

STOCKSTON'S AUGUST CLEARANCE SALE

Is a harvest for every customer as the reduced prices are general throughout the store, and in many cases are

Below the Manufacturer's Price.
All Summer Goods Must Go Regardless of Cost.

Hurry the Summer goods out is the instruction given to the salespeople. In many cases

Prices Are Cut
1-3 and 1-2

and in some cases 3-4.

As the proprietor is in Alaska for a couple of weeks the salespeople very much desire to make this sale surpass by far any previous August Sale, and they will succeed if price cutting is a sufficient inducement. It will surely pay you to buy here now.

Prices cut
one-third,
one-half and
three-fourths

Stockton

Prices cut
one-third,
one-half and
three-fourths

MESSAGE FOUND IN A BOTTLE

[United Press Leased Wire.]
Omaha, Aug. 10.—When off the Oregon coast, en route from San Francisco to Portland, J. W. Elwood of this city wrote on a card "I want the bit of pasteboard in a bottle and tossing it into the sea it showed the note of his wife."
"I'll prove whether ship wrecked sailors get rescued this way," said

re jokingly. This was three weeks ago, after the Elks' celebration in Los Angeles, which he had attended.

Today Elwood received a reply to his message from a woman who signed her name Lucile Middleton of Santa Ana, Cal.

She said that she had picked the bottle upon Newport Beach, California, and closed her letter as follows:

"Strange that I should find the bottle, as I really enjoy a joke, I'm not young, nor so very old. As to looks, ha! ha! Less said the better on that point. This will do for a beginning."

Elwood said today that he will give the letter to a friend and he hopes the substitute will be better than the original.

No offense to hand a man a lemon if you add sugar and ice.

NEW TRIAL IS DENIED

(Continued from Page 1.)

In conclusion, Justice McBride says that the granting or refusing of a motion for continuance is a matter of discretion of the trial court, and will not be disturbed on appeal except for an abuse of that discretion, and we are unable to see any abuse of discretion in the action of the court below.

The next assignment of error relates to the ruling of the court permitting the introduction of the record of certain disbarment proceedings against Finch in the supreme court. In referring to this exception Justice McBride cites Wharton on Homicide, which says in part, "All evidence of whatever nature, tending to throw light upon relations existing between the deceased and accused, and the feeling between them, is competent." The records in question were introduced from the investigation of Finch's former life when he violated the rules of the law profession by affixing illegal seals to documents; practiced law while in an intoxicated condition, and cashed a fraudulent check on a Portland firm.

Two records were introduced in reference to Finch's disbarment, one being the accusations against Finch by Fisher and the other being the report of the grievance committee of the supreme court. The question of the truth of these accusations was raised in the bill of exceptions, which were taken when the trial court first refused to grant Finch permission to explain the disbarment proceedings and the charges placed against him at the time. Justice McBride holds that the question of truth of the records was not a matter at issue, and had the charges been untrue, they would have tended to inflame the defendant's mind as much, if not more, than if they were truthful. Later on during the trial the court permitted Finch to explain, and to also call Snyder, a member of the firm who cashed Finch's check, to testify.

Justice McBride holds that there was no error committed by the lower court in granting the introduction of a plat of Fisher's room shortly after the shooting occurred, as this testimony was not offered as substantive testimony as to any fact, but to enable the witnesses to point out more clearly the location of the desk, chairs and other articles contained in the room and give the jury a good idea of the situation.

The introduction of Fisher's photographs was also taken exception to by counsel for the defendant. In that it tended to prejudice the jury. Justice McBride holds that this can not be held in error, as it was shown during the trial that a physician who performed an autopsy over Fisher was not sure of identification, and the photograph was produced for that purpose.

The objection to admitting oral testimony showing that the deceased was the prosecutor was not tenable. Another assignment challenges the ruling of the court in allowing the prosecution to cross-examine Martin, a witness for the defense, in regard to himself and Smith, a re-

porter on the Daily Journal. To show Martin's bias and interest in the case, and his active partisanship therein on behalf of the defendant. The state asked him on cross-examination if he had not requested the reporter to go to Fisher's office and examine the seal. Justice McBride cites a point in law which renders this challenge worthless: "Acts of conversation with a third party tending to show active interest and partisanship on the part of the witness in favor of the party to whom he is called, is admissible in evidence as tending to show bias."

