



FEDERAL GRAND JURY COMPLETES ITS LABORS

Returns Indictments Against Several Prominent Men, Including Senator R. A. and Hon. J. H. Booth--Many Others Must Stand Trial.

Portland, April 9.—The last day of the federal grand jury has come and that much talked of organization has passed into history. The five short days of its last session were not enough for the full accomplishment of the purpose of the Government, and though seven indictments were returned last night at 9 o'clock, yet several others which had been voted were passed over for lack of time to draft them and will have to be considered by the next grand jury to convene, which in all probability will not be until after the last-fraud trials now scheduled have been finished.

James Henry Booth was charged, by the same grand jury which returned the indictment against Senator Mitchell, with having received \$500 from Frederick A. Krebs for having furnished advance information to him upon which he could file his entries, it is alleged.

Willard H. Jones, Thaddeus S. Potter, H. L. Sieler, Daniel Clark and Ira Wald were indicted for conspiracy to defraud the Government of land situated in the Siletz reservation by means of false proofs of homestead entry and false affidavits of settlement and cultivation.

In this indictment the testimony and evidence of the Government brings Senator Charles W. Fulton into the land-trad arena by means of letters which he had written in support of the claims filed by Jones and his partners. The letters urged the passage of the claims to patent after they had been held up by report of Special Agent A. J. Hobbs, who had recommended to the Department not only cancellation, but criminal prosecution, of those who had filed upon the lands. It is not claimed, however, by the Government that the letters were written with knowledge upon the part of the Senator, but that he was duped by Jones into using his influence with the Department in having the lands favorably considered at the hands of the United States Commissioner.

Frank E. Alley, A. R. Downs, Edward R. Downs, Stephen Tarouel and John Doe were indicted for conspiracy to secure lands in the Roseburg district by means of false affidavits.

SELECTING MILL SITE AT DRAIN

W. H. Sykes and Dr. White of the Siletz Lumber Co. were in Drain the latter part of last week looking for a site for their planned mill. It is probable that they will purchase the Lane property owned by Moore & Simpson, which is situated on the Siletz river, near the railroad track and would make a good location. More men were put to work on the flume last week and it is thought that it will be completed by the middle of May, so that lumber can be floated from the big mill to the planers and dryers on the S. P. railroad at Drain.

BUSINESS MAN SHOOTS HIMSELF

Ashland, Ore., April 6.—Harley A. Palmer, a well known business man of this city, committed suicide by shooting last evening at 6 o'clock. After kissing his wife and daughter, he walked from the sitting room into a bedroom, picked up a revolver and putting the muzzle an inch over the right ear, sent a bullet crashing into his brain. He lived a little more than an hour. The deed was caused by dependency from extended suffering from an incurable disease. Palmer formerly resided at Albany, Ore. He was aged 38. A wife and daughter survive him.

ROOSEVELT GUEST OF ROUGH RIDERS

San Antonio, Tex., April 7.—President Roosevelt began the day with a review of the regular soldiers at Fort Sam Houston. With him was Gen. Fitzhugh Lee, commanding the department of Texas. Following the review the presidential party went to Travis park, where 10,000 school children sang "America."

In the Alamo plaza 30,000 people greeted the president and listened to his address. The president was the guest of the Rough Riders at lunch and spent the afternoon in an informal reunion at the camp.

As their former leader in camp and on the field, the president mingled with his old comrades, the Rough Riders, all formalities were dispensed with, acquaintances were renewed and reminiscences exchanged between "Toddy" and the boys. This afternoon the program was sports, a reunion dinner and a brief address from the president.

The city is crowded with thousands of visitors and pioneers and the president's greeting today has been as noisy as human voices, whistles and anvils could make it. Throughout the parade of the Confederate and Grand Army veterans the president received one continuous ovation.

With the president rode Gen. S. B. Young, Maj.-Gen. Joseph Wheeler, Maj.-Gen. Samuel Sumner and Brig.-Gen. C. T. Cooper, who have been chosen honorary members of the Rough Riders. The new officers of the Rough Riders are: C. E. Hunter, Indian Territory, president; David Goodrich, Indian Territory, vice president; Robert Colbert, Indian Territory, secretary.

San Antonio, Tex., April 7.—President Roosevelt arrived here last night at 8:30 and was greeted with cheers from thousands of throats. The city is elaborately decorated with flags and bunting and the illumination at night is the most elaborate ever undertaken in the south.

The president's train stands upon a siding, where it will remain until tonight, when the party will leave for Fort Worth.

