LD INDICTMENT WILL BE USED

illiamson, Gesner and Biggs Again Accused of Conspiracy to Suborn Perjury.

ENEY WILL NOT RISK ANY FURTHER DELAY

rand Jury Nevertheless May Bring in a Fresh True Bill Against Them Alleging Conspiracy to Defraud the Government.

Contrary to the general expectation e third trial of Congressman William-n, Dr. Van Gesner and Marion R. iggs, which is to commence next Tues-y in the federal court, will be on the me indictment on which the two pre-ous trials are based. The charge in at indictment was conspiracy to born perjury, and at one time United ates District Attorney Heney was con-dering the advisability of securing a w indictment on the simpler charge conspiracy to defraud the government public lands. He said this morning: "The third trial will be on the original dictment. I do not want to run the k of further delays through pleas in atement or other dilatory tactics on e part of the defense."

Nevertheless it is thought that the and jury may return an indictment ainst the three defendants on the arge of conspiring to defraud the gov-nment. This supposition finds corrob-ation in the fact that the numerous itnesses who are here from Crook unty are now being examined by the and jury. Two of them, Lark Elliott d J. S. Watkins, were examined this orning. Watkins is one of the entry-en procured to file on timber claims the interest of Williamson and Ges-r.

The grand jury will adjourn this after-on until Tuesday morning. No in-ctments will be returned before that me.

UDGE SAYS LORD CANNOT SUE F. J. HENEY

ublic Officials Not to Be Proceeded Against Civilly for Official Acts.

Charles F. Lord's $50,000 damage suit ainst United States District Attorney rancis J. Heney has come to an abrupt nclusion. The demurrer filed in be-lf of Mr. Heney by Henry E. McGinn s sustained this morning by Judge aser, who ruled that a public official ald not be sued civilly for acts done pursuance of his duty. Lord's suit as based on the fact that the district torney caused him to be indicted for nspiracy to obstruct justice in con-ction with the land fraud prosecu-ons.

By Judge Frazer's decision Lord is rtually thrown out of court, for ough he was allowed five days in hich to amend his complaint, the judge marked that he could see no way in hich it could be so amended as to be proper pleading. The indictment ainst Lord is still pending in the deral court and will probably come up r trial after the land fraud cases are ncluded.

WO-MILLION MORTGAGE BY GRAND RONDE ROAD

(Special Dispatch to The Journal.)

La Grande, Or., Sept. 1.—A bond and ortgage in the sum of $2,000,000 to the merican Loan & Trust company has en filed in the office of the recorder the Central Railway of Oregon cov-ing the rights of way, roadbed, rolling ock and other property of the com-any. The Central railway is the name the corporation which proposes to onstruct an electric line through the rand Ronde valley connecting Hot ake, Union, Cove, Elgin and La Grande. he promoters state that everything is w in readiness to push the work for-ard to completion.

ERMANY IS THREATENED BY EPIDEMIC OF CHOLERA

(Journal Special Service.)

Berlin, Sept. 1.—The authorities fear epidemic of cholera. Twelve localit-s are now infected in the region be-een the Baltic and the river Warthe, d the plague's appearance in Hamburg ay mean a hard fight ahead to sup-ess it, as was the case in 1892 and 93, when 800,000 per sons died in Prus-. Numerous bacteriologists have en sent into the infected districts to sist in the quarantine. In all about cases have been reported.

OWN IN CAUCASUS IS BESIEGED BY TARTARS

(Journal Special Service.)

Tiflis, Sept. 1.—The town of Shusha the Asiatic Caucasus, with a popula-n of about 40,000, is besieged by Tar-s, who are massacreing the Arme-ns. The place was formerly a for-s and occupies a strong position, be-situated on the crest of an isolated

Summer Colds.

axative Bromo Quinine, the world-wide Cold Cure, removes the cause. Call for the name and look for the signature of E. W. ove. 25c.

odily pain loses its terror if you've bottle of Dr. Thomas' Eclectric Oil in house. Instant relief in cases of rns, cuts, sprains, accidents of any t.

