

MORE PREMIUMS THAN ANY OTH ER .TATE FOR THE MONEY.

WAS DENIED ONE GRAND PRIZE

List of Medals and Prizes Awarded to the State of Oregon at the World's Fair.

Three Grand Prizes, Sixty-Seven Gola Medals and Fifty Silver Medals and Seventy-One of Bronze Come to the Exhibitors of the State.

PORTLAND, Or., Dec. 16 .- (Special) -President Jefferson Myers of the State Commission for the Lewis and Clark Fair, today said that the prizes coming to Oregon from the Louisiana Purchase Exposition at St. Louis were greater in number than those awarded to any other state in comparison to the amount of money that the exhibit cost. The following is the list of prizes awarded in each department;

Department of Agriculture-(Which includes one gold medal for dairy.)-I grand prize, 43 gold medals, 56 silver, 22 bronze.

Department of Horticulture-2 grand prizes, 7 gold medals, 84 silver, 34

Department of Fish and Game-4 gold medals, 9 silver, 1 bronze.

Department of Mining-2 gold medals, 1 silver medal, 10 bronze. (Petition pending for grand prize.) Department of Forestry-5 gold med-

als, 2 silver, 2 bronze.

Department of Education, groups one and two-1 gold medal, 3 silver medals. 2 bronze.

Department of Livestock-86 head of sheep sent by Baldwin Sheep & Land Co. won 31 premiums, divided as fol-lows: Rambouillet, 18; Delaine, 7; Branish, 6. Oregon exhibited the larg-"est and heaviest shearing Spanish ram ever seen in this or any other country, but was refused a prize, as the judges called him a freak. The value of the Fair. exhibit was about \$12,000. Chas. E. Ladd received on a herd of twelve Shorthorn cattle, 21 first prizes, 1 second, 1 third, 2 fourth, 2 fifth. Wm. Riddle of Polk couny, was awarded second prize (\$100) on five head of Kent sheep, and 2 firsts and 1 fourth

on four Angora goats. The total number of prizes, outside of the stock, was: Grand prizes, 3; gold medals, 67; silver medals, 150; bronze, 71.



YEAR IS BEING DISCUSSED-MANY SAY HAVE IT.

Idea That It Will Hurt Lowis and Clark Fair Not Tenable-Amount of Money the Legislature Will Be Asked to Appropriate for Fair.

dness, all bills and pre- NINE LIVES any indebtedness, all bills and pre-miums paid promptly and in full. "But several years ago the old board borrowed quite a sum of money from the State School Fund, and that loan has never been paid. The interest theron has continued to accumulate un-til the entire sum due the school fund is about \$19,000. At the time the prop-verty was taken over by the state, the any indebte erty was taken over by the state, the existence of the debt was known, but

as the debt was due to the state by the state, it was not supposed that there would be any trouble about it. The State Land Board, however has decided

that the amount must be made good to the school fund and a suit has been en tered to foreclose the mortgage. This suit will result in the sale of the Fair Grounds property unless the Legislature takes such action as will prevent it from going to trial vz: Makes an ap-

propriatoon from the genral fund suf ficient to reimburse the school fund. That is the course which we believe the wisest to pursue, and that we feel that the prudence and patriotism of the gentlemen of the Legislature will dictate

ing of the Starin line steamer, Glen to them. 'Of recent years those who are quainted with the State Fair and its results have been and are very proud of it. It has accomplished wonders for the livestock interests of Oregon, and the Northwest. The system of liberal premiums which has prevailed for some years has aroused a spirt of rivalry among the breeders of fine stock that has resulted in exhibitions at our fairs which could not be excelled in any part of the world. It has stimulated the improvements of breeds to such an extent that one of Oregon's citizens. lost their lives were those whose eswas able to go back to St. Louis this cape had been entirely cut off by the year, enter into competition with the fire before the alarm reached them. > hest of the world's stock and carry off blue ribbons. This fact alone is worth more to Oregon as an advertisement than all the money which has been expended o nthe State Fair for ten years, back today.

