

RITTENHOUSE IN HERMANN TRIAL

Subpoenaed to Testify Against
Former Congressman in
Land Fraud Case.



Irwin Rittenhouse.

Irwin Rittenhouse, at present chief of division "M" of the general land office, a position relating to the disbursement of funds of the various bureaus of the land department, arrived here last night from Washington, D. C., in response to a subpoena from the government as a witness in the case now on trial in the federal court against Blinger Hermann. It is expected that he will be one of the star witnesses in the prosecution of the former commissioner of the general land office, as his relations with the latter were quite intimate during Hermann's administration of the affairs of that institution.

Rittenhouse was private secretary to Francis J. Heney during most of the land fraud cases heretofore tried in this state, and occupied the same position with Heney during the early investigations of the graft cases in San Francisco.

Mr. Rittenhouse is probably better posted regarding the public lands of the United States than any person in the employ of the government. He first entered the service of the department in 1899, under former Chief Clerk G. N. Whittington, afterward becoming secretary to J. T. Macy, who succeeded Whittington. His first appearance in land fraud cases was in the time William J. Burns, of the United

States treasury department, returned east after finishing the preliminary investigations of the famous Hyde-Benson land frauds in Oregon and California. Burns desired to make up his report, and was anxious to secure the services of some stenographer and clerk in the land department in whom he could repose the most implicit confidence. Rittenhouse was recommended to him by the chief clerk as fully capable of meeting with every requirement in that connection.

Burns merely contemplated the employment of a stenographer for the work specified, and thought he would be able to dispense with his services after a few weeks, but Rittenhouse developed such marked ability in the course of the proceedings to uncover the land frauds that he has been kept or less identified with them ever since.

Rittenhouse was born November 8, 1874, at Norristown, near Philadelphia, Pa., and is a descendant of David Rittenhouse, the distinguished astronomer. Rittenhouse was one of the principal witnesses against Hermann during the trial of the latter at Washington, D. C., in 1907, for the alleged destruction of 36 letterpress copybooks of the general land office, upon which occasion Hermann was acquitted. In addition to becoming one of the principal witnesses for the government in the present case, Rittenhouse will assist Heney in the presentation of the documentary evidence against the accused, as his familiarity with the records of the general land office makes him especially valuable in that connection.

**CHILDREN ARE TOO
NUMEROUS, SAYS
SPOKANE WOMAN**

(Continued From Page One.)

things. Let the pig and potatoes of the modern school be forgotten. "Men and women of tomorrow will be companions—coworkers. They will meet in all avenues of life on an equal basis. "We know that women can do the same mental labor as can men. We know that physical superiority does not rule the world. Why, if it did Jack Johnson, the negro prizefighter, would have seven votes where most of the ordinary men would have half a vote. Mental qualities are wanted, not physical. "Penalty of Conventionality. "Conventionality kills more people than disease. And laws made by men are too stupid to protect men and women in many cases too foolish for consideration.

"Two thirds of the men and women of this world are married physically. Only one third are really married. The mind and spirit is as far from the body as the north pole is from the south. "In this day, two physical beings meet. They are young. They feel a physical attraction for each other, call it love, get a license, go to a preacher, priest or politician and are married. And they live together three, four, or five days, or months, or possibly years, and then find they are not companions or compatible.

"But they are bound by the law. The law says they are married. Many consider divorce an evil, and the result is that many live on together with their mental and spiritual beings crushed out of them.

Products of Lust. "They bring children into the world—children of lust, not love. That is the reason I say children are too numerous. I mean the kind of children of which I speak—miserable misfits of lust, human culls, sickly of body and with will and mind to match. What becomes of these children—these babies who are not wanted and are not prepared for? They are the ones who fill our asylums, prisons, penitentiaries and almshouses.

"We will have equality of sex when we are able to sit here and talk about the equality of men and women. And if children in the schools and in the homes were taught these truths, soon such a condition would prevail. We must get away from that false morality which is doing more to ruin the United States and world today than anything else.

