

EX-SECRETARY OF STATE MUST DIG UP & 103,925.41

Decree of Judge Galloway In the Famous Suit to Recover Fees Collected In Violation of the Flat Salary Law

What is perhaps the biggest judgment ever rendered against a private individual in the state of Oregon was handed down by Judge Galloway of department two of the circuit court, when he found for the plaintiff in the sum of \$103,925.41 in the Dunbar case. The findings of fact and the conclusions of law and the decision by the court, which are printed herewith, was signed up by the court Saturday.

George G. Bingham, of counsel for Dunbar, is authority for the statement that the case will be appealed to the supreme court as soon as the proper papers can be made out.

In the Circuit Court of the state of Oregon for Marion county, Department No. 2.

The state of Oregon upon relation of J. K. Sears, a resident taxpayer of Oregon; and the state of Oregon upon the relation of J. H. McNary, as district attorney for the third judicial district of Oregon, plaintiff, vs. F. I. Dunbar, defendant.

This matter heretofore having come on regularly to be heard, plaintiff appearing by J. H. McNary and L. H. Mahan, its attorneys of record and the defendant appearing by C. G. Fulton and G. G. Bingham, his attorneys of record, and plaintiff and defendant, after introduction of the evidence, having submitted this cause to the court without argument and the court not being fully advised took this cause under consideration until this 27th day of March, 1908.

And now the court being fully advised makes and files the following

Finding of Facts:
First. The court finds that the above relator, J. H. McNary, is the regularly elected, duly qualified and acting district attorney for the third judicial district of Oregon. That the defendant was the regularly elected, duly qualified and acting secretary of the state of Oregon from on or about Jan. 9, 1899, until on or about Jan. 14, 1907.

That plaintiff is entitled to an accounting from defendant of all the fees collected as secretary of state.

That upon said accounting being had, it was found that between said Jan. 9, 1899, and Jan. 14, 1907, defendant, as secretary of state, received for filing

Articles of incorporation	\$ 9,144.50
Issuing commissions to notaries public	17,186.00
Issuing trademarks	12.85
Copying laws and journals	11,684.75
Issuing appointments of commissioners of deeds	148.00
Issuing miscellaneous commissions	814.00
Issuing agents' certificates of fire insurance companies	35,560.00
Insurance license to life insurance agents	3,759.00
Issuing annual licenses to life and fire insurance companies	21,489.17
Issuing requisitions and warrants of arrest	912.00
Registration of title in insurance matters	330.00
Issuing power of attorney	970.00
Issuing certificates of authority in insurance matters	105.00
Statements of mutual fire associations	390.00

That from all sources he received \$103,926.41

That said sum of money was collected by defendant from divers persons, firms, public and private corporations and plaintiff, between said date, for the purpose aforesaid, and that on or about Jan. 14, 1907, defendant's term of office expired and he has failed, neglected and refused to account to his successor in office or to any other person authorized to receive the same for either the whole or any part of said sum received by him as aforesaid.

That defendant received said money to the use of plaintiff and converted it to defendant's own use.

As Conclusions of Law
The court finds that plaintiff is entitled to a decree of this court against defendant for the sum of \$103,926.41 together with its costs and disbursements herein.

Decree.
Based upon the finding of facts and conclusions of law heretofore made and filed herein, it is ordered, adjudged and decreed by the court, that plaintiff have and recover of and from the defendant the sum of \$103,926.41, together with its cost and disbursements herein, taxed and allowed at \$

SALEM MACHINE POLITICIANS HIRE DOUBLE-COLUMN SPACE

The political machine feel as if they would be perfectly safe in doing business with the people of this community if it were not for The Capital Journal.

SO THEY HIRE SPACE IN THE STATESMAN TO WRITE DOWN HOFER'S CHARACTER.

They hire space to roast the editor of this paper for his political activities. Fortunately he has not been indicted and has never had to employ the Push Attorney to defend him.

A double-column space has been engaged in the Statesman to paint the character of The Capital Journal editor as the machine would have the people see it.

IF THE MACHINE COULD SILENCE THE CAPITAL JOURNAL THEY WOULD BE IT.

If this editor and Senator Bourne and W. S. U'Ren are as bad men and as unpopular with the people as the machine would have them believe how unpopular must the machine be if it has to hire space to pull them down still further? What is their crime? They are for State-ment No. 1.

A MAJORITY OF THE REPUBLICANS OF OREGON ARE FOR STATEMENT NO. 1.

Knowing that the Oregon political machine is under indictment, they charge that "HOFER IS THE GREATEST MACHINE MAN IN THE COUNTY."

Will the Statesman please tell the public who writes its two-column political department?

Will it please tell the public who pays for that two-column space hired to write down the character of Hofer?

The name of the gentleman who is doing it, and the source of the money that is paying for it would interest the public.

The Journal supports Republican principles but not the machine.

