HENEY CLASHES

Attorneys Conflict in a Wordy War.

JUDGE CAUTIONS BENNETT Fresh

He Is Rebuked for Insinuations Against Prosecution.

HINTS FEASTED WITNESS

Controversy Is Sternly Ended by the Court_Surveyor Graves Testifies That He Was Aided by Williamson

It was a battle of the attorneys in the Williamson case yesterday, a fight between United States District Attorney Heney on the one hand and Judge Bennett on the other. It was a series of wordy aut. between the two Generals of the case that the court had to quell and in which the prosecutor came off first best in every instance. Incidentally there were two new witnesses placed on the stand by the Government, O. L. Parker, formerly a bartender in Prineville, and Charles Graves, the county surveyor of Crook County.

The latter's testimony was significant. He said that he had been employed as a surveyor by Gesner, had gone into the timber, and on one trip had met both Williamson and Gesner. Both of the deendants had assisted him in making one survey, and both had carried the chath marking off the lines.

Yesterday Mr. Bennett forgot the severity of his cross-examination until the m when he took Wilford J. Crane to tank about his testimony given at the previous trial and read him questions and answers not remembered by him. It was in this connection that most of the trouble arose between the two attorneys. In his cross-examiliation the attorney for the defense went into the conduct of the witness both at the present time and at the previous trial. He asked him if he made a statement to Mr. Neuhausen and if that statement had been used in guiding his testimony at the trial that has been finished. The statement was admitted, but it was denied that any attempt had been made to influence his testimony in any manner by the prose-Judge Bennett asked Crane about his associates in the city during his stay here, if he had not been the clais and if he had not frequented Neuhausen's office and had not been treated to cigars while there. Crane stated that he had been at the office but had not taken any cigars because he did not

As the attorney proceeded in his examination Mr. Heney interrupted him. "Are you going to offer any proof about all these things concerning which you are questioning the witness," he wiked. That is my office. If you are going to offer proof as to these things you insinu ate, then go ahead with your questions, but I would like to know if you are going use all this testimony.

Judge De Haven interrupted the diaogue. "You have no right," he said, addressing Judge Bennett, "to ask such questions unless you have information that these things have taken place."

"I have no way to know what took place in that secret room," said Mr. "I am asking the questions for my information."

"You have no right to draw upon your imagination," cautioned the court while Mr. Heney came into the conversation again.

You can put me on the stand if you want to prove what has taken place there, and I will answer fully," he

"Oh, yes," began Mr. Bennett in an

incredulous and unbelieving tone, but the court stopped him with a few sharp raps of the Ivory gavel "Let us have no controversy about

The storm was quieted for a few minutes only to break out afresh ever it had been insinuated he had been in

the presentation of a statement to the witness. Mr. Heney, on the re-direct examination, gave Crane the statement about which be had been questioned by Mr. Bennett, and unked him to it as the document from which structed by the prosecution to testify With the statement was handed a small typewritten document, purporting to e a synopsis of the statement made by the witness on a subsequent occasion. Mr. Bennett demanded to see the docu ment, stating that he had a right to ook at those things which Mr. Heney had fixed up before they were shows

torted Mr. Heney. "The witness said them, but you are welcome to see typewritten piece handed to the wit-

"Better Get Back to the Trial."

Judge De Haven stopped the argu nent between counsel by stating tout he did not see that it made any difference in the case whether or not the statements were shown or handed to the witness, unless they should be used in the trial. "We had better get back

to the trial of the defendants," he suggested. Judge Bennett made another objection to the procedure in allowing the prosecution to question the witness about the statement.

time and is drawing the attention of the jury from the defendants and the trial of the case. It is perfectly evident what is being done," he concluded, and the attorneys gave up the combat and excused the witness.

In the morning the Government placed O. L. Perker, a new witness upon the stand. Parker was a man who evidently thought he was attending a piculo and was smiling and at times facetious in his answers. He was worried for time by the cross examination of the desmile and ended the last round strong and

Parker Unwilling Witness.

