BARRED BY COURT

Anti-Trust Republican and Anti-Democratic Nominations Not Regular. Declares Montana Court.

FIGHT DEADLY DUEL

WITH POCKET KNIVES

ombatants and the arrest of the other

combatants and the arrest of the other on a charge of murder. Fenton Whit-maugh and Charles Middaugh, as the outcome of a quarrel arising out of a small business deal, agreed to settle the dispute in a fight. With half a dezen

REJANE AND COMPANY

VOL. III. NO. 193.

PORTLAND, OREGON, MONDAY EVENING, OCTOBER 17, 1904.

PRICE FIVE CENTS

Feels Sure of Convictions Russian Gains Offset by in Chief Land Fraud Cases.

and Puter and Benson and Hyde Must Be Found Guilty on Evidence in Hand.

Hyde will be convicted for the timber frauds which they perpetrated as I am that I shall eat dinner tonight."
Francis J. Heney who made this state-

nt at the Portland hotel this after-

Francis J. Heney who made this statement at the Portland hotel this afternoon, is probably better qualified than any one else to weigh the chances of success in the prosecution of the ringleaders in the huge conspiracy which has robbed the government of hundreds of thousands of acres of public land.

Mr. Heney, who was retained as special counsel for the government in the land fraud cases, and who carried to a brilliant conclusion the preliminary proceedings against Hyde and Dimond in San Francisco, arrived in Portland last night, having just returned from Washington. D. C. At the national capital he held important conferences with Secretary of the Interior Hitchcock, in relation to the land fraud cases and with the government's legal advisers.

To Arrange for Barly Trial.

The immediate object of Mr. Heney's coming to this city is to arrange for an early trial of the McKinley-Puter-Watson-Ware cases, in which he is to appear. He is confident that these cases will result in convictions, and says that no time will be lost in bringing them to trial.

Mr. Heney's view of the status of the

Points involved was exhaustive.

Beasons for Confidence.

"Four of the best lawyers in San Francisco were arrayed for the defendants, but both Judge DeHaven and Judge Morrow held that the objections were not sufficient. I am thoroughly convinced that the position taken by these two judges will be upheld by the United States supreme court.

"The matter is now before the supreme court and the government will do

preme court and the government will do its best to secure an early, trial. A mo-tion to advance the cases on the calendar will be made soon by the government's

"As to the McKinley-Puter cases," continued Mr. Heney, "there is not the least doubt of our ability to get convictions. The evidence is very strong. These cases are to be tried, no matter what the people say, and they will be set for as early a date as we can are

Although the federal grand jury is to meet tomorrow morning, Mr. Heney says that he is not here to submit new evi-dence to the jurors, nor does he expect any sensational new indictments at this

BOBBED WHILE AT WORK.

Losses—Each Side Captures Guns.

HASTEN TRIALS RUSSIAN FLANK RETIRES

Special Prosecutor Thinks McKinley Shakhe River Valley is the Scene of the Most Sangulnary Fighting Since the Beginning of the War.

St. Petersburg. Oct. 17.—(Bulletin.)— Messages from the front state that the retirement of the forces of General Mey-erdoff on the Russian right flank has been turned into a rout, and that he has suffered tremendous losses.

Rome, Oct. 17.—(Bulletin.)—A dispatch from St. Petersburg states that after consultation with the czar, General Rippenberg has decided to mobilize 600,000 additional troops, and that Manchuria is to be abandoned for the present. Russia's note will probably be issued announcing to the powers the coar's intention to continue the war, a polite way of preventing any offers of intervention.

norning.

The situation this morning is as fol-

mr. Heney's view of the status of the Benson-Hyde cases is especially interesting in view of the persistent efforts to create the impression that the government could not establish its charges against these defendants. In discussing the cases he said:

"The decision of Judge Lacombe of New York in refusing to order Benson's removal to Washington was based, I am sure, upon insufficient acquaintance with the facts. Precisely the same question arose in San Francisco when Hyde and Dimond were resisting removal to Washington, and the argument on the points involved was exhaustive.

