



UNITED RAILROADS MEN ARE INDICTED

Grand Jury Votes Four More True Bills.

SCHMITZ YIELDS ALL POWER

Surrenders Appointments to Seven Citizens.

RUEF GIVES TESTIMONY

Detroned Boss Tells About Bribery by United Railroads and Will Tell More—Schmitz May Soon Resign His Office.

SCHMITZ TO RESIGN OFFICE. SAN FRANCISCO, May 16.—It is rumored tonight that a movement is on foot to bring about a change in the municipal administration by forcing the resignation of Mayor Schmitz and choosing in his stead Frederick W. Dohmann, a prominent wholesale merchant, as Mayor. The report lacks official confirmation.

SAN FRANCISCO, May 16.—(Special.)—As the result of Abe Ruef's testimony before the Grand Jury today, it is understood that indictments were prepared against Mayor Schmitz, President Patrick Calhoun, of the United Railroads, and T. L. Ford, chief counsel of the same corporation. On his testimony Ruef said that he had given \$50,000 in currency to the Supervisors, \$55,000 to Schmitz and had retained \$55,000 for himself.

SCHMITZ ABDICATES OFFICE Signs Agreement to Let Citizens' Committee Name Officials.

SAN FRANCISCO, May 16.—(Special.)—Mayor Schmitz tonight signed an agreement to be guided in his appointments during the rest of his terms by a committee of seven. This committee is composed of representatives of local commercial associations and is made up of the following men:

F. B. Anderson, president of the Bank of California; F. W. Van Sicken, president of Dodge, Sweeney & Co., a large commission firm; F. W. Dohmann, head of a big crockery company and a member of the relief committee; Percy W. Morgan, president of the California Wine Association; Lewis Rosenfeld, a local capitalist; F. W. Bentley, president of the Chamber of Commerce, and Judge Slack, a leading lawyer, formerly a judge of the Superior bench.

All the arrangements were made in secret and no formal announcement will be made until tomorrow or the day after. Schmitz from now on will be Mayor in name only. He willingly signed the agreement, as he is a nervous wreck and unable to carry on the affairs of the city.

Before concluding arrangements with Schmitz, the committee called upon F. J. Heney and explained its plans. Mr. Heney said it would not conflict with the graft prosecution. The practical abdication of the Mayor will result in the appointment of a new Chief of Police at once to restore order and a new Works Commissioner to clean the city and repair the streets. More drastic actions will then follow.

RUEF MAKES GOOD PROMISE Tells Grand Jury About Franchise Grant—Doomed to Prison.

SAN FRANCISCO, May 16.—Abraham Ruef today made good his declaration of yesterday that he would, following his change of plea to guilty in the extortion cases against him, turn state's evidence and assist the bribery graft prosecution in its campaign against municipal corruption. Ruef, obeying a subpoena from the grand jury served upon him at the Fillmore street prison house shortly before 3 o'clock, went in the charge of Special Agent Burns, Ellisor Biggy and another guard to the grand jury chambers in Native Sons' Hall, where he took the witness stand and submitted to an examination that lasted from 3:20 P. M. until after 5 P. M.

When the ordeal was over, he called the newspaper men around him and said that he had promised the grand jury to divulge nothing. District Attorney Langdon and Assistant District Attorney Heney refused to make any statement whatever. From Mr. Burns it was learned that the only matter on which Ruef was questioned was the alleged bribing of Mayor Schmitz and 13 Supervisors by the United Railroads to grant to that corporation a change in its franchise allowing the electrifying of its 250 miles of street railway system in this city.

What United Railroads Paid. If Mr. Burns' understanding of Ruef's testimony is correct, the fallen boss told the grand jury that President Patrick

Calhoun, Assistant President Thorawell Mullally, Chief Counsel T. L. Ford and Assistant Counsel William M. Abbott of the United Railroads paid or caused to be paid the sum of \$300,000 for the privilege named; that \$51,000 of this amount was Ruef's "fee"; that \$50,000 went into the pocket of Mayor Schmitz, and that the remaining \$199,000 was handed to the 13 Supervisors, 15 of them receiving \$4000 each, another demanding and getting \$10,000, and Chairman Gallagher of the finance committee being paid \$15,000 for acting as go-between. After the examination of Ruef was concluded, the grand jury remained in executive session until 6:30 o'clock. Subsequently the statement was made, but not officially confirmed, that indictments had been voted against four high officials of the United Railroads and Schmitz, as predicted by an officer of the prosecution two weeks ago. Since in his prison room tonight, Ruef said regarding the ordeal through which he had passed:

