

ASKS THE JURY

Mitchell Wants to Know the Charges.

THEN HE WILL ANSWER

Senator Writes a Letter to Federal Grand Jury.

HE IS REFUSED ADMISSION

Assistant District Attorney Henny Says He is Willing for Him to Appear, but He Will Accord Him No Special Privileges.

SENATOR MITCHELL TO GRAND JURY.

If, therefore, you will kindly advise me when all such testimony has been submitted on the part of the Government, I will then be ready to go before you in answer to any such charges as may be made, and I respectfully ask that my appearance before you at the close of the Government's case, as above suggested, that I then be advised fully as to the precise charges, if any, made against me, and of the nature of the evidence submitted by the Government in support thereof. And I also should be glad if not denied (through your advisors) that the name of the witnesses making the same be submitted to me at that time.

Senator Mitchell had a hard time with the Federal grand jury yesterday and has not as yet been allowed to appear before that body to hear what charges have been or will be brought to connect him with the land frauds being unearthed.

At 10 o'clock he appeared at the door of the juryroom and handed to the foreman a letter asking that he be allowed to appear before the jury to answer all questions which might be put to him in regard to his complicity in any fraud or conspiracy, but he asked a clause to the effect that he would not go before the body unless he could be presented with the case against him, and suggesting also that he be furnished with the names of the witnesses testifying to his detriment. He also stipulated in his letter that he would not go before the jury until all of the cases of the Government had been presented.

The letter was considered by the jury and as a result the Senator was not called to give his version during the forenoon, as it had been promised to him that he should. In the afternoon the Senator appeared again at the juryroom and asked to be admitted, but was met at the door by Assistant District Attorney Henny and Mr. Hermann also takes the same stand as does the Senator and was given the same answer when he applied for admission yesterday afternoon.

Far From an Agreement.

The difference of opinion between Senator Mitchell and Mr. Henny seems to have taken a different turn and an agreement is no nearer reached than it was in the first place. On December 18 Senator Mitchell telegraphed Mr. Henny, stating that he demanded that all charges against him be fully investigated, and he further demanded in so many words that he be allowed to appear before the jury with his testimony. The telegram was as follows:

Portland, Dec. 26, 1904. Hon. Francis J. Henny, Assistant United States District Attorney, Portland, Oregon: Dear Sir—I will this evening, or tomorrow morning, send to W. H. H. in answer to the Federal grand jury, now sitting in this city, a letter of which I have enclosed a duplicate. I trust that you will agree that I should be accorded the privilege I ask. I am ready and earnestly desire to go before the grand jury as soon as you have produced before the jury all the evidence you have on the part of the Government, but not until then. Very respectfully, JOHN H. MITCHELL.

Writes Letter to Grand Jury.

At 10 o'clock yesterday morning the Senator appeared at the grand jury room and asked for W. H. H. Wade, the foreman. When Mr. Wade responded to his knock the Senator handed him the following letter:

Portland, Dec. 26, 1904.—W. H. H. Wade, Esq., Foreman Federal Grand Jury, Portland, Or.—Dear Sir—I am writing you this letter for the purpose of answering to you the charges that may have been lodged with your body against me, which in any wise implicates me in any such fraud. I, therefore, you respectfully ask you, and through you, respectfully ask you, the Federal grand jury now in session in this city, the privilege of going before you for the purpose of answering under oath, any and all

such charges that may have been made just as soon as the Government has concluded taking of such testimony as it desires to bring before you in support of any charges against me. If, therefore, you will kindly advise me when all such testimony has been submitted on the part of the Government, I will then be ready to go before you in answer to any such charges as may be made, and I respectfully ask that my appearance before you at the close of the Government's case, as above suggested, that I then be advised fully as to the precise charges, if any, made against me, and of the nature of the evidence submitted by the Government in support thereof. And I also should be glad if not denied (through your advisors) that the name of the witnesses making the same be submitted to me at that time. Sincerely trusting I will be accorded this privilege, I am, very respectfully,

Strange Request, Says Henny.

