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WHO WILL IT BE?

Senatorship to Be Won or Lost Tonight.

LOOKS GLOOMY FOR FULTON

Multnomah Delegation Shows No Signs of Weakening.

EX-GOVERNOR STILL HOPEFUL

Is Now a Question of Endurance, and Much Depends on Last Moment. When Slightest Whim May Turn Tide for Victory.

Fulton	33
Geer	17
Wood	17
Williams	6
Mastering	2
Absent	2
Total	90

SALEM, Or., Feb. 19.—(Staff correspondence.)—It does not look so good for Mr. Fulton tonight. The opposition has lined up against him in firmer fashion than at any time during the progress of the contest. The Multnomah delegation is prepared to go to the deadline, and even to cross over, in the effort to get a Multnomah man or some candidate other than the Astoria gentleman. The Geer people think they have the key to the situation, and they say they will watch the approach of the hour of midnight with entire equanimity. They say they will demonstrate that they are in dead earnest in their effort to elect the ex-Governor and that there will be no break among them either to Fulton or to the unnamed man from Portland. The Fulton men appear to be more uneasy at the outlook than at any time. Possibly it is merely because the fateful hour is so near at hand and they fear that their well-laid plans and all their skillful generalship may at last count for nothing. Or possibly it is because they had not at the finish anticipated so resolute a spirit of opposition on the part of the Multnomah delegation or the Geer forces. They hardly disguise the fact that they are disappointed at the attitude of Multnomah, but they say that as between Fulton and any man who has yet been suggested by the Portland people they feel confident that the Astoria Senator will have the best of it.

The three principal elements in the contest are therefore Fulton, Geer and Multnomah. The latter has so far failed to effect a definite alliance with the Geer men, though the votes of the ten from Portland for Geer may be taken as an evidence of its desire to that end, and of its good faith in making the overture to Geer. Geer's managers have been much encouraged by the sudden accessions to their ranks and are not disposed to doubt openly that the votes mean all they profess to mean. The Portland people who are voting for Geer say they are willing that Geer shall be elected if he can but, and they have invited a test of their sincerity by declaring that if a stampede to the Salem man came from any quarter they would not leave him. The Democrats have threatened once or twice during the past three days to go to Geer, just to see what the Multnomah people would do, but they have been deterred as much as anything by the fear that if they did they would probably elect him.

Will Stand by Portland to the End. The attitude of Multnomah can be clearly deduced now to be that the delegation is entirely serious when it says that it will go to the limit for a man from Portland, and by this it means that it will not yield to the demand of the leading candidate that in the end it must support him. Men who are closest to the members from Portland now say, for about the first time during the session, that not a single man will desert his comrades for Mr. Fulton. This Mr. Fulton denies. He says that he will get votes from Multnomah and he is just as emphatic as ever in his declaration that he will win. During the day many prominent citizens of Portland have appeared on the scene and they have made the strongest kind of representations to the members from Multnomah that the sentiment of the commercial community with scarcely an important exception is against Mr. Fulton. It is further asserted by them that the great body of people generally is of the opinion that the election of the Astoria man would not be a good thing for Portland.

These statements have carried much weight. They are taken to indicate that the constituents of the Portland Legislature would be dissatisfied if they contributed in any way to Mr. Fulton's success. If I were asked to forecast the result for tomorrow night and indicate as nearly as I can the probable issue of this most tedious and trying struggle, I could not be more definite than to say that it seems critical for Mr. Fulton and critical for Multnomah County. I believe that it is anybody's fight and that it will be won or lost between the time of this writing and tomorrow at midnight. I think that Mr. Fulton has no more than an even chance and that his fortunes are in the balance.

It is now almost wholly a question of endurance. Much depends at the last moment on the particular whim or panic that may seize on any person or body of persons. The most trifling incident may turn the scale. If the fight has hereto-

fore been dull and uninteresting, it is not now. Many people poured into Salem today from all parts of the state prepared to do or die for their special candidates. The corridors and lobby of the Capitol have been thronged the entire day and tomorrow there will have to be several contests going on in various places about Salem if everybody who wants to look on is accommodated.