Will Only Expose the Worst. I was received and treated by the grand jury with a consideration that touched me deeply. When I entered the room every one of the 17 jurors present arose and took me by the hand. When I finished my testimony, every one of them got up and bade me good-night with a hearty hand-



Senator Charles Dick of Ohio, Who is on Horns of Dilemma in Tattler's Fight.

clasp. No disposition was displayed to "kill" me. The trying task I had voluntarily set for myself was made as easy by kindness as I could have hoped. I do not know when I sleep tonight I shall testify, perhaps tomorrow. I shall be ready. The report published locally today that it is my intention to tell everything I know, no matter who may be dragged down into shame and disgrace, is untrue and unwarranted. I stand by the statement made yesterday that my purpose is to expose only those who sinned knowingly and willingly into corruption. I must not discuss the United Railroads, for I am bound to silence by my promise to the grand jury. But you will recall that I told you yesterday after my act in court that there was no necessity in the offering of bribe money by the United Railroads; that the permit desired by that corporation would have been granted as a matter of course by the supervisors, if it had been merely and customarily asked for.

Says Immunity Was Offered. The sensational declaration that the prosecutors offered immunity if he would become a witness for the state was made to the Associated Press today by Ruef. He said: One of the morning papers today made the outrageous statement that I was drunk when I changed my plea to guilty in court yesterday. It seems there are no depths of dirtiness to which some of our enemies will not descend, even in this hour. That I did not take my stand yesterday without long and full consideration you may believe, when I tell you that two months ago the prosecution came to me and offered to let me off on everything if I would make Ruef my father confessor. I turned them down. Ruef said in the course of a conversation that he was deeply moved by expressions of sympathy and friendliness which have come to him from many quarters since the dramatic moment of his self-accusation in court. He said he had received many notes, letters and telegrams, some of the latter from as far away as New York; and he pointed with a warm smile to great clusters of roses adorning his room, which he said had been sent to him since yesterday.

Sentence Will Be Suspended. The understanding is that the carrying out of the sentence to be imposed upon Ruef two weeks hence by Judge Dunne will be indefinitely suspended, in order that when the former municipal dictator and ally of Mayor Schmitz takes the witness stand in court, he may be able to give his testimony without the distraction of a conviction. Detective Burns is authority for the statement that it is the purpose of the prosecution to send Ruef eventually to San Quentin penitentiary; but the trial of corporation officials who have been indicted and of others who have not yet been formally charged will, it is thought, take so long that Ruef's incarceration in a penitentiary will be delayed for at least a year. No move has been made for his admittance to bail. It is said that he himself prefers to remain in the custody of the Ellisor for the present at least. Mayor Schmitz both yesterday and today denied himself to newspaper men. "I have nothing to say, no statement of any kind or character to make," was the statement he sent out.

Burns Sure He Will Tell All. According to Mr. Burns, Ruef "will tell everything he knows," despite his own declaration that he will not testify or testify against "those who were dragged into corruption by the force of overwhelming circumstances and against their will."

Ruef claims Mayor Schmitz "knew all about the Supervisors' dirty deals." Ruef declares he himself has lost money in politics, more money than he makes or gains. It is understood that Ruef will be recalled by the grand jury tomorrow.

Halsey Answers Indictments. SAN FRANCISCO, May 16.—Theodore Halsey, indicted for the bribery of Supervisors in the interest of the Pacific States Telephone & Telegraph Company, was arraigned before Judge Dunne this morning on 10 indictments brought against him by the grand jury. The cases were all postponed to May 22 to answer.

ROOSEVELT MUST RENDER DECISION

Commission Disagrees in Harriman Case.

ON DISSOLUTION OF MERGER

One Faction Says Sherman Law Is Violated.

BONAPARTE'S HARD TASK

Must Advise Course After Considering Conflicting Opinions of Interstate Board and Suggestions of President on Prosecution.

WASHINGTON, D. C., May 16.—(Special.)—The question of bringing criminal prosecutions against E. H. Harriman and suits to dissolve the railroad combinations they have effected must be decided by President Roosevelt. This is a matter in which no subordinate will meddle. The President must figure out his own deductions and assume full responsibility for the consequences.

