

FAVORS CLOSING THE PARK THEATRE

Special Building Committee's Report Recommends Action for Public Safety—New Building Ordinance Comes Up at City Hall Tomorrow.

In the report of the special building inspection committee of the city council, as it stands at present, is a recommendation that the Park theatre, at Sixth and Washington streets, be closed. This committee has been inspecting theatres and public buildings with a view to protecting the public against danger in case of panic or fire. A member of the committee said today that its work was practically completed and that a few minor changes that will be made to the report already formulated. It covers in general detail a tour of the theatres, dance halls and variety shows, the Hill Military Academy, a number of public schools, all the local hotels, several churches and such other edifices or public gathering places that were included in the general round of buildings.

It is thought that a permanent building inspection committee will be recommended, to consist of those public officials who can give some of their time to the work, and who are already more or less interested in the protection of public property.

During the inspection it is known that frequent violations of the fire and building ordinances were discovered, and these will be reported in detail. Quite frequently the violations are thoughtless, but under certain contingencies might bring about the horrors that sometimes follow a neglect to comply

with stated rules for the protection of life and property. The committee has finished its work of inspection and the full particulars will be reported complete. It is said that the committee will be asked to be discharged from further work in that direction, expressing the opinion that in the future its duties should devolve upon the permanent committee suggested.

Repealing more than 60 old ordinances and in effect providing one general ordinance covering the problem of building construction in Portland, the proposed new building law will be considered by the members of the committee, city officials and all interested architects and builders tomorrow morning at 10 o'clock. City Auditor Devlin today made announcement of the open meeting, which will be held at the city hall, and expressed the desire that as many interested people as possible be in attendance.

The new ordinance is at present voluminous, embodying more than 70 typewritten pages, but it should be made as greatly abbreviated. The committee has only intended to draft its general outlines and a closer inspection and criticism from all sides will, in the opinion of the committee members, result in eliminating much unnecessary verbiage.

FATHER LOSES CUSTODY OF SON

JUDGE GEORGE ALLOWS WARREN'S BOY TO REMAIN WITH HIS GRANDPARENTS, DEFTS IOWA COURT'S RULING—PRINCIPALS OF RIGHT, NOT OF LAW, FOLLOVED.

Despite the order of the Iowa courts granting Claude Warren the custody of his 6-year-old son, the little fellow will remain in the care of his grandparents, Mr. and Mrs. Cyrus Armstrong. This was the decision of Judge George in the state circuit court this morning. It was held that the case properly comes under the jurisdiction of the Oregon courts. On the broad principle of right the court asserted the belief that the boy will be better off with his grandparents than with his father.

About two years ago Mrs. Warren died in Iowa and the father of the boy consented to the grandparents being given his custody. Later on trouble arose over his trying to govern the little fellow, and the courts were appealed to. They awarded the grandparents the custody of the child.

Some time ago Mr. and Mrs. Armstrong came to Oregon with young Cyrus. It has not been shown whether they intend to reside here temporarily or to take up a permanent residence here. Warren immediately appealed to the courts, declaring that by taking the boy out of the state they had violated his order. Nothing in the order prevented the boy being taken out of the state, but the courts held that the act violated its spirit. Accordingly the former order was annulled and the father given the custody of his son. When he reached here he was refused the boy on the ground that the Iowa courts had no jurisdiction in this state. Suit was brought to have the order of the Iowa courts enforced.

"The facts known here are not conclusive enough for me to pass on the jurisdiction of the Iowa courts," said Judge George. "It may be that they had jurisdiction, but I question it. It may be claimed that under the clause of the federal constitution requiring full credit to be given the proceedings of a court in a sister state I am bound to enforce this order, but I doubt if under the circumstances this court could be required to enforce such an order any more than that of another court in this state. From the view I take it is hardly necessary to consider these questions at all. Six months has passed since the order and there is no doubt that this court has the custody of the child now."

"I was favorably impressed with the grandparents of the child during the trial. They were spoken of highly by people who have known them for years. They appear attached to the child and he to them. On the other hand, the father is hardly in a position to take good care of the little fellow. On the broad principle of faking the action I deem best for the welfare of the child I will order that he remain permanently in the custody of Mr. and Mrs. Armstrong."

