the rate the other roads induced it to withdraw the notice. Those who testified were: C. D. Whit-

MINNESOTA'S COMPLAINT

PAPERS FILED IN PROCEEDINGS AGAINST THE RAILROAD TRUST.

The Proposed Consolidation Is in Direct Violation of State Law-Proceedings in Supreme Court.

WASHINGTON, Jan. 7 .- Attorney-Gen eral Wallace B. Douglas, of Minnesota, filed today in the United States Supreme Court the bill of complaint in the case of the State of Minnesota, complainant, against the Northern Securities Company, defendant. It is a long document, about 10,000 words, covering 32 pages of printed

The bill first points out the direct interest the state has in the proposed consoll-dation. It still owns more than 3,000,000 cres of public land, valued at more than \$15,000,000, and traversed in part by lines of the Great Northern and the Northern Pacific railroads. If the merger is effected these roads will cease to build spurs into these lands or compete for their business. The value of the lands will not increase, as it has under the spur of competition and the state will lose in the taxable value of its property. The lands will not be opened for years and development will be arrested.

It is next set up that the state expends more than \$700,000 annually in the opera-tion and maintenance of its educational, charitable and other public institutions; that this is mostly raised by direct taxation; that the amount which can be raised and the successful maintenance of these institutions for the benefit of its citizens depend largely on the value of the real and personal property within the state, which in turn depends largely on free railroad competition. It has been the settled policy of the state to encourage railroad building by grants of land and in this way over 10,000,000 acres have been granted, nearly all of which has been granted to the Great Northern and North-ern Pacific and their subsidiaries. The complaint alleges that the rates on the immense shipments of wheat and other merchandise over the lines of the two omnanies have been lower than they will be under any arrangements which con-templates unity of control.

The bill then recites the charters and incorporations under which the Great Northern operates over 5000 miles of road and cites the clause in its charter pro-viding that its affairs are to be conducted by a board of directors which is to do all things necessary "and not inconsistent with the constitution and laws of the United States or the laws of this territory or this act." It is further alleged that James J. Hill holds a controlling interest in the \$125,000,000 of capital stock. The history and charters of the North-

ern Pacific are similarly rated, special at-tention being paid to the roads acquired and built within the state. By filing its articles of incorporation with the Minne-sota authorities the Northern Pacific became subject to all the laws, regulations and provisions of Minnesota. The facts as to the present personnel

of the directory, the insolvency of the old company and its reorganization in 1893, the purchase of the St. Paul & Duluth road in 1899, are recited at length. It is set up that the lines of these two systems are not only competitive between points within Minnesota, but that they furnish the only competitive lines between Minnesota and Puget Sound, and have so furnished for 11 years. They are also with one exception the only lines traversing Northern Minnesota.

A paragraph is devoted to the Burling-ton and the facts as to the terms on which its control was obtained by the two systems jointly, Charles E. Perkins, its ex-president and present director, being a director in the Northern Securities Company. The certificate of incorporation of the latter filed in New Jersey November 13, 1901, is quoted in full.

Taking up the Northern Securities Company it is set forth that it was organized by J. J. Hill, W. P. Clough, J. P. Mor-"other associates to the oratrix own," who at the time, were co ually in conference over means by which fully evaded or avoided, and that it was so organized solely for the purpose of ef-fecting a consolidation of the Great Northern and Northern Pacific. The owners of a large majority of the stock of the two systems had agreed before hand to transfer to the new company 75 per cent of the stock of the two systems on terms which are set forth in full and to retire the preferred stock of the Northern Pa-

In furtherance of the plan to evade the laws of Minnesota, it was agreed that pending the delivery of the stock to the Northern Securities Company, it should all be turned over to J. J. Hill, or be under his control. The Northern Securities Company, it is charged, does not in tend to purchase this stock, but simply to issue its own stock in exchange there for. For these unlawful purposes the company is about to receive, unless enjoined therefrom, all the capital stock of the Great Northern and Northern Pa-

This, it is claimed, is part of a plan of Hill, Morgan and their associates, whereby the two systems are to be consolidated and placed under the direction of one man or board of directors of one man or board of directors through the defendant company, and thus bring about and perpetuate a monopoly in railroad traffic in Minnesota, and a complete consolidation of the two railway systems. One man or board will thus, it is alleged, be enabled to fix all rates on lines of the state, determine what trains shall be run, remove all competition and prevent the building of lines into new country or into competi tive territory. This agreement and the consummation thereof, is claimed to be "In restraint of trade, against public pol-icy and void." Under its terms, one di-rectory of the Northern Securities Company may change its own rules or may legate all its authority to an executive

