

LACHMUND SUES FOR DAMAGES

Files Action in Department No. 1
This Morning Against Horst For
\$61,275

Louis Lachmund and Julius Pincus this morning filed two complaints in department No. 1 of the Marion county circuit court against Paul R. G. Horst demanding damages in the aggregate to the amount of \$61,275 for the defendant's failure to comply with contracts entered into by himself and various growers and Lachmund and Pincus. The plaintiffs set forth that they, as the agents of Mr. Horst, contracted for various lots of 1907 hops, on which Horst agreed to advance money during the picking season, as was stated in yesterday's issue of the Capital Journal. All the contracts being signed and carried out in good faith by the growers, but, owing to the fact that Mr. Horst refused to advance the picking money and carry out his part of the contract, many of the growers were compelled to sell at the then prevailing price of 7 1/2 cents, thereby sustaining great loss.

Lachmund & Co., who have handled an enormous hop business throughout the valley, claim that their business was greatly damaged by the action of Horst, not only from the loss of commission on the contracts, and the labor and time in securing them, but a greater damage resulted in the loss of confidence in their firm, which could not fulfill its agreement, as agents of Mr. Horst.

Messrs. Lachmund and Pincus demand \$50,000 damages for the loss of confidence of their customers, \$3525 for commissions on the contracts which were signed and \$250 for time and labor in visiting the various yards to obtain the business.

In a second complaint Messrs. Lachmund and Pincus present the claims of the various growers, which have been turned over to them. The defendant and George L. Rose entered into a contract in February of this year, in which Mr. Rose agreed to deliver to Mr. Rose 100,000 pounds of hops. Rose was to be advanced \$5000 during picking season by the terms of the contract. This amount is claimed to have not been paid, and Mr. Rose was compelled to sell at 7 1/2 cents, thereby sustaining damages to the amount of \$2000.

For a second cause of action against the defendant the plaintiffs set forth that in February, 1907, in Salem, S. B. Walker and W. H. Walker, brothers, and the defendant entered into a certain contract in writing for the sale and delivery by the said Walker brothers to Horst of 50,000 pounds of hops. Horst, it is claimed, was to have advanced \$2500 during the hop picking season, but failed to comply with his part of the contract. The Walker hops were sold at a loss of \$2250, which amount is claimed.

Similar claims set forth in the complaint are as follows: C. A. McLaughlin, growers damages claimed, \$2250. George L. Rose and Charles D. Winkle, growers, contracted 40,000 pounds, damages sustained \$1000.

Few Branches Not Missed.
Even a family tree may occasionally need a little pruning.

"For five years my family has not been troubled with the winter coughs; we owe this to Ballard's Horehound Syrup. I know it has saved my children from many sick spells." Sold by D. J. Fry.

Every Month in the Year

Brings its current bills. One way to pay them is to go from place to place, carrying the money with you, at the risk of loss and the chance of overlooking the taking of a receipt, and having some of it to pay over again. The convenient business-like way is to pay all bills by check, no matter how small. A check is the best receipt you can have. Paying out money in this way insures correctness and gives you a complete record of all money paid out. Open a Checking Account With Us.

**SALEM
STATE BANK**
Salem, Oregon

HEINZE GOES TO THE WALL

(Continued from Page One.)

One of the stories of the street was that certain banks which are holding considerable United Copper as security for loans which they have made to Heinze, told the young plunger that unless prices were restored to their normal level, loans would be called in. Today all his work was undone. United Copper preferred broke this morning from 75 to 37, just one-half, while the bottom also dropped out of the common stock. The street is waiting to see what will happen next.

Heinze decided tonight to resign as president of the banking firm of Otto Heinze & Co., and he will be saved from going to the wall.

Still Owns His Copper.

New York, Oct. 17.—In an informal statement issued today Otto Heinze issued a statement saying his company was perfectly solvent and willing to meet all obligations that are legitimate, but says it would rather be temporarily suspended from the exchange than settle unjust claims. It states that Arthur Heinze is no longer a member of the firm. F. Augustus Heinze admitted this morning that he would resign from the Mercantile Bank directorship today. He says he has not sold his United Copper stock.

Butte, Mont. Oct. 17.—The state savings bank, of Butte, in which Heinze is largely interested, closed its doors today. A run was precipitated because of the stories of Heinze's copper fight in Wall street.

