

CASE IS IN THE HANDS OF JURY

Arguments of Attorneys Long, Rice's Plea Eloquent

HERMAN'S TALK FULL OF ABUSE

Heaps Abuse And Insults On The Two College Professors who Testify In Behalf Of The State.

EXTRACTS FROM ATTORNEY HERMAN'S ADDRESS.

"You have to try George Brown every time you try a criminal case in court." "If there is one thing that I try to do when Brown is talking it is to keep track of the mistakes he makes—and he makes lots of them." Referred to Prof. Fulton, of the Agricultural College at Corvallis as "that little fellow with an Irish face and a pug nose." Said of Prof. Shinn, of the University of Oregon, at Eugene, "What good to any community is an over-educated fool like that." Called District Attorney Brown the "King of Pettifoggers."

The celebrated case of the State of Oregon against the Roseburg Brewery & Ice Company and its five directors, which has occupied the attention of the circuit court and jury for the past three days went to the jury at a late hour this afternoon.

The case has attracted considerable attention and the court room has been packed at each session including that held last night.

The State rested about five o'clock yesterday afternoon and District Attorney George M. Brown took a little time in arguing points of law to the court and then made a twenty-two minute address to the jury, in which he reviewed methodically the evidence of this state and parts of the evidence of the defense. His address was orderly and gentlemanly.

Albert Hermann Talks.

The court at six o'clock last evening adjourned till seven thirty p. m. at which time Attorney Albert Hermann began his address to the jury. He consumed two hours time in furtherance of his advocacy of the cause of his clients. For the first three quarters of an hour of his address he heaped one abuse after another upon District Attorney George M. Brown, Sheriff Quine and his deputies and The Evening News. He is a master of vituperative language and he used his powers to the utmost in bringing insult upon every one connected with the prosecution of the case. He referred to the prosecutor as a "weak man" and "a weakling". In referring to some of Browns questions to the witnesses he said

"I would resign my office as prosecutor if I had to put the words into the mouths of witnesses as Brown has done in this case." He frequently told the jury what he would do if he were the prosecuting attorney of this county. He told the jury that the prosecutor had practiced fraud on the jury in reading from the articles of incorporation of the brewery. "You have to try George Brown every time you try a criminal case in court," he shouted at the top of his voice, and at another time he bubbled over with mirth when he said "If there is one thing that I try to do when Brown is talking it is to keep track of the mistakes that he makes—and he makes lots of them." Another time he called the prosecuting attorney "the King of Pettifoggers."

In a dramatic way he said that The News had been "yellow" in its conduct in reference to this case since the famous raid on July 3d. He pranced around in front of the jury box, sometimes yelling at the top of his voice and at others talking in a whisper.

He referred briefly to the evidence of the witnesses, placing a halo of truthfulness around all those called in behalf of the defense and a crown of insincerity upon those called for the prosecution.

He charged that all persons in the courtroom interested in the prosecution of the case were "hypocrites." Once he referred to District Attorney Brown as a "greyhound," to the Sheriff and his deputies as "a bunch of puppies" and to The News as "a yellow press with a brass band."

To Professors Shinn and Fulton, men of unquestioned reputation and ability, he paid his insulting respects in such language as "long headed over-educated asses." At another time he referred to Prof. Fulton as "that little fellow with an Irish face and a pug nose." Almost in the same breath he said of Prof. Fulton "What good to any community is an over-educated fool like that."

Aside from these expressions against the prosecutor, the sheriff and his deputies, the yellow press (singular, not plural) his two hours were filled with others along the same line. He devoted little argument to the evidence, as evidence and apparently endeavoring to take the part of an actor.

Attorney Rice Talks.

After the address given by Attorney Albert Hermann court adjourned till nine o'clock this morning when Attorney Dexter Rice, for the defense began his argument to the court and to the jury. Mr. Rice cited a number of cases and authorities to show that the corporation, and not its directors, are liable for the acts of its employees. Mr. Rice suggested to the court that if the jury found it to be a fact that the beverage sold was intoxicating that the corporation alone was responsible, and not the directors who could not be charged with the knowledge of what the employees made and sold. Mr. Rice started out by saying that he wanted to be perfectly fair and honest in his reference to the testimony. He took up the evidence given by the different witnesses and explained to the jury what value they should place upon it. In contrast to Attorney Hermann's remarks Mr. Rice stated "I would not tear down the reputation of George M. Brown to win this case." His speech as a whole was free from any abuse and what references he made to the prosecutor, the sheriff the press and the state's witnesses were not filled with vindictiveness but on the contrary were made in a humorous manner which took away any sting that might otherwise have attached to them. He was given close attention by the jury and every one in the court room. In closing he asked the jury to attribute any mistakes that he may have made in the exposition of the evidence to himself and not to the defendants on trial. His last sentences were eloquent and made the heart throb faster when he told of the humiliation and shame that would attach to the defendants in case a verdict of guilty as charged was rendered against them. He passed a moment and then said "Gentlemen all that we ask of you is a fair, square deal for these men and I know that they will have it at your hands." As he took his seat the dropping of a pin could have been heard anywhere in the courtroom, so deep was the silence.