DYNAMITE FOUND IN UTAH THEATRE

ATTEMPT TO BLOW SKYWARD WITH INFERNAL MACHINE A CROWDED AMUSEMENT HOUSE—PLOT DISCOVERED BY JANITOR—ARRESTS ARE EXPECTED BY THE POLICE.

(Special Dispatch to The Journal.) Salt Lake City, Feb. 24.—A quantity of dynamite, sufficient to demolish the building, was found in the basement of the Dewey theatre, at Park City, yesterday afternoon. Attached to the explosive was a time arrangement for setting it off. It is firmly believed by the police and managers of the theatre that those responsible for the presence of the dynamite had planned to destroy the place of amusement while the performance was being given. The discovery was made accidentally. The janitor, who seldom goes into the basement, went there, and in the semi-darkness he stumbled over a large box. As he arose he found that the box had been placed over a bundle. The janitor carried the package upstairs, where it was found to contain 10 sticks of dynamite and the clockwork referred to.

The explosive had been carefully thawed out and otherwise prepared for its deadly mission. The police were at once notified and began work on the case. The matter was kept quiet until today. The officers now say that they have discovered evidence of a plot to blow up the theatre while the performance was being given. They say that arrests may be expected at any time.

HUNDREDS OF HOMES LOST TO SETTLERS

(Continued from Page One.)

for nearly 10 years the case has been fought in all the courts and carried to the supreme court from the circuit court of appeals.

F. P. Mays of the law firm of Carey & Mays, who represent the Northern Pacific at this point, in speaking of the case said:

"The decision is sweeping, and will work a hardship on the settlers who have spent years in the building up of their homes. As the matter now stands they have no title whatever, and must depend on the government to give them assistance in the trouble. The government is at fault, for the reason that they should not have permitted the settlers to file on the lands, or issued patents, when they were aware that there was a cloud on the title. In this way the settler was encouraged and led to believe that he would secure his title. The railroad company should have, without delay, brought action to secure a decision when they learned that the government did not recognize their right to the land. The settler, of course, is not wholly blameless for his part in the transaction, and for his present serious plight. They were all aware that the title of the land was in question, and the chance of everything being decided in their favor was slim. The problem is a difficult one to cope with. The settlers may be given land in lieu of that which they now hold, but this would not be satisfactory, as it is impossible to at the time get land of value. This same proposition might be made to the company, but the same condition would apply to them. An effort might be made to buy out the settlers, and give the land to the railroad company and give the land from the railroad company and give it to the settlers. Either one of these moves would not be satisfactory. A bill may be passed in congress to give some kind of relief, but it will be a difficult matter to settle the problem so that it will be satisfactory all around."

George W. Stapleton, an attorney who has handled a number of the cases for settlers, on the "overlapping" land, before the Vancouver land office said:

"The decision of the supreme court will cause no end of litigation and trouble for the farmers who have been unfortunate in locating on the land in question. I know about 100 of them, and they have good farms, which have cost them years of hardship and toil to build up to a condition of productiveness. The government is responsible in one sense, as they should never have allowed settlers on the land until they were in a position to give them title, after the laws of the land have been complied with. Some action will have to be taken, to undo the evil. It will probably be in the way of remedial legislation by congress. A board of appraisers may be appointed to fix the values of the land and pay the settlers. This, however, would not be justice, as it is a difficult matter to fix the cash value of a homestead, and to justly estimate the compensation for the work, hardship and loss of opportunity, which would have to be taken into consideration if settlers were ejected. The railroad company is under no obligation to sell, and as the property is increasing in value, it is probably a price out of all reason if the government made them a proposition. This would probably be the attitude of the settlers also."

"Some of the property in controversy has changed hands a dozen or more times, and it being to the fore the vexatious point of vested rights. It will be interesting to watch the contest and see how the government will proceed in giving to the settlers the protection they are entitled to under the circumstances. The railroad company is out of the fight, which is between the government and the settlers. Of course the railroad will probably be drawn in on the matter of the adjustment of values, or on some point where they will be given an opportunity to either buy or sell the land."