FONTANET BURYING ITS DEAD

Fontanet, Oct. 17.—Fontanet is burying its dead today. Mourners gather in tents where funeral services are being held, while khaki-clad soldiers of the state pace back and forth with bayoneted guns, and hold back the curious. All day yesterday graves were dug. Many more bodies have been discovered near the site of the boiler house. Alfred I. Dupont is here and assisting in the relief. He will aid the state in the investigation of the disaster.

Brief News Notes.

Honey is being groomed for United States senator in California.

So far the Louisiana bears have been able to keep out of sight of Teddy. One was scared up yesterday, but skipped for deep water.

E. H. Harriman is trying to rub the Roosevelt hair the right way. In an interview yesterday he advises young men to marry young and raise as many children as they can take care of.

The government will probably operate a line of steamships from San Francisco to Panama until the completion of the canal.

The seismographs in the East say the earthquake yesterday probably occurred in Central America or Southern Mexico, and was very severe.

Last reports from Fontanet place the number of dead at 38, and the injured at 600. It is probable, though, that the death list is considerably larger, as it is claimed that 70 men were at work in the mills at the time of the explosion, and no one escaped.

The other girls asked how it came she was so fair to see; she told them they could be the same.

If they'd use Hollister's Rocky Mountain Tea.

—For sale at Dr. Stone's store.

Marriage Licenses.

The following marriage licenses have been issued by County Clerk Allen:

William O. English, of Silverton, aged 38, and Malissa J. Whitlock, of Marion county, aged 50, L. M. Van Cleave witness.

Frank A. Flake, aged 23, and Ruby P. Bu II, aged 18, both of Salem, C. C. White witness.

Walter C. Elgin, of Salem, aged 23, and Katie E. Batt, of Marion county, aged 20, C. F. Elgin witness.

W. Akendrick, Valley Mills, Tex., writes: I have used Ballard's Horehound Syrup for coughs and throat troubles; it is a pleasant and most effective remedy." Sold by D. J. Fry.

Christian Church Bazaar.
The Christian church ladies will hold their annual bazaar in the parlors of the church on December 10, afternoon and evening.

JAPANESE FILE AN ACCOUNT

Vancouver, Oct. 17.—The Japanese statement of losses incurred in the Vancouver riots has been received here, and is one of the most complete documents ever presented to a government. The property is minutely described, and photographs and blue prints, provided in every case, prove the claim. The claims were presented. One for the actual monetary loss by damage, \$2400, and one on the damage to prospective business of \$11,100.

To Try Ford Again.

San Francisco, Oct. 17.—The work of selecting a jury for the second trial of Tierney L. Ford, accused of bribing supervisors began in Judge Lawler's court this morning.

San Francisco, Oct. 17.—The prosecution announced today that it would not try Ford on the indictment based on the bribery of ex-Supervisor Loneragan, but on an indictment based on the bribery of ex-Supervisor Jennings Phillips. The indictments are identical, with the exception of the name of the supervisor. All the other graft cases were continued for two weeks. Many venemen pleaded to be excused, but Judge Lawler was strict in this regard. Henry Berg, a cigar dealer, was the first venemen passed.

Neglected Colds.

Every part of the mucous membrane (the nose, throat, ears, head and lungs, etc., are subjected to disease and blight from neglected colds. Ballard's Horehound Syrup is a pleasant and effective remedy.

As the Blood Travels.

The blood thrown out by the heart travels seven miles in an hour, or 4,292,000 miles in a lifetime of 70 years.

TEA

There is nothing that costs so little, both money and work, and that goes so far if it has the chance.

Your grocer returns your money if you don't like Schilling's Best, we pay him.

And the Women Laugh at Him.

When a married man elopes with a woman who isn't as good looking as the wife he left behind, virtue's reward is considerably enlarged.

The Texas Wonder.

Cures all kidney, bladder and rheumatic troubles; sold by all druggists, or two months' trial treatment by mail for \$1.00. Dr. E. W. Hall, 2926 Olive street, St. Louis, Mo. Send for testimonials. Sold by Stone's drug store.

Colonist Rates in Effect Until October 31.

The extremely low rates from all Eastern points to Oregon are still in effect until October 31. Any one wishing to take advantage of the low rates can save time and money by calling on our local agent, O. L. Darling, and secure prepaid orders on any agent in the United States. From Missouri river common points, \$25.00.

From St. Louis, \$30.00.
From Chicago, \$33.00.
From Washington, D. C., \$48.25.

WM. McMURRAY,
G. P. A. S. P. Co.