through the influence of our annual Hebrew woman, said to have resided at Fair. The beneficial effects of these .J6 Hamilton street, New Haven, and exhibitions are not only noticeable in an unknown man, supposed to be a the greater number and finer quality of New Yorker.

can be also seen on exery intelligently kept farm in the state. Every poultry yard, every sheep paddock every pig pen every horse corral in fact every branch of industry gives evidence of Berg. deckhand. that spirit of improvements which is

"With those facts before our minds the State Fair ceases to be a local gath-

ering, but it as once a source of interest Wallingford, Conn. and pride to every citizen of Oregon, and the question of its permanent and liberal support can searcely admit of argument. The amount which it costs each year goes back into the pockets of those people of Oregon who are doing most to make Oregon famous and prosperous. Premiums are paid for only the craft went out.

ered away.

industry or art, consequently the money goes back to those who excel and who are constantly stimulating the efforts at improvement and perfection. "You are therefore earnestly invited unable to direct the course of the

to think of the State Fair, as a worthy and most important state institution, and to protect and encourage it accordingly."

day will be called upon to elect officers for the new year, and as Secretary Wylie A. Moores, he having been electhe two large lifeboats. city recorder of this a

**ARE LOST** STEAMER GLEN ISLAND BURNED IN LONG ISLAND SOUND.

ALL ESCAPE WAS CUT OFF

Fire Dscovered About Midnight on Trip From New York to New Haven.

The Alarm Caused Great Confusion and Life Saving Was Difficult-Fire Evidently Started in Dyname in Center of the Ship.

NEW YORK, Dec. 17 .- By the burn-

Island, in Long Island Sound today. nine lives were lost and property roughly estimated at \$250,000 was destroyed. That more lives were not sacrificed was undoubtedly due to the personal courage of the officers of the crew and the excellent discipline mantained when a horrible death for all seemed almost a certainty. When the steamer was aban-doned she was flame-swept from stem to stern, and yet the only persons who

Of the thirty-one persons, including ten passengers, who sailed away on the Glen Island last night, twenty-two, including eight passengers, were brought

and this fact was made possible only The dead passengers are an unknown

each year's showing by exhibitors, but The following members of the crew lost their lives: W. E. Hendrickson, assistant engineer; Luman Miller, fireman; Frank Bush, fireman; John Burke, fireman; Otto L. Alforan, fireman; O.

Among the passengers rescued were the result of displays made at our State Mr. and Mrs. Frederick B. Street, of New Haven, and their two daughters; Max Levin of New York, Nathan Dublin, of New Haven; Arthur Wallace, of

The Glen Island left her dock here last night for New Haven. The trip down through the Sound was without incident. Abut midnight, when three miles west of Greenwich, Conn., there came a rush of stifling smoke from the hold and every electric lght on board

the best in productions of either nalure, Captain McAllister sent in the alarm for fire drill, and the men came tumbling out of their banks. In the meantime the steering gear had been blocked and the pilots, finding themselves

> steamer, hurried to the assistance of the other members of the crew in saving lives. Captain McAllister ordered Pilot Me

The board at its meeting next Tues-Mullin to go to the hurricane deck and loosen one of the boats, while he went to the main deck and tried to loosen

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WEEKLY OBEGON STATESMAN: TUESDAY, DECEMBER 20, 1904

nust not be neglected by all these inmust not be neglected by all those in-terested in the library development and educational progress of the state. The American Library Ameriation had its inception in Philadelphia during the Contennial year, 1876. Since that time yearly conferences have been held cov ering the country from the Atlantic seaboard to California, from Atlanta, Georgia, in the South, to Montreal in

Georgia, in the South, to Montreal in the North. These meetings are of a strictly practical nature. One object is constantly kept in view, the co-opera-tion among librarians in the interest of better and more economical administra-tion looking to a more efficient and satisfactory service of the public.

