A GRADE TAX UPHELD

Protestants Against the Weller Street Grade Defeated.

BURGLAR MARTIN CONVICTED.

The City's Claim Against Fred E. Sander on the Krug Defalcation Is Finally Settled in Full.

The Weller street grade case was decided by Judge Langley yesterday, and following the recent decisions of the supreme court of the state in cases of this class, the validity of the assessment was sustained.

The Weller street grade case has been before the courts for some time, and this final decision in favor of the city probably marks the close of the litigation. The original assessment was reviewed by the superior court on a writ of certiorari, and was among the first cases brought before Judge Langley on his first going on the bench. The assessment was then quashed.

No appeal was then taken by the city, but after the passage of the amendments to the charter and the act of 1893 authorizing reassessments in grade cases, the city council proceeded to make a reassessment of the property benefited by the grade. At the time of hearing on the reassessment, March 2, 1894, some of the property holders interested appeared and protested against it on nine different grounds. Their protests were overruled and they appealed to the supreme court.

The objections principally relied upon were that the assessment was by frontage instead of by value, and because the work as done consisted in part of bridging; that there was a special fund for building bridges and the charter did not contemplate that such bridges should be built at the expense of adjoining property. The other objections raised questions which have been decided by the supreme court since the protests were filed.

Judge Langley holds that as far as the planking and bridging question is concerned, it was but a reasonable exercise of the power of the city in ordering an entire street to be graded to say of what material it should be constructed. He also decides all the other points against the protestants on authority of the supreme court decisions.

The case was originally submitted in October last, but Judge Langley, of his own motion, ordered a rehearing and further arguments on certain points involved.

A BANK AS DEFENDANT.

Nice Question of Law Determined in Judge Osborn's Court.

The whole day yesterday in Judge Osborn's court was occupied with the trial of the case of J. C. Hurd vs. the National Bank of Commerce. The amount involved was not large, but the rulings and instruction of the court involved a nice question of commercial law, which renders the decision of especial interest to merchants and bankers.

The facts, as appeared from the pleading and evidence on the part of the prosecution, were that in June, 1893, B. J. Bloxham drew a check in favor of E. A. Bloxham on H. C. Aines & Co., of Forest City, Pa., and placed it in the Bank of Anacortes for collection. The Bank of Anacortes forwarded it to the Commercial National bank of Seattle, and the latter bank, through its correspondents, collected the check. In the meantime the Bank of Anacortes became insolvent. The Bank of Commerce retained the check and credited the Bank of Anacortes, then in its debt, with the amount of the check. Demand was made by Bloxham for the money and refused. Bloxham assigned his claim to the plaintiff.

The same state of facts existed with respect to a check for $11.70 drawn on the National Bank of Everett by D. B. Ramstand, to O. M. Farenholt, and one on the First National bank of Portland for $66 by Isaac Taylor in favor of plaintiff.

The contention of the defendant was that it had an account with the Anacortes bank and credited it with all paper received in course of business. That the checks came to it, not marked as for collection, but to be credited upon account of the Anacortes bank, which was done. That at the time of the failure of the latter bank it was indebted to the Bank of Commerce in a sum largely in excess of the amount of these checks.

The instructions of the court were largely in favor of the plaintiff and the jury returned a verdict for the plaintiff for the full amount sued for.

A QUESTION OF PRIORITIES.

E. O. Graves Gets a Decision Against the Merchants' National Bank.

The case of E. O. Graves vs. Michael Phillips et al., was on trial before Judge Langley Tuesday and a portion of yesterday morning. The case was a somewhat complicated one, the facts as shown being as follows: In March, 1889, Graves bought of Phillips lots 1, 2, 3, 4, 17, 18, 21, 22, 23, 24, in block 3, in the Second Motor Line addition, for $1,500. There was at the time an agreement made that in case Graves desired to reconvey the said lots to Phillips any time prior to May 14, 1890, Phillips should repay him the $1,500, and also 12 per cent. per annum interest on that amount. To secure this repayment Phillips at the same time made a deed to Graves of lots 4, 5, 6, 7, block 5, Queen Anne Second addition, and also lots 1, 2, 3, block 1, Randall's addition, on which there was a mortgage of $500. Graves says he demanded that the purchase be rescinded, and the $1,500 be returned with interest, but Phillips had neglected to do so. Hence he asked that all the property above described be sold to satisfy his claim for $1,600.

The Merchants' National Bank was made defendant as having some claim on the property.

The receiver of the bank answered that they owned a note and mortgage of Phillips', covering the property in Randall's addition, and asked that this mortgage be held superior to Graves' lien.

