AT THE RAILROADS

Rate and Liability Bills Before the House.

WARM DEBATE IN COMMITTEE

Railroad Men Admitted to the Floor to Set Forth Their Side-Ford for the Opposition-No Conclusion Beached.

SALEM, Or., Feb. 11.-The railroad-rate estion and the "fellow-servant" agita-on were threshed out in the House this afternoon. Railroad attorneys appeared and presented their views with much eloand presented their views with much elo-quence and persuasive logic, and the other side was presented with equal ear-nestness by Representative Colvig and Hon. Tilmon Ford, of Salem, who came as "the representative of the people." The various railroad bills were a special order for this afternoon.

for this afternoon.

House bill 147, introduced by Harris, fix-Ing the liability of railroad companies for injuries to their employes, also came up for third reading, when Dresser of Clackamas moved, in view of the fact that this and other bills referring to railroad af-fairs were of great importance and demanded careful consideration, that all the bills be considered in committee of the whole House. This was agreed to, and Dresser was called to the chair.

in the committee of the whole Whitney moved that, in order that the members of the House receive all possible light on the bills, William D. Fenton and W. W. Cotton be invited within the bar of the House and explain the position of the railroads regarding the bills under consideration and take part in the discussion.

Colvig of Josephine bitterly opposed any such action. "This House," he said, "is competent to attend to its own business." He would not believe that a majority of the members would vote to allow these attorneys to make a special

these attorneys to make a special plea for the interests they represented. He hoped and trusted that the motion would not prevail. Stewart of Jackson was favorably impressed with the proposition, and desirous of gaining all possible information on the

Pearce of Marion expressed the opinion that the members were entitled to all the information that could be gathered.

Hedges of Clackamas said: "Mr. Speak-

Grace of Baker added: "I seconded the motion of Mr. Whitney. I did so in the hope that by having these men explain their side of the case we could gain more information. I am not in favor of doing an injustice to any one. We are in committee of the whole; as such we have the right to obtain all possible information needful."

Harris of Lane said: "I do not behald up as a frightful example? If you want to reduce the Southern Pacific rates do so, but you have no right to bring the actions of other roads into

When those bills were referred to the controversy. If you do, it will precommittee, that was the time for these people to take the opportunity of presenting their views—not here. It is not fair, it is not right, to invite these men within the bar of this House. If we do, then we must sak that other neonle in.

Tilman Ford, of Salem, spoke generally then we must ask that other people in-terested in other measures be granted the same privilege. I am opposed to this motion, as, should it carry, it would es-tablish a precedent that would be re-

McCraken of Multnomah said: "Are we afraid that we may get too much light on this subject, the most important in-terest of our state? Shall not those rep-resenting the railroad interests have a chance to represent their side of the case? I can see no objection to those gentlemen appearing before this commit-

Whitney of Linn, member of the Hous committee on railroads, stated that when | Monument Fund Bill and Orphans' he went into the committee-room he sunposed his mind was made up, but he had If the facts can be discussed, then we can act intelligently. It is right, proper and just to do right by the railroads, and it is also right, proper and just that we do right by the people of Oregon. "I want to cast my vote," he said, "so that I will have no explanations to make when I go home. I want the mutual benefit of the

railroads and the people, and I favor these men expressing themselves." Carter of Jackson could not see how any advantage could be gained by inviting the attorneys to address the mem-bers. "We," he said, "were elected by the people of Oregon, the time of the Legislature belongs to us, and we are resible for the manner in which we

Eddy of Tillamook asked Carter if he thought the majority report of the rail-road committee on the bills under consideration should be a guide to the mem-bers of the House, to which Carrier re-sponded that he did not. Eddy then called attention to the unfairness of such action of not accepting the report of a majority of a committee, yet refusing to allow the members of the House to know upon what testimony such majority report was reached. "We cannot get too much infor-

mation on the subject," said he, and so he would favor the motion.

Colvig made another onslaught on the salaried officials of railroad companies taking up the valuable time of the Legis-lature only to relterate what they had said before the railroad committee. "This said before the railroad committee. Bouse," he said, "is competent to at-tend to its own business. It is responsi-ble to the whole people of Oregon, When the committee of the whole has discussed these bills, the members will know all that is necessary for them to make up their minds. We are a sovereign, de-liberative body, our business is to make laws, not listen to the special pleadings

of interested persons."

