

THAT CEMENT FLOOR

Jury Will Pass On Right of Members of School Board to Order Work Done

The complaint alleges that in August, 1906, Kehrberger submitted a bid for \$567.75 to lay a concrete cement floor in the North Salem school building. It alleges that his bid was the lowest, and was duly accepted; that he performed the work according to contract, and that the school board ordered him to tear it out, and refused to pay him for the work, as agreed.

Defense of School Board.

Salem school board, then composed of A. A. Lee, Wm. H. Byrd, H. C. Eddy, Hamlin Smith and E. M. Croisan, makes reply as follows: That the bid of Kehrberger was never acted upon or accepted by the board; that when Kehrberger began his work he was notified to desist, but continued against the orders of the board; that defendant never completed the work, but laid the floor in an unsatisfactory manner; that the school board then employed O. C. Kennon to lay the cement floor, and paid him \$569.85; Kennon is alleged to be an expert cement worker, and his affidavit is presented charging that Kehrberger's work was defective.

Record of School Board.

Carson & Cannon, for the school board, called for the records to be produced, and records show following:

Matter of cement floor in North Salem school referred to repairs committee, composed of A. A. Lee and Hamlin Smith, August 4, 1906.

August 18, no meeting of board to open bids.

August 22, two bids filed, Kehrberger \$587.85; O. C. Kennon \$571.95. No action.

September 1, work taken out of hands of committee and put in hands of who's board.

September 3, board inspected work at North Salem school. Board ordered clerk to notify Kehrberger to remove cement work, and advertise for new bids.

October 18, O. C. Kennon's bid accepted by board and ordered to proceed with work.

McNary Bros. appear for plaintiff, who contends that he was ordered to put in the cement concrete floor by E. M. Croisan, a member of the board of education, and that he had the authority to have the work done.

Carson & Cannon appear for the board of education, and the case will be tried by a jury.

The Kehrberger Jury.

B. C. Patton had formed a decided opinion, and was excused.

Geo. Gilbert, Woodburn, accepted.

L. F. Masher, Silverton, accepted.

L. W. Benson was excused.

Herman W. Barr, accepted.

J. A. Colgan excused.

Samuel Adolph excused.

Fred Kurtz accepted.

Frank Parrish, Jefferson, accepted.

Wm. Claggett accepted.

J. M. Harr excused.

Nick Miller, Woodburn, accepted.

Aug. Huckestein, accepted.

B. Jones excused.

C. L. Johnson accepted.

Jacob Wenger, of the Stalwart

quartet, excused.

Lafe Thomas accepted.

As the panel was exhausted, both sides agreed to try it with ten jurors.

The jurors were all closely questioned as to whether they were readers of The Capital Journal or not, and some of those who were not subscribers modestly admitted reading it, just the same.

Every Month in the Year

Brings current bills. One way to keep them is to go from place to place, carrying the money with you, at the risk of losing the chance of overlooking the taking of a receipt, and having some of it to pay over. The convenient business 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

The Case Opened.

Chas. McNary presented case to jury for Kehrberger. J. A. Carson presented case of district to the jury.

There was no contract or any record whatever in writing to base claim upon.

The whole board must act upon public contracts. It cannot delegate its powers.

Mr. Kehrberger was unfortunate in having undertaken to execute work upon advice of Mr. Croisan, and without any action of the board.

The afternoon was consumed going over the records of the school board.

His Cigar Doesn't Taste Right

And Yet It Is the Same He Was Smoking With So Much Relish After Dinner, Last Night— Out of the Very Same Box, Too.

IT ISN'T THE CIGAR—IT'S THE STOMACH.

Every smoker has experienced this peculiar condition of the stomach and liver, the result usually of imperfect digestion of food. And the blame is usually put on the cigar and not where it belongs.



Such men are usually high livered, hard workers mentally, living under high pressure and high draught, and it doesn't take a great deal to disorder the stomach or render the liver torpid.

They should make it a practice to use some tried and reliable remedy like Stuart's Dyspepsia Tablets, that will aid Nature and not force it and will take care of the sudden attacks of acute indigestion.

The use of these tablets is not to be confounded with the patent medicine habit. Stuart's Dyspepsia Tablets are not a patent medicine, but are composed of the very elements which nature provides the healthy stomach to do the work of digestion—pepsin, diastase, golden seal, etc. There is no secret in their preparation—they are absolutely pure and therefore all the world uses them.

