and will be strong enough to leave the hospital by Sunday. Albert is well known here, and his many friends will be glad to learn of his recovery.

Mr. Hom Sells Business.

George Hom, the well-known popcorn man, on the corner of State and Liberty street, is reported to have traded his business to a Mr. Wolf for some real estate in Polk county.

Preached His Own Funeral.

Gaffney, S. C., March 29.—Thomas Harris, a former Baptist minister, was hanged today for the murder of Mrs. Horatia Morgan, an aged white woman, in November. Harris preached his own funeral sermon. He killed the woman to secure \$500 in money.

Popular Election in Philippines.

Washington, March 29.—The President today issued an executive order calling for a popular election in the Philippines for delegates to the proposed Philippine legislature, the date to be fixed by the Philippine commission.

Southern Town Burning Up.

Newberry, S. C., March 29.—The town is burning. One hundred and fifty houses have been destroyed. The water has been exhausted and dynamite is being used to subside the flames.

Dr. J. F. COOK

THE BOTANICAL DOCTOR.
MOVED TO 310 LIBERTY STREET
FOR ANY DISEASE CALL ON DR. COOK. CONSULTATION FREE.