

DAILY CAPITAL JOURNAL

VOL. XV.

SALEM, OREGON, SATURDAY, JUNE 24, 1905.

NO. 147.

NO CHARGES MADE FOR MITCHELL'S SERVICES

TANNER SWEARS TO SENATOR'S INNOCENCE

He Says "Mitchell Never Did Anything but What He Could Properly do as Senator--And Without Making Any Charge for it"

Portland, Or., June 24.—The cross-examination of Judge Tanner, Mitchell's law partner, began this morning, and was conducted by Judge Bennett, Mitchell sitting beside him. Thurston was on the other side of Bennett. He called for all partnership contracts. Henry is assisted by Burns & Bittenhouse, Assistant District Attorney Banks taking no part. The contract of March, 1901, refers to the contract of September, 1897, when Mitchell was a private citizen. Nothing is said about the work to be done by Mitchell before the departments or in congress. The court ruled there was nothing wrong on the face of the contract for 1901. It was the practice of the firm, under that contract, that was called in question, and the construction placed upon the same by members of the firm. The defense seeks to establish the tremendous pre-occupation of Senator Mitchell and his general failing health. The court advised counsel they would be allowed wide latitude in the argument to the jury.

The books of the office were kept under the direction and supervision of Tanner and Robertson. They alone had the key and combination to the safe. Mitchell never had either or asked for them. The clerk and bookkeeper computed the monthly earnings, and made the division. Mitchell never got a statement of the office earnings but once in four years. Kribs brought a letter of introduction to Tanner from a personal friend. It is estimated the service amounts to \$25 a claim. He introduced Kribs to VanZant, who went to Brownsville to take the affidavits of outrymen. Asked if witness was told by Kribs that this fee was partly for services rendered by Senator Mitchell, and whether his fee included any charge for work done before the departments by Senator Mitchell, as senator, Tanner said he did not understand. That was not included in the fee for the service rendered by the firm. In no case was the service rendered by Mitchell at Washington covered by the charge made to Kribs. Mitchell never did anything but what he could properly do as senator, and without any charge for it. Did not know there was anything wrong about it. Intended to keep entirely within the law.

When Tanner met Mitchell at Kama Hermann and State Chairman Baker were present. He told Mitchell it was rumored that Henry was ready to give immunity to Pater, McKinley and others, and was moving heaven and earth to convict Mitchell and Hermann. He had no intimation of the prosecution for their services to Kribs prior to the changing of the contract

of 1901. In examining the books at the office Mitchell objected to a charge of \$10 to Col. Teal, for looking after a pension claim. He said he never intended there should be any charge for that. Never told Senator Mitchell when he received a warrant for service in pension cases. Mitchell told him he had attended to hundreds of pension cases, and never had charged for one. He called Tanner's attention to a feature of the contract, providing for a division of fees for services before the department. He, Mitchell, suggested it be changed. He said he considered that they had done nothing morally wrong, that Hitchcock had a grudge against him, and wanted to accomplish his ruin, and that he considered anything justifiable. Witness was 49 years old, and had practiced 26 years, had been municipal judge. Got his son to change the contract. Mitchell asked if the son could be relied on. Witness asked if Robertson could be relied upon. Told Mitchell his son would go into court and swear to what ever he told him.

Adjourned to 2 o'clock.

Friday's Showing. (Special Editorial Report.)

Portland, June 23.—Tanner direct examination resumed. Sent letter by H. B. Miller, his brother-in-law, to which Mitchell's famous letter, "I am almost afraid to write" was a reply. This letter was not produced, but the substance was given by Tanner. Judge DeHaven ordered it stricken out. Tanner admitted Mitchell had repeatedly warned him against making agreements for work, involving Mitchell's services before the departments. Court ruled out conversations with Mitchell after indictment. Henry offered to prove further agreements for services to Kribs. Court heard argument as to right to prove by other acts, after indictment, to prove knowledge. Henry cited authorities to permit proof of other acts showing knowledge on the part of Mitchell of other transactions than the ones charged. Thurston admitted that evidence of acts at other times were admissible to prove passing counterfeit money or having in possession stolen goods. It was enough for a defendant to meet the one crime charged.

