

## FIRING ON FORT

### Japanese Begin Attack on Port Arthur.

### FIGHTING IS DESPERATE

### Two Generals Make Heroic Charge on Defenders.

### HAND-TO-HAND ENCOUNTER

Tokio Has Reports That the Final Assault Has Begun in Progress, but the Result Has Not Been Learned.

TOKIO, Nov. 27, 11 A. M.—The general attack on Port Arthur is progressing, but the results are unknown. Generals Nakamura and Saito, leading specially trained bodies of swordsmen, charged into the Russian forts and engaged the Russians in a hand-to-hand and bloody encounter. The result of the charges has not been learned.

(The Associated Press yesterday stated it had received advices that Tokio had ordered a final assault on Port Arthur.)

### DEFEAT JAPANESE STRATEGY.

Russians Make Winter Campaign More Improbable.

MUKDEN, Nov. 25, via Pekin, Nov. 25.—The lapse of six weeks without fighting on any large scale, confirming the belief that the opposing armies have relaxed their efforts for the winter, together with the unexpected demonstration of force which the Russians have been able to make since the depletion of their army as the result of the fighting on the Shakhe River, emphasize conclusively the failure of the Japanese to prevent the assembly of a large Russian army in Manchuria before spring, thus defeating the strategy of the Japanese and their most plausible plans for the early occupation of Manchuria.

The outcome, taken in connection with the general situation, appears to guarantee the prediction that with the opening of spring there will be a contest more terrible than any yet, and points to the termination of the war in the next campaign. It is still possible that there will be a general attack during the winter, but the weather is now broken and uncertain, and seemingly renders it impossible for the troops of either army to abandon their present shelters.

Gradual alterations have taken place in the different departments of the Russian army since the abolition of the viceroyalty, as Alexieff's partisans have returned to Europe with him.

### Operations Most Daring.

The hostilities are now characterized by individuals as of a most daring and dangerous character. One outcome of the close relations between the Japanese and Russians along the Shakhe River has been the occasional blowing up of houses by the opposing outposts and the sniping of their occupants.

The Chinese authorities have taken preliminary steps to bring grain from the north and to store it up for the use of the starving farmers and villagers. This action was brought about by the destitution which is prevalent for some 20 miles behind the Russian army, which is commandeering all grain and other food supplies, and also because of the fear that the army will move north again.

The Russians will not allow grain to pass their lines from the Suifu basin, which is the main dependence of the inhabitants throughout the area devastated by the war.

### Emigration Has Set In.

Emigration from Central Manchuria has set in, and the people are retiring from the area occupied by the armies to the mountains in the far east. It is with complaint that speculators and army contractors are fleeing the government, and Russians are freely pronouncing them as the particular curse of their country.

### BRITAIN IRRITATES JAPAN.

Diplomats Contend Coal Is Being Too Freely Supplied to Russians.

LONDON, Nov. 26.—Baron Suematsu, son-in-law of Marquis Ito, president of the Japanese Privy Council, whose comment was fully endorsed by Baron Hayashi, the Japanese Counsel, discussing the irritation of Japan at the continued supply of British coal to vessels of the Russian second Pacific squadron, said today: "We feel strongly that Europe in general is assisting Russia in a way we never contemplated. Even in England individuals are rendering much indirect assistance. Although I do not think that the Japanese are unduly nervous regarding the effect of the arrival of the Russian squadron in the Far East, it would never have been able to put to sea but for the assistance of subjects of neutral states. In some cases more or less officially connived at. Without English coal the Russian squadron could not have gone far, and it is my belief that when contraband trade is being carried on in such a wholesale fashion, the governments concerned should take steps to prevent a continuance of action prejudicial to another nation, especially when that nation happens to be an ally. There is all the greater necessity for this when

the action is prejudicial to the interests of both nations.

"The value of the alliance to both Japan and Great Britain is undeniable, and therefore it is the bounden duty of both to do everything possible to cement, even to the extent of inventing means for doing so, when they do not already exist."

### SEIZURE OF SHIP LEGAL.

Russian Court Passes on Case of British Steamer.

ST. PETERSBURG, Nov. 25.—The supreme court today confirmed the legality of the seizure of the British steamer Cheltenham and her cargo, captured by the Russians and taken to Vladivostok early in July.

Vice-Admiral Avellan, head of the Russian Admiralty Department, presided over the deliberations of the prize court. Other members of the court were Professor De Martens, professor of international law at the University of St. Petersburg, and Admiral Kazanoff.

Counsel for the owners of the Cheltenham said the question of contraband was a complicated one, and asked that a commission be appointed to ascertain the weight and bulk of the respective portions of the cargo, which consisted of 12,000 cases of iron and steel. The wood, they asserted, was not necessarily intended for war purposes, and it was pointed out that the portion of the cargo that was of a contraband nature must exceed that that was not contraband.

Somewhat of a sensation occurred at the opening of the case, when the official statement of facts was read. It was asserted that the Captain of the Cheltenham informed a Russian Lieutenant that he was under instructions from the owners of the vessel to hold himself at the disposal of the Japanese government. The court deliberated for only a few minutes, and then said it could find no reason for the appointment of a commission.

### Traverse Fishing Ground.

LONDON, Nov. 26.—Skippers of steam herring boats arriving at Lowestoft report that the second division of the Russian second Pacific squadron is fishing grounds 12 miles from Lowestoft at about midnight. The warships used their searchlights, signalled each other continuously and steamed southward at a good speed.

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The Weather. TODAY'S—Rain; brisk to high gusty winds. YESTERDAY'S—Maximum temperature, 32; minimum, 46. Precipitation, none. The weather gives indications of becoming violent broke over the coast shortly before midnight. At Astoria the wind has attained a velocity of 63 miles, and a falling barometer promises heavy weather.

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## POOR AND ALONE

### Emma Porter So Said to Be in Forged Paper.

### NEW POINTS IN LAND CASE

### Intimate Relations of Defendants Clearly Shown.

### STARTLING TALES ARE TOLD

Attorneys for the Prosecution Drive Damaging Facts at Jury, While Defendants Cringe in Mental Agony and Anxiety.

The wages of sin; the dew of honesty toll; a woman's shame and the slimy skeletons of lies uncovered and unearthed; these, all these, are synonymous terms with the land-fraud trials.

Poor Emma Porter! The honest, industrious and impoverished working-girl, struggling amid the snows of the mountains to support her widowed mother and orphaned sister; toiling through the rudeness of the railroad camps and in the din of the mills, or drudging in the kitchen of wealth to bring bread to the lonely cabin under the shadows of the primeval pines. Most unfortunate fate!

Unhappy Maud Witt! Unprotected in her youth, and alone, seeking by privation and hardship and struggle to wrest from the barren mountain and the gloomy forest meager sustenance. Untutored Frank Walgamot; snowbound trapper and underpaid farmhand, ceaselessly striving to make for himself a home that drove the vista of the years he might see a cheerful freckle and a loving greeting where now all was silent and cold and forlorn.

But better that than the other. Better the cold and the poverty and the struggle than the paying of the wage. The merciless arraignment tore the cloak from around the lives of the defendants, Porter and Watson, at the trial yesterday, and left them naked and shivering in the eyes of the court and the jury.

The day was a tense one for jury and counsel and defendants. It opened with an argument which lasted well toward the noon hour, it swung through the day with testimony which brought an eager light into the eyes of the sensation volutes outside the rail, and it closed with a story of hardship and trial as told by the former servant of the Government, C. E. Loomis, which had it not been so improbable, would have brought tears to the eyes of the jury and wrung sympathy from the heart of a Nero. It was a continuous vaudeville, opening with dialogue,

followed with tragedy and closing with comedy, deep, irresistible and entirely new.

### The Porter-Watson Deed.

The morning session commenced with the argument of counsel on the admissibility of the deed made by Emma Porter transferring her claim of 160 acres to Emma L. Watson. Judge Pipes objected on the ground that the deed was indefinite and uncertain in tone, that it did not tell what line was to be followed by the prosecution or what the defense would be required to meet. Judge O'Day argued against the deed as evidence on constitutional grounds. He cited that a man was supposed to be tried solely on the allegations of the indictment. The defense contended that there was an Emma Porter and an Emma Watson, and if this was so the nature of title was perfectly legal and right.

Mr. Hall held that the prosecution was not endeavoring to show only that title had passed from the United States to the settlers and from them to one member of the conspiracy. The court held that since it was a question of conspiracy and not of forgery that the prosecution was seeking to set up, the deed was admissible as evidence. If the person Emma Porter was one and the same with Emma L. Watson, the deed would not be legal. If therefore the deed as evidence would connect Emma Watson with the conspiracy, it was admissible, and the objection was for that reason overruled.

Deeds were then offered in evidence transferring to Emma L. Watson the claims of Frank Walgamot, Maud Witt, Nellie Backus, Thomas Wilkins, Joseph Wilson, Zenas K. Watson, Alexander R. Brown, George L. Pettis, George A. Graham, Henry Young and Harry C. Barr. In all of these instruments D. W. Tarpley had been the notary before whom the deed was drawn.

### Land Deeded to Kriba.

Following this the prosecution introduced a deed from Emma L. Watson to Frederick A. Kriba transferring 1200 acres of land on May 3, 1902. J. D. Leonard and E. A. D. Pater were witnesses to this paper, while Leonard was the notary drawing up the deed.

