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IN ANOTHER FIGHT

Americans Helped Defeat Boxers Near Tien Tsin.

CRUSHING

DEFEAT INFLICTED

Contradictory Reports as to the Wherenbouts of the Empress Dowager-Earl Li Converted.

LONDON, Aug. 25, 2:45 A. M.—Five hundred American troops participated in a signal defeat of Boxers outside Tien Tsin August 19. The fact is briefly reported from Vienna. Details of the engagement came from the Reuter agent at Tien Tsin in a dispatch dated August 20. In addition to the Americans, the force consisted of 375 British and 200 Japanese, all under the British General, Dor. anese, all under the British General, Dorward. The fight took place at a village six miles southwest of Tien Tsin, where the ailied forces found a considerable number of Boxers, whom they engaged, killing over 300 and taking 54 wounded prisoners, who were sent to the hospitals of the ailies. The village was burned. The Americans had five wounded, the Japanese of the Americans had five wounded. anese six and the British none. Hundreds

of Boxers' flags, spears and swords were captured. From Shanghai comes a report, qualified by the assertion that it is from purely Chinese sources, that the Empress Dowager, after proceeding one day's journey from Pekin, became terrified at the looting by General Tung Fuh Stang's troops and went back to Pekin.

A Chinese telegram from Sinan Fu says that Prince Tuan has been captured by a detachment of the allies.

city into sections for police purposes Li Hung Chang has received word that the allies entered Pekin easily because the troops of General Tung Féh Siang utterly refused to face the allies. Accord-ing to the Shanghal correspondent of the

Daily Express, Earl Li, recognizing the fullility of an attempt to drive the foreigners from China, now professes conversion to reform principles.

It is a supersonable to the Courthouse. There was no demonstration whatever.

After Peck had been sentenced he was Incorporated 1819. Shanghal advices announce the receipt

there of a Chinese official dispatch as-serting that Emperor Kwang Hsu has been found and rescued by the Japanese. Messages from Tien Tsin report serious

mortality among the American horses, owing to the heat.

Delayed advices to Reuter, dated Pekin, August 14, reiterate the statements regarding the treachery of the Chinese the night before the relief. They had informed the members of the legations that orders had been issued to cease firing. This was followed by a desperate street and it, was only the welcome attack, and it was only the welcome sound of the cannon of the relieving force in the morning that renewed the courage of the foreigners. The correspondent adds: "The Chinese admit having lost 3000 in the various attacks upon the legations. Our rations dwindled to one pound a day, consisting of horseflesh and rice. When the American detachment attacked, the whole Chinese force concentrated against PORTLAND, OREGON

> "Pekin is now entirely under foreign "Pekin is now entirely under foreign control. Looting is progressing systematically. The French and Russian flags are flying over the best portion of the imperial demain, where it is believed the Imperial treasure is buried. The forbidden city is respected by international agreement, though any punishment will be ineffective unless it is occupied. The Japanese have seized 500,000 taels of sliver. The Empress Dowager, the Emperor. The Empress Dowager, the Emperor, Prince Tuan and all the high officers es-caped to Tai Yuan Fu, in the Province of Shan Se, from which point they proceeded to Sinan Fu. There is no Governor." General Gaselee, Commander of the British forces at Pekin, telegraphing from that place August 15 via Che Foo. August arranging for convoys, and that he hoped to assault the imperial city that day when the men had been fed. The Gen-eral also says the good spirits and en-durance of the troops were beyond praise, and refers to the extremely arduous march, owing to the heat and heavy

REMAINS OF VON KETTELER. Discovered in a Chinese Graveyard

in Pekin. BERLIN, Aug. 24.—Today's China news was very contradictory, and official in-formation continues to be extremely meager. The Lokal Anzeiger, in a spe-cial from Che Foo, announces the find-ing of the body of Baron von Ketteler, the murdered German Minister, in a Chinese graveyard in Pekin. A solemn

Chinese graveyard in Fessin. A solemn service will be held tomorrow,
Dr. Bachman, of Shanghal, asserts in the Gegenwart that Emperor Kwang Hsu suffers from cancer of the throat, and that he is unable to reign. The same view is taken by Dr. Dethere, a French physician, and by Dr. Sheng Liang Fenti, both of whom hare examined the Emperor.

