GOOD EVENING.

THE WEATHER
Tonight and Wednesday, probably fair; cooler tonight; westerly winds.

THE Oregon DAILY Journal

THE CIRCULATION OF THE JOURNAL YESTERDAY WAS 16,840

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DEFENDANTS IN THE LAND FRAUD CASES PLACE THEIR HOPE VERY LARGELY IN THE STATUTE OF LIMITATIONS

ALL SIX OF ACCUSED FACE JURY IN COURT

First Legal Clash of the Hearing Is Over the Introduction of Alleged Forged Filings.

John Hall Opens for the Government With a Strong Indictment—O'Day for the Defense Indulges in Sarcasm.

JURORS IN LAND FRAUD CASE.

E. A. Griffin, merchant, Dufur, Wasco county.
Richard Waugh, farmer and stockraiser, Pendleton.
John D. Bridges, contractor, Portland.
J. L. Howard, farmer and stockraiser, Heppner, Morrow county.
J. L. Barnhouse, farmer and stockraiser, Wheeler county.
G. H. Newell, stockraiser, Lakeview, Lake county.
A. Blevens, farmer, Albany, Linn county.
A. D. Austin, merchant, Woodburn, Marion county.
J. C. Wetherly, farmer, Wallowa county.
C. H. Duncan, farmer, Baker county.
M. H. Dilly, contractor, Benton county.
I. M. Foster, farmer, Clatsop county.

The first reconnaissance which opened the great legal battle over the land frauds, on trial before Judge Bellinger in the federal court, developed the fact this morning that one of the main defenses upon which the accused rely is the statute of limitations. The first documentary evidence offered in behalf of the government was instantly challenged by the attorneys for the defense, and the arguments, which had not been concluded when court adjourned at noon, made it plain that strong reliance is placed upon the contention that the indictment came too late, the conspiracy charged being barred, notwithstanding the fact that some of the fraudulent acts come within the statutory limitations of three years.

The contention is ridiculed by the government's attorneys, who insist that as the conspiracy was not fully consummated until some two years ago, every step in the chain of fraud may be proved.

First Witness Called.

The presentation of evidence has begun. With an expedition scarcely expected the jury was secured yesterday afternoon, the addresses of counsel were made this morning, and shortly before noon Charles E. Moores, formerly register of the United States land office at Oregon City, was placed on the stand by the government as its first witness.

Mrs. Emma L. Watson was the first of the defendants to appear at the opening of court this morning. She was attired in a neat-fitting navy blue tailor-made suit, with stylish hat to match, and her general appearance was obviously more cheerful than during the proceedings yesterday.

Defendant Puter came in immediately afterward and occupied a seat by her side. He was followed in a few minutes by all the other defendants and they listened with rapt attention to the opening statement of Mr. Hall.

Every seat in the dingy room of the cramped quarters provided for the celebrated case was filled long before the hour set for the hearing, and the sign "standing room only" could very well have been displayed, as the entire available space was occupied by a curious crowd attracted by the great notoriety that has been given the case.

Judge Galloway, receiver of the United States land office at Oregon City, created considerable interest by occupying the bench with Judge Bellinger at this morning's proceedings.

The six defendants sat side by side behind the attorneys and they were the center of all eyes. Mrs. Watson and Miss Ware, stylishly dressed and seemingly unconscious of the constant scrutiny of the throng about them, were quiet but deeply interested listeners to the arguments of counsel and the occasional crossfire of comment and reply which passed between the attorneys.

Puter, McKinley, Walgamot and Tarpley seemed to show less composure than their feminine co-defendants, and at times they grew restless under the district attorney's telling arraignment.

A Significant Hint.

One of the significant incidents of today's proceedings was United States District Attorney Hall's declaration to the jury that if the government had been in the possession last spring of the evidence which it now has, others who have held high official positions would also have been indicted.

"You may think it strange," said Mr. Hall, "in view of the proof secured to convict these defendants, that others in high positions are not occupying seats by their sides; but when it is known that at the time the federal grand jury returned its indictments, it did not have sufficient proof of official misconduct to connect them with any conspiracy, you can readily understand that the only issue before you now is the question of the guilt or innocence of these defendants."

Hermann Expected Tomorrow.

Congressman Binger Hermann, who was United States land commissioner when the Puter-McKinley ring was carrying on its operations, and whose personal order caused patents to be issued upon the fraudulent applications, is one of those who will be forced by the government to take the witness stand. He has been served with subpoena and is expected in court tomorrow.

The opening of addresses of counsel to the jury occupied most of the morning session. United States District Attorney John Hall, who opened for the government, spoke briefly but clearly, confining himself to an outline of the frauds charged by the indictment. He explained to the jury that while Miss Ware and possibly Horace McKinley are accused of having forged the names attached to certain homestead applications, the real question at issue in this trial is whether the defendants were guilty of a conspiracy which had for its object the obtaining of lands in township 11 south, range 7 east, of the Willamette meridian, in an unlawful manner.

The history of the Cascade forest reserve was briefly narrated.

"Much of the land covered by these entries," said Mr. Hall, "is wild, rocky and uninhabitable, and of no value to anyone except for the purpose of exchanging it for scrip. We shall show that Emma Watson, under the name of Emma Porter, appeared at the Oregon City land office and made a filing, alleging that she had made settlement upon certain land and had established her home there. She produced evidence in support of this statement, and we are satisfied that the evidence was fictitious. Afterwards the papers were approved and sent to Washington and patent was issued to Mrs. Emma Porter, who conveyed to Mrs. Emma Watson.

(Continued on Page Two.)

Miss Alice Roosevelt, Daughter of the President. Her Injury in an Automobile Accident Is Attributed by Her Superstitious Friends to a Pet Chameleon Which She Constantly Wears.

ALICE ROOSEVELT IN AUTO WRECK

(Journal Special Service.)

Greenwich, Conn., Nov. 22.—It was learned today that one of the party in an automobile belonging to Robert Goelet, Jr., which was wrecked on the Boston Post road last Saturday morning, was Miss Alice Roosevelt, daughter of the president. The chauffeur was driving the machine at a speed of 40 miles an hour when it struck a stone, swerved suddenly, and he lost control. The machine dashed up an embankment and overturned.

The entire party had a narrow escape from being killed. The party returned by the Stamford trolley line.

Miss Roosevelt was recognized by several people and her disheived plight attracted much attention.

Neither Miss Roosevelt nor any of the party suffered any injuries beyond severe bruises, although the chaffeur sustained a lacerated face.

The superstitious are inclined to point to the chameleon fad of Miss Roosevelt as responsible for the numerous accidents that have befallen the house of Roosevelt within the past few weeks.

Theodore, Jr., narrowly escaped being thrown beneath the wheels of a cab in Washington but a short time ago and the president, but a few days before the election, while hurdling a fence, was thrown so heavily that he was rendered unconscious and suffered a more serious strain of the back than at the time he was subjected to a hard fall through ju jutse wrestling.

In all these cases attempt to suppress the news of the mishaps have proved vain. The president laughed and was non-communicative over the escape of his son and was reticent regarding his own mishap. His evident suffering, however, from the result of his fall bespoke the truth of the story as well as though he had given oral confirmation.

Miss Roosevelt, following in the example of her father, has constantly declined to be interviewed regarding her own narrow escape and the Goelests did their utmost to prevent publicity.

HER TRIAL IS SEVERE

Nan Patterson Overcome by Gruesome Evidence of the Tragedy.

PROFOUND MYSTERY IS STILL THE KEYNOTE

Witnesses Fail to Throw Light on the Incidents Leading to Death of Bookmaker Caesar Young.

(Journal Special Service.)

New York, Nov. 22.—Nan Patterson passed a sleepless, restless night in the Tombs. The scathing argument of the prosecution and the sight of her lover's garments with a bullet hole, and stained with his life-blood, had been too much for her nerves and she collapsed when she was returned to her cell. The reaction over, Miss Patterson calmed herself and said:

"The first day is over, and I find nothing to hurt me."

Her face was pale and bloodless and she looked almost chalky against the sombre seting of her black dress and veil as she came into court this morning and sat by her father's side.

