

HE GIVES IT UP

Kuropatkin Relinquishes Command.

GENERALS DISAGREE

Gripenberg Says Chief Dishonored Him.

ARMY READY TO MUTINY

Bodyguard of Czar Alone Remains Loyal.

SAILORS ON VERGE OF REVOLT

Black Sea Fleet Reeks With Revolutionary Sentiment, and General Outbreak Seems Imminent in Russia.

ST. PETERSBURG, Feb. 5 (2 A. M.).—General Kuropatkin has tendered to the czar his resignation of the command of the forces in the Far East. General Gripenberg has been removed from the command of the Second Manchurian army at his own request, having declared that he had been dishonored by Kuropatkin's orders to retreat at the battle of the Hun River.

BERLIN, Feb. 4.—German military experts familiar with the inner conditions of the Russian army declare that the autocracy cannot depend on the loyalty of any of the troops outside of the few regiments serving as bodyguards to the czar and the grand dukes.

Military men here, in the light of history and tradition, therefore regard the recent mutiny of soldiers and marines at Sevastopol as immeasurably the most dangerous event of all the recent turmoil in Russia.

ON VERGE OF MUTINY.

Crews of Black Sea Fleet Ready to Rise Against Government.

LONDON, Feb. 4.—The crews of the Black Sea fleet are on the verge of mutiny. Revolutionary literature in great quantities has been found on the ships. The men are in a dangerous frame of mind, and an outbreak is feared at any moment.

The intense feeling of revolution is strengthened by the fact that 35 of their comrades are being sentenced to death as ringleaders in the first outbreak.

WHY KUROPATKIN RESIGNS.

Bitter Quarrel With Gripenberg Ends in Withdrawal.

ST. PETERSBURG, Feb. 4 (6 P. M.).—Rumors of General Kuropatkin handing over his command to General Linvitch, commander of the first army, have been current in St. Petersburg since the announcement that General Gripenberg had been relieved of his command of the second army. The Associated Press is unable to obtain any confirmation of the reports. The War Office declares they are improbable, but is unable to deny them.

A distinguished general told the Associated Press that evidently there had been friction between General Kuropatkin and General Gripenberg, and added: "I have heard a great deal of talk about Kuropatkin's asking to be relieved, but nothing can be said on the subject at present."

There are two conflicting versions of the incident. According to one of them, General Gripenberg complained to the emperor that General Kuropatkin had refused to support his flanking movement in view of which Gripenberg asked to be relieved. The emperor, it is added, then telegraphed to Kuropatkin, asking for an explanation, in reply to which Kuropatkin wired that his health was shattered, and requested permission to turn over his command to General Linvitch.

According to the second and more commonly credited version of the affair, Kuropatkin complained to the emperor that Gripenberg undertook the flanking movement in defiance of orders, and demanded the general's dismissal.

The hope is generally expressed that the incident will be satisfactorily adjusted, as it is realized on all sides that Kuropatkin's departure from the front would prove a severe blow to hopes of victory in the near future.

Gripenberg's withdrawal has not changed the situation. The Russians continue to hold their positions around Sandepas.

WEATHER ENFORCES TRUCE.

When It Breaks, Russians Will Either Make Advance or Withdraw.

ST. PETERSBURG, Feb. 4 (11:40 P. M.).—Interest in the ill-starred attempt to capture Sandepas is eclipsed by the withdrawal of General Gripenberg, and unconfirmed reports regarding the retirement of General Kuropatkin.

According to the latest information received by the War Office, operations on

the right flank of the Russian army are at a standstill. The extreme right of the Russians continues to hold Chantseanahman, on the Hun River, six miles northwest of Sandepas. Apparently both sides are unable to move owing to the terrible weather.

There are 25 degrees of frost, accompanied by wind, but in view of the sudden fluctuations in temperature at this time of the year, the frost may suddenly decrease and the Russians would then be confronted with the alternative of withdrawing in order to avoid being intercepted by a Japanese column from Shillibe or of undertaking a general advance. The latter view finds some confirmation in a dispatch to the Associated Press from Tsinchetchen, reporting a reconnaissance by General Bensenkamp's force on the Russian left, which perhaps is preliminary to an advance. The military authorities here are encouraged by the report showing that the Russians are able to repeat the process of reaching the enemy's line of communication.

WILL NOT TAKE A RISK.

German Military Expert Finds Cause of Kuropatkin's Failure.

