

FOUR MONTHS IN JAIL FOR MAYS

Must Also Pay a Fine of \$10,000

FOR LAND-FRAUD CONSPIRACY

On Hearing Court's Judgment, Disgraced Man Weeps.

JONES ALSO SENTENCED

Eight Months and \$2000 Fine Portion of Co-Defendant—Sorenson Fails to Appear and His Bail Is Forfeited.

FATE OF BLUE MOUNTAIN CONSPIRATORS.

EX-STATE SENATOR FRANKLIN PIERCE MAYS—Fined \$10,000 and sentenced to serve four months in the Multnomah County Jail. WILLARD N. JONES—Fined \$2000 and sentenced to serve eight months in the Multnomah County Jail. GEORGE SORENSON—Bail of \$4000 forfeited and a bench warrant issued for arrest because of defendant's absence from courtroom.

could be seen that such was the case. Mays, while the court was passing sentence, grasped the back of his chair for support and when Judge Hunt finished speaking, seemed upon the verge of a collapse as he sank into the chair.

Mays Sheds Bitter Tears. While Attorney Fenton was pleading for a stay of execution of the sentence until such time as he could consult with his client and decide whether to appeal the case or accept the sentence, tears came to Mays' eyes in spite of his effort to control his emotions and he lowered his head and wept.

Attorney Fenton said that he was not prepared to say at this time whether he would appeal the case to the United States Circuit Court of Appeals. He said that he had two other cases pending and in view of the recent decision in the Williamson case he was of the opinion that the Mays case would not be appealed. He said, however, that he would be better able to decide just what would be done after he had consulted his client in the matter. Because of this he asked for the stay of execution and with the consent of United States Attorney Bristol, a stay was granted until November 1, so that the



George Sorenson.

clerk might have time to prepare the record in the case.

Settles Bills of Exceptions. The first matter taken up by Judge Hunt after the noon recess was the settling of the bills of exceptions in the cases of Hendricks, Barnard and Zachary. Attorney Bennett had prepared the bills of exceptions, but had omitted a great deal of the testimony which United States Attorney Bristol deemed vital to the issue. It took several hours to get what Mr. Bristol wanted into the record, but in the end Judge Hunt ruled in favor of the Government and with but a few exceptions the amended bills prepared by Mr. Bristol were accepted.

George Sorenson was the only defendant to be sentenced who was not in court when it convened in the morning session. Neither was Sorenson's attorney, Alex Svesek, present, and the Sorenson case went over until the afternoon session. Attorney Svesek was present at that time, but Sorenson, who is supposed to be in San Francisco, but whom Mr. Bristol declared he had been informed was seen in this city Thursday.

Attorney Svesek explained Sorenson's (Concluded on Page 2)

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MOVES TO BREAK LAND MONOPOLY

Bonaparte Acts on Oregon Grants.

ORDERS BRISTOL TO INQUIRE

Special Assistant Assigned to Aid in Work.

PERFORM TERMS OF GRANT

Government Would Forfeit Southern Pacific Land or Compel Sale to Settlers—May Try to Invalidate Former Sales.

OREGONIAN NEWS BUREAU, Wash-

ington, May 3.—There is no longer any doubt that the National Administration will exert its powerful influence to break the Southern Pacific land monopoly in Oregon and force that company to place on the market the remaining 3,000,000 acres of its grant, selling upon demand to bona fide settlers in quarter-section tracts and at not more than \$2.50 per acre, as specifically set forth in the law under which the grant was made. After several long conferences with Senator Bourne, Attorney-General Bonaparte has directed District Attorney Bristol to make a thorough investigation into the Southern Pacific grant, more properly known as the Oregon Central and Oregon & California grant.

The Government will first determine whether the law under which the grants were made can be enforced without further action on the part of Congress. If it is concluded that there is ample law, the Government will then determine what is the most practicable method of enforcing its provisions unless it shall be found that the grant was forfeited.

Harlan to Conduct Inquiry.