No matter how disordered the stomach may be, it will right itself if given the chance. Stuart's Dyspepsia Tablets digest food where the stomach can't, give the abused stomach and intestines a rest, and offer renewed strength to the worn out glands and muscles.

Brain workers can rely on Stuart's Dyspepsia Tablets, no matter how tense the strain. All druggists carry them in the 50 cent packages, or if you prefer a free trial package can be had by sending your name and address today. F. A. Stuart Company, 150 Stuart Building, Marshall, Mich.

Governor Returns—

Governor Chamberlain arrived in Portland last evening from a two-weeks' visit in the East. He was accompanied from his old home at Natchez, Mississippi, by his aged mother and his sister. The governor will return to Salem Sunday.



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 ATTENTION TO THE FACT THAT EPLEY'S PERFECTION BAKING POWDER IS MANUFACTURED BY US AND CANNOT BE EQUALLED ANYWHERE. PUT UP IN GLASS JARS AND SOLD THROUGHOUT THE WILLAMETTE VALLEY.

Wine Trade of France Killed by Sugar.

But the competition of those who water their wine is as nothing compared with the sugar product. It is not mother earth that has produced this crisis. It is the misuse of sugar. The vineyard-growers of France are unanimous in this belief. Every year the sugar men of the country, according to the estimate of the president of the chamber of commerce at Beziers, cast upon the market from 15,000,000 to 20,000,000 hectoliters of artificial wine.

It is sugar that has killed the wine trade of France. Within limits the use of sugar in wine is legal. The wine of the early vintage in many of the departments is green and weak in alcohol, averaging from six to eight degrees. But it can be fortified. Five kilos of sugar per hectoliter will make the green wine similar to that of the later vintage. If the practice of using sugar were confined only to the early vintage there would be little complaint, but it is not. The later vintage is diluted with water and treated with sugar, and enormous quantities of the poorer wine are brought up, doctored and put upon the market at a low price. But this condition is not the worst. An ingenious chemist has discovered that with the aid of sugar an artificial wine could be produced very cheaply. Two hectoliters of sugared water alcoholized to ten degrees and properly treated with tartaric acid, tannin, glycerin and so forth, will make a wine which will return 20 francs to the manufacturer. Another way is to mix a hectoliter of Algerian wine, which is heavy in alcohol, (twelve-fourteen degrees) and costs 15 francs in Paris, with other ingredients, so that three hectoliters of wine are produced at a cost of 35 francs, or 11 francs 8 centimes per hectoliter. This is supposedly a good wine, having ten degrees of alcohol, in contrast with this cost compare that borne by the simple vineyard man who is trying to sell his product in Paris. Unless he can sell his wine at 18 francs he loses money.—James F. Thompson in The World Today.

IN OLD KENTUCKY.

"In Old Kentucky" drew "a full house" at the Grand last night, and that the audience appreciated the play and players was attested by the hearty applause. The play is full of live situations, and was well staged and played. May Stockton made a charming little mountain girl, and the entire cast was good. Salem is to be congratulated on the class of plays and talent furnished by Manager Meredith, and he on the fact that theatre-goers appreciate his work properly by turning out to enjoy them.

HELP FOR NERVOUS WOMEN

Dr. Williams' Pink Pills Cured This Woman and She and Her Husband Both Recommend Them to Others.

When the nervous system is broken down from overwork, or whatever cause, life loses its joys. Not only is the nervous victim a sufferer himself but he is usually a trial to the whole family. Nervous breakdown is often gradual, appearing at first to be merely an unusual fretfulness. Dr. Williams' Pink Pills tone up the nerves in the most direct way and not only cure minor troubles but serious disorders as well.

Mrs. L. C. Jenks, who lives about three miles from Sheridan, Mich., and whose address is Box 13, R. F. D. No. 4, Sheridan, is enthusiastic in praise of this remedy. She says:

"I was cured by Dr. Williams' Pink Pills of nervous trouble brought on by overwork and worry. For several years I had been sick and was completely discouraged. I had severe headaches and such a pressure on the brain that I couldn't sleep and I thought it would make me insane. My appetite failed and my food did not digest properly. I had a very bad cough at one time and would often have to go to bed for three or four days.