It is pointed out that Hill, the president: W. P. Clough, the vice-president, and E. T. Nichols, the treasurer and secretary of the company were all, at the date of its organization, officers of the Great North-ern, and that a majority of its directors were also directors of the Northern Pa-It has been the policy of the state to prohibit consolidation of parallel or ompeting lines, and the law of 1874, in hich such prohibition is made, is quoted in full, as well as the amplifying act of 1881 and the anti-trust law of 1899, proing any combination in restraint of

It is set up that the Northern Securities ompany is a railroad corporation within the meaning of the Minnesota laws, and that its design is to evade and violate these laws in such a way as to cause the state "irreparable injury." It is not the owner of any other property or stock or securities, and is engaged in no other business save that of management and control of the Great Northern and Northern Pacific. Already, so it is alleged, J. J. Hill, as president of the Northern Securities Company, has changed, dictated and controlled the policy of the two constituent roads, and during December, 1901, it

these companies and from attending in

any manner such meeting.

Second—From aiding, advising, interfering with or in any way participating in the management of the three systems.

Third—From permitting any of its officers, agents or servants from acting as representative, director, officer, or representative, director, officer or emloye, or exercising any control, management or direction over the same.

Fourth-From making any arrange-ments or combinations having for their object the joint control. Fifth-From holding, owning or con-trolling any of the stock of either com-pany, the defendant company being required to reassign or retransfer all such stock to the person from whom it was received, taking in return its own stock issued in exchange therefor, and meantime to be enjoined in all respects in re-lation to said stock as hereinbefore prayed for

Sixth-From receiving any more stock of the two companies in case it shall ap-pear that the defendant company has not yet acquired a controlling interest in either.

Seventh-The oratrix prays permission to amend the complaint if necessary and bring in other parties for the purpose of giving force and effect to any decree of the court and asks the court to issue a subpena against the defendant company

and set a day for the hearing.

Besides Attorney-General Douglas, M.
D. Munn, of St. Paul, and George P. Wilson, of Minneapolis, are named as

The proceedings in the court were very brief. Attorney-General Douglas was rec-ognized as soon as the court was convened, and he then moved "for leave to file and present a bill of complaint on the part of the State of Minnesota against the Northern Securities Company." Justice Fuller asked if notice had been given to the Securities Company, and being informed in the negative, said there was no rule requiring such notice. He added "We will take the papers."

Mr. Douglas handed in his bill of com-plaint and also a brief citing authorities. The Attorney-General and his assistant counsel, M. D. Munn and G. P. Wilson, then retired. The court took the motion under advisement, as usual in such cases, and will give its decision in due course of time.

The second document filed in the United States Supreme Court today by Attor-ncy-General Douglas, of Minnesota, in addition to citing many authorities bear-ing on the right to institute in this court, briefly relates the state's contention as to the legal attitude of the railroad consolidation as follows:

"Briefly stated, the attempted consolidation of railway lines and properties of the Great Northern and Northern Pacific Railway Companies, which was defeated in the case of Persail vs. the Great Northern Railway Company, is now renewed by the united action of the holders of a majority of stock of each of the said companies by placing a majority of the capital stock of each of said railway companies in the Northern Securities Company, in order that the last-named company may manage and control, through its president and executive com-mittee, also all of the railway lines and properties of each of said railway companies. This action against the North-ern Securities Company is brought to reach the instrument or means through and by which these two railway companies are to be consolidated, and involves an inquiry into the extent of the powers of the Northern Securities Com-pany and the lawfulness of its acts. Or, stated in a more direct form, the prin-cipal question raised in this action is: Can a corporation, organized under the laws of New Jersey, use its corporate powers so as to violate or overthrow the constitutional enactment of a sister state, and thus accomplish indirectly that which this court has held cannot be done directly, especially in view of the fact that the New Jersey corporation was organ-ized for the express purpose of accom-plishing this result? The further question is presented, viz.: Does not the consolidation of these railway companies, which own and operate all the railway lines situated in the northern half of Minesota (except two short iron-ore carriers), amount to a monopoly in railroad traffic? And is not such a monopoly the subject of challenge, regardless of statu-tory prohibition?"

An Heir Is Missing.

John W. Hendrie, the philanthropist, whose gifts to California institutions and to Yale in his life were many and in large amounts, has been settled by his two brothers, Charles and Joshua, though they have been unable to discover the whereabouts of one of the legatees, a niece, who received by the will of the deceased the sum of \$16,000. The missing person is Sarah Augustus Lounsbury daughter of Aurelia Ann Lounsbury, a sister of Mr. Hendrie. The amount due to her has been invested, with the expec-tation that at some time she will appear and claim it.