The programme is for the joint convention to assemble at noon, ballot as usual and then take a recess till 8 o'clock. The ballot will be fought out between that hour and midnight. If the contest continues about 25 ballots can be taken in the four hours. E. B. P.

NOTTINGHAM MAKES A HIT.

Pools the Joint Convention in a Bright Speech. SALEM, Or., Feb. 19.—(Special.)—Hon. Charles W. Nottingham, of Multnomah County, was the hero of the hour in the joint convention today. He furnished more excitement and more violent heart palpitations than any one person, single-handed, has been able to stir up during the entire Senatorial campaign, and he did it in just a few brief words that seemed to indicate that he had taken his oratorical hammer and was just about to burst Multnomah County wide open. But he didn't.

The assembly today was the occasion of the most mighty outpouring of interested citizens that the whole session has seen. Long before the hour of noon all the available seats in the lobby were taken, and the sergeant-at-arms and his attendants had a great looking, undesirable visitors from the main floor. Every loose chair in the entire Capitol was brought into requisition and placed in the aisles and around members' desks. The disorder was so great that the House was hardly able to do business. The crowd had apparently had a tip that something was going to happen, and was on hand to see and hear it. Well-informed observers would think that there was nothing doing, and the crowd was all wrong, and there was no use to come, and tomorrow would be the day; but the journey was made, and the name of Representative Hume was reached. Hume had made the circuit of the House for a bright young man with a good stomach to represent the state in the United States Senate, and had voted for various other gentlemen. He stayed by Hon. Dan J. Malarky a little longer than by anybody else, but yesterday he evidently made up his mind to stick to Multnomah County, and he wandered over into Tillamook and picked up Hon. Benjamin L. Eddy. The Eddy suggestion did not take the House by storm, and so Mr. Hume journeyed back to Multnomah County, and resumed his allegiance to Mr. Malarky. Hunt voted for Arthur L. Frazer, and then the rollcall went on the even tenor of its way until the name of Mr. Nottingham was reached. Nottingham had for a long time been trying to move things in the direction of W. D. Fenton; but two days ago he inclined his ear to the voice of the people and rallied around T. T. Geer. The Fulton people were waiting at some moment in this contest, they had hopes of getting Mr. Nottingham in their behalf. So when he arose and addressed the assembly, the Fulton people awaited his significant words with breathless interest and the Multnomah crowd with equally dumb dismay. Mr. Nottingham gently journeyed down the Columbia River to the billows of the ocean and paid an apparent compliment to the candidate from the sounding sea. And that is just where he made his hit. Said Mr. Nottingham:

I have been voting since I first came here, during the entire session, till a few days ago for one man for United States Senator. I have been misled by the best of intentions, and acted on the best information I have been able to secure. I wish today change my vote from any vote I have yet taken. I shall vote for a man who is a stalwart among stalwarts, who has stood every storm, and who never turned his back on his friends in any instance. I am sorry that he is not from Multnomah County, but it is my fault that he comes from another part of the state. I had nothing to do with locating him in Oregon. I wish to vote for the speaker and I looked solemnly around the vast audience; that the gentleman for whom I shall vote lives down by the sounding sea. (Sensation, and mighty applause from the Fulton side.) He has the great industry of the state at heart. And he, besides, has the great timber interests of the state at heart. Now I know I will be censured for making that statement, but I am fully capable of bearing upon my shoulders the full responsibility for any action. Now, gentlemen, I wish to change my vote for Hon. R. D. Hunt, of Coos and Curry.

