BRISK SKIRMISH BEFORE DE HAVEN

Indictment of Senator Mitchell Attacked.

ILLEGAL, SAYS THE DEFENSE

District Attorney Contends Decument Is Valid.

COURT WILL SOON DECIDE

Argument That Indictment Does Not Charge Mitchell With Being Senator When Alleged Crime Was Committed

CONTENTIONS OF PROSECUTION AND DEFENSE. THE CRIME ALLEGED IN THE

INDICTMENT That Senator Mitchell entered into an agreement between Frederick A. Kribs and A. H. Tanner, by which the firm of Mitchell & Tanner were to expedite certain claims in the possession of Kribs then pending in the General Land Office, which claims had been held up for investigation owing to irregularities; that for every claim passed through to patent the defendant was to receive a fee, Senator Mitchell working in Washington and Tanner in Portland; that fees were paid and the service rendered contrary to the Federal statutes governing the enduct of public officials of the Gov-

ernment. THE DEFENSE CONTENDS BY DE-

That the indictment is not definite and certain, in that it does not allege John H. Mitchell to have been a Senator at the time of the comm sion of the crime, an allegation made necessary by the fact that his office made his alleged acts illegal when otherwise they were according to law; that it does not set out in particular terms the special claims for the exon of which fees were alleged to have been paid: that the description of the claims is vague and indistinct and technical, and that the indictment through its uncertainness does not form a bar to future prosecution upon the same charge in the care of trial and acquittal or conviction

DISTRICT ATTORNEY HENCY CON-TENDS-

That the indictment is definite and tion is made that John H. Mitchell was a Senator of the United States at the time of the alleged crime; that the claims set out in general are given which makes definite the allegation as to which claims are involved; that the abreviations used in indictment are usual and well known and allowable; that the indictment is well founded and contains no defect set out in the demurrer.

Under fire before Judge De Haven a fee for services performed while United States Senator. Severe in their and more of argument. denunciations of the document which sets forth the Government case were the attorneys for the defense. Serene in his denial that flaws could be picked in line after line of the Government's accumutions was United States District. Attorney Heney. Grave, dignified and submitted to the court without arguing by by the visitors. So much so, in fact, ment, though in the last few days he that the Administration Band had connad found there seemed to be some masked their legal batteries, was Judge De Haven, the man who now has the power to bring the case of the United ing States against Senator Mitchell to a sudden termination, for a time at least, to cause the trial to proceed to its conclusion and consequent verdict of agreeable to the court. guilty or not guilty.

hear the attorneys for the defense Judge A. S. Bennett, of The Dalles, and ex-Senator John M. Thurston, of Nebrasks, attempt to riddle the indictment which accuses their client, and to listen to Mr. Heney's defense of the

document. ernment is endeavoring to place Senstor Mitchell on trial consists in accepting a fee from Frederick A. Kribs for expediting claims before the General Land Office while a United States Senator. This is contrary to the Federal statutes. The Issue yesterday was the legality of the indictment itself, and the principal arguments of the defense were that the document was osely drawn, that if tried on its indefinite allegations Senator Mitchell might be again placed in jeopardy, and above all, that the indictment did not even allege that Mr. Mitchell was a Senator at the time of the commission

One of the essential allegations of the Government," thundered Judge Bennett, is that Mitchell took a fee from Kribs That was not a crime, for he had a right to do it. Such an act only became a rime if it was done in violation of a paid. Federal statute. Alone the taking of money as a fee is not a crime unless it is for services performed before a ment while a Semator, in a case in the Government is interested. taken for services performed before a department while a Senator, in a case in

Senator Mitchell knew of the action the firm or knew of the work done.

"It is a part of the Government's duty to point out the particular instance in which the fee was taken. This has not been done. The land has not been defi-nitely described. The use of abbreviations is not sufficient. They could be understood in the Land Office, but not by an ordinary individual."

Mr. Heney's Answer.