GIRL'S SINGING SECURES HER HOME WITH MILLIONAIRE

Wealthy Man Captivated by Voice of Shop-Girl, Adopts and Will Educate Her.

(Journal Special Service.)

Denver, Colo., Sept. 1.—Mr. and Mrs. Frank Stone of Shawnee, Oklahoma, entered the department store of Lewis & Sons and went to the music department. Miss Carrie McManus, who had secured a place in the store at $8 a week, was singing and her voice attracted Mrs. Stone, who had her sing several songs. Then a proposal to adopt her was made on the spot.

The girl went to her home with the Stones, the consent of her mother was obtained, her father being dead. The adopted parents promised her five years in Europe with eminent teachers who will cultivate her voice. She went east with the Stones in their private car yesterday.

Stone is rated a millionaire, and is a realty dealer. Miss McManus is 17 years of age and is a blonde. She has been soloist of a sextette here for several years.

BAILIFF JAY UPTON

(Continued from Page One.)

Numerous other cases reveal looseness, at least, and seem to demand a thorough shaking up of the methods that have been followed in administering estates of incompetents and deceased.

Mr. Upton today returned from Astoria and made the following written statement:

"There has been no graft at all. Not a single penny of anybody's money has been wrongfully taken and not a cent of any one's money came to me. It was a very unfair and unjust attack, with only a grain of truth for its foundation out of which, from the eagerness of certain reporters, has been built a great story of a scandal.

"I have for three years been in the county judge's office where I have had the entire confidence of Mr. Webster and have had considerable responsibility and a great deal of authority. In the position I held many people came to me to ask for some attorney to take charge of matters for them. Some of them I referred to Mr. Riddell, some I have sent to Robert Galloway, some to John Logan and some to other attorneys who did not have a very extensive practice, but there was no grafting or division of fees either with him or with the others. The Telegram printed a list of all the cases he had in the probate court, claiming I had turned them all into him through the influence of my position. That is not so. It is unjust to me and unfair to him to claim the only business he had was what I gave him. Mr. Riddell worked at the courthouse for a couple of years himself where he became familiar with the various methods of the different departments and got the great part of that business without my having any knowledge or connection with it. Because my name appears as notary public on petitions and other papers, it is claimed we had an understanding to control such business. Every one, and there are a great many besides Mr. Riddell, knows that I have always been willing to and have affixed my seal as notary public to all sorts of legal documents, for different lawyers, never taking a cent for the same, and if all the papers and cases in which my name appears as a notary were listed, it would make a list big enough to take your breath away. That is my only connection with those cases.

"Any statement that Riddell and I are partners is a falsehood. One person claimed that I had admitted there was a partnership formed between Mr. Riddell and I to handle such business. That is not so.

"If Mr. Riddell got more cases from me than did some of the other lawyers, which I don't think is so, I might say he got what he got because he was a friend of mine, who needed the business, having just opened his office at that time for the practice of law. If that was wrong, well, I was and am willing to shoulder the responsibility.

"In regard to the Jansen case, I have nothing to do with it and the statement in Thursday's Journal is a lie. I wrote two letters to Herman Jansen, it is true, one at Mr. Riddell's dictation and one for the administrator. I have done the same thing for many other lawyers, when for some reason they could not get to their offices. To have done otherwise would have shown a lack of accommodation, of which people have never accused me. In regard to the telegram sent notifying Jansen of his brother's death, this was sent after the coroner had made an attempt to reach him unsuccessfully by telegraph, and it was only an act of Christian kindness, and in reference to the judge's signature I have been authorized to sign his name to all papers except, of course, orders of the court, and it was not necessary to bother him with such details.