Mr. Henny was seen in regard to whether or not the demands and requests of the Senator would be allowed by him, and he constantly makes statements showing his attitude on the question. Heretofore Mr. Henny has declined to speak for publication on any matter in which the future course of the grand jury would have a part, but in view of the fact that Senator Mitchell had himself raised the question, he said:

I consider this a most remarkable and extraordinary request, under the circumstances of the case. The grand jury is an investigating body, and in the very nature of things no accusation is made by it against any person, until it has fully completed its investigation, and then no accusation is made unless the evidence which has been presented to the grand jury justifies the finding of an indictment in the opinion of at least 12 of its members. I understand that Senator Mitchell is a lawyer of considerable experience, and he must know the custom of operating members of the grand jury not to reveal anything that takes place in the grand jury-room to be based on the general reasons of public policy, and is very largely for the very purpose of not making known the evidence in possession of the Government, so that the ends of justice cannot be defeated by the destruction or perversion of such evidence at the instance of persons indicted for crime.

Senator Mitchell will receive at my hands the same privileges which I would accord under similar circumstances to the humblest citizen of the United States, and I will at all times advise the grand jury not to indict any man, whether his position is high or low, unless the evidence in the possession of the Government is sufficient in my judgment to warrant and sustain a conviction by a trial jury; and I will not to indict upon the evidence of convicted person, unless their evidence is corroborated by other evidence upon material points.

In these investigations the grand jury has absolute power, by majority vote, to control the manner of conducting them, and can permit Senator Mitchell or any other person to appear before them at any time that they deem expedient. Personally, I can see no reason for extending to Senator Mitchell any privileges other than those to which every other citizen is entitled under similar circumstances. I shall certainly not accord him any privileges which are based upon the mere assumption that by reason of official position he is entitled to more or other privileges than other non-official-citizen possesses.

Ready for Mitchell to Testify.

I told Senator Mitchell last Saturday that I would gladly permit him to appear before the grand jury today at 2 o'clock, and that I would then and there examine him about all the matters relating to which his name is in any way connected with the land frauds, and I was willing to accord him this privilege, and since the receipt of his telegram from Washington of date December 18, I have shaped the evidence before the grand jury and have subpoenaed witnesses with this end in view, so that Senator Mitchell could testify before the grand jury about all facts within his knowledge relating to the matters under investigation, at the earliest possible moment after his arrival, and would thus be enabled to return to Washington, and attend to his duties which he pleaded were so pressing and urgent to permit him to come here and testify as a witness upon the trial of Foster, McKinley et al.

No Inmate Need Fear this Course of Proceeding before the Grand Jurors who are conducting these investigations, and they are the final judges of the weight and value of the evidence produced before them.

PROSPERITY IN EASTERN OREGON.

Evidence of Good Times as Reflected by the Record of Ellers Piano House—Twenty-Four in One Little Town.

Many people who pass the busy establishment of Ellers Piano House wonder where so many pianos and organs are sold, and few stop to realize the immense territory that is accessible to Portland jobbing-houses and the thoroughly prosperous condition of most of the field when Ellers Piano House and its bustling representatives are looking after business.

The record of Mr. J. G. Gallagher, who looks after the business interests of the Ellers House in Morrow County, can be cited to illustrate this point. In one little town alone, that of Iona, he sold no less than 24 fine pianos and organs, all within a very short time, 15 being sold within a few days. Most of the instruments are of the highest-priced styles, valued at \$50 to \$100, and were delivered to the following prominent citizens of that place, viz:

- A fine Kimball upright to Mr. Augustus Walker.
Another fine Kimball fancy, exhibition style, to W. R. Cochran;
Still another Kimball of similar size to J. H. Woolery;
And yet another to Mr. Seymour P. Wilson.

And one of the beautiful Ballzys was secured by Miss Maud L. Akers;
And a similar one by Miss Alta V. Ganger;
Still another Ballzy was sold to E. J. Pennington;
And a fourth of the Ballzys to Mr. R. McElligott.

The Public School Board secured a fine Kimball for the Iona School;
And two Ballzys were sold to Mr. R. R. Gabel and Mr. Fred Ritchie.
A Chickering piano was sold to J. P. Lang;
And a Kenwood make to Mr. Frank Granger.

While one of the many-toned Weiser orchestral pianos was selected by Mr. J. H. Reed.
A lovely Jacob Doll went to the home of Mr. C. C. Sperry;
A handsome Weiser was purchased by Mrs. Zeta King;
Another one of the same make went to the home of Jacob Boller.