Mr. Hency very calmly answered the most vital argument of the defense, that the indictment did not accuse Mr. Mitchell of being a Senator at the time of the commission of the alleged crime. He pointed out that in the first statement in the indictment it had not been charged directly that the defendant was a Senator of the United States, but that later it had been alleged that the crime had been intracted to be committed and had been ummated while he was a Senato and that the allegation to that effect had been clearly and definitely made.
"It is not stated," said Mr. Henry,

"that he was a Senator, but it is alleged that he was, by his agreement with Kribs, to do the work after he was elected Senator, and that he did it while he was a Senator. It may also be argued and supported by law that the court could take judicial knowledge that the de-

fendant was a Senator The indictment is not only definite and certain, but it gives gratultous information to the defendant. The allegation of the indictment is that Senator Mitchell of their arrival on the grounds, at 9 agreed to perform the services for Kribs, knowing that the United States was interested; that he did it while 'United States Senator, and that he received mey for what he did."

Ex-Senator Thurston attacked that indictment on technical grounds. "I insist," he said, "that the indictment as it stands throws the defendant into great | 26 hours of travel. danger, as it proves no bar to further proceedings. If he were acquitted, it would give no surety that he could not be indicted for the same offense by another jury. It is not an indictment charging in any way the commission of acts necessary to constitute the crime alleged. .

"I challenge the court and counsel to show that one of these claims set out were pending before the land office at the time alleged."

Taken Under Advisement.

At the conclusion of the arguments. Judge De Haven took the matter under consideration, stating that he did not know just how long it would require for him to arrive at a conclusion, but that he ments interposed with the demurrer and the oral statements made in court, handing down his decision at his earliest opportunity. The court was then adjourned until this morning at 10 o'clock.

New Courtroom Is Crowded.

Standing room was at a premium in the new courtroom yesterday when United States Marshal Charles J. Reed gave the signal that brought the members of the bar and the speciators to their feet upon the entrance of Judge De Haven to assume his place upon the bench. Outside the railing the idly curious filled the seats, the aisless and the corners until no additional man the corners until no additional man could force his way tarough the doors into the room. Inside the barrier the members of the bar of the city filled to Portland, and California sends her saithe chairs allotted, the jury box and utations to the State of Oregon. Our the available corners and open spaces committee is doing a grand work for Calof the courtroom.

Senator Mitchell sat close to the railing dividing the inner circle from the spectators' portion of the courtroom, quietly, as a curiosity seeker state without an lots of exaggeration, would nave sat. Only the intense interest with which he followed the ar- States and Europe. They are now being guments of the counsel, the keen scru- read by several million people, all anxious TODAYS Partly cloudy and slightly warm tiny he gave the Judge and the perv-ous swinging of his foot during the vital points of the different speeches betrayed that fact that he was other

Judge Bennett sat at the end of the beside ex-Senator table Thurston, while Mr. Heney sat alone Com further along the table, surrounded by a mass of papers and faced by a goodly array of law books. Joseph Simon, Cyrus A. Dolph, H. S. Wilson, of The other of the leading attorneys of the yesterday morning was the indictment city and the state were grouped around accusing John H. Mitchell of accepting a fee for services performed white spectators throughout the two hours

After the court had been convened and Judge De Haven had made a few minor orders in different cases brought turned out in he to his attention, the demurrer in the Clark Centennial. Mitchell case was announced as ready for consideration. Judge Bennett stated to the court it had been his under-standing that the demurrers were to be misunderstanding in regard to the procedure. With the original understa had submitted briefs covering the con-

Judge Asks for Arguments.

Judge De Haven replied that as would like to hear a short statement of the grounds for demurrer alleged by toe defense. He would in addition examine briefs submitted, but it was his apparent since that time. He also showed wish to listen to an oral statement from the defense and the Government

as to their respective positions.

