

LIABILITY OF LESSEE

Purchaser May Collect Rent After Foreclosure Sale.

NO MATTER IF ALREADY PAID

Supreme Court Interprets Oregon Law—Railroad Must Pay Firemen Injured While Off Duty.

A railroad fireman, while off duty, riding in the caboose of a freight train, with consent of the conductor, and in ignorance of rules to the contrary, is a passenger, and the company is liable to an injury due to negligence in handling the train.

SALEM, Or., June 30.—The Supreme Court today handed down decisions affirming three former decisions and reversing one.

G. D. Simmons, respondent, vs. Oregon Railroad & Navigation Company, appellants, from Umatilla County; W. R. Ellis, Judge; reversed. Opinion by Chief Justice Bean.

This was an action to recover damages for personal injuries suffered by the plaintiff through the negligence of the operators of a train upon which he was riding. Plaintiff was a fireman in the employ of defendant, and while off duty was riding in the caboose of a freight train, returning from a visit to the company's physician.

Where freight and passenger business are not entirely separated, one who, without knowledge of the company's regulations to the contrary, is in a caboose attached to a freight train, designed and prepared for carrying passengers, and is allowed by the conductor to ride therein, is to be regarded as a passenger.

It is also held that plaintiff was not traveling as an employee, but as a passenger.

Oregon Land & Construction Company, respondent, vs. Allen Ditch Company, appellant, from Umatilla County; W. R. Ellis, Judge; reversed. Opinion by Justice Wolverson.

The plaintiff being the owner of 1250 acres of land, through which the Umatilla River, a non-navigable stream, flows, sought to enjoin the defendant from diverting any of the water thereof in disregard of its riparian rights.

The plaintiff's riparian right to have the water flow in the stream undiminished in quantity except by the reasonable use thereof by riparian proprietors, is appurtenant to the land running with it as a corporeal hereditament.

NO NEED FOR TROOPS. Governor Hunt Investigates Indian Attacks at Fort Hall.

BOISE, Idaho, June 30.—Governor Hunt this morning received a dispatch from Sheriff Rice, of Blaine County, suggesting that in view of attacks made by roving bands of Indians on the white men on the ceded portion of Fort Hall Reservation.

State Land Office June Receipts. SALEM, June 30.—The receipts of the State Land Department for the month of June were as follows:

Edmond D. LaClare, respondent, vs. N. H. Thibault and Marie L. Thibault, appellants, from Baker County; Robert Eakin, Judge; affirmed. Opinion by Justice Moore.

This was a suit to foreclose a mortgage. The defenses were, first, that the note and mortgage were given in plaintiff's name in trust for the Empire Mining Company, which owned the land purchased and upon which the mortgage was given, and that the money had been paid to the company; second, that plaintiff falsely represented that he owned a one-fourth interest in the mine, and the defendant, relying thereon, was induced to purchase said interest for \$2500, and giving the note and mortgage mentioned, that defendant and plaintiff various sums of money to operate the mine, the amounts of which he could not remember, that plaintiff converted those sums to his own use, and that he is insolvent.

