

DEFENSE SHOWN

Senator Mitchell Up for Arraignment.

MAKES TECHNICAL PLEA

Charges Grand Jury Was Illegal Body.

DEMURRER AND ABATEMENT

He is Willing to Go to Trial, However, in One of the Land-Fraud Cases, That in Which Puter Charges Bribery.

The first gun in the long siege of land fraud battles which occupy the attention of the Federal Court this summer was fired yesterday morning when John E. Mitchell, W. W. Steiwer, H. H. Hendricks, Clarence B. Zachary, Clyde E. Glass and Edward D. Stratford appeared before Judge Bellinger for their arraignment.

All interest centered around the movements of A. S. Bennett who, as counsel for Senator Mitchell, outlined to some extent the course of action likely to be pursued by three disgraced defendants in the conduct of his case, or cases, scheduled for hearing during the present term of court.

Bennett Defends Mitchell. Senator Mitchell was in the courtroom when his case was called and he was arraigned by United States Attorney Henry. Throughout the session the Senator had nothing to say, all of the talking being done by his attorney, A. S. Bennett, of the Dalles.

The first case called was that one commonly known as the Kriebe case, in which Senator Mitchell is accused of having, while a Senator of the United States, received from a party, a member of the law firm of Mitchell & Tanner, for having performed services before departments of the United States Government, all such acts done being in violation of section 1782 of the revised statutes of the United States.

Upon arraignment on this indictment Judge Bennett offered a demurrer after first stipulating that such offense should not act as a bar to entering a plea in abatement which was intended. The ground for demurrer was that the document was not a return of grand jurors and that the grand jury was not organized.

Contentions of the Plea. The contentions of the plea are several. It is held that the jury was irregular and its actions void because of the Robertson and Carl Pielops had been excused from the jury and George Publer and Fred G. Buffum had been substituted. It is further set out that George Glavin, one of the jurors, is not a citizen of the United States, but of a foreign country.

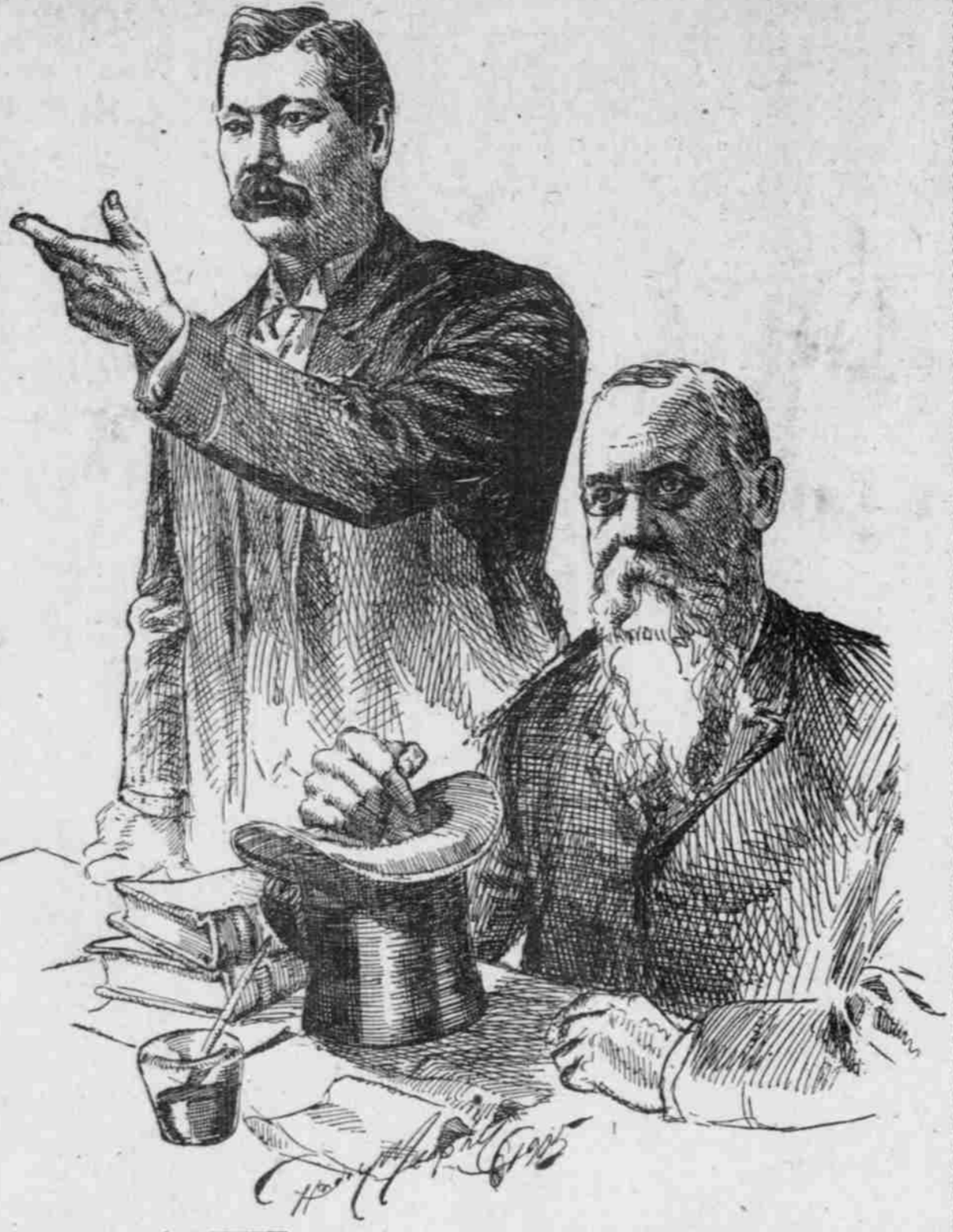
It is represented in the plea that Mr. Henry is not at this time, nor will he be, a resident of Oregon, but that he expects to go and will make California his permanent home and place of business. For this reason it is held that Mr. Henry could not be legally appointed to the office of District Attorney by President Roosevelt and could not therefore legally appear before the grand jury.