Mr. Beanett then began his argument which he reviewed the stand made by the defense and attempted to show why the indictment should not be considered legal and binding. He said in the course of his remarks:

"The todictment is a long one of seven counts, the first five of which relate to Senator Mitchell's receiving money for services alleged to have been rendered be-fore the interior Department at Wash-ington, while holding office as Senator of the United States. It alleges that Fredcrick A. Kribs, who is represented to have retained Senator Mitchell to do work for him, was acting fraudulently in the mat-ter, that he lad a large number of claims pending before the General Land Office at the time the crime is alleged to have been committed by Senator Mitchell. It is alleged that Senator Mitchell's services had been contracted for, knowing that he would transact business before the de-partment and expedite the claims. It is not set out in any definite manner in what particular number of the cases he had received the fees alleged to have been

CALIFORNIANS

Promotion Committee Arrives on Special Train From San Francisco.

GOOD WORDS FOR OREGON

Men From the Golden State Willing and Anxious to Join With Their Brothers of the North for Common Benefit.

Members of the California Promotion Committee took complete possession of the Exposition yesterday. From the time o'clock in the morning, to the close of the Pacific Coast. brilliant reception held in their honor in the evening, the very atmosphere was charged with California enthusiasm.

The committee's special pulled into the Union Station at 7 o'clock, and the tired travelers poured from every door, anxious to straighten out the kinks resulting from

There were 125 representatives from the Golden State, and they made a great showing. The train was slightly dusty from its long trip, but gave every evidence of being one of the most comfortable conveyances that ever rolled into the Portland yards.

Show Great Enthusiasm.

The Californians had their breakfast at the Hotel Portland, and started for the Exposition just as soon as the coffee and cakes had been attended to. They hustled slong with such vigor that they seemed to coze out enthusiasm at every

The noise that emanated from Fostival Hall after the committee got together at would consider both the written argu- 10 o'clock might have led the unsophisticated to suspect that a bediam had disgorged its inmates, but not so. It was simply the Californians' way of munifesting their appreciation of the welcome that was being extended by the Fair officials. Andrea Sharboro presided over the neeting, for he is president of the co mittee.

Introduces President Goode

In introducing President Goode to the Californiana, Mr. Sharborp said; "On behalf of the members of the Pronotion Committee of California, I sincerely thank you for your kind reception and encouraging remarks. San Francisco ifornia and for the entire Pacific Coast. to learn about California. This work is bound to bring great results, not only to 'our own state, but to the states of the entire Pacific.

"You have been very kind in setting this day apart as the California Premotion militee day. In a few years, we expect to have a World's Fair in San Francisco to commemorate the opening of the Panama Canal. At that time we will not Dalles; Judge Charles Galloway, Judge forget your courteous act, and promise Thomas O'Day, S. B. Huston and many you to set aside Oregon day, at which time we will endeavor to reciprocate your kind reception.

Speeches by Many.

President Goode then extended his welome, and commented with a display of appreciation on the way California had turned out in honor of the Lewis and

William D. Wheelwright, president of the Chamber of Commerce, gave a characteristic talk, which was received with out the applause that followed his remarks.

Then Rufus P. Jennings, executive offitentions of the defense and ne was cer of the Promotion Committee, made willing the question should go to the a short address. Mr. Jennings is without argument, if it was well known to Californians, but comparatively few Portland people have ever heard him talk. His remarks were so straightforward and to the point that he won his way to the heart of every auditor. He told of a former visit to Porthow the interests of the Pacific Coast States were linked together, and that which was of benefit to California would be of value to Oregon and Washington

Mr. Jennings was followed by Charles Bundschu, another member of the committee, who recited an original poem in honor of the visit of the Californians to the Exposition. Mr. Bunschu's efforts were not in vain, for he was cheered

tustily. Vice-President Fleischner followed Mr. Bunds-bu and then came R. B. Hale. another prominent Californian, and Tom Richardson. The concluding address of the day was made by H. R. McNobie past grand president of the Native Sons of the Golden West.

