

GOOD EVENING.
THE WEATHER
Tonight and Thursday, partly cloudy, with probably light rain; southwest winds.

Oregon Journal

THE CIRCULATION OF THE JOURNAL YESTERDAY WAS 16,911

VOL. III. NO. 225. PORTLAND, OREGON, WEDNESDAY EVENING, NOVEMBER 23, 1904—FOURTEEN PAGES. PRICE FIVE CENTS.

"REMOVE CITY ENGINEER ELLIOTT" IS RECOMMENDATION OF COMMITTEE INVESTIGATING THE TANNER CREEK SEWER

"RINERS DISHONEST"

Inquirers Demand That Sewer Be Rebuilt at His Cost.

CAYWOOD AND SCOGGIN ALSO ARE CENSURED

Removal of Both Demanded—Sensational Recommendations to Executive Board.

City Engineer Elliott, Assistant Engineer George Scoggin, Inspector M. J. Caywood and Contractor R. M. Riner and son have been declared responsible for the defective work which has been done on the Tanner creek sewer.

The committee of investigation, consisting of L. Zimmerman, H. B. Sigler and H. R. Albee, completed their investigation and made a report to the city council at 2 o'clock this afternoon.

They found City Engineer Elliott deficient in duty in appointing only one inspector on such an enormous job as the Tanner creek sewer. They censured him for failing to inspect the sewer, thoroughly after the work was completed, and state that he is held liable to discharge from his office for his negligence.

Practically the same charges are made against Assistant City Engineer George Scoggin, and he is held liable to removal by the city government.

Inspector M. J. Caywood was found incompetent and unreliable and his removal is recommended.

R. M. Riner and son are found to be dishonest.

It is recommended that the sewer be rebuilt and that the cost of the same be deducted from the amount which the contractor were to have received for the building of the sewer.

HERMANN A WITNESS

Congressman Testifies at Land Fraud Hearing This Afternoon.

WRANGLING ON POINTS OF LAW AD LIBITUM

As Every Possible Obstacle is Put in Way of Prosecution the Program is Slow.

Congressman Dinger Hermann, whose administration of the United States land office was the golden-age of the con-spirators whose colossal frauds robbed the government of hundreds of thousands of acres of the public domain, afforded the feature of today's proceedings in the Puter-Watson-McKinley-Wara prosecution.

Hermann was called to the stand this afternoon to explain the circumstances under which patents were issued upon the bogus homestead applications prepared and filed, as the government alleges, by the defendants and on, tried his appearance in the courtroom created a sensation, for aside from those persons who have been actually indicted by federal grand juries for complicity in the land frauds, there is no one whose name has been so constantly linked with these transactions as Dinger Hermann.

The immediate object of the government's attorneys in placing Hermann on the stand was to establish the fact that E. A. D. Puter and Emma Watson were in Washington for the purpose of getting patents issued upon the fraudulent homestead applications previously filed in the Oregon City land office. Incidentally the government's attorneys brought out the sensational fact that it was through Senator John H. Mitchell that Puter and Emma Watson made their request to Hermann.

Hermann's Complacence. Affidavits were made in Washington by Puter and Mrs. Watson vouching for the statements of the alleged fictitious settlers to whom they desired patents to issue, and upon the strength of these affidavits Senator Mitchell wrote a personal letter to Hermann, requesting him to expedite the cases. The commissioner obligingly complied, notwithstanding the evidence already received by the general land office strongly indicative that the entries were fraudulent.

Aside from Hermann's testimony, the session of the day's proceedings was the partial identification of Emma Watson as the woman who filed homestead application under the name of Emma Porter, in the Oregon City land office.

Every technicality which legal ingenuity can devise is being invoked to hinder the introduction of the government's proofs. Of the numerous documents already introduced by the prosecution, not one has escaped challenge by the defense.

Every technicality which legal ingenuity can devise is being invoked to hinder the introduction of the government's proofs. Of the numerous documents already introduced by the prosecution, not one has escaped challenge by the defense.



HORACE G. MCKINLEY



S. A. PUTER



MISS MARIA WARE



GOV. WITNESS CHAS. E. MOORE, FORMERLY REGISTER OF THE U.S. LAND OFFICE AT OREGON CITY

Some of the Figures in the Land Fraud Cases.

NAN PATTERSON LOOKS CAREWORN

Lowers Eyes When Skeleton is Brought in—Defense Assert Will Produce Witness Who Saw Young Grasping Revolver and Struggling with the Woman.

(Journal Special Service.)
New York, Nov. 23.—Miss Patterson wore her usual black dress when she entered the court room this morning and looked careworn and weary. When the skeleton was brought in she lowered her eyes and turned to her father.

On cross examination Dr. O'Hanlon, the coroner's physician, testified that he made a very careful examination of the wound and described the course of the bullet. He admitted that if he had considered it a case of murder he would have made a more detailed report at the time.

O'Hanlon said that he believed all the marks on the bullet were the result of its contact with a rib. He admitted that he had taken pieces of skin from the hand which he thought showed powder marks. He examined them under a microscope. Objection to further testimony regarding marks was sustained.