The Interstate Commerce Commission is divided into factions. One believes that successful suits can be maintained to break the Harriman combinations under the Sherman anti-trust act, which might permit subsequent criminal prosecution of Harriman. The other is convinced that legal proceedings for the dissolution of the combinations would prove an ignominious failure.

Division in Commission.

Three members of the Commission are said to be convinced that the combinations arranged by Mr. Harriman do not constitute violations of the Sherman law. They base their belief on the opinions handed down by the United States Supreme Court in the Northern Securities case. The other four Commissioners are said to radically differ from their associates. They insist that, without reference to the Northern Securities case, successful suits can be brought under the Sherman act.

The Interstate Commerce Commission will undoubtedly bring in for consideration by the President and the Attorney-General at least two sets of conclusions and recommendations. There may be seven sets of views. These must all be sifted down and analyzed by the Department of Justice officials before they can render the President any assistance in deciding what character of action shall be taken against Mr. Harriman.

Hard Problem for Bonaparte.

In the meantime, the President is taking a copy of the conclusions reached by Messrs. Kellogg and Severance down to his country place at Pine Knot and will carefully read and digest this important document. He will then be in a position to make some suggestions on his own account. Attorney-General Bonaparte and his chief trust-buster assistant, Mr. Purdy, are also in a fairly awkward position.

They must finally render legal opinions on all the suggestions made by the various members of the Interstate Commerce Commission and the President. As these will be conflicting, the difficult and hazardous undertaking of pleasing more than one master will be squarely presented to Messrs. Bonaparte and Purdy.

TRANSFERS COAL LANDS BACK

Union Pacific Gives Up Mineral Deposits Acquired as Agricultural. WASHINGTON, May 16.—Secretary Garfield today issued a statement concerning the re-conveyance to the Government by the Union Pacific Coal Company of 2968 acres of coal land in the Cumberland district in Wyoming. After stating that the coal company is controlled by the Union Pacific Railroad Company, the Secretary said: "This land had been acquired as agricultural land by the use of soldiers' scrip, which under the law cannot be used to locate and acquire mineral land. The Government had deeded this land



Dr. W. H. Roberts, Moderator of Presbyterian General Assembly.

to the company before the investigation. For that reason the Department of Justice was on the point of beginning a suit in equity to have the courts cancel the deeds and return the land to the United States. Thereupon the officers of the coal company requested an opportunity to be heard and after examination of the evidence, determined to relinquish the land. Consequently the company executed the deeds to the United States which have been formally accepted."

PLEADS GUILTY TO REBATING

St. Paul Road Pays \$20,000 Fine for Favoring Spice Firms.

NEW YORK, May 16.—The Chicago, Milwaukee & St. Paul Railway Company, through Charles C. Keeler, its counsel, pleaded guilty in the United States Circuit Court today to paying rebates on coffee shipments to the Woolsten Spices Company, of Toledo, O. Judge Holt imposed a fine of \$20,000, which Mr. Keeler paid at once.

MANAGE NORTHERN PACIFIC

Nutt Leaves Michigan Central for Hill Railroad.

DETROIT, Mich., May 16.—H. C. Nutt, general superintendent of the Michigan Central Railway, has resigned to become general manager of the Northern Pacific at Tacoma.

ORCHARD TALKS OF IMPRISONMENT

Informer Says Threats Were Not Made.

NO IMMUNITY WAS PROMISED

He Even Warned Gooding Against Suggesting It.

EXPECTS TO BE PUNISHED

Confessed Assassin Has Become Religious Convert—Mind and Body Both Healthy—Exact Place of Confinement Kept Secret.

BOISE, Ida., May 16.—Harry Orchard, the prisoner-witness upon whom the state of Idaho chiefly relies to prove its charge that an inner circle of the Western Federation of Miners planned in conspiracy the murder of ex-Governor Steunenberg, broke his long silence today, and for over half an hour discussed himself and his imprisonment with a representative of the Associated Press, whom he had expressed a desire to see.

Orchard said that he had not been given any mistreatment during his confinement, denied that any force had been used to secure the statements he made, and denied that Detective McParland and the officers of the state have promised him immunity for his confessed crime or reward for the value of his confession. Orchard's manner and conversation during the interview tended strongly to confirm the assertion that he had been reconverted to and is deep in the zeal of Christian religion. Two illustrations used by him to explain a change in the kind of books he reads were Christian-like in character and religious in tone. Orchard is perfectly sound and healthy in body, clear and quick of brain. If there was ever anything in the reports that he was breaking down in health and mind, there is nothing now in his appearance or manner to give them a shadow of suggestion.