H. R. McNoble's Address. Mr. Noble said, during the course of his

"Down in California every business interest, every loyal citizen, every one who has the welfare of our state at heart recognizes that a large amount of the recent success that has come to our state in the way of internal improvements and the development of the ensurces thereof have been brought about by the splendid and untiring

efforts of the California Promotion

'Our interests, my friends and brothers of the North, are in the main cordinate with yours, and in this land of especial prosperity, which has been designated by President Roosevelt as that territory lying west of the West." non withous have many and diversified interests, which at the present time are attracting the commercial

quarted benind us, the auriferous cereal bearing and great fruit interests of the Pacific Coast from the Arctic Circle to Mexico with us, the opportuni ties of California, Washington and Oregon are practically unbounded; much of the future progress of these taree CHINA THREATENS BOYCOTT great Pacific States depend upon the energy and endeavors of their publicspirited citizens. Interatate visits, such as we are enjoying with you today do much for the mutual benefit and upbuilding of the social and commercial interests of the Pacific Slope."

Inspect the Fair Grounds.

After the speechmaking was all over, the Californians sought other fields of enjoyment. They inspected the Fair grounds until noon, and then they assembled at the American Inn for luneneon. Here again, enthusiasm was the keynote, and long and loud were the praises sung to the elster state of the

The afternoon was spent in a variety of ways, according to the whims of the visitors. Some sought pleasure on the lake, in cance and rowboat, walle others toured the grounds, or sought retirement in the cool precincts of the exhibit palaces. Many made their headquarters at the California State building, examining the work done by the State Commissioners and other representatives.

After dloner, a fitting reception was seld by the Exposition officials in the New York State building, which more than 500 citizens and their families atended. It was late in the evening when he festivities of the day were brought

to a close. The California train will be retained in the railroad yards, where the visitors will retain their sleeping quarters. The train has been connected by telephone to the

Portland central office. Will Visit Fair Again Today.

Today the Californians will visit the Ex esition grounds during the day, and after dinner at the Hotel Portland, will attend a reception given in their honor at the Commercial Club.

"It is not true that we are here to boost California," said Secretary Edward P. Antron, of the Promotion Committee, yesterday, at the California building. *We are here to see the Fair, and to lend all the assistance we can to make it successful. We are not here for the purpose of taking anything from Portland and Ore-gon, but to give them all we can. We gon, but to give them all we can. We don't want you to think that we are try ing to divert people to our state while enjoying your hospitality."

Members of Party.

The following constitute the party: Edward P. Antron, C. W. Armstrong, Will iam M. Bugge, B. Bradley, Henry Brune (Concluded on Page 3.)

The Weather. YESTERDATS Maximum temperature, 48 degrees; minimum temperature, 48 grees; precipitation, none.

War in the Far East. Rumia and Japan now consider choice of e voys and place of meeting. Page 2. Names suggested by each nation. Page 2.

All Europe unites in applause for Hoo Page 2. Fage 2. Japan makes Russia show her hand. Page 2. Officers of Baltic fleet expose Rojestvensky's mismanagement. Page 3. Linlevitch pleads for another battle. Page 2.

Foreign, Norway will send mission to powers to asi Page 4. Concretions to Germany in Morocco threater crists. Page 4. Italy may boycott Congo State. Page 4. Case decides to call national assembly in Sep-tember. Page 4. Anti-Jewish riot in Poland. Page 2.

Mount Pelee in eruption. Page 2. President receives delegation to protest against Chinese exclusion. Page I. More evidence on Bowen-Loomis case. Page 1. Admiral Dickins' fleet attacks Fort Monroe.

Domestic. Siggest trust company on earth to handle Equitable funds. Page 4. Record-breaking runs between New York and Chicago. Page 5. Flood in subway demoralizes New York.

inois farmers will build packing-house to fight beef trust. Page 1. brings cross-suit for divorce against m Rush. Page 2. Pacific Coust. Willamette Valley Development League is in essaton at Independence. Page I. Decisions handed down in Oregon Suprame Court. Page 6.