Look at Nobler Things. "Not the mere fact of the vote will allow the women to be individuals. Equality will cause her to raise herself and to look at the nobler things of life, and not the petty ones.

"Men make laws keeping women out of many kinds of remunerative labor. And in places where women are allowed to work they are paid only about one-half or two-thirds as much as men. Men expect, then, great things in regard to the vote of the woman, while his own is entirely forgotten.

"Women who work in stores and factories earn just enough to support them when they are well. When illness or misfortune attacks them, there remains but one thing to do—to sell the pearls of their virtue to the highest bidder—and there are ever many purchasers.

Told of the Red Light. "Men contend that the social evil is necessary for the protection of their wives and daughters. If it is necessary, then why not establish hospitals and homes for the women who give up their lives for the protection of virtuous mankind? We have in the United States more than 500,000 licensed prostitutes. The money it takes to support these women would maintain a standing army of a half million men.

"If God's name why do we have to treat these women as they are treated? If they are a necessary evil, why not provide for them and care for them? "And about women's wear. Suffrage will bring education, and education will teach women to think of other things besides peach-blossom hats and directoire gowns and pink teas. I tell you, suffrage will change the face of the world.

Away With Standing Army. "When men and women can walk side by side and live on equal terms we are not going to have so much strife, either as individuals or as a nation. When women are free we won't have a standing army. American mothers have grown tired of rearing sons, only to have them put up and shot down. Women, in the future, is going to prepare for her child as she would for the building of a home, or a beautiful thing. She will not, in the future, allow man to sow seeds of disease and lust in her daughters.

"With suffrage we will come to learn the sexual intercourse is for the propagation of mankind only. We will teach the science of eugenics. Thousands of women think as I do, and are ready to back up their thought with action. We are physically abnormal. From what we might learn a great many good lessons.

Perfection of Mankind. "In time to come we will learn how to teach the perfection of mankind. We are going to learn to live in the mental and spiritual. In days to come, women will be able to meet friends of the opposite sex, whether married or no, go to the theatre with them and affiliate mentally and spiritually with them without thought of lust or physical gratification.

"We have too much false modesty. We regard as obscene things we should teach of openly, in the drawing-room and in the home. We teach our children too little of the body, and too much of the spirit. We are afraid of conventions. We should talk truths and act truths."

SENATORS GET BIG LUMBER CONTRACT FOR LOCAL FIRM

(Continued From Page One.)

between Senators Bourne and Chamberlain and myself, showing just what it meant and how helpful the senators were to Portland interests in getting that contract.

"From Senator Chamberlain, December 14, 1909—Referring to your communication respecting 'discrimination against Portland shippers in the matter of lumber contracts with the quartermaster's office and respecting your suggestion that the quartermaster's department change the form of advertisement of proposals for lumber so as to give the shipper the option of delivering the lumber at Manila, I beg to inform you that investigation at the war department reveals the following situation:

"Payment for lumber required in the Philippine Islands is made from the appropriation 'Barracks and Quarters, Philippine Islands,' etc., and the cost of its transportation is paid from the appropriation 'Transportation of the Army,' and estimates for these two appropriations have already been submitted for the next two years. The department people say, therefore, that the suggested change in the form of advertisement for bids cannot properly be made because it would mingle the two appropriations, and if bids were invited for delivery of the lumber at Manila, its first cost at place of purchase, as well as cost of transportation, would be charged to barracks and quarters, Philippine Islands, etc., and the appropriation for army transportation would not bear its share of the expense and, further, because funds appropriated for a special purpose stated in an act, cannot, without authority of congress, be used for another.

"The department also reports that purchasing lumber for delivery at Manila would interfere with arrangements for its transportation on government transports, for they say the present practice of ship such supplies relative to the Philippine wherever practicable and only the remainder by commercial lines.

