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If so, we have the machinery with which to work it. Our Five-stamp Mill as illustrated, is complete within itself and requires no expert millwright to install it, consequently it is in every way the cheapest stamp mill on the market. There are no bolts used in its construction; all parts are fitted together with dovetail joints. Although our stamp mills have been on the market for over ten years, we have no repair account, for the mills do not wear out.

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THE AEOLIAN COMPANY

M. B. WELLS, Sole Northwest Agent, Aeolian Hall, 353-355 Washington St.

INJUNCTION AGAINST THE NORTHERN PACIFIC IS DISSOLVED.

DECISION BY JUDGE LOCHREN

Nothing in the Case That Would Indicate an Intention to Consolidate Competing Lines—Power Does Not Give Up.

MINNEAPOLIS, Dec. 31.—Judge William Lochren, of the United States Circuit Court, today dissolved the temporary injunction issued in the case of Peter Power against the Northern Pacific Railway

until it was thought to be too late for the road to take counter action before January 1, 1902, the date on which the proposed retirement must be made if it is not postponed another year. They characterized the action as the attempt of a few disgruntled persons to throw obstacles in the way of the Northern Pacific in the legal conduct of its business and pointed out that recent applications for an injunction in New York were peremptorily refused by the courts.

ROOM FOR COURTS

Enlargement of the Portland Postoffice Building.

PLANS OF ARCHITECT TAYLOR

Old Structure to Be Remodeled and Many Improvements Added—Professor Spillman Takes Up His New Duties.

WASHINGTON, Dec. 31.—If the ideas of Supervising Architect Taylor with regard to the enlargement of the Portland postoffice are finally carried out, and a two-

WILL SELL DANISH ISLANDS

Question of Plebiscite Will Not Be Allowed to Interfere in Matter.

United States Is Ready.

COPENHAGEN, Dec. 31.—It has been learned upon the best authority that the treaty between the United States and Denmark for the sale of the Danish West Indies will be signed, in spite of the agitation here against it, as the Danish Government has given its promise to this end. A question of a plebiscite will not be allowed to interfere in the matter.

VESSEL TIPS OVER

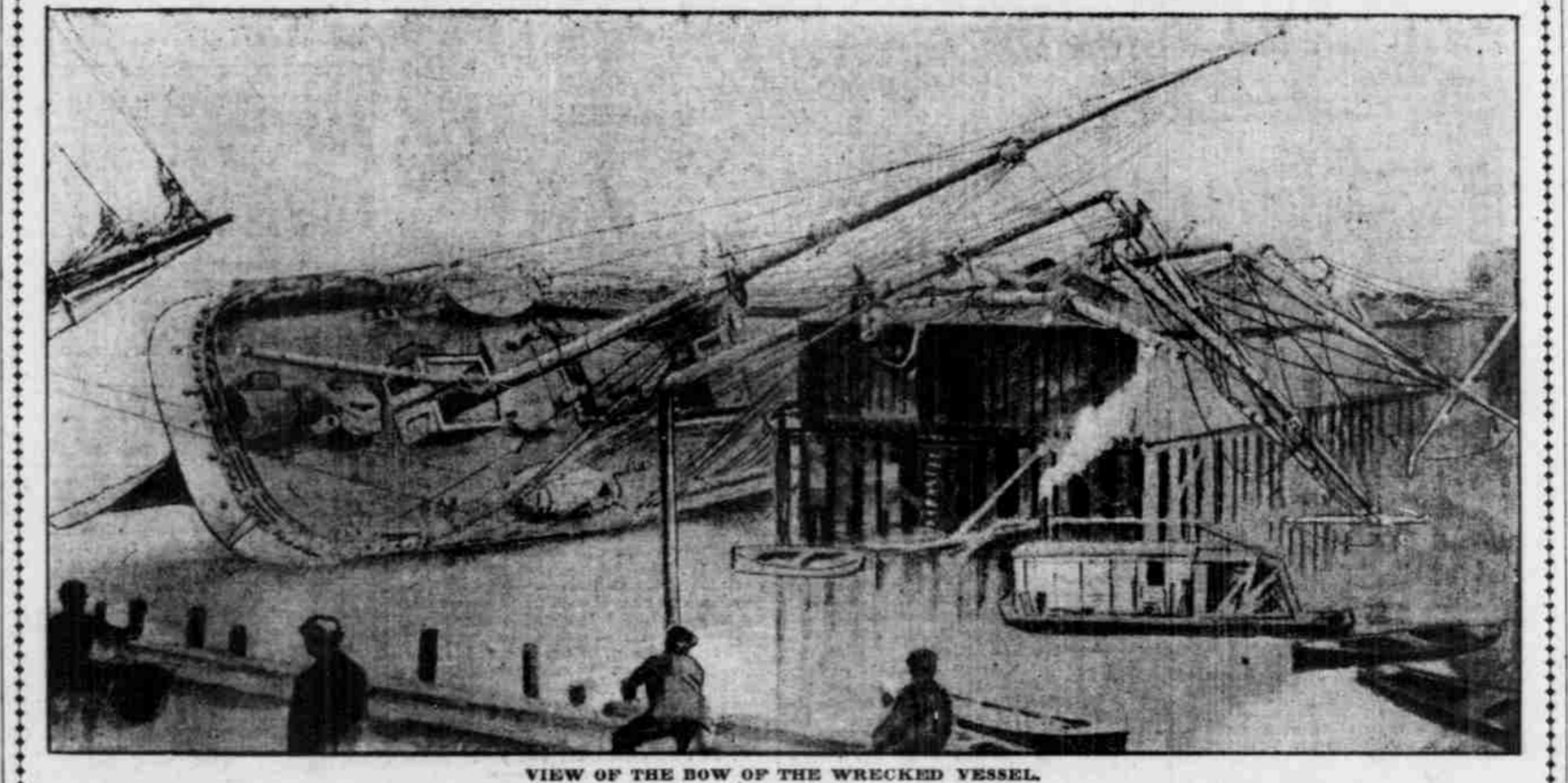
Surprising Disaster to the Asia, a French Bark.

MEN ESCAPE SUDDEN DEATH

Lying Quietly in Portland Harbor, the Ship Lists and Smashes Her Rigging and Steel Masts Into a Wharf—Damage, \$30,000.

Thirty-seven men were in the hold of the French bark Asia, almost the last bucket of sand ballast was swinging in midair, and the captain had barely crossed the gangplank at 8:30 A. M. yesterday when the vessel suddenly listed to starboard and shattered three of her four steel masts on Davidge's wharf.

FRENCH BARK ASIE CAREENED ON DAVIDGE'S DOCK.



VIEW OF THE BOW OF THE WRECKED VESSEL.

That was outside knowledge of the bark's listing. On board things were different. A bucketful of ballast had been hoisted from the hold. Three or four bucketfuls more remained, and the discharge would have been completed. The stevedores were sweeping the sand together, and the sailors were cleaning up the hold. The sailmaker was mending the sails underneath the forecabin head. The captain, on his way uptown to see the charterer, had stepped off the gangplank. Suddenly there was a cry in the hold that the bark was sinking, and the listing movement, which at first was thought to be due to the swells of a passing steamer, became a danger signal. The men rushed to the ladders and ascended to the deck by sliding ladders. The foremast reached the top before the masts fell. They shouted in French to Captain Ollivaud, who was on the wharf, "Look out! You've been killed! The masts will fall on you!" The master, as he says himself, with a single glance heavenward, jumped to a place of safety, and hardly a second later the foremast and mizen masts struck the dock, and the sound of cracking steel was heard. The sailors came out on the rigging, and the stevedores followed, but none landed. Cavanaugh struck the dock, and the donkey scow ropes. When nearly all were off Captain Ollivaud learned that his wife was still in the cabin where he had left her, and he at once ran to the beach north of the wharf, leaped into a boat and was rowed to the vessel. Meantime, Mrs. Ollivaud had ascended the deck stairs, and when she reached the deck at 8:30 A. M. she found her husband lower her to it and to row her to land.