Miss Patterson appeared much perturbed by the gaze of the curious crowd in the courtroom today. When she reached her seat she turned and kissed her father. Police Sergeant Walter Norris, of Leonard street station, where the defendant was brought when arrested, was the first witness today. He identified the revolver which Policeman Junier handed to him when he brought Miss Patterson in.

It contained three loaded shells, one exploded shell and one empty cylinder.

Captain Sweeney also identified the revolver and said that he talked with the defendant at the station after the shooting, and that she said that Young had shot himself, and that the first she knew of it was when she heard a muffled shot and her companion fell over in her lap. She said they had been quarreling in the cab.

Frederick Michaels, the cabman, identified photographs of the cab. He testified the cab was engaged by a man and woman at Fifty-ninth and Broadway. He drove to Fiftieth avenue, when the man bought a hat, and then drove to Bleeker and West Broadway, where the pair went into a saloon and stayed a few minutes, then came out, and he drove south again.

Neither of them were under the influence of liquor. After he crossed Canal street on West Broadway he heard a pistol shot. His horse plunged and he stopped him after a block and a half. The defendant asked him to drive to a drugstore, but he did not look inside to see what had happened. He heard no quarreling. He saw the man carried into the hospital, but again failed to recognize the photo.

Frederick Woldens, a bartender at Bleeker and West Broadway, and Otto Tennies, the druggist, were called, but their testimony threw no light on the tragedy. The court recessed at the conclusion of Tennies' testimony.

The first witness this afternoon was William Stenn, Jr., a truckman, who heard the shot fired and saw smoke coming from the cab. He followed the cab to the drug store and saw the defendant seated in the cab, also a man with his head in her lap and his hands hanging down. He did not see a weapon in either hand.

BLAZIER GUILTY; MAY FACE PERJURY CHARGE

Speedy Conviction of Gambler Who Has Grown Rich at Expense of the City's Morals.

Judge Frazer Orders District Attorney to Prosecute the Grand Jury Evidence Supporting Perjury Charge Against Blazier.

"Mr. Moser, I wish to say to you, as deputy district attorney, that I think the manifest perjury committed by the defendant in this case in the course of his testimony should be brought to the attention of the grand jury. I would have preferred to speak of this to Mr. Manning, as he is familiar with the evidence, but since he is not here I will ask you to say this to him. I have never known more flagrant and rank perjury committed, or seen clearer evidence of perjury than in this case. Men should not be permitted to come into court and commit such perjury with impunity."—Judge Frazer's comment on Eugene Blazier's testimony after the verdict of guilty was returned.

A gambler has been convicted, and is still pursued.

From out a thickly clouded sky there came a judicial thunderbolt, which made Eugene Blazier its special victim.

Convicted of the crime of gambling, he turned to face the charge of perjury.

The non-ownership subterfuge had become a boomerang. Hardly had the defense closed its testimony, the effect of which was to show that the defendant did not own the gambling paraphernalia, when the prosecution, with unrelenting vigor, introduced records from the circuit court showing that on March 1, 1904, Blazier pleaded guilty to the use of this same apparatus for gambling purposes. And then, n a cyclonic denunciation from the bench, Judge Frazer instructed the district attorney to call the attention of the grand jury to what he considered, and classed in no indefinite terms, as Blazier's rank perjury. This was a climax to the gambling crusade.

Blazier Appalled.

Serenely enough, with his attorneys, Eugene Blazier sat in the court room until the crash came. With three former acquittals to contemplate, the defense could not, or did not, imagine the possibility of a conviction. Under the theory of the same sauce serving goose and gander, they awaited quietly the termination of the case in their favor. Their evidence had been carefully presented. It had been sworn that Eugene Blazier did not conduct the game. How could the jury convict him?

But when, at the end of the scathing indictment by Judge McGinn, the strong evidence of court documents rose as a grim goblin before them, there was a change of attitude.

The jury retired. Ten minutes later a verdict of guilty was pronounced. Blazier looked at his lawyers and they looked at the court. They were stunned. Could this be possible? Then, as they were reaching for their hats, his honor declared a halt. Calling to Deputy District Attorney Moser he instructed him to take the evidence as given in this case before the grand jury, as it was the most manifest perjury to which the court had ever been compelled to listen. The assistant prosecutor responded that he would convey the message to his chief at once, while Blazier looked on and heard in dumb amazement.