An error is alleged by counsel for the defendant in the permitting of the judge sitting in the case and a juror being called as witnesses which Justice McBride deals with peremptorily. During the trial the counsel for the defendant called Judge Bronaugh to the stand to testify and then called a juror from the box to give testimony. Justice McBride, in giving his opinion regarding this matter, says: "Both were called by the defendant on such trifling and inconsequential matters as to leave the impression that counsel, in their interest for their client, were seeking to get an error into the record with a view to taking advantage of it afterwards. Criminals would find it an easy method of evading justice if the law were so farcically technical that a trial could be brought to a standstill and a re-trial obtained by the simple expedient of calling a juror as a witness. Fortunately our laws provide for just such an emergency, and the following legal paragraph is cited: 'The judge himself, or any juror, may be called as a witness by either party, but in the former case it is in the discretion of the court or judge to order a trial to be postponed or suspended, or be taken before another judge.'"

Justice McBride refers to many authorities in regarding capital punishment being unconstitutional, one being the case of the state vs. Anderson, 10 Or. 48.

The opinion in conclusion says: "We have thus examined every contention of counsel, and we find no reason why a new trial should be granted in this case. We are not unmindful of the terrible consequences of this decision to the defendant, but they are only such as the application of the law to his own conduct has produced."

STOLE CLOTHES FROM THE CORPSE

[United Press Leased Wire.]
Chicago, Aug. 10.—Chicago today developed the latest "meanest" man in the world. The new prize winner for super-meanness is the thief who stole the clothes from the corpse of David Faye Whitcomb.

When Whitcomb's body was recovered last night from Brookside pond, it was removed to a nearby house. Early today the clothes were stripped from the corpse and stolen.

When a man's wife goes back on him he may not have as much money as some other people.

The Laziest Man in the World
Would not be contented to be kept in the house and doing nothing by rheumatism. Neither are you, who are always busy and active. Then don't neglect the first twinge of an ache or pain that you might think is just a "crick." Rub well with Ballard's Snow Liniment and no matter what the trouble is it will disappear at once. Sold by all druggists.

Barnes' Cash Store

E. T. Barnes, Prop.

AN AIR OF NEWNESS

Is manifesting itself in this store. The place is all activity. New Fall goods are arriving daily, and the various departments are being replenished with bright, up-to-date goods for your inspection. Below we mention but a few to begin with.

Coat Sweaters

For men and women. A big shipment of the finest Coat Sweaters we ever handled, straight from the mills. A superior quality of pure worsted; latest creations in design and charming combinations of colors. Sweaters of pleasing appearance, suitable for the home or an outing. We have a strong special at **\$3.50**

Table Linens

As fresh as the morning dew. What brightens up a dining room like a rich, immaculate table cover? It's the one place where all the members of the family get close to each other three times daily. It should be a bright spot. These new linens are beautiful patterns and quality of a high standard. Durability and pleasing design make a very satisfactory combination. All widths and prices, but we have a special two-yard wide pattern with napkins to match **\$1.15 up**

Campers' Blankets

Our shelves are packed with the very best assortment of Wool and Cotton Blankets. You will need one to go camping. There is a big variety to select from at cash store prices, which are sure to meet with your approval. We carry a fine line of comforters also.

Hop Pickers' Gloves

An enormous shipment just received of all kinds, canvas or leather, from 10c up. Now is the time to get your supply.

Conklin's horse hide gloves are making us friends every day. They are the glove of gloves.

Flannelettes

Strictly new patterns—a little out of the ordinary. The kind you will like better than any you have seen before. Extra good values at 10c, 12c and 15c yard.

Notions

This department is resplendent with new things. Collars, Belts, Barrettes, Collar Pins, Belt Buckles, the ever popular Pearl Cuff Links, etc. We are justly proud of this department—it's a store in itself.

WHERE QUALITY OVERLAPS PRICE

Notice of Intention to Improve a Portion of Asylum Avenue.

Notice is hereby given that the common council of the city of Salem, Oregon, deems it expedient to improve and proposes to improve at the expense of abutting and adjacent property, Asylum Avenue in the city of Salem, Oregon, from the east end of the bridge over North Mill creek to the east city limits. The roadway of said portion of said Asylum Avenue including intersections shall be improved with a crushed rock improvement in accordance with the plans and specifications adopted by the common council and on file in the office of the city recorder and by doing all things required in said plans and specifications.