Will Stand One Trial. At the request of Bennett the Senator was arraigned on what is known as the Puter indictment. This is the indictment in which it is alleged that Senator Mitchell received \$2000 from S. A. D. Puter for services in expediting various claims before the General Land Office at Washington, the act being in violation of the Federal statute prohibiting a member of the United States Senate from receiving compensation for work done before a department while a Senator.

It was stated by Bennett that inasmuch as there was moral turpitude charged in the second indictment, the Senator would plead not guilty to the charge and would insist on an immediate hearing. While there is a technical difference in the charges made by the two indictments the offenses held against the Senator are to all practical intents the same.

Allegations in Indictments. The allegations of the first indictment are backed up by the testimony of Harry Robertson, his son, A. H. Tanner, Jr., Harry Robertson, and many documents, and the case is considered to be a very strong one. The second case will depend to a great extent upon the testimony and records of S. A. D. Puter. It is therefore thought in many quarters that the reason the Senator is ready to enter a plea of abatement on the one hand, attacking the legality of the grand jury, and

SENATOR MITCHELL AND ATTORNEY BENNETT AS THEY APPEARED IN COURT



A. S. BENNETT.

JOHN H. MITCHELL.

OBJECTS TO SITE

Wittenberg on East Side High School.

SAYS LOCATION IS MISTAKE

Thinks It Will Rob Children of Hawthorne School of Playground.

PERMIT TO VIOLATE ORDINANCE

Chief Hunt Indignant at Action of City Council.

Freights for Marcon Are Heavy.

Matinee Every Day.

WORK DONE BY THE MISSIONS

Presbyterian Women's Society Begins Its Annual Session.

Will Stand One Trial.

Matinee Every Day.

WORK DONE BY THE MISSIONS

Presbyterian Women's Society Begins Its Annual Session.

Will Stand One Trial.

Matinee Every Day.

WORK DONE BY THE MISSIONS

Presbyterian Women's Society Begins Its Annual Session.

Will Stand One Trial.

Matinee Every Day.

WORK DONE BY THE MISSIONS

Presbyterian Women's Society Begins Its Annual Session.

Will Stand One Trial.

Matinee Every Day.

WORK DONE BY THE MISSIONS

Presbyterian Women's Society Begins Its Annual Session.

Will Stand One Trial.

On the other to enter plea and go to trial under indictment by this illegal grand jury, is that the one case is very strong and the other more capable of being defended before a jury, owing to the nature of the evidence.

Director Herman Wittenberg has taken a determined stand against the building of the East Side High School on the block adjoining the Hawthorne School. He calls it a mistake and gives his reasons.

According to the action of the City Council, there are some persons engaged in business in Portland who should be permitted to break ordinances that the police are required to enforce.

The freight business of Portland for the month ending March 31 is practically double the amount of the corresponding month of 1904, as shown by the monthly reports which are now being compiled by the freight men of Railroad Row.

The matinee is given every afternoon at 2:15 o'clock and one performance each night, beginning at 8:15 o'clock.

Monday night the School Board decided to build on the block mentioned, which is owned by the city, and at that time Mr. Wittenberg voted a decided no. Yesterday he gave his reasons for making such a strong objection. He said: "It will mean the crowding of 2000 children within the compass of two blocks, and it is wrong to place small and large children so close together, for the larger ones are sure to tyrannize over the little ones."

Chief of Police Hunt yesterday received from City Auditor Devin notification that the Council has granted the permission stated in the firm named.

Mr. Wittenberg also says that he would like to see the residents of the East Side protest against the action of the School Board and believes that, if a powerful enough influence is brought to bear, the School Board can be induced to reconsider its action.

The evening session of the society consisted of devotional services, a thank-offering service conducted by Mrs. J. H. Gibson, of Portland, music by the Grand Avenue choir and a talk on the Jerusalem of the Sunday School Alliance, which held its last session in the Holy Land, by Mrs. Park of Salem.