OTTAWA, Jan. 7. - Mr. Marconi is still in negotiation with the Government here with regard to the facilities for the erection of his wireless telegraph station in Cape Breton, and its subsequent operations in connection with land lines throughout the Dominion. He ex-pects to leave Ottawa on Wednesday for Montreal, and to arrive in New York on Saturday. It is his intention to sail for England January 15.

The Heinze Litigation. HELENA, Mont., Jan. 7.-Judge William Cancy and P. Augustus Heinze today filed answers in the Supreme Court, in compliance with the order to show cause why a writ of supervisory control of the lower court in granting Heinze permission to make underground surveys of the Anaconda properties in Butte. The Supreme Court has set the hearing for

Receiver for Buffalo Exposition. BUFFALO, Jan. 7.-It having been ound impossible to unite the creditors of the Pan-American Exposition, the Pidelity Trust Company, representing the first mortgage bondholders, entered a sum-mone and complaint today before the Supreme Court, asking that a receiver be appointed to take charge of the affairs of the company. Of the issue of \$2,500,000 in first-mortgage bonds, \$150,000 is still un-

Cleveland Is Better.

PRINCETON, N. J., Jan. 7.-Ex-Presiient Cleveland, though not yet fully recovered from his illness, is much improved in health. Mrs. Cleveland said today "Mr. Cleveland is still weak from his lness, but he has become strong enough this week to leave his room and come down stairs. He will not, however, be able to go out of doors until the weather becomes considerably milder."

Westinghouse Company Increased. PITTSBURG, Jan. 7.—At a special meet-ing of the stockholders of the Westing-house Machine Company, held here today, the capital stock was increased from \$3,000,000 to \$5,000,000. The increase was made to provide additional working capital.

Worse Than Getting Tight.

worse Than Getting Tight.

Is alleged, the general managing officer of
the Great Northern, acting under his direction, took charge of and engaged in
managing a large portion of the Northern
Pacific, it is alleged that it is the settled
policy of New Jersey to allow the consolidation of only such railroads as are or
can be connected to form continuous
lines, and not to permit the consolidation
of parallel or competing lines.

The oratrix, claiming to have no other
adequate remedy or relief, except as
prayed for in equity, asks that the defendant be required to show cause why it
should not be perpetually enjoined and restrained:

First-From voting at any meeting of
the stockholders of the Great Northern
and Northern Pacific the capital stock of

SOME ONE WILL SUFFER

INTERSTATE COMMERCE COMMIS-SION BEGINS AN INVESTIGATION.

Packers Will Be Prosecuted for Violations-Railroad Combinations to Be Inquired Into.

CHICAGO, Jan. 7.-Prosecutions against all the big packing-house concerns in the West for violations of the provision of the Interstate Commerce law against receiv ing preferential rates are contemplated by the Interstate Commerce Commission This fact developed today during an in vestigation begun by the commission into the handling of packing-house products and dressed meats, It also became apparent that the com-mission and the rallway managements of

into an alliance for the purpose of induc-ing Congress to pass legislation permit-ting the railroads to pool under certain regulations by the Interstate Commerce Commission, and that it is believed such a law can be passed.

the entire country practically had entered

Those who testified were: C. D. Whitney, treasurer of the Clover Leaf; T. D. McCabe, freight traffic manager of the Pennsylvania lines west of Pittsburg; E. F. Cost, traffic manager of the Big Four; B. B. Mitchell, general freight agent of the Michigan Central; J. M. Johnson, third vice-president of the Rock Island; Thomas Miller, general freight agent of the Alton; C. A. Bird, third vice-president of the St. Paul; Paul Morton, second viceof the St. Paul; Paul Morton, second vice-president of the Santa Fe; Captain J. G. Grammar, general freight agent of the

THE DEATH ROLL.

George N. Wiswell.

MILWAUKEE, Jan. 7.—George N. Wla-well, president of the Milwaukee Mutual Life Insurance Company, died today after three weeks' lilness, aged 50 years. Mr. Wiswell was well known throughout the country, having served as sergeant-at-arms at the National Republican Conven-tion at Philadelphia, two years ago, and as assistant sergeant-at-arms at the Chi-cago, Minneapolis and St. Louis conven-tions. He served as United States Marshal of the Eastern District of Wiscounder President Harrison.

The third development of the day was the announcement that the commission had requested the attendance here of all the leading men in the advancement of lest and most prominent in Brooklyn.

Another Pierrepont Dead.

NEW YORK, Jan. 7.—Death has visited seen perhaps terrified by the specter of scandal.

"But," he concluded, "I insist that the American people have made their decree

PANAMA CANAL

one-fourth completed, penniless and bank

rupt in money and character."

The disaster to this country, he said, proved conclusively that the work should be undertaken by governmental agency. Hepburn pointed out the advantages of the Nicaragua route for sailing vessels, on account of better winds prevailing there, contending in this connection that it was a mistake to suppose that the sali-ing ship was destined to disappear from the ocean. Where the Panama route is located, sailing ships sometimes lays for five months in the doldrums. When Hep-burn said he had hoped that the proposed waterway would be free of charge to American ships there was an outburst of applause on the Republican side. If that might be done, he said, it would give a great impetus to American shipping. In concluding, Hepburn said there might be some interests in the United States which believed they would be harmed by the rivalry of this canal, and there were gentlemen of honest purpose who thought the time was not ripe for the building of the canal, or that an enterprise of such mag-nitude should not be undertaken. They

THE NATIONAL CAPITOL, AT WASHINGTON.



Evidence upon which to base prosecu-tions against the packers was obtained in abundance. Traffic managers and vice-presidents of roads East and West threw up their hands and admitted freely that there was no pretense toward maintaining tariff rates on packing-house products and dressed meats for export or domestic use, except for a very short period of time at

the beginning of each year.
Paul Morton, second vice-president of
the Santa Fe: A. C. Bird, third vice-presiother men of the highest standing in the railroad world, took the stand and stated boildy that they are now and have been continual violators of the law, that they are sick and thred of being such the standard are sick and tired of being such, that present conditions are intolerable, that they are powerless to secure a maintenance of rates and that millions of dollars is paid to the packing-house interests yearly by railroads at the expense of le-

1901, according to Commissioner Prouty, will, if possible, be made amenable to a maximum fine of \$500 for every violation of the law. Regarding this phase of the question Commissioner Prouty said. / "I am heartily in favor of punishing

the packers for violation of the law, if the evidence proves sufficient, and I think it will. Under the law, we cannot punish the railroad men who testify, for their testimony absolves themselves, and they to not testify specifically against any one else. All the nunishment that we can if any, obtain against the packers is in the way of a fine not to exceed \$5000 for each

Speaking of the scope of the investiga tion into the combinations between railroad interests, Commissioner Prouty

We have asked the presidents of all the roads comprised in the Southern Pa-cific combination and the Northern Pacific combination to attend, and also J. P. Morgan. If they do not come we shall take steps to compel them to appear later. But I do not wish to be understood as ing that they will fail to respond o our request.

The men indicated by Mr. Prouty's statement are J. P. Morgan; E. H. Har-riman, president of the Southern Pacific, Oregon Short Line and O. R. & N. Co. James J. Hill, president of the Great Northern; C. S. Mellen, president of the Northern Pacific; G. B. Harris, president of the Chicago, Burlington & Quincy; Horace G. Burt, president of the Union Pacific: Samuel Morse Felton, president of the Chicago & Alton; Stuyvesant Fish, president of the Illinois Central; J. C. Stubbs' traffic director of the Harriman lines; Darius Miller, second vice-president of the Burlington and reputed traffic director of the Northern Pacific trio, The testimony of the day by both East-

ern and Western men bore a wearying The essential points elicited First-From January to April, 1901, tariff rates were obtained on packing-house products and dressed meats. From April to July there was a concession of 3 cents from the Missouri River to Chicago, and of 6 cents from Chicago to the seaboard, on both domestic and export traffic. From July to January, 1902, there was a concession of 5 cents from the river to Chicago, and of 6 cents from Chicago to the scaboard,

During the early months of the year shipments were billed at tariff rates and rebates paid either in the form of vouchers or checks payable to the packing-house firms or their representatives, and during the latter portion of the year the practice was almost general of billing flat at actual rate as being more

Third-Various methods were employed in paying rebates, the most general being for the packing-house to send in a claim the traffic manager amounting to the difference between the tariff and the actual rate. Statements would be checked up by the auditing department, and the up by the additing department, and the management would send the traffic man-ager a lump sum to cover all claims, which would be deposited in banks. Against this the traffic manager would draw in favor of the claimant for the

urth-No records were made or kept on the company's books concerning the transaction or payment of vouchers. Fifth-Witnesses were wholly at a loss to explain why a lower than tariff rate ould be maintained when tariff could not. Sixth-There was a universal opinion that legalized pooling would do much to correct the evil.

Seventh-It developed that the Santa Fe and a contract with a packing company to carry its product from the river to Chicago for 5 cents off the tariff rate for one year from June 20, 1993, and that when the company gave notice of publishing | sician's care.

the community-of-interest idea, including
J. P. Morgan, James J. Hill and E. H.
Harriman, and that if these men fail to
respond to the request, harsher measures
will be taken to compel their coming.

twice within less than a week. On Thurs.
day last Anna Maria Pierrepont, widow
of Henry E. Pierrepont, and a grand-daughter of John Jay, first Calef Justice
of the United States Supreme Court, died.

that the canal shall be built, and that
now is the time to build it."

