

HENEY WILL COME TO MEET BRISTOL

Will Arrange for Land-Fraud Trials.

FLYING VISIT TO PORTLAND

Misunderstanding Caused Talk of Delay.

NO POLICY IS INVOLVED

Telegram From Heney Removes All Doubt of Early Trial—Neuhausen and Other Officials Are at the Disposal of Bristol.

WASHINGTON, D. C., Sept. 7.—(Special.)—Acting Attorney-General Russell today received a telegram from Francis J. Heney, which in part explains the delay in resuming the trial of the pending Oregon land fraud cases, and which indicates that prosecutions will be resumed in the very near future. When Secretary Garfield and Land Commissioner Ballinger were on the Pacific Coast they discussed the Oregon situation in much detail with District Attorney Bristol, and the Secretary expressed the earnest desire that the pending cases be taken into court for trial as speedily as could be arranged. His ideas were concurred in by Mr. Ballinger, and the desire of both officials was made plain to Mr. Bristol.

Heney Agrees to Send Records. Later the Secretary had a conference in San Francisco with Mr. Heney and learned that he had in his possession the records in quite a number of the Oregon cases, which he had taken with him, presuming he would have time to go back to Oregon and try them. But Mr. Heney's work in prosecuting the San Francisco grafters had taken more of his time than he had anticipated, and it had been impossible for him to take the Oregon land cases. At that conference it was suggested that the records be expedited if the records are sent back to Mr. Bristol in order that he might conduct the prosecution instead of waiting for Mr. Heney.

This suggestion met with Mr. Heney's approval, and he expressed willingness to expedite the trials along those lines if such action was satisfactory to the Department of Justice. On Friday of last week, when the situation was explained to the Department of Justice, a telegram was sent to Mr. Heney requesting him to turn over to Mr. Bristol all cases which did not command his personal attention, and on the same day Mr. Heney replied that he would write Mr. Bristol the following day (Saturday) sending him practically all the records in his possession, holding only three or four cases which he himself wanted to try in person at some future time, and it is understood that these reserved cases include those in which Blinger Zernmann is a defendant.

Heney Coming to Portland. It was assumed from Mr. Heney's telegram that the records had been sent to Mr. Bristol a week ago, but when word was received here that Mr. Bristol had not received them, inquiry was made of Mr. Heney by wire and today he replied that he is arranging to separate the cases between Mr. Bristol and himself and that he is going to Portland tomorrow to see Mr. Bristol and complete arrangements for the trials. He will make a flying trip and remain in Portland only long enough to go over the various cases with Mr. Bristol.

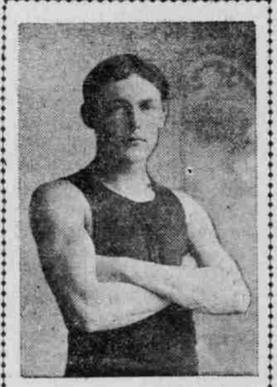
Only Policy Is Push Trials. The Acting Attorney-General and Mr. Ballinger both deny that the trials have been delayed pending any determination in Washington as to the "policy" to be pursued. The only policy of the Interior Department has been to have the trials expedited and to that end Mr. Bristol was assured some time ago that whenever he signified a desire to have the assistance of Mr. Neuhausen or other Interior Department representatives in Oregon in connection with the land trials, the officials would be placed instantly at his disposal and the officials themselves have been instructed in the premises.

Both the Interior Department and the Department of Justice now expect that the prosecutions will be pressed vigorously and hope to see the docket cleared of all land fraud cases at the present term of court.

GOOD NEWS TO MR. BRISTOL

Glad Heney Is Coming and He Can Get to Work. Mr. Bristol was much gratified last night to learn the contents of the foregoing dispatch. He said it shows that the land-fraud controversy is working out satisfactorily and that, as the cases hitherto have not been placed in his hands to dispose of, he is not responsible for delay of the trials. Mr. Heney aims evidently to be in Portland Tuesday.

Mr. Bristol has explained the delay in the trials as due to his not having been



Forrest Smithson, Multnomah Club member of 120-Yard Hurdle Championship of Amateur Athletic Union.

put in possession of the evidence for prosecution and also to lack of funds for defraying the cost of employing assistants and gathering further evidence. Now that Heney will turn over the cases to him, and the Department of Justice is ready to authorize employment of necessary assistants and expenditure of required funds, as indicated in the foregoing dispatch, Mr. Bristol says the trials can proceed and be pushed through to the end.