GOOD BREAD AND

GOOD BUTTER
make the best food for children as they do for "grown ups." But bread as well as butter is an article of food requiring the closest scrutiny as to its quality, as there is lots of it unfit to eat. But no fault just or otherwise can be found with Ullom's bread. Thoroughly nutritious and palatable it makes friends everywhere it is used. Try it.
CAPITOL BAKERY,
C. Ullom, Prop. Phone 380.

In Love's Name.

Love and Hate and Jealousy often live in the same house, though you will find only Love's name on the door.—Michael Mohanan.

They Make You Feel Good.

The pleasant purgative effect experienced by all who use Chamberlain's Stomach and Liver Tablets, and the healthy condition of the body and mind which they create makes one feel joyful. Price, 25c. Samples free at Dr. Stone's drug store.

Merely a Make-Believe.

A man who takes the cigars out of his pocket when he sits on the sofa with his best girl isn't really in love.

The old remedies are the best. Hickory Bark Cough Remedy has been in use for over one hundred years by the old Dutch Dunkards of Pennsylvania, and is still in use by all the old families of western Pennsylvania. Is absolutely pure; made from the bark of the white or shell bark hickory tree. The bark is shipped from the east, and manufactured in Salem, Oregon. For sale by all dealers everywhere.



THE MCKINLEY MAUSOLEUM.
The noble mausoleum at Canton which was erected as the resting place for the bodies of President McKinley and his wife and children was built at a cost of over half a million dollars.

Out of Sight.

"Out of sight, out of mind," is an old saying which applies with special force to a sore, burn or wound that's been treated with Bucklen's Arnica Salve. It's out of sight, out of mind and out of existence. Piles too and chilblains disappear under its healing influence. Guaranteed by J. C. Perry, druggist, 25c.

Divorce in Japan.

In Japan the divorce question has been simplified so that a man can divorce his wife for one of seven reasons—the first of which is that he is no longer satisfied with her.

Julius Caesar

was a man of nerve—but sickness left its mark and he became aged before his time. Sickness is often caused by a torpid liver. Herbine will regulate your liver and give you health. Mrs. Carrie Austin, Hollon, Kan., writes: "I consider Herbine the best medicine I ever heard of. I am never without it." Sold by D. J. Fry.

Getting Bald.

"Here is another lock-out!" said the barber as he examined the elderly gentleman's head.

Bad breath is a most offensive ailment, irritates you as well as your friends; Hollister's Rocky Mountain Tea takes the bad taste from the mouth, removes the cause, purifies the breath; 35c. Tea or Tablets. For sale at Dr. Stone's store.

Wisdom From Italy.

No wind can do him good who steers for no port.—Italian.

The old Pennsylvania Dutch Dunkard recommends "Hickory Bark Cough Remedy." Guaranteed to cure your cough, and guaranteed to be pure. Made from the bark of the shell bark or white hickory tree. For sale by dealers everywhere.

Depends on How He Dressed.
In the blackest and coldest storms the soul of the brave man can be bright and warm.

No person that keeps the food canal clean and healthy can have appendicitis. Hollister's Rocky Mountain Tea cleans the food canal and protects you from disease; 35 cents, Tea or Tablets. For sale at Dr. Stone's store.

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

THE MARKETS.

SALEM MARKET.

Local Wholesale Market.

Eggs—30c cash.
Butter—35c; fat, 35c.
Hens—10c; young chickens, 10c.
Local wheat—75@80c.
Oats—35@37c.
Barley—\$24@25.
Flour—Hard wheat, \$5.00; valley \$3.85.

Mill feed—Bran, \$21.50; shorts, \$23.50.
Hay—Cheat, \$13@14; clover, \$10@12 per ton; timothy, \$13@15.

Onions—\$1.50 per sack.
Potatoes—85c cwt.
Hops—Old, 4@6c; new, 7@8c.
Chittim bark—6@7c.

Tropical Fruits.

Bananas—\$6.
Oranges—\$4@5.
Lemons—\$5.50@6.

Retail Market.

Oats—Valley, \$28 per ton; wheat, 95c; per bu; rolley barley, \$30@31.
Eggs—35c.
Butter—Country, 30c; creamery, 40c.

Flour—Valley, \$1.10@1.20 per sack; hard wheat, \$1.25@1.40.
Bran—70c per sack; \$22.50 per ton.

Hay—Timothy, 85@90c per cwt; cheat, 80c; clover, 70c per cwt.; shorts, \$1.00 per cwt.

Livestock.

Hogs—Fat, 6c.
Cattle—1100@1200 lb steers, 3 1/2c.

Lighter steers—3@3 1/4c.
Stock hogs—5c.

