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Be sure that the heels and knees are stamped per cent, and that each boot has our "Gold Seal" stamp on the leg.

Manufactured only by **GOODYEAR RUBBER COMPANY**

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73-75 FIRST ST., PORTLAND, OR.

CAMERA SNAPS

5x7 Eastman Kodak, reg. \$35.....\$17.50
Pony Premo, No. 4, reversible back, R. R. lens, reg. \$15..... 7.50
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All are in perfect condition, having been taken in trade or exchange for other cameras, and are just as good as new.

BLUMAER-FRANK DRUG CO.
Wholesale and Importing Druggists.

Shaw's Pure Malt

America's ORIGINAL Malt Whisky
Without a Rival Today

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Sole Distributors for Oregon

WARM AIR FURNACES

HOT WATER AND STEAM HEATERS, NICKEL PLATED, COPPER PLATED, BRASS PLATED, SILVER AND GOLD PLATED REGISTERS.

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First-Class Check Restaurant
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Rooms—Family..... \$1.50 to \$3.00 per day

J. P. DAVIES, Prop. C. T. BELCHER, Sec. and Treas.

St. Charles Hotel

CO. INCORPORATED,
FRONT AND MORRISON STREETS
PORTLAND, OREGON

American Plan.....\$1.25, \$1.50, \$1.75
European Plan......50c, 75c, \$1.00

American and European Plan.

The Electrolite

A PERFECT ACETYLENE HOUSE LAMP

Generates gas for immediate use only, but is ready for lighting at once. It is safe—cannot explode under any circumstances. It is economical—cheaper than gas or kerosene. Call and examine.

PRAL, HEGELE & CO.
Agents for Oregon and Washington.
100-106 FIFTH ST., Cor. Stark, PORTLAND, OREGON

\$50 UNCLAIMED SUIT \$15.95

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These are suits upon which deposits have been paid, and for various reasons have been unclaimed. They are not misfits, but strictly TAILOR MADE.

FARNSWORTH-HERALD TAILORING CO.
248 WASHINGTON STREET, NEAR THIRD.

The Resources of the Aeolian Are Limitless

The music arranged for the Aeolian embraces the chief masterpieces of art in all departments—symphonies, overtures, operas, masses, oratorios, symphonic poems, sonatas, concertos, quartets, sacred, popular and dance music, songs, etc., in endless variety, and representing every nationality and school. The instruments are gladly shown to any one at any time.

Free public recitals Wednesday and Saturday. Everybody welcome.

THE AEOLIAN COMPANY
N. B. WELLS, Northwest Agent, Aeolian Hall, 353-355 Washington Street.

THE ASPHALT CONTROVERSY

Neither Side Will Agree to an Amicable Settlement.

WASHINGTON, Oct. 7.—Both sides to the asphalt controversy, the New York & Bermudez Company and the Warner-Quinlan syndicate, have declined to enter into the arrangements for an amicable settlement of their troubles, the foundation of which was laid by Minister Bowen, at Caracas, last week. The New York & Bermudez Company points out that a settlement of the kind proposed would expose it to similar attacks by individuals and corporations, and that no arbitration save an international one, to which Venezuela is made a party, could protect its rights. It already has asked for such an arbitration.

The Warner-Quinlan syndicate is willing to meet representatives of the New York Company in this country in efforts to compromise, but it objects strongly to Mr. Bowen's proposed arbitration, on the ground that the same purpose can be served by the legal trial now going on in Venezuela, which already has progressed at considerable expense to the parties. In this state of the case, the Department of States can do nothing but await developments in Venezuela.

Nineteen Persons Drowned.

LIBSON, Oct. 7.—Nineteen persons were drowned today by the foundering of a fishing-boat in the Bay of Peniche, just outside of the Peninsula of Peniche.

FLEET COULD GO OUT

Spaniards Might Have Left Santiago at Night.

HODGSON AT THE SCHLEY COURT
He Believed the Blockade Would Have Been Sufficient in Good Weather—His Alleged Colloquy With Schley on the Texas.

WASHINGTON, Oct. 7.—Lieutenant-Commander Hodgson today again occupied the greater part of the time of the Schley court of inquiry as a witness. He was followed on the stand by Captain W. M. Folger, formerly chief of the Bureau of Ordnance of the Navy Department, but commander of the New Orleans during the Spanish War. Lieutenant Dyson was also recalled, to add some details to his former testimony concerning the coal supply of the American fleet during the Santiago blockade.

