

NO HOUSES ON CLAIMS WON BY FRAUD. SURVEYOR TELLS OF VISIT A. W. BARBER PROVES THAT AFFIDAVITS ARE FALSE. DEFENSE MAKES OBJECTIONS

Contention That Testimony Does Not Connect Defendants With Crimes Charged is Overruled—Proof May Show Conspiracy.

This is the first time that the examining jury has heard testimony from the defendants. Judge Barber asked Mr. Henny to read the testimony in the case of Miss Emma L. Porter, made on filing upon the northeast corner of section 22 on the land in question.

No House on Porter Claim. "I did not find an open piece of ground big enough to hold a house," responded the witness when asked by the prosecution.

Paints a Primeval Forest. It was all so quietly and so evenly done that hardly a ripple occurred in all the session. The lawyers, the court, the defendants and the spectators listened to the story of the old surveyor, and as he progressed could hear the murmuring of the primeval pines and fir clustered around the base of Mount Jefferson, could feel the cold of the June snow that hid from sight any chance signs of humankind, and could look through the virgin forest to where the Spring stars smiled down upon the mountainside.

Directed to Visit Lands. Mr. Barber testified that he had been furnished with written instructions by the department directing him to make an investigation of the lands filed upon by George W. H. Barr, George A. Barr, George L. Pettit, George A. Graham, Nellie Backus, Zena Watson, Frank I. Wolgamot, Thomas B. Hilly, George S. Langham, Albert O. Austin, Mattie S. Lowell, Alexander R. Brown, John F. Foster, William McLaughlin and James A. Taylor.

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Do you think that the snow would have hid the barn, Judge O'Day? queried the court. Snow Might Have Hid Barn. "It might have done so if the barn had been built in a ravine," argued the lawyer readily. "I will overrule the objection," said the court, turning again to the witness. "If it please the court," said Mr. Henny, "we would like at this time to introduce pictures taken on this claim by Mr. Barber. It shows the corner of the claim."

When you examined the Porter claim, asked Mr. Henny of the witness, "did you find a house?" "No house on Porter Claim. "I did not find an open piece of ground big enough to hold a house," responded the witness when asked by the prosecution.

Wolgamot Claim Unimproved. "No," answered Mr. Barber, "there was no house, or barn or building of any kind. No trees had been cut on the claim. There was no road and no signs that the land had ever been cultivated at all."

MONTH HAS BEEN WARM ONE Average Mean Temperature Five Degrees Higher Than Normal. The present month of November has been one of the warmest on record, and thus far the average mean temperature has been five degrees higher than the normal for 33 years.

Table with columns: Day, Min., Max., Mean, Normal. Shows temperature data for the month of November.

Table with columns: Station, Wind, Clouds, State. Shows weather conditions for various stations in the Pacific Coast.

SHINGLE MARKET IN BAD WAY. BELLINGHAM, Wash., Nov. 24.—(Special)—The shingle market in the northwestern part of the State of Washington is in a deplorable state. The lumber situation is little better.

Art Squares. We are showing this Fall a very complete line of all-wool ART SQUARES in extra super quality. These rugs, which come in all sizes and colorings, are durable, artistic and cheap. We sell them for 90c a square yd.

EXCLUSIVE CARPET HOUSE J. G. MACK & CO. 86-88 THIRD STREET. Imperial Hotel Co. 1000 ONE MILLION DOLLARS.

NEWSBOYS HAVE DINNER. YOUNGSTERS CAUSE VIANDTS TO DISAPPEAR. Ninety-One Line Up at Tables and Make Away With Turkey and Other Edibles.

WOODMEN OF THE WORLD. LINCOLN-GARFIELD POST NO. 2, G. A. R.—Members and old soldiers are requested to attend the regular meeting of the Post on Friday evening, Nov. 25, at 8 o'clock.

DIED. HAWLEY—In this city, Nov. 24, 1904, Mrs. Jeanette Hawley, widow of G. W. Hawley, aged 85 years, 11 months, 5 days, at 833 Adams ave., and daughter of Mr. and Mrs. C. A. Fraser. Funeral notice later.

FUNERAL NOTICES. TWYFHELL—At Roseburg, Or., Nov. 22, 1904, Marcella A. Twyfhell, aged 34 years. Friends and acquaintances are respectfully invited to attend the funeral service, which will be held at the Cathedral, cor. 15th and Davis sts., at 8 A. M. today.

