HENEY DECLARES MITCHELL KEPT SHARP WATCH ON HIS FEES

SENATOR MITCHELL AS HE HAS SAT

THROUGHOUT THE

TRIAL

DISTRICT ATTORNEY HENEY MAKING HIS ARGUMENT AT THE MITCHELL TRIAL, AND OTHER SKETCHES BY HARRY MURPHY

PROSECUTOR HENEY,

DELIVERING HIS ARGUMENT TO

THE JURY.

said that anything was justifiable, even to perjury and the subornation of per-jury, in escaping from the results of his

The stemographic report of District Attorney Heney's address to the jury following the facts that tended in my opinion and the state of the property of the state of the property of the facts that tended in my opinion and the facts that tended in my opinion with the facts that tended in my opinion of the facts that tended in my opinion with the facts that tended in my opinion of the facts that the

fense objected to the testimony of Tanner, but what of the man who had induced him to commit the crime! Which one deserved the greater measure of condemnation—the one who committed the act, or the man who, for his own selfished, suborned him to place not only himself, but his son, under the law and desiroy their honor among men for all time to come? Under the law and who suborned a man to perjure himself is as guilty as the one who committed the fact. The selfishness of the defendant, sacrificed Tanner upon the altar of his friendship, and upon the chance that Robertson, out of his love for them both. Let them argue that no credence could be placed in the testimony of Tanner, and they of the two, for he had sacrificed himself and his honor for the good of his friend and partner whom he loved.

In the afternoon Mr. Hency took up the testimony of Robertson and followed it to the self. He specked that any means were justifiable to be set these men, under the lines, of course. Senator, between you and me had far in which the latter stated that any means were justifiable to beat these people here who were persecuting him. He called it persecution, but the speaker to perjury and the substration of the law the max which his mything was justifiable, even to perjury and the substration of his love for his means of the section of the seminory of Robertson and followed it to the send. He spoke of the finterview is all right, but I know that you don't want to be known to anyone class—no. Reading between the lines, of course. Senator, between you and me it is all right, but I know that you don't want it to the send. He spoke of the finterview is all right, but I know that you don't want it to the send the substration of the law. Mitchell and that anything was justifiable, even to perjury and the substration of the law. Mitchell and that anything was justifiable, even to perjury and the substration of the law. Mitchell and the acaptage of the season understand? How did Repart understand?

How Did Benson Understand?

said that anything was justifiable, ever to perjury and the subornation of perjury. In escaping from the results of his crime.

No Disgrace to Convict a Senator. It would be no disgrace to the State of Oregon to convict a Senator, the speaker argued, but it be a disgrace not to convict him if he had broken the law and had betrayed his trust. It would be no disgrace to show that in Oregon no man was above the law. The attitude of the defendant reminded the apsaker of the case of Lord Clive who, when tried for taking money against the law. Had said "By God" gentlemen, when I think of the opportunities i have had. It am surprised at my moderation." The defendant said, practically in the teeth of the jury. By God gentlemen, when I think of the opportunities i have had. It am surprised at my moderation." The defendant said, practically in the teeth of the jury. By God gentlemen, when I think of the opportunities i have had I am surprised at my moderation." The defendant said, practically in the teeth of the jury. By God gentlemen, when I think of the opportunities i have had I am surprised at my moderation. To him of the opportunities is have had I am surprised at my moderation. To him of the opportunities in the seath of the jury. By God gentlemen, when I think of the opportunities is have had I am surprised at my moderation. To him of the opportunities in the seath of the jury. By God gentlemen, when I think of the opportunities in the seath of the jury of the tongue of the jury of the defendant said, practically in the teeth of the jury.

Senator Mitchell was flayed by the tongue of the jury seath of the doubt and take it for any of the jury of the defendant of the doubt and take it for a property of the defendant of the doubt and take it for the doubt and t

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FRONT ROW OF SPECTATORS.

