

BINGER HERMANN INDICTED BY THE GRAND JURY IN CONNECTION WITH THE LAND FRAUDS IN OREGON

TO INDICT THE MAYOR

True Bill Said to Have Been Found for Malfeasance.

ELLIOTT ALSO IS IN THE GRAND JURY NET

Investigation of Specific Acts of Corruption Made Against a Member of the Detective Force by Woman.



John H. Hall, United States District Attorney, Removed From Office on Charges in Connection With the Oregon Land Fraud Cases

George H. Williams, mayor of the city of Portland, is to be indicted by the county grand jury on the charge of malfeasance in office in not fulfilling his sworn duty, as prescribed by the city charter, by failure to order Chief of Police Hunt to close the gambling houses, according to report circulated today. By unanimous vote, it is said, the jury decided last Thursday afternoon to return a true bill against the mayor, and the indictment was drawn up yesterday by a deputy in the office of District Attorney Manning.

The indictment alleges that the mayor failed to instruct Chief Hunt to close a certain gambling house and to seize the paraphernalia in accordance with the provisions of the charter and city ordinance No. 14,048. Two blank spaces were left in the indictment, to be filled in by the jury with the names of the gaming houses selected to figure in the court proceedings to follow. It is rumored that the indictment has already been completed and signed by Foreman Johnson, ready to be returned in the presence of Presiding Judge George, of the circuit court next Tuesday. So far as can be ascertained, this is the only true bill to be returned against the mayor.

This morning the jury had under consideration charges in connection with the incumbency of Chief of Police Hunt. Comments of the jurors in the jury room make it practically certain that Chief Hunt will be indicted on one, and perhaps on two or three counts.

Charges Against the Chief. Investigation of the charge of accepting \$300 from the agent of an eastern slot machine concern, it is said, has revealed that the chief turned the money over to the city. This is said to have happened last fall.

The culpability of Chief Hunt is said to lie in his promise to "throw the town" open, when the city ordinance makes any form of gambling a violation of law. His alleged instruction to his men not to interfere with the operation of slot machines at Madame Steele's disorderly house, located on the corner of Sixth and Stark streets, it is stated, will also figure in the proceedings, which will be illegal action taken by the chief in discharging from custody prisoners brought before him as "kangaroo judge." In the report which the grand jury will hand the court on the day when it is discharged, according to authentic report, severe criticism will be passed on many official acts which are not indictable.

Elliott Said to Be in Net. It is reported also that the jury has voted to indict former City Engineer Elliott and a number of others in his office in connection with the Tanner creek sewer scandal and other matters. The only deputies in the city engineer's office liable to indictment, whose names can be ascertained for publication, are Caywood and Chandler.

Senatorial Evidence was given before the grand jury by Mrs. Shappe, it is said, which may lead to the indictment of a member of the city detective force. Simon Isaac, a butcher, engaged in business on Hood street, testified that a Mrs. Shappe stole \$150 from him, but that the detective caused her to return \$120, on the agreement that there was to be no prosecution. The warrant of arrest was not returned, causing Assistant District Attorney Haney to draw the attention of Police Judge Hogue to the affair.

Judge Hogue ordered Chief Hunt to have a return made on the warrant. It was returned, however, "Not served by order of District Attorney Manning." Mr. Manning was summoned before the jury and explained that he had issued no order, but had merely given such advice, owing to the misrepresentation of the case to him.

The Jury Was Surprised. For a week sheriff's deputies have been searching for Mrs. Shappe. It is said that through a police agent she had been warned to keep her whereabouts a secret. Before the jury this morning she made an explanation of what became of the other \$30, it is said, that caused the jurymen to give vent to exclamations of surprise.

Ordinance No. 14,048 was adopted by the city council June 15, 1904. On account of its numerous provisions it has been called the "omnibus ordinance." Gaming and gambling are covered by section 16, the text of which is as follows:

"It is hereby forbidden and declared unlawful for any person, either as owner, proprietor, manager, employee or lessee, to maintain, conduct, manage, operate, or assist in the operation of any gambling establishment, or to receive, conceal, or dispose of any proceeds of any such establishment."

