

## AS REVIEWED BY HENEY

### The Graft Prosecutor Discusses Ruef Case

## GOOD ARGUMENT FOR RECALL

### Is Seen in the Final Action of State Supreme Court of California—Rich Criminals Escape Punishment.

## TAKEN TO PRISON.

SAN FRANCISCO, Cal., March 3.—Abe Ruef will probably be taken to San Quentin prison today. Both the former political boss and his attorneys were cited to appear before Judge Laylor this afternoon and answer reports charging that they ran counter to stipulations which they agreed to secure during the seven day stay of sentence. It is now stated that Ruef's attorneys are preparing appeals to the United States supreme court for a re-hearing, notwithstanding that the stay of sentence was simply granted in order to give him an opportunity to transact private business matters.

## (Special to Evening News.)

SAN FRANCISCO, March 3.—Francis J. Henery, graft prosecutor, who conducted the prosecution of Abe Ruef, commenting today on the final court order ending Ruef's fight to escape a 14-year sentence for bribery sees in the final action a powerful argument for the recall. The state supreme court in vacating an order granting a re-hearing to Ruef virtually reversed itself after it had been attacked by the attorney-general and the legislature had started an investigation of the court. Mr. Henery says: "The fact that the supreme court of California has reversed itself to sustain the conviction of Abraham Ruef is important chiefly as a sign of the times—of

the new era in which the people are beginning to rule.

"That Ruef must go to jail is of relative importance only. It is important that criminals of all stations should be punished but it is far more important that the people themselves should control the administration of justice.

"There is a peculiar and a tremendous significance in the fact that what Ruef claims to be a technicality forced the supreme court of this state to reverse itself on a previous ruling which granted Ruef a re-hearing. On former occasions technicalities have weighed only in favor of the graft prosecution defendants. Schmitz had been freed because the indictment upon which he was convicted failed to state that he was mayor of San Francisco at the time his crime was committed. The supreme court unanimously refused to give the people of California a hearing on the merits of the Schmitz case and based its refusal on a flimsy technicality which was not anticipated and hence was not even mentioned in the brief accompanying the application by the people for a hearing.

Ruef had been granted a hearing on technical grounds. The court reversed its action because the attorney general called its attention to the fact that one of the concurring justices was out of the state when the order for a hearing was signed. Why did four members of the court first ignore, then reckon with this point?

"Because a fearless public officer demanded attention and because the weight of an awakened public was behind the demand—a public interested in its own affairs, demanding speedy and substantial justice, the right to remove faithless judges, the creation of laws to stop jury tampering and miscarriages of justice.

This awakening came in time to work against Ruef. That is all.

"It is probable that the bitter thought of all to this formerly powerful man, is that he must go to jail while his more powerful and richer companions in crime go free. There is bitterness in that fact to all right thinking persons as well. Yet, the very conditions that produced these miscarriages of justice were the instruments that worked toward permanent good.

"The prosecution of the rich lawbreaker, while they failed in their immediate purpose—to send the rich and powerful criminals to the penitentiary—were wholly successful in their ultimate purpose—to expose the causes behind the corruption of public officers, the solicitude of

## TARIFF BOARD BILL

### Will Be Considered In Senate Saturday Morning

## ALL NIGHT SESSION DISPLEASING

### Senators Stone and Overman Give Up Fight and Join the Majority—Naval Appropriations Bill To Come Up Next.

(Special to The Evening News.)

WASHINGTON, D. C., March 3.—An agreement was reached in the senate at 3 o'clock this morning to the effect that a vote on the tariff board will be taken at 8:30 o'clock Saturday morning. In the event the agreement is adhered to the tariff bill will become a reality inasmuch as the measure has already passed the house and is favored by members of the senate.

The attempt to prevent the vote by Senators Stone and Overman met an abrupt end this morning, then they joined the majority and surrendered. It is believed that the senate will complete practically all business, save the consideration of the reciprocity agreement prior to adjournment. When the senate reconvened today Senator Stone served notice that he would call up the reciprocity bill at the close of the consideration of the navy appropriation bill which carries the sum of \$125,000,000.

## Measure Becomes Law.

WASHINGTON, D. C., March 3.—After three hour's discussion the sundry civil bill, carrying appropriations to the amount of \$240,000,000 was passed. The Owen amendment increasing the salaries of public health and marine hospital employees was adopted, as was an amendment introduced by Senator Culberson reducing the appropriation of the present tariff board experts from \$400,000 to \$200,000, and entailing its use to one year. The bill was adopted by a vote of 39 to 24.

## Commission Form Sustained.

OLYMPIA, Wash., March 3.—The supreme court today sustained the principle of the commission form of government in Washington. The plan is already being adopted in Tacoma, and is soon to be tried in Spokane.

## Another Amendment.

WASHINGTON, D. C., March 3.—Another of Senator Culberson's amendments to the Sundry bill, ordering a report by the tariff board on wool and woolen schedules before the first Monday in next December was adopted this afternoon after considerable wrangling. An amendment introduced by Senator Jones of Washington, suppressing the liquor traffic in Alaska was also adopted. An amendment introduced by Senator Burton to eliminate fortifications of the Panama canal was defeated.