A Chicago Cottage was purchased by J. W. Linn;
An Estey organ was the choice of W. E. Nolan;
A Kimball was also the choice of Mr. R. N. Hyman;
The first Clarendon sold in Iona went to Mr. C. N. Wilson;
A Whitney & Homer was Mr. Edw. Yates' choice.

And another Clarendon was purchased, being the choice of R. F. Akers.
The Ellers House secures its business from the Western boundaries of Wyoming and Montana, through the State of Idaho to Washington and Oregon, and it was too large and heavy to be handled from the retail establishment at Park and Washington streets, nearly all of the business to the interior is looked after from the wholesale establishments at their big brick warehouse on the corner of Thirteenth and Marshall streets, where carloads of pianos are being unloaded and loaded for shipment almost daily now.

Holiday Beach Rates.

For the holidays the O. R. & N. makes the very low rate of \$4.00 for round trip to beach points. Dates of sale, December 23 and 24. Final limit, January 3. Par-ticulars of C. W. Ringer, City Ticket Agent, Third and Washington streets.

CURSES ON RUSSIA

H. S. Ellison Declares People Hate Their Country.

SUFFER GROSS WRONGS

Lecturer Who Lived Many Years in Russia Draws Morbid Pictures of Conditions There—Says Peasants Are Yet Barbarians.

Forced to fight, the wounded Russian soldier lies on the battlefield cursing the country for which he has given his blood. The Russian people are to be made barbarian and degenerate that existed in his country centuries ago; the passing time has not served to dull the edge of the savage cruelty so traditional of the Slav. He lives a life of total depravity, into which there does not enter one single enlightening ray, and invariably hates the country he lives in.

THE NEW YEAR'S OREGONIAN

The best advertisement for the 1905 Fair that Oregon's people can send to their friends in the East, will be a copy of the New Year's Oregonian as it will be published next.

Personal knowledge of the country, gained and acquired by him during his long residence within the boundaries of the Russian Empire, enables him to speak with earnestness which comes from a thorough knowledge of the subject, and during his lecture painted a word picture of Russia as it is today, and in itself an education for his hearers.

Not in the March of Progress.

"With very few exceptions, the Russian of today is like his wild progenitor of the early Bronze Age, and in many respects, so that so many centuries have passed, and so much advancement has been made

Tales of the Street and Town

The Strange Adventures of Billy Buckland.

Billy Buckland is back from the Gulf of Anadir. Billy looks ruddy and rugged, but he says he is 20 years older and stiffer than when he stowed away on the Elder in '97 for a free passage to Skagway.

"Well, the luxuries I mean to enjoy are sidewalks, morning papers in a warm reading-room, fresh potatoes, red apples, a clean shirt (sometimes), a gallery-seat at the show, and my brother and Dan think of it! And the sight of a white woman's face, kids on the street, a cigar like this, a spring-hod, and pillows

"Yes, I 'u-shar-uk'; but what about that million dollars?"
"Far, it's a long yarn. I could spin it from here to Port Barrow, but I'll reduce it to just a double-half-hitch over a belayin' pin.

"You know that oak-rubber dry-lighter I bought from Lane at Nome, Spring of '97. Well, me and my brother and Dan Hall, an ex-whalerman, decked her, put in a cabin and cockpit and a couple of stout sticks, and rigged her for a sloop. We had a devil-of-a-job gettin' cleared from Nome. Cap Hervis said:

"Where you goin'?"
"Cap Romanoff, Bristol Bay, Unga, Holy Cross Bay and all points in Bering Sea," says I.
"Those Alaska prospectors are all crazy," says Cap. "None of you can navigate; these waters are hell in Winter, and you'll get your come back. How do you expect to get along anyway?"

"Christopher Columbus had a compass, an old tub of a craft, and no chart. I've a boat that will turn double-sun-compass and a Government chart, and if I can't go 'round this old world as well as old Chris crossed the Atlantic, you can tag me for a Hoosier Chick-choo."