Bourne's Letter. "From Senator Bourne, Jan. 11, 1910.—I have had a number of conferences with the quartermaster general relative to the Manila lumber contract. As I understand, Balfour-Guthrie is the lowest bidder, but the weakness of his position, according to the contention raised by the Washington people, is that his bid is for Manila delivery. The quartermaster general is of the opinion that the judge advocate general is legally authorized to award this contract to Balfour-Guthrie or should give the sound lumbermen an opportunity of bidding in Manila. I have advised the judge advocate general that I am in hopes that you will receive the contract, being the lowest bidder, as I understand for the lumber on Pacific coast delivery, and as you make the transportation rate from Portland to Manila on your guarantee of \$9 per thousand. I spent an hour this morning at the quartermaster general's office trying to convince them that you were clearly entitled to the contract in cases like this. I have advised the judge advocate general that the contract should be against Balfour-Guthrie."

Telegram From Laidlaw. Telegram from Laidlaw to Bourne, December 27—"Just wired Senator Chamberlain regard effort under way to prevent Oregon mills which lowest bidder, Balfour-Guthrie, from securing the contract. Please confer with him and do utmost to prevent Oregon lumber men being unjustly discriminated against."

Wire from Laidlaw, Portland Lumber company, North Pacific Lumber company, Innan-Poulsen to Senator Chamberlain, December 27—"According to bids opened by army quartermaster Seattle Friday I am lowest bidder for Manila lumber shipments. I represent undersigned mills and Eastern & Western Lumber company. Puget sound bidders, through discrimination of freight rates made by government transportation contractor are trying to divert business from us. We earnestly urge you and Senator Bourne to represent and protect our interests and prevent unjust discrimination against Oregon lumber men. This was done in previous contract; please prevent repetition."

Wire from Laidlaw to Representative Ellis, December 27—"Please confer with Senator Chamberlain and Bourne to prevent discrimination against Oregon lumber men regarding Manila shipments and assist them."

Wire from Bourne and Chamberlain to Laidlaw, December 27—"Quartermaster General advises us by a routing slip to believe quartermaster's department at Seattle or elsewhere is making effort to prevent Oregon mills, if lowest bidder, securing Manila lumber contract. Quartermaster records here show government will soon be in market to purchase 2,040,000 feet of lumber for Manila, when bids received here. No award will be made until quartermaster general is assured that Oregon mills have had an equal chance with others. We are informed that government has secured freight rate from Seattle and other sound points to Manila \$1 per thousand less than from Portland. We suggest Oregon bidders on lumber make bids first on Portland delivery, second on their guaranteed cost of transportation, Portland to Manila, third, total."



cost of lumber Manila delivery including freight.

Laidlaw Wires Again. Wire from Laidlaw to Bourne, December 28—"No suggestion intended by telegram that quartermaster's department in any way discriminating against us, but fact remains that our bids are invariably lower on cost of lumber and that Puget sound interest both lumber and transportation are using every effort to work fact of difference in cost of transportation against our lower offers of lumber. We must bid one dollar lower before we are on even terms with Puget sound, which is outrageous unjust to our mills. If government permit, we will guarantee nine-dollar freight rate from Portland on our bid and Balfour-Guthrie have already offered lowest price delivered Manila. Have no criticism whatever on General Alekhire or Colonel Miller, but differential of one dollar is absolutely unjust discrimination on the part of transportation contractors and rate charged is in excess of rate quoted to commercial concerns on lumber to Manila. With differential in freight rate Tacoma bid is lower than mine by six hundred dollars, delivered Manila, but Balfour-Guthrie bid delivered Manila is four thousand dollars lower than either. With my guarantee of freight nine dollars my bid is fifteen hundred dollars below Tacoma.

Succeeding telegrams show that this presentation of the case was effective and that Senator Bourne and Senator Chamberlain placed it before department heads that an old and established advantage for Puget sound was done away with and Portland lumber interests gained the contract, together with encouragement that they will be able to win in further competition.

