

OWNS HIS GUILT

A. H. Tanner Confesses to Perjury.

TELLS ALL IN COURT

False Testimony Given Before Grand Jury

TO SHIELD J. H. MITCHELL

Senator Had Not Received Illegal Fees, He Said.

PLEADS GUILTY TO SAVE SON

Heavy Blow Given to Mitchell Cause When False Partnership Agreement to Cover Up Deals With Kribbs Is Proved.

A SUMMARY OF DEVELOPMENTS.

THE CONFESION—Judge A. H. Tanner, indicted for perjury in regard to his testimony before the grand jury, makes a confession by pleading guilty to the charge, and gives testimony to open court which blasts the hopes of Senator Mitchell, his partner.

THE MITCHELL LETTER—A letter sent by Senator Mitchell through his private secretary, Harry C. Robertson, to Judge Tanner, is delivered to Mr. Heney and the grand jury, and its contents point plainly to the Senator's guilt.

THE KREBS CHECKS—Three checks, in the possession of the Government, show plainly that Senator Mitchell received money for his services in expediting claims before the general land office.

THE TANNER PARDON—It is stated by Mr. Heney that Judge Tanner will be pardoned for his offense by President Roosevelt, after he has testified in the Government's behalf at the Mitchell trial in April, provided there is a trial.

THE MITCHELL CASE HOPELESS—It is considered generally that the confession of Judge Tanner has dealt a death blow to the case of Senator Mitchell and that there is absolutely no hope for anything but conviction in his case when it comes to trial. There is a growing belief that the Senator will not stand trial.

The Government is triumphant in its land-fraud investigations and the case of Senator Mitchell is hopeless. The Senator's law partner, Albert H. Tanner, indicted on February 8 for the crime of perjury, went before the Federal court yesterday and entered a plea of guilty.

that the Senator had never received any sum for this work, all of which had been put to his (Tanner's) account. He exonerated the Senator, in short, from any and all illegal actions which were pointed at by the previous testimony introduced before the jury.

Tanner's Story Proved False. At this same time the Government was in possession of evidence which tended to show that Judge Tanner was not telling the truth as he knew it. The contract which he introduced was known to have been written in Portland in December last instead of on March 5, 1901. The fact that Senator Mitchell had a bank account was proved by the books of the bank with which he dealt.

On the strength of his showing, the grand jury voted an indictment against not only Judge Tanner, but against his son, Albert Tanner, Jr., but neither of these were made public. The day following this action of the jury Judge Tanner was sent for and was confronted with his situation.

It was made plain to him that he had been indicted for perjury, and some of the evidence against him was told, but still he held firm and fast to the story as he held it. Then he was informed that his son was about to be indicted along with him for his offense, or would be if he persisted in his course, and it was then that the father began to falter where the man would not. He pleaded for time and asked that the indictment be not returned against him until the arrival of Harry C. Robertson, the private secretary of Senator Mitchell.

Still Judge Tanner held to the wreck of his plans and refused to change his stand, saying with tears in his eyes that his story was true, but it was the revelation of Mr. Robertson which at last broke him down and brought him to the feet of the court for mercy.

Mr. Robertson, it is said, went before the grand jury and told what he knew of the original contract entered into between Judge Tanner and Senator Mitchell, which contract he (Robertson) had written at the dictation of the two members of the firm. Mr. Robertson also brought with him a letter from the Senator to Judge Tanner which told all too plainly of the Senator's guilt and left Judge Tanner alone under the burden of his false effort to save his friend. After his testimony, it is said, Robertson went to the Judge, and when he told him where matters stood, the latter broke down at last and came to the Government for forgiveness.

Indicted Man Pleads Guilty. And so yesterday the indicted man made known his wish to plead guilty to the charge against him, knowing it useless to do otherwise in the face of the overwhelming case of the Government, and in order to save his boy from the reflected shadow of his wrongful acts. And in this instance he placed himself on record against his partner, and told of the guilt of the former in words which, though veiled, admitted of no doubt in the minds of those who heard them.

Judge Tanner was sworn, and entered his plea of guilty before the court. Then he, at the request of Mr. Heney, took the stand on behalf of the Government. The District Attorney handed the witness a copy of the spurious contract of partnership.

"I hand you," said Mr. Heney, "a contract which I have just received from the Senator's partner, Harry C. Robertson, which shows that the Senator received money for his services in expediting claims before the general land office."

