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The Evening Star.

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No business is too small and none too great for judicious advertising in a paper of general circulation, like The Evening Star.

RIVER IS STATIONARY

But Water at Memphis is Still High.

ISLAND 35 FLOODED

FOR THE FIRST TIME IN ITS HISTORY.

Sixty Persons Rescued From the Island This Morning by a Steamer.

MEMPHIS, Tenn., March 18.—The river stands at 39.6 feet this morning and is stationary. No new breaks have been reported. President Killough of the St. Francis levee board announced that if the situation warranted it, he would cut the levee near Mound City so as to allow steamboats to get through to Marian, citizens of which are seriously threatened by the flood pouring through the crevasse at Trice Landing. Only in two cases have loss of life been verified.

All railroads entering the city from the west are badly hampered by the rising torrent, and in many cases their schedules have been annulled.

A meeting of prominent negro citizens of Memphis has been called for tonight and steps will be taken to help care for refugees.

Island No. 35 Flooded.

A dispatch from Covington, Tenn., states that Island 35, which is considered one of the highest in the north end of the river, is flooded for the first time in its history. Sixty persons were rescued from the island this morning by a steamer.

The Yazoo and Mississippi Valley railroad has opened its lines again. The tracks have been raised and regular schedules were resumed today. The Illinois Central is running all trains and its officers do not anticipate any further trouble.

The situation in north Memphis is unchanged. People are transferred in skiffs, and many people are idle because of the shutting down of industries.

NEW ORLEANS, March 18.—The river situation here remains practically unchanged. All the levees south of the Red river continue to hold. Men today are working on the Sonia levee between New Orleans and Kenner, and the Sarpy levee above Kenner. The Mississippi valley patrol train is carrying men and material to the scene.

TWO KILLED, TWO INJURED.

Freight Train Crashes Into Furniture Van in Allegheny, Pa.

PITTSBURG, Pa., March 18.—A Fort Wayne freight train crashed into a furniture van of the North Side Transfer Company at the Sandusky street crossing, Allegheny, today, wrecking the van and killing two men. Two others were seriously injured. The names of the killed were:

John McKnight, head severed from body.
Albert Cornelius, body crushed.

The injured were Wm. Bustler and John McGreavy. Both are seriously hurt, but will recover.

The accident was at a grade crossing, and was caused by the fog and a misunderstanding of signals. The van was completely wrecked and two of the three horses killed.

CONSERVATIVES LOSE A SEAT.

Bye-Election at Rye Elects Liberal to Parliament.

LONDON, March 18.—The conservatives have suffered a crushing reverse in the Rye division of Sussex, where a bye-election was held yesterday for a successor to A. M. Brookfield, conservative, who has been appointed British consul at Montevideo. The result was the return of C. F. Hutchinson, liberal, by a majority of 534 over Edward Boyle, conservative. Mr. Hutchinson, who appealed to the electors as a critic of the government's whole policy, obtained over 2,000 more votes than he did in 1900, when he opposed Mr. Brookfield, while the conservative vote fell off about 1,000.

The result of the election at Rye has caused great satisfaction to the members of the opposition in parliament, this being the first gain of an important seat since the liberals took up a definite attitude in the army controversy. There was much talk in the lobby of the house of commons today about the "moral" effect this and the Woolwich reverse would have on the government. It is safe, however, to say that the situation, so far as the government program is concerned, will not be changed.

PROMINENT MEN AT PRIZE FIGHT

Two Massachusetts Supreme Court Judges Among the Swell Sports.

NEW YORK, March 18.—The Evening Journal says that fifty prominent society and business men, one-half of them being residents of Boston's fashionable Back Bay district, witnessed a lively fifteen-round fight at a private club at Westbury, L. I., last night. According to the story the Boston men, including two supreme court judges, were the guests of New Yorkers. The contestants were Jack Lowery of New York and Jimmy Lowe of Boston. They went fifteen rounds and Lowery was awarded the decision.

ROOF COLLAPSES ON WORKMEN.

One Man Killed and a Number Hurt in Cincinnati.

CINCINNATI, March 18.—By the collapse of the roof in Crane's planing mill, on Eastern avenue, today, one was killed, one fatally, two seriously and over a dozen slightly hurt. The large building is in process of construction. The dead—Wm. Setters. The seriously injured—Harvey Walters, fatally, skull fractured; Clark Gilbert, leg broken and seriously cut; Jas. Gardner, skull fractured and limbs crushed.