Those few remarks were coolly and soberly delivered. The whole assembly had broke out in an uproarious shout of laughter, and later many members journeyed over to the desk of the member from Multnomah and congratulated him upon his effort. Paulsen left Geer and voted for Einger Hermann. After the stir had subsided it was evident that the Multnomah County delegates were not so much excited as they had been. Hodson revived the excitement a little by rising and saying:

I wish today to cast my ballot for T. T. Geer. The usual cheer greeted Mr. Hodson's conversion, and then there was another lull while the clerk was casting up the roll. When he had concluded, Dr. Andrew C. Smith, the eloquent Senator from Multnomah, contributed to the gaiety and uncertainty of the occasion. He got to his feet and said:

I am almost persuaded to yield to the wishes of my friends to the right, to vote left, in front and around me. I, like my colleague, Mr. Nottingham, have been voting day after day, with but one choice for United States Senator. I do not believe in voting flippancy in important matters as the election of a Senator. I have changed but once, and then I did it because I was able to go to a candidate who is the equal in all his many attainments to the one for whom I had been voting. I had been for him in good faith until he ceased to be a possibility. I had then voted for George D. Hunt. He, too, has been deserted. I now change my vote to a man who seems to be on the tidal wave, who appears to be growing to a higher figure all the time. I wish to change to T. T. Geer.

The Geer people went wild with delight, the applause lasting several moments. It was all cut short by President Brownell receiving a motion to adjourn, and the day's uproar was over.

The vote resulted:

For C. W. Fulton—Booth, Both, Brownell, Carnahan, Carter, Cornett, Dimmock, Eddy, Edwards, Emmitt, Farrar, Gault, Glun, Hahn, Hale, Hansbrough, Harris, Hawkins, Hermann, Hines, Huntley, Kuykendall, LaFollett, Marsters, Miles, Phelps, Purdy, Reed, Riddle, Shelley, Smith of Yamhill, Webster, Williamson—32.

For T. T. Geer—Bailey, Burgess, Cobb, Croisan, Daley, Daneman, Davey, Gill, Hayden, Hobbes, Holman, Howe, Hudson, Hutchinson, Johnson of Grant, Johnston

(Concluded on Fourth Page.)

FOR SHIP SUBSIDY

Fierce Fight Is Being Made in House.

HENDERSON HELPS HANNA

Is Trying to Win Over Republican Opponents.

SOME ARE STILL UNDECIDED

Committee Will Act on Monday and Then Will Come Struggle in House —Fierce Republican Independents Hold Balance of Power.

Senator Hanna is being aided by Speaker Henderson in his efforts to have the shipping subsidy bill favorably reported to the House. There are four doubtful Republicans on the committee, and some in the House are undecided.

The opponents of the Cuban reciprocity treaty are now inclined to allow action on it before Congress adjourns, in view of the President's threat to call an extra session.

The opponents of the Panama Canal treaty are few, and its ratification is almost assured.

Representative Cushman will try to have the Senate pass his provision allowing the Pacific Coast shipbuilders a differential in bidding on warships, but the power of the shipbuilding trust is against him.

The Senate will probably pass an Alaska Delegate bill, making the Delegate appointive by the President.

There is another side to the charge that Private Richter was killed by the water cure in the Philippines.

OREGONIAN NEWS BUREAU, Washington, Feb. 19.—Tremendous efforts are being made in the House to secure a favorable report on the ship subsidy bill next Monday, and then to secure a vote on the bill. Not only is Senator Hanna persisting in his efforts, but Speaker Henderson has lately taken hold, and is conferring with Republican members of the merchant marine committee and with other Republicans who are either opposed to or undecided as to the bill.

The Speaker has heretofore kept his hands off, but the opponents of the bill, who are closely watching the progress made by its friends, fear that many of the doubtful Republicans may be persuaded by the Speaker and other House leaders to vote for it. It develops that some of the 40 Republicans who were counted as certainly opposed to the bill are only undecided, and it is these votes that are causing concern.

The supporters of the bill are quite confident that it will pass, if it is reported and comes to a vote, and for this reason Representative Burton and his followers are working with the four doubtful Republicans on the committee, endeavoring to stiffen them so that they will vote with the Democrats, and thus prevent a favorable report.

CANNOT SHELVE TREATIES.

If Senators Do Not Ratify, Extra Session Is Assured.

