

ELECTED ONCE MORE.

CRICHTON CONTINUED AS PRESIDENT OF THE CITY COUNCIL.

G. L. Case Confirmed as Clerk of the Municipal Court with Little Opposition—Annual Report of the Water Department—What the Cedar River Water System Has Cost—Bicycle Ordinance Introduced and Referred.

The city council labored through a vast amount of routine business last night, pausing occasionally to refresh itself by an energetic argument. Several times there was a suggestion of warmth in the tones of the city fathers, and on one or two occasions there was more than a suggestion. The council re-elected President Crichton, not unanimously, but by a vote of 7 to 5, and listened decorously to his short speech on again taking the chair.

The council indulged in no demonstrations over the confirmation of G. L. Case as clerk of the municipal court. It held itself in check for a comfortable argument as to whether telephone companies should set up poles in streets or on the sidewalk, finally deciding for the former in certain residence districts. A detailed report of the receipts and expenditures of the water department for 1896, compared with 1895, was read, as was a report on the expenditures so far incurred in the Cedar river water system. Judge J. J. McGilvra was present to urge the passage of an ordinance protecting the candy and fruit dealers in Madison park against peddlers. He failed to get the ordinance through, but succeeded in temporarily spoiling the temper of Councilman James Chapman's temper was also spoiled, and he eased his mind by a speech against the crematory, for which H. C. Colver has been seeking a franchise, and incidentally against Mr. Colver himself.

The second-hand dealers license ordinance finally went through, the fee being modified from \$50 and \$25 for second-hand and junk dealers to \$40 and \$20. Nathan spoke against it at the last moment, but did not do good for himself.

When the petitions and claims had been disposed of, President Crichton said: "I believe, gentlemen, that this is the night on which a new president is to be elected for the council. It being one year ago that we were seated." He then called for nominations. Herrick and Crichton were named. "Are there others?" the president asked. "Just to make things interesting," said McArdle, "I will nominate Mr. Rudy." Just to make things more interesting, Rudy then placed the name of McArdle before the council. The latter declined to run, and a ballot was taken on the two nominees, Crichton and Rudy. Nathan and Hurd being appointed tellers. The vote read, Crichton 7, Rudy 5. Crichton himself did not vote. "The man who is always elected" said when the result was announced.

**Crichton's Fourth Term.**  
"This makes the fourth time I have been elected to fill this position. Tonight, if this election has been a recognition of my ability to be impartial in my rulings, I am satisfied. During the six years that I have been a council member I wish to say, without disparagement to previous administrations, that this present council is most economical and most attentive to duty, both in council meetings and in committee work. I hope at some future time to submit a synopsis of the work done by the council. Next business." And then work went on.

**Water Department.**  
A report of the receipts and expenditures of the water department for the years 1896 and 1895 was submitted by Comptroller Will H. Case. The report shows an increase in expenditures amounting to 4-10 per cent, and in operating expenses of 11-10 per cent. The report is summarized as follows:

Cash receipts \$112,856.02, increase of \$4,197.58; receipts from new taps, \$1,722. decrease of \$361.75; old taxes, \$198.24, increase of \$18.19.  
Expenditures—Operating the Lake Washington pumping station, \$17,201.07, decrease of \$1,513.53; operating Queen Anne station, \$1,737.94, decrease of \$22.12; Broadway station, \$6,535.19, increase of \$1,000.00; operating office, \$1,016.45, increase of \$49.31; hydrants, \$45.70, decrease of \$729.29; meter department, \$1,805.15, increase of \$148.12; mains, \$1,419.44, decrease of \$1,065.69; domestic service, \$1,886.61, decrease of \$27.20; total operating expenses, \$36,761.44, decrease of \$1,663.42.

Interest on bonded debt, \$2,500; construction of Cedar river water system, \$2,688.02; construction of new mains, \$2,688.17, a decrease of \$1,828.75; total expenditures, \$36,761.44, a decrease of 12-10 per cent.

