

CONTRACT IN FORCE

Text-Books of Chicago Firm Must Be Used

IN ALL WASHINGTON DISTRICTS

Supreme Court Enjoins King County Board of Education From Departing From List Prepared by State Board in 1900.

OLYMPIA, Wash., July 29.—(Special.)—The Supreme Court in a decision important to every school district in the state today reversed the King County Superior Court and ordered an injunction to issue against the Board of Education of King County prohibiting them from departing from the list of text-books prescribed by the State Board of Education in 1900.

The King County board had rearranged the schedule of text-books and the Randall-McNally Company applied for the injunction on the ground that the action of the board impaired a contract entered into with them by the state board for furnishing certain of the schoolbooks adopted for the entire state. The judgment was in favor of the board, but the Supreme Court in reviewing the evidence concluded that the rearranging of the schoolbook schedule reduced by 20 per cent the number of books that would have otherwise been furnished King County by the company.

It holds that the recent act repealing the uniform text-book law does not revoke the five-year contract entered into by the state with the Randall-McNally Company in 1900, that evidence adduced in the trial as to the educational value of the books selected by the State Board of Education was immaterial, inasmuch as no fraud or collusion was alleged.

The court finds that the contract between the state and the company must not be impaired by the acts of county boards, and therefore orders the issuance of the injunction.

STRENGTHENS TAX TITLES.

Washington Supreme Court Affirms Lower Court.

OLYMPIA, Wash., July 29.—A decision by the Supreme Court which adds strength to all tax titles that have been declared void in Washington since the enactment of the law of 1899, was handed down by the Supreme Court in a Thurston County case today. The main point of the decision is that taxes levied by a county board, and therefore orders the issuance of the injunction.

The lower court found against this contention and the Supreme Court, in affirming the judgment, says that the courts should insist that a showing be made that an injury incapable of being corrected has been done before they declare a tax to be void. There was no showing of the kind in the case at law.

Should Used Diligence.

OLYMPIA, Wash., July 29.—(Special.)—The judgment of the Superior Court of Whitman County dismissing the case of W. D. Irwin, appellant, vs. the County of Holbrook, respondent, was affirmed by the Supreme Court today.

The evidence showed that in 1884 Irwin purchased certain real estate for \$200. This he transferred in 1885 to Holbrook to sell and pay debts amounting to \$100. In October, 1890, Holbrook had platted and sold all the lands and when Irwin asked for an accounting declared that the net proceeds of the sale were only \$80.

Irwin waited for more than six years before examining the record of deeds in Whitman County, when he discovered that the lands were sold for much more than the amount of the debts, and thereupon brought this suit.

MONEY IN WRONG FUND.

Idaho Attorney-General's Opinion Benefits State Schools.

BOISE, Idaho, July 29.—(Special.)—Attorney-General Engle has taken an opinion this evening respecting premiums received by the past administration on bonds issued for various purposes. All such premiums were placed in the general fund. The Attorney-General holds that the premium on certain school bonds was incorrectly placed in that fund. The act authorizing the issues specifically directing that the entire proceeds of the bonds should go to the schools. As a result the present administration will have to transfer the amounts to the schools interested. The schools thus benefited are: Lewiston Normal School, \$24,800; Albion Normal, \$200; Academy of Idaho, \$125.

The State Land Board today took several issues of school bonds, amounting to \$20,000, the money being from the sinking funds found to have been illegally created by the Legislature at sessions prior to the last. The total amount of school funds other than those of the common school fund, thrown into the care of the board for investment under the decision recently reached, is some \$700,000, but the board feels confident it will get it all out soon. The investments so far from these funds amount to \$110,000.

A singular complication was met with in the accounts from Ada County. For five years the County Treasurer has turned the proceeds of all land sales and leases into the common school fund, whereas part of the money belonged in other educational funds.

BEASLEY BROUGHT BACK.

Federal Officers Return From a Trip to Africa.

SEATTLE, July 29.—After circling the globe to deliver an accused man to the authorities in Manila and capture another in South Africa to be taken to Nome, two Federal officers arrived tonight in Seattle with the latter prisoner, James C. Beasley. The men who made the journey are Charles E. Herron, of Seattle, a special agent of the Department of Justice, and Deputy United States Marshal Dwyer, of Alaska. Beasley is charged with forgery.

KILLED BY CAVING EARTH.

Three Laborers Lose Their Lives in Seattle Tunnel.

SEATTLE, July 29.—Three men were instantly killed tonight by a slide of earth in the southern end of the Great Northern tunnel, which is under construction beneath the City of Seattle. As Frank

Smith, an American laborer; Joe Carlo and Franchese Vorgeke, two Italians, started to run at the warning word of the foreman, William Savage, the earth, but two or three yards in measurement, fell, and they were crushed beneath it. Their forms were out within a moment or two, but the head of each one had been crushed by the heavy weight.

The form himself, narrowly missed death, as the slide of earth passed over his head. Smith is a single man, but it is believed that the others have families in Italy. The accident is the first in the construction of the tunnel.