To this, Graves, in his pleadings, replied as follows: That the note and mortgage in question was paid before the bank went into the hands of the receiver, and should have been canceled by reason of the fact that Phillips had executed other notes in lieu thereof, and of other indebtedness due the bank, amounting in all to $6,387.50, and had secured the same by mortgages on $20,000 worth of property. That the bank had brought suit on the last mentioned note and mortgage and bought the property in.

The court decided in favor of Graves, holding that the original note and mortgage of Phillips' in the Randall property had been paid and was not prior to Graves' lien.

CITY RELEASES THE PROPERTY.

A Final Settlement Made With Sander in the Krug Matter.

Yesterday morning there was filed in the auditor's office a quit claim deed from the city of Seattle to W. R. Hall and H. K. Hall of lots 3 and 4, block 18, of Maynard's plat to Seattle. The deed recites that it is made in pursuance of ordinance No. 1,035, which authorized this deed to be executed on the payment of the deficiency judgment obtained by Lester Turner, as trustee for the city and others, in his suit against H. K. Hall, Elizabeth Hall, W. G. Hall, Fred E. Sander and Nellie R. Sander. The deed recites that the judgment in question has been paid.

The suit of Turner vs. Hall, referred to in the deed, was one which he brought as trustee representing the city, the First National bank, the Boston National bank and the Washington National bank. As such trustee he was the holder of a mortgage on lots 2, 3 and 4, block 18, of Maynard's plat, given by the Halls to secure the payment of certain notes to each of the banks and a $5,000 note to the city, and brought suit to foreclose the mortgage for some $22,222.21 due thereon. A decree was entered, the property sold and bought in by the city for $16,000, and a deficiency judgment taken.

The payment yesterday and the deeding of the property marks the final settlement with Sander for his liability.

RHEUMATISM.

To relieve the pain, there is nothing so prompt and effectual as Chamberlain's Pain Balm. The quick relief it affords is alone worth many times its cost. A single bottle, costing but fifty cents, has effected a permanent cure in many severe cases.

PERFECTION CHARCOAL BROILER

Broils Steak to Perfection.

NO TROUBLE NO SMOKE OR SMELL

PRICE, $1.50 EACH.

Z. C. MILES CO., Yesler Way, between First and Western Avenues

T. F. DAVIDSON, Receiver.

There is not much time left in which to register.

McCanns Preparing an Appeal.

As a step preliminary to taking an appeal to the supreme court from the recent judgment on the verdict that they were guilty of murder in the first degree, the defendants in the case of the State vs. John McCann, James McCann and Michael McCann have prepared their statement of facts. This, with the amendments presented by the prosecution, and accepted by the defense, was brought up before Judge Humes yesterday, settled and then certified by him. The statement is a voluminous one, comprising a full transcript of all the testimony submitted on the trial as expanded from the notes of the stenographer.

Ah Gar Acquitted.

Ah Gar was tried before a jury in Judge Humes court charged with the heinous offense of having stolen a quarter of a sack of potatoes of the value of 10 cents, the property of the Haley Grocery Company. The officer who saw the Chinaman pick up and carry off the potatoes, testified, but there was a failure of proof that they were the property of the grocery company, none of the witnesses being able to identify them. Hence Ah Gar was acquitted. He was convicted of the offense before the municipal court and took an appeal, by which he goes free.

Convicted of Burglary.

Robert Martin, who broke into the house of H. A. Frederick the night before Christmas last, and stole therefrom a number of articles, was convicted of burglary yesterday in Judge Humes' court. Martin was the only witness for the defense and told a story about his having received the stolen articles found in his possession from a casual acquaintance. The jury evidently were not inclined to believe this, for it took them but a short time to bring in a verdict of guilty.

New Suits Filed.

The following new suits were filed yesterday in the superior court:

Watson C. Squire and Ida R. Squire, his wife, vs. Margaret Sidney—Suit in ejectment to recover possession of lot 6, in block 37, of David S. Maynard's town of Seattle, and for damages at $152.

Stewart & Holmes Drug Company vs. James Rankin—Account for $134.48 and costs.

John Sexton and Ellen Sexton, his wife, vs. John J. Sullivan and wife—Action against tenants for restitution and $96 damages.

Court Notes.

By order of Judge Osborn the case of E. B. Palmer vs. Bertha McLaughlin was dismissed yesterday.

In the case of John Howie vs. James F. Eshelman, an order of confirmation was yesterday signed by Judge Langley.

The case of Martin McAndrews vs. James Fares et al. was yesterday, in the superior court, dismissed on plaintiff's motion.

A petition for the probate of the will of Caroline Person was filed in the probate department of the superior court yesterday.

In the probate department of the superior court a decree was entered yesterday admitting the will of John Petersen to probate.

A default and judgment were entered before Judge Langley in the case of the Stewart & Holmes Drug Company vs. James Rankin for $134.48.

