### AND FOREST LAND

TWO TEST CASES DECIDED BY SECRETARY HITCHCOCK.

Concern Land in the Kern River District, California-Presidential Appointments.

WASHINGTON, April 25.—Secretary of the Interior Hitchcock decided in favor of the Kern Oil Company and the Gray Eagle Oil Company in the two cases in-stituted against them separately by C. W. Clark, in the Kern River oil district, California. Clark is the forest lien land selector, in each case, and the two com-panies named are in the mineral claimunts in oil land litigation which has attracted great attention in California, The decisions are on test cases, there being similar cases pending in the Gen eral Land Office. The decisions were pared by Assistant Attorney-General Van-deventer and his assistant attorneys. The two companies named asserted their right under the placer mining law, and Clark claimed title under the forest lien reserve selections under the act of June 4, 1897. The decision lays down these

That where a person making a s tion under the act of June 4, 1837, has compiled with all the terms and conditions necessary to entitle him to a patent to the sciected land, he acquires a vested interest therein, and is to be regarded as

Therest therein, and is to be regarded as the equitable owner thereof.

"That the right to a patent under the act, once vested, is for most purposes the equivalent of a patent issued, and when, in fact, issued, the patent releases back to the time when the right to it became fixed, and takes effect as of that

"That questions respecting the class and character of the selected lands are to be determined by the conditions ex-isting at the time when all requirements necessary to obtain title have been completed by the selector, and no change in such conditions subsequently occurring can effect his rights."

Each decision holds that the forest reserve lien land selector never has per-fected his selection, and that the lands now being admitted to be of great mineral value, he cannot be permitted to perfect the selections, because to do so would be to permit the selection of mineral lands The selections, accordingly, are rejected.

#### PRESIDENTIAL APPOINTMENTS. Long List of Military and Civil Nom-

inntions. WASHINGTON, April 25.-The President today made the following appointments: George Paddock, of New York, to Secretary of Legation at Seoul, Corea, Courtiand K. Bolles, of Pennsylvania, to

be Consul at Kiel, Germany. Charles M. Dickinson, to be agent at Sofia, Bulgaria, A. J. McCochran, of Kentucky, to be United States District Judge for the Eastern District of Kentucky.

H. H. Tinsley, of Kentucky, to be Attor-ney of the United States for the Eastern District of Kentucky. S. C. Sharp, of Kentucky, to be Marshal for the Eastern District of Kentucky.

To be Colonel of Infantry-J. Milton

To be Lieutenant-Colonel of Infantry-

Albert E. Meyer. To be Captains of Infantry-Robert H. Allen, William F. Creary, Oscar J. Charles, Howard R. French, Louis H. Bash, Edward T. Hartman, Walter S. McBroom, Thomas A. Pearce Dwight W. Reithol, Benjamin T. Simons, Girard Sturievant, Anton Springer, Lawrence R. Simmons, Frederick B. Shaw, Frank B.

William D. Doores, Joseph B. Douglas, John G. Goodfellow, William F. Haze, Henry J. Hatch, James F. Howell, Peter C. Haines, Jr. Harrison Hall, Edward Wright Smith, William F. Stewart, Jr., Alfred E. Starbird, Elmer J. Wallace.
To be Second Lieutenants of Cavairy—
John T. Donnell, William C. Gardenshire, James M. Jewell, Paul B. McLane, Charles

Mayo, Rawson Warren.
To be Captains in the Signal Corps-Daniel J. Carr, Eugene O. Fechel, Otto A. Nesmith.

To be First Lieutenants in the Signal Corps—William Mitchell, Mack Cunning-

ham, Henry W Stamford, To be Quartermaster with rank of Ma-jor-James B. Aleshire. To be Surgeon of Volunteers, with rank

of Captain-Percy L. Jones, Samuel T. Unarles C. How, to be Second Licutenant in the Twenty-sixth Regiment of In-

ntry, U. S. V. Homer B. Grant, to be First Lieutenant in the Twenty-sixth Regiment, U. Charles Scudamore, to be Second Lieu-tenant in the Forty-second Regiment of

Infantry, U. S. V.
Robert H. Somers, of South Dakota, to
be agent for the Indians of the Lower
Brule agency in South Dakota.

### A FRENCH OBSERVER.

Jules Siegfried Pays a Visit to the White House.

WASHINGTON, April 25.-The French Ambassador called at the White House at II o'clock this morning and introduced M. Jules Siegfried, ex-Minister of Siegfried, ex-Minister of Industry and the Colonies in the Ribet Cabinet, and also an official of long service in the French Senate and the Chamber of Deputies. During his last visit to America, in 1881, he was received by President Lincoln, and accompanied General McClellan in a review of the Army of the Potomac. In the call at the White House today the President spoke in most friendly terms of the relations between this country and France.

M. Siegfried was seen later in the day and talked in an interesting manner on the purposes of his visit to this country.

"I came to look over the remarkable growth of America in all commercial and industrial lines and to study economic questions which are being developed. Naturally, I am much interested in the extension of commercial relations between the two countries. There seems to be no on why our mutual trade should no be very largely increased, with advantage to both countries. It is quite certain that if the United States takes the initiative in making concessions, France will reciprocate in the fullest measure."