Commander Hodgson repeated and explained his story of the battle of July 3, giving the opinion that Commodore Schley's conduct on that occasion was such as that of a commander-in-chief should have been. He also explained at some length his correspondence with Admiral Schley concerning the alleged colloquy between them while the Santiago engagement was in progress. He said he had no controversy with the Commodore, but he recalled that the Commodore had said "Damn the Texas," when told that that vessel was in danger. Captain Folger said that the bombardment of the Cristobal Colon May 31 had been eminently successful in developing the strength of the Spanish shore batteries, and also shown them to be very weak. He also said that if the Spanish vessels had attempted to escape at night, they could not have been seen by the blockading fleet in bad weather.

The crowd in attendance was as large as at any time previous, indicating that the interest in the case is unabated. It has been expected that the Navy Department would be able to complete its presentation of the case by the close of last week, but when the court opened today Captain Lemly's list of witnesses still contained almost a dozen names. Prominent among these is Captain Chadwick, who was Admiral Sampson's chief-of-staff, and who was in immediate command of the flagship New York during the Santiago campaign, resumed the stand.

This was his third sitting, and when he began today's testimony the Judge-Advocate had not entirely completed his questions. There were still a few of the letters, containing the correspondence between the witness and Admiral Schley to be read, and when they were concluded, Captain Lemly and Mr. Hanna proceeded with the questions.

When the reading of the Schley-Hodgson correspondence had been concluded, Captain Lemly asked Mr. Hodgson whether his denial of the colloquy between himself and Commodore Schley has ever been published entire. Mr. Hodgson replied in the negative, saying that the last paragraph of his letter of denial had not been printed. This paragraph referred to the enclosure of a newspaper clipping between the witness and Admiral Schley to be read, and when they were concluded, Captain Lemly and Mr. Hanna proceeded with the questions.

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Mr. Raynor then asked: "How far were you off during this blockade of Santiago, of the morning during the day and night of May 28, 29 and 30 and 31?"

The witness replied: "Early in the day time our position was about six miles. In the night I think we steamed up and down in front of the harbor, a distance of about six miles."

He stated that the picket boats, Maribeahead and Vixen, were inside the line of the fleet, about midway between that line and the shore. He stated that the witness then, in response to a request from Mr. Raynor, continued his description of the naval battle of July 3 from the point where he had dropped that description at his last sitting. He stated that the progress of the squadron was impeded by the progress of the Santiago by the heavy weather delaying the smaller vessels, the Vixen and Eagle.

The Santiago Blockade.

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DEATH OF A RULER

Ameer of Afghanistan Was Ill Only a Short Time.

ENGLAND IS MUCH DISTURBED
News Will Encourage the Boers to Prolong the War, and Russia May Seize the Opportunity to Push Her Frontier Forward.

LONDON, Oct. 7.—A news agency published the following dispatch from Simla, dated this evening:
Habib Oullah Khan, eldest son of the

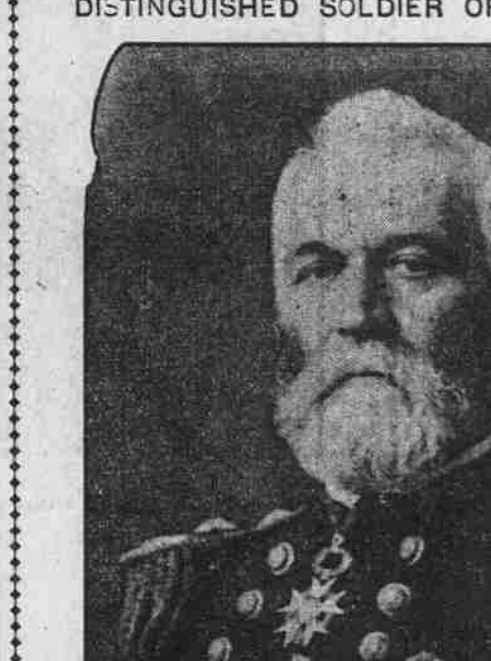
death of the Ameer will be firmly and prudently met. There is, however, an underlying current of uneasiness discernible as to whether Russia will seize the opportunity to push her frontier forward. The British troops in India, owing to the South African war, are not at their normal strength. It will be impossible to take any more for South Africa, and the news will still further encourage the Boers to prolong their resistance.

"The British duty is plain," says the Times. "It is to afford prompt and firm countenance to the legitimate heir and nominee of the Ameer, and the favorite of the nation. It is well for Great Britain that the death occurred during Lord Curzon's viceroyalty."

TO FINISH CANAL TREATY.
Lord Pauncefote Will Soon Join Secretary Hay.

WASHINGTON, Oct. 7.—Word has reached here that Lord Pauncefote, the British Ambassador to Washington, will sail from England on the St. Louis October 25. He will reach Washington about the 1st of November, so that he and Secretary Hay will have a full month before Congress convenes to add the finishing touches to the treaty.

DISTINGUISHED SOLDIER OF THE CIVIL WAR.



GENERAL O. O. HOWARD, VISITING PORTLAND.