Bennett questioned right to admit such testimony, and said it rested largely in the discretion of the court. As a matter of logic proof other acts of a similar nature tended to prove the act charged. But it was only in extreme and unusual cases that proof of other acts was allowed to be used. It was dangerous to admit collateral matters and would delay this trial.

Court ruled that proof of other acts of a similar character tending to rebut presumption of mistake were admissible and the objection was overruled. This was considered a great victory for Henry, and he proceeded to show agreements, payment of checks, receipt by Mitchell & Tanner, and division of same at end of month. The letters showed that Tanner wrote Mitchell asking his assistance for "a friend and client of mine," and states that "there is no good reason why he should not get final action on the list of California state land certificates endorsed." These letters are all offered in evidence, and all letters show that both Tanner and Mitchell believed that all these certificates were perfectly straight and free from fraud. The letters show that Mitchell went openly to the department and practiced in each instance with the full knowledge of the government, and of the people

Yes, it is very warm in the city now, and

THE SPA

In a resort that is always cool, and with the cooling capacity of our new fountain, we can make drinks to please you. Lemon ice today.

THE SPA

382 State Street.

W. T. Steik. P. G. Myers.

at Portland of Oregon. In case of Mitchell & Tanner appearing before land department for one Kobbe, court ruled out all testimony as immaterial, and held member of congress had right to draw up and present such petition. Adjourned to 2 o'clock p. m.

Afternoon Session.

Examination of Judge Tanner, law partner of Senator Mitchell, was continued at 2 o'clock. One letter was read in which Mitchell was promised \$1000 additional fees for securing patents for Hyde & Benson to California lands. One of these letters shows that Mitchell did not want to be "known or recognized by anyone as representing Hyde & Benson in these matters." Tanner writes to Mitchell that Benson "promised to send me a check for a suitable amount in due course of time." Other letters were read, showing employment by the California & Oregon Land Company, through R. A. Booth, for securing land in the Cascade forest reserve.

A contest arose over the introduction of a letter to show that Senator Mitchell knew all about the way the books were kept, and the system adopted by his law partner for dividing the same. Court decided against Henry. In May, 1902, made agreement with W. B. Burke to promote irrigation scheme. Counsel for defendant objected on ground that this was not a matter where money was paid that was known by defendant to have been improperly obtained. Objection overruled. Burke paid firm \$500. Other parties had employed attorneys to block approval of the lands desired for irrigation. Tanner asked Mitchell to go before the commissioner at Washington and push same.

In the long, tiresome, worrying examination of Tanner District Prosecutor Henry came out very strong. He is tireless, vigilant, systematic, good-natured and his equanimity is surpassing all expectations. He has a cool, precise, snappy delivery, is very exact and circumstantial, and almost infallibly accurate. If he ever slips a cog he gracefully acknowledges his error, turns back and enters upon the pursuit with renewed persistency. Not a word, a shrug, a lift of the eyebrows but is delivered with telling effect. He is uniformly smilingly and gravely courteous. The prosecutor is a typical government attorney, conscious of his position as the representative of a great, howling success of a republic, the star actor for a strenuous administration that is engaged in setting up new standards of official integrity, and correcting the manners and customs of a corrupt and prevaricating age. He has a element of grim humor, and even when called down by the dignity of the court is able to accept punishment with a smile. "We submit to your honor's ruling as gracefully as we know how," was his only comment when Judge DeHaven intimated that a certain line of persistency was persisted in with too much pertinacity.