A report was also submitted on the expenditure so far incurred in the preliminary work on the construction of the Cedar river water system. It is summarized as follows: Amount appropriated, \$5,500; expended for real estate and right-of-way, \$290; expended for pay roll, surveys and office work, \$1,824.17; expended for board of field forces, \$28.38; expended for railroad fares and committee expenses, \$93.81; expended for supplies for the office, \$78.61; total, \$2,966.31; unexpended balance, \$2,533.69. A resolution was introduced by Chapman calling a meeting of the committee of the water department for the city engineer and hearing reports from the city engineer and corporation counsel as to the work so far done on the Cedar river water system; and to consider future plans.

**Case Confirmed.**  
The appointment of G. L. Case as clerk of the municipal court was almost the first business taken up. Some discussion was anticipated, as it was understood several members of the council were antagonistic to Case. This did not materialize, however. On motion of Chapman confirmation was proceeded with and Case was confirmed, all voting in favor, save Dodds, McArdle and Navin.

**The Crematory.**  
The committee of the whole reported back its recommendation that the petition of H. C. Colver for a franchise for a crematory be laid on the table. Before a vote was taken on the bill, Colver spoke on the crematory. He indicated that the matter had not been sufficiently investigated and reiterated his statement that he had no interest in the matter save as a public citizen and a taxpayer. Chapman took it upon himself to reply to this. He was highly incensed, he said, at this respect that was usual. He ridiculed the idea that Colver's interest was only that of a public-spirited citizen, declaring that such intense interest had never been shown by any one before the council without compensation. Colver's remarks, indeed, stirred up several councilmen and he was assured that the matter had been investigated thoroughly. The

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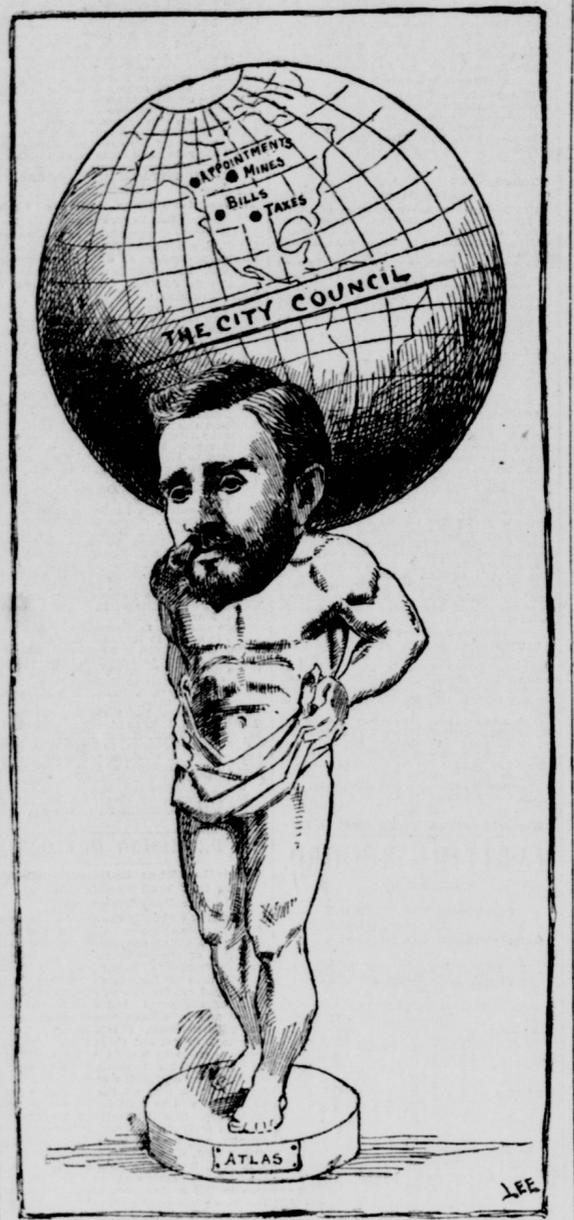
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fifty-year clause of the franchise seemed to be the chief argument against the grant. The matter was tabled by a unanimous vote.  
**Telephone Poles.**  
A petition was submitted by the property owners on Terry avenue, from Madison street south, asking that the telephone company be restrained from digging holes in the sidewalk. The holes could just as well be put in the street alongside the sidewalk, it was claimed, thus doing away with an unsightly incumbrance. There is an ordinance now in effect compelling the company to put poles inside the curb of the sidewalk. Gilbert S. Meem and John Schram, property owners interested, spoke before the council on the matter. James moved that the board of public works be authorized to



