

HERBERT W. BOWEN WILL FIGHT BACK.

He Says the "Loomis Scandal"
Pervaded Caracas and Constant-
ly "Grew Worse and Worse."

DECLARES WAS OFFERED BRIBE.

Was Veiled Under the Offer of a High-
er Position and Inspired by
Mr. Loomis.

New York, June 21.—Herbert W. Bowen, formerly minister to Venezuela today made public a long statement in reply to President Roosevelt's letter dismissing him from the diplomatic service as a result of the investigation made by Secy Taft into the controversy between Mr. Bowen and Francis H. Loomis, first assistant secretary of state.

Mr. Bowen declares that the "Venezuelan scandal" constitutes a national disgrace. He asserts that the "Loomis scandal" pervaded Caracas and constantly "grew worse and worse."

Mr. Bowen says that shortly after he called the attention of the department of state to the matter he received a cable offer from Washington of diplomatic promotion that would remove him from Caracas.

"I admit," he said, "that I regarded the offer as an attempt to bribe me, veiled under the offer of a higher position and inspired by Mr. Loomis. I make no doubt that in the course of the recent inquiry it has been sufficiently plain that I did not think that Mr. Loomis is an honest man and that I did not believe his conduct as minister to Venezuela had been honorable."

Mr. Bowen says that the recent departmental inquiry should not prevent an open, impartial, fearless and thorough investigation into all the facts.

"Suppression of truth will never establish it," he adds. "Tolerance of evil will never crush it. No office, however high, should shelter a wrongdoer."

When he went to Venezuela as successor to Mr. Loomis, Mr. Bowen declares, he found current rumors seriously affecting the honor and integrity of his predecessor both as a man and a representative of the United States government.

Mr. Bowen says that, feeling a sense of pride in representing the United States, these rumors were a source of continual mortification to him. Epitomizing the rumors, Mr. Bowen says:

"Mr. Loomis, while minister, was reported to have used his public position to fill his private purse by obtaining interests in concessions and in various claims against the Venezuelan government. It was commonly thought also to have been in the pay of the Burunduz Asphalt company and to have made use of his own official position to give color to the belief that the United States government was especially favorable to the side of that company in its controversy with the Venezuelan government."

"I had no means of refuting these malicious statements. Their substantial truth was assumed by my diplomatic colleagues as well as by the general public at Caracas."

With regard to the Mercado claim, Mr. Bowen given the text of a letter which was among the papers he found in the legation archives. This letter is addressed to W. W. Russell and says:

"Dear Sir: In reference to the position of Mr. Mercado's claim, which I brought, I want to state that the only terms of settlement which I will accept other than a full cash payment of about 30,000 bolivars in gold are the following: 1. 10,000 bolivars in salt bonds at the rate of 82 per cent or 5 per cent below the quoted market rate, provided it does not go below 60 per cent. Very truly, F. H. LOOMIS."

Mr. Bowen underlined the words "which I brought" in the letter. He also gives the text of a letter from Charles H. Myers, addressed to Francis H. Loomis and referring to services rendered by Mr. Loomis in securing a contract for furnishing a loan to Venezuela.

Mr. Bowen's statement then concludes: "Mr. Loomis explains that if this contract, which was to give a million and a quarter, had gone through, he intended to resign."

"The conduct of a man who as American minister was willing to participate in such transactions as the foregoing is considered by his official superior as merely 'indiscrete' and he is retained in the public service."

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SENATOR MITCHELL FACES THE JURY.

He is Charged With Using His
Office for Private Gain in Con-
nection With Land Frauds.

CASE WILL BE FOUGHT HARD.

Counsel for Defense Making Desperate
Effort to Prevent Judge Tanner Be-
ing Placed On Witness Stand.

Portland, Or., June 21.—The trial of United States Senator John H. Mitchell, charged with using his office for private gain in connection with the land frauds in this state, commenced in Judge De Haven's court today, and for the first time in his life, and at the age of three score and ten, Senator Mitchell faced a jury of his peers.

United States Dist. Atty. Hene's arraignment of Mitchell was most severe. His outline of the case of the government was exhaustive, but it contained nothing that has not heretofore been made public through the indictment returned against the aged senator.

Judge A. S. Bennett, counsel for the defendant, denied the allegations of the prosecution, claiming that Senator Mitchell was guileless in intent, and that the only mistake the senator made was in changing the agreement which had existed between himself and his law partner, Judge Tanner, the latter being one of the persons indicted at the instance of the government in connection with the land frauds.

Later Judge Tanner made a confession of his and Mitchell's connection in the land transactions.

The evidence today consisted of the examination of Frederick Krebs, who is said to have employed Mitchell and Tanner to expedite his claims and the partial confession of Judge Tanner. Judge Tanner will complete his evidence tomorrow.

In addition to the oral testimony, Mr. Hene's flooding the jury with a mass of documentary evidence. This includes the alleged agreement entered into between Mitchell and Tanner and Krebs, by which, it is alleged, they were to expedite claims held by the latter, in producing checks, account books, letters and testimony in support of his indictment.

Judge Bennett and Senator Thurston, on the other hand, have pleaded the honorable career of their client, have held out the fact that tomorrow he is to pass his case to the jury, have entered objections to the introduction of testimony and made a desperate and spectacular attempt to block the introduction of Judge Tanner's evidence.

There was one time today when the interest in the proceedings brought such silence that the big clock could be heard counting the seconds. It was when Judge Tanner, in an effort to prevent the prosecution from placing Judge Tanner upon the stand, the defense had finished cross-examining Mr. Krebs, who opens the door for Judge Tanner to the stand and as he was about to take his place Senator Thurston addressed the court in objection to his testimony.