There is great interest in what kind of a cross-examination Tanner will be subjected to. If both Bennett and Thurston expend their energies upon him the former law partner of Senator Mitchell will have a hard time. Tanner is not in an enviable position, and not a strong character at best. He has not a strong feature in his make-up. His forehead is indicative of indecision. His chin comes to a point, and his nose is not a strong performance. In his bookkeeping, letter-writing and preserving copies of letters and telegrams and checks and stubs he has been most methodical, and his perfection of system has been a veritable gold mine for the government, and an avenging Nemesis for the defendant.

While Mitchell was proverbially careless in keeping accounts, Tanner was accurate. While Mitchell was methodical, Tanner was method itself. While Mitchell seemed indifferent about details Tanner kept them to the minutest detail. So all the qualities absent in the senator were supplied in his partners, and the defects of the one were supplemented by the virtues of the other.

LOOMIS GOES TO FRANCE

Will Receive the Remains of the Immortal Captain Paul Jones

New York, June 24.—Assistant Secretary of State Loomis was a passenger on the liner Philadelphia, which sailed for Southampton. Loomis admitted that he was going to Paris for the government to receive the remains of Paul Jones from the French authorities. He states that the duty was assigned to him after being ordered to Europe on an important mission of state, the nature of which he refused to divulge. He also declined to make any statement on the Venezuela affair. The ceremony of transferring the remains will take place July 7 or 8.

THAT'S GOING SOME

Auto Runs 1000 Miles in 1413 Minutes, 1015 Miles in 24 Hours

New York, June 24.—Gay Vaughn, who started at 1:30 on the Empire City track yesterday afternoon in a 40-horse power Deauville car to lower the "no stop" automobile record for 1000 miles, finished at 1:08:20 this afternoon, clipping 2 hours, 16 minutes and 20 seconds off the best record made by Wigway. His time was 23 hours, 33 minutes and 20 seconds. Vaughn continued and set a new record for 24 hours, making 1015.8.

WERE AFTER SILKS

Robbers Caught in a Silk Laden Car After Desperate Battle

Chicago, June 24.—Trapped in a freight car which they had planned to plunder of thousands of dollars worth of silks, five robbers were captured after a desperate fight with the police at Wolf Lake, Indiana. One robber escaped. Those captured are Albert Burns, seriously injured; Albert Greening, Joseph Smith, Frank Smith, John Metzger, all of Chicago. The police say all are members of a gang of thieves, which has stolen \$100,000 worth of property in the last six months.

BUBONIC PLAGUE IN PANAMA

Longshoremen Dies and Forty Others Exposed and Isolated

Panama, June 24.—A longshoreman, engaged in unloading a Chilean vessel, developed a case of bubonic plague, and died. Forty of his companions, longshoremen, are isolated. Every precaution has been taken to prevent the spread of the disease.

Bayan Is Floated.

Tokio, June 24.—The Japanese commander at Port Arthur reports that the Russian armored cruiser Bayan has been successfully floated.

Too Much Gas.

Chicago, June 24.—Seven persons were overcome by gas in a boarding house on Strand street, in South Chicago, this morning. Michael Marcovich and Martha Maljar will die.

THE STREETS RUN BLOOD

Cossacks Fire on Workmen Who Retaliate, and Hundreds Die

Warsaw, Poland, June 24.—The reign of terror which turned Lodz into a slaughter pen as a result of the conflict between troops and working people, continues today. A veritable pitched battle is being fought in the streets. In response to a call for assistance the governor-general sent three regiments of infantry and a cavalry force to the scene of the disorders by special train. The casualties yesterday are estimated as high as 3000. During the night the Cossacks and dragoons frequently charged the working men, who were barricaded, and replied from the windows and housetops. Some poured vitriol on the heads of the soldiers. The workmen were led by the social democrats and members of the Jewish band, who are determined to get revenge for the 37 socialists killed by troops Wednesday. Factories and shops are closed, and no newspapers appeared this morning. A late report says Colonel Andrejoff was severely injured while leading a charge of troops on the rioters. Two bombs were thrown into the soldiers' barracks, and killed or injured 20. Many of the dead are still lying in the streets.