Clarke-Shriner Nuptials.

Special Dispatch to The Evening Star.

FREDERICK, Md., March 18.—Horace W. Clarke, superintendent of transportation of the Mobile and Ohio railroad of Mobile, Ala., and Miss Alice Virginia Shriner, daughter of Mrs. George B. Shriner, were quietly married at noon today at the bride's home in this city by the Rev. Dr. Henry Branch, pastor of the Presbyterian Church of Ellicott City, Md.

Burdick Inquest Postponed.

BUFFALO, N. Y., March 18.—The Burdick inquest has been postponed until Monday next. District Attorney Coatsworth is suffering from a sore throat, and cannot speak without great difficulty.

JINGO DIED AT SEA

HUGE ELEPHANT'S REMAINS THROWN OVERBOARD.

Beast Was Twenty-Two Years Old and Weighed Six Tons—Was Larger Than Jumbo.

NEW YORK, March 18.—The elephant Jingo, said to have been larger than Jumbo, died at sea on the steamer Georgic, which arrived today from Liverpool. The animal's death occurred March 12 and the huge body was buried at sea. An animal show bought Jingo in London. The elephant had not traveled since infancy and from the time of sailing from Liverpool it fretted and pined away. Jingo was twenty-two years old, twelve feet high, weighed six tons and was valued at $50,000.

For sixty hours preceding its death, the mammoth beast trumpeted without cessation and twice knocked down its keeper, paThomas Lawrence, who attempted to pacify it. The cries of the elephant aroused the leopards and tigers, which were on the ship, and they, too, joined in the cry, which for three days kept the crew of the Georgic on its guard.

As each day passed Jingo seemed to grow weaker and he squirmed in his narrow cage in an effort to get out. He was securely chained to the cage in such a position in the aft hatchway that escape was impossible. On the fifth day out the animal's condition became such that Lawrence gave him whisky and kept him under the influence of liquor for almost three days. It was then that Jingo became even more savage than ever and began the trumpeting.

The entire crew went to Lawrence's assistance on the eleventh day and joined with him in an effort to pacify Jingo. They all failed, however, and twice the beast got its trunk through the bars of the cage and struck the keeper with such force that he was thrown to the deck. The other animals joined in the great noise until about 9 o'clock on the morning of the 12th, when suddenly Jingo's cries ceased. Lawrence ran to the cage to find the animal dead. His carcass was examined, and, after it was decided it could not be stuffed, it was ordered thrown overboard.

DRESSED AS MOHAWK INDIAN.

Fernando Jones Makes Speech Before Chicago Historical Society.

CHICAGO, March 18.—Clad in the picturesque garb of a Mohawk Indian, presented to him by his friends in the tribe sixty years ago, Fernando Jones delivered an address before the Chicago Historical Society last night on "Indians in the Vicinity of Chicago and Anecdotes of the Early Settlers." In the course of his lecture Mr. Jones narrated many interesting stories of the pioneers' trips across the plains of Illinois, trades with Indians and of the way in which some of the most valuable land in the city at present was acquired by some shrewd settler.

The site of the present city hall was purchased in 1848, according to Mr. Jones, by a pioneer for 200 pounds of tobacco and two dozen hatchets. The land on which the Monadnock block now stands was acquired from the chief of a tribe for $80.

SECRETARY MOODY'S TRIP.

He and His Party Sailed for Santiago Today.

HAVANA, March 18.—Secretary Moody and his party, with the exception of Postmaster General Payne and Senator Hale, left Havana for Santiago on a special train today. Mr. Payne continued his journey to Santiago on board the Dolphin and Senator Hale started on his return to Washington.

Mr. Moody will stop for three hours at Matanzas. He will also visit Santa Clara and Puerto Principe and will arrive at Santiago Friday.

The Secretary informed the correspondent of the Associated Press previous to his departure that the impression he had formed during his three hours' stay ashore at Bahia Honda was entirely favorable to that place. The harbor, he added, is convenient and there is an ample site for a coaling station. The coral formation of the bottom of the harbor will apparently require little dredging. Mr. Moody found that an American company had already purchased a big tract of land for colonizing purposes in the immediate vicinity of the coaling site.

ANENT THE LEE STATUE.

Gov. Montague's Action in Matter Subject of Comment.

Special Dispatch to The Evening Star.