satisfactory service of the public. Among the subjects usually discussed are: The best library legislation; how to further the establishment of libraries in every community; library build-

ings; the wise selection of books; the best methods of cataloguing and class-ification; library records and bookkeeping; and above all, the educational and missionary features of library workreaching the young people through the schools and the adults by means of

traveling libraries, delivery stations, branches, etc. These conferences of the A. L. A. have aroused an interest in library matters wherever they have been held. Those attending the meetings of this body of carnest men and women working together with definite purpose cannot fail to be convinced of the necessity of a library to a community as a part of its educational equipment, supplementing the work of the teacher in the public schools and giving young men and women whose school life must end, early the opportunity for self education. Every man and wo man interested in good citizenship, in library development, in the general pro-gress of education in this state of Oregon should set aside those first few days in July for a visit to Portland to attend these meetings.

The librarians of Oregon are scat tered over a wide area of country. The time is now ripe for organization so that yearly or half-yearly meetings may be held of one or two days duration for better acquaintance with one another, for consideration of plans and discussion of methods. A meeting of all those interested in library work and of all librarians present and prospec tive, will be held in the Portland Pub lie Library, corner Seventh and Stark streets, Portland, on the morning of Tuesday, December 27th, at 10 o'clock. Will all those interested in this movem at , or desiring further information, please write immediately to Miss Mary Frances Isom, Librarian of the Portland

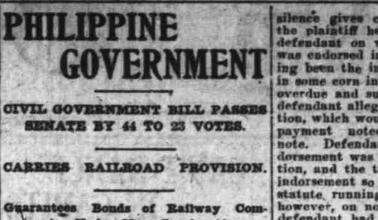
ON THE SEA SHORE.

Where the Ocean Zephyrs Blow.

The letter which is given below will no doul ' be the means of clearing away a great myste y and also cause the mourning friends of the writer, Mr. Geo. Collins, to take a fresh lease of life, . the same time give the "pro-hibs" a new strangle hold, as it proves

ing and 6-hing without having more than his usual allowance of "snake medicine" and still live, even though he has to substitute sea water for

accompanied by Mr. Scott left this city Captain McAllister managed to loos-December 3 on a hunting and fishing ex en the nort lifeboat. The other lifepedition to the Siletz reservation. After they had been away for a few hours, boat was frozen to the deck, but a more or less, it was discovered that smaller one was soon ready to be lowthey had forgotten to take a certain big demijohn they had been hiding be-While the officers and crew were hind the door, and their friends working there .was a scene of confuknowing the effect of the loss sion among the ten passengers. They of this demijohn would have ran about the salons in disarranged clothing. The woman who lost her life on their already delicate constitutions they immediately began a search for of the trial court and remanded the had been aroused by the stewardess, them, but to no avail, as the only thing and was on her way to one of the boats when she suddenly turned and dashed they could find was was the trace of someone who had used a cord of wood back into the flames in the cabin. It to fill up a chuck hole in the road and is supposed that she went back for her a blue haze in the air, caused by the valuables. She was not seen again. innocent remarks of the parties connected with the expedition.



panies Under New Construction. at 4 Per Cent.

Authorizes Indebtedness for Public Improvements in Cities and for Gen eral Government-Provides for General Government of Islands.

WASHINGTON, Dec. 16 .- The Sen-

ate today, by a vote of 44 to 23, passed the Philippine civil government bill. The final vote was preceded by the presentation of many amendments and a general discussion of them, as well as the privileges of this statute. of the provisions of the bill. On some of the amendments suggested by Democratic Senators several Western Republicans voted in the affirmative, but Mc-Cumber was the only Republican who voted with the Democrats against the notable change made during the day was in lowering the rate of interest on railroad bonds, which are to be guarpassed exempts from taxation all bonds Feller will suffer for the crime. issued by the Philippine and Porto Rican governments; authorizes municipalities in the Philippines to incur a was tried and acquitted on two of the bonded indebtedness amounting to five county and he applied for an immediper cent of the assessed valuation of ate trial or dismissal of the other counts bonds at the rate of four per cent per be dismissed, unless good cause to the aunum; provides for the administration contrary be shown." of immigration laws by the Philippine and saline lands; fixes the metric sys- the current term, " tem for the islands, and gives the civil The court affirmed the decision

governor the title of governor general. Judge Geo. H. Burnett in the Albany is safe. During the day Beveridge, from the court in the case of the state against committee on territories, reported the statehood bill, and he will make a motion on the first day that the Senate convenes in January that consideration of the bill shall be entered on at once