(Continued on Page Eight.)

BLOOD SPURTED CLEAN UP DIVES

Convicts in Michigan Penitentiary Inhumanly Whipped

ARE PUNISHED FOR REVOLTING

All Men Participating In Riot At The Prison Met Like Fate—Workers Or World Planned The Strike.

JACKSON, Mich., Sept. 6.—All prisoners who in any way participated in the recent revolt in the State penitentiary here were punished by whipping today. The order was given to "Lash them till the blood spurts," and those instructions were carried out by guards. The convicts were brought out one at a time and punishment inflicted according to orders of the Warden.

Gigantic Strike Promised.

NEW YORK, Sept. 6.—William D. Haywood, head of the Industrial Workers of the World, announced here today that all members of the organization would go out on a strike Sept. 20 in protest against the imprisonment of Joseph Ettore and Albuero Giovannitti at Lawrence, Massachusetts. Haywood alleges that Ettore and his fellow prisoner are being held in jail unjustly on charge of murdering a woman during the recent strike at the Lawrence textile mills.

Bank Statement Called For.

WASHINGTON, Sept. 6.—The comptroller of the currency today issued a call for the condition of all national banks at the close of business on Sept. 4.

NEAR BEER RESORT SOLD REAL WHISKEY

License In Name Of Man Not In City At Present—Indictment Pending.

The saloon in the George Hoover building and once owned and operated by Robert Connor, has lately gotten into the lime light again. Suspecting that liquor was sold in the place, Billy Eastman generally known as the converted ex-convict, in the role of detective, visited the place on August 14 and called for whiskey. A bottle of the real stuff was produced and without question or comment a portion of the liquor was passed out to Eastman who paid for it. The evidence was turned over to Sheriff Quine who raided the place a few days after. On the strength of the evidence secured at that time and from what Eastman held, the matter was turned over to the grand jury last week. Anticipating trouble, perhaps, from grand jury investigation, the place was closed for a good part of Saturday.

Investigation developed the fact that Cox, the barkeeper in charge of the night shift on August 14, had been discharged last Thursday. His whereabouts are not known to the officers at present. Friday night business in the resort, so it is alleged, was wide open, and whiskey was sold without stint to all who had the price. Limas Whitford was said to be in charge of the place at that time. Wiring to Joe Call, who was at Portland, and who is said to have purchased a partnership in the business on August 5, that he must come at once, Whitford left the city presumably Sunday morning. Just where he is right now is immaterial Call arrived and opened the place for business late Saturday. An inspection of the place a couple of days ago revealed the fact that no retail beer license was in evidence in the place, and a demand to see the document brought forth the reply that it was in the safe and the combination unknown. Today the license, made in favor of Limas Whitford, is posted on the wall. Joe Call, on being questioned closely, acknowledged that he was a partner in the business with Whitford, having purchased an interest on August 5. This fact makes him an accessory to the whiskey selling of August 14. While indictments are probable, the grand jury has not yet returned a true bill against any one connected with the place.

CLEAN UP DIVES

Chicago Suburbs Come in for Cleansing

MISS BROOKS CRUSADE FRUITFUL

Officials Recognize The Woman's Fight For Better Morals—Race War Looked For At Princeton, West Va.

CHICAGO, Sept. 6.—The campaign recently started by Miss Virginia Brooks against the disorderly resorts in West Hammond, a suburb of Chicago, received official recognition for the first time today when Coroner Hoffman, State Attorney Wayman and Assistant Chief of Police Schuetzler conferred with the young woman concerning plans for unraveling the mystery surrounding the death of John Messmaker. Miss Brooks asserts that Messmaker is one of the victims of knock-out-drops administered in West Hammond resorts. In conclusion of the conference Miss Hammond swore out a warrant for the arrest of Mrs. Ethel Parker, alias Frankie Ford, charging the woman with the murder of Messmaker. The Ford woman, is alleged to have been brought to the resorts of West Hammond in violation of the white slave law. Other warrants are expected to be issued by tonight.