RICHMOND, Va., March 18.—The action of Governor Montague in allowing the bill to erect a statue of Gen. R. E. Lee in statuary hall at the national Capitol to become a law without his approval is being widely discussed here. The course of the governor is approved by many, while some incline to the belief that he should have signed the bill regardless of what has been said by people at the north. The governor takes the position that it is not proper to force a statue of Gen. Lee on any people when there is the slightest objection.

The house yesterday afternoon defeated the bill offered several weeks ago by Delegate Cummings to redistrict the state for members of Congress. The bill affected the first and second districts solely, and was intended to separate Newport News from Norfolk and Portsmouth. The first bill pased by the general assembly was vetoed by Gov. Montague. The population of the second district is nearly 50,000 more than any other congressional district in the state.

The house engrossed the bill to appropriate the sum of $200,000 to the Jamestown tercentenary exposition, which is to be held at Norfolk in 1907. Chairman Boaz of the finance committee opposed the bill, saying that the revenues of the state could not stand the appropriation. The vote was 43 to 17.

The amendment to the constitution providing for hold-over senators, passed the senate yesterday afternoon, only one vote being cast against the measure—Senator Walker of Westmoreland, a member of the constitutional convention which enacted the provision. The senators will, if the amendment is approved by the house and ratified by the next general asembly and then approved by the people, be elected for four-year terms, one-half each two years. This was the law under the old constitution.

The new constitution requires that poll taxes, after 1903, shall be paid six months prior to elections. A bill has been offered in the house to permit the payment of the tax at any time prior to the day of election. This is an amendment to the constitution.

FIGHTING IN URUGUAY.

Revolutionists and Government Forces Clash Near Montevideo.

MONTEVIDEO, March 18.—Fighting between the revolutionists and government forces is reported to have occurred near this city and members of the Red Cross Society have started for the scene of the operations.

Four delegates have been sent from here to treat for peace.

The government proposes to call out the national guard and declare a state of siege.

All telegrams are censored.

COL. HUMPHREY'S RISE

NOMINATED TO BE QUARTERMASTER GENERAL.

Entered the Army as a Private Soldier in 1863—Awarded a Medal of Honor.

General Chas. F. Humphrey, who was nominated today to succeed General Ludington as quartermaster general of the army, is one of the most efficient as well as one of the most popular officers in the army. He has risen from the ranks to his present high position, having entered the army as a private in 1863. He served in the Army of the Potomac from the time he enlisted until the close of the war, rising to the rank of sergeant. In 1866 he was given a commission in the regular army as a lieutenant in the 5th Artillery. From the close of the civil war up to the opening of the Spanish war he served principally in the west; in Alaska, California, Wyoming and Nebraska, rising gradually to the position of chief quartermaster of the department of the Platte in February, 1898.

He was chief quartermaster of the Shafter expedition to Cuba during the Spanish war, and after the evacuation of the island by the Spanish troops served as chief quartermaster of the division of Cuba until August, 1900, when he was dispatched to China as quartermaster of the relief expedition to Pekin. Since May, 1901, he has been chief quartermaster of the division of the Philippines.

Efficiency Record High.

His efficiency record is very high, all the officers under whom he has served having commended his services in high terms. Although there were quite a number of candidates for the position Gen. Humphrey was almost beyond question the choice of the army, his brother officers agreeing that he had earned this signal promotion by his long and active career in the field.

Gen. Humphrey was awarded a medal of honor for distinguished gallantry during the campaign against the Indians at Clearwater, Idaho, in 1877. He was very warmly commended by Gen. Shafter for his services before Santiago, by Gen. Wood for his subsequent services in Cuba, by Gen. Chaffee for his professional ability and the extraordinary capacity shown during the Pekin relief expedition, and subsequently for the high ability shown during his service in the Philippines.

PRESIDENTIAL NOMINATIONS.

New Quartermaster General, Military Promotions and Postmasters.

The President today sent to the Senate the following nominations:

Quartermaster general, with rank of brigadier general, for a period of four years, Col. Charles F. Humphrey, assistant quartermaster general.

Receiver of public moneys, Asa B. Thomson, at La Grande, Oreg.

Register of land office, J. Ernest Breda, at Natchitoches, La.

