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Disbursing Clerk Arrested. CHICAGO, March 9.—Efforts of contractors today to place nonunion men at work on buildings in various parts of the city.

DEFENSE OF CANAL

Senate Committee Amends the Hay-Pauncefote Treaty.

PROTECTION OF OUR INTERESTS

Similar to the Suez Convention—England Said to Be Favorable to the Modification.

WASHINGTON, March 9.—The Senate committee on foreign relations today agreed to report the Hay-Pauncefote treaty, amending the Clayton-Bulwer treaty, with an amendment granting authority for the defense of the canal by this country, when constructed.

Morgan was the only member of the committee who cast his vote against the amendment. Bacon and Daniel, the only other Democrats present, voted with the Republicans.

While no member was authorized to speak for Great Britain, the opinion was expressed that the government of that country would agree to the proposed modification of the treaty.

Text of the Amendment

The following is the text of the amendment:

"Insert at the end of section 5 of article 2 the following:

"It is agreed, however, that none of the immediately foregoing conditions and stipulations shall apply to the canal, and that the provisions of this act shall apply to measures which the United States may find it necessary to take for securing by its own forces the defense of the interests of the United States and the maintenance of public order."

The report submitted with the treaty, which was presented in the executive session today by Davies, is in the main a review of the general situation with reference to the canal, with comparatively few recommendations. It says, however:

"We are in full accord with the purpose expressed in article 2 of the pending convention, to adopt as the basis of neutralization the indicated rules substantially as embodied in the treaty of Constantinople for the free navigation of the Suez maritime canal."

The report then contains an analysis of the Suez canal treaty, laying special stress upon article 10, which the report says "prescribes limitations of the most importance upon the stipulations."

That article is quoted entire, and the report continues:

"No equivalent limitations are specifically expressed in the convention now under consideration. It may be argued with considerable force that these limitations are implied by the general declaration in article 2 of the convention that its basis is substantially the treaty of Constantinople. But this contention is not, in the opinion of your committee, so clearly correct that the question of the right to be safely left to inference or implication."

"The committee thinks it prudent," the report continues, "that all doubt be removed by an amendment equivalent in its substance to article 10 of the convention offered by article 10 of the treaty of Constantinople, which, it can be supposed, was intended to have no place in the pending convention. In principle, the same reason which justified article 10 in the treaty of Constantinople, that it should not interfere with the measures which the Sultan and Khedive might find necessary to take for securing by their own forces the defense of Egypt and the maintenance of public order, or if it were proper that the provision of the enumerated articles of that treaty should in no case constitute an obstacle to the measure which the Imperial Ottoman Government may think it necessary to take in order to insure by its own forces the defense of its own possessions situated on the eastern coast of the Red Sea, surely the situation of the United States on both oceans, and as to territory to be occupied by the canal itself, requires the incorporation into the pending convention of stipulations equivalent to those in article 10 of the convention of Constantinople."

"If it was wise to reserve to the Ottoman Empire the right to suspend the operation of the treaty in certain specified contingencies for the purpose of defending by its own forces Egypt and maintaining public order, it is equally wise of securing by its own forces the defense of its other possessions situated on the Eastern coast of the Red Sea, a coast 1100 miles in length, with Turkish possessions on both coasts of nearly 60,000 square miles, inhabited by 12,000,000 of its subjects in Egypt and in the Provinces of Hedjaz and Yemen, on the east coast of the Red Sea, the same considerations in principle sustain the contention that the pending treaty should contain equivalent stipulations."

The committee concludes its recommendation by quoting its proposed amendment, remarking as follows:

"Irrespective of the foregoing considerations, we are clearly of the opinion that if article 10 did not exist, the true interests and necessity of the United States require, upon the highest considerations of prudence and right, the adoption of the amendment proposed."

Consent of Great Britain

The above extracts cover the portion of the report which was prepared after the decision to amend the treaty was reached. There are about 12 printed pages of the report prepared by the sub-committee, consisting of Senators Davis, Lodge and Morgan. Referring to the difficulties which have arisen over the treaty, the report says:

"The only objections that have been urged by the United States have not related to the treaty as a binding compact, but to the conduct of Great Britain in executing its terms and in refusing to abandon certain islands and coast possessions which she claimed were not held after the date of the treaty in violation of its terms."