E. A. E. Wright, a creditor, yesterday filed a petition praying for letters of administration of the estate of John C. Morroco, deceased, in the probate department of the superior court.

A provisional suit of restitution was ordered issued yesterday by Judge Osborn in the case of John Sexton and wife vs. John J. Sullivan, for the east half of lot 5, block 10, Eastern addition.

August Johansen, a native of Norway; Charles F. Schettler, a native of Germany, and William Fraser, a native of Scotland, were all admitted to citizenship in Judge Langley's court yesterday.

Marriage licenses were issued yesterday for Peter Degreave, of Seattle, and Mary Volckaert; Michael Olilla, of Carbonado, and Maria W. Junsola, of the same place; John G. Fox, of Seattle, and Mary Henkle.

The county commissioners devoted the entire day yesterday to auditing accounts presented against the county. The warrants issued monthly average $1,000, and for the first few days in each month the force in the auditor's office has been busy on this work.

The divorce case of Ethel G. Dahl vs. O. R. Dahl was tried yesterday afternoon before Judge Humes. The defendant was represented by counsel, but interposed no defense. The charge was cruelty. The divorce was granted, with custody of one child and allowance for its maintenance.

W. H. Reeves filed a petition praying that his claim of $1,787.08 be allowed against the estate of T. M. Alvord, insolvent, notwithstanding that it had been rejected by the assignee. It appears that the claim was based on a judgment, but by mistake the judgment was entered against T. H. Alford, hence the rejection of the claim. The judgment has been corrected.

Yesterday in the probate department Judge Langley signed a decree for the adoption of Arthur Hill, a 7-year-old child, by M. E. Quinlan and Elizabeth Quinlan. The Quinlans are grandparents of the child. The mother consented to the adoption, and it appeared by the petition that the father and mother had separated, and that the grandparents had had the exclusive care of the child almost from its birth.

Sweet Moments cigarettes are the best. Try a package. Sold by all dealers.

STATE LAND COMMISSIONERS.

A Large Number of Decisions Today and Heavy Docket Tomorrow.

The state land commissioners were in session in the library room of the superior court all day yesterday. They rendered decisions as follows:

Block 171, lot 6, Seattle, Lake Shore & Eastern Railway Company, 1,706-1,687, Seattle & Montana Railway Company, 1,558, G. D. Ford, 1,497, Thomas George, 1,223, vs. Columbia & Puget Sound Railway Company, 1,040. Seattle, Lake Shore & Eastern Railway Company an eight-foot right-of-way; the Columbia & Puget Sound Railway Company balance of lot.

Block 173, lot 10, Seattle, Lake Shore & Eastern Railway Company, 1,671-1,687, Seattle & Montana Railway Company, 1,558, vs. Charles Louch, 1,563. Continued, pending settlement.

Block 170, lots 3 and 4, Seattle, Lake Shore & Eastern Railway Company, 1,703-1,709-1,687, Seattle & Montana Railway Company, 1,558, G. L. Manning, 1,524, vs. Rufus M. Creswell, 1,470. Seattle, Lake Shore & Eastern Railway Company an eight-foot right-of-way; Seattle & Montana sixty-foot right-of-way, and G. L. Manning and Rufus M. Creswell remainder.

Block 175, lot 2, Northern Pacific Railroad Company, 1,646, Jacob Furth, 1,347, vs. Columbia & Puget Sound Railway Company, 1,040. Argued and taken under advisement.

Block 175, lots 4, 5 and 6, Northern Pacific Railroad Company, 1,646, Gatzert-Schwabacher Land Company, 1,447, vs. Columbia & Puget Sound Railway Company, 1,040. Awarded to Gatzert-Schwabacher Land Company.

Block 176, lots 1 and 2, Seattle & Montana Railway Company, 1,558, Gatzert-Schwabacher Land Company, 1,449, vs. John Leary, 1,068. Seattle & Montana Railway Company sixty-foot right-of-way; John Leary remainder.

Block 176, lot 3, Gatzert-Schwabacher Land Company, 1,449, vs. Jacob Furth, 1,348. Jacob Furth the entire lot.

Block 176, lot 12, Hiram H. Pease, et al., 1,382, vs. Phinney and Croft, 1,257. Continued pending settlement.

Block 177, lot 5, Seattle, Lake Shore & Eastern Railway Company, 1,687-1,713, Northern Pacific Railroad Company, 1,646, Pease, et al., 1,382, Phinney & Croft, 1,257, vs. Columbia & Puget Sound Railway Company, 1,040. Continued pending settlement.

Block 178, lot 9, Pease et al., 1,382, vs. Phinney & Croft, 1,257. Continued pending settlement.

Block 179, lot 4, Parkinson et al., 1,654, vs. Hopkins, 1,280. Continued indefinitely.