HIDES MOTHER'S GUILT FOR CHILD

Because he did not want his 9-year-old daughter to know of her mother's disgrace, T. B. Winslow, who resides at Woodlawn, requested Deputy District Attorney Adams to dismiss the statutory charge against his former wife, Minnie C. Winslow, and J. D. Stanley, February 10, 1904. Winslow, who is 68 years old, also stated that he feared that he would be unable to stand the ordeal of a trial, as he has been suffering of late with heart failure. Since the charge was brought Winslow has secured a divorce from his former wife and was awarded the custody of their little daughter.

SURE CURE FOR PILES

Itching piles produce moisture and cause itching, this form, as well as Hemorrhoids or Protruding Piles, cured by Dr. Bo-san-ko's Pile Remedy. Stops itching and bleeding. Absorbs tumors, etc. Jar, at druggists, or sent by mail. Treatise free. Write me about your case. Dr. Bo-san-ko, Phila., Pa.

CHINOOK'S CHIEF ENGINEER GOES

BECAUSE THE CAPTAIN AND ENGINEER OF THE DREDGE COULD NOT AGREE THE LATTER RESIGNED—THE FOOD STRIKE OF THE MEN.

Engineer Linville has resigned his position on the big government dredge Chinook. Major W. C. Langitt was returned from a trip to Astoria, where he investigated the cause of a large number of the men quitting work on the Chinook last week. The men said they were dissatisfied with the rations given them, and that they were not always tempting.

After making a thorough inquiry into the subject Major Langitt says he satisfied himself that the "grub" question had nothing to do with the difficulty. There has been a certain amount of friction, he says, between the captain and the engineer, and the latter attributes the trouble. Nearly all the men who quit work were employed in the engineer's department and the constant wrangling is believed to have been the cause.

"If you request the engineer to resign" the major was asked. "No," was the reply. "He quit of his own accord."

"Has anyone been appointed to succeed him?" "No," but an appointment will likely be made very soon.

"Some of the employees who walked off the dredge," concluded the major, "were young chaps, and did not care much whether they worked or not. We will not restate the strikers as a body, but will take them back as individuals, if they are needed, and we are satisfied that they want work."

"I do not think there will be any further trouble on the Chinook. Everything is going smoothly here, and I think will continue that way."

HER CREDIT VERY POOR

(Continued from Page One.)

WILL ALLOW NO FOOLING. (Washington Bureau of The Journal.) Washington, Feb. 24.—The reply of the United States to Russia's protest against Japan is expected to be nothing more than an acknowledgment of its receipt. State officials still announce that the United States will keep out of the imbroglio in the far eastern situation as much as possible, but will allow no fooling.

London, Feb. 24.—A dispatch to Reuters from Wei Hai Wei states that four Japanese battleships and nine cruisers passed there today, bound east. The vessels are evidently part of the fleet which has been concentrated about Port Arthur.

Vienna, Feb. 21.—A Neue Freie Presse dispatch from Warsaw says dysentery is raging among the Russian troops in Manchuria.

Nice, Feb. 24.—Grand Duke Cyril, the czar's cousin, left for the far east today via St. Petersburg. He will take up an important naval command.

INVOKES DIVINE AID. (Hearst Special Service.) St. Petersburg, Feb. 24.—The czar today, replying to an address from his subjects expressing loyalty, said such expressions as these, coming from all parts of Russia, are a great consolation in times of trouble. He concluded with an expression of optimism and by invoking Divine aid.

London, Feb. 24.—The severe depression in Russian government securities is again reflected by the number of failures today. There were three in Paris this afternoon, due to a decline in Russian bonds.

THE TROUBLE IN CHINA. (Hearst Special Service.) Russian Cruiser Mandjur Must Leave Shanghai, Else Strife. Tien Tsin, Feb. 24.—China is moving troops to the front and is preparing to attack the Russian cruiser Mandjur, now at Shanghai. There are renewed reports of an attack on Port Arthur, and the story is that Russia is strongly entrenched and will make a stand in Manchuria if not a general attack. The advance of Chinese troops complicates matters and endangers the general peace of Europe.