"Well, he let us clear, and we went to sea. Shaped a course straight for the starboard, Charles D. Lane, aground below the mouth of the Yukon. Found her, got alongside in the night, watchman asleep in the cabin, locked him in, helped

"Billy Buckland, the luxuries."
"Got a tip at Dutch Harbor 'bout buck-ele-ful of nuggets somewhere in the head of Holy Cross Bay, which empties into the Gulf of Anadir, coast of Siberia. Outfitted for a year's prospecting, and me and Dan sailed them 300 miles straight to that bay, gettin' there in June.

"We traded some on the coast, and got a bunch of nine-foot whalebone from the Chuk-chees—they're a bad lot—but one of us always had the coat with 'a 25-40. Then we heard something that made us think the 'money-rock' was 'way 'round the north side at the head of a river putting into Kollushin Bay. So we drove the Hell-Bent sou-east to Bald Head, and

by the human race in progress and civilization.

"The Russian of today is capable of committing just as many monstrous and outrageous crimes as his sire of old. Napoleon, like Chingis, grew and developed that physical nature, then the mental, moral and spiritual strength, but it is only the physical part of her national being that Russia has developed so far."

In speaking of the present war, Mr. Ellison can see nothing but the downfall of Russia, and attributes this to the lack of any civilizing force. In this connection, he said:

Dying Call Imprecations.
"Forged, the young man of the many races, tribes and peoples will march with the countless regiments of the Czar to meet an untimely death in China, in Manchuria, in Turkey, or elsewhere, but when dying, far away from their native homes, relatives, families and friends, victims of Russian tyranny, despotism and oppression, even while fighting in her behalf, they will not forgive her, and with their last breath will pray to Heaven for her destruction for injuries sustained, wounds received and sufferings endured from the cruel and heartless Muscovite."

POSTAL STATION ENLARGED.

Increased Business at Sub-Station A Causes Change.

Substation A, of the local postoffice, will be removed from 121 Grand avenue to 22 Grand avenue, on January 1. The new location will be in the Model drugstore, and Dr. H. W. Little will be the clerk in charge of the station.

Feeling that the increasing work of the station required more attention than he

MIDSHIPMEN GET LIQUOR.

Watchmen at Academy Gates Cannot Stop All Contraband.

ANNAPOLIS, Md., Dec. 27.—The Naval Academy authorities discovered that preparations for the drinking of a large amount of intoxicants during the holidays had been made by some of the midshipmen, the liquor to be obtained through academy attendants. Watchmen were placed at the gates to inspect persons

could devote to it, J. W. Singletary, the present clerk, tendered his resignation a short time ago, with the request that he be relieved on January 1. The department has just accepted the resignation and wired Postmaster John W. Minto yesterday to make the necessary transfer.

The new location will provide larger quarters for Station A.

TRUNK AND SACHEL LOCATED

Nothing Will Be Done in Chadwick Affair for Some Days.

CLEVELAND, Dec. 27.—Contrary to expectation, the inquiry in connection with the Chadwick receivership case was not resumed today. Receiver Looser stated that nothing more would be done in the matter for several days.

"We have definitely located the trunk and satchel that were taken from the Holland House, in New York," said Mr. Looser today, "and they will be brought here within a day or two. Aside from wearing apparel, there is, I understand, little of value in either the trunk or the satchel." Continuing, Mr. Looser said:

"We had today intended to examine Henry Wuerst, the Elzira, O., jeweler, who holds about \$30,000 worth of Mrs. Chadwick's jewels as security for a loan. Wuerst has made a full statement of just what he holds, however, and has expressed his willingness to surrender them whenever the loan is made good. The jewels will be appraised later, but the impression is that they are worth no more than the sum advanced by Wuerst to Mrs. Chadwick.

Odell Will Prevent Delay.

NEWBURGH, N. Y., Dec. 27.—Governor Odell, when told at his home here of the delay at Albany in granting an extradition warrant for the arrest of Dr. Chadwick, said:

"It is the desire of the executive department of the State of New York to act in entire harmony with the Ohio officials in this matter, and I will see personally that there is no unnecessary delay."

Purchase of Pearl Harbor.

SAN FRANCISCO, Dec. 27.—Word comes from Honolulu that the United States has paid over the sum of \$80,000 to the owners of lands at Pearl Harbor, completing the purchase of the land desired there for the proposed naval station.

