

# COMMERCIAL CLUB HAS LIVE MEETING

### President Doney of the Willamette University Made Booster Talk, and Heads of Departments Along With Their Reports Offered Many Suggestions—L. H. McMahon Given Special Credit For Inaugurating Bathing Resort—"Try Salem First" Advocated By the President

Regular monthly meetings, to be held on the third Wednesday of each month was decided on last evening at an enthusiastic meeting of the Commercial club and as a means towards good fellowship, luncheons will be served preceding the real business of the evening.

That the general meetings of the Commercial club will be well attended and that its members are actively interested in the work to be done, was evident last evening by the large number present and the close attention given to the reports of the governors, of the different departments.

Before the regular reports were received, the Rev. Carl Gregg Doney, president of Willamette university, was introduced, and in a short talk mentioned the fact that the university brings into the city annually from \$150,000 to \$200,000 a year, mostly earned outside the city. "I am here for the building of the northwest through the medium of our institution, and if anyone has any good ideas as to how this should be done, I will be glad to receive them."

**Mr. Deckebach's Suggestions.**  
In reporting for the legislative and taxation department, F. B. Kay, director, stated that as there had been no special legislation lately, there was but little to report, but that within the next week he would issue a call for his committee to discuss laws regarding land grants and water power, as they might affect the state.

Regarding the work of the different departments, President Hamilton stated that every member was expected to designate just where he would like to be assigned, and in case they did not, assignments would be made for them.

Director F. G. Deckebach reported that the tourist and publicity department had been fairly busy in the way of entertaining visitors. Over 100 visitors had been taken care of during the fund raising congress and that while the committee did not find it convenient to serve a banquet for the delegates, during both days, loganberry punch and wafers had been served in the rotunda of the state house, through the aid of the Women's club. As to the part taken by the Commercial club in the state fair, Mr. Deckebach was inclined to think that the club, as well as the Clericals had not done quite enough. Hereafter he hoped that the city would demonstrate their appreciation of the many visitors by more extensive decorating, and that all would join in making fair week a general time of jollification.

**About Factories and Things.**  
The industrial department, through its director August Huetstein, stated that several business propositions had been made to them, but on investigation were not satisfactory. One firm which wanted to locate its factory here, would do so, provided \$50,000 worth of stock was sold among the citizens. While Salem needed pay rolls, the speaker was of the opinion that we could better help the city by patronizing our home factories and help build them up. Also spend our money in our own stores.

Just as a practical illustration, President Hamilton suggested, why not buy bread made in the city instead of sending to Portland and to Eugene? Buying home made bread would be a practical demonstration of our "Try Salem First" idea, even if the bread did not

taste quite right. If home bakeries were given more business, they would eventually put in machinery that would enable them to compete with anything in the state.

**Inquire About Flax.**  
Henry Meyers, director of the mercantile department, reported that this department saved the merchants money by keeping unfair solicitors out of town, and that no one should contribute to any solicitor, unless provided with a card from the mercantile department. Mr. Meyers was in receipt of a letter from an eastern manufacturing firm asking for samples of our flax and prices as they were in the market, and were interested in what we were doing.

The civic department was represented by Mr. Southwick, who stated that the swimming pool had been a great success, and that much credit was due to L. H. McMahon for his efforts in establishing the pool last summer. He felt that much more could be accomplished, but that they were handicapped by the city council. To remedy this, a member present suggested that the city council be taken into the civic department. This department had circulated a petition regarding the bridge across the Willamette and had also tried to get a road to the fair grounds. It was later suggested by P. H. D'Arcy that it would be advisable for the department to get busy on the fair grounds road earlier in the year, and not wait until about a month before the fair opened.

**Members Should Be Social.**  
D. I. Howard, who spoke for the social department in the absence of Mr. Dick, was of the opinion that members did not spend enough of their time in the social rooms, and that at present, plans were being made for ladies' nights, twice a month.