In all these matters there was no prearrangement. I acted entirely on my own responsibility, as I thought at the time seemed best. I acted entirely in all these matters without any knowledge on the part of Judge Webster, but with the knowledge sometimes and once under the direction of Commissioner Lightner. There was nothing wrong with any of them. The record that has been made in the past three years in stopping grafting in estates and throwing out grafters should be sufficient to convince any one that no grafting has been tolerated.

"Regarding the assertion made in another paper that I furnished Mose Bloch with information of money due estates, money due from the original $7.50 which is deposited for each estate, in the probate court, and not all used for filing fees, the statement is false, as Bloch knows the records well and does not need any one to help him find anything he wants."

Corn Rates Too High.

Washington, Sept. 1.—The interstate commerce commission has decided that the present freight charges on corned products and corn from Missouri river points to the Pacific coast, in so far as the rate on corned products is more than 5 cents above the rate on corn, constitute a discrimination against corn products and the differential is declared too high.

Oregon Journal

Coupon—Free Hawaiian Trip

Honolulu, Hawaiian Islands

I vote for.....

This coupon must be voted on or before Sept. 8, 1905.

Reasonable Prices on the Fair Grounds

STILLWELL ON THE TRAIL

See Our Price List!

Roast Beef	$ .25	Milk, glass	.10
Small Sirloin	.25	Tea, pot	.10
Half Chicken	.45	Lemonade	.10
Sandwich, Ham	.10	Ice Tea	.10
Sandwich, cheese	.10	Beer—	
Sandwich, Egg	.10	Hop Gold, glass	.05
Sandwich, chicken	.20	Hop Gold, stein	.10
Sandwich, fish	.20	Hop Gold, pint	.15
Two Fried Eggs	.15	Hop Gold, quart	.25
Bacon and Eggs	.25	Blue Ribbon, pt.	.30
Ham and Eggs	.20	Blue Ribbon, qt.	.60
Cold Ham	.20	Mixed Drinks	.25
Potatoes	.10	High Ball	.20
Baked Beans	.15	Cocktail	.20
Bread and Butter	.10	Straight Whiskey	.15
Crackers	.05	White Rock	.25
Chicken Broth	.15	Soda Water	.10
Vegetable Soup	.10	Apollinaris	.25
Green Peas	.15	Wine, Claret, glass	.15
Sugar Corn	.15	Wine, Claret, pint	.25
Dill Pickles	.10	Wine, Port, glass	.15
Olives	.15	Wine, Sauterne, qt	1.50
Pie, per cut	.10	Wine, Sauterne, pt	.75
Ice Cream	.10	Porter, nips	.25
Sliced Tomatoes	.10	Porter, glass	.15
Sliced Cucumbers	.10	Ale, nips	.25
Sliced Watermelon	.10	Mumm, pint	2.50
Canteloupe, order	.15	Mumm, quart	5.00
Coffee, cup	$ .05	Grape Juice, glass	.10

Hot Cakes with maple syrup and butter.. .20

Don't carry lunches when you can come to our place and buy just what you want at the above prices. Remember the place: Last building on left side of Trail.

AERONAUT BLOWN TO PIECES 1,500 FEET IN AIR

John Baldwin Killed While Making an Ascension at Ohio Fair.

(Journal Special Service.)

Greenville, O., Sept. 1.—Professor John Baldwin, aeronaut, was blown to pieces by an explosion of dynamite while 1,500 feet in the air yesterday afternoon in sight of several thousand persons, among them being his wife and three children.

Baldwin has been giving daily exhibitions at the county fair, ascending several thousand feet and exploding dynamite at intervals. It is not known how the accident occurred, but it is probable that the six sticks of dynamite exploded simultaneously, as but one report was heard. It is supposed that in lighting the fuse connected with the dynamite the gas in the balloon was fired, which immediately exploded, lighting the dynamite and causing it to go off also. Spectators only saw a cloud of smoke, as the airship vanished.

A half mile away pieces of wreckage and fragments of Baldwin's body were found. Baldwin was 37 years old and for 20 years has been giving exhibition ascensions.

