

DENIES CHARGE

Judge Archbold Files Formal Answer Today

MAKES MANY ADMISSIONS

Alleges, However, That All of His Acts Were Without Incentive of Personal Gain—Money Furnished Relative.

WASHINGTON, July 27.—Admitting practically all of the acts in the impeachment charges against him, but emphatically denying that he corruptly used his judicial influence, Judge Robert W. Archbold of the Commerce Court, today filed his formal answer in the estate. He asserted that no case had been made against him by the house of representatives.

Archbold admits being involved in numerous coal deals while on the bench. He admits soliciting high railroad officials to further such deals. He admits that promissory notes bearing his endorsement were presented to attorneys and litigants in his court. He candidly concedes he wrote letters to and visited railroad officers to further private business negotiations for himself, associates and friends.

But the jurist says every such act was innocent. He declares many were without hope of private gain, although realizing the railroads would have cases before him in the commerce court. He does not even admit that he acted unethically. Admitted he visited Erie railroad officers in New York and Scranton to aid Edward J. Williams in securing their proposed option upon the "Katydid" culm pile. Archbold says his party in the case was that of a friend to Williams. He did not attempt unlawfully or corruptly to use his judicial office.

Archbold admits he figured in negotiations with railroad heads for settlement of the suit of William F. Boland, Archbold's accuser, against the carriers, but denied he did so for any pecuniary consideration.

The judge also admits writing letters to Holm Bruce, attorney for the Louisville & Nashville railroad without consent of other parties in the case to get Bruce's opinion upon evidence in the case. He denies such action was wrong.

Solely out of friendship for Fred Warnke, Archbold says he asked Reading railroad officials to extend Warnke's coal lease.

The answer asserts that a \$2,500 note Archbold endorsed in 1908 without his knowledge to an attorney in whose favor he had decided a case just seven days before. The jurist denies he endorsed the note as a partner in any Honduras gold mine deal, but says he afterward received stock, "as collateral security," of the \$500 note presented to the Boland brothers for endorsement while he was trying their case. Archbold says he did not think such action was improper as he forgot that the Bolands were in his court.

The charge that he received money from Henry C. Cannon, a capitalist identified with many railroads which were concerned in litigation before him, for an European trip, is met by the statement that Cannon is a relative by marriage. Archbold denies ever favoring roads in which Cannon was interested. That he received a purse of \$525 donated by lawyers in his court when he left for Europe, is admitted, but Archbold says it was a mere testimonial of friendship, which he could not have refused, without impugning the motives of friends.

Archbold says he appointed J. B. Woodward, a jury commissioner of his federal court in Scranton, without knowing Woodward was a Lehigh Valley railroad attorney.

"The respondent denies," Archbold's answer concludes, "that he undertook to carry on a general business for speculation and profit in purchase and sale of culm coal dumps, or undertook to compromise litigation pending before the interstate commerce commission for a valuable consideration. He never concealed his interest in any personal contracts. In very few cases did he invest any money or other thing of value, except his personal services,

without using his influence as a judge in any of them."

NEW EMPEROR OF JAPAN TAKES CONTROL TODAY.

Is Son of Late Mikado by One of His Secondary Wives—Lady in Waiting.

TOKIO, July 29.—As soon as the death of the mikado was announced, his son, Yoshihito, immediately assumed supreme authority and control of the government, and it is not believed that the death of the emperor will have any perceptible effect on the policies of Japan. The young emperor who took command today on death of his father is 33 years old, and is a son of late emperor and Lady Yanagisawa, a lady in waiting. The late emperor left no children by the empress. According to custom in Japan the empress is allowed 12 ladies in waiting, who serve as secondary wives to the emperor. Four children by ladies in waiting survive the emperor. The new emperor, while a prince, was not allowed secondary wives, but has three children, all boys.

BODY OF GIRL IS FULLY IDENTIFIED.

Discovery Establishes Fact That Miss Snodgrass Met Violent Death.

CATSKILL, N. Y., July 29.—Since July 17, when Miss Dorcas Snodgrass, a trained nurse, mysteriously disappeared from New York, the country has been searched east and west by detectives in hope of locating the missing girl. Rumors yesterday that she was enroute to England on board a trans-Atlantic liner, seemed authentic, but today all sorrows were hushed by the discovery and identification of the body of the lost girl at this place. Friends positively identified the body as that of Miss Snodgrass. The girl's body was found lying face downward in the mud of a creek bed. There were no evidences of violence nor was water found in the lungs. Coroner Branch is of the opinion that it is a case of suicide, although no reason can be assigned for the act.

SPECIAL TREAT AT THE PALACE THEATRE.

Sig Monaco an Italian Opera singer has been engaged by the manager of the Palace theatre for tonight and tomorrow night. Sig. Monaco has without a doubt the greatest tenor voice ever heard in this city, at least such is the verdict of the few who heard him in private rehearsal this morning. Manager Oliphant is so confident that the increased attendance will pay for this feature that there will be no increase in the regular price of admission.

