LOSERS PAY PRO RATA S., 5d ed., 440). The 18th section of said act reads as follows: "That the individual liability of a ship-LIMITED LIABILITY IN THE ANNIE FAXON WRECK CASE.

Judge Hanford's New Application of Maritime Law-Victory for 0. R. & N. and Short Line.

A very important decision on the ques tion of owner's liability for loss of life and property by wreck of any kind of vessel employed in inland navigation has just been rendered by Judge Hanford, of the United States district court for Wash-ington, in his ruling on the steamer Annie Faxon case. The Annie Faxon, which was owned by the O. R. & N. Co., was wrecked by a boller explosion on Snake river, Au-gunt 14, 1852, causing considerable loss of life and property. A number of suits for ages were brought against the owners, which were finally carried before the federal court. Judge Hanford based his decision on the Dingley shipping act of 1984, and holds that the liability is limited to the appraised value of the vessel and freight pending.

The Annie Faxon was leased by the O. R. & N. Co. to the Oregon Short Line & Utah Northern railway. The boat ran between Riparia, Wash, and Lewiston, Idaho. Her certificate of inspection, dated about seven months before the explosion, ellowed a maximum steam pressure of allowed a maximum steam pressure of 125 pounds to the square inch. In June, 160, some repairs were made about the machinery, including the placing of a new mudring in the boiler, but no new inspection was made. When the accident oc-curred the steamer was going down stream with a pressure of 110 pounds of steam, and the safety-valve set to blow off at 15 pounds. The boat was badly wrecked, the entire superstructure and upper dock being destroyed. Eight perins were killed and 15 wounded.

Suits for damages aggregating \$270,000 against the owner and lessees of the ves-sel were brought by the following claimants: Daniel H. Bechtol, personal injury, \$40,000; Lewis T. Lawton, personal injury, \$120,900; E. V. Kuykendall, administrator for William Kidd's estate, \$20,000; Mary A. McIntosh, administratrix for the estate of John A. McIntosh, \$50,000; Susan E. Mc Intosh, administratrix for the estate of Thomas McIntosh, \$50,000; E. V. Kuykeniall, administrator for the estate of H. E. Bush, \$39,000; Lucy McComb et al., heirs of Scott McComb, \$39,000. Each claimant took the ground that the injuries for which they asked damages had been caused by the negligence of the compa-nes, their servants and agents, and con-tested the right of the owner and lesses to take refuge under the limited liability

The O, R. & N. Co. as owner, and th Oregon Short Line & Utah Northern Rallway Company as lesses, petitioned the court to adjudicate their liability for damages resulting from the explosion. Acting as a court of admiralty, the court Acting as a court of admiralty, the court made an order for the appraisement of the vessel and freight pending, and required all claimants for damages by loss or injury to sumbil proof of their claims, forbidding any suit for damages until the cause should be finally determined. The appraised valuation of the vessel was ned at \$15,000.

The libelants claimed the benefit of law limiting the liability of shipowners, but on the same time denied all negligence on the part of their agents as well as themseives, and prayed that the court at the decide that the vessel and owners be exempt from liability. Before the heara the merits the claimants requested that the proceedings be dismissed on the ground that the libelents had pleaded themselves out of court, arguing that, if the agents and servents were free from all blame, the limited liability law was not applicable, for, if the owners had been not applie guilty of negligence, the law did not en title them to any relief, while if they were not guilty they were not liable Judge Hanford Genied this motion by a per forma ruling, afterwards confirmed in accordance with the rulings and decisions of the supreme court, which de-clare that the rights of partics in a situation similar to that of the libelants have, in one proceeding in admiralty, a full and final determination of all que tions affecting their liability, and, if ex-empt, have a decree forever foreclosing the right to litigate concerning the same matter

In considering the Annie Faxon case Judge Hunford says: "I am required therefore to decide in

the first place whether the said explosion and wrecking of the Annie Faxon hapce of any negliger

wher shall be limited to the proportion any or all debts and liabilities that his individual share of the vessel bears to the whole, and the aggregate liabilities of all the owners of a vessel on account of the same shall not exceed the value of the same shall not exceed the value of such vessels and freight pending. Pro-vided, That this provision shall not af-fect the liability of any owner incurred previous to the passage of this act, nor prevent any claimant from joining all the owners in one action; nor shall the same apply to wages due to persons employed by said ship owners."

by said ship-owners." by said ship-owners." "By the fourth section of the act of June 19, 186 (1 Supp., R. S., 2d ed., 494), the pro-visions of the section above quoted, as well as sections 4251-4253, are extended so as to apply to all vessels used on lakes and

rivers or in inland navigation, including canal-boats, barges and lighters." The court here refers to the immunity granted ship-owners by the general marlime law of continental Europe, and in England by parliament, if they are shown to be personally free from blame. As long as the rule of respondent superior was enforced in this country American shipping was at a great disadvantage, and the ob-ject which congress had in view in enact-ing the limited Hability law was to build up the American merchant marine by re-

eving American ship-owners from bur-ensome liabilities from which European ompetitors were already free. After discussing sections 4283 and 4495.

Revised Statutes, which have given rise to conflicting opinions, Judge Haaford says: "The latest and therefore controlling ex-pressions of legislative will on the subject are the section above quoted from the act of 1884 and the act of 1885 extending its rovisions to every description of vessel nployed on lakes, rivers, and in inland navigation.

navigation. "The language of the act, if vague, in nevertheless comprehensive. Its title in-dicates a purpose to relieve ship-owners from burdens and the proviso to section it medicates a purpose the section of the section. 15 makes an exception of 'wages due to ons employed by said ship-owners."