BERLIN, Feb. 4.—Colonel Gaidke, for the first time since his return from the Far East, where he was war correspondent for the Tagblatt, writes his opinion of General Kuropatkin.

"Although a thorough and through honorable man, benevolent, personally brave, admirable in the quiet of his workroom, simple in his tastes and an excellent administrator, Kuropatkin lacks," says Colonel Gaidke, "that glance that penetrates the darkness of a situation, quick decision, immediate correlation of means and, before all, the unsympathetic will that alone triumphs in war, that without compassion uses the bodies and souls of his men in taking their last and best to compass victory. Such men as Kuropatkin are not few in the Russian Army, and their qualities attach the soldier to his flag, but they do not win victories. Kuropatkin at Liaoyang burdened his mind with placing individual regiments, battalions and batteries, and lost thereby the conception of the whole."

Colonel Gaidke regards Kuropatkin as overcautious and concludes: "No leader is so bad as he who will not take a risk."

RUSSIANS TAKE A VILLAGE.

But They Are Repulsed in Attacks on Two Others.

ST. PETERSBURG, Feb. 4.—General Kuropatkin, telegraphing under date of February 3 to Emperor Nicholas, said: "The village of Chantseanahman has been completely occupied by our troops after a fight at 5 o'clock this morning. We reconnoitered the villages of Saushen and Pudova, occupied by the enemy, and after several volleys the sharpshooters entered Saushen and shot and bayoneted many Japanese. The latter were reinforced and attacked the sharpshooters, who withdrew, carrying off their dead and wounded."

"On our right flank the Japanese left 100 corpses, of which number we buried 57. A later dispatch from General Kuropatkin, dated February 2, says: "No reports of further encounters have been received. "One of our patrols blew up the railway eight miles south of Liaoyang, January 31 and February 2."

ARGUING ABOUT THE LOSS.

Russians Say Japanese Suffered Most in Battle of Heikoutai.

MUKDEN, Feb. 4.—Though there is a momentary pause in the operations, Russian activity on the Shumen River has not ended. Two hundred Japanese prisoners were brought in today. They were badly dressed and suffering from cold.

The Japanese report that 300 Russians were taken prisoners during the Sandepas operations in untruce and the Japanese losses greatly exceed the Tokyo estimates of the Russian losses, because in their advance over the frozen ground it was impossible for the Japanese to encircle.

The report that General Kuropatkin received orders from St. Petersburg to admit (Concluded on Second Page.)

PRIVATE OR NOT?

As to Hermann's Burned Letters, the Question.

MAY CAUSE NEW CHARGE

Government Collecting Evidence on Subject.

IS DILEMMA FOR HERMANN

If Really Private, He Is Liable to Fines Aggregating Millions for Abuse of Frank—Clerks Say They Were Public.

OREGONIAN NEWS BUREAU, Washington, Feb. 4.—It is learned on excellent authority that the Government attaches great importance to the fact that Binger Hermann, before retiring from the General Land Office, caused to be destroyed 36 letter-books containing copies of letters he had written while Commissioner, an average of ten letters a day for his entire term. Hermann contends that these letters were of a private nature. The Government has secured the testimony of one of more clerks who saw the letters in question which shows that many of them were in reply to letters which Hermann received making inquiry about public land business of one sort or another.

This fact will be held out by the Government to establish its contention that the letters were of a public nature and that the books destroyed contained Government records, but it has further been learned that all the letters which the Commissioner copied in his private books were sent through the mails under the Government frank. Clerks and messengers who mailed letters did not place stamps on them, yet each envelope containing one of those alleged "private" letters bore on its face notice that there was a penalty of \$200 if used for private purposes.

If Mr. Hermann's contention is true, the Government will show that he violated the postal laws and laid himself liable to a fine of \$200 for every private letter sent under his frank, and, if all his letters were private, the maximum penalty should be imposed, which will never be done, of course. Mr. Hermann would be fined \$5,000,000, for each letter-book contained approximately 500 letters.

But, if the Government presses the case against Mr. Hermann for illegally using the Government's frank on private correspondence, that charge will have to be brought in the District of Columbia, where the letters were mailed. This letter-book incident, which for a time was set aside, now promises to play an important part in

the Government's case against ex-Commissioner Hermann.

KLAMATH BILL IS PASSED.

President's Approval Alone Needed to Execution of Irrigation Scheme.

