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HIS PEN DOES IT

Governor Cuts \$63,000 From Appropriations.

A VETO FOR H. B. 363

No Executive Mansion; No Scalp Bounty Deficiency.

MANY SPECIAL CLAIMS BEATEN

Reasons Are That Many Unrelated Items Are Grouped Under One Title, Which Is Unconstitutional; Besides, It Is Improper.

Governor Chamberlain yesterday afternoon vetoed one of the general appropriation bills passed at the recent Legislative session.

Among the items affected by this sweeping veto is the \$14,000 appropriated for an executive mansion; \$34,000 for scalp bounty payments; \$10,000 for the improvement of the state fair grounds; \$1000 for payment of Tracy and Merrill claims, and a number of private claims. The total amount is something over \$62,000.

A constitutional provision makes it mandatory that in vetoing any single item of appropriation all items embraced in the bill must go with the veto.

SALEM, Or., Feb. 26.—(Special.)—Governor Chamberlain has vetoed 14 bills passed by the Legislature. It is declared by those who are familiar with legislation in Oregon that he has surpassed the records of his predecessors in that regard. Late this afternoon he did what many Governor has wanted to do, and threatened to do, when he vetoed a special appropriation bill. Some valid and meritorious claims have gone with the unmeritorious, but a precedent has been established for the disapproval of special appropriation bills which contain unsatisfactory items.

Under the constitution of Oregon no single item of an appropriation bill can be vetoed, and the bill had to stand or fall as a whole. The Governor concluded, after several days' deliberation, that it would be better that the bill should fall. This bill carries the \$14,500 appropriation for the executive mansion, the claims, aggregating \$1000, for the pursuit of Tracy and Merrill; \$10,000 for improvements at the fair grounds; \$4,000 for payment of claims of counties under the scalp bounty act, and claims of W. A. Storey, O'Day and Tarpley, Alex Orms, H. G. McCarthy, H. S. Moody, Hofer Bris, C. S. Moore, M. C. Starr and F. W. Dillard, for various purposes and in various amounts. The total amount was something over \$62,000.

While the veto is placed upon the constitutional ground that the bill does not include but one subject, and that the subjects are not expressed in the title, yet in its principal effect it is a protest against the practice of grouping a number of unrelated appropriations in a single bill so that improper ones must be approved if any at all. Every Governor has been confronted with the same sort of bills, but heretofore they have been signed rather than vetoed. The Governor's reasons for the veto are as follows:

Salem, February 26.—To the Speaker and House of Representatives: I have this day vetoed House bill No. 363 with my disapproval.

The title of the act is as follows: "An act making appropriation for the payment of certain specified claims against the State of Oregon, and for the purposes hereinafter specifically set forth and particularly enumerated."

The constitution of the state, section 20, article 4, provides that "Every act shall embrace but one subject, and matters properly connected therewith, which subjects shall be expressed in the title."

An examination of the act in question discloses that it appropriates nearly \$63,000 and covers a multitude of subjects about and concerning which the title gives no information whatsoever. It provides among other things for the purchase of lands around and about the state monument at Champoux and the improvement of the same; the payment of the expenses of the same; repairs, improvements, etc., of the buildings and grounds of the State Board of Agriculture, and for the purchase of water pipe and payment of the necessary expenses of laying, connecting and installing the same to and throughout the grounds and buildings of the State Board of Agriculture. It provides for the payment of claims of various counties growing out of the scalp bounty law, and the claims of about 20 persons growing out of services alleged to have been rendered in connection with the escape of Tracy and Merrill. It provides money for the purpose of purchasing an artificial limb for one Frank Ingram, who was wounded in the escape of Tracy and Merrill, and for the purpose of an executive mansion, including the lighting and heating of the same at the expense of the State. It gives authority to the State Treasurer to credit on the note of one M. C. Starr the sum of \$602, accrued interest on a note of one M. C. Starr, and to mortgage property securing said note. It authorizes the State Land Board to refund to one W. H. Waldron \$96, and appoints as agents things concerning which there is no intimation or suggestion in the title of the act.

There are some claims therein in which there is merit, and with respect to these my veto is not intended to be absolute, and which would not have been considered by the Legislature for a moment if they had been contained in separate and special bills on the constitution requires. It is unnecessary to particularize. It is sufficient to say that some attention ought to be paid to the constitutional mandate requiring that every act should embrace but one subject, and that subject expressed in the title. If obedience had been given therein, the subjects embraced within the bill under consideration would have been included in a half dozen or more separate and distinct bills, and there is no question but that most of them would

ALL BILLS DON'T LOOK ALIKE TO GOVERNOR CHAMBERLAIN.



such event have failed of securing the necessary vote in the Legislature to have secured their passage.

