

Blue Mountain Reserve Land Fraud Trial Nears End—Midnight Session Tonight Will Place Case in Hands of Jurors

The Blue Mountain land fraud case will go to the jury tonight. This was the announcement made from the bench this morning by Judge Hunt. To bring about the desired result, the evening session of the federal court will, if necessary, run until midnight. Under the schedule adopted, argument for the defense will be completed by 9:30 o'clock.

Then an adjournment is to be taken until this o'clock, at which hour Special Assistant Attorney-General Fenton will begin the closing argument for the government. He is to be limited to three hours. Assuming that the court's instructions will not take more than an hour and a half, the conspiracy case in which Senator Franklin Pierce Mays, Willard N. Jones and George Sorenson are the defendants at bar will reach the jury about midnight.

At the trial there is close public interest. This morning the aisles were crowded. As for this evening's attendance, it is predicted that the number of persons who will admit to the courtroom will be greater than the capacity of the courtroom.

Bill the Central Figure. W. Lair Hill, one of the three attorneys for Senator Mays, was the central figure of this morning's proceedings. He devoted much of his time to the nature of the evidence and to the nature of a reasonable doubt and advising each juror that if he were not wholly convinced it was his duty to "be a hero and stand pat."

Getting down to the evidence, Attorney Hill argued that, according to the testimony, Sorenson operated on his own account; that Jones acted on his own account; that Congressman Williamson asked the creation of a reserve from the land owned by Mays. The inference drawn by the pleader was that there was no agreement. If there had been a conspiracy, he argued, the defendants would not have worked at cross purposes.

Attorney Fenton, chief counsel for Senator J. P. Mays, began this afternoon his argument to the jury in the Blue Mountain land fraud case. He stated that all the documents introduced by the government were the applications of school lands were innocent. He pointed out that the defendants were not being charged with committing any crime with either S. A. D. Puter or Forest Superintendent Ormsby, saying that when such charges were brought to trial the defendants would be ready to meet them.

Attorney Fenton next insisted that if United States Senator John H. Mitchell, Congressman J. N. Williamson and Commissioner Binger Herman were not members of the same political faction there would have been no indictment. Referring to Puter's testimony that he paid \$2,000 to Senator Mitchell, he compared this particular witness to a devil fish, as one who blackens the character of both the President and the Senator.

In declaring the innocence of Senator Mitchell and Commissioner Herman, Attorney Fenton said: "There is no evidence to show that either Senator Mitchell or Commissioner Herman made application for any of the school lands involved in this case."

Confessed a general denial that there was any conspiracy, but that Mays Jones and Sorenson were dragged into the indictment in the hope of reaching Mitchell, Herman and Williamson, one of whom, Mays, had incurred the personal enmity of Attorney Hitchcock of the interior department.

San Francisco, Sept. 12.—The run on the Hibernia Savings bank continued today. The line of depositors is said to be long, reaching to the paying tellers. All are paid promptly. There is no disorder. The general belief in banking circles is that the run is unwarranted and the institution is sound.

Tacoma Eastern is Running Surveys With Portland as Destination.

(Special Dispatch to The Journal.) Tacoma, Wash., Sept. 12.—News reached here today from the Big Bottom country that the Tacoma Eastern railroad is running surveys from Morton on the Tilton river in the vicinity of Portland, and the supposition is that the road has that place as its destination.

The road is now constructed and trains are operating to the mines of Morton. From Morton a survey is also being run eastward to Vancou, on the Cowilla river, and up that stream to the pass, and the report that the road is to be built also to North Yakima is credited by the settlers. The Tipton pass is also being investigated by the surveying parties, and if it presents no serious engineering disadvantages, it will probably be selected as the best crossing of the Cascade on account of the rich country of the east side of which it is the western gateway.

The line to Portland through the Big Bottom country will traverse the extensive territory, running to the east of the beaten path now used by the Northern Pacific and shortly to be invaded by the Union Pacific. The region is rich in timber, mining and agricultural and horticultural prospects, and would make a road penetrating it immensely profitable.

The ownership of the Tacoma Eastern is still a question of great doubt and perplexity among the men here. Certain it is that the line is not owned by the Union Pacific or Milwaukee. Many believe that the North Coast or the Northwestern railroad are behind it, but no information is to be had. The fact that Edward Cockingham of Portland, cashier of the Ladd & Tilton bank, is its president, is accepted as evidence here that the road will eventually connect the sound and Portland.

Married and Divorced. Then she went to San Francisco and married a man by the name of Nichols who is said to be wealthy. Her married life was brief, the couple being divorced within a few months after the ceremony. After the earthquake she came to Portland and has been here since that time. It is said that within the five months of her life in Portland she has been the beneficiary of gifts of the value of thousands of dollars by the clerk in the office of the gas company.

Mrs. Nichols is prosecuted as a result of the information which showed her deeds and is under the care of a physician. W. W. Banks, attorney for the defaulting clerk, relieved the tedium of consultations with his client by the night, and he is now in the city. Both she and her aunt, who almost always accompanied the young couple on their nightly pilgrimages to Claremont, the Federal house and other resorts, deny that they were aware that the young man was stealing the money with which he entertained them so lavishly. They say they were ignorant of the fact that he was wealthy and that he was allowed a large expenditure by claiming to be interested in the Federal convict company and also in the manufacture of cigarettes.