At the request of Bennett the Senator was arraigned on what is known as the Puter indictment. This is the indictment in which it is alleged that Senator Mitchell received \$2000 from S. A. D. Puter for services in expediting various claims before the General Land Office at Washington, the act being in violation of the Federal statute prohibiting a member of the United States Senate from receiving compensation for work done before a department while a Senator.

GLAFKE FOR MAYOR

Club Strongly in Support of Candidacy.

SPEAKERS EULOGIZE HIM

'A Business Administration by a Business Man' is the Slogan of His Supporters in the Campaign.

'A business administration by a business man,' is to be the rallying cry of the Glafke Republican Club and the promise of its candidate for the Mayoralty, W. R. Glafke.

The second meeting of the club was held in Altisky Hall last night, at which the organization of the club was completed. A large representative committee was organized and the officers were elected.

Article 2 of the by-laws states: 'The object and purpose of this club shall be to secure by all honorable means the election of William R. Glafke, as Mayor of the City of Portland, Or., at the city election of 1906.'

Glafke Makes Speech. A demand was made on Mr. Glafke for a talk. He said: 'I am into this just as Mr. Morrow has been. I am seeking an office which I hope to gain with the help of friends.'

All of these spoke of Mr. Glafke in a highly eulogistic strain and urged the best efforts of every citizen to secure his nomination.

Mr. Morrow brought before the club an invitation extended from other Republican clubs for a conference to be held for the purpose of uniting on a candidate.

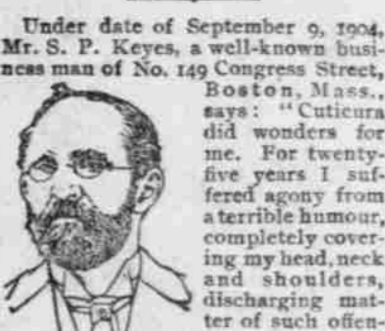
Delegates to Farmers' Congress. ROME, April 11—The general committee which is preparing for the International conference to organize the proposed Institute of Agriculture has decided that each country may be represented in addition to the government delegates by delegates from agricultural associations.

Is the joy of the household, for without it no happiness can be complete. How sweet the picture of mother and babe, angels smile at and commend the thoughts and aspirations of the mother bending over the cradle.

MOTHER'S FRIEND. feel the exquisite thrill of motherhood with indescribable dread and fear. Every woman should know that the danger, pain and horror of child-birth can be entirely avoided by the use of Mother's Friend.

25 YEARS OF AGONY ENDED

Boston Business Man Cured By Cuticura of Awful Humour Covering Head, Neck, and Shoulders After Hospital and Doctors Failed.



Under date of September 9, 1904, Mr. S. P. Keyes, a well-known business man of No. 149 Congress Street, Boston, Mass., says: 'Cuticura did wonders for me. For twenty-five years I suffered agony from a terrible humour, completely covering my head, neck and shoulders, discharging matter of such offensiveness to sight and smell, that to my friends, and even to my wife, I became an object of dread.'

CUTICURA—THE SET, \$1.

Bathe the affected parts with hot water and Cuticura Soap, to cleanse the surface of crusts and scales and soften the thickened cuticle; dry, without hard rubbing, and apply Cuticura Ointment freely to allay itching, irritation, and inflammation, and soothe and heal; and, lastly, take Cuticura Resolvent Pills to cool and cleanse the blood.



Heels of New Rubber

Thousands of flat, broken-down feet have been calling for comfort for thousands of years—until recently, in vain. In many cases the collapse of the little bones which support the arch of the foot is caused by the bad construction of shoes.



Quaker Maid Rye

Awarded the GOLD MEDAL at the Louisiana Purchase Exposition for Superior Quality, Purity and Perfection of Age.



ATTENTION NO LINIMENT WAS EVER MADE THAT EQUALS SLOAN'S LINIMENT FOR ALL EMERGENCIES KILLS PAIN ALL DEALERS

Prevent Headache

If subject to headache, take Dr. Miles' Anti-Pain Pills when you feel the first indication of an attack, and you will find that they rarely ever fail to stop further progress. Pain weakens the nerves, and the longer you suffer, the more frequent will be the attacks.

BLOOD POISON

Everything you want to know and everything you should know in regard to blood poison ignorance begets misery; knowledge brings health and happiness.

The Misery of Piles

Thousands know it and thousands daily submit, through their ignorance, to the torture of the knife. They are ignorant of the fact that there is an internal remedy that will positively and painlessly cure.

ECZEMA

The Terrible Skin Scourge—Itching, Burning, Bleeding, Weeping, Crusting, Scaling. Eczema, the most distressing of all skin diseases, is cured by the use of the

HAND SAPOLIO

Delicate enough for the softest skin, and yet efficacious in removing any stain. Keeps the skin in perfect condition. In the bath gives all the desirable after-effects of a Turkish bath. It should be on every washstand.

Every Woman

is interested and should know the wonderful MARVEL Whirling Spray. The New Ladies' Syringe. Best, Safest, Most Convenient.

PENNYROYAL PILLS

Original and Only Genuine. Beware of cheap imitations. CHESTER'S ENGLISH PILLS are made from the most pure and best of the most reliable medicines.