Block 180, lot 3, Seattle, Lake Shore & Eastern Railway Company, 1,687-1,713, Northern Pacific Railroad Company, 1,646, Clise, 1,359, vs. Columbia & Puget Sound Railway Company, 1,024. J. M. Clise awarded the entire lot.

Block 180, lot 4, Seattle, Lake Shore & Eastern Railway, 1,682-1,687, Parkinson et al., 1,654, Northern Pacific Railroad Company, 1,646, Hopkins, 1,280, vs. Columbia & Puget Sound Railway Company, 1,024. Continued indefinitely.

Block 181, lots 4 and 5, Parkinson et al., 1,654, vs. Hopkins, 1,280. Continued indefinitely.

Block 181, lot 12, Seattle, Lake Shore & Eastern Railway Company, 1,678, vs. Simpson, 1,104. Seattle, Lake Shore & Eastern Railway Company one-half the lot; Solomon G. Simpson one-half.

Block 182, lot 1, Seattle, Lake Shore & Eastern Railway Company, 1,687-1,695, vs. Union Trust Company, 1,331. Continued pending settlement.

Block 182, lot 2, Seattle, Lake Shore & Eastern Railway Company, 1,687-1,564, vs. Sturr, 1,571. Continued pending settlement.

Block 183, lot 2, Northern Pacific Railroad Company, 1,646, Starr, 1,571, vs. Columbia & Puget Sound Railway Company, 1,024. Continued pending settlement.

Block 183, lot 3, Northern Pacific Railroad Company, 1,646, Brown et al., 1,180, vs. Columbia & Puget Sound Railway Company, 1,024. Continued till Friday.

Block 183, lot 4, Northern Pacific Railroad Company, 1,646, Puget Mill Company, 1,412, vs. Columbia & Puget Sound Railway Company, 1,024. Columbia & Puget Sound Railway Company defaulted.

Block 185, lot 4, Northern Pacific Railroad Company, 1,646, Kenyon, 1,310, vs. Columbia & Puget Sound Railway Company, 1,029. The entire lot awarded to the Kenyon estate.

Block 186, lots 1, 2 and 3, Northern Pacific Railroad Company, 1,646, Seattle, Lake Shore & Eastern Railway Company, 1,659, vs. Columbia & Puget Sound Railway Company, 1,397. Awarded the Seattle, Lake Shore & Eastern Railway Company.

Block 188, lots 1, 2, 3 and 4, Seattle, Lake Shore & Eastern Railway Company, 1,660, vs. the Commercial Company, 1,099. Awarded to the Commercial Company.

Today's Docket.

Block 175, lots 1, 2, Northern Pacific Railroad Company, 1,646, Columbia & Puget Sound Railroad Company, 1,040, vs. Leary, 1,068.

Block 177, lots 1 and 2, Seattle, Lake Shore & Eastern Railway Company, 1,687-1,710, Northern Pacific Railroad Company, 1,646, Denny, 1,262, vs Columbia & Puget Sound Railway Company, 1,040.

Block 177, lot 3, Seattle, Lake Shore & Eastern Railway Company, 1,687-1,711, Northern Pacific Railroad Company, 1,646, Kinnear, 1,109, vs. Columbia & Puget Sound Railway Company, 1,040.

Block 177, lot 4, Seattle, Lake Shore & Eastern Railway Company, 1,687-1,712, Northern Pacific Railroad Company, 1,646, Post & Edwards, 1,526, vs. Columbia & Puget Sound Railway Company, 1,040.

Block 177, lot 6, Seattle, Lake Shore & Eastern Railway Company, 1,687-1,714, Northern Pacific Railroad Company, 1,646, Broom, 1,265, vs. Columbia & Puget Sound Railway Company, 1,040.

Block 180, lots 1 and 2, Seattle, Lake Shore & Eastern Railway Company, 1,687-1,715, Northern Pacific Railroad Company, 1,646, Columbia & Puget Sound Railway Company, 1,024, vs. Gilmore et al., 1,102.

Block 182, lot 4, Seattle, Lake Shore & Eastern Railway Company, 1,666-1,687, vs. Puget Mill Company, 1,412.

Block 183, lot 1, Union Trust Company, 1,331, Northern Pacific Railroad Company, 1,646, vs. Columbia & Puget Sound Railway Company, 1,040.

Block 183, lot 4, Northern Pacific Railroad Company, 1,646, Puget Mill Company, 1,412, vs. Columbia & Puget Sound Railroad Company, 1,024. (Default.)

Block 190, lot 1, Northern Pacific Railroad Company, 1,646, Pontius, 1,327, vs. Columbia & Puget Sound Railroad Company, 1,024.

Block 190, lots 2 and 3, Northern Pacific Railroad Company, 1,646, Noyes, 1,337, vs. Columbia & Puget Sound Railroad Company, 1,024.