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Interest in Public Affairs.

Orchard said he had been down the St. Lawrence and had been about Wisconsin and other Middle States. Almost with pride he asked his interviewers what they thought about the great West. He was curious to know about the Thaw trial and if Delmas, of the West, had held his own against Jerome, of the East. He talked in a general way about the formation of the Haywood jury, and said that he was following the proceedings in the local and other Western papers. He asked to be excused from telling where he had been born and what his church might be. As the interview closed and a guard came to escort Orchard away, the latter said: "Goodbye, gentlemen. I am very glad to have seen you. I wish you all good health and I hope to see you again."

Ready to Pay Penalty.

Governor Gooding tonight supplemented the statement of Orchard on the subject of possible immunity. He said: "At times up to a few months ago I feared lest in some of my interviews with Orchard I might have inadvertently given him some hope of immunity. I am now very positive that he has no expectation of any such thing at the hands of the State of Idaho. This was demonstrated to me one day by Orchard himself, when he stopped me in the middle of a conversation and warned me that I was treading on dangerous ground. Orchard said: "Governor, I don't want you to say anything that might even lead me to hope for immunity from the consequences of my crime. I do not expect any and am ready to pay the penalty."

ONLY ONE IN ELEVEN PASSES

Examination of Talesmen in Haywood Case Reveals Prejudice.

BOISE, Idaho, May 16.—During the one session of the Haywood trial held today, 11 talesmen were examined before a satis-

eyes tell of his years and life. The man's complexion is clear and his face bronzed. He is quick and certain in movement, of easy manner—a man toned down—smiles a little, nearly all the time he is talking. He wore neat-fitting, well-made clothes of gray, a pair of highly polished lace shoes, and his general appearance and figure were good, anything but the expected one.

Will Not Discuss Trial.

"I don't care to talk about the case as it stands at the present time," he said, after the introduction and the commonplace had been presented. "I am a little leary about talking to newspaper men, so if you ask me anything that I think I should not talk about, I'll just tell you. I know you'll understand."



Harry Orchard, Confessed Assassin of ex-Governor Frank Steunenberg.

"No, there is nothing special to be said. I have been treated very well since my arrest by every one. The Sheriff at Caldwell was very kind to me, and since I have been here my treatment has been very fine—all that I could expect under the circumstances. I have been treated with the utmost courtesy by everybody; am given the greatest freedom. I have a large room with open windows, and I

No Compulsion, No Immunity.

The last formal question of the interview went directly to the position of Orchard in the pending case and was directly answered. It was: "Was any force or duress of any kind used on you by Captain McParland or any one else in securing your alleged confession or statement, and have any promises of any kind been made to you in that connection?"

"I have never admitted and do not admit now that I have ever made a confession," said Orchard. "Mind that. But at no time was I ever subjected to force or pressure of any kind, and anything I ever said to Captain McParland was without force or threat of any kind. Anything I said was of my own free will and accord. It was just as I talk to you here; there was nothing else. No promise of any kind has ever been made me by Captain McParland or any one else."

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CHOOSE SENATOR FOR WISCONSIN

Republican Caucus at Last Agrees.

MAJORITY NAMES STEPHENSON

Millionaire and Newspaper-Owner Nominated.

VICTORY FOR LA FOLLETTE

After Eighty Ballots Legislative Conference Ends Long Struggle by Naming Political and Financial Leader for Senator.

MADISON, Wis., May 16.—(Special.)—Isaac Stephenson, of Marinette, multimillionaire, principal owner of the Milwaukee Free Press, and prominent in political and financial circles of Wisconsin for more than a half-century, will, at noon tomorrow, be elected United States Senator to fill the unexpired term of John C. Spooner, which ends in March, 1909.

On the first ballot of the Republican legislative caucus tonight Stephenson received 52 votes, which gave him the nomination. On motion of one of the supporters of Hutton and seconded by one of the supporters of Each, the nomination was made unanimous.

The end of the fight for the Speakership came in a dramatic manner, and no one except the Stephenson managers expected it. The victory of the Marinette man was due to the fact that he won over Lieutenant-Governor Connor to his support, and through him the votes of Assemblymen Goldworthy and Nelson. The Stephenson managers had also got promises from Assemblymen McGregor, Clausen and Morris that as soon as they got the Lieutenant-Governor to throw his support to Stephenson they would go over to him. The victory of Stