

## BINGER HERMANN IS HOME TO ENTER A PLEA OF NOT GUILTY

### No Grand Jury, So His In- dictment Now Is Impossible.

### WHAT IS HIS DEFENSE?

### Public Anxious to Hear What He Has to Say About Charges of Fraud in Land Office Under His Administration.

Binger Hermann has come back from Washington to enter a plea of not guilty, before the voters of the first congressional district, to the charges which caused his removal in disgrace from the office of land commissioner, which are now being investigated by the government's attorneys and which may yet result in his indictment.

The election is less than three weeks distant. The grand jury is not now in session. The lips of the government's secret agents and detectives are sealed until they are called to the witness stand. The reports that have been filed at Washington recommending Hermann's indictment are jealousy kept from the knowledge of the public. Important exhibits which were attached to one of those reports and which were to have been used as evidence against him have mysteriously disappeared under circumstances which indicate that they were stolen to prevent the prosecution which seemed imminent.

In times past the Oregonian, which has never been satisfied by the official description of him only a few months ago—but the congressman will need all his powers of oily persuasion to escape conviction before the tribunal of public opinion. All that he hopes for is the Scotch verdict of "not proven."

Binger Hermann's assistants in the office of the land commissioner, when, while receiver of the Roseburg land office, he acquired 4,000 acres of government land admittedly in violation of the laws of the United States and the rules of the interior department. He is still in the possession and enjoyment of this land, having escaped punishment for his illegal act. His public career, thus begun in wrongdoing, culminated in his notorious administration of the general land office, the most disgraceful chapter in the history of that department.

Form Fall of Scandal.  
It was during Hermann's term as land commissioner that the big swindle of Benson and Hyde were successfully consummated, that wholesale homestead entries were made in fictitious names by Horace McKinley and his confederates, and that the government was misled of many thousands of dollars by the fraudulent surveys of public lands. The land department was permeated with fraud. Many of its employes, among them some of the most intimately associated with Hermann, were in the pay of the thieves who were stealing the public domain. Hermann himself gave invaluable assistance to the land-grabbers by rushing to patent the fraudulent homestead applications filed in the names of persons who never existed.

### A Home-coming Surprise for Binger Hermann



Great Guns! How That Boy Has Grown Since I Left.

## JAPANESE CITIZENS AGAINST ALL FALL BACK CHARTER TINKERING

### Encounter Superior Force and Retreat on Feng Huang Cheng.

### HARASSED BY COSSACKS

### Denial Made of Story That Two Cru- sers Were Damaged Off Port Arthur — Kalchou Loss Also Exaggerated.

**BULLETIN.**  
Chefoo, May 20.—Excessively heavy firing has been heard in the direction of Port Arthur today and it is believed a battle is being fought there.

Niuchwang, May 20.—Monday last, according to official reports, a division of the Japanese troops, numbering 20,000 men, encountered a Russian force of 32,000 men at a point west of Feng Huang Cheng.

The Japanese finding themselves confronted by such a superior force, at once retired, deeming it unwise to hazard battle and having nothing to gain, as the movement forward was purely a strategic one. The encounter took place 50 miles west of Feng Huang Cheng.

Cossacks harassed the Japanese flanks with considerable losses to both sides, not sufficient, however, to be regarded as serious. The main body of the Japanese army was soon joined by the retreating forces, when the Russians stopped their pursuit and withdrew, falling back to a position a short distance from where the encounter took place.

**RUSSIA CLAIMS VICTORY.**  
Says in Encounter with Japanese Lather Fled Panic-Stricken.

St. Petersburg, May 20.—A Mukden dispatch announces that a Russian detachment encountered a Japanese force marching westward May 18, and succeeded in turning it.

Another detachment met a force of Japanese 12 miles north of Feng Huang Cheng and, after a hand-to-hand encounter, the Japanese fled panic-stricken and driven by Russian bayonets.

The general staff denies the report that the Russian cruiser Bogatyr, wrecked at the entrance to Vladivostok harbor.

It is reported that General Kuropatkin, commanding the Russian forces in person, checked the Japanese advance toward Liayang, the headquarters of the Russian army.

A Vladivostok dispatch of today's date says that the Japanese ships are still hovering about the entrance to the harbor, and concludes by reporting all quiet.

Rejoicing over the Japanese losses off Port Arthur was continued today, large crowds taking possession of the principal streets and cheering.

Some even go farther and assert that submarine boats are now being used, and that within a short time there will be a general sweeping of the Japanese fleets from the sea.

The Russian losses are being direct manifestations from God that their cause is just and that they will win ultimate victory.

**JAPANESE ACCOUNTS.**  
Claim Russians Were Repulsed After Thirty Minutes' Fighting.

Tokio, May 20.—A report was received here today that a force of Japanese while reconnoitering in the direction of Shanchusan, northwest of Feng Huang Cheng, repulsed a force of Russians, the Japanese lost five and the Russians lost 40.

It was later officially given out that a section of Japanese infantry of the Liangtung forces reconnoitered in the direction of Shanchusan and met two sections of Russian infantry.

The Russian loss is given as one officer and from 40 to 50 men killed.

The official report makes no mention of the falling back on Feng Huang Cheng, but officers claim that an advance from there was more a strategic move than any other, hence, if such a retreat did take place it would not be at all surprising.

**Officers Lost at Sea.**  
The announcement is made that the losses among the officers on the battleship Hatsuse include Commanders Taikamato, Nire and Arimori and 22 others.

The report that the battleships Shinkishima and Fuji were damaged off Port Arthur is absolutely denied and the story sent out branded as a fake.

Rear Admiral Togo Masamichi reports that the fleet under his command numbering four cruisers, three gunboats and a torpedo flotilla, after successfully repelling an attack of the enemy's destroyers which emerged from Port Arthur when the disaster to the Hatsuse occurred, and rescued all alive of the battleship's crew, proceeded on the 15th last to Peohih-gulf. The fleet then reconnoitered along the Kalchou promontory.

### Mass Meeting Passes Strong Resolu- tions Condemning Proposed Change in Organic Law.

### Five More Legislative Candidates Tell Where They Stand, but Five Still Will Not Go on Record Against Rule of Gamblers.

Of 37 legislative nominees in Multnomah county asked by The Journal and a special committee of citizens to state their positions regarding charter revision, all but 10 had responded up to yesterday, and five of the 10 responded last night.

The five men refusing to tell the voters where they stand are George W. Holcomb, A. J. Capron, Thomas H. Crang, W. E. Hudson, Madison Welch.

Dr. Henry Waldie, one of the nominees, has not been asked to commit himself, he having been in the east since the charter revision matter came up.

Civic pride and a determination to see that the municipality is not delivered into the hands of the outcasts of society was responsible for the assembling of an audience that filled the Empire theatre last night. This audience which came out to protest against a plan to change the time of the city election of next year through legislative enactment was comprised of leading citizens of all parties, men who got to the theatre long before the meeting was opened, and who remained until it was summarily closed after 10 o'clock.

Although the majority of those present have for many years been prominently identified with the Republican party, Democracy was represented by such men as Fred V. Holman, C. E. S. Wood, and R. J. O'Neill, and the men of both parties vied with one another in giving applause to every utterance that he uttered.

Mr. Strong's Plain Talk.  
On Secretary T. N. Strong devolved the duty of making the chief address of the evening, and he spoke in a way that showed he did not propose to mince matters in charging that a corrupt movement is under way to kill the charter.

I have been voting the Republican ticket for seven years past, and am still free to vote the straight Republican national ticket," said Mr. Strong, "but inasmuch as the affairs of Portland are governed by the state legislature and the state legislature is governed by the Multnomah delegation, I must refuse to vote in a manner that will put me in office who are afraid to say that they will not fight to the last ditch against still further reducing the city's right to home rule. Such reduction would follow a failure to hold the city election next year."

"In the olden times kings gave charters to citizens and governments, and legislatures created cities and governed them. In Europe some of the cities were born before the kings and legislative bodies began this method of charter granting to cities, and because of this ancient birth they have enjoyed greater home rule than our cities. This explains why for years past the cities of New York and Philadelphia have been robbed of the leisure of their state legislatures; and this was the power that permitted Portland to be robbed before the present charter was adopted four years ago; and this is the power which, if restored, may permit Peter Grant to govern the city of Portland."