M. Siegfried was asked as to the recent reports that some of the European powers might unite in a commercial al-liance directed against the United States. "That might come about," he said, "and it is an additional reason why it is desirable to have the two republics enter into closer commercial association."

M. Stegfried said France has a subsidy system which assisted to a considerable extent in meeting the commercial supreacy of Great Britain on the sea, and he entertains the view that like encour-ngement in the United States would bring about similar results in the developm of the American merchant shipping. He will remain in Washington until tomor-row, when he will start on an extended trip through the West, visiting Pittsburg, cago, Milwaukee, St. Paul and many other points, returning by way of Canada to Boston and commercial centers in New

### GEOLOGICAL SURVEY.

Plan of Operations for the Next Fisesl Year.

WASHINGTON, April 25.—The plan of operations for the Geological Survey for the next fiscal year was announced toof survey work. An important feature will be an investigation, in co-operation with the Coast and Geodetic Survey, of marked parts of the northwest boundar between the United States and Canada The line will be re-run and temporarily marked by iron posts in certain localities. It is planned to make a reconnaissance of the whole line from the summit of the Rocky Mountains westward, Geologist Bailey Willis, with a party, will make a reconnaissance of a strip from 10 to 15 miles wide along the south side of the boundary line in Idaho and Montana, to determine its geological features and the condition of the boundary monuments. Other geologists will make surveys from the Colorado line westward to the Pacific Coast. Dr. Wolcott will make special in-vestigations in the Rockies in Montana. Investigations are planned for the clays and clay-working industries of the coun try, and also of the cement industry.

Internal Revenue Collections

WASHINGTON, April 25,-The monthly statement of the collections of internal revenue show that the total receipts for March, 1901, were \$24,050,745, a decrease as compared with March, 1900, of \$295,933 The receipts from the several sources of

 
 Spirits
 \$3,729,466
 \$121,837

 Tobacco
 4,691,230
 \*57,729

 Fermented liquors
 5,80,841
 179,988

 Oleomargarine
 182,794
 \*35,287
 Oleomargarine ..... Special taxes not elsewhere \*Decrease.

For the last nine months, the receipts were \$328,525 less than for the corresponding period last year. The Trouble at West Point.

WEST POINT, April 25 .- So far as can be learned there are no new developments regarding the investigation into the recent breach of discipline among the corps of cadets. The inquiry is being nducted behind closed doors, and the esdets even are not permitted to discuss the matter among themselves. Cadet Robert R. Ralston, who it is said was reduced to the ranks as a punishment or not reporting an infraction of the rules in the mess hall, and on which acint the cadets have manifested so much ispleasure, is uncommunicative. said Cadet Raiston was appointed from Pennsylvania, and is in the present sec-ond class, in which he stands near the

Kenrus Will Entertain McKinley SALT LAKE, Utah, April 25,-President McKinley will be the guest of United States Senator Kearns during his visit here June 2 and 3. In accordance with the President's wishes, no formal pro-gramme for his entertainment will be arranged for Sunday, June 2. Monday morning the President, Mrs. McKinley and the members of the Cabinet will be driven to points of interest in and about the city, thus giving a greater number of people opportuity to see the President than would have been possible at a pub-

Griscom Will Return to Turkey. WASHINGTON, April 25 .- Lloyd Griscom, United States secretary of legation at Constantinople, has decided to return to Constantinople at the expiration of his leave.

# EMPLOYER'S RESPONSIBILITY

Decision of a Federal Court of Appeals in a Railroad Case.

ST. LOUIS, April 25 .- "Because an em. ploye remains in the employ of the com-pany, when he well knew that a risk is assumed by so doing, does not relieve the employer of responsibility if accidents oc-This is the gist of an opinion hand. ed down by the United States Court of Appeals in the case of the Southern Pacific Company, plaintiff in error, against Katle Yeargin, as administratrix of the estate of T. J. Yeargin, deceased. The sult was originally filed in the Federal Court of Utah by Katle Yeargin, who sought to recover damages for the death of her husband, who was an engineer on C. Halles, Jr. Harrison Hall, board Mc-Kimmel, Robert H C. Keiton, David Mc-Coach, James B. Mitchell, Hudson Patten, Fred W. Phieterer John R. Proctor, Jr., Judgment in the lower court was given for Mrs. Yeargin, and from this the company appealed on a writ of error. One of the instructions which the defendant asked the Judge to give the jury was that Shriver, engineer of the "helper," was a fellow-servant, and if it was proved that his fault caused the injury, the plaintiff ld not recover. The lower court re-

> Judge Amos Thayer, who wrote the inion of the appellate court, held that the lower court was correct in this and said that if the "helper" engine had had a headlight which could have been seen two miles and a half instead of one that could be seen only 250 yards, Yeargin might have seen it in time to have stopped his train and avoided the accident. The trial court refused to instruct the jury that if Yeargin knew that it was the practice of the defendant company to use only an ordinary lantern on the rear of this "helper" engine, when running back-ward, he, with this knowledge, assumed the risk incident to it. Judge Thayer said that if such was upheld it would enable employers to avoid the performance of the duty they owe to their employes to exercise reasonable care in providing them with tools, machinery and appliances ordinarily safe and adapted to the uses to which they are to be applied. The opinion stated that, as the record disclosed no error, the decision of the lower court would be affirmed. Judge Sanborn, dissenting, held that the railroad company was not guilty of negligence, but that the accident was caused by the act of a fellow-servant, and that, accordingly, the case should have been reversed.

"Where there is a comparatively safe and a more dangerous way known to a servant, by means of which he may discharge his duty, it is negligence for him to select the more dangerous method, and he thereby assumes the risk of the in-jury which its use entails." So held the United States Court of Appeals in the pinion handed down in the case of John Morris as plaintiff in error against the Duluth, South Shore & Atlantic Railroad Company, appealed from the United States Circuit Court for the district of Minnesota, Morris sued for damages for the loss of a leg while coupling cars, charging the company with negligence. The decision of the lower court for the defendant was sustained.

Claims of Sutro's Contract Wife. SAN FRANCISCO, April 25.-The Ex-

'Mrs. Clara Kluge-Sutro has secured from the representatives of the Adolph Sutro estate a recognition of the claims urged by her and her children, Adolph Sutro, Jr., aged 9, and Adolphine Sutro, aged 7 years. The settlement, which is on the basis of \$150,000, has been agreed on. The woman claims to have been the ontract wife of the late millionaire. is intimated that she may secure the fa-mous Cliff House as her share of the estate. Before his death Sutro executed a deed conveying to these children real estate in this city which was then estimated to be worth \$50,000,"

To Realize on Assets.

BUTTE, Mont., April 25.-Mrs. Lulu Largey, administratrix of the esctate of the late P. A. Largey, made application yesterday for partition and sale of the Speculator mine. The Largey estate owns one-half of it, and the suit is supposed to be for the purpose of realizing on the as-

An Old ex-Slave Dying.

HELENA, Mont., April 25 .- Carrie Henderson, 166 years old, who came to Montana with the first rush for gold, is dying in the County Hospital. She worked as a slave with Fred Douglass in the South day. Numerous parties are to be sent to all sections of the country to engage in geological, topographichi and other lines a fortune. AMATEUR GOLF CHAMPION WALTER J. TRAVIS MAINTAINS HIS

His Record on the Lakewood Links American League Scores-The Day's Baces.

TITLE.

NEW YORK, April 25.—Walter J. Travis, of the Garden City Golf Club, sustained his title of amateur champion of the United States Golf Association on the Lakewood links today. A few weeks ago, in playing off a tie with Archibald Graham, the New Jersey champion, Travis established an amateur record for the Lakewood links by negotiating the whole course in 79 strokes. Since that time the course has been made a little different by the erection of six bunkers, but, not withstanding this, Travis succeeded in making the afternoon round today in 80. In the morning round Travis turned in a card showing 85 strokes, making a total of 185 for the 36 holes. The next best score was made by Findlay S. Douglass, ex-amateur champion, who did the morning round in 87 and the afternoon round in

#### THE AMERICAN LEAGUE.

Detroit Beat Milwankee in the Opening Game in Michigan.

DETROIT, Mich., April 25 .- With the most magnificent batting rally ever seen in Detroit, the local American League team this afternoon snatched the opening game of the season from Milwaukee in the ninth. The score:

R H E R H E R H E 17 Milwaukee ....13 16 17 Batterles-Miller, Frisk and Buelow; Hawley, Dowling, Hunting and Leahy Umpires-Sheridan and Manassau,

Chicago Beat Cleveland.

CHICAGO, April 25.-The Chicago club won today's game by superior batting and base-running. Both pitchers were due largely to the cool weather. Attend-Cleveland .... 3 5 2 Chicago .....

Batteries-Moore and Yenger; Skopec and Sullivan. Umpire-Connolly. American Lengue Games Postponed PHILADELPHIA, April 25.-Philadelphia-Washington game postponed; wet

BALTIMORE. April 25.-Baltimore-Boson game postponed; wet grounds.

National League Games Postponed. CINCINNATI, April 25 .- Cincinnati-Chicago game postponed; wet grounds.

NEW YORK, April 25. - New York-Brooklyn game postponed; wet grounds. PHILADELPHIA, April 25.—Philadel-phia-Boston game postponed; wet grounds.

#### THE DAY'S RACES.

Winners at Tanforan. SAN FRANCISCO, April 25,-Outsiders again took the money at Tanforan today, only two favorites winning. The Pride, a 2 to 5 favorite in the fifth race, was beaten by Dr. Cave, a 15 to 1 shot, and Prejudice. Butler was knocked off Sunello at the post in the fourth event and sus-tained a broken rib. Hoar was then substituted. Louwelsea, at 10 to 1, beat Di-vina a nose in the 2-year-old event. Russell grew overconfident on Montellade in last race, and Foul Play beat him a

tilda O. second, George Dewey third; time, Six and a half furlongs, selling-Mission on, The Singer second, McAlbert third; Four and a half furlongs, selling-Lou-

Six furlongs, selling-Illiouwan won, Ma-

velsea won, Divina second, Achilles third; won, Go To Bed second, Sunello third; time, 2:10,

1:14. Play won, Montellade second, Wallen-stein third; time, 1:214.

