

PUBLIC MONEY MUST BUILD THE HOSPITALS

In spite of the fact that state sanatoria and hospitals for tuberculosis have been established in 31 states, and 114 municipal or county hospitals in 26 states, vastly more public provision is needed to stamp out consumption, says the National Association for the study and prevention of tuberculosis in a bulletin issued today.

Every state east of the Mississippi river except Vermont, South Carolina, Kentucky, Tennessee, Florida, Mississippi and Illinois have provided state sanatoria. In Vermont, a private sanatorium is partially used as a state institution, and in Florida an indefinite provision for such a hospital has been made. The states west of the Mississippi river which have established state sanatoria are, Minnesota, Iowa, Missouri, Arkansas, Texas, Kansas, Nebraska, North Dakota, South Dakota, Montana, and Oregon. There are 35 sanatoria provided by these states, Connecticut having three, Massachusetts four, Pennsylvania three, and Texas two. New York state leads in municipal and county hospitals for tuberculosis, having 34, while Ohio, the second on the list has 17, and Massachusetts, the third, has nine. In those 26 states, which are the only ones having any municipal or county care for tuberculosis, there are 114 hospitals, including special pavilions and almshouses. Hardly more than one-tenth of the cities having 30,000 population and over, make any local provisions for tuberculosis cases, and not one-twentieth of the less populous districts make such provisions. In addition to the state, municipal and county hospitals, the federal government provides for certain selected classes in the United States army hospital at Fort Bayard, New Mexico, the United States Health and Marine Hospital Service Sanatorium at Fort Stanton, N. M., the United States Naval Hospital at Las Animas, Colo., and five special hospitals for Indians on different reservations in the West.

Apart from these institutions, and a few special pavilions at prisons, hospitals for the insane and some other public institutions, a grand total of 260, the institutional care of the consumptive is left to private philanthropy. With 200,000 deaths from consumption every year, and more than that number of living cases too poor to pay for their care in private institutions, the National Association says that unless the cities and states realize their duty and provide adequate local hospital accommodations for these consumptives, the disease can never be stamped out.

Foley Kidney Pills are specially useful in all ailments and disorders of the kidneys and bladder, because they are composed of ingredients specially selected for their corrective, healing, tonic, and stimulating effect upon these organs and the urinary passages. They are antiseptic, antilithic and a uric acid solvent. Try them. Red Cross Pharmacy, (H. Jerman.)

WILL GIVE FRANCHISE TO FIRST RAILROAD

Marshfield, Or., July 10.—The city council of Marshfield has decided to grant a streetcar franchise in trust to be held and delivered to the first railroad coming to Coos Bay. This arrangement will be carried out if the same plan is taken up and approved by the North Bend city council. J. M. Blake had a franchise for an electric road in this city but it expired July 1. The Marshfield council has appointed a committee to meet with the North Bend council. It is believed that if an electric line franchise is offered it will be an inducement for a railroad.

IMPROVING THE STATE FAIR GROUNDS

The State Board of Agriculture has decided to lay a hard surface pavement from the main entrance of the state fair grounds to the depot, and work in laying it will commence soon.

The board has also decided to tear down one of the old race horse barns and build a new one and also to generally repair the administration building. Workmen will also soon begin the work of digging new wells and enlarging the present water pipe system.

TO INVESTIGATE THE PACIFIC RAILWAY

For the purpose of making an investigation of the Pacific Railway & Navigation company, Chairman Aitchison and Commissioner Campbell, of the state railroad commission, left for the coast today.

The road is a new one and hearings will come up soon on complaints filed with the commission relative to its rates. It is for the purpose of obtaining idea of the conditions under which it is necessary to operate the road so that they may deal intelligently with the rate questions when they come up that the visit is being made by the commissioners.

JOHN W. ELLSWORTH TAKES FRENCH LEAVE

While the authorities at the asylum have notified the police of all cities in the county, and also in those of adjoining counties they have not yet been able to apprehend John W. Ellsworth who escaped from the institution Saturday. Ellsworth is an ex-newspaperman of Baker, and save the fact that he is a moral pervert he is not considered dangerous. He was given the privileges of the city during the fair Saturday and availed himself of them by making his escape.

It is only chance that it is almost always mere males that are victims of the terrible hat pin?

SUPREME COURT DECISION.

(Continued from Page 3.)

the redemption should be equally broad. The important question, however, is whether plaintiff should be allowed to redeem at all.