COLQUITT WINS IN PRIMARY

Texas Governor Probable Renominated At State Primary Today.

AUSTIN, July 29.—Returns from many precincts today indicate that Texas voters have re-nominated Governor Colquitt by a plurality of probably 20,000.

At the time of filing its final report Saturday night, the grand jury returned into court a "not true bill" in the case of Thomas Brunner, of Rice Hill, who was accused of attacking his step-daughter. The charge filed against Brunner was investigated at some length and a dozen or more witnesses were examined. The grand jury was unable to find any evidence tending to indicate that Brunner was guilty of attacking his step-daughter as alleged in the complaint filed at the time of his arrest and arraignment in the justice court. Following the return of the "not true bill" Brunner was released from custody and returned to his home late Saturday night.

Shortly before noon today Attorney W. W. Cardwell, who has been retained by George Powers, recently indicted on a charge of attempting to break jail, appeared in the circuit court and entered a plea of "not guilty" upon behalf of his client. Inasmuch as Powers has caused the officers no end of trouble it is possible that he will be tried during the September term of court. In the meantime he will serve a part of the sentence for assault and battery as imposed by Judge J. W. Hamilton in the circuit court this morning.

BREWERY DIRECTORS LOOSE FIRST TWO ROUNDS IN LEGAL BATTLE

Judge Hamilton Overrules Motion to Set Aside Indictments—Attorney Hermann This Morning Files Demurrer Which is Overruled.

TRIAL IS SET FOR SEPTEMBER THE SECOND

Brewery Attorney in a Statement to the Court Infers that these Cases May Go to U. S. Supreme Court for Final Determination—A Long Legal Battle Expected—State Victor Thus Far—Full Text of Grand Jury Report.

Brewery Stockholders and Number of Shares Held by Each as Contained in the Report of the Grand Jury

Table with 6 columns: Name, Shares, Name, Shares, Name, Shares. Lists names like Alfred H. Jacobs, W. H. Sykes, Alfred Wollenberg, etc.

The indicted brewery directors this morning lost the first two rounds in their legal struggle to get from under the charges made against them by the grand jury which adjourned late last Saturday evening. Judge J. W. Hamilton at ten o'clock this morning overruled the motions to set aside the indictments made last Saturday by the brewery's attorney, Elbert Hermann. District Attorney Brown was therefore sustained in his contention that the indictments were properly drawn and presented by the grand jury and that they were regular. The disposal of this motion in favor of the state was the first defeat of the indicted brewery directors in their effort to prevent being tried on the charge of unlawfully selling intoxicating liquor.

The second defeat came a few minutes after the first. Attorney Elbert Hermann immediately filed a demurrer to the indictments at this time and save the exceptions. The first was that more than one crime was charged against the defendants in the indictment and the second that the facts mentioned in the indictment did not constitute a crime. Mr. Hermann in arguing the demurrer to the court, stated that he desired to make all these objections to the indictments at this time and save the exceptions to the rulings of the court for the reason that in all probability the cases would not rest in the state courts but that they would go beyond the jurisdiction of the Oregon courts. This statement is taken to mean that the brewery and its indicted directors are going to make a long legal struggle to escape execution of the verdict of the trial jury should that body render a verdict of guilty. Judge Hamilton in overruling the demurrer to the indictments, said that the directors were the managing agents of the brewery and that the directors, even though they had no guilty knowledge of the acts of their employees, they were equally responsible to the law. Furthermore that if a sale had been made by the manager or any other person in the employ of the brewery and that sale was contrary to law the directors were amenable to the law without any knowledge of the transaction.

In conclusion, Judge Hamilton set September the second as the date on which these cases will be taken up and tried. Mr. Hermann asked that the district attorney elect which charges he desired to try first, those against the brewery and Oscar Klinker or those in which the brewery and its directors are charged with the unlawful sale of intoxicating liquor. Mr. Brown without any hesitation elected to try the latter.

Grand Jury Reports.

The grand jury, which has been in session since a week ago last Friday was adjourned Saturday after filing its report. The text of the grand jury report follows:

We, the grand jury of the May, 1912, term of the circuit court for Douglas County, Oregon, would be pleased if your Honor will make an order giving us a recess.

Several of our members have much work at home which is being neglected on account of our serving the public as grand jurors.

We have investigated all charges coming to our knowledge concerning the commission of crime committed and triable in Douglas County, Oregon.

That we have disposed of most of the charges, but we still have under consideration and deliberation certain offenses wherein there seems to be a lack of evidence at this time.

For the reason that there have been many inquiries made as to who the stockholders are of the Roseburg Brewing & Ice Company, we deem it of sufficient public importance to set out in this report a list of such stockholders together with the number of shares as well as the names of all persons who have heretofore held stock:

(The names of stockholders and the amount of stock held by each is given at the head of this article and is therefore omitted here.)