Ordnance Stops President's Train. Temple, Texas, April 6.—The president's special was not scheduled to stop here, but upon notification at Sherman that the Temple council had passed an ordinance requiring all presidential trains to stop at least ten minutes the president hesitated the unique appeal. A big crowd listened to the president's speech, and 2000 school children saw the president.

Thousands of people greeted President Roosevelt as his special train rolled into the depot at Waco. He was met by a reception committee of Confederate and Grand Army organizations and escorted to the park adjoining the station. Each person in the immense crowd waved a flag, making a beautiful spectacle. Mayor Baker introduced the president, who made an address.

Everywhere the citizens of the Lone Star state extended the president a most cordial greeting.

OREGON HAS A "NAN" CASE ALSO

The Nan Shively case has finally got into the courts and will come up for hearing at the next term of circuit court at Eugene, with the Cottage Grove school board as defendants.

Miss Shively alleges in her complaint that she was engaged by the defendants to teach in the Cottage Grove high school, and performed her duties from Sept. 26 to Oct. 17, 1904, that on the latter date the defendants discharged her and by force and threats compelled her to vacate the school in which she was teaching and to remain away from the same; that at the end of the first month she presented her diploma and applied for her salary, but it was refused her; that on February 24, 1905, she presented to the defendants a claim for \$360 damages, but it was refused, therefore she asks for a judgment of the court for that sum and her costs and disbursements.

History of the Case. It will be remembered that after Miss Shively was dismissed she appealed to County Superintendent Dillard. He decided that she was wrongfully dismissed, in that she was not given the proper five days notice. The case was then appealed by the Cottage Grove school board to State Superintendent Ackerman, who reversed Supt. Dillard's decision because Miss Shively had no contract with the board.

Later on Wm. Landess, acting in Miss Shively's interest, brought an injunction suit against the school board, asking for an order of the court to restrain the board from paying the salaries of the teachers of the high school; claiming that no high school existed. Judge Hamilton denied the injunction and the high school teachers at Cottage Grove have continued to receive their pay. In the meantime Miss Shively has been teaching in the Santa Clara district, a few miles below Eugene.

Oklahoma and Oregon promoters are to establish a new town on Klamath lake to be known as Whitelake City. Vol. 1, No. 1, of the Whitelake American, which will be published in Seattle until May 15, has reached us. W. B. King is editor. Lots are to be disposed of on June 1st at \$15 each and the company have already listed about 30 business enterprises that will locate in the new city. Whitelake promises to spring into prominence in a day much as did North Bend in Coos county.

ATTORNEY C. F. LORD SAYS INDICTMENTS ARE VOID

One Juror Subject of Austria, Two Are Not Taxpayers--Says Heney's Methods In Prosecutions Would Make Russian Officials Blush.

Portland, April 9.—Will the work of the grand jury go for naught and all the indictments voted be nullified by the actions of the court on technical grounds, or will it stand the strain and assault of the attacks of the defense. This is a startling question now being asked, to which Chas. F. Lord, one of the defendants, answers that the work of the Government will avail nothing, while United States District Attorney Heney seems not to be disturbed.

On Monday a motion will be filed in the case of the United States against Henry P. Ford et al, to quash the indictment against him on statutory grounds. It will be claimed that one of the grand jurors is not a citizen of the United States, but a subject of Austria, and that others are not property holders, and therefore not qualified to sit as jurors.

This motion will be made as a test, and if it should receive the consideration of the court would mean that all the land fraud cases would be thrown out of court.

Upon Monday morning, according to the statement of Charles F. Lord, there will be filed in the United States Circuit Court of this district a plea in abatement in the case of H. P. Ford, one of the persons indicted by the Federal grand jury, which adjourned last night. A novel point will be raised, that all of the indictments returned by that body are void, and must be quashed, for the reason

THE FANDANGO.



A popular amusement in Venezuela. —Brooklyn Eagle.

that certain of the members thereof are not citizens of the United States and others are disqualified to sit upon the panel, for the reason that their names are not upon the tax roll of any county in the state—a requisite under the law for jury duty. If this condition exists, all the labors of the Government officials have been in vain. For from a comparatively recent decision of the United States Court, involving the identical question to be raised, according to the statement of Mr. Lord, where indictments were returned by a grand jury, one member of which was not a citizen of the United States, the indictments returned were held to be void.

Under the statutes of the State of Oregon one to be eligible for jury must be a citizen and a taxpayer, and his name must appear upon the assessment roll. This qualification, it is stated, some of the members do not possess. If this condition exists, some one certainly is at fault, for the Government has doubtless expended many thousand dollars to secure the attendance of witnesses, which must be done over again and before a new grand jury.