Bome misunderstanding existed in regard to what the motion of Whitney really included. It was claimed by some that the motion was only to allow Messrs. Fenton and Cotton to address the members on the proposed reduction of 2 P. M. passenger rates to 3 cents a mile. Others see no held the motion gave them the right to discuss all the bills before the commit-'tee, which would include the liability

and master and servant bills. Butt moved as an amend ment that the remarks of the gentlemen named in the motion be confined to the 3-cent rate. This was lost by a vote of 24 to 35, when the main question was put and the motion of Whitney was carried by a vote of 29 suming Habilities exceeding \$500 except af-

Harris moved that, inasmuch as the members had seen fit to invite these men within the bar of the House, that Tilmon Ford be also invited to address the mem-

bers as a representative of the people of Oregon. This was carried. The Arguments Presented.

Attorney Fenton explained at length the financial situation of the Southern Pacific, showing that the Oregon lines had to the road, and only about 100 miles of the road was operated through a popul-

proposed bill, which excluded from its ed.

operation all roads operated wholly with-in the State of Oregon. He said he did not think the law was worth the paper it was written upon. An eloquent appeal was also made for the Legislature not to

was also made for the Legislature not to act in such manner as to advertise that Oregon is an undesirable place for the investment of capital.

"If this measure passes," said Mr. Fenton, "we must tike off the trains like the Albany local, now operating at a loss; or we must increase the freight charges; or we must let the hondholders take the road. We do not want to accept either alternative." alternative."

Representative Colvig, who was former-y chairman of the State Board of Railroad Commissioners, then attacked the Southern Pacific because it (or its prede-cessor) had made the same plea in 1855, when the Legislature reduced fares from 6 cents to 4 cents. It was made in 1896 when the Commission proposed to reduce the rate on wheat. Yet the company was doing business. Mr. Colvig made a strong point of the fact that every other road running into Portland had voluntarily re-

duced the rate to 3 cents.

Colvig wanted to know if the state could not require the railway company to keep its freight rates at the maximum in effect on January 1, 1901?

Mr. Fenton answered that such a course would be a great injustice to the Astoria road and to the O. R. & N. while it would

not hurt the Southern Pacific.
W. W. Cotton, counsel of the O. R. &
N., followed and criticised a statement
by Mr. Colvig that the Southern Pacific

land grant was 250,000,000 acres. "That," said Mr. Cotton, "Is more land than there is in the State of Oregon."
"I meant 250,000 acres." interrupted Mr. Colvig.

"Then you are as far off as ever," responded Mr. Cotton. "There are about 2,000,000 acres in the grant." Then he attacked the State Railroad Commission for forcing the O. R. & N. Co. into hank-ruptcy in 1894.
"What particular act of the Commission

forced the O. R. & N. into bankruptcy? asked Colvig. "Lowering our freight rates," said Mr.

"The Railroad Commission never low-

ered your freight rates," said Mr. Colvig.
"No: but you forced a compromise that
meant bankruptcy to us. Has any gen-tleman here ever been held up? Well, that's the way it was with us. Master and Servant Bill.

Regarding House bill 147, fixing the Ha-bility of masters to servants, Mr. Cotton found good reason against it, as it provided that a company should be made liable for the injury of an employe although he re-ceived such injury directly from the hands of another employe. As to bill 80, the fellow servant act, he said it was much fairer than No. 147. Some reasons could be urged in its support. "I would suggest there be some reasonable limit of recovery made in the bill," said Mr. Cotton. "If you want to provide an insur-ance company, it is no more than right that there be a limit made to the risk. These are the only bills in which the Hedges of Clackimas said; "Mr. Speak-er: We are here as a sovereign body. We are not here to listen to evidence and then enact laws. We are not here to be buildozed or meraced."

"Mr. Speak-company I represent are interested, and now I want to give you a plain, every-then enact laws. We are not here to be buildozed or meraced." day to represent in this Legislature in a Grace of Baker added: "I seconded the united and beloved Multnomah delega-

lieve any one here is acting unfairly, to bring the actions of other roads into

Tilman Ford, of Salem, spoke generally in favor of all the bills that both Mr. Cotton and Fenton opposed, which includ-ed all under consideration. His argument. was that if other roads could afford to carry passengers on a 3-cent per mile hasis he didn't see why the people of the Williamette Valley couldn't enjoy the same privilege. The region why others enjoyed the lesser rate was because of

At the close of Ford's address, the committee arose, reported progress, and the House adjourned.

IN THE SENATE.

Billis Pass.