Postmasters—Delaware, Wm. P. Carter, Lewes; Thomas Jefferson, Smyrna. Maryland, Wm. Pearre, Cumberland. New Jersey, Fred B. Appleget, Hightstown. Pennsylvania, C. Edwin Michael, Nazareth; Christian T. Clymer, Quakertown. Idaho, Thalla L. Owen, Genesee. Minnesota, John Crawford, Lakefield. New Mexico, Louis Gercia, Springer. North Dakota, Georgs K. McEwan, Park River. Nevada, Charles F. Littrell, Austin. Oregon, Samuel S. Train, Albany; John R. Casey, Ashland; James L. Page, Eugene; John G. Eckman, McMinnville; Thomas P. Randall, Oregon City. South Carolina, Landrum Padgett, Pelzer. Also several army and navy promotions.

PROSPECT OF SETTLEMENT.

Trainmen of New York, New Haven and Hartford in Conference.

NEW HAVEN, Conn., March 18.—A meeting of the joint grievance committee of the conductors and trainmen of the New York, New Haven and Hartford railroad was held today to discuss the action of yesterday's conference between the grievance committee and a committee of the board of directors of the railroad company. W. C. Wilkins of the Order of Railroad Conductors and Valentine Fitzpatrick of the Trainmen's Brotherhood also attended the meeting.

Before the meeting, Messrs. Fitzpatrick and Wilkins both said that there had been no developments in the situation since last night.

When asked about the prospects of a settlement, Mr. Fitzpatrick replied: "By both sides making concessions, this thing will be settled."

A member of the grievance committee said: "If all goes well we think the situation will be cleared up by Saturday."

Monitor Florida on Trial Trip.

BRIDGEPORT, Conn., March 18.—The coast defense monitor Florida, with the government trial board, of which Capt. C. J. Train is chairman, on board, left her anchorage shortly after 11 o'clock today and headed for the Long Island shore to begin her official trial run. The starting point is three miles north of the Long Island shore, and about south of Stratford shoal. The run will be twice over a course of eleven and a half knots.

Automobilists in Mexican Jail.

CHICAGO, March 18.—A dispatch to the Tribune from Phoenix, Ariz., says: Word has been received here that Shirley Cristy, general manager in the southwest for an American life insurance company, and Ben Shuster, who have been touring in Mexico in an automobile, have been thrown into jail at Cananea, Sonora, because their automobile caused a panic.

Curfew Rings at Lockport, N. Y.

LOCKPORT, N. Y., March 18.—The curfew bell rang last night in Lockport, and will continue to ring every night in the future at 8 o'clock in winter and 9 o'clock during summer months. The ordnance makes it unlawful for any child under the age of sixteen years to loiter, stroll and wander unattended about the streets and public parks of the city after those hours.

Movements of Naval Vessels.

The collier Alexander left Hamilton, Bermuda, yesterday for Norfolk. The monitor Arkansas has arrived at Key West, on her way to St. Louis. The battle ship Oregon and the gunboat Helena have arrived at Hong Kong. The Pacific squadron, commanded by Rear Admiral Glass and consisting of the New York, Boston, Marblehead and Ranger, which went to Amapala to look out for American interests, left Acapulco yesterday for Magdalena Bay, via La Pay. The Gloucester has left Paramaribo for Para; the Nero, Suez for Malta, and the Lebanon, Boston for Baltimore.

Private Secretary Chance Returns.

Mr. Merrit O. Chance, private secretary to the Secretary of War, has returned to this city from his home in Mount Vernon, Ill., where he was summoned upon the death of his mother-in-law.

AT THE WHITE HOUSE

Coal Strike Commission's Report Submitted.

CANAL COMMISSIONERS

PRESIDENT WILL NOT APPOINT THEM UNTIL SUMMER.

Many Candidates Are Being Pressed—Virginia's New Constitution—Some of Today's Callers.

Chairman Gray and Carroll D. Wright of the coal strike commission went to the White House this morning and formally laid before the President the full report of the commission on the issues involved in the coal strike. Both the coal operators and the coal miners have promised to abide by this report, and what it will say will be watched with intense interest throughout the country. Judge Gray and Mr. Wright found some other callers with the President when they reached his office, and they sat down and waited until he had finished with the others. They remained only a few minutes and laid their report before the chief executive in brief fashion. Mr. Wright said that the report of the commission would be made public by him at his office Saturday morning, when copies will be furnished to the press. Judge Gray said that the commission had put in five months of hard work, and he felt much like taking a rest, but that he could not now get away from his work on the circuit bench.

The President will entertain the members of the coal strike commission and Secretary Cortelyou at dinner tonight at the White House.

The Isthmian Canal Commission.