Oregon Tax Commission starts in on its la-born. Page 5. Gray's Harbor will entertain visiting Ne-braska lumbermen. Page 6. Good Roads meeting is held at Pendleton Page 6. Commercial and Marine

More transactions in hop market. Page 15. Letter of M. H. Durst to Oregon hopgrowers. Lack of activity in wheat. Page 15. Break in New York stock market. Page 15. Wheat closes firm at Chicago. Page 25. Opening prices on California canned fruits. Page 15. North Head cable successfully spliced.

Batis; Gatzert breaks down in Columbia River rapide. Pare 5. Quarantine at Nome is abolished. Page 5. Portland and Vicinity.

Despondent man blows his head off. Page Masons have important week in Portland Page 16.

rand Chapter Order Eastern Star in session Page 10. Senator Mitchell makes technical plea to have indictment declared void. Page 1.

Immense value of franchises to street rallroad company. Page 11. hildren will have fing day at the Fair. Cities of Southern Oregon have day at the Centennial., Page 10.

EXCLUSION LAW INJURES TRADE

"With our possessions in the great Pacific in front of us. a century and a dustry Appeal to the dustry Appeal to the President.

Rigid Enforcement of Exclusion Lav Against Merchants and Students Shuts Out Valuable Class. Retaliation Provoked.

WASHINGTON, June 12. - President Roosevelt held a conference today with about 30 members of the American Asiatic Association representing the cotton textile industry and the iron and steel trade of the United States. The delegation entered a formal protest against such an enforcement of the Chinese exclusion laws as might imperil the export trace of this country with China. It was pointed out that the commercial organizations of China were threatening to boycott the American merchants, especially of cotton and steel products, unless arrange ments were made whereupon Chinese mer chants, students, literary men and travlers could enter the United States without the serious difficulty which they now encounter. The Chinese urge that mem bers of the classes which under our ex clusion laws are permitted to enter the United States are often subjected to in conveniences and humiliation by the immigration officers and they insist upon a more liberal treatment of the exempt classes of their countrymen.

The delegation was headed by John Foord, of New York, Secretary of the American Asiatic Association, who made the following address:

Great Export Trade at Stake.

Mr. President; The American Asiatic Asso ciation is an organization formed to co-operate chation is an organization formed to co-operate with this Government in maintaining and defending the trade and freaty rights of the United States in the countries of Eastern Asia. Individually, the members of this delegation speak for the cotton textile industry of the United States, representing \$500,000,000 of invested capital and \$50,000 wage-earners whose respective and welfare are today above. of invested capital and 330,000 wage-earners whose prosperity and welfare are today absolutely dependent on the retention of the market for the preducip of that industry which has been opened in China; they apeak for at least one department of the still greater from and sigel industry of the United States; they speak for a branch of our expert trade which is growing more rapidly than any other, and whose value in the current flocal year will probably exceed \$50,000,000.

The occasion of this visit is to invite your

The occasion of this visit is to invite you anti-tribal tax delegates to the President, strentions with the Chinese empire and the conditions growing out of those, which directly threaten the continuance of a profitable and highly essential part of our commerce. The friendly character of those relations has been of late adversely affected by the absence of a satisfactory immigration treaty between the satisfactory immigration treaty between the United States and China, and by the dissatis-faction of the mercantile class in China with

Exclusion Law Against Treaty. It must be held to be unfortunate that these laws are at variance with the treaty etipulations, which since the expiration of the treaty of 1804 are in force between the two countries. We are not here to question the competency of Congress to modify the provisions of any treaty with a foreign power, but we do question the expediency of the Government of the United States occupying an allitude in opposition to the principle which it has long maintained that a ration cannot plead its domestic legislation as a bar to the observance of its international obligations.

The treatment accorded by the immigration The treatment accorded by the immigration officers of this Government to the exempt classes of Chinese vieiting our country is more oppressive than either the letter or the spirit of the law requires. Moreover, the platicest principles of internal conditions demand that the law shall be made more liberal, either by amendment or the negotiation of a new irresty, or by both.

