



DEFENSE SHOWS ITS HAND PLAINLY

Hired Agent Testifies for Haywood.

HAD CANVASSED PRECINCT

Admits Receiving Regular Wages for Work.

ALL CITIZENS ON RECORD

Juror Flatly Contradicts Charge of Prejudice—Bitter Quarrel Between Socialist Editors—Correspondent Puts Spy to Flight.

BOISE, Idaho, May 20.—(Special.)—Much surprise is expressed among men who have been present at many great trials over a blunder made by the defense today in attacking John Fisher as a juror.

times; its agents are watching everybody. Last night they gave a correspondent an uncomfortable hour by following him to his room and then trailing him on the street when he reappeared. He had observed the shadow before, and tried to throw him off without effect.

MUST CALL ANOTHER VENIRE

Almost Every Possible Juror Proves Tainted With Prejudice.

BOISE, Idaho, May 20.—It seems inevitable that the Stuenkel murder trial must be halted again tomorrow to permit the gathering of another special venire of jurors. When the session of today ended, only 11 out of 20 peremptory challenges had been



Fred A. Busse, Mayor of Chicago, Who Removes Majority of School Board.

used, and but nine of the 100 veniremen gathered a week ago remained uncalled. The remaining nine will hardly furnish grist for a day's work, so sometime tomorrow Judge Wood will probably adjourn the trial for at least a full day and send Sheriff Shad Hodgkin forth in quest of 50 additional takers.

The vacancy created by the ninth challenge, made on Saturday, was open when the trial was resumed this morning, the vacancy created by the eleventh challenge was open when court adjourned this afternoon and the difference between the two sums up the little stride forward of today. Joseph Chinn, of chair 8, challenged by the defense, and William McGuffin, of chair 9, challenged by the state, were the men of the old crowd who went down today. George Powell and Lee Scrivener were the two men who passed muster today, the first named for the vacancy made by the ninth challenge, the last named by the tenth challenge. They are both farmers, and Mr. Scrivener was formerly a sheriff in Kansas.

Agent of Defense Smoked Out.

Sixteen men were examined and excused for cause. Most of them had deep-seated opinions as to the guilt or innocence of William D. Haywood and went down for bias challenges from the state. Two of the 16 had scruples about capital punishment about hanging a murderer on circumstantial evidence.

The examination wearily droned its way over the same old ground, although the defense has narrowed its range of questioning. It asked nothing today about the Roosevelt letters and the Taft speeches, but devoted much attention to possible local prejudices and the existence of general prejudice against Socialists.

Good humor has come back to counsel and they joked and played back and forth all day, and the laughter of an easily pleased crowd frequently sounded through the room. Only once was the easy swing of the day broken. The defense returned to John Fisher and questioned him as to a conversation with C. P. Allen, a local Socialist, in October last. Mr. Fisher was at first certain that he had not talked with Mr. Allen, but when Mr. Allen came forward, the juror said he recognized the man. Mr. Allen was sworn and testified that Mr. Fisher had said that he knew of the acts of the accused in Colorado and that they should have been strung up before they were brought to Idaho. Mr. Fisher maintained that he did not say anything of the kind, but thought he might have said that, if the accused were guilty of the things done in Colorado, they should have been strung up.

James H. Halsey, leading counsel for the state, questioned Mr. Allen at length and brought from him the statement that he was employed by the defense to poll his precinct, that he was paid \$3.50 per day when he worked, and that he was under pay today. Judge Wood failed to sustain the challenge of Mr. Fisher, and he remains in the jury-box for the time being.

T. D. Cahlan, an attorney of Boise, joined the defense as associate counsel today. He makes the eighth of counsel for the defense participating in the trial. The trial goes on at 9:30 in the morning, and in the future that will be the hour of convening, and adjournment will be at 4 o'clock.

Had Read Socialist Papers.

When the court session opened, Clarence S. Darrow, for the defense, continued the examination of T. C. Decker, a rancher, who was called into seat No. 5 in the jury-box just before court adjourned last Saturday. After a long examination, Mr. Decker declared that his mind was pretty well made up. He was excused.