**Resolved by Nation.**  
"Fellow citizens the eyes of the whole country are upon Portland at this very time, watching as to the outcome of this new attempt to corrupt the city; and the following letter is but one of

many I have received from distant points showing the truth of what I say.  
"Philadelphia, May 11, 1904.—Mr. Thomas N. Strong, Portland, Oregon:  
"Dear Mr. Strong.—The Journal of Portland has been having a series of articles on a conspiracy to destroy the city charter. Do you happen to know anything about the movement and those who are back of it and the object which they have in view? Very truly, Clinton Roger Woodruff, secretary of the National Municipal league."

"We of this city fought for 20 years to overthrow the former machine that had looted the city. This machine was overthrown four years ago, and the new machine was put in on the direct issue of home rule for the city of Portland, and on the pledge that a new charter of its own choosing would be given the city. The new machine carried out the pledges, and it has proved a success, the only defect claimed against it being with reference to advertising and this arose from the bad act of the administration in putting 7,000 lots into one district to raise \$2,400, for a single improvement, so that each lot was taxed only 50 cents; whereas, good business would have put in 700 lots, making the advertising bill one-fifth. This error was no fault of the charter.

**The Journal's Part.**  
The Evening Journal was not alone in its charges that a plan had been hatched to change the charter at the forthcoming session of the legislature, for at least one candidate has said publicly and boastfully that if the fellows stood together they would change the charter."

Mr. Strong closed by saying that The Journal had done meritorious service in sending out requests to candidates for the state legislature, asking them to come out squarely and state what they intended doing with regard to the charter. He also explained that the committee that is working to protect the charter is absolutely non-partisan, and has for its object only the welfare of the city. Vociferous cheering marked the closing of the meeting.

**Resolutions Adopted.**  
Of the following resolutions adopted unanimously by the meeting, James Steel offered the one recommending that no candidate be voted for who would not come out and firmly promise to oppose any changing in the charter, a motion that met with wild cheering; and A. H. Devers introduced the other resolutions, which were applauded and unanimously adopted.

**Resolved by this mass meeting of citizens of Portland:**  
First—That we heartily approve of the provisions of the charter of this city providing for separate elections.

Second—That we are unalterably opposed to any amendments to the charter having for their object the postponing of the city election to be held in the year 1905 to the following year, or providing for city elections to be held at the same time as state, county or general elections.

Third—That we request the members of the legislature now serving, or who may be elected, to vote against any such proposed change.

Fourth—That all amendments to the charter before becoming effective should be submitted to a vote of the people of this city for adoption or rejection.

Fifth—That a copy of these resolutions be submitted to the various daily papers by sealed bids to be filed in the city clerk's office.

Sixth—That a copy be furnished to all candidates for the legislature, and that they be asked to carry out its provisions.

Resolved by this mass meeting, That we pledge ourselves not to vote for any

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## ILLINOIS MEN REST

### Republicans Adjourn for Ten Days—Deadlock Is Still On.

(Journal Special Service.)  
Springfield, Ill., May 20.—After a session of nine days, eight of which have been spent in fruitless balloting, the Republican state convention this morning adjourned until May 31, after taking eight ballots, the last resulting in Yates getting 431 votes; Lowden, 392; Sherman, 385; Hamlin, 113; Warner, 53; Sherman, 46, and Pierce, 23.

Yesterday there were signs of a break from the leadership, as it was becoming plainly apparent that the delegates were tiring of the continual delay in arriving at a conclusion. Still there were no signs of stampeding.

Last night many of the delegates left town, and this morning others followed them.

Never was such a deadlock known in the history of Illinois politics. It rivals the national convention in 1880 in Chicago, when the Grant delegates stood like a stone wall for ballot after ballot. It was practically agreed last night that in the event of a failure to select a candidate on ballot this morning the convention would rest from its labors until the first of June, to allow for a private reconsideration and new line-up. It is expected there will be a reshuffling of the smaller votes when the convention again resumes.

## OVERHEATED WAFFLE IRON CAUSES FIRE

(Special Dispatch to The Journal.)  
Seattle, May 20.—Fire starting from an overheated waffle iron in a block of wooden buildings late yesterday afternoon almost suffocated a woman to death, burned out 10 shops and threatened the destruction of a dozen buildings, about the corner of Jefferson street and Third avenue.