Senate bills.

etc., was passed unanimously. Senate bill 136, by Smith of Baker, to license engineers and firemen of station-ary engines, was defeated, Josephi and ary engines, was defeated, Josephi and "4. If it is an imitation of or smith of Baker being the only persons under the name of another article.

The Senate concurred in the House res-

directing the State Board of Education to publish 12,000 copies of a revised edition of the school laws, as amended, was adopted. Senate bill 84, by Hunt and Mays, to erect a monument to the honor of the Second Oregon Volunteers, was passed. Senate bill 116, by Daly, to authorize sale of state lands, secured on foreclosure,

The Senate then adjourned.

IN THE HOUSE. Multnomah Delegation Reported

House was proceeded with,

, Several Bills.

SALEM, Or., Peb. 11.—This morning's session of the House convened at 11:30. McQueene and Hemenway were excused on account of sickness.

Speaker Reeder asked if there was a minister present, and the Sergeant-at-Arms stating that no gentleman of the cloth had shown up, the business of the

The committee on elections reported Senate bill 1, providing for election of United (Sates Senators, with amendments, House bill 200, fixing salary of the Deputy Clerk of Malbeur County, was re-re-

Harris of Lane moved that House bill 147, fixing the liability of railroad corporations for injuries to employes, introduced by him, be made a special order for 2 P. M. Whitney objected, saying he could see no reason why a bill should be rail-roaded in to take a place just before the time set for consideration of others of similar nature. The motion to make the bill a special order was lost. The Multnomah delegation reported the

following bills: 54, by Holcomb, amending Bancroft bond

ter public bidding, with amendments.

189. by Driscoll, abolishing separate
Board of Commissioners in Multnomah
County, and providing for appointment of
two County Commissioners to act with County Judge. The bill names William Showers to serve as Commissioner until July, 1904, and J. G. Mack until the next general election. William Steele, present chairman of the Board of Commissioners,

is eliminated from the board.

At the opening of the afternoon session the substitute for House bill 110, reported by the special committee on game, foralways been operated without a profit, and even at a loss. He contended that under the decision of the United States Supreme Court a railroad has a right so to fix its rates as to earn a fair profit upon the value of its property including its stocks and bonds. South of Lane County there was a population of only 50,000 tributary to the road and only about 100 miles of the opening of the attention session the substitute for House bill 110, reported by the special committee on game, forestry and game fish, was read the first twice could take its place in the calendar of the original bill and not suffer through the read and only about 100 miles of delay. The bill was ordered printed.

House resolution 22, introduced by Holcomb, asking the Secretary of State to reon attacked the validity of the turn to the House the House joint resolu-tion No. 4, of the 20th session, was adopt-

IN BEHALF OF DAIRYMEN

SENATE PASSED THE LOONEY PRO-TECTIVE MEASURE.

Defines Adulterated Articles and Provides for Full-Weight Rolls of Butter-Text in Brief.

SALEM. Or., Feb 11.-There are few SALEM, Or., Feb. 11.—There are few bills that get through the Senate without opposition. Senate bill 83, by Looney, is one of the few. This is the bill framed for the protection of the dairy industries of the state, and for the protection of those who buy or consume dairy products. Senator Looney is one of the best-known dairymen of Marion County, and consequently had in mind in the feature of his

The bill provides for the election of a dairy and food commissioner by the people, the salary of the office to be 1500, with an allowance of 1200 per year for expenses and 1500 per year for a deputy. The commissioner is required to visit each creamery and cheese factory in the state at least once in each year, to give practical and theoretical instruction in dairy matters, to keep an office in Portiand and matters to keep an office in Portiand and to prosecute violations of the law.

cent shall be known as cent shall be known as 'quarterskimmed' cheese; cheese that contains
less than 7½ per cent butter fat shall be
known as 'skimmed' cheese; provided,
nothing in chis section shall be construed
to apply to 'Edam,' 'Brickstein,' 'Pineapple,' 'Limberger,' 'Swiss,' or handmade cheese, not made by the ordinary
Chedder process.''

One-pound rolls of butter are required
to contain 15 ounces of butter, and twopound rolls 25 ounces. Cheese makers
must brand their boxes with a stencil
furnished by the commissioner. A charge
of \$1 shall be made for atencils.

Unwholesome foods and drinks that may
be selzed shall, be destroyed, while ar-

be seized shall, be destroyed, while ar-ticles that are merely adulterated shall be properly branded and returned to the owner. Persons engaged in selling cream or milk in cities of over 19,000 inhabitants must procure from the commissioner metal plates showing the number and lo-cation of the dairy or creamery and place

said plate in a conspicuous place on each quently had in mind in the framing of his bill the greatest needs of those who are engaged in this growing industry. The bill provides for the election of a

OREGON PIONEER OF 1847 DEAD.



MRS, LEE LAUGHLIN,

FOREST GROVE, Or., Feb. 11.-Mrs. Lee Laughlin, aged 64 years, died at her home at North Yamhill today. With her parents, she crossed the plains with an ox team from Ohio to Yamhill County in 1847. Her father, Benjamin Stewart, located on a donation land claim in North Yambili Valley in October of that year. Mr. Stewart, owing to the ill health of his family while en route here, came near stopping for the Winter in the mountains near Pendleton, at Dr. Whitman's mission, but fortunately did not, as he and his family would in all probability have fallen victims to the terrible massacre by the Indians, which occurred soon afterward. With the exception of a few months' residence at the Idaho mines and a Winter spent at McMinnville, deceased had resided for 54 years where she died. She leaves a husband. Hon: Lee Laughlin, president of the McMinnville National Bank, and two adopted children, Miss Grace and George Laughlin. The funeral service will be preached Wednesday by Mrs. Nettle Olds Haight. Interment will be in North Yamhill cemetery.

ed; that in dining-rooms in which

SALEM, Or., Feb. ii.—The Senate was called to order at 11:20 A. M., and took up the order of business—third reading of the arms been mixed with it so as to reduce or

lower or injuriously affect its quality or Senate bill 63, by Looney, to provide for strength.

the election of a Dairy and Food Com
2. If any inferior or cheaper substance. the election of a Dairy and Food Com-missioner, prescribe his duties, salary, or substances have been substituted,

wholly or in part for it.

"3. If any valuable constituent has been wholly or in part abstracted from it.

"4. If it is an imitation of or is sold.

who voted aye.

Senate bill 139, by Brownell, to provide for relief of orphans' homes in certain cases, was passed.

The Sanate control of the control of th The Senate concurred in the House res-olution for the purchase of a sword for Captain Clark.

Senate concurred in the House res-salt and anetto or butter color in which anetto is the principal ingredient, shall not be considered an adulteration when

used in dairy products,
"6. Butier that contains more than 14
per cent water. 7. Milk that contains more than 88 per cent water.

Milk that contains less than 3 per butter fat. "9. Milk that contains less than 9 per cent solids, other than butter fat, and less

than 1.438 specific gravity after cream has been removed. "10. Jellies, jams and fruit sauces put up for sale, that contain any other ingredient than pure fruit substance and

Apple eider vinegar that contains an acidity of less than 4 per cent of abso-inte acetic acid, and 1½ per cent cider vinegar solids, or that is made of any-thing else than absolute apple cider. "12. Pickles and fruit sauces shall con-

tain no other sweetening matter than pure sugar."
The following is the provision regard-

ing eleomargarine:
"Section 4. No person by himself or

his agent or employe shall render, manufacture, sell or offer for sale, expose for sale, take orders for future delivery, or have in his possession with intent to sell as butter any article, product or com-pound, made wholly or partly out of any fat, oil, oleaginous substance or com-pound thereof, not directly or wholly produced from pure, unadulterated mill cream of the same, which has been or is colored to imitate yellow butter produced from pure unadulterated milk or cream of the same; provided, that nothing in this act shall be so construed as to pro-hibit the manufacture and sale of oleo-margarine in a separate and distinct form and in such manner as will advise the consumer of its real character, free fr coloring matter and ingredients causing it to look like butter." Section 5 requires that manufacturers of

butter under separator process shall pro-cure a stencil from the commissioner and brand their boxes "Oregon creamery but-ter, full weight," and wrap butter rolls in paper bearing the same imprint.

in paper bearing the same imprint.

Section 6 reads as follows:

"Every person or persons, firm, association or corporation who shall, at any creamery, cheese factory or private dairy, manufacture cheese in the State of Ore gon, shall, at the place of manufacture, brand distinctly and durably on the band-age of every cheese and box containing the same the true grade of said chees as follows, to-wit: 'Oregon full-cream cheese'; 'Oregon half-skimmed cheese'; 'Oregon quarter-skimmed cheese', or 'Oregon skimmed cheese,' as the case may be. Full-cream cheese shall contain not less than 30 per cent butter fat; cheese that contains 16 per cent butter fat, and under 30 per cent, shall be known at 'half-skimmed' cheese; cheese that contains 7½ per cent butter fat and under 15 per

adulterated foods drinks, medicines and such cows are kept shall be well ventifertilizers thall be pishify marked as lated and kept in a good healthful condi-such; that all bills of fare shall state the facts regarding adulterated food therein eased cows or other animals belonging to mentioned; that in dining-rooms in which bills of fare are not used notices must be posted stating what adultérated foods are used; that reworked or remoided butter as the cuse may be, and that no diseased, unclean, impure, or unwholesome food, drink or medicine shall be soid or offered for sale. The most important section of the bill is section 3, which defines what shall constitute an adulterated food, drink or medicue. It reads as follows:

"Sec. 3. An artice of food or drink or medicine shall be deemed to be adulter—in the said Dairy and Food Commissioner shall notify the State Veterinarian, and if any dairy above stated is found to be in a filthy or untentification in the ball thui condition, the Dairy and Food Commissioner shall notify the State Veterinarian, and if any dairy above stated is found to be in a filthy or untentification within outling the proprietor that said dairy must be put in a healthful condition within three days, and in the event of the failure of said proprietor to put said dairy in a healthful condition within three days from the receipt of said notice, he or they shall be deemed guilty of a misdemeanor, and shall be punished as herinafter provided for violation of this act." or about any dairy the said Dairy and Food Commissioner shall notify the State

lation of this act."

The remainder of the bill relates principally to vinegars, jelies, etc. Violation of the provisions of the act is made punishable by a fine of \$25 to \$100, or hy feep prisonment for 30 days.

LIFE INSURANCE BILL.

Proposed to Make Policies Incon-

testable After One Year. SALEM, Or., Feb. 11 .- One of the important bills to come before the House temorrow or Wednesday is Pearce's bill aking life insurance policies incontestable after the expiration of one year, ex cept for money due thereon, and that no policy issued to a female shall be contested by the company, by reason of any erroneous answer of such female touch-ing her pregnancy made in her applica-tion for insurance, unless such answer shall have been made within three me prior to the birth of a mature child contention in favor of the bill is that if there be any good cause for contesting a policy the company can discover the cause within a year as easily as within a month after the death of the insured There is a strong lobby representing in-surance companies and fraternal societies opposed to the measure.

PORT OF PORTLAND BILL.

Multnomah Delegation Considered It -Good Prospects for Passage.

SALEM, Or., Feb. 11.-The Multnomah delegation had a meeting tonight to consider Senator Smith's Port of Portland bill. The House delegation was busy most of the evening at the House session, but later joined the Senators. There seems to be no doubt but that the delegation will take favorable action, and prospects will that ravorable action, and prospects for passage of the measure are good. There may be a minority report, however. No further action was taken on the char-ter today.

NORTHWEST DEAD.

Brad Clayton, Well-Known Washington Farmer and Stockdenler. CHEHALIS, Wash., Feb. 11.-Brad Clayton, a well-known farmer and stockdealer of Eastern Lewis County, died yesterday, after a short illness.

Funeral of Mrs. M. J. Bowen. OREGON CITY, Feb. 11.—Mrs. M. J. Bowen, who died at Currenville, Sunday morning, after a lingering illness, was buried this afternoon. Mrs. Bowen was 65 years old, and had been a resident of this section since 1885. She left a husband and one child.

Will Tour Europe, Asia and Africa ALBANY, Or., Feb. II.-Rev. H. L. Reed, of the Presbyterian Church of this left this morning on a six months tour of Europe, Asia and Africa. In the East, Mr. Reed will join a party of 25, who will cross the Atlantic in a few weeks. Pales-tine will be visited. During the absence of Rev. Mr. Reed, the pulpit of his church will be filled by a native Armenian, a graduate of the Auburn (N. Y.) Theolog-ical Seminary, a young man who is pre-paring a history of the Armenians, about whom so much has been heard during the past few years.

Don't Be Annoyed With Headnehe. You can get rid of it by using Wright's Paragon Headache and Neuralgia Cure.

M'KENZIE GETS ONE YEAR

NOME RECEIVER SENTENCED TO JAIL IN SAN FRANCISCO.

Court Severely Arraigned Judge Noyes for the Part He Took in the Case.

SAN FRANCISCO, Feb. II.—The United States Circuit Court of Appeals today found Alexander McKennies the Cape Nome receiver, guilty of contempt of court in two cases, and sentenced him to serve one year in the County jail.