From his talks with Mr. Bourne, the Attorney-General is fully aware of the difficulties of the problem he has undertaken to solve, and has directed District Attorney Nathan V. Harlan of the third division of Alaska to report to Mr. Bristol and aid him in every way in his investigations. Mr. Harlan was in Nebraska on leave and desired employment before the expiration of his leave. The Attorney-General was glad to secure his services for this particular work and accordingly instructed Mr. Harlan to report to Mr. Bristol and lend him every possible assistance. The Attorney-General has notified Mr. Bristol by letter, and has instructed him to afford Mr. Harlan every facility for the work and directed him to place in Mr. Harlan's hands all information available which would be of use in making the investigation. In his instructions to Mr. Harlan the Attorney-General says:

Instructions From Bonaparte.

You are instructed to investigate the matter and prepare a bill in equity for sub-

mission to the department for approval. The relief asked in the bill shall be: First, a decree that the land grant involved, was valid; or, second, that it was forfeited by the failure to comply with the terms stated; or, third, that the railroad shall be decreed to comply with the terms of the grant by offering the land for sale to bona fide settlers at \$2.50 per acre, and in tracts not exceeding 160 acres to each purchaser.

Later on, it is understood, the department will investigate to determine whether or not sales heretofore made by the railroad in violation of the provisions of the law can be invalidated. At present, however, the main object is to force the Southern Pacific to put its land on the market and no longer retard development along the line of its road.

Mr. Bourne is in constant communication with the Attorney-General in regard to this matter, and it was due largely to his persistency that investigation was ordered at this time.

FIND ROOMS FOR LABORATORY

Bourne Urges Giltner to Try Again, at Wiley's Request.

OREGONIAN NEWS BUREAU, Wash-

ington, May 3.—At the suggestion of Dr.



Franklin P. Mays.

Wiley, Senator Bourne today telegraphed Secretary Giltner, of the Chamber of Commerce, suggesting that he make another effort to find quarters in Portland for a pure-food laboratory. If suitable quarters can be found, Dr. Wiley gives renewed assurance that the laboratory will be established, but he is unwilling to do so until he can get accommodations that are satisfactory.

It may require several months to install the laboratory after quarters are obtained. It will be three months before the laboratory is actually put into operation at Seattle, notwithstanding quarters were selected several days ago. Nevertheless, Mr. Bourne is anxious that quarters be obtained in Portland without further delay, and he has especially urged that investigation be made in new buildings that are nearing completion, believing that somewhere there must be rooms that can be remodeled to meet the requirements of the Government. He deems it advisable to have search made now, before new buildings are rented and the best rooms taken for other purposes. The Chamber of Commerce has a full description of the quarters required and it is now up to it to find suitable accommodations.

At one time it was believed the laboratory might be located in the rooms in the Custom-House now occupied by the immigration officers, but the Secretary of Commerce will not consent to vacate them, so the laboratory must be established in rented quarters. Dr. Wiley desires to locate the laboratory as near the Custom-House as possible, because chemists will be called upon to examine food products that are held in the warehouse pending determination as to their fitness for admission to the United States.

READY TO INDICT CARLINE CHIEFS

Heney's Big Stick Will Hit Calhoun.

HIS NEPHEW MULLALLY ALSO

United Railroads Bribes and How They Were Paid.

RUEF TRIED HIDING TRACKS

Bonds Sold Through Middleman. Calhoun and Mullally Refuse to Testify, but Deny Guilt—Home Telephone Books Missing.

SAN FRANCISCO, May 3.—(Special.)

Patrick Calhoun, president of the United Railroads, and his nephew and assistant, Thornwell Mullally, were among the first witnesses called before the grand jury this morning, and it at once became apparent that the graft prosecution is prepared to fasten guilt for the bribes which the members of the Board of Supervisors have confessed they received for granting the United Railroads the overhead trolley franchise immediately after the earthquake and fire of April, 1905. Charles Holbrook, a director of the road, was also a witness, but stated that all important matters in connection with the corporation were attended to by Calhoun without consultation with other members of the board.

Indict Calhoun and Mullally.

As a result of today's testimony and that to be given tomorrow, indictments will be voted against Patrick Calhoun, the millionaire Wall-street magnate who runs the local system. It is stated that Mullally had knowledge of Calhoun's transactions, and there is little chance for him to escape the fate of his chief.

One of the principal witnesses today was Charles Sutro, a broker. Mr. Sutro was asked if he did not pay over to Ruef and Schmitz a big sum in United Railroads securities immediately after the trolley franchise was granted. Mr. Sutro stated that he desired further time before answering the question. He made no denial, but stated that he desired to consult an attorney.