Seamed lines of sleeplessness cut the face of the self-convicted Judge and brought out the suddenly noticed gray of his beard and hair as he took the stand at the call of United States District Attorney Heney to enter his plea of guilty, to acknowledge himself a perjurer, and to tell what he knew of the entanglement of dramatic, impressive and sorrowful. Judge Tanner, whose indictment came as a sudden blow to the public a short time ago, entered the courtroom, haggard and worn and bowed as by the weight of years. With him was his son, to shield whom the plea was about to be made. Following both was Harry C. Robertson, private secretary to Senator Mitchell, whose testimony had wrought such a change in the hopes of his employer and his employer's partner.

When, on January 21, Judge Tanner was taken into the jury-room for his testimony, he told a story which had been agreed upon in many of its details when Senator Mitchell was in Portland in December last. He said that there had been an agreement made between himself and the Senator by which the Senator was not to receive any fee from the firm's work in the departments of the Government, and that this agreement had been made on March 2, 1901. He introduced this agreement in evidence before the jury and swore that it had been written on the date specified. He said that to the best of his knowledge the Senator had no bank account in the city, and that no moneys due him for work done by the firm or by him had ever been turned into his account. He brought up the subject of the work done for Frederick A. Kribbs in expediting claims in the General Land Office, and said

STILL DENIES IT

Mitchell Is Unmoved by Tanner's Action.

HE WILL NOT RESIGN

Says He Never Received a Cent of Illegal Fees.

IS COMING HOME IN MARCH

Representative Williamson Makes No Comment, but Will Return Soon as Possible—Confidence in Mitchell Shaken.

OREGONIAN NEWS BUREAU, Washington, Feb. 11.—In spite of Judge Tanner's confession and corroborative testimony by other important witnesses, Senator Mitchell persists in his profession of innocence of any wrongdoing in connection with the Oregon land fraud.

While still showing the terrible strain under which he has labored for the past six weeks, the Senator is not depressed by the sensational news from Portland tonight. On the contrary, he appears in better spirits than usual. At a late hour this evening he had received no direct word from Portland relative to Judge Tanner's confession. When shown a press dispatch telling of this confession he seemed rather amused than worried. He appears to regard today's developments as merely a new chapter in what he designates a "conspiracy to defame him."

Senator Mitchell has no intention whatever of resigning his seat in the Senate. He will make no change in his original plans, but will remain in Washington until March, probably until after the inauguration. He will then go home and prepare to face the jury and the charges which have been brought against him. This he intended to do regardless of Tanner's confession.

He Still Denies His Guilt. Senator Mitchell this evening gave out the following statement:

"If Judge Tanner ever received any money for any business he transacted for any one in connection with land matters, and placed it to my credit, or any part of it, he did it without my knowledge or consent, directly or indirectly. It was our distinct understanding soon after my election to the Senate last time, that I was to have no interest whatever in any business he might do in connection with departmental matters. I have never received, with my knowledge or consent, a single penny or any amount whatever for any services rendered by me or Judge Tanner, or by the firm of Mitchell & Tanner, for services rendered by me, Tanner or the firm in connection with any land matter of any business before a Government department, and this I believe I can establish in a fair trial to the entire satisfaction not only of the jury but of the people of Oregon and the entire country.

In talking about his partner's confession, Senator Mitchell showed no bad spirit, gave no evidence of ill temper or excitement, but when he was asked if, in the light of this confession and corroborative testimony, he would resign his seat in the Senate, he displayed considerable spirit.

"Resign! No, I won't." "Judge Tanner and all the rest of them can confess as much as they please," he exclaimed; "their confessions cannot hurt me."

"Resign! No, I won't resign. I have not the slightest intention of resigning. I am going back to Portland before the court meets and to face all charges. I don't know what Tanner's confession is, but if he has told the truth it won't do me the slightest injury. There seems to be great interest in my future course just now, especially with regard to my seat in the Senate; but I am going to hang on. I am not going to resign. That's what they want me to do; but I'll foot them."

When the news of Tanner's confession was first received in Washington at 8 o'clock tonight, efforts were made to see Senator Mitchell, but he could not be found. He had not gone to his rooms for dinner, nor could he be located at the Capitol. Some apprehension was felt that he had had early word from Portland and had left town; but he turned up about 10 o'clock. He had dined with friends. When he reached his rooms he had had no advices of today's developments and was surprised to learn what had transpired. He appeared more interested, however, in the news of Williamson's indictment than in the news concerning himself.

