

IN HIS DEFENSE

Stoessel Replies to His Critics

HE TAKES ALL BLAME

Says Port Arthur Could Not Hold Out

LAST HOPE OF RELIEF GONE

Supply of Food and Munitions Almost Exhausted.

CARNAGE THE ALTERNATIVE

Stoessel Officers Unite in Denouncing Alexieff and Admiral Ukhtomsky, and Extolling Kondratenko as the Hero.

Copyright, 1905, by the New York Times. ADEN, Feb. 2.—The French steamship Australian arrived here at 8 o'clock this evening, carrying among her other passengers General Stoessel, seven Generals, two Admirals, 136 other officers and 148 artillery soldiers, formerly of the Port Arthur garrison.

Only for Four Days More.

They could not have held Port Arthur at the most for four days longer. The munition and food supplies had been almost completely exhausted. There remained only 800 loaded shells and 2,000,000 cartridges, which were powerless against the 11-inch guns which rained their fire upon the Russian front, 35 kilometers long.

Last Hope of Relief Fades.

The last news we received from the outside world was on September 30, when a telegram from General Kuropatkin said he would come to relieve us in three months. The three months having passed and no news of the fleet under Vice-Admiral Rojestvensky having been received, the situation became desperate.

Clear Conscience Above Fame.

"The case and my peers will judge whether I should have prolonged the siege or by a heroic but criminal act have blown up the fortress. I prefer a less great name in military annals to having 30,000 lives on my conscience."

anchoy. When they were asked if they would not return to their fatherland, they replied: "No," and added sadly that if General Kondratenko had been in command at Port Arthur, they would not have been here.

BOTH SIDES MAKING FORTS

Armies Labor Constantly in Villages, and Snipe at One Another.

HEADQUARTERS OF THE RUSSIAN ARMY, Hunan-shan, February 10.—At present the attention of the Japanese is mainly concentrated on the narrow line east and west of the railway, where also pass the two main roads to Mukden. The armies are closely in touch all along the line of Sandiapa, Paoheingtin, Chen-linpu, Lin-changting and Shakhe.

LAST HOPE OF RELIEF GONE

Notwithstanding the number of these quasi-fortresses, the Japanese are not slackening their energy in entrenching, but persist in the work in the day time, and at night the loud noise of the rumbling of cars gives evidence of their unending labors. The Russians are equally persistent, and, besides harassing the Japanese working parties with rifle and cannon fire, themselves are fortifying and re-fortifying.

FLEET STILL HUGS THE PORT

ROJESTVENSKY Quarrels With German Colliers, and His Men Are Mournful. PORT LUIS, Mauritius, Feb. 10.—Arrivals from Nosibet off the coast of Madagascar report that the Russian second Pacific squadron was still there on February 2. A dispute had arisen between Vice-Admiral Rojestvensky and the German companies which are coaling the fleet. The Admiral, who is highly supplied with coal, wishes the colliers to follow the fleet, but they refuse to do so on account of the too close proximity of the Japanese squadron.

Lieutenant Yokowo a Hero.

TOKYO, Feb. 11.—The publication of many before the fact that Lieutenant Yokowo, commander of the torpedo-boat destroyer Fujii, thrice during last July swam into Port Arthur harbor, towing fish torpedoes. Lieutenant Yokowo performed many other acts of bravery.

Railroad Shops Burned.

LORAIN, O., Feb. 10.—The Baltimore & Ohio Railroad shops were destroyed by fire tonight. Loss, \$305,000.

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TOBRING TROOPS Army Transport Coming to Portland. ANOTHER MAY FOLLOW Infantry and Cavalry From Philippines on Board. LEAVES MANILA MARCH 15 Quartermaster-General Arranges for Fourteenth Infantry and Twelfth Cavalry to Land Here—Nineteenth May Embark. WILL FIGHT HENRY L. WILSON Ankey, Foster and Piles All Oppose His Promotion. NEW OREGON RURAL CARRIERS. OREGONIAN NEWS BUREAU, Washington, D. C., Feb. 10.—Rural carriers appointed for Oregon routes: Baker City, route 1, Fred A. Caviness carrier, Charles Baird substitute, Eugene, route 2, James C. Woolley carrier, Henry H. Belle substitute; Milwaukie, route 3, Charles Ballard carrier, Leo Duffy substitute, Irene C. Brownson has been appointed postmaster at Warrenton, Lane County, Or., vice Clarence Thompson, resigned. Pullman Permitted to Resign. OREGONIAN NEWS BUREAU, Washington, Feb. 10.—John Pullman, of Walla Walla, Wash., has been permitted to resign from the Annapolis Naval Academy because of failure to pass the examination.