Just at present, according to W. I. Staley, the agricultural department is pretty busy, as the members are all working on the market day for next Saturday, and the address to be given at the armory next Saturday afternoon by Duncan Marshall, of Calgary. Mr. Staley felt that proper interest had not been taken in the farmers market, and that nothing, the future work of the department was in the poultry show to be given here next January and in the corn show, under the supervision of L. J. Chapin.

The agricultural department had appealed to the county court to include an appropriation in its budget for the support of the county agriculturist, and while the request had not been definitely turned down, nothing had been done. This department intended to confer with the department of agriculture at Washington for aid in the study and prevention of brown rot.

Referring to the stand taken by the county commissioners in not including in their budget money for the support of a county agriculturist, president Hamilton said that letters were being mailed to various farmers and grangers not inclined to appropriate half the amount necessary, and if the farmers wanted this work continued, they should make it known to the Commercial Club or county court.

**Mr. Chapin Talks.**  
L. J. Chapin was called on for an address, in which he explained the nature of his work, noted the seven corn shows arranged for the fall, in conjunction with the corn and potato show to be held in Salem December 1-4. In referring to the work of the county agriculturist, J. H. Albert said: "I believe to discontinue this work would be a calamity to the county and I believe the farmers and granges of the county believe in continuing this work."

To get the general sentiment throughout the county, a resolution was passed unanimously declaring that it was the sense of the meeting that the agricultural department invite five members from each of the granges in the county to come in and discuss the proposition as to whether they wanted the work of the county agriculturist continued. Glendon Stolz said the importance of the county and that the entire county needed more tiling.

A proposal to hold a weekly live wire lunch didn't meet with much favor, but when it was moved to make it a monthly meeting, with a lunch and a general good time, the motion passed unanimously.

**AMERICAN VENUS HURT**  
New York, Oct. 14.—Not until he arrived here did Phila Judson Beveridge of Los Angeles, know that his daughter, Ray, known as the "American Venus" had been severely hurt when she walked in front of a speeding automobile. Beveridge was on a trip here to see about obtaining a passport for the girl to return to Germany as a Red Cross nurse, as the British legation had held up her return. She had recently toured the United States.

# OUTFIELDERS' NOT THE PITCHERS, WON SERIES FOR BOSTON

### Expert Analyses the Games and Places Credit For Victory Where Belongs

By George R. Holmes.  
(United Press Staff Correspondent.)  
New York, Oct. 14.—The Red Sox outfield, Hooper, Speaker and Lewis, gave Boston another world's baseball championship.

Before the late lamented series, the Boston outer defense was rightly called one of the greatest in the game. The title today is obsolete. It is now the greatest outfield of all time. And figures prove it.

The three played the series through. Hooper batted .550; Lewis slugged .444; while Speaker trailed along with .294, making the batting average of the trio .363.

Out of Boston's 12 runs, ten crossed the plate on their hits. They themselves scored seven. And out of Boston's 42 hits, the outfield made 29 with no scratches.

Furthermore except for a "blower" rolling by the official scoring board late in yesterday's game, the outfield would have fiddled perfectly. The "blower" was the decision giving Hooper an error after it had been first charged to Gardner, and Larry himself would probably admit it was his mistake.

Certainly no outfield in history ever played such a game under "money conditions," which ball players themselves contend is the acid test. In no game but one did they have to pull a fielding stunt that raised the stands to their feet. But they did pull these stunts when they meant cutting off stolen runs.

Boston's pitchers, however, are going to get the greatest credit, because it is fabled to remember the name of the winning twirler longer than it remembers the bloke who drove in runs, or the same bloke circus catch which shut off several runs.

And Boston's pitchers deserves a lot of credit. But, take an ordinary outfield and stick it in the place of Hooper, Lewis and Speaker, and the pitchers would have lost every game, excepting Saturday's which Foster won single handed.

With all the sparkling play, however, yesterday's finish was all that saved the series from going down into history as a drag affair. There was not enough extra base hitting to make it spectacular to the bleachers.

