

GOOD EVENING.

The Weather. Fair tonight and Thursday; northwest winds.

Oregon



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PORTLAND, OREGON, WEDNESDAY EVENING, JUNE 21, 1905.—FOURTEEN PAGES.

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DEFENSE LAYS THE ONUS ON JUDGE TANNER AND SAYS PROSECUTION SEEKS TO SMIRCH OREGON DELEGATION

Opening Statements in Senator Mitchell's Trial for Connection With Land Frauds Startle Auditors.

FREDERICK A. KRIBS SWEARS TO AGREEMENT WITH FIRM

Identifies Check Paid Tanner For Mitchell's Services in Expediting Patenting of Oregon Timber Claims—Mitchell Is Calm.

For three quarters of an hour this morning United States District Attorney Heney held the intense attention of judge, jury, defendant and the crowd which packed the federal courtroom while he outlined the evidence on which the government expects to convict Senator John H. Mitchell. It was a strong presentation of the case, given logically and forcefully, and many an eye was turned eagerly toward the defendant as the prosecuting attorney spread out his facts.

But Senator Mitchell gave little sign of anxiety or concern, though the following with closest interest every word that was spoken, glancing occasionally at the jury as if to observe the effect of Heney's statements.

Judge A. S. Bennett followed the district attorney, presenting himself as a defender of the proposed defense. He denied that there had been anything inherently wrong in Mitchell's acts, even if it should be found that he had technically violated the law. He declared that Senator Mitchell, while at Washington had been so overwhelmed with public affairs that he had little time for private business, and that a natural carelessness, such as might be made him negligent as to his own personal affairs.

Mr. Heney then outlined the facts which the government expected to prove. He stated that an agreement was made October 15, 1901, between Frederick A. Kribs and Judge Tanner, Senator Mitchell's partner, by which it was agreed that the firm of Mitchell & Tanner should take charge of the expediting of patent of 49 timber claims, which were then under investigation at Washington under charges of fraud.

Frederick A. Kribs testified in the brief time that he occupied the witness stand this morning that he had entered into a contract with Judge A. H. Tanner, for the firm of Mitchell & Tanner, to have title to 49 claims expedited before the general land office, and that he met Senator Mitchell in the firm's office and spoke to him on this subject, so that he must have been cognizant of the nature of the work. The first check of \$500 given in payment was produced, also a letter written by Senator Mitchell to Commissioner of the General Land Office Binger Herpman, asking that the status of these claims be inquired into, and assuring the commissioner that he (the senator) would call on him personally to Washington for the matter as soon as he could.

the jury, laying stress on its concluding provision, that "every person offending against this section shall be deemed guilty of a misdemeanor and shall be imprisoned not more than two years and fined not more than \$10,000, and shall, moreover, by conviction thereof, be rendered forever thereafter incapable of holding any office of honor, trust or profit under the government of the United States."

"That language clearly shows," continued the district attorney, "that the lawmakers did not regard this as a trivial offense. They looked on it as a grave matter and a crime that must be severely punished. In a word, you have to determine whether John H. Mitchell used public office for private gain. You should not be asked to find a verdict of guilty unless the government is able to prove its case beyond a reasonable doubt. In fact, I will go a step farther, and I will not ask you to find the defendant guilty unless we prove that he violated the law with full knowledge of his own acts, and with full knowledge that he was receiving fees for acts which were forbidden by law."

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"We shall show," said Heney, "that Kribs agreed to pay \$500 down and \$500 more when patents were issued on the claims. The first payment was made, Kribs saw Mitchell a little later and told him of an agreement which had been made with Tanner. Mitchell told him to arrange all details with Tanner, and a few days later Mitchell told him that he had written a letter to the commissioner of the land office regarding these claims. We shall show that such a letter was written from San Francisco to Commissioner Herpman October 22, 1901. Thereafter Mitchell went to Washington, where he used his best efforts to expedite the claims."

