

## ATTEMPT TO BOTTLE UP PORT ARTHUR

### Seven Merchant Steamers Run Into the Harbor and Sunk in Desired Positions by the Japanese

## SIDE LIGHTS ON THE OPERATIONS

The Bottling Up of Port Arthur is Not Confirmed by Any Other Correspondent Except the Daily Telegraph's—Viceroy Alexieff Renews His Demand for the Withdrawal of All Chinese From Manchuria—Russians Believe That Japan Will Violate Her Pledge Respecting the Neutrality of Chinese Territory—A Change of Japanese Plans is Given. General Kuropatkin's Campaign Will Not Be Aggressive One.

London, March 25.—The Daily Telegraph publishes a dispatch from its Tokyo correspondent under yesterday's date which says: "On the night of March 22, the Japanese fleet renewed the attempt to bottle up Port Arthur. Sixteen warships escorted seven merchant steamers to the mouth of the harbor and under cover of the bombardment, the steamers ran in and were sunk in desired positions. Three thousand Japanese officers and blue jackets volunteered for this duty. An official report is expected this evening."

Side Lights on the Operations. London, March 25.—The Daily Telegraph's circumstantial report from its Tokyo correspondent that the Japanese succeeded in bottling up Port Arthur on the night of March 22nd, is not confirmed from any quarter. The special dispatches to the other morning papers announce no new development in the situation, but throw a few side lights on the operations.

The Standard's Tien Tsin correspondent says that Viceroy Alexieff renewed his demand for the withdrawal of all Chinese officials and soldiers from Manchuria on the ground that otherwise it would be impossible to conduct the war properly.

The Daily Mail's correspondent's give from Japanese sources some details of the condition of Port Arthur which were gathered during a recent visit of a Chinese July 1903. It is asserted that a boom had been placed across the entrance to the roadstead which is alive with mines so defective and so carelessly laid as to equally endanger both Russian and Japanese vessels. The damaged Russian warships, these reports say, were repaired with such haste that it is dangerous for them to leave their anchorage. Eight battleships and cruisers and ten torpedo boat destroyers are now uninjured and often leave the harbor, but never go far from the forts.

Japanese naval officers praise the quality of the Russian torpedo boat destroyers which, they confess, have done excellent work, but they declared that the Russian shells are badly fused and fail to explode except when they strike direct upon armor and that their charges of gun cotton are insufficient to cause serious damage.

The Daily Mail's Shan Hai Kwan correspondent says that the Japanese are secretly engaging Chinese to act as an irregular corps.

### A Japanese Change of Plans.

St. Petersburg, March 24.—The war office is in receipt of persistent reports that the Japanese are preparing to land on neutral Chinese territory on the west coast of the gulf of Liao-Tung, either at Tien Kian Cheng, in Kin Chau bay, or at Shan Hai Kwan.

Although slow to believe that Japan deliberately contemplates a violation of her pledge to respect neutral Chinese territory, the reports received at the ministry of war are so specific that they compel consideration. The presence of disguised Japanese soldiers acting as spies along the Shan Hai Kwan road has been established, and Russian agents report that there is every indication of an intended landing on the west coast of the gulf of Liao-Tung. The information conveyed by these agents seems to coincide with other information, indicating a complete change in the Japanese plan of campaign, or of its entrance into a second stage practically involving the abandonment of further heavy landing of troops in Korea.

According to advices received by the government, there are only about 7000 Japanese troops in the hermit kingdom at present. The latest advices indicate that the Japanese will not send many more soldiers into Korea. They may make a diversion at Poesiel bay in the direction of Vladivostok, but their main objective henceforth will be in gulf of Liao-Tung. The only two points feasible for landing are Chin Wan Tao and Tien Kian Cheng which are connected by rail respectively with Shan Hai Kwan and Kau Kalu on the Pekin railroad. A landing at either place will give the Japanese possession of a splendid strategic line by which to

strike the Russian flank and if desired, to hold Pekin in subjection. The Russians have little faith in the Chinese Generals Ma and Mu, who might disregard orders from Pekin and join forces with the Japanese. There is reason to affirm that the Russian line of conduct in such a contingency has already been decided upon in principle. The assurances obtained from Pekin require that the Chinese authorities should oppose with their army such a step on the part of Japan. It is learned that the Russian military attaché at Pekin is now at New Chwang, watching the movements of the Chinese troops.

### Kuropatkin's Campaign Will Not Be Aggressive.

St. Petersburg, March 24.—When General Kuropatkin reaches Mukden it is understood that the Emperor's forces at the theatre of war will be divided into three armies, in the peninsula, including the Port Arthur garrison, under General Stoessel, military commander at Port Arthur; a central army under General Linevitch and a northern army, under General Baron Satekelberg. Any idea that General Kuropatkin's arrival will be signalized by aggressive tactics is discouraged in the highest military circles, where attention is called to the general's repeated injunctions—patience, patience, patience.

"We can afford to wait whether or not the Japanese can," is the sentiment among the believers in General Kuropatkin. He expects to force the Japanese to fight him on grounds of his own choosing. There will be no forward movement into Korea. On the contrary, the Russians at the Yalu are now screening their concentration to the westward and they probably will retire as the Japanese advance in force, harassing and retarding them as much as possible until the proper time to uncover the main Russian army.

The Russians also express much more satisfaction at the present situation at Liao Tung. The forces on the peninsula have been reinforced to an extent which will render a Japanese landing there difficult, if not impossible and the garrison at Port Arthur has been amply provisioned to withstand a siege. So far as the peninsula is concerned the preparations there may now be regarded as complete.

### Movements of Troops.

Liao Yang, Manchuria, March 24.—General Ma has transferred his headquarters to Tung-Chou and his troops have been withdrawn westward of the Sin-Min-Tung railroad.

Viceroy Yuan Shi Kai is now at Tien Tsin. His troops are returning to Pao-Ting-Fu.

It is persistently reported that the Japanese propose to land troops at Gatsia, north of Shan Hai Kwan. There are numerous Japanese spies at Shan Hai Kwan and elsewhere on the railroad to Yin Kow.

A detachment of General Mistchenko's troops remain in north Korea reconnoitering. A party is always watching Anju, but the Russians have not encountered any Japanese during the last few days.

On the arrival of General Kuropatkin, trans-Balkal territory, General Linevitch sent the commander-in-chief a telegram of welcome, saying the troops were thirsting to take revenge on the enemy and were impatiently awaiting his arrival.

Advices from south Manchuria and north Korea say all is quiet there.

### Account of the Attack on Port Arthur

Tokio, March 24.—Vice Admiral Togos report of the fifth attack on Port Arthur, which was made on March 22nd, reached Tokio tonight and is as follows:

The combined fleet acted according to the plan arranged. Two flotillas of destroyers were outside Port Arthur, as instructed, from the night of the 21st until the morning of the 22nd. Although during this time our destroyers were under the fire of the enemy, they sustained no damage. The main fleet arrived off Port Arthur at 8 o'clock on the morning of the 22nd.

"I dispatched a part of the fleet in the direction of Pigeon bay, and ordered the battleships Fuji and Yamashiro to make an indirect bombardment against the inner side of the port. During the bombardment, the enemy's ships gradually came out of the harbor, and at the time when the indirect bombardment stopped, which was about 2 o'clock, the number of Russian ships was five battleships, four cruisers and several destroyers. We believed the enemy was trying to make a movement of their fleet, to draw us near the forts. The enemy's ships shelled us indirectly and many of their shots fell near the battleship Fuji, but our shells sustained no damage. About 3 o'clock our vessels withdrew off the port."

### Rumors of Japanese Advance Denied.

St. Petersburg, March 24.—Major General Pflug telegraphs from Mukden under today's date as follows:

"There is absolutely no truth in the report published in England to the effect that the Japanese have crossed the Yalu river, or that they have had engagements with the Russians, while

the statement that the way to the Motieff pass (Motienling pass) where a strong Russian detachment is alleged to be stationed, is open to the Japanese is also an invention. To the contrary, the reports which were published in London newspapers from Japanese sources of an engagement alleged to have taken place at Port Arthur, March 19th (March 18th) and of the encounter at Ching-fong on the Yalu river, in which the Russians were reported to have lost 600 men killed or wounded."

### Troops Moving Toward the Yalu.

New Chwang, March 24.—Authoritative reports from Kirin, Kuang Chang Tsu, Mukden, Liao Yang and Hsu Yen show that three days ago complete quiet prevailed, with a regular movement of troops in the direction of the Yalu river. One regiment passed through Hsu Yen on Sunday, March 20th.

### Emperor William at Naples.

Naples, March 24.—Emperor William arrived here today on board the North German Lloyd steamer Koenig Albert escorted by the German cruiser Prinz Frederich Karl, and was saluted by the whole Mediterranean fleet. The Emperor went on board the Hohenzollern soon afterward.

### Yongampo to be Opened.

Washington, March 24.—The following cablegram has been received at the state department from United States Minister Allen at Seoul, dated today: "Announcement has been made at Seoul that Yongampo will be opened and it is said that 1,000 Russian troops have advanced to the Anju river, but that the floating ice makes crossing extremely difficult. There has been some light skirmishing but few casualties so far."

### The Bayan Has Not Been Destroyed.

St. Petersburg, March 24.—The Associated Press is officially authorized to deny the report, circulated in Berlin and published in the United States by a news agency, that the Russian armored cruiser Bayan was blown up by a floating torpedo in the harbor of Port Arthur March 16th, at the time a Russian torpedo boat was said to have been sunk owing to colliding with a mine.

### Anxious for the Opening of the Liao River.

New Chwang, March 24.—Both foreign and native vessels are anxiously awaiting the opening of the Liao river. It is their purpose to remove valuable goods and their cargoes before fighting begins.

### EXPECT A BETTER OFFER

SULLY CREDITORS NOT SATISFIED WITH HIS PROPOSITION.

An Effort is to be Made to Find Out the Identity of Sully's Backers—A Committee is Appointed to Represent the Creditors.

New York, March 24.—That D. J. Sully & Co., would be able to do a good deal better than to offer forty per cent, cash and sixty per cent, in notes to creditors was the belief expressed by Receiver Taft today and a new offer from the suspended firm is expected. Samuel Untermyer, who is counsel for a number of Sully's creditors, said today:

"We demand and intend to get the history of Sully's cotton transactions. We want the fullest exposure of the facts. Nothing else will satisfy."

Many of Sully's creditors are hoping that he will reveal the identity of his backers in the last pool. All of his associates Taft and Miller and R. Seidenberg, George Chapman, Superintendent Stroud, of the coffee exchange, Expert Accountant Cuthbert, who has been at work on the books of the Sully firm, and Boothby and Baldwin, counsel for the petitioning creditors. None of the parties to the conference would make any statement.

A meeting of the creditors of Daniel J. Sully & Co., was held this afternoon. It was called at the request of the receivers for the purpose of having a committee named to represent the general body of creditors in dealing with the receivers.

The meeting adopted a resolution giving President McDougall of the Cotton Exchange the power to appoint this committee, after which adjournment was taken.

Mr. McDougall appointed the following committee:

Reinhard Seidenberg, J. Temple Gwathmey, Edward Shearson, George Chapman and J. S. Clark. They are the same members of the exchange who were appointed as a similar committee at the former meeting of the creditors and later discharged.

Mr. McDougall said that the committee will be without power to make any settlement, but will confer with the receivers and act in an advisory capacity toward them.

Superintendent King, of the Cotton Exchange announced today that the recently suspended firm of J. H. Garriotte & Co., were prepared to settle in full and that all claims against them might be presented for settlement today.

### Charged With a Big Theft.

Vera Cruz, March 24.—A Frenchman arriving on the steamer Manuel Calvo from Havana, has been arrested at the request of the Cuban consul. He is charged with the theft of \$28,000 in Havana. Extradition documents are expected to arrive soon.

## SECOND TIME SWAYNE CASE 8-HOUR BILL

### House Votes Not to Investigate the P. O. Department

### AN APPEAL FAILS

### The Question of an Investigation Was Brought Up by Mr. Williams, Whose Amendment Was Laid Aside on a Point of Order—The Appointment of Federal Officers Under Civil Service, Especially in the South, Was Brought Up and Discussed in the Senate.

Washington, March 24.—The house of Representatives today again put itself on record against any investigation of the postoffice department. Eight pages of the postoffice appropriation bill were disposed of. The question of an investigation of the postoffice department was brought up by Mr. Williams, the minority leader, who proposed an amendment providing for a select committee of five members of the House and three Senators to make a complete investigation into the alleged frauds in that department. He taunted the Republicans for their failure to order an investigation and said the party was opposed to it.

The chair sustained a point of order by Mr. Overstreet against the amendment and when Mr. Williams appealed, the chair was sustained 133 to 99.

Before the vote was taken Mr. Williams appealed to Mr. Overstreet to withdraw his point of order, which Mr. Overstreet refused to do. "Then the gentleman has a perfectly stony heart," said Mr. Williams. "He stands in between this investigation of the postoffice department by Congress with his point of order."

Mr. Williams inquired: "What does a miserably little rule of the House amount to when you consider it is the only obstruction lying between you and a righteousness far greater than the righteousness of a technical decision?"

He declared that the very essence and soul of good government is honesty in the public service and economy of public administration. "The only way we can secure honesty in the postoffice department," he continued, "is either by the gentleman withdrawing his point of order or by the House marching over the point bodily."