SUPREME COUR JUSTICES HAND DOWN EIGHT IM PORTANT DECISIONS COVER-ING VARIOUS POINTS.

Oscar Rogaway, the Lebanon Fire Bug.

silence gives consent. It seems the plaintiff held a note against defendant on which a payment of was endorsed in 1901, the amount h was endorsed in 1901, the amount hav-ing been the interest of the defendant in some corn in Indiana. The note was overdue and suit was brought and the defendant alleged the statute of limita-tion, which would have run had not the payment noted been endorsed on the note. Defendant claimed that the endorsement was made without his direction, and the trial court held that the indorsement so made could not stop the statute running. The Supreme Court, however, on noting evidence that the defendant had been written to by his agent in Is uses of the endorsemen having been made, and not having writ ten back to object to the money, for the corn being so applied his silence would be held as giving consent and the case was s nt back for a reheating The case of F. P. Tinsley respondent vs. B. M. Lombard, appellant, appeal from Judge Eakin's court in Wallowa county, was also reversed and remanded. This was a case where two mort-

asent. It seems

that the

gages, being mortgages on same properties, and one tried to claim the priv ilege of the statute of limitations against the other. The court held that of the Bear Lake Stake in Idaho, and only the debtor could avail himself of Apostle John Henry Smith, of Salt Judge Robert Eakin's decision in the last July and the attorneys for Senator

of H. E. Oakes, et al., vs. Wallows present and participated in the election county is affirmed. The Supreme Court of Penrose. Penrose testified that he holds that a justice of the peace in was a polygamist and known as such whatever action, criminal or civil, or at the time he was made an apostle. sitting as a magistrate is entitled to his The testimony of Jackson and Budge Enal passage of the bill. The most fees as such, and if the county court related to political affairs in Idaho, the refuses to allow such fees, an action at law against the county will stand. The case of Francis M. Feller, convic antred by the Philippine government, ted of larceny, in Harney county, by from five to four per cent. The bill as Jddge M. D. Clifford, was affirmed, and

Geo. W. Breaw was indicted in Baker county on nine counts for forgery. He

their property at five per cent intrest; on the clause in the statistical for a red their sessions in London today. Sevauthorizes the Pailippine government crime whose trial has not been post- eral individual claims were presented. poned upon his application or by 000,000 for improvements, at four and a half per cent interest; authorizes the Philippine government to guarantee dictment is triable, after it is found. payment of the interest on railroad the court must order the indictment to

authorities; establishes a system for Judge, Hon. hobert Fakin, in that this a total of sixty men, are feared to loaction and patenting mineral, coal clause means the "next term" and not have been lost. The schooner Klondike

> Oscar Rogaway, charged and found guilty of burning his mother's store at Lebanon. An attempt had been made to throw out Rogaway's confession made freely at Lebanon, but the Supreme Court decided it was competent evidence.

The decision of Judge W. Ellis in the court of Umatilla county in the case of The Little Walla Walla Irrigation District, a municipal corporation, appellant, vs. O. N. Preston, and others, owners of certain riparian rights along said Little Walla Walla river, respon-dents, was affirmed, the court holding that as the appellants had not purchased nor acquired the rights of the respondents in this case, and therefore no interest in the water or water rights Will Not Be Given New Trial-Bail- which are being interfered with the defendants and as if has no power. under the statute to regulate the use of water belonging to private individuals, it has no interest in the controversy, and therefore no standing in court to maintain this suit.