Letters from Tanner were produced, and the district attorney, in which he referred to the Kribs claims and the sums due the firm for Mitchell's services.



Miss Anna Amendt, the \$12,000 a Year Secretary to Gage E. Tarbell, of the Equitable Life Assurance Society, Whose Portrait is Also Shown.

"TEDDY" IS MADE DOCTOR OF LAWS

President Welcomed to Worcester Where He Delivers an Address to Graduates of Clark College—Pays Tribute to Senator Hoar's Memory.

Worcester, Mass., June 21.—President Roosevelt arrived at 9:25 o'clock this morning. A committee of citizens headed by Lieutenant-Governor Guild and Mayor Blodgett boarded the car and welcomed the executive to the state and city.

The city is gaily decorated in honor of the president's visit. A large crowd of residents and visitors lined the streets to get a glimpse of the visitor. Several companies of militia, veterans of the civil and Spanish war escorted the president to Clark university, where he received the degree of LL. D. and delivered an address before an enthusiastic audience of 1,500 persons.

The exercises were held in the college gymnasium, which was tastefully decorated for the occasion. President Carroll D. Wright presided, and the introductory remarks were delivered by Lieutenant-Governor Guild. At the conclusion of his brief address President Roosevelt was honored with the degree of doctor of laws. In the course of his

remarks he paid a warm tribute to the memory of Senator George F. Hoar, who, during his lifetime, was one of the most conspicuous benefactors of Clark college. After the exercises at Clark college the president paid a visit to Holy Cross college, where he was given another enthusiastic reception.

The run from Washington was made without incident. The president ate breakfast on the train with Dr. Rixey and Secretary Loeb. At Putnam a large crowd gathered about the station and the president made a few remarks. This morning the president wired the captains of Harvard and Yale crews, who will contest at New-London next week, saying that he wished he could see the race and told Yale that he was sorry he could not wish them good luck.

On the way to the college the president rode with Carroll D. Wright, former labor commissioner, now head of Clark college, and President G. Stanley Hall of the faculty, who welcomed the president at the university.

FRANCE MAKES REPLY ON MOROCCO QUESTION

Paris, June 21.—France's reply to the German note suggesting an international conference on the question of Moroccan reforms was handed the German ambassador this afternoon. The note expressed in full France's view on the Moroccan question and outlines the condition under which France will become a participant in the conference.

CAPTAIN SMITH WILL REMOVE JONES' BODY

Paris, June 21.—The American embassy has delegated Captain Smith, naval attaché, to have charge of the details connected with the removal of the body of Paul Jones and to plan the ceremonies.

NEW YORK NEGROES WITH WHITE WOMEN AS WIVES

New York, June 21.—An interesting alleged fact came to Police Commissioner McAduff in the way of complaints from some negroes who are discontented because white women are not allowed by the police to enter saloons where negroes drink. Negroes look upon this as unjust discrimination. A negro lawyer writing to the commissioner said that 2,500 negroes in New York had white wives.

RUSSIA SEIZES FUNDS RESERVED BY FINLAND

Helsinki, June 21.—Considerable excitement has been caused by the report that the Russian government has decided to seize Finland's special reserve fund, amounting to \$12,000,000, for war purposes. This fund has been held in trust until all other resources of Finland were exhausted.

ALEXANDER AND HYDE OUT—OTHERS TO GO

(Journal Special Service.) New York, June 21.—The resignations of James W. Alexander as president and James H. Hyde as vice-president of the Equitable Life Assurance society have been accepted by Chairman Paul Morton.

One of the changes expected is the retirement of Miss Anna Amendt, the \$12,000 a year secretary to Gage Tarbell.

KING CONSENTS TO THE SEPARATION

Union Maintained by Coercion Would Be Small Value to Sweden, Says Oscar.

TO PEACEFULLY SETTLE TWO COUNTRIES AFFAIRS

Premier Recommends to Ricksdag That Pacific Measures Be Taken.