PROSECUTION IS GIVEN RIGHT TO OFFER EVIDENCE

(Continued From Page One.)

In order that the jury could secure a clear view of the full scope of the alleged conspiracy he would allow the Tarpley testimony to go in.

Under the law, the court said, the act of conspiracy became the act of all in the conspiracy. The question had arisen as to whether the government had introduced sufficient evidence to connect Hermann as a co-conspirator. The only evidence which tended in that direction up to the present was that of Henry Melarum. Much of the transactions between Mays and Hermann had not been culpable and the court held that the culpable matter comes in the question as to whether Hermann knew that the lands were to be secured fraudulently by Mays or others. It yet remained for the prosecution to show whether Hermann knew of the fraud.

Furtherance of Conspiracy. The court held that the statement attributed to Mays was in the inference that the conspiracy was a continuing one. In that Mays was attempting through demands made by him upon Tarpley, to secure possession of lands in the reserve to be created.

Judge Wolverton in allowing the testimony to go to the jury held that unless the conspiracy was clearly established the declaration of Mays should not apply to Hermann, and that he would so instruct the jury when the proper time came. With the unestablished conspiracy the court would permit the testimony.

In the arguments of Colonel Worthington this morning he admitted that Mr. Heney would have sufficient evidence to go to the jury with the Hermann case, provide the court would admit the Tarpley evidence. He contended that it would be fair for Mr. Heney to tell him whether it was the intention of the prosecution to contend that the money alleged to be paid Hermann, or Hermann's attorney, was the money which led to his supposed aid in the Blue mountain conspiracy. Heney said that the government would lay its stress upon the senatorial aspirations.

At time when that of Henry Melarum contended that it was not competent for Heney to try to convict the defendant upon the senatorial aspiration phase of the question with the money taking testimony.

Heney Convinced. Mr. Heney retorted that he generally conducted his cases according to his ideas of how they should be conducted. He was convinced that Hermann was guilty and that the weight of the Tarpley testimony was for the jury to determine.

Mr. Worthington said that in looking at the Mays case he had been astounded to see that Judge Hunt had ruled that the Tarpley evidence was admissible as to Mays alone and that Mr. Heney had admitted as much.

Mr. Heney came back with the retort that when he had an overwhelming case, he took no chances on error.

"We will take notice of Mr. Heney's admission," said Mr. Worthington. "I admit that this is not an overwhelming case from the government's point of view," answered Mr. Heney. "There is a great deal of difference between evidence that is overwhelming and that which proves a case beyond a reasonable doubt in the Mays case. I could have left the Tarpley testimony out entirely and convicted him. In this case I need it."

After the decision of the court upon the merits of the argument, the prosecution continued at once with the in-

roduction of evidence and George H. Cattanauch of Canyon City was called to the stand.

Mr. Cattanauch of Canyon City said he had known Senator Mitchell and was a member of the legislature in the session of 1901 and was a supporter of Senator Mitchell. He had done all he could to prevent the creation of the Blue mountain reserve. He identified various protests and letters sent in protest of the reserve, and answers from Hermann in regard to the protests.

NO PETITION FOR PARDON FOR MAYS AND JONES FILED

Washington, Jan. 17.—No application for pardon has been filed with the department of justice in behalf of T. P. Mays or William Jones, convicted of conspiracy in the Blue mountain reserve case. Jones will not be pardoned, says the attorney general. The department has no official cognizance of the matter, according to a statement by a department pardon attorney who asserts that the department knows nothing of the proposal that pardons be granted to qualify Mays and Jones to testify against Blinger Hermann, now on trial at Portland on the charge of conspiracy in the Blue mountain case.

DETECTIVES ON WAY WITH ONLY ONE PRISONER

(Continued From Page One.)

again returned to custody, but she had disappeared and could not be found. When the inspector of police at Philadelphia attempted to gain any information from the Philadelphia detectives, who worked on the case, he was unable to do so. He immediately started the official investigation which is on.