Parker was an unwilling witness, and did not remember more than he had to do. He had been a bartender at Prineville in 1902, and said he had been led to file upon a timber claim by Biggs. The two men had lived in the same neighborhood, and one day while going to town Biggs had asked the witness if he had ever taken up a timber claim. He had said that he wanted to get men to file on lands, and the witness had understood that Gesner would furnish the money, as he desired to get control of talk with Biggs the witness had understood that Gesner would expend \$500 on the claims; that he would furnish all the money to file and prove up and would give the claimant everything over the fees and up to \$500 when patent was is-

Parker testified that Blazz had told olm Geaner would be in the timber, and that upon suggestion he had taken his wife and gone to the camp to see about filing. Charles Graves and Mrs. Biggs had gone with him. Arriving in the timber the witness and his party had met Gesner, who had showed them the land and given them the descriptines and told peace. them to file. He had not talked about the money with Gesner, though it had to file.

The witness would not say that he in tended to sell the land to Gesner, but hold to the story that he had intended to sell to the highest bidder, though would have sold to Gesner had he not been able to get more than \$500 for the claim. He had understood, however, that Genser wanted the land to use as a sheep range and was active in getting men to file for that reason.

Upon the introduction of the final proofs as evidence an argument arose between the attorneys as to their admissibility. The court ruled that the in-dictment called for perjury in regard to

The testimony of the witness was about the same in all important particulars as that of all the other witnesses who had filed under the agreement shown.

Graves Employed by Gesner.

Charles A. Graves was the second witness called, and was also a new figure in the trial. He stated that he had been County Surveyor in Crook County for six terms. He had taken a claim upon the

In June 1902, so the witness stated Gesner had come to him and asked for his assistance in surveying timber land near the sheep-shearing plant. Gesner had told him that he had some timber would like to have the corners marked, as he was expecting persons to file upon them in a short time. He had gone out on one trip, and a second time, a few days afterward, had gone to the woods, where he had met both Gesner and Williamson. Both of the defendants had assisted in making the second survey and had carried the chain in marking off the lines.

On the first trip Genner had asked the told him they were worth \$500 to him, and that he would lend the money to pay for them. Graves had joked Gesner thinking he could get such valuable timsaid and the doctor had stated that he lands for the amount named.

The witness had thought Gesner's propo had taken a cialm upon the promise of Graves and his wife had filed on the two ims selected for them by Gesner, and had paid the filing fees with money furnished by Gesner, giving notes for the

On cross-examination the witness stated that he considered it a good plan to take land under the agreement he had entered ner, wer the land and let it remain until he could get his price, then if Genner wanted the high figure he would sell to him, if not, to the man who would give the most for the claim. He thought the claims worth \$1000 and intended to hold

On redirect examination the witness stated that there had never been a market for the timber in that district and was not now. Mr. Bennett tried to show which could be marketed, but the witness ways got its lumber from another direc-

Henry Hudson's Story.

by the Government. Henry was the loker of the previous trial and he told He had known the defendants for a long time and had been induced by Gesner to file upon the land, being promised \$600 for his claim when patented. The he had met Gesner alone, the second time the street. Gesner had a plat of the the last 50 years has been one of help wanted him to take up. The witness

The witness told the same story as at

CONFIDENT THAT PEACEWILL COME

Japan and Russia Both Desire War's End.

INDEMNITY MUST BE PAID

Arrival of Japanese Envoy in New York Marked by Public Statement on Policy of the Victorious Nation

NEW YORK, July 25.-That Japan will demand an indemnity of Russia in the will be declared at an end at the con of the negotiations at Portsmouth N. H., next month, is the belief of Baron Komura, head of the Japanese peace delegation, who arrived here today, as voiced by Almar Sato, who is the official spokesman for the Baron on this missi Mr. Sato, in an interview tonight, said "I am confident that peace will be suc ceasfully negotiated by the appointed delegations. The Japanese will be guided by

of humanity and propriety there must be "The cost to Japan has been very great On both sides the loss in men has been \$70,000, Russia losing \$70,000 of these. The war is costing Japan \$1,000,000 a day, and there is a feeling that there ought to be

be made, but the sentiment to Japan and

Russia is for peace and in the interests

Armistice Will Come First.

an inden

Asked as to the probability of an armis tice, Mr. Sato said that probably would among the first questions the plenipo tentiaries would consider. Basing the form of the negotiations on previous treaty negotiations, Japan will make the demands for Russia's consideration, but he said the peace terms, while held in violate by those who knew their text, were formulated by the Emperor of Japan and his council. Mr. Sate was asked if,

The announcement of M. Witte's appointment to the peace party was more welcome to us than that of any other person could have been. We recognize him as a

China Protected by Japan.