**IS MORE PROOF** 

TESTIMONY IN SMOOT INVESTI-GATION DEVELOPS MORE MA-TEBIAL OF IMPORTANCE.

Prominent Mormons Admit They Have Been Practising Polygamy and That Smoot Knew It-Smoot Voted for Polygamist Knowing Him to Be Such

WASHINGTON, Dec. 17 .- More important testimony was brought out today in the investigation of protests against Senator Smoot than at any time at the present session of Congress, Witnesses Charles H. Jackson, chairman of the Democratic state committee in Idaho; John Nicholson, chief recorder in the Mormon Temple at Salt Lake City; Charles W. Penrose, editor of the Descret News and an 'apostle of the Mormon church; Wm .Budge, president Lake. Penrose was elected an apostic court for Wallows county in the case Smoot admitted that the Senator was former being a prominent Mormon and the latter active in protecting the interests of the church. Examination of Apostle John Henry Smith was not coneluded when the committee adjourned.

## BOARD OF TRADE RESUMES INQUIRY.

LONDON, Dec. 19.- Representatives of the Board of Trade, who are inquiron the clause in the statute which says ing into the North Sea incident, resum-

## TERRIBLE STORM OFF NEW FOUNDLAND.

ST. JOHNS, N. F., Dec. 19.-Several schooners belonging to the Island were driven off by the gale on December 11 The Supreme Court upholds the trial and are still unreported. The crews, which went ashore at Cape of St. Marys yesterday, is a total wreck. The crew



Public Library, Portland, Oregon.

George Collins Having a Good Time

conclusively that a man may go hunt-

mountain dew." It will be remembered that the writer

The State Board of Agriculture will meet at the Capitol building today (Tuesday) m its regular annual session, and then the question of fixing the date for the coming State Fair will be brought before them. There will be a doubt about the matter until after the Legislature has met and disposed of the state's mortgage against itself, which stands today as a menace to that time. great state institution.

The mortgage is the one which stood against the property when the state took possession of the Fair Grounds some years ago, and which grounds were accepted subject to the mortgage. The State Board of School Land Commissioners, however, feel that the property is good for the amount and they have begun foreclosure proceedings thereon, with a view of forcing one hand of the state to pay the other hand. The amount of this mortgage is \$19,000. There also stands against the State Fair Board, and really against the state, another claim amounting to over \$9500, which is owing to Ladd & Bush, being the money spent in placing water mains that many people will come up from and hydrants on the grounds and in Portland and thus see the valley who making other improvements, and which amount the Legislature appropriated then go right back East from there, two years ago, but which was vetoed and will really know nothing of Oregon by Governor Chamberlain, it being on the "stake and ridered" appropriaton

uil, as it has been termed. The Legislature will be asked to make the appropriatons for the purnose of paying these two accounts and in addition the usual appropriaton for premium lists.

The value of the State Fair to the, state is becoming more and more apparent every year, and there is no doubt at all that the State Fair has created rivalry in the raising and breeding of fine and faney stock which has made it possible for an Oregon breeder to go to

St. Louis, the geratest fair the world ever saw, and take blue ribbons away

tion is due the public in regard to the from other competitors. It has done much more to develop the best there is recent smallpox scare that has prevailin agriculture and it certainly is de- ed at Gervais. The facts are these erving of the very best support the Mr. John Mills and his little son, residstate can give it. It is for all the ing two miles east of town have had a state and it serves all the state well malignant attack of smallpox but are

in the manner infended. President W. H. Downing in speaknow well. The two boys of Victor Cambas, living in town, had an attack ing of the Fair yesterday said that he had sent a letter to every member of the State Legislature on the subject of Their home has been thoroughly fumiappropriatons that were needed by the Fair, and has received favorable an-Their home has been thoroughly fumi gated and all trace of the disease erad swers from the greater number of them. The letter is to the point and covers the icatici.