Cultured Chinese Shot Out. We urge upon you the extreme danger to the industrial and commercial interests of the United States of allowing the conviction which United States of allowing the conviction which has been growing for some time in China to become a fixed one that our Government tries to discourage the coming here of the neer-chants, students and literal of that country. The future of that cast and populous empire is with the young men, who have almost coased to resort to our schools and colleges for their education because of the humiliating ordeal to which the administration of our ordeal to which the administration of our immigration have exposes them, and other countries will profit at our exposes by the welcome they accord to the Chinamen, who carry back the fruits of Western culture to the new era of converse. the new era of progress which has begun it the land of their birth. From either mora the land of their Mrih. From either moral or material participation in that progress our country is being debarred by persistence in a policy with which. Mr. President, you have disclaimed all sympathy, but which is, nevertheless made to appear to be the policy of this Government by the interpretation placed on the law by some of its agents. The members of this delegation feet confident that they will not appeal to you in vain in asking that a remedy should be sought for the anomalous and unsafirsatory conflicted of the existing relations between this country and the Chinese enjure.

President Promises Remedy.

President Roosevelt responded cordial President Roosevelt responded cordiality. He took exception to the intimation that the immigration officers were too insistent in the enforcement of the law, but in other respects agreed with the delegation that it would be proper for this Government to encourage friendly relations with China. He proposed to do all in his power to promote trade with China and to promote generally the export trade of American producers, farmers as well as manufacturers. He promote seems as well as manufacturers. ers as well as manufacturers. He prom-leed to take up the subject with Secre-tary Metcalf, of the Department of Commerce and Labor, and other officials and to do all possible to rem

NO GAMES OF CHANCE ALLOWED

Cortelyou Gives Wide Interpretation

to Anti-Lottery Law. WASHINGTON. June 12.—A thorough enforcement of the anti-lottery laws is urged on postal officers and all other

postal employes in a circular which is being promulgated by Postmaster-Gen prostingated by restmatter-Gen-eral Cortelyou today. It calls on em-ployes to examine mail matter, espe-cially publications, with the greatest care combinent with prompt delivery, and to withdraw or exclude all such matter relating to lotteries and like enterprises.

matter relating to lotteries and like enterprises.

The order says that the terms of the law bar "endless chain" enterprises, so-called "gift concerns," or similar enterprises offering prizes dependent upon chance, including "guessing" or estimating contests for prizes, as well as drawings and raffles of every kind, whether general or local, for money or otherwise, for private gain or in aid of charitable, educational or religious objects. Publications, circulars, cards or pamphlets containing advices or or pamphlets containing advices of other information relating to such en-terprises are required to be withdrawn from the mails.

ONLY MATTER OF EXCHANGE

Asphalt Officer's Explanation of Check Given Loomis.

WASHINGTON, June 12.—Before leaving today for West Point, Secre-tary Taft conducted another hearing in the Bowen-Loomis inquiry, Clyde Brown, treasurer of the American Asphalt Company, was heard regarding the check which was said to have been exchanged between Mr. Loomis and the Asphalt Company.

The testimony of Mr. Brown was

confirmatory of the contention of Mr Loomis to the effect that the transaction was a matter of ordinary exchange for the sake of convenience. Mr. Brown produced the books of the company, showing the receipt of Mr. Loomis' check for \$5000, and the payment to him of a check for the same amount calling for American money.

Ira Atkinson, an official of the Asphalt Company, also testified. He was one of those mentioned by Harry Unwine as probable sources of informa-tion regarding a rumor said to have been heard to the effect that a certain check passed through the offices was intended for Mr. Leomis. Mr. Atkinson Intend denied that he had ever stated such a thing.

BREWING NEW REVOLUTION

Barillas Gathers Forces to Remove Calvera in Guatemala.

