The weather has been warm and Spring

HAD NOT RECEIVED NOTICE.

Cruiser Andromeda.

PREFER TO BE PRISONERS.

and Stay With Men.

pected to arrive at Moli and Sim

entrance to Port Arthur harbor

NAGABARI, Jan. 9 (Noon.)-One thou-

meanwhile a powerful navy to meet rein

ONE-FOURTH ARE DEAD.

thur Siege.

LONDON, Jan. 19.-The Times states

that arrangements extending over several months to supply the Russian Baltic fleet have apparently come to an end. There is no longer a chain of storeships ahead

CHEFOO, Jan. 9 (10 P. M.).—The captain of the German steamer Progress, which vessel arrived here to-day after a four days passage from

ladivostok, reports that the surren-

known at Vladivostok when he left there. He says that Vladivostok will

prove to be a stronger fortress than that of Port Arthur.

Did Not Know of Surrender.

ck Van Dittmann, who left here on a unk December 30 with dispatches for

General Stoessel, returned today. While ising off Liao Ting Promontory on the morning of January 4 he was surprised

to see the Japanese flag run up, and lost no time in putting about.

Work Delayed by Storms. TOKIO, Jan. 9.-The work of remov-

and cold weather.

the mines and other obstructions at the entrance to the barber of Port Arthur and of examining the Russian war vessels is hampered by the storms

dication that some of the ships are

der of Port Arthur was not generally.

missing, are placed at over 19,600.

thur will total \$5,000.

sis or France.

TOKIO, Jan. 2.-The Navy Depart-

JAPANESE AT HAND

Cruisers Ready to Pounce on Baltic Fleet

ARE SEEN NEAR MAURITIUS

Russians Are Hiding in Madagascar or Comoro Islands No Prevision Made for Progress Eastward and Return to Malta Likely.

EPECIAL CABLE

LONDON, Jan. 10.-The correspondent of London Daily Mail at Port Louis, Island of Mauritius (Isie de France), re ports that the British cruiser Forte, which to have left that port on Thursday located to the cast of Madagascar.

vicinity of Comoro Islands, to the northwest of Madagascar,

This dispatch contains the first intima tion that the Japanese war vessels sent to intercept the Baltic fleet might have

arrived in the vicinity of Madagascar. MOVEMENTS OF FLEET.

Rojestvensky Will Return to Malta to Await Third Squadron.

PARIS, Jan. 2 .- The Temps corresp ant at Copenhagen telegraphs that he is The indictments were for perjury and been misted. reliably informed that Admiral Rojentvensky's squadron will return from Madaguscar and go to the Island of Malta. where it will await the third Russian squadron, which will leave Libau at the end of January, later proceeding to the Far East with Admiral Rojestvensky's

The Admiralty, the Temps correspondent further announces, is preparing a orth squadron, which will depart probably in May.

DISASTER AT PORT ARTHUR. Chefoo Hears of Mine Explosion in

Captured City. LONDON, Jan. 10.-The Daily Telegraph's correspondent at Chefoo reports that the Japanese Consul there has re-

ceived news of a disastreus mine explocion teday at Port Arthur.

The same correspondent asserts that a large part of General Nogi's army has been already sent north to Liao Yang.

High Officials Give Parole.

TOKIO, Jan. 10 (10:30 A. M.)-General

TOKIO, Jan. 10 (10:20 A. M.)—General Nogi reports additional prisoners of war as follows: Major-Generals Nikitin and Baile and Rear Admiral Wiren.
The prisoners who have given parole besides General Stoessel include Major-Generals Ries, Nadin and Kostinkow and Rear-Admirals Prince Ouktomsky, Gregorovitch and Roshtilisky and Engineer-In-Chief Rindeback.

Nogi Going to Join Oyama.

LONDON. Jan. 16.—The Cheefoo correspondent of the London Dally Telegraph learns that General Nogo has begun the rt of his troops to the where they are to reinforce Field Mar shal Oyama's army.

RECOGNIZES NO ORGANIZATION Wynne and Bristow Plainly Answer Officers of Letter-Carriers.

WASHINGTON, Jan. 9 .- The members of the executive committee of the riers today called on Postmaster-General Wynne and Fourth Assistant Postmaster-General Bristow. They asked Mr. Bristow what status President Keller, of their organisation, who re-cently was dismissed as a carrier, had before the department.

