

# Oregonian

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## PATHETIC PLEA FOR MITCHELL

### Judge Bennett Argues for Defense.

### SENATOR IS MOVED TO TEARS

### Case of "Bardell vs. Pickwick" Cited With Humorous Effect.

### BITTER ATTACK ON HENEY

### Prosecution of Mitchell Is Declared to Be a Plot—Judge De Haven Checks His Verbal Assault on District Attorney.

Another day will send to the jury the case of Senator Mitchell, who has been on trial before Judge De Haven in the United States Court yesterday morning when court was convened Judge Bennett began his argument in behalf of the defense, a plea that was attractive in sentiment, impressive in delivery, and undoubtedly one of the greatest efforts ever attempted by this well-known lawyer.

For more than three hours and a half Judge Bennett held the closest attention of all within hearing. When he closed at 1:35 a hur of tears dimmed the eyes of the Senator and many of his closest friends were much affected. The attorney's theme throughout was that Senator Mitchell was not guilty of any wrongdoing, and that the defendant was the victim of a plot engineered by some unnamed persons behind the prosecution. It was a plot brought to a culmination by United States District Attorney Henny, whose chief aim in the prosecution, according to Mr. Bennett, was the glory of having convicted a United States Senator. Skillfully counsel for the defense turned the construction that the prosecution had placed upon the letters between Senator Mitchell and his former law partner, Judge Tanner, he pictured Tanner as a rat in a trap, who when once caught, was a willing tool in the hands of Mr. Henny, in order to save his (Tanner's) son from prosecution.

During the morning session Judge Bennett devoted his entire attention to the letters which Mr. Henny had made so much use of. Shortly before the noon recess, Judge Bennett turned his back to the jury and bitterly attacked District Attorney Henny. He was in the whirlwind of this verbal assault when he was abruptly called to book by Judge De Haven. Judge De Haven's ivory gavel struck the desk in front of him with resounding rap. The speaker had just commenced the prosecution of having taken a mean advantage of the Senator and with a vehemence that was more impressive because of Judge Bennett's stature and of the anger shown in his face, he said: "I say shame on you, Mr. Henny; you cannot cry, because that would detract from your manhood, but if you had a bit of warm blood in your veins let the red flush of shame rise to your cheek."

Called to Order by Judge De Haven.

The sound of the gavel, vigorously wielded by the court, commanded Mr. Bennett's attention. Breaking off suddenly and looking up at Judge De Haven, Judge Bennett bowed, and quietly his Honor said: "Counsel must refrain from that style of argument." Judge Bennett, bowing his acknowledgment of the remark, resumed his address. When the noon recess was convened, Judge Bennett made an apology to the court, and his Honor explained his action by saying that the court held that counsel might make any comments that he pleased, but that he objected because he construed the remark as reflecting upon the court, and he had confined his remarks to Mr. Henny personally.

This was the only ripple in the day's proceedings. There was a noteworthy absence of a scathing denunciation for Judge Tanner. Judge Bennett characterized the testimony given by Tanner as unworthy of serious consideration by the jury, and repeatedly asserted that it was given by a man who was under the compulsion of the prosecution, backed up by those who were moving the heavens in their persecution of "an old man who had been running his old legs off" doing great deeds of kindness for his constituents in Oregon. He likened Robertson, who had broken the Senator's bread and eaten his salt, to the viper that has stung to death the benefactor who had warmed it. He stated that the whole of Robertson's testimony was manufactured falsehood; he was a man armed with knives, ready to thrust them into the Senator in a hundred different ways.

When Judge Bennett reached the point of his argument relative to the books kept by the firm and the capital that the prosecution had made on this point, he cited the jealousies of Shakespeare's Moor. He quoted, "Things light as air were thus to him proofs as strong as the Holy Writ," and he said this was the attitude of the prosecution. He contended that there was no act in human life upon which there could be placed an evil construction, and that an evil construction had been placed upon the mere fact that Senator Mitchell had called for a copy of the firm's business.

The scene at the courtroom was not without its humorous side. When Judge Bennett entered the courtroom, among the pile of papers carried under his arm was a copy of Dickens' "Pickwick Papers," something that he was to make

## MOB MOWED DOWN BY MACHINE GUNS

### Odessa Resumes a Semblance of Order.

### THOUSAND KILLED BY BULLETS

### Cossacks Patrol Streets and Guard City's Approaches.

### SAILOR GIVEN BIG FUNERAL

### Body of Omilchuk, Victim of Officer's Wrath, Followed to the Military Cemetery by Thousands, Priests Leading.

### BLACK SEA FLEET.

The Black Sea fleet, which is practically all that remains of Russia's naval strength, consists of the following vessels:

Battleships.	Tonnage.
Erast	12,450
Ivan Zlatovr	12,450
Triya Svichtilina	12,450
Grand Duke Constantine	12,450
Catherine II	12,450
Dmitriy Apostol	6,975
Cruisers.	
Orskoff	6,270
Car	2,310
Clara	2,310
Carfaxia	2,310
Grand Duke Alexis	2,310
Grand Duke Michael	2,310
Grand Duke Nicholas I.	2,310
Empress Sissias II.	2,310
Roumiantseff	750
Gunboats.	
Captain Sarken	712
Chester	400
Kazarsky	400

There are in addition a number of smaller gunboats and dispatch vessels, ranging from 90 to 250 tons each.