This is a matter which could and should have been looked into before, as men in high stations have been indicted by the present body. Mr. Lord, when seen by an Oregonian reporter late last evening regarding his proposed action upon Monday, stated: "It may be premature to discuss a matter which is so soon to arise in the Federal Court, but there is no question as a matter of law that not one of the defendants, except those

who have already pleaded to their indictments, can, or even will, be tried upon the indictments returned. Any one of the defendants may, by plea in abatement quash the indictment against him, for the reason that some of the members thereof are by law disqualified from sitting as such jurors. Why, imagine if you please, unaturalized persons—foreigners—passing upon the liberty and honor of American citizens? It is in every sense un-American. "Now in the case of the present Grand Jury, George Guistin, from Multnomah County, is not, according to his own sworn statement, an American citizen. He was never naturalized and is now living under an assumed or abbreviated name. He registered in the County Clerk's office two years ago upon a passport dated 1882—presumably from Austria, where he was born, and there his name was Guistinowitch. "In the first place, he cannot be naturalized upon a passport, for the law does not permit it, and secondly, we do not desire persons who are ashamed of their parents' name to take part in the affairs of our people. "There are also two members from outside counties, as I am informed, who are not taxpayers and consequently are disqualified. These matters are jurisdictional and may be taken advantage of by all of the defendants who have not pleaded, whom I believe to be only two out of

A. F. BROWN AND WIFE IN ITALY

Hon. A. F. Brown and wife, of Oakland, this county, who are sojourning in foreign lands, have written the following interesting letter to their home paper, the Owl:

Mrs. Brown's last letter left us at Athens, where we stopped 8 days. Athens is a very interesting place. We tarried there longer than we expected as we liked the place, the people and the hotel we were stopping at and the company at the hotel. There were nine Americans, all from the Pacific Coast. We all left the same day. Hon. H. G. Davis and wife for Constantinople and the rest of us for Brindise and Naples. The ride on the cars from Athens to Patras took us from 10 a. m. until 6 p. m. The route lay along the Bay of Salamis and the Gulf of Corinth and most of the distance was lined with olive trees and grape vines. They were cultivating the vines, which were done largely by women and girls and they were doing good work.

Arriving at Patras we took dinner and were then taken in small boats aboard an Italian steamer. Next morning found us at the Island of Caros, We Americans, got our breakfast, went ashore and spent the day. Visited the King's Palace and grounds; took a carriage drive to the end of the island and returned to the steamer. Arrived at Brindise about daylight next morning and took cars for Naples. We remained in Naples four days; spent one full day visiting the ruins of Pompeii. Pompeii covered about 150 acres, 60 acres of which has been uncovered. We walked in streets and on pavements that had been buried over 1800 years. The work of uncovering is now going on, but at the rate it is progressing will take many years yet. Some of the houses have rooms in a very good state of preservation. The museum at Naples has most of the best relics found, which embrace fine statuary, money, jewelry, stones and all kinds of cooking utensils. Saw one finger bone with two rings on it both gold. From Naples we went to Rome 154 miles which we made in a little over four hours. We left our traveling companions whom we had been with from New York to Carlo, and all around to Naples. They were out for all summer and wanted to put on more time in Italy than we could spare, so had to say good bye to them at Naples.

We spent seven days in Rome and worked hard eight seeing of which there is enough to last a month. We visited all the main points of interest. Drove out several miles on Sunday afternoon on the Appian way over which St. Paul was brought a prisoner to Rome. We saw what very few visitors to Rome see: We were visiting a very old church where the chains with which St. Peter was bound is kept behind the altar in a beautiful bronze and gilt case. This case is only opened once a year and it happened that we were there just in time. While we were gazing at it the case slowly closed.

Leaving Rome we went to Florence and had for traveling companions in our compartment Rev. Price, D. D. and his estimable wife whom we had met in Carlo. They are Presbyterian missionaries and have been in Japan eight years. They are now going home by way of Suez on a year's vacation. We left them in Florence but expect to see them again in Paris. After spending two days in Florence we continued our journey to Genoa and from Genoa to Monte Carlo where we took in the sights by day and night. Visited the Casino in the afternoon and again in the evening and saw hundreds gambling. I think fully as many women as men. One man deals and eight men rake in the money lost and pay out the money won at each table. "I think it is safe to say that there were two or three thousand people there at night. The men wore dress suits; had to leave their hats coats and canes, etc., with the attendants. The ladies dressed as if for a ball, with diamonds galore. Before entering the rooms where the gambling was going on, each man and woman had to give their name, residence, etc., and then were given a card of admission which they had to sign. This card was presented at the door, punched and returned to the visitor. Everything was on a grand scale. The Casino grounds are magnificent. Situated on the shore of the Mediterranean, it is a town of hotels and restaurants which are also fine. I think it a delightful winter resort. Some of the most beautiful flowers, together with oranges and lemons growing and fine palm trees, some of the finest I ever saw; and the beautiful buildings rising one above another on the steep hillside made a beautiful picture.

