**DEFENSE TESTIFIES** 

# tent to Break Laws.

## TIMBER LAND DEALS LEGITIMATE

Testimony of Witnesses that Implied Contracts Had Been Made is Vigorously Denied.

Portland, July 15 .- Dr. Van Gesner, and Marion R. Biggs, United States in the case now on trial before Judge De Haven, testified yesterday in their own behalf. Dr. Gesner passed through the rigid cross examination conducted by District Attorney Heney, and, al-though his original story was not shak-en much, he was forced into several admissions that will be used when the government comes to make its argument. This morning Marion Biggs will be subjected to cross examination and unless court should adjourn at noon, it is possible that Representative Willies and the state of th Williamson will take the stand.

Dr. Gesner, in answer to the ques-tions asked by Attorney Wilson, gave his version of the way in which he had started out to obtain the timber lands which since have involved him in the case at bar. He admitted having made the loan to a number of the entrymen, but said that he did so in order to pro-tect the property he already had in that section of the country. Dr. Ges-ner denied that he had any contracts with the various entrymen, and stated there had here ne comprise with Me there had been no conspiracy with Ma-rion Biggs and Representative William-son The witness gave a history of the war between the sheep and cattle-men, in which the now famous "30-30" men played such an important part in men played such an important part in the Horse Heaven country. The entry-men, he testified, had first approached him and asked him to lend the money with which to file on the claims. He stated that he agreed to furnish them the money, providing they would give him the use of the land for a range for his sheep. For the use of the range he had agreed not to charge them interest on the loans. He said that the sheep-shooters had established a dead line and in order to protect his property he and in order to protect his property he was forced to secure more range and thought that he had gone the right way about it, when he made the loans to the entrymen who came to him, and asked for financial help. Before agreeing to furnish the money

to the entrymen, Dr. Gesner stated that he had first consulted Biggs and had engaged him as a lawyer. He also consulted Attorney Barnes, and had been assured by both that what he in-tended to do was legal, provided he did not enter into a contract with the entrymen before they made their filings.

#### Independence for Corea.

Honolulu, July 18. - Coreans here have raised a fund to send Rev. P. T. Yon, a Corean Methodist minister, to Washington to see President Roosevelt dozen.

### NEW TRIAL DENIED.

Judge De Haven Denies Motion in Mitchell Case.

Portland, July 16 .- "The motion in Gesner Says There Was No IL- arrest of judgment will be denied. "The motion for a new trial will be

denied. "Is the defendant in court?" Senator John H. Mitchell was not in court when Judge De Haven prosounced the words quoted from his decision in answer to the motions made last week by his attorneys. Senator Mitchell was represented by Judge Bennett and ex-Senator Thurston, and while Judge De Haven did not say that he would have rendered judgment upon the senator, had he been in court, it is bepartner of Representative Williamson and Marion R. Biggs, United States would have done so. Senator Thursland comissioner, two of the defendants in the case now on trial before Judge De Haven, testified yesterday in their own behalf. Dr. Gesner passed through week from Monday morning to present them

> This means another ten days before Senator Mitchell will have judgment pronounced upon him. The senator's counsel informed the court that by tomorrow they would have their bill of exceptions ready and in the hands of United States District Attorney Heney, so that he might in turn have his so that he might in turn have his answer ready by the time that the case will again be taken up by the court. Judge De Haven seemed willing to grant the delay, and as there was no objection from Mr. Heney, His Honor set Monday, July 31, as the day for re-ceiving the exceptions.

Must Keep Cuban Cities Healthy.

Havana, July 15. — President Palma has vetoed the action of congress which continued in effect the budget for the fiscal year ending June 30. His reason for so doing is that the old budget did not include any provision for the sani-tation of cities. tation of cities.

#### PORTLAND MARKETS.

Wheat — Club, 82@83c per bushel; bluestem, 89@90c; valley, 85c. Barley, —Feed, \$21.50@22 per ton; rolled, \$23@24. Oats—No 1 white, feed, \$29 per ton; gray, \$29.

Hay - Timothy, \$14@16 per ton;

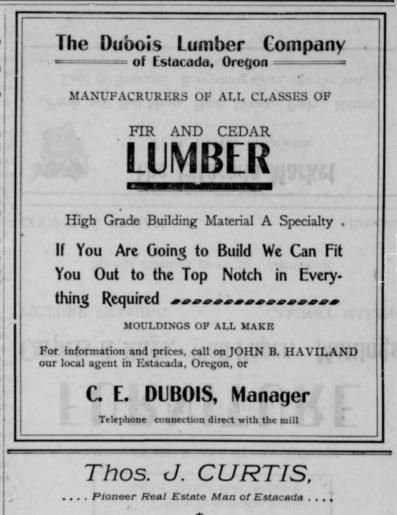
clover, \$11@12. clover, \$11@12. Fruits — Apples, new, \$1.50@1.85 per box; apricots, \$1.15 per crate; peaches, 80@90c per crate; plums, 85c @\$1 per crate; Loganberries, \$1.25 per crate; blackberries, 10c per pound; cherries, 7@125c per pound; currants, 8c per pound; prunes, 85c@\$1; rasp-berries, \$1.25@1.50 per crate. Vegetables—Beans, 1@4c per pound; cabbage, 1@1½c per pound; cauli-flower, 75@90c per dozen; celery, 90c per dozen; corn, 20@275c per dozen; cucumbers, 40@75c per dozen; lettuce, head, 10c per dozen; parsley, 25c per

cucumbers, 40@70c per dozen; feituce, head, 10c per dozen; parsley, 25c per dozen; peas, 2@5c per pound; toma-toes, \$1.25@3 per crate; turnips, \$1.25 @1.40 per sack; carrots, \$1.25@1.50 per sack; beets, \$1@1.25 per sack. Potatoes—Oregon, new, 75c@\$1 per

Butter-Fancy creamery, 17 1/ @21 1/c

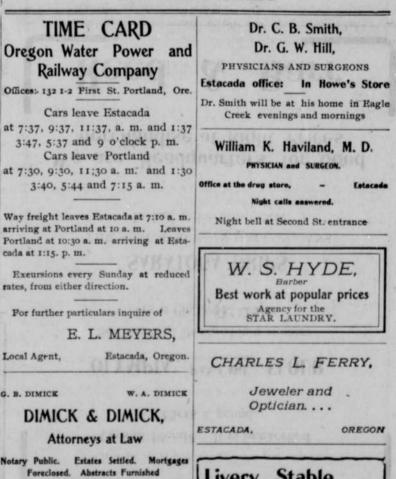
er pound. p Eggs-Oregon ranch, 21@22c per

to see independent within an agreement by which the Corean na-tron will become independent within 20 wears, it is above fitness for selfs. It is not set to a set to



Improved farms, Wild lands and Timber claims for sale

Also some excellent town lots NOTARY PUBLIC



20 years if it shows fitness for self- government. Rev. Mr. Yon will so- licit the good offices of President Roose- velt to ask Japan to grant independ- ence as the United States did Cuba.	Hopa-Choice 1904, 16@19c per pound. Wool-Eastern Oregon average best,	• OFFICE: 2, 3 & 4, GARDE BLDG,	& Dray Line
Packing Plant is Destroyed. Columbus, O., July 18.—The plant of the Columbus Packing company on	Matton - Dressed, fancy, 5c per pound; ordinary, 4c.	Geo. C. BROWNELL	W. A. JONES, Prop. 4449 All work given prompt attention WOOD Dry, any length always on hand

Local Agent,

G. B. DIMICK