Senator Kearns and his colleague, Senator Smoot, continue to leave nothing undone that will make Col. Willard Young of Utah a member of the canal commission, and they have secured the backing of the Wyoming senators for Col. Young. Senator Kearns has persistently advocated Col. Young's selection on the commission for a number of months, and he stands so well at the White House that it would not be surprising should be succeed, with the hard work of Senator Smoot, in bringing about Col. Young's appointment. Both of the Utah senators, accompanied by Senators Warren and Clark of Wyoming, were at the White House today to urge the President to name Col. Young. The President gave no intimation of what his action will be.

It is not understood that the President will reach the appointment of the canal commissioners before the middle of the summer, by which time the Colombian congress will have acted upon the treaty and most likely ratified it. The congress is being elected now and will assemble some time in April, probably about the 10th. The Colombian treaty will have to be ratified by the entire congress. There is considerable opposition to the ratification, and it is believed that the treaty will not reach a final vote in the congress before the last of May or early in June. It is not regarded as probable that the payments of the $40,000,000 to the Panama Canal Company for the purchase of the canal, and the $10,000,000 indemnity to Colombia will be reached by the Treasury Department before the middle of the year, possibly after that time. A number of influential members of the minority party in Colombia oppose the canal treaty made with this country and will do all they can to cause obstruction to its ratification.

After the treaty has been ratified by Colombia, if this is accomplished without amendments, the President will begin to give consideration to who he will appoint on the commission. If the minority party in Colombia should succeed in securing amendments to the treaty then the treaty will not become effective until it has again been passed upon by the United States Senate. This would delay everything for nearly a year longer. It is said that the minority party in Colombia will urge some amendments to the treaty similar to that of Senator Money—declaring that the United States will make no effort to acquire territory in Colombia. The pushing of such an amendment by a strong minority might cause the majority to be compelled to accept it and thereby delay action on the treaty for a long time.

The Candidate of Texas.

Senator Bailey of Texas saw the President today to personally add his request to that of many others that ex-Governor Sayers be appointed as a member of the canal commission. The President has spoken so favorably of Governor Sayers as to lead many to believe that the former governor of Texas will become a member of the commission. The canal commission under the Spooner bill is to be composed of seven members. Three of these will probably be democrats and three republicans, although the politics of some of the members must be nominal, as the bill provides that a large portion of the commission shall be made up of competent engineers and surveyors. Admiral Walker, who is strongly mentioned for a place on the new commission, will be at the White House today. His connection with prior commissions investigating the different routes makes him familiar with the canal question to the smallest detail. The suggestion has been made that Admiral Walker will be made chairman of the new commission.

Will a Republican Win?

Senator Hopkins of Illinois was at the White House today in connection with the visit of the President to Chicago April 2. The President will arrive there at 9 o'clock in the morning, and leave at midnight. He will be royally entertained. The President will not make any speech that could be construed into political help for the republicans in their mayoralty contest, which will take place in less than a week after the President is in the city, but the republicans are glad that the President will be in the city, and calculate that the enthusiasm aroused by the visit will somewhat aid the party ticket, headed by Graeme Stewart, republican national committeeman of Illinois, for mayor. "The republicans are going to elect their candidate for mayor," said Mr. Hopkins, "and they will elect him over Mayor Harrison by a large majority. The chances are all in favor of the republicans. The visit of the President will cut no figure in the election, however."

Senator Hopkins presented Col. C. M. Campbell of the Indian territory, who was an ardent supporter of the President for the vice presidential nomination in the Philadelphia convention three years ago. He is just as ardent a supporter of the President for the republican nomination next year, and says there is no question that the delegates from the territory will be for the President. He considers it doubtful if there is the slightest opposition.

Senator Clark's Granddaughter.

Senator Clark of Montana presented his oldest granddaughter, graceful and pretty little Miss Catherine Clark Culver. The President was so favorably impressed with the beauty and brightness of the young lady that he presented her with the prettiest rose in his collection of flowers. Senator Clark has one other granddaughter and one grandson, a little fellow a few months old, but hearty and lively. Senator Clark likes his grandchildren, and makes them companions whenever possible to do so.

"SONNY, IT'S UP TO YOU!"

The President's Callers.

Associate Justice Harlan of the Supreme Court saw the President with his son, John M. Harlan of Chicago. James S. Harlan, another son of the associate justice, is attorney general of Porto Rico, but is now on his way to this country to submit his resignation to the President.

Cardinal Gibbons, accompanied by Rev. Father D. J. Stafford, called on the President this morning. Cardinal Gibbons said that the President had requested him to call at the White House to talk over some matters.

Senator Dryden of New Jersey asked the President to appoint William T. Rossell, jr., a son of Major Rossell of the Engineer Corps of the army, as a cadet at West Point, and it is likely that the appointment will be made.

Among the President's other callers were Senators Fairbanks, Spooner, Aldrich, Alger, Hansbrough, Perkins and Mitchell, and Representative Grosvenor and Gen. B. F. Tracy of New York.

Senator Penrose saw the President on some minor appointments. Outside the White House door Senator Penrose met T. V. Powderly, former commissioner general of immigration. Mr. Powderly has a lame foot and has been walking around for a few days in anything but a sprightly manner. "How's your gout getting on?" a friend asked him.

"Oh, I suppose you might as well call it gout as anything else," said Mr. Powderly.

"Up my way," said Senator Penrose, with a dry smile on his face, "they call it 'whisky on the hoof.'"

Kansas' Bachelor Governor.

Gov. Bailey, the bachelor chief executive of Kansas, and Cyrus Leland, one of the great chiefs of the republican wigwam of Kansas for thirty or more years, called on the President today and remained with him some time discussing affairs in that state. They later took lunch with the President. Gov. Bailey and Mr. Leland asked the President to appoint Judge William Hook of the district court of Kansas as a circuit judge whenever opportunity presents itself. It is expected that Judge Caldwell of the eighth circuit will soon retire, and it is hoped that Judge Hook will be appointed to fill the vacancy.

The callers also talked with the President about his coming trip through Kansas. Gov. Bailey will entertain the President when he visits Topeka.

Virginia's New Constitution.

John S. Wise of New York, formerly of Virginia, one of the leading attorneys for the negroes of Virginia in their efforts to overthrow the new constitution of that state, called on the President today. Mr. Wise was elected president of the West Side Republican Club in New York last night, and the companion he had with him said that the Lemuel E. Quigg ticket for officers of the club was badly beaten. "The Quigg people had some candidate for president and other officers," said Mr. Wise, "but the members of the club concluded they would elect a president of their own, and so they selected me for the place. The honor is a high one, and I appreciate it."

Mr. Wise said he is hard at work on the cases involving the validity of the new constitution of Virginia. "We are hopeful that we will succeed in having the Supreme Court declare the new constitution, which disfranchises the negroes of the state, declared unconstitutional. I believe that the court will hold that the recent decision of Chief Justice Fuller, sitting at Richmond, is not the opinion of a majority of the court. The case that I base most of my hope on, however, is the one pending at Norfolk, and to be heard there by Judge Waddell in May. This is the case of a negro who was legally and duly registered under the old constitution of the state. He was refused the privilege of voting under the new constitution and brought suit against the judges of the election. It fully brings up the question of the constitutionality of the new laws. All of these cases will go before the Supreme Court at the same time. I am glad that ex-Secretary Carlisle is associated with me in these cases. It robs them of a partisan aspect, and," with a laugh, "relieves me of some of the blackguarding. I saw Mr. Carlisle the other day and asked him if he had seen some of the things the papers had said about him since he consented to argue the cases in the Supreme Court. He said no, and asked me what they were saying. I told him the southern papers were declaring that he was no better than I was. He said that he didn't pose as being any better."

The President at Yellowstone.

Just why the President selected Yellowstone Park as the place in which to spend sixteen days in April is not fully known, unless it was that in that big government reservation he would undoubtedly escape importunities and feel something like the individual once again. That there will be little or no pleasure in the park that early in the year is declared as certain. Ordinarily the park is practically frozen up in April and does not begin thawing until in May. The canons and mountains in the park are full of snow and the weather is frequently bitterly cold in April. But the President doesn't mind the cold. He wants to get two weeks or more of genuine rest away from crowds and importunity of one kind or another. In the park he will be away from prying of all kinds and is safe from yellow newspaper work. The park is patrolled by four troops of cavalry, and it is well known that no one will be allowed to enter except those having permits. The three press association representatives who will accompany the party will not go in the park at all, and will remain with the train outside. So will the secret service men and all other members of the party, except Secretary Root and John Burroughs. Whatever protection the President may desire he will get from escorts of cavalrymen, who would promptly eject any person seen in the park in the vicinity of the President's camp. The President does not propose to communicate with the outside world at all if he can help it. If he can escape transacting any official business he will do so. If it is necessary to send any communications back to Washington they will be transmitted by courier to the nearest telegraph line or to the railroad station nearest the park. There is a complete telephone system in the park, and this will be utilized if necessary.