Upon the departure of the two Portland detectives and their prisoner, Attorney David A. Pepp of the firm of Gruber & Pepp in the Board of Trade building, was notified to take the case when it came up here. In the meantime, other attorneys around police court here who generally get such cases were preparing to handle the case. Attorney Pepp will meet Detective Day and the prisoner at the station Tuesday evening, and the outcome of the affair is still a matter of conjecture.

History of the Case. Levine and Miss Keaton, who has been posing as his wife, were arrested in Philadelphia, December 29, upon advice from the Portland authorities. They are accused of robbing the home of M. Himmelfarb, 650½ First street, November 23. The Himmelfarbs and Levine and the woman had been friends and made several visits to the home of Himmelfarb. The jewelry taken from the Himmelfarb home was valued at

\$2000, and part of it was found in the possession of Levine and the woman. Levine got out of a similar crime at Spokane last July through the detectives "bungling" the case. At that time he was arrested there for taking \$1000. The Portland police wired to Spokane to arrest him. The Spokane detectives were accused of allowing him to get away.

When Levine and the woman were arrested at Philadelphia, the woman had jewelry in her stocking, and \$3700 in money. When she was released last Tuesday, the jewelry and \$1500 was returned to her.

It was the jewelry found in her possession that the local authorities relied upon to convict both persons. Now that she has escaped, there is a question over a conviction.

TRI-STATE FARMERS OPPOSE TAFT

Walla Walla, Wash., Jan. 17.—The Farmers' union tri-state convention opened this morning with 700 delegates attending. The meeting is the first winter convention mass meeting of the members. It was opened at 10 o'clock with an address of welcome by Publicity Manager Larned Meacham of the Walla Walla Commercial club and Mayor Eugene Tausk. The response was made by President L. C. Crow of the Farmers' union, President S. R. L. Penrose of Whitman college addressed the meeting on "Agricultural Education."

This afternoon's meeting was an executive session until 3:30, when J. C. Lawrence of the state grain commission spoke on "Weighing and Grading of Grain." He speaks again tonight on "Rate Regulation."

Important subjects before the farmers are bag and twine buying, district warehouse, extension of rural mail routes, parcel post and magazine postage rates. In the last three subjects they take a stand directly opposed to the recommendation of President Taft.

Wasco Firm Complains. Salem, Or., Jan. 17.—Complaint was filed with the railroad commission today against the Oregon Railroad & Navigation company by the Wasco Warehouse Milling company, which asserts that the charges exacted by the transportation corporation for switching freight in carload lots between points in the O. R. & N. yards at Walla Walla are "exorbitant, unjust, prohibitive, unreasonable and unjustly discriminatory."

M. W. A. Install Officers. Hermiston, Or., Jan. 17.—The Modern Woodmen installed officers last evening for the ensuing year. In addition to the other work, a class of five was taken in. The new officers are: C. H. Skinner, consul; C. H. Crandle, advisor; F. B. Swage, banker; C. W. Kellogg, clerk; W. R. Langhorn, escort; B. S. Smith, secretary; W. H. Browning, watchman; H. L. Wyckoff, manager.

BANKER FORGAN ON GRAND JURY

Jury to Investigate Alleged
Frauds Against Chicago in
Relation to Supplies.

(United Press Legal Wire.)

Chicago, Jan. 17.—James R. Forgan, president of the First National bank, was chosen today a member of a grand jury that is to investigate alleged frauds against the city in the sale of supplies. The grand jury will probably indict many so called higher ups in connection with the investigation. The selection of Forgan is expected to involve the same question that resulted in the compelling of John D. Rockefeller Jr. to serve on the New York City grand jury that is investigating the white slave traffic.

FRUIT FAIR BUILDING IS HOOD RIVER'S AIM

(Special Dispatch to The Journal.)