Volley of Questions.

After Hepburn had concluded his set
speech he was besieged with questions. The death is now announced of Dr. William Augustus Pierrepont, a son of Mts. Pierrepont. The cause of his death is given as heart trouble

William G. Jackson.

SALT LAKE CITY, Jan. 7 .- William G. Jackson, 28 years of age, a well-known Chicago newspaper man, died in this city tonight. The immediate cause of his death was cerebral meningitis, although he had long been a sufferer from pulmon-

WASHINGTON, Jan. 7.—Colonel Samuel N. Hoyt, a veteran of two wars, a partici-

pant in various Indian campaigns, a California 'Ser, and the intimate friend of Sam Houston, Kit Carson and other fig-The packing-houses and their representatives to whom relates were paid during tatives to whom relates were paid during ago, died tonight, aged Si years.

LONDON, Jan. 7.-Private telegrams from Warsaw announce the death last night of Jean de Bloch, Counsellor of of Russia, political economist and railroad expert.

William C. Trumbull. NEWBURGH, N. Y., Jan. 7.-William C. Trumbull, a veteran horseman and the patriarch of the American trotting turf,

died here today, aged 76. Soldier Train Wrecked.

CHICAGO, Jan. 7 .- A Rock Island spe cial bearing 300 recruits bound for the Philippines from Columbus Barracks, O. partially wrecked in Twenty-sec ond street early today. Three men were injured, as follows: Henry Lewis, serious; C. C. Murphy, Lawrence Shaefer, A tourist car containing 50 soldiers lost its rear truck, and was dragged half a block and badly damaged before the engine The accident is said to have stopped. due to the failure of a switch to work properly.

Pool Room Men Indicted.

ST. LOUIS, Jan. 7 .- Indictments were returned this afternoon against John R. Butler, Fred H. Smith, A. J. McGinnis, John T. Parle, W. J. Armstrong, Fred Kircher, Thomas Kearney, Robert Pate, Jr., D. A. Kern and D. I. Kohn, who are charged with a violation of the breeders'

Youngers Want Their Freedom.

MINNEAPOLIS, Jan. 7 .- Cole and Jim Younger have applied to the State Board of Pardons for commutation of their life entences for murder to 35 years. Allowing "good time" they have already served 38 years for their share in the Northfield raid. They say that friends are ready to set them up in business in Missouri. They are now out on parole and cannot live outside Minnesota.

Steel Trust's Dividend.

NEW YORK, Jan. 7 .- The directors of the United States Steel Corporation declared a quarterly dividend of 1% per cent on the preferred stock and 1 per cent on the common stock today. A financial statement was given out showing that the net earnings of the company fro to December, inclusive, with December estimated, were \$84,775,289.

Salem City Officials Re-Elected. SALEM, Or., Jan. 7 .- The City Council held its first meeting of 1902 tonight and re-elected all subordinate city officials of Fire, Police and Street Departments. The Recorder's annual report shows that the receipts for the past year were \$24,700; urrent expenses, \$12,356; bond interest, \$11,621; total expenses, \$24,377.

Cuban Election Returns

HAVANA, Jan. 7.-Full returns from the elections held in Cuba December 31 will ot be in before the end of January. In not be in before the end of January. In all of the Cuban provinces, except the Province of Puerto Principe, the Senators and Representatives will be adherents of Tomas Estrada Palma, the Presidentelect of Cuba.

Seattle Woman Injured.

SAN DIEGO, Cal., Jan. 7 .- Mrs. Kin caid, of Seattle, was thrown from a tally-ho near the Mexican line yesterday after-noon by the frightening of a team, and her skull was fractured. She has been brought to this city, and is under a phy

After Hepburn had concluded his set speech he was besieged with questions. Shaffroth (Sil., Colo.)—I should like to know what is the gentleman's construction upon this bill and upon the latest treaty that has been ratified as to the power of the United States to fortify the power of the United States to fortify the Hepburn-I have not any doubt about

the right of the United States to defend that canal, and to do it in the way seems wise to the United States. If that involves the erection of fortifications at the terminus of the canal, or of stockades at the sites of the important works, I have no doubt about the authority of the have no doubt about the authority of the United States to do it, and that it would exercise that authority.

Fowler (Rep., N. J.) asked if it was possible we would allow American ships to pass through the canal without charge.