In the opinion read by Judge Ross, the court holds that the filing of the citation

in the District Court at Nome was suffi-cient to give the Court of Appeals juris-diction, but in proper cases may be considered in mitigation of the offense. At this point in the decision the court re-fers to the acts of Judge Noyes, and the manner in which affairs were conducted at Nome. It says: "The circumstances attending the ap-

The circumstances attending the ap-pointment of a receiver in the cases, how-ever, and his conduct after as well as before the appointment, as shown by the record and evidence, so far from impress-ing us with the sincerity of the pretension that his refusal to obey the writs issued out of this court was based upon the adout of this court was based upon the ad-vice of his counsel that they were void, satisfy us that it was intentional and de-liberate, and in furtherance of the highinberate, and in furtherance of the high-handed and grossiy lilegal proceedings Ini-tiated almost as soon as Judge Noyes and McKenzie had set foot on Alaskan terri-tory at Nome, and which may be safely and fortunately said to have no parallel in the jurisprudence of this country. And it speaks well for the good, sober sense of the people gathered on that remote and harren, shore, that they depended solely barren shore that they depended solely upon the courts for the correction of the wrongs thus perpetrated among and against them, which always may be depended upon to right, sooner or later, wrongs properly brought before them. And it is well in these days of the rapid extension of our National domain, for all persons, whether residing in remote re-

or overthrow its authority."

Judge Ross closed by ordering that McKenzie be confined in the San Francisco County Jail for six months on each charge, one term to succeed the other. McKenzle was in sourt, and appeared very much apprised at the sentence imposed. The decision was rendered by Judge Ross, Gilbert and Morrow in the cases of John E. Tornanses vs. L. F. Melsing, et al, and William A. Kjellman vs. Henry Rodgers. These are two of the cases in which McKenzie declined to obey the writ of supersedens issued by Judge Morrow, directing him, as receiver, to turn over money and gold dust in the possession of the owners. Much testimony has been heard in the Nome cases, and they have been pending before the United States courts for months. There was considerable evidence introduced in an effort to prove that a conspiracy existed between officials at Nome, to secure control of the claims.

Mr. McKenzie claimed that he was not guilty of contempt because all the papers and orders issued by Judge Morrow had not been filed in the District Court at Nome at the time he was accused of dis-

obeying the writs, Spring Travel to Alaska Started. TACOMA, Wash., Feb. II.—The travel to copper River and the Klondike is now well started. Not less than two dozen salling vessels will start for Nome and Bering Sea in April and May. The saw-mills on the Yukon have resumed opera-tions, and every town between Bennett and Dawson is building boats ad steam-

o ald them in securing a lighthouse and other means of protection for the inside route between the Sound and Skagway. The petition sets forth that 15,000 passen-gers, 200,000 tons of freight and \$20,000,000 In treasure are annually transported over

VAUGHN PLEADED NOT GUILTY. Jefferson Youth Charged With Strik-

ing a Girl With an Ax. SALEM, Or., Feb. 11.-Department No. of the Circuit Court, convened today

for the February term.

yde Vaughn, the youth who is charged with striking Lulu Jones, of Jefferson, over the head with an ax last Fall, pleaded not guilty, and will be tried February 15.

Murray Wade, charged with an assault being armed with a descent being armed with a dangerous weapon, committed upon Will Evane, also pleaded not gulity, and will be tried February 19. No Hope for His Recovery.

J. C. Young, the unknown man, who drove over an embankment in this city Saturday night, is still in an unconscious condition, and there is no hope of his re-Target for Charge of Buckshot.

John Graham, a young resident of North Salem, was yesterday afternoon made a target for a charge of buckshot fired by Charles Nelson, while hunting near Zena. Graham and a friend had treed a wildcat, and Graham went up in the tree to scare the animal down. While there Nelson the animal down. While there Nelson came along, and in a confused effort to kill the cat, fired about 30 buckshot into Graham's legs. Graham fell to the ground, a distance of about 30 feet. His injuries are not fatal.

NEW FRANCHISE GRANTED. Clackamas Commissioners Permit

Trolley Line on Public Highway. OREGON CITY, Feb. IL-The Board of County Commissioners this morning granted a new franchise to the Oregon City & Southern Railway Company to construct and operate a railroad from this city south through the village of Canemah, a distance of about one mile. This is the second franchise that has been granted to this company for this purpose. The first franchise was granted on January 10; on January 28 the court, on the petition of the Southern Pacific Railway Company, G. W. Ganong et al., made an order rescinding the franchise. Last Saturday the company made application for a new franchise, agreeing to make certain concessions and accepting certain conditions not specified in the first franchise. On these terms the court this morning granted a new franchise.