Races at Sandowne Park. LONDON, April 25 .- At the first day's racing of the Sandowne Park second Spring meeting today, the Sandowne Park Stud Produce stakes was won by the Irene colt, ridden by L. Reiff. The 10th year of the Tudor plate of £1000 for 3year-olds at one mile was won by George Faber's Pietermaritzburg. Desaymar, owned by Sir K. Blundell Maple, was second, and Richard Croker's Viper, with Lester Reiff in the saddle, came in third. Fourteen horses ran. The Juvenile selling plate of £103 at five furlongs was won by the Delightful colt, ridden by L. Reiff. Mr. McCreery's Ripa colt, with Danny Maher up, was second, and London Assurance third. Twelve horses started.

CHICAGO, April 25 .- Results at Lake-One mile and 100 yards-Moroni won, Frangible second, Dagmar third; time,

1:50 4-5. Five furlongs-Zaza won, Barney Saal second, Emma C. L. third; time, 1:02 1-5. Five furlongs-Irish Jewel won, Emma R. second, Rival Dare third; time, 1:01 4-5. One mile and 50 yards—Charlle Moore won, Valdez second, Hal Brown third; 1:45 3-5. Five furlongs-Yana won, Blue Ridge

second, Rud Hyncka third; time, 1:03 2-5. One mile, selling — Boomerack won, Aaron second, Plead third; time, 1:43 2-5.

Races at Newport. CINCINNATI. April 25.-Six races were run at Newport today over a track averaging a foot deep in water, and in some places deeper. It was accomplished with-out serious accident to horse or rider. Results: Five furlongs, selling-Fairy Dell v

Flying Bird second, Chemisette third: time, 1:07. Five and a half furlongs-Maggle W. won, Fairy Day second, Masterful third: time, 1:14%. Handicap, one mile and a sixteenth-

Castine won, Donazetta second, Peter Duryea third; time, 1:56%.

One mile—Sara Gamp won, Eous second, Prince of Song third; time, 1:52. Half mile-Montana Ploneer won, Folsecond, Mamie English third; time, Six furlongs, selling-Mazetta won lius Werner second, Guerdon third; time,

### Races at Aqueduct.

1:21%.

NEW YORK, April 25.-Results at Five and a half furlongs-Gold Lack on, The Chamberlain second, Speedmas third; time, 1:10. Five furlongs, selling-Red Damsel won, Rosenfeld second, Equalize third; time,

1:07 2-5. Mile and 70 yards—Sidney Lucas won, Royal Sterling second, Magic Light third; time, 1:49 4-5. The Ozone stakes, 41/2 furlongs-Carroll D, won, Elsie L, second, Juneville third; time, 0:56.

Seven furlongs, selling-Millstream won, Wait Not second, Punctual third; time, Five furlongs-Locket won, Ta Mah Na Wis second, Essen third; time, 1:04 2.5.

Custodian second, The Thrush third; time,

second, Tambourine II third; time, 0:49% Selling, mile and a sixteenth-Anna Lauretta won, A Winner second, Iglis third;

Belle Meade stakes, half-mile-Balance All won, Burlington second, Winter Belle third; time, 6:49. Six and a half furlongs, selling-Hans

borough won, Swordsman second, Weld-man third; time, 1:22.

Selling, six furlöngs-Tamor won, Vir-gie D'Or second, Nannie Notan third; time, 1:14.

International Track Contest. NEW HAVEN, Conn., April 25 .- The official correspondence relative to the inter-national track contest to be held at Berkeley Oval, New York, September 23, be-tween teams representing Oxford and Cambridge Universities on one side and Yale and Harvard on the other is published here today. It shows an agreement on the question of eligibility to mem-bership on the teams, and assures a contest of nine events, at follows: 100-yard dash, quarter-mile, half-mile, one two miles, high jump, broad jump, hammer-throwing, 220-yard hurdles.

SAN FRANCISCO, April 25,-The National Sporting Club announces that it has matched Jeffries and Ruhlin for a fight in this city in July or August.

The Jeffries-Ruhlin Match.

NEW YORK, April 25.-The World says Tom O'Rourke last night said that he was preparing to offer a purse larger than the one of \$8000 hung up by the San Francisco Athletic Club for the Jeffries-Ruhlin fight, and that he would guarantee to pull the fight off in the vicinity of Greater New York."

The London Prizefight Case. LONDON, April 25,-Jack Roberts, who was pitted against "Billy" Smith in the fight before the National Sporting Club Monday, that resulted in Smith's death, and Bethuson, manager of the club, to-gether with the referee, timekceper and four seconds, were arraigned in the Bow-Street Police Court today on the charge of manslaughter. The Magistrate remanded the accused on their own recognizance in £100 each.

Gaudaur Accepts Town's Challenge. WINNIPEG, Man., April 25.-Gaudaur has accepted Town's challenge to row for the championship of the world. The race must take place at Rat Portage. Gaudaur will not allow anything for expenses.