## Chinese Are Trampled.

HANKOW, China, March 3.—Starving Chinese today trampled 21 persons to death in their mad rush for food which is being distributed at Sha Yang, Hupoh province, by missionaries.

## Extra Session Certain.

WASHINGTON, D. C., March 3.—An extra session of congress is regarded a certainty today following

courts for criminal corporations. To demonstrate to the people the necessity of controlling their own government.

"Ruef now says that he would not have been convicted of bribery had Mr. Henery not been shot in court during the trial. This may be partially true, though it is certain that the ability and patriotism of the present governor of California was largely the cause. If the shooting worked toward the administration of justice, then the suffering and injury it entailed on me and mine were worth while. As a crime it was more violent but not as dangerous to society as other crimes that were committed during the course of the prosecutions.

"Jury tampering, bribery of witnesses, control of courts by private interests—these strike at the foundations of American institutions. The open shooting worked a quick but temporary awakening of the public mind. The exposure of those other secret crimes, committed by exceedingly clever and adroit criminals, worked toward a gradual but permanent awakening.

"There are many honest citizens of California today supporting the new progressive administration who openly opposed the work of the graft prosecutions. These persons do not realize that their present mental and moral attitude toward the administration of public affairs is in large measure due to what they saw and came to understand during the course of the graft prosecutions.

"That is the point. Ruef goes to jail. It is right and just that he should go. But that fact in itself is not the real triumph of the right. Ruef will have been sent to jail by the court that freed Schmitz on a flimsy technicality and thereby freed Ruef from the penalty of imprisonment for a crime to which he had pleaded guilty."

President Taft's official admission that he favors March 15 for the opening day. The date represents a compromise at both the republican and democratic conference headquarters. It is now believed that all possibility of voting upon the reciprocity measure during the present session has vanished.

## Ready to Fortify.

VALPARAISO, March 3.—It is authoritatively stated here today that Chile has refused the secret offer of Japan to buy the Easter Island for a fortified naval base. The island is situated in the Pacific Ocean west of the coast of Chile, and contains about fifty square miles of land, most of which is of a volcanic nature.

## Will Approve Reciprocity.

OTTAWA, Ont., March 3.—With the idea of permitting the measure to stand as an open offer to the United States, it was stated upon the highest authority today that Parliament will pass the reciprocity measure without alteration. Debates on other questions are slow today, and indications point to a long drawn out session.

## Graft Is Charged.

WASHINGTON, D. C., March 3.—A majority of the house committee on insular affairs today reported charges of graft in the sale of Friars lands in the Philippines to the sugar trust unproven. A minority report will be filed later. All republicans and two democrats, Senators Rucker and Furness, signed the majority report which exonerates the Philippine officials and recommends changes in the law removing burdens of limitations from the sale of lands.

## LOCAL NEWS.

A motion was filed in the circuit court today praying for the dismissal of the case of George Neuner, Jr., vs. B. Krackerberger, an action to recover money. The motion was filed through the plaintiff's attorney, F. G. McCall, and is to the effect that the case has been settled.

On account of the small attendance last evening, the members of the Rose club failed to transact any business, other than adjourning until next Tuesday night when an effort will be made to devise plans for beautifying the city during the coming summer. President H. T. McChallen is desirous of getting down to work without unnecessary delay, and consequently urges every member of the organization to be present at the adjourned meeting.

Past driving of an automobile nearly caused a tragedy at the corner of Jackson and Washington streets this morning, when J. W. Kingery, of Yoncalla, in crossing the street, was run down, the heavy machine passing over one foot and badly bruising the member. Mr. Kingery, who is quite deaf, was crossing the street, did not hear the auto, although the driver, who was unknown to him, may have whistled a warning, but the machine was unable to stop in time to prevent an accident, even though the driver had desired. However, as it was he did not stop to see if Mr. Kingery was hurt, but bowled merrily around an adjacent corner and disappeared from sight. Mr. Kingery was not knocked down, although the machine struck him on the leg, the wheel passing over his right foot.

Ella S. Anderson today filed suit for divorce against her husband, Charles J. Anderson, in the circuit court. According to the complaint the couple were married at Jamestown, North Dakota, in August, 1892 and a few years later moved to Douglas county where they have since resided. Seven children were born to their union, the eldest of whom is 19 years of age. The plaintiff alleges that her husband has conducted himself in an exceedingly cruel and inhuman manner during the past five or six years, and that he frequently beat her until her face and body was terribly blackened and bruised. On January 29, 1911, at their home in Melrose, she alleges he attacked her with the result that her face and body evidenced bruises for weeks. A few days later, February 16, she contends that he repeated the offense, and during a spell of anger struck her on the head with a stick of wood. She also says he drove her from the family home with the result that she was compelled to walk to Roseburg and seek shelter and food through the kindness of friends. She further alleges that she was ill at the time of the latter trouble and could not well stand the treatment accorded. Aside from an absolute decree the plaintiff asks for the custody of the minor children, alimony at the rate of \$50 per month, \$300 attorneys fees, sufficient sum with which to defray the costs and disbursements of the suit, that she be declared the owner of a one-third interest in the real property of the defendant amounting to about \$7,000, and the owner of a one-half interest in the personal property of the defendant amounting to about \$1,000. Attorney John T. Long has been retained by Mrs. Anderson, and it is probable that the case will come up for disposition during the regular May term of the circuit court.