I hesitate to veto an appropriation bill in which there is much merit, but the practice of including in such a bill items which ought to be included in special appropriation bills is to be deprecated and condemned, and I know of no better way to call the attention of the people to the reprehensible system in vogue of making broadsides upon the treasury by unconstitutional methods than by vetoing such measures as the one now under consideration. The responsibility which compels me to take such a course must rest with the Legislature, and not with me.

I therefore return said bill with my veto, and trust that when it reaches the executive office it will be separated into as many bills as there are subjects embraced therein. If such course is followed, there will be an end to much legislative extravagance.

GEORGE E. CHAMBERLAIN, Governor.

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GAMBLING MADE FELONY

BILL PASSES OLYMPIA SENATE AFTER HARD FIGHT.

Many Attempts Made to Defeat Measure by Adding Obnoxious Amendments—May Be Reconsidered.

OLYMPIA, Wash., Feb. 26.—(Staff correspondence.)—The House bill making it a felony to conduct any gambling game passed the Senate this afternoon, and unless it is reconsidered within the next 48 hours, professional gamblers will be confronted with the alternative of going out of business or to the Penitentiary.

A big fight has been made to prevent the passage of this bill, and while it was loaded down with some pretty disagreeable amendments, which may jeopardize its usefulness, its passage was of sufficient consequence to throw great consternation into the ranks of the gamblers who have been endeavoring to defeat the bill. With them it is a fight for existence, and tonight there are rumors of a big sack coming down to Olympia to be used in an effort to defeat the bill when it comes up for reconsideration.

The bill was amended by the Senate in two important particulars. One amendment makes it a felony for any man to rent his property for gambling purposes, and the other makes the conducting of raffles a felony.

There was a determined fight against the bill in the Senate. Effort after effort was made to load down the bill with absurd amendments for the purpose of killing it, but as amended it won out by a vote of 27 to 11, with five absent. As 27 votes are necessary to pass a bill, the friends of the bill can lose five votes and still prevent reconsideration. Several of the men who fought the bill the hardest, including Senators Earles and Hamilton, finally swung into line and voted for the bill, but will probably vote to reconsider it.

Efforts to Kill the Bill.

When the bill was reached on the calendar this afternoon an effort was made to postpone its consideration until next Tuesday. Senator Tolman, of Spokane, blocked this movement by getting a ruling from President Smith that a two-thirds vote was required to postpone action on the bill. This ruling blocked the scheme for delay. Senator Rands offered an amendment to the bill that it should be a felony to play at a gambling game as

well as to conduct it. There was a long discussion over this amendment. The friends of the bill charged Rands and Hamilton, who championed the amendment, with trying to kill the bill. Senator Crow, of Spokane, made the most clinching argument against the motion by saying that where people on both sides of the table were equally guilty it would be impossible to secure evidence against anybody.

Rands remarked that some Senators were opposed to his amendment because they were afraid they would go to the Penitentiary themselves if it were adopted. Garber declared he wanted to put the stubborn gambler in the Penitentiary, and not his victim. Hamilton declared that the bill as drafted put a premium on cowardice. The amendment was defeated by a vote of 18 to 18.

In another effort to kill the bill Hamilton offered an amendment making it a felony for a person to rent property owned or controlled by him for gambling purposes. This was the vital amendment of the day, but it prevailed by a viva voce vote without rollcall, and with little discussion.

Hamilton then offered another amendment, and it made it a felony to have cards, dice or other gambling apparatus in one's possession, either on his person or about his premises. There was a long discussion of this, participated in by Tucker, Hamilton, Tolman and Hallett. Hallett said that Hamilton's amendment would send a bookdealer to prison for selling a set of author cards. Tucker said that many, many people play cards who don't gamble with them. Once more the friends of the bill won, and the amendment was voted down, 22 to 19.

Public Sentiment Not For It.

Davis then offered an amendment making gambling a misdemeanor and increasing the present fine from \$500 to \$1000. He made a speech, the burden of which was that gambling could never be suppressed until public sentiment demanded it, and he declared that public sentiment is not for it. Here Hallett cut in:

"Mr. Davis, you were once Chief of Police of Tacoma, were you not?"