The cost of prosecuting the 26 odd cases Mr. Bristol estimates at between \$50,000 and \$100,000. These expenditures, he says, will evidently be made direct from Washington, since the law permits the local funds in the hands of United States Marshal Reed to be used only for paying fees of jurors and witnesses. The sum of about \$20,000 now held by Mr. Reed, Mr. Bristol says, will be enough to start the prosecutions going.

The tangle in the delayed trials seems, therefore, in a fair way to be soon unraveled. It has been assumed in Washington that the cases were in the hands of Mr. Bristol, while as a matter of fact they have been in the hands of Mr. Heney in San Francisco. Hence officials in Washington could not understand why Mr. Bristol did not proceed with the prosecutions. And as for funds to pay expenses of the trials, there has been money available since July 1, when new appropriations came to force, within the limitations already mentioned, but before that time there were none. The Federal grand jury last May was adjourned on account of lack of money to continue its work. That was before the grand jury reached land-fraud matters. Had it continued its investigations, it would probably have returned more indictments.

Mr. Heney is known to be desirous of reserving to himself the cases against Blinger Hermann and John H. Hall, for the supposed reasons that they are the "biggest game" and that he thinks he can convict. But the reason for his long delay and retention of the cases is not understood. Just why he should not have given them over to Mr. Bristol long ago has not been explained. Various motives have been ascribed in gossiping circles, such as that he doubts conviction is probable, and is willing to let the cases lapse, and that he wants the strongest of those laying on him the blame for failure to bring on the trials.

Firemen to Meet at Chicago.

OKLAHOMA CITY, Sept. 7.—The National Firemen's Association of America today selected Chicago for its next convention.

MORE FACTS IN EVANS' HISTORY

Present Wife Third of His Career.

BETRAYED RECORD TO OWENS

Los Angeles Doctor Opens Out on the Promoter.

HOW HE WON MRS. OWENS

Accused Blackmailer Says Evans Made Money on Pan-American Railroad and Lavished It on Her, Winning Affections.

LOS ANGELES, Cal., Sept. 7.—(Special.)—One more wife than he admits has punctured his career to the credit of J. Whyte Evans, and one more alleged blackmailing letter from the facile pen of Dr. J. S. Owens than has hitherto appeared were some of the revelations today in the celebrated case involving the impulsive doctor and the psychotic promoter.

Going back in Evans' history two wives past Mrs. Minna Hance Evans, his present conjugal mate, and still more remotely to a time antedating the existence as his wife of Mrs. Gertrude Dewitt Evans, there was still another, his first California helpmate. Evans married her in San Francisco. They moved to Tulare, where he started a business college. The couple had a child. His wife left him and went to her mother in San Francisco. He followed her, they quarreled, his mother-in-law advanced into the argument, and for what resulted Evans was arrested for disturbing the peace.

This infelicity gave his wife's mother the opportunity to proclaim that he had served time in the penitentiary and the story was published at that time.

Second Wife Exposed Record.

The first Mrs. Evans of the three known to have existed got a divorce in San Francisco. Evans had returned to Tulare and soon thereafter eloped with and married Miss Dewitt, daughter of a well-known family of Tulare. Evans lived with this wife several years and they had a girl. Shortly before she secured a divorce Mrs. Dewitt Evans is said to have attempted suicide. At least she shot herself in the left shoulder, and Dr. Owens, who was one of her witnesses in the divorce trial, was one authority for the suicide story. He was this Mrs. Evans' physician and her confidant to such a degree that, in a fit of pique at her husband, she exposed the stain upon his record.

Another Man Alleges Blackmail.

So much for Evans' wives. Dr. Owens, who appeared before Justice Selph this morning to have the date set for his preliminary examination on a charge of attempted extortion, is the author of another letter which Deputy District Attorney Paul J. McCormick, who has charge of the prosecution, construes as a blackmailing episode. This letter was written three years ago from Chicago, the man addressed being J. V. McNell, of 2577 Dayton avenue, this city. While the contents of this letter are not to be made public for the present, Mr. McCormick says it represents an effort on Owens' part to obtain money by holding a threat over Mr. McNell's head. Mr. McNell says he has no recollection of the letter himself. Meanwhile, however, the doctor smiles and says he has a wealth of interesting correspondence from both Mr. and Mrs. Evans which bears out his fiduciary claims against the former and their free confession in all his demands. They addressed him on all occasions, he says, with expressions of friendship and even affection, both averring their sorrow over Evans' inability to settle as per request.