The defendants here urge that the plaintiff is seeking to enforce a state claim, and that, as such, its former right to redeem should be barred. The plaintiff contends that it is merely asking for an accounting between it and the defendants, whom it styles "its tenants in common", for the rents and profits of the lands accruing since the death of Mrs. McCullough and the extinguishment by that event of her life estate, but as we have seen, the bill cannot be entertained for such a purpose. The plaintiff's interest in the real property in question arose at least when the will of McCullough was probated. At the time plaintiff had such an estate in the land as residuary devisee that it might have paid to Kees the amount due upon the mortgage even before suit to foreclose and thus extinguish the mortgage, so far as appears by this record, ever tried to prevent such action on the part of the plaintiff. The life estate of Mrs. McCullough was no obstacle to prevent plaintiff's redemption for being a tenant in common with her, it could have charged her with her proportional part of the redemption fund. It was more than 14 years after it thus became entitled to redeem from the effect of the Kees mortgage until the plaintiff instituted this suit.

In the settlement of the McCullough estate, the plaintiff was served with citation on the 6th day of December, 1894, to show cause in the county court of Linn county why these very premises should not be sold for the satisfaction of claims against the McCullough estate. Prior to the Kees foreclosure it was notified by correspondence with J. M. Somers, an attorney, of the situation and was importing to make some provision for the payment of the mortgage, but declined to do so. So far as the records appear it made no answer to the citation to show cause why the land should not be sold at administrator's sale. It was certainly by these facts put upon its inquiry as to its interest in the lands as early as December 6, 1894, the date the citation was served upon it. The general statute of limitations for the recovery of real property is 10 years, L. O. S. Sec. 3. While courts of equity are not bound strictly, like courts of law, by the statutes of limitations, yet equity will act by analogy under their restrictions and the rule is that when suit is brought after the statutory time, the plaintiff must plead and prove that laches on its part do not exist, and the facts must be specified and precisely pleaded. *Will v. Nehalem Coal company*, 52 Or. 91; *Wilson v. Wilson*, 41 Or. 459.

There is no reason assigned in the complaint why the plaintiff did not act promptly in asserting its claims to the land in question. Meanwhile, the land has passed through several hands to the present defendants. Some of the parties connected with the transaction are dead. The testimony shows that Kees, the mortgagee under whom the defendants claim, is also dead, and his estate finally settled. The delay of plaintiff has certainly worked to the prejudice of the present holders of the lands, if its contention is to prevail here. Long after their grantor's death they are assailed by a claim which could have been urged over 14 years earlier. The plaintiff now claims under the alias "Congregational Seminary at Forest Grove," which it would not recognize when cited in the county court, and, while its conduct in that proceeding does not operate as an estoppel, not having been pleaded as such, still it is a circumstance which strongly imputes laches to the plaintiff. The testimony shows that the land brought as near what it was worth as could be expected at a forced sale. It has advanced in value, not only on account of the development of the country in general, but also by reason of the improvements made upon it by the present holders in establishing their homes upon it. If the plaintiff would reap where it has not sown, it should have begun sooner. The laches render it inequitable now to allow the present defendants to be ousted by a claim so stale.

The decree of the circuit court should be reversed and the suit dismissed.

Davis v. Journal Publishing Co., Multnomah County.

L. M. Davis, applicant, v. Journal Publishing company, respondent. Answer from the circuit court for Multnomah county. The Hon. R. G. Morrow, judge. Argued and submitted June 22, 1911. J. F. Boothe (and William P. Richardson, on brief) for appellant. John H. Stevenson (and John F. Logan, on brief) for respondent. McBride, J. Affirmed. This is an action for libel. The circuit court at the conclusion of plaintiff's testimony granted a nonsuit and plaintiff appeals. McBride, J. We have carefully read and considered the testimony in this case and are of the opinion that the court below ruled correctly in granting a nonsuit. A discussion of the facts in this opinion would simply encumber the reports with matters of interest only to the parties and useless even to them. The judgment is affirmed.

Old Soldier Tortured. "For years I have suffered un-speakable torment from indigestion, constipation and liver trouble," wrote A. K. Smith, a war veteran at Erie, Pa., "but Dr. King's New Life Pills fixed me all right. They're simple, great." Try them for any stomach, liver or kidney trouble. Only 25c at J. C. Perry's.

Solves a Deep Mystery. "I want to thank you from the bottom of my heart," wrote C. B. Rader, of Lewisburg, W. Va., "for the wonderful double benefit I got from Electric Bitters, in curing me both of a severe case of stomach trouble and of rheumatism, from which I had been an almost helpless sufferer for ten years. It suited my case as though made just for me." For dyspepsia, indigestion, jaundice and to rid the system of kidney poisons that cause rheumatism, Electric Bitters has no equal. Try them. Every bottle is guaranteed to satisfy. Only 50c at J. C. Perry's.



Electric Rubber Hose

costs a little more than ordinary hose. It lasts three times as long. It will not crack, split, kink or burst. Processes of making Electric Rubber Hose are protected by U. S. patents. Imitation has to cease where durability and efficiency begin. Don't buy your garden hose until you let us demonstrate to you the wonderful qualities of the hose that can't be duplicated or equalled.

SALEM HARDWARE COMPANY

STATE NEWS.

Kenneth Cunniff, a pioneer of Gold Beach, Curry county, died at his home there Saturday. He settled in Curry county in 1857. Wasco county has expended \$40,000 this year on permanent road improvements, and will spend \$10,000 more this fall.

Ex-Governor Frank Hanley, of Indiana, spoke at Albany yesterday, and there was a big crowd to hear him, many going from Salem.

Hood River real estate aggregating \$140,000 in value changed hands during the week.

A rattlesnake nearly five feet long and wearing 22 rattles, was killed near Grants Pass Saturday.

Mrs. F. W. Collins, a Portland woman who was on the wrecked steamer Santa Rosa, has gone crazy from the shock of the exposure.

McMinnville has let paving contracts aggregating \$120,000.

Fred Ryder, 9-year-old, was drowned in Columbia slough, near Portland, Sunday.

Mayor Rushlight will probably "disband" the Portland police band.

A screen door, slammed shut by the wind, knocked the 3-year-old baby of Mr. and Mrs. S. Potts, of Grants Pass, into a tub in which his mother had just poured a lot of hot water, preparatory to washing, scalding it badly. It may not recover.

Drillers tapped a fine supply of artesian water at Bend recently, at a depth of 327 feet.

The new cannery erected by the union fishermen of Grays Harbor is about completed.

SALEM'S POSTOFFICE SHOWS STRONG GAINS

Postoffice receipts for the year in Salem reached a total of \$64,837, according to figures just compiled by Postmaster Farrar. The receipts for the preceding year were \$50,059.70, showing an increase of practically \$14,000. In 1906 the receipts were \$32,014, five years being required to increase the receipts 100 per cent. This establishes Salem again well in second place for postal receipts in the state.

The report from Eugene that Eugene, with \$26,592, is crowding Salem for second place seems to be unfounded from the figures presented," said Postmaster Farrar.

THE ONLY WAY.

Many Salem Citizens Have Discovered It.

Just what to do when the kidneys are affected, is a question that concerns both young and old. Weak kidneys neglected in childhood lead to life-long suffering. People of advanced years, with less vitality, suffer doubly. In youth or age, languor, backache, urinary irregularity, dizziness and nervousness make life a burden.

There is one remedy that acts directly on the kidneys. Doan's Kidney Pills owe their world-wide fame to the fact that they are reliable. Follow the example of this Salem citizen and you will be convinced that this is so.

John Couger, 845 N. 17th street, Salem, Oregon, says: "Doan's Kidney Pills have been used in my family with great benefit. I also know of other people who have taken this remedy for kidney trouble with the best possible results."

For sale by all dealers. Price, 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States. Remember the name—Doan's—and take no other.

Teething children have more or less diarrhoea, which can be controlled by giving them Chamberlain's Colic, Cholera and Diarrhoea Remedy. All that is necessary is to give the prescribed dose after each operation of the bowels more than natural, and then castor oil to cleanse the system. It is safe and sure. Sold by all dealers.

Laws cannot provide adequate or fit punishment for every sort of offense; a law might, however, provide a much severer punishment for the abominable scoundrel who sells cocaine to boys.

Kidney Diseases Are Curable. Under certain conditions. The right medicine must be taken before the disease has progressed too far.

Mr. Perry A. Pittman, Dale, Tex., says: "I was down in bed for four months with kidney and bladder trouble and gall stones. One bottle of Foley's Kidney Remedy cured me well and sound." Ask for it. Red Cross Pharmacy, (H. Jerman.)

At Beverly, President Taft perhaps enjoys the misery of congress in Washington.

Children Cry FOR FLETCHER'S CASTORIA

German Building Society Mutual Profit Sharing Plan Of Co-operative Investment

In order to secure a home for the German Society of this city a ten-acre tract of land has been secured adjoining the city limits on the south, three blocks from the car line, and suitable for platting.