Governor Carter has named Delegate to Congress, Kahanianole, Secretary of the Territory, A. L. C. Atkinson and W. L. Hall as Hawaii's delegates to the American Forest Congress, which is to meet in Washington on January 2. Hall is a forester of the National Bureau, who visited Hawaii some time ago to report on conditions here.

Secretary Atkinson has sold a second \$1,000,000 of Hawaiian bonds for \$100 premium, slightly better than the last sale. They run 15 years and bear 4 1/2 per cent interest.

Honolulu sportsmen are discussing the enactment of a game law to protect the game on this island. The agitation is a result of a recent trip of some dove hunters, who shot over 300 birds in a morning's hunt.

Not in With Patterson.

J. H. Moore, who served as a Deputy Sheriff under William A. Storey, complains that he has recently been mixed up with J. R. Moore, who is associated in business with the notorious Bob Patterson. J. H. Moore says he desires his friends to understand that he is not in partnership with Patterson and that the report that he is the other Moore has caused him more trouble than anything that has happened for a long time past, and he will be glad when he hears the last of it.

Business Items.

If Baby is Cutting Teeth.
Be sure and use that old and well-tried remedy, Mrs. Walker's Soothing Syrup for children's teething. It soothes the child, softens the gums, allays all pain, cures wind colic and diarrhoea.

THE GRAND PRIZE AT THE ST. LOUIS EXPOSITION WAS AWARDED HUNTER BALTIMORE RYE BECAUSE OF ITS SUPERIORITY OVER OTHER BRANDS AND FOR THE HIGHEST ORDER OF MERIT IN ALL THE ELEMENTS OF A PERFECT WHISKEY



Sold at all first-class cafes and by jobbers. WM. LANAHAN & SON, Baltimore, Md.

TAKE NOTICE!

Dr. B. E. Wright, the Painless Dentist, will give away the \$900 Automobile on Thursday evening, Dec. 29, at the Lyric Theater, corner 7th and Alder streets, at 7:30 o'clock, P. M. Be sure and be present with your coupons, as it will positively be given to some coupon-holder in the house. Come now to have dental work done and get coupons.

DR. B. E. Wright's Dental Office

342 1/2 Washington Street, corner 7th

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"ON EVERY TONGUE" GRAND PRIZE HIGHEST AWARD AT ST. LOUIS WORLD'S FAIR

Gold Medals at Paris, 1900; Chicago, 1893; New Orleans, 1885. By unanimous verdict of the world's best experts, I. W. HARPER is the world's best Whiskey.

BERNHEIM DISTILLING CO., Louisville, Ky.

Twenty Years of Success

In the treatment of chronic diseases, such as liver, stomach, stomach, diabetes, constipation, diarrhoea, dropsical swellings, Bright's disease, etc.

Kidney and Urinary

Complaints, painful, difficult, too frequent, milky or bloody urine, unnatural discharges speedily cured.

Diseases of the Rectum

Such as piles, fistula, fissure, ulceration, mucus and bloody discharges, cured without the knife, pain or confinement.

Diseases of Men

Blood poison, gleet, stricture, unnatural losses, impotency thoroughly cured. No failure. Cure guaranteed.

YOUNG MEN

troubled with night emissions, dreams, exhausting drains, bashfulness, aversion to society which deprive you of your manhood, UNFIT YOU FOR BUSINESS OR MARRIAGE.

MIDDLE-AGED MEN

who from excesses and strains have lost their MANLY POWER.

BLOOD AND SKIN DISEASES

Syphilis, Gonorrhoea, painful blood-urine, Gleet, Stricture, Enlarged Prostate, Sexual Debility, Varicose, Kidney and Liver troubles cured without MERCURY OR OTHER POISONOUS DRUGS. Catarrh and rheumatism CURED.

Dr. Walker's methods are regular and scientific. He uses no patent nostrums or ready-made preparations, but cures the disease by thorough medical treatment. His New Pamphlet on Private Diseases sent free to all men who desire their troubles cured at home. Terrible cures. All letters answered in plain envelopes. Consultation free and sacredly confidential. Call on or address

DR. WALKER, 181 First Street, Corner Yamhill, Portland, Or.