"What other exceptions do the rules for instruing the statutes admit of? I think that the maxim, expressio unlus est exclusic alterius, may with great propriety se applied here. Congress certainly in-ended to relieve ship-owaers of some bur-len of liability by enacting the 18th section. Then what kind of liability, thereto fore imposed, was removed by this law? The inquiry forces me to conclude that congress intended to encourage invest-ments of capital in all kinds of vessels, clude that and to authorize persons to become own-ers of steam vessels, with freedom to en-trust to others the entire burden of care in the management thereof, and with a right to the same immunity from claims for damages in case of any disaster that the law extends to owners of sailing ves-

"In accordance with this opinion, a de cree will be entered that upon payment into court of the amount of the appraised value of the vessel and pending freight for the benefit of the several claimants, the libeliants be forever released from all liability for damages on account of said explosion and wreck." LIKE A LOCAL DECISION.

This decision of Judge Hanford is in ne with, or goes further than the de suit brought against the O. R. & N. on account of the loss of the barge Columbia at Astoria. Two persons were killed and several injured and \$18,000 worth of wheat, which formed the cargo of the barge, was lost. Judge Bellinger held that the con

pany was liable only in the value of the barge, which was trifling-about \$100. The case was appealed to the circuit court of appeals, and is now under consideration

AN ELECTRIC POWER PLANT Tacoma Expects to Have One of Im

mease Proportions.

It is announced at Tacoma that an im nense electric power plant is to be built this year in the Stuck valley, 10 miles east of Tacoma, and 20 miles south of Seattle. To carry out the project the White River Water Power Company, with a capital of $\frac{52}{2000}$, has been in-corporated under the laws of New Jersey. The equipment will be furnished by the Westinghouse Eelectric & Manufacturing Company, which bridled Niagara falls, and which has been instrumental in organiz-ing the new company. Water power is to be secured by tapping the White river below Buckley, from which the intake will be carried to Lake Tapps, near Sumner, which will be utilized as a storage reservoir. From the end of the lake the water is to be diverted to the edge of the bluff overhanging Stuck valley, giving a fall of 400 to 500 feet, to a power gencanable of developing 25,000 ho power without calling on surplus power tored in Lake Tapps, by the use of which 50,000 horse-power can be developed It is calculated that Seattle and Tacoma can each use 5000 electrical horse-power and other towns 2000, leaving 12,000 horse power to meet the natural growth of the two cities in the immediate future. This great plant is said to be intended to hasten the building of the projected electric railway between Tacoma and Seattle, and the manufacture of cars, iron and steel products on a large scale in the two chief Sound cities. The power project was de-celoped by E. H. McHenry, now chief mginser of the Northern Pacific railroad, who began the surveys and secured the water rights in 1892.

INSANITY PLEA HAS SO FAR NO. AVAILED THE ROBBER. The Rainford Divorce Case Excited Interest-Mr. Shephard Gets a Decree.

The grand jury yesterday returned an in dictment against Preacher J. C. Read. I charges that Read, in his attempt to re-

C. READ INDICTEI

the East Portland bank, was carrying off when so rudely interrupted, \$400 in \$20 gold **pieccs** The effect of the insanity plea, now that an indictment has been found, remains to be seen. The court has not yet given ou why the commission was appointed to ex-amine Read, or whether its opinions are to

be made use of at a trial, or to be used t quash the indictment and to send Read to the asylum, in the event that, in the judg-ment of the medical board, he is crazy.

BIG DAMAGES FOR LITTLE HURT

Electric Company Says Madison's Claim Is Preposterous.

trial of the \$20,000 damage suit of Fred B. Madison, against the Portlan General Electric Company, was concluded yesterday, as far as the testimony is con-cerned, and arguments are now being made to the jury. The closing arguments will be made this morning. Madison was working in a pit, and his collar-bone was broken by a beam falling on him. The defense of the Electric Company was that the accident was unavoidable, and also that the result was not serious. Mailson was but a few weeks in the hospital, and is now entirely well, and his claim is, there-fore, declared to be preposterous. Mad-son, on the other hand, alleges that he has not fully regained his strength, and charges negligence and loss of time. A

case today. BOTH WANT THE BOY.

The Rainford Divorce Case Excites Much Interest.

Judge Steams had a large audie terday to listen to the matrimonial woes of Fannie Rainford and Edward Rainford, who, after nine years of the supposed joys of wedlock, are seeking to be once me free from each other. Mrs. Rainford such Rainford for a divorce, and Rainford has also filed an action against his wife, charging that she is the one at fault, and that the decree of the court should be in his favor. The contest appears to be over child, a little boy, who has just donned h first pair of trousers, and who is claimed by both. The battle was waged with much igor by both participants. Mrs. Rainford in her complaint allege

that her husband drove her from thei home, falsely accused her of unchastity and also was jealous of her medical ad viser, Dr. Anderson. Yesterday, just be fore the trial of the case began, Mrs. Rain ford filed a supplemental complaint, accus-ing her husband of improper conduct at the Madison house last Saturday night, and said that there was a woman in the