The following are some of the principle conditions on which the franchise was granted: A track is to be laid along the retaining wall of the river basin, instead of in the middle of the road, and to be at no place more than 18 inches from the outer edge of the wall, except at such places as will leave 16 feet or more clear wagon road; the entire road bed, includ-ing the part occupied by the rails, to be planked with four-inch lumber; the company to construct and maintain all neces-sary culverts and bridges, and to con-struct and maintan a good, strong handrail on the side of the road next to the than an operation could possibly be,

river; the company to make all necessary repairs in the retaining wall, and all of this without cost to the county; cars

this without cost to the county; cars are never to be run at a speed exceeding five miles an hour.

The franchise specifies that the road shall be completed by April 5, unless the construction shall be delayed by legal proceedings, and the company is to employ a competent person who shall be accepted. competent person, who shall be ap pointed by the court, to oversee the con-struction of the road, and pay such per-son not less than \$3 per day during such time as the road is in process of con-struction, \$50 of which must be in the hands of the County Treasurer when this

franchise is accepted. franchise is accepted.

President G. C. Fields, of the Oregon City & Southern Company, promptly signed the conditions and accepted the franchise. But as there is a strong apposition to the building of this road in certain quarters, it is very probable that the company's troubles are not yet over company's troubles are not yet over. At its last regular session the City Council made an order to the effect that the Portland City & Oregon Ballway Company must keep all freight cars, ex-cept one express car, off the streets with-n the city limits, as specified in the charter. The Chief of Police was instructed to arrest any person or persons found moving or operating any freight cars within the city limits after noon today. There were no arrests, as no cars were brought within the city limits today.

IN THE HOUSE.

Bill Creating New Northeastern Judicial District Passed.

OLYMPIA, Wash., Feb. 11.-In the House today the bill creating a new judicial dis-trict in Northeastern Washington was passed. The bill provides for the division of two existing districts into three, as First-Lincoln, Adams and Franklis

counties, to be presided over by Judge Second-Okanogan, Ferry and Douglas

to be presided over by a new Judge to be appointed by the Governor to serve un-til the next election. Third-Chelan, Kittitas and Yakima, to be presided over by Judge Rudkin.
The bill was not passed without an acrimonious debate, in which Barron of Okanogan declared that Ferry County persons, whether residing in remote regions or nearer home, to remember that courts which respect themselves and have due regard for the administration of justice and the maintenance of law and order will never tolerate any disobedience of their lawful order, writs or judgments, wherever committed within their jurisdiction.

"It is inherent in the nature of judicial authority," said the Supreme Court of Florida, in the case of the State vs. Johnson that every court may protect and maintain its jurisdiction under the law, and that it shall protect itself against all attempts to resist or thwart or overthrow its authority."

o Oregon. Both houses adjourned this afternoon intil Wednesday, tomorrow being Lin-oln's birthday, a legal holiday in the

PRESTON WILL NOT GIVE UP. Proposes to Ask for Reconsideration of His Railway Commission Bill. OLYMPIA, Wash., Feb. 11.—In the Sen-ate today, Preston gave notice that at the proper time he would move to reconsider

the vote by which his railway commission bill was defeated. A letter was read from Secretary Long, of the Navy, acknowledging receipt of the memorial asking that the battleship to be suilt at Seattle be named in honor

state. Governor Rogers submitted the appointment of Dr. James R. Yokum, of Tacoma, as a member of the State Board of Health to succeed J. B. Lee, term expired. The appointment was confirmed,

Prison Inspectors Conclude Work. WALLA WALLA, Wash., Feb. 11.—The committee which has, for the past three days, been inspecting the penitentlary with a view to recommending to the Leg-islature what action is best as regards the appropriation, concluded its business this afternoon and returned to Olympia tonight. The members were reticent re-garding their finding. The committee was: Senator Hammer, of Skuglt, chairman; Senator Cornwell, of Walla Walla; Rep-resentatives Copeland, of Walla Walla;

Burch, of King, and Jerard, of Columbia Northwest Postmasters. WASHINGTON, Feb, 11 .- The following

ostmasters were appointed today: Oregon—J. N. Bramhall, Aims, vice C. E. Bramhill, resigned. A. B. Cartraw, Derby, vice W. H. Derby, Washington-J. A. Fancher, Manila; Christopher Carrothers, Otis; Ida McCor-

mick, Tulalip. To Notify Martinelli.