The committee calls attention to the fact that under existing conditions the control of the canal is not "exclusive," and adds:

"This magic word has paralyzed the

aspir desire of the two great powers to control this canal for 50 years, and now its disappearance leaves us free to construct and control the canal, excluding any right of Great Britain to interfere."

"The present abrogation of the Clayton-Bulwer treaty would not in the least restate the rights of Honduras or Guatemala, which they were given in 1850. Neither do these states ask our intervention in their affairs. But we have a more compulsory reason, one that involves our due respect for the history of our own country. Since 1823 we have been in the discussion the questions of good faith on the part of Great Britain in the execution of the stipulations and the purposes of the Clayton-Bulwer treaty."

"This reason is found in the ratification of the treaty of 1850, referring to which the committee says:

"Congress expressed no dissent to them, and the President's declaration that the dangerous questions arising from the Clayton-Bulwer treaty have been amicably settled. We cannot now assert to the contrary, and for the purpose of abrogating the Clayton-Bulwer treaty, these questions are not settled. The conclusion is unavoidable that the Government of the United States acknowledged in 1850 that the Clayton-Bulwer treaty was an obligatory convention, and that it had been fully and satisfactorily executed on the part of Great Britain as to all questions which up to that time had been controverted between the two Governments."

Referring to the Clayton-Bulwer treaty the committee says:

"It certainly avoided hostile collisions between these two great powers, whatever may have been its faults as an entangling alliance or national humiliation to us, or as the cause of protracted and heated diplomatic controversy."

Since 1850 the Clayton-Bulwer treaty has been in some way recognized by the government in each of the succeeding administrations as a substituting compact. Strong reasons for its abrogation have been frequently stated and have always denied its obligatory force, but no movement to accomplish that result has been made either by Congress or the Executive. This treaty is therefore, open and existing as a binding compact, with the express approval of the United States. As to the question of our control over the canal, and our right to build and fortify it, it executed and, therefore, unrepentable; as to all other questions and matters covered by its provisions, a question of its abrogation raised at this time would only result in the annulment of the treaty that remain to be executed."

"The identical treaties of Great Britain and the United States with Nicaragua provide for the protection of the canal and the complete control by the United States of the canal by the use of military or civil instrumentalities, and they limit the profits of the concessionary companies to 15 per cent on the net receipts, under governmental supervision for the protection of the concessionaires, whether British or American, is nearly supreme, and would soon become absolute in the dealings of the United States with the concessionaries of their citizens or subjects holding concessions from Nicaragua. As matters stand, it has all the time, since these treaties were concluded, been a matter of diligence to the American and British concessionaires as to which of them should gain control of the canal. One company being installed, would not be likely to be removed."

"The right to a footing in Nicaragua, thus acquired by Great Britain, is full of peril to this Republic, and would only be secured by the United States by war, or by unifying the interests of both Governments in the joint ownership of the canal. Such an arrangement, while it is not a bad one, is not a final mistake that would involve the territories in war, or it would enlarge and solidify the scheme of alliance, offensive and defensive, in the control of navigation and the canal, which the American and British treaties that present the real ground of our present difficulty from which the convention of 1900 relieves us."

Interest in the Canal

Coming to the pending treaty, the report says:

"No other nation, except the United States, could have so great an interest in the exclusive right to own and control the canal, and in the matter, come what may, we are compelled to assert the superiority of our right, now, for the first time, conceded by Great Britain. It was and just, therefore, that the value of the concession to us should be estimated as a great consideration for anything we may yield, if we, indeed, yield anything, in acquiring the exclusive right to control the canal by a modification of the Clayton-Bulwer treaty."

"In the convention of February 5, 1900, Great Britain agreed to the restrictions as to the exclusive control of the canal imposed by the Clayton-Bulwer treaty shall continue to bind her, while the United States is requested from it. This is a great concession, and it is to be noted that the United States and Nicaragua the exclusive control of the canal for the Government or for our citizens, under the protection of the United States, while it cuts off Great Britain from any such right."

Speaking of the restrictions in the treaty the report says:

"Special treaties for the neutrality, impartiality, freedom and innocent use of the canals that are to be the eastern and western gateways of commerce between the adjacent seas. As soon as an Englishman, pontoon and troops arrive, will cross the river, when the necessary repairs to the railway bridge will be commenced."

"Greatly occupied Burgheersdy March 7, and was greeted with great enthusiasm. His scouts report that large numbers of rebels in the neighborhood are anxious to surrender."

Way to Bloemfontein Clear

POPLAR GROVE, Friday, March 9.—General French, who is 10 miles ahead, reports that his front is clear of the Boers. All other reports tend to confirm the state of disorganization of the Boer forces of the Transvaal, as well as of the Free State. The general impression is that the further progress of the British to Bloemfontein will not be opposed.

"There is a rumor this morning that Colonel Baden-Powell has been relieved, but this cannot be traced to any substantial basis."

Movements of Clements and Gatacre

LONDON, March 9.—The war office issued the following dispatch from Lord Roberts:

"Clements has occupied Norval's Post on the adjacent drift. As soon as an Englishman, pontoon and troops arrive, will cross the river, when the necessary repairs to the railway bridge will be commenced."

Panic of the Boers

Their Fright Spoiled Roberts' Plan to Destroy Them.

LONDON, March 10.—All the special dispatches from Poplar Grove confirm the panic of the Boers. The Morning Post's correspondent says:

"General Kruger shed tears at his ineffectual attempts to rally the Boers, who were completely paralyzed by Roberts' mastery tactics. They were too demoralized to heed his exhortations, and de-

BOER POWER Waning

British Officials Believe the End of the War is Near.

A PAUSE IN THE REINFORCEMENTS

General French Reports His Front Clear of Dutch-Joubert's Army Disorganized.

LONDON, March 10. 4:15 A. M.—Sir Michael Hicks-Beach, Chancellor of the Exchequer, when explaining to the bankers the terms of the new loan, gave them an intimation that the Government considered the end of the war near.

"Since the estimates were prepared,"

EX-MINISTER PHELPS IS DEAD



EX-MINISTER PHELPS IS DEAD

NEW HAVEN, Conn., March 9.—Hon. E. J. Phelps, ex-Minister to England, died at his residence, on Humphrey street, late this afternoon. He had been ill since early in January with an attack of pneumonia.

Edward John Phelps was born in Middlebury, Vt., July 11, 1822. He graduated at Middlebury College in 1840; studied law with Horatio Seymour after spending a year at Yale law school, and was admitted to the bar at Middlebury in 1843. He began practice there, but in 1845 removed to Burlington, Vt. From September 30, 1863, till the close of President Fillmore's administration he was the Special Controller of the Treasury. He was a delegate to the Vermont Constitutional Convention of 1870. In 1871 he was elected over the opposition to the Vermont State Board of Education. In 1881 he delivered before the students of the medical department of the University of Vermont a course of lectures on medical jurisprudence, that were published in book form. He was president of the American Bar Association in 1880, and in the same year he was the unsuccessful candidate of the Democratic party for Governor of Vermont. In 1881 he was elected to the Vermont State Bar Association. He was appointed by President Cleveland in 1885 Minister to Great Britain, Middlebury College conferred on him the degree of LL.D. in 1870. Among Professor Phelps' published addresses is one that he made before the American Bar Association on "Chief Justice Marshall and the Constitutional Law of His Time" (Philadelphia, 1879). In 1888 he contributed to the Nineteenth Century a series of articles on "The Constitution of the United States."

he said, "events have taken place that have changed the situation and probably not all the money will be required."