Bensons for Confidence.

"Four of the best lawyers in San Francisco were arrayed for the defendants, but both Judge DeHaven and Judge Morrow held that the objections Reports from the battlefield this Reports from the battlefield this

portance this morning, is on the Rus-

Just before dawn the Japanese are be-came heavy and at daybreak another attempt was made to force the Russians back. The Russian artillery, however, shredded the field with shrapnel, com-pelling the Japanese retirement with heavy losses. At this hour the cannon-ade continues.

(Special Dispatch to The Journal.)
Starbuck, Wash, Oct. 17.—Albert Robson left his cabin and all its effects, near here, early in the season to work in the harvest field and when he returned recently he found the cabin ransacked. His trunk had been opened with an ax and everything of value taken.

REFUSINGAL BUREAUS DUBBAND.

(Journal Special Service.)

Chicago, Oct. 17.—The work at disorganizing the Republican national headquarters in the west has already begun. Before the work is over the literary bureau will be suspended, as the work is practically completed.

One Eussian Success.

Yesterday's operations were slightly in favor of Russian arms. A brilliant movement was carried out successfully on the left wing which culminated in the etorming of the Japanese position at Soukhetung. At this point the Japanese were well intrenched and defended their ground with great valor.

Three different assaults were made by the Russians before lodgment could be made and on the fourth assault the enemy was driven from his trenches only at the point of the bayonet after desperate hand to hand fighting. The Russians captured a battery of 10 guns which were so situated that they could be turned upon the retreating Japanese with deadly effect.

(Continued on Page Two.)

Rejane left for Cuba today and will return in filme to begin her engagement at the Lyric theatre on Nevember 7. **BELT OF FLAMES** FLOATS IN RIVER

Garfield, Oct. 17.—The McLenner Print company's works at Black Rock was damaged by fire to the extent of \$150.000 today. An immense tank of varnish was punctured and flowed down the river, taking fire and creating a spectacular scene. The firemen protected neighboring buildings (until the fire burned out. Four firemen were injured, but not seriously.

As the escaping varnish gradually overspread the surface of the river, giving it the suppearance of a sea of glass, many persons congregated near the scene of the fire. Sparks were flying from the engines that were exerting buildings of strength to force the vast streams of water on the burning buildings of the paint company. Suddenly the river became transformed from a shivering, shimmering sea of successful and suppear to the surface of the paint company. Suddenly the river became transformed from a shivering, shimmering sea of successful and suppear to the surface of the paint company. Suddenly the river became transformed from a shivering, shimmering sea of successful and suppear to the surface of the paint company. Suddenly the river became transformed from a shivering, shimmering sea of successful and suppear to the surface of the paint company. Suddenly the river became transformed from a shivering, shimmering sea of successful and suppear to the surface of the surf

(Journal Special Service.)
Mukden, Oct. 17.—Although the fighting yesterday was apparently as severe as on the first day of the battle, which ended in Russian retirement to the right bank-of the Shakhe river, there was no abatement in the vigor with which it was resumed just before dawn this morning.

The situation this morning is as follows:

The Russian front extends over practically 20 miles along the right bank of the river, which is flooded by rains and passable in a few places only. To the west is General Meyerdon, guarding the extreme right flank with a force composed of recently arrived troops, supported by a few veterans. At the center, where the fighting is the severest, are troops commanded by Kuropatkin in person. To the east of the center the troops are under Sakharon.

carried to the rear, and fresh troops and supplies are sent to the front. Reports from the battlefield this morning say that the Japanese to the east have been driven back and that pressure on Kuropatkin's left toward the hills has been relieved thereby. The main attack, which is of vital im-

At this point until nearly midnight the fighting continued, although a storm of great intensity was raging. As midnight approached the Japanese rested, although continuing an intermittent artiflery fire with the evident idea of harrassing the Russians. The latter replied in kind.