## FEARS THAT ARMY MAY JOIN REVOLT

### Startling Stories Told in St. Petersburg.

### GOVERNMENT IS NOW FRANTIC

### Desperate Efforts Made to Head Off Revolution.

### NEWS ALL OVER EMPIRE

### Bluejackets of the Black Sea Squadron Are Not Expected to Join the Crew of the Kniaz Potemkine.

### ST. PETERSBURG, June 29.—(U. S. M.)

The Russian government, although it has been almost paralyzed by the terrible events at Odessa, and the news that the sailors at Libau also have mutinied, is making desperate and even frantic efforts to meet the situation and stamp out the flames of revolution before they can spread to the army, which is now the last bulwark of the autocracy.

The first act of the government after the declaration of martial law was to dispatch Admiral Kruger's squadron from Sebastopol to suppress the Kniaz Potemkine, whose mutineers have now been joined by the crews of the torpedo-boats which accompanied it to Odessa, to surrender, under the threat of firing upon and sinking the vessel. This was followed by the declaration of martial law at Odessa and Libau and the clothing of the military commanders with plenary powers.

Sedition in the Regiments.

The newly formed Council for Imperial Defense met last night under the presidency of Grand Duke Nicholas, and was in session long after midnight. Beyond the fact that the temper of the army was considered at length, nothing is known as to what occurred in the council or regarding the decisions at which it arrived.

Great fear is expressed that many regiments are honeycombed with sedition, and there is grave doubt of their loyalty should they be called upon to fire on the revolutionists. Indeed, the most startling stories involving the unreliability of the troops are being repeated in St. Petersburg, but the truth of many of them is more than questionable.

What effect the news of the happenings in Odessa will have on the troops and the public is generally problematic, and is puzzling the Emperor. The precautions

## MUTINEERS FIRE ON CITY OF ODESSA

### Shells Tear Great Holes in Buildings.

### FULL CHARGES USED IN GUNS

### At the Governor's Orders the City Is in Darkness.

### TROOPS ARE POURING IN

### Altogether It Is Said That 10,000 Soldiers Are in the City—Mutineers Move Vessel About the Harbor.

### LONDON, June 30.—The Daily Mail

prints the following from its Odessa correspondent, timed 10:40 o'clock, Thursday night: "Using full charges, the Kniaz Potemkine opened fire on the city this evening. The first shell struck a house in Nyssinskaya street, and the second struck a brewery. In the walls of both buildings large holes six yards wide by three yards high were torn. So far, there has been no more firing.

"The Governor ordered the gas lamps extinguished and the electric current severed, so that the city is in total darkness. "Large bodies of troops have arrived. It is reported there are altogether 10,000 troops in Odessa.

"This afternoon a tugboat arrived with a commission which will investigate affairs. It proceeded, flying the Red Cross flag, to the opposite side of the bay and reported. Two warships are lying at the harbor and one of the main streets, opposite Little Fountain.

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### Wires May Be Cut.

WASHINGTON, June 29.—Up to the hour the State Department closed tonight, no cablegram had been received from Odessa regarding the situation there, and the fact that Mr. Keenan, the American Consul at Odessa, has not further reported on the matter leads to the belief that the wires may have been cut.

A request for protection of American property or for warships has been received at the State Department.

### Cruiser Reported Burned.

ST. PETERSBURG, June 29.—It is reported that the volunteer fleet cruiser Saratoff has been burned at Odessa. Admiral Kruger's squadron is expected to arrive at Odessa tonight. His orders are to suppress the Kniaz Potemkine, to surrender, and on her refusal, to sink her, after which he is to start in restoring order in the town.

### Mutineers Firing on Odessa.

LONDON, June 29.—The Odessa correspondent of the Daily Telegraph, in a dispatch filed at 11:20 o'clock yesterday night, says that the Kniaz Potemkine is firing on the town, and that Admiral Kruger's squadron is not in sight.

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**The Weather.**  
YESTERDAY'S—Maximum temperature, 79; minimum, 55. Precipitation, none.  
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**Revolution in Russia.**  
Machine guns kill 1000 rioters in Odessa and bring a semblance of order. Page 1.  
Immense procession follows body of Omilchuk, the sailor victim, to the grave. Page 1.  
Kniaz Potemkine's guns fire two shots at the city of Odessa. Page 1.  
Steamers stopped by the crew of mutineers. Page 1.  
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Equip snuffaker's bag convention. Page 12.  
Executive Board holds its final session. Page 12.

**"Uri in Blue" appears in court. Page 15.**

### Killed on Steps of Church.

It is alleged that at 3 o'clock this morning a large body of rioters tried to enter the central part of town by way of Polish Hill, and that a fusillade was kept up by both sides with rifles and revolvers. It is also alleged that hundreds were killed and that when the mob tried to ascend the steps near the Church of St. Nicholas to reach the Boulevard St. Nicholas, Cossacks and other troops fired repeated volleys into the crowd, with terrible results, wagonloads of dead being carried away.