(Journal Special Service.) Stockholm, June 21.—When the ricksdag assembled today in extraordinary session to consider the dissolution of the union by Norway, the government immediately introduced a bill asking for authorization to enter into negotiations with the Norwegian, stopping, conditional upon a settlement of the questions involved in the separation of the heretofore dual kingdom.

The premier declared that the negotiation was necessary to definitely clear up the situation. Several members concurred in the premier's views. The king then addressed the assembly and said that he had acted according to his conscience and always in conformity with the continuation of the united kingdom, with full desire for the welfare of the two peoples.

"The bill presented to the ricksdag does not aim at replying to injustice by acts of coercion," said the king. "The union is worth sacrificing which would cause a contribution to maintain for such a union will be of little value to Sweden."

PATROLMAN SHOT IN A BATTLE WITH THIEVES

(Journal Special Service.) Chicago, June 21.—In a revolver battle following discovery by the police early this morning of five burglars in a butcher shop at the stockyards, District Officer McDonnell was shot in the head and will probably die. Two robbers, John Mahoney and James O'Heary, were captured. Mahoney was shot in the thigh. The three escaping robbers left a trail of blood.

CHICAGO MOB ATTACKS NONUNION TEAMSTERS

(Journal Special Service.) Chicago, June 21.—Thirty wagons of the American Express company were blocked by teamsters on Clinton and West Van Buren streets for several hours this morning. A mob of several hundred strike sympathizers surrounded the wagons and resisted the deputies. The police finally dispersed the crowd and released the wagons.

Governor Douglas Honored

(Journal Special Service.) Medford, Mass., June 21.—At its annual commencement exercises today Tufts college conferred the honorary degree of LL. D. upon Governor William L. Douglas.

COUNCIL LAYS PLOT

At Behest of Republican Machine Would Rob Mayor of Power.

APPOINTMENTS TO BE TAKEN FROM HIS HANDS

Ordinances Drawn Up and Will Be Presented for Passage With Aid of Some Members This Afternoon.

If the plans of certain members of the Republican machine are carried out this afternoon at the meeting of the city council, the mayor of Portland will be shorn of his power to appoint men to various offices created by special ordinance and the various council committees.

Ordinances are prepared and may be presented to the city council this afternoon to take the appointing power out of the hands of the mayor and vest it in the city council. It is desired to place the appointment of the building inspector and plumbing inspector and the various council committees in the hands of the city council, in order that all the patronage may be retained by the Republicans. It was planned to include the superintendent of the garbage crematory in the list, but it has been discovered that they cannot do this as the selection of a garbage superintendent by the mayor has to be sanctioned by the board of health. This power is granted by the city charter.

If the plans of the politicians are successful it means that the committees of the council can be arranged in such a manner that they can harass and balk every wish of the mayor during his entire administration. It further means that Building Inspector Howard Whiting and Plumbing Inspector Thomas E. Hulme, who were the creatures of Mayor Williams and the present city council, may be retained in office against the wishes of the present mayor.

The proposition is looked on with much disfavor by some members of the present council, and a determined effort will be made to prevent the ordinances from being introduced, or if they are introduced, to defeat them. Councilmen A. F. Fiegel, H. R. Albee and Mat Foeller have expressed themselves as strongly opposed to the proposition.

Mayor Williams was of the opinion before the council meeting that the ordinances would not be introduced. If they are introduced an attempt will be made to refer them to a committee, and if such is the case they may not be acted on definitely until the new council is seated.

REAL CLIFF DWELLERS DISCOVERED IN MEXICO

(Journal Special Service.) El Paso, Tex., June 21.—Near Maguarachic, in Chihuahua, Mexico, a remarkable discovery of a race of cliff-dwellers has been made. The report of their existence was brought out by Ben Goode, a miner, and Father Mariano Guerrero, a Catholic priest. The people live in cliff houses exactly as the supposedly extinct race of cliff-dwellers lived, and subsist on corn and game killed with crude weapons. They run on the approach of strangers. Their vocabulary is different from any known in Mexico and is said to consist of a few words. They are very small in stature.

HIGHEST TOWER IN THE UNION PLANNED

(Journal Special Service.) New York, June 21.—The Metropolitan Life Insurance company has decided to erect the highest structure in this city. According to the present plans of the architects, it will be 560 feet high, just a trifle higher than the Washington monument. This is to be a great tower, built alongside the magnificent building in course of erection on Madison avenue.

NINE SHOT, ONE DEAD

Crazed Man Shoots Into Crowded Streets From Hotel Window.

BLOWS HIS HEAD OFF TO PREVENT CAPTURE

(Journal Special Service.) San Francisco, June 21.—A man supposed to have been Thomas Loeb, armed with a shotgun and pistol, barricaded himself in his room on the fifth floor of the United States hotel at 7:30 o'clock this morning and firing from a window, shot down nine passers-by, one of them a policeman, and then putting the revolver into his own mouth blew off his head.

The wounded are: C. F. Chavallier, shot in the left eye; Wong Quong, shot in the left hand; Police Officer Patrick Kinsane, shot in the left cheek; W. B. Coffman, shot in the right cheek, nose and forearm; Emil Robert, shot in the left knee; Vincent Roumeite, shot in the ear and jaw.

W. Jones, shot in the right jaw; George H. Blanton, shot in the cheek and left arm; Joseph Larabee, shot through the lip, cheek, eye and shoulder.

The would-be murderer and suicide, who was unknown to the hotel attendants, registered at the hotel about 8 o'clock last night as Thomas Loeb, but he gave no address. He appeared entirely rational when shown into his room and was quiet during the night.

About 7 o'clock this morning he arose and dressed. The street at the time was filled with persons on their way to work. Without warning the madman started to shoot from the window. Immediately the police were notified and 30 officers hurried to the scene. Loeb barricaded himself in his room, pushing the bureau against the door, and held them all at bay. The street was cleared of pedestrians and a number of officers entered the hotel, rushed up to the man's room and were greeted with bullets from a shotgun. Officer Patrick Kinsane dropping wounded.

Retreating to his window the madman fired several shots at persons on the streets and several fell slightly wounded. The madman then hurled a heavy chair out of the window into the street, but it was caught by telegraph wires.

Officers continued to batter at the door against, which Loeb had placed by this time all the furniture in the room. They succeeded in breaking the lock and entered in a chair way of getting the obstructions out of the way. Loeb, perceiving another officer rapidly approaching his room on the fire escape outside, returned to the center of the room, placed his shotgun in his mouth and blew off the entire top of his head. When the officer on the fire escape entered the room the man was dead.

Five Up Fifty-Dollar Bills

Scattered about the room were fragments of a number of \$50 bills, which had evidently been torn up just prior to the shooting. In the dead man's waistband was a butcher knife with a seven-inch blade. In his pocket was the address of the British consul. Among his effects was found a work-card of the United Brotherhood of Carpenters and Joiners issued by the San Diego union.

DUEL FOR LOVE MAY COST TWO LIVES

(Journal Special Service.) San Bernardino, Cal., June 21.—Jose Hernandez and Pontoleon Magdalena are dying at the county hospital of pistol wounds close to the heart, as the result of a duel fought in the outskirts of the town at an early hour this morning. Both became enamored of a pretty Mexican girl. She professed love for both, and to settle which should win her they decided upon a duel, and shortly after midnight took revolvers, went to the suburbs, stood off 20 paces, turned on each other and fired.

Both dropped and fired again. When found by the police Hernandez said he

had been robbed, but could give no details. His assailant, while Magdalena said that his wound was self-inflicted.

"The officers worked every possible clue from robbery to jealousy, and finally a countryman of the dying duellists explained the cause of the trouble."

It is understood that warrants will be issued for the arrest of both participants in the duel and should either live he will be prosecuted for assault with a deadly weapon. In the face of the facts both wounded men stick to their original stories.