

THE CAPITAL JOURNAL

E. HOFER, Editor and Proprietor.

Independent Newspaper Devoted to American Principles and the Progress and Development of All Oregon.

Published Every Evening Except Sunday, Salem, Ore.

SUBSCRIPTION RATES.

(Invariably in Advance.)
 Daily, by carrier, per year.....\$5.00 Per month.....50c
 Daily, by mail, per year.....4.00 Per month.....35c
 Weekly, by mail, per year.....7.00 Six months.....50c



WOULD ASSEMBLY NOMINATIONS BE LEGAL IN OREGON

(From the Portland Daily Journal)

There were good reasons why the late legislature refused to make assembly nominations lawful. A chief one is found in the primary law itself, section 11 of that law says: "Every such political party shall nominate all its candidates for public office under the provisions of this law, and not in any other manner." And it is further declared in the preamble of said law that "all qualified electors who wish to serve the people in an elective public office are rightfully entitled to equal opportunities under the law."

Naturally, the legislature shrank from providing another method of nominations, when the primary law itself explicitly stated that nominations should not be made "in any other manner." To provide "any other manner" was to defeat the purpose of the law, and it was a law made and adopted by the people for the purpose of providing a specific manner of nominating. That purpose, carried with it, as the primary law itself declares, an intent that "all qualified electors who wished to serve the people in an elective public office are rightfully entitled to equal opportunities under the law."

The legislature naturally recognized that the preliminary convention or assembly, would "not give all qualified electors equal opportunity under the law," and that to provide for such a gathering would defeat the whole spirit, intent and purpose of the primary law by giving and assembly candidate greater opportunity than a non-assembly candidate for the nomination. Consequently, the proposed preliminary assembly for selecting candidates to recommend to the people was rejected, and did not become the law of the state. It would have been a monstrosity, because on its face it would have been in complete antagonism to the primary law, and in effect a repeal of the most important provisions of that law.

It is very doubtful if a candidate nominated and elected under the proposed assembly convention plan could, were the matter carried to the courts, hold his position. It is proposed to make the assembly convention a part of the process of nomination. The business of the assembly convention is to make the selection, for the argument is that the people have not sense enough to select "fit" candidates.

Its whole purpose therefore is to select, and selection therefore is the vital and paramount part of the nominating process. It is the only important function in the process of nominating, and if done by an assembly convention composed of delegates, it is a manifest violation of section 11 of the primary law, which says, "Every such political party shall nominate all its candidates for public office under the provisions of this law, and not in any other manner." It violates again that provision in the preamble which says, "All qualified electors who wish to serve the people in an elective public office are rightfully entitled to equal opportunities under the law," a provision that would be completely violated in sending out for ratification a selected party candidate, recommended by the assembly convention who would be given opportunities for nomination that are denied other candidates.

In any event the foregoing provisions of the primary law reveal

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 Salem, Oregon.
OLDEST NATIONAL BANK IN MARION COUNTY.
 Savings Department in Connection.
 J. H. Albert, President.
 E. M. Croisan, Vice-Pres.
 Jos. H. Albert, Cashier

the unlawful character of the assembly program. It is proposed to defy fundamental provisions of a sovereign statute. It is proposed to ride rough shod over the will of the electorate as expressed in that statute. It is proposed to cheat the people by subterfuge and unlawful proceeding out of the fruits of their combined authority as announced at the ballot box. It is proposed to repudiate a ballot box verdict, to kick over the law of the land and to set up personal government by a few politicians instead of lawful government by the people.

What kind of a governor would the candidate of such a program make? His official duty would be to execute the law, and yet his antecedents and means of election would be one of resistance to law. His duty would be to serve the people, yet his record would be one of defiance to a people made law and an insistence that the people have no sense enough to make a proper law, and not sense enough to select "fit" candidates. It is indeed a beautiful program that the promoters of the assembly convention are preparing to force the people of Oregon to swallow.