"Whatever the Government may know or intend, unofficial opinion seems everywhere to be that the Boer power is collapsing. The Eighth division has been under orders to embark for several weeks, but these orders, as far as the artillery contingent is concerned, have been recalled. Lord Roberts having reported that no more artillery was necessary. This morning the first reinforcements since the war began. Sir Redvers Buller, second in command in the field, and Lord Wolseley, are understood also to consider that no more artillery is needed. Lord Roberts has altogether 423 guns, including siege pieces.

It is quite clear that General Buller will not try anything large in the future, as he is to lose Sir Charles Warren and the latter's 19,000 men, who have been ordered to join Lord Roberts.

It is said that Lord Roberts, knowing the necessity of garrisoning his depots, will be able to operate a constantly increasing force until by the time the Transvaal frontier is reached he will have 70,000 troops. His telegrams dealing with non-essentials are taken to mean that he is up to some mischief, as his apparent inactivity usually spells uncommon activity.

Making, as a beleaguered town, attracts much sentiment and sympathy. Nothing has been heard from there since February 15. There is a rumor this morning that Colonel Baden-Powell has been relieved, but this cannot be traced to any substantial basis.

No Peace on the Old Basis

LONDON, March 10.—The Standard, which is in closer touch with the policy of the government than any other ministerial organ, says this morning:

"We have reason to believe that an authoritative statement will be made by the government, reaffirming the impossibility of conceding any terms of peace to the Boer Republic which would involve a perpetuation of the political and military independence that led to the present costly and sanguinary conflict."

British Columbian Men for Halifax

VICTORIA, B. C., March 9.—British Columbia has been advised that the province will be allowed to contribute 60 regularly enlisted men from the Fifth and Sixth regiments, Canadian artillery, for garrisoning Halifax. Twenty will be taken from this city, enlisted for a three-year term.

Disloyal Menonites

WINNIPEG, Man., March 9.—The Great Menonites, strong Boer sympathizers, attempted to burn the Queen in effigy, but a dozen Englishmen with rifles arrived on the scene and threatened to fire on the disloyal crowd if the effigy was lighted.

Joubert Said to Have Resigned

LONDON, March 10.—The Berlin correspondent of the Daily Mail says:

"I learn that there is discussion between President Kruger and General Joubert, and that the latter has resigned."

Mantoba Politics

ST. PAUL, Minn., March 9.—A Winnipeg special to the Dispatch says:

"The Liberals are placed in rather a queer position over the beautiful Plaines election tomorrow. If Davidson is defeated, Premier MacDonald will ask the Governor to dissolve the House. If he does so, the Liberals will find themselves practically powerless, and the result will be disastrous to them. The question talked of is: Will the Governor grant the dissolution?"

Congressman Burton Resigns

CLEVELAND, March 9.—Congressman T. E. Burton was last night renominated by the Republicans of the Twenty-first Ohio district.

clared that the British cannon were everywhere."

"The Daily News' correspondent says: 'The Boers were seized with a panic, thus spoiling the whole plan, which had been beautifully calculated, to destroy them entirely. About 8:30 a division emerged from a hidden position and appeared on the crest, with the mounted infantry in skirmishing order, the Boers thought the whole earth was covered with soldiers in their front and rear and on their flanks. They did not wait to verify their supposition, but fled, seized apparently with a dread that they might share the fate of Cronje.'"

WILL RAZE JOHANNESBURG

Boers Say the English Flag Will Never Fly Over the Town

LONDON, March 10.—A correspondent of the Daily Mail at Lourenco Marques, telegraphing Thursday, says:

"I am reliably informed that high officials openly avow that the British flag shall never fly over Johannesburg. The place will be razed to the ground, and the mines put in readiness to be electric-

Mrs. Dewey's Ambition—Confests in Republican Convention—President's Attitude on Puerto Rico

WASHINGTON, March 9.—The demand of the country for the Nicaragua canal has been greater than the Senate could withstand, and this accounts for the action of the foreign relations committee today in reporting the treaty amended so as to meet the popular clamor for United States control of the great inter-oceanic waterway. Although it is known that the Administration strongly objects to the amendment, it is probable that it will be accepted, as the Puerto Rican treaty was accepted by the President, especially as it is the only treaty that can be got through the Senate, what object the new treaty will have on the canal bill is hard to determine, but it would be favorable to it, save that the rush of other matters may prevent the ex-act bill being considered in the Senate. It is quite likely that the public sentiment which has forced action on the treaty will also force action on the canal, especially if the bill should pass the House.