During the trial, Rainford, backed by numerous witnesses, strenuously denied all of his wife's allegations, particularly the episode claimed to have occurred last Satphone claim of the set against his protests. He admitted on the witness stand that he was aware of her visits, which were of a professional nature, and she first went there with his assent, and always informed him of the days these visits occurred. She had called him bad names, and otherwise treated him cruelly. Judge Stearns took the case under advise-

Shephard Wins His Suit.

ment

In the divorce suit of George Shephard vs. Matilda Shephard and the cross suit of Mrs. Shephard against her husband, Judge Stearns yesterday decided in favor of Shep-hard. The court held that Shephard had fully established a case against Mrs. Shephard, while, on the other hand, she had not sustained any of her charges against her husband. This suit was hotly contested, about 40 witnesses being examined at the trial. George W. Hazen appeared in behalf of Shephard, and Mrs. Shephard had an array of legal talent consisting of Caples & Allen and Colonel Harrington. As part of the decree rendered yesterday, Judge Stearns made an order allowing Mrs. Shephard to visit her five children at reasonable times. As a side issue of this divorce suit, there is an indictment pending against Mrs. Shephard and Joseph C. Latourelle, charging adultery.

numerous check-forgeries, has been in-dicted by the grand jury on three counts. He is charged with forging the name of F. M. Fales to check drawn on the Bank of British Columbia, for 135, \$56 and \$57. HOW IT HAS GROWN STUDENTS AT FOREST GROVE ARE The United States Investment Company has filed suit in the state circuit cour against Robert Finley and E. L. Smit and wife, to recover \$1246, and to foreclose a mortgage on lots 1, 2, 15 and 16, block 17, Lincoln Park, Finley sold this property to E. L. Smith and wife, who assumed inbscriptions to the Pearson Fund

the mortgage. Arguments to confirm and to set asid the report of the referee were heard by Judge Shattuck yesterday, in the suit of the King Real Estate Company vs. Adam Fisher, involving the title to 28 acres of land on Government island, in the Colum-bia river. The referse reported in favor

of the King Real Estate Company. SITUATION VERY BAD.

Trouble is Expected Over the Raliroad Emigrant Business.

CHICAGO, Feb. 20 .- The meeting of the emigrant clearing-house, which was to have been held today to consider the atlitude of the Grand Trunk in paying ex-cessive commissions, was postponed until tomorrow, on account of the absence of Chairman Caldwell. Inquiry among the roads interested show the situation to be very bad. The Soo line claims that the ituation is even worse on East-bound usiness than in the West. It asserts that the roads running east from Chicago are paying commissions of \$4 25 on tickets to New York, contrary to their agreement of January 1 last, and, to meet this, the the town and were received by the faculty Soo line has been paying a commission \$5 on emigrant tickets from St. Paul ew York. The agreed commission of the

nes between St. Paul and Chicago, on New York emigrant business, is 75 cents a ticket. The Soo line is adding this 75 cents to the alleged \$4 25 commission made

by roads out of Chicago. It is thought that the Eastern lines can-not much longer keep from making re-duced coal rates to meet those from the South. There is a meeting of coal lines in Pittaburg this week, and it is believed some action will be taken, otherwise the

outhern rate war may be expected to oon extend to the East. Rate clerks will tomorrow begin getting out the sheets showing the tariffs from 3t. Paul to Pacific coast points. The

Omaha road has given notice that it will put in a first-class limited rate of \$0, and a second class limited rate of \$0, from St. Paul to California points, via Sloux City. These rates are made by addition of ar-bitraries on short-line rates from St. Paul to Spokane. They will, of course, be appliable through Omaha, and there is certain to be a protest from several mem-bers of the Western Trunk Lines commit-tee. The question of whether they can be made applicable through all Missouri gateways will also arise and have to be settled by Chairman Caldwell,

May Be Adjusted.

OMAHA, Feb. 20.-General Manager Nekinson was of the opinion this morning that the differences between the Union Pacific and the Rio Grande West-ern would be adjusted to the satisfaction of both lines, and that the Rio Grande Western would grant stop-overs on its line, while the Union Pacific would give side trips between Orden and Salt Lake ade trips between Ogden and Salt Lake. Mr. Dickinson admitted that there had been a misunderstanding on the part of Colonel Dodge, general manager of the Rio Grande Western. Mr. Dodge's gen-eral proposition was to prohibit both stop-overs and side trips. In the understand-ing which they had reached, the Union Parific was nervitted to use side trips

Pacific was permitted to use side trips between Ogden and Salt Lake. This, he said, was misunderstood on the part of Colonel Dodge. The general manager of the Union Pacific thought, however, that, while the Rio Grande Western would ome into the trunk-line association, it would be with the tacit understanding that the conditions would not be changed between the Union Pacific and the Rio

Grande Western Where Business Is Good.

Traffic on the Wyoming division of the Union Pacific seems to have taken a great spurt, according to the Larime Repubican, which savs:

"Orders were received at headquarters today which will make a change of bus-iness all around. The dispatchers' district between Chevenne and Rawlins has been divided at this point, and the three dispatchers recently laid off will esume work tonight. Instructions were also received to open Dana and Wyoming stations at once, and to put on a day operator at the Bow. Business at the trainmaster's office is fairly on the jump.

