

# Proposed Oregon Tax Law

(Continued from last week)

(Tax collector to make weekly statements—To keep funds separate.)

Section 19. It shall be the duty of the tax collector to make a statement on the last business day of each week of the exact amounts of the cash and county orders by him collected for taxes and penalties and interest, and what amounts thereof are to be credited to the several funds for which they are respectively collected, one of which statements shall be filed with the county clerk and one furnished to the school district, town, city, port, or other municipal taxing agency for which such amounts are not paid in, and one of which statements he shall retain on file in his office; and shall exhibit to the county clerk for examination and comparison his collection register and his stub book containing copies of the receipts by him given for the taxes so collected. The tax collector shall keep the moneys received by him in separate funds, and shall pay the same over to the several school districts, towns, cities, ports, or other municipal taxing districts or agencies entitled thereto, upon demand made by them, paying them the amount thereof to which they are respectively entitled, taking their receipts therefor. Provided, special road funds shall be retained in the hands of the county treasurer, and expended by him upon the warrant of the county clerk as by law provided.

(Applying money collected for one object to another—Penalty.)

Section 20. When any moneys shall have been collected or received by any officer for any distinct and specified object, no portion of them shall be paid or applied to any other object or purpose without due authority, but shall be kept a separate fund for such specified object; and any officer failing to comply with the provisions of this section shall be liable to a fine not exceeding \$500, or to imprisonment in the county jail not exceeding six months.

(Tax collector to receive and receipt for moneys and county orders collected—Penalty.)

Section 21. The tax collector shall receive and receipt for all moneys and county orders collected by him for taxes in the manner prescribed in the following section hereof, and any tax collector failing to comply with any of the provisions of the following section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than \$100 nor more than \$1,000, and the court before whom said tax collector is tried shall declare his office as treasurer and tax collector vacant for the remainder of his term.

(Tax collector's record of tax collectors.)

Section 22. The tax collector shall receive and receipt for all moneys and county orders collected by him for taxes, and shall note on the tax roll against the property paid on, in columns provided therefor, the date of each payment and number of receipt. He shall keep such stub receipt books, in which shall be kept by him a copy of each and every receipt by him issued, and such receipts and stubs shall be arranged and numbered consecutively for each year, and shall show exactly the amount paid in cash and the amount paid in county orders, and shall show the place and date of collection, the purpose for which and the property on which the taxes were paid; but the matters shown upon the tax roll may be omitted from the volume, page and line of the tax roll wherein such matters are set forth. Such stubs or copies of the receipts issued by the tax collector shall also in every case contain the postoffice or residence address of the taxpayer, which may be ascertained at the time of the payment of the tax and then entered on the stub or copy of the receipt retained by the tax collector. No tax collector shall receive a larger amount in county orders from any person for taxes than the amount of such person's county taxes for the year or years for which the payment is made. It shall be the duty of the tax collector to note upon each receipt and copy thereof the number and amount of each county order he shall receive, the amount of the taxes for which such receipt shall be given, and also to write the date of the receipt upon the back of each county order paid in for taxes, and at the same time write or stamp across the face thereof "Received for Taxes," and no county order shall draw any interest after such date. He shall keep, as a part of the records of his office, a collection register, in which he shall make proper entries, showing the various amounts collected by him, the amounts thereof collected for each and every separate fund, the year in which the tax so collected became due, and the numbers and dates of the respective receipts given by him therefor.

(Frankness and honesty.)

"Of course your constituents want a man who is perfectly frank and honest."  
"Yes," answered Senator Sorgham. "At the same time most of them have no objections to my working through river and harbor appropriations for places that never see two feet of water except when it rains."—Washington Star.  
The streets of Tokio will soon have trolley cars.

(Double assessments and other errors tax collector may correct.)

Section 23. Whenever the tax collector discovers that any property has been assessed more than once for the same year, he shall collect only the tax justly due thereon, and shall make return to the county court of the balance as double assessment, and shall be properly credited therefor; and whenever, at any stage in the collection of taxes, the officer having charge of the rolls shall discover errors or omissions of any kind therein he may properly correct the same to conform to the facts in whatever manner may be necessary to make such assessment, tax, or other proceeding whatsoever regular and valid, such correction to be made in red ink, or otherwise distinguished, and to be signed with the initials of the officer making the same and the date of such correction.

(Omitted property—Assessment.)

Section 24. Whenever, after the return of the assessment roll to the county clerk by the board of equalization, the officer having the possession of the roll shall discover or receive credible information, or if he has reason to believe that any real or personal property has, from any cause, been omitted, in whole or in part, in the assessment of any year or number of years not exceeding two years prior to the last roll so equalized and returned, or from the assessment roll or the tax roll, he shall proceed to correct the assessment or tax roll in his hands, and add such property thereto, with the proper valuation, and charge such property and the owner thereof with the proper amount of taxes thereon at the rate which the said property would have been taxed had it been properly upon the tax roll for the year or years to which it was omitted, to enable which officer so to do he is hereby invested with all of the powers of the assessor, board of equalization, and county clerk under the laws in force during such years and thereafter. But before making such correction or addition, if the person claiming to own said property, or occupying it or in possession thereof, resides in the county and is not present, such officer shall give such person notice in writing of his intention to add such property to the assessment or tax roll, describing it in general terms, and requiring such person to appear before him at his office at a specified time, within five days after giving such notice, and to show cause, if any, why such property should not be added to the assessment and tax roll; and if the party so notified does not appear, or if he appears and fails to show any good and sufficient cause why such assessment shall not be made, the same shall be made, and the officer making the correction or addition shall file in his office a statement of the facts or evidence on which he made such correction. The notice in writing so served in the same manner and by the same persons competent to serve subpoenas. Appeal may be taken from the action of the officer in making the correction or addition by the person aggrieved within ten days after the action of such officer is taken, by giving notice to such officer and otherwise proceeding in the manner provided for appeals from the board of equalization.

(Duty of officer having possession of roll—Proceedings on failure to act.)

Section 25. Whenever any officer described in the preceding section shall discover credible information, or have reason to believe that real or personal property has from any cause been omitted, in whole or in part, from assessment for taxation for the years specified in the preceding section, or such credible information shall be furnished to such officer, it shall be the duty of the officer having possession of said assessment or tax roll to take the steps provided for in the preceding section to place such omitted property on the assessment or tax roll. If such officer shall fail or refuse on the discovery by himself, or on credible information being furnished him by another person, that property has been omitted from taxation, the state, on the relation of any state officer or of any taxpayer of the county in which such failure or refusal occurs, shall have the right to proceed against such officer in any court of competent jurisdiction by mandamus to compel such officer to comply with the provisions of the preceding section. In the trial of such a suit the question of what constitutes credible information as herein mentioned shall be a question of fact to be determined by the court trying the case in the same manner other issues of fact are determined. If judgment shall be rendered to the effect that credible information has been discovered by or furnished to such officer, or that he has reason to believe that property has been omitted from taxation, it shall then be the duty of such officer to forthwith place such omitted property on the assessment and tax roll in accordance with the provisions of this and the preceding section, and such officer shall be liable for all costs of such mandamus suit, and for a reasonable attorney's fee

(New; see note to section 25.)

(Uncle Abner's idea.)

City Nephew—Uncle Abner, some of the city people accuse country folks of eating with their hands. You don't eat with your hands, do you?  
Uncle Abner—Wal, I should say not, my boy. I always make the hired men eat out in the kitchen.

(Misunderstood.)

"So, you're a journalist, be ye?" said Uncle Joshua, who had come to town to see his nephew.  
"You bet I am," answered the cub reporter, mentally contrasting his own magnificent and expensive attire with the homely garb of the farmer. "You bet I'm a journalist—and with a big J, too!"  
He always wondered why the old man got mad.—Cleveland Leader.

(Pole flinders.)

"Some explorers are in favor of hunting for the north pole in automobiles," remarked the man who reads the magazines. "Do you think the plan would be successful?"  
"I wouldn't be surprised," replied the motorist, who had just been in a wreck. "Automobiles seem capable of finding every pole from a hitching post to a telegraph pole."  
European Russia has a less percentage of forest than the United States.

for relator's attorney, which shall be taxed as a part of the costs of such suit in all cases where judgment is rendered against such officer: Provided, however, that in case proceedings are instituted hereunder on the relation of any private citizen, such relator shall give bond to the satisfaction of the court to pay all costs which may be recovered against him.