He called attention to the journal, in which was entered the statement and plea of guilty entered by Judge Tanner in an indictment for perjury. Going further, the speaker read from the revived statutes of the United States, in which it is provided that no person guilty of perjury can be used as a witness in the federal court. He contended that under the section the record of an indictment for perjury and of a plea of guilty under such indictment was a bar to testimony.

Mr. Hene argued that a plea of guilty without sentence was subject at any time to a reversal; that the defendant could withdraw his plea and enter upon trial, which he wished, and that the plea had been passed. Therefore the evidence of Judge Tanner was under the law admissible.

Judge De Haven held that the witness was competent; that a judgment was necessary to bar one convicted of perjury from testifying, and accordingly overruled the objections of the defense.

Mr. Krebs told of his agreement made with Mitchell and manner by which he was to pay for the expediting of forty claims of timber land. He identified a letter written by Mitchell to Commissioner Herman, giving a list of claims to be expedited. He also identified a check for \$500 paid to Mitchell and Tanner for the same done in passing the claims to patent.

At the afternoon session Krebs testified to having made an agreement with Tanner about the middle of February, 1902, at which time he took a third list of 20 claims which were pending in the land office. Krebs said he stated to pay \$500 for the service, \$500 down and \$500 when the claims were passed to patent. According to Krebs, Tanner had said he would send the list to Mitchell in Washington and have Mitchell take the matter up with the department.

He made another agreement with Mitchell and Tanner in September, 1902, agreeing to pay \$1,000 for the services rendered, under the same provisions as the other two had carried.

On cross-examination Krebs stated that he had been interested with ex-Gov. Pillsbury of Minnesota in securing the lands. The conversation had when he was presented to the senator by Mr. Tanner, at which time he discussed the expediting of life claims, had been the only time he had discussed the matter with the defendant. He had had no personal agreement with Mitchell as to the fees, but had arranged that part of the business with Tanner.

Besides Gov. Pillsbury, Krebs testified that C. A. Smith, S. J. Johnson and other Minneapolis lumbermen were financially interested with him in securing timber land.

On Mr. Krebs being excused, Judge Tanner was called. Judge Tanner said that he had entered into no partnership with Mitchell in 1901, which partnership had continued until the recent trouble, and that throughout that time the relations had been cordial between them. The first partnership agreement had been made in May, 1901. There was another agreement of March 5, 1901, upon which he identified the signature of himself and Mitchell. It had been written in Portland and sent to Washington for the signature of the senator, who had then returned it to him.

The witness had returned to the state since October, 1901, when he had done timber land business for him. Krebs had come to the office and he had agreed to help in the expediting of his claim for \$1,000, half down and the remainder upon the completion of the work.

Tanner testified that Senator Mitchell had been in the city and he (Tanner) had introduced Krebs to him at the office when Krebs had asked him to get the status of the claims and use his influence in passing them, which the sen-

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CHICKASAW WARRANTS.

Big Steal in Their Payment Al-
leged to Have Been Found.

Kansas City, June 22.—A special to the Journal from Muskogee, I. T., says:

It is alleged that a steal in connection with the payment of Chickasaw warrants has been discovered which will outlive the famous "Great" warrant of the Chickasaw nation.

The amount cannot be determined at present but it is between \$100,000 and \$200,000. This sum represents Chickasaw school warrants that were paid and afterwards, it is said, refunded.

One of the firm in St. Louis, it is understood, has about \$100,000 worth of warrants and some of them are known to have come from a combination of which Kirby Purdon, the absconding banker of Tishomingo, was said to be the leading spirit. A large number of these warrants are thought to be fraudulent.

The grand jury is making an investigation.

Indians were evidently deeply impressed.

Cuban Diarrhoea.

U. S. soldiers who served in Cuba during the Spanish war know what this disease is, and that ordinary remedies have little more effect than no such water. Cuban diarrhoea is almost as severe and dangerous as a mild attack of cholera.

There is one remedy, however, that can always be depended upon as will be seen by the following certificate from Mrs. Minnie Jacobs of Houston, Texas:

"I hereby certify that Chamberlain's Colic, Cholera and Diarrhoea Remedy cured my husband of a severe attack of Cuban diarrhoea, which he brought home from Cuba. We had several doctors but they did him no good. One bottle of this remedy cured him, and our neighbors will testify. I think it for so valuable a medicine." For sale by all Druggists.

Musical of the South, Saltair, tomorrow.

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DESERET NEWS BOOK STORE, 6 Main St.

BICYCLE EXCURSION

To Ogdén.

Thursday, June twenty-second, via Oregon Short Line Round trip, \$1.00. Special leaves Salt Lake at 4:40 p. m., returning leaves Ogdén at 11:00 p. m.

PORTLAND EXCURSIONS

Via Oregon Short Line.

Salt Lake to Portland and return (direct) \$31.50

Salt Lake to Portland and return (one way via San Francisco) \$42.50

Salt Lake to Portland and return (one way via Los Angeles) \$60.50

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City Ticket Office, 201 Main St.

SALT LAKE & LOS ANGELES RY.

Trains to Saltair Beach.

Time Table in Effect May 31st.

Leave Salt Lake. Arrive Salt Lake.

No. 2 10:00 a. m. No. 1 12:00 p. m.

No. 4 2:00 p. m. No. 3 3:30 p. m.

No. 6 5:00 p. m. No. 5 6:30 p. m.

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Time Table
Effective May 1st,
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DEPART DAILY.