The New Hwaco Road.

the recent discoveries there have caused a big excitement all over the upper coun-try. Four hotels caunot accommodate the visitors. Many men are sleeping on chairs and on the floors. Conservative mining men predict there will be from 300 to 5000 people in there by next fall. As soon as spring opens D. C. Corbin, president of the Spokane Falls & North-ern, will build a branch into the camp. A few months ago a party of Spokane A few months ago a party of Spokane men bought the War Eagle. It was only a prospect. They spent \$600 in develop-ment work, and are now shipping ore that Now Amount to More Than Four Thousand Dollars. nets them from \$1000 to \$1200 a day. Al FOREST GROVE, Feb. 20.-Considerable of the other producers in the camp are owned by Spakane men. George Turner, the noted senatorial candidate, is one of the chief owners of LeRor, which is ship nterest has been manifested by the stu-lents here during the past few days in connection with their subscription to the Pearson fund. At the mass meeting Frithe chief owners of Lerko, which is ship-ping 40 tons of ore daily. The Cariboo mine, on Rock creek, also owned in Spo-kane, has come to the front as a rich gold producer. Ten thousand dollars in gold bricks were brought down from it yesterday. This property has paid the purchase price and the cost of develop-ment of nutline in a 10-aturno mill and day evening they subaribed \$232. Mon-day morning, after the regular chapel ex-ercises, the chairman of the students re-quested them to remain. The faculty was excused for the remainder of the day. The matter was taken up where it was left Friday. The greatest enthusiasm pro-vailed. The previous amount was sur-prising to many, but before the meeting ment of putting in a 10-stamp mill, an now pays its first dividend of \$5000.

ENTHUSIASTIC.

was adjourned a total of \$4062 was reached which further subscriptions have brought up to \$4312. It is expected the final sum will be not less than \$4500. The students voted that the entire amount be set aside An Extra Stock Train Slightly Dam An Extra Stock Train Slightly Dam-aged at Medford. MEDFORD, Or., Feb. 20. – An extra stock train of 21 cars passed through this city last night at 7:15, and, when about one mile north of town, ran into a push-car loaded with 60 old ties, which had been placed there by two of the section men. The pushcar was wrecked, and the headlight and other light gear of the lo-comotive broken. The train was backed up to the station, and, after two hours' in the endowment as a scholarship fund to be known as the students' scholar-ship fund, and also requested that the third Monday in February of each year he observed as a holiday, in commen ion of what is considered the most im sortant day in the history of the institu-ion. Monday evening nearly 200 students narched through the principal streets of up to the station, and, after two hours

at the ladies' hall. A TIDE-LAND CASE.

The Act in Washington Interpreted

by the Supreme Court. OLYMPIA, Feb. 20. - Opinions in the g cases have been filed in th

reme court: State of Washington ex rel., Angus Mc State of washington ex ret., Angus Mc-Kenzie and Timothy Glinn, petitioners, vs. W. T. Forrest, commissioner of public lands, respondent. This is an application for a writ of mandate to compet the com-missioner to issue a deed to certain lots Committee Chosen to Value Lots in BROWNSVILLE, Feb. 20 .- A public meeting of citizens interested in the tract in front of the city of Fairbayen, under of land that congress has given O. P. the act relating to the sale of tide lands The court holds that tide lands of the Coshow the right to enter, met at the ity hall Monday night. Mr. Coshow was lected chairman and G. A. Dyson sec-etary. Messrs. G. C. Cooley, Joseph first class should extend to the inner har por-line; that the establishment of har retary. bor-reserve lines at low tide is arbitrarily fixed as coincident with the inner harbor-line, and that all lands lying within such Hume and Captain James Blakely were chosen a committee of arbitration to value the different lots and parcels of inner harbor-line and high-tide line were land under dispute so as to arrive at a satisfactory settlement. The meeting was fairly designated as intervening tide lands. This contention will harmonize the act with the constitution, and will be con-sonant with the policy of the state as to harmonious and it is hoped this matter will soon be settled so that each one can secure a good title to his property. preserving and improving its harbors, and

will establish an orderly and uniform sys-tem of dealing with lands. The court is of the opinion that the writ should issue. E. B. Miller & Co., appellants, vs. H. E. Knatvold, respondent, from Pierce: re

George E. Birge, appellant, vs. F. H Browning, respondent, from Lewis; af

J. M. Arthur, appellant, vs. Tabor A Sherman, respondent, from Pierce; re-Mary M. Miller, respondent, vs. Kate M.

Borst, respondent, and J. W. Borst, ap-pellant, from King; affirmed.

S. M. Massey, of Spokane, formerly deputy United States marshal, and a prominent democratic politician, died this morning at St. Peter's hospital, after a

GREEN GRASS AND BUTTERCUPS. Signs of Spring in the Grand Ronde

Wickersham is involved to the amount of \$19,000, duplication of warrants having Valley. figured extensively in his transactions. LA GRANDE, Or., Feb. 20. - Plowing will begin in the Grand Ronde valley about March 1, the acreage in grain to be It is said there are as many as three warrants outstanding for a single bill. However, it has so far been impracticable about as much as last year. Green grass to get the exact facts. Two or three thousand dollars of the fraudulent war-rants are said to be held by the First National bank of Boise. and buttercups are appearing. Should the many weeks of mild winter weather be followed by a not unusual coil snap, it is feared the fruit trees would be injured.

Two carloads of orange boxes are being shipped daily to California from the mills of the Grand Ronde Lumber Company, which is filling a contract in the Sunset state for nearly 250,000 boxes.