OREGONIAN NEWS BUREAU, Washington, Feb. 4.—The Klamath Irrigation bill now lacks only the signature of the President to make it a law. The Senate accepted the House amendments, which are entirely satisfactory to the reclamation service. As finally enacted the bill reads:

That the Secretary of the Interior is hereby authorized, in carrying out any irrigation project that may be undertaken by him under the terms and conditions of the National reclamation act and which may involve the changing of the levels of Lower or Little Klamath Lake, Tule or Rhet Lake and Goose Lake, or any river or other body of water connected therewith, in Oregon and California, to raise or lower the level of said lakes, or any river or other body of water, to dispose of any lands which may come into the possession of the United States as the result thereof by cession of any state or otherwise, under the terms and conditions of the National reclamation act.

Had it not been for Senator Fulton's insistence, Chairman Mendell, of the House irrigation committee, would not have withdrawn his objection to this bill and it would not have passed.

TO STUDY RECLAMATION WORK

Irrigation Committees of Congress to Tour Arid-Land States.

OREGONIAN NEWS BUREAU, Washington, Feb. 4.—The committees on irrigation of the Senate and House will make a trip through the various arid-land states of the West during the coming summer to familiarize themselves with the actual conditions and to see what the Government is doing on the different projects. The expense of the trip will be borne by the members of the committee.

Report of Land Commission.

OREGONIAN NEWS BUREAU, Washington, Feb. 4.—The Public Lands Commission, appointed by the President a year ago to investigate the land laws and ascertain needed changes, will submit its second report to the President within a week or ten days. This will not be the final report, but will cover the observations so far made. The Commission wants its service laid before the public for discussion. It will continue investigations and submit a final report to the President next winter.

Earthquake in Oaxaca.

MEXICO CITY, Feb. 4.—Several shocks of earthquake have been felt in the State of Oaxaca.

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The Weather.

TODAY'S—Fair, followed by increasing clouds and light rain. Tomorrow—Fair, with afternoon and night brisk easterly winds. YESTERDAY'S—Maximum temperature, 44 deg.; minimum, 34. Precipitation, none.

War in the Far East.

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Domestic.

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Sports.

Strong baseball team selected to fly Portland pennant during coming season. Page 14. W. R. Condon wins the Burns handicap at Oakland. Page 14.

Pacific Coast.

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Governor Chamberlain decides that referendum does not apply to local acts of Legislature. Page 7.

Commercial and Marine.

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Profit-taking weakens New York stock list. Page 15.

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Impressive ceremony marks the turning of the first spadeful of earth on the site of the Washington building at the Lewis and Clark Exposition. Page 12.

Annual report of Library Association contains important recommendations from President Delph. Page 20.

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ICEBOUND PORTS

Blockade in Harbors of Atlantic.

SHIPS ARE FROZEN IN

Navigation Stopped by Huge Floes Off Long Island.

WARMER IN MIDDLE WEST

Frost Keeps His Grip on Atlantic Coast, but Weather Moderates in Interior From Great Lakes to the Southward.

NEW YORK, Feb. 4.—More than a score of Sound steamers, tugs and other steam craft bound for this city, which were caught in the ice back off White-stone, L. I., last night and held fast for many hours, effected their release this afternoon and all reached their destination uninjured.

Pilots of many years' experience said today that there was more ice in New York Harbor today than at any previous time during the last ten years. In many portions of the bay the water was completely frozen over. The Narrows were full of immense ice cakes and most of the bay on the Jersey side below Liberty Island was frozen over completely. Both the North and East Rivers were full of heavy floating ice. At one time today several barges and many craft of other descriptions, making in all about 30 vessels, carrying between them probably more than 1000 persons, were held up for hours by the ice floes opposite White-stone.

MILDER IN PITTSBURG.

Gas Mains Restored and Factories Resume Operations.

PITTSBURG, Feb. 4.—Milder weather is being experienced here today, the mercury rising 22 degrees to 15 above. The broken ice main in West Virginia has been repaired, and mills and manufacturing which were compelled to close down for lack of gas have resumed operations.

Winnipeg is the Coldest.

ST. PAUL, Feb. 4.—The cold weather has about disappeared from the Northwest, except at Winnipeg, where the thermometer registered 34 degrees below zero today. In St. Paul it registered 11.5 below at its lowest, but is gradually going higher.

Vineyard Haven Frozen Over.