Other Senators Suspend Judgment. Senator Mitchell's standing in the Senate is not affected by Judge Tanner's confession. He is in the same position now that he occupied after first being indicted. The Senate is not ready to hold him guilty or innocent, but will wait for the courts to determine whether or not the indictments were properly rendered.

If Mitchell is convicted it will be incumbent upon him to promptly resign, but until he has been declared guilty by a jury the Senate will give him the benefit of the doubt, as it does every Senator in similar circumstances. It has done this in the case of Senator Burton, who was not only indicted but convicted. Burton's case is still pending in the court, and until it is finally passed upon the Senate will not deny him his membership of that body.

It is very apparent that Judge Tanner's confession has shaken the confidence of many men in Washington who up to today believed Mitchell innocent and who accepted his own statement as true. But no one will publicly comment on the case in its newest phase. There is little known tonight to permit Mitchell's friends to express an intelligent opinion. The meager facts at hand convey but a slight idea of the corroboration of his confession and of the corroborative testimony.

Senator Fulton was seen tonight, but would make no comment whatever. He said that in his position and under the circumstances he could say nothing.

ADJOURN OR NOT

New Enigma Faced by State Legislators

CONFERENCE MAY OCCUR

Judge Tanner's Confession Affects the Solons.

NEW PROBLEM TO SOLVE

Present Aspect of Affairs Points to an Adjournment and Calling of Extra Session—Views of Prominent Legislators.

In view of the growing evidence against Senator Mitchell, the Oregon Legislature may not adjourn sine die next Friday, and Republicans of the two houses will probably caucus at Salem this week to decide what to do.

Such a conference is suggested by Speaker Mills, who regards Judge Tanner's testimony as having put a new aspect on the case and who leans to the belief that the Legislature may be constrained to set a date for an adjourned session. President Kuykendall looks at the matter the same way; also Senator Hodson, Senator Malarkey, Representative Vawter, Representative Sonnemann, Representative Gray and others.

Following so closely the resolution of confidence which the Oregon Legislature adopted, against scarcely a negative voice, the confession of Judge Tanner amazes the members of that body. Several influential Legislators, who advocated adoption of the resolution, said yesterday they would not have done so had they been aware of what was impending. A sure perplexity now confronts them, and though it seemed bad enough before the resolution was adopted, now it is worse, because reconsideration or rescindment would amount virtually to a declaration that the Legislature believed in Senator Mitchell's guilt and wished him to resign, so that a Republican might be chosen by the Legislature for the unexpired term, and not a Democrat by Governor Chamberlain.

IT MAY BE BALFOUR'S LAST King Edward Will Open Parliament With Imposing Ceremony.

LONDON, Feb. 12.—Parliament will open next Tuesday, when King Edward, with picturesque pomp, will go from Buckingham Palace to Westminster, where he will deliver the speech from the throne amid the imposing ceremonial that is customary when the sovereign is present on this occasion.

Japanese Buy Dakota Oats.

MINNEAPOLIS, Feb. 11.—According to Minneapolis elevator men who operate throughout the Dakotas, over 2,000,000 bushels of oats have just been bought up by the agents of the Japanese government.

Cold Water and One-Cent Car Fare.

CHICAGO, Feb. 11.—Oliver W. Stewart was today nominated for Mayor by the Prohibition convention. In addition to prohibition, the platform declares for 1-cent street-car fares.

FACES A CHARGE

J. N. Williamson Is Accused.

INDICTED BY JURY

Subornation of Perjury Is Alleged.

PARTNER IS ALSO NAMED

Dr. Van Gesner and Marion Biggs to Be Tried.

CLAIMS OBTAINED BY FRAUD

Special Agent Discovered Evidence That Employes Had Been Induced to File on Land in Order to Protect Sheep Range.

WHAT THE INDICTMENT ALLEGES

Representative John Newton Williamson, Dr. Van Gesner, the business partner of Mr. Williamson, and United States Commissioner Marion R. Biggs were indicted for subornation of perjury committed on June 12, 1902, by the Federal grand jury yesterday afternoon. It is alleged in the indictment that the men were guilty of having induced 45 persons to file on timber and stone land in township 15 south of range 19 east in order to preserve the land as summer range for the Williamson-Gesner Sheep Company. It is also alleged that these claims were obtained by contract to revert in title to Williamson and Gesner at a future date, and the money for the filing and other fees was furnished the claimants by Dr. Gesner.