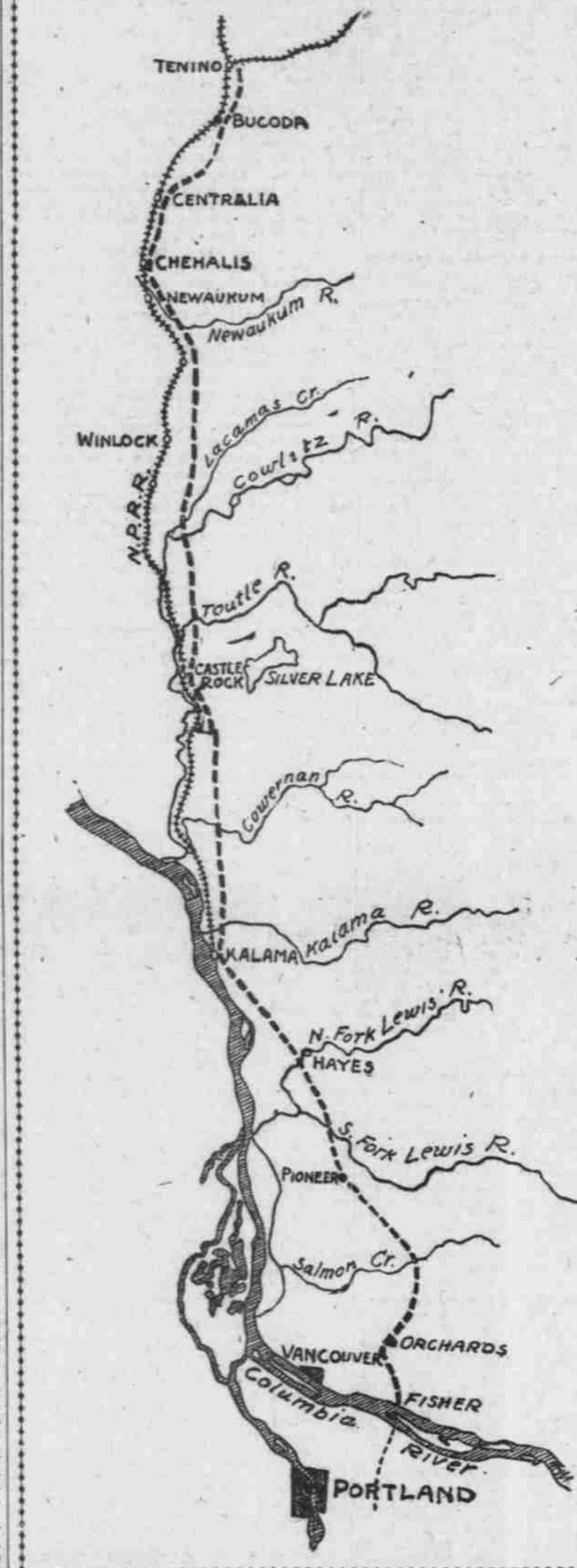
CONVICTS ARE SEEN AGAIN

TRACY AND MERRILL STILL HEAD-ED FOR PUGET SOUND.

Carson and His Bloodhounds Give Up the Chase—Dogs Coming From Idaho.

OLYMPIA, June 30.—Two heavily armed men answering the description of Tracy and Merrill, the escaped Oregon convicts, were seen this afternoon on Mount Pisgah, between this city and Buoada, and the natural outlet from that vicinity toward Olympia. The posse that was near Tenino and Buoada all day, moved to the southwest of Olympia tonight, and is guarding the roads. Deputy Warden Carson, of Walla Walla, gave up the chase today.

COUNTRY TRAVERSED BY CONVICTS TRACY AND MERRILL SINCE LEAVING PORTLAND.



and returned with his two hounds to the Walla Walla penitentiary. The dogs have worked poorly for several days, and Carson says they need rest. Hounds from Warden, Idaho, are expected tomorrow.

LEWIS COUNTY POSSE CONFIDENT. Believes Men Will Be Taken Before Reaching Puget Sound.

CHEHALIS, Wash., June 30.—There were no new developments in the chase for Convicts Merrill and Tracy at Buoada or Tenino today. The roads between Buoada and Tenino and several points south of Tenino were guarded all night, but none of the guards detected anything wrong, and the exact whereabouts of the two criminals are at present unknown.

Guard Carson started this morning for Walla Walla with his bloodhounds, but Thomas Massey, of Ellensburg, has taken the place of Mr. Carson with his two hounds, which are fresh. There is a determined body of men camping on the trail of the convicts, including Sheriff Mills, of Thurston County; R. K. Adams and Harry Williams, of the Coeur d'Alene region; a Tacoma detective, Indian Jake and Johnny McClellan, of Olympia; Charles Ferrell, the brother of one of the murdered guards at Salem, left today for Salem, but will reach the posse tomorrow night.

Pierce County Men Join Posse. TACOMA, Wash., June 30.—Deputy Sheriff J. C. F. Johnson and a party of four men left Tacoma early this morning and went to Rainier, 30 miles south of Tacoma, to co-operate with the officers of the neighboring counties in the hunt for the Oregon convicts, Tracy and Merrill.

OFFICERS HARD PRESS THIEVES.

One of Men Who Stole Team Escapes by Swimming a River.