Block 190, lot 4, Northern Pacific Railroad Company, 1,646, Knipe, 1,247, Campbell, 1,188, vs. Columbia & Puget Sound Railroad Company, 1,024.

Block 192, lots 1 to 4, inclusive, Northern Pacific Railroad Company, 1,646, J. M. Colman and A. H. Colman, 1,028, vs. Columbia & Puget Sound Railroad Company, 1,024.

Block 193, lots 1, 2 and 3, Seattle, Lake Shore & Eastern Railway Company, 1,677, vs. J. M. and A. H. Colman, 1,028.

Block 193, lot 4, Seattle, Lake Shore & Eastern Railway Company, 1,677-1,683, vs. J. M. and A. H. Colman, 1,028.

Block 195, lot 1, Seattle, Lake Shore & Eastern Railway Company, 1,679, Northern Pacific Railroad Company, 1,648, estate of H. L. Yesler, 1,291, Columbia & Puget Sound Railroad Company, 1,039, vs. Milhorn, 1,033.

Block 195, lot 2, Northern Pacific Railroad Company, 1,648, Columbia & Puget Sound Railroad Company, 1,039, estate of H. L. Yesler, 1,291, vs. Milhorn, 1,033.

Block 195, lot 3, Northern Pacific Railroad Company, 1,648, estate of H. L. Yesler, 1,290, Columbia & Puget Sound Railroad Company, 1,039, vs. Gasch, 1,032.

Block 197, lot 1, Northern Pacific Railroad Company, 1,648, estate of H. L. Yesler, 1,289, vs. Columbia & Puget Sound Railroad Company, 1,039.

Block 197, lot 2, Northern Pacific Railroad Company, 1,648, estate of H. L. Yesler, 1,290, Denny et al., 1,264, vs. Columbia & Puget Sound Railroad Company, 1,039.

Block 197, lot 4, Dexter Horton & Co., 1,578, vs. Harrington & Smith estate, 1,434.

Block 197, lot 3, Northern Pacific Railroad Company, 1,648, Denny et al., 1,264, Terry, 1,067, vs. Columbia & Puget Sound Railroad Company.

Burlington Route.

Information that informs. If you are going east and want to know what the trip will cost—when you will reach your destination and why you should take the Burlington to Omaha, Kansas City, Chicago, St. Louis and points beyond, write to the undersigned and receive by return mail, a letter giving you just exactly the information you need. M. P. Benton, Puget sound agent, corner Yesler avenue and Front street.

Broke Through the Planking.

The massive steam street roller broke through the planking on Yesler way yesterday afternoon near the corner of Second avenue, causing a tie-up on the Yesler cable road for several hours. The roller was being taken from Pioneer place to Second avenue and was kept close to the railroad track, and when almost opposite the alley between Guy's drug store and the Seattle National bank building the planking gave away and down went one side a distance of two feet. A large crowd gathered to watch the operation of raising the roller.

Didn't Know It Was Loaded.

Guy, the 10-year-old son of Samuel Rayner, of Green Lake, accidentally shot himself in the right thigh yesterday with a 22-caliber Colt's revolver, while he and a boy companion were playing with the weapon near the family residence at Green Lake. The boys did not know the revolver was loaded. Dr. William Patterson, who dressed the wound, says it is only a deep flesh wound and will heal rapidly.

The Scotch oil combine has been completely dissolved, with heavy losses to the investors, and the Standard Oil Company is again master of the situation in Great Britain.

THE HEALTH BOARD

Runs Against a Flagrant Case at Columbia School.

DEAD KEPT UNBURIED TOO LONG

Complaints of Impure Water in the Occidental Block—The Matter of Burial Permits.

The board of health is after the board of education again, but if the developments yesterday afternoon, as brought out at the meeting of the board of health, prove to be facts, then Secretary Guernsey will be the special one called on to explain. It appears that the Columbia school, which is located between Mercer and Oak and Federal and Bacon streets, has a large cess pool. Not long ago this pool was cleaned out, and, according to the report made to the board of health by the health officer, the refuse matter was thrown on the ground within 400 feet of the school building, and directly in the way of a path that was used by the children in coming and going from the school. The matter is now being investigated further by Sanitary Officer Braymer, with a view to finding out the name of the man who actually did the work. Health Officer Palmer told the board that Director Chilberg, of the board of education, said that Secretary Guernsey was the one who had charge of the contract for cleaning the cesspool. In view of the condition of affairs, it was decided to take no action, and in the meantime Mr. Braymer will continue his investigation.

A slight breeze went over the meeting when Horton said that he would like to know if there was a law relative to the length of time undertakers could keep bodies. Health Officer Palmer said that he did not know of any.

