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POPE FIRM IN HIS STAND
All Efforts to Have Him Receive Loubet Have Failed.
VIENNA, June 19.—The Wiener Tagblatt announces that all efforts to induce Pope Leo to receive President Loubet have failed.
Pure Food Act Never in Effect.
WASHINGTON, June 19.—Assistant Secretary Armstrong, of the Treasury Department, today issued a circular letter carrying into effect, beginning July 1, the pure-food act, approved March 3, 1902.

BACKS MOODY UP

Cabinet Tells Him to Ignore Court.

MUST LAUNCH CRUISER

Virginia Judge Held to Have Exceeded His Power.

KNOX WILL SO INFORM HIM

Order Restraining the Launching of the Galveston is Expected to Be Revoked and Serious Trouble Averted.

The Government does not propose to allow the injunction secured by the creditors of the builders of the cruiser Galveston to delay the launching of the ship. If necessary, no attention will be paid to the order. The cabinet has decided that the Virginia judge exceeded his proper functions, and it is believed when he is made to see his error he will reverse his order.
Secretary of the Navy Moody asked for authority to call out troops to proceed with the launching, but the cabinet decided it was inexpedient to precipitate that question at this time.

WASHINGTON, June 19.—The time of the cabinet meeting today was practically consumed by the consideration of the legal questions involved in the decision of the United States Government to disregard the decision of the court of Virginia and seize the uncompleted gunboat Galveston at the Virginia shipyards, in Richmond. Attorney-General Knox presented a carefully prepared opinion on the subject, strongly affirming the right of the Government to disregard the injunction granted yesterday in the Virginia court, which forbids the resumption of work on the Galveston, pending a settlement of the claim of the subcontractors, who have not been paid for material furnished. In concluding his opinion, the Attorney-General says:
"One further point remains to be considered. The letter of the Secretary of the Navy requests authority to employ, if necessary, the military forces of the Government at his disposal for the execution of his orders in the premises. I am loath to believe that occasion for such exertion of the Federal powers will arise, being confident that any claim to interfere with the National rights under the judicial authority of the State of Virginia will be promptly disposed of and denied by the Chancery Court. For this reason I shall defer answering that question."
Moody's Action is Approved.
The cabinet, after considering this opinion, unanimously decided that the Government case was sound and the programme outlined yesterday by Moody should be pursued. An effort will be made to launch the boat next Monday, if conditions permit. It is intimated that information will be conveyed to the Virginia Justice who granted the injunction in this case that he has exceeded his proper functions, and it is expected that he will withdraw from what the Attorney-General and the President regard as an untenable position, thus avoiding any clash at Richmond.
By the President and members of the cabinet the action taken at the meeting is regarded as of the highest importance. The question raised is new and almost unique. Both the President and his advisers gave it the most careful consideration.
It is understood that the opinion of Attorney-General Knox, as submitted originally to the President and cabinet, was modified slightly before it was made public. It was stated yesterday on excellent authority that the Attorney-General in his opinion upheld the right of the Secretary of the Navy to use force, if necessary, to carry into effect his orders. It was regarded by the cabinet, it is said, to be inexpedient to precipitate that question at this time as it was believed to be entirely probable that a way would be found to adjust amicably the apparent differences between the State Court of Chancery and the authority of the Government.
Power of the Government.
In the opinion, addressed to the President, Attorney-General Knox says that the letter of Secretary Moody raises the question of the right and power of the United States to take immediate and complete possession for all purposes of vessels of the United States in course of completion under contracts with shipbuilders, when there has been a breach of contract with the party. Mr. Knox continues:
"The right of a party in ordinary litigation to a release of property from attachment, upon giving a bond for indemnity, is fundamental. It manifestly applies with greater force and reason in a case affecting the Government than where the interests of private litigants alone are involved. The statute of 1864 enables the Government, although not a party, nor in general subject to be made such, to intervene without prejudice and invoke that doctrine.
"The nature and necessities of the subject, the sovereign claims and the interest, the object to be gained, in the words of the statute and its reservations, all convince me beyond doubt that the stipulation to be entered into is an engagement on behalf of the United States, which shall be addressed to and filed with

the particular court, under proper reserve of submission to the jurisdiction, whereupon discharge of the property as a matter of course would follow, and adverse claimants would have the opportunity of establishing, in accordance with the law, their respective claim against the bond of indemnity thus provided."