Major-General O. O. Howard, who is again visiting Portland, is personally well known and appreciated here, both as a distinguished soldier and as a good and humane man.

It was about a quarter of a century ago that General Howard first made his home in Portland, succeeding General Jeff C. Davis as Commander of the Department of the Columbia.

In 1877 Chief Joseph's band of Nez Percé Indians went on the warpath, and General Howard took the field in person against them. His force was small, but he defeated the Indians in pitched battles on their own ground on the Clearwater, pursuing them for thousands of miles over the roughest region in North America. It was his plan that led to their final capture at Bear Paw Mountains by General Miles. It was a most remarkable campaign, in which General Howard and his men underwent many hardships.

In 1878 General Howard took the field against hostile Nez Percé Indians, and personally participated in the battles and exposures of the long, rough rides over the most mountainous parts of Oregon, Washington and Idaho, finally restoring peace in the entire department, although it contained many unruly Indians.

After a four years' term as Commandant at West Point, General Howard commanded the Department of the Platte, and the divisions of the Pacific and the East. During the recent campaigns in Cuba, although retired on account of age, he went with the Army for the good that he could do, and all accounts agree that he rendered invaluable assistance.

Men who served under General Howard on rough frontier campaigns, when cold and hunger were often the common lot, say that he was always a good commander, kind and considerate to those under him.

General Howard is now 71 years of age. He lost his right arm at the battle of Fair Oaks, in 1862; he was at Antietam the same fall, and at Fredericksburg and Gettysburg, and participated in most of the important battles of the Civil War. He commands the right wing of Sherman's army in its march through Georgia. General Howard's promotions were earned by bravery and good service.

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WHERE IS DAVIS?

He Was in Kern County, Cal., a Month Ago.

SWORE TO AFFIDAVIT THERE
But His Whereabouts Are Again Swallowed Up in Mystery—Makes Ingenious Response to Suit Against Him for His Bond.

SALEM, Or., Oct. 7.—George W. Davis, ex-clerk of the School Land Board, today filed an answer to the suit brought against him and his bondsmen by Attorney-General Blackburn. The answer was sworn to by Mr. Davis September 14, in Kern County, Cal., before Ronald McDonald, a notary public. There is nothing to show what part of Kern County Mr. Davis is in.

The complaint filed against Davis was unfiled for \$500, and it was alleged that during his term of office he collected \$30,522.08 more than he turned into the State Treasury. Judgment was asked for \$300, the amount of the bond. The answer filed by Mr. Davis is signed by E. P. McCormack and George G. Birmingham, his attorneys.

In his answer Mr. Davis denies the allegations of the amounts of his collections and disbursements, "except as hereinafter alleged," and then denies "that the terms or conditions of the undertaking set forth in plaintiff's complaint have been broken or violated in that this defendant wholly or at all failed to pay over to the State Treasurer immediately, or at any time, with all the sums of \$30,522.08, or any part thereof, of the money so alleged to have been collected by him as the clerk of said board, or that the whole or any part of such amount is now due or owing to the plaintiff from this defendant, or remains unpaid, or that by reason thereof, or any other reason, plaintiff has been or is damaged in any sum of \$500, or any other sum or amount of money whatever, or that said sum of \$500 or any other sum or amount of money whatever is now due or owing from this defendant to the plaintiff, or has been due or owing to plaintiff since the 31st day of July, 1895, or any other date or time whatever."

Denies the Bond.

In a paragraph which admits the execution of the undertaking set forth in the complaint, Mr. Davis denies that the undertaking was a bond, thus disclosing that an effort will be made to distinguish between the \$500 collected by him as an instrument, and an undertaking such as is required of a public officer. The importance of this lies in the question whether the undertaking outlives six years or in 19 years, for if in six years the state is barred from recovery by the statute of limitations.

Mr. Davis then sets up his defenses in further and separate answers. He alleges that during his incumbency prior to January 1, 1895, he collected large sums of money and paid over large sums of money to the State Treasurer; that prior to January 14, 1895, he made a full statement of all moneys by him collected, and of all moneys by him paid over to the State Treasurer, between July 14, 1891, and December 31, 1894, which statement was submitted to the Legislative Assembly of 1895. He sets forth all the facts regarding the appointment of a joint investigating committee, the favorable report of the committee and the adoption of the report. He then alleges "that the said action of the said Legislative Assembly of the State of Oregon amounts to and is a discharge of the defendant from all liability whatsoever to the State of Oregon on account of moneys by him collected as clerk of the board of commissioners for the sale of school lands, included within the aforesaid date."

Another defense, of a similar nature, is that there was an accounting and settlement between him and the state for all moneys collected prior to January 1, 1895, and that on said accounting and settlement it was found that his cash accounts were absolutely correct, and all moneys by him collected had been accounted for, and that he was not indebted to the plaintiff in any sum whatever.