A number of papers publish letters from German soldiers now in China. One of these epistles appearing in an Eliberfeld journal says that the German roops, during the fights at Tien Tsin, killed all the Chinese prisoners, but that the Russians murdered everybody, the women and children being bayoneted. The Grefeldt Zeltung has a letter say-ing that the Russians and Japanese assassinate all Chinese whom they ter. The letters agree that the Chinese horribly murder and mutilate all the wounded and captured allied troops. Herr Ernst von Hesse-Wartegge, in a series of articles in the National Zeit-ung, advocates the doing away with "in-terest spheres" in China, the abolition of Chinese internal duties, the strengthening of the central government under the joint suprvision of the powers, and a sound organization of Chinese finances, insisting that China shall open every port in the whole interior. An official telegram announces the ar-

rival of the German detachment at Pe-MISSIONARIES DESTITUTE.

Conger Asks for Help for Survivors of the Massacre. NEW YORK, Aug. M.-The Presbyterian Board of Foreign Missions received the following cablegram from Minister Conger today:

Pekin, Aug. 20.-North China Chris tians, surviving slaughter, destitute, homelesa, Send immediate help thank offering. Pekin rescued, Wherry, Hobart, Smith.

CONGER."

This is interpreted as meaning that the native Christians of North China who a serious condition today.

have survived the slaughter are now des-titute and homeless. For their relief im-mediate help in the way of money is asked as a thank offering for the rescue of the Christians in Pekin. The petition

is sent cojointly by Missionaries Wherry, of the Presbyterian mission; Hobart, of the Methodist mission, and Smith, of the Congregational mission, to the home boards of all the missions.

At the Gates of Forbidden City. PEKIN, Aug. 17, via Che Foo, Aug. 28.

The Japanese command is at the gates of the Forbidden City, and is awaiting instructions as to whether to hold them

or destroy them.

Prince Tuan, the leader of the insurrection, is reported to have been seen
here, and a diligent search is being made

Chinese cavalry are operating in squares near Tung Chow, and a squadron of Sikhs and American cavalry has been sent in pursuit of them.
It is believed that the Empress Dowager has established her court at Sinan Fu, the ancient capital.

Rioting Near Amoy. BERLIN, Aug. 24.—It is announced in a dispatch from Amoy, dated August 24, that many more American and British missions in the neighborhood of Amoy have recently been looted and burned by mobs, and that last night a Japanese temple was burned.

Cost of Repairing the Line. LONDON, Aug. 25.—The Shanghai cor-respondent of the Times says that Mr. Kinder, chief engineer of the North China Railways, estimates that it will require £700,000 to repair the line from Pekin to Tien Tsin.

FOILED THE AKRON MOB.

Peck, Who Pleaded Guilty, Was Rushed to Columbus Prison.

AKRON, O., Aug. 24.-The train car-Other Chinese messages record the formation of a provisional government in Pekin by the allies, but this appears to be a purely military measure and merely an elaboration of the scheme for dividing the fore Judge Nye. The indictment was read. Peck stood up and pleaded guilty. He de-clared he had nothing to say except that he threw himself upon the mercy of the court. The court then sentenced Peck to life imprisonment in the State Penlten-

at once taken in a closed carriage to the Center-street crossing of the Cleve-land, Akron & Columbus Raliway and placed on board the train in charge of Sheriff Kelly and taken on to the State mortality among the American horses, owing to the heat.

Delayed advices to Reuter, dated Pekin, city, sentenced and sent on to Columbus. that very few people knew what had transpired and there was no crowd at the railway station either when the train arrived or departed. Just after leaving Cuyahoga Falls,

while the train was en route from Cleveland to Akron, Peck begged Prison Keeper Washer to shoot him instantly in the event of a mob awaiting at Akron.

Little Rhoda Davidson died at the City

Hospital at 2 o clock this afternoon. She was shot in the head while in her mother's arms during the riots. Wednesday night.
Today the safe of the engineers' district was opened amid the City Hall ruins. Its contents, including many valuable papers and records, were found in good or-der. All the plats and profiles of the city

them, leaving the Sha Ho gate unwatched, whereupon the British entered
there without the loss of a man."