The total damage amounted to about \$10,000. The Villa hotel was virtually destroyed. From it was carried Mrs. J. P. Martin in an unconscious condition, but she revived in the open air. Restaurants, shoe shops, tailors and jewelers suffered.

## EIGHTEEN MEN DROWN

### Steamer Turret Bay Goes Down Off Halifax in Heavy Fog.

(Journal Special Service.)  
Halifax, N. S., May 20.—With her port almost reached, after a voyage from the antipodes, the steamer Turret Bay was sunk off St. Paul's Island today and 18 members of the crew lost their lives.

Thirteen men went down with the ship, 14 others were brought ashore with great difficulty and five of these died within a short time from the terrible exposure to which they had been subjected.

The steamer, which was of the Black Diamond line, was coal laden from Sidney to Montreal. In a heavy fog which was noticeably thick even for the Banks, she ran full out to a reef near Southwest light on St. Paul's Island at 8:30 this morning.

Although under slow speed she went well up, tearing a great hole in her bow. A heavy sea was on and, a few minutes after taking the rocks the vessel slipped back, instantly filled and sank.

There were several men in the rigging and when the fog lifted for a time the life savers made attempts to reach them. This they finally did, but not until a portion of the men had dropped exhausted into the sea.

The others were brought to shore with extreme effort, but five were unconscious before landing and died shortly afterward.

At this particular spot more than a score of vessels have found their last resting place, and it is becoming known to the fishermen as "Deadman's" point.

## THREE MEN DROWN IN COLORADO LAKE

(Journal Special Service.)  
Boulder, Colo., May 20.—A. C. Giller, T. P. Jackson and P. F. Kiser, employees of the Colorado Southern railway, were drowned last night in Owens lake, four miles east of here while fishing. Their boat capsized due to the high wind. All were married. Comrades searched for the bodies through the night.

## SUSPECT FIRE PLOT

### Lumbermen Believe All Mills in Northern Cali- fornia Are Menaced.

(Journal Special Service.)  
Redding, Cal., May 20.—Incendiaries set fire in three places to the main lumber yard of the Terry Lumber company in this city this morning at 12:45 o'clock. Over 1,000,000 feet of lumber was burned. The loss is estimated at about \$25,000.

It was a terrific fire and for a time the north end of the town was in great danger.

A high wind was blowing and it was only by the most strenuous efforts that the firemen kept the flames within bounds. They let the lumber burn and devoted their time to turning water on threatened buildings. A loss of a few hundred dollars was caused to the houses drenched in the effort to save them.

Taken in connection with the fire in the Chico mill yesterday local lumbermen believe that there is an organized plan to destroy all the lumber yards in Northern California. The decrease in wages of employes and the consolidation of lumber interests they believe is the cause.

## OREGON SENATORS ARE DISREGARDED

(Washington Bureau of The Journal.)  
Washington, D. C., May 20.—Commissioner Richards has recommended the appointment of Adolph Aschoff as supervisor of the division of the Cascade reserve to succeed Isenberg.

In doing this Richards disregards the recommendation of Senators Mitchell and Fulton, and Representatives Williamson and Hermann, who recommended T. H. McGreer.

An examination of the qualifications of the two men showed that McGreer was without experience in forestry, while Aschoff is an experienced forester. Acting under general instructions from President Roosevelt to promote officials, rather than to appoint them for political reasons, Richards names Aschoff.

## HERMANN CAUSES MUCH SUSPICION

the department may not be able to prevent this, despite their most earnest efforts.

That there is much interest in the reservation by men of means, or others who desire by tricky methods to "get a slice," can be understood from the fact that in the tract are 27,000 acres, a great portion of which is highly valuable, including timber land.

Commissioner Richards today said that he will not ask for a lump bid for the Grand Ronde lands. He has prepared rules for the disposal of the reservation which were approved today by Secretary Hitchcock, which provide for the sale by sealed bids to be filed in the Oregon City land office between August 1 and August 31, inclusive, in tracts of 160 acres each.

Each tract must be bid on separately. No bid will be accepted for less than \$1.25 an acre and the aggregate of the bids, based on 125 acres, must be \$2,000 or more.