"JOHN D." THINKS OF ORGANIZING DRUG TRUST

[UNITED PRESS LEASED WIRE.]
 Chicago, Dec. 15.—That John D. Rockefeller contemplates establishing a chain of drug stores throughout the country is the substance of a rumor current in wholesale circles here today. Many of the by-products in oil preparation are utilized in the drug trade, and the Standard magnate is said to have laid plans by means of which he hopes to reap a double profit in his venture. Agents, believed to have represented Rockefeller, have been visiting different cities, and have negotiated the purchase of drug stores. While they refused to admit they were in Rockefeller's employ, the rumor of his planning an immense drug merger has spread rapidly.

Y. W. C. A. Worker.
 Miss Hopkins, territorial secretary of the Y. W. C. A. for Washington, Oregon and Idaho, led Willamette Chapel exercises Wednesday morning and spoke to the students. She related some interesting news of the progress of the Y. W. C. A. in the Northwest. She spoke of the new Y. W. C. A. at North Yakima, which has recently been organized. This association now has 600 members. The business men of North Yakima were largely responsible for the success of the enterprise.

Preventives, the new Candy Cold Cure Tablets, are said by druggists to have four special specific advantages over all other remedies for a cold. First, they contain no quinine, nothing harsh or sickening. Second, they give almost instant relief. Third, Pleasant to the taste, like candy. Fourth, A large box—48 Preventives—at 25 cents. Also fine for feverish children. Sold by Capital Drug Store.

Sawmill Changes Hands.

[UNITED PRESS LEASED WIRE.]
 Astoria, Or., Dec. 14.—P. J. Brix, owner of the Grays Harbor Logging Company, has purchased the Columbia mill at Knappa, built many years ago by the Simpson Lumber Company. While the consideration has not been made public, it is believed to have been in the neighborhood of \$100,000.

The mill will be operated continuously by its new owner, about 50,000 feet of lumber being cut daily. Brix is one of the largest producers of logs in the Columbia river district, and owns thousands of acres of the finest timber in the world. He is now interested with a San Francisco firm that operates steam schooners, and has lumber yards in that and other California cities.

OKLAHOMA BANKING GUARANTY

Provision Believed to Be Good Thing in That State—Depositors Protected.

A Salem business man who believes in the Oklahoma Banking Guaranty law, is in receipt of a letter which throws some light on the practical operations of the law. In the course of the letter the following statements of interest are made: "You, of course, know that certain bankers are trying to kill the guaranty law because it is seriously interfering with their business in states where it is in operation. As proof of this I enclose you condensed and comparative statement to show you what it is doing for them in Oklahoma."

"We have had only two state bank failures in Oklahoma since this law went into effect. The doors of the banks were never closed in either case and the depositors got their money as fast as they called for it."

"The Columbia Bank and Trust Company failed in September. They had deposits approximating \$3,000,000. In this connection I might add that this was the largest bank in Oklahoma, either state or national. I have reduced their bank balances from \$1,300,000 to \$127,000, and am paying them as they call for it. You will be surprised when I tell you that this failure, large as it was, not only did not interfere with the financial interests of the city and state but the state banks in Oklahoma City, where the failure occurred, have gained more than 32 per cent in deposits. I mention this as never before in the history of banking has such a thing occurred."

"We had a national bank failure in this city 6 years ago with less than half the deposits that the Columbia had and they have only paid the depositors \$.55 on the \$1.00."

"We assessed the state bankers 1/4 of 1 per cent when this bank failed, which will not only be returned but all the rest of the guaranty fund which was used."

"Our guaranty law is now stronger in this state than ever as you know nothing succeeds like success. THE PEOPLE GOT THEIR MONEY."

"We have had two national bank failures since this law went into effect. Since the failure of the Columbia two national banks have converted to state banks and two state banks have converted to nationals." Very respectfully,
 A. M. YOUNG,
 Bank Commissioner.

WILCOX PURCHASES SEATTLE MILLS

The Portland Flouring Mills will maintain its position as the chief flour manufacturing concern of the Pacific Northwest and during the past week purchased the Hammond Mills and holdings in Seattle and vicinity at an approximate cost of \$500,000. The property consists of the largest flour mill in Seattle and has a capacity of 2,000 barrels a day. T. B. Wilcox, head of the Portland Flouring Mills, and associates conducted the negotiations leading to the purchase. He said the growth of Seattle has made it advantageous to have a mill there and the purchase includes a number of warehouses in Washington and the agency of the Hammond concerns in San Francisco. The Portland company now has 14 mills running night and day in different parts of the Northwest and is turning out an enormous product.

Convention at Bethel.

There will be a Sunday School convention held at Bethel church next Sunday at 10 o'clock, with an interesting program of music and discussions. Rev. Errett of the First Christian church will deliver the principle address. The usual basket dinner will be served at noon and all Sunday school workers are invited to be present.

No Cough
 Your doctor's approval of Ayer's Cherry Pectoral will certainly set all doubt at rest, as he says. He knows. J. C. Ayer Co., Lowell, Mass.

Real Estate Transfers.

J. and S. Brodie to J. J. Keber et al, land in Marion county, W. D. \$6,500.
 C. and J. Maulding to P. E. Brown, in Phillips ad. to Silverton, W. D. \$250.
 Fred Rock et al to J. R. Gardner, south 1/2 of lots 3 and 4 in blk. 5 in the town of Stayton, W. D. \$6,500.
 P. and M. Bernhard to School District No. 99, \$7-100 of an acre in Marion county, W. D. \$96.
 F. B. and T. A. Culver to Levi Harris, 5 acres in t. 7 and S. s. r. 2 w., W. D. \$600.
 E. J. and J. W. Brown to G. M. Douglas, lot 2 in blk. 7 in Fairmount ad. to Salem, W. D. \$50.
 V. and B. Meeker to G. M. Douglas, land in Meeker's ad. to Salem, W. D. \$175.
 J. D. and E. M. Densmore to R. E. Downing, part of lot 1 in blk. 52 in University ad. to Salem, W. D. \$250.
 Angle McCulloch to C. A. and N. A. Witteroff, lots 4 and 5 in blk. 2 in Riverside ad. to Salem, W. D. \$300.
 L. Harris to R. Burton, west 1/2 of lot 3 in Capital Home ad. to Salem, W. D. \$300.
 G. R. and M. Ross to W. T. Taylor, 1 acre in t. 7, s. r. 3 w., W. D. \$250.
 N. E. and J. Lee to J. B. Harlock, 10 acres in t. 6 s. r. 1 e., W. D. \$120.
 E. G. Oeder et al to F. M. Brooks, et al 80 acres in t. 7, s. r. 1 e., W. D. \$1,000.
 S. C. and R. E. Kightlinger to F. R. Dickson, lot 6 in blk. 11 in G. H. Jones ad., to Salem, W. D. \$350.
 S. R. and M. E. Barton to G. M. Vanderpool, lot 8 in Sunnyside Fruit Farm ad., also 10 acres in t. 8 s. r. 3 w., W. D. \$2,900.
 J. W. and D. Beckley to Oliver Biers, east 50 feet of lot 6 in Cartwright's ad. to Salem, W. D. \$1,250.
 J. D. Giddings to State of Oregon, land in Marion County, W. D. \$5825.
 J. L. and S. Combs to S. M. Adinson, 39.50 acres in Marion County, W. D. \$4,500.

To Cure Cold in One Day.

Take LAXATIVE BROMO Quinine Tablets. Druggists refund money if it fails to cure. E. W. GROVE'S signature on each box. 25c TTS

Summons.

In the Circuit Court of the State of Oregon, for Marion County. Department No. 2.

Lawrence H. Henningsen and Julia Henningsen, his wife, and T. G. Chestnut and Sarah E. Chestnut, his wife, plaintiffs,

vs.
 Thomas S. Jeffries and Susan R. Jeffries, his wife, defendants.
 To Thomas S. Jeffries and Susan R. Jeffries, his wife:

In the name of the state of Oregon, you are hereby required to appear and answer the complaint filed against you in the above entitled court and cause, within six weeks from the date of the first publication of this summons, to-wit: On the day of December, 1909, and if you fail so to appear and answer said complaint plaintiffs will apply to the court for the relief demanded in their complaint, to-wit: a decree quieting the title to the following described real property:

Certificate 4861, Not. 1708, Lot 1, Sec. 5, Lot 1, Sec. 6, east 1/4 of the N. E. 1/4; N. E. 1/4 of the S. E. 1/4 of Sec. 7; west 1/2 of N. W. 1/4; N. W. 1/4 of S. W. 1/4 of Sec. 8, T 8 s., R 3 W, Marion county, Oregon, containing 315.72 acres of land, more or less, and out of said foregoing premises more specifically the following described tracts:

The N E 1/4 of the S E 1/4 of Sec. 7, in T 8 s., R 3 W of the W. M. in Marion county, Oregon; also Lots 1 and 2, Sec. 7, in T 8 s., R 3 w, Marion county, Oregon.

You are further notified that this summons is served upon you by publication thereof in the Weekly Capital Journal, a weekly newspaper of general circulation, published in the city of Salem, Marion county, Oregon, pursuant to the order of Honorable William Galloway, judge of this court, made the 1st day of December, 1909, and you are further notified that the date of the first publication of this summons is the 16th day of December, 1909, and the last publication will be made on the 27th day of January, 1910.

JOHN H. M'NARY and C. L. M'NARY,
 Attorneys for Plaintiffs.
 12-16-17w

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No oil heater has a higher efficiency or greater heating power than the

PERFECTION Oil Heater

(Equipped with Smokeless Device)

With it you can go from the cold of the Arctic to the warmth of the Tropics in 10 minutes.

The new

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prevents smoking. There is no possible question about it. This means greater heat-power, a more rapid diffusion of heat and a sure conversion of all the heat-energy in the oil.

In a cold room, light the heater and in 10 minutes you'll have a glowing heat that carries full content.

Turn the wick up as high as it will go—no smoke—no odor. In everything that appeals to the provident and the fastidious, the Perfection Oil Heater, with its new automatic smokeless device, decisively leads. Finished in Nickel or Japan in various styles.

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Cherry City Assembly.

The first dancing party given by this new social organization occurred Tuesday evening from 8:30 to 12 o'clock at the hall in the new D'Arcy building. The McElroy orchestra furnished the music and delicious punch was served. About fifty couples of Salem's younger set of well known society people participated in the dancing. The club is to have weekly parties when not conflicting with any other date.

William J. Calhoun of Chicago has been appointed minister to China, in place of Charles R. Crane.

Children Cry FOR FLETCHER'S CASTORIA

HOLIDAY GOODS At Reduced Prices

Ladies' 25c Linen Handkerchiefs, only.....15c
 Ladies' 25c Silk Handkerchiefs, only.....15c
 Big Line of Holiday Handkerchiefs from...21/2c each up

NEW NECKWEAR
 Ladies' 25c Collars or Ties, 10c
 Ladies' 35c Collars or Ties, 19c
 Ladies' 50c Collars or Ties, 25c
 Ladies' 75c Collars or Ties, 35c
 Large Assortment of Men's Ties.....25c
 Large Assortment of Dutch Collars.....25c up

MEN'S FURNISHINGS
 Men's Silk Shirts, \$4.50 values.....\$3.00
 Men's Fancy Suspenders, 50c values.....35c
 Men's Fancy Suspenders, set \$1.00.....75c
 Men's Fancy Sleeveholders, pair.....10c up
 Socks, Neckwear, Underwear, Smoking Jackets, and Bath Robes at Low Prices.

Fancy Aprons, Hand-made Handkerchiefs, Dutch Collars

BOYS' OVERCOATS MEN'S SUITS DRESS GOODS
 MEN'S OVERCOATS LADIES' COATS AND
 BOYS' SUITS LADIES' FURS BABIES' COATS

Albums, Dressing Cases, Toys, Christmas Decorations

TABLE LINEN LACE CURTAINS TOWELS
 NAPKINS BED COMFORTS AND
 BEDSPREADS SHAWLS GLOVES

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That you can obtain high-grade Suits, Coats, Silk Waists, Silk Petticoats and Millinery which must be cleaned out immediately

AT PRACTICALLY YOUR OWN PRICE

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