WOODS' HOLE, Mass., Feb. 4.—Vineyard Sound is entirely frozen over for the first time within the memory of the resi-

dents of this section. Ice has filled the harbor at Vineyard Haven, the great sheltered port of the island of Martha's Vineyard, for a number of days and today a solid sheet of ice stretches for miles from the island.

Temperature Rising in Kansas.

TOPEKA, Kan., Feb. 4.—Following a temperature of 17 degrees below zero last night, today has been near zero, with two inches of snow. It is below zero again tonight.

William Jeffries, a farmer near Abilene, was so badly frozen he cannot recover.

There are now seven inches of snow on the Kansas wheat fields. This places the cereal in excellent condition to withstand the winter.

Grip of Frost-King Broken.

SUPERIOR, Wis., Feb. 4.—The backbone of the cold wave, which held the head of the lakes in a relentless grip for 60 hours, appears to have been broken. The temperature remained stationary at 5 below zero throughout the night, and today the local forecaster announced that the rise in the mercury would continue during the next 24 hours.

Moderating in the Southwest.

KANSAS CITY, Mo., Feb. 4.—The weather today in Missouri and Kansas had moderated, while lower temperatures were recorded in Oklahoma, Indian Territory, Arkansas and Texas. While the temperature at Kansas City was 2 degrees below zero and at Concord, Kan., 13 below early today, it had risen several degrees by noon.

Cold Abates in Nebraska.

OMAHA, Feb. 4.—The severe cold of the last few days in Nebraska shows little sign of abatement today. Sixteen degrees below is the official reading at the Weather Bureau this morning. At Norfolk, in the central part of the state, 27 degrees below zero is reported.

Navigation Stops at Providence.

PROVIDENCE, R. I., Feb. 4.—Providence harbor and Narragansett Bay were today practically impassable to all sailing craft and only the ocean steamers and large tugs could make their way up against the ice. The embargo has been forming for about two weeks.

Maine Coast Icebound.

PORTLAND, Me., Feb. 4.—The Maine coast as far east as Mount Desert Island is completely ice-bound today except an occasional passageway available only for steamers.

Newport Harbor Full of Ice.

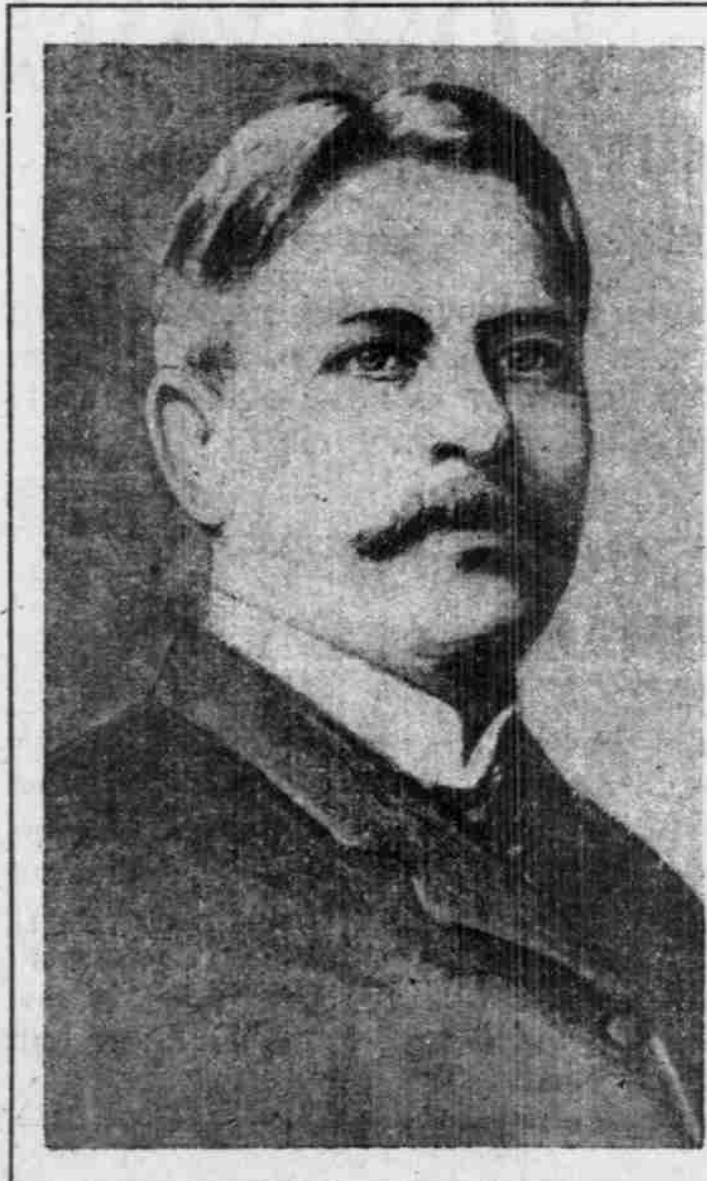
NEWPORT, R. I., Feb. 4.—Ice in the harbor was so thick today that navigation was practically suspended.