WEATHER CONDITIONS. During the last 12 hours light rain has fallen in the Willamette Valley and the Puget Sound.

Marquam Grand Theater. W. T. Pangie, Mgr. Tonight at 8:15. Tomorrow Matinee and Night. "ARIZONA." American Oriental Dramas.

COLUMBIA THEATER. 14th and Washington. Phone 110. GEORGE L. BAKER, Manager. Three More Performances This Week, Matinee Saturday.

The Grand Theater. (Formerly Curdys). To see the best in the land. You must witness the grand, Polite Vaudeville. Unequaled Bill.

OREGONIAN COUPON No. 23—Coupon—No. 23 STAR THEATER Friday Matinee, Nov. 25, 1904.

BAKER THEATER. KEATING & FLOOD, Managers. Third and Yamhill. LARGEST CONTINUOUS VAUDEVILLE HOUSE IN THE WORLD.

THE ARCADE THEATER. The original family vaudeville house. HAVBY CHILDREN, THE EDWARDS, KATE COYLE, AMERICAN BAND, PEARL GREYSON, FELEDA, FIVE AN ALLEN.

LYRIC THEATER. (Corner Alder and Seventh.) HIGH-CLASS REFINED VAUDEVILLE. 1250 to 1295, 1230 to 1260, 2 to 30 P. M.

MUST SEEK ELSEWHERE ABSOLUTE SAFETY. THE OLDEST TRUST COMPANY IN OREGON. And is being rightly referred to. Parties engaged in hazardous speculation must seek accommodations elsewhere.

REAL ESTATE—CITY AND FARM. INVESTMENT BONDS. Warrants and stocks bought and sold. J. E. CRUTCHER & CO., Bankers and Commission.

CLASSIFIED AD. RATES. "Rooms," "Rooms and Board," "Housekeeping Rooms," "Stations Wanted," 15 words or less, 10 cents; 16 to 30 words, 20 cents; 31 to 25 words, 25 cents, etc.

WOODSTOCK. Is the place. Woodstock has pure air, pure water, fertile soil, orchards, churches, post-office, stores, excellent car service.

FOR SALE: Worthington Compound Duplex Pump, second hand, A1 condition. Size 10x18x14x10. Delivering 875 gallons per minute.

Mortgage Loans—City Property. At Lowest Current Rates. Apply FRANK E. HART, 103 Sherman Bldg.

FOR SALE—REAL ESTATE. GUARANTEED AS ADVERTISED—160 acres, with 10 acres under river, about 20 acres more that is almost cleared.

FOR SALE—REAL ESTATE. \$2000—CORNER LOT, MODERN 7-Room residence. In attic and basement.

FOR SALE—REAL ESTATE. \$2500—Quartermile on Portland Heights, 1 block from car-line; fine location; easy terms.

FOR SALE—REAL ESTATE. \$2000—CORNER LOT, MODERN 7-Room residence. In attic and basement. Address: 1100-1120 2nd St., near car line.

FOR SALE—FARMS. YAMHILL COUNTY'S BEST FARMS—1/2 acre, all in cultivation, high level bottom land.

FOR SALE—REAL ESTATE. WANTED—TO PURCHASE RESIDENCE within 5 blocks of city and Washington. \$2000.00. Cash.

FOR SALE—REAL ESTATE. SEVEN HOMESTEAD LOCATIONS THAT will estimate over 2,000,000 feet of yellow pine and fir on each, all in one body.

FOR SALE—REAL ESTATE. DOGS AT STUD, IMPORTED. (Snowflake) thoroughbred white Pomeranian. Phone 367.

FOR SALE—REAL ESTATE. RELIABLE PERSON EACH LOCALITY for business position. \$25 weekly and expenses; expense money advanced.

FOR SALE—REAL ESTATE. WANTED—YOUNG MAN TO JOIN PRIVATE class in mechanical drawing and engineering.

FOR SALE—REAL ESTATE. WANTED—EXPERIENCED WASHER. Competent in laundry; salary, \$12 references. American Laundry Co., Boise Idaho.

FOR SALE—REAL ESTATE. WANTED—ACTIVE SOLICITORS FOR BOMBING NEWS. Room 25, Ross Bldg., 107 1/2 4th st., cor. Morrison.