Made Money in Pan-American Road

While Evans will not confirm the surmise, there is reason to believe that the two men against whom he said he would bring suit for \$25,000 on account of some Mexican deal, are his associates in the Pan-American Railroad. Evans was the railroad's first

president. This was the first and most conspicuous of his frequent presidencies. According to Dr. Owens, Evans had rediscovered the Pan-American, into which the Barings put millions of dollars. Evans lost all his money in his effort to make the road an instrument for profit and came back to Los Angeles "broke." He returned later, however, so Owens says, with \$500 of the doctor's money, interested new associates, and did so well that later he sold out for \$100,000 cash. When he arrived in Los Angeles, Evans had \$92,000. He said, however, that his former associates owed him \$250,000, and it is for that sum and these men he intends to sue, according to Dr. Owens.

Money Which Won Mrs. Owens.

According to the doctor also, it was this handsome sum of money which enabled Evans to win his wife. In this tale of multitudinous divorces that of the Owens is not the least out. Upon his return from Mexico Owens not only brought Mrs. Owens some handsome jewels, so says Owens, but renewed his intimacy with the couple as an occupant of their home. Before going to Mexico and in his less prosperous days he had lived with them. Somewhat later he took his European trip and brought back diamonds for Mrs. Owens. All of this, the doctor says, he thought was discreet and merely a mark of friendship, but now he finds he was not well informed.

His reason for being doubtful was that Evans, he charges, told tales about him to the then Mrs. Owens, much to his detriment.

Says He Found Treachery. "I was in New York then," said the doctor, "and had no inkling of what was going forward until my wife began writing that she was having peculiar dreams about me. That was a bad sign. Upon my return I set up some in-

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KELLY BREAKS WORLD'S RECORD

Wins Running Broad Jump at Jamestown.

ONLY FIFTH IN 100-YARD RACE

Covers 23 Feet 11 Inches, Beating Prinzstein's Jump.

SMITHSON WINS HURDLE

Takes 120-Yard Hurdle in 15 3-4 Seconds, Running With an Injured Leg—Several Records Are Broken—Ideal Day.

NORFOLK, Va., Sept. 7.—Contrary to expectations, Dan J. Kelly, crack sprinter of Oregon University, and former champion, failed to be in the running today in the 100-yard dash. He finished fifth. Huff, of Chicago, was the winner of this event with W. D. Eaton of Boston second and Charles Parsons, of the Olympic Club, San Francisco, third. The time was 19 1-5 seconds.

Today was devoted to the senior championship events at the athletic field on the Jamestown Exposition grounds. Some of the most noted athletes in this country and Canada took part. The weather was ideal, being clear and not too hot and the attendance was large.

After the 100-yard dash, the half-mile was pulled off and was easily won by M. W. Sheppard, Irish-American Athletic Club, New York, the present champion for this distance; Andrew Gardner, of the Olympic Club, San Francisco, second; Frank Sheehan, of South Boston, third. Time 1:55 1-5. This beats Sheppard's former record by 1-15 seconds.

The third event of the afternoon was the 16-pound shot-put. In this Ralph Rose, of the Olympic Club, of California, broke the world's record by 3/4 inch. His put was 49 feet 5 1/2 inches. W. W. Coe, Boston A. C., was second, with 46 feet 5 inches; W. W. Gilmore, Olympic Club, San Francisco, third, with 43 feet 3 inches.

The other events followed: Fourth event, 120-yard hurdles—Forrest Smithson, Multnomah Club, of Oregon, first, time, 15 3/4. A. B. Shaw, of Chicago A. C., second; W. R. McCullough, N. Y. A. C., third. Smithson ran with an injured leg. Fifth event, one mile run—James P. Sullivan, Irish-American A. C. Club, won in a canter; S. A. Rogers, N. Y. A. C., second; Charles Bacon, Irish-American, third; time, 4:28. The former time was 4:29.