"I doctored with several physicians and although they helped me at times, I grew gradually worse. I read about Dr. Williams' Pink Pills and began to get better after I had taken them only a short time. I took several boxes of the pills and never felt so well in my life as I do now. My husband is also a great believer in Dr. Williams' Pink Pills as he finds that they give prompt relief in bilious attacks. We recommend Dr. Williams' Pink Pills to all who suffer."

Dr. Williams' Pink Pills cure general and nervous debility because they make new blood. They strike at the root of these and other diseases, such as rheumatism, anaemia, indigestion and nervous troubles, such as neuralgia, nervousness and spinal weakness.

A helpful booklet, "Nervous Disorders," will be sent free on request. Dr. Williams' Pink Pills are sold by all druggists or sent, postpaid, on receipt of price, 50c per box; six boxes for \$2.50, by the Dr. Williams Medicine Co., Schenectady, N. Y.

No Laundry Machinery in Smyrna.

Consul Ernest L. Harris, in a report from Smyrna states that so long as the price of labor in that Turkish city remains so low the practice will continue of doing the washing at home, and there will be no opportunity for the sale of laundry machinery. Of late years it has become the practice to a certain extent to give the washed shirts and collars to public laundries for starching and ironing, the charge being 4 cents for a shirt and 1 cent for each collar or cuff. Some years ago an attempt was made to start in Smyrna a public laundry fitted out with American machinery. Specifications were sent out concerning the cost of the plant, and careful calculations were made to arrive at the cost of production, taking into consideration the price of coal and labor. It was found that the margin was so small that the undertaking was bound to be a failure. On the other hand, even if the margin had been wider, competition would have been so keen as to render the business an unprofitable one.

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.

New Railways in Bolivia.

About three years ago there was signed in Petropolis, Brazil a treaty between the government of Brazil and that of Bolivia for the settlement of the boundary between the two countries—a boundary which had been the subject of dispute since the two governments were founded. The chief dispute was over the large territory known as the "Acre," chiefly important for the amount of rubber it produces. In this treaty Bolivia quit-claimed its rights in the Acre for \$9,733,000. This money it has contracted with Speyer Brothers of New York to spend for over 300 miles of railway, to cost \$26,766,000, the balance of cost of the roads to be covered by bonds upon the railroads themselves. The connections with the southeast, which it is expected will be effected through the railroads mentioned as forming the second part of the system outlined, will probably be secondary to the principal system of Bolivia formed to connect with the great Amazon system, forming the third heading above indicated. This connection is to be effected by means of the Marmore river, the Madeira-Marmore railroad and the Madeira and Amazon rivers.

In some respects the development of this great line of transportation

is the most important of all those undertaken by the American-Canadian syndicate. The beginning of this line came in the granting of the concession about a year ago to the American syndicate to construct port works at Pora (Belem), at the mouth of the Amazon river. Since after the signing of the treaty of Petropolis the Brazilian government, in line with the provisions of the treaty, granted a concession for the construction of a railroad from Belem, on the Madeira river, to a point on the Marmore river above the falls, which have made navigation by that river impossible.—Consular Report.

No person that keeps the food 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.

About Foreign Labor.

Indianapolis, Ind., Oct. 18.—President Mitchell, of the mine workers, says that information has been filed with the government looking to the prevention of foreign labor. One object, he says, is to expose immigration commissioner Nugent, who recently charged the mine workers with attempting to keep laborers out of West Virginia. Mitchell says the condition of mine workers in West Virginia is worse than in Europe.

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.

CASTORIA.

Bears the Signature of *Chas. H. Fletcher*

Will Marry "Gertie."

Washington, Oct. 18.—There is a rumor here that Admiral Solfridge, retired, aged 71, will marry Miss Gertrude Miles, of Boston, aged 45, next Tuesday. The story is not denied.

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.

CASTORIA

For Infants and Children. The Kind You Have Always Bought. Bears the Signature of *Chas. H. Fletcher*



New Model Sack Suits

That can be had ready-to-wear. In them you will find quality, fit and style. You will certainly derive great pleasure in examining our new Fall models of famed

"Bishop Ready Tailored Clothes"

Prices \$10.00 to \$30.00

We pay particular attention to the style fit of these garments and have a tailor to alter and press every garment to suit your taste without extra charge.

**Salem
Woolen Mill Store**