In introducing the document Mr. Heney stated that he would ask that the evidence apply to Pater and Watson alone, and not to the other defendants. He would promise to show to the court that Pater had a knowledge of the fraudulent transaction, as well as Mrs. Watson.

"I take exception to these remarks," said Judge O'Day. "I don't see how you can do so," remarked the court. "Well," said Mr. O'Day, "I hate to be swallowed piecemeal. I would rather be swallowed whole, like Jonah. There is nothing in the evidence to show the connection of the defense with these papers."

The evidence was admitted as applying to Watson and Pater. C. A. Wintermeir, an attorney of Eugene, was the next witness called. He testified that he had known Horace McKinley for from three to five years and had been a partner with him in the office of the Spring of 1902, because he had gone there to see about a timber claim in which he was interested. The witness was not cross-examined.

C. A. Wintermeir, a real estate dealer of Eugene, had known McKinley for eight years and had known Miss Ware for ten years. He had often seen them together. The witness was examined at this point because his knowledge dated subsequent to the filing of the indictment. M. B. Rankin, a lumber and timberman at Portland, testified to having known S. A. D. Pater for several years, and that

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## GUEST OF FAIR

### Roosevelt Tours the St. Louis Exposition.

### GHEERED AT EVERY TURN

### Great Throngs Assist in Making the Executive Welcome.

### HE GREATLY ENJOYS THE DAY

No Point of Interest is Overlooked, Although Little Time is Spent at Any Building—Many Foreign Countries Make Gifts.

ST. LOUIS, Nov. 26.—Never have more perfect conditions prevailed since the opening of the World's Fair than those that marked today, which was devoted to a tour through the Exposition by President Roosevelt, accompanied by Mrs. Roosevelt, Miss Alice Roosevelt and members of the President's party. It was strictly a day of pleasure, and there was not the slightest incident to mar the perfect enjoyment of the occasion.

The heralded announcement that the Nation's Chief Executive would visit the Exposition drew tremendous throngs, and to guard him from possible danger that might menace him, secret service men, soldiers and police guards abounded, but they had comparatively little to do in preserving order. The sentiment seemed to be unanimous in the minds of the thousands of spectators that President Roosevelt was the guest of each one, and each did his best to preserve order. The consequence was that those in authority had only to designate their wishes and instantly crowds parted, passageways were cleared and hindrances quickly removed that every moment of the President's limited time might be occupied in viewing the Exposition.

"This is marvelous," he said. "It is beyond description and exceeds my fondest expectations. I have had the best time I have ever had in my life, and I have seen more than I ever expected to see in one day's time."

### Overlook No Point of Interest.

From 10 in the morning until 6 in the evening the distinguished visitors, following a schedule, hurried from one building to the next, from one part of the grounds to another, and overlooked nothing of interest. From the start to the end of the tour, Mrs. Roosevelt and Miss Alice ac-

companied the President, and fatigue was forgotten in the enjoyment of the day. The first speech of the day was made in the French pavilion in response to the welcome accorded by Commissioner-General Gerald. President Roosevelt said:

"Mr. Commissioner—I wish to thank you from the bottom of my heart for the kind words you have just spoken. At this Exposition the great Republic of France has a peculiarly appropriate part, the great nation whose people worked so much in the past for the discovery and settlement of this continent, and the people that took this infant Nation by the hand to help it up into the circle of powers. One of your publicists has used the expression, 'Peace of justice,' and I am particularly pleased as to what you say as to the efforts of the committee to bring about throughout the world the 'peace of justice.'"

"I wish to propose a toast to President Loubet and to the French nation, and may the hands of friendship that have ever united them with the United States of America be ever tightened in the future."

Champagne was sipped in honor of the toast, and then the party hurried to the other national pavilions, completing the inspection soon after midday, and luncheon was served in the west pavilion. This occupied about an hour and was purely informal. At the conclusion, President Francis arose, and holding up a glass of champagne, said:

### Toasts Mrs. Roosevelt.

"I desire to offer a toast that will not receive a favorable response because we are simply resting and sightseeing and are not devoting ourselves to speeches. I desire that this toast be drunk standing in honor of one who exerts a very potential influence over the policy and the destiny of this country—the lady who presides over the White House."

The guests were on their feet instantly and merrily clinked glasses as they drank to Mrs. Roosevelt who, smiling, bowed her appreciation. A hurried visit was made to the American building and thence to the Roosevelt cabin, which sheltered the President in former days on the ranch. He evinced the greatest interest in the old log structure and pointed out to Mrs. Roosevelt and Miss Alice a buffalo skin hanging within as having come from the first buffalo he had ever killed.