Sixth event, 440-yard run—J. B. Taylor, University of Pennsylvania, first; G. B. Ford, N. Y. A. C., second; Andrew Glarner, Olympic, third; time, 5:1. Taylor is a regular.

Seventh event, throwing 18-pound hammer—Won by John J. Flanagan, I. A. C., distance 171 feet 3 inches; M. P. McGrath, N. Y. A. C., 159 feet 7 inches; M. F. Horr, I. A. C., third, 154 feet 4 inches.

Eighth event—Running broad jump won by Dan Kelly, University of Oregon, distance 23 feet 11 inches, second E. L. Cook, Jr., I. A. C., New York, 23 feet 2 1/2 inches; third G. F. O'Connell, N. Y. A. C., 22 feet 11 inches. Kelly's record beats that of M. Prinzstein, I. A. C., former champion, by 1 foot 7 inches.

Ninth event—Throwing discus, free style, won by Martin J. Sheridan, I. A. C., distance 128 feet 7 1/2 inches; second A. K. Dearborn, N. Y. A. C., 121 feet 10 inches; third Leo Talbot, I. A. C., 121 feet.

Tenth event—Five-mile run won by J. J. Daley, I. A. C., time 26 minutes 4 seconds; George Bonhag, I. A. C., second; Thomas Collins, I. A. C., third, Daley beats the record by 15-25 seconds.

Eleventh event, pole vault—E. T. Cooke, I. A. C., won the jump-off and C. A. Allen, I. A. C., tied at 12 feet 3 inches. E. C. Glover, Chicago A. C., 12 feet, third.

Twelfth event, 220-yard hurdles—Won by John J. Eller, Jr., I. A. C., time 25 1/5 seconds; A. E. Shaw, Chicago A. C., second; W. S. Lee, N. Y. A. C., third. Eller's record in this event ties that of former champion H. L. Hill, I. A. C., time 25 1/5 seconds.

Thirteenth event, 220-yard run—Won by H. J. Huff, Chicago A. C., time 2:15 1-5 seconds; P. C. Gerhardt, Olympic Club of California, second; C. J. Selts, N. Y. A. C., third. Huff's time beats by

1-5 second that of former champion H. L. Young. Fourteenth event, throwing 56-pound weight—Won by John J. Flanagan, I. A. C., distance 38 feet 8 inches; P. M. McDonald, I. A. C., second, 35 feet 3 inches; James R. Mitchell, N. Y. A. C., third, 31 feet 11 inches. Flanagan beats by 1 1/2 inches the former world record held by himself.

DISAPPOINT ADMIRERS KELLY'S

Victory in Broad Jump Is a Consolation to His Followers. Although Dan Kelly did not even gain favorable mention in the sprints at Jamestown yesterday, the Oregon lad, however, captured the running broad jump by a leap of 23 feet 11 inches, which is a phenomenal mark in spite of the fact that it does not approach the record of Meyer Prinzstein made in 1901. His defeat in the sprints was a great disappointment to his local followers.

Forrest Smithson, the crack athlete sent East by the Multnomah Club, was also unplaced in the short sprints, but succeeded in winning glory for his club



Dan J. Kelly, University of Oregon, who broke world's record for Broad Jump at Jamestown Meet.

by capturing the high hurdles from the Eastern stars against whom he competed. Two events out of the several in which the two Oregon men were entered is not so bad, and the state can proudly boast her athletes in spite of the disappointment following Kelly's failure to score in the two most important events of the meet, the 100-yard and 220-yard dashes.

The showing of Parsons, of California, was also disappointing, but the work of Glarner, Gerhardt and Ralph Rose brought the Olympic Club among the list of athletes figuring well in the number of points scored.

Kelly's inability to maintain his standing in the short sprints shows the folly of an Oregon or Pacific Coast champion going clear across the continent to contest for the championship against the residents of that section. Kelly should have demanded that the Easterners come to Oregon and there strive to defeat him. He had and still holds the world's record for the 100-yard dash. In talking of Jamestown games over with a bunch of Oregonians, Kelly said that he would confine himself to the jumps entirely he would surpass Prinzstein or Kraenzlein easily.

RACE RIOT IN VANCOUVER

TWO THOUSAND CHINESE ARE DRIVEN FROM HOMES.

Governor Dunsmuir Burned in Effigy by Laboring Men at Close of the Parade.