The Pekin correspondent of the Times,
wiring last Saturday, says:

Its contents, including many valuable papers and records, were found in good order. All the plats and profiles of the city
streets and improvements were destroyed,
however. COLUMBUS, O., Aug. 24.—Peck arrived at the Penitentiary in the custody of the Sheriff of Summit County at 8:50 tonight.

THE POPULIST VACANCY. Pettigrew Says National Committee Will Indorse Stevenson.

CHICAGO, Aug. 24.—Chairman James that place August 15 via Che Foo, August K. Jones, of the Democratic National 23, gives details of how he is disposing of Committee, said today that ex-Senator his troops there. He says the British David B. Hill, of New York, would make losses were extremely small; announces some speeches in the West during the that he is very short of food; that he was had not yet been determined. Senator Jones also stated that Senator Marion Butler would arrive in Chicago Monday next to attend the meeting of the Peoples party National Committee, of which he is chairman, and that there probably would be a conference between the two chair-

Senator Pettigrew, of South Dakota, stated that he was satisfied the Peoples party National Committee would unanimously indorse the nomination of Stevenson. He said there was no friction existing between Senator Butler and other members of the committee on that or any other subject.

Bryan's New York Visit.

NEW YORK Aug. 24.-The executive committee of Tammany Hall met tonight and arranged for the reception of W. J. Bryan October 16. A committee was apcinted for the work. Richard Croker is a member of the committee. In a long speech Mr. Croker urged that the Bryan meeting should be in the nature of a ratification, and suggested that it take in all trades, as well as all lines of business.

They Can Have Roosevelt. NEW YORK, Aug. 24.—The Cattlemen's Association, which is to have a conven-

tion and a reunion at Miles City, Mont., can have Governor Roosevelt with them as they desire, if they change the date of the convention so as to concur with the time fixed for Roosevelt's trip through the state. Senator Hanna made this concession at the Governor's request, and Senator Scott has written West to that effect.

Nominated for Congress. First Wisconsin District-G. E. Hodges (Democrat). JAPANESE LINER WRECKED

Steamer With American Stores Lost on Mindanao. MANILA, Aug. 24.—The Japanese liner Futami Maru, Captain Thom, bound from Australia to Manila with a cargo of stores for the American Government,

went aground and broke in twain on the Island of Mindanao, The passengers and crew camped for six days on the Island. They are now being brought to Manila by the British steamer Australian, Captain Kock, the officers of the luckless liner remaining behind. There were no casualties, but the cargo, baggage and vessel will prob-

ably prove a total loss.

Youtsey Seriously Ill. GEORGETOWN. Ky., Aug. 24.—Henry E. Youtsey, in jall awaiting trial for complicity in the Goebel murder, and who has been sick, is reported to be in

where bases went the field which are found to have been made on sections it and 36, those sections shall be subject to the claims of settlers; and if such sections, or either of them, have been or shall be granted, reserved or pledged for the use of schools or colleges in the state or territory in which they lie other lands of schools or colleges in the state or territory in which they lie of they land state or territory. In lieu of such as may be thus taken by pre-emption or homestead state or territory in which they lie other lands of schools or colleges in the state or territory in which they lie other lands of schools or colleges in the state or territory in which they lie other lands of schools or colleges in the state or territory in which they lie other lands of schools or colleges in the state or territory. In lieu of such as may be thus taken by pre-emption or homestead have been or shall hereafter be made been or shall be granted, and may be selected by said state or territory, in lieu of such as may be thus taken by pre-emption or homestead hereafter be made been or shall be granted, and may be selected by said state or territory, in lieu of sections late or territory in lieu of sections are reserved to any indian, military or other reservation, and list all and sections are reserved to said state or territory shall be at lieu in sections for said sections are reserved to said sections are reserved to said state or territory shall be extended within and lieu of sections for said sections are reserved to said or territory shall be extended within and lieu or sections for each of said townships in lieu of sections for said townships in lieu of sections for said townshi