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He said the House can secure an investigation by an outside authority "not intermingled with the corruptions existing in the postoffice department" by the two ways he had suggested. There is a power greater than the House, he declared, and it is the people of the United States when a gentleman makes a point of order, as representative of his party, it is because his party don't want the postoffice department investigated.

"Won't you," Mr. Williams asked, "do something to keep the great body of American citizenry from believing the postoffice department is infamously corrupt and a disgrace to the country?"

Mr. Lever, of South Carolina, criticized the department for "its discrimination against the south in the establishment of rural free delivery route."

Provisions in the bill forbidding rural carriers engaging in business or carrying merchandise and increasing their salaries from \$600 to \$720 a year went out on points of order.

### THE SENATE.

Washington, March 24.—The Senate today passed the Indian Appropriation bill. After the routine features of the bill had been disposed of, Mr. Bacon again raised the question of civil service appointments, basing his remarks upon the statement made by Mr. Hoar yesterday to the effect that Senators from States of political faith different from that of the President should be consulted in the matter of appointments to office.

Mr. Bacon characterized the utterance "as a most notable one" in connection of a system "which practically disfranchises one-third of the people of the United States in the matter of the administration of the Federal laws in their midst."

The present system was, he said, a denial of the right of the people in this respect, and the denial, said Mr. Bacon, was especially felt in the South. It never had been intended by the framers of the government that any community should be deprived of the right to be consulted in the selection of Federal officers.

He has appointed as court commissioner John Thomas Porter, who maintains an office at Marianna, while his residence is at Grand Ridge, fourteen miles distant, thereby causing great expense and inconvenience to parties before his court and to the government.

That he corruptly lobbied with J. M. Barry to prevent the redistricting of the State.

### Charges Against the Judge Concisely Stated by Mr. Palmer

### THE EVIDENCE

### Taken by the Sub-Committee in Florida is Given to the House Committee—Non-Residence, Conduct Unbecoming a Judge and Other Unlawful Charges Are Made—Judge Swayne Gives a Brief Review of His Life and Then Enters Into His Own Defense.

Washington, March 24.—The evidence in the impeachment proceedings against Judge Charles Swayne, of the Northern District of Florida, taken in Florida by the House subcommittee of the Judiciary Committee and including the brief of Judge Swayne before the committee in his own defense, and that of Judge B. S. Liddon, for the prosecution, was furnished to the committee today in printed form for the first time. The document consists of 360 printed pages.

The charges against Judge Swayne, which undoubtedly will be set forth in the report of the committee to be filed tomorrow by Representative Palmer, are concisely stated by Mr. Palmer in forming the brief of Judge Swayne during the proceedings, as follows:

Non-residence in the Northern District of the State of Florida. For unlawfully imposing a fine, and imprisonment on one E. T. Davis and S. Belden in 1901.

For unlawfully committing to prison in 1902 one O'Neal for alleged contempt of court.

For conduct unbecoming a judge, in appointing one Tunison in 1900, knowing him to be a man of bad character.

For refusing a fair hearing and trial to one Hoskins, in 1902.

In his own defense Judge Swayne filed with the committee a statement of endorsement from seventeen lawyers and five other persons, not attorneys, written in November, 1897, recommending to President McKinley his appointment to succeed Justice Field on the Supreme Court bench of the United States. He also filed twenty-four letters, mostly of Florida attorneys, written in February, 1899, recommending his appointment to the position of circuit judge of the Fifth circuit, which had just been created by an act of Congress.

In his brief Judge Swayne reviews his life briefly, stating that he was born in Delaware in 1842; read law in Philadelphia and was admitted to practice there in 1865. In 1865 he moved to St. Paul, Minn., where he practiced until appointed to the bench in 1869. His appointment was a recess appointment, which was not confirmed until April, 1890.

Judge Liddon, in cross examining Judge Swayne asked him if he did not understand the laws of Florida to be that a man could not hold office there unless he is a qualified elector. Judge Swayne admitted this.

Judge Swayne, in commenting upon the proceedings against him, said to the committee that they were due to but two causes:

The malice of the man O'Neal, who was sentenced, and the intense political feeling engendered at that period. There never would have been anything of this had it not been for these causes.

In summing up against Judge Swayne, Judge Liddon declared him guilty in the following instances:

1. That he had been guilty of corruption in his office and oppression in the following instances: W. H. Hoskins, against whom involuntary proceedings were brought; against Samuel Beiden and E. T. Davis, who were most wrongfully and unjustly punished for alleged contempt; against W. C. O'Neal upon a charge of contempt, and against one C. D. Hoskins—the two latter having died with such proceedings pending.