(Personal property tax, levy and sale—Penalty tax charged to realty.)

Section 26. Taxes legally levied and charged in any year may be paid on or before the first Monday of April following, and if not so paid they shall become delinquent: Provided, however, that if one-half of the taxes against any particular parcel of real property, or the taxes on personal property charged against any individual, be paid on or before the said first Monday of April, then the time for the payment of the remainder of such tax may be extended to and including the first Monday of October next following, but if the remaining one-half of such tax be not paid on or before the first Monday of October then such remaining half shall be delinquent, and, besides the penalty, interest thereon shall be charged and collected at the rate of twelve per centum per annum from the first Monday of April following; and upon all delinquent taxes there shall be collected from the taxpayer of such taxes, for the benefit of the county, ten per centum as a penalty, and for the benefit of the county or other corporation which shall have an interest in any portion of such taxes interest at the rate of twelve per centum per annum on such taxes from the day on which they become delinquent until their payment: Provided further, that there shall be an allowance of three per centum rebate upon any tax paid on any separate parcel of real property, or upon the personal property charged to any individual as aforesaid, on or before the fifteenth day of March next prior to the date when such tax would become delinquent if not paid.

(Time for payment of taxes—Penalty—Interest—Relate.)

(Personal property tax, levy and sale—Penalty tax charged to realty.)

Section 27. On or immediately after the first Monday of May in each year the tax collector shall proceed to collect all taxes levied in his county upon personal property, of which one-half was not paid as hereinbefore provided on or before the first Monday of April, together with the penalty and interest. He shall levy upon sufficient goods and chattels belonging to the person or corporation charged with such taxes, if the same can be found in the county, by taking them into his possession, to pay such delinquent taxes, together with interest, accruing interest, penalties and other lawful charges; and shall immediately advertise such goods and chattels for sale by posting written or printed notices of the time and place of sale in three public places in his county not less than ten days prior to such sale, and if such taxes, interest, and penalties shall not be paid before the time appointed for such sale the tax collector shall proceed to sell such property at public vendue, or so much thereof as shall be sufficient to pay such taxes, interest, and penalties and shall deliver to the purchasers thereof at such sale the property so sold to them respectively, and such sale shall be absolute; and the tax collector shall proceed in like manner, on and after the first Monday in November, to collect the residue of taxes charged against personal property remaining delinquent on his roll. In like manner he shall levy upon and sell the goods and chattels of any person or persons removing from the county without paying all taxes charged against them. Whenever after delinquency, in the opinion of the tax collector, it becomes necessary to charge the tax on personal property against real property in order that such personal property tax may be collected, such tax collector shall select for the purpose some particular tract or lots of real property owned by the person owing such personal property tax, and shall note upon the tax roll opposite such tract or lots the said tax on personal property, and said tax shall be a lien on such real property from and after the time the said tax on personal property is charged against the said real property, and shall be enforced in the same manner as other real estate tax liens.

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# PROCEEDINGS OF OREGON LEGISLATURE

Thursday, January 24.

Salem, Jan. 24. — Both houses this afternoon adjourned until Monday. This is largely due to the state printer being unable to secure enough compositors to turn out the work on time and will allow him time to catch up.

The two houses this morning met in joint assembly and listened to an address by Mr. Bryan.

A bill was introduced in the senate permitting capital punishment for robbers who are captured armed with dangerous weapons.

Bills were also introduced in the senate creating the county of North Grant and create a railroad commission to be appointed by the governor.

In the house new measures included the appointment of a commission to investigate the fire insurance business and one providing that each county shall be a judicial district and providing for a prosecuting attorney for each county.

The bill providing for publication of notice of all estrays was passed by the house. The senate bill fixing the Linn-Lane boundary was also passed by the house.

Four bills were passed by the senate. They provide: For holding meetings of state textbook commission in May instead of July; raising fees of jurors from \$2 to \$3 per day; fixing salaries in Douglas county; to turn unexpended school funds back into the county school fund instead of the general fund.