Many lives, it is said, were lost in the endeavor to stop incendiarism. The congregation extended for over a mile, and thousands of tons of railway ties supporting the elevated railroad surrounding the port, together with all the contiguous buildings, were consumed, the troops in the meanwhile firing volleys to compel the rioters to desert.

It is stated that three police officers, ten policemen, 23 Cossacks and ten infantrymen were killed in these encounters.

### Imposing Funeral Procession.

The funeral of Omilchuk, which has just been held, became an imposing popular demonstration, which fortunately was without disorder. A procession of many thousands of persons followed the body to the military cemetery. The coffin, which was covered by St. Andrew's flag, and on which there were numerous wreaths, was carried by eight sailors. The procession was headed by priests.

Neither police nor troops were stationed along the route to the cemetery, owing to a wise decision by the authorities, and by which the possibility of a collision was averted. In the most unruly section of the city the populace treat the proclamation warning people to remain indoors with the greatest derision and contempt, and freely announce their intention to burn all the public buildings in the course of the night.

### Cossacks Patrol the Streets.

Cossacks guard all approaches to the town, and troops patrol the streets and guard public buildings, especially the banks, within and without.

As showing the strong military hold over the city, many councillors were prevented by troops from reaching the Town Hall to attend a meeting of the Municipal Council.

It is quite impossible as yet to obtain any accurate estimate of the number of killed or injured. It is reported that the Kniaz Potemkine's crew sent a message

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### Situation at Libau.

Later dispatches from Libau say that property losses there are considerable and that all the workmen have gone out in sympathy with the action of the bluejackets. Private reports are said to have been received, according to which artillery was employed against the mutineers, but this had not been confirmed, nor is there at hand any dispatch giving the number of wounded.

Four submarine boats are moored at quays in the harbor, but a dispatch from Simon Lake says they are under guard and are "yet undamaged."

The mutiny at Libau, following on the heels of the events at Odessa, gave rise to the impression that it might be the result of a general plot of the sailors, but no connection between these happenings has been established. Up to midnight the bluejackets at Cronstadt had made no move which would indicate their connection with the plot.

### PRESENT CRITICAL SITUATION

**Warships of Other Nations May Desire to Enter the Black Sea.**

LONDON, June 30.—Should the report that the Kniaz Potemkine is bombarding Odessa be confirmed the incident probably will precipitate a critical international situation and the foreign Consuls there will almost certainly demand the protection of warships, if they have not already done so; and as the treaty of Paris bars any but Russian or Turkish ships of war from entering the Black Sea, "the Dardanelles question" might as a result be revived in a novel and unexpected shape.

In the opinion of the London morning papers the situation could hardly be more serious. The outbreak of mutiny at Libau appears to have been the result of concerted action on the part of the bluejackets and is full of menace for the future peace of the Russian empire.

Up to this morning no further dispatches from Odessa have reached London, and it is evident that a strict censorship is enforced.

The Black Sea fleet consists of nine battleships, three cruisers and eight smaller vessels. There are also several volunteer cruisers and an auxiliary warship in the Black Sea.

### HARBOR GUTTED BY FIRE.

**Troops Have Great Fight With Odessa Rioters.**

ODESSA, June 29.—Hundreds of rioters were shot and many killed by troops during last night. Martial law has been proclaimed. Fires are still burning at midnight, but there was a lull in the disorders at that time.

Practically the entire harbor was gutted by the fires started by the mob last night. All the warehouses, with large quantities of merchandise, as well as four or five Russian steamers, were burned. Probably 300 rioters were killed. Several Cossacks were also slain. The troops are rapidly restoring order.

The losses are estimated at many millions of rubles. The remnants of the wharves and warehouses set on fire last night are still burning today, and the city is enveloped in a thick cloud of smoke.

Several explosions occurred in the port during the night, and fierce conflicts took place between the troops and rioters. The dead are now reckoned in the hundreds. The hospitals are overflowing with wounded persons, and the medical aid is inadequate. The shops are closed and business and traffic is suspended. The streets are occupied by troops. Many residents are leaving Odessa.

The body of Omilchuk, the sailor executed on board the Russian battleship Kniaz Potemkine, is still exposed on the quay, where it was landed by the crew of the Kniaz Potemkine yesterday. The dead man's comrades, who demand that the remains shall be accorded military honors, actively

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**One Is Seen to Burst Into Flames Soon Afterward.**

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"A transport with Russians from Port Arthur and a Russian steamer were held up by the Kniaz Potemkine at 5 o'clock and compelled to tie up under her guns for 24 hours.

"At 7 o'clock the warship steamed two miles off, but shortly afterward returned to her former anchorage and fired several shots at the suburb of Langeron, where there is a detachment of Cossacks. She then swung around till her guns pointed to the center of Odessa and fired a blank cartridge.

"A steamer which the Kniaz Potemkine stopped was seen to burst into flames.

"The city pentitentiary, in which there are 200 persons, had a narrow escape from being blown to pieces last night. Five men had just succeeded in placing a number of powerful fuse bombs in the outer wall when they were arrested."

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