So far as ascertainable 130 were killed outright in the fighting yesterday. Forty-one more died in the hospitals during the night of the wounded. Three hundred and twenty sustained slight injuries. All the hospitals are filled, and in many cases the wounded are lying on the floors. The rioters this morning attempted to set fire to the government offices, but were sent back by a strong force of troops. A workman was killed in the streets dur-

ing the night for causes unknown. In the fighting Thursday night two officers and seven Cossacks were killed. One of the latter was shot by a girl of 13. Bloody rioting continued all day Friday, and at 11 o'clock all the factory hands struck and flocked into the streets. The soldiers charged the mobs, firing volley after volley into the surging mass. The rioters replied with revolvers and missiles of every character. The dead were carted off to the cemeteries in military wagons, the troops acting as undertakers. Many of the wounded died because of lack of medical attention.

The rioting this afternoon spread to the town of Ozentaxhan, and the strikers organized for a demonstration. They paraded the streets, carrying red flags, and singing revolutionary songs, and refused to disperse when commanded. The Cossacks charged, killed 23, and wounding 85. The bakers have joined the strike, and a bread famine is threatened. A report from Lodz at 3 o'clock this afternoon says 33 were killed today. The official report says the number killed yesterday was 11.

Japs Take It Easy.

Tokio, June 24.—General Oku reports on date of June 22d that nothing important has recently occurred, except the daily outpost skirmishes. Hot weather has arrived, and the entire army is clothed in khaki.

Chicago Markets.

Chicago, June 24.—Wheat, 91 1/4 @ 90; corn, 50 1/2; oats, 32 1/4 @ 31 1/2.

Jos. Meyer & Sons
SALEM'S GREATEST STORE
THE WHITE CORNER

June White Days

Especially interesting items in this sale

Little things that are worth looking at. Scattered all through the store are countless little offerings some of them almost too small to mention—here today and gone tomorrow—and many of them representing extraordinary values.

Special Prices on all White Goods



MEN'S CLOTHING

We've arranged to give our patrons a cool, comfortable outing suit for vacation wear—made up of a lot of homespun and tweeds as smart as they can be made in the newest styles. The long roll double breasted and single-breasted sack, with peg-top trousers that have belt loops and cuffs at bottom. They come in newest shades.

\$10.00

Other values \$8.50 to \$16.50.

STRAW HATS

Now comes out in a straw hat. The weather says wear 'em. Fashion, as well as comfort, good sense says wear 'em. And you'll want to obey when you see our 1905 straws, handsomer than all previous and better too, yet no higher in price. We have real Panamas and mighty clever imitations. All sizes and shapes.

\$1.00 to \$10.00

"MEROBE" UNDERWEAR

Reliable in styles, qualities, sizes and prices. Remember that we carry the largest assortment of all styles and sizes of women's, children's and infants' underwear in medium and light weight at incomparably low June White Prices.

9c to \$2.70

Specials for this Evening

Special Saturday evening bargains on sale at these prices between 7 and 9 o'clock. None earlier.

25c LEWIS AND CLARK TIES..... 19¢

\$3.50 MEN'S OXFORD, NO RESERVE..... \$2.85

\$4.00 SWEATERS..... \$2.85

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If you want the best returns for your money

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Sells the most reliable merchandise at a smaller margin of profit than is asked by "regular stores." We can afford to sell at lower prices because our store expenses are very light, and our spot cash plan prevents losses from bad accounts.

The fact that our business continues to grow is proof that our customers find every article satisfactory. Another large shipment of the

GENUINE CONKLIN'S HORSEHIDE GLOVES

Just in. They are the most serviceable gloves on the market, and always remain soft and pliable. We have them in light, medium and extra heavy weights at the same price, \$1.15.