The Man Who Had Greatness Thrust Upon Him.

instruct the telephone company to put their poles outside the sidewalk. Acting Corporation Counsel Tipton thought a motion would not be strong enough and that a repealing ordinance would have to be passed. City Engineer Thomson said that not only was there an ordinance compelling the telephone company to put up its poles within the curb, but there was also a provision of like nature in the franchise granted the company. He said the company would not object to putting their poles in the middle of the street if it were desired, but that if they had afterwards to move the poles back to where they belonged under the franchise, the city would have to pay for it. After some argument James' motion passed.

**Communication from the civil service commission, asking that the council establish a license fee for engineers operating steam boilers and fix the compensation of a boiler inspector chosen under the civil service rules, as well as the fee to be charged for the inspection of boilers, was referred to the committee on labor. Gilson declared this was a scheme to legislate a man into a fat job, and he was added to the committee.**

**Bicycle Ordinance.**  
An ordinance was introduced providing a license of \$1 for people riding bicycles within the city limits, commencing with April 1 and ending March 31. A license tag will be furnished the wheelman, and must be carried by him on the steering head of his wheel. The fund thus acquired shall be used as follows: Eighty per cent as a road fund; 10 per cent for the park fund and 10 per cent for the library fund. James thought at least 5 per cent should be allowed the city for the expense of furnishing license tags and incidental expenses of printing. The bill went to the committee on parks and boulevards, with James added.

Under a suspension of the rules an old council bill was taken up for the subject of the bill was to prevent hucksters and peddlers from interfering with the legitimate business of the Madison park resort. This bill was introduced last March and was known as "Herrman's recent ordinance" and was brought up by Judge J. J. McGilvra, who was present. After prolonged discussion, during which Judge McGilvra and James clashed several times, the bill was referred to the corporation counsel, together with an existing ordinance covering the same ground.  
The ordinance licensing pawnbrokers to second-hand dealers and dealers in junk was brought up by Herrman, who moved an amendment, placing the license fee at \$5 and \$30, instead of \$25 and \$25. The amendment was incorporated, and in this shape the ordinance passed.  
A claim for damages against the city, brought on by the Yester way slide, was

**MAY BE RESTORED.**  
**M'KINLEY HAS POWER TO ACT ON THE FOREST RESERVE ORDER.**

**Senator Wilson Has an Opinion From the Attorney General's Office—He Writes to the Interior Department in Behalf of the People of This State—One-Sixth of the Entire Geographical Area of the State Included in the Reserve—A Cabinet Meeting to Discuss the Matter Today.**

WASHINGTON, March 22.—The amendment in the sundry civil bill relating to forest reserves, as fixed up by the conferees of the last congress, is practically valueless, and gives the president no power he does not already possess. The arguments presented by Senator Wilson to the interior department and to the president will be considered at the cabinet meeting tomorrow, and the senator is confident that a revocation or suspension of the order will result.  
If not, then he will accomplish the wishes of the people of Washington by legislation.

In response to a recent request of Senator John L. Wilson, Assistant Attorney General J. H. Lionberger has given the following opinion:  
"I have the honor to report in response to your request that a forest reserve created by proclamation of the president of the United States may be restored to the public domain without an act of congress."  
On March 15 Senator Wilson wrote a letter to the secretary of the interior, making his appeal for the people of the state to have the forest reserve re-created. The letter is worth publishing. The senator says:

"March 15, 1897.  
"To the Secretary of the Interior, Washington:  
"Sir: I have the honor to call your attention to the fact that on February 22, 1897, by executive order, certain lands in several of the Western states were known as forestry reservations, giving thereto various designations or titles. In the state of Washington these reservations, four in number, are: Mount Rainier forest reserve, containing 3,594,240 acres; Olympic forest reserve, containing 2,188,800 acres; Pacific and Mount Rainier forest reserve, containing 2,234,800 acres; and the Priest river forest reserve, containing (in Washington) 2,230 acres. In the entirety of the entire geographical area of the state. While these reservations are four in number, the most important and the one most seriously affecting the citizens of the state of Washington is the so-called Washington forest reserve, which includes its limits a tract of land sixty-six by sixty miles in extent, embracing villages, settlements, raising the forest reserves and mining properties of vast proportions.