Hepburn-I have no doubt that United States can use that canal in a manner advantageous to its own people above the advantage that it would be to other people; at all events Government ships will go through free, and there is that trend in the air on the part of other would brush it out of the way pretty

Cummings (Dem., N. Y.)-I should like to ask whether, in your opinion, if your bill should be passed under the treaty that had been ratified by the Senate, would England have any special privileges in the canal over mny other nations?

Hepburn-I think not.

McDermott (Dem., N. J.) called attention to the statement of the Walker Com. mission, giving the cost of the Panama Canal property as \$100,000,000 and the newspaper reports that the company now offered to sell the property for \$40,000,000.

If the latter report were true, the Panama Canal would cost less than the Nicaragua, and he asked if Hepburn did not believe that with equal cost, the commission would have reported in favor of the Pan-

Hepburn replied that the commission had stated the respective advantages of both routes under conditions then exist-ing. He could not tell what the commission would have reported under other circumstances. "Any gentleman who absorbs the commission's report," said he, "and weighs it, must believe, other things being equal, that the canal that is 400 miles nearer our territory and that makes New Orleans 480 miles nearer San Francisco and New York 375 miles nearer than the other, is the better canal for us.

Hepburn declared that the whole Pan-ama scheme had utterly falled. The ama scheme had utterly failed. The French stockholders had been robbed. The The men under indictment are all company was discredited in France; in to be connected with the Southern fact. It seemed to have no credit except Telegraph & Money Order Company, an in the United States, alleged poolroom. "If we build the Nicaragua Canal,"

asked Sims (Dem. Tenn.) "Is it not likely that the French Government will com-plete the Panama Canal?" "There is the same probability of two canals," answered Hepburn, "that there

is of the Suez Canal being paralleled by Asked as to the advisability of giving the President the authority to build on either route. Hepburn again raised an outburst of applause by declaring that he looked upon any attempt to entangle the United States in the Panama enter-

orise as an effort to defeat the canal. Reeves (Rep. III.) asked whether it would not be better to wait a few days or weeks, until the Secretary of State could inform Congress just what we could obtain in the way of concessions from Objects to Delay.

"In an enterprise of this magnitude," replied Hepburn, "there never has been and never will be a day when some gen tleman will not be able to urge som son for postponement. We have been suffering from that for years. I am as-sured by those who know that the protocol with Nicaragua has reached such a stage that we are certain to get what we want. Referring again to the reported proffer

of the Panama Company to sell, Hepburn said that upon a mere rumor it was procosed to delay action. But if the rumor turns out to be true?" asked Reeves.

"If it is true," said Hepburn, "that the Panama Company has made the proposition, then we should deal with Colombia, which owns the canal." "You mean the company forfelts Its rights if it made an offer to sell."

"Do you think the company would risk forfeiture?"
"It recognizes that the jig is up.

Hepburn asked Reeves in turn whether he knew of any concession given by the Colombian Government to the Panama Company to sell the canal. Recves-I do not, and doubt if such ex-

ists; but, nevertheless, I do not believe the

stipulation of the treaty to the contrary notwithstanding. Hepburn—The commission says that an

offer to sell work a forfeiture not only of the company's franchise, but its prop-erty in Colombia. The Panama proposition to sell for \$40,000,000, coming just as the House was about to act, and after

a long previous insistence on \$109,000,000, is suspicious, to say the least, Replying to inquiries from Cannon as to the conditions of the protocol with Nicaragua, Hepburn said his understand-ing was that \$5,000,000 and \$1,000,000 were it the figures allowed Nicaragua and Costa Rica.

"Why is this protocol not laid before Congress?" asked Cannon.
"Because the Secretary of State has disapproved some of the changes made in the original draft of the protocol," answered Hepburn, "and pending final de-termination it is not desirable to submit

the terms to Congress." Cannon insisted that nothing would be lost oy waiting for, say, 60 days, until the facts as to this protocol could be learned and Congress could deal with the subject in an orderly manner.

Hepburn declared that this would have been the effect of further delaying the project, but he acquitted Cannon of any intentional purpose of delay. Cannon closed the rather spirited colloquy with Hepburn by stating that while he had always favored the canal, he was satisfied the precipitate passage of this bill sacrificed advantages which the United States now possessed and meant a heavy ncrease in cost, which would have to ome out of the Treasury.

Davis (Dem. Fla.), a member of the committee which reported the bill, fol-lowed Hepburn with an earnest plea for its passage. He advocated the Nicaragua rather than the Panama route, and insist-ed that the time had now arrived when talk should cease and work begun.

Richardson (Dem. Ala.) also supported the bill, arguing that the Nicaragua oute was preferable in many ways to th

Experts Differ Widely.