Fish Caught at River's Mouth.

ASTORIA, Or., July 29.—(Special.)—There was little improvement in the run of fish in certain localities last night, and many of the Baker's Bay traps did quite well, although others in the same vicinity caught practically nothing. The fishermen drifting about the mouth of the river also did slightly better, but reports from other portions of the river show no improvement.

Lack of Cars Embarrasses Millmen.

ASTORIA, Or., July 29.—(Special.)—Shortage of cars with which to ship lumber is greatly handicapping the operation of the local sawmills, and the Seaside Spruce Lumber Company's plant at Seaside has been compelled to curtail its output temporarily on that account.

AT THE HOTELS.

THE PORTLAND.
J. A. Dougherty, St. Louis.
C. V. Long and wife, S. F.
W. L. Thorne, Bancroft.
Mrs. G. Thorne, do.
D. F. McConneally, do.
A. H. Cornstock, Duluth.
W. S. Dickson and wife, do.
K. G. Roeland, Duluth.
L. S. Mitchell, wife and family, Seattle.
W. S. Moore, Pa.
C. G. Chase & wife, S. F.
Mrs. T. Godfrey, St. Louis.

R. Smith, Grand Rapids.
O. H. Hiltner, Chicago.
J. A. Mayer, New York.
T. C. Starnett, Detroit.
J. A. Colgan and family, Del Monte.
Mrs. G. A. Wilson, Mich.
Mrs. J. A. Partridge, do.
C. L. Post and wife, Seattle.
B. R. Smith, Grand Rapids.
J. W. W. Smith, Grand Rapids.
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J. W. W. Smith, Grand Rapids.

J. C. Coffield, Sunderland.
B. Gray, Princeton.
J. L. Young, Eau Claire.
H. I. Russell, Goldfield.
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MANY BLOWN TO DEATH

(Continued from First Page.)

men, three of them employees of the company, three expressmen and two carpenters, were sent there with three large express teams to take out the powder and mend the floor. Two of the teams had been loaded, and the other was almost full when the explosion occurred.

Cause of the Explosion.

It was a long time before the actual cause of the explosion was ascertained. It was at first thought that every one within a radius of 50 feet of the magazines had been killed, but later it was found that Clarence Goodwin, the foreman of the men who were loading the powder on the teams had survived, together with one of his assistants, Amadeo Boulanger, and this afternoon the latter was seen at the hospital. He said the men went down to the magazine nearest the street to fix the floor, and after the teams had been loaded with the powder which was in the magazine, it was discovered that a can of nitro-glycerin, which was stored in the magazine, was leaking. Mr. Goodwin picked up what he thought was a jug of water and began pouring it onto the nitro-glycerin, with the idea of diluting it and washing it up. As soon as the fluid from the jug struck the floor, he found it was nitric acid. The floor at once began to smoke, and when the men saw it they rushed from the building, but had not gone ten feet when the explosion occurred. This magazine, therefore, was the first to go up, followed by the gunpowder in the three teams, and some seconds later by the second magazine.

Explosion Number Five.

To those who heard the crash it seemed as if there were two distinct explosions, with a continuous roar between them. There are, however, five holes in the ground, which seems to clearly indicate five explosions.

The entire catastrophe, however, hardly occupied the space of five seconds, but in that time the surrounding property was swept as if a small volcano had broken forth in its midst. Every house within 200 yards collapsed. Trees were blown down, the grass within 100 yards mowed as if by a lawnmower, while bricks from the two magazines were hurled far across the river and all over the neighborhood. For several minutes afterward the air was completely filled with smoke and dust, illuminated by the glare from the already burning houses.

The work of rescue at once began, but in many cases the flames had already gained full sway over the crumbled ruins, and several persons were burned to death before the debris which covered them could be removed.

Caring for the Dead.

The property is situated just over the Lowell line in Tewkesbury, but the Lowell fire department did noble work in caring for the wounded. Before a stream of water was started from the engines, the corpses were taken out and the bodies were placed in the wagons and hurried to the hospital.

Militia Called Out to Keep Order.

The explosion shook the city, and within half an hour there were at least 6000 persons on the scene. The crowd so badly interfered with the work of caring for the wounded that the Mayor sent out a militia call. Three companies responded, and three hours later had thrown a cordon of men around the district and cleared the place of every one, except those immediately engaged in fighting the flames and searching for victims.

Two hundred yards further down the river from the second magazine the firemen suddenly came across the bodies of four little boys, who were about to have a swim.

Apparently the force from this second magazine was expended in two directions, north and south. On the north it completely demolished the house of William Riggs, about 50 yards away, almost burying Mrs. Riggs, and badly injuring her little son. Mrs. Riggs died before being taken to the hospital. On the other side of the magazine was a grove of trees, 30 feet wide for a distance of nearly 300 yards. The four little boys were caught

in its path and three were instantly killed, the body of one of them being frightfully mutilated, the head having been completely blown off. The fourth was alive when he was discovered by the police, but did not live long.