TO SET MRS. DUKE FREE.

District Attorney Objects to Cost of Prosecuting Her.

HOUSTON, Tex., Feb. 4.—District Attorney Imboden, of Nacogdoches, states that he today wrote to District Attorney Jerome, of New York, suggesting that Mrs. Alice Webb-Duke be discharged from custody, she being held on indictments against her in Texas. Mr. Imboden says he has decided on this course because of the delays incident to securing extradition papers and the expense of bringing Mrs. Duke to Texas and for which Mr. Imboden does not feel inclined to stand personally responsible.

NEW SENATOR FROM CALIFORNIA



FRANK PUTNAM FLINT.

Frank Putnam Flint, of Los Angeles, the newly elected Senator from California, was born in North Reading, Mass., July 15, 1862. In 1880, the parents of Mr. Flint settled at San Francisco. The boy entered the public schools and secured a grammar-school education. He removed to Orange, Cal., in 1884, and in 1890 located in Los Angeles, where he was appointed clerk in the United States Marshal's office. Later he began the study of law, and in 1892 was appointed United States Assistant Attorney. In 1897, he was appointed United States Attorney for the Southern District of California, serving four years, later returning to the practice of law and serving for several years in the law department of the Southern Pacific Railroad.

SMOOT WILL WIN

Utah Senator Will Retain Seat.

FORECAST OF ACTION

Majority of Committee Is in His Favor.

WILL SCORE MORMONISM

May Propose Amendment Prohibiting Polygamy.

NO BLAME ATTACHED TO HIM

Want Decision This Session—Whether Two-Thirds or Majority Vote Is Needed, Smoot Will Hold Fast.

OREGONIAN NEWS BUREAU, Washington, Feb. 4.—Chairman Burrows, of the Senate committee on privileges and elections, is confident that he can secure a vote on the Smoot case before March 4. From this time forward all his efforts will be bent in that direction.

The attorneys in the case, both for and against Smoot, have completed their arguments and filed their briefs; the case is now ready for action by the committee. The evidence and the arguments will probably be considered by the committee in executive session, as the deliberations are similar to those taken by the Senate while it sits behind closed doors. It probably will be well towards the end of February before a report is made.

Majority for Smoot.

It is known in advance that there will be two reports, a majority report, probably in favor of Smoot; a minority report recommending that he be deprived of his seat. In the nature of things, it has been impossible to learn just how the members of the committee stand, but persons who have closely followed the investigations and who have intelligently observed the questions put by various members, believe that Senators McComas, Foraker, De-pew, Beveridge, Dillingham, Hopkins, Knox and Bailey will sign the majority report in favor of Smoot, and that Burrows, Pettus, Overman, Clark and probably Chairman Burrows will sign the minority report against him.

Chairman Burrows has been very aggressive in pressing the investigation, and his questions have puzzled the men who have endeavored to find how he stands. Some are confident he will sign the majority report; others are satisfied he will oppose Smoot. The latter seem to be in the majority, and some of them are so confident that they predict that Mr. Burrows will make a strong argument against Smoot on the floor of the Senate.

Will Condemn Mormon Church.