S.A.D. PUTER DECUPIED A SEAT

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A BUSY HOMENT WITH

The control of the co

undoubtedly where the business was coming from.

If Mitchell went through the books for
that purpose be certainly saw that entry
of October 4, 1994 that money had been
paid in but it had not been divided, and
he took the division on the very next
day, and took it in a check in his ewe
name, took the check to the bank and deposited it. Let us see what happened of
May 12, 1994, and see whether he noticed
this entry when he was going through the
books. On January 14, 1994, a letter was
written by Tanner to Mitchell which
reads as follows: "Dear Senator: I enclose you herewith copy of nutice of appeal, specifications of error and proof in
the matter of the appeal from Hermann's
declaion rejecting our application to select
lieu land in the Cascade forest reserve,
etc. If we can win this case we can as
contemplated, charge a big fee for services in the maiter."

Before Land Department.

Before Land Department.

Before Land Department.

Now, that is a matter pending before the Land Department and upon examination of Tanner I asked him this question: "I call your attention to a letter written by you to Senator Mitchell, the sentence where it ways if we can win this case we can, as contemplated, charge a big fee for services in the matter! Had you any conversation with Senator Mitchell in regard to charging a fee in that matter prior to that time, January 1s. 1967. "A. Yes, six; I had. That relates to that application of the California & Oregon Land Company to select indimnity land within the forest reserve, and I had railwed with him, and had discussed to some extent the question of law involved in the matter, and I told him that if we could win the case and exablish the right of the company to make selections in the forest reserve, that we would make a big fee in this matter before the Land Department." he does not say, Why, you can Tanner, but I cannot, as you know, I cannot practice as a lawyer before the department."

Alert in His Letters.

Alert in His Letters.

But he is very quick and alert to write to him and say. "Keep my name off the papers that are filed."

Now, what more was in this letter of January M? After having said that much, he proceeds: "If the Secretary should sustain the Hermann decision, we want, if there is any way in which it can be done, to get the matter into the courts and sat the decision of the Supreme Caurt upon this question. De you know any way in which we can get the matters into the courts and get such a decision." Here was an answer to a telegram: "Before completing your brief in the Booth wagon-mad matter, await receipt of certain, records mailed by me to you today." He was aiding in the preparation of the brief by sending some printed matter which he thought would be of importance to use in its preparation.

Another Letter From Tanner.

January 22, 1980, there is another letter from Tanner, abowing that he was educated on that point, and that while Mitchell did not come back at him and say, "I cannot trace any part of that fee, I cannot practice in that mather and take any of the fee, selli Tanner had in his mind the fact that he put his name on the brief. "Dear Senator: I have received the records which you kindly sent me in the wagon-road beuselection matier," etc. "I am mailing you a copy of the brief, which, if you can find the time to look over, you will see covers the points suggested in your letter, and I think makes the case sufficiently clear to entitle us to a reversal of Hermanu's decision. If when you leok over the brief, you see or think of anything else which you think should be urged on the Secretary of the Interlor, and will notify me. I can of course, submit at any time within 60 days a supplemental brief. I signed my own individual name to the brief, for the reason that I did not suppose that you would cure to practice as attorney for the selector in the case."

Not for the reason that this is my fee, or my case; not for the reason that you would cure to practice as attorney for the selector in the case."

Not for the reason that this is my fee, or my case; not for the reason that you would cure to practice as attorney for the selector in the case."

Not for the reason that the in my fee, or my case; not for the reason that I did not think you would not take any part of it, but "I beve signed my individual name to the brief for the case."

The brief for the coason that I did not think you would not take any part of it, but "I beve signed my individual name to the brief was a time of the brief want to appear as attorney in the Department, because it was a crime, if he was getting a gart of the lee. "I wish by all means you would see the Secretary of the Interise personally as a Senator, divorced from your profession as a lawyer—leave your key." ciothes at home and appear there