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TO FLOAT LOGS

Fierce Fight Over Terms of Miles Bill.

CONFLICT RAGES FOR DAYS

Lumber and Water Power Interests Conflict.

BOTH SIDES HOLD CONFERENCE

Trouble Arises Over Power to Condemn Riparian Rights—Agreement Reached on Amendments, and Bill May Be Passed.

SALEM, Or., Feb. 12.—(Staff correspondent.)—A fierce conflict has completely overshadowed in its magnitude the contest for the Senatorship which has been waging for several days over the terms of the Miles bill for the condemnation of streams for logging purposes. This is a fight which has not shown upon the surface of legislative proceedings, but it has been none the less vigorous or important in its bearings. The bill in question declares non-navigable streams to be highways for the floating of logs and lumber, and authorizes individuals or corporations to secure the exclusive control of any such stream, the use of which for floating logs would be facilitated by improvements. Such persons or corporations are authorized to bring condemnation proceedings to condemn riparian rights under the general laws of the state, and after securing exclusive control, to charge reasonable rates of toll for floating logs and lumber.

It was over the condemnation provision that a conflict arose between logging and water-power interests. Representatives of the opposing concerns held a protracted meeting this evening and it is understood that an agreement has been reached whereby satisfactory amendments will be made to the bill and it will be permitted to pass. In the contest which has been carried on all this week, the lumbering interests have been chiefly represented by the Booth-Kelly Lumbering Company, while the manufacturing interests were looked after by the Oregon Water Power & Railway Company and the Oregon Iron & Steel Company. One or two extensive mining operators of Southern Oregon were also here.

As a result of the fight it has been agreed that the bill shall be amended so as to provide that the act shall not apply to the Clackamas or Tualatin Rivers, and vested water power rights used for mining, milling or manufacturing purposes shall not be subject to condemnation.

This H. B. 127, which passed the branch in which it originated on February 8, it passed with very few, if any, dissenting votes. The general purpose of the bill is the same as that of Senator Mulkey's bill, which passed both houses of the last Legislature and was approved by the Governor. That act was declared unconstitutional because of a defective title. The present bill is not so drastic as the bill which passed in 1901, and, as amended, will protect the rights of miners and manufacturers, as well as promote the interests of loggers and lumbermen. The promoters of the bill are seeking to advance the lumber interests by encouraging the improvement of mountain streams. In order to do this they assert that it is necessary to authorize the condemnation of riparian rights along the streams, and to give to the person who improves the stream a means of securing an advantage thereby in return for his expenditures.

The opponents of the measure contend that mining and manufacturing interests are as important as lumbering, and for that reason lumbering concerns should not be permitted to condemn water power rights. The promoters of the bill were not disposed at first to give way to the owners of water powers, and a general assault upon the bill had been prepared for, when a compromise was reached today. The bill will provide that the tolls which the company controlling a river may charge for floating logs or lumber shall be fixed by the County Court, and shall not exceed 25 cents per 1000 feet board measure. When fixed, rates are to continue unchanged for a period of eight years. A failure for one year to keep a stream in repair so as to permit the floating of logs and lumber will work a forfeiture.

The representatives of the water power and mining interests have agreed that the bill shall contain a provision that every dam on such stream shall be provided with a sluiceway which will permit the passage of logs.

Persons who began proceedings under the acts of 1889 or 1901 for the purpose of securing control of streams are given priority of right under this act, provided they begin proceedings anew within three months after the act takes effect.

WILL SIGN TODAY

Bowen and Allies at Last Come to Terms.

GERMANY STILL GREEDY

Britain and Italy Disgusted at Her Conduct.

HER FULL CLAIM WILL BE PAID

Still Possible That Question of Preference May Not Go to The Hague—Blockade to Be Raised and Customs Revenue Assigned.