OREGONIAN NEWS BUREAU, Washington, Feb. 19.—Some of the opponents of the Cuban reciprocity treaty thought that it could be shelved along with other Legislative matters to which there was opposition, and have been claiming to themselves that the President would never call the Senate in special session simply for the Cuban treaty. Mr. Roosevelt made it very plain today that the Senate could either pass the Cuban treaty or come in special session to consider it. He did not propose to have it lapse simply because certain Senators have made objections and kept it from being considered. Under this threat it is probable that at some time before the session ends the Senate will ratify the treaty in order to avoid returning to Washington after March 4.

Many Senators who are going to vote for the Colombian Canal treaty admit that it is loosely drawn and that it has some features which are objectionable to this government. Morgan, who is trying to kill it, is doing so in the interest of the Nicaragua Canal. He thinks that if this treaty could be defeated there would be a chance for Nicaragua.

The friends of the Panama Canal treaty claim that the action of the President in accepting the offer of the Panama Canal Company closes the bargain, and that the canal must be constructed at Panama. Only a small minority of the Senate is opposing the Panama Canal now, and it is doubtful if it can be defeated, as a special majority is determined to put it through.

DELEGATE FOR ALASKA.

Senate Committee Favors Appointment by the President.

OREGONIAN NEWS BUREAU, Washington, Feb. 19.—The Senate territories committee today considered the Cushman Alaska delegate bill at length, and practically decided to make a report tomorrow. The bill as reported, however, will differ from the House bill in that the elective feature will be eliminated and provision inserted authorizing the President to appoint a delegate.

The committee was especially displeased with the feature making the mining districts the basis of voting precincts, and with this feature stricken out, some members were favorable to the election of a delegate. A majority, however, thought

HOLDS UP TREATY

Quay Continues Blockade in Senate.

ANYTHING FOR STATEHOOD

Makes Vote on It Condition of Vote on Canal.

FORMS ALLIANCE WITH MORGAN

Senate Devotes Day and Night Session to Canal Treaty, but Dilatory Tactics Delay Vote and Quay at Last Declares Himself.

It is impracticable to hold elections in Alaska because of the vast territory embraced and the difficulty of getting returns.

The whole matter was left in the hands of a subcommittee, which will draft the bill to be reported to the Senate. The subcommittee will determine whether or not the delegate shall be appointed on recommendation of the three Judges, of the Governor, or in some other manner, and will arrange other details of the bill. A favorable report, it is believed, will mean the ultimate passage of the bill, as there is no opposition to granting Alaska representation in Congress in the form of an appointive delegate, and, furthermore, the House would doubt promptly accept the amended bill.

WILL TRY AGAIN IN SENATE. But Pacific Coast Shipbuilders Have Trust Against Them.

OREGONIAN NEWS BUREAU, Washington, Feb. 19.—A vote will be made when the naval bill is considered in the Senate to secure the adoption of an amendment similar to that offered by Representative Cushman today, which was thrown out on a point of order, providing that one battleship or the armored cruiser provided for in the bill shall be built on the Pacific Coast, and stipulating that 4 per cent differential may be allowed the Pacific Coast bidders on such ship above the lowest bid received for corresponding vessels from firms on the Atlantic Coast.

The House contended that such a stipulation was new legislation, and therefore could not properly be incorporated in the bill, notwithstanding a similar differential has been provided in naval appropriation bills for the past 10 or 15 years.

The effort to crowd out this 4 per cent clause is in the interest of the shipbuilding trust, and a great pressure will be brought to bear against the proposed amendment in the Senate.

RICHTER WAS DRUNK.

Other Side of Story About Soldier Killed by Water Cure.

OREGONIAN NEWS BUREAU, Washington, Feb. 19.—The records of the court-martial of Lieutenant William S. Sinclair, who was acquitted of the charge of having caused the death of Private Edward C. Richter in the Philippines, show that Richter did not die, as alleged, from the "water cure," but from strangulation. The evidence shows that Richter was placed under arrest for being excessively drunk. While in confinement he used the most profane and violent language to those having charge of him.

With a view to stopping his drunken outcries Richter was gagged and somewhat roughly handled. While yet gagged he vomited, and the matter, being unable to pass out of his mouth, caused strangulation. What water was administered was with a view to reviving him. He was at no time under charges, and was merely placed under arrest because of his drunkenness.