The witness saw the defendant immediately before her arrest. He looked at her hands, but did not detect the odor of gun powder on them. Prosecutor Rand objected to a question as to whether he saw powder marks on the hands of the defendant and was sustained.

Dr. Neal, physician for Pawnbroker Lawson Unperturbed by Suits Against Him

(Journal Special Service.)
Boston, Nov. 23.—Thomas W. Lawson is not alarmed by the \$250,000 suit brought against him or the threats of other actions impending. On being imperturbed last night for interviews by several newspaper men, he issued the following statement to all the newspapers asking for his personal views:

"In regard to the suits and rumors of suits, civil and criminal, brought and to be brought against me by the Standard Oil, the insurance companies and individuals because of my story, 'Frenzied Finance,' I can simply say: 'Bring them along, and I will be prepared to give battle, giving no odds and asking for none. I have been telling a few raw truths, and in this age of dollars no man will be allowed to distribute truth about finance without paying the price. My truths are big ones, and I suppose the price will be equally big. But the American people may rest assured that whatever the price, I will pay it and not ask any sympathy for doing so; and they can rest easy about another fact: I will make those who have been plundering the people during the past ten years pay a price to which mine will appear like a tight shoe compared with the inquisitorial racks of the dark ages.'

EXPLOSION OF A LAMP CAUSES LOSS OF LIFE

Chicago, Nov. 23.—Mrs. Lizzie Court is dead and Charles Court, her husband, and their eight-month-old child are seriously burned as the result of a fire in the Court house, on Homan avenue, this morning.

The explosion of a lamp set fire to the house, but without awakening its occupants until the flames were widespread throughout the apartments.

SHOT THROUGH HEART; LIVES THREE MINUTES

(Journal Special Service.)
Butte, Mont., Nov. 23.—Jacob Schwan, the owner of a printing works, met death last night under remarkable circumstances. He was shot through the heart, it is alleged, by John Evans.

ATTEMPTS TO COMMIT SUICIDE BY SHOOTING

(Special Dispatch to The Journal.)
Walla Walla, Wash., Nov. 23.—Albert Bayer, an employe of the bottling works here, attempted to shoot himself at 1 o'clock this afternoon with a 32-calibre revolver. The bullet passed through the top of his skull. He will survive.

NO REDUCTION IN PRICE OF TURKEYS

There was but a slight quiver in the prices of turkeys this morning. The receipts were very moderate—not one half of what was expected arriving. This kept the market in good shape from the seller's point of view and the choicest turkeys are still at 25 cents a pound. There are, as usual, a large number of "culled" and these will be sold at prices ranging from 15 cents a pound up.

FIVE ARRAIGNED FOR DYNAMITE CONSPIRACY

(Journal Special Service.)
Cincinnati, Nov. 23.—Five men, arrested for connection with the dynamite plot and murder of Samuel Weekly, a non-union moulder, growing out of the "moulders' strike," were arraigned this morning and their cases set for December.

NANI HOLDS FORTRESS IN HIS CLUTCH

Nogi Declares His Troops Shall Winter Within Walls of Port Arthur—Five New Submarine Boats Reach Yokohama—Will Be Fitted for Service Against Coming Enemy.

(Special Dispatch to The Journal.)
Chicago, Nov. 23.—The Chicago Daily News correspondent with the Japanese army outside of Port Arthur sends the following dispatch from Chafso:

MANY MINOR FIGHTS.

(Journal Special Service.)
St. Petersburg, Nov. 23.—General Sakharoff reports that the Japanese are today engaged in a severe bombardment of the village of Shakh Po, and that several minor engagements occurred since Sunday.

SUBMARINE BOATS ARRIVE.

(Journal Special Service.)
Tokyo, Nov. 23.—Five submarine boats arrived at Yokohama today, where they are being fitted for service and will be in readiness and under accus-tomed control by experienced men before the arrival of the vanguard of the Russian Baltic fleet.

RUSSIAN DESERTERS.

(Journal Special Service.)
Vienna, Nov. 23.—The heavy influx of deserters from Russia into all the towns and villages along the Austrian frontier continues. The military authorities at Craacov are taking every pre-caution to prevent any of them penetrat-ing within the zone of fortifications last, under the pretext of desertion, some Russian spy might find his way in.

WELL KNOWN RESIDENT OF CENTRALIA EXPIRES

(Special Dispatch to The Journal.)
Centralia, Wash., Nov. 23.—Jesse Martin, an old pioneer and well known resident of Centralia, died yesterday. He will be buried Wednesday. The cause of death was general debility. Martin came to Centralia years ago when the town was in its infancy, there being not more than 200 inhabitants, and has remained with the town ever since. He leaves a widow and family.

ORANGES DISTRIBUTED FREE.