The conclusion of the address was received with loud applause and laughter. The vote was: For C. W. Fulton—Booth, Both, Brownell, Carnahan, Carter, Cornett, Dimmick, Eddy, Edwards, Emmitt, Farrar Gault, Hahn, Hale, Hansbrough, Harris, Hawkins, Hermann, Hines, Huntley, Kuykendall, LaFollet, Marsters, Miles, Paulsen, Phelps, Purdy, Rand, Riddle, Shelly, Smith of Yamhill, Webster, Willamson.

For T. T. Geer—Burgess, Croisan, Daly, Daanenman, Davey, Hobson, Howe, Johnson of Grant, Johnson of Wasco, Judd, Kary, Mulkey, Simmons, Stelwer, Wheel-

For C. E. S. Wood—Bilyeu, Blakley, Bureigh, Cantrill, Claypool, Galloway, Kramer, Miller, Murphy, Owell, Pierce, Swick, Smith of Umatilla, Wade, Wehrung—15.

For W. D. Fenton—Fisher, Gill, Nottingham—3.

For George H. Williams—Banks, Egan, J. J. Maloney, Hume, For Ben Selling—Hunt.

Absent or paired—Adams, Fulton, Hayden, Jones of Lincoln, Orton, Robbins, Test.

EX-MINISTER CURRY DEAD

Served in Confederate Congress and Army—Was Minister to Spain.

CHARLOTTE, N. C., Feb. 12.—Dr. Jabez L. M. Curry, one of the most prominent ex-ministers in the South, died at his residence, No. 1415 North Third St., at 11 o'clock tonight of Bright's disease, aged 78 years. Dr. Curry had been critically ill for the past two weeks. Mrs. Curry, who arrived from Philadelphia last week, was at the bedside of her husband when he died.

Dr. Curry served as a Representative from Alabama in the Thirty-fourth and Thirty-fifth Congresses. He was elected to the Senate from the Union, he resigned from the United States Congress and became a member of the Confederate Congress. During ex-President Cleveland's first administration Dr. Curry was Envoy Extraordinary and Minister Plenipotentiary to Spain. He was also general agent of the Peabody Fund and chairman of the educational committee of the John Slater Fund. Dr. Curry was a veteran of the Mexican War and was a Lieutenant-Colonel in the Confederate Army.

EXPECT LONG CONTEST.

Claimants of Fair Estate Preparing for Severe Legal Battle.

Did Both Die at Same Time?

STIFLED BY GAS.

Five Men Killed and Ten Overcome Through Workmen's Carelessness.

CHICAGO, Feb. 12.—Five men met death and 10 were overcome tonight by the fumes of gas escaping from the purifying box in the plant of the Northwestern Gas Light & Coke Company, at Blue Island.

The men, under the direction of Superintendent Russell, had been engaged in changing the purifying box. According to the statement of men at the plant, when the men finished the work of changing the substance in the box, they did not close the covers of the box. When the gas was turned into the box for the purifying process, it escaped in volumes and the men were overcome where they stood. The dead: Martin C. Russell, superintendent; Edmore Arnold, fireman; John Luongo, laborer; J. Larson, laborer; Albert Katolph, laborer.

William Black, foreman in the engine-room; serious; Carson England, foreman of digging force. Eight laborers, names unknown.

Rev. Manly S. Hard Dead.

PHILADELPHIA, Feb. 12.—Rev. Manly S. Hard, first assistant corresponding secretary of the Board of Church Extension of the Methodist Episcopal church, died today.

GERMANY YIELDS A POINT.

But Still Holds Out for Payment of Claim in Advance.

WASHINGTON, Feb. 12.—At the urgent suggestion of Baron von Sternberg the German government has agreed to waive its demand for a cash payment of \$300,000.

NEW SECRETARY OF COMMERCE AND LABOR



GEORGE B. CORTELYOU.

NEW YORK, Feb. 12.—The new Cabinet officer required by the Department of Commerce and Labor, who will be known as the Secretary of Commerce and Labor, will, the Herald announces, be George B. Cortelyou, now secretary to the President. This was decided by Mr. Roosevelt as soon as it was evident that the new department would be created. The appointment meets with approval among all public men, and carries out a wish of President McKinley.

WRATH OF BRYAN

Furious With Anti-Bryan Democrats.