Just before dawn the Japanese fire became heavy and at daybreak another

One Bussian Success

FIRST OF FAMILY TO DIE IN 48 YEARS

(Special Dispatch to The Journal.)

Garfield, Wash., Oct. 17.—Robert K.
Dailey, a native of Pennsylvania, aged
76 years, died here yesterday. He came
to Washington in 1874 and settled near
what is now Garfield. He is survived
by seven children and 13 grandchildren.
This is the first death in the family in

MAD OFFICER KILLS ANOTHER AND SELI

(Journal Special Service.)

Mantia, Oct. 17.—Second Lieutenant William D. Pritchard of the Thirteenth cavalry, today killed Second Lieutenant Fred L. Deen of the same cavalry, and committed suicide.

The tragedy occured at Camp Stottesnburg. 30 miles from Manila. Pritchard was insane.

1,000,000 MARKSMEN FOR U. S. ARMY

(Special Dispatch to The Journal.)

Helena, Mont., Oct. 17.—Through an order issued by the supreme court this morning the name of Albert J. Calen, Republican nomines for attorney-general, will appear on the official ballot, having been omitted at the filing time through a mere oversight. The mistake was not discovered until after the statutory time prescribed for filing nominations. The court, however, decided to remedy the matter and so directed the secretary of state to place Galen's name on the ballot.

The court also issued an order directing the secretary of state not to place upon the official ballot the Heinse tickets known as the anti-trust Republicans, that their candidates were not regularly nominated by the convention. Plan to Make Americans a Nation of Sharpshooters to Come Before the War Department.

(Journal Special Service.)

Washington, Oct. 17.—What will probably be the most important meeting of the national board for the promotion of rifle practice since that body was organized several years ago will be held at the war department. The board has been instructed to prepare a plan for a national marksman reserve, which plan has been approved by the secretary of war. (Journal Special Service.)
Clarinda, Ia., Oct. 17.—A duel with
knives between two young farmers yes-

war.

It recommends the establishment of shooting-galleries, field ranges, distribution of arms, ammunition, supervision of instruction and inducements for practice, such as trophies and badges. It is desired that the standard military rifle in use by the government be made available for civilian practice, and it is probable that a provision to this end will be made in the bill which the board will recommend. It is believed, if the plans of the na tional board are followed, the country will in a few years be in possession of

small business deal, agreed to settle the dispute in a fight. With half a dezen companions they drove at midnight in Middaugh's carriage to a cemetery. Whitmaugh was given the choice of weapons. Middaugh brought a revolver, which was taken from him by his companions. Whitmaugh selected pocket-knives. The men entered the ring and immediately clinched. Within half a minute Middaugh received three bad gashes, one of which severed the clavian artery, find he died in five minutes. A coroner's jury today found that Middaugh came to his death by a knife-wound in the neck inflicted by Whitmaugh. Whitmaugh is in the county jail and has confessed his part in the affair. Middaugh was 24 years of age. He leaves a widow and one child. Whitmaugh is a few years older. **ALL CHINESE MAY** DOFF THE "PIGTAIL"

an army of qualified marksmen to the number of from 500,000 to 1,000,000 men

EJANE AND COMPANY

ARRIVE IN NEW YORK

(Journal Special Service.)

Sam Francisco. Oct. 17.—According to the Chinese papers of the past four days, in another year the queue or "pigtail" will be a buried rello, perhaps a curio in museums. Chattering groups of celestials stand on the corners in Chinactown and discuss the possibility of the enforcement of the new imperial mandate which will compel them to don't the braided and glossy string of hair.

Local Chinese papers have it that the new order is being considered seriously by the Chinese government and that before Jong, queues will not be worn. The emperor has decided that his subjects would look more civilized without the migrature of the past four days, in another year the queue or "pigtail" will be a buried rello, perhaps a curio in museums. Chattering groups of celestials stand on the corners in Chinactown and discuss the possibility of the enforcement of the new imperial mandate which will compel them to don't the braided and glossy string of hair.