Skeets Martin's License Withheld. LONDON, April 26.—The racing calendar that the license of J. H. (Skeets) Martin will be withheld until June owing to his having recently been re-ported by the Khedival Sporting Club at Cairo for four riding.

#### NEW METHOD OF SETTLEMENT

By Which Neither Unions Nor Corporations Are Recognized.

CHICAGO, April 25 .- A new departure the method of settling labor difficulties was made today, when a committee of machinists, acting for the International Association of Machinists, called on Will-lam Renshaw, superintendent of machin-ery of the Illinois Central Railway Company, and presented grievances. The com-mittee went as a body of employes, thus evading a discussion as to the status of the committee of the association, and met Mr. Renshaw as an official, and not as the company itself. When the machin-ists had made their presentation, Mr. Renshaw asked for further time, and it was arranged that another conference should be held tomorrow. The committee said it would be willing to make modifications to reach an agreement, and Mr. Renshaw intimated that he could see no reason why an and cable understanding should not be had.

The proposed agreement fixes the term of apprenticeship at four years, and prescribes regulations for the employment of apprentices. It is provided that the minimum pay for machinists shall be 30 cents One mile and a quarter, selling-Scotch an hour; that nine hours shall constitute a day's work, 45 cents for overtime, and 60 cents if the overtime reaches six hours | night, and if a breakdown in the machin-Six furlongs, selling-Dr. Cave won, a day, all holidays to be paid for at double Prejudice second, The Pride third; time, rates if the men are at work. Machinists sent away on the road shall be paid time Six and a half furiongs, selling—Foul and a half or double time, in like proportion, as well as all their traveling expenses. Free transportation is demanded for the men, and it is further stipulated that "applicants for employment shall not be asked to fill applications other than to establish ability as machinists." agreement provides for arbitration.

### THE DEATH ROLL.

Mrs. Allen Sells Greenspan.

TOPEKA, Kan., April 25,-Mrs. Allen Sells Greenspan, widow of the late Allen Sells, the showman, died here early this morning. Some years ago Mrs. Sells married Simon Greenspan, a local capitalist, who died last Fall. An adopted son, William Sells, is the only heir to her large estate. Mrs. Sells Greenspan was one of the wealthlest women in Kansas,

Aunt of Mrs. McKinley.

CANTON, O., April 25.-Mrs. Maria G. Saxton, aunt of Mrs. McKinley, died here today, Mrs. Saxton was with Mrs. Mc Kinley at the White House for several weeks after the first inauguration. She was the widow of the late Thomas Saxton who established the Canton Evening Repository.

### General A. O. Miller.

LEBANON, Ind., April 25.—General A. O. Miller, aged 74, one of Indiana's noted heroes of the Civil War, died here today after only a few days' illness. He was in command of Company C. Tenth Regiment, at the battle of Rich Mountain, in July, 1861, and his company captured the first rebel flag.

Ex-Congressman Marvin. SARATOGA, N. Y., April 25.-James Madison Marvin, who was a Representative in the 38th, 39th and 49th Congresses, died today, aged 92.

Must Remain on the Bond. HELENA, Mont., April 25.-The Supreme Court this afternoon denied the petition of United States Senator W. A. Clark and C. W. Clark to be allowed to withdraw from the bond of the Montana Ore Purchasing Company, of which F. A. Heinze is principal owner, in the suit of the latter against the Amalgamated Copper Company. The court dismissed the petition "for the reason that the facts stated in said petition are not sufficient to warrant the relief demanded or any relief or to invoke any action in the

premises." The bonds amounted to \$1,000 ..

Counterfelt Tools in His Possession. SAN FRANCISCO, April 25.—United States Secret Service Agent Hazen has arrested George Taylor McDonnell in this city on the charge of having in his possession applicances for making counterfeit money. It is charged that McDonnell had promoted a scheme to flood China and the Hawaiian Islands with counterfelt dollars, made from Mexican coins. The secret service officials claim that Mc-Donnell is the McDonnell who was impliested with the Bidwells in robbing the Bank of England of \$5,000,000 by means of forged checks in 1873.

Died to Save His Family. SANTA BARBARA, Cal., April 25.—J. B. Hudson, secretary of the Lewis & Clark Company, of Marysville, Mont., committed suicide today by shooting himself. In his pocket was found a letter Half mile-Monte Himyar won, Ardita poverty. He had \$2100 in his valise,

OHIO RIVER AT CINCINNATI BE-COMES STATIONARY.

Resulted in More Distress There Than Was Expected-Losses in Other River Towns.

CINCINNATI, April 25.—The high-water mark of the flood passed down this part of the Ohio Valley earlier tonight than was expected. The river became almost stationary from 6 to 10 o'clock at a fraction above 59.1 feet, and afterward at 59.2 feet, when it became stationary here and at upper points. Great relief is reported tonight from Huntington, Cattletts-burg and Ironton, where the flood was so bad last night. Early in the evening the temporary rise in that district caused by the Kanawha and Big Sandy, swelled the water at Portsmouth, but it was soon over and will lose its force before it reaches Cincinnati. The river at 8 o'clock was stationary at Portsmouth at 58.5 feet, and will remain stationary from that city to Cincinnati till tomorrow af-ternoon, when it will begin falling. It is reported stationary tonight at Ripley Higginsport and Dover, Ky., all of which points have suffered extremely during the past few days.

The flood has resulted in far more distress here than expected and tonight Mayor Fleischman appointed relief com-mittees and secured funds to aid the distressed. Similar action was taken in Newport and Dayton, Ky., today, where the conditions are still worse in inundated districts. The Newport track is submerged from one to three feet, and greatto the sight of the horses running in water. The National League Baseball Park, where a game was played vesterday by the Chicago and Cincinnati teams, is completely flooded tonight.

All the railroads were in trouble today

in handling freight, and some abandoned that part of their business. None of them has abandoned any passenger trains but the Cincinnati, Georgetown & Portsuth Railroad was compelled to employ ferry-boats and rowboats to take its pas sengers out as far as the eastern suburb of Columbia, east of Cincinnati, Three churches in Cincinnati are surrounded by water and as many school buildings, but these three schools were dismissed. A careful estimate today placed the number of men thrown out of employment in innati by the flood at 2000 and about half as many in Covington and Newport Ky. At Ironton, it was renorted that 1500 men had been thrown out of em-ployment. Similar conditions exist at Cattlettsburg, Portsmouth and Hunting-ton. An estimate has been made at Huntington that over 3000 families are homeless in the southern part of West Virginia, and 6000 men idle, and that the loss by flood in that part of the state will exceed \$1,000,000. At Kipley New Richmond, up the river from Cin-cinnati, and other towns in those districts the conditions are reported tonight to be very serious, as the smaller places are all under water and have not the

means of relief of large cities. The river at Evansville at 7 o'clock to-night was 35 feet and rising an inch an hour. It is estimated that farmers between there and Paducah will lose 500.000 bushels of corn. The water has begun to get into the cellars of the business houses. Thousands of logs are coming out of Green River, 10 miles north of

Evansville. Frankfort, Ky., reports big damage up the Kentucky River. The Government lockgates at Highbridge, in Jessamine County, have been washed away, causing suspension of river traffic.

The Mahoning River Flood YOUNGSTOWN, O., April 25.-The Maords for high water, being 12 inches above the greatest flood ever known, in the val-ley, and is still rising an inch an hour, Through the city the river is a mile wide. and has swept everything loose within reach. The pumps at the waterworks have been working under water since last occurs the city will be at th of the elements. During the night the firemen were active with boats rescuing citizens from the submerged dwellings. The Pennsylvania freight depot is entirely surrounded by water, and traffic is blocked until the floods recede. During the night a washout occurred on the railway between here and Sharon,

The Flood at Louisville.

LOUISVILLE, Ky., April 25.—The river is rising tonight at the rate of nearly an inch per hour, and at 6 P. M. was 30.5 feet in the canal, which is 2.6 feet above the danger line. The water has come up to the foot of some of the streets, and in Fourth street it is in the first floors of several buildings. Steamers pass under the bridges by lowering their smokestacks.

Shenango River Receding. SHARON, Pa., April 25.-The Shenango river reached its highest stage at mid-night, and is now receding. All danger from the flood has passed,

## GREED OF OFFICE-HOLDERS.

They Refuse to Submit to the Will of the People.

BUTTE Mont., April 23 .- (To the Editor.)-Wanted: A man who will place the public will above personal ambition and greed. There have lately been a number of instances in Oregon (and they have appeared elsewhere) of office-holders who having been legislated out of office, have sought, or are seeking, by legal process, to enforce their possession of the office for the full term to which they were elected. The Legislature is the law-making power of the land, and as such it has the right to unmake laws, and presumably, it would seem, also the power to unmake the of-fice-holder. But whether or not the Leg. felature has, in every instance, the power to legislate a man out of office before the expiration of his term, is a question to which I shall not address myself in this communication, since the point of my appeal for a truer citizenship is based upon higher motives than those which find their mainspring in a decree of court. It is the self-imposed virtue and integrity which uplifts, not that which is created by force of legal restrictions. But, assuming that the Legislature speaks as the true soice of the people (and I think we have a right, ordinarily, so to assume), then I assert that the ousted office-holder, if he be a true citizen of the state, should bow to the expressed will of the majority with due humility, instead of rushing into court, and, with a howl of pain, beseeching the redress of fancied wrongs. What does it matter that the law some times holds that one has a legal (which does not always mean just) right to the office? The law is kaleidoscopic in its re lations to human affairs, and it would be strange, indeed, if it did not sometimes, as it does, perpetrate a wrong; it will always be so as long as courte are administered by men.

Upon what theory does a man who has been chosen as a servant of the people, to serve their wishes and execute their will, contend that he has thereby bec greater than his creator, and that he may say, in effect, "The public be ----public office is not a public trust, but a private cinch"? This is the real attitude of those who seek to thwart the will of

from President to Constable.

The spectacle that is becoming so com.