2. That he had appointed and maintained as commissioner of his court one B. C. Tunison, a man of bad reputation, and has so conducted himself as to create at least a general impression that his court is dominated by said Tunison in administration of justice therein.

3. Maladministration of bankruptcy matters before him, whereby the assets of bankrupts were absorbed in costs and expenses.

4. That he has been guilty of corruption in his office and oppression in the following instances: W. H. Hoskins, against whom involuntary proceedings were brought; against Samuel Beiden and E. T. Davis, who were most wrongfully and unjustly punished for alleged contempt; against W. C. O'Neal upon a charge of contempt, and against one C. D. Hoskins—the two latter having died with such proceedings pending.

5. That he corruptly purchased a lot of land in litigation before him, and afterwards tried another case, between practically the same parties, involving the same lands, and directed the jury to bring in a verdict in favor of the title which he had purchased.

### Southern Manufacturers Appear Before House Committee

### MAKE PROTESTS

### The South Does not Need the Help of Congress Where That Help Consists of Embarrassment and Discouragement—Manufacturers Have Agreed on Regulations That Are Sufficiently Stringent—Argument as to What Products of a Cotton Factory Are Not Exempt From the Bill.

Washington, March 24.—The protests of southern cotton manufacturers against the interference of Congress regulating labor contracts was the feature today in the hearing on the eight hour bill before the Senate committee on education and labor. Jack J. Spalding, of Atlanta, Ga., asserted that the south does not need the help of Congress "when that help consists of embarrassment and discouragement to the manufacturers in their efforts to obtain a percentage of the foreign trade, hamstringing them and setting barriers in the way of their progress in the interest of labor and against the interest of the working man and woman."

Chairman McComas asked if it is not a fact that the southern manufacturers are a unit in protesting against legislation of any kind. Mr. Spalding said that the manufacturers had voluntarily adopted regulations more severe than any legislation that had ever been proposed in Georgia and that so far as child labor was concerned, the young boys and girls that are employed are minding machines where they can play half of the time. He declared also that 75 per cent of the mills maintained schools and free books equal to the state schools, and that it was a part of the regulations that the boys and girls should attend the schools a certain number of months each year.

"Why," said Mr. Spalding, "my mill is in the town where President Roosevelt's father and mother were married. This mill has been running sixty years, with the exception of a short time after Sherman came through and accidentally dropped some fire in the mill, and the social conditions were better there than in almost any town in the country. The people are satisfied. The manufacturers are getting along well, the laboring class does not want this legislation and in fact the agitators are the only ones that do want it."

F. E. Gordon, of Columbus, Ga., called attention to the fact that the chairman of the committee had said that all products of the cotton mills were exempt from application of the eight hour bill. He said that there were factories in Georgia which manufactured particularly heavy duties which was used only by the government and not being sold in the open market would not be exempt. He introduced F. F. Calloway, of LaGrange, Ga., who made a statement in regard to this product. After the statement, the chairman insisted that the product would be exempt, under the provision making exceptions of government supplies whether manufactured according to particular specifications or not.

"Then you can tell me what is included under this bill?" Mr. Calloway asked.

Chairman McComas said that the hearings in the last three years he had concluded that the only things which were not exempt were government vessels, large marine engines, big cranes and heavy carriages used in government work. He said that the supplies for manufacture, such as bolts, rope, sails and all material of that character was not included under the bill.

Mr. Calloway said if it were known just what articles would be included they should be specified in the bill in order to avoid the general confusion that now exists. He asked why this had not been done.

In the opinion of the chairman a specification of that character would be unconstitutional.

"Are you sure," asked Mr. Calloway, "that the Supreme court would construe the bill as you do?"

"Of course, I cannot be sure what any other man or men would do," said Senator McComas, "but I am sure that under the bills no intelligent lawyer would say that the duck you manufacture was not exempted."

"I don't know that," said Mr. Calloway, "I have seen things drawn a heap tighter than this bill seems to be and yet the lawyers have twisted them about so as to make almost anything they wanted out of them. I think you can make anything you want out of this bill. I may be exempt, but I prefer to be on the safe side and get my record in so that if the courts do not agree with you, my contentions will be on file."

Joseph Southerland Accidentally Drowned.

Bristol, Tenn., March 24.—Accidentally falling into Laurel river, near Damacus, Va., today, Joseph Southerland, a wealthy citizen and prominent cattle dealer and mineral developer, met death today. His body was recovered after a long search, the swollen river carrying it many miles down stream. Mr. Southerland lived at Mountain City, Tenn., where he owned valuable farm and mineral property.