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New York, Oct. 17.—Rejane, the most Parisian of Paris comedians, arrived here Saturday evening on La Lorraine, with Germaine, her daughter, and 27 persons of Rejane's comedy company.

"Ninety-five trunks for yourself alone," alone," some one exclaimed.

"What sensational gowns have you in them?"

"I hope they are sensational," she re-plied. "One is of cloth of gold; one is of cloth of silver, another is black as jet. I am to play the 'Lady of' the Camelias' in black. This was never done in Paris." LIPTON GIVES UP INTENT TO CHALLENGE

(Journal Special Service.)
Glasgow, Oct. 17.—It is learned that Sir Thomas Lipton, having failed to-find a designer for a new challenger for America's cup, has abandoned the idea of making a challenge this year. He will now encourage yacht racing in home water.

will now encourage yacht racing in home waters.

It is said that this decision was not reached until all the prominent designers had been approached, and that it was with much rejuctance that Sir Thomas abandoned for the present his cherished igea of vanquishing the American yachtsmen.

RAMON CORRAL AT THE ST. LOUIS FAIR

(Journal Special Service.)

Kansas, City, Oct. 17.—Ramon Corral, vice-president of the republic of Mexico, and party arrived this morning from St. Louis and will be entertained by the Commercial club and citteens today. They will be guests of honor at the horse show tonight. From here the party will go to San Francisco.

MINISTER DINES AT COURT AND DIES

PARKER WILL MAKE VISIT TO NEW YORK

(Special Dispatch to The Journal.)
Esopus, Oct. 17.—There were no visitors at Rosemount today. Parker went horseback riding this morning. He will leave for New York tomorrow and remain until Thursday afternoon.

No special significance is attached to the visit, more than a desire to be in closer touch with the leaders.

CROWDS APPLAUD DAVIS.

Party Leaves on Special Train for

Charleston.

(Journal Special Service.)

Huntington, W. Va., Oct. 17.—Vice-Presidential nomines Davis and party left this morning on a special train for Charleston. Speeches were made at Barbersville, Milton and Hurricane. Large crowds were present at all the stations en route, and much applause and enthusiasm greeted the arrival of the special train.

special train.

The characteristic remarks of Davis created a most favorable impression with the hearers of both parties. THOUSANDS GREET DAVIS.

(Special Dispatch to The Journal.)
Charleston, W. Va., Oct. 17. — Ten thousand farmers, miners and townspeople listened to Nominee Davis and Senator Daniel at an outdoor meeting here this afternoon. That the utterances of Davis are making many friends for the party is the opinion of many for the party is the opinion of who listened to his talk today.

MERTING OF ILLINOIS BAPTISTS

(Journal Special Service.)

Springfield, Ill., Oct. 17.—Illinoia Baptists have rallied here in force for the sixtieth annual session of the Baptist General association of the State. The meeting opens in the Central Baptist church this evening with an address of welcome by Judge J. Otis Humphrey, to be followed by the annual sermon, which will be delivered by Rev. George H. Simmons, D. D., of Peoria. The sessions of the convention will continue until Friday.

"PARSIFAL" IN REGLISH

(Journal Special Service.)

Boston, Mass., Oct. 17.—Every seat in the Tremont theatre has been sold for the opening tonight of Henry W. Savage's production of "Pareifal." It will be the first time the opera has ever been produced in English. Among the noted foreign stars included among the company of nearly 260 singers are Mms. Kirkhy Lunn, Johannes Bischoff, Frank Egenieff, Mms. Hanna hara, and Christian De Vosa.

MORMONS BID LOWEST

Presbyterian Congregation in Uproar.

1905 Fair.

Two Members Purchase Property and Nevertheless May Get the Contract-Transfer It to Joseph Smith Who Had Been Barred

(Journal Special Service.) Salt Lake, Oct. 17.—President Josep . Smith, as trustee, in trust for Mormon church has received deeds for the First United Presbyterian church building, situated at Monroe and Pau-lina streets, Chicago.