He answered that Mr. Keller had no status whatever and that the officers and members of the organization would be treated solely as employes and any requests they wished to make should he made through their respective posthe purpose of the organization seemed secure increased salaries and that the department positively disapoved of any improper political pur-

Postmaster-General Wynne also received the members of the board as individual employes and not as repre-sentatives of their organization.

MUST ACT ON FREIGHT RATES

Opinion Given President by Two

Leading Congressmen. WASHINGTON. Jan. 3.—President Rooseveit had another conference today regarding pending legislation. He con-sulted Representatives Each, of Wisconand Townsend, of Michigan, both members of the House committee on in-terstate and foreign commerce, regarding proposed legislation respecting railroad freight rates. Both Representatives are reight rates. Both Representatives are a favor of affirmative action on the subject by Congress at the present session They told the President that the people they represented wanted something definite done and wanted it done soon. Any legislation enacted, they urged must be effective in curing the evils complained of, and not merely of a nominal char-

OREGON BILLS IN CONGRESS.

For Condemnation of Irrigable Land and Creation of New Judgeship.

WASHINGTON, Jan. 9.-Senator Pulton today introduced a old authorizing the Secretary of the Interior to acquire by condemnation any lands needed in connection with any Government Irrigation project. This bill, if passed, will permit the acquisition of all wagon road lands lying under the Matheur Irrigation project.

A bill to divide Oregon into two judicial districts was called up in the judiciary committee today but action was post-poned until Representative Williamson ar and explain the necessity for dividing the state.

MORTON WILL TESTIFY.

Will Be Principal Witness for Santa Fe in Rebate Case.

CHICAGO, Jan. 2.-The Record-Herald temorrow will say:
Secretary of the Navy Morton will be
a witness before the Interstate Commerce Commission when that body
meets on the occasion of the hearing of the Santa Fe robate case. This can be practically stated on official authority. The commission has postponed the hearing from Friday to next Tuesday, mentioned.

when it will come to Chicago prepared to hear all evidence which may be ad-

duced.

It was stated that the tribee main witnesses for the Santa Fe would be Secretary Morton, President Ripler, of the Santa Fe, and James Douglass, president of the El Paso & Southwestern Railroad, with which the Santa Fe claims to have had an agreement regarding the division of the through rate on coal.

WASHINGTON, Jan. 9.—Chalrung Knapp, of the Interstate Commerce Commission, today postponed until next Monday the hearing in Chicago of the case involving allegations of re-bates granted by the Santa Fe Rail-road to the Colorado Fuel & Iron Com-

HIRED TO COMMIT PERJURY. A Hundred Persons to Be Tried for

Timber Land Frauds.

WASHINGTON, Jan. 3.-The following

'In the Spring of 1902 the Interior Department was informed that extensive land frauds were being perpetrated in Montang and idaho upder an act of Con-gress known as the timber and stone act. was to have left that port on Thursday
last, is still there. The correspondent
claims to have learned that the Forte's
wireless apparatus copied a number of
messages exchanged between foreign warships, presumably Japanese. Mauritius is
located to the cast of Madagascar.

Abcording to reliable advices received
yesterday, one of the squadrons of the
Russian Bailic fleet is sheltering in the of Congress it was necessary for the ap-plicant, when he made his application, to take an oath that the land was not taken for speculative purposes, but for his own use, and that no one else was directly or indirectly interested in the

> "Cobban and his associates prepared all these affidavits and paid all expenses and \$2.50 an acre for the land, and gave these persons from 1100 to 5150 apiece for false awearing and entry. There were 102 persons, men and women, indict-ed and a number of Indictments were nied—Cobban being indicted ten times.

forgery.
"All the lands, about 15,000 acres, were "All the lands, about 15,000 acres, were sold by Cobban to United States Senator W. A. Clark. Demurrers were filed to these indictments and they have been delayed from time to time until now. Today the Attorney-General received the following telegram from United States Special Attorney Maynard, dated at Helena, January 8:

"'Judge Hunt overruled demurrer in 12 subornation of perjury cases and 20 per-jury cases. Having exhausted all dia-tory pleas, defendants must now stand trial."

Montana Land Fraud Trials.