"While it seems to have been the purpose of the president to protect the rights and interests of the people who have made localities prior to the issuance of these proclamations, still it is very difficult to do so, and if actual confiscation is not possible under the proclamations, the rights of these people have to be secured by such order of the president of February 22 that the development of Western Washington will be necessary, being laborers and miners thrown out of employment if it is continued in force. The late congress, during the last days of its session, endeavored by an amendment to the sundry civil bill to correct, in a measure, this order of the president, which of distressing condition affairs. That bill failed to become a law, and the people of the far West are still dependent upon the president and upon the president for relief.

"Again calling your attention to the Washington forest reserve: It embraces two-thirds of Whatcom, one-half of Okanogan, one-third of Skagit and one-half of Snohomish counties. The state of Washington has expended over \$60,000 and the town of Whatcom and Skagit over \$20,000 in building roads to assist in the development of the mining regions, and if the enterprise has expended fully as large a sum. If this land is to be withdrawn from the public domain for use for agriculture, trade or business has been made upon said lands by any person, no compensation or compensation should be made to the owners of said lands. The owners of said lands should have the exclusive right to purchase the lands and to improve the same as they see fit. As above shown, it was the intention of the legislature to give the first right of purchase to the owners of the lands; in other words, to encourage and not destroy by law that which creates the wealth and prosperity of the state.

"This law has been construed by our supreme court in a manner which means that the improver or manufacturer had the right to purchase only those lands which he had improved, and was not to be required to purchase any other lands which were improved by him. In other words, a saw mill might purchase the ground covered by the roof of its mill building, and then, in order to launch the vessel to deep water, it is reasonable to say that the true intention of the legislature was to allow the manufacturer the right to purchase not only those lands actually covered by his mill building, but also such additional lands as were necessary to a proper and convenient use of such improvements. Renting of land for such a purpose is nothing more. It simply puts the manufacturer in a position to purchase state lands from the state and out of the reach of a lot of land-grabbing speculators.

"This bill, after being thoroughly discussed in both branches of the legislature, passed the senate by a vote of 28 in favor of 2 against, and in the house in favor of 28 against, and was vetoed by the governor for killing until after the legislature had adjourned and we manufacturers were beyond redress. "Now, for a word as to the governor's only objection to this measure—that it is unconstitutional. It is not unconstitutional from one person property and gave to another. This is not a fact. The supreme court of the United States has said that these lands are the sole property of the state of Washington. The supreme court of this state has said that there is no vested right or title with either the shore owner or improver until the state of Washington has made a deed or contract for sale of these lands. No deed or contract has passed on the lands covered by the bill. All the cases are in contest before the superior court excepting that of the Stetson & Post Mill Company, which was decided by Judge Moore about ten days ago, the decision being in line with that of the states supreme court in the Whatcom case above referred to. It was a contest for the right to purchase their boom ground, which they have used continuously for twenty-three years, and without the relief given by senate bill 194 they will be compelled to close their mill, for as sawed lumber cannot be operated without the means of stowing and getting the logs into the mill.

"The superior court has upon an 'unconstitutional' excuse, vetoed as just a measure as was ever passed by a legislature. "Unconstitutionality is not a word which somebody informs me, is our supreme court for, if not to pass on such matters; it suggests itself to my mind that there was more the matter with the governor's constitution than there was with that of senate bill No. 194 before he killed it.

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**TIDE LAND RIGHTS.**  
**EFFECT OF THE GOVERNOR'S VETO OF A WISE MEASURE.**  
Ex-Mayor Moran Shows the Position in Which Bona Fide Occupiers of Tide Land Are Placed—All the Good Work of Careful Legislation Nullified by a Too Hasty Assumption—The Governor's Opinion Differs From Judicial Interpretation.