The way it happened was this: Mr ground well. In it President Downing Mills hired, about a month ago a tramp with a few scabs on his face, to help

"I deem it advisable to thus early him unload a car of barley and tarougi call your attention to some facts and perspiration on the truck handled by us relative to the Oregon State the tramp Mr. Mills was inoculated by Fair, so that you may have plenty of some manner probably by his skinned time bufore the opening of the Legis-lative session, to look into the matter virus. His son took it also. The Camand decide upon the proper course to has boys were around the warehouses about that time and were also infected.

"You are aware, of course, that the All four cases coming down about the state of Oregon owns in fee simple the valuable tract of land which is used sume time. It speaks well for our 'town and its

for the purposes of the annual State plysicians that prompt and vigorous measures were pursued from the first improvements thereon. This property was deeded to the state by the old Board of Agriculture s few years ago, and the Fair and its management be-came in fact as well as in name a state institution. Since that time the astate

institution. Since that time the general With this explanation we welcome character of the Fair has been enlarged the public one and all to visit us as and improved from year to year, and usual. We will be glad to see them.

be a candidate for re-election there are a number of candidates in the field, and much interest centers around their ef forts. The three most prominent candidates are P. L. Frazier, the real estate

man, and recently elected to the city council; Frank Davey, and Frank Welch. Just which of them is in the lead in the fight is yet unknown. On January 20th the managers of the race meetings of the circuit to which the State Fair belongs will meet in

Portland for the purpose of fixing dates for their meetings, and the dates of the State Fair must be fixed before that

There was no possibility of waiting for the rescue of those who failed to The question of a Fair next year i ing discussed pro and con all over the appear at once. In the large boat ten state but the most of the friends of the people were afleat. They included the eight rescued passengers and seven of State Fair seem to think that the State Fair would not hurt the Lewis and the crew, including the captain. The Clark Exposition at all, although the smaller boat which Pilot McMullin had Lewis and Clark might hurt the State managed to free, carried seven passen-Fair attendance some. One idea with gers. The two boats were rowed as far President Downing is that with a State away from the burning steamer as was Fair this year and just before or after necessary to escape destruction, and the stock show at Portland the State waited there and watched the Fair should have the best stock show burn. They made every possible effort ever seen here, as there is no doubt at to find any possible survivors, but there all that many Californians will come was none to be found. through here with their stock enroute

flow and where the fire originated i to the Lewis and Clark. One argument in favor of the Fair here this year is mystery, but it is believed to have started in a dynamo located below and near the center of the vessel. Nearly all of the passengers were in their otherwise will come to Portland and berths when the vessel suddenly became filled with stifling smoke and the lights except the sage brush plains which line the O. R. & N. Railway, and the city of Portland. The argument that there went out. So heavily laden was the second boat that it threatened every moment to capsize.

The tug Bully came to the rescue and would be no county exhibits will hardly ran in as close as possible, but nothing could be seen of the nine missing perstand, for although the counties might not exhibit as freely as heretofore, there would be a good Fair and that many would attend. The race meeting sons, and all hope for saving them was. given up. Those in the lifeboats were taken aboard and the tug headed for New York. On the way she met the

steamer · Erastus Corning, also of the Starin line, and the rescued were transferred to that vessel. They reached the city shortly after 7 o'clock this morning. Beyond their having suffered severely from the cold and nervous

shock, none was injured, Captain Charles McAllister, who com The Gervais Star says: An explana manded the Glen Island, escaped with only his underelothes, trousers and an overcoat. He lost nearly everything he owned, including money, jewelry and clothing." He was the last person to leave the wreck.

According to First Mate Larsen the fire broke out in the forward part of the steamboat, when she was off Captain's Island. Larsen declared that it svemed to have gained a headway which it was hopeless to attempt to light, and in a few minutes the entire

essel was ablaze. The four firemen, two deckhands, and Engineer Hendrickson, who perished were in the hold and could not escap-

before the flames swept over them. The two passengers reported dead were missing when the survivors reached the boat. It is supposed they were caught in their cabins and burned to death.