In addition to the 45 persons secured, Mr. and Mrs. Williamson, Dr. Gesner, two nephews of Mr. Williamson, Commissioner Biggs and a number of herdsmen in the employ of the firm of Williamson & Gesner also filed on claims.

The third member of the Oregon delegation in Congress was brought under the shadow yesterday afternoon when the Federal grand jury returned an indictment against J. N. Williamson, his partner in the sheep business, Dr. Van Gesner, and Marion R. Biggs, for several years United States Commissioner at Prineville, the crime alleged by the document is subornation of perjury in having induced some 45 fellow-townsmen to take claims in township 15 south, of range 19 east, under the agreement that the land should in time revert to the firm of Williamson & Gesner. In order to take these claims, it was necessary for the claimants to make false affidavits, which, it is alleged, they did before United States Commissioner Biggs.

The story of the crime upon which the indictment has been returned is a simple one and not involved. It has to do with the township mentioned, which is close to the City of Prineville, the home of Mr. Williamson, Dr. Gesner and of United States Commissioner Biggs. Nearly all of the odd sections in this township are owned by the Williamson Valley & Cascade Mountain Wagon Road Company. The even sections up to June and July, 1902, were for the most part unentered and undied upon.

Township Used as Range. For years this township has been used as a summer range by the sheep firm of Williamson & Gesner, the firm having a lease from the City of Prineville for the use of many of the odd sections of the township, while the even sections were used for summer range free of charge by the Government.

In the Spring of 1902 there was a heavy influx of timber claimants in this portion of the state who overran Southern and Central Oregon. The greater part of these seekers after land passed through the Prineville country by way of the stage line running through the City of Prineville, and a number of claims were taken in the vicinity of that place.

Mr. Williamson and his partner, Dr. Gesner, seeing the probability of their summer range either being taken away from them by settlers or being so broken up by these newcomers as to be practically worthless, decided, so it is said, to forestall further encroachment by a device of their own.

In accordance with this plan they secured 45 of their neighbors, employes and friends, to file on the even sections in the township, under the agreement that the money for filing, in most of the cases, was to be furnished by Dr. Gesner, and the land was to revert in title to the Williamson & Gesner Company at some future date. All of these entries were made before and with the assistance of Commissioner Biggs.