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LEAVES MANILA MARCH 15

Quartermaster-General Arranges for Fourteenth Infantry and Twelfth Cavalry to Land Here—Nineteenth May Embark.

OREGONIAN NEWS BUREAU, Washington, Feb. 10.—Quartermaster-General Humphrey today notified Senator Fulton that the transport Sheridan will sail from Manila for Portland on March 15, bringing the Fourteenth Infantry, which has been ordered to Vancouver Barracks. Orders have also been issued that the second squadron of the Twelfth Cavalry shall return on the same steamer and land at Portland.

General Humphrey has been investigating to see if it will be possible to send another transport to Portland to carry the Nineteenth Infantry, now at Vancouver, to Manila. He says that it will be impossible to have a regular transport make this trip and it will be necessary to send a special transport to Portland. If so, he will have to make a large shipment of lumber from Portland on the same steamer.

WILL ARBITRATE THE PRICE

Klamath Ditch Company Agrees on Board.

OREGONIAN NEWS BUREAU, Washington, Feb. 10.—Negotiations are well under way for the purchase of the property and vested rights of the Klamath Ditch Company, in Klamath County, Oregon. If satisfactory terms of sale are agreed upon and the Government buys out this company, as seems probable, the Reclamation Service will be ready to proceed with the construction of its proposed irrigation project, all other obstacles having been removed.

Pullman Permitted to Resign.

OREGONIAN NEWS BUREAU, Washington, Feb. 10.—John Pullman, of Walla Walla, Wash., has been permitted to resign from the Annapolis Naval Academy because of failure to pass the examination.

with officials of the Reclamation Service and has made what he deems a reasonable offer to sell out to the Government, on condition that the Government will give him exclusive right to navigate in its canals, and will pay him \$250,000 for the works he has already constructed and in compensation for losses he will sustain by being deprived of his vested rights. He originally demanded \$500,000.

The Reclamation Service insists that the property of the Klamath Canal Company and the work actually done is not worth more than \$50,000, but admits that the company is entitled to a margin on account of the losses it will sustain by stepping aside in the interest of the Government. These officials finally consented to pay Mr. Hawkins and his company \$150,000 if they will sell out. This is as close as they can get, but both parties have agreed to submit the matter to a board of arbitration, consisting of Senators Fulton and Bard and Representative Needham, and to abide by whatever terms the board may deem just and equitable. It being assured in advance that the price to be paid shall be between \$150,000 and \$250,000, with the further stipulation that the Klamath Canal Company shall have the exclusive navigation rights on the Government canal. It is believed that in a short time the board will agree upon the terms of sale, which both the Government and Hawkins are pledged to accept.

WILL FIGHT HENRY L. WILSON

Ankey, Foster and Piles All Oppose His Promotion.

OREGONIAN NEWS BUREAU, Washington, Feb. 10.—Notwithstanding that the President has announced his intention to appoint Henry L. Wilson, of Seattle, Minister to Brussels, Wilson appears to be some way from being confirmed. Senator Foster and Senator Ankey have both indicated their intention to defeat his nomination, if it is sent in before March 4, and from recent telegraphic advices from Seattle it is learned that Senator Piles expects to co-operate with Ankey after that date to prevent Wilson's confirmation.

Wilson is now Minister to Chile, and his record there is highly satisfactory to Secretary Hay and the President. His transfer to Brussels is in the nature of a deserved promotion, and is made without any political influence or significance. In view of this fact, the Washington Senators, if they oppose Wilson, will array themselves against the administration, and will in the end fail in their attempts.

New Oregon Rural Carriers.

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YIELDS NO POINT

House Caucus Decides on Statehood.

STANDS BY ITS BILL

Republicans Will Fight Amendments of Senate.

BRING OBJECTORS INTO LINE

Decision of Former Caucus Sustained, and All Members of Party Are Bound by It, Though Some Are Very Restive.

WASHINGTON, Feb. 10.—Statehood for Oklahoma and New Mexico will not be granted during this session of Congress, unless it be on the lines provided in the House statehood bill. This was decided today at a conference of Republican members of the House.

The following resolution setting forth this position was adopted, 112 to 33, after three hours of debate: Resolved, That it is the sense of this conference that the caucus decision of Republicans held April 15, touching the statehood of New Mexico and Arizona, as provided in the bill of the House, which has been amended in the Senate and is now pending in the House committee on territories, be insisted upon, and that no in-lane on such parliamentary proceedings as can be had by a majority of the House, or such a special order as can be ordered and adopted by a majority of the House, under which the aforesaid policy of the Republicans of the House will be worked out.