McGinn's Coup.

Mr. McGinn, nettled by the attitude of District Attorney Manning in court yesterday afternoon, came back this morning determined to win the fight, and he brought evidence and witnesses whose testimony completely stunned the defense and took the entire case by storm. Over the strenuous objections of the attorneys for the gamblers, Mr. McGinn forced this evidence through to the jury and then pounded it home in his argument.

Court records showing that Eugene Blazier and Ed Blazier had pleaded guilty to the charge of running a gambling-place on March 1, 1904, were introduced as evidence over the objections of counsel for defendant. T. W. Vreeland and H. Danlinger, attorneys, were put on the witness-stand and testified that they had brought actions against Blazier Bros. for clients who had lost money gambling in the house, and that in every instance Eugene Blazier or Ed Blazier settled the case, paying compromise money. This, the prosecution contended, perjured Eugene Blazier, for he had testified that he sold the gambling-place almost three years ago to Ed Heller. The defense sought to weaken the effect of this evidence on the jury by pleading that the Blaziers had settled these suits and paid the money as a compromise rather than go into court and prove that they did not own the establishment.

Henry McGinn opened the argument for the prosecution and poured forth upon the head of Eugene Blazier and his friends all the derogatory terms at his command. He styled every bit of evidence introduced by the defense as perjury, and, referring again to Blazier's testimony, said:

"The grand jury is now in session. It ought to and will do its duty. This man ought to be prosecuted and shall be prosecuted for perjury."

Defending Blazier.

Arguments for the defense were made by Attorneys Mendenhall and Spencer, and the greater part of which was devoted to an attempt to explain away the gross discrepancy between the testimony of Blazier himself and the court records, showing that he had pleaded guilty to the charge on March 1, 1904, when he claimed to have sold out long prior to that time.

Mr. Manning concluded his remarks without any reference to outside particulars, but demanded that the jury bring in a verdict on the evidence.

Judge Frazier, in instructing the jury, raked the gamblers over the coals, and denounced in strong language the pleas which had been put up in this case and the previous cases on which the defendants relied for their defense, saying that they appeared to be merely subterfuges for the purpose of evading the statutes. He called the attention of the jury to the statute laws which were enacted for the purpose of abating the gambling evil, and which it was the duty of every loyal citizen to earnestly endeavor to support, and that any failure so to do would make the one so failing as guilty as the defendant. He said that while jurors should give the defendant the benefit of any reasonable doubt, they should not be misled by plausible excuses which showed on the face that they were invented for this purpose only.

There was trouble between Judge McGinn and District Attorney Manning last evening. Judge McGinn, as private counsel looking after the interests of Sheriff Word in the prosecution, conducted the direct examination, the se-

(Continued on Page Six.)

LAWSON IS SUED ON CHARGES OF LIBEL

Citizens Will Combine for His Aid in Case He Substantiates Charges.

(Journal Special Service.)

Boston, Nov. 22.—The Post this morning says: "Papers in a suit for $350,000 were served yesterday on Thomas Lawson. The suit was brought in the interest of New York parties supposed to be acting for the Standard Oil interests.

"The suit is the result of alleged disclosures made by Lawson in his chapters on "Frenzied Finance."

"Lawson defies them and welcomes the suit. He says he will be able to expose some unjailed criminals before he gets through."

It is also stated that the widow of Attorney George Towle will sue Lawson for libel. Individual suits by ex-members of the legislature are said to have been begun in Concord.

Concerted action by a large number of citizens to aid Lawson is probable should the charges of wholesale bribery be substantiated.

Beyond the fact that the papers in the suit for $350,000 were served on Lawson through the sheriff's office, and that Frederick R. Coudert and Paul Fuller of New York are entered as the plaintiffs, nothing is known. The bill of complaint is returnable December 1. It is said that Coudert and Fuller represent the Standard Oil company and several insurance companies which Lawson attacked.

SINGER, 24, TO WED $2,000,000, AGED 62

Edgar A. Accetta, a Young Baritone, Will Marry Wealthy Mrs. Stelle His Patroness.

