the release from prison of all then held on the charge of witchcraft.

Salem was an important port after 1670, especially in the India trade, and Salem privateers did great damage in the Seven Years’ War, in the War of Independence (when 158 Salem privateers took 445 prizes), and in the War of 1812. On this foreign trade and these rich periods of privateering the prosperity of the place up to the middle of the 19th century was built.

The First Provincial Assembly of Massachusetts met in Salem in 1774. On the 20th of February 1775 at the North Bridge (between the present Salem and Danvers) the first armed resist- ance was offered to the royal troops, when Colonel Leslie with the 64th regiment, sent to find cannon hidden in the Salem “ North Fields,” was held in check by the townspeople. Salem was the birthplace of Nathaniel Hawthorne, W. H. Prescott, Nathaniel Bowditch, Jones Very and W. W. Story.

Marblehead was separated from Salem township in 1649·, Beverly in 1668, a part of Middleton in 1728, and the district of Danvers in 1752. Salem was chartered as a city in 1836.

See Charles S. Osgood and Henry M. Batchelder, *Historical Sketch of Salem, 1626-1879* (Salem, 1879); Joseph B. Felt, *Annals of Salem* (ibid., 1827; 2nd ed., 2 vols., 1845-1849); Charles W. Upham, *Salem Witchcraft* (2 voIs., Boston, 1867); H. B. Adams, *Village Communities of Cape Ann and Salem* (Baltimore, 1883); Eleanor Putnam (the pen-name of Mrs Arlo Bates), *Old Salem* (Boston, 1886) ; C. H. Webber and W. S. Nevins, *Old Naumkeag* (Salem, 1877) ; R. D. Paine, *Ships and Sailors of Old Salem* (New York, 1909), and *Visitor's Guide to Salem* (Salem, 1902) published by the Essex Institute.

SALEM, a city **and** the county-seat of Salem county, New Jersey, U.S.A., in the S.W. part of the state, on Salem Creek, about 38 m. S.W. of Philadelphia. Pop. (1900), 5811, of whom 263 were foreign-born and 809 were negroes; (1910 U.S. census), 6614. It is served by the West Jersey & Seashore railroad, and has steamer connexion with Philadelphia. Among its institutions is the John Tyler Library, established as Salem Library in 1804 and said to be the third oldest public library in the state. In Finn’s Point National Cemetery, about 4 m. N. of Salem, there are buried some 2460 Confederate soldiers, who died during the Civil War while prisoners of war at Fort Delaware, on an island in Delaware river nearly opposite the mouth of Salem Creek. Salem lies in a rich agricultural region. Among the city’s manufactures are canned fruits and vegetables, condiments, glass-ware, brass and iron-work, hosiery, linoleum and oil-cloth. Near the present site in 1643 colonists from Sweden built Fort Elfsborg; but the Swedish settlers in 1655 submitted to the Dutch at New Amsterdam, and the latter in turn surrendered to the English in 1664. In 1675 John Fenwicke, an English Quaker, entered the Delaware river and founded the first permanent English settlement on the Delaware (which he called Salem). After purchasing lands from the Indians, Fenwicke attempted to maintain an independent government, but in 1682 he submitted to the authority of the proprietors of West Jersey. During the War of Independence Salem was plundered on the 17th of March 1778 by British troops under Colonel Charles Mawhood, and on the following day a portion of these troops fought a sharp but indecisive engagement at Quinton’s Bridge, 3 m. S. of the town, with American militia under Colonel Benjamin Holmes. Salem was incorporated as a town in 1695, and was chartered as a city in 1858.