Hooper saved the series from the odium of being colorless, and provided a sensational finish. His homer at the critical moment left a good taste in everyone's mouth.

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\$80,000 IN THE BALL.  
Philadelphia, Oct. 14.—Eighty thousand dollars was rolled up in the ball Hooper crashed out for a homer in yesterday's ninth inning. It cost President Lannin of the Red Sox \$100,000 and President Baker of the Phillies a like amount. The sum represents the receipts of the game today, had Philadelphia won, as the magnates would have got all the money except the national commission's tenth.

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# JUDGE GALLOWAY'S DECISION IN HOWELL CASE IS MODIFIED

### Supreme Court Holds That Judge McGinn Had No Right to "Bump" Defendant

The decision of Judge William Galloway in the Howell partition suit was modified in an opinion handed down this morning by Justice Harris, of the supreme court. Judge Galloway held that Fiducia P. Howell was entitled to a fee simple title to 15.61 acres of land in this county and the supreme court holds that she is entitled to an undivided one-half interest in this property and has a dower interest in the other one-half of the property.

The full title to this case is Grace Howell, Katie Howell Urigh and Guy N. Howell, plaintiffs and appellants against Fiducia P. Howell, respondent, and Amy N. Howell, appellant and defendant. Joseph H. Howell and Fiducia P. Howell were husband and wife and John M. Howell was their only child and the plaintiffs in the case were the children of John M. Howell and Amy N. Howell. It appears that the husband and son purchased two tracts, one of 15.61 acres and another of 20 acres and according to the latter testimony given in the case Fiducia P. Howell helped to pay for the land. In 1908 a suit was brought to divide the 35 acres and the referees gave 15.61 acres to Joseph and Fiducia P. Howell, 11 acres to Amy N. Howell and three acres to each of the three grand children. The grand children then instituted a suit against their mother and their grand mother. Amy N. Howell defaulted and Judge Galloway gave Fiducia P. Howell a fee simple title to the 15.61 acres of land.

According to the review of the case in the opinion of Judge Harris, Joseph and Fiducia P. Howell came to Salem shortly after the civil war and resided in this city for 10 years before filing upon a homestead. In 1888 they came back to Salem where Joseph Howell became head janitor at the state house and Mrs. Howell served meals to the state house employees. The boarding house prospered and soon she was making \$100 per month while her husband made but \$75 per month as janitor. The son, John M. Howell worked with his parents and purchased property from the common fund but according to Justice Harris' opinion, "it is quite likely that the strongest hand at the helm was that of the grand mother, Fiducia P. Howell, who is now 79 years of age, and has been blind since 1906, is entitled to reap the fruits of the partition suit by using or selling her interests. This decree is final on this appeal and modifies the judgment of the lower court without judgment for costs or disbursements in this court." Justices McBride, Eakin and Dean concurred.

A trial judge in the circuit court has no right to express an opinion in open court threatening to "bump" the defendant, according to an opinion handed down by Justice Benson in the case of Judge McGinn, of Multnomah county is reversed and the case remanded to another department of the Multnomah county court for retrial.

In this suit which was brought by Albertina H. Rugenstein against Henry J. Ottenheimer, a former Salem boy man, to collect damages for personal injury, it was shown by an affidavit that Judge McGinn expressed an opinion in open court in the matter at bar. The plaintiff claimed that she was hit by the defendant's auto and brought suit. The jury in the first trial disagreed but in the second trial awarded her \$3,000 damages. Before the second trial Judge McGinn intimated to have said to the defendant:

"You bumped this woman once and have bumped her again in court and I propose to see this time that some one else is bumped."