(Journal Special Service.)

New York, Nov. 22.—Mrs. Fannie Surdam Stelle, aged 62, who has a fortune of $2,000,000, has announced that she is about to marry Edgar A. Accetta, aged 24, a baritone who was brought to public notice under Mrs. Stelle's patronage, and who recently entered suit against her for $50,000 damages. It was learned today that Saturday night a compromise was reached whereby she settled the suit by promising to marry him.

Accetta is tall, fine-looking, and with a boyish face that belies even his 24 years. He has lived all his life in the Italian quarter on the east side, where he met Mrs. Stelle. He and his brother kept a real estate and insurance office, the income of which was so small that he gave his evenings to singing for private gatherings and he also traveled about the city with a four-piece string orchestra.

GERMANY SIGNS TREATY WITH UNITED STATES

(Journal Special Service.)

Washington, Nov. 22.—The arbitration treaty between the United States and Germany was signed this morning by Secretary Hay and Baron von Sternberg, the German ambassador, at the state department.

SUICIDE SOUGHT TO SPARE HIS PARENTS

One Note Nearly Caused Lynching of an Innocent Man by Excited Searchers.

Chouteau, Mont., Nov. 22.—Wishing to spare his parents the ignominy of having their son commit suicide, Jacob Ralston, one of the best known trappers and guides in northern Montana, left a message stating that his former partner, James Fisher, had shot him, and then fired a bullet through his abdomen. A courier, dispatched to Ralston's cabin to notify him that his father was dying, found his corpse and the note.

A posse was organized at once and a search for Fisher was begun, when another note was delivered telling of the suicide and requesting those who found the body to "keep mum."

The first note caused a sensation and for a time there were threats of lynching Fisher if caught. The coroner's jury investigating the case rendered a verdict of suicide.

CHARLES NOLAN DIES.

(Journal Special Service.)

Atlanta, Nov. 22.—Charles Nolan, the well known newspaper cartoonist, died last night at Cave Springs of consumption.

FIFTY THOUSAND IN HOOD RIVER LANDS

(Special Dispatch to The Journal.)

Hood River, Or., Nov. 22.—It is reported here that the syndicate of Buffalo, N. Y., capitalists, of which J. H. Van Horn is a prominent member, contemplates further purchases of property in this section. Last year the syndicate invested $50,000 in orchard lands in the valley, and it is given out from a good source that so satisfied are they with the results of their investment that they propose to acquire more lands.

Mr. Van Horn has been here recently superintending the shipment of this year's crop to New York. In the metropolis their choice apples are selling at $6 a box. They would be sold here at $1.75.

Improved lands in the lower valley are now selling at from $175 to $400 an acre. Its value has been increased three-fold during the past three years. In the upper valley unimproved lands are selling around $25 an acre.

On the opposite side of the river, in the White Salmon valley, there is an abundance of land that is considered just as good as the best of the lower valley lands. It is undeveloped to a large extent, however, and its real value has never been determined simply because of a want of railroad facilities.

THESE BAD APPLES AFFRONT GROWERS

A. J. Mason, president of the Hood River Apple Growers' union, who has been in Portland during the meeting of the National Grange, makes an emphatic protest against the class of apples that are served upon the tables of Portland's leading hotels and restaurants. He says:

"We have much better apples in our cull bins in Hood River valley, which we do not try to sell—and really prefer not to sell. We came down here to see old friends from the east, and tell them about Oregon and her great fruit-growing industry. When we sit at the hotel table with them and have apples set before us that are inferior in every way to the eastern apples, it is very embarrassing, and is a distinct injury to the state of Oregon, to place as a refutation of everything we have been telling the visitor about Oregon as an apple-growing state. I think the good hotels of Portland should give this question their immediate attention.

"It is not alone the hotels of Portland that merit criticism on this point. The hotels in the smaller cities all over the state are equally careless. Visitors from the east stop at these hotels, and care should be taken that they receive the right impression regarding the resources of our state. There is [illegible] that to deceive the stranger [illegible] easterner as to sit down to a [illegible] adorned with a lot of [illegible] horses, shall [illegible] plies of bad [illegible] to believe that [illegible] apple-growing [illegible]