Testimony of Prosecution Has All Been Offered - Defense Will Begin at Once.

GOVERNMENT RESTS IN

BINGER HERMANN TRIAL

MAYS TOLD HERMANN

Testifics Hermann Wanted to Know How Much the Government Knew of Contents of Destroyed Copy Books.

(Washington Bareau of The Journal.) Washington, March 28 .- At the trial Binger Hermann the government sted this afternoon, asking to reserve

John white a straight of the second s d the court this morning that he was sent at the famous craference in stember, 1901, between Meldrum, Her-nn, Mays and H. L. Patterson in Mel-

drum's office. He said they conferred with refer-mee to the Blue Mountain forest re-serve. Rowland brought maps at Al. Meldrum's direction which the others tudted, selecting the lands that Mays wanted to have included in the reserve. Rowlang had no part in the conversa-tion whatever, merely bringing the plats at the direction of his superior. Mrs. Puter swore that ahe burned all Hermann's letters to Puter in Janu-ary, 1506, when she was cleaning the attig in their home at Berkeley, Call-fornia.

brnis. Irvin Rittenhouse related the conver-ation at Watson's restaurant in Port-and at the time that Hermann was trat under charges. He said Hermann matted to know how much the govern-ent knew of the contents of his 35 siter press copybooks which had been estroved.

What the Charges Were.

The prosecution has consumed nearly ery trial day for the past six weeks its direct testimony. It is believed at not loss than three weeks more will required to send the case to the

The government's case was first, to establish the fact that in the 25 books leatroyed were copies of official let-ers; second, to show a motive for de-troying these official letter copies by proving that some of the letters were written by Hermann to individuals in Oregon and elsewhere who were con-armed in crimes against the government, upecially as to the Blue mountain for-at reserve computacy.

especially as to the Blue mountain for-est reserve conspiracy. The defense admits the destruction of the 35 books, but insists that the books were the private property of Hermann, and that although some of the latters related to the business of the department, nevertheless the books were his own property and were prop-traud cases.

JUDGE TAKES PART

IN A DIVORCE TRIAL

Frazer Tells Phillips He Had Evidently Shown No Mercy to His

Wife-Acrimonious Dispute Between Attorneys for

Plaintiff and the Defendant.

and that he destroyed them because in did not care to keep them on account of their being so bulky; that he de-stroyed them or caused them to be de-stroyed openly by giving orders to mea-sengers employed in the department. Another Technicality Involved. State Board Votes to Eliminate (Special Dispatch to The Journal.) Salem. Or., March 18.—The state board of agriculture at its meeting yes-terday afternoop voted to eliminate all

VS TOLD HERMANN WHAT LAND TO RESERVE and the right of Hermann to make and the right of Hermann on the court to be decided by Judge Stafford and that this question will have a vital bearing on the outcome of the case. This view is taken by counsel for the defense, which will probably undertake to present the question in a manner so as to elicit from Judge Stafford a fa-vorable culture

vorable ruling. The prosecution contends that it is not easential that it prove a criminal motive for the destruction of the books, and that under the law their destruction in itself if proved is sufficient if Hermann knew the books contained official records.

adopted by various granges in all sec-tions of the state together with the demoralizing effects of pool selling among the young have necessitated this step to be taken by the board. To the fair it means a great deal financially, for the eliminating of pool selling will cut the revenue \$1,800, which was paid for the privilege by William B. Ayer. The sentiment against gambling at the state fair was manifested at the recent session of the legislature when To show a motive the government has indertaken to prove that crimes were ommitted, that Hermann, the late Sencrimes were the late Sen-man J. N. tor Mitchell, ex-Congressman J. N. Williamson, State Senator F. P. Mays recent session of the legislature when the bill introduced by Representative W. R. Newell of Washington county failed Willard Jones and George Sorenson en-tered into a conspiracy prior to the cre-ation of the Blue Mountain forest re-serve. The government also went into the fact of Hermann's discharge from the commissionership of the general land office and that Secretary of the Interior Hitchcock requested his discharge after hearing of the manner in which the commissioner handled reports of western land frauds, by withholding them instead of passing them onward for action by the secretary such as the situation war-ranited. Willard Jones and George Sorenson en Many fairs throughout the union have eliminated gambling and have profited thereby. In Minnesota the state fair has grown into a gigantic enterprise and by doing away with gambling the at-tendance has made wonderful strides. In Ohto, Iowa, Indiana, Illinois and other anted