Last night the La Grande Athletic Club lected officers for the ensuing year, as follows:

William Ericson, president, Thomas H. Cox, vice-president; Dr. E. D. Steincamp, secretary; Fred S. Stanley, treasurer.

secretary, red S. Staniey, treasurer. The president appointed, to serve one year, the following committees: House-W. Ericson, E. D. Steincamp, F. S. Stanley. Entertainment-J. H. Rob-bins, A. V. Andrews, T. H. Cox, Ath-letic-A. C. Miller, J. C. Gulling, Dr. R. L. Lincoln.

Killed by a Cable-Car. Charles Andrews, the 10-year-old son of As cash prizes will be given at the East rn Oregon and Washington firemen's W. R. Andrews, attorney, was crushed W. R. Andrews, attorney, was craned to death at 7:30 Tuesday evening by a dummy of the Front-street line at the crossing of Harrison and Poplar streets, tournament at Walla Walla in June, it is fouries the department will not enter a contesting team, because the speedlest firemen here, being members of the La Seattle. The accident was due to the lad's rashness. In trying to cross the track ahead of the car, he caught his toes in the soft mud of a mound and fell with his Grande Athletic Club, would lose their standing in amateur athletic associations

about two years ago.

bilities of \$20,000.

the rocks and was knocked senseless. The fireman has not yet been found, and is supposed to be under the engine in the Yakima river. A brakeman also jumped Yakima river. A brakeman also jumped and broke his leg at the ankle. Five freight cars and the locomotive were thrown into the river, and a number of other cars were badly damaged. Fitz-morris had been firing in the Tacoma yards, and this was his first run to El-lensburgh. He is said to have been a nephew of Master Mechanic Warner.

Sunday Closing at Astoria.

ASTORIA, Feb. 20,-At a meeting of the

astronia, reir as a training a petition, signed by 700 clizens, was presented ask-ing that the Sunday-closing law be en-forced with reference to saloons. The

document was quickly disposed of by the passage of a motion to refer it to the dis-trict attorney. It is not thought likely that the petition will result in the accomplish-

ment of the purpose for which it was in-tended, because of the unpopularity of a like movement by the state officers

Insolvency Petition of Milliners.

iam Haker acknowledges auguonal lia-

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ABSOLUTEL

The best

that money can buy.

Cleveland Baking Powder Co., New York, Br. C. N. Bougland, President.

and Sure

Pure

RAN INTO A PUSHCAR.

work repairing damages, proceeded north without any headlight. The two section men had taken the car without the knowl-

edge or consent of Foreman Kelley, and were gathering up the old ties for stove-

wood. Besides causing a delay and a good many dollars' expense to the railroad company, they lost their places in the

A BROWNSVILLE TRACT.

the Coshow Tract.

OTHER NORTHWEST NEWS.

An Idaho Defaulter.

According to the report of an expert, W. C. Wickersham, the late auditor and

ecorder of Elmore county, Idaho, is in-

lebted to the county in the sum of \$5325 14,

with warrants deposited with the county treasurer amounting to \$977 to go to his

redit. The bondsmen of Wickersham, having some time ago become suspicions of his acts, took measures to secure them-

selves, and it is generally believed they

will make his shortage good without any loss to themselves. Wickersham is a bright young man, who could and should have carved out a brilliant future for

himself, but his great mania for gamb-ling led to his downfall. It is intimated that the foregoing does not tell the entire

story, says the Boise Statesman. The

Statesman is reliably informed that Wickersham is involved to the amount of

Extent of the Ellensburg Wreek.

ELLENSBURG, Wash., Feb. 20 .- In the

ection gang.

FRIDAY AND SATURDAY, Feb. 22 and 23, GEORGE KENNAN, The Distinguished Russian and Suberian Trav-eler and Lecturer. FRIDAT-"Sketches of Fersonal Adventures Suberia railroad accident 10 miles north of here last night, Engineer Hendricks jumped, and told Fireman Fitzmorris to do like-wise. Hendricks struck on his head on SIGETIN. SATURDAY-"Russion Political Exiles" (ilistrated). Sale opens Wednesday at 9 A. M. Prices-ower floor, 50c and 75c; dress circle, 25c and b; gallery, 25c; boxes, \$5. GRAND GALA NIGHT-

In fact, this will be everybody's night.

CHILDSICKLY?

Strength Is Not Enough

for Proper Growth

THE YOUNG BODY FAILS TO GET

WELL NOURISHED.

Needs Richer Bone and Tissue-

Forming Food.

THE BODY CANNOT GROW WITHOUT

PURE, STURDY BLOOD.

Unequaled Value of Paine's Celery,

Compound.

From birth till past the age of 30 there

is growth; some of the bones do not com-pletely knit till 25.

All this time in addition there is the

steady waste of the tissues that must be

epaired. The demand upon the vitality

and upon the powers of assimilation is

out plenty of rich, nourishing blood,

when it courses through all the arteries in

full, vigorous stream, growth goes on

What countless numbers of frail young-

ters phaicians see whose pitiably thin wrists and bloodless faces cry out for

etter nourishment. All this does not es-

cape the vigilant insight of parents. In thousands of homes it is well known that the boys and girls are somehow badly.