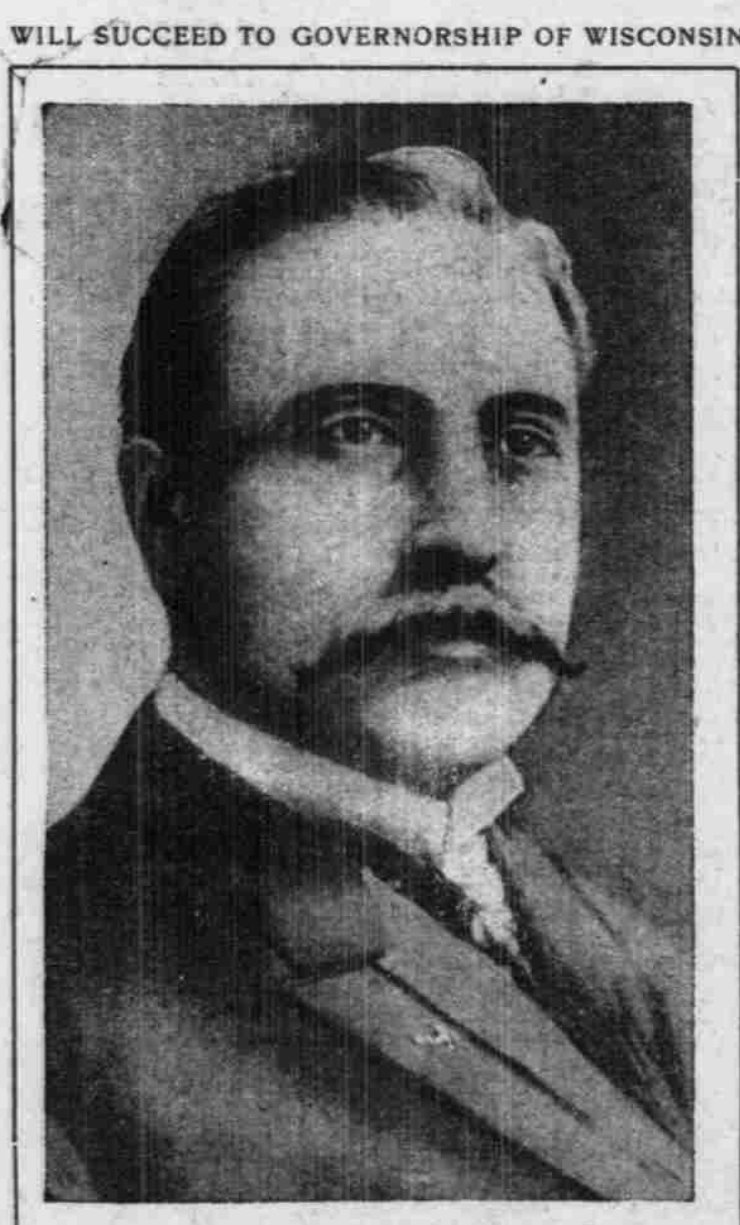
No matter how Burrows votes in committee, there seems to be little doubt that the majority report, while favoring Smoot, will scathingly criticize the Mormon Church, both for countenancing polygamy and for its manifest interference in politics. It is quite probable that the report will go further and recommend a constitutional amendment prohibiting the practice of polygamy.

The right of a Senator to his seat involves a question of highest privilege and, once the committee reports, there will be no difficulty in calling up the Smoot case in the Senate, notwithstanding the pressure for time. Chairman Burrows has worked hard to close this troublesome case, and will not have it go over if he can help it. He believes that a vote can be had before adjournment, and he is going to find out.

Majority or Two-Thirds Vote?

A fine point must be determined by the Senate before it votes on the case, namely, whether it will take a majority or a two-thirds vote to unseat the Senator from Utah. It had been supposed, up to a few days ago, that a two-thirds vote would be necessary, because the constitution provides that no Senator shall be deprived of his seat except by a two-thirds vote of the Senate. Special Attorney Taylor, who conducted the case against Smoot, maintains that a majority vote will unseat him. Taylor argues that Smoot is disqualified because of acts committed prior to the time he was sworn in as a Senator; that these acts are such as disqualify him from holding a seat in the Senate, and by reason of having been committed prior to his entering the Senate, made out a case which should have prevented his taking the oath two years ago. It is Taylor's contention that the two-thirds vote is only necessary in the case of, and was only intended to apply to, Senators charged with having committed some offense after they became members of the Senate. In other words, he

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JAMES O. DAVIDSON.

Lieutenant-Governor James O. Davidson will succeed Governor La Follette as Governor of Wisconsin when the latter becomes United States Senator, in March. Mr. Davidson is known throughout Wisconsin as "Bunny Jim." He was born in Norway, came to this country as a youth, followed farming and then became a very successful stockkeeper at Soldier's Grove. He has been a member of the Wisconsin Legislature, and is serving his second term as Lieutenant-Governor.