

GOOD EVENING. THE WEATHER: Tonight and Sunday, fair; possibly light frost tonight; warmer Sunday; northwesterly winds.

Oregon Journal

THE CIRCULATION OF THE JOURNAL YESTERDAY WAS 14,800

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FENG HUANG CHENG IS TAKEN BY JAPANESE

Heavy Losses Reported on Both Sides—Battle One of Fierceness—Russians Fall Back on Mountains—Still Another Fight Reported.

JAPS CAPTURE MANY

Russian Rear Guard Stands Until Surrounded at Hemmetango—Port Arthur Cut Off by Land and Sea is Still Defiant.

(Journal Special Service.) London, May 7.—Dispatches received here today from a reliable source in Antung, through Seoul, state that Feng Huang Cheng was captured May 4 after a terrific battle in which both sides lost heavily.

The Japanese, leaving but a small portion of their men to care for the immense number of wounded and dead left on the previous battlefield, concentrated their troops and almost before the Russians realized the situation, threw themselves forward en masse.

While the report gives but few details, it is stated that the battle lasted several hours, the Russians with their smaller force being fairly compelled to fight to the death. Whole detachments were annihilated, but would not yield.

The Russians withdrew towards the rugged passes of the mountains, where they were again forming for defense, which will be the most effective yet made, as they will have greatly the advantage of position. In this pass for days mountain batteries have been placed, and should the Japanese attempt to storm their way into the pass the loss of life will be by far the greatest of the present war.

Russians Admit Defeat. A St. Petersburg dispatch received here this afternoon states that an official dispatch has been received reporting the defeat at Feng Huang Cheng and admitting that the Japanese are now occupying the city and surrounding territory.

A dispatch received here from Wlji this afternoon states that another Russian repulse has taken place in Manchuria and that a thousand Russians of the rear guard made a heroic stand at Hemmetango on the Liao Yang road.

Japanese Capture Guard. The dispatch states that the Russian rear guard fought foot by foot on the Liao Yang road, being charged upon time and again by the Japanese, but stubbornly resisting.

At Hemmetango a final stand was made in square formation against the base of a hill. The Japanese were here reinforced and made a terrific dash upon the guard. The Russians seeing that further attempt to escape with the guns was impossible, spiked their guns and retreated in disorder.

A portion of the guard, including the artillery, fought until their comrades had escaped and they themselves were surrounded when they surrendered.

The Japanese captured 435 men in the last stand as well as taking in many stragglers in the line of march. The winter's ammunition and a quantity of equipment was also taken.

PORT ARTHUR ISOLATED. Togo Declares Small Boats Only Can Pass Channel. (Journal Special Service.)

London, May 7.—Port Arthur, which has furnished nearly all the dramatic features of the war in the far east, is to become the storm center of valor for both forces which are now grappled in a final conflict for control, and perhaps actual survival, of the island.

While not emphatically denying the seriousness of his predicament, the Russian viceroy studiously endeavors to throw out the impression that the harbor at Port Arthur is still unsealed, and that he is likely at any time to emerge with his torpedo boats and attack transports. St. Petersburg dispatches are so anxious to throw out this news that their shallowness is becoming apparent.

Port Unavoidably Sealed. Port Arthur's harbor is undoubtedly sealed. Everything points to this. The Japanese would scarcely have made the bold transport dash had it been otherwise and besides this, there is other confirmation.

A dispatch received here from Chefoo today says that Chinese coasting vessels report a succession of tremendous explosions at the entrance to Port Arthur harbor and that it is evident that the Russians are trying to clear the channel of obstructions and mines placed there by the Japanese squadrons.

The dispatch adds that the cruisers of Togo's fleet are lying off the entrance to prevent the possibility of the channel being cleared and a dash made by Russian torpedo boats against the



The upper picture shows soldiers under the engineer corps of the Japanese army building pontoons for use on the Yalu. Middle is map showing the field of operations during the five days' fighting between the advancing Japanese forces and the Russians. Lower shows General Fuyzevsk, the commander of the Russian troops in the Yalu river district, where the Japanese have scored a brilliant victory.



PROPERTY SUFFERED

Many Fatalities Reported; Big Damage to Cotton and Corn Crops.