Mann (Rep. Iil.) declared that the experts who had examined the routes had differed widely. No two commissions had ever agreed either upon the cost or route, and it was, therefore, with some hesitancy that he accepted unreservedly the report of the latest commission. He recalled the fact that the distinguished body of engineers associated with De Lesseps expressed the opinion that a sea level canal could be built from Colon to Panama for \$100,000,000. It had cost untold millions to prove that a sea-level ca-nal was utterly impracticable, and it was not until 1898 that the technical commission on the Panama Canal Company re-ported in favor of a lock canal. Our isth-mian commission now disagreed with the technical commission as to methods of construction. He said no doubt that later commissions would disagree with the Walker commission. Mann declared that in his opinion no such dam as the Pan-ama Company proposed to build at Bohia, on the Chagres River, would ever be con-structed. Yet many members honestly believed that the new offer of the Panama Company should be further considered before the Government pledged itself to the Nicaragua route.

Mann pointed out that the estimates of the various commissions appointed to examine the Nicaragua route ran from \$31,000,000 to \$189,000,000. He did not think discrepancies in the estimates could be satisfactorily explained on the ground of the eniargement of the plans of the canal, With practically no change except the construction of double locks, the last commission raised its estimate \$71,000,000. He said that the contractors who built the Chicago drainage canal on the basis of the estimates made fortunes in profits. Hepburn had expressed the hope that American ships might be able to go through the caral free of charge. The trouble with that hope was that it was rudely stifled and killed before birth by the new treatment of the profit of the the new treaty with England, which would prevent preferential discrimination in rates. He did not agree with Hepburn that the offer to seil forfeited the Panama concession. The Panama Company, he said, had used every effort to obstruct the construction of the Nicaragua canal, in construction of the Nicaragua canal, in the hope of eventually disposing of its property to the United States for millions Lighthouse, near Port Jefferson, L. I., ordered boxes of beer.

that trend in the air on the part of other nations toward yielding to the desires of the United States that makes me hope if the United States that makes me hope if thought that the offer of the Panama thought that the panama t Company should receive careful consider-

> Morris (Rep. Minn.) gave notice that at the proper time he would offer the foilowing amendment:

"Provided, however, that if the Panama canal, so far as constructed, and the property, rights, privileges and franchises of all the corporations or persons inter-ested therein can be acquired by the United States free and clear of all incumbrances, for a sum not exceeding \$40,-000,000, and in addition thereto equally desirable political and territorial rights and privileges, as in the case of the Nicaragua route, and at no greater expense within six months from the passage of this act, then the President of the United States, if the Isthmian Canal Commission, or a majority thereof, shall so recom-mend, is hereby authorized to purchase the same and to complete the construction of said Panama canal, subject to all the conditions, provisions and limitations aforesaid. And the sum of \$50,000,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated toward the project herein contemplaced. The House then, at 4:55 P, M., adjourned.

Steamer in Trouble.

NEW YORK, Jan. 7.—The Panama line steamship Finance, which sailed today from this port for Colon, turned about when off the Highlands at 3:50 P. M., to The vessel was enveloped return. steam, and appears to have had an ex-

plosion on board.

After coming back as far as Scotland lightship, the Finance turned about again at 4:40 P. M. and started slowly sea-

The Dewey Prize Cases. WASHINGTON, Jan. 7.-The hearing of the prize cases on appeal from the Dis-trict Supreme Court, involving the question of the amount of prize money Admiral Dewey for the victory at Manila, was set today for hearing next month by the District Court of Appeals,

May Be Harvey Logan. PHOENIX, Ariz., Jan. 7,-Gus Hobbs and D. Keppler, two Clifton officers, at-

rested a man at Morenci yesterday who is believed to be Harvey Logan, the alleged Montana trainrobber. The prisoner will be held for identification.

Mrs. Kincaid Dead. SAN DIEGO, Cal., Jan. 7.-Mrs. Kin-cald, of Seattle, who was thrown from a tally-ho near the Mexican line yester-day afternoon by the frightening of the

team, died tonight. A fracture of her

skull caused death. Troops to Protect Murderers. JACKSON, Miss., Jan. 7 .- Governor Longino has ordered the Capitol City Guard of this city to be held in readiness to go to Oxford. The Sheriff there is apprehen

Panama Company forfeited its rights, any LIFE SAVED BY SWAMP-ROOT.

The Great Kidney, Liver and Bladder Remedy.

SAMPLE BOTTLE SENT FREE BY MAIL.

Swamp-Root, discovered by the eminent kidney and bladder specialist, promptly cures kidney, liver, bladder and uric acid troubles.

Some of the early symptoms of weak kidneys are pain or dull ache in the back, rheumatism, dizziness, headache, nervousness, catarrh of the bladder, gravel or calculi, bloating, sallow complexion, puffy or dark circles under the eyes, suppression of urine, or compelled to pass water often day and night.