Cannon Carried His Point.

Speaker Cannon is the author of this resolution. When the conference convened three proposals were laid before it, none of which was adopted. The first was a resolution offered by Duzell, reciting the history of the statehood legislation in the House and reaffirming the caucus action taken at that time. Another was a resolution by Sibley of Pennsylvania, providing that the statehood bill be made the subject of conference between the two houses. The third was an amendment to the resolution offered by Tanney recommending that in such conference the House conferees be instructed to insist on the House provisions of the bill.

Elkins Tells Roosevelt It Can't Pass Rate Bill This Session.

WASHINGTON, Feb. 10.—(Special.)—Senator Elkins, chairman of the committee on interstate commerce, called upon President Roosevelt this afternoon and informed him that the Senate could not at this session of Congress give him the railroad legislation desired. He discussed the situation in all its phases and suggested to the President the possibility of his committee not making much greater headway than to continue its hearings and later report the resolution offered by Keam (N. J.) providing for a Congressional investigation of the subject during the recess.

The Each-Townsend rate bill, which passed the House yesterday, was received by the Senate before adjournment this evening, and immediately referred to Elkins' committee, which will hold a special meeting tomorrow for its consideration. It is understood that at today's meeting of the committee an informal poll disclosed ten members who proposed to act at this time to three in favor of it.

The President has not changed his belief that the Senate should pass the Each-Townsend bill at this session. LEAVES IT ALL TO PRESIDENT House Considers Panama Canal Bill and Passes Pension Bills.

WASHINGTON, Feb. 10.—After maintaining its record for the rapid disposal of private pension bills, 431 being passed in all hours and a half of the House today considered for a short time the bill providing a government for the Panama Canal Zone. An early adjournment was taken to enable the Republicans to confer on the statehood bill.

NEW TARIFF FOR PHILIPPINES

WASHINGTON, Feb. 10.—The House committee on ways and means today authorized a favorable report on the tariff bill for the Philippines. The bill is a complete revision of the duties collected by the Philippine government on imports from all countries. The schedule, as prepared by the Philippine Commission and revised by Secretary Taft were not amended in any material particular by the committee. An unsuccessful effort was made by Williams (Dem. Miss.) for the minority, to provide absolute free trade on those articles which the Philippines have heretofore purchased from the United States, and also to reduce the duty on rice.

House Committee Favorably Reports Secretary Taft's Bill.

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Proceedings of the Senate.

WASHINGTON, Feb. 10.—Before the routine proceedings of the Senate began today President pro tem. Frye announced his selection of Perkins to read to the Senate Washington's farewell address on February 22. He also announced the selection of Dewey and Culbertson as visitors to the Military Academy and of Dick and McCrary as visitors to the Naval Academy. The following bills were passed: Authorizing the Secretary of War to sell magazine files to rifle clubs upon requests of Governors of the various states. Permitting the Territory of Oklahoma to appropriate money to construct agricultural college buildings.

any motion to this end. Other speeches were made by Representatives Dalzell (Pa.), Hamilton (Mich.), chairman of the committee on territories, and Powers (Me.), Delegate McGuire, of Oklahoma, pleaded for action whereby at least Oklahoma and Indian Territory might be admitted.

Speaker Cannon occupied the floor at length on two different occasions. Other speakers were Representatives Hepburn, Tanney, Burkett, Needham, Brick and Gaines.

The debate was keyed to a high pitch at all times. The ground was taken by those who favored the House provisions or nothing that the Republicans of the body would be sacrificing their position taken heretofore to a few Republican Senators who had seen fit to unite with the minority of the Senate, if the bill as amended was accepted.

Bound by Previous Caucus.

A definition of what is regarded as the binding feature of a caucus was made by those Republican members who have indicated an intention to vote with the Democrats, should opportunity arise for the acceptance of the Senate bill. This definition was that unless a member gives notice in caucus that he will not be bound by the action taken, he must hold himself bound thereon. At the Republican caucus on April 15, when the House bill was agreed to as the measure to be supported, there was no member who indicated his unwillingness to be bound by the caucus. This binding feature of the caucus, it was declared, was in force throughout the Congress in which the caucus occurred, and the statement was made that no Republican member of the House can now feel himself free to support the Senate statehood proposition.