(Journal Special Service.) St. Louis, Mo., May 7.—Advices from Northwestern Texas state that owing to the crippled condition of the wire service, complete information as to the damage done by the tornado which passed over that section of the state cannot be had.

From reports thus far received it is thought that at least a score of lives were lost and hundreds of livestock killed in Shackelford and adjoining counties. The damage to crops is also large. Railway property has also suffered extensively in the area traversed by the storm.

From Houston, Texas, comes the report that at Sunset nearly 20 buildings were wrecked, and while no one is reported as fatally injured at that place, it is known that there were many fatalities in different sections of the state due to the severe storm. Cotton and corn crops suffered heavily and the money damage will run into the hundreds of thousands of dollars.

SITUATION IS IMPROVING. Water Famine Has Been Averted and Fleeing Families Return. (Journal Special Service.)

Kansas City, Mo., May 7.—Although rain continues to fall the food situation is improving and no further damage is expected.

Several hundred families at Rosedale who had been forced to flee from their homes by the rising water were able to return to their dwellings today on account of the waters receding.

BRITISH ROUT FOE IN TIBET

Two Hundred and Fifty Natives Killed in Attempting to Prevent Progress of Troops at Cyang Tse Pass—Curzon's Report.

(Journal Special Service.) London, May 7.—The official report of Viceroy Curzon was received today. He details the march up to the time of the battle and includes in his statement the official reports of officers who participated in that engagement.

The report says that when the expedition started Cyangtse it was met in force by the enemy, who had taken stations at the foot of a broad pass. The British started toward the pass, when the enemy charged upon them and battle was waged.

After scattering the enemy the British found 250 dead and wounded. The British lost only two wounded, although the battle was fought for nearly two hours. In that time the tribesmen charged repeatedly in the face of the British fire, but were unable to do any execution as their weapons were either antiquated or badly aimed.

The report calls attention to the fact that many modern rifles were found upon the field, some of which were evidently of Russian make, although bearing no manufacturer's stamp.

In dealing with the latter feature Curzon makes no comment, but leaves it practically understood that the weapons must have been furnished either through the Russian government or through some Russian agent, possibly acting in an independent capacity.

According to the report, the expedition is still forging ahead to the sacred city and is meeting with no effective resistance. It is given as a possibility, however, that the Tibetans will make a desperate stand before the capital is invaded.

It is doubtful if the expedition would have met such hearty approval here in London did not the statement regarding the arms found bear out the ministry's contention that the invasion was a political necessity rather than a commercial one.

Without exception the belief prevails among the masses of the people that Russia has had a hand in Tibet and that nothing other than prompt action can avert a serious uprising which would actually threaten the British Indian possessions.

Accompanying Curzon's official report, it is said are private messages giving his views as an individual rather than as a high official, in which he goes out of his way to urge the most drastic and emphatic action for the complete subjugation of Tibet. It is probable that the action would take the form of empire only and shutting out forever, as far as possible, all foreign interference in the domain.

The war department professes to believe that the expedition will be sufficient in size to enforce its demands and that no trouble will be had in penetrating the forbidden city, Lhasa, itself. The Dalai-lama will undoubtedly urge his followers to prevent this, even at the cost of their lives, but the war department trusts to the superior arms and fighting qualities of the British to carry the invasion through.

JOHN MITCHELL ON ARBITRATION. (Journal Special Service.) New York, May 7.—John Mitchell, president of the United Mine workers of America, addressed the executive committee of the National Civic federation today on the joint trade agreement in the bituminous coal fields. He said that he thoroughly believed in the strike and the lockout whenever all other means failed. "Arbitration," said he, "is useful in preventing strikes, but fundamental questions cannot be arbitrated."

TEXAN KILLS TWO IN A FAMILY FEUD. (Journal Special Service.) Luling, Tex., May 7.—L. M. Nixon, a member of the state executive committee and a wealthy planter, this morning shot and killed R. W. Malone and Colonel Veasey, both prominent citizens.



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WILLIAMS HAS HOPE

Democratic Leader Sees Chance for Great Landslide.