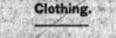
Many Witnesses Znamined.

Many Witnesses Anamines. The most conspicuous among the prosecution's witnesses was Stephen A. D. Puter, who is known as the "king of the land frauds," and next to him in the importance of testimony given were George Sorenson and Henry Meldrum. both under conviction for land frauds in Oregon. Puter has been in the custody of Jack Kerrigan of Portland. Other witnesses were John W. Row-

of Jack Kerrigan of Portland. Other witnesses were John W. Row-land, ohief clerk of Surveyor-General John D. Daly of Portland; J. T. Bridges, formeriy of the Roseburg land office; Emms L. Watson, famed as one of the original group of persons caught in Francis B. Heney's land fraud net. Daniel W. Tarpley of the same group; William H. Davis, S. B. Ormsby, B. T. May of Le Grande, who identified sen-sational correspondence between himself and Mr. Hermann in which May obarged Hermann with revealing to Robert The work of creeting the new build The work of erecting the new build-ings for which the recent leafsisture appropriated \$20,000 will begin imme-diately. S. A. McFadden of this city has been selected to prepare the plans and estimates for the new sheds for the livestock. A gang of convicts will do the work. It is expected that much of the lumber from the old building will be utilized wherever it can be done to good advantage.

and Mr. Hermann in which May charge Hermann with revealing to Robe Smith, manager of the Grand Rom Lumber company of Perry, Oregon, it formation given by May relating fraudulent entries by employees of th company; Clark E. Loomis, Richas Houghton, W. G. Steele, H. L. Patterso L. W. Kinniard, Judge A. H. Tanne martner of the late Senator Mitche

Julia Griner Suspects Theft and **Goes Through Mrs. Gillis'**



dainty peek-a-boo waist of the variety recently condemned by the W. C. T. U., a black silk underskirt and two pretty young women, one a blonde and the other a brunette, were the principal features in an interesting police court trial this morning. Incidentally whisperings of an attempt to "fix" the complaining witness and the apparent re-luctance of the prosecuting officer to press the case added considerable spice

For Two Years This Issue Has Moy Bak Hin Asks and Is Given Been Constantly Before the People.

FOR OWNERSHIP

(Becial Dispatch to The Journal) Eugens, Or., March 28.—The annual Monday, April 1. While the present campaign has been a very quiet one, at he issue, that of municipal ownership of the water plant, is a popular one. Two strong tickets are in the field nod while both sides have been working ing the rast month, very little of the provides elections to the detriment of the city has been given the work. For mayor the municipal ownership the issue, that of municipal ownership of the water plant, is a popular one. Two strong tickets are in the field nod while both sides have been working the city has been given the work. For mayor the municipal ownership the difference of the detriment of the city has been given the work. For mayor the municipal ownership tired merchant and former mayor and city councilman. The opposition forces

severely criticised for permitting gamb-ling on the grounds and the resolutions adopted by various granges in all secprevious elections to the deiriment of the city has been given the work. For mayor the municipal ownership forces are running J. D. Matlock a re-tired merchant and former mayor and city councilman. The opposition forces have named F. W. Osborn, cashier of the Eugene Loan and Savings bank. Both have large property intreets in Edgene and both are capable men. The candi-dates for councilmen on the municipal ownership ticket are " H. jarrett. George Fisher, I. N. Harbaugh and F. J. Berger. Those on the opposition ticket are M. Systerend, Frank N. McAilleter, G. W. Griffin and George G. Cross. All are representative citizens. The candi-ditag. alting.

Elstory of ownership Blovement

Ristory of the municipal owner-hip movement in Edgene dates back about we years. The matter was first agitated while G. R. Chrisman was mayor, Mr. Chrisman being at that time an advocate of municipal ownership. Two years ago next month F. M. Whi-kins, the present mayor, was elected and the movement by his election received an impetus, as he was strongly in favor of it and in his op-ting message to the stones to purchar, the water and elec-tric light plants then in operation here, but if this was impossible, the company refusing to sell, it was advised that the city construct fits own systems. **Botarded by Fromises.** In Ohto, Iowa, Indiana, Illinois and other states poolselling, bookmaking and at-tractions with objectionable features have been removed. President W. H. Downing has an-nounced the following appointments of superintendents in addition to those made at previous meetings: Favilion. W. H. Savage of Corvallis; ladies' waiting room, Mrs. E. A. Holton of Salem; poultry, H. C. Schelhaus of Portland, formerly secretary of the State Poultry association; ticket de-partment, Frank Lee of Portland; for-age and barns, J. T. Beckwith of Jef-ferson; camp grounds, Albert Tosler of Balem.

Betarded by Promises.

traceable to the city water supply. The clamor for municipal ownership of the water plant was greater than ever, but the new company made many promises to remedy en existing conditions and many leading citizens, including Mayor Wilkins and some of the coun-cilmen, changed front and were in fa-vor of giving the company a chance to redeem its promises. in its promises.

to redeem its promises. Bonds Loss by a Scratch. So it was decided to hold another election to see whether or not the vot ers had changed their minds on the votes were counted and it was found that the bonds loss by a small ma-lority. The fever epidemic increased in fury and after a few weeks the people regretted that a second election was ever held and had they been given a chance to vote a third time the bonds would have carried thres to one. The company finally put in filters at the pumping plant and dug a well near the banks of the Williamite fiver, from which stream the water was taken be fore and during the fever epidemic, and pure water was at last secured and is now being furnished the public, but the prejudic against the corporation still remains and the indications are that the municipal ownership tickst will w elected in its entirety next Monday. <text><text><text><text><text><text><text><text><text><text><text><text><text><text> Mrs. Julia Gillis, the blonds, was the

Protection by the Portland Police.

HIS COMPATRIOTS

EUGENE'S FIGHT CONSUL FEARS CAPITAL IS FULL OF

Consul Threatened. Consul Threatened. The day set for closing the deal some white man, supposedly acting for a Chinaman, asserted to be. Moy Bak Hin, made a larger offer for the prop-orty at Fourth and Everett streets. At the disorderly mass meeting which was called to discuss this unexpected de-velopment the name of the semperors far as to indulge in threats. It developed that Moy Bak Hin re-cently purchased a piece of property at Second and Salmon streets on which his is said to be contemplating the erec-tion of a mammeth building to house all of the local Chinese. It was currently representative for the north end property was made at the instigation of Moy Bak Hin. Formal days are Man Hop, a promi-

Several days ago Man Hop, a promi-nent Chinese from Seattle, and incident-ally an avowed enemy of the local con-sul-general, made his appearance in Portland. Concomitant with his ar-Portland. Concomitant with his ar-rival it is said that a petition to the minister at Washington asking for the removal of Moy Bak Hin made its ap-pearance in the celestial guarter. The Chinese in their alleged enger-ness to secure the scalp of Moy Bak Hin have overlooked the fact that

under the Chinese law he can ask for the decapitation of all of the relatives in China of those who are opposing him on the grounds of treason. Both sides are resting on their arms, but it would not be surprising if a tong war resulted. Another mass meeting was resulted. Another mass meeting was held last night, but was not marked by any dis-order. It is thought that Moy Bak Hin feared that an attempt might be made to slay him as the aftermath of the left Portland and San Francisco and

gathering, and consequently prepared himself by calling for police protecwhere

M'KENNA JUNCTION

Railway Closes Deal With H. B. Adams-K. of P. Temple

Representative Hawley Says Willamette Spoken as One of the Natural Highways Which Should Be Opened That Competition With Railways Might Become Fact.

TALK ABOUT OREGON

Representative W. C. Hawley, who has just returned from a visit of several weeks to the congressional halls of washington where he was getting ac-quainted with the ins and outs prepara-tory to taking his seat there nant De-cember, comes back to Portland amil-ing and hisppy over the brilliant pros-peots of future effective and beneficial legislation for Oregon.

the grant.

Results of Expo

Taking it altogether I found that tory to taking his seat there nast De-comber, comes back to Portland amil-ing and happy over the brilliant pros-pects of future effective and benedicial legislation for Gregon. Mr. Hawley went to Washington early in the winter to rub elbows with his future colleagues and learn how much the spirit of the west had spread among the members of the lower house. He comes back satisfied that Oregon a bit whenever the name is mentioned Luck favored him upon nis arrival at the capital when he secured a seat lo-cated in the center of a group of house members who kept things itvely during the hast scasion, 17 days of which he attended. by the right kind of legislation when congress meets again." Asked regarding the Southern Pa-cific land grant, which was one of the objects of his visit to Washington at this time, Mr. Hawley said he had op-portunity while there to get the at-tention of officials in both the general land office and the department of jun-tice. The result is that a rigid investi-mation will be made, and while the out-come is, of course, uncertain, the repre-sentative from Oregon believes emphat-ically that the railroad company will be compelled to live up to the terms of the grant.

"One of the first congressmen I met" said Mr. Hawley this morning, "was Representative Gardner of Massa-chusetts. He was the spokesman on rootal

Results of Exposition. In this event about 3,000,000 acres of land will be placed on the market at \$2.50 per acre, the price fixed when the grant was made. A large body of agri-cultural and mining lands will be opened to settlers at a low price, a fact which will prove a strong impetus to the heavy immigration headed for the coast. heavy immigration headed for the coast. "There is no question but that the Lewis and Clark exposition acomplished an inestimable good for this state," said Mr. Hawley. "It is evidenced on every side throughout the east, and while I came in contact with only a small part of it, nevertheless there came to me from every source words and mu-sic sounding the praises of the Oregon

country. "That there is a tremendous move-ment in this direction is more clearly svidenced by the strenuous efforts being made by the railroads to corner the

Jones Oregon's Friend. "I find, too, that there is discussion and much sentiment in favor of im-provements to Coos bay and the har-bors of Oregon. And right here I want to say that in Representative Wealing L. Jones of Washington this state has a true and stanch friend. He is on the made by the railroads to corner the western traffic as much as possible. The roads are not only advertising the state extensively, but they are seeing to it that the trade thus originated is diverted over their particular lines." Mr. and Mrs. Hawley will remain in Portland until the last of the week be-

DELAYED PASSENGERS NOW SCRAMBLING FOR TICKETS

trains are again at this season of the year, and many Portland and San passengers holding through tickets have ht and today trains waited in Portland this week for the between Portland and San Last night and today trains railroad trains to get through, in prefer-ence to taking passage on the steamship Columbia, which left Tuesday night for probably transfer at Castello, the tracks are rent by a wash-San Francisco

out. It is believed by local officials that the train leaving Portland tonight for the south will be able to get through and land passengers at San Francisco without transfer. The promptness of the officials in re-storing the flood-swept lines to working order is occasioning much surprise and comment. Last night's train leaving for the south was crowded, and today's trains are filled. All reservations are spoken for hours ahead of their de-parture. The ocean trip is not popular out. It is believed by local officials that The transfer train from the south to-

RUNAWAY ENGINE CROSSES



STOP GAMBLING

Pool Selling and Book Mak-

ing This Year.

erday afternoon voted to eliminate all ambling devices from the state fair

rounds. There will be no pool selling nor bookmaking at the Oregon fair this ear. The radical move is one that has

suggied the board for some time, but

In past years the commission has been

year. T

idered carefully.