Not Invited to Hawaii.

President Roosevelt thus far has not received an invitation to visit the Hawaiian Islands while on his western trip. It was said at the White House that while an opportunity to visit the Hawaiian Islands would please the President immensely, it would be impossible for him to do so on his approaching trip without disarranging the entire schedule. That, it was said, is absolutely impracticable. President Roosevelt hopes at some future time to gratify the desire of the Hawaiian people, and his own wishes, to visit the islands.

ADMISSION TO ANNAPOLIS.

New Regulations Governing Examination of Candidates.

The Navy Department has issued the new regulations governing the examinations of candidates for admission to the Naval Academy as midshipmen. The semi-annual examinations, formerly held in May and September, have been done away with, and henceforth none will be held later than June 30.

According to the new order the examinations this year will be held as follows: A general examination on the third Tuesday in April, under the supervision of the civil service commission, at various designated places throughout the country. A second examination at Washington only, on the second Tuesday in May, under the supervision of the civil service commission. A third examination on the third Tuesday in June, at Annapolis only, under the supervision of the superintendent of the Naval Academy. Those successful in their mental examinations given under the supervision of the civil service commission will go to Annapolis for their special examination.

The regulations further provide that after Jaunary 1, 1904, the minimum age limit for admission to the academy will be sixteen years instead of fifteen, as it is at present. The maximum limit of twenty years remains unchanged.

TO GO INTO COMMISSION.

The Columbia and Minneapolis Will Be Used as Training Ships.

The triple-screw cruisers Columbia and Minneapolis will shortly be put in commission for service as training ships for firemen. They have been used for some time as receiving ships, the former at New York and the latter at Philadelphia. Capt. James M. Miller, now on duty at the New York navy yard, will have command of the Columbia under the new assignment. He commanded the collier Merrimac during the Spanish war up to the time she was sunk in the harbor of Santiago. No one has yet been selected to command the Minneapolis.

The Columbia will be replaced at the New York yard by the Hancock, formerly an army transport on the line between San Francisco and Manila. It is expected that she will be ready for duty in a few months.

THE ALASKAN COMMISSION.

American Members May Not Go to London Before September.

Although not yet officially notified of the selection of the British and Canadian members of the Alaskan boundary commission, Secretary Root, Senator Lodge and Mr. Turner have been in consultation respecting the work of the approaching commission. It has been decided that they will not go to London, where the first meeting is to take place, much before September next, and meanwhile the agents for the two sides will prepare the case for the consideration of the full commission. Counsel for the United States has not yet been selected.

Personal Mention.

Prof. Maurice E. Dunham has gone to Richmond, Ind., called there by the illness of his mother.

Medical Director William S. Dixon, U. S. N., and Mrs. Dixon are guests at the Ebbitt House.

Dr. Taylor Boyd Dixon is also a guest at the Ebbitt House.

Justice Day's Condition Improves.

The progress of Justice Day of the United States Supreme Court toward recovery is reported by his physician today to be entirely satisfactory. He is regarded as entirely out of danger should no unforeseen complications arise.

Renominated Justices Confirmed.

The Senate has confirmed the nomination of the members of the court of private land claims, who were renominated yesterday.

IS NOT OPTIONAL

"Is Authorized" in an Act May Mean "Must."

AN IMPORTANT RULING

OPINION RENDERED BY ATTORNEY GENERAL KNOX.

Clause of the River and Harbor Bill Was Under Consideration by Chief Law Officer.

Attorney General Knox has rendered an opinion to the Secretary of War in the matter of the construction of a common form of expression in acts of Congress providing for river and harbor improvements and other public works, which opinion, having been officially adopted by the War Department, will have a far-reaching effect. It will undoubtedly be accepted by all other executive departments as a precedent for action. The opinion in brief was to the effect that the phrase "is authorized" is equivalent to the word "may," and that that word must be construed to have the meaning of "shall" and is mandatory in character. The question was whether the requirements of the law in regard to the construction of dredges for the improvement of harbors in Lake Erie and Lake Michigan are mandatory in character or whether they are wholly or in part directory.

The Power to Direct.