BAKER CITY, June 30.—The two horse-thieves who stole a buggy at Winigville and a team of horses from the C. R. & N. contractors near Durkee, Friday night, were pursued so closely by the officers yesterday that they abandoned the buggy near Rye Valley. One of the thieves escaped into the hills, but the other rode on with the horses to Snake River, where he left the horses, and took to the brush. The officers surrounded him on three sides with the river on the fourth. They felt sure of their man, because they did not think he would be brave enough to try to swim the river, but in this they were mistaken. He made a dash for the river, plunged in, and attempted to swim to an island in the center, but the current was too strong. He was carried past the

NEW YORK CAPITALISTS WILL DEVELOP SALEM PROSPECT.

Confident of Finding Good Merchantable Quality of Fuel—Intentions Highly Favorable.

SALEM, Or., June 30.—A company of New York capitalists today began drilling on the Blair Forward farm, in the Waldo Hills, east of Salem, where it is believed coal exists there of quality and quantity to make mining profitable. In 1850 pieces of coal were found in a creek on the farm, and upon search the outcropping of a stratum of coal was found. The coal is said to be of a fine quality, and is believed to be of a merchantable quality. The coal found in the tunnel made fire sufficiently hot to cook iron on an inch thick, and coked well. It is believed coal found at greater depth will be of still better quality. The Diamond Drill Contracting Company, of Spokane, has the contract to drill 1000 feet, according to what may be found.

RICH STRIKE IN MALHEUR.

Five Ore Struck in Oregon Region Famous in Early Days.

WEISER, Ida., June 30.—A rich discovery has been made on the properties of the Sunset Mining Company, on the Malheur River, in Malheur County, Or. Within three feet of free milling ore that assays 125 to 1200 per ton have been struck in two claims belonging to the company. Jack Emor, one of the owners, arrived in town last evening, bringing with him a number of samples of the ore showing free gold over its surface. The claims are located in the one-time famous Malheur placer district. They are owned by residents Weiser. Considerable work has been done on them, and work will be commenced at once.

Just Out From Thunder Mountain.

WEISER, Ida., June 30.—Dan Cotter, one of the pioneers of the Thunder Mountain district, arrived in town this afternoon, five days from the camp. Mr. Cotter says the Dewey mill is ready to start up. Miners who have made locations are now developing their claims, and he looks for some sensational developments in a short time. He brought with him samples of ore largely covered with gold. He came out to procure sufficient supplies to last him during the winter, which season he will put in developing his claims. He reports wagons going through from Malheur to Weiser, and that daily stage will be running between those points in a few days.

Oregon Mining Stock Exchange.

Table with columns: Bid, Asked, and various stock symbols like Alaska M. & N., Bronco, etc.

SPOKANE, June 30.—The closing quotations for mining stocks today were:

Table with columns: Bid, Asked, and various stock symbols like Amer. Boy, Bucktail, etc.

NEW YORK, June 30.—Mining stocks today closed as follows:

Table with columns: Bid, Asked, and various stock symbols like Adams, Alton, etc.

BOSTON, June 30.—Closing quotations:

Table with columns: Bid, Asked, and various stock symbols like Adventure, Alton, etc.

FISH RUN STILL IMPROVING.

Proportion of Large Fish on the Columbia is Increasing. ASTORIA, June 30.—The run of fish has shown another improvement in the last few days, and the proportion of large fish is increasing. The up-river salmon are well where the river is in condition. Kaboth, who has just begun operations, got 600 pounds on the first haul with an entirely green crew. A split said to have formed across the river, making them difficult to work, and Taylor's grounds are now very rough.

HATCHERY FOR COQUILLE.

Fish Warden VanDusen Will Establish One This Fall. ASTORIA, June 30.—Fish Warden VanDusen has returned from a trip to the Coquille River, where he found a suitable location on the south fork of the river, and it will be tested this fall, but the work is very difficult and uncertain there, as the fish do not run until October and November, while the freshet is in the river. Mr. VanDusen found that the principal fish in the Coquille were silverides and steelheads, although the chinooks come in small numbers earlier in the season, and after the hatchery is established an effort will be made to propagate them. He also visited the hatchery on Coos River and found it in good condition.