It contains a comfortable home for the society to hold its meetings and when laid off into lots will net the society about one hundred per cent profit on the sales of the same at a very conservative estimate.

Stock subscriptions at ten dollars per share are being taken to pay for this land, which has been bought of the owner at first hands, and 40 per cent of the profits, besides six per cent interest on the stock, will go to the stockholders. The remainder of the profits, above cost of sale and improvements, will be used for establishing a home and park for the German Society.

In 1909 the German Building Society purchased a piece of property on this plan and netted the stockholders over 90 per cent and paid six per cent interest on the stock annually. In eighteen months the property was disposed of and the profits divided among the shareholders.

All the shareholders received their share of the transaction, and were so highly pleased with the undertaking that they have started this movement, and already over \$3000 of the stock of this second undertaking is subscribed. The subscription is open to any one, whether members of the society or not, in amounts from one share up to one hundred, as no one person is allowed to have more than ten per cent of the total issue of stock, which is limited to ten thousand dollars. Only half that amount is needed to handle the property, and probably no more stock will be issued.

There will be no watered stock, and no stock issued but what is used to buy the property--no promotion stock, or commissions on sale of stock or any of the usual methods of stock jobbing.

Checks Prove Profits of Co-operative Investment

The stockholders in the first co-operative investment made by the German Building Society received six per cent interest on their stock and over NINETY PER CENT PROFIT ON THEIR INVESTMENT BESIDES, as the checks printed below will prove. These profits were made in eighteen months.

MUTUAL PROFIT SHARING IS THE SAFEST WAY FOR THE INVESTOR, SMALL OR LARGE to make a safe investment on which he cannot possibly lose money. The shareholder is the owner of the property which advances in value, and the value is there and cannot get away from the investors share pro rata in the profits. The share is a deed to the property for the amount invested.

Fac simile of the way shareholders in the German Building Society made ninety per cent besides interest on their original investment which was paid annually.

SUBSCRIBED TWO SHARES—PROFIT ON \$20 WAS \$18.23.

Check stub for No. 78, Salem, Oregon, 2-15-1911, Pay to the order of Jos Harris, \$38.23, To United States National Bank, Salem, Oregon.

SUBSCRIBED ONE SHARE—PROFIT ON \$10 WAS \$9.12.

Check stub for No. 80, Salem, Oregon, 2-16-1911, Pay to the order of C Jipson, \$19.12, To United States National Bank, Salem, Oregon.

SUBSCRIBED FIFTY SHARES—PROFIT ON \$500 WAS \$455.84.

Check stub for No. 49, Salem, Oregon, July 3rd 1911, Pay to the order of Elizabeth M Wilson, \$955.84, Nine Hundred Fifty Five Dollars and 84 Cents, To United States National Bank, Salem, Oregon.

After reading the above fill out the blank below for what stock you want, and do not delay action, as the sooner the property is taken over the sooner will the committee realize on it, and the sooner you will get your money back. Mr. John Stellman is treasurer of the Salem German Society, and his name is a guaranty of integrity and straightforward methods for the protection of each subscriber.

SUBSCRIPTION BLANK.

I hereby subscribe for _____ shares of stock in the German Building Society, Incorporated, at Ten Dollars Per Share, same payable on or before September 1, 1911, same to be part of total subscription including waiver of notice of stockholders' meeting, and election of officers.

THE GERMAN BUILDING SOCIETY, Incorporated.

JOHN STELLMAN, Treasurer, FRED W. HEYSER, J. L. AHLERS, Committee.

Firemen's Insurance Co.

Organized 1865

Statement on January 1, 1911

Table with ASSETS and LIABILITIES columns. Assets include Bonds and mortgages, Stocks and bonds, Office building, Cash on hand, In bank, Agents' balances, Interest and rents, and all other assets. Liabilities include Capital stock, Reserve re-insurance fund, Reserved for unpaid losses, and other liabilities. Net surplus is \$2,811,939.41.

C. H. WARD, General Agent, Pacific Coast Department.

E. HOFER & SONS, Agents

Salem, Oregon, 213 S. Commercial St. Phone Main 82

Portland's Popular Fire-Proof Hotel

THE OREGON

The House of Comfort Combined With Elegance

Our Rathskeller Grill finest dining service in city, with Hawaiian orchestra from 6 to 12 p. m. Most perfectly furnished, moderate priced, modern hostelry in the metropolis of the Northwest

WRIGHT & DICKINSON HOTEL CO.

Owners and Managers Also Operating Seattle Hotel, Seattle.