

VOL. IV. NO. 94.

PORTLAND, OREGON, FRIDAY EVENING, JUNE 23, 1905—SIXTEEN PAGES.

PRICE TWO CENTS. ON TRAINS AND NEWS STANDS FIVE CENTS.

MITCHELL WAS AID TO EXPEDITE CLAIMS

Testimony That He Was in the Habit of Serving as Attorney While Senator.

Court Admits Testimony as to Other Transactions Than Those in Point—Tanner Spends Morning on Stand

A point was scored for the prosecution this morning in the trial of Senator John H. Mitchell. Despite the vigorous objections of counsel for the defense, the prosecuting attorney was permitted by the court to introduce evidence which is designed to show that the defendant, while United States senator, carried on an extensive practice before departments at Washington, receiving fees from many clients, among them John A. Benson of the Hyde-Diamond-Benson ring.

The purpose of this evidence is to disprove the contention of the defense that Senator Mitchell had no knowledge that he was receiving fees from Frederick A. Kribbs for services rendered by the senator in expediting the patenting of Kribbs' timber claims. Judge Bennett, in his opening address to the jury, clearly intimated his intention to show that Mitchell was in ignorance of the fact that he was receiving a part of the fees paid by Kribbs to Tanner, the senator's partner.

To rebut this contention, the prosecution began this morning the presentation of evidence designed to show that "in many instances fees were paid to the firm for services rendered by Mitchell at Washington, and that he not only had knowledge that these fees were paid, but also received his share of them."

The introduction of this line of evidence was warmly contested by the defense, but Judge De Haven held that it was admissible. The entire morning was occupied by the testimony of Judge Tanner, who was questioned closely as to the transactions in question.

Though the developments were less sensational than those of yesterday afternoon, when Tanner told the story of Mitchell's return from Washington on last December and his desperate efforts to avert the indictment which threatened him, still the evidence given today will play an extremely important part in the case.

In view of the widened scope of the testimony it is now thought probable that the case will occupy the greater part of next week. It is evident that the government's evidence will not be concluded tomorrow and at least a day will be required for the submission of evidence by the defense. It is doubtful whether the case will reach the jury before next Wednesday.

Mitchell's Famous Letter.
Tanner resumed the witness stand when court opened this morning. Mr. Heney at once took up the subject of the famous letter sent by Senator Mitchell to Tanner by the hands of Harry Robertson on February 6 of this year.

"Did you ever receive this letter?" asked the district attorney.

"I did not."

"The letter says, 'Your friend with letter did not arrive here until today. Who was the friend to whom the letter alludes?'"

"My brother-in-law, H. D. Miller, replied the witness.

In answer to the lawyer's questions, Judge Tanner said that he had no copy of the letter which he sent to Mitchell by Miller, and the defense promptly objected to any testimony as to the letter's contents. The objection was overruled, however, and the witness continued:

"I can't recall all of the letter, but it recounts what had taken place up to that time before the grand jury. I wrote that the government had compelled Kribbs to give up the checks which he had given to the firm, and said that the government would be able by those checks to trace the money into Senator Mitchell's bank account, and thus show that he received one half of these fees. I suggested as the only explanation that could be given that he had received this money in the nature of an overdraft, or overpayment by the firm, to be accounted for later."

Judge Bennett renewed his objections to this testimony and the court acceded

WE HAVE PAID THE PRICE.
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An English officer with the Japanese army tells of the meeting of a Russian brigade commander and an aid to General Nodzu after the defeat at Mukden. "We have paid the price," said one. "Yes," returned the other. "On each side we have paid the price of peace."

HERE'S THE STORY HIS FATHER TOLD

W. R. Shannon, Son of Youngest of Party That Accompanied Lewis and Clark to Oregon Country, Only Living Man Who Got Tale of Adventure First Hand.

But one living man has heard from the lips of his father a survivor's account of the long journey of Lewis and Clark 180 years ago. This man is W. R. Shannon of Fowler, California, with his wife arrived yesterday morning and spent the day with Rev. and Mrs. Andrew Monroe of Montavilla, Mrs. Monroe is his niece. Mr. Shannon's father, George H. Shannon, was the youngest member of the Lewis and Clark party. He ran away at the age of 14 to join his former schoolmate, Meriwether Lewis.

"I remember when I was a very small boy," said Mr. Shannon, "my father telling of escaping from the care of his uncle and of following the exploring party. His story says my father joined the party at Pittsburgh, but this is not true, for though he met the party there he did not join it for some days. He took the first opportunity to leave school and in a canoe followed the Ohio river until he reached the expedition at the Ohio falls. When he was a very small boy Lewis had been the big boy in the school he attended and a warm friendship existed between them years before Lewis led the expedition to the west."

Mr. Shannon heard the story of the expedition from his father for the last time some 70 years ago, but few details of the long journey have escaped his memory.

"I remember father's stories of the camp in the Black Hills during the winter and the winter camp at Fort Clark, which he remembered as a collection of log and dirt huts beside a wonderful river that seemed a flowing ocean in its immensity.