Mrs. Dewey's Ambition

A bit of gossip is in circulation here to the effect that Mrs. Dewey has confided to a few intimate friends that while she and the Admiral are traveling about the country during the next month or two they will ascertain what the feeling is towards Admiral Dewey for the Presidency. The Deweys are going to visit a number of places in the South and West. The demand for Dewey as a Presidential candidate is not like it was some time ago. Notwithstanding what Dewey has said, it is understood that his wife is really ambitious for him to be President. Dewey and his friends must understand perfectly that it would be almost impossible to take the nomination either from McKinley or Bryan, unless there should be a sudden reversal of opinion.

Contents in the Convention

It is already certain that there will be a great many contests from the South in the Republican convention, although all factions will be for McKinley. The color of the complexion of the candidates in the convention they will get recognition in the matter of Federal patronage. Besides there is always an opportunity to cut some figure as politicians. The contest for four years ago was a disgrace to the Republican party, and efforts are being made by the Republican managers to avoid having them repeated. It is not likely that they will be successful.

The President's Explanation

Postmaster-General Smith is credited with the explanation of the President's attitude on the Puerto Rican bill published this morning. A number of people think that it is not very strong, and ardent friends of the Administration declare that within two months the Republican will all be solid in favor of the present bill and declare that it is the only thing that could have been done under the circumstances. It is evident that some hope of "McKinley luck" exists by the explanation being made while the statement by those who oppose the tariff is said to be very strong.

General Wheeler's Chance

General Joe Wheeler is expected to present himself to be sworn in as a member of the House some time next week, and he is believed to be in a position to refuse to administer the oath, as Henderson was very firm in the conviction last Congress that Wheeler forfeited his membership by accepting and retaining a commission in the United States Army. It will make a very interesting contest, as Wheeler will be much more picturesque than Roberts, and his case will be upon entirely different grounds.

Portland Postoffice Bill

Representative Moody appeared before the committee on public lands and grounds today to urge an early and favorable report of Senator Simon's bill for enlarging the Portland postoffice building. There was no quorum, but the members present thought that the bill would be reported favorably when any legislation was recommended by the committee.

Alaska Land Bills Reported

The House committee on public lands today favorably reported the series of bills relative to land laws in Alaska, introduced by Lacey of Iowa yesterday.

Prohibiting Prizefight Accounts

Representative Heburn, of Iowa, today introduced a bill providing that no picture or description of any prizefight or pugilistic encounter or any proposal of betting on a fight shall be transmitted in the mails or by any common carrier engaged in interstate commerce, whether in a newspaper or periodical or in any other form, any person sending or knowingly receiving such matter for transmission is made liable to imprisonment not exceeding one year, or a fine not exceeding \$1000, with a proviso that the act shall not apply to any person engaged in the preparation, publication or sale of such prohibited newspaper, periodical or picture.

FUSE FACTORY BLEW UP

Four Persons Killed and a Number Injured.

POMPTON, N. J., March 9.—The Smith fuse manufactory, at this place, blew up today and four persons were killed and a number more or less injured. The killed are: John Rhoda, William Gadsden, William Talmage and John Merritt.

They were at work in the factory with about 90 other men and girls. The bodies of the four persons killed were badly mangled, and some of them blown to pieces. Percy Jacobs was blown into the river and was badly hurt.

Shafter Has Recovered

SAN FRANCISCO, March 9.—Major-General Shafter has returned to this city from his ranch near Bakerfield, where he has been recruiting since his return from Washington, where he went to accompany General Lawton's remains. He has now wholly recovered from the severe attack of pleurisy which prostrated him in the East. He says that he hopes soon to see considerable accessions to the garrisons on this coast, and especially to those in and about San Francisco. He also favors the strengthening of Pacific Coast harbor defenses.