Wednesday, January 23.

Salem, Or., Jan. 23. — There are pending in both houses an unusually large number of bills and in a majority of cases the advantages that will follow their enactment are conferred upon the laboring man who performs work and who, under the present statute, in many instances experiences no end of trouble in getting what is his due, when he does not lose out altogether.

It has been discovered that all line officers of the O. N. G. have been chosen in violation to the state constitution. Representative Jackson has prepared a bill to remedy the defect.

The bill providing that jurors may be kept together in civil actions has the honor of being the first to pass the house.

The senate passed the bill agreed upon by Lane and Linn fixing the boundary between those counties.

Governor Chamberlain sent a message to both houses today asking more money for the Jamestown exposition.

A total of 10 bills have been introduced relating to roads and highways. Johnson's measure providing for joint improvement by county and state is the most important.

Twenty-four new measures were read for the first time in the house today. This makes a total of 237.

Among the 19 bills in the senate were two by Bailey amending the direct primary law. One provides for party conventions before the primary election and the other makes statement No. 1 pledge apply to party candidates only.

The election of Mulkey and Bourne as United States senators was confirmed today in joint session of the two houses as the law requires. The journal of yesterday's election in the two houses was read and President Haines thereupon declared them elected. Mulkey serves until March 4, 1907, and Bourne six years from that date.

Tuesday, January 22.

Salem, Jan. 22.—Both houses of the legislature in separate session today elected Jonathan Bourne, Jr., United States senator for the long term and Fred W. Mulkey for the short term.

The vote on Mulkey was unanimous in the house and all members of the senate present voted for him. Three representatives, Reynolds, Rodgers and Settlemier, of Marion, refused to support Bourne. These men explained that they did not pledge themselves and also that their constituents gave a plurality against him. Four senators, Booth of Lane, Laycock of Grant, Miller of Linn-Marion and Wheelon of Wasco, voted against Bourne. The senators gave much the same reason as the representatives for not favoring Bourne.

The vote stood: Mulkey—House, 60; senate, 27. Bourne—House, 57; senate, 23.

No progress has so far been made in either house on the railroads bills that provide for a commission, reciprocal demurrage, maximum rates, taxation of gross receipts, etc. These subjects have hardly been heard of yet in the senate, and only one bill has appeared there relating to them. This is the bill of Senator Johnson, of Benton, providing for reciprocal demurrage and prohibiting rebates and discrimination, but omitting the commission. In the house, however, a number of bills have been introduced.

A joint memorial was introduced in the senate this morning by Senator Mult asking congress to compel the owners of the Oregon & California Railroad company to sell its grant lands at the price stipulated in the grant. The resolution was referred to the committee on resolutions.

By unanimous vote the senate adopted a memorial asking congress to remove all tariffs on raw jute or jute bags. This move will quite likely tend to defeat any effort to establish a jute mill at the state penitentiary.

By combining two resolutions the senate sought to eliminate one junketing trip. Resolutions had been introduced for the appointment of a committee to confer with a committee from Washington on the subject of fisheries and another committee to confer on pilotage. The senate committee on resolutions provided that one committee should be provided for the two purposes.

Salem, Jan. 21.—Standing committees of the Oregon legislature were announced this afternoon by President Haines of the senate and Speaker Davey of the house. In each case the best places were secured by the supporters of Haines and Davey for leadership.

The hunters' license law, it is safe to say, will be changed this session. Two bills relating to the subject have already appeared in the house.

The normal school question is already a live one in this session. Last week a bill to cut off Drain and Ashland was introduced. Today a bill was introduced to close the Drain and Monmouth schools.

The house unanimously passed over the veto of the governor the bill to regulate the manufacture and sale of commercial fertilizers. This was one of the seven house bills of the 1905 session voted by the governor.

Altogether 77 bills were read for the first time in the house today. In the senate 18 new measures appeared.

Reorganization of the judicial system of Oregon is proposed in a senate bill. Among the house bills were: To collect inheritance tax on estates of \$5,000 and up, instead of \$10,000 as at present; bounties ranging from \$5 to \$20 for scalps of wild animals, two-thirds to be paid by the county and one-third by the state; creating the office of inspector of mines, and several covering the several sections of the report of the state tax commission, in each case advocating the adoption of the report.