NEW RATES PROTESTED BY KNIGHTS OF HONOR

(Journal Special Service.)

Chicago, Ill., Sept. 1.—There is considerable dissatisfaction among the older members of the Knights of Honor, a fraternal organization with a large membership scattered throughout the United States, over the increase in the rates, which goes into effect today. According to statements made by local members, thousands of the older members seriously consider the advisability of severing their connection with the organization. The change, which was decided upon some time ago by the officers of the supreme lodge, differs essentially from the change which caused so much dissatisfaction in the ranks of the Royal Arcanum. It affects only members between 60 and 70 years of age. Formerly all members of 70 were assessed $8 per month, while under the new arrangement members of 70 will be assessed $15 a month on $2,000 insurance; those of 69 years, $14; those of 68 years, $12.50, and so on down the scale.

Officials of the order state that the increase in the rates became necessary owing to the fact that during the last five years $1,915,471.10 more was paid out in death benefits to families of members between the ages of 60 and 70 than was received from the membership at that age.

FUNERAL OF HOTCHKISS IS HELD AT EUGENE

(Special Dispatch to The Journal.)

Eugene, Or., Sept. 1.—The body of Merritt E. Hotchkiss, who died at Hillsboro Wednesday, arrived in Eugene today for burial by the local Masonic order. Mr. Hotchkiss was a former resident of Eugene, having come here in 1897. He left five years afterward and took up his residence at Hillsboro. Mr. Hotchkiss leaves a widow and two children, Merrit E. and Flora. He was born in Oswego county, New York, August 9, 1842, and served as a volunteer throughout the civil war.

PIONEER RESIDENT OF SALEM EXPIRES

(Special Dispatch to The Journal.)

Salem, Or., Sept. 1.—Mrs. Christine Cordes Frickey, a resident of Salem for 33 years, died at her home in this city August 31, after a lingering illness. She was born in the province of Hanover, Germany, December 24, 1826. She is survived by a husband and six children, William, of Fossil; Mrs. Christian Greisler, Weston; Chris, Plateau, California; Mrs. Mary Casebere, Mrs. Emily Jory and Miss Minnie Frickey, Salem.

GOVERNMENT WILL KEEP TYPESETTING MACHINES

(Journal Special Service.)

Oyster Bay, Sept. 1.—The president will not make public the findings of the Keep commission on its recent investigation of the government printing office until he returns to Washington. The contract made by General Palmer, public printer, for the purchase of 72 Lanston typesetting machines will be allowed to stand, thus blocking the stockjobbers' game, who are using the report of the Keep commission to influence the market.

ALBERTA CELEBRATING PROVINCIAL AUTONOMY

(Journal Special Service.)

Edmonton, Alberta, Sept. 1. — The granting of provincial autonomy to Alberta is celebrated here today on a large scale and intense enthusiasm prevails among all classes of the population. The governor-general, accompanied by Lady Grey and a large and brilliant party of staff officers and government officials, arrived here last night and were present today at the civil and military celebration. Two hundred men of the mounted police and four field pieces formed the escort. From here the governor-general and his party will go to Regina, where the autonomy celebration of the new province of Saskatchewan will be celebrated on the fourth of this month. After the celebration they will continue their tour. The governor-general will take a hunting and sightseeing trip through Manitoba and the territories and Lady Grey and the other lady members of the party will enjoy a holiday under canvas at Qu'Appelle lake, where Lady Minto used to camp.

Ezra Kendall Tonight.

The attraction at the Marquam Grand theatre, on Morrison, between Sixth and Seventh streets, tonight will be Ezra Kendall and his excellent company in Sidney Rosenfeld's comedy-drama, "The Barnstormer," which had its initial performance last night and made a decided hit. A special price matinee will be given tomorrow at 2:15 o'clock; the last performance will be given tomorrow night.