(Washington Bureau of The Journal.) Washington, D. C., May 7.—Representative John Sharp Williams of Mississippi, the Democratic leader of the house who is advocating the nomination of Judge Alton B. Parker as the Democratic nominee for the presidency, says that he believes if the Democracy can win at all it can win with Parker. He adds: "I believe that with a good, brave fight with a sound and unqualified platform asserting Democratic policies in connection with real and living issues, the Democracy stands a better chance of winning than it has stood since Cleveland was elected in 1892. It ought to win, and it will win because Democrats are now together."

"We may not be united upon everything that has occurred or every political issue, but about the things that are now issues, having become such by application of fundamental Democratic doctrine to present actions and conditions."

Republicans Evasive. "I believe we can win for another reason. The Republican party has hitherto been frequently mistaken, but nearly always bold and brave. Now it has become a party of passivity, of postponement of evasion, negation; in a word, 'stand-pastry.'"

"The Democratic general orders are, 'close ranks, eyes front, forward march.' The Republican general orders are, 'avoid anything present, remain concealed from the enemy's fire.' That is its attitude."

"The live issues in my opinion, consist of legislation which the Democrats in the house of representatives have attempted to have the Republicans enact into law. This legislation we have outlined in bills and resolutions we offered for consideration."

Chief Live Issues. "Without going into details, I believe the chief live issues will be the same and businesslike revision and reduction of the tariff; the enforcement of the laws upon the statute books affecting the trusts and interstate commerce; reciprocity in trade relations, especially with Canada; a reduction of governmental expenditures, especially those of a warlike and jingoistic character; the unveiling and punishment of corruption in departments; the cessation of executive usurpation of legislative functions; whether by president, officers of the cabinet or heads of bureaus or divisions; an unflinching opposition to British colonialism, whether exercised by Great Britain in the eighteenth century or by the United States in the Philippines islands in the twentieth century; in a word such a course in connection with all matters which are actually issues as to approximate as nearly as possible all attempted legislation and the Democratic ideal of equality of opportunities and equalities of burdens in the relationship of the individual to the government."

FEARED SEALING SCHOONERS LOST. (Special Dispatch to The Journal.) Victoria, B. C., May 7.—It is feared that the sealing schooner Umbra is lost. The schooner Jessie, just returned, saw the Umbra before the storm of March 19. She had lost three canoes and sustained other damage, and intended coming to the coast to land one of the mates who was sick. She has not done so and it is feared she may be lost.

No word has been received from the schooner Triumph yet and fears are entertained by friends of the crew that she may be lost also. The schooner should have called for supplies about a month ago. The sealing company persists there is no cause for alarm respecting the Triumph, which has probably gone to the Copper Island coast.

The two schooners carry combined crews of about 40 men.

BEGIN BUREAU SERVICE. (Washington Bureau of The Journal.) Washington, D. C., May 7.—Rural route number one has been ordered established June 1 out of Elgin, Union county, with one carrier.

ANARCHISTS WRECK JESUIT COLLEGE. (Journal Special Service.) Barcelona, May 7.—A dynamite bomb was exploded on the roof of the Jesuit college today. The explosion blew in the roof, but no one was injured.

It is thought the perpetrators of the outrage are friends of the anarchist who recently attempted to assassinate Premier Maura, and the motive one of revenge on account of the college fathers having sheltered Premier Maura at that time.

WALDECK-ROUSSEAU IMPROVES. (Journal Special Service.) Paris, May 7.—Former Premier Waldeck-Rousseau is improving and it is now believed will recover. The shock of the recent trying operation seems to have left him.

PERUVIAN PRESIDENT DEAD. (Journal Special Service.) Washington, May 7.—The state department has been advised of the death of Abel Candamo, the president of Peru.

HAVE NOT ORDERS YET "NO FRAUD INTENDED"

Ten Legislative Candidates Hide Intentions as to Charter. Court Deciding Tax Sale Case Vindicates the Defendants.

REPRESENT A MACHINE MULTNOMAH IS VICTOR

All Republican Nominees Chosen by Courtney's Committee—Their Colleagues Outspoken but Silence of These Easily Explained. No Money Judgment for It, However, Either Against the National Bank or W. F. White—Simply Nullifies a Transfer.