From Bidding.

Rumors That Prince Nicholas Poisoned
Him Promptly Mct by Order for
a Post-Mortem Examination.

Post-Mortem Examination.

Governal Special Service.)

Journal Special Service.

(Journal Special Service.)

Madrid, Oct. 17.—Princess Marie Mercedes, sister of King Alfonso, is dead. She gave birth today to a daughter, who is also dead.

Donna Marie was 24 years old and the wife of Prince Carlos of Bourbon. She was the heir apparent, which title now reverts to her sister, the Infanta Theresa, whose approaching marriage will be deferred in consequence of her sister's death.

SALT LAKE STUDENTS **ENGAGE IN RIOT**

(Journal Special Service.)
Salt, Lake, Oct. 17.—Students at the university this morning, in celebration of their victory over the Montana university football team Saturday, indulged in a stampede.

The faculty endeavored to quell their enthusiasm when the students broke down the class room doors and compelled the professors to march with them around the camp. The proceedings ended in a small riot.

WOUNDED MAN WILL LIVE.

(Special Dispatch to The Journal.)

Corvallis. Or., Oct. 17.—Albert Lyrtle of Philomath, aged 22, who, was stabbed in the breast, the blade entering the pleural cavity. Friday evening, is still alive. Physicians are uncertain as to the result. George Avery, who did the cutting, is a member of one of the olderst and wealthleat Corvallis families.

Inumerous receptions.

PIONIES IN DEAD.

(Special Dispatch to The Journal.)

Sherman, Wash., Oct. 17.—O. C. Houck, a pioneer of the Big Bend country, died of a combined attack of pneumonia and typhoid fever in Spokane Friday, aged 65. He had lived near here 20 years. He leaves a widow and children.

Chicago's First United J. E. Bennett May Erect U. S. Building for

APOSTLE BUYS CHURCH FAILED TO SEND CHECK

Four Offers Made, Three by Portland Firms, One by Oakland, California, Company

(Washington Bureau of The Journal.)
Washington, Oct. 17.—Bids were opened this morning in the office of the
supervising architect of the treasurydepartment for the donstruction of government building at the Lewis and Clark
exposition in Partiand.

In view of this statement there is very little doubt that Mr. Bennett will secure the contract. The award is expected to be made within a few days and Mr. Bennett has made arrangements to commence work at once.

OREGON ELEVEN ROYALLY TREATED

(Special Dispatch to The Journal.)

Corvailis,Or., Oct. 17.—The O. A. C. football team returned from Scattle to-day and was greeted at the station by several hundred persons and a band. A great demonstration was made. The crowd marched to the Hotel Corvailis, where speeches were made in the atreet by Coach Stockley, Captain Pilkington and others. The enthusiasm has never before been equaled in Corvailis.

DETERTAINING FIRE CHIRPS.

(Journal Special Service.)

New York, Oct. 17.—Fire Chief Crokes is entertaining 30 members of the volunteer fire department of San Francisco and six members of the regular department who are on a tour of inspection. They will witness exhibition drills, make a trip of the subway and attend numerous receptions.

WIRELESS 'PHONE IS NOW POSSIBLE

Great Barrington, Mass., Oct. 17.—
Stephen Dudley Field, speaking of his new invention, the "amplifier," which is designed to facilitate telegraphy, especially wireless and cubic, declares by it that the speed of ocean cabling can be doubled and the radius of action made uniimited, and that wireless telegraphy may be at once brought to a commercial practicability. "I can hardly prophesy my amplifier will revolutionize electrical message transmission," be continued, "tust it certainty will bring all the present known methods of perfection into greater use. For instance, it will make to take the transmission of the samplifier of the samplifier will revolutionize electrical message transmission," be continued, "tust it certainty will bring all the present known methods of perfection into greater use. For instance, it will make to take to take the transmission of the samplifier.

The amplifier, with a system of wire current be at a transmission."