Of the future of China, Mr. Sato said: "If the central government could work in harmony with the district or provincial governments, China would become a great power, but at present that seems to be was most friendly, said Mr. Sato, and while maintaining no moral Monroe Doctrine over the empire, she feit that it was more or less under Japan's protection. This protection, by way of illustration, Mr. Sato said, was "not so strong over South America."

Mr. Sato emphasized the announcement, made frequently before, that Japan doe not seek territorial aggrandizement, and on this point the speaker said:

"We want in Manchuria equal opportunity, or what Mr. Hay called the 'open

In response to further questions, Mr. Sate said Japan is overpopulated, and that in the opening of Manchuria and Cores, an attractive field for immigration

would be nearer home than offered in Mr. Sato said that, while a desire for peace was the sentiment of Japan, it was

not a desire for peace at any price.
"Japan is in a very prosperous conditaxes do not fall heavily upon the people tions of \$250,000,000 to a new internal loan and our prosperity is further indicated in the success of our foreign loans."

As to Japan's attitude toward America,

America Ally Without Treaty.

"You mean the yellow peril?" and then became more enthusiastic in his conversation than upon any previous topic. He

asm and friendship for America. we are friendly with China as Orientals, England. Why, the first monument ever erected to any foreigner in Japan was without a treaty."

it for \$1000 to anyone who would to any possibility of conflict with the though he had felt under obliga. United States in the future, as suggested ons to sell to Geener because the latter by some American papers at the cont him the money.

Gesner had written him a letter just could bring about such a conflict

at once to the Waldorf-Astoria, where they will be quartered until his depar-ture for Portsmouth. There was no dem-onstration beyond the presence of a few Japanese merchants and members of the opon Club, who shook hands with the mbers of the party. When the party rrived in New York from New Jersey, about 100 Japanese cheered the Baron as he entered a carriage and was driven Komura's Spokesman Says at Washington, and they lunched in the

Baron's apartments.
Tomorrow President Roosevelt will be officially notified of Baron Komura's arrival and later in the week the Baron will make an informal visit to Oyster

There is no stated programme mapped out for the distinguished Japanese pending the arrival of M. Witte, who is expected next week. Baron Komura will accept no invitations to dinners or public functions of any kind. Tonight he dired informally with Consul-General Uchida at the Nippon Club.

CASSINI SEES YELLOW PERIL

Says American and Britain Will Regret Japan's Ascendancy.

NEW YORK, July 25.—Count Cassini, formerly Russian Ambassador at Wash-ngton, expresses the opinion, according the Herald's Paris correspondent, that all now depends on the Japanese and that, if their demands at the coming peace con-ference are reasonable, peace is assured. Speaking of the Russian representative,

M. Witte, Count Cassini said:
"I think this infinitely important task could not have been intrusted to a better epresentative. He is a man of extraor-

representative. He is a man of extraordinary capacity and of the finest character. He knows the Far Eastern question
as few men know it, and is a patriot.

"Regarding internal difficulties, Russia
has now reached a critical moment in her
history, but America has had such a moment; so has France. These difficulties
will disappear and Russia will be stronger
than ever. They are merely passing difficulties, and it would be unwise to attach
too much importance to them."

Referring to the Chinase, Count Cassini
said:

"I like the Chinese. It takes years and rears of worry and trouble to bring them around to your way of thinking or to nduce them to enter into any undertak-

induce them to enter into any undertaking, but once convinced they are loyal. A
Chinaman's word is as good as his oath.
"I speak with all caution and circumspection, but am, nevertheless, afraid that
at no very distant date England and
America will have reason to regret this
war. They may have more to fear from
Japanese competition than from Russia."

ONLY SKIRMISHES AT FRONT

Russian and Japanese Reconnotter-

ing Parties Engage in Fights.

contingent consisted of two squadrons of cavalry, the second of two battations of infantry. Both retired after brief encoun-

those of the Russians are supposed to have been nearly 100.

In the first encounter the Russian cavalry, with its front side a thousand meters long, advanced upon the Japanese line until it came under fire, when it retired in confusion and the infantry advanced upon the Japanese fired 40 rounds.

The Japanese fired 40 rounds ed. The Japanese fired 40 rounds a captured Russian battery, when Russians retired, the Japanese infan-

CONVENTION DENOUNCES PRES ENT FORM OF GOVERNMENT.