Nearly half an hour was consumed in the examination of the next taker, George W. Masters, a rancher, who came to Idaho from Kansas. He finally asserted that the opinion which at first he had stated was not a fixed one, but would

change, and he was excused. The espionage of the defense con-

tinued on Page 2.

BUSSE LOPS OFF DIRECTORS' HEADS

Summary Action With School Board.

SIX WILL FIGHT FOR SEATS

Board Powerless to Act Till New Men Confirmed.

ENORMOUS DEBT PILED UP

Removals Leave the Chicago Board Without Quorum—President Will Leave Decapitated Members to Fight It Out.

CHICAGO, May 20.—(Special.)—Chicago is practically without a Board of Education. Mayor Busse accepted two more resignations today, making a total of five, and removed seven other trustees who refused to resign. The Mayor said the condition of the Board's finances, which indicates more than \$1,000,000 deficit this year, is the cause of his action.

The remnant Board consists of nine members—not enough to transact even the most trivial business. The Illinois school statute requires the affirmative vote of at least 11 Trustees to purchase a postage stamp.

The seven deposed Trustees asserted tonight that they would not recognize their notice of removal. They unanimously declared the Mayor had no legal power to displace them. They said they would attend the meeting of the Board scheduled for Wednesday evening and transact school business—if there is a quorum—as if their removal notices were notes of commendation. There will be neither president nor vice-president to call the meeting to order. Vice-President Wladyslaw A. Kutlowski is one of those whose resignations have been accepted.

President Ritter took the position tonight, when he learned the Mayor had put the names of new appointees to the Council, that nine members could not transact business and a meeting of the Board would be impossible. After making his position known, he left for Grand Island, Neb., and said he would not return until Thursday evening, possibly Friday.

Secretary Larson, of the Board of Education, will receive notice tomorrow of the resignation of five Trustees and the removal of seven and he will skip over the names of the 12 in the roll-call Wednesday evening. Few if any of the left-over nine are expected to go to the Board room for the meeting. In that event, the seven "rebels" asserted, they would adjourn to reconvene at their convenience.

Six Will Fight Removal.

Mr. Ritter's announcement of his position eliminates a few of the expected complications. Of the seven deposed Trustees Mr. Hayes will not join his former colleagues in court proceedings to test the Mayor's power of removal. The fighting six are Dr. Cornelia De Bey, John J. Son-

stebly, Louis F. Post, Raymond Robins, Wiley W. Mills and Philip Angenstein. Their plan of battle was outlined as follows: At the next meeting of the Board, when there is a quorum, they will present themselves and ask recognition as members of the Board. They expect Mr. Ritter, who has been classed as one of the so-called radicals, will recognize them. If he should, the six assert, the new appointees of the Mayor would be forced into the position of bringing quo warranto proceedings to ascertain who is legally entitled to a seat in the Board. If Mr. Ritter reverses his position of tonight, it is predicted in the city hall that he will be summarily removed by the Mayor. If Mr. Ritter continues to hold that the deposed Trustees have no claim to recognition, they will begin quo warranto proceedings against their six successors.

BY BRINGING RAILROADS TO TIME

Charge for Hauling Empties Discontinued From Coast.

WASHINGTON, May 20.—Three decisions of the Interstate Commerce Commission relating to the operation of joint through rates were announced today, and in each case the defendant road agreed to reduce the rates in accordance with the desire of the complainants and the complaints were dismissed.

The National Petroleum Association complained against the Pennsylvania and other railroads, alleging unreasonable and discriminatory rates on petroleum and its products from Pennsylvania and Ohio to Pacific Coast terminals and that the charge of \$135 each for returning empty cylinder oil cars from the terminals should be abrogated. The railroads have since considerably reduced the rates and abrogated the empty car charge.

LAW IN WAY OF PARDON

Sullivan's Nephew Deserts and Then Wants to Re-enlist.