"I asked," said Mr. Horton, "because I have known of cases where bodies were kept for months." He then went on to enumerate several cases, and inquired especially if anything had been done with the body of a woman who died two or three weeks ago of diabetes. The health officer said that he di not know of a burial or shipping permit having been applied for.

"I didn't know such things were done," said Dr. Russell.

"I should think a body ought not to be kept over ten days," added Dr. Holmes. "There should be a public vault or some kind of place for depositing bodies. It is unsanitary to keep bodies in undertaking shops for weeks and months. I will make a motion that the health officer be instructed to draft an ordinance covering this matter."

"How long a time will you allow the undertakers to keep a body?" asked Health Officer Palmer. Dr. Holmes was willing to have Dr. Horton fix the time, but Dr. Horton was of the opinion that the matter should be left to the discretion of the health officer. Finally all agreed that the ordinance should call for a specified time, and the matter of an extension left with the health officer.

"By the way," said the health officer, "Hillory Butler was buried today without a permit. I do not know that he is dead except as I read it in the Post-Intelligencer."

"Well, he is dead and buried," said Dr. Horton. "I know that because I was at the funeral."

"I suppose in the case of Mr. Butler," said Health Officer Palmer, "it was not thought a matter of great importance to comply technically with the law before burial. While I must say that the undertakers have been pretty prompt of late in getting permits, yet sometimes they wait until the last moment. I am subject to outside calls and I suppose that sometimes delays may arise through their not finding me at the office. It would seem, however, that with the usual length of time between death and burial they could get time to get the burial permit."

"In the future," said Dr. Holmes, "I think it well to make all of the undertakers get permits before bodies are buried. If they do not, then go after them. I will make a motion that the health officer be instructed to notify all undertakers not to bury a body unless a permit has been previously obtained."

Several complaints have been made to the health office about the water used in the Occidental block. The members of the health board had a specimen before them yesterday and were of the opinion that it contained injurious matter. In view of the action of the city council, when a similar case came up in which the Squire-Latimer building was involved, it was decided to ask the council for an appropriation to have the Occidental water analyzed.

The annual report of Health Officer Palmer was read from beginning to end, and after having been favorably acted upon a vote of thanks was extended him for the splendid manner in which he had done his work. Dr. Horton hit the nail on the head when he remarked, in his matter of fact manner: "People forget how much hard work every one of those tables represents."

Following is Health Officer Palmer's report for January: There were 37 deaths in January, as compared with 32 during the previous month, and as with 35 in January, 1895. The death rate for the month was 7.40 per 1,000 population. There were 50 births reported, not including 6 stillbirths. This is quite an increase in the number of births reported recently. There were 2 cases of scarlatina reported, as compared with 12 during December, 1895. Diphtheria made its appearance with 2 fatal cases. There were reported 12 cases and 1 death from typhoid fever, as against 9 cases with 2 deaths during the previous month.

The market inspector reported that he had condemned 170 pounds of veal shipped by George Knapp, of Kent, to Frye & Bruhn. He inspected 1,503 gallons of milk, but did not find it necessary to make any condemnation.

HOW HE DID IT.

Frank Fagan Tells How He Robbed the Evangel.

It has been learned where Frank Fagin, the "slick" newsboy, got the money with which to treat his friends just before he was arrested the last time and which caused so much suspicion to rest on him. He got it by robbing the safe of the steamer Evangel while she was laying at Yesler wharf on January 9 and succeeded in getting away with $114. The matter was never reported to the police by Capt. Mann, of the boat, because he suspected that an employe of the steamer was the thief. It was only by the hardest and shrewdest kind of work on the part of Detective Cudihee that he was connected with the robbery. The story of the robbery would have been made known sooner by the police, but they desired to find out if possible to whom he gave the money, and the little rogue told so many different stories that it was impossible to find out exactly where the money went to.

Fagan was first arrested for stealing a valuable Masonic charm and hair chain from Capt. Vanderhoof, of the steamer Glide. This was reported to the police and in a few days Detectives Cudihee and Phillips "dug up" the swag and arrested Fagan who had sold the articles to second-hand dealers. It was then that Cudihee heard that Fagan had been spending money lavishly, and got a tip that the boy had "touched" the Evangel.

The detective went to Capt. Mann and found that he had been robbed of $114. Cudihee then talked to Fagan and the latter admitted the whole affair, and told that he had it hid on the water front and if he let him go he would "dig it up." Cudihee thought it best to let him go, thinking possibly there was something in his story, but the boy did not show up. He was tracked to the home of his brother-in-law at 112 Battery street, where he was arrested last week. Since that time the chief and Cudihee have been trying to make the boy tell to whom he gave the money, Cudihee having been told that the brother-in-law got the greater part of it, but the lad stoutly claimed that he spent it amongst the boys. When asked how he did the job, Fagan said: "Well, yer see, it was dis way. Me and me pal, Hanley, goes down to de boat to sell papers. I goes inside de ol' scow and Hanley, he pipes on de outside. De mugs on de boat pays no attention to er kid, see, so when I gets a chance I slides into de Cap's cabin and findin' de safe open I just takes a screw driver and pries open de cash box and lifts de cash. Anything raw about dat work? Well, I should say nit."