MINER BURNED TO DEATH.

Robbers Believed to Have Been the Cause of His Ending. BONANZA, Or., June 30.—John Brunner, a miner, aged 47 years, was burned to death here early yesterday morning, under circumstances which point to murder and robbery. He lived in a tent, and is believed to have had considerable money about his person. Early yesterday morning a young lady discovered that her tent was on fire. She gave the alarm, but the flames had made such progress when the rescuers arrived, that they could not enter. The remains of Brunner were found. The upper part of the skull was burned away, and the lower part of the body was partly consumed. The body

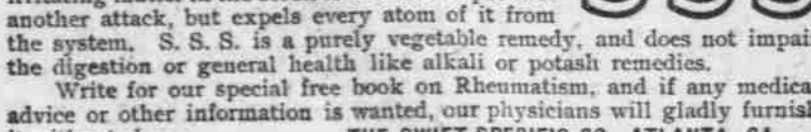
CRUTCH-BOUND

The crutch is a poor substitute for legs, and affords a very inconvenient and tiresome mode of locomotion—there is no more pathetic sight than a person slowly and painfully moving along the street supported by these artificial limbs.

When Rheumatism settles in the bones and muscles of the legs, it is safe to predict that the victim will eventually become helpless and crutch-bound. The corrosive, irritating matter that is deposited in the joints and muscles causes the most intense pain, the knees and ankles swell, and when the natural oils and fluids that lubricate these parts are completely destroyed the joints become locked and the muscles drawn and stiff, and crutches a necessity.

The acid poisons that produce rheumatic pains in the blood, and are distributed through the system, and lodged in the arms, shoulders, hands, back and feet, or other parts of the body—resulting often in total disability. A permanent cure of Rheumatism can be effected only by a complete cleansing of the blood, and no other remedy so surely accomplishes this as S. S. S. It neutralizes the acid effects, purifies and invigorates the stagnant blood, and the gritty particles are washed out or dislodged by the new rich blood, and relief comes to the pain-racked sufferer. S. S. S. leaves no morbid, irritating matter in the blood to reunite and produce another attack, but expels every atom of it from the system. S. S. S. is a purely vegetable remedy, and does not impair the digestion or general health like alkali or potash remedies.

Write for our special free book on Rheumatism, and if any medical advice or other information is wanted, our physicians will gladly furnish it without charge. THE SWIFT SPECIFIC CO., ATLANTA, GA.



was identified by means of his watch and other articles found. The Coroner held an inquest, but there was no means of determining whether Brunner had been murdered. The deceased leaves four children. Two little daughters are at the Sisters' school in Baker City.

DR. A. H. STEELE DEAD.

Well-known Pioneer Physician of Oregon and Washington. OLYMPIA, June 30.—Dr. Aiden Hatch Steele, a pioneer, died at his residence today, of locomotor ataxia, from which he suffered for many years. Dr. Steele was born at Oswego, N. Y., February 10, 1823. In March, 1849, he started for Oregon with a stage company. He settled at Oregon City, where he practiced his profession for 14 years. In 1863, he moved to Olympia, where he had since resided. For 15 years, Dr. Steele was examining surgeon for patients for both the Army and the Navy. He was appointed by Governor Ferry regent of the territorial university for two terms, from 1876 to 1880. In 1854, Dr. Steele was married to Miss Hannah T. Blackwell, of Marblehead, Mass. He survives him. Two children were the result of this union, only one of whom, Mrs. E. G. O'Brien, of Olympia, is living. In 1884, Dr. Steele administered an anesthetic in amputating a limb at the thigh, which was the first time it was used north of San Francisco.

Prominent Vancouver Man. VANCOUVER, Wash., June 30.—C. W. Blavett, a prominent Vancouver citizen, died this morning of Bright's disease. Deceased was 46 years of age, and had been a resident of this city for 15 years. Since his residence in Vancouver he has been employed as chief clerk in the medical director's office, Department of the Columbia. He is survived by a wife. Funeral services will be held Wednesday morning at 9:30 o'clock, from St. James' Cathedral.

SCRAMBLE FOR DEPUTYSHIPS.