Leaving Monte Carlo we took an electric car which runs on the celebrated Comiche road to this place. This road is very fine and we were kept busy viewing the beautiful scenery for the hour and a half it took us from Monte Carlo to this place. Tonight we take the train for Marseilles, and it will be two days travel by day only to Paris from Marseilles, where you may hear from us again. Trusting this will find yourself and the good people of Oakland well, I will close for this time.

At the funeral in Cincinnati of Mrs. Johna Hickey the rare spectacle was afforded of her five sons, all priests, officiating at the church services. Four sons bore the casket into the hearse. An immense concourse assembled in church to witness the unusual scene.

Multnomah county is out of debt for the first time in many years.

A MYSTERIOUS MURDER AND BUTCHERY IN SAN FRANCISCO

Body Found With Head and Limbs Severed--A Clue to the Brutal Murder--Wife Accuses Husband.

San Francisco, April 6.—Bloodhounds were this morning placed on the trail of the murderer of a man whose headless, legless and armless body was found on the street in the Latin quarter shortly before midnight. Soon after taking the scent the dogs went to an Italian tenement, then took a zigzag course through many crimes. The police are inclined to the belief that the dead man was one of the witnesses in the case of Ancie Briselli, who was placed on trial for murder this morning. When the case was called two witnesses, R. Dominia and Frank Gardelli, failed to appear. A search is being made for them.

Hundreds viewed the remains this morning, but none were able to identify. The work of the butcher showed he had no knowledge of anatomy. In dismembering the body he attempted to take the legs off at the hips, making deep incisions, but failing to find the sockets. He then cut the flesh from around the knee cap, laid it back and pulled the leg out of the socket. An attempt was made to remove the arms in a similar manner, but failing they were hacked off close to the shoulder. The head was chopped off clear to the shoulders, none of the neck remaining on the body. The body shows no bruises indicating to the police that the victim was attacked from behind, struck down, and perhaps instantly killed.

Murder Mystery Cleared. San Francisco, April 8.—The mystery surrounding the murder and mutilation Wednesday night of a young man who was identified last night as Biaggio Vilaro was cleared today by the confession of Mrs. Pietro Torchirito. She accuses her husband of the horrible crime and sufficient substantiation of her statements has been secured so as to no longer leave a doubt in the minds of the police of the identity of the murderer. Torchirito is missing, but the detectives are on his trail and hope to have him behind the bars within a few hours.

On Wednesday night Vilaro, who roomed with the Torchiritos, and the murderer quarreled. While the quarrel was at its height Mrs. Torchirito went out for milk, and when she returned Vilaro was missing. She asked her husband where he was, but was told to mind her own business. Fearing her husband might do her harm she retired to her room, her husband going into Vilaro's room where he worked some time. He went out and upon returning went out again. After a second return he went again to Vilaro's room, where he worked until past midnight. Next morning he saw that the floor of Vilaro's room had been scrubbed, and the walls whitewashed, but a number of blood spots had been overlooked by the murderer. Torchirito disappeared Thursday morning and has not been seen since. A detective went to Torchirito's home this morning and scaped off the fresh whitewash in Vilaro's room and found great splashes of blood. The deed was committed with a cleaver. The woman advanced no reason for the crime, but the officers are satisfied that jealousy was the motive.

FURNISHED GUNS TO TRACY AND MERRILL MITCHELL AND BOOTH, KELLY CO.

Salem, Or., April 7.—That the grand jury will indict Harry Wright and Charles Monte for the crime of murder in the first degree is practically certain. The prosecution will prove that the rifles used by Tracy and Merrill in making their escape were bought by Wright and Monte from Captain W. J. Riley of the Northwest gun and bicycle store in Portland, that Riley will identify the stock of the gun found with Tracy, that three days before the break, that Mrs. Tracy visited her husband the day before the break, and that Monte has confessed to a convict now in the penitentiary.

A number of witnesses have already been examined including Morris, a convict, Captain Riley, A. C. Dilley, ex-deputy Warden Frank Girard, former guard; Frank H. Curtis, warden; H. P. Minto; Deputy Sheriff Harry Heinken, and a saloonkeeper who was told by Wright that there was going to be a break at the penitentiary; a few days before it happened. The indictments are expected this week.

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