

Indictment Is Attacked

tchell, but of many others.

hauled down the red flag and surndered the battleship to Vice-Admiral noon today. It was an anxious moment for Odesa as the squadron of five battleships and quarters and their decks cleared for action, steamed within range of the Kniaz Potemkine, the flagship flying signals which read "Yiel dor be sunk." The Kniaz Potemkine, which had weighed anchor, started in the direction

ance, the mutineers on the Kniaz Potem-Kruger's squadron, which arrived here at of marine, fully armed, and each boatload seven torpedo-boats, with their crews at ships for the Potemkine, without firing one

the rebel. They formed a semicircle or making the slightest show of resist- around the Potemkine, and from the Admiral's flagship there came a demand that the Potemkine surrender.

into office. Shortly after midnight Mayor Lane an-

When the speaker laid aside his culogistic tribute to the Senator, when he had given his auditors a glimpse of the livingroom of Senator Mitchell in Washington, room which he said contained a bed and a trunk; when he told of the love, veneration and honor in which he held the defendant and turned the floodgates of his ratory and legal shrewdness upon the dictment under which Senator Mitchell being tried, then he became the lawyer ad pleader. Leading members of the nch and bar who listened to this arguent marveled at the advoltness with which this document was attacked. It was done with such skill and cleverness for each count was taken up and riddled and

scoffed at-that now the Government must make answer.

The attack upon the indictment followed the lines of the argument that ex-Senator Thurston had made before Judge De Haven. He stated that the indictment held that Senator Mitchell had received money from Kribs, and he showed by the testimony of both Kribs and Tanner, that Kribs had never paid money to the deendant. The speaker held that before the Government could make this count in the stment stick, it must prove that Sen-Mitchell had received his payment ther in gold, silver or currency. He cited hat the Supreme Court had held that a k was not money, and contended that Tanner deposited the Kribs checks, checks were purchased by the bank, their property to burn or tear up if wished. The money that the Semator ved as his share of the monthly reof the firm's business, no matter share contained a part of the payment, could not be construed ing been paid to Senator Mitchell

indictment upon which ex-Senator ton made his violent attack, was n by Oliver E. Pagin, of Chicago, is considered one of the best framers ictments in the country. Ex-Sena-Thurston could not, or did not, reber the name of Pagin, and referred really is. m as Pagin or Fagan, poked fun at ability he is said to possess and said that he would not my the blame of draw

ing the faulty indictment against District Attorney Heney. Count by count, he ook up the indictments, read extracts from it, and then tore them to pieces. He made it appear as if this document was as full of errors as a sieve is full of holes. To the jury he marveled that the Gov ment would attempt to obtain a con viction on such a flimstly-constructed indictment, and he conjectured why the District Attorney had singled out Senator Mitchell, who was in the shadow of his last sundown, instead of indicting the "king of landgrabbers," Kribs.

### Mitchell "a Broken Old Man."

Mr. Thurston pictured Senator Mitchell as already in the valley, with but a little way for his tottering feet to travel ere be reached the river, and he could not understand why the Government hadn't selected a victim still in the fuliness of life, and "Inis old and broken man." The waker charged the jurors not to believe District Attorney Heney, when he said that the Government demanded the condetion of the defendant. He contended that the Government demanded the conviction of the guilty, but that the Senator

his own early struggles was told feel ingly, showing that he also was without early advantages. His verbal picture of Senator Mitchell walking the streets of Washington while other Senators drove by with their horses and carriages, soon brought tears. He was almost through with his argument when court was adjourned, and seemingly was about to bend the powers of his oratory in behalf of his client. It is expected that he will occupy the attention of the jury for another hour this morning, and then Mr. Hency will close for the Government.

THURSTON'S BRILLIANT PLEA

he talked long, it developed that he was

a master of English and had a perfect

command of his subject. The story of

**Ex-Senator Makes a Vigorous Appeal** 

for His Former Colleague

The stenographic report of ex-Senator Thurston's address to the jury in defense of Senator Mitchell follows: May it please the Court, Gentlemen of

I stand here to raise the last voice that may ever be heard this side the judg-ment seat of God in behalf of the official and personal honesty of this defendant, John H. Mitchell. It has been subtil suggested in this case that the defendant suggested in this case that the defendant relies upon the tears and eloquence of counsel for his acquittal. We have no-tears, although we feel for all men who suffer and are in trouble, and, for my part. I have no gift of eloquence or ors-tory. I am a pialn, blunt man: I had no chance in early life to study and learn what other men have studied and learned --rhetoric and the gift of language. I knew no college but my fathers' stony, stumpy farm, and the common country tent. show no college but my fathers stony, stumpy farm, and the common country schoolnouse, and when that father, a pri-vate soldier in the First Wisconsin Cav-alry, made his last charge in the wilder-ness of Missouri, when the suber fell from the nerveless hand, there was noth-ing left for his only son by work, work, work, that the widowed mother and the fatherless sisters might have bread, and

work, that the widowed mother and the fatherless sisters might have bread; and so, all that I know of the use of lan-guage I have learned in the hard school of work, work, and of struggle, and if I have any gift of speech it consists in using the simplest words and the plain-est language to convey ideas, and in this case. I shall not appeal to this jury in eloquent terms. I will talk to you as man to man, in the plainest simplest way I can, and will endeavor to show you as I see it, what this evidence and this case really is.

#### Says Mitchell Is Honest.

<text>

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of Langeron Point, near Odessa. Every one expected the immediate opening of an engagement, but instead long interchanges of signals were begun, the mutineers apparently parleying to obtain favorable terms. Finally the battleship stood in closer to the squadron, the vessels of

which formed a circle around her, and later the squadron resumed formation and headed out to sea, the Kniaz Potemkine returning to her anchorage, accom panled by the Eksterina II, which placed prize crew on board.

The terms of surrender cannot be earned, as boats from the shore were not allowed to approach, but it is thought that the mutineers received verbal promises that the punishment prescribed by the naval rules will be mitigated to some ex-The Ekaterina II remains in the harbor.

The city is still in a state of feverish anxiety. All the hotels are guarded by troops and further reinforcements have arrived. All reservations on outgoing trains have seen taken for days ahead. During the demonstration attending the funeral of the sailor Omiltchuk 54 persons the Potemkine who were not killed when were killed and many wounded. Many ar-

rests have been made.

**Populace Gazes on Spectacular Scene** 

# in the Harbor.

ODESSA. June 30 .- (Evening.)-This much-dreaded day, to the surprise of The first news from Odessa of the sur very one, passed without a shot being fired either ashore of affoat, while the Admiral Kruger's squadron reached here mutinous crew of the battleship Knias Potemkine capitulated unconditionally to Vice-Admiral Kruger's squadron, and at a cablegram sent by the American Con-5:30 this afternoon the vessel was slowly steaming three miles distant after Admiral Kruger's vessels, which had already sailed and were visible six miles

BWBY. What happened during this day of dra matic surprises is to a great extent a matter of conjecture, aided by binoculars After the shots the Kniaz Potemkine fired before midnight Thursday. Nothing further happened during the night.

Odessa woke early today to find the Black Sea squadron lying off Langeron Point, and every one was expecting a naval fight.

The city was like an armed camp Troops barred all the approaches to the harbor and were bivouacking in tents in Cathedral Square, and four batteries of artillery, well supplied with ammunition, had been placed in the park and at Langeron.

The populace, astir at dawn, rapidly availed itself of every housetop or em nence commanding a view of the harbor The Kniaz Potemkine was soon seen steaming to meet the squadron, exchanging signals as she proceeded.

Then, to the astonishment of all, Ad-

Without awaiting a made up of picked men who could be relied upon by the officers to stand true to Russia's cause, put out from the battle-

shot, but only after holding the marines off from boarding them for a few minutes by a half-hearted demonstration and a demand that they, the mutineers, he prom-Wanzer in that place. ised unconditional amnesty, a demand that was not entertained by the officers for a moment, the rebellious crew gave way, allowed the marines to board and take possession of their ship, and submitted without resistance to being manacled and carried aboard the several vessels as prisoners.

## Officers Cut Down Red Flag.

The first officer to board the ship cu down the red flag that had floated for four days from the stern, and amid the cheers of the crowds ashore and the crews of the five loyal ships, the Russian standard was again raised over the Potemkine, The men of the Potemkine are being held on the triple charge of mutiny, murder and refusal to help save the port of Odessa from incendiaries. While the bellef is general among the official classes and the peaceful citizens of Odessa that the men will be hanged, it is pointed out that it will be extremely risky to shoot nearly 1000 men, while a majority of the crews of the vestels of the Black Sea fleet are known to be dissatisfied, and also in view of the fact that nine of the 30 officers of the mutiny broke out have been restored alive.

# ODESSA HOUSETOPS CROWDED EMPIRE SHAKEN WITH REVOLT

# Martial Law Is Declared at Many Points.

ST. PETERSBURG, July 1-(3 A. M.)-

render of the Kniaz Potemkine to Vicethrough the Associated Press dispatch from Washington, conveying the text of sul at Odessa, W. S. Heenan, as with the declaration of martial law, General Kaltanoff had shut down on all disputches. Even the foreign embaasies here were without advices during the day.

The Associated Press Press dispatch announcing the surrender of the battleship was held up until 2 A. M. this morning. At the Ministry of the Interior, the As sociated Press had been informed yesterday afternoon that the Kniaz Potemkine with a mutinous crew, probably drunk and without a man on board capable of navigating the ship, had already weighed anchor and started seaward.

The presumption is that the battleship the squadron before the latter reached the offing, and under the frowning guns of Kruger's battleships, concluded that it was better to surrender than to fight.

Reports received by the Ministry of the Interior give an entirely different version of the origin of the mutiny, which is attributed to a deliberate plot organized by 30 sailors belonging to the revolutionary organization. These reports placed the

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water, for Civil Service Commissioner to succeed A. A. Courteney. The Mayor reserved the announcement of his Chief of Police until later today. The new Plumbing Inspector and the Building Inspector he said he would choose in a few days. He intimated that he did not contemplate changing the City Engineer at once, and remarked that many persons were urging the retention of Charles

## May Be Edward Budd.

That Edward Budd would be the new Chief of Police was the common report last night, and politicians of high and low degree were discussing it. Mayor Lane declined to reveal his selection un til later in the day. When asked whether the choice had been made he said: "That's up in the air yet."

Mr. Budd is in the employ of the Esberg-Gunst Cigar Company. Formerly he was a railroad conductor. He is a Democrat, and was one of Dr. Lane's active

supporters in the election. He is perhaps 25 years of age.

#### Personnel of Board.

It has been said by friends of Dr. Lane that the new Mayor has had a hard job in raking the city over for Chief to suit him, and that he would be likely to make no selection at once, but would allow one of the present Captains of Police, either Gritzmacher or Bailey, to head the force until the right man could be drummed up.

The new Executive Board contains seven Democrats and three Republicans-R. L. Sabin, C. A. Cogswell and N. J. Blagen. All the Democrats are strong members of their party. The three Republicans worked for Lane's election on the Citizens' organization, and Mr. Blagen was identified with the Municipal Association.



Milwaukee Grand Jury Has More Than Score on the List.

MILWAUKEE, June 30. - Late today the grand jury of Milwaukee County handed down between 25 and 30 indictments. The jury has been hearing evidence in alleged deals in which some of the present and former supervisors are supposed to be concerned.

The names of those indicted and the charges will not be known until the accused are brought into court.

Arrests have been made as follows: Fred G. Schultz, a newspaper man, and Joseph Galewsky, ex-supervisor of the Eighteenth Ward. The charge in each instance is bribery.

The investigation of the two previous grand juries resulted in the return of 110 indictments against 28 individuals. Of this number 14 have either been found guilty or pleaded guilty, three were acquitted and the remainder are yet to be tried. The graft scandals started over two years age

The present investigation, it is said, will cover several big "deals." The grand jury has not yet concluded its labor, and other indictments are expected to be

handed down at any time. The jury handed down 35 indictments implicating the following Il individuals: Herman Haasch, ex-supervisor; Frank Herman Haasch, ex-supervisor; Frank Burkhardt, ex-supervisor; J. J. Galewski, ex-Supervisor; Fred C. Schultz, newspa-

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YESTERDAY'S-Maximum temperature, 68 deg.; minimum, 55. Precipitation, none. TODAY'S-Frobably fair, warmer. Westerly winds, Death of Secretary Hay.

John Hay, Secretary of State, died at New-bury, N. H., at 12:25 this morning. Page 1.

irs. Hay is called to his bedside by sudder change in her husband's condition, Page 1 Collapse of Black Sea Mutiny.

Knias Potemkine mutineers haul down the red flag. Page 1.

Tield to threat of Vice-Admiral Krus squadron, without firing a gun. Page ew crew placed on board vessel, and war-ships start for Sebastopol. Page 1. Russia.

Libau bluejackets are quelled by slaughter of machine guns. Page 4.

German military expert declares that Rus sian army has no morale. Page 4. Efforts for Peace.

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Paname Canal John F. Stevens made chief engineer of the Panama Canal Commission. Page 3. Chairman Shonts says he is a stayer and man to produce results. Page 3. Ex-Engineer Wallace tells why he desired to resign. Page 2.

# National,

Rear-Admiral Sigsbee's squadron arrives at Cherbourg to bring home remains of Ad-miral Paul Jones. Page 2.

Domestic. Ten million dollars give by John D. Rocke-feller for college education. Fage 5. in Washington since the preceding Monday on his return from several months International agreement gives steel trus the rait monopoly of the American Page 5, which he spent in Europe. During his brief stay in Washington Mr. Hay attended actively to business before the State

ank presidents pay back to the Equitable their shares in syndicate profits. Page 5 syndicate profits. Page 5. Giants defeat the Tigers. Page 14.

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Facific Coast.

Sche hotelkeeper goes gunning whole town. Page 5. Lewiston-Grangeville electric line contracts rumored let. Page 5.

Astoria Norwegians ready to fight. Page 5.

Seattle bankers protest against increased rate on Nome gold shipments. Page 5.

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Promise of rain sends up wheat at Chicago, Page 15.

John Hay, Secretary of State, who will rank as one of the greatest of American dip-iomats and will bear favorable comparison with another great Secretary of State, James G. Blaine, was born at Salem, Ind., October 8, 1638. He was the son of Dr. and Helen Hay. The first of his ancestors to come to this country. John Hay, was descended from a Sector family which migrated to Germany General trade conditions good for this seas Page 15. this country. John Hay, was descended from a Scotch family which migrated to Germany and settled in Virginia in 1750. Adam, son of John, a soldier in the Revolutionary army and a personal friend of Washington, mF-grated to Kentucky, whence John, grandson of the emigrant, removed to fillinois, prs-ferring to live in a free state. The future American diplomat, John Hay, grew up with love for books and learning, and was graduated at Brown University in 1858, after taking high rank as a scholar.

Blacetem and club wheat accepted on No. contracts at Ean Francisco. Page 15. Steamship Sandhurst here had narrow e cape from torpedo. Fage 14.

Beadle Bros, order large steam schoon from Aberdeen builders. Page 14.

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Ex-Senator Thurston makes Mitchell, Page 1. Dr. Lane takes the oath of office. Page 16.

Five wives given decrees of divorce. Page 10. Defendants in slaughter-house case found guilty and fined. Page 11. June a busy month in police circles. Page 11,

Susan B. Anthony, leader of suffrage mov-ment, given an ovation. Page 10.

ing his death were those of pulmonary

Mr. Hay's condition during all of Friday had entirely satisfactory. The bulletin of Secretary Hay's death was signed by Charles L. Scudder, M. D., and Fred T. Murphy, M. D.

Mrs. Hay and Drs. Scudder and Murnhy were at the Secretary's bedside when the end came. The Secretary bade good night to his wife and to his attending physicians about 10 o'clock last night, at the close of one of the best days he has had since his illness. The local trouble was clearing up satisfactorily, according to Dr. Scudder.

The Secretary suffered none of the old

pains in his chest which characterized

his earlier illness. He had been perfect-

ly comfortable all day and happy in the

anticipation of leaving his bed for the

greater freedom and comfort of a couch.

A few minutes after 12 o'clock he called

the nurse, who at once summoned Dr.

Scudder. Both Dr. Scudder and Dr.

Murphy hastened to the bedside. The

Secretary was breathing with difficulty,

and expired almost immediately afterward

Went to Sunapee to Rest.

WASHINGTON, July 1 .- Secretary Hay

left Washington last Friday for his Sum-

mer home on Lake Sunapee. He had been

Department, and had several interviews

with the President on important pending

At the time of his departure he was

looking forward to a period of rest and

recreation at his Summer home, and fully

expected to return to Washington in the

Fall fully recuperated in health and

AUTHOR, DIPLOMAT. STATESMAN

John Hay's Name Will Shine in

American History.

1858, after taking high rank as a scholar,

gan the study of law at Springfield, III, in the office of his uncle, an intimate friend of Abraham Lincoin. There he learned his first lesson in practical politics, and made the acquaintance of the leaders of the Repub-lican party. He took part in the campaign of 1880 as a writer and speaker, and in 1881, after gaining admission to the Su-preme Court of Hilnois, he accompanied Mr. Lincoin to Washington, D. C., as assistant secretary. He also acted later as Mr. Lin-

secretary. He also acted later as Mr. Lin-

oin's Adjutant and Ald-de-Camp, and was

brevetted Lieutenant-Colonel and Colonel of Volunteers.

Soon after President Lincoln's death Mr.

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especially in English composition. He gan the study of law at Springfield, Ill.

at 12:15.

questions

strength.

At 11 o'clock he was sleeping quietly.