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GRAND JURY ACTS AFTER LONG, SHARP DISCUSSION

Attorney F. J. Heney Said to Have Clear Presentation Against Both Mitchell and Hermann—Charge Against Congressman Is Conspiracy to Defraud Government of Lands.

Binger Hermann, ex-commissioner of the land office and member of congress from the first district of Oregon, was indicted by the federal grand jury this afternoon for conspiracy to defraud the government of public lands.

United States Senator John H. Mitchell was indicted also. Hermann's indictment was made in connection with the McKinley-Puter-Watson-Ware case, the details of whose conspiracy to rob the government were made public at their recent trial and conviction.

For two hours and a half this morning the federal grand jury that has been probing the gigantic conspiracy to defraud the government wrestled with the proposition of returning an indictment against the congressman. The session was turbulent. So heated was the discussion that persons in the hall heard portions of their conversation.

The subject of Hermann's and Mitchell's connection with the conspiracy was brought up again immediately after the jury convened at 2:30 o'clock this afternoon. The testimony of witnesses was reviewed and the matter of an indictment discussed from every standpoint. Opposition to such action was finally overcome and the instrument was returned.

Senator Mitchell left last night for Washington. Congressman Hermann is at the Imperial Hotel and will leave for Washington tonight.

George Sorenson was also indicted on the charge of attempting to bribe John Hall.

ACTS ON CHARGES

President Thinks John Hall Has Been Shielding Suspected Persons.

HALL DENIES ALL OF THE ALLEGATIONS

Declares He Has Message From Senator Fulton Saying That He Has Not Been Dropped Yet.

(Washington Bureau of the Journal.) Washington, Dec. 31.—President Roosevelt today suspended from office United States District Attorney John Hall of Portland, Or. This action was taken upon the recommendation of Attorney General Moody, as the result of charges that Hall has been shielding from prosecution certain persons who were implicated in the land frauds.

Hall's suspension may be followed at any time by his removal and will be shadowed when the attorney general took the conduct of the land fraud investigations out of his hands, estimating the matter solely to Francis J. Heney.

The news that United States District Attorney John Hall had been suspended by President Roosevelt, on the ground that he had been shielding from prosecution persons implicated in the land frauds, became known this morning and caused a profound sensation.

Of all the positive results of the investigation in progress before the federal grand jury, this is the most sensational, for to all but a few it came as a utter surprise.

According to the rumors which are afloat, Hall attempted to save from indictment F. E. Mays and George C. Brownell, and it is also said in the investigation of the transactions in which Senator Mitchell and Representative Hermann are supposed to have been involved, the district attorney's seal has been under the greatest suspicion.

No official notification of the president's action was received by Mr. Hall, but he had had an intimation that the blow was impending and this morning news of his suspension had been communicated to both Mitchell and Hermann.

The leak was remarkable for the facts revealed to the two congressmen were supposed to be of the knowledge of the government's attorneys. It is certain that the decision of Mitchell and Hermann to return to Portland and face the grand jury was formed only a few hours before their departure from Washington and was the result of dispatches received from this city.

Mr. Hall was before the federal grand jury yesterday afternoon as a witness. Only a few hours later came his suspension from office by the president.

Mr. Hall denies emphatically that he has in any way attempted to shield any person implicated in the land frauds from indictment or prosecution, and insists that he has done all in his power to aid Mr. Heney in running down the guilty persons. He received a telegram from Senator Fulton this morning, and according to Mr. Hall, Fulton informed him that no order of suspension or removal had yet been made.

Removal May Follow. From other sources it is learned, however, that the order has been made and may be followed at any time by Mr. Hall's removal. Assistant District Attorney W. M. Barry was formerly way involved in the troubles of his chief, there is no accusation of any shieldings on his part.

John Hall has been United States district attorney for nearly seven years. His first four years' term expired about three years ago. There was a deadlock in the Oregon delegation over the recommendation of a successor to the office. For some time after Senator Benton's election George C. Brownell was an active candidate for Hall's place, but suddenly dropped out of the running. The delegation was still unable to agree upon a recommendation and Sunday about two months ago, it was announced that President Roosevelt had taken the matter into his own hands and had appointed Hall for another term of years, without any recommendation from the Oregon delegation.