The weak stomachy and occans of as-

similation cannot extract the food for growing nerves and brain in sufficient

mantities from the ordinary diet. A special nerve diet is what they need. Paine's celery compound is Professor Edward E. Phelps' great preparation for nourishing these little frames and making them grow

into strong, active men and women. Dr

ipe experience the exact needs of these

A chorus of gratitude has gone up all over the country, from mothers of chil-tren once weakly and pale, without prom-

se of ever growing into robust men and women, who have outgrown weakness and lack of vitality by the use of Paine's

elery compound, taken with the regu-

cribing this wonderful nerve and blood

It is valuable in all wasting diseases,

cleansing the blood of rheumatism, euralgia, scrofula, and supplying new nd healthy vital fluid-its value can

As the great modern nerve and brain

As the great modern nerve and drain strengthener and restorer Paine's celery compound is pronounced invaluable by all progressive physicians. Give this grand invigorator a fair trial, and be

AMUSEMENTS.

MARQUAM GRAND OPERA-HOUSE-

larity that physicians adhere to when

either be weighed nor measured.

nvestigations in medicine, knew

Phelps, upon whom colleges conferred their highest honors for his invaluable

from

thus enormous during these years. With-

growth must be defective and tardy. But

tendily and perfectly.

iourished.

ittle sufferers.

restorative.

EXPOSITION HALL,

FRIDAY NIGHT, FEB. 23 Professor O. E. Gleason, the King of Horse-umora, has accepted an offer of FIVE HUN-RED DOLLARS from W. M. Russell to han-le and to subdue a victoria and WILD ELK.

le and to subdue a vicious and WLD ELK ad two VERV VICIOIS HORSES, from Sa-m, Or. This great exhibition will take place Exposition Hall, Portland, on Friday night, ebruary 22, Elk and horses to be handled and iven in harmess successfully in

on the part of the libella. agents or employes; and if yea, whether the disaster was so caused without th knowledge or privity of the libeliants? The inquiry is thus divisible into two parts, because responsibility attaches where negligence on the part of any officer, agen or servant causes injury; but in every such case the limited liability law may be invoked by the owner, if he personally or if a corporation, the managing officers hereof-be free from culpability. (Crain 8. Continental Insurance Company, 141 U 8, 685.1

After giving the testimony full consist eration, Judge Hanford finds that the ex-plosion occurred because the boiler was defective, and that there was negligence occessive, and that there was negatively on the part of some one in the service of libellants in allowing the boller to be used without having had it inspected, but there was no evidence tending to prov-that any managing officer had persona knowledge of the age or condition of the baller, or of any negligence or violation of law in using the same without having it properly tested. Under these facts, the ourt holds that the owners are not exant but are entitled to the limitation ity fixed by the statute. Judge Han ford says:

"It is not pretended that any managing officer of the petitioning corporations did have actual personal knowledge of the defective condition of the boiler, or of the failure to inspect the same after the alterations were made. But it is insisted that knowledge must be imputed to them, or that they are guilty of negligence for failure to acquaint themselves with facts which could have been discovered if they had been vigilant. This position, if sustained by the courts, must result in fas-tening personal liability on ship-owners for the negligence of their agents or ser-vanis contrary to the terms of the law, or compet them to personally inspect their vessels and the machinery therein, and

see to keeping the same in repair, and at-tend to the official inspection, and to per-sonally comply with every exaction of the steamboat inspection laws, as a cond tion precedent to a right to a limitation of liability for damages caused by any mishap, which is equally congrary to the intent of congress. Many owners of vessels, and good managers of corporations engaged in transportation business, are obliged to employ persons skilled in the art of constructing machinety and equipments for vessels so as to secure the highest degree of safety in navigation, be-cause of their own lack of technical knowl-edge. And the limited liability law was intended to encourage capitalists and persons of that class to invest money in

'In behalf of the injured passengers and the representatives of those who were killed it is contended that, as to them by force of section 400, Revised Statutes, the owners must be held limble to the full ex-tent of the damages sustained, because of their failure to comply with the pro-visions of section 465. Revised Statutes, as to inspection of the boiler after put-ting in the new muld-ring. It is said that section 455 is a later enactment than section (367, and makes an exception in favor of the knjured passengers. There is, how-ever, another stutute later still to be con-aidered. I refer to the act of June 25, 1884. entitled 'An act to remove certain burdens of the American merchant marine and en-courage the American foreign carrying trade, and for other purposes. (I Supp., R. AMUSEMENTS.

In all the history of animal-taming here is no precedent for the feat which Professor Oscar R. Givason has under-aken to accomplish at the Exposition pullding next Friday evening. It will be the first attempt by any man to subju gate a full-grown bull clk, possessed of all the ferocity of his species. The mag-nificent beast has permitted nobody to

touch him since he was trapped in his native wilds a few weeks ago, and Pro

tessor Gleason's first introduction to hin will be in the presence of the people wh will throng the big Exposition building. N nhumane methods are to be employed in convincing the mountain monarch that he has met a master who must be obeyed. He will be forced to that conviction by gentle but firm treatment, and his transceased. formation from a haughty and ferociou yrant to a mesk and humble subject will intertain without revolting the lovers of mimals. Professor Gleuson will subdue the elk and two wild and vicious horses from Salem in 150 minutes, commencing his

task at 8:15 o'clock sharp. Lecture on Russia and Siberia.

Mr. Kennan's lecture on "Sketches of 'ersonal Experiences in Siberia," which will be heard at the Marquam Grand to norrow evening, is not a lecture of the commonplace kind, but is unique, and as absorbingly interesting as it is unique. To the readers who have followed the writer through his admirable magazine ar-ticles, his lecture is like the acting of a great tragedian, whose lines only have been read before. To those who have not read his work, his words are a revelation read his work, his works are a revenation, His lecture on "Russian Political Exites," which will be given or Saturday night, is largely a recital of the personal ex-periences of types of political offenders who have suffered under the system, The storeopticon views consist of traits of exiles whose acquaintance

Kennan made and with whose history he was familiar.

At the Orpheum

Mrs. Barker replies to Dr. Locke's at-acks upon Paine Friday evening.

BUSINESS ITEMS.

If Raby Is Cutting Teeth,

Re sure to use that old and well-tried remody, Mrs. Winslow's Southing Syrup, for children teching. It workes the child, softens the gumn, allays all pain, cures wind coils and Marchaek

Are free from all crude and irritating matter Are from the much that the state is a state of the state is a state of the state of

One More Unhappy Couple. Mrs. Aurora O. Lund has begun pro

ceedings in the state circuit court to have the matrimonial knot binding her to John Lund forever dissolved. They were married in Oregon City September 28, 1891. Previously Mrs. Lund was Mrs. James Forsythe. She asks permission to resume this name, and also for one-third of Lund's possessions, valued at \$5000. De-sertion is the ground alleged for asking the divorce. Mrs. Lund complains that for more than a year past Lund has ut-terly abandoned her, and failed to provide in any manner for her wants.

Thought He would Get Off Easy.

George Davis pleaded guilty in Judge Stephens' court yesterday to an indici ent charging him with stealing a watch rom Benjamin S. Smith, and was sen-enced to four years in the penitentiary. After he had been sentenced, Davis re marked that he did not think he would re-ceive such a severe sentence, or he would not have pleaded guilty. He took care not to make this remark in the hearing of the court.

Court Notes.

C. Van Andlau has been indicted by the grand jury for practicing medicine without authority of law. John Hegarty and Daniel Hegarty, sul jects of Great Britain, were admitted to citizenship yesterday by Judge Shattuck. C. A. J. Sporry, Peter Wagner and D. Kunkel have been appointed appraisers o the estate of Edmund Zimmerman, de Judgment by default for \$1200 was ren

iered yesterday by Judge Shattuck in favor of H. F. Gerspach vs. the Pioneer Vood Company. In the case of Joe Day vs. E. S. Larsen

an insolvent debtor, five days to file a mo-tion for a new trial was allowed by Judge Shattuck yesterday. An order of default for want of an

answer was ordered entered by Judge Stearns yesterday, in the divorce suit of Henry Marco vs. Nora Marco. D. L. Gee, the road time-check forger pleaded not guilty when arraigned yester

day before Judge Stephens. His trial was set for March 18. Gee is still in the county jail, being unable to procure bonds.

Articles of incorporation of the Tivoli Company were filed in the county clerk's office yesterday, by F. G. Wonder, C. L. Brown and W. L. Bentley: capital stock, \$2500. It is an amusement company.

Licenses to wed were issued yesterday by County Clerk Smith to J. W. Booy aged 25, S. M. Doover 24; Nicholas H. Alexander 25, Caroline M. Towne 23; Winfield A. Ginn 30, Katherine E. Huckstep 30, Heenan I. Darr, administrator of the tate of H. L. Darr, deceased, has been required by the county court to file a new bond in the sum of \$300,000. His present bond is for this sum, but objections have

been raised to it. By reason of the death of Levi White who was guardian of Leah White, a sis-ter in the insune asylum at Napa, Cal., an application has been made to the coun-

ty court for the appointment of J. N. Teal as guardian. Leah White owns property here.

There is very good reason for believing hat work will soon be commenced on th regon Railway & Navigation Company' railroad line from Ilwaco to Tioga The oad is to be standard gauge, and a half-ourly service will be given between IIwaco and the beach. There will be no de lay in transferring passengers from the steamer to the train. The fare on the railroad will be very low, and a low round-trip rate will be made from this city, with with

the tickets good for return at any time during the season. Time for a Formal Opening Set

CHICAGO, Feb. 20.-The formal opening order. of the Santa Fe, Prescott & Phoenix road is set for March II. The road runs from Ash Fork on the Atlantic & Pacific di-vision of the Atchison & Topeka to Phoenix, Ariz., the entire length of the line being 196 miles. The Atchison & Topeka route has established traffic relations with the new road, and will at one issue tariffs to Phoenix, via Ash Fork.

A Cable Road Ordered Sold.

OAKLAND, Cal., Feb. 20.-An order of court was issued today directing the sale of the Piedmont cable railroad in this city, under the foreclosure of a mortgage in favor of the san Francisco Tool Company for over a million dollars.

Railroad Notes.

W. H. Hurlburt, general passenger agent of the O. R. & N., left last evening for Ogden and Salt Lake. A Northern Pacific circular announces the opening of a new station at Ellens-burg Coal Company's spur, on the Cas-

cade division D. A. Christie, general Western agent of the Anchor line, with headquarters at Duluth, and C. W. Paine, general agent of the same line at Erie, were in the city vesterday.

The Northern Pacific, in connection with the Omaha and Northwestern lines, has ssued an amendment to the freight tar-if, naming additional stations on the Northwestern in Wisconsin and Illinois, to which the Chicago rate applies.

The promotion of S. R. Babcock to the osition of traffic manager of the Rio Grande, which was announced in the dispatches yesterday morning, is of particular interest to railroad men here, as Mr Babcock was some years ago con: with the Northern Pacific freight office in this city.