WASHINGTON, May 20.—Because the law provides that no person shall be re-enlisted in the military service of the Government whose previous service has not been honest and faithful, some difficulty has arisen in carrying out the directions of the President that John L. Lennon be pardoned on condition that he re-enlist for a full term in the Marine Corps.

Lennon is a nephew of John L. Sullivan, the ex-pugilist, and is now serving a term of one year's imprisonment for desertion, having been also dishonorably discharged from the corps. Attorney-General Bonaparte has been asked to pass on the questions involved before the pardon is granted.

ENSIGN SHOOTS HIMSELF

Fared Courtmartial for Row With Santiago Police.

WASHINGTON, May 20.—The Navy Department today received a dispatch from Santiago, Cuba, stating that Ensign Alfred T. Brisbin, who was in a difficulty with the police of Santiago about a fortnight ago with sailors from the Tacoma, had shot himself through the lung and was in a serious condition. Ensign Brisbin is in Santiago.

The official investigation of the trouble with the Santiago police appears to have developed the fact that Brisbin was drinking with the sailors, which would doubtless have resulted in his being court-martialed. Brisbin entered Annapolis Naval Academy from Pennsylvania in 1895 and graduated in 1903. He was born in Idaho.

Hummel Goes to Prison.

NEW YORK, May 20.—Abraham H. Hummel, who for nearly a third of a century was one of the most widely known and successful criminal lawyers in this city, today began the service of a one-year sentence in the Blackwell's Island Penitentiary. He will be put to work in the bakery.

THEY NEVER DID ANYTHING WRONG

San Francisco Gas Men Say Innocent.

BUT RUEF HAS TALE TO TELL

About What It Cost to Get Rate of 85 Cents.

WILL TALK SOME TODAY

Henry Knows Price Paid Supervisors, Mayor and Boss—Schmitz Appears for Trial and Will Remain Free at Present.

SAN FRANCISCO, May 20.—(Special.)—For more than three hours today the Grand Jury delved into the affairs of the San Francisco Gas & Electric Company in an endeavor to learn who was responsible for the bribery of the Mayor and the Supervisors in connection with the 85-cent rate. The witnesses examined included John A. Britton, president of the company; Cyrus Pierce, treasurer; C. F. Barrett, former treasurer; C. S. Conlisk, secretary; John Battler, auditor; N. V. Halsey, a director, and W. J. Cope, A. F. Morrison and W. I. Brobeck, attorneys.

The inquiries of Assistant District Attorney Henry showed a desire to learn of the actions of the executive committee of the board of directors. In the case of the Pacific States and the Home telephone companies, Mr. Henry had directed his fire at the executive committee of the directors. This committee in the gas company was composed of John A. Britton, John Martin, Eugene de Sabla, N. V. Halsey and Frank C. Drum. None know of Gratting.

Mr. Britton was questioned at length by Mr. Henry. When he emerged from the Grand Jury room, he said that he had denied all knowledge of bribery. He had been asked, he said, if he had authorized the payment of any money to Abe Ruef, and replied that he had not. He also informed the Grand Jury that his acquaintance with Ruef was purely formal and in no way intimate.

Books of the gas company were produced and Mr. Conlisk and Mr. Butler were questioned at great length on the significance of different entries. Both disclaimed knowledge of the purpose of the payments, and said that they had merely carried out the orders of the directors.

Messrs. Morrison, Cope and Brobeck testified as to matters in which they had represented the gas company, but denied that they were in any way concerned with affairs which came up before the Supervisors.

Ruef Will Tell Whole Story.

It was thought that Abe Ruef would again appear before the grand jury, but it was 5:30 o'clock before the other witnesses had completed their testimony. Ruef is scheduled to appear tomorrow to testify in regard to the

gas deal. This is said to have been one of the transactions in which Ruef believed the corporation acted with its eyes open. In all such cases he said he intended to tell all. When Ruef takes the stand tomorrow, therefore, he will be expected to clear up for the prosecution all doubtful points in the gas deal.

New Indictment for Schmitz.

It has already been brought out that each of the Supervisors received \$50 for his vote on the gas trade. In addition \$50,000 was paid to Ruef, which he subsequently divided with Schmitz. When Ruef gives his testimony tomorrow he will, therefore, lay the foundation for a new indictment against the Mayor as well as against those members of the corporation who engineered the deal.

Frank Drum has already testified in the gas matter. He denied all knowledge of bribery. Mr. Drum is a director of the Pacific States Telephone Company and



James R. Keene, Who Owns Supervisors, Winner of Brooklyn Handicap.

admitted that he had rented the rooms in the Mills building in which Theodore V. Halsey bribed the Supervisors.

SCHMITZ APPEARS FOR TRIAL

Will Not Be Imprisoned—Change of Judge Asked.

SAN FRANCISCO, May 20.—Mayor Eugene Schmitz appeared for trial at 10 o'clock this morning in Judge Dunne's department of the Supreme Court on five grand jury charges of extorting money from local keepers of French restaurants. By request of the prosecution, the hearing was delayed one day in order that counter affidavits may be prepared against Schmitz' motion for a change of trial judge. Assistant District Attorney Henry created a surprise by announcing that the state has no present intention of asking the court to take the Mayor into custody pending his trial.

Schmitz is at liberty under five bail bonds aggregating \$50,000. At five minutes before 10 o'clock the Mayor, accompanied by his counsel, Messrs. Campbell, Drew, Barrett and Fairall, entered the courtroom. The Mayor looked pale and grim. For the prosecution there appeared District Attorney Langdon, Assistant District Attorneys Henry and Harrison, Spectors

(Concluded on Page 5.)

CONTENTS TODAY'S PAPER

The Weather. YESTERDAY'S Maximum temperature, 61 degrees; minimum, 49. TODAY'S—Fair and warmer; northwest winds.

Foreign. Mexico sends army to southern frontier, where three republics are in chaotic state. Page 2. Duma denounces Czar on failure of conspiracy, but radicals stay away. Page 4. Odessa police officials blown up. Revenue Taken on Jews. Page 4.

National. Superior Court decision invalidates many court cases. Page 8. Garfield reforms Alaska reindeer business. Page 2. San Francisco strike kills warship building work that city. Page 5.

Politics. Bourne's interview on Roosevelt's third term puzzles Federal editors. Page 4. Mayor Busse decapitates majority of School Board and law suit may result. Page 1. Jerome takes hand in Gould divorce case. Presbyterian assembly has warm debate on abolishing executive power. Page 10. Railroads accuse Government of Sabbath-breaking. Page 5.

Sport. Superman wins Brooklyn handicap. Page 10.

Pacific Coast. San Francisco gas men deny bribery, but Ruef will tell. Page 1. Schmitz appears for trial, but case is delayed. Page 1. Committee of seven in San Francisco resigns. Page 1. San Francisco moves for municipal operation of carlines. Page 1. Defense in Haywood case exposes its secret work. Page 1. Serious crisis due to strikes in San Francisco. Page 5. Juror in Federal court at Moscow says he was approached. Page 6. Berry-pickers beginning to arrive at Hood River. Page 10. Eugene Palmer declares he has plenty of signatures for referendum on University Appropriation. Page 6.

Portland and Velicity. Kellaher says he has found author of election day screw. Page 10. Labor men in row over failure of union ticket to get on ballot. Page 10. United States Circuit Court of Appeals at San Francisco denies Gesner and Biggs' petition for rehearing. Page 11. Round-trip tickets to East offered at varying prices by local railway offices. Page 11. Whirlwind campaign planned to raise money for the Fourth. Page 11. Knights of Pythias open convention today. Page 10. Portland Heights tract sells for nearly half million. Page 12. Judge allows woman to send husband to rockpile. Page 12.

Commercial and Marine. Eastern Oregon wool held for sales days. Page 17. Wide fluctuations in wheat at Chicago. Page 17. Stocks more active but weaker. Page 17. Coquille River people want steamer Manzanita for that run. Page 16.

TRY MUNICIPAL OWNERSHIP PLAN

San Francisco Acquires Carline.

CHANGE CABLE TO ELECTRIC

Geary Street Company's Franchise Expires.

RAISE MONEY TO EQUIP

Old Company. In Effort to Retain Possession, Accedes to Demand of the Workmen for Increase of Wages, but Loses Control.

SAN FRANCISCO, May 20.—San Francisco is to have an experiment in municipal ownership of public utilities. The city will take over the Geary-street railway. This decision was arrived at today by District Attorney Langdon after a conference with Chairman Gallagher of the Board of Supervisors. That body will at once appropriate the sum of \$400,000 for the purpose, and this amount will be added in the June budget to the \$50,000 already appropriated for the assumption of the railroad.

The board will employ a competent engineer to draw up plans for the conversion of the road from a cable system to an electrical conduit system. About two years ago the franchise of the Geary-street road expired. Application for renewal was refused. But under an agreement that the company would surrender its road to the city on demand, the Supervisors granted a temporary license to operate, carrying the proviso that during the life of this permit the company should pay to the city a percentage of its gross earnings.

Votes Bond Issue. Simultaneously with the expiration of the franchise, the question of municipal acquisition was agitated. The result was that the people voted a bond issue of \$500,000 to take over the road. This was to be followed at once by municipal control, but the Supervisors neglected to take action, and since that time the road has been operated under its temporary permit.

The recent strike of the carmen, which completely tied up the street-car systems of the city, caused the introduction in the Board of Supervisors of a resolution calling for the surrender of the Geary-street road. This was at the instance of labor union leaders, but the resolution was not acted upon.

Fearing that the non-union operation of the road would result in absorption by the city, Secretary Harper signed an agreement with the Carman's Union to pay the union demand of \$3 for an eight-hour day, but the board of directors, instead of endorsing this contract, repudiated it and dismissed Harper.

Blow Aimed at United.

The charge is made that the determination on the part of the District Attorney to cause the surrender of the road to the city is a blow aimed at the United Railroads, whose officials, in addition to fighting the present bitter strike, have on their hands the defense of probable agreements on the charge of bribing the Supervisory Board, under which the United Railroads system is now being operated.

Mr. Langdon made the following statement of the reasons for municipal operation: The people of San Francisco have twice declared their preference for municipal ownership of the Geary-street road. Although the necessary two-thirds vote to carry a bond issue has never been cast, the Board of Supervisors last July, in carrying out its duty, voted to put aside \$500,000 in the annual budget for the purpose of installing and operating the Geary-street road under municipal control. But the same policy of inactivity which has characterized the Board of Supervisors has permitted this road to remain in the possession of its former owners, notwithstanding the fact that their franchise long since expired.

City's Opportunity at Hand.

The opportunity of the city to take charge and control of this road is now at hand, since the company has failed to render to the public the service which the public demands and is entitled to. Before this action was determined upon by the city, the company was directed by the Board of Supervisors to start its cars on Wednesday, May 15. This the company refused to do.

The city will now prepare at once to take over this road and operate it by a conduit electric system. Every effort will be made to install and operate one of the best rail-road systems in this country. The city will secure the services of a competent and experienced engineer and put the work in his hands. An earnest effort will be put forth to keep it free from any political coloring whatsoever. Municipal ownership of railroads is an experiment in San Francisco, and it is the desire of those who are fathering this change to see that it is a successful one. To that end high engineering skill and the best business capacity will be demanded of those who have the matter in hand.

Makes Business Success.

It is my sincere belief that the city will make a financial success of this undertaking, and that the same time will render a service equal to the best in the country. To complete this change from cable to conduit electric will require close onto a year. This road runs from the business portion of San Francisco through an important part of the residence section, and terminates in one of the most promising of the outlying districts.

That the road may be entirely free from political entanglements, it may seem best to have a nonpartisan, nonpolitical commission of business men and engineers in control. Under the charter the cars from this line may run over ten blocks of any other railroad system in the city and hence can reach the general ferry at Market and East streets, thus making a continuous route from the ferry to the ocean and

(Concluded on Page 4.)