In the senate the new measures included: For reciprocal demurrage and prohibiting rebates and discrimination; for transportation of convicts by prison employes; to purchase land adjoining the capitol grounds on the east side, and to provide for working county prisoners on public highways.

Rush for Timber Land.

Corvallis—A new rush for timber land is on here. It is not so great as was the one a few years ago, but between 50 and 60 claims have been located within the past few weeks. The timber lies 40 to 60 miles southwest of Corvallis in what is known as the Five Rivers country. Locators come to Corvallis by rail and take private conveyances for the rest of the journey. A carriage to the foot of Alsea mountain and a saddle horse from then on is the usual means of traveling. Women are among the locators, three from Portland having made the trip to the woods a few days ago.

The timber is not old fir. It is second growth that has sprung up since the great fire that swept the coast range west and southwest of Corvallis 65 or 60 years ago.

PORTLAND MARKETS.

Fruits—Apples, common to choice, 50¢@75¢ per box; choice to fancy, \$1@2.50; pears, \$1@1.50.

Vegetables—Turnips, 90¢@1 per sack; carrots, 90¢@1 per sack; beets, \$1.25@1.50 per sack; horseradish, 9¢@10¢ per pound; sweet potatoes, 3¢ per pound; cabbage, 2½¢ per pound; cauliflower, \$2.50 per dozen; celery, \$3.50 per crate; pumpkins, 2¢ per pound; squash, 2¢ per pound; sprouts, 8¢ per pound.

Onions—Oregon, \$1@1.15 per hundred.

Potatoes—Oregon Burbanks, fancy, \$1@1.30; common, 75¢@95¢.

Wheat—Club, 67¢; bluestem, 69¢; valley, 67¢; red, 65¢.

Oats—No. 1 white, \$27; gray, \$26. Barley—Feed, \$21.50@22 per ton; brewing, \$22.50; rolled, \$23.50@24.50.

Rye—\$1.40@1.45 per cwt.

Corn—Whole, \$26; cracked, \$27 per ton.

Hay—Valley timothy, No. 1, \$14@15 per ton; Eastern Oregon timothy, \$17@18; clover, \$9; cheat, \$9; grain hay, \$9@10; alfalfa, \$14.

Butter—Fancy creamery, 30¢@35¢ per pound.

Butter Fat—First grade cream, 33½¢ per pound; second grade cream, 2¢ less per pound.

Eggs—Oregon ranch, 32½¢@33¢ per dozen.

Poultry—Average old hens, 13¢@14¢ per pound; mixed chickens, 12¢@13¢; spring, 14¢@14½¢; old roosters, 10¢@11¢; dressed chickens, 16¢@17¢; turkeys, live, 17¢@17½¢; turkeys, dressed, choice, 20¢@22¢; geese, live, 10¢@12¢; ducks, 17¢@18¢.

Val—Dressed, 5½¢@9½¢ per pound.

Beef—Dressed bulls, 2¢@3¢ per pound; cows, 4¢@5¢; country steers, 5¢@5½¢.

Mutton—Dressed, fancy, 8½¢@9¢ per pound; ordinary, 6¢@7¢.

Pork—Dressed, 6¢@9¢ per pound.

Savings Bank for Albany.

Albany—Albany is to have another bank. According to articles of incorporation filed with the county clerk here, the Linn County Savings bank will be opened here as soon as a location can be secured. The incorporators of the new bank are H. S. Myers, F. N. Myers, and M. S. Myers, all of San Francisco, who will start the institution with a capital stock of \$5,000. Albany now has two banks, but this will be its first savings bank.

PAY FOR CARS.

Washington Lumbermen Give Money to Have Them Spotted.

Seattle, Jan. 23.—Evidence indicating that lumbermen have been paying money to railroad employes to have cars "spotted" on their tracks was introduced before Interstate Commerce Commissioner Franklin K. Lane, at the hearing yesterday afternoon into the car shortage question.

