to the United States, who having con

or through subscription to or purchase

within it.
"3-Vessels of war of a beiligerent shall

not revictual nor take any stores in the canal, except so far as may be strictly necessary, and the transit of such vessels

through the canal shall be effected with the least possible delay in accordance with the regulations in force and with only such intermission as may result from the necessities of the service. Prizes

shall be in all respects subject to the

shall be in all respects subject to the same rules as vessels of war of the beiligerents.

"4—No beiligerent shall embark or disembark troops, munitions of war or war. like materials in the canal, except in case of accident and hindrance of transit, and in such case the transit shall be resumed with all possible dispatch.

"5—The provisions of this article shall apply to waters adiacent to the canal apply to waters adiacent to the canal

"5-The provisions of this article shall apply to waters adjacent to the canal within three marine miles of the opposite ends. Vessels of war of a beiligerent shall not remain in such waters longer than 24 hours at any one time, except in distress, and in such case shall depart as soon as possible. A vessel of war of one beiligerent shall not depart within 24 hours of the departure of another beiligerent is agreed however that none

hours of the departure of another beiligerents is agreed, however, that none of the if hediate foregoing conditions and stipulatins in sections numbered 1, 2, 4 and of this article shall apply to measures which the United States may

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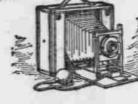
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TREATY RATIFIED

Senate Approves Hay-Pauncefote Convention.

THE VOTE WAS 55 TO 18

All Amendments, Except Those Offered by the Committee on For-eign Relations, Voted Down-Text of Amended Treaty.

WASHINGTON, Dec. 20.-After spend-ng the greater part of the past week in considering the Hay-Pauncefore treaty for the modification of the Clayton-Bulwer convention of 1850, the Senate today conmed only one hour and ten minutes in amending it and ratifying it as amended. During the time there were several roll-calls and vica voce votes.

The first five of the roll-calls were only mendments offered by individual Sena-ors and the last one on the resolution to ratify the treaty as amended. All the amendments, except those offered by Foraker and reported by the committee on foreign relations, were voted down by majorities averaging about 19. The rati-fication resolution was adopted by a vote of 55 to 18.

The Senate was in executive session for about an hour before the time for voting arrived, listening to speeches by Thurston, Gallinger, Wolcott and Bard, ex-planatory of their attitude. Bard con-tended for the adoption of his amendment giving preference to American ships passing through the proposed Nicaragua Canal. Gallinger spoke in a defense of the treaty as it originally came from the executive. Wolcott said that the original treaty would have been satisfactory to him, but added that he considered the agreement, as it had been and was about to be amended, preferable to no treaty at all. Thurston strongly advocated the treaty, saying that as Great Britain gov-erns a great portion of North America, it was right that that country should asideration.

Lodge, who, as a member of the com-mlitee on foreign relations, has piloted the treaty through the Senate since the death of Chairman Davis, lost no time in demanding that the voting begin when 3 o'clock arrived.

The foreign relations committee amendments were ready first. Lodge himself suggested a verbal amendment to the first of these adding the word "convention" after the word "which," so as to make the words "which convention is hereby suspended." He explained that the suggestion had been made that without the word it might be construed as apply-ing only to article 8 of the Clayton-Bulwer treaty, whereas, he said it was intended to apply to the entire treaty. The amend-ment was accepted, and the two commit-tee amendments were both accepted with-

The first roll-call was upon Elkins' amendment declaring that 'nothing contained in this treaty shall be construed to prevent the United States from acquiring at any time sufficient sovereignty over the same to operate, defend, fortify, pro-tect and control said canal or for any other particular as the United States may deem best in its own interest." It was lost, 25 to 45, the ballot in detail being as follows:

YEAS.