THE FLOOD for a Juvenal. Their actions disgrace the fair name of our commonwealth; they abase themselves beneath the standard of true citizenship; in their just for office they have become traitors to the noble instincts of our immortal forefathers, who planted liberty upon a barren rock and nourished it into life with their blood; of "government of the people, for the peo-ple, and by the people," they make a travesty and a by-word; and could the great Lincoln see today how civic pride has fallen, how greed for pelf and spoils of office have made good men political mendicants, his face would grow more sorrowful than amid the threes of civil war. It seems to me that this is a theme that every minister in the land might discuss with more profit to the publle than the vaporings of Christian ence and many other isms, or puncturing the belly of the east wind blown by son delsm of today that was theism yesterday; or even of gambling and the social evil, for the latter are rather the outgrowths of the virile, vulgar lower strata of hu-manity, which, like rank weeds in overrich soil, betakens weaith if properly sub-jugated, whereas the other is the blight in the very blossom of civilization, the canker that rots to the heart of all that is best, noblest and truest in and civil life. C. E

### TO DEVELOP ALASKA.

C. H. SHOLES

Ohio Capitalists Will Engage in Mining and Business Enterprises.

WASHINGTON, April 2L-Certain Chi cago interests, which are reported to have a large capital, have lately been in Washington conferring with the different bureaus of the Interior Department to ascertain what is now known of the country lying to the west of Nome, as far as Port Clarence, and from that po back into the interior for a distance 50 or 75 miles. As a matter of fact, the department has little information of valuconcerning this region. It has been hurriedly gone over by a party from the Geological Survey, and the Land Office has scant reports, but from the talk of the promoters who were here recently I is evident that they have acquired a suffi-cient knowledge of that territory from private sources to convince them that rich deposits of gold are to be found

there.

In the course of a few weeks this party is to equip itself, and at the earliest op-portunity will depart for Nome. After landing, it will reconnoiter the country west to Port Clarence, at which point it proposes to establish a port. It is a well-known fact that Port Clarence affords the only harbor in that section of Alaska, and this harbor, by the way, is one of exceptional qualities. It is the announced intention of these enpitalists to construct suitable wharves and warehouses at Port Clarence, thus making It a port in every sense of the word. In this way they hope to handle the trade not only for that immediate vicinity, but much that is intended for Nome and intermediate points. From statements they made when in

Washington, it is inferred that if the country back of Port Clarence turns out to be as rich in minerals as the preliminary examinations would indicate. road will be constructed for a distance 5 miles into the interior. A river trav erses this section, but aside from being closed much of the year, is very crooked, and is probably 150 miles in length, while the railroad would be half that distance Such a road is intended, first of all, to promote the interests of these capitalists, but will at the same time be of immense advantage in handling supplies for other prospectors who may go into the Port

Marence country. The party in question is to take in a quantity of mining machinery, so as to work the gold-bearing ground to the very best advantage. While they are con-vinced that the beach itself is quite rich in the vicinity of Port Clarence, they entertain the opinion that the richest de-posits are those found on the upper por-tion of this stream emptying out at the port, and there they will concentrate their forces and make the greatest develop-ments. Ex-Representative Taylor, of Ohio, and a number of Ohio men of wealth interested with Chleago promoters in this project, and have organized thoroughly before taking up this huge

JURISDICTION OVER LANDS. All of Alaska Not in Hands of Sec-

retary of Interior. WASHINGTON, Ajril 2L - A recent opinion of Assistant Attorney-General Van Devanter dispels a popular belief that the Secretary of the Interior has general jurisdiction of the public lands in Alaska. As a matter of fact, his jurisdiction is limited, under the several acts of Congress relating to such lands, to the administration of the mining laws, the site laws, the right-of-way law, the homestead laws, and the sale of land for trade and manufacture. The decision in question arose over a recent attempt by Secretary of the Treasury to shift control of certain Islands to the Interior

Under the act of 1879, the Secretary of the Treasury was authorized to lease 28 different unoccupied and unproductive islands in Alaskan waters, for the propagation of foxes. There is no particular reason why the Secretary of the Treasury should be burdened with this fox industry, which may account for his desire to turn the matter over the Interior Depart-ment. Judge Van Devanter, in looking over the laws, found that the act of 1898. which extended the homestead laws to Alaska, provided that the Annette, Pribyloff and other islands leased or occupied for the propagation of foxes were excepted from the operation of that act.

view of this legislation, he holds as follows: "Even if the Land Department, under the supervision of the Secretary of the Interior, was possessed of general jurisdiction over the public lands in Alaska, no authority is found under which that of-ficer would be justified in leasing land for propagating foxes or for taking under his care and control land already leased for that purpose. The act of 1879, on which the Secretary of the Treasury has acted, if it confers such authority, confers it only on that officer, and does not emthe Interior Department. Moreover, the islands leased for the propagation of foxes are expressly excluded from whatever jurisdiction over the public lands has been conferred on this department by the act of May 14, 1898. Surely, in the face of the plain purpose manifested by that exclusion and indicated elsewhere in the recited legislation, to leave the jurisdic-tion over those islands where it then was, this department is wholly without auolw with the request of the Secretary of the Treasury."

### THE SUBMARINE BOAT.

Its Use for Naval Defense Vigorously Attacked by Officer in Service.