MOODY NOW WAITS ON KNOX.

His Next Step Will Be on the Advice of the Attorney-General.
WASHINGTON, June 19.—Except to announce that "the Galveston matter is in the hands of the Attorney-General, and nothing on the matter will be said at the State Department," Secretary Moody declined to discuss today's cabinet meeting, or the probable action of the Department in view of the revised opinion of Attorney-General Knox. The modification of the Attorney-General's opinion, which, in its unrevised form, already had been communicated to Secretary Moody, somewhat disarranges for the moment the programme of the Department as to a show of force. The President thinks a show of force under the circumstances will be inexpedient, and the Navy Department, therefore, must content itself awaiting the advice of the Department of Justice in the matter. Meanwhile, it has instructed its agents at Richmond not to interfere with the order of the court until specifically instructed by the Department.
Secretary Moody today requested the Attorney-General to instruct the proper District Attorney to enter into a stipulation regarding the cruiser Chattanooga, which has been attached by creditors of the New York Shipbuilding Company, that the government's rights in the vessel be adequately protected. As for the other 12 warships contracted for by the companies composing the United States Shipbuilding company, the Navy Department, while apprehensive of the results of the financial embarrassments of the concern, has not been informed that work on any of the vessels has been interrupted yet, and for the present Secretary Moody can take no action.

SHERIFF SEIZES CRUISER.

Builders of the Chattanooga Have Not Paid for Her Boliars.
NEW YORK, June 19.—The cruiser Chattanooga, which is nearing completion at the Elizabethport, N. J., yards of the Crescent Shipyards Company, is in the possession of Sheriff Coriell, of Union County, N. J., who took possession on a writ of seizure granted by the Supreme Court of New Jersey to the Babcock & Wilcox Company, makers of boliers. That the government delivered six boliers to the Chattanooga at the contract price of \$50,000. Treasurer Ward asserts that the company has paid two-thirds of the price in accordance with the contract, but that the Babcock & Wilcox Company had been unable to get the balance. The manager of the yard claims the levy grows out of a misunderstanding.
Sheriff Proposes to Hold the Ship.
ELIZABETHPORT, N. J., June 19.—Sheriff Coriell said today that he had placed a deputy in charge of the Chattanooga and would keep him at the Crescent yard until he receives orders from some higher authority to withdraw him. The Sheriff added that he had simply performed his duty in seizing the vessel in accordance with the writ issued by the Supreme Court, and that he knew nothing about the merits of the case. He had not heard anything from the Navy Department at Washington, but he felt he would be fully protected in seizing the ship by the highest courts in New Jersey.

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AVERT A PLAGUE

Vigorous Steps Taken to Preserve Health.

STATE BOARD IS AT WORK

Clears Away Disease-Breeding Filth of Town.

WOMEN HOUSE THE HOMELESS

But Volunteer Workers at Heppner Are Exhausted and Appeal Is Sent Out for More Paid Men—Alkali Soil Used as Disinfectant.

The attention of the people of Heppner has been turned for the time from the search for the dead to precautions for the health of the living.
Dr. C. J. Smith, of the State Board of Health, has set the people to work to clear away the accumulations of filth which were deposited by the flood, for he declares that such action is necessary to avert an outbreak of typhoid fever, which might sweep away the survivors, weakened already by grief, privation and unworked labor.
He is using the alkali soil of the victims as a disinfectant, declaring that it contains the necessary elements. It is being spread over the ground.

BY LUTE PEASE.