Charles E. Patton, president of the Reliance Lumber Company and vice-president and secretary of the Atlas Lumber and Shingle Company, made the statement during the course of his examination. To say that the evidence of Mr. Patton was a sensation would be putting it mildly. Mr. Patton had been giving some facts and figures showing that there was an apparent discrimination in the distribution of cars at Tacoma among the mills.

A multitude of witnesses testified before Commissioner Lane yesterday about the car shortage and the crippling effect it has had upon the industries of the state. Not only were lumbermen put on the stand, but Senator Paulhanus told of the sufferings of the Puyallup berry growers, and the troubles of the wheat farmers of Eastern Washington were gone into.

The lumber men contended that while the car shortage was particularly acute at the present, there had never been a time for years when they got all the cars that they wanted. The rate at which cars moved was gone into and it was shown that this has steadily decreased from an average movement per car of 94½ miles in 1903 to 35 miles in 1906.

No attempt was made to dispute the car shortage by the railroad attorneys. They sought to show, however, that the present paralysis of traffic was the result of the floods in November.

MUST APOLOGISE OR RETIRE

Fate of Swettenham Unless He Can Give Good Excuse.

London, Jan. 23.—The incident arising from the exchange of letters at Kingston between Governor Swettenham and Rear Admiral Davis now appears to be entering the waiting stage, as the government, after doing all possible in the absence of advices from the Governor of Jamaica, is obliged to defer further action until he reports.

In the meantime the trend of official sentiment is toward having Governor Swettenham apologize or retire, but this is based on the press accounts of the incident and on letters, and it may be modified by Governor Swettenham's version, giving extenuating circumstances.

In the absence of a report from the Governor to his government, his dispatch to Secretary Root, which has been reproduced here, tends further to mystify the mind of the public, which finds it difficult to reconcile the Governor's present recognition of the assistance rendered by the American squadron with the terms of the previous letter.

SEIZE FOOD SUPPLIES

Mayor of Cincinnati Orders Police to Stop Extortion.

Cincinnati, Jan. 23.—Mayor Dempsey yesterday afternoon issued orders to the police to confiscate food and fuel where needed for relief of food sufferers and where dealers attempted to extort unreasonable prices. This action was taken because of numerous reports of extortion in charges for transportation and for relief supplies. Those attempting extortion will be arrested.

The high water in the Ohio river is slowly but steadily receding tonight. The railroads have begun preparations to resume regular traffic, although it will be several days before the tracks are safe.

Relief work continues actively. Six school buildings have been turned over as temporary homes for the sufferers. The city council tonight appropriated a sum for a relief fund which is being augmented by private subscriptions.

Appeals for aid have been received from many Kentucky towns.

Mayor of Kingston Appeals.

New York, Jan. 23.—Mayor Taft, of Kingston, Jamaica, in his official capacity, has appealed to the generosity of the American people on behalf of the earthquake sufferers, saying: "On behalf of the stricken people, I appeal through you to the generosity of the American people for help. Money, lumber and building material most urgently needed." Acting upon the suggestion of Mayor Taft, Mayor McClellan last night announced that he would be glad to receive contributions, which would be forwarded to the proper Kingston authorities.

Disgusted With Swettenham.

London, Jan. 23.—In a dispatch from Kingston the correspondent of the Chronicle records the extreme indignation of all classes at Governor Swettenham's conduct and says so much disgust is felt that people will demand his recall. "In every direction the government has blundered," the correspondent says, "and is still blundering badly, while it is palpably unable to cope with the situation." The Tribune and other papers publish telegrams couched in similar terms.

Epidemic Grows Worse.

Chicago, Jan. 23.—Local health department records for the number of contagious disease cases reported in a single day were broken today, when 214 cases were recorded at the city hall. Of these 145 were of scarlet fever and 40 of diphtheria. The prevalence of these diseases, railroad officials report, has caused a marked increase in passenger traffic to winter resorts.

Fever Among the Refugees.

Aurora, Ill., Jan. 23.—Though the river has fallen four inches since Monday, the conditions are desperate. Citizens are huddled in camps on the higher grounds or crowded into school houses, opera houses and city hall. Scarlet fever has broken out among the refugees from the lower part of the city.