Most of the property destroyed consisted of small buildings, constructed of wood, and at a comparatively small cost. The property loss will not be heavy.

The select men of the town of Tewkesbury believe that \$15,000 will cover the entire loss.

PRUNEGROWERS PLEASED

Members of Willamette Association Satisfied With Combination.

SALEM, Or., July 29.—(To the Editor.)—The writer notes an article in the Oregonian of the 28th, headed "Prunegrowers' Combination," which requires a word in reply, though it is not our purpose to enter into any controversy over this matter of prunegrowers' associations, as we prefer that the result of the work should speak for itself, through the well-pleased membership of the organization. It is only necessary to attend one of the growers' meetings at Salem to be fully convinced that those growers who have tried the "very dangerous excitement" are more than pleased, in fact, are enthusiastic concerning the result in dollars and cents to themselves.

I am not surprised in the first place that "Fruit Dryer" does not sign his name to the article he writes, lest it should at once become apparent that he is many times more interested in the prune industry as a buyer than as a dryer, and furthermore, the misrepresentation in the article would not appear well over one's own signature.

Fruit Dryer states that the co-operative plan as applied to all fruit other than raisins in California has proved a losing proposition in every instance. Would he undertake to prove the failure of the Santa Clara Fruit Exchange and the various organizations of a similar nature in and around San Jose? Does he know that this exchange mentioned handled 14,000,000 of prunes last year to the entire satisfaction of its members? The "Salem plan" (so called) has been in operation three years, instead of two, as he states, and instead of operating under "most favorable conditions" has had the most successful sort of opposition from both growers and buyers, but has lived and prospered and proved its right to a very high place in the business industries of the city, as well as to the fullest confidence of the growers who are its members.

Not the least of Fruit Dryer's incorrect statements is that "Growers in Clark County are being approached by persons from Salem with the view of starting a co-operative plant at Vancouver." Let me set him right on this point and I am done. On July 11, two of Clark County's representative growers appeared at the association office, claiming they were sent here to investigate fully the methods of the Willamette Valley Association on behalf of the growers of Clark County. It happened to be the date of our annual meeting, and they were so impressed with what they saw and heard that they offered to pay the expenses necessary if the directors would send their secretary to Vancouver to meet their grower friends. In the interest of fairplay and the truth.

Montana Company Incorporated.

BILLINGS, Mont., July 29.—The Montana Construction Company, with a capital of \$500,000, filed articles of incorporation with the County Clerk and Recorder this afternoon. The directors are: P. B. Moss, W. H. Rowley and L. D. Odonnell, all prominent citizens of Billings. The company is behind the movement for the new electric railroad from Butte to the Salmon River country in Idaho.

Mill Short on Logs.

EUGENE, Or., July 29.—(Special.)—The big new sawmill at Springfield is now running only part time on account of the inability to get logs. There are lots of logs in the small streams up the mountains, but the scarcity of water has prevented driving.

Eugene Sewer Bonds for Sale.

EUGENE, Or., July 29.—(Special.)—The City Council has advertised for sale \$15,000 sewer bonds recently voted by the city. The bonds are to bear 4 per cent interest, payable semi-annually, and one-fifth, or \$300, will mature every three years.

Montana Mining Delegates.

HELENA, Mont., July 29.—Governor Toole today announced the appointment of 18 delegates allotted to Montana at the American Mining Congress, which meets September 7 to 12 in Deadwood and Lead City, S. D.

Are unlike all other pills. No purging or pain. Act specially on the liver and bile. Carter's Little Liver Pills. One pill does.

Skin Diseases

Eczema, Salt Rheum, Pimples, Ringworm, Itch, Ivy Poison, Acne or other skin troubles, can be promptly cured by

Hydrozone

Hydrozone is endorsed by leading physicians. It is absolutely harmless, yet most powerful healing agent. Hydrozone destroys parasites which cause these diseases. Take no substitute and see that every bottle bears my signature.

Price, 25 Cents.

At Druggists or by mail, from 62b

Prof. Charles H. Fletcher, Price Street, New York.

FREE "Booklet on the rational treatment of diseases sent free."

THE ONE WITH THE IMP—How in the world do you keep your baby so quiet and happy this dreadful trying weather?

THE ONE WITH THE CHEER—Why it's the easiest thing in the world. I take a CASCARET Candy Cathartic every night at bed-time. It makes mother's milk mildly purgative, keeps the baby's bowels cool and regular, stops sour curd and wind colic. They work while you sleep, you know—greatest blessing for nursing mothers.

504

THE AMERICAN SMOKE

First in price
First in quality
First in aroma

CREMO

the great 5c Cigar

The Largest Selling Brand of Cigars in the World

The Band is the Smoker's Protection.

GHIRARDELLI'S GROUND CHOCOLATE

How do you feel after breakfast?
The people who drink

GHIRARDELLI'S GROUND CHOCOLATE

are up and doing before those who take stimulants feel ready to think.

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