The mild and extraordinary effect of Dr. Kilmer's Swamp-Root, is soon real-ized. It stands the highest for its wonderful cures of the most distressing cases. If you need a medicine you should have the best.

Swamp-Root is not recommended for everything, but if you have kidney, liver, bladder or uric acid trouble you will find it just the remedy you need.

Sold by druggists in 50-cent and \$1 sizes. You may have a sample bottle of Dr. Kilmer's Swamp-Root and a pamphlet that tells all about it, including many of the thousands of letters received from sufferers cured, both sent free by mail. Write Dr. Kilmer & Co., Binghamton, N. Y., and please mention that you read this general offer in The Portland Daily

Will Mathis, Orlando Lester, Will Jackson and Whit Owens, who are in jai there. Three of the men have recently been convicted of the murder of the two Montgomerys, Deputy United States Mar-

HEAVY FOG IN NEW YORK

Ferry-Boats Crawl Across the Rivers at Half Usual Speed.

Chicago Inter Ocean, Dec. 30.

New York.—Going to church, or anywhere clse by ferry was a very uncertain undertaking today, because of the
fog. Jersey folk who attend service in Manhattan and started at their regular hour were lucky if they got to their pews

in time to see the plate passed. The fog shut in at 8 o'clock in the morning, and except for an occasional lift interfered with river traffic all day. It was brought up from the sea into the harbor and the two rivers by a brisk southwest wind. The wind was from the same quarter during the greater part of the night, but until breakfast time there was enough rain to keep the fog down so that the skippers could see where they were going, but throughout the day the boats crawled across the North and East Rivers at half speed and without any ref-erence to the normal time schedules.

At times the fog was so thick that shreds of it hung in skeins from the points of the umbrellas of the ferry passengers who stayed out on deck because they didn't want to risk being in the cabin in a collision. Some of the passengers told about the fog skeins anyway, and the deckhands who were doing extra work on lookout forward wouldn't contradict them. The big sound steamboats, Massachusetts and City of Lowell, all got

in on time early in the morning before the fog thickened. The Maine, of the Norwich line, docked and a half late. e, docked at 9:30 o'clock, two hours MACLAY SUED FOR BEER BILL

Judgment for \$36 Rendered for

Goods Ordered Four Years Ago. New York Journal Municipal Justice Van Wait yesterday in the Broadway Civil Court, Williams-burg, rendered a judgment for \$36 and osts against Edgar Stanton Maclay, the costs against Edgar Stanton Maciay, the navy-yard "historian," for a beer bill claimed by the William Ulmer Brewing Company, of Brooklyn, it was alleged by the company that in the months of November and December, 1887, Mr. Mac-lay, while the keeper of the Old Field

turnable yesterday, but there was no ap-pearance on the past of Maclay, nor was be represented by counsel, although a few days ago Maclay communicated with the company and expressed his willing-ness to pay the judgment some time next month. The rendering of the judgment was merely informal, and there will be no transcript issued, but Mr. Maclay will be permitted to pay when he has the

Telegraphic Brevities. Adah Richmond has been nonsuited

laim against the estate of the late John Stet-Harcourt Gold, the famous English oarsman,

ras married in London to Miss Helen Mc-Lagan. Paul Blouet, better known as Max O'Rell, who recently underwent a surgical operation, is improving.

A Southern Pacific train at Houston rap-down and killed Joseph Sharkey, aged 40, and John Powers, aged 60. Winston Churchill, M. P., has been appointed to a Captaincy in the Queen's Own Oxfordshire Hussars, Imperial Yeomanny.

Viadivostock is anticipating the arrival there of the representative of an American railway. which intends to buy land along the Siberian Railroad and erect factories. The Londonderry Mining Company, of Cripple Creek, filed suit against the Consolidated Mines Company for an injunction restraining the defendant from working the Landonderry

cinim. Baron Estournelles de Constant, the deputy from the Department of the Sarthe and the French delegate to The Hague Conference, has accepted the invitation of Chicago to deliver an address in behalf of France Pebruary 12.

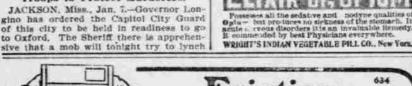
Its least virtue is that it lasts so. Soap is for comfort and

perfect cleanliness and comfort.

cleanliness.



Pears' soap cleanliness-





Friction

is what wears out your clothes-a month of ordinary wear is less than one dose of wash-board wear. PEARLINE does away with the deadly wash-board rubbing-thus it

saves wear, work, worry, and money. Can you doubt it's economy? Millions use PEARLINE-bright people. Pearline 20th Cent'y Soap