THEY DEFEATED HIM TWICE

He Wants Them to Stay Outside the Party for Good.

FIERCE SPEECH AT COLUMBUS

Lincoln's Birthday Is Made Occasion for Outpouring of Bryan's Wrath and Launching of Hearst's Boom for President.

The anniversary of Abraham Lincoln's birth was made the occasion of celebrations in the great cities of the country yesterday.

At Columbus, O., the Democrats held a barbecue, at which ex-Governor Budd, of California, and William J. Bryan were the principal speakers. Mr. Bryan severely denounced those Democrats who had knifed him in 1896 and 1900 and declared his quondam fidelity to the Chicago and Kansas City platforms.

At New York a banquet was given by the Republican Club, at which ex-Governor Black of New York, and Representative F. W. Cushman, of Washington were the principal speakers and a letter from President Roosevelt was read.

COLUMBUS, O., Feb. 12.—The Presidential boom in behalf of William B. Hearst and a bitter attack on alleged deserters from the Democratic party by William J. Bryan were the dominating notes at the barbecue given tonight by the Jefferson-Jackson-Lincoln League, organized a year ago by ex-Representative J. J. Lentz and others. Twelve hundred men and women were present. The programme of toasts follows:

"Toastmaster's Address of Welcome," John J. Lentz, Columbus.

Address—"Local Self-Government for Citizens." Mayor Tom L. Johnson, Cleveland.

Address—"The Plain People and Their Champions," ex-Governor James H. Budd, of California.

Address—"The Test of Democracy," W. J. Bryan, of Nebraska.

The invocation was pronounced by Rev. Herbert S. Bigelow, the Cincinnati clergyman who made an unsuccessful campaign for Secretary of State on the Democratic ticket last fall. Ex-Governor James H. Budd, of California, responding to the toast, "The Plain People and Their Champions," said in part:

"I might say that I have no objection to any people asking those to be leaders who, though not openly supporting the parties of trusts and tariff exactions, have split the ranks of their friends and led to a victory that ought not to have been in any time carried. I want them in the ranks. I want them to fight with us; but I want the banners in the hands of such men as Lentz or Bryan or Johnson or Bill Hearst, of New York."

W. R. Hearst, who had been invited to address the banquet, sent his regrets in a telegram in which he said in part:

"The history of a country is really the history of a few great men. In these men are crystallized the country's real life and worth. Theirs is the genius which gives expression and reality to the convictions and principles of the people whom they represent. The three names that you have chosen to be represented in unionism are the greatest names in the American people's history, save, of course, the foundation name of Washington. Washington made American self-government possible, but Jefferson, Jackson and Lincoln directed American government into its popular democratic channel and made it true.

"To succeed the Democratic party must work under the inspiration of the great names and deeds of Jefferson, Jackson and Lincoln. And it must work in cooperation with the organized manhood and independence of this country, the greatest Democratic force of today."

The ovation tendered Mr. Bryan was the most enthusiastic of the evening. He asserted that, if there is any one man in the country who has suffered on account of lack of Democratic harmony, he is that man, and charged that it was the opposition of alleged Democrats within the ranks of his party that brought him to defeat in 1896 and 1900. He said that he knew all the men who had gone astray in those years and since then they had suffered severe heartburnings.

"If it is such a serious affair to change party allegiance," Mr. Bryan said, "I hope these men will stay out of the Democratic party. There can be no harmony between Democrats who carry knives for each other and hate each other. There is a better chance to make Democrats out of Republicans than out of Palmer-and-Buckner Democrats. Those men can never be in harmony with us unless they or we change our political convictions."

"I still believe in the platform adopted at Chicago in 1896 and in Kansas City in 1900. I have no thought of surrendering my convictions. Our principles were true then; they are true now. I would not change them if I could. Neither would I surrender my principles to win any victory, however great, for my party. A party, like a man, needs a character and a membership that knows what is right and then will do it."

Mr. Bryan said he did not propose to take his Democracy from any Democratic leader who received his training from Wall Street.