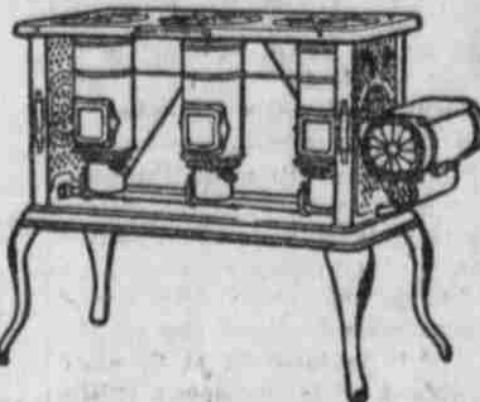
TEA
There's plenty of humbug in tea; not one ounce in a ton Schilling's Best.

Your grocer returns your money if you don't like his tea.

E. C. DeWitt & Co., Chicago, Ill. —Gentlemen—In 1897 I had a disease of the stomach and bowels. In the spring of 1902 I bought a bottle of Kodol and the benefit I received all the gold in Georgia could not buy. May you live long and prosper. Yours very truly, C. N. Cornell, Roding, Ga., Aug. 27, 1906. Sold by all druggists.

Use A NEW PERFECTION Wick Blue Flame Oil Cook-Stove

Because it's clean.
Because it's economical.
Because it saves time.
Because it gives best cooking results.
Because its flame can be regulated instantly.



Because it will not overheat your kitchen.
Because it is better than the coal or wood stove.
Because it is the perfected oil stove.
For other reasons see stove at your dealer's, or write our nearest agency.
Made in three sizes and fully warranted.



The **Rayo Lamp** cannot be equaled for its bright and steady light, simple construction and absolute safety. Equipped with latest improved burner. Made of brass throughout and beautifully nickel-plated. An ornament to any room, whether library, dining-room, parlor or bedroom. Every lamp warranted. Write to our nearest agency if not at your dealer's.

STANDARD OIL COMPANY (INCORPORATED)

Reception to Teachers.

The Salem Woman's Christian Temperance Union gave an informal reception Friday evening to the public school teachers of this city, and entertained nearly one hundred of the brain-developers, mostly ladies, but also a sprinkling of the male pedagogues. Refreshments were served, and speeches and musical numbers were the order of the evening. The program included the following:

Instrumental march, Engelman-Wiedersehen," by Miss Bushness.

Short addresses by Principal Graham of the East school, Principal Peebles of the Grant school, Principal Miller of the Park school, and Professor Smith of the High school.

Vocal solo, "Little Thief" and "Auf Wiedersehen," by Miss Bushness.

Short speeches by Principal Kramer of the Lincoln school, Miss Welch and Mrs. Weniger.

Vocal solo, "Stolen Wings," and "Daddy's Baby Boy," by Fay Hutchins.

Recitation, "The Schoolma'am's Courtship," by Miss Carrie Oliver.

The leading women of the W. C. T. U. are making preparations for a campaign of more thorough teaching of temperance and purity work as carried on in connection with public education by their organization.

A Birthday Party.

On last Wednesday afternoon a most enjoyable surprise was given Mrs. Harek, of South Salem, in honor of her 44th birthday.

Mrs. John Bayne, Mrs. M. E. Holcomb and a few other neighbors quietly planned it.

Early in the afternoon friends began to assemble and soon the parlors were full to overflowing with closest friends.

For years Mrs. Harek has been

confined to her bed a patient sufferer through years of greatest pain, but neither confinement nor pain have been able to cloud her face or quench her happy spirit, while her calm trust and implicit confidence in God's dealings with her are well worthy of imitation.

During these years she has drawn around her a large circle of friends, who in going to her to minister help have themselves been greatly helped by her loving words and kind heart. Thus it often is in life; we find the most desirable Christian graces where seeming afflictions abound, and the sunbeams rarely enter. Deep down in the canyons grow the rarest ferns and fairest flowers.

A program was rendered consisting of hymns, a devotional exercise led by Mrs. E. H. Belknap, and the presentation of little tokens of love. Ice cream and cake were then served and all went away bearing a song with them. Those present were:

Mrs. John Bayne, Mrs. G. W. Hobson, Mrs. S. C. Kightlinger, Mrs. E. P. Wright, Mrs. Weniger, Mrs. John Ledlie, Mrs. M. E. Holcomb, Mrs. Sarah Carmichael, Mrs. O. S. Townsend, Mrs. N. P. Rasmussen, Mrs. F. Kurz, Mrs. E. H. Belknap, Mrs. Harek; Misses Mary McCormick, Ruby Harek, Mable Harek, Minnie Harek, Mable Rasmussen, Agnes Bayne.

Say, Salem does need a new hotel or two if we are to have such crowds as Saturday very often.

The Clens.

acrobat finds it necessary at all times to keep his muscles and joints supple. That is the reason that hundreds of them keep a bottle of Ballard's Snow Liniment always on hand. A sure cure for rheumatism, cuts, sprains, sore throat, lame back, contracted muscles, corns, bunions, and all pains. Price 25c, 50c and \$1.00 per bottle sold by all dealers.