"Yes, sir," was the reply.

"Did you make an honest effort to suppress gambling?"

"Well," he remarked, amid a shout of laughter, "I drifted along with public sentiment."

Davis' amendment was defeated. Ruth secured an amendment making it a felony to conduct a raffle. The friends of the bill opposed the amendment, but it carried, 19 to 18. An amendment by Hamilton in-

STORM IN HOUSE

Democrats Angry at Unseating of Butler.

THEY FILIBUSTER ALL DAY

Dalzell Acts as Speaker and Stops Obstruction.

VENGEANCE IS THREATENED

Minority Will Obstruct All Business, but Majority Prepares Rule Which Insures Passage of Remaining Appropriations.

Wagner, the Republican contestant, was seated in the House of Representatives yesterday in place of Butler, Democrat, from the Twelfth Missouri District, after scenes of filibustering which recall the stormy Fifty-first Congress.

The Democrats forced a rollcall on every motion until Dalzell, the acting Speaker, refused to entertain their demands as dilatory. This gave rise to an outburst of fury.

The Democrats in caucus have resolved to obstruct business for the rest of the session, but the Republicans have prepared a rule by which all appropriation bills will be forced through, but many other bills will fail.

WASHINGTON, Feb. 26.—Amid scenes which recalled the memorable and exciting days of the 51st Congress, when party feeling ran fiercely and the hall of Representatives resounded with denunciations of the alleged "high-handed methods of the majority," James J. Butler, of Missouri, was unseated today by the House and George C. R. Wagner was seated in his place. The Democrats had decided at their caucus this morning that if this case was called up they would prosecute a filibuster from now until March 4, regardless of consequences upon legislation, and they began the fight as soon as the gavel fell at noon. Rollcall followed rollcall, and it took over three hours to approve the journal of yesterday's proceedings. Then, when the decks were cleared, the case was called. A spirited debate of two hours followed, and finally, after repeated rollcalls, the case was brought to a vote. The Democrats then attempted to block things by leaving the hall, but enough absentees finally were brought in to make up the necessary quorum. The closing chapter was dramatic.

Dalzell (Pa.), who was in the chair, refused to recognize a demand for division, and Richardson, the minority leader, stood in his place and denounced his course in unmeasured terms, amid the jeers of the Republican side. The handful of Democrats present were overridden roughshod, and Wagner was seated.

Republicans Are Ready.

The Republican leaders, in deciding to force this case to a vote, did so with a perfect realization of the embarrassments which would follow, if the Democrats carried out their filibustering threat, and they have arranged a programme to reduce the minority's obstructive power to a minimum as far as the appropriation bills are concerned. This is to be accomplished by a special rule which has been prepared, by which all the parliamentary steps for getting appropriation bills with Senate amendments into conference can be cut off. But later this afternoon the Republicans introduced the omnibus public building bill and threatened to vote against the rule unless it made provision for the bill. This disturbing factor in the situation was not straightened out tonight. The Republican programme also includes a proposal to continue the executive day of today until noon, March 4, in order to obviate the long and tedious work of approving the journal against filibustering tactics.

A recess was taken tonight until 11 o'clock, and a rule has been prepared which hereafter will give a motion to recess precedence over any motion to adjourn. Under the operation of these drastic measures it is believed that some of the appropriation bills or other necessary measures will be jeopardized, but the present situation undoubtedly sounds the death-knell of many minor measures.

Filibuster From Start.

The decision of the Democrats to filibuster for the remainder of the session, if the Republicans pressed the Wagner-Butler election contest, caused considerable apprehension on both sides when the House assembled. The leaders were alert and the fight began almost at the drop of the gavel. After the chaplain had delivered his invocation, the Speaker was about to direct the clerk to read the journal when Richardson, the Democratic leader, interrupted him and made the point of no quorum. "The Constitution requires the presence of a quorum to do business," he said.

The Speaker acquiesced, but was able to count only 167. Thereupon Payne, the Republican leader, moved a call of the House and upon that motion the Democrats forced a rollcall. The call of the House was ordered, 237-9.

Payne then moved to dispense with further proceedings under the call. The rising vote resulted: Ayes, 137; nays, 58. Richardson demanded the tellers, and the Speaker sustained Payne's point of order that the demand was dilatory.

"Then I demand the eyes and nays,"

(Concluded on Fourth Page.)

(Concluded on Second Page.)