A. A. Courtney, Sigmund Eichel, George W. Holcomb, Jr., Thomas Crang, A. J. Capron, S. B. Linthorn, M. F. Henderson, W. R. Hudson, Madison Welch and E. E. Colwell are the ten legislative nominees who refuse to declare whether they are for or against allowing the gamblers to revise the city charter.

Their silence is a plain declaration that they regard the interests of the gamblers and of the Republican machine as superior to the interests of the people. On no other ground is their silence explainable, unless they regard it as an impertinence for the voters to ask the views of a candidate who is seeking election under a plain declaration that they regard the interests of the gamblers and of the Republican machine as superior to the interests of the people.

No money judgment was given against either the bank or White, and Judge Fraser took occasion to say that "while the acts of the defendants in procuring these certificates from the county were constructively fraudulent in law, there is no evidence of any actual fraud or of any intention on the part of either of the defendants to do anything unfair."

The suit was brought last year as one of the results of the investigation made by Expert George Black into county affairs. The facts upon which the suit was based are these:

Origin of the Suit. Ten years ago the First National bank became the owner of certain road warrants, amounting to a little over \$4,000. Through the bank purchased them for \$2,000, it subsequently proved that the warrants were tainted with fraud and valueless, so that the circuit court enjoined the bank from presenting them for payment and the county from paying them. They remained in the bank's vaults until June, 1901, when the bank presented a petition to the county court asking that it be allowed to exchange these warrants for an equal amount of tax sale certificates, owned by the county.

To support this request the bank set forth the fact that it had been an innocent purchaser of the worthless warrants, and further alleged that the tax certificates which it sought to get in exchange were of little or no value to the county.

This petition was granted and the bank thereupon filed with the county clerk a direction to deliver the tax sale certificates to W. F. White, "agent." For some unexplained reason the clerk gave White certificates to the amount of \$7,218, or nearly twice the face of the warrants. White then sold these tax sale certificates to the owners of the property described in them and the certificates were returned for cancellation to the county clerk's office.

The County Got Nothing. The county realized nothing at any stage of the transaction and all that it got for the certificates was the worthless road warrants. It further appeared on the trial that the agreement between the two defendants was that White should pay the bank \$1,000 and that this was all that the bank made out of the deal. White admitted on the witness stand that he realized from the sale of the tax sale certificates not less than \$4,300.

The county, in its bill of complaint, asked that it be granted either (1) a judgment against the defendants for the proceeds derived by them from the tax sale certificates; or (2) a judgment against the defendants for the face value of the tax certificates; or (3) a decree that the county is still the owner of the certificates and that its interest was not divested by the sales or transfers to or by the defendants. This third alternative is the relief granted by Judge Fraser's decree.

Many complicated legal points were raised during the trial of the case and these were reviewed at length in Judge Fraser's opinion. In conclusion he expressed the belief that as the action of the county board in granting the bank's petition and in turning over the tax sale certificates to White was illegal, the county could not be deprived thereby of its rights.

"It follows then," said the court, "that the county is in exactly the same position as it would have been if the transaction had not been announced."

QUEEN WILHELMINA IS SERIOUSLY ILL. (Journal Special Service.) The Hague, May 7.—Owing to the serious condition of Queen Wilhelmina's throat all her engagements have been canceled. Her majesty's illness is causing great worry to her physicians.

The announcement comes as a surprise as it had been believed by the people that she had entirely recovered from the affection which a year ago was threatening.

BIG MANILA FIRE FAILS. (Journal Special Service.) Manila, May 7.—The Pacific & Oriental Trading Co., one of the largest mercantile houses of Manila has suspended. Its liabilities and assets have not as yet been announced.

EXERCISE IN PLAY FOR BOYS

Dr. George L. Meylan, physical director of Columbia university, will tell in tomorrow's Journal how youngsters may become strong and hearty. This is the second paper in The Journal's course in physical culture and he is a sensible, straightforward exposition of the best methods of meeting the needs of the growing boy. Boys, you will want to read it to learn whether you can do anything that the doctor says you should be able to do. Fathers and mothers, if you find your boy laid up in the standard set by Dr. Meylan, it may set you to thinking about doing something to improve his physical condition.