HOTEL ARRIVALS.

PORTLAND. H H Smith, S F B Coney, S F V Staadecker, St P E E Parmiee, N Y H Carr, jr, Mans, O Geo Jones, S F B Farmonville, S F J Angustine, St P G F Ashton, S F J R Norris, Chi J R Norris, Chi J W Troup, eity F C Howe, Bosti J J Acobs, S F C W Paine & wi, F E Bausman, Seattle H A Moore, S F D A Chrisby, Dui J H de Venve, Colo H D Eowker, Hol-Marx, N Y W W Meserol, N Y C S Hemmingway, T R Sheridan, Rosb Holyoke, Mass E W Ward, N Y J L Elliott, Omaha JE Byrnes, SEQueen W J Hopkins, S F H Lane, city E A Steifel, Sait L C B Hopkins, Tokio PORTLAND.

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Last night a special train with 100 ex-cursionists, Knights of Pythias and their friends, went to Union, joining with their head in the middle of the track. He was so close to the rapidly-moving car that it was on and over him before the gripbrethren there in appropriate exercises and a fine banquet to celebrate the 31st nan could use his powerful levers bring it to a standstill. This he did about

anniversary of the foundation of the 10 feet beyond the cros

AN INDIGNATION MEETING.

Protest Against the Action of the King County Commissioners.

SEATTLE, Feb. 20.-An indignation meeting, held this afternoon, was at-tended by 2000 citizens. It denounced the action of the board of county commis-

sioners for refusing to seat County Treas-urer-elect Maple. String resolutions were passed, without a dissenting vote, de-manding that Maple be given the office. Some of the speeches bordered on the incendiary, and the meeting at one time promised to be buisterous, if not riotous. Peace, however, prevailed. Excitement against the action of the commissioners

SAN FRANCISCO, Feb. 20.-William Haker and William Hinz, milliners, filed an insolvency petition today. Their lia-bilities are stated to be \$35,000, divided autors high. The board today ordered an abstract made of the property represent-ed by Maples bondsmen, and the emphatic ourse taken by the people may result in

Maple securing the office.

The mayor admitted that he had re ceived a telegram from Fire Chief Hunt, dated today at North Bend, B. C., stating that he had been called home suddenly and offering his resignation.

United lodge No. 93, Free & Accepted Masons, of Woolley, Wnsh., has sent a circular to Masonic lodges warning them that William C. Clayton, who is obtaining money from Masons on the ground that he is destitute, is a fraud. The grand lodge of Washington has sent out a sim-Har circular saying that some months ago United lodge was broken into and blanks extracted from the safe, and that Clayton is suspected. The circular says he is not and never was a member of that lodge, nor, so far as is known, of any other in this state. He is six feet tall, slim, stoops slightly, is of dark com-plexion, and has a black moustache and large eyes. He has been working the Masoas in nearly every Southern and Eastern state, and has obtained several hundred dollars by fraud.

IN FINANCIAL DIFFICULTIES.

A Receiver Named for the Hotel Spo kane.

SPOKANE, Wash., Feb. 20.-The Hotel Spokane was placed in the hands of a receiver today. Ben Norman being made receiver, and Sam Arthur part manager with the receiver. This step is taken as a preliminary to straightening out the financial difficulties of the house, which will continue to be run as a first-class

A party of leading Montana mining men went up to Trail Creek this morning. This camp is just over the line in British Columbia, and seven miles from the Columbia river. It is a gold-producer, and ariven in harness and norses to be handled and to MINUTES-150 MINUTES-150 MINUTES This will be the most exciting and grants This will be the most exciting and grandest implay of horsemanship and the most wonder-ul exhibition that has ever been given to the ublic by the

GLEASON, GLEASON, GLEASON,

Admission (2000) special seats), only The: re-rived seats (2000) the extra. Elk and horses the ring at S:15 P. M. Grand band concert um 7:30 to S.

TO WEAK MEN DR SANDENS

Men who have meriphic and the second almost equally between San Francisco banks and New York wholesalers, and their assets \$2,000 worth of stock. Willwith the physical being sinky and devoid of en-lumance. To such men electricity as applied by DR. SANDEN'S ELECTRIC BELT, is wonder-rol in the immediate effect in produces. The flow, continuous infusion of the current grad-ally sets all the weak functions in action, tores new power in them, and in a few days manhool besims to return and sexual forces de-relog, the memory becomes clearer and the in-ellect sharper. Manhood in all its elementa fol-ows the application of this wonderful belt.

DOES NOT THIS CONVINCE?

DEER PARK, Wash, Jan. 19, 1865. Dr. A. T. Sanden-Dear Str. 1 will now let you know what effect your belt had on my case of impotent when I started to wear the belt. I fett its grout effects the first week, and in three weeks my powers were almost perfect. I wore the belt arren vecks, and it has restored my second strength completely, and from that time in year and a half any it has remained perfect. I have been recommending your belt whenever I get a chance, and you will receive many orders from here. I remain yours respectfully. JOHN FLEUTSCH.

A pocket edition of the celebrated electro-medical work. Three Classes of Man," illus-instead work, "Three Classes of Man," illus-instead is sent free, scaled, by mail, upon appli-cation Every young, middle-aged or old man suffering the slightest weakness should read it. It will point out an easy sure and speedy way how to regain strength and bealth when every-thing else has failed. Address DE A T.

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