Remonstrances may be filed against said improvement in the manner and within the time required in the charter of said city.

Date of the first publication of this notice, the 3rd day of August, 1909.
By order of the common council,
W. A. MOORES,
City Recorder.

8-3-11t

Notice to Contractors.

Notice is hereby given that sealed bids will be opened at a meeting of the common council of the city of Salem, Oregon, to be held on the 16th day of August, 1909, for the improvement of Sixth street from the south line of Market street to the south line of Hood street, in accordance with the plans and specifications adopted therefor by the common council for said improvement and now on file in the office of the city recorder.

Bids will be received upon proposals submitted by the city attorney and must be in accordance with the specifications.

Date of the first publication of this notice, the 10th day of August, 1909.
By order of the common council,
W. A. MOORES,
City Recorder.

8-10-5t

People with chronic bronchitis, asthma and lung trouble will find great relief and comfort in Foley's Honey and Tar, and can avoid suffering by commencing to take it at once. For sale by J. C. Perry.

Notice of Intention to Improve Liberty Street.

Notice is hereby given that the common council of the city of Salem, Oregon, deems it expedient to improve, and proposes to improve, at the expense of abutting and adjacent property, Liberty street, in said city, from the south line of State street to the south curb line of Ferry street, by establishing curb lines and widening the sidewalks so the roadway of said Liberty street will be 59 feet in width from curb to curb, and by paving the road way of said portion of said Liberty street, including its intersection with Ferry street, in accordance with the plans and specifications adopted by the common council on the 26th day of July, 1909, and now on file in the office of the city recorder, and by doing all things required in said plans and specifications.

Remonstrances may be filed against said improvement in the manner and within the time provided in the charter of said city.

Date of the first publication of this notice, the 27th day of July, 1909.

By order of the common council,
W. A. MOORES,
City Recorder.

7-27-11t

When the stomach, heart or kidney nerves get weak, then these organs always fail. Don't drug the stomach, nor stimulate the heart or kidneys. That is simply a makeshift. Get a prescription known to druggists everywhere as Dr. Shoop's Restorative. The restorative is prepared expressly for these weak inside nerves. Strengthen these nerves, build them up with Dr. Shoop's Restorative—tablets or liquid—and see how quickly help will come. Sold by the Capital drug-store.

.. Real Estate ..

Choice lots in Meeker's Addition, adjoining Fairmount Park. Beautiful view of city. Lots 50x150. Price \$100 up. On installment.
\$2000—Elegant new modern bungalow, 5 rooms; lot 60x195; east front. A snap.

Meyer & Belle Land Co.

PHONE 857 437 STATE ST.

REMOVAL SALE

Now is the time to purchase fixtures for your new house at unusually low prices. We will close out our stock fixtures at a sacrifice, and it will pay you to select your fixtures now. The Electric Fixture & Supply Co. now does a general wiring business, and is prepared to satisfy your needs in that line.

ELECTRIC FIXTURE & SUPPLY CO.

L. S. NYDE, Manager

Phone 263. Factory 245 N. Liberty St. Salesroom 435 Court

CASTORIA

The Kind You Have Always Bought, and which has been in use for over 30 years, has borne the signature of *Dr. J. C. Fletcher* and has been made under his personal supervision since its infancy. Allow no one to deceive you in this. All Counterfeits, Imitations and "Just-as-good" are but experiments that will ruin your health and endanger the health of Infants and Children—Experience against Experiment.

What is CASTORIA

Castoria is a harmless substitute for Castor Oil, Paregoric, Drops and Soothing Syrups. It is Pleasant. It contains neither Opium, Morphine nor other Narcotic substance. Its age is its guarantee. It destroys Worms and allays Feverishness. It cures Diarrhoea and Wind Colic. It relieves Teething Troubles, cures Constipation and Flatulency. It assimilates the Food, regulates the Bowels and gives healthy and natural sleep. Children's Panacea—The Mother's Friend.

GENUINE CASTORIA ALWAYS

Bears the Signature of

Dr. J. C. Fletcher

The Kind You Have Always Bought

In Use For Over 30 Years.

THE CENTRAL COMPANY, 77 MURRAY STREET, NEW YORK CITY.