Viceroys See It Is Useless to Resist. FIRST PEACE ASSURANCES COME

Provinces Promise to Assist in Maintaining Quiet. WASHINGTON, Aug. M.—The first as-

Governors of Two Powerful Central

surances reached here today that the powerful Chinese Viceroys were disposed to accept the new condition of affairs in China and would assist in the main-tenance of peace. The information came in a dispatch through diplomatic channels, and stated that one of the foreign officers had received a telegram from two of the most powerful central Viceroys stating that they intended to give their best efforts to maintain quiet throughout the central portions of China

As this assurance came subsequent to the capture of Pekin it is regarded as a favorable sign of disposition of the Viceroys, whose authority in the interior is very great. Their course has been watched with much concern by officials, for since Pekin is in a chaotic condition, the most influential authority in the empire is that of the Viceroys.

NEW GATHMANN GUN.

Mammoth Cannon Successfully Tested at Bethlehem.

SOUTH BETHLEHEM, Pa., Aug. M-The new 18-inch Gathmann torpeds gun, the largest ever built in this country, was tested today at the Bethlehem Steel Works to determine the velocity of the shot and the strength of the gun, and proved succensful. Solid shots weighing a ton were fired. After two preliminary shots the third was fired with a charge of 300 pounds of explosive, and showed a pressure of 19,045 pounds and 1856 feet velocity, while the fourth shell, with the same charge, recorded a pressure of 19,300 pounds and a velocity of 1901 feet. The gun is intended for coast defense. The inventor claims that it will throw a shell 15 miles. Guncotton is used in the charges. The gun is 44 feet long, and weighs 59 tons.

CENSUS FIGURES.

Population of St. Louis and Indian-

WASHINGTON, Aug. 24.—The popula-tion of St. Louis, according to the count of the 12th census, just completed, is 575,228, an increase during the past 10 years of 123,468, or 27,33 per cent. The population of Indianapolis is 169,-164, against 165,436 in 1890, an increase of

CUBA'S FLAG.

Will Fly in Santiago Today, by the President's Orders.

SANTIAGO DE CUHA, Aug. M.—It is indicative of the policy of the United States Government that the Cuban Hag be helsted tomorrow with elaborate ceremonies over the palace in Santiago. It will float there for the first time since General Shafter ordered it hauled down in 1898.

Statue of Apollo Found.

ATHENS, Aug. 24.—A magnificent mar-ble statue of Apollo, life size, has been discovered in this vicinity. Its work-manship is of the fifth century, B. C., and

SUMMARY OF IMPORTANT NEWS

Americans helped defeat a force of Boxers near Tien Tsin. Page 1. Two leading Viceroys promise to help in main-taining peace in the central provinces,

Contradictory reports are received as to the flight of the Empress. Page 1. The Government's policy toward China is un-changed. Page 3.

eneral Chaffee sends an additional casualty tlet. Page 3. Foreign. Lieutenant Cordus, the Boer who plotted to capture Roberts, was shot at Pretoria-Page 3.

Political. Bryan spoke in several Kaneas towns and in

rospect of Governor Rogers' renomination. Washington Fustonists is bright. Page 4. Sport.

ons knocked out Sharkey in the secand round at Coney Island. Page 2. Anaconda paced a mile in 2:02%, at Read-ville, defeating Sogash and Searchlight,

Page 2. cific Const amateur chample toria. Page 5.

Domestic. Collis P. Huntington's will was made public.

Pacific Coast. The record makes an interesting showing as to

Clark County, Washington, will ship 25 car-loads of prunes this year. Page 4. An attempt was made to rob the More, Oc.,

A clew has been discovered to the man who robbed the Corvallis warehouse. Page 4. Commercial and Marine.

London money market easy and no rea

States. Page 11. British steamer Indra wrecked. Page 8. Financial inferests awaiting revival of ger

eral activity and speculation limited in New York stock market. Page 11. German ship Robert Elckmars clears with 127,-735 bushels of wheat. Page 9. Local.

The Episcopal churches of Portland will jain in even-rong at Hölinday Park tomorrow afternoon, Page 12.

New vehicle license passed by the Coun ducing tax on some wagens. Page 12. Voting for Queen of the Carnival closes at 10 o'clock tonight. Page 8.

storm around the Horn. Page 7.



THE IMPERIAL PALACE IN PEKIN, WHICH WAS ATTACKED BY THE

was published in The Oregonian of August 4, but Mr. Robertson is not satisfied with the reply, and says that Mr. Chamberlain evaded his most important questions by raising a question of verac-

questions by raising a question of veracity. Continuing, he says:

"Mr. Chamberiain says that if Mr. Davenport told me he had plenty of base to furnish free, he contradicted his report, which says it was practically all sold, and if he did not tell me that, then Mr. Robertson has iled." So I wrote to Mr. Davenport, and here is his answer:

"What I told you was true at the time, and my report, at the time I made it, was true.

"That settles the question of veracity. Perhaps the public can understand, if Mr. Chamberlain cannot, that the state could have had plenty of base to furnish free to homeseekers in November, 1808, and none in January, 1808, when Mr. Davenport made his final report."

Both Mr. Robertson and Mr. Davenport agree that the "base" referred to as having been sold to a syndicate was some 40,000 acres of surveyed school sections leasted to the Coverde from the reservers. In

40,000 acres of surveyed school sections located in the Cascade forest reserve. In order to determine how this land was disposed of, and why, a thorough examination of the law and the records has amination of the law and the records has been made. To sum up the results of the examination briefly, it appears that between August 19, 1898, and January 19, 1899, the State Land Board disposed of about 48,640 acres of surveyed school sections within the forest reserve, at \$1.25 per acre, which land, if held by the state until after January 30, 1899, could have been used as base for the selection of lieu land and the lieu land sold at \$250 per acre. At the time it was sold, it was not available as base, and was sold at the price fixed by law. Whether this land was disposed of legally and judiciously, and whether it went into the hands of a syndicate, remains for the public to decide, after a full state-

ment of the facts. Preliminary Statement. The General Government donated to the state for school purposes every section 16 and 26, and provided that wherever one

of these sections is lost to the state, a selection of other public land in lieu thereof may be made. A section or part thereof may be made. A section or part of a section that is lent by reason of being included in a reserve, occupied by a river or lake, by having been homesteaded before survey, or by reason of being mineral land, is known as "base," and the land selected instead of that which is lost is known as "lieu land." The executive order creating the Cas-cade forest reserve was made September 28, 1893, in accordance with an act of Congress passed in 1891. The reserve incoulded both surveyed and unsurveyed school sections. As will be seen from the list of sales herewith given, many of the surveyed school sections had been sold by the state prior to the creation of the reserve. As soon as the reserve was created, the state began making se-lections for land in lieu of the unsur-veyed school sections within the reserve. and also attempted to make selections and also attempted to make selections for the surveyed sections. The right of the state to use the surveyed sections as base was questioned both in Oregon and California, and test cases were taken through the Land Department and de-

cided adversely to the contention of these two states. The decision which settled this question was rendered by Secretary of the Interior Hoke Smith, on December 27, 1864, in a case taken up by the State of California on appeal from the decision of the local land office, and from the decision of the Commissioner of the General Land Office. The State of California had applied to be allowed to select other land in lieu of a school section that was located within the boundaries of the Sierra for-est reservation. The case is thus stated: "Said section 28 was surveyed prior to the date of the order making the reservation, and the question is, whether in such case the state can be permitted to make indemnity selection in lieu of sur-veyed school sections thus embraced in a public reservation, made pursuant to a law of the United States, thereby walving

and releasing all right and title to the land so used as basis." The Secretary's Decision.