READY FOR SEALERS.

Russian Ambassador Has Money to Satisfy Arbitration Award.

WASHINGTON, Feb. 19.—Count Cassini, the Russian Ambassador here, today notified Assistant Secretary Pierce, who represented the United States in the arbitration claims of certain American sealers against the Russian government, that he was in receipt of funds from St. Petersburg to pay the amount of the award. Accordingly, Mr. Pierce had an expert compute the interest which had accrued in these cases and submitted the statement to the Ambassador.

As it stands, the total is now \$165,315, made up of the following separate awards, which include interest: Cape Horn Pigeon, \$60,000; James Hamilton Lewis, \$47,500; H. White, \$32,100; Kate and Ana, \$24,715.

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HOLDS UP TREATY

Quay Continues Blockade in Senate.

ANYTHING FOR STATEHOOD

Makes Vote on It Condition of Vote on Canal.

FORMS ALLIANCE WITH MORGAN

Senate Devotes Day and Night Session to Canal Treaty, but Dilatory Tactics Delay Vote and Quay at Last Declares Himself.

If Senator Quay can gain his end, the Senate will not reach a vote on the Panama Canal treaty until a time is fixed for a vote on the omnibus statehood bill also.

He declared this purpose at the close of an executive session which continued from 12:30 P. M. to 11 P. M. yesterday, with a short interval.

He has formed an alliance with Senator Morgan to delay action on the treaty until his terms are conceded.

WASHINGTON, Feb. 19.—The determination of the advocates of statehood to use the desire to ratify the Panama Canal treaty as a means to secure a vote on the statehood bill became apparent at the executive session of the Senate today. Quay, the chief champion of statehood, would throw light on the subject, and he thought that at this time the Senate should be informed as to the provisions of the constitutions of the countries with which the United States is doing business.

This step on his part was taken as a notice that he meant to assist in the opposition to the treaty, and it was then recalled that during yesterday's executive session, while Senator Morgan was still speaking, Quay had suggested the absence of a quorum, thus making it easier for the Alabama Senator.

Whole Constitution Read.

Quay took a copy of the Colombian constitution, which he asked to have read, from which a large pile of documents which lay on his desk, and when he asked to have it read, the Republican Senators sitting near him immediately reached the conclusion that he had united his forces with Senator Morgan and that the step was intended to force the acceptance of the statehood bill. Without giving voice to such a supposition, Senator Aldrich objected to the reading of the document by the clerk, saying that evidently the proceeding was merely intended for the purpose of delay.

Quay replied it was not his intention, and he would ask to have nothing read which would not throw light on the subject under consideration. Senator Morgan also said that so far as he was concerned there was no collusion. It was then agreed that "for the present and until it should become evident that the reading of the document by the clerk, saying that evidently the proceeding was merely intended for the purpose of delay."

The anti-statehood Republican Senators made no concealment of their surprise at Quay's proceeding, and all of them who would express an opinion at all said that the move would not result in the passage of the statehood bill, whatever might be the effect upon the treaty. They did not believe that it would prevent the ratification of the treaty.

Before Quay took the floor Senator Hoar made a brief speech in support of the treaty, saying that since the Speaker act had become a law, the United States was in honor bound to consummate the transaction provided for by that act.

After the reading of the Colombian constitution had been concluded, which required about two hours, Senator Depew asked if the translation was correct. Senator Morgan replied that it was, which assurance Depew said was thoroughly satisfactory.

Senator Morgan then continued the speech he had begun yesterday. He discussed especially today what he characterized as a discrepancy between the terms of the act of June 28 last, authorizing the purchase of the Panama Canal Company's franchise and property, and the terms of the treaty. He quoted from the treaty the clause providing for the lease of the canal zone, and from the act the language of the second section, authorizing the President to acquire perpetual control of a strip of land six miles in width, and charged that the two were utterly inconsistent.

The presentation of this point led to an

(Concluded on Second Page.)