This line of questioning clears up the question as to the manner in which the money was transferred. It was known that the United Railroads had paid \$50,000 in bribes for the franchise. Of this sum, some \$100,000 was traced, but it was not until today that it became known that Schmitz and Ruef had received part of their booty in bonds.

Home Telephone Books Missing.

When Calhoun and Mullally were called to the stand they were warned that anything they might say would be used

against them. They both refused to testify and were excused.

In addition to the United Railroads officials, important officials of the Home Telephone Company were called before the grand jury in the persons of J. H. Adams, T. W. Phillips and C. W. Green. It appears that the Home Telephone Company books covering the bribery transactions have disappeared and the officials refused to divulge their whereabouts.

There is a possibility that a batch of indictments will be filed tomorrow, as it is the intention of the prosecution to postpone important grand jury matters until after the Ruef trial. On Monday Mr. Heney will go into court and assume charge of the Ruef trial. The jury will be completed on Monday, and the presentation of evidence will then be begun.

HOW BRIBE MONEY WAS PAID

Ruef and Schmitz Got Bonds—Calhoun Still Denies Bribery.

SAN FRANCISCO, May 3.—Proceeding on the working basis of the confessions before the grand jury of 14 Supervisors, which became public as official records



Willard N. Jones.

recently, it is the announced theory of the prosecution that the United Railroads expended \$750,000 in bribery for the purpose named, in the following manner: In cash to each of 15 Supervisors, \$4000; to Supervisor Wilson, \$10,000; to Supervisor Gallagher, \$5,000—a cash total of \$85,000, in bonds of the United Railroads to Abraham Ruef and Mayor Schmitz, \$265,000; to a go-between, name withheld—\$100,000—a total in bonds of \$665,000, and a grand total of three-quarters of a million.

According to a further statement from the prosecution, it expects to show that, in order to avoid future suspicion these bonds were not issued in the names of Ruef and Schmitz, but in the names of other persons, and that they were then converted into cash by Ruef and Schmitz through the house of Charles Sutro & Co., of this city. Fred Hilbert, a friend of Schmitz, acting as messenger between Schmitz and Sutro.

Calhoun Denies Charge.

Mr. Calhoun said tonight in behalf of Mr. Mullally and himself:

When called before the grand jury this afternoon and informed that it had under investigation the alleged bribery of public officials by the United Railroads, we declined to be sworn and, in order that our action may not be misconstrued, I call your attention to these facts:

For months past the public prints have been full of charges traceable to certain persons connected with the prosecution—that they had positive evidence that the United Railroads had spent not less than \$450,000 in bribing the officials of this city. I have repeatedly stated that neither I nor the United Railroads had bribed any one, authorized any bribery, knew of any bribery or approved of any bribery. This statement I now fully reaffirm.

It is not for us nor any officer of our company to disprove these grave charges. It is for those making them to prove them. We do not now care to discuss their motives. We care only that they produce any truthful evidence connecting us or any officer of the United Railroads with this alleged crime.

We relied in declining to be sworn upon the broad constitutional right of every American citizen that a defendant can not be called as a witness, and upon the justice, fairness and common sense which produce a jury to whom we look for complete vindication without offering one word in our own behalf.

Another Verdict in Ruef Case.

SAN FRANCISCO, May 3.—The ordinary venire issued yesterday by Judge Dunne for the completion of the Ruef jury was returned in court this morning by Elmer Biggy and 19 of the 25 men answered their names. Sixteen of these were excused by the court for legal reasons, leaving three available out of the 25 summoned. Judge Dunne issued thereupon another venire of 25, returnable Monday morning, producing which time an adjournment was taken. Ruef and his attorneys were not present in court this morning. The state was represented by Mr. Johnson.

TREATMENT FOR DOG BITE

Cincinnati Millionaire Is in Danger of Hydrophobia.

NEW YORK, May 3.—William Cooper Proctor, president of the Procter & Gamble Company of Cincinnati, whose father, William A. Proctor, committed suicide March 29, is in this city and is receiving the Pasteur treatment from the physicians of the health department under conditions of the utmost secrecy.

Mr. Proctor, who is a dog fancier and who owns one of the finest kennels in Ohio, was bitten several days ago on the right hand while separating two of his favorite animals which were engaged in a fight. Later it was discovered that the animal which bit him was suffering from hydrophobia. Mr. Proctor started at once for this city. Dr. Poor, Mr. Proctor's physician, said tonight that although Mr. Proctor has shown no symptoms of hydrophobia up to the present time, he was not entirely out of danger.