The secretary testified in reference to a record of the transfer of stock which was produced before the grand jury, among other things as follows:

Q. Do you know that is correct?

A. Absolutely.

Q. Give us the names of those who have held stock, the number of shares, to whom transferred and when transferred.

A. W. S. Hamilton, August 31, 1906, 55 shares. He sold his to A. Salzman May 1st, 1908. Then he sold to Houck, also 10 shares to Houck. He transferred 10 shares to H. Wollenberg, two shares to E. V. Hoover, four shares to W. H. Sykes, 10 shares to Geo. E. Houck, Isadore Wollenberg 10 shares, Alfred Wollenberg 5 shares and Salzman 14 shares. Dr. E. V. Hoover, original stock as issued August 31, 1906, 55 shares, and then 10 shares the 7th of February, 1907, 10 shares, and in July, 1911, 9 shares more, making a total of 74 shares. Here comes one, R. B. Dixon 5 shares October 31, 1911, R. B. Dixon sold his on April 15, 1912, to Alfred Wollenberg, Max Weiss had 25 shares and he transferred to Dr. Seely on September 26, 1906. John Banks, 13 shares which was issued 1909, August 16, and transferred to Isadore Wollenberg April 10, 1912. Robert Connor, he purchased stock April 15, 1911, and transferred it to Isadore Wollenberg April 10, 1912. That is all the stockholders from the beginning to the present time.

We commend the efforts of the sheriff of Douglas county in the enforcement of the Local Option Liquor Law, and take pleasure in saying that he will continue to see that this law is rigidly enforced.

Dated at Roseburg, Oregon, this 27 day of July, 1912.

Jas. M. Ellison, Ira P. Remington, Foreman C. H. Ellison, B. D. Dyer, Geo. A. Nordurft, T. C. Shaw, N. La Raut.

WILSON READY

Will Accept Nomination from Democrats

STRONGLY PROGRESSIVE IN TENOR

Favors One Term For Presidents—Believes Trust Law Violators Are Personally Guilty—Mikado Is Dead.

(Special to The Evening News.)

SEA GIRT, July 29.—With his speech of acceptance completed, Governor Wilson returned here last night. It is said that the speech will be strongly progressive. Wilson favors a tariff for revenue only, a heavy taxation on those luxuries afforded only by the wealthy. The speech will deal with a one term proposition for presidents, and he proposes to treat all trust officers convicted under the Sherman law as criminals, and will urge their cases to be dealt with on a basis of personal guilt. The speech will favor direct primaries, and a drastic national corrupt practices act. Mikado Is Dead.

TOKIO, July 29.—The Mikado died here this morning after being in an unconscious condition for several hours. The last day or so the monarch was kept alive only by injections of stimulants.

Worn out by increasing debility, due to diabetic condition Mutsuhito, emperor of Japan died today at the imperial palace, while the elder statesmen and Yoshihito, his son, stood by his bedside. No arrangements have so far been announced for the funeral.

After listening to the arguments of Attorney Elbert B. Hermann and District Attorney George M. Brown, Judge J. W. Hamilton this morning sustained a demurrer to the complaint in the case of R. L. Mooney, alias "George Gray", accused of obtaining money under false pretenses from Mrs. Settle. As a result of Judge Hamilton's decision Mooney cannot be tried on the charge under controversy. The motion filed by Attorney Hermann was based upon the grounds that there was no false token at issue in the case. This question has been so positively settled by the supreme court, so the attorneys say, that there was at no time a chance of successful combating Attorney Hermann's contention. Apparently aware that the indictment would be attacked, District Attorney Brown fortified himself, when the grand jury late Saturday returned a second indictment charging Mooney with larceny by impersonating another—who in this particular case was Frank O. Gray. The penalty for this offense is from one to five years in the state penitentiary. Arraigned in the circuit court on the latter charge this morning Mooney entered a plea of not guilty. He will be defended by Attorney W. W. Cardwell, who was appointed by the court.

Amos Baker, of Tiller, was a business visitor in Roseburg for a few hours today.

Almost exhausted from his long walk, Robert McClane, 80 years of age, arrived in Roseburg late Saturday enroute from his former home at Simon, Cal., to Salem where he had planned to spend some time with his daughter. Unable to read and write the aged man had failed to notify his daughter of his coming. On the contrary, he struck out across the country afoot and upon his arrival here displayed conclusive evidence of the hardships endured on the trip. Drifting into the Southern Pacific rounhouse, the man told his story with the result that he was soon in possession of new clothes as well as considerable money. In addition to this assistance the railroad boys also raised sufficient funds with which to send the old man to the home of his daughter. This is but one of the many instances where the Southern Pacific shermen have showed themselves to be men of generous disposition.

WANTED—To buy. A team of ponies. Weight around 900. Must be reasonable. Address box 595, Roseburg, Oregon.