HEPPNER, Or., June 19.—(Staff correspondence.)—With the arrival from Pendleton last night of Dr. C. J. Smith, of the State Board of Health, the townspeople, heretofore absorbed only in the recovery of the dead, were awakened to the necessity of immediate and radical measures of sanitation.
"Unless," said the doctor, "prompt and thorough work is undertaken, more people may be dead of typhoid in a few weeks than were destroyed by the flood. Here every cellar is full of foul water and mud, numerous cesspools are wide open to the air and great heaps of wet debris are festering throughout the town. In a few days the reaction from all this excitement, exposure and labor must come, and then hundreds of people will be as fit subjects for disease as is possible to find."
Clearing Away Filth.
The executive committee is in hearty accord with the doctor and early this morning every possible facility was accorded him. Tonight people are commenting on the surprising amount of work accomplished in cleaning and clearing the town. Scores of fires have been burning rubbish heaps, the street gutters have been cleared and flushed from the hydrants, drains have been dug from every cellar and cesspool in readiness for the pumping work which the doctor proposes to push forward tonight. He has had constructed a Chinese pump, which was completed this evening. This will be operated by the one steam engine available. With the clearing out of the cellars and pools, it is thought more bodies may be found. A call has been sent out for jackknives with which to raise buildings and completely thoroughly the work of disinfecting. Sidewalks will also be raised and the wet debris underneath removed.
Alkali as a Disinfectant.
Many teams were busy all day carting

away the heaps of mud, while others were hauling into town and spreading wagonloads of a novel kind of disinfectant, namely, alkali soil.
"I have used it in Pendleton," said Dr. Smith, "and no better disinfectant could be desired, for these alkali beds are made up almost entirely of Caustic potash and soda. Disinfectants? Why, we have hundreds of tons here at our door."
Much of the volunteer labor, such as that of farmers and other people in the neighborhood, is petering out through fatigue or the pressure of personal affairs. Early yesterday a dispatch was sent to Pendleton for 30 day laborers. Mr. Campbell, of Milton, was instructed to secure another hundred, if possible, from Milton and various other Eastern Oregon towns. Temporary volunteer help is no longer expected, but what is needed is a small army of laboring men of good character who will be properly paid, fed and housed. A call was also sent out for 25 women volunteers to take the places of many here who have been serving at the eating places or caring for the dead and who are about exhausted.

WOMEN FEED AND HOUSE SURVIVORS.

The ladies' relief committee, Mrs. Mary K. Britten, chairman, is making arrangements for temporary homes for the homeless and destitute families. Tents are being erected near the Courthouse and supplied as rapidly as possible with stoves, cooking utensils and bedding. This committee has been giving from 200 to 400 meals a day to the needy and is supplying them with clothing as fast as they apply.
It is now estimated that an aggregate of \$100,000 insurance was carried in the various companies and orders by the flood victims.

Case of Utter Depravity.

A case of exceptional depravity occurring here the other day was the act of Katie Utley, a woman of the town. She decayed and attempted to detain in a house of ill-fame a young woman left destitute by the flood. The Utley woman was promptly detected by the owner, who rescued the girl and thrust the woman into the street. The owner then informed Officer P. C. Criswell, advising the latter strongly not to bother with the creature but to shoot her. The officer looked her in the city jail, and an hour later the woman's man picked the lock of the jail and the two were last seen driving rapidly toward Leno. They may go to Portland. The woman is described as dark, large and with a slow, waddling walk, of coarse appearance and language, and about 35 to 40 years of age. She was the only woman of her class here who failed to respond to the call for aid. The others promptly went to work after the disaster, some at the morgue and others at the eating places as cooks and waiters.

TRAINS GO IN TODAY.

Railroad Connection With Heppner to Be Restored.
LEXINGTON, Or., June 19.—(Special.)—Fast time has been made by the O. R. & N. Railway in replacing its track into Heppner. The company will have the line ready for traffic Saturday morning. By 10 o'clock, said Superintendent J. P. O'Brien tonight, the construction train will enter Heppner. Three hundred men have been employed relaying the track since Tuesday afternoon.
The work has been handicapped in a number of ways, but has been fast. Four bridges had to be made anew, and seven had to be repaired. These bridges are built on piles, the driving of which takes considerable time, and tonight a gap of 800 feet in the track separates the construction train from Heppner. Superintendent O'Brien and General Roadmaster W. Boltons are in charge of the track work. Chief Engineer W. H. Kennedy has directed the bridge work. M. J. Buckley, assistant superintendent, and W. A. Skrtle, general foreman, of the bridge and building department, are in charge of the train service. These gentlemen have worked very hard since the flood interrupted the service between Leno and Heppner last Sunday. Night and day they have stuck to the task, and will be glad to get home again. About 3 1/2 miles of track have had to be renewed. At some places the old track has been re-

RECOVERED.