"It is fundamental," says the Attorney General in reply, "that the work of river and harbor improvement, and undertakings tributary thereto, like the dredge construction now presented, are incidents of the national power to regulate navigation and commerce. The authority and initiative of Congress is complete and exclusive. An illustration of the exercise of this jurisdiction by Congress, directing and restricting the executive, is shown by the 14th section of the act before us, in which the Secretary of War is directed to cause preliminary examinations or surveys to be made respecting harbor improvements, and which requires such preliminary examination unless a survey or estimate is expressly directed; and provides that, in case after preliminary examination the particular improvement is not deemed advisable, no survey or estimate therefor shall be made without the direction of Congress, etc.

"In other words, in a particular and peculiar sense the will of Congress operates upon the executive in a mandatory way in the laws technically known as river and harbor bills. In general, it is the duty of the executive to carry such legislative mandates into effect whatever the executive opinion may be as to their expediency or propriety, those considerations having been determined when executive approval to the law has been given.

Interpretation of "Authorization."

"Taking up, now, the particular point of interpretation, the clause to be considered is, 'The Secretary of War is authorized to cause to be purchased or built,' etc. The words italicized ("is authorized"), like corresponding expressions in statutes, are equivalent to the word 'may,' and the question is, are these words used in a mandatory or permissive sense?

"The ordinary meaning of 'may' is generally permissive, but as used in law it is often mandatory and equivalent to 'shall' or 'must.' The rule has been stated as follows: 'It is well settled that "may" in any statute is to be construed as equivalent to "shall" or "must" when the public interests or rights are concerned, and when the public or third persons have a right de jure to claim that the power granted should be exercised. * * * A duty is impliedly imposed to exercise it (the power) whenever the occasion arises. These terms are, then, in effect, invariably invested with a compulsory force,' etc.

"But it would be difficult to believe that parliament would ever have intended to commit powers to public persons for public purposes for exercise or non-exercise in any such spirit; that is, as convenience or interests might dictate when a mere privilege or license is conferred upon private individuals. * * * But as regards the imperative character of the duty it was laid down by the king's bench that words of permission in an act of parliament, when tending to promote the general benefit, are always held to be compulsory.

Depending on the Context.

"The application of this rule, however, depends upon the context of the statute; the test is the intent of the legislature. As to this element of interpretation, it is proper to observe that the act under consideration authorizes the construction of many separate works of improvement, involving large expenditures, and in every case the provision is that the Secretary of War may (in effect) undertake the particular improvements authorized. If the use of the word 'may' in such enactments is permissive merely, and its force and scope extend no further than to authorize the construction of these works in the discretion of the Secretary of War, then by failure or neglect to avail of the authority conferred on him, or by adverse exercise of the discretion entrusted to him, he would defeat the exercise of legislative power in a matter committed to the exclusive jurisdiction of Congress, and, manifestly, upon consideration of the whole subject and the entire river and harbor program, intended to be carried into effect promptly and exactly.

Equivalent to "Shall."

"It seems to me, then, that, considering the words 'is authorized,' etc., in the above provision as equivalent to the word 'may,' that word must be construed to have the meaning of 'shall,' and is not to be taken to import mere permission, or to grant an alternative or choice as if its meaning were 'may or may not.'. I conclude, therefore, that the clause of the act of June 13, 1902, above cited in mandatory in character, and as such is binding upon the executive, whose duty it is to carry the mandate into effect."

Naval Orders.

Captain C. C. Cornwell, from the Naval Home, Philadelphia, Pa., to await orders.

Lieutenant Commander J. C. Colwell, from command of the Isla de Luzon to his home and await orders.

Lieutenants W. H. McGrann, D. F. Boyd, W. R. Sexton and C. B. Price, from the Isla de Luzon to home and await orders.

Ensign J. D. Wainwright, when discharged from treatment at the naval hospital, Mare Island, Cal., to his home and await orders.

Ensign C. T. Wade, discharged from treatment at the naval hospital, Mare Island, Cal., to the Alert.

Ensign C. Shackford, from the Isla de Luzon to his home and await orders.

Surgeon G. A. Lung, from the bureau of medicine and surgery, Navy Department, Washington, D. C., to the naval hospital, Naval Home, Philadelphia, Pa.

Assistant Surgeon J. Stepp and Acting Warrant Machinist W. D. Conn, from the Isla de Luzon to home and await orders.

Boatswain F. R. Hazard, from the Solace to his home and await orders.