HELENA, Ment., Jan. 9.-Judge Will-am H. Hunt, in the United States States Court here today, overruled the demur-rers of the defendants to the indictments in the cases of the United States against B. M. Cobban, J. R. Catlin and many others for subornation of perjury and perjury in connection with timber land entries in Western Montana, and the accused will now have to come on for trial. There are 12 indictments for subornation of perjury and 90 for per-

Included in the defendants are many settlers in Powell and Missoula Counties, who are alleged to have made false oath in proving up on their timber lands, which were afterwards ac-quired by Senator W. A. Clark. It is alleged that Cobban and Catlin, well-known citizens of Missoula, induced these people to swear faisely. The parties were all indicted in June, 1901, and the cases have since been hanging

Following Up Stolen Lands.

MISSOULA, Mont., Jan. 2.—Notice of its pendens was filed in the office of the Clerk and Recorder here today regarding the cases pending in the United States Court wherein W. A. Clark and R. M. Cobban are the defendants regarding al-leged timber frauds in Missoula and neighboring counties. Twenty-one thou-sand acres of the best timber lands in this part of Montana are involved. Mr. Cobban is one of the prominent real es-tate men of this section, and his indict-ment will surely cause an upheaval, as many school teachers and others in the county entered land at his instigation.

- HIS CONJUGAL TANGLE. .

Captain Milliken Does Not Know Whether He Is Married or Not.

CHICAGO Jan. 9 .- Captain David B. Milliken took the stand in his own de-fense at the court-martial at Fort Sher-idan today, and detailed how he and a Pilipino girl, after eight months of wooing in the town of Escalante, Ne-groa, Philippine Islands, were "ille-gally married," and how after a period of uncertainty as to whether he married or not, he participated in another "lilegal" marriage only to find according to his story, that his wife had been previously married to a Fili-

This complication of martial doubt induced nim, he says, on one occasion to report to the War Department that he was unmarried and on another oc casion to put an interrogation point on the printed form after 'married or single.' Despite doubt, Milliken as-serted, he made no attempt to conceal from the natives that he had "gone through a sort of ceremony," and he through a sort of ceremony," and he considered himself married, "Why, then, did you not bring your

family with you when you returned to the United States?" asked Licutement J. M. Kimbrough Judge-Advocate and prosecuting officer. "Did not your wife and boy want to come?"
"Every effort to induce them to come with me failed." he replied. "They did

not want to go so far away from home; her mother was so old and fee-ble she needed her attention, so I left them there."

GREAT NAVAL SPECTACLE.

Secretary Morton and Admiral Dewey Inspect Three Squadrons.

FORT MONROE, Va., Jan. 3.-The inspection of the Battleship. Coast and Caribbean Squadrons by Secretary of the Navy Morton and Admiral Dewey today was one of the most imposing naval spec-tacles witnessed in Hamyton Roads in many years.

Deadlock in Chinese Railway Scheme. LONDON, Jun. 19.-The question of the Hankow-Canton Rallway concession cording to a Shanghal dispatch to the Times, has reached a deadlock, which is likely to end in the abandonment of the enterprise or intervention by the Amer-lean Government.

The Hankow-Canton Railroad Company was organized under the laws of New Jersey, and a majority of the atock was originally held in this country. Later the control of the corporation was acquired by Belgian capitalists.

Wyoming Will Send Clark Back.

CHEYENNE, Wyo., Jan. 2.—At a joint caucus of the Republican members of both House and Senate, Clarence M. Clark was unanimously selected to succeed himself in the United States Schate. As the Legislature is overwhelmingly Republican, the cancus nomination is equivalent to election. No other name was

FOOLED BY CHINESE

Stoessel Led to Expect Relief From Kuropatkin,

DID NOT KNOW OF DEFEAT

Defeated General Incredulous When Told of Russian Retreat-Praises Work of Japanese Army and Regards Nogl as a Friend.

HEADQUARTERS OF THE THIRD JAPANESE ARMY AT PORT ARTHUR. Jan. 7. via Tienisin, Jan. 5.—Captain Tsunoda, the Japunese staff officer who was sent to Port Arthur to inform Gen-eral Stoessel of the contents of the mes-sage of the Emperor of Japan, saying that the garrison should be treated with

the greatest consideration, says:
"General Storagell's first inquiry was about the whereabouts of General Kuropatkin. I said I did not know exactly, patkin. I said I did not know exactly, but understood he was somewhere about "General Stoessel remarked that he had last heard from General Kuropatkin October 6, saying he would come to re-

lleve Fort Arthur soon. General Stoessel added that he had sent out Chinese spies who, returned and reported that General Kuropatkin with a reliaving army was at Kinchou, 29 miles north, of Port Arthur.