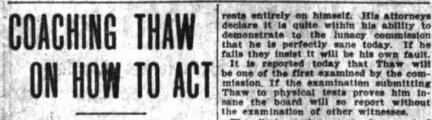
AT STATE FAIR

It was hard to tell who was the at-torney for the plaintiff in the divorce case of Mrs. Elizabeth Phillips against Charles J. Phillips before Judge Frazer in the state circuit court this morning, because Judge Frazer conducted a great share of the cross-examination of Phillips when he resumed the stand this morning. At one time Judge Frazer sold that it had been with dif-fue course of the trial and told Phillips that he had shown no mercy to his wite that he had shown no mercy to his wife

in all their troubles. Judge Frazer afterward stated that he should not have allowed himself to

bave gone so far. The Phillips case is unusual even in the list of unusual cases that have come up for trial in the local courts. Yester-day Judge Frazer was placed on the stand and testified in behalf of Mis-Phillips. Then Attorney Lent, appearing for Mrs. Phillips, was allowed to testify in behalf of his client, Mrs. Phillips Later Attorney John F. Logan, who ap-pears with Mr. Lent in Mrs. Phillips behalf, introduced Phillips answer to the compisint in -which he made grave charges against bis wife's character as evidence for Mrs. Phillips.

behalf, introduced Phillips' answer to the complaint in which he made grave charges against his wife's character as evidence for Mrs. Phillips. Marsh Words Fly. Imputations regarding the characters of both parties to the cuit flew back and forth as the different witnesses were placed on the stand. Mrs. Bertha Husbands, daughter of Mrs. Bertha Husbands, daughter of community.



Jerome Says He Will Cross-Examine Thaw If He Testifies **Before Commission.**

(Journal Special Service.) New York, March 28.-Dr. Evans visited Thaw in his cell today and was reported to be conching the defendant on how to act before the lunacy com-(Special Dispatch to The Journal.) Salem, Or., March 28.—Sol Hammock, a farmer living near here, was placed under arrest this dorning by City Mar-shal Gibson for rolling Emil Bauer and taking from his pockets about \$28 in coin. The affait took place in the rear of Collin's saloon. Four witnesses are reported to have seen the theft com-mitted. Both men had been drinking. mission. It is also reported that Evans was examining Thaw so as to testify before the commission on Thaw's presdition.

Evelyn and Mrs. Caine called on Thaw this morning at the Tombs. Eve-lyn's face was toarstained and Mrs. Coine admitted that she had cried all

defendant and Julia Griner, her op-posite in complexion, the complaining witness. Both women have resided in witness. I witness. Both women have resided in a rooming-house at 351 Taylor street and until the commencement of the oriminal proceedings, were bosom friends. The difficulty between the two women arose over the alleged theft of the waist and silk underskirt, designated as exhibits A and B.

FARMER IS ARRESTED

ON CHARGE OF THEFT

named as co-respondent in the case, as having also always believed Mrs. Phillips a sold woman. Phillips testified that he had always came on was informed of the at-tempt to "square" the case. Deputy District Attorney Bert Haney came to the assistance of the defendant and her relative by declaring that he did not be-grilling than did Phillips this morning. When Attorneys Logan and Lent could not, get what they wanted out of the witness, Judge Frazer took a hand and and cross-examined from the bench. Phillips fat various times throughout the trial. He forgot dates and defield the statements made by Mrs. Phillips testified that he and his brother if they won the divorce case. Phillips testified that he and his brother if they won the divorce trank when packing. This was denied in to be effect that he had threatened to kill both herself and his brother if they won the divorce case.



1. W. Sawyer, city ticket agent of the O. W. P., appeared before Judge Cameron this morning to answer to a charge of assault and battery preferred by his brother-in-law. J. T. Ockley. From the testimony adduced it ap-ried aistors, are occupying adjoining residences on East Everatt street. Ac-ording to Sawyer's story, Ockley and manual labor did not agree and the young man has been looking to his rel-atives for support. The other evening Sawyer took occasion to rebuke his brother-in-law for his idlences and the young offensive remarks about Mrs. Sawyer. A quarrel ensued during which ockley is seld to have questioned the sawyer. A guarrel ensued during which ockley is seld to have questioned the sawyer. A guarrel ensued during which ockley is seld to have questioned the sawyer. A guarrel ensued a short arm it on the former's set. Judge Cam-eron after hearing both sides continued the case indefinitely. The first session was begun at 2 o'clock this afternoon. The adjournment of court is likely to continue until Mon-day or Tuesday on account of the in-tervening holidays.

Calce admitted that she had cried all the way from the hotel. Instead on his own behalf before the commission Hartridge announced that Thaw would take the stand on his own behalf before the commission Hartridge Aberdeen, Wash, March 25.—Oscar Thaw if he can prevent it. Jerome, The West, March 25.—Oscar Thaw if he can prevent it. Jerome, and will be taken to the county all pending trial. His victim, Alex for may find with any other with him as 1 would with any other transfire with size is him from a saleon Sunday, is in a braines district as soon as plans can be for the legislature of the sight of that eye. The work of the work of the sight of that eye. The work of the work of the sight of the sight of that



Mrs. Holt alleges that she was treated cruelly and inhumanly by Holt and that in June, 1906, Holt best, assaulted and kicked her until she was black and blue and that she had to run out of their home in her nightgown. She alleges that she had Holt arrested for his sot and that he was sent to the city jall. Mrs. Holt alleges that her husband accorded her the same treatment in the RAILROAD OFFICIALS

(Journal Special Service.) New York, March 18.—The New York Central railroad officials who were in-dicted yesterday, charged with man-slaughter growing out of the loss of 24 lives by the wreck of the Brewster express at Woodland last Friday, plead-ed not guilty late yesterday afternoon. They were released on \$10,000 bonds each. accorded her the same treatment in the fall of 1896 when the pair were work-ing in the hop yards and that strangers had to interfere to save her life. Mrs. Holt alleges that Holt is serving a three months' sentence in the county fail for each. assaulting her.

ARRESTED ON CHARGE

Those against whom the mansleugh ter indictments were returned were the New York Central railroad as a corpo-ration, President Albert H. Smith and General Manager Ira A. McCormick of OF FRAUD AT ELECTION the road.

PLEAD NOT GUILTY

The remark Sawyer's write. The remark Sawyer's andeed a short arm joit on the former's ear. Judge Can-eron after hearing both sides continued. DAILY NEWS WILL HAVE HOME ON THE WEST SIDE Property has been purchased at the corner of Fifth and Jefferson streets by the Daily News, an east side publica-tion, and as moon as plans can be may and other details arranged the sewspaper, will be housed in a building of its own. The Press will occupy quarkers in the business district as soon as plans, few weeks, The Press will occupy quarkers in the sevent of the rest of the sound states of the sound state

Commissioner Sinden for official iden-tification. Mrs. Woon and her family, reaching in age from a baby in arms to a boy meanly Il years of age, has lived in Port-land and on the coast for many years. A short time ago her husband died them as a safeguard for their return.

WHO POSSESSES OLDEST COIN IN THE CITY OF PORTLAND?

In order to permanently settle the question as to who possesses the oldest coin, C. L. Parrish of the firm of C. L. Parrish & Co., real estate brokers, is exhibiting a continental dollar bearing the date of 1775. It is said to be the oldest coin in the city of Fortland. oldest coin in the city of Fortland.

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Court will meet Monday. Preferred Stook Ganned Goods, Allen & Lewis' Best Brand.