New Collector at Astoria is Belieged by Aspirants. ASTORIA, Or., June 30.—Since the nomination of Walter L. Robb as Collector of Customs for this city for several years, he has received as to who would be his deputies. F. L. Parker, the present incumbent, is the only one mentioned for first deputy, and he will undoubtedly be named. The second deputyship, however, is still open, and Arthur C. Callan was slated for the position, but he withdrew, and it was understood that John C. McCue would be named, but today it is reported that W. Carnahan, the present County Assessor and Representative-elect, will be a candidate for the place at the close of the coming session of the Legislature, and that sufficient influence has been brought to have the present deputy, Duncan McLean, retained until that time.

PLUMBERS WILL STRIKE TODAY.

First Labor Trouble in Astoria in Years—Higher Wages Wanted. ASTORIA, Or., June 30.—A labor strike will be inaugurated in Astoria tomorrow, the first in the city for several years. About three weeks ago the Plumbers' Union, comprising the plumbers and helpers, notified the employers that beginning this morning work would be suspended for a day and an increase of 50 cents per day in wages. The present wage scale is \$3 per day for plumbers and about \$2 for helpers. The basis of nine hours. The Master Plumbers' Association refused to grant the demands, and an officer of the union stated today that not a plumber or helper in the city would be at work tomorrow or until the demand has been acceded to.

Court Decides for Stockholders.

SALEM, Or., June 30.—Circuit Judge Boise rendered a decision today in the case of B. S. Stevens and Charles Claggett vs. Eugene Willis et al. in favor of the plaintiffs. Stevens and Claggett were stockholders in the corporation known as Willis Bros., and alleged that when the affairs of the company were liquidated all the assets were not distributed. Boise held that \$1020 remains in the hands of Eugene Willis to be distributed among the stockholders.

Mail for Thunder Mountain.

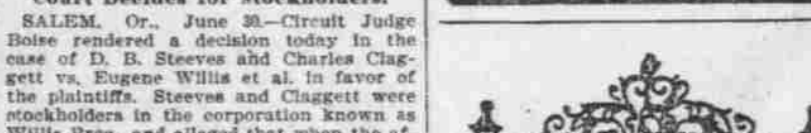
BOISE, Idaho, June 30.—The first United States mail for Thunder Mountain left Idaho City today. The contractor had 700 pounds of mail, and the mail goes from Boise to Idaho City, 35 miles, on an old contract, and is there picked up by the Thunder Mountain contractor.

New Officials Announce Deaths.

OREGON CITY, June 30.—Sheriff-elect John R. Shaver, Treasurer-elect Enos Cahill, Clerk-elect F. A. Sleight and Recorder-elect Henry E. Stevens have arrived in this city, and are getting ready to take possession of their offices tomorrow, and they were elected at the last election. All of the newly elected county officers, except

Good enough for anybody!

ALL HAVANA FILLER. "FLORODORA" BANDS are of some value as tags from "STAR," "HORSE SHOE," "SPEARHEAD," "STANDARD NAVY," "OLD PEACH & HONEY," "SAW LOG," "OLE VARGINY" or "MASTER WORKMAN" Tobacco.



PORTLAND ART METAL WORKS. I. K. TUERCK, Proprietor, 404 DAVIS. Corner Ninth and Telephone City 700.

Laces. I prefer PEARLINE to other soap powders. I like PEARLINE for washing lace collars and embroidered and lace doilies, which I do, myself, at home, not trusting them to the washerwoman. Mrs. Rev. J. L.

A Wise Woman. Will try and preserve her youth. The head of hair is one of the highest charms.

Imperial Hair Regenerator. restores Gray or Bleached hair to any natural color or shade. It is clean, pure, and does not contain any of the deleterious LANT FOR FRONT. Package of hair colored from 50c. Sold by Druggists.

Distinguished everywhere for Delicacy of Flavor, Superior Quality, and Highly Nutritive Properties. GRATEFUL—COMFORTING.

EPPS'S THE MOST NUTRITIOUS COCOA. BREAKFAST—SUPPER.

Sold only in brief-bound tins. Labeled JAMES EPPS & CO. LTD., Homoeopathic Chemists, London, England. Agents, SHERWOOD & SHERWOOD, San Francisco.

One of the Millions. 677