(Journal Special Service.)
St. Louis, Nov. 23.—A carload of California oranges and lemons from the Sacramento valley were given away as a souvenir in the California section at the palace of agriculture at the world's fair. Each visitor to the exhibit re-ceived a gorgeous California flower and one of this year's crop of the famous California sweet oranges from the Sacra-mento valley as a remembrance.

TWO MEN ATTEMPT TO WRECK S. P. TRAIN

(Journal Special Service.)
San Francisco, Nov. 23.—Another at-tempt was made to wreck a Southern Pacific train last night, this time at Capitola, near Santa Barbara. Two tramps were caught in the act of heap-ing rocks on the tracks, and arrested. It is believed their object was revenge.

ENGLAND HAS SNOW.

(Journal Special Service.)
London, Nov. 23.—The heavy wind and rainfall of the past few days that has been sweeping over the coast has given way to snowstorms, and in many parts of the islands the fall is suffi-ciently deep to blockade railway traffic. Reports from the continent show frost as far south as Naples.

RUSSELL SAGE GETS \$555 IN HALF HOUR

(Journal Special Service.)
New York, Nov. 23.—Russell Sage yesterday sent cold chills down Wall street by calling in \$250,000 in loan.

MINERAL RIGHTS WISHED.

In former years the company's deeds transferring these lands to purchasers were drawn to including a provision by

MANY ACRES FOR SALE

Southern Pacific's Holdings of Subsidy Lands Offered Purchasers.

LISTING OF PROPERTY WILL BE DONE HERE

Oregon's Rural Population Will Have a Tremendous Growth Along Line of Railroad in the Near Future.

Over 2,000,000 acres subsidy lands of the Southern Pacific railway in Oregon are to be placed upon the market. The records were received at the office of Tax Commissioner Morrow of the Southern Pacific and the Oregon Railway & Navigation companies in this city yesterday, for the purpose of checking up the lists, and paying up all taxes due. While considerable trouble is expected in the work of listing, it is reported that this can be accomplished within a short time, and that the lands will be on sale early next year. The date is not announced by the company, and officials decline to verify the statement that the lands will be placed on sale as early as January. It is said that there is a possibility that a large part of the lands will be re-quired, and that portions will be with-held by the company.

The Oregon subsidy lands of the Oregon & California Railway company, now the Southern Pacific, comprises about 2,000,000 acres. The grant originally consisted of every alternate section in a strip extending 20 miles from the road on each side of the main line. The total width of the subsidy, when properly is 40 miles. In addition there is a 10-mile strip outside of this grant on each side, termed indemnity land, from which the company is entitled to select a quarter section for every quarter section in the original grant that had been filed upon by a settler. There was about 400,000 acres in the original strip already filed upon at the time the grant was made, and this amount the company is entitled to select from the lands in the indemnity strip.

The lands when placed upon the market 12 years ago were sold at from \$2 to \$10 an acre. The price was gradually raised until two years ago, when the sale was discontinued, the price ranged from \$2.50 to \$15 an acre for agricultural land. Timber lands are sold as high as \$25 an acre, in cases where the timber cruised extremely high. The company claimed that the taxes and ex-penses of handling the lands exceeded all revenue from its sale.

When the Southern Pacific and Oregon Railroad & Navigation companies' lines were acquired and consolidated by Harri-man an order was issued for discontin-uing the sale, and it was given out that time would be taken to invoice and list the lands and put them in shape for final disposition. Since that time the local land department of the South-ern Pacific has been engaged in the task until a few weeks ago, when the local office was discontinued and the depart-ment of Oregon was placed in charge of Charles W. Eberlein of San Fran-cisco, who is the land agent of the Harri-man lines in Texas and California.

The records appointing the Tax Agent Morrow of the O. R. & N. company to have charge of the same department for the Southern Pacific is said to have been a move in the plans for placing the lands upon the market. The records will be carefully gone over and the lands will be listed in a manner to permit of convenient handling by correspon-dence from the San Francisco office.

The greater part of the lands remain-ing in the control of the railway com-pany lie in the counties south of Rose-burg. There is about 1,000 acres re-maining in Multnomah county, and four or five times that amount in Clatsop and Yamhill. There is a larger acreage in Polk, Marion, Linn and Benton, and the amount increases southward through Lane, Douglas, Josephine, Jackson and Klamath counties.

Mineral Rights Wished. In former years the company's deeds transferring these lands to purchasers were drawn to including a provision by

(Continued on Page Three.)

WEARS A COAT THAT COST A FORTUNE

(Journal Special Service.)
New York, Nov. 23.—The most expen-sive garment yet worn to an opera is a coat. Adolph Lewisohn's \$25,000 sable coat. Some who saw the \$25,000 coat affirmed that it is the most expensive single garment in the world. This, how-ever, furriers say, is not strictly true.

One leading tradesman said today that he was engaged in a transaction for a \$25,000 coat. He said his customer had not been willing to go above \$27,000, but that it was impossible to furnish her with the coat she wanted, exclusive of the work in making, for less than \$31,000. Mrs. Lewisohn refuses to have any-thing to say regarding the garment. She is the wife of a banker.