Council and Insular Officials Appointed by Governor.

SAN JUAN, Porto Rico, July 25 .- Delegates representing 65 out of 66 mulitical parties assembled in convention here today to memorialize Congress with a view of bringing about sweeping changes in the government of this

versary of the American invesion of Porto Rico, and complains that the have a copper-plate engraving." Of preponderance of power still rests course no Senator has a copper-plate. so

President Roosevelt. says, "arrive here knowing nothing of the language, customs or needs of the four at the opening of every Congress, country, and 24 hours after disembark- and it is a graft that is worked as reguing take their seats in the executive ell and determine the fate of the

E: 104.0

Washington Air Full of Rumors of Graft in Printing Office.

FULTON DEFEATS HOLD-UP

Man Who Regularly Blackmails Senators Fails With Oregonian. Depew's Influence With Roosevelt Killed.

OREGONIAN NEWS BUREAU, Wash ington, July M .- It is universally believed Washington that Public Printer Palmer will have to go. He may not be dis-missed, but there is every indication that he will be given to understand that his resignation will be acceptable, and, like the late statistician of the Department of Agriculture, he may find that "his health

Palmer is at the head of the biggest printing office in the world; he and men inder his charge make tremendous chases of supplies each year; he has juradiction over a vast corps of employesprinters, compositors, presamen, binders and others—and in each and every branch of the Government printing office there have for years been rumors of scandals, large and small. These rumors have been more persistent of late than ever before, and the Government printing office is in ill repute at the National capital. Person ally Mr. Palmer may not be directly in volved in or connected with any of the supposed scandals, but it is under his adnistration that the printing office has attained such a bad name, and this fact sione destroys his usefulnesses public printer. For this reason, if for nothing more definite, it is generally expected that there will soon be a new deal in the

printing office. 'Jim Crow" Scare on Railroad Bill. In some sections of the country, partic

ularly in the South, there is still a belief ing Parties Engage in Fights.

In the flush of victory, the Japanese poople would feel entitled to more than any treaty would allow, and Mr. Sato said:

"The Japanese are not so gentle as to abide by any decision we may make, but they pay great respect to the offices of President Roosevelt and his acts have done a great deal to emphasize the need for peace."

Mr. Sato further said that the Japanese would prefer to have the negotiations in the English language, as neither Baron Komura nor himself speaks French. The matter, however, would be settled after President Roosevelt had met the two prepresentatives. As to the attilities of the Japanese members toward the Russian delegates, Mr. Sato said:

"We admire M. Witte and Baron Rosen."

In Parties Engage in Fights, that the Each-Townsend pill is to be revived at the coming session of Congress, although men posted on affairs in the National Legislature were long ago convinced that this particular rail-roid of the entire war. There is only encounters being these of recommission in the Sumilar to that the Japanese were miles apart. The Russians maintain a screen of cavalry outposts some seven miles apart. The Russians maintain a screen of cavalry outposts some seven miles apart. The Russians maintain a screen of cavalry outposts some seven miles apart. The Russians and Japanese lines are seven miles apart. The Russians and Japanese lines are seven miles apart. The Russian semilar to the first wounded and captured. The first reported on Friday was the interestate Commission power to about the will be settled in the South, there is still in the South, there is still in the South the Each-Townsend bill in the National Legislature were long to the only specification of the entire war. There apart the soil is to be revived at the coming season of Congress, although men posted on affairs in the South in the National Legislature were long to the interest of the situation of the entire war. There apart the soil is to be revived at the coming of convinced that the Each-Townse that the Each-Townsend railroad rate bill the reports recently given currency. It is The Japanese sustained no losses, but state Commerce Commission that that hose of the Russians are supposed to body now has authority to abolish "Jim have been nearly 100. Crow" care, but that it has never exercised that power, deeming it inexpedient to interfere with the South in its dealings with the negro. But, this question aside, there is little danger of the revival of the famous Esch-Townsend bill, which passes the House in the last session.

Pulton Defles Blackmatler.

Considerable attention is being paid to the exposure of blackmail methods that save been pursued in New York City for ome time by certain notorious and noxis expressed that prominent business and social men should submit to the terms laid down by such publications. And yet that very same method of blackmail has been of every Congress for the past ten years or more, and there has been no outcry from a single victim or intended victim United States Senators, rather than run have gone into their pockets for anywhere dictation of as bold and villainous scoundreis as ever worked a filmflam game in

At the beginning of every Congress these bunco artists appear in the Capitol, call on the various Senators, represent that they are going to issue some book on the lives of all Senators. Each Senator is recites that this is the seventh annicompany will publish free of cost if you with an executive council composed of it costs him anywhere from \$50 to \$500 heads of departments appointed by for the plate. Something extra is thrown in for writing up a creditable biography. "These heads of departments," it But there is not alone one hold-up artist of this sort; there are usually three or

larly as Congress convenes. Hardly a Senator has the nerve down these grafters, though they met their match in Senator Fulton, of Oregon, two Winters ago. He had heard of this hold-up game, and, when the first repre-

of value. It was evolved after the ex posure of Depew's connection with t Equitable, particularly his clever loan \$250,000 on a \$50,000 security. The fact is, President Roosevelt has never been a great admirer of Depew; Depew is not the type of man to appeal to the President. True, he has been shown to be a man who "does things" or "does people," but not after the Roosevelt fashion. Imagine Depew, now held up to the world as a gold-brick artist, going to the straight-forward, honest Roosevelt and asking some particular favor, or making some very serious recommendation. The President would probably be inclined to laugh at such a situation. Depews influence at the White House for the remainder of his Senatorial career will not be as great as that of the negro messenger wh

cards to Secretary Loeb. Depew is a dead one with this Administration Weary of the Elkins Yoke.

The West Virginia Republicans are getting tired of boss rule; they are tired of wearing the roke of Senstor Stephen B. political boss of the last decade and place in power a man more subservient to the will of the rank and file of the party. In late years Elkins has been absolute die tator in West Virginia politics. Whatever he said would go, with no murmur. Bu unfortunately Elkins did not always bear in mind the wishes of his constituents he set up his own judgment against popular sentiment, and he had strength enough to force the party to support him. Now the party, or a large faction, is tired of this Elkins rule, and a concerted movement has started to prvent the election of Elkins to the Senate, and to give his

seat to another man. It is too early to predict what the result will be, but it is certain that Elkins will have no walkover in his contest for re election. And having two years ago re fused to aid his colleague, who was then struggling for a second term, he can expect no ald from Senator Scott before the next Legislathure. Elkins has become a prominent figure in the Senate; he is one of the best friends of the railroads in that body. His defeat would be a serious loss to the railroad interests, and they will probably turn in at the proper they will probably turn in at the proper time and lend him a helping band.

OREGONIAN NEWS BUREAU, Wash

Ington, July 25.—Rural free delivery route No. 1 has been ordered established Oc-tober 2, at Sprague. Lincoln County, Washington, serving 40 people and 108

Curtis Heman has been appointed post-master at Galena, Wash, vice C. B. An-derson, resigned. Contract for Minidoka Ditches. OREGONIAN NEWS BUREAU, Wash-

ington, July 25.—The Secretary of the In-terior today formally executed a contract with Hubbard & Carlson, of Boiss, for the construction of 34.3 miles of branch canals and laterals on the Minidoka irrigatio project; price \$121,694.

CONTENTS TODAY'S PAPER

YESTERDAY'S Maximum temperature, 87 deg.; minimum, 38. Precipitation, none, TODAY'S Pair with nearly stationary temperature. Northwest winds.

The War in the Far East,

Japan's position in peace negotiations stated by Komura's spokesman. Page L Armiles only Sght outpost skirmishes. Page L

Zemstvo Congress adopts vigorous address & Czar, Page 4. Chinese boycott of American goods felt in Shanghai. Page L. nd blocks busines sin Parliament.

Page 4. National.

Porto Rico demands more share in govern-Taft given evation at Tokio. Page 4. Graft in Public Printer's office. Page 1. Commander finds Bennington is not a wreck. Page 4.

Domestic. Miss Roosevelt rides surf at Honotulu, ad-mired by multitude. Page 3, Harriman denies charges relating to Equit-able. Page 5. Massachusetts official denounces big insur-ance companies. Page 5.

James Hamilton Lewis snubs Baron Komura. How Paper Trust cinches Twin City pub-lishers. Page 3. percentul raid on St. Louis bookmakers Page 5. Orleans tells truth about yellow

Page 4. Sport.

felen upset at the races. Page 7.

Fine tennis games played. Page 7. Pacific Coast, Six Mazamas make perilous climb to mit of Mount Rainies. Page 6. Mrs. Berg Lacy, of Corvalits, Or., kills her-self with a rifle. Page 6.

Lawrer Collins takes his case before an British Columbia Judge. Page 6. J. M. Milner, of Salem, makes a murd assault on his wife. Page 8. Commercial and Marine Local trading in new crop grain, Page 15. Report on California hop crop prospect Page 15.

Puget Sound relieves banana famine. Page 15. Fluctuations in wheat at Chicago. Page 15. Stock market in hands of smaller profes-sionals. Page 15.

Lewis and Clark Exposition. ione, 17,376. Page 10. Dureka cadets given Exposition be sker City and Baker County have day at Fair. Page 10. reat excursion parties coming from rado and Nebraska. Page 10.

at Portland. Page 11.

Dr. Lloyd, who was elected as bishop-coadjutor, ill in Pennsylvania. Page R.

Dissorderly houses may be proceeded against
as public nuisances. Page 18.

Boys chosen for outing by Juvenile Court.

Page 18.

JOHN H. MITCHELL IS SENTENCED

Six Months in Prison and \$1000 Fine.

FROM ANY OFFICE

Judge De Haven Imposes the Penalty.

AGE TAKEN INTO ACCOUNT

Objection to Pronouncing Judgment Made by ex-Senator Thurston Is Overruled-Will Appeal to the Supreme Court.

MPPCUPLY IS SENTENCES.

"It will be sufficient to say that in consideration to the age of the defendant which may be properly taken into secount in mitigation of punishm and to the fact that the offense is defined in the statute as a misdemeanor and not as a felony, and to the fur ther fact that the legal effect of the judgment is to forever disquality the defendant from holding any office un der the Government of the United States. In view of this fact and con sidering also the nature of the defendant's offense, as disclosed by the evidence, the judgment of the court is that the defendant be imprisoned for the term of six months in the county jail of Multnomah County, in this city, and pay a fine in the m

John H. Mitchell, senior Senator of Oregon, has heard from the court of the United States the penalty to be inflicted upon him for violating the Federal statute which forbade him receive pay from private individuals for public services. Six months of his age must be passed behind the bars of Multnomah County prison and a fine of \$1000 must be paid. Moreover, he is barred forever from office of trust and position of honor or of profit in the gift of the people of the country he has

served for many years. "This is the time fixed for pror ing judgment in the case of the United States against Mitchell. Has the deshould not be pronounced?" Judge De Haven opened the morning session of the Federal Court with these words yesterday, and the eyes of the closepacked courtroom turned with one accord to the convicted Senator sitting

Flushed of face and trembling with motion, though striving with the oldtime spirit to retain his self-control. Senator Mitchell arose and faced the court. The ring and power had gone from his voice, the groop of his she ders denoted defeat and loss of hope, but in his eyes still shone the de mind that has often struggled and conquered against heavy odds.

beside his attorney within the rail.

Mitchell Speaks in Court.

o"May it please the court," the defendant said, "I am represented here counsel, who represent me and will speak for me. What they say will be precisely what I would say had I no counsel and were I to appear in propria persona before the court." first time since the beginning of the trial the voice of the Senator heard in these few words, which gave place to the argument and pleading of his counsel, Senator Thurston

Senator Thurston, after the defendant had been seated, addressed the court in behalf of his client. He presented what he considered to be the rights of the convicted man under the law and the Constitution of the United States, and the reasons why judgment should not be entered by the court at the present time.

"May it please the court," he said, "at this time we simply desire to prelegal rights of this defendant, as fetlows. And if the court shall see fit to verrule our objection to the enter of the judgment, we will submit an additional bill of exceptions, so that it may be made a part of the record. The defendant insists that under Section 6 the United States, which provides that Senators shall in all cases, except treason, felony and breach of peace, be privileged from arrest during their attendance at the session of the respective houses, and in going to and returning from the same he is privi-leged from judgment at this time."

The attorney then continued in his argument and contended that the Constitution gave safeguard to his client from punishment or imprisonment. He argued that according to the provis-ions of the Constitution it was unlawful to interfere in any way the freedom of a Benator, or to pri him from attendance upon the sea of the Congress, thus depriving to State of Oregon of a representative is the upper house of the national legis lature. Congressmen were privilege from arrest during their attendance