Race War Imminent.

BLUEFIELD, W. Va., Sept. 6.—A bloody retribution for the lynching, yesterday, by a mob of white men, a negro named Walter Johnson for the alleged attempted assault on Nita White, a 14 year old white girl, is threatened today. According to telegrams and telephone messages received here today the negroes of Princeton are organizing quietly, and are sullen and defiant. While they are keeping under cover it is believed that a bitter race riot may be expected to materialize at any moment.

STRANGER PASSES WORTHLESS CHECK—ARRESTED

Day Clerk Hunter, Of The Grand Hotel, Endorses Check And Must Make Good The Amount—Officers Pursue.

Representing himself as a traveling salesman and giving his name as R. L. Wyatt, a stranger yesterday succeeded in persuading Day clerk Hunter, of the Grand hotel, to endorse a worthless check in the sum of \$12. This check was later passed on a local restaurant by Wyatt, after which the latter left town.

EXPERT FOR DEFENSE.

In yesterday's issue of The News it was stated that Mrs. Dr. Hampton, of Portland, was called as a witness for the State. This was a typographical error and should have read that Mrs. Hampton was called by the defense. The error occurred in the late rush of court evidence of the trial of the Roseburg Brewing & Ice Company and its five directors.

JURY RETIRES.

The Jury in the celebrated case of the State vs The Roseburg Brewing & Ice Company retired at 3:40 o'clock this afternoon to deliberate. Although the prosecution is hopeful of securing a verdict of guilty there are many who predict that the deliberations of the jury will result in a disagreement. This prediction is shared by the attorneys for the defense, who at no time expected a verdict of acquittal.

TO REJECT LICENSE.

Salem, Ore., Sept. 6.—In an interview with Roseburg residents this morning, Governor Oswald West said he had prepared a petition asking that the city license granted the Roseburg Brewing & Ice Company be rejected. This petition, he says, will be submitted to the city council for consideration at the next regular meeting which occurs on Monday evening. "In the event the Mayor and council refuse to act upon this petition I will find out the reason why," said the Governor in conclusion. Governor West says he has evidence at hand whereby he expects to annul the charter of the Roseburg brewery without the least difficulty. This proceeding, he says, is in the hands of District Attorney Brown who has been requested to act as soon as he disposes of the case now on trial in the circuit court. "In an interview given to the Portland Journal yesterday, West says: "Let the breweries tend to their own business—their business is making beer and not running the country and breaking the laws."

Minister Enters Protest

CHARLESTON, W. Va., Sept. 6.—Ten thousand miners from the Paint Creek district, augmented by hundreds of business men and mountaineers poured into Charleston today to participate in the demonstration against the employment of private guards by owners of mines affected by the strike in the Paint Creek country. Mother Jones, labor's foremost woman leader, stirred deeply by personal investigation of alleged brutal treatment accorded miners wives and daughters by detectives in employ of the mine owners will lead the parade tonight, which will organize at the capital building. She will plead with Governor Glascock not to allow private guards to return to the Paint Creek District.

LOST PURSE—Contained \$10 gold piece and some silver. Finder please leave same at News Office. Good reward offered. \$14

WANTED—50 good breeding ewes, Shropshires preferred. Address, E. A. Kruse, Rt. 1, Roseburg, Ore. tf

WANTED—By responsible farmer, to rent small ranch on shares. Address Geo. L. Hall, Edenbower, Oregon. n-14

ORDER SALOONS

In Portland Depot to Close Their Doors

MINERS PROTEST AGAINST GUARD

Thousands Of Men Assemble At State Capital To Participate In Popular Demonstration Against Owners.

PORTLAND, Sept. 6.—Governor West today sent letters to the three saloon men conducting resorts in the Oregon Electric building in this city, notifying them to close up their liquor shops. The demand was made on the ground that the resorts are a public nuisance. He also notified Weinhard's Brewery not to sell these places any more liquor, and the governor instructed Special Prosecutor Esterly to proceed in action of law against the men. West said that he would use more drastic measures to close these saloons if this warning did not suffice, and it is supposed that the governor will send the militia to take the places if they are not closed at once.

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DR. POSEY Specialist for Eye, Ear Nose and Throat Diseases. Eyes Fitted With Glasses. PARROTT BUILDING ROSEBURG, OREGON.

IN TO-DAY Swell Line of Eastern Hats Tailored and Dress Hats Swellest Line Ever Shown in Roseburg Prices Very Reasonable THE LEADER Hair dressing, Manicuring, Hair and Scalp Treatment, Facial Massage.