### In the Philippine Reservation.

The rest of the day was spent in the Philippine reservation. Guards had cleared the area of visitors and the entire place was given over to inspection by the Presidential party. During the hour and a half spent in the Philippine reservation every portion was inspected. In the Igorrote village Chief Antonio, who had been to Washington and met the President, presented to him an album containing 40 photographs of Igorrotes.

A class of natives then sang "America" in the English tongue, having learned it since they came to the Exposition. At the Lasso More village the natives presented a silver dish and a set of silver bottles to the President, who in accepting them said: "I thank you very much for this gift. My aim is to help you increase your

(Continued on Second Page.)

## WATER NOT SURE

### Malheur Project May Be Blocked.

### ROAD COMPANY OBJECTS

### It Refuses to Pay Its Share of Cost of Irrigation.

### HOLDINGS ARE EXTENSIVE

Most of the Stockholders Are Foreigners, and Reclamation Service Believes They Don't Know Policy of Government.

OREGONIAN NEWS BUREAU, Washington, Nov. 26.—Just as the officials of the Reclamation Service were preparing to make contracts for the construction of the Malheur irrigation project in Malheur County, Oregon, after having completed negotiations with farmers whose lands will be reclaimed under the proposed canal, an unexpected obstacle arises which threatens to block the project.

The grant made to the Willamette Valley and Cascade Mountain Military Road Company traverses the area proposed to be irrigated along Malheur River, and embodies about one-sixth of the total irrigable area. The Government, after persistent efforts, procured signed agreements from all farmers owning lands in the irrigation area, by which they pledge themselves to pay their proportionate share of the cost of building this great project, namely \$20 an acre.

It had been assumed that the Military Road people would be willing to enter into a like agreement inasmuch as the construction of this irrigation project would greatly enhance the value of their lands and make them readily salable. At present the road company's lands are vacant, unimproved and practically valueless. It turns out that the assumption of the Department was incorrect. The owners of the Military Road land, now residing in Paris, do not look with favor upon the Government's proposition, and are unwilling to contribute anything towards building storage reservoirs and canals. This company has three representatives in this country, C. E. S. Wood, of Portland; Charles Altschul, of New York; and Richard Altschul, of San Francisco. Mr. Wood, when approached, was heartily in favor of accepting the Government's proposal and of contributing toward the project at the rate of \$30 an acre. The two Altschuls, however, made adverse recommendations, and their opinion carried as against that of Mr. Wood.

The officials of the Reclamation Service, who had banked so much on this project and had expected to see it pressed to early completion, are very much disheartened. They are inclined to believe that the Military Road people who are opposing the Government's plan are doing so not in a spirit of animosity, but because they do not understand what the Government proposes to do. They are inclined to believe that if these parties are once made to appreciate that the building of this project will increase the value of their lands way above what the work will cost them, that they will reverse their position and subscribe to the project, just as the farmers have done. But the Government is not in a position to go to these individuals and beg them to accept its proposition; the representatives of the company must come to the Government and offer to contribute their share of the cost of the project.

As the surveys of the Malheur project have progressed it has been found that the work is of far greater magnitude than was at first supposed. It is now estimated that fully 120,000 acres can be irrigated by storing and diverting the waters of Malheur River. While it is estimated that it will cost \$20 an acre to reclaim this land, late investigations indicate that the actual cost will fall below this figure. In this event the farmers who have subscribed their support will be called upon to pay only the actual cost of reclamation, possibly not more than \$25 an acre. The whole work will probably cost \$2,000,000.

The difficulty that has arisen grows out of the fact that the wagon-road grant of alternate sections, extends throughout the irrigable area. It would not be practicable to reclaim the alternate sections not owned by the company, skipping wagon-road lands. Even should this plan be adopted, it would be necessary to procure rights of way for canals across the road lands. This would lead to endless litigation and would retard the work for many years.

The only hope of pushing the Malheur project on to completion lies in winning over the Military Road people to consent to bear their proportionate share of the cost of the work. Once this co-operation is procured, work of construction will be undertaken. If their co-operation cannot be secured, the Reclamation Service will be obliged to turn to some other project in Oregon.

## SPECIAL PROSECUTOR HENEY AND OTHER PROMINENT FIGURES IN THE LAND FRAUD CASES



CLYDE LLOYD

MRS. WATSON FOUND RELIEF BEHIND THE PAGES OF A MAGAZINE WHEN THE TESTIMONY BECAME TOO PERSONAL

COL. GREENE, SPECIAL INSPECTOR

ASSISTANT PROSECUTOR HENEY

MISS GRAVES WHO TESTIFIED REGARDING ALLEGED RELATIONS BETWEEN DEFENDANTS.

GEORGE WEN OF GEN. LAND OFFICE WASH. D.C.

DEFENDANT DAN TARPLEY