READY TAILORED CLOTHES FOR WELL DRESSED MEN.

The Racso System
PRICE RANGE \$20 TO \$40

Batteries! Batteries!

Batteries! Batteries!

Three Crescent 30c.

A good reliable dry cell. Cheapest battery on the market.

ECONOMY ELECTRIC LAMP
8 Candle Power Lamps.....15c
14 Candle Power Lamps.....15c
32 Candle Power Lamps.....35c

Electric Fixture & Supply Co.

FRED R. WATERS, Manager
245 Liberty St. Phone 263

OREGON'S OPPORTUNITY

COLONIST RATES from all parts of the United States and Canada to all parts of Oregon and the Northwest will be put into effect by

THE OREGON RAILROAD & NAVIGATION CO. —and— SOUTHERN PACIFIC COMPANY

(Lines in Oregon)

DAILY DURING MARCH AND APRIL, 1908.

From the Principal Cities of the Middle West the Rates will be as follows:

FROM	TO SALEM	FROM	TO SALEM
CHICAGO	\$35	COUNCIL BLUFFS	\$30
ST. LOUIS	\$35	OMAHA	\$30
KANSAS CITY	\$30	ST. PAUL	\$30

Corresponding Rates from all other Eastern points. Stopovers at pleasure at all points in Oregon.

The Colonist Rate is the greatest of all homebuilders. Oregon has unlimited resources and needs more people who desire homes and larger opportunities.

Oregon people can accomplish splendid results by heralding this opportunity to all the world. Send Oregon literature giving good reliable information about the state, far and wide. Call on the above railroads for it if necessary.

FARES CAN BE PREPAID

Here at home if desired. Any agent is authorized to accept the required deposit and telegraph ticket to any point. Call on local agent or address.

WM. McMURRAY,
General Passenger Agent, Portland, Oregon.

Allen's

BOSTON BROWN BREAD FLOUR

Is Self-rising. It makes Genuine Brown Bread, Toothsome Quick Biscuit, and a

GLORIOUS BOILED PUDDING
Sold by All Grocers

HAVE AN EARNEST CARE

For the comfort of the folks at home. Bundle up the family washing and phon No. 25 early Monday to send a wagon for the clothes. We will save you money, worry and discomfort, and save the clothes, as well. They will come back to you fresh, crisp and clean.

WE DO IT RIGHT

The Salem Steam Laundry

THE LAUNDRY THAT KNOWS HOW



YOU'LL ENJOY A DRIVE

In one of our rigs just as much as you owned it. More, in fact, for you will have all the pleasure and only a mere fraction of the expense of a private stable. You are limited in your choice of a team either. Our livery service can supply anything you require, from a runabout to a coach and team. Can we serve you?

FASHION STABLES.

C. W. Yanke, Prop.

131-137 N. High St. Phone Main

Don't read this unless you are in need of some of these articles, and wish to save money by buying them at a bargain. Until March 30, in order to make room for new goods, these items will be offered at greatly reduced prices.

These are all of standard make and good quality.

	Regular Price	Sale Price
One new 3-inch wagon, complete	\$110.00	\$75.00
One new buggy, best make	130.00	100.00
One new buggy, best make	82.00	60.00
One new runabout	52.00	42.50
One new disc harrow	22.00	17.50
One new Tiger drill	90.00	72.50
One new Buckeye binder	160.00	135.00
One new Buckeye mower	60.00	45.00
One new Buckeye rake	32.00	25.00
One new Davis cream separator	100.00	85.00
One new 14-inch Rock Island Clipper steel plow	18.50	15.00
One new 12-inch Rock Island Clipper steel plow	17.50	13.50
One new 10-inch Rock Island Clipper steel plow	13.50	11.50
One new handmade light express	75.00	60.00
One new handmade light express	75.00	60.00

Also second-hand cultivator, mower and rake at a bargain. Single-trees, double-trees, neck-yokes, dashboards, cushions at a 30 per cent reduction.

An assortment of about \$300 worth of paints, lead, oil, varnishes and stains will be put on sale.

I will also sell on commission any implement or vehicle which you may wish to dispose of, at any time.

10 per cent discount on paints, stains and varnish until April 10. Sale continues.

GEORGE R. JACOBS

Corner Pine and Front St.

SALEM, OREGON

LIME AND SULPHUR SPRAY

DEPENDABLE BRAND

Manufactured by Gideon Stolz Company, Cor. Mill and Summer St.

SALEM, OREGON

PHONE MAIN 26

We guarantee this spray to be a strictly pure lime and sulphur solution, test 29 to 31 Baume.

For sale by FLETCHER SBYRD, D. A. WHITE & SONS, YELSON & CO., B. D. GILBERT & CO. AND AT FACTORY. Price \$8.50 per barrel; \$1.50 credit for barrel, if returned.