Valuable Opinions Rendered After Studying Features So Far Developed. (By General Joseph Wheeler.) (Hearst Special Service.) New York, Feb. 24.—The report that the czar of Russia will take personal command of his imperial forces in the east is another proof that the resources of that great nation will be exercised to the utmost to maintain its dignity, honor, prestige and defend its strongholds and other posts on the Pacific coast.

Dispatches from Russia declare that the czar's soldiers have already crossed the Yalu river and are preparing to battle with the Japanese with the river at their backs. Seoul is, from north to south, about 100 miles from the Korean peninsula, and is more than 300 miles from the Yalu river. The taking of the capital would be an almost impossible undertaking for the force which the czar has available for such a purpose. The statement is utterly inconsistent with repeated dispatches which assert that Viceroy Alexief has established his headquarters in Harbin, and that the plan of campaign involves the concentration of an army at that point 400,000 strong. This would put the viceregal headquarters at least 700 miles from Seoul, which is certainly a very extraordinary plan of campaign.

I think that the public is very apt to exaggerate what is called "disaffection" or lack of loyalty, of the czar's subjects. The history of all countries shows that little matters of disaffection and sometimes matters of oppression and injustice are lost sight of when the honor and prestige of a nation are assailed. In such times the spirit of chivalry and devotion to governing powers rises to great heights, and we may expect such will be the case as regards Russia.

Nihilists are few in number to the great mass of what were once serfs, a people who feel that they owe their release from serfdom to the father and grandfather of the present ruler. We may, accordingly, feel assured that there will be little difficulty in filling the army with willing and loyal soldiers. It is therefore probable that good soldiers can be found even among deported sufferers who have been sentenced for

CATARRH THIRTY YEARS.

The Remarkable Experience of a Prominent Statesman—Congressman Meekison Gives Pe-ru-na a High Endorsement.



Congressman Meekison of Ohio.

Hon. David Meekison is well known not only in his own State, but throughout America. He was elected to the Fifty-fifth Congress by a very large majority, and is the acknowledged leader of his party in his section of the State. Only one flaw marred the otherwise complete success of this rising statesman. Catarrh with its insidious approach and tenacious grasp, was his only unconquered foe. For thirty years he waged unsuccessful warfare against this personal enemy. At last Peruna came to the rescue. He writes:

"I have used several bottles of Peruna and I feel greatly benefited thereby from my catarrh of the head. I feel encouraged to believe that if I use it a short time longer I will be fully able to eradicate the disease of thirty years' standing."—David Meekison, Member of Congress.

If you do not derive prompt and satisfactory results from the use of Peruna, write at once to Dr. Hartman, giving a full statement of your case and he will be pleased to give you his valuable advice gratis. Address Dr. Hartman, President of The Hartman Sanitarium, Columbus, Ohio.

life to the hardships of a Siberian exile. When all these resources are hurled upon Japan it will require the exercise upon the part of that nation of all its resources and its utmost determination, endurance and sacrifice to meet them.

MAY HANG RUSSIANS. (Journal Special Service.) Japan Says Hanging Soldiers By Enemy Was Not Justified.

London, Feb. 24.—Japan threatens to hang a number of Russian prisoners because of the hanging of the Japanese who attempted to blow up a bridge on the Siberian railroad. They claim the attempt purely an act allowable in war, and not the work of spies. That it was reconnoitering and acting under the rules of warfare, and should have been treated as prisoners of war, and not as spies.

BATTLE IN DOUBT. (Journal Special Service.) London, Feb. 24.—Consul Hayashi said this evening he believed the report of the sinking of six Japanese warships is the outcome of an assertion recently made by Pavloff, a Russian agent at Seoul, that three Japanese vessels were sunk at the battle of Chemulpo. Neither Baron Hayashi nor the Russian minister here has any official confirmation of the report.

CHICAGO MAYOR ON WITNESS STAND

(Journal Special Service.) Chicago, Feb. 24.—For the first time since the Haymarket riots a mayor is today on the witness stand in a murder case. Mayor Harrison gave testimony in the car-barners' trial, showing the concessions made by Vandine and Niedermeyer when arrested. They were voluntarily given.

TO CURE A GOLD IN ONE DAY. Take Lassive Bromo Quinine Tablets. All refund the money if it fails to cure. E. W. Grove's signature is on each box. 25c.