There is some talk among House members that the Senate might accept the House bill and negotiations with this end in view have been in progress. To make it impossible for the House committee to take any action until some understanding has been reached, the committee at its last meeting adjourned to meet at the call of the chairman, and no meeting will be held until a call shall have been issued.

SENATE TELLS ROOSEVELT IT CAN'T PASS

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FENCED IN LAND

Prominent Men Indicted for Conspiracy.

ACCUSED BY GRAND JURY

Charges Filed Against John Hall and Edwin Mays.

W. W. STEIWER ALSO NAMED

Binger Hermann, H. H. Hendricks and F. P. Mays Are Implicated—Henry Meldrum and Others Face New Indictment.

THOSE WHO WERE INDICTED.

- Winlock W. Steiwer, ex-State Senator, and president of the Butte Creek Land, Lumber & Livestock Company. Hamilton H. Hendricks, secretary and treasurer of the company. Clarence B. Zachary, Adolbert C. Zachary, Charles A. Watson and Clyde A. Glass, officers and employes of the Butte Creek Company. Binger Hermann, ex-Commissioner of the General Land Office, and now Representative in Congress. John H. Hall, ex-United States District Attorney. Edwin Mays, ex-Assistant United States Attorney under John H. Hall. Franklin P. Mays, State Senator from Multnomah County and attorney for the Butte Creek Company. Edward D. Stratford, an employe of the company. In the Meldrum Case. Henry Meldrum, ex-Surveyor-General. George E. Waggoner, ex-chief clerk in Meldrum's office. David W. Kinnaird, ex-examiner of surveys. Benjamin F. Minton and Gustave Knietsch, land surveyors. George Sorenson, Lavy Stipp and Frank H. Duncan, notaries public.

Two indictments were returned by the Federal grand jury yesterday afternoon, by one of which the long-drawn-out investigations into the dealings of the Butte Creek Land, Lumber & Livestock Company were brought to a close, while the second added another mark to the list already against the names of Henry Meldrum and his associates.

The indictment against the Butte Creek Company and some of its employes charges a conspiracy to prevent and obstruct the free passage over and free use of certain of the public lands situated in Wheeler County. The document also alleges that threats of violence and other means of intimidation were used to drive those legitimate homesteaders already settled on the land from the vicinity. As defendants the indictment names Winlock W. Steiwer, ex-State Senator; Hamilton H. Hendricks, secretary of the Butte Creek Land, Lumber & Livestock Company; Adolbert C. Zachary, Charles A. Watson and Clyde A. Glass, employes of the company; Binger Hermann, John H. Hall, Edwin Mays, ex-Assistant United States Attorney; Franklin P. Mays, Clark E. Loomis and Edward D. Stratford.

The second indictment is against Henry Meldrum, ex-Surveyor-General; George E. Waggoner, Meldrum's clerk; David W. Kinnaird, Benjamin F. Minton and Gustave Knietsch, deputy surveyors; George Sorenson, Lavy Stipp and Frank H. Duncan, notaries public. It is brought under the same section of the revised statutes of the United States as the foregoing and alleges that the defendants conspired to defraud the Government of the United States by false and fraudulent surveys.

The section reads as follows: Section 2440. If two or more persons conspire together to commit offense against the United States, or to defraud the United States in any manner, or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, all the parties to such conspiracy shall be liable to a penalty of not less than \$1000, and not more than \$10,000, and to imprisonment not more than two years.

Details of Alleged Conspiracy.

The story of the first indictment has been told before and the details are well known. It is alleged that on February 15, 1902, the defendants entered into a conspiracy to defraud the Government by preventing the use of a portion of the public lands situated in Wheeler County. It is alleged in general that the Butte Creek Land, Lumber & Livestock Company, through its employes, acquired the use and benefit of a large portion of the public lands in Wheeler County. It is charged that the employes of the company and those secured for the purpose by the company would take up claims scattered along the line of a large circle through Wheeler County. These claims would then be fenced in, thus inclosing thousands of acres of Government land in a large pasture, which would then be used by the company in pasturing its flocks.

Many of these claims were fraudulently gained, so it is said, and are now being held unlawfully by the company. The men who filed on them were hired to do so by the company with the understanding that the claims should be deeded to the corporation as soon as secured by patent from the Government. The claims were so taken that, with the aid of the rimirock and the streams, forming natural barriers across which no cattle could pass, fences could be built from claim to claim, leaving no point of egress from the land inclosed. After having fenced up the land, it is



GENERAL ANATOLI M. STOESEL.

RETURNING COMMANDER OF A CAPTURED FORTRESS