Hood River, Or., Jan. 17.—The Hood River Fruit fair association is making rapid progress toward securing the necessary funds for the erection of a permanent fruit fair building. An option has been secured on a block near the business district of the city. The committee appointed to secure the funds has met with the best of success. It is the plan to raise \$10,000. The larger part of this has been subscribed. Apple growers are enthusiastic over the outlook for permanent quarters for fair purposes. The Hood River Athletic club may become a tenant in the new building, as it is planning to put in a bathing tank, and this will afford ample room for the contemplated improvement.

WALLA WALLA'S BIG BIRD SHOW OPENS

(Special Dispatch to The Journal.)

Walla Walla, Wash., Jan. 17.—With 900 birds entered, and 100 more to enter, the annual show of the Walla Walla Poultry association opened this morning. Harry H. Collier of Tacoma and William Furdy of Pella are judges. Twenty-two silver cups and \$1000 cash prizes are to be given.

In 1859 84,000 gallons of crude petroleum were produced in the world. In 1908, 6,000,000 gallons of petroleum were produced, 60 per cent of it in the United States.

Carpet Clearance Sale

A cyclone of low prices is sweeping through our Carpet Department this week, as witness the following quotations. We are making place for that new stock already on the way for Spring trade. Inventory showed an accumulation of several patterns in high-grade Axminster and Velvet Carpets that we cannot again secure from manufacturers—they will not be reproduced this season. These rolls will be sacrificed in price to clear the shelving. If you have a carpet want, see us this month. Our sewing department and the carpet layers must be kept busy the dull season as well as the rush days. Save money by purchasing now.

\$2 Axminster Carpet \$1.25 Yard **\$1.60 Velvet Carpet 95c Yard**

This is an extra quality Axminster Carpet in four color shades—tans, greens, blues and browns—in floral, oriental and conventional designs, with and without borders; offered for Monday, Tuesday and Wednesday of this week, yard

\$1.25 95c

\$3.50 Axminster Rugs, \$1.40

We have never offered such values in small Floor Rugs. There are 250 in the lot, Smith's Axminsters, 27x54 inches in size. Beautiful floral and conventional designs, all colors included. A snap in rugs. Regular \$3.50 values. Today and Tuesday. **\$1.40**

75c COCOA DOOR MATS ONLY 40c—Size 15x25 inches, extra heavy quality. Regular price 75c. Special at **40c**

Linoleum Free for Your Kitchen

With every range sold this week we are giving away 12 yards of **80c Linoleum** as a free premium, and the range costs you not a cent more. When you buy one of our great



All-Steel Ranges

you are assured of receiving highest quality, and at the same time a perfect, quick-baking range.

PRICES FROM \$40.00 UP

Pay Only \$1.00 A Week

Why Gevurtz Sells the Cheapest:
We Buy in Immense Quantities & Ship in Full Carload Lots

GEVURTZ & SONS
First and Yamhill Second and Yamhill

A Poor Weak Woman

As she is termed, will endure bravely and patiently agonies which a strong man would give way under. The fact is women are more patient than they ought to be under such troubles.

Every woman ought to know that she may obtain the most experienced medical advice free of charge and in absolute confidence and privacy by writing to the World's Dispensary Medical Association, R. V. Pierce, M. D., President, Buffalo, N. Y. Dr. Pierce has been chief consulting physician of the Invalids' Hotel and Surgical Institute, of Buffalo, N. Y., for many years and has had a wider practical experience in the treatment of women's diseases than any other physician in this country. His medicines are world-famous for their astonishing efficacy.

The most perfect remedy ever devised for weak and delicate women is Dr. Pierce's Favorite Prescription.

IT MAKES WEAK WOMEN STRONG.

SICK WOMEN WELL.
The many varied symptoms of woman's peculiar ailments are fully set forth in Plain English in the People's Medical Adviser (1008 pages), a newly revised and up-to-date Edition of which, cloth-bound, will be mailed free on receipt of 31 one-cent stamps to pay cost of mailing only. Address as above.