Gov. Rogers has vetoed one bill which was intended to afford protection to bona fide occupiers of tide lands. The measure had been carefully prepared with a view to carry out the evident intention of prior legislation and to incorporate in the law decisions of the United States supreme court and of the state supreme court. The following interview with ex-Mayor Moran:

"I notice by your report of the doings of Gov. Rogers that he has vetoed senate bill No. 194, giving as his only reason that it was unconstitutional in that it attempted to take property from one and give it to another. As I was one who was directly interested in this measure becoming a law, I would like to explain more fully than did the governor the object of the bill.  
The first legislation of this state enacted by the legislature was the act of the tide lands belonging to the state, which was in substance as follows: 'The owner of owners of any lands abutting or fronting upon or bounded by the shore of the Pacific ocean or of any bay, harbor, sound, inlet, lake or watercourse shall have the right for sixty days following the filing of the final plat or map of the land to purchase all or any part of the tide lands in front of the lands so owned; provided, that the value of the lands to be purchased for commerce, trade or business has been made upon said tide lands by any person, no compensation or compensation should be made to the owners of said lands to purchase the lands and to improve the same as they see fit.'  
As above shown, it was the intention of the legislature to give the first right of purchase to the owners of the lands; in other words, to encourage and not destroy by law that which creates the wealth and prosperity of the state.

"This law has been construed by our supreme court in a manner which means that the improver or manufacturer had the right to purchase only those lands which he had improved, and was not to be required to purchase any other lands which were improved by him. In other words, a saw mill might purchase the ground covered by the roof of its mill building, and then, in order to launch the vessel to deep water, it is reasonable to say that the true intention of the legislature was to allow the manufacturer the right to purchase not only those lands actually covered by his mill building, but also such additional lands as were necessary to a proper and convenient use of such improvements. Renting of land for such a purpose is nothing more. It simply puts the manufacturer in a position to purchase state lands from the state and out of the reach of a lot of land-grabbing speculators.

**SKAGIT IMPROVEMENTS.**  
Senator Wilson Moving in the Matter—Boom Company Ordered to Cease Work.  
The boom company which has been putting in a boom in a navigable reach of the Skagit river, thus obstructing navigation, has been notified by Capt. Harry Taylor, of the engineering corps, United States army, idiosed orders to remove what has already been built. This action is the result of a correspondence that has been going on between Senator John L. Wilson and Brigadier General John M. Wilson, chief of engineers, United States army. Senator Wilson, upon advice from Skagit and other counties, placed himself in communication with the chief engineer's office in regard to the matter of improvement to Skagit river. In answering the communication Brigadier General Wilson inclosed a copy of the report submitted by Capt. Taylor February 25 to the United States engineer:  
"I have the honor to submit the following report in compliance with the first indorsement on a communication from the Hon. John L. Wilson asking what steps, if any, have been taken toward carrying out the improvements on Skagit river, for which provision was made in the river and harbor bill of June 2, 1886.  
"The title of the appropriation under which this improvement is to be made is 'Improving Puget sound and tributary waters, including Skagit, Nooksack, Deception and Puyallup rivers.' Aside from the rivers mentioned there are several others flowing into Puget sound upon which work has heretofore been done and which, I understand, are still to be included in the improvement.  
"Heretofore the appropriations for these streams have been so small that the only practicable improvement has been snagging. I have taken toward carrying out the improvements on Skagit river, for which provision was made in the river and harbor bill of June 2, 1886.  
"The title of the appropriation under which this improvement is to be made is 'Improving Puget sound and tributary waters, including Skagit, Nooksack, Deception and Puyallup rivers.' Aside from the rivers mentioned there are several others flowing into Puget sound upon which work has heretofore been done and which, I understand, are still to be included in the improvement.  
"Last week I spent three days upon the Skagit river, making a personal examination, and I am convinced that one of the first and most essential improvements to be made to that river is to compel the removal of the log boom which is now located in that stream. Another communication in regard to this boom will be forwarded today.  
"This latter communication, Gen. Wilson speaks in his letter to Senator Wilson. It is to the effect that the boom company was at work putting a boom in the one navigable mouth of the river, and that should the work be permitted to go on, it would be a great time before the mouth of the river would be closed entirely, ruining the navigation of the stream and causing disastrous overflows at every high water. Consequently he notified the company to cease work and remove what had already been built. Gen. Wilson assured the senator that the matter would be immediately referred to the department of justice, and the request that the United States district attorney be instructed to take the necessary legal steps to cause the removal of the boom.

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