Cows and heifers—900@1000 lb, 2@2 1/2c.

Lambs—4 1/2c.
Veal—Dressed, 5@7c.

Portland Market.

Wheat—Club, 89@90c; valley 89@90c; blue stem, 91@92c.

Millstuffs—Bran, \$18@19.
Hay—Timothy, valley, \$15@18; alfalfa, \$13.

Vetch—\$8.50.
Poultry—Hens 13 1/2@14c; spring chickens, 13 1/2@14c; ducks, young, 13@14c; pigeons, \$1@1.25.

Pork—Best, \$6.60@6.85.
Lambs—Spring, \$4.50@5.25.

Mutton—\$4.25@4.50.
Hops—Choice, per lb, 8c.

Wool—Valley, 18@20c; eastern Oregon, 12@18c.

Quinsey, Sprains and Swellings Cured.

"I November, 1901, I caught cold and had the quinsy. My throat was swollen so I could hardly breathe. I applied Chamberlain's Pain Balm and it gave me relief in a short time. In two days I was all right," says Mrs. L. Cousins, Otterburn, Mich. Chamberlain's Pain Balm is a liniment and is especially valuable for sprains and swellings. For sale at Dr. Stone's drug store.

Said by the Pessimist.

It is a sure guess that the resurrection hour will be a stag party. Every woman will stop for a last Marcel and lose her seat.—Chicago Record Herald.

CASTORIA

For Infants and Children.

The Kind You Have Always Bought

Bears the Signature of *Charles H. Fletcher*

Average Life of Ships.

The average life of an American ship is only 18 years, while that of a British vessel is 26 years. The Scandinavian average is the best. It is 30 years.

CASTORIA.

The Kind You Have Always Bought

Bears the Signature of *Charles H. Fletcher*

Most People prefer

THE BEST GRADE OF BAKING POWDER, EVEN IF IT DOES COST A LITTLE MORE. WE SUPPOSE YOU ARE NO EXCEPTION TO THE RULE AND THEREFORE PER- SISTENTLY CALL YOUR ATTEN- TION TO THE FACT THAT EP- PLEY'S PERFECTION BAKING POWDER IS MANUFACTURED BY US AND CANNOT BE EQUALLED ANYWHERE. PUT UP IN GLASS JARS AND SOLD THROUGHOUT THE WILLAMETTE VALLEY.

Depends on How He Dressed.

In the blackest and coldest storms the soul of the brave man can be bright and warm.

No person that keeps the food canal clean and healthy can have appendicitis.

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We Never Substitute

No matter how rare or little used a drug may be, we have it. Our extensive prescription business makes it absolutely necessary. We have to substitute one drug for some other called for.

When We Fill Your Prescriptions

Every single ingredient mandated by the physician is used. And we keep only purest, freshest and most potent drugs. Put your prescription in safe hands. Let us do it.

RED CROSS PHARMACY

JERMAN & WARD, Prop.

Phone 144.

Free delivery. Night answered.

Expecting the Worst.

People who are always expecting the worst to happen are as sure as if it always did.

Jones Will Filed.

The will of the late John Jones was filed in probate this morning. Mr. Jones left all the real estate and personal property to his wife, Susie M. Jones, and to that his mother, Mrs. C. Jones, should have one-half of the of the farm near this city, her life, and that the farm not be sold until after her when the place shall belong to Susie Jones.

Can you afford to trifle with serious a matter as to neglect cold or cough, when for a small amount you can secure a "Hickory Bark Cough Remedy" that is guaranteed to cure and refunded. Price 25c, 50c and per bottle. For sale by druggists everywhere.

Building a House.

We can supply you with the lumber you need at the price that materially economizes in the cost. Just come and see us and look over our yards.

GOODALE LUMBER CO.

Yards near the city.

Salem Fence Works.

Headquarters for Worm and Fencing.

Netting, Pickets, Gates, Shingles, & B. Ready Roofing. Screen Doors and Adjustable Window Screens. All at lowest prices.

Walter Morley

250 Court St. Salem, Ore.

Superior Restaurant.

153 High Street, Upstairs.

First-class in all appointments. place for ladies and gentlemen to all kinds of Chinese dishes and famous Li Hung Chung Chop Suey and Yakama.

R. H. Baker

Successor to Why See You Co.

Fancy Card Writing.

Special prices for one month. One dozen, 25 cents. Two dozen, 40 cents. Three dozen, 50 cents. 100 cards, different designs. See samples and have orders filled. Pomeroy jewelry store, on Main street.

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Three dozen, 50 cents.

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