NEW YORK, Feb. 11 .- A special to the World from Washington says: It is believed in ecclesiastical circles that when the apostolic delegate, Mon-seigneur Martinelli, is elevated to the carfinalate, the official messenger to apprise him of the fact will be Count Glovanni Pecci, the nephew of the Pope. The con-sistory at which the nomination is to be made probably will be held in March.

estates in Cuba. During the revolution IN SOME CASES

The Count is the owner of immens

A Single Package of the Pyramid

Pile Cure is Sufficient to Cure. This may seem a broad statement when it is remembered that few diseases are so obstinate to really cure as piles, some physicians going so far as to say that a painful surgical operation is the only permanent cure, but the many and re-markable cures made by the Pyramid Plie Cure in the past few years have proven that surgical operations are no onger necessary, and that it is by far the safest and most reliable remedy yet dis-covered for this common and often dangerous trouble.

The harmless acids and healing oils contained in the Pyramid Pile Cure cause the blood vessels to contract to a natural condition and the litle tumors are absorbed and the cure is made without pain convenience or detention from business Dr. Williams, a prominent orificial sur-geon says: "It is the duty of every sur-geon to avoid an operation if possible to cure in any other way, and after many trials with the Pyramid Pile Cure 1 unaltatingly recommended it in preferen

o an operation,"
Mr. Phil Owens, of So. Omaha writes that after suffering two years from an aggravated case of itching and protruding piles he was cured by a single 50 cent package of the Pyramid Pile Cure purchased from a local druggist, he says. "I fully expected the trouble would return but I am happy to say for the past year and a half have been entirely free from the disease and I can not speak too warmly in favor of the Pyramid Pile Cure.

A bill clerk in one of the large whole-sale houses of St. Louis says: "My occu-pation as billing clerk was so confining and sedentary that it finally brought on an aggravated attack of rectal tro which my physician diagnosed as ite and protruding piles, and recommended a salve which he prepared and which gave me some relief for a few hours after using and then the trouble would come back as bad as ever; one of the other clerks advised me to try the Pyramid Pile Cure and I now feel like thanking him eviday for recommending it, as a single cent package cured me and I have had no trace of piles since, something over six

months.

Hundreds of pile sufferers, who had almost decided to undergo the pain and danger of an operation have been astonished to find that the Pyramid Pile Cure which can be purchased at any drug store was far safer, better and mora effective

Feeds the Hair

Have you ever thought why your hair is falling out? It is because you are starving your hair. If this starvation continues, your hair will continue to fall.

There is one good hair food. It is Ayer's Hair Vigor. It goes right to the roots of the hair and gives them just the food they need. The hair stops falling, becomes healthy, and grows thick and long.

Ayer's Hair Vigor does another thing, also: it always restores color to faded or gray

One dollar a bottle.

Is your druggist cannot supply you, send us \$1.00 and we will express a bottle to you, all charges prepaid. He sure and give us your nearest express office.

J. C. AYER Co., Lowell, Mass.

Send for our handsome book on The Hair.

much of his property was desiroyed. It is said to be part of the wans of Hia Holiness not only to honor Monseigneus Martinelli by the selection of his nephew as the official messenger, but also to give the Count an opportunity to look after his financial matters. It is presumed that Count Pecci will take this opportunity of filing claims for damages amount-ing to several hundred thousand dollars

Bernhardt at San Francisco SAN FRANCISCO, Feb. II.—Sarah Bernhardt and Coquelin opened their two weeks' season at the Grand opera-house tonight in "L'Aiglom." The big playhouse was crowded to the doors with a fash-ionable audience, that gave the players a warm welcome. The sale of seast for the season here has been enormous, and it is season here has been enormous, and it is expected that the attendance will break the record for San Francisco.

Poisoned by Corned Beef, CENTRALIA, III., Feb. 11.—H. W. Schmidt, superintendent of the Illinois Central Rullway, died at Sparta today, His son, Harry, died Saturday night, and Mrs. Schmidt is not expected to live. It Is supposed the family were poisoned by ating corned beef.

Daily Treasury Statement. WASHINGTON, Feb. 11.-Today's state. ment of the Treasury balances in the gen-eral fund, exclusive of the \$150,000,000 gold in the division of redemption, shows: Available cash balance...





DR. SANDEN'S BELT For Weak Men

Who are broken in health Whose backs are weak. Whose vitality is wasted. Whose nerves are shattered. Who are old while young. Who are rheumatic.

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