Every Republican has a duty; it is to register.

THE GREAT REFORM.

Ballard's Mayor Vetoes the Curfew Ordinance, but the Bells Will Ring.

Mayor G. G. Startup vetoed the curfew ordinance at the meeting of the Ballard council Tuesday night, but the council promptly passed it over his veto, so that the curfew bell will ring as soon as the ordinance takes effect under the charter.

The mayor announced his disapproval of the ordinance and read his objections, as follows: It would injure the good name of the city, and would convey the impression that we have in our people of both sexes a great many incorrigibles and candidates for the reform school, and that the authorities are utterly unable to cope with them without practically declaring martial law, which is a blot on the escutcheon of any community, even in case of an emergency. As a matter of fact, there was less rowdyism in Ballard than elsewhere. No good could come from a measure that authorized the imprisonment of children under 16 years of age except they be guilty of some crime. It would be extremely demoralizing to throw half a dozen boys and girls into the common jail together, for it would launch them upon a sea of desperation, recklessness and crime. He spoke of the inconsistency of some of the councilmen publicly declaring that they were opposed to the ringing of the bell, and yet voting for the ordinance, when the ringing of the bell was the only material change from the old ordinance already enacted. Lastly, he believed the majority of the people were not in favor of the measure, and asked them to reconsider their action and sustain his objections.

Councilman H. E. Beach moved that the ordinance be passed over the mayor's veto, and said he belonged to an organization, the A. P. A., that was going to reform the world, purify politics, make boodlers take a back seat, and put honest men to the front. He endeavored to refute the mayor's objections, and claimed that other towns throughout the United States had the same law, which was one of the best in the world, in preventing lawlessness. He said there were a number of parents who could not control their children; that both boys and girls were around the mills until 1 and 2 o'clock; that on the streets they learn to swear, smoke and use obscene language. The law, he continued, ought to be in force all over the United States, and both men and women should be kept off the streets after 9, as well as boys and girls, claiming that were such a law in force crime would decrease one-third. The papers made a great "hullabaloo" about the ordinance, and the Ballard Athletic Club was "bucking" the ordinance, but he did not know what they had to do with it. This ordinance was the best in the world, and would do a world of good.

Councilman Thomas Houlston eulogized the ordinance, claimed the women were in favor of it, and complained of children running the town, annoying churches, socials and entertainments.

The vote was then taken, all the councilmen voting yes. Councilmen Donoghue and McDonald were absent, and Councilman Beach said he was sorry, as he wanted to put them on record and haul them over the coals a little.

Burke avenue assessment was declared delinquent, and turned over to the city attorney for collection.

The contract for building a city reservoir north of Salmon Bay park was let to N. F. Beck for $587.15.

The committee of the whole reported against accepting a $90 hose cart from the Washington Hose Company, because it would not stand the test. The council then refused to pay George Shields $2 for making the test. Afterwards Councilman Houlston called attention to the inconsistency of the council in accepting the test and refusing to pay for the same, and the bill was reconsidered and ordered paid.

The report of the fire and water committee advising the construction of a new reservoir at the West Coast Improvement Company's old springs was adopted and the work ordered done under the supervision of the city engineer by day's labor.

Whatever may be the cause of blanching, the hair may be restored to its original color by the use of that potent remedy Hall's Vegetable Sicilian Hair Renewer.

Keep the weeds out of your garden by using bone fertilizer. Prepared by the Pacific Meat Company. Cheapest and best soil dressing made. Sold by Woodland Floral Company.

Seats for "The Maid of Milan" on sale at Lee's pharmacy.

By a decision of the supreme court of Pennsylvania, affirming the decree of the lower court, all members of the Order of Tonti will share and share alike in the distribution of the funds now in the hands of Assignee Francis Shunk Brown, of Philadelphia.

For Colds And Coughs

"Early in the Winter, I took a severe cold which developed into an obstinate, hacking cough, which troubled me for nine weeks, in spite of medical aid.

AYER'S Cherry Pectoral

being recommended me, I began to take it, and inside of 24 hours I was relieved. That one bottle cured me, and I cannot speak too highly of its excellence."—Mrs. E. E. Bosch, Eaton, Ohio.

Highest Awards at World's Fair.

COMING IN EVERY DAY.

New goods are piling up on our counters. The very choicest of the early season styles now on show.