Sullivan

Daniel

	Bard Bate Berry Beveridge Butler Clay Cockrell Culberson	Elkins Mallory Martin Masson Money Penrose, Pettigrew	Taliaferro Teller Tiliman Towns Turiey Turner Vest
ı	200000000000000000000000000000000000000	NOES.	
	Aldrich Allison Burrows Carter Chandler Cullom, Deboe Dillingham Fairbanks Forsker Foster Frye Gallinger Hale	Hansbrough Hawley Hoar Jones, Nev. Kean Lindsay Lodge McComas McComas McComper McEnery McLaurin McMillan Morgan Neisen	Pettus Platt, N. Y Pritchard, Proctor Quaries Scott, Shoup Spooner Stewart Thurston Warren Wellington Wetmore Wolcott
	The other	amendment r	oll-call was

On Butler's amendment to strike out section 7 of article 2, prohibiting fortifi-cation-26 ayes, 4 noes. Lindsay, who voted against the Elicins amendment,

vote for the Butler provision.
Upon Mason's amendment authorizing such protetction as the United States may deem proper, 25 ayes, 44 noes. On Bard's amendment reserving the right of the United States to discriminate

in the canal traffic, 27 ayes, 44 noes, On Tillman's amendment authorizing defense and maintenance by the United States, 27 ayes, 44 noes.

Allen's amendment amending article 2 was voted down viva voce, as was also an amendment suggested by Teller practically striking out all of article 2. Foraker withdrew his amendments because they were the same as those reported by the committee on toreign relations; Penrose, because his were practically identical with Eikins', and Beveridge, because his was covered by the second of the committee. All amendments sug-gested were voted upon, and those of the

mmittee adopted. Allen asked for the reading of the treaty as amended. This request was compiled with, and the vote was taken upon the treaty itself, resulting 55 for and 18 gainst ratification.

were as follows: Chilton for with Simon against Rawlins for with Depew against Kenney for with Sewell against. Allen for with Dolliver against.

Jones (Ark) for with Platt (Conn)

Heitfeld for with Kyle against. Harris for with Clark against, Caffery and Baker absent and unpaired.

Text of the Treaty. The text of the treaty as amended fol-

"The United States of America and Her Majesty, the Queen of the United King-dom of Great Britain and Ireland and Empress of India, being desirous to fa-cilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans and to that end to remove any objection which may arise out of the convention of April 18, 1850, commonly called the Claycon-Bulwer treaty, to the construction of such a canal under the auspices of the Government of the United States, with-

and Her Majesty, the Queen of Great Britain and Ireland and Empress of In-dia, the Right Hon. Lord Pauncefote, G. C. B., G. C. M. G., Her Majesty's Ambas-sador extraordinary and plenipotentiary

Go to Supreme Court.

stock or shares, and that subject to the provisions of the present convention, the Government shall have and enjoy all the rights incident to such construction, reg-ulation and management of the canal. "Article 2. The high contracting parties desiring to preserve and maintain the general principle of neutralization estab-lished in article 8 of the Clayton-Bulwer convention, which convention is hereby superscied, adopt, as the basis of such neutralization, the following rules sub-stantially as embodied in the convention between Great Britain and certain other

lowers signed at Constantinople, Uctobe 29. 1888, for the free navigation of the Suez Marine Canal, that is to say: "1—The canal shall be free and open in time of war as in time of peace to the time of war as in time of peace to the vessels of commerce and of war of all nations on terms of entire equality, so that there shall be no discrimination against any nation or its citizens or subjects in respect of the conditions or charges of traffic or otherwise, "2—The canal shall never be blockaded nor shall any right of way be exercised nor any act of hostility be committed within it.

question that Jefferson himself had not regarded the Louisiana purchase as Con-stitutional, and believed that a Consti-tutional amendment was necessary. Justice Gray asked his first question at this point, inquiring if counsel held that the Louisiana acquisition was unconsti-tutional.

tutional.

Mr. Aldrich answered that he did not so hold, but Mr. Jeffersin did, and the arguments of that day showed how political influences affected final results.

Justice Brown asked if it was asfe to base judicial action on the arguments of contemporary politicians.

"I think not," answered Mr. Aldrich, "and I refer to them only because they occupy three-fourths of the brief of the Attorney-General."

In speaking of the Executive action, Mr. Aldrich referred to President McKinley's first message, stating that it

Kinley's first message, stating that it was our plain duty to abolish all customs tariffs between the United States and Porto Rico.

Justice Shiras asked if the Presiden

was then speaking of the duty of Con-

Mr. Aldrich said he supposed the President meant the duty of the Nation.

Justice Harian asked if the treaty power could go beyond the 14th amendment to the Constitution, to which Mr. Aldrich answered that treaties could not override the Constitution.

Amount Settled Upon for Columbia River.

BILL GOES TO CONGRESS TODAY

also Provided That Work Be Under Continuing Contract System-Boat Railway Will Be One of Projects for Appropriation.

WASHINGTON, Dec. 20.—The river and harbor bill, to be reported tomorrow, will contain an appropriation of \$400,000 for the mouth of the Columbia, and a further provision that this improvement be placed under the continuing contract sys-tem until completed. It is understood, however, that the total amount of the contract will not be as great as that recommended by the engineers. It will prob-ably be in the neighborhood of \$1,5000,000. This cut in the estimate is very favorable to Oregon, as compared to many other

Chairman Burton was anxious to have some repeal legislation to qualify the large amount in the river and harbor bill. One of the Items which he wanted repealed was the dalles boat railway. The Oregon delegation insisted that it should remain until assurance of some other project for overcoming the obstruction could be had. This contention now

OREGON HARBORS CARED FOR. So Says Representative Tongue-Siuslaw Put Back in Bill.

the bill as well. "Neitner Oregon nor Washington will have cause to compiain of their treat-ment at the hands of our committee. The members of the Washington delegation, who have closely watched the committee

only get enough to keep its projects in the bill.
"The report and estimate of Captain Harts for a canal and locks at The Palles and Celllo, while apparently an indorse ment for the immediate construction of a portage road, is, as a matter of fact, a very strong recommendation for the im-mediate construction of a canal, for in

of a canal and locks is recommended. "Captain Harts knows-as do well-in-

Rev. W. Raymond Stricken, PHOENIX, Ariz, Dec. 20.—Dr. W. Ray-mond Stricklen, pastor of the Hamila Methodist Episcopal Church of Washing-ton, is dead of lung trouble. He came here a month ago. The body will be sent to Washington today.

Made the Awards.

regon and Washington will fare well on the river and harbor bill. Page 1.

Academy appropriation bills. Page 2. The Montana Senatorial case caused a debate in the open session of the Sanate. Page 2. The reapportionment bill was reported in the

Foreign.

Two Boer forces have crossed the Orange River. Page 3. The suit of Wertheimer against the Castellanes is being tried in Paris. Page 3.

are given out. Page 3. Pacific Const.

There will be no 1901 fair in the First Eastern Oregon Agricultural district. Page 4. Rich strike has been made in the Lucky Boy mine, in the Blue River district. Page 4.

Great prosperity in the iron trade. Page 11. Northern Pacific the feature in New York stock market. Page 11.

Steamship Skarpsno reaches Yokohams in dis-trees. Page 5. teamer Jeannie overdue at San Francisco

Pirst 1901 crop wheat ship en route for Portland. Page 5. Portland and Vicinity.

police station. Page 10. Heavisst storm of the season along the coast

Shoe factory established by effort of the Man-ufacturers' Association. Page 8. Multnomah Club billiard players defeated Com-

CLOSING ARGUMENT

to the United States, who having com-municated to each other their full pow-ers, which were found to be in due form, have agreed upon the following articles: "Article 1. It is agreed that the canal be constructed under the auspices of the Government of the United States, either directly at its own cost or by gift or loan of money to individuals or corporations or through subscription to or purchase of Philippine-Porto Rico Cases

STATEMENT BY CHAS. ALDRICH

Ex-Solicitor-General Replies to the Contentions of Attorney-General -Constitution Was Framed

WASHINGTON, Dec. 29.-The closing WASHINGTON, Dec. 29.—The closing argument in the Philippine and Porto Rico cases was made in the United States Supreme Court today, and the cases were submitted for the final adjudication of the court. Many people came early in the day to secure advantageous seats. As the Government's case had been closed by the Attorney-General, it remained only to hear the senior counsel

VOTE ON THE HAY-PAUNCEFOTE TREATY. The Senate ratified the Hay-Pauncefote treaty by a vote of 55 to 18. The vote