The other cases opinions handed down were as follows:

**Allan R. Joy, appellant, Mabel Palethorpe, appellee from Multnomah county, suit to enjoin defendant from trespass, appeal dismissed, opinion by Justice McBride.**

**Mannie Steed vs. Niesoff Shoe Manufacturing company, appellant, appealed from Multnomah county, motion to dismiss appeal denied, opinion by Justice Eakin.**

**Grace Howell et al., appellants, vs. Fiducia P. Howell, appellee from Marion county, suit for partition of property, judgment of Circuit Judge Galloway modified, opinion by Justice Harris.**

**B. H. Miller et al., appellants, vs. Julius Fisher et al., appellee from Multnomah county, suit to enjoin maintenance of an action at law, opinion by Chief Justice Moore, Circuit Judge Gatens' judgment for the defendants reversed.**

**Krishna Ranaaswamy vs. Hammond Lumber Company, appellant, appealed from Multnomah county, action to recover damages for personal injuries, opinion by Justice Bean, Circuit Judge McGinn's judgment for the plaintiff affirmed.**

**State of Oregon, ex rel. B. W. Otto vs. School District No. 3, Clatsop county, suit to dissolve Union High school district, appealed from decision of Judge J. A. Eakin, opinion by Justice Bean, affirmed.**

**CAT IN COLD STORAGE.**  
Redondo, Cal., Oct. 14.—A blue ribbon Persian cat, property of Mrs. George Haynes, was accidentally locked in an ice chest and frozen to death here.

**LEGAL NOTICES**  
**NOTICE OF SPECIAL ROAD TAX.**  
Notice is hereby given that we, the undersigned resident tax payers, representing ten per cent of the resident tax payers in Road District No. 3, Marion county, Oregon, hereby give notice to the tax payers of said district, that there will be a meeting of the resident tax payers of said district at the Case school house, in said road district at 2 o'clock p. m., on the 1st day of November, 1915, for the purpose of the preparation of an itemized estimate of the amount of money proposed to be raised by the levying of an additional tax for road purposes, in said road district.

Signatures—D. T. Moore, Chas. Kuensting, Lars Olson, M. A. Daniels, A. J. and L. B. Cooper, John Berthor, F. D. O'Connor, E. G. Yergen, Geo. W. Case, J. P. Yergen, M. E. Wyckoff, R. A. Gilbert, W. A. Jackson, Peter Feller, Horace W. Thielsen, Emma S. Thielsen, Laura J. Slocum, Ella B. Wood, J. R. Jackson.

# "WEAR-EVER" DEMONSTRATION

Mr. MENDENHALL  
An authority on Aluminum, has been engaged for Thursday, Friday and Saturday, Oct. 14, 15 and 16, to demonstrate the superior qualities of the famous "Wear-Ever Aluminum Utensils"

An attractive menu has been arranged for each day and an especially low priced set of three sauce pans like those illustrated is offered to those who wish to try this excellent ware.

Replace Utensils that Wear Out with Utensils that "Wear-Ever"  
Set Sells Regular for \$2; Special at Demonstration \$1.00

Griddles, Stew Pans, Cake Pans, to be demonstrated.  
Fry Pans, Tea Kettles, Roasters, etc., demonstrated  
Many Other New and Unique Tests to Be Performed  
**Ray L. Farmer Hardware Co.**  
Cor. Court and Com'l Sts. Everything in Hardware Telephone 191

**NOTICE TO TAX PAYERS.**  
Notice is hereby given that we, the undersigned resident tax payers, representing ten per cent of the resident tax payers in Road District No. 27 1-2, Marion county, Oregon, hereby give notice to the tax payers of said district, that there will be a meeting of the resident tax payers of said district at Sunnyside school house, in said district at 2 o'clock p. m., on the 1st day of November, 1915, for the purpose of the preparation of an itemized estimate of the amount of money proposed to be raised by the levying of an additional tax for road purposes, in said road district.

Signatures—Thomas H. Robinson, R. B. Pearson, Turner, Ore.; Carl Winkelman, Turner, Ore.; Gottf. Neuenbender, Turner, Ore.; Monroe Nye, Turner, Ore.; Fred Sheppard, Turner, Ore.; S. Newby, Turner, Ore.; C. H. Taylor, Turner, Ore.