The decision rendered upon this case is in part as follows:

"The general rule of law, well established in this department and in the courts, has been that the title to school

Where settlements with a view to pre-

vation and the restoration of the lands therein embraced to the public domain and then taking the sections 15 and 36 in place therein; but nothing in this proviso shall be construed as conferring any right not now existing. The Secretary of the Interior says in his decision that he should be glad to be

his decision that he should be giad to be able to conclude that the right to select lieu lands for surveyed sections does exist, "for the contrary view must neces-sarily result in great inconvenience, both to the state and the United States." The decision holds that the words "before the survey," used in the first sentence of the law above quoted, are to be understood as used in each subsequent sentence that the word "entitled" in the first proviso is equivalent to "right" and, refers to unsurveyed school sections; and that the surveyed sections were not included in the reserve because they had become the property of the state and were no longer "public lands," to which the act creating the reserve applies. Upon these considerations he holds that the surveyed sections do not constitute a proper hase for the selection of Heu lands.

Lands Valuable Only as Base. The question having been decided ad-Board, the surveyed sections were practically worthless to the state. In many years which the lands had been for sale at \$1.25 per acre, all the good timber or agricultural lands had been bought. The remaining sections had practically no intrinsic value, but would have been valuable if they could have been used as base for the base for the selection of other lands. Clerk W. H. Odell, of the State Land Board, made an effort to have the Secre-tary of the Interior review his decision, but without success. The state land officials then turned their attention to Con-gress and sought to have an act passed expressly authorising the state to use the surveyed sections as base. Senator Mc-Bride took up the matter and finally got the proposed measure before Congress as an amendment to the sundry civil bill, but the amendment was stricken out in the House on the ground that to grant the state this privilege would be against the state this privilege would be against public policy. It was apparent that the state proposed to trade the worthless school sections for valuable timber lands. In June, 1887, Congress passed an act which permitted individuals who owned

land in the reserve to use the land as a base for the selection of lieu lands. There was some question whether this apply to purchasers of school la it was reasoned that a purchaser would not secure any greater rights than the state had. However, this measure stimulated some desiré for the surveyed school sections. The Clerk of the board, Gen-eral Odell, refused to grant applications for this land, but still endeavored to get the matter through Congress, with favorable results. In speaking of the matter today, General Odell said that had hope of success until Congress and journed in June, 1898. The state land officials had then been trying for four years to get authority to use the surveyed sections as base, and, having failed in both the Land Department and in Congress, it seemed that the matter had been finally settled,

The state had the land on hand, and The state and the land on hand, and the question was what to do with it. There was talk of the reserve being cut down, and in that case some of the surveyed sections would be outside the reserve and not salable at any price. Under the law there was at that time a demand for the land, and General Odell says that after considering all the cir-cumstances he believed the best thing to do was to sell the lands. He says the matter was mentioned at a meeting of the board and was agreed to. No order was made directing that the lands be sold, as no order had been made with-holding them from sale, and the law was mandatory in directing that the land besold to applicants at the uniform price of \$1 29 per acre.

The Clerk then began granting applications for the surveyed sections, and the

will be seen by a perusal of the list of sales. The law provided that only 220 acres could be sold to any one person. On the filing of the application and the deposit of the part payment required, a certificate of sale was issued. provided that this certificate shold be assignable, and that a deed should issue to the person who should present the as-signed certificate and pay the balance of courts, has been that the title to school sections in place, if free at the date of survey, then vests in the state absolutely. The question before me, therefore, is whether sections 275 and 276 of the revised statutes, as amended by the act of February 28, 1891, change the rule and authorize the view" that the state is an authorize the view" that the state is an is and 38 within the reserve, whether surveyed or unsurveyed.

Amended section 275, upon which the two contrary constructions were placed, is in part as follows:

Where settlements with a view to pre-

rapidity with which they were taken up

(Concluded on Fifth Page.)

apolis.

63,728, or 40.44 per cent.

SANTIAGO DE CUBA, Aug. M.-It is

it is believed to be the first in exist-ence. Archaeologists are delighted at this important discovery.

aden-Powell prevented Dewet's junction with the main Boar army. Page 3.

Heatrice, Neb. Page 3. hotoher 18 is the data set for Bryan's New York speech. Page 1.

Pape, the San Francisco smiller, won the Pa-

The population of fit, Louis is 575,238; that of Indianapolis, 168,168, Page I.

what became of a large acreage of Gregon "base" land. Page 1.

of the year and the weather conditions Page 10. ers situation satisfactory for the season

look for further gold exports from United

British ship Hiveredale rode out a 36-days