Drowned Boy's Body Recovered.

ABERDEEN, Wash., May 3.—The body of Richard Beltz, the high school lad drowned April 11, while out in a small boat duck hunting, was found at noon near the Hartwood mill, the place where the accident occurred.

FULLAM SHOWS AMERICAN SPIRIT

Captures Murderous Police and Soldiers.

TAKES THEM ABOARD PADUCAH

Prompt Action for Outrage at Puerto Cortes.

AMERICAN BADLY BEATEN

Naval Commander Threatens to Hang Assaultants if the Victim Dies, and Trains Ship's Guns on the Honduran Port.

SCENE OF FULLAM'S EXPLOIT.

Puerto Cortes is an Atlantic port of Honduras on the Gulf of Honduras and in the terminus of a railroad to the interior of the republic.

PUERTO CORTEZ, Honduras, April 29, via Mobile, Ala., May 3.—The Chief of Police and several policemen of this place are aboard the American gunboat Paducah, charged with murderous assault, and face trial by court-martial and possible hanging from the yard-arm of the Paducah. They were arrested on orders issued by Commander Fullam, of the Marietta, for attacking a Louisiana negro named General Davis here on April 27 and perhaps fatally injuring him. A number of Nicaraguan officers and men also were arrested in connection with the affair. These were delivered to the custody of General Estrada, who was advised by Commander Fullam that he would be held for their safe-keeping.

Beaten Into Insensibility.

Davis, who is an inspector for the Thacker Brothers' steamship line, was talking with some negro companions, when he was threatened with a machete by a drunken soldier. Davis wrested the weapon away from the man and went into a house near by. Soon a squad of police and soldiers arrived and arrested him. While being dragged to the Courtland Davis was beaten into insensibility. Thinking Davis was dying they took him back to the place of his arrest and threw him down on the ground, refusing to allow his companions to remove him into the shade. Physicians arrived and found him perhaps fatally hurt.

Orders Sharp and Decisive.

Within ten minutes the bluejackets of the Marietta, under Ensign Rorassach, were on the spot. Commander Fullam's orders were sharp and decisive.

"Arrest the Chief of Police," he said, "and the policemen engaged in the assault, put them in irons and send them aboard ship. Arrest the Nicaraguan officers and men engaged in the assault and hold them for orders."

It was thought possible that an attempt would be made to release the soldiers and police captured by the bluejackets, and additional men were landed from the Paducah and the Marietta. The Paducah moved to a position fronting the Nicaraguan Courtland, while the Marietta covered the Courtland in the port. Commander Fullam, finding that the civil authorities were incapable of maintaining regulations or orders and that the government of Tegucigalpa was a mere provisional management of certain leaders that so far gave no evidence of stability, decided to ignore the authorities here and recognize the only disciplined force here under General Estrada, commanding the Nicaraguan forces, who had in the meantime returned from an outing.

Hang Murderers at Yardarm.

Notice has been served on the Honduran and Nicaraguan authorities that reparation will be demanded and that punishment shall be inflicted upon all of the perpetrators of the outrage.

Commander Fullam says, if Davis dies, the perpetrators will be tried for murder, presumably by court-martial, and the guilty ones hung at the yard-arm in front of the port.

The Paducah was ready to sail for

Celba and Truxillo, but will remain here for the present. Commander Fullam has placed Captain Winterhalter in command of the land forces, and he is conducting a vigorous investigation of all the details of the Davis affair.

GUATEMALA EATS HUMBLE PIE

Apologizes to Mexico for Insultation

Against Legation.

MEXICO CITY, May 3.—Guatemala has apologized to the Mexican government for insulting that the Mexican Legation at Guatemala City was harboring the men who are suspected of attempting to assassinate President Cabrera, of Guatemala, last Monday morning. The incident is now closed to the satisfaction of the Mexican government.

Light Catch of Seals.

VICTORIA, B. C., May 3.—The coast catch of the Victoria pelagic sealers will be the lowest on record this season.

Ex-Governor Peter Maytubby.

ARDMORE, I. T., May 3.—Peter Maytubby, for two terms Governor of the Chickasaw tribe of Indians, is dead at his home in Caddo, aged 69 years.