**Sheriff's Sale of Real Property On Foreclosure**  
Notice is hereby given, that by virtue of an execution duly issued out of the circuit court of the state of Oregon, for the county of Marion and to me directed on the 25th day of Sept., 1915, upon a judgment and decree duly rendered, entered of record and docketed in and by said court on the 18th day of Sept., 1915, in a certain suit then in said court pending, wherein J. B. Hall and Emaline Hall were plaintiffs and Harold Fuller Hawkins was defendant in favor of plaintiffs and against said defendant by which execution I am commanded to sell the property in said execution and hereinafter described to pay the sum due the plaintiff of four thousand five hundred and no-100 dollars, with interest thereon at the rate of 6 per cent per annum from the 1st day of August 1914, until paid and the further sum of four hundred and no-100 (\$400.00) special attorney's fees together with the costs and disbursements of said suit, taxed at eighteen and 60-100 dollars and costs and expenses of said execution. I will on Saturday the 30th day of October, 1915, at the hour of 10 o'clock a. m. of said day at the west door of the county court house in Marion county, Oregon, sell at public auction to the highest bidder for cash in hand on the day of sale, all the right, title, interest and estate which said defendant and all persons claiming under him subsequent to the execution of the mortgage herein foreclosed in, of and to said premises heretofore mentioned and described in said execution as follows, to-wit: Beginning at the northeast corner of the D. L. C. of Hiram Taylor and wife, in twp. s. 8, R. 2 W, of the Willamette meridian, thence W 15.10 chains along the N line of said Hiram Taylor's claim; thence S 25.88 chains parallel with the E line of said claim to the line between W. A. Witzel's and John Witzel's land; thence S 85 degrees E. 15.36 chains to a point on the E line of the Hiram Taylor's claim 7.50 chains N of the northwest corner of the D. C. L. of Chas. Craft; thence N 27.20 chains along the E line of the Hiram Taylor claim to the place of beginning and containing 40 acres of land, more or less, situated in Marion county, Oregon.

Said sale being made subject to redemption in the manner provided by law.  
Dated this 27th day of Sept., 1915.  
WM. ESCH,  
Sheriff of Marion county, Oregon.  
By W. I. Needham, deputy.

**SUMMONS**  
In the Circuit Court of the State of Oregon for Marion County.  
Jay Bowerman and Wayne Bowerman, plaintiffs, vs. Naomi L. DeLong, defendant.  
To Naomi L. DeLong, defendant. In the name of the state of Oregon: You are hereby commanded and required to appear and answer or otherwise plead to the complaint filed by the plaintiff in the above entitled court and cause, on or before October 14, 1915, and if you fail to do so the plaintiff will apply to the court for the relief demanded against you, which is for a decree of said court barring and forever foreclosing all of the right, title, and interest

of the defendant in and to those certain premises in Marion county, Oregon, and each and every part and parcel thereof, described as follows:  
Eighteen (18) acres of land from the twenty (20) acre field and sixteen (16) acre field immediately east of and parallel to the ten (10) acres of land which the said J. L. Smith agreed to convey to one Katherine Dick, the said twenty acre field being in the northwest corner of the farm of said J. L. Smith situated in Section Six, Township Six South of Range Two, West of Willamette Meridian, Marion County, Oregon. And also one (1) acre of timbered land lying south of the sixteen acre field and running to the creek immediately east of the one acre which the said J. L. Smith agreed to convey to said Katherine Dick. The said ten acre tract referred to and the one acre tract referred to being adjoining the said Katherine Dick tract and immediately east thereof.

And cancelling and declaring void that certain contract made and entered into on March 14, 1913, by J. L. Smith with Naomi L. DeLong and recorded in the Deed Records of Marion County, Oregon, in Book "127" at Page 637 thereof, and decreeing the plaintiffs to be the owners in fee simple of said premises free and clear of all claim of the defendant, and for such other and further relief as the court may deem meet and equitable in the premises.