"General Stoemel was plainly incredulous at my statement that General Kuropatkin had been defeated and driven back
toward Mukden, so I produced maps,
showing him the position of the two
armies near the Shakhe River and gave
him defails of Europatkin's defeat with
the loss of 50,000 non, at which
the Russian General expressed amazement and quickly remarked that 50-had Arthur,

No Use for Fleet to Go On.

"General Stoessel then asked where the Baltic fleet was and I told him that some of the ships had not passed the Cape of Good Hope. With a hopeless ex-proxision General Stoessel said: "Now that Port Arthur has fallen there is no use for the fleet coming any

further.'
"I then asked General Stoessel what "I then asked General Stoccoor what had caused the most damage to the garrison during the slege and he replied; "Your II-inch hawitzers. After they arrived our defense works became use-

"General Stoessel then pointed out that he and Admiral Alexieff had been through the Boxer trouble and had seen the work of the Japanese army. General Stoessel also said he had been associated with the Japanese Generals Yamaguch! and Fukushima at that time and expressed the opinion that the Russian and Japanese forces had borne the lion's share of the work. Since then he had a high Mea. ese forces had borne the lion's share of the work. Since then he had a high idea

the work. Since then he had a high idea of the organization and lighting qualities of the Japanese army.

"The real cause of the war was, in General Stocksel's opinion, the ignorance of the Russian people of the fighting qualities of the Japanese. The first attack on Port Arthur in February by the Japanese fleet was a tremendous surprise. The forts, he explained, were only partly garrisoned by 2000 troops.
"At this point, General Stocksel said he it is wellwellwellthe first this point, General Stoessel said he had always opposed the scheme of Governor Sakharoff of Port Dainy in spending money in building up Port Dainy instead of finishing the defenses of Port
Arthur. Sakharoff, who was an engineer officer, died of dysentery during the
steer.

Praise for Japanese Army.

"Continuing, General Stocasel praised the ingenuity, pluck and patience of the Japanese infantry, especially in making slege parallels and trenches to the forts. Referring to the artillery, General Stoessel said that at first he did not think the artillery practice good, but he was soon compalied to receive he was soon. compelled to recognize how good it was.

General Kondratenko and a Colonel of
Engineers (Irman) General Stoessel pointed out, were killed in North Keekwan
fort by a Japanese shell just prior to the explosion of December 18. General

the explosion of December 18. General Stoessel felt their loss greatly, as Kondratenko was a clever engineer.

"General Stoessel further said he had served his Emperor in three wars and he had been thrice wounded, first in the Russo-Turkish war, second in the Boxer trouble and third at Port Arthur. Now he felt he had earned the right to return to Russia to live in his old age with his family. The General added that he was family. The General added that he was taking home with him five children of officers who had been killed during the

Nogi, General Stoessel expressed gratification at meeting so pleasant a gentle-man. He had not expected the consid-eration accorded to him. General Nogi appeared to General Stoessel as an old friend rather than as the Commander of an army which had forced him to sur-render."

PRISONERS MARCH OUT.

Pathetic Procession of 5000 Russians From Port Arthur.

HEADQUARTERS OF JAPANESE THIRD ARMY, Port Arthur, Jan & vis Tinkow and Tiestein.—Five thousand men of the Russian garrison at Port Arthur were marched from the village of Yahutsul, on the shares of Pigeon Bay, for 15 miles to the railway station at Chang-lington, this afternoon. The first detachingisu, this afternoon. The first detach-ment arrived at Changlingtzu at 2 o'clock, and the other detachments followed soon after. Each detachment was accom-panted by six loaded transport carts.

The Russians, during the night, will be taken on special trains of open trucks to Dainy, and there they will immediately embark for Japan on transports now waiting in that port.

The long procession of the remnants of the gallant Russian garrison was a paths gallant Russian garrison was a path of the first arrivals at Changlingtzu were four drossies, drawn by sorry-looking horses. They contained the staff officers who had refused to give their purole. Most of them were captain of the German steamer their swords, as they were allowed to do under the terms of the capitulation compact. A few minutes later the first detachment arrived. The regimental officers murched with their men, their heads bowed down and their faces scamed with

bowed down and their faces scamed with lines chowing the result of the mental and physical strain they had undergone during the long defense.

As the Japanese soldiers crowded about them with evident curiosity, the faces of the Russian officers were an interesting study. All of them appeared to feel their humiliating position keenly, and though some seemed to be resigned to their situation, others were resentful at being regarded with curiosity.

The men looked to be well fed, but their faces, like those of the officers, indi-

their faces, like those of the officers, indi-cated the awful physical strain they had undergone. The officers were clean and well clothed, but the men were clad in dirty-looking sheepskin coats and ap-peared to be resigned and glad that the end had come

The horses drawing the transport carts were staggering with ratigue, though the loads were small. In the processions were many lean-looking pet dogs belonging to

ready Japanese engineers are surveying the destroyed forts of the eastern forti-CONFIDENT OF SUCCESS. Kuropatkin's Army Not Dismayed by

scribed, nevertheless, there is an besential dis-tinction between them. This kind of contract is not made as ancillary or collateral to any other contract between the parties, but on the other hand, is the main subject of agreement between the parties to it. Its purpose is not to make good, for instance, the sale of property with its good will, not to be ancillary to Fall of Port Arthur.

HUANCHAN, Jan. 5., via Mukden.—
The news of the fall of Port Arthur was received here first unofficially from the Japanese, who let joose numerous paper kites bearing letters and triumphal inscriptions. These kites were picked up by Russian soldiers long before the telegraph gave them the news.

The army received the announcement doggedly, regret being expressed that the troops had been unable to relieve medavoring to present to your honors, but it means to being unenforcible between the parties. I must concede that the courts have not always nade the distinction which I am graph gave them the news.

The army received the announcement deggedly, regret being expressed that the troops had been unable to relieve the garrison, but confidence is felt that utimately the Ruszians will be able to utimately the Russians will be able to push back the Japanese and reach the forfress from the north.

Russian artiliery is steadily pounding be section of the Japanese line west of inchingu and about the villages of Bandingun. The Land of Bandingun and Sintingun.

toshan and Sintingun. The Japanese are using balloons and searchlights in ef-forts to locate Russian batteries, which have been causing them great annoy-The past two days the Japanese bave straint of commerce, because in the made two unsuccessful attempts to break through the Russian advance lines.

General Stackelberg, who has been ill, has recovered sufficiently to return to the front.

Trust Has Admitted Main Point. Further replying to counsel for the de-endant, Mr. Moody said:

It is not the less interestate commerce be-cause the manufacturer in one state, instead of taking his product into another state for purposes of sale and there selling it, sees fit to transport it to a resident agent for the same purpose and with the same result. But these defendants have not always con-tended that transactions of this class were intrastate ad not interestate commerce. When they wished protection of the National law. like for some days, and overcoats have been discarded by many. Why Japanese Turned Back British they wished protection of the National law, they claimed that such sales as [helicapers interstate, and, therefore, under the protection of the Nation, and their claim has been twice sustained by this court.

Two cases cited, in which he said the defendance with the sale the defendance. TOKIO, Jan. 2.—The Navy Department announces that it regrets the misunderstanding in the case of the British cruiser Andromeda, which sailed from Wei-Hai-Wei January 5 for Port Arthur with hospital stores and surgeons to assist the sick and wounded, and was not permitted to make a landing.

The department says the commander at Port Arthur refused the sid offered

defendants were the real parties, estab-lished beyond doubt or cavil that the transactions of their agents in selling meats in other states than that of their preparation are interstate commerce. He asked if those same transactions are not subject to the restrictions which may be imposed? Continuing, Mr. Moody said:

at Port Arthur refused the aid offered by the Andromeda owing to the fact that he had not received instructions. The British authorities at Wel-Hal-The British authorities at Wei-Hai-The British authorities at Wei-Hai-Wei were late in notifying Sir Claude M. Macdonald, the British Minister at Tokio, of the mission of the cruiser. When the Minister received notifica-Absolutely Control Price. The offense is complete when the combination is made. The combination is not cured of its tion he immediately obtained from the Japanese authorities their grateful acceptance of the cruisers cargo.
Orders to receive the supplies were sent to Port Arthur, but when they reached there the Andromeda had left scured by any refinement concerning the scured by any refinement concerning the details of their conduct. Controlling 60 per cent of the fresh meat industry of the whole country, they sit down at their slaughtering and packing establishments, and, with the aid of the telegraph, through the instrumentality of countess agents and attorneys apress throughout the country, clothing their transactions and sheltering their misconduct by ciphers and secret codes, lower or raise, and, when thus lowered on her return to Wel-Hai-Wel.
Owing to the danger of coming in contact with mines, the department says, it would have been impossible to allow a British launch to enter Port odes, lower or raise, and, when thus lowered or raised, fix and maintain absolutely, as among themselves, the price of every pound of one of the great necessities of life as it enof one of the great necessities of life as it en-ters and follows the channels of interstate Many Russian Officers Refuse Parole commerce. This is an unlawful restraint of commerce among the states, and was so de-clared in the Addisione Pipe case, from which all the ingenuity of counsel cannon distin-guish the case at bar. TOKIO, Jan. 2.-The Japanese who exress great admiration for officers for refusing parole, and standing by the men of their army, are busily preparing to re-ceive the Russian prisoners from Port Arthur. The first batch of 10,000 are ex-

Trust Gets Unlawful Freight Rates. Referring to the allegation in para-

graph ten he said: pected to arrive at Moli and Simonoseki shortly. After disinfection, they will be sent to Kure, and probably to Matsuyama, Nagoya, Himeli, Kyoto, etc. The Generals will be treated in the best possible manner. It is unlikely any of the prisoners will be brought to Tokio.

The Gazette announced that the Russians have delivered five survivors of the third Japanese expedition to block the entrance to Fort Arthur harbor. outside competitors from obtaining them.

No competition can long endure against those who are, secretly and in defiance of the law, enjoying rates for the transportation of their property in interstate commerce which constitute a preference over all others in the same business. No more fruitful source of monopoly can be found than the enjoyment of preferential rates. The history of the country demonstrates this. from Port Arthur have arrived at Dairei

How Trust "Works" Stockmen.

In conclusion, Mr. Moody said:
These are the main subjects of the uniawful complicacy among the defendants. Others ro sai forth in forth in the said of the said o Against indo-China.

PARIS. Jan. 3.—The Echo de Paris prints documents alleged to have been prepared by the Japanese Genéal Kodams, ex-Viceroy of Formosa, showing that Japan has a plan of campaign for the defendants themselves to escape from the performance of the unlawful conspiracy among the defendants. Others are set forth in the petition, the purpose of which is to make more effective the main conspiracy and render it less easy for the defendants themselves to escape from the performance of the unlawful conspiracy among the defendants. Others are set forth in the petition, the purpose of which is to make more effective the main conspiracy among the defendants. Others are set forth in the petition, the purpose of which is to make more effective the main conspiracy among the defendants. Others are set forth in the petition, the purpose of which is to make more effective the main conspiracy among the defendants. Others are set forth in the petition, the purpose of which is to make more effective the main conspiracy among the defendants. Others are set forth in the petition, the purpose of which is to make more effective the main conspiracy among the defendants. Others are set forth in the petition, the purpose of which is to make more effective the main conspiracy among the defendants.

document, which is of extraordinary length, gives the reasons for first turning toward Manchuria, and, after crippling Russia there, attacking the smaller Prench forces farther south, preparing of livestock at certain selected times to an abnormal point. This naturally induces the abnormal point. This naturally induces the themselves, their agents bid up the price of Hvestock at certain selected times to an abnormal point. This naturally induces the shipment from other states of Ricestock to the points where the price is bid up in quantities much larger than under normal cements that might be sent from Rusconditions. Then, taking advantage of this congestion of the markets, they refrain from bidding against each other in the purchase of livestock, with the result that the producers and owners of the stock are forced to sell at ruinous prices. Thus the Loss of Russian Garrison in Port Ar-TOKIO, Jan. 2.—in well-informed circles it is estimated that the original garrison of Port Arthur number about 28,000
to 40,000 men, including sallors. The killed, those who died of sickness and the TOKIO Jan. 3,-in well-informed cirthe people a monopoly. The conspiracy in this case is ancillary to the conspiracy to TOKIO. Jan. 2. Noon.-It is believed retrain from bidding and to the creation that the Russian casualties at Port Ar- of the monopoly which this whole case dis-

Second-It is alleged in the eighth para-NO SUPPLIES FOR FLEET.

Has No Stores Ahead and Voyage
Seems to Be Ended.

LONDON, Jan. 10.—The Times states

Stores Ahead and Voyage Stores Ahead and Voyage Stores to Be Ended.

LONDON, Jan. 10.—The Times states

Shipments Are Restricted.

The word "collustvely" fairly interpreted means that they curtailed shipments by agreements with each other. Doubless such transactions sometimes may be entirely fegitimate. This consideration by recognized in the decree which exempts from its pro ion the curtailing of shipments made in good faith to prevent the congestion of ma-

Third—in paragraph eight penalties are imposed against each other by defendants for all deviations from the price fixed, which needs no special comment Fourth-In paragraph eight, also, uniform

rules for the giving of credits are agreed upon. This of itself might be harmless, but its purpose is ancillary to the main con-spiracy stated in that paragraph, namely, the suppression of all competition amounts the defendants. They will not allow ther CHEPOO, Jan. 2 (18 P. M.).—Frederck Van Dittmann, who left here on a
unk December 30 with dispatches for
ceneral Stoessel, returned today. While
sing off Liao Ting Promontory on the

the anyminize of a single day's delay in the shipment of his bill.

Fifth—The same purpose is behind the agreement alleged in the ninth paragraph of the petition, to make and impose uni-form charges for cartage. The price of the meat is uniform; the terms of credit are uniform; even the raise of cartage are uni-form; and all this comes about he the form; and all this comes about by the agreement of the parties and is designed in the most effective way to prohibit in the minutest detail all poscible competition in prices.

I have now discussed, separately, all the

the officers.

In many cases officers refused to wear their swords, but had them carried behind does by orde, dee. The officers saluted to the European and American correspondents with the Japanese army, and appeared to be both pleased and estenished south Chicago ended today. Two thought at seeing Europeans and Americans there.

The prisoners were treated with the wooks, were given work.

areatest respect and kindness, though they were regarded with much natural curiosity. The soldiers were given food, organized and beer, and the correspondent of the Associated Press even saw the Japaness soldiers voluntarily carrying the effects of the prisoners when they were overcome by fatigue.

The railway has been repaired and the gange changed almost to the City of Port Arthur, into which frains will enter in a few days. Telephone and telegraph lines few days. Telephone and telegraph lines incited between them. This kind of context is an exercised, severtheless, there is an exercised desired separately.

Conspiracy at All Points.

There defendants are capacity in inter-state commerce. The petition considered separately.

Conspiracy at All Points.

There defendants are capacity in inter-state commerces. The petition considered separately.

Conspiracy at All Points.

There defendants are capacity of interstate commerce. The petition considered separately.

Conspiracy at All Points.

There defendants are capacity in inter-state commerces. The petition considered separately.

Conspiracy at All Points.

There defendants are capacity of interstate commerces. If the surface contract and the one which I have just described, severtheless, there is an executive is not interstate commerce. If the surface was a security of the catter of the capacity of the c uracture, is not interstate commerce, there can be no such thing outside of transportation. They buy their raw material, which is gathered together from all the cattle-raising states and territories of the Union and sent to the great itvestock markets of the country. After they have transformed that material into the finished product they sell it throughout the United States. The combination which they combination which they have en-tered into in designed to restrain all their business transactions, ex-clusive of manufacture, by the suppression of all competition therein, both in their purchases and their sales, by the fixing and maintaints of authors. perceases and their sales, by the fixing and maintaining of uniform prices for their product, and, so far as possible, uniform prices for their raw material, and by obtaining such uniawful advantages as tend to create a monopoly in a necessity of life. They cannot be permitted to ingentously separate the various steps of their undertaking and so deal with them that they can be regarded as intrastate transactions. The court met and answered such a desires as

ours met and answered such a device as this in the case of Montague & Co. vs. Lowery, 183 U. S. 38. There is was truly claimed that the sales of unset tiles in Sa Francisco by the local dealers were considered by themselves intrastate transactions. The court held that the sales could not be separated from the main purpose of the combination, which was to fix and main be separated from the main purpose of combination, which was to fix and maintain uniform prices for goods which were the subject of interstate commerce.

was followed by Mr. Miller, who closed the case for the packers.