"Father was one of the party that was chosen under the command of an ensign to conduct a party of Mandan chiefs to Washington, and in a battle with Canadian traders and Blackfoot Indians father was wounded, and later died of his wounds."

After returning from the expedition Mr. Shannon continued his legal studies and later moved to Missouri, where he

VON BUELOW ASKS IF GERMANY'S READY

Wants to Know Whether Army Is Prepared for War With France Over Morocco.

Official announcement is made that Germany intends to maintain a permanent flying squadron consisting of powerful fast cruisers in the Pacific similar to the squadron in the Indian ocean. The intention of Germany is to increase her prestige in these waters.

Marked military activity continues along the Franco-German frontier, and a feeling of unrest exists among the people on both sides.

As yet the German government has given no word concerning its attitude over the reply sent by France. It is probable that no statement will be made until the French note forwarded to Germany will be semi-officially communicated to the powers signatory to the Madrid convention.

PARIS IS ANXIOUS.

Pessimism Over Situation Rampant in French Capital Today.

Paris, June 23.—Great anxiety is manifested both by the public and the government officials. The pessimism rampant is reflected again on the bourse today when rentes suffered a further decline. The government has not yet received word concerning the attitude which Germany intends to take. It is semi-officially expressed that an exchange of notes has served to remove false impressions and produce a permanent agreement if Germany is prepared to reciprocate the conciliatory advances made by France. Premier Rouvier states that negotiations are pursuing their normal course.

Want Demos to Arbitrate.

Springfield, June 23.—The mine-workers today proposed to the operators to submit all differences growing out of the shutters' bill to arbitration, Governor Denison to act as arbitrator, and his decision to be final.

SUSPECT DEATH OF SWINDLER IS SHAM

Philadelphia, June 23.—That Benjamin J. Gaskell, who for many years lived in luxury on forged stock certificates and, dying, dragged one trust company to destruction, even now shaking others, is not dead, but in hiding, awaiting the first favorable opportunity to escape to Europe, is the persistent rumor that has set the stock exchange and the whole business heart of Philadelphia to palpitating. Already official investigation has been begun by Coroner Durgan, who, after a careful examination of the facts, declared that he stood ready to take the action necessary on an affidavit being sworn out.

It is recalled that when the announcement of Gaskell's death was made three weeks ago there was no funeral. Not even his closest friends and business associates. A coffin said to contain the

JAPANESE VICTORIES MAKE CHINA ARROGANT

Washington, June 23.—China is about to take the question of Mongolian immigration into the United States into her own hands. Within a few weeks the Japanese press will publish an edict forbidding Chinamen of the laboring class to make an attempt to come to this country.

It is one of the most important reforms the government has ever considered. It means not only the improvement of relations between China and the United States through the removal of many irritating questions, but is an assertion on the part of the celestial empire that it is an independent sovereignty and of sufficient purpose to

ALFONSO APPROVES CABINET

Madrid, June 23.—King Alfonso has approved the cabinet formed by Premier Montero. General Weyler will be minister of war; Senor Sanchez Roman, minister of foreign affairs, and Senor Urzua, minister of finance.

Miles Denies Report.

Boston, June 23.—General Miles today denied the report that he was to marry Mrs. Huidkoper, a wealthy Philadelphia widow.

FATE WITH ALEXIEFF THE JURY RELIEVED

Evidence in Rumelin Case Weighed by Men Who Heard It.

WOOD CALLS HIM THE WATCHDOG OF TREASURY

Splendid Eulogy of Accused Councilman Uttered by His Attorney Who Says He is Savior of City.

The jury in the case against Councilman Charles E. Rumelin, accused of attempting to bribe William C. Elliott to report adversely on the Maney bid for the Marquam gulch bridge contract, was charged by Judge George and retired at 9:45 o'clock. At a late hour it had not reported a verdict. The jurors went to luncheon at 1 o'clock.

District Attorney Manning and C. E. S. Wood presented the evidence to the jury in their final arguments upon two theories which were diametrically opposed. Mr. Wood held up Rumelin as the watchdog of the treasury, the protector of the people's money, and the savior of the municipal government from the grafters, and one who had been persecuted by the district attorney and pursued by ex-City Engineer Elliott, who wanted revenge upon the abused councilman for starting the investigation which resulted in the dismissal of Elliott and Scoggin.

He said the present city administration was rotten, and that the Tanner creek sewer was the worst feature of the whole business.

He referred to Elliott as "that scoundrel ex-city engineer, and to Scoggin as that jailbird-faced Scoggin." Another time Mr. Wood called Elliott "that thief and betrayer of his trust." He spoke of him, too, as a "liar and perjurer." After he had ended his argument, Mr. Manning arose and said:

"Mr. Wood has told you that Elliott should be damned, Scoggin should be hanged, and Rumelin should now be playing a golden harp in heaven because he is of too fine material to come in contact with the dross of this earth. Let me indulge in a quotation that seems to me better to fit this case:

Chance for Monkeys.

"When thieves get out honest men get their dues. Inasmuch as counsel for the defense has resorted to abusive statements, I want to say to you, gentlemen of the jury, speaking of faces, take into your juryroom the pictures of Elliott, Scoggin and Rumelin, and show how it ate into the body politic and destroyed the purity of government."

Deputy Haney made the first argument before the jury. He sought to establish a motive for the withdrawal of the bid by Maney, which cost the Marquam gulch bridge, which, according to the bid of Maney, was to cost \$35,121, but which, according to City Engineer Wanzler, has now cost \$43,000, a difference of \$7,879 between the proposed price of Maney and the actual cost. The extra, he declared, were expected to be allowed when the bids were submitted, and it was from them that the profit was to be made. Mr. Haney emphasized the crime of bribery, showed how it ate into the body politic and destroyed the purity of government.

James Gleason followed for the defense and attacked Elliott and Scoggin bitterly. He attempted to show that delay in prosecuting Elliott was due to an understanding between him and the district attorney, to the effect that if he would testify against Rumelin the case against him would not be pushed.

Mr. Wood Eulogizes His Client.

Then came the eulogy of Mr. Wood of Councilman Rumelin, in which the city's one true hero was held up to public gaze as a legislator who, when grafters were fattening at the treasury crib, first stepped forward alone and unaided and demanded that this looting of the people's money stop, and that the grafters be relegated to the "demition bow-wow."

"When so many were feasting from their ill-gotten gains, it was the defendant who came to the rescue of the people," said Mr. Wood, "and it was his resolution introduced in the council for an investigation of the Tanner creek sewer scandal that put a stop to the deplorable looting of the public treasury," or words to that effect.

(Continued on Page Six.)

Viceroy of Far East Retired and Appointed Imperial Councilor.

PEACE TALK IS RENEWED BY PRESIDENT'S RETURN

Japanese Advance Is Developing All Along the Line, Oyama Definitely Assuming the Offensive.

(Journal Special Service.)
St. Petersburg, June 23.—It is officially announced that Admiral Alexieff will be relieved of his duties as viceroy in the far east and named as a member of the imperial council.

The minister of the interior has prohibited the publication of the Russ for a period of one month.

It stated authoritatively that a new international law is being projected.

The governor of Moscow has posted notices of the forthcoming mobilization of troops and exhorting the people to be calm. This mobilization is expected to take place June 29.

Reports from Lodz say that disturbances have been renewed; that the situation is serious, and that workmen are armed and fighting with the military. A man carrying a bomb was arrested this morning in front of the Malewki police station at Warsaw. He refused all information regarding himself.

TO ARRANGE ARMISTICE.

President's Return Gives a Fresh Impetus to Peace Propaganda.

(Journal Special Service.)
Washington, D. C., June 23.—The return of President Roosevelt has given a fresh impetus to peace negotiations, and the announcement of a definite move to secure an armistice is expected. The president spent the morning in discussion with Secretary Taft and going over the telegrams from Tokio and St. Petersburg that had accumulated during his absence.

Mr. Taft, who immediately on the return of President Roosevelt has returned to Washington today. Word has been received from St. Petersburg that Count Cassini will not participate in the peace negotiations, but will leave for Europe immediately on the arrival of his successor, Baron Rosen. The selection of plenipotentiaries by the two governments has been completed, and will be announced briefly. No assistance is expected from Great Britain in arranging an armistice.

This afternoon it is stated officially that, owing to the illness of Count Lamoriniere, the Russian foreign minister, there has been a slight check in peace negotiations.

LINEVITCH SURROUNDED.

(Journal Special Service.)
St. Petersburg, June 23.—A Ganush Pass telegram states that the Japanese advance is developing all along the line and that Marshal Oyama has definitely assumed the offensive. Linievitch's position appears to be seriously compromised. The Russian army promptly falls back on Harbin another disaster is inevitable.

It is believed that Linievitch is almost surrounded and that a retreat is threatened. Oyama's right wing is on the Mandarin road and has practically cut off Vladivostok.

It is not unlikely that heavy rains will stop the progress of the battle, as operations are being greatly impeded, the Manchurian plains are flooded, and the roads are almost impassable.

Apparently the Russians are preparing to retreat. The Russian advance lines are crossing the railroad more or less hurriedly in order to avoid being flanked until the positions at Sipinghai is reached.

RUSSIANS REPULSED.

Oyama Reports Two Skirmishes in Field Result in Japanese Victories.

(Journal Special Service.)
Tokio, June 23.—Oyama reports that the Japanese repulsed 1,000 Russians in the vicinity of Wankutskeu on June 22.

(Continued on Page Six.)

COURT WILL ADJ IN EQUITABLE INQUIRY

(Journal Special Service.)
New York, June 23.—District Attorney Jerome appeared before Recorder Goff this morning and made a motion that the June term of court, which ends next Thursday, be continued indefinitely in order that the public prosecutor might have the aid of the court in connection with the proposed investigation of Equitable affairs.

Jerome stated that he had arranged with Justice Davy of Rochester to continue the June term of the criminal branch of the supreme court for a similar reason. Jerome said that he is in a position to say whether a crime has been committed, but in view of the fact that the people or the entire world are affected by the Equitable trouble,