Escaped Convict is Wholesale Smuggler. (Special Dispatch to The Journal.) El Paso, Tex., Sept. 12.—With a view of minimizing the danger of an outbreak of the Federal convict company, Governor Creel of the state of California has ordered the mayors to close their saloons on September 15 and not open them until September 17. President Diaz has similar instructions to every other governor in Mexico.

Escaped Convict is Wholesale Smuggler. (Special Dispatch to The Journal.) Seattle, Wash., Sept. 12.—Nine millions were registered in the elections in this city and King county. The Seattle voters were called upon to decide for or against municipal ownership of a new streetcar system to parallel the present corporation which owned the lines, at a cost of \$7,000,000. Additional water system bonds were up for the city voters' approval at a cost of \$2,000,000. There was also a vote for ratification of the bond issue for the new Lake Washington canal project, approved by a special act of congress.

Storm Signals are Ordered Displayed. District Forecaster Edward A. Beale ordered storm signals displayed this morning at the coast. Indications of storm appeared last night most unexpectedly and at 11:40 rain commenced to fall so heavily that by 5 o'clock this morning the instruments at the weather bureau showed .53 of an inch. The rain will probably continue for a couple of days and strong southerly gales are predicted along the coast.

Storm Signals are Ordered Displayed. (Special Dispatch to The Journal.) Seattle, Wash., Sept. 12.—Republican caucuses are being held throughout the county this afternoon, preparatory to a bitter fight between the Boxers and Ankeny wing of the Republican party at the primaries tomorrow afternoon.

Called Coast Beauty by Bay City People

(Special Dispatch to The Journal.) Boise, Idaho, Sept. 12.—Deputy Sheriff Charles E. Burdick and A. C. Watson of Denver arrived in Boise this morning with the requisition for Steve Adams, charged with the murder of Lyte Gregory in Denver May 13, 1904. They represented the matter to Governor Gooding, who called Attorney-General Gooding into conference for advice. In the meantime Adams is being held by Sheriff Sutherland, charged with the murder of a man named Tyler on the St. Joe river in August, 1904, who insists that he had no part in it to take his prisoner to Shoshone county for trial.

After repeated efforts of Attorney Harrison and Darrow they gained admittance to the requisition and saw Adams for a few minutes. Warden Whitney and Sheriff Sutherland were present and insisted on hearing everything that was said. Adams told his lawyers that he had something of importance to say to them privately, but the officials refused permission and also declined to permit Adams to write his message and deliver it to his lawyers. It is expected that Governor Gooding will decide whether or not he will honor the Colorado requisition this afternoon. Adams' attorneys raised no objection to his being taken to Colorado.

Rainfall Controls Big Forest Fires. (Special Dispatch to The Journal.) Cove, Or., Sept. 12.—An all-night heavy rainfall after a long dry spell has not only brought relief to drying crops but has done much toward helping M. P. Griffin, forest ranger, in reducing the acreage of timber destruction by fires in the south fork of Little Minam section.

Here, as elsewhere, the cause of these timber-destroying fires is traceable to the criticism of the fire company. By cutting parties from the towns—except in the one instance, where lightning started the fire in the timber in south fork of Little Minam about the middle of last month.

Littlefield Claims Gompers Aided Him. (Journal Special Service.) Washington, Sept. 12.—Congressman Littlefield said today that Senator Gompers aided rather than defeated him in the campaign for a determined effort to make in Littlefield's district to get the repeal of the Smith act. The issue was wholly local, but Littlefield was in great danger when Gompers "budded" at the psychological moment. The people objected and Littlefield's opponents were beaten.

Willamette Current is Corvallis Paper. (Special Dispatch to The Journal.) Corvallis, Or., Sept. 12.—Wall Smith, for years a newspaper man in Utah, and Milton Morgan, a local job printer, will be partners in establishing a new newspaper at Corvallis. A \$2,000 outfit has been ordered in the east, including a two-revolution, high speed Campbell press. It will be a seven-page, eight-column weekly in beginning and transform to a daily later. This is the third paper in Corvallis to be owned by the Willamette Current. The first issue will be sometime the last of September.

Fifty Millions Suit Referred to Auditor. (Journal Special Service.) Boston, Sept. 12.—The supreme court denied a motion to vacate and ordered referred to an auditor the suit for \$50,000,000 by Cadwallader M. Raymond against H. H. Rogers and others, suit for an alleged breach of contract in the non-payment of royalties on the secret process of making a petroleum explosive.

J. P. Gilmore Falls Dead While Hunting. Ashland, Or., Sept. 12.—J. P. Gilmore, a well-known resident of Ashland, while out hunting yesterday a few miles from the city, fell over a log dead. He had been troubled with heart disease. Deceased was a partner of the Willamette valley and prominent in Masonic circles.

Denver Arrives in Harbor at Havana. (Journal Special Service.) Washington, Sept. 12.—The Denver undoubtedly is now in Havana harbor. A cable was sent at 8 this morning of American Shoaib, which are 75 miles from Havana.

Thirteen are Killed by Canadian Wreck. (Journal Special Service.) Sudbury, Canada, Sept. 12.—Thirteen are dead as the result of a wreck on the Canadian Pacific this morning. The third section of number 1, eastbound, was taking a siding for the third section of number 2, westbound, when the latter crashed into it, hitting the baggage car at the new angle, upsetting the Pullmans and into a ditch. Many were killed outright and others burned to death by the flames following.

Officials Now Investigating Conditions Between Baker City and Richland.

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Advertisements for various services including 'Second Hand Furniture Wanted', 'Attention Neighbors', and 'To-Night! Better Comb'.