The Street girls, who were rescued, are students at Vassar, and were on their way to New Haven for the holi-days at home.

## LIBRARY ASSOCIATION.

Will Meet in Annual National Confer-ence at Portland.

PORTLAND, Or., Dec. 16 .- During the first week in July, the 27th annual conference of the American Library Association will be held in Portland, Oregon. This is an opportunity which

The letter is written from Kernville. and says:

"Editor Statesman:

"Thinking that you would like know how those two "boys" are getting along that left Salem on December 3 for Siletz reservation, and who for got their snake medicine, I will just say that we arrived at Newport about boat 7 that night.

"The next day we started for our destination, arriving at Wm. Smith's

(or Wild Bill) ranch about 5 o'clock p. m., after extracting our horses out of the mud holes two or three times. After spending the night there we next morning started again and with "Wild Bill " abold of the steering apparatus, arrived at the tidelands. There we ex changed our horses for Scott's four-oared "auto," in which we completed our journey, arriving at 10 o'clock p. m. We then commenced to dress game

for supper, consisting of one lone duck. After eating supper we took a drink of salt water (oh, for a little snake bite!) and went to bed.

We slept well and next morning start ed out to hunt ducks or anything that could fly, and had good luck, returning to Hotel Scott at 5 p. m., and picked ducks until 12.

The next day was the same as the preceding one and every day, and up till today was all with the same results. While today we are trying to ne-gotiate with "Wild Bill" to haul our

feathers to Newport, but he says he has only two horses, but if he can get one more horse so as to take them all at one load, he will take the contract, and as we are about of ammunition, will have to retrace our tracks toward the valley, which we hope to reach before Xmas.

Yours truly, -One of the Boys. As will be noticed, the letter says they would start back in time to be at home for Christmas. Well, it seems that

while they were walking along the beach the next day, Collins carrying a couple of boxes loaded with rock oysters and clams, they were attacked by a ferocious jelly-fish, when Collins, after a heroic but futile effort to save his companion. decided that "discretion was the better part of valor. hiked "over the hills and far away toward Yaquina, which place he reach-ed in time to eatch the train for home and was landed at the depot all o. k., he still having the boxes which were branded "loaded shells," in his posses-

way Damage Case Reversed-Eastern Oregon Criminal Cases.

In the case of H. Maynard, respondent, vs. The Oregon Railroad & Navigation Co., appellants, appealed from Judge Robert Eakin's court in Union county, the court reversed the decision Taft Ready to Discontinue Mail Sercasy for a new trial. This was an ac

tion for damage for a personal injury alleged to have been caused by negli gence of the defendant, and its agents in permitting a collision between a pas senger and feirght train, the plaintiff

being a passenger on the former. The appeal was taken on errors of the court in permitting the plaintiff to give certain testimony which it was said was given solely for the purpose of influencing the jury, the plaintiff claiming mental anguish and distress when he contemplated his condition and thought of his impossibility of support ing and educating his 13-year-old daughter.

The court held that such mental dis tress is not the natural result of the accident, but is produced by the opera-tion of the mind in the contemplation of the physical condition to which the injured party is reduced or in contem plation of any extraneous suffering of inconvenience that such condition might entail whether it respects the person himself or others dependent upon him is not regarded as matter proper to form the basis of consequential damages. Anguish of the mind wholly sentimental cannot be considered for the purpose of swelling the damages.