It is also alleged that during his incumbency, after January 1, 1895, he collected \$30,522.08, and paid over the whole of that sum.

The last defense is that this action did not accrue to plaintiff until the date before the commencement of this action.

Attorney-General Blackburn has filed a motion to strike out parts of the Davis answer and has demurred to the defenses. There has also been filed a stipulation between the state and Davis' attorneys, in which it is agreed, for the purpose of the trial in this case, that there was a shortage of \$20,941.89; that the shortage occurred prior to January 1, 1895, and that fact is the basis of the plea of the statute of limitations; that the shortage was not discovered by or known to the committee or the Legislature. It is also agreed that the legislative investigation report and the adoption of the report constitute the only accounting and settlement. It is agreed that "if these facts are not sufficient to constitute a defense, the judgment must be rendered against defendant Davis, as prayed for in the complaint; if they do constitute a defense, judgment should not be entered against him."

Judge Burnett heard arguments in part on the motion and demurrer. The case will be tried by the court without a jury, questions of law only being presented.

CZOLGOSZ NOT TO BE SEEN.
Assassin Will Gain no Notoriety While in Prison.

ALBANY, N. Y., Oct. 7.—State Superintendent of Prisons, Alexander McKeen, today declared that Czolgosz, the murderer of President McKinley, must not be subject of notoriety while in Auburn prison awaiting electrocution. He must not be seen, and visitors must not be permitted to enter any part of the prison where knowledge might be gained of his location. The warden of the prison has been instructed to inform the guards and other employes of any information concerning him or his doings will be considered a grave breach of discipline, and will be dealt with accordingly.

MISSING TEXAS EDITOR FOUND INSANE.
NEW YORK, Oct. 7.—Luther S. Bedford, the Southern editor who failed to keep an engagement with Rev. Dr. Parkhurst, and who disappeared in this city, causing his friends and relatives considerable anxiety, has been found by John Gitterman, a New York attorney. Mr. Gitterman made the technical complaint that Mr. Bedford is mentally irresponsible.

TO ESTABLISH AN ECONOMIC UTOPIA.
NEW YORK, Oct. 7.—The "Freeland Central Association," has just been organized in this city by Alexander Horr. Among the members is Rev. S. L. Blyington. Said Mr. Horr in explanation of the objects of the organization:
"The plan we have adopted is simply that of a co-operative business enterprise, founded on the idea that labor is entitled to its total product."
As soon as \$50,000 is obtained, the organization expects to buy a township in Rhode Island, and there establish an economic utopia for men and women.

AMERICAN PAPER ON THE TREATY.
It Fears It Must Give Up Much, but Thinks It is for the Best.

LONDON, Oct. 7.—The Washington correspondent of the Daily Chronicle gives the alleged substance of a provisional canal treaty abrogating the Clayton-Bulwer treaty. Commenting editorially upon these advices, the Daily Chronicle says:
"Englishmen will be startled to learn that we have abandoned our rights under the Clayton-Bulwer treaty and surrendered every disputed point without compensation. The new treaty is apparently another instance of Lord Salisbury's placid indifference and Lord Lansdowne's impulsive generosity. It is said that President Roosevelt will recommend its adoption to the Senate. Doubtless Great Britain will agree to it. Although it gives us nothing at all, it will have the advantage of getting rid of all our outstanding grievances with the United States. And there is, perhaps, no existing question on which we should be wise to assume an intractable attitude. But it may be hoped that Lord Lansdowne will not plume himself too much on the skill on which he is able to secure his diplomatic ends by gracefully surrendering every point in the game."

NEWS WILL ENCOURAGE THE BOERS TO PROLONG THE WAR.
LONDON, Oct. 7.—Confirmation has been received at the Foreign Office of the report of the death of the Ameer of Afghanistan, but the truth of the report is not doubted. In view of the existing critical situation in South Africa, the news sent something like a shock through the United Kingdom. Great confidence, however, is expressed on all sides of the ability of the Indian Viceroy to deal with the situation. Before Lord Curzon attained his political dignities, he had traveled through Afghanistan, as the guest of the Ameer, and had thoroughly mastered the problems of British policy in Central Asia.

At Simla it is believed that Habib Oullah Khan, who was regarded by his father as his successor, and long had a share in the government, will assume the succession peacefully. He is at Cabul. For some years, under his father's controlling hand, he has had charge of the army and the state treasury and of the Supreme Court of Appeals. He is regarded as a wise and temperate ruler, favorable to Great Britain, but less material than his father and for this reason less likely to be strong enough to govern the fierce, unruly tribes or to resist the attempts of his brothers to seize power. It is expected that Lord Curzon will postpone his tour to Burmah until the Afghanistan is settled down.

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