What about that trip to Honolulu? The Steamship Alameda sails from San Francisco September 9, and round-trip reduced rate is $125. See about it at 653 Market street, San Francisco.

Strangers In the City Are Welcome To Our Store. Make It Your Headquarters While In Portland.

FREE TELEPHONE

The Greatest Clothing House In the Northwest.

SOUTHWEST CORNER FOURTH AND MORRISON STREETS

Boys' and Children's Suits $5 to $12.50 Youths' College Suits $10 to $20

CLOTHING OF SOUND VALUE

Have you seen our showing of Boys' and Youths' Clothing for Fall and Winter? You should do so. It will reveal something novel in the way of unique styles and pretty colorings.

"BUSTER BROWN" (TRADE MARK REGISTERED) The real, original, exclusive Buster Brown, in the greatest assortment of styles, every suit bearing the genuine Buster Brown label which is the guarantee. Look for it, as all others are imitations.

NORFOLKS In new ideas for the new season, with regular and knickerbocker trousers. New effects in double-breasted Suits, with belt. Junior styles buttoning to neck, finished with reef collar, Eton style. The older sizes finished with coat lapel and collar.

COLLEGE SUITS Designed for young men who delight in clothing of precise fashion. It gives them an air of smartness sadly lacking in the ordinary youths' clothing. Long cut, single and double breasted, with 10-inch vents. They come in blues, browns and green fancy mixtures.

A. B. Steinbach & Co.

See Our Misses' Tailor Made Suits and Coats

A SPECIAL FOR WOMEN

EARLY FALL SHOES

We show a large variety

HAND-TURNED vici kid, patent tip, military heel, lace shoes for women—$3.50 value—Special tomorrow $2.85

(Tan Oxfords—this season's popular shades and shapes—at very low prices)

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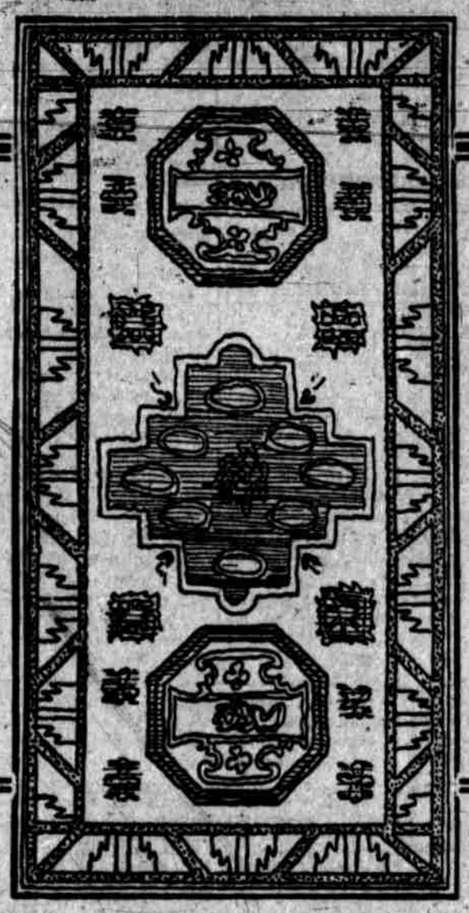
SPECIAL TOMORROW

On Sale 6 p. m. to 9 p. m.

95c

REGULAR VALUE $1.50



SPECIAL TOMORROW

On Sale 6 p. m. to 9 p. m.

95c

$1.50 REGULAR VALUE

SMART SMYRNA RUGS

Brighten your home at a minimum of expense. Tomorrow evening you can have a pretty Smyrna Rug that ordinarily sells for $1.50 at almost half price. The reversible kind that wears for years. Bright, cheerful colorings worked into oriental and conventional designs that are appropriate for any room. Got any "bare spots"? Now's your chance.

Only One to a Customer—No Mail or Telephone Orders

FIRST AND TAYLOR STS.

POWERS THE STORE THAT SAVES YOU MONEY

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