Aldrich Allison Beveridge Burrows Carter Chandler Clay Culjom	Elsins Fairbanks Forsker Forsker Forsker Frye Gallinger Hale Hanna Hansbrough	AYES. Hoar Jones (Nev.) Kean Kenney Lindsay Lodge McBride McComas McCumber	McMillan Mallory Morgan Nelson Perrose Perkins Pettus Piatt (N. Y.)	Scott Shoup Speoner Stewart Sullivan Tullaferro Thurston Turner Warren	
Deboe Dillingham	Harris Hawley	McEnery McLaurin NOES,	Proctor Quarles	Wetmore Wolcott)
Allen Bard Bace Berry	Butler Cockrell Culberson Daniel	Heitfeld Martin Mason Money	Pectigrew Teller Tillman Turiey	Best Wellington	
The name w	stad on follows to	no Senstone for	the treaty being	e watered with	-

against it, in accordance with custom: Depew and Sewell for with Bawlins against. Clark and Simon for with Chilton against. Dolliver and Baker for with Towns against.

Caffery and Platt (Conn.) for with Jones (Ark.) against absent and unpaired. He was for the treaty, but no pair could be se-

measures which the United States may find it necessary to take for securing by its own forces the defense of the United States and the maintenance of public order.

The plant, estimates, buildings and all works necessary to the construction and operation of the canal shall be deemed to be part thereof for the purpose of this convention, and in time of war, as in time of peace, shall enjoy complete immunity from attack or higher by belligerents and from acts calculated to impair their usefulness as part of the canal.

"T-No fortification shall be erected commanding the canal or the waters adjamanding the canal or the waters adja-cent. The United States, however, shail be at liberty to maintain such military police along the canal as may be neces-sary to protect it against lawlessness and

"Article 3. The present convention shall be ratified by the President of the United States by and with the advice and con-sent of the Senate thereof, and by Her Britannic Majesty, and the ratifications shall be exchanged at Washington or at London within six months from the date hereof, or earlier if possible, "In faith whereof, the respective pient-

entiaries have signed this convention and thereupon affix their seals.
"Done in duplicate at Washington, the 5th day of February, in the year of our JOHN HAY, "PAUNCEFOTE,"

KANSAS STOCK RANCH. Frank Rockefeller Plans One on s Large Scale.

WICHITA, Kan., Dec. 20.—It is reported here that Frank Rockefeller, of Cleve-land, O. is negotiating for the purchase of 140,000 acres of land in Kiowa and Clark Counties with a view to stocking it with horses and high-grade cattle, sheep and hogs, especially horses, for sheep and hogs, especially horses, for which he sees a profitable future. The land is along Soldier Creek, the finest running water in the state and which is fed by a great many springs, many of them of an artesian character. At pres-ent he owns the land on both sides of the creek for over seven miles, but the area is too small for his plans. He has but few horses on his ranch, but they have so demonstrated the adaptability of the country for giving bone and wind to their kind that Mr. Rockefeller is anxfous to experiment on a larger scale. It is also said that he will experiment with poultry and animals of various kinds, in-cluding some of the wild animals of the plains. At present his ranch is stocked with high-grade Hereford cattle and

FIGHT TO THE BITTER END Santa Fe Telegraphers Say They Will Keep Up the Strike.

CHICAGO, Dec. 20.—The striking telegraphers on the Santa Fe road declare that they will continue the fight against the road to the bitter end without reference to the results of the conference held here Wednesday between the committee representing the other organizations of the road and Third Vice-President Barr. This announcement was made today by President Dolphin, of the telegraphers, after receiving reports from Galveston, Fort Worth, Topeka and other points along the road. He said:

We regret that the organizations do not feel that they can give active sup-port, but we do not propose to have any controversy with them. There is no cause for the complaint made by some of the members of the committee that we did not notify them of our purpose to strike. We were not called upon to do this, and there were good reasons why

ST. PETERSBURG, Dec. 20.—The Inspector of Royal Trains has gone to Lividia, European Russia, where Emperor Nicholas is convalescent, and it is expected that the Ministers of War and the Interior, who are with the Crar, will soon return to St. Petersburg. M. de Witte, Minister of Finance, is momentarily ex-

August Belmont Recovering. ton-Bulwer treaty, to the construction of such a canal under the auspices of the Government of the United States, without impairing the general principle of neutralization in article 8 of that convention, for that purpose appointed as their plenipotentiaries the President of the United States, John Hay, Secretary of State of the United States of Americs, until his health is completely restored.

in the Philippine case, Charles Aldrich, of Chicago, ex-Solicitor-General, who had one hour and a half remaining of the five hours given to the plaintiffs.