WARNING! To Piano Contestants

You MUST comply with the rules of this contest or your numbers will not be registered. Some send in their numbers without stating whether it is a piano or organ, or giving the name of the instrument. How do you think you will do? Somebody is going to win. It may be you.

NOTICE.—Always give name of instrument and address; also state where you saw the advertisement. This contest is open to every owner of an old piano or organ in Oregon or Washington, and costs absolutely nothing but a postal card.

Send Your Numbers, Everybody. This contest is in the hands of the oldest and most reliable music house in the Pacific Northwest and will be conducted with the same fairness characteristic of this house.

Allen & Gilbert-Ramaker Co. Oldest, Largest, Strongest. COR. SIXTH AND MORRISON STS. Opposite Postoffice.

NEW INVERNESS TO VISIT PORTLAND

STEAMER WILL MAKE FIRST VISIT TO PORT FOR LOAD OF GOVERNMENT LUMBER AND GRAIN FOR PHILIPPINES—TAYLOR, YOUNG & CO. HAVE CONTRACT.

Taylor, Young & Co. of Portland have been awarded the contract for transporting 1,200,000 tons of government lumber and 2,500 tons of ore to Manila, for which it will receive \$14,200. The lumber will be furnished by the Eastern & Western mill and tenders will be asked for supplying the oats. Taylor, Young & Co. has chartered the British steamship Inverness to transport the shipment. She is now en route from Muroran, Japan, to Vancouver, B. C., with a cargo of sugar, and is due to arrive at the Canadian port about March 1. By the middle of the month she is expected to reach Portland, and will begin loading at once.

Proposals for furnishing the oats will be opened on March 5. Puget sound firms are also invited to bid. If they should be successful the steamer will proceed to Seattle or Tacoma to complete her cargo after taking on the lumber shipment here.

The Inverness is a turret deck steamer, having a dead weight carrying capacity of 5,200 tons, and is particularly suitable for large cargoes. She only draws about 22 feet of water when fully loaded.

The steamer is in command of Capt. J. J. Proud, and is only two years old. She was built at Sunderland, England, in 1902. She is of 2,401 net registered tons and 3,734 gross. Her dimensions are 342.6 feet long, 46.7 feet across the beam and 24.8 feet depth of hold.

During the past few years the old steamships Inverness and the Calithness, sister steamers of the one now under charter, have been at Portland, but this will be the first visit to these waters of the new Inverness.

STILL COMRADES THOUGH IN DEATH

WILLIAM MILLER AND ALEX COPPELAND, FAST FRIENDS IN LIFE, WILL LIE TOGETHER AT RIVERSIDE—MILLER'S BODY BROUGHT FROM THE SOUTH.

Daniel J. Moore arrived from San Francisco this morning with the body of William Miller, a well-known boating man of this city. Mr. Miller was connected for many years with the late Aiken Copeland, and they were fast friends. When Mr. Copeland died, about a year ago, he remembered his old chum and bequeathed him a substantial sum. A short time ago Mr. Miller, not feeling well, left for California to recuperate, but his health failed rapidly and he died in San Francisco. Major Moore, being the administrator of the Copeland estate, was appointed to act in a similar capacity for Miller, and accordingly went south to claim the body and bring it to this city for burial. For a number of years Miller was employed by Major Moore. The funeral will be held probably on Sunday, although the exact date has not been fixed. The body of the deceased will be buried beside that of Copeland in Riverview cemetery.

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Special 73c Parker's Rotary Hammer Alarm, best finished and most accurate alarm in the market

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Prevent Coughs, Colds and all Chest and Lung Troubles. Woodlark Chest Protector 50c and 75c Hudson Chest Protector Chamois lined

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Special \$2.50 Razors

Our Razor Blades are forged of the highest grade of double refined English steel. EVERY ONE GUARANTEED Large assortment of Antoin Berg, Fearless, Sterling and So-By Razors

Special 79c to \$2.83 STAR, GEM, YANKEE, CUCKLEY AND THE REAL SAFETY RAZORS. Make shaving a luxury and home comfort

Special \$1.69 to \$18 According to style of set and number of blades.

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