After the crash, Captain Ollivaud made a hasty survey of the wreck. He found that the jigger mast was the only one not injured. The bowsprit was hanging in three pieces, the mainmast in two pieces, the mizen royal yard at the yard arm, the mizen mast in two pieces, and the upper and lower topmasts broken at the yards. The rest of the ship was not damaged to any extent. The rigging was rent and the rigging disordered. There were about three feet of water in the hold, but there was no appreciable damage to the decks.

The Cause a Mystery. After looking over the wreck, Captain Ollivaud said he could not attribute the accident to any cause. The ship was practically new, having been built in 1892, her home port being La Rochelle. He himself had assisted in superintending her construction and has commanded her since she entered the merchant service. Given the precaution against such accidents had been taken.

"Ballast logs," he said, "were on both sides. There were no swells, no wind and no current in the harbor. The vessel had stood with less log ballast, and I am at a loss to account for its shifting." Some river men were inclined to the opinion that the accident happened there was no one on deck to touch the ballast lines. Shippers declare that the logs, properly handled, were heavy enough to maintain any vessel in an upright position, but they have no cause to assign for the accident, excepting that they consider the vessel topheavy.

The damage to the bark is estimated by ship lifters and carpenters at \$30,000 to \$40,000. According to them it will cost considerable to remove the masts and rigging, which will enable the vessel to regain an even keel and in the neighborhood of \$90,000 for repairs. Yesterday afternoon six laborers were put to work, and Captain Ollivaud says the force will be increased in a few days. He says the vessel will be "deck-up" again in two weeks, and then the contract for repairs will be let.

In the afternoon the sailors endeavored to save Captain Ollivaud's wardrobe, but on descending to the cabin they found that it had been ruined by the water. Some valuable papers of the captain had also been destroyed, but a small quantity of tobacco was brought up sound enough. Crowds thronged the wharf to see the wreck, and F. Hinz and M. Lipke, watchmen on Davidge's wharf, had to close the gates on them. Adjoining wharves were also crowded, and the ferry carried on each trip more passengers than it generally carries in an hour. Professional and amateur photographers formed a small part of its list, and it is estimated that at least 500 snap shots at the vessel were taken.

Company by Judge Elliott, of the District Court, of Hennepin County, Monday. The injunction which was dissolved by the order of Judge Lochren restrained the Northern Pacific from issuing any evidence of indebtedness to retire the preferred stock of the company or to retire the preferred stock in any other manner than by the use of the surplus net earnings of the road. It also restrained the Northern Pacific and its officers from entering into any agreement ordering any act by which the road would be consolidated or merged, through the medium of the Northern Securities Company, with the Great Northern or the Burlington, or either of them.

After the decision was made orally by Judge Lochren at the close of a day's argument by the attorneys for both sides, an effort was made by the plaintiff's attorneys to have the court fix the amount of bond which would be required in order to appeal from the decision and to stay all further proceedings in the lower court pending the appeal. Judge Lochren refused to allow a supersedeas bond in any amount to be given.

Attorney W. E. Lancaster, representing Mr. Power, the plaintiff, asked in court: "Does your honor mean to say that the damage which would result to the Northern Pacific Company, if an appeal from your order dissolving the temporary injunction was taken and a supersedeas bond staying proceedings were filed, would be so great that a bond could not be given large enough to reimburse the defendant?"

"As the question of granting a supersedeas," the judge replied, "is discretionary with the court, I decline to permit the staying of the proceedings or the force of the order by a supersedeas bond on appeal."

Judge Lochren's Decision. Judge Lochren held that the Northern Pacific was acting within the authority of its charter in the contract entered into between it and its stockholders as incorporated in the certificates of preferred stock and in the agreement entered into November 12, 1901, whereby it retired the \$5,000,000 of preferred stock in the manner alleged by Mr. Power.