Mr. Aldrich had before him the plaintiff's brief and a voluminous portfolio of notes, but he spoke freely, with only occasional reference to them. At the outset, he said he would confine himself largely to legal argument, following the Aldroney-General's points and seeking to meet them, although he regarded much that the Attorney-General had presented as irrelevant. He spoke deliberately and seldom with any effort at dramatic force. He first directed his attention to the circumstances under which the Government came into existence, the struggle over over the American colonies. With this history before us, he said, it was a remarkable fact that the Attorney-General of the United States, over 100 years after the great struggle which founded the American Government, should come into this court and assert a taxing power more extreme than had been asserted by the most ardent defenders of England's taxing power over the colonies. Mr. Aldrich spoke of the decision of Justice Marshall in Loughbor.

ough vs. Brake as of decisive importance, and he summed up that decision as bear-ing on the present conditions as follows: "That the power to tax, levy duties, etc., extends to the entire United States. "That the term 'United States' em-

rights and obligations of the territory, thus a part of the United States, and the inhabitants thereof, are measured and tested by the Constitution."

As to the contention that the Philip-

As to the contention that the Finish pines were not a part of the United States, Mr. Aldrich said: "If the islands ceded by Spain are for-eign territory, then our country should have, as its commercial representatives, foreign Consuls, who would perform the requisite official acts prescribed by our customs laws regarding shipments of merchandise from any of these islands to any part of the United States. The court takes judicial notice of the fact that our Government has no Consuls in the Phil-States Consuls therein were withdrawn, and that the Consular agents of foreign powers themseforth were the accredited representatives of the respective foreign governments to the United States, and

our Government signed the exequaturs of such Consula What an anomaly it of such Consula. What an anomaly it is to have Spain send its Consuls to the Philippines, if, as contended, for the purposes of revenue, they are still foreign territory! If they are not American territory, they must still be Spanish, for it is not pretended that any other nation foreign to the United States has acquired any sovereignty over them, nor is it pretended that the Philippine Islands, in the eve of international law occupy the the eye of international law, occupy the status of an independent nation." Taking up the Attorney-General's con-tention that in ordaining the Constitu-

tion, the reliance of the people was in part placed upon the justice of Congress, whose action is open to review at fre-quent elections. Mr. Aldrich said that if this meant anything it meant an assertion of power by Congress more ex-treme and arbitrary than was ever exer-cised by the British Parliament. The Attorney-General's interpretation of the word "sovereignty," Mr. Aldrich said, was that this Government had a right to do what any other nation does. This word had become most popular since we entered upon a colonial policy. But, Mr. Aldrich declared, the sovereignty of the Addrich declared, the sovereignty of the United States was one exercised under the Constitution, and if we are in the Philippines or Porto Rico, it is because of the powers given by the Constitution.

Justice White interposed a question when Mr. Addrich referred to the American protest against British "taxation without representation." Would this mean, the Justice asked, that Congress could not tax the new possessions until the Constitution, and if we are in the Philippines or Porto Rico, it is because of the powers given by the Constitution.

Justice White interpresed a question when Mr. Aldrich referred to the American protest against British "taxation without representation." Would this mean, the Justice asked, that Congress could not tax the new possessions until they were represented in Congress? Mr. Aldrich said that it did not go that far, and was sufficiently answered in the case of Loughborough vs. Blake.

Mr. Aldrich said he entered a protest against the use of Jefferson's name in support of the proposition that the United States can acquire and hold territory indefinitely. It was settled beyond

ers of England's taxing power over the colonies. Mr. Aldrich spoke of the decision of Justice Marshall in Loughbor-ough vs. Blake as of decisive importance, forbid that arbitrary power shall become forbid that arbitrary power shall become our characteristic. The shaft almed at the new colonial policy is tipped with a feather from the American Constitution."

Mr. Aldrich closed with an elaborate want to see nothing but a canal and locks at The Dalles and Cellio." "That the term 'United States' embraces our great Republic, which is composed of states and territories.

"That it is not less necessary on the principles of our Constitution that uniformity in the imposition of imposts, duties and excises should be observed in the one than in the other.

"It follows from the above that the rights and obligations of the territory."

WARSHIP CONTRACTS.

Secretary of the Navy Has Not Yet

WASHINGTON, Dec. 20. - Secretary Long was unable to award the contracts for the battle-ships and cruisers today, although he had expected to do so. The board of construction submitted its report recommending the distribution of the contracts according to the scheme indicated in these dispatches yesterday. Some of those unfavorably affected by that arrangement, however, have representations to make which delayed conclusion. One result, however, was ob-tained in a decision to eliminate the Risdon Iron Works, of San Francisco, from the competition. Their bid was too high to be even considered, and their certified check accordingly was returned today. The Secretary said at the close of the day that he had reached a partial conclusion, at least. Tomorrow he would direct the law office of the department to direct the law office of the department to enter into a contract with the Cramps, the Newport News and Union Iron Works, each to build one sheathed and one unsheathed armored cruiser. He probably should direct that the Fore River Works, of Massachusetts, should be given the contracts for two un-sheathed battle-ships. He was undecided about three sheathed battle-ships. He said that it had been contended that, under the law, at least one of those said that it had been contended that, under the law, at least one of those should go to the Pacific Coast. It was that point, and the further question whether the contracts could be made within the limit of cost, that had caused him to refer the question back to the hoard of construction for further examination as to these three ships. ination as to these three ships.

Itinerary of Farguhar's Squadron NORFOLK, Va., Dec. 26.-The North At. lantic squadron salled today from Hamp-ton Boads for an itinerary lasting thi May 5, as follows: Pensacola, Fla. De-cember 30 to January 31; Gulf of Florida, January 26 to February 9; Galveston, Tex., February II to 18; Pensacola, Fla., Feb-ruary 20 to March 5; Havana, Cuba, March 9 to March 14; Guantanamo, Cuba, March II to March 25; Culebra, Porto Kico

WASHINGTON, Dec. 20 .- Just how well Oregon and Washington will be cared for in the river and harbor bill will not be known until tomorrow. Representative Tongue, a member of the committee, says both states are exceptionally well provided for, although he will not give any figures. It was suggested to him today that the mouth of the Columbia would receive \$300.000, and to this he replied: "Don't worry about the mouth of the Columbia River. It will receive a great many times \$300,000. Siuslaw, which was at first stricken out, has been put back in

feel that they have been neglected, and that their interests have been allowed to stand alone. They say their state will

concluding his report he says: 'If there is a sufficient objection to ownership and operation of a portage road by the United States, then early improvement by means

formed men in Congress, who have many times expressed themselves—that it is utterly impossible for the Government to undertake the building of a portage road for that act would open up the question of government ownership and control of raliroads, which can never be. The further fact that the canal could be built in five years, instead of 10, and at a cost of but \$4,000,000. Instead of \$5,000,000 or \$10,000,-000, as has been heretofore claimed, push the canal project in a much more favor-

SUMMARY OF IMPORTANT NEWS. The Senate varified the Hay-Pauncefote treaty.

Appropriation of \$400,000 is recommended for Columbia River. Page 1. The House passed the Indian and Military

The House subcommittee has cut down the river and harbor bill \$20,000,000. Page 2.

The Dutch in Cape Colony are on the point of rebelling. Page 3.

Domestic. The closing argument was made in the Ports Rico and Philippine cases. Page 1. Another West Point cadet is said to have died as a result of hazing. Page 2. Particulars of the kidnaping of young Cudahy

Yesterday's storm at Astoria was one of most severe in history of local weather fice. Page 4.

The first train was run through the great Cas-cade tunnel yesterday. Page 4. Commercial and Marine.

Wheat market hardening slightly. Page 11.

Officers arraigned by Dr. E. P. Hill declare the facts are not as he states. Page 8.

and in the city. Page 8. Discipline of children prevents panic at Couch School. Page 10. Dr. J. Bloch receives a call to Spokana.

cial Club team four straight games,