SAN FRANCISCO, June 12.-Manuel Dieguez, a Guatemaian lawyer and revolutionary candidate put forward by ex-Presiden Barillas for the Presidency of Guatemaia, is said to be hurrying to San Francisco from Southern Mexico to join Barillas and party here. Members of the local Guatemala colony believe that Barillas and his adher-ents have decided upon this city as a rendezvous pending developments that may give them an opportunity to fil-buster against the administration of President Calvera.

The Call says today that Barillas has

announced to several friends that he will lead a revolutionary party against Calvers and that he has simply de-Calvera and that he has simply de-layed action until he can recuperate his failing health, which, he says, is one of his reasons for coming to San Fran-

elsco.

Opponents of Tribal Tax Fall. WASHINGTON, June 12 - Secretary Hitchcock today presented the Muskogee anti-tribal tax delegates to the President, but before they could present their case the President informed them that he had

Philadelphia Mint Closes.

PHILADELPHIA, June 12-More than 200 employes of the United States mint were today suspended indefinitely. The coining department and the melting room were closed down because of a tack of silver buillon. The order closing these departments was received from Washington on Saturday. ,

More Yellow Fever on Canal.

WASHINGTON, June 12-Three addiional cases of yellow fever in the canal one were reported to the War Department today in a cablegram from Gov-

FARMERS OF ILLINOIS TO BUILD PACKING-HOUSE.

Site Secured Near Chicago and Cap-

ital of \$1,500,000 Provided for

Great Industry. CHICAGO, June 12.-(Special.)-The

Farmers' Packing Company has been organized for the purpose of competing with the local and other packers. Its capital stock was placed at \$1,500,000. The organfaation is composed of livestock dealers, retail butchers and farmers. It is the intention of the company to

option on ten acres of land and a packing plant near the Hawthorne race track, which it will operate, and expects to purchase 300 acres on which to erect a mammoth plant. The company was promoted by A. G. Van Patten and F. E. Andrews, and it is a part of the scheme of the Farmers'

operate in Chicago and it has secured an

and is composed of farmers and stock-DEADLY FIGHT OF FEUDISTS

Three Men Killed, One Seriously

Wounded in Tennessee.

National Exchange, which controls sev-

eral hundred elevators in the Northwest,

KNOXVILLE, Tenn., June 13.-Three men met instant death and a fourth was dangerously wounded in a desperate dangerously wounded in a desperate shooting affray in a blacksmith shop at Thornhill, four miles from Late Springs. Tenn, and 60 miles northeast of this city, today. The dead are: John and Will Hotland, brothers, and Will Bundren, all white, and members of prominent families. The wounded man is Clint Winkle, a negro, supposed to have been in the employ of Bundren.

Empity has existed between the Holland.

ploy of Bundren.
Enmity has existed between the Holland and Bundren families for the past four years. It grew out of the killing of Colonel John C. Rosler by Bruce Bundren, father of the man killed today, for which crime the elder Bundren is serving a life sentence in the Penitentiary.

GIVEN TO OREGON

Railroads Have Not Responded to the Fair Treatment Accorded Them.

STATE LITTLE DEVELOPED

Willamette Valley League Adopts Report Presented by Its Committee on Transportation in Its Session.

INDEPENDENCE, Or., June 12-(Special.)-Independence is filled with bankers, delegates and visitors to the Willamette Valley Development League meeting in session here. In the afternoon the bank ers took preliminary steps toward a state organization: Ira Powell, cashier of the Polk County Bank, at Monmouth who had been active in working up the call, was made chairman of the meeting, and Raiph Williams, of Dallas, secretary.