He also held that railroad corporations could not do indirectly what the law prevented them from doing directly, and that any method by which the consolidation of two or more competing parallel lines would be brought about would be illegal, and a writ of injunction would be granted to restrain the consummation of the plan, but that there was nothing in the case as presented to him that would indicate that the stockholders of the Northern Pacific Railway Company were attempting such a consolidation or merger.

The case was transferred late Monday night by the Northern Pacific from the State to the Federal Court, and an order to show cause, returnable this morning, while the temporary injunction granted by Judge Elliott should not be dissolved, was secured from Judge Lochren and served late last night upon Mr. Power's attorney. The answer of the defendant was filed in the District Court, and an order removing the same to the Federal Court was served from Judge Brooks, of the Hennepin District Court.

Next day if the stock is to be retired, it is believed there will be ample room in the addition to accommodate the postoffice, and the entire present structure can be turned over to the courts. The attention of the department has been called to the present insufficient accommodations for the courts, as well as the poor condition and many inconveniences of the old building.

It is a part of Mr. Taylor's plan to remodel the old building when the wing is added, and to place that part of the structure in first-class condition. With the new arrangement there will be ample space for the courts' witness-rooms, rooms for bailiffs, officials, stenographers, juries and other officers. An elevator also can be added and a modern plumbing system installed, so as to make the old building thoroughly up to date. Should this plan be adopted, it is asserted very positively that there will be room enough for the courts and the postoffice for many years to come.

Spillman Takes Up His Duties. W. J. Spillman, late of Pullman, Wash., experiment station, has taken up his duties as chief of the Bureau of Agriculture in the Agricultural Department, in this city. He succeeds S. Lamson Scribner, who assumes charge of agricultural work in the Philippines.

Recommending the Canal Bill. There is already talk about sending the Nicaragua Canal bill back to the committee on interoceanic canals when the Senate reconvenes next Monday. The purpose of this is twofold. The opponents of any canal will be glad of a delay of any kind, while the friends of the Panama route believe that a reconsideration of the bill is necessary in order to give the Panama Canal Company an opportunity to submit a new proposition. It is doubtful whether the Senate would vote in favor of the proposition to recommend, except for the belief that Morgan of Alabama, chairman of the committee, was altogether too precipitate in reporting the bill before the committee was reorganized. Morgan has made himself offensive to many Senators who insisted that a treaty with Great Britain should be ratified before any canal legislation should pass. Sincerely advocating an isthmian canal, Morgan, by long harangues, endless discussion and untimely and inconsiderate intolerance,

Effect on the Merger. Judge Lochren, in his decision, made a ruling which the attorneys of J. J. Hill maintain settles the controversy of the Northern Pacific merger. Said the court: "If the Northern Pacific Railroad never thought of consolidation, but to pay off the preferred stockholders and issue common stock, it had authority to do that, and that of itself would certainly have no tendency toward consolidation." Mr. Power's attorneys tonight authorized the statement that the fight had just commenced, and that they would appeal to the United States Supreme Court.

The mere scheme of the retiring of the preferred stock could be carried out just as fully if, for instance, the Northern Securities Company had never been thought of. The same persons who own the common stock now own it without any reference to the Northern Securities Company. It is not very clear to me why they could not manage these three companies with reference to doing away with competition by forming a company to own the company as with it. If the same persons own all or substantially all of the stock of both companies, I do not see the necessity of forming that company simply for the purpose of carrying that purpose out. They might do it just as well without it.

"But I do not see that the retiring of the preferred stock has anything to do of itself, naturally, with the formation of the Northern Securities Company, if that they would be disabled from doing this purpose—something that might properly be done. It might as well be said, I think, that if the men had no property at all they would be disabled from doing this unlawful thing doubtless in a greater degree than if they were prevented from retiring this preferred stock, but this would not warrant denouncing them of an illegal conception. Of itself, the retiring of the stock is a lawful purpose—something that might properly be done. It might as well be said, I think, that if the men had no property at all they would be disabled from doing this unlawful thing doubtless in a greater degree than if they were prevented from retiring this preferred stock, but this would not warrant denouncing them of an illegal conception. 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