Another question that was raised was whether the court erred in admitting certain photographs of the wreck taken the day after, with a vi-w to showing the force and impact of the collision, but this the Supreme Court held to be competent evidence, as "the situation could not be so well demonstrated as it could be by the use of photographs." Another instruction given is as folows:

"The court instructs you as a matter of law that if there is a failure of the common carrier of passengers to exermus. cise all the care and diligence that is reasonably practicable, in keeping its passenger trains and appliances in a safe condition then the duty of the carrier is not fulfilled and it is liable for any injury or damage of which such neglect is the approximate cause, provided the persons injured is himself using reasonable care and caution to avoid such injuries. "The defendant complains of this

because the only negligence alleged in the complaint for which recovery is sought is touching the operation and management of the department of its passenger and freight trains, and that the duty of the company to exercise care and diligence to keep its passenper trains and appliances in a safe con-dition was not involved. Plaintiff must recover, if at all, for the action and will not be permitted to allege negliwill not be permitted to allege hegh-sence in one respect, and to recover for such as the company might have been guilt. of in another. Any other rule would lead to interminable surprises and consequent injustice. It is plain that the instruction permitted a recovery for negligence not alleged and was

The case of Perry V. Sloan, appellant vs. Benjamin LeRoy Sloan, respondent, appeal from Judge Eakin's court in Baker county, is interesting as re-es-tabishing the oft contended plea that

WOULD END CONTRACT.

vice on Pacific Mail Steamship Company's Route.

WASHINGTON, Dec. 16 .- The contract between the Pacific Mail Steamship Company and the Panama railway will be ended within a few months, according to authoritative information. Secretary Taft, during his recent visit to Panama, looked thoroughly into the property affairs of the Panama railway. He will confer with the President regarding the policy to be pursued in the management of the road, but it may be stated on high authority that the de-termination to end the contract with the Pacific Mail Company has already

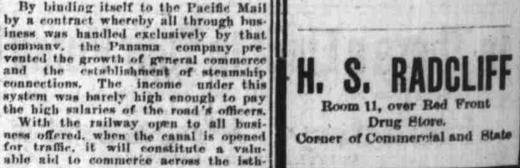
been reached. The Panama railway has heretofore been run as a close corporation, ap-parently for the purpose of paying fat salaries. The President, general manager, resident manager and several other officials receive salaries of \$6000 each, and the total expenses are \$200,-000 a year. To raise this sum the rates on forty-seven miles of road were raised to prohibitive figures. Until recently the passenger toll from Colon to Panama was \$8. It has been reduced to

By binding itself to the Pacific Mail by a contract whereby all through business was handled exclusively by that commany, the Panama company prevented the growth of general commerce and the establishment of steamship connections. The income under this system was barely high enough to pay the high salaries of the road's officers. With the railway open to all business offered, when the canal is opened for traffic, it will constitute a valuare not all sold. There can be no doubt about this being a big bargaln: A new five room house with closets, porch, wood house, fine well of water, beautiful oak shade, lot 75x150, located in Yew Park on car line, three blocks school, renting for eight dollars per month, can be bought for eight hundred and fifty dollars, on very easy terms if desired.

This farm will sell in a few years for \$40 per acre. You can buy it at this time for \$27.50 per acre, 100 acre in cultivation, house and barn, spring and well water, all fenced, located 54 miles from balem. Part cash. Balance to suit.

A fine stock rauch of 1100 acres, large honse and barn, a large part of the place easy to put in cultivation, running water, part good saw timber, Will sell all or part for \$12.50 per acre. Term to suit.

If you want to buy, sell or exchange see me. Tell me your wants.





If you are going home-to your childhood's home-this year, remember that the NORTHERN PACIFIC leads to everybody's home.

You can go by way of St. Paul to Chicago, or St Louis, and thence reach the entire East and South. Or, you can go to Dulnth, and from there use either the rail lines, or one of the superb Lake Steamers down the lakes to Detroit, Cleveland Erie, and Buffalo--- the Pan-American City.

Start right and you will probably arrive at your destination all right, and, to start right, use the Northern Pacific, and preferably the "NORTH COAST LIMITED" train, in service after MAY 5th.

Any local agent will name rates.

A. D. CHARLTON Assistant General Passenger Agent, FORTLAND, ORROOM.



would as usual attract great crowds. NOT SMALLPOX. Scare at Gervais Calls Forth Explana tion from the Star.