This summons is served upon you by publication in the Daily Capital Journal for a period of six consecutive weeks (seven issues), beginning with the issue of September 2nd, 1915, and ending with the issue of October 14th, 1915, by virtue of an order duly made, rendered and entered in the above entitled court and cause by the Honorable William M. Bushey, County Judge of Marion County, Oregon.  
Dated September 1st, 1915.  
FULTON & BOWERMAN,  
Attorneys for Plaintiffs.

**NOTICE**  
Notice is hereby given that the undersigned administratrix of the last will and testament of Zarilda Miller has filed her final account in the County Court of Marion County, Oregon, and the same is set for settlement on the 18th day of October, at ten a. m.

Any objections that may be filed against said account may be heard at said time and place.  
Dated this 14th day of September, 1915.  
Oct. 14. MAMIE M. HAYDEN.

**NOTICE**  
Notice is hereby given that the undersigned executor of the last will and testament of Laura Chambers, deceased, has filed his final account in the County Court of Marion County, Oregon, and the same is set for settlement on the 18th day of October, at 10 a. m.

Any objections that may be filed against said account may be heard at said time and place.  
Dated this 14th day of September, 1915.  
Oct. 14. JOHN H. McNABY.

**NO DWELL IN COMFORT** is to dwell well-to-dwell well is to dwell at  
**Hotel Nortonia**  
where personal attention is the keynote of comfort and contentment of guests. Thruout the hotel--from Dining Room to Roof Garden--the atmosphere is described by every guest as HOME LIKE. Everything you want--nothing you don't want. Appetizing meals satisfy your hunger--have the flavor of home. Rooms with privilege of bath \$1 or more the day. Rooms with private bath \$1.50 or more the day. The thing that appeals--moderate prices.

115 of Washington  
Washington at 12th  
Portland

**LEGAL NOTICES**  
**NOTICE TO TAX PAYERS.**  
Notice is hereby given that we, the undersigned resident tax payers, representing ten per cent of the resident tax payers in Road District No. 28, Marion county, Oregon, hereby give notice to the tax payers of said district, that there will be a meeting of the resident tax payers of said district at Liberty Hall, in said road district at 2 o'clock p. m., on the 1st day of November, 1915, for the purpose of the preparation of an itemized estimate of the amount of money proposed to be raised by the levying of an additional tax for road purposes, in said road district.

Signatures—Wm. Zosel, E. Dougherty, E. Williams, S. Dougherty, A. Ackley, A. E. Free, H. J. Zercher, J. R. Shields, Edw. Deneer, W. Dorman, Frank Hrubetz, B. Shaw, H. G. Shaw, A. W. Hize, Bruce Fox, Henry Newens, J. J. McDonald, I. W. Gilmer, J. D. Mason, B. Cunningham, C. D. Cunningham.

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**ROME** wasn't built in a day. Neither was anything else worth while. It takes mo'n two years to "build" a tin o' VELVET.

**Velvet Joe**

Long careful curing puts that aged-in-the-wood mellowness into Kentucky's Burley de Luxe which makes it VELVET. The Smoothest Smoking Tobacco. 10c tins and 5c metal-lined bags.

**JUST WHAT YOU WANT**  
Two Ranges in One  
A Light Coal fire will Kill the Chill in your Home, and the cooking can be done Quickly and Delightfully with Gas.

Nothing to lift out or replace. Simply "Pull or Push Lever" and oven is ready for use with either fuel.

**AT LAST**  
The COAL and GAS Range that is Right.

**DEMONSTRATION**  
NEXT WEEK  
By ALCAZAR Woman Demonstrator  
COME--You are cordially invited.  
Every Lady attending will receive  
A Useful Souvenir FREE

**Buren & Hamilton**  
HOUSE FURNISHERS

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where personal attention is the keynote of comfort and contentment of guests. Thruout the hotel--from Dining Room to Roof Garden--the atmosphere is described by every guest as HOME LIKE. Everything you want--nothing you don't want. Appetizing meals satisfy your hunger--have the flavor of home. Rooms with privilege of bath \$1 or more the day. Rooms with private bath \$1.50 or more the day. The thing that appeals--moderate prices.

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