Mr. Miller said that necessarily the presentation of the case must be confined within the limits of the bill of complaint, and that epithets could not be appealed to, as attempted by the Attorney-General, to make the case complete. In all other cases of like character there had been a distinct agreement, but here, he said, the charges were all general and the specifications indefinite conclusions of law or epithets.

ceptities.

Mr. Miller took up the charges of rebates, and said the facts must be set up
in some way before the court could take
cognisance of them. There was no speification, and, as a consequence, the defendants could properly respond only by

demurrer.
"Suppose?" asked Judge Harlan, "the combinations alleged were confined to domestic commerce in the State of Illinois, would you consider it a restraint of

Mr. Miller replied in the negative.

Justice Harian asked how it would be if there was a combination by coal miners to control the price of coal.

Mr. Miller replied that it would depend

largely on the extent of the combination, and also upon whether there were state anti-trust laws. The present case, he argued, presents no analogy to the Addystone Pipe case, for in that case there was a division of territory among manuals.

was a division of territory among manufacturers. No such attempt was made in the case of the packers.

Taking up another line, he said cattle remain in the yards unsold and accordingly were the property of the state for taxation and other state purposes. Hence the purchase must be considered an act of domestic commerce. No commerce between the states was involved. Denies Working Market.

Justice White asked a question as to the effect of an agreement to fix the price of meat in another state, but Mr. Miller contended that the charge in the pending case did not go so far as that. With reference to the charge that the packers bid up prices at certain places in order to cause increased shipments, Mr. Miller said, if this were true, it was evident that

cattle-growers would send to more desirable markets, and thus cheat the packers of the end sought.

In conclusion, Mr. Miller contended for the rights of the defendants to make specializations. It must be remembered, he said, that agreements relating to inter-state trade are not prohibited, but that the prohibition extended to combinations in restraint of trade only. The purpose of the Sherman bill was, he said, to en-courage trade, and not to shackle it, but, courage trade, and not-to snacker it, but if injunctions were to be granted on such plans as that before the court, then the end sought would not be attained. He concluded, as he began, by declaring that the method of proceeding was without

BEEF TRUST AGENTS ARE FREE

from the performance of the unlawful conspiracy which they have formed. I will now consider these subsidiary agreements:

First—In the seventh paragraph of the pelition it appears that the defendants have agreed upon this device:

In pursuance of the conspiracy among themselves, their agents bid up the price of livestock at certain selection.

ceeding brought by ex-Attorney-Gen-eral Donovan against the Armour & Co., Cudaby & Co., Swift & Co. and the Hammond Packing Companies, of Chicago and Pueblo.

The Attorney-General was granted leave by the court to have new summons issued in the cases.

Await Arrival of Humes' Remains. SEATTLE, Wash., Jan. 9.—(Special.)-Intil the arrival of the Santa Clara, bear ing the body of the late Mayor Thomas J. Humes, is reported, nothing more can be done by the committee having in charge the arrangements for the funeral.

Late this afteraoon nothing had been heard of the whereabouts of the steam-ship, and it is doubtful that any tidings will be had before she actually arrives. This being so, the committee of prominent men of the city, whom it is desired to have the meet the body at the wharf, will necessarily be assembled hurriedly. Because of the possibilities of delay through storms that may detain the vessel for two or three days on the way down. ing the body of the late Mayor Thomas J.

sel for two or three days on the way down from Alaska, no attempt has been made to fix even tentatively the day of the funeral.

ST. PETERSBURG, Jan. 3.-The Han ourg-American Steamship Line has not! fed the Russian authorities that it is sending one of its largest ships from Kino Chou to Port Arthur with nume and medicines and that it is prepared to take to Kino Chou all the wounded pos

To reduce Rate of Discount. BERLIN, Jan. 9.-The Reichsbank cer tral committee has been summor rrow in order to reduce the rate of



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very often a married woman or young Very often a matried woman or young girl does not know who to turn to for advice in circumstances where she dishikes to talk with the family physician about delicate matters. At such times write to Dr. R. V. Pierce, chief consulting physician to the Invalids' Hotel and Surgical Institute, of Buffalo, N. Y., for free consultation and advice, and the same will be held as excredly confidential. It is foolish to consult women friends or persons without medical training.

women fraends or persons without medical training.

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