WASHINGTON, April 21. - George Melville, Reur-Admiral and Chief of the Steam Engineering Burcau, has caused considerable comment by an article he has written in which he vigorously attacks the submarine boat for naval defense. There is no denying that he has made out a first-class case, and that from his point of view the action of the last Congress in refusing to authorize any more of these submarine boats was a juthe people, and the fact cannot be blinked by the shrewdest logic, or by the decisions of courts, and it applies to every office, dicious move. The demonstration of the the authorization of a number of boats was the proper way to find out whether the submarine torpedo-boat would be ef-Races at Nashville.

NASHVILLE, Tenn., April 25.—Results: Selling, six furlongs—Mike Mullen won, Justodian second, The Thrush third; time, Libid.

Lib their selfish ends, is one that cries aloud fortunate in the selection of certain

# Rock=a=Bye Baby

These are sweet words, but how much pain and suffering they used to mean. It's different now. Since Mother's Friend has become known expectant mothers have been spared much of the anguish of childbirth. Mother's friend is a liniment to be applied externally. It is rubbed thoroughly into the muscles of the abdomen. It gives elasticity and strength, and when the final great strain comes they respond quickly and easily without pain. Mother's Friend is never taken internally. Internal remedies at this time do more harm than good. If a



voman is supplied with this splendid liniment she need never fear rising or swelling breasts, morning sickness, or any of the discomforts which usually accompany preg-

The proprietor of a large hotel in Tampa, Fia., writes: "My wife had an awful time with her first child. During her second pregnancy. Mother's Friend was used and the baby was born easily before the doctor arrived. It's certainly great."

Get Mother's Priend at the drug store. \$1 per bottle. THE BRADFIELD REGULATOR CO., Atlanta, Ga. Write for our free illustrated book, "Before Baby

gents in Washington because the men who were advocating it so strenuously in and out of Congress were not just the kind that would be chosen for a strictly meritorious affair. An odor of suspicion nung around, which could not be dispelled. Rear-Admiral Melville points out many disadvantages of the submarine boat, showing that it has not been demonstrated to a nicety that it can be worked to advantage. He also points out that in ase the submarine boat is effectual, there should be no more battle-ships construct-ed, as the submarine craft can destroy verything made for present naval warfare. His knowledge of naval matters is sufficient to give his opinion a great deal of weight, and it looks as if it was the

eginning of a black eye for the subma-The Mnybrick Case.

DUBLIN, Ireland, April 13,-To the Editor.)-It is not my purpose to enter into a general discussion of the Maybrick case, but may I protest against the statement which has appeared in other journals than yours, that Mrs. Maybrick sold herself in marriage to an old English roue, who was totally without attractions of person or character, his sole recommendation being of a financial nature? Now, what are the facts? Mr. Maybrick was 42 years old at the time of his marriage, and 50 when he died. He was considered a goodlooking man, and was careful of his appearance, and rather vain of it. Though he did not adhere to the strict rules of morality, he was in no sense a roue, and his wife was for a long time unaware of his lapses. They had two healthy chilhis lapses. They had two healthy children. He was not wealthy, and made settlement, I believe, on his wife at r marriage. What he left-a moderate her marriage. sum-was almost altogether derived from policies of insurance on his life, recently effected. They lived happily enough as man and wife for more than seven year. Then the unfortunate Buerley affair ocurred, the wife discovering about the same time that her husband had not been faithful to her. Matters culminated in a serious quarrel. But a reconciliation was effected through the agency of Dr. Hopper, and there was no subsequent quarrel, though Mr. Maybrick lived for six weeks

afterward As regards the late Queen, it is very likely that for a considerable time before er death the matter was not mentioned in her presence. Her health was failing and it became necessary to reduce the public business which she had to transact to a minimum. But though pardons and ommutations are granted in the name of the sovereign, they are really the acts

of the Home Secretary.
A RETIRED BARRISTER.

A Little Mixed. Chicago Inter Oc Chicago inter ocean.

The news from South Africa continues to be rather conflicting. The Boers are ready to surrender. They are going to keep the war going for years if neces-sary. General Dewet is as crany as a March hare. He is in the enjoyment of the goundest mental and physical health, President Steyn Is seriously III and discouraged. He was never so hopeful of final auccess as he is today. The Boers are routed and disorgunized. And they are treparing to resume fighting on a large scale next August. So there you are,

New York Country Bank Falls. FARMER, N. Y., April 3.-The banking house of LeRoy C. Patridge, of Ovid, made an assignment today. The liabliitles and assets are not yet made public. The bank was capitalized at \$150,000 Boston & Montana Meeting.

BUTTE, Mont., April 25.—At the annual meeting of the stockholders of the Boston & Montana Company, held here today, the old board of directors was re-In accordance with the action of the

Southern Oregon Presbytery, held recent-ly at Ashland, a church will be organized at Woodville Sunday afternoon. Headache Billousness, sour stomach, constipa-tion and all liver ills are cured by Hood's Pills

The non-irritating cathartic. Price

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Liver Ills.

irrest isease by the timely use or utt's Liver Pills, an old and worite remedy of increasing opularity. Always cures

SICK HEADACHE, our stomach, malaria, indigesion, torpid liver, constipation

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