BELLINGHAM, Wash., Sept. 7.—A Vancouver, B. C. special to the American Reviewer says: A riot occurred here tonight in which 2000 Chinamen were driven from their homes, \$15,000 worth of property destroyed and Lieutenant-Governor Dunsmuir of British Columbia burned in effigy by 10,000 laboring men at the close of a parade and anti-Oriental demonstration. The police were unable to quell the riot or make any arrests until a late hour, when it finally got control of the situation and prevented a raid on the Japanese quarter.

Only 50 Forty-miners Live.

CHICAGO, Sept. 7.—Of the thousands of men who half a century ago crossed the plains in search of gold, only 20 remain, according to a report received at the 17th annual meeting of the Western Association of California Pioneers, held here today. Only 12 former goldhunters were present today. They spent the time recalling their adventures.

LEAVE HUSBAND TO GAIN WEALTH

Painful Choice Forced by Dying Father.

ACCEPTED FOR SAKE OF SONS

Beautiful Mrs. Batanyi's Act of Renunciation.

GAINS MILLIONS THEREBY

Still Loving Professional Whip, for Whom She Was Cast Out of Society. She Leaves Him to Escape Poverty.

NEWPORT, R. I., Sept. 7.—(Special.)—It has been learned that Mrs. Aurel Batanyi has parted from her husband, the former professional whip, Mrs. Batanyi, who was once Mrs. Burke-Roche, wife of the son of an Irish peer and before that Miss Frances Work, acknowledged in her girlhood to be the most beautiful debutante of New York society, is a physical wreck. Suffering and worry have left hardly a trace of her former beauty.

Tomorrow night she will go to New York to meet her aged father, Frank Work, the multi-millionaire. It is the father who has brought about the separation of the Batanyis. Although deeply in love with her husband, she has consented to make a living sacrifice of herself for the sake of her two sons, Maurice and Francis.

Renounce Love for Riches.

At Frank Work's Madison-avenue home on Monday lawyers representing the aged millionaire will draw up a pledge, which Mrs. Batanyi will sign, and in which she solemnly promises never again to live with the horseman whose name she took two years ago. She had been warned weeks ago what the penalty of her refusal would be—disinheritance for her and her two sons under the terms of Frank Work's will. Thus does the old invalid, now stretched upon his dying bed, force a daughter's obedience to his desire by the threat of beggaring her children.

Driven From Home and Society.

Ever since the announcement a year ago of her secret marriage to Batanyi, the palm manager of her father's estate, the woman has had a sorrowful time of it. Newport society for the most part refused to receive her husband and the woman who had once reigned without a rival over the smartest set in America found herself powerless to take Batanyi into the more exclusive homes.

But what gave her greater concern was the attitude of her father. From the time he first learned of her marriage to Batanyi, Frank Work refused to see her. Her own daughter, formerly Miss Cynthia Burke-Roche, sided with the grandfather against the mother. So did Mrs. Batanyi's only sister, Mrs. Peter Cooper-Hewitt, of New York. But her two sons, Maurice and Francis, stood steadfastly by their mother. This brought the young men within the ban of their determined old grandfather's displeasure.

MINE FIRE KILLS 27 MEN

Second Disaster at Esperanza, Mexico, Spreads Terror Among Men.

SAN ANTONIO, Texas, Sept. 7.—A special to the Express from Monterey, Mexico, says: News reached this city from Musquiz, Coahuila, today that another terrible mine fire occurred at Esperanza mines in which 27 men were killed. The fire originated in No. 1 and is supposed to have been caused by fireproofing.

A large force of medical men is at work doing all in their power to alleviate the sufferings of the wounded, while every effort is being made to get the bodies of the dead out of the mines. Consternation reigns among the miners on account of the number of mine fires that have occurred there of late.

HARRY MURPHY'S LITTLE CARTOONS ON SALIENT HAPPENINGS OF THE WEEK



William is Somehow of a Postponer Himself. Same Old Jack-in-the-Box. About Time to Give Us Pure Milk. Roosevelt Gives Up Joint Stockhold for Arizona and New Mexico. Is This Why There is Nothing Doing in Land-Fraud Trials? And Still They Come. British Lion—Yes, I Know You're My Friend, but Have the Kindness to Get Off My Tail!