It was decided to complete the organization at Portland next month, when Washington State bankers meet in that city. As a committee on permanent organization the chair appointed J. Frank Watson, Portland; W. H. Dunckley, Portland; H. Hirschberg, Independence. The committee on invitations consists of E. V. Carter, Ashland; W. L. Thompson, Pendle on; R. S. Williams, Dallast A. L. Mills. Portland; E. C. Apperson, McMinnville. J. E. Higgins, Astoria; J. T. Donnelly, Baker City. The new organization starts off with the assurance of a hearty sup-

Following the meeting of the bankers the second meeting of the Willamette Valley Development League was called to order by President Hofer. The meeting started off with a good attendance and much enthusiasm. B. F. Mulkey delivered an address on the opening of Yaquina Bay, followed by L. M. Gilbert and Ike Bingham,

A big clam-bake and barbecued beef was served in the town park at night. There will be an effort to form an open port association for the Willamette Val-

ley tomorrow. Report on Transportation.

The following address to the people of Oregon was read from the transportation ommittee of the Oregon Development eague, and of the Willamette Valley Development League, and adopted by the

convention:

It is neither the desire nor the intention of this committee to make any unjust attack upon corporations or transportation companies. We fully recognize that in this age railroads are a vital and essential factor in our country's development, and we favor reasonable 'encouragement to their management and equitable regulation of their rates and operation.

accorded complete and importial of our laws. No state in the Union more liberal in its treatment of railroads.
Your committee believes the time has now come when there should be demanded in return that the state and its commercial and industrial interests be riested in the same spirit of liberality and fairness by the railroad managers.

Record of Oregon

This state has never enacted any so-called matic legislation against transportation comdrastic legislation against transported from the other hand, it is assessing their lands, rights of way and rolling stock upon less valuation than any state in the West. There is no law in Oregon taxing their franchises or gross or net earnings, as in many other states.

Ten years ago this state repealed its railroad commission law and has enacted no rate

This state has even made it unjawful to deal It is state in a construction of the construction of the construction of the than to the corporations. We have left the power to fix freight and passenger fares and the legitimate work of extending their lines to meet the needs of the country entirely in the bands of these corporations, trusting to them to treat the people with fairness and equity.

Justice to the Railroads.

In a spirit of justice we give credit for all that has been done by the railroads for the benefit of the state. Under the administration of C. H. Markham many industries were favored and established in Oregon. The industrial departments of the roads have cooperated with the people, and promoted production of fruit and dairy products. Mr. Markham's successors have sought to maintain policies of development, but have either bean overruled in their decisions or have lacked the authority to initiate so that the movement toward lower rates and extension of markds for Oregon products has recently made little progress. Justice to the Railroads.

reducing passenger fares to 3 cents per mile on their main fines, and for securing low rates to the Lewis and Clark Fair and to many state and local gatherings. For all these advantages the public is duly grateful, and justip believes that each concession resulted in good alike to the state and the railroad making it. This state is indebted to the railroads for

Justice to the People.

We believe that railway corporations are creatures of the state, possessing valuable franchises which have come from the people, as well as wast grants of public lained as wast grants of public lained as wast grants of public lained as well are the people, as well as wast grants of public lained always becoming more valuable by action of Congress, and that they owe a duty to the people which they have not fully performed. A duty to the State of Oregon is incumbent upon them, which grows out of their occupancy of its territory under priceless franchises bestowed and inallenable, and such duty can only be performed to the people of the state by assumption on the part of the companies of their full share in the development of this territory. This can be done by expending a portion of their earnings within the state in the construction of such new lines and extensions as will not only meet the needs

Oregon Railroads Prosperous,

Oregon Railroads Prosperous.

This committee believes that in no state in the Union are the railroads doing a more profitable business or enjoying more prosperity as financial enterprises than in Ovegon, We are informed that the trains on the main line of the Southern' Pacific in Ovegon earn more per mile than on any other division of the Harriman system.

The earnings of the O. R. & N. Co. for 1803 are reported at about \$5,000,000, and hearly all this money was made in Oregon, from Biggs to Shaniko, said to be the personal property of E. H. Harriman, is reported to be paying over 20 per cent annually on its capitalization.

As Oregon has no law requiring any reports epitalisation, egon has no law requiring any reports

(Concluded on Page 4.)

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