LEXINGTON, Or., June 19.—(Staff correspondence.)—List of the latest dead recovered:
Will L. Saling, Assessor of Morrow County.
Mrs. Douglas Gurdane, Beaslie Paul, Gertrude Ford, E. C. Ashbaugh's child, A Chinese.

BY A. CROFTON.

LEXINGTON, Or., June 19.—(Staff correspondence.)—The number of corpses in Willow Creek Valley which are yet unaccounted for may be estimated from the fact that in searching less than a mile of the canyon the relief parties from Baker City, Sumpter and Leno found six bodies in seven hours' work. The bridge crews of the O. R. & N. Co., although not looking for bodies, unearthed four while clearing away debris from the culverts. At this rate there must be more than 50 dead still in the wreckage.
Among the bodies recovered today was that of W. L. Saling, Assessor of Morrow County, whose wife was also drowned. The corpse was found amid a mass of halibut bones, which had preserved it from decay. It was lying face downward in the debris, about three miles below Heppner. Another body was that of a Chinaman for whose discovery his countrymen in Heppner had offered a reward of \$200. This money will be turned over by the Baker City relief party to the general relief fund.
Preserved by the Mail.
Near the Chinaman was found the corpse of Mrs. Gurdane, wife of Heppner's City Marshal. Mrs. Gurdane's body had been stripped of all clothing, but the body was well preserved. Mr. Gurdane, who has ever since the disaster worked heroically at the labor of caring for both the living and the dead, broke down when the body was brought in. For many days and nights he had labored with his wife, who was numbered among the missing dead. Now that the body is found, Mr. Gurdane realizes his loss.
Today the first systematic effort was made to search the valley for bodies. Much amusement was expressed at the unexpected magnitude of the task, as there has been little idea that the piles of wreckage were so extensive. Altogether about 100 men from the volunteer relief parties were engaged at this work today. They will continue it tomorrow, after which it is probable that they will return to their homes, and the work will then be abandoned, except when the location of a corpse is indicated by arising odors. The three relief parties working in the valley are sensibly equipped with pitchforks, grappling irons and teams.
Just below the point where the relief parties were working, John Connors, a foreman for the O. R. & N. Co., found a two-gallon keg of whisky near the railroad track. Under his direction, a gang of 20 Greek tracklayers were working in the vicinity. The Greeks saw Connors pick up the keg, and, with much delight, started toward him. To avoid trouble, Connors kicked in the head of the keg, and the liquid poured out on the alkali soil to invigorate the sagebrush. A chorus of grief arose from the crowd of foreigners, who much desired to get drunk. Some of them protested vehemently to Connors against this compulsory temperance, others threw themselves flat on the ground and lapped up the whisky that remained. One man put a handful of the wet sand in his mouth and sucked it, but, with one exception, the gang remained, though most reluctantly, exceedingly sober. This episode was also the means of detaining M. J. Buckley, the assistant superintendent of the railroad company, in this vicinity. Mr. Buckley had just received a telegram from an intimate friend urging him to come to Portland immediately. He was on the point of starting when word was brought to him that all the tracklaying crew up the line were drunk. Mr. Buckley immediately went to the scene of the supposed trouble, only to discover that the report was false.
"You wouldn't expect" said Superintendent O'Brien, "that the Italian section hands would be sentimental, but when they found the bodies of a little girl and a woman in the wreckage on the track some of the husky laborers cried like children. After that they would scarcely stick a pick into the debris they were clearing away for fear it should stick into a corpse."
Land Declines in Value.
Land in the valley has depreciated in value about \$10 an acre. "My farm," said a Lexington rancher today, "was worth \$50 an acre before the flood. I will sell it today for \$15. The farm will produce 200 tons of hay."

HEAD OF THE CATHOLIC CHURCH OF ENGLAND IS DEAD



THE VERY REV. HERBERT VAUGHAN.
LONDON, June 20.—The Very Rev. Herbert Vaughan, cardinal and archbishop of Westminster, died at midnight.
(Cardinal Vaughan was born April 15, 1852. He became archbishop of Westminster in 1892. He was created cardinal in 1893. He had been ill more than three months. Late in March it was thought he could not survive more than a few days.)