Now Showing

New Dress Goods, New Wash Goods, New Shirt Waists, New Belts, New Trimmings, New Embroideries, New Laces, New Neckwear, New Marie Antoinette Fichus, New Spangled Yokes, New Spangled Collars, New Spangled Bands, New Spangled All-Over Nets, New Stamped Doylies, New Royal Society Embroidery Silks.

Ladies' Slipper Sale.

On sale, 600 pairs of Ladies' Slippers. See prices given below. These are genuine bargains.

Ladies' Plain Opera Dongola Kid Slippers, 69c.

Ladies' Warm House Slippers, in kid and felt, with leather sole, 75c.

Ladies' Strap Sandal, opera toe, $1.25.

Ladies' Fine Vici Kid Hand-Turned Slippers, in opera and common sense last, $1.49 and $1.98.

Ladies' Fine Suede Kid One-Strap Slippers, plain and beaded toe, $2.39.

Ladies' Fine Vici Kid One-Strap Sandal, with jet buckle and bow, $2.49.

Ladies' Satin Slippers, in red, pink and lavender, $3.25.

Special prices on Ladies' and Children's Shoes.

Miners' Outfits.

Gold seekers, before starting for Alaska, come in and examine our stock of Blankets.

We have plenty to select from, in gray and red, all sizes and prices, from ..... $1 to $15 per pair.

Our stock of Bed Comforters will be found complete; good large size 44 63c; better grades ..... At $1.25.

Good Heavy Gray Twilled Flannel, 32 inches wide ..... 15c yard.

Large size Bleached and Unbleached Turkish Towels ..... 12½c each.

THE MacDOUGALL & SOUTHWICK CO.

Nos. 717-19-21-23 First Av.

Rochester Clothing Co.

The Choice Of Any Neckscarf In Our Store, Tecks or Four-in-Hands,

39c EACH.

These Ties were formerly sold at 50c, 75c and $1, all go at 39c this week only.

See them. They are neat and up-to-date.

Rochester Clothing Co.

GOLDENSON & SONDHEIM, Props.

No. 805 First Avenue, Colman Block.

We are the only first-class Clothing company in the city.

Danger Signals

More than half the victims of consumption do not know they have it. Here is a list of symptoms by which consumption can certainly be detected:—

Cough, one or two slight efforts on rising, occurring during the day and frequently during the night.

Short breathing after exertion.

Tightness of the chest.

Quick pulse, especially noticeable in the evening and after a full meal.

Chilliness in the evening, followed by *Slight fever.*

Perspiration toward morning and *Pale face* and *languid* in the morning.

Loss of vitality.

If you have these symptoms, or any of them, do not delay. There are many preparations which claim to be cures, but Dr. Acker's English Remedy for Consumption has the highest endorsements, and has stood the test of years. It will arrest consumption in its earlier stages, and drive away the symptoms named. It is manufactured by the Acker Medicine Co., 15 and 18 Chambers St., New York, and sold by all reputable druggists.

Genuine Pond's Extract

CURES COLDS, CATARRH, SORE THROAT, INFLAMMATIONS AND ALL PAIN.

REV. CHAS. H. PARKHURST, the great reformer of New York.—"Have used Pond's Extract long and constantly."

REV. C. S. ROBINSON, the well known editor of "Songs for the Sanctuary," &c.—"Pond's Extract fulfills every promise it makes."

2,000 ORDERS FROM PHYSICIANS WITHIN ONE MONTH.

SUBSTITUTES DO NOT CURE.

AMUSEMENTS.

Maid of Milan

A Comic Opera, A New Play.....

Under the Auspices of the

LADIES' MUSICAL CLUB.

Cordray's Theater,

FEB. 6th, 7th, 8th

PRICES—$1, 75c, 50c, 25c. Box office at Lee's Pharmacy till 5 p. m., Feb. 6; afterwards at Cordray's Theater.

Telephone for seats at Lee's Pharmacy, Main 193.

SEATTLE THEATER—Northwest Theatrical Association. Paul B. Hyner, Resident Manager.

Thursday, February 13,

AFTERNOON AND EVENING,

SOUSA'S Peerless Concert BAND.

JOHN PHILIP SOUSA, - Conductor.
MYRTA FRENCH, - - - Soprano.
CURRIE DUKE, - - - Violinist.

Night prices, $1.50, $1, 75c and 50c. Matinee prices, $1, 75c and 50c. Seats on sale at the Theatr Box Office, Monday, February 10th, at 8:45 a. m.

POISON

Any poisonous trouble of the skin? If so—

GARLAND'S "HAPPY THOUGHT" SALVE.

Will take it out. It has been tested by piles of people.

'TIS THE BEST ANTIDOTE.

Cost, 50c. At Druggists.

White Shirt SALE.

CHEASTY'S

Second Av. and James St.