The First Hint. But when other Oregon appointments were recently sent to the senate, confirmation Hall's was not among them. Much surprise was excited, but the

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READY FOR WORK ON PORTAGE ROAD

Contracts Closed by the State for Its Construction, Bonds Filed and Approved, and Contractors Will Proceed at Once.

Two contracts were closed today by the state of Oregon for the construction of the Cello portage road. Bonds for the execution of the contracts were filed and approved. The work of construction will be begun at once and must be completed by May 15, 1905. A penalty of \$500 a day will be collected by the state from the contractors if they fail to have the road completed at that date.

The contract for the construction of the road is undertaken by Nelson & White, at the price named in their bid, \$115,523.16, exclusive of rails and equipment. The state of Oregon will furnish the rails and fastenings, the estimated cost of which will be in the neighborhood of \$30,000. The executive committee of the Open River association has entered into a contract with the state to furnish the equipment, consisting of one locomotive, four box cars, six stock cars, eight flat cars, two cars for the incline at the big eddy and one combination passenger and express car. The committee furnishes a bond in the sum of \$20,000 to guarantee fulfillment of its contract with the state. The construction contractors give a bond of \$50,000 for performance of their contract. Both bonds are furnished by the United States Fidelity and Guarantee company.

The Open River association's agreement to furnish the equipment provides that it shall apply on the cost thereof any sum that may remain from the state portage road appropriation after the rails and fastenings, the estimated cost of which will be in the neighborhood of \$30,000, and the committee expects no trouble in getting all the money that may be required.

AGED INDIAN FOUND FROZEN ON RIVER BANK

(Special Dispatch to the Journal.) Lenore, Idaho, Dec. 31.—Shoshonean Edward, a Nez Percés Indian, was found frozen to death on the bank of the river near here. He was on his way to visit his son-in-law, when he was probably overcome with a fit from which he could not rally and froze to death.

He was 55 years old and in the days of his vigor was leader of the Nez Percés tribe. He always hated the white men and since the settlement of the reservation he had lived the life of a recluse. His body was shipped to Bonalt.

ARBITRATION TREATY IS SIGNED WITH SPAIN

(Journal Special Service.) Washington, Dec. 31.—The Spanish minister and secretary Hay today signed the new arbitration treaty between Spain and the United States. The treaty provides for the submitting of all questions of disagreement to an international court to be arbitrated and renders a possible war between the two nations a thing of the past.

CHADWICK ARRIVES TO FACE ACCUSERS

Husband of Famous Financier Arrested on Steamer Ere He Lands.

MAY REFUSE TO RETURN AND FIGHT EXTRADITION

Goes Peaceably to Hotel With Sheriff Professing Ignorance of Charges.

(Journal Special Service.) New York, Dec. 31.—The Hamburg-American liner Pretoria, having on board Dr. Chadwick, and his daughter, Mary, was sighted off Fire island at 3 o'clock this morning. Sheriff Barry of Cleveland boarded a revenue cutter and met the Pretoria at quarantine.

Chadwick was found by newspaper men seated in his stateroom. He was asked if he knew that he was under indictment in Ohio, and said: "I know nothing about it," and then shut himself in his stateroom and refused to answer questions.

Chadwick was practically but not technically placed under arrest by Sheriff Barry, who took him with his daughter to the Myers hotel at Hoboken, where he consented to remain until Barry gathered his own effects in New York.

The sheriff will then take Chadwick to Cleveland, leaving at 4:35 o'clock this afternoon on the Pennsylvania railroad. Miss Chadwick will be taken care of by relatives in New York a few days, after which she will probably go to Jacksonville, where Dr. Chadwick is said to have a brother.

When informed of the forged charges Chadwick said: "All I know of the charges against me and Mrs. Chadwick is what I have seen in the newspapers. I know nothing of the utterance of this forgery. Up to the present moment I had believed my wife innocent of wrongdoing." Then with a gasp he said: "I hardly know what to believe."