SALEM, a city of Columbiana county, Ohio, U.S.A., 67 m. N.W. of Pittsburg and about the same distance S.E. of Cleveland. Pop. (1900), 7582, including 667 foreign-born and 227 negroes; (1910) 8943.. Salem is served by the Pennsylvania (the Pittsburg, Fort Wayne & Chicago division) and the Youngstown & Ohio River railways, and by an interurban electric line to Canton. The city has a Carnegie library (1896), two beautiful cemeteries, a park, and a Home for Aged Women. It is situated in a fine agricultural region; coal is mined in the vicinity; natural gas is obtained in abundance; and the city has various manu- factures. It was settled by Friends in 1806, incorporated as a town in 1830 and as a village in 1852, and chartered as a city in 1887. For several years preceding the Civil War it was a station on the “ underground railway ” and the headquarters of “ the

Western Anti-Slavery Society,” which published here the *Anti- Slavery Bugle.*

SALEM, the capital of Oregon, U.S.A., and the county-seat of Marion county, on the east bank of the Willamette river, 52 m. S.S.W. of Portland. Pop. (1900), 4258, including 522 foreign- born; (1910) 14,094. It is served by the Southern Pacific railway, by the Oregon Electric line (to Portland), and by a steamship line to Portland. The city is in the centre of the Willamette Valley, a rich farming and fruit-growing country. It has wide, well- shaded streets, and two public parks. Among the public buildings and institutions are the State Capitol, the State Library, a city public library, the county court-house, the Federal building, the state penitentiary and several charitable institutions. Salem is the seat of Willamette University (Methodist Episcopal, 1844), an outgrowth of the mission work of the Methodist Episcopal church begun in 1834 about 10 m. below the site of the present city; of the Academy of the Sacred Heart (Roman Catholic, 1860) and of two business colleges. Immediately north of the city at Chemawa is the Salem (non-reservation) government school for Indians, with an excellently equipped hospital. Water power is derived (in part, by an 18 m. canal) from the Santiam, an affluent of the Willamette river. The city is a market for the produce of the Willamette Valley. The settlement here, gathering about the Methodist mission and school, began to grow in the decade 1840-1850. Salem was chartered as a city in 1853, and in i860 was made the capital of the state. It grew rapidly after 1900, and its territory was increased in 1903.

SALEM, a town and the county-seat (since 1838) of Roanoke county, Virginia, U.S.A., on the Roanoke river, about 60 m. W. by S. of Lynchburg. Pop. (1900), 3412, including 798 negroes; (1910) 3849. It is served by the Norfolk & Western and the Virginian railways, and has electric railway connexion with Roanoke, about 6 m. E. The town is a summer resort about 1000 ft. above the sea, surrounded by the Alleghany and Blue Ridge mountains. There are chalybeate and sulphur springs in the vicinity. Salem is the seat of a Lutheran Orphan Home (1888), of the Baptist Orphanage of Virginia (1892) and of Roanoke College (co-educational; Lutheran; chartered, 1853). The town is in a dairying, agricultural and fruit-growing region. The Roanoke river provides water-power. The water supply is obtained from a spring within the town limits, from which there flows about 576,000 gallons a day, and from an artesian well. This part of Roanoke county was granted in 1767 to General Andrew Lewis, to whom there is a monument in East Hill Cemetery, where he is buried. Salem, laid out in 1802, was incorporated as a town in 1813.

SALE OF GOODS. Sale (O.Eng. *sala, sellan, syllan,* to hand over, deliver) is commonly defined as the transfer of property from one person to another for a price. This definition requires some consideration in order to appreciate its full scope. The law of sale is usually treated as a branch of the law of contract, because sale is effected by contract. Thus Pothier entitles his classical treatise on the subject, *Traité du contrat de vente,* and the Indian Contract Act (ix. of 1872) devotes a chapter to the sale of goods. But a completed contract of sale is something more. It is a contract plus a transfer of property. An agreement to sell or buy a thing, or, as lawyers call it, an executory contract of sale, is a contract pure and simple. A purely personal bond arises thereby between seller and buyer. But a complete or executed contract of sale effects a transfer of ownership with all the advantages and risks incident thereto. By an agreement to sell a *jus in personam* is created; by a sale a *jus in rem* is trans­ferred. The essence of sale is the transfer of property for a price. If there be no agreement for a price, express or implied, the transaction is gift, not sale, and is regulated by its own peculiar rules and considerations. So, too, if commodity be exchanged for commodity, the transaction is called barter and not sale, and the rules relating to sales do not apply in their entirety. Again, a contract of sale must comtemplate an absolute transfer of the property in the thing sold or agreed to be sold. A mortgage may be in the form of a conditional sale, but English law regards the