FOR SALE—Two standard bred fillies, registered, one 4 and other 3 years old. Nice large span and will make 1150 pounds each. Both broods. Inquire of R. H. Wood, News Office. 417

## WILL BECOME A LAW

### County Court May Transfer Fair Grounds

## BILL IS FILED BY GOVERNOR

### And Signed by Speaker of House and Senate—Introduced by Rep. Neuner Upon Request of Fair Association.

Notwithstanding the fact that the vote whereby Neuner's house bill 408 passed the senate was reconsidered at the instance of Senator Abraham and indefinitely postponed, the bill will become a law within ninety days from the time filed by the governor.

The facts connected with this procedure were given to a News reporter in an interview with Mr. Neuner, who has just returned from Salem. This bill was introduced at the request of the secretary of the Roseburg Fair and Park Association, which authorized the county court of Douglas county, Oregon, to deed a certain tract of land, being the old fair ground property located east of town, to said association, and the bill passed the house about two days before the session closed.

It was sent to the senate and the senate passed the same with an amendment. It was returned to the house and the house concurred in the senate amendment.

Senator Abraham, not getting the information connected with the transaction of the association and the county court, moved to have the vote whereby the bill passed the senate reconsidered. This was done and then the senator moved to have the bill indefinitely postponed, but failed to have the bill re-called from the house.

In the meantime, however, the bill was enrolled, signed by the speaker of the house and president of the senate, delivered to the governor, who filed the same with the secretary of state and the same will now become a law.

Had the bill been recalled by Mr. Abraham it would have been dead, but the senator overlooked this procedure and failed to recall the bill from the house, before moving to reconsider the vote whereby it passed the senate.

Proprietor Hill, of the "Palace" theatre, is certainly giving his patrons their money's worth this week.

A number of trained dogs under the direction of a capable instructor display almost human intelligence, and that their work is appreciated is attested in the liberal applause following each performance. A comedian of rare ability also adds to the merit of the program, and according to those who witnessed his stunt last night, he is the best attraction that has appeared in local theatres for many a day. That the playhouse will be crowded to its capacity tonight is the prediction of its patrons.

## MUCH INTEREST MANIFEST.

### Aspiring Amateurs "Working Out Under Eugene West.

The athletically inclined men of this vicinity are manifesting considerable interest in the boxing carnival being promoted by Eugene West, of the Oregon Athletic Club for the purpose of raising funds to establish a gymnasium in Roseburg.

For several nights the aspiring amateurs have been "working out" under West's direction, and he has already completed his card of eight boxing events between local amateurs. Skye's skating rink is being used for an arena and a large crowd of Roseburg fans assemble every evening to watch the boys go through their stunts.

The program for the benefit, which is set for March 7th, promises some clean sport for the numerous enthusiasts of this vicinity.

The main event which will be a ten round boxing contest between Bobby Evans, of Portland, said to be one of the cleverest boxers in the Northwest, and Eugene West, will be preceded by eight preliminary contests between promising athletes among the younger men about town. They will box for medals and every care is being taken to see that they are evenly matched so as to provide interesting contests and to eliminate any chance of the participants being injured.

W. A. Burr, who resides on a ranch a short distance from the city, is spending the day in town attending to business matters.

The members of the county court are busy this afternoon considering road petitions and other matters of minor importance. Among the orders entered in the journal this morning are the following: In the matter of G. W. Gillam asking for a road of easement in road district No. 24, same accepted, and the board of road viewers is ordered to meet late in March and survey and locate said road. In the matter of the petition of J. J. Roach et al for a county road in road district No. 50, same denied for the reason that the board of road viewers returned an adverse report after careful investigation.

# Spring Opening 1911

## James A. Perry

Invites your inspection of Pattern Hats  
March 9th and 10th.

Tailored Hats on display now. Also complete line of Flowers, Braids, Ornaments, Velvet and Silk Ribbons and Shapes.

AT THE

# PALACE THEATRE

THURSDAY, FRIDAY AND SATURDAY

## 15--MURPHEY'S DOGS--15

Trained to go Through Their Performance Without Directions From Anyone.

## MUSICAL STEVENS

Three Reels of High Class Motion Pictures

Matinee Sunday 2:30 P. M.

Good Music

PRICE 15 AND 25 CENTS

Coming Beginning MARCH 5 THE McKinzie Merrymakers

## Millinery Opening

March 6th and 7th

We take pleasure in announcing our Opening of Spring and Summer Millinery.

We will display an elegant line of Pattern Hats, Flowers and Plumes.

Our entire store will be thrown open to the public and every one is cordially invited to attend.

Roseburg Beauty Parlors

# ARRIVED!

Rexall Roses. Call for yours. A Rosebush with each \$1.00 purchase of Rexall Remedy.

## Fullerton & Richardson

The Rexall Store. Near the Depot