While Barry was absent in New York lawyer Carpenter called on Dr. Chadwick. It was then announced that Chadwick will not leave for Cleveland on the 4:35 o'clock train. There is a possibility that he may insist on fighting extradition.

MIXING A PORT.

(Journal Special Service.) London, Dec. 31.—Advices under today's date from Shanghai to the Morning Post says that the mining under the best color sections published in New York, Chicago and San Francisco. Oppen, Dirks, Bunny and Howarth are the best cartoonists in the country and their work appears every week in the Sunday Journal and nowhere else in Oregon.

You will get the advantage of an entertaining magazine section, in which appear articles by the best-known writers of the day, men and women whose contributions are eagerly sought by the leading magazines.

You will have the free music lessons taught by the newest and simplest method yet discovered. You will be entertained by Chimmie Fadden's philosophy and Goodman's jestrical letters.

You won't miss a thing—that's worth while in any line, because there is just one.

SUNDAY JOURNAL

STORM COMPLETES SHIP'S DESTRUCTION

Russian Battleship Sevastopol Completely Destroyed by Terrific Gale.

OTHER CRIPPLED BOATS ALSO SUFFER SEVERELY

Togo Tog Busy to Attend Receptions Given in His Honor by Municipality.

(Journal Special Service.) Chefoo, Dec. 31.—According to Chinese reports, the last day of the year has witnessed the last of the Russian battleship Sevastopol, that vessel having met complete destruction in the storm that is now raging at Port Arthur. The other Russian warships crippled by the Japanese bombardment and succeeding torpedo attacks, have also suffered severely. The storm has raged for the past 24 hours, and is one of the severest on record.

YEAR TOWN IS MINED. (Journal Special Service.) London, Dec. 31.—A Chefoo dispatch says that Port Arthur advices brought by a messenger state that the Russian guns have wrought great damage to the Japanese forces who were mounting guns in commanding positions north of the Etse forts. The Japanese, however, succeeded in getting eight guns in position. While the Russians have abandoned the small new town, fear that it is mined has restrained the Japanese from attempting to occupy it.

TOGO KEPT BUSY.

(Journal Special Service.) Tokio, Dec. 31.—Admiral Togo has declined the offer of a reception in his honor by the municipality, pleading that he is too busy. He intends to devote his time in Tokio to a conference with the naval general staff. The admiral today attended general services for the officers and men killed at Port Arthur, where he read their eulogy.

FINE AND WORKHOUSE FOR RIOTING SOLDIERS

(Journal Special Service.) Athens, Dec. 31.—Judge Woods this morning sentenced six regular soldiers found guilty of rioting on the streets of this city during the encampment of last summer, to pay \$50 and to spend 30 days in the workhouse. Sergeant Lott was found guilty of shooting with intent to kill and sentenced to a year in prison.

ADVOCATE PURCHASE OF CAMP.

(Journal Special Service.) Washington, D. C., Dec. 31.—A permanent continuance of the maneuvers as held at Atascadero, Cal., and American lake, Washington, and the purchase of the American lake site by the government is recommended by General MacArthur, commanding the Pacific division. In his report on the maneuvers of the past year at these points.

A NEW YEAR'S RESOLUTION

The best you can make will be to Read The Sunday Journal. If you do that you will get the best, the earliest and the completest information about every event of consequence anywhere. You will please the children, for then they can have a laugh over the color comic supplement, identical with the best color sections published in New York, Chicago and San Francisco. Oppen, Dirks, Bunny and Howarth are the best cartoonists in the country and their work appears every week in the Sunday Journal and nowhere else in Oregon. You will get the advantage of an entertaining magazine section, in which appear articles by the best-known writers of the day, men and women whose contributions are eagerly sought by the leading magazines. You will have the free music lessons taught by the newest and simplest method yet discovered. You will be entertained by Chimmie Fadden's philosophy and Goodman's jestrical letters. You won't miss a thing—that's worth while in any line, because there is just one.

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