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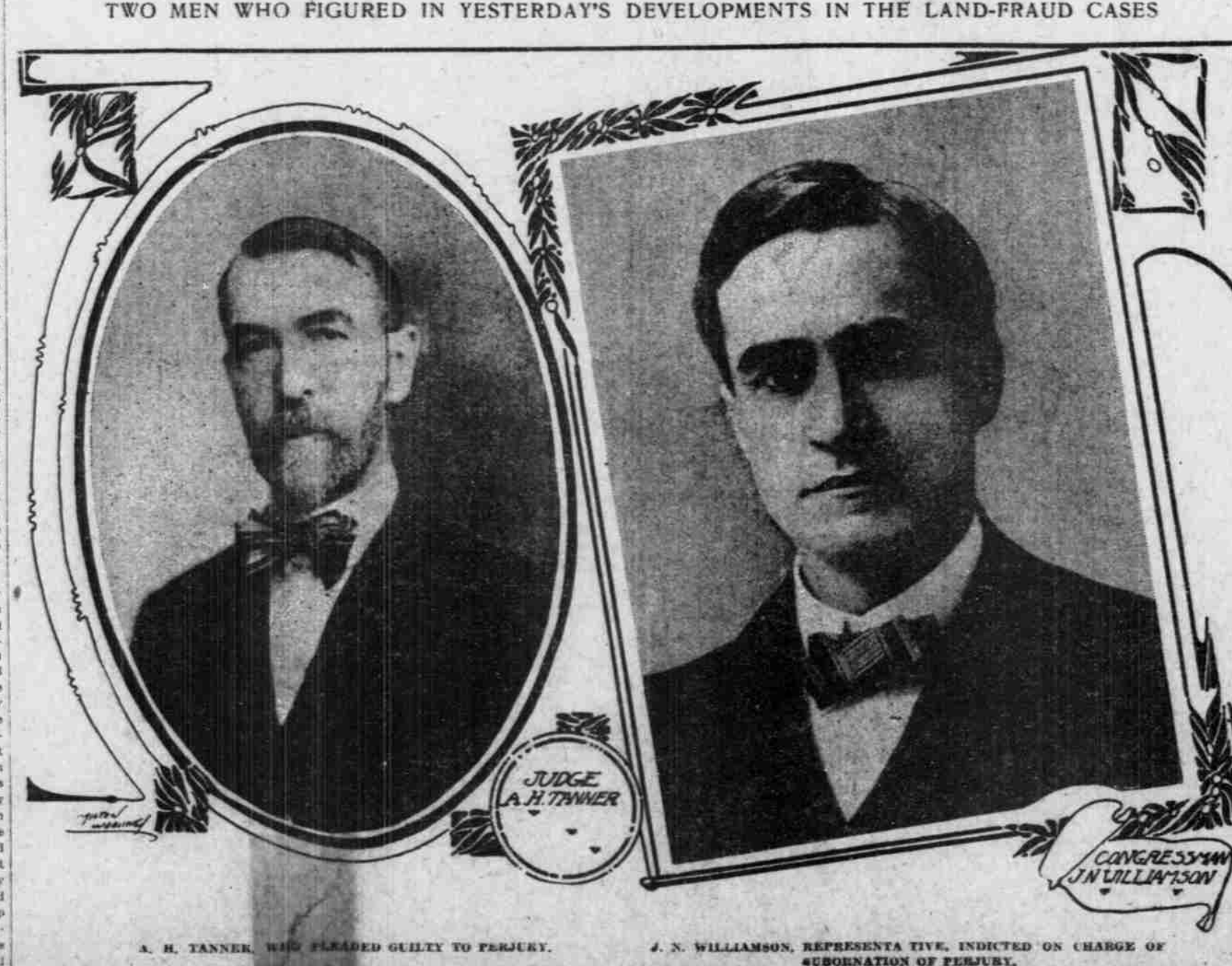
TODAY'S—Fair and continued cold; westerly winds. YESTERDAY'S—Maximum temperature, 26 deg.; minimum, 17. Precipitation, none.

Russian vessels ordered to leave German port in Africa. Japanese capture a hill on Hun River. Peace rumors denied, though peace sentiment grows in Russia. Rumor that Gripenberg may resume his command, and that Kurapatkin is incapacitated.

Clear tells Count Tolstoid he intends to call national congress. St. Petersburg strikers keep quiet, but trouble continues in Poland and the Caucasus. Strike breaks out at locomotive shops at Khar-koff. King Edward to open Parliament on Tuesday. Sultan of Turkey may send Ambassador to the pope.

The Senate amends arbitration treaties against President's protest, to assert its dignity, then ratifies them. House passes bill to reform steamboat inspection service. Bill will pass dividing Oregon into two judicial districts. House leaders adopt plan to kill Senate amendments to statehood bill.

Fire damages historic Casino Theater in New York and causes panic among chorus girls. Great fire in Chicago, business block. Extreme cold weather in Oregon, Washington, Idaho and Montana. W. H. Miller drinks he poisoned Nelson Adams, Douglas County farmer. Superintendent of Penitentiary James admits partial truth of charges to legislative investigating committee. Railroad Commission bill will appear before Washington Legislature early in week. Fire causes \$500,000 loss in Seattle. English expert's opinion of hop market. Steel stocks decline under realizing. Chicago wheat market quiet but firm. Bank statement shows surplus reduced to lowest point of year. Mud and checks demand for cured fruit. Hrubal ship Lonsdale next cargo vessel due. Portland and Vicinity. G. W. Smith, found dead in cell of City Jail, may have been murdered by his cell-mate, for whom police are now hunting. School teachers object to new wage scale formulated by the Board of Education. Decision is rendered in Wally-Pargo Bank case against that concern. Joe Fioravelli, murderer of Amelia Strandi, is still at large. Fire Department lost busy answering alarms; East Side residence destroyed. Mrs. Margaret O'Brien drops dead on the street. Novelties in valentines in Portland shops. Peck's bad boy. Household and fashions. Youth's department.



A. H. TANNER, WHO PLEADED GUILTY TO PERJURY.

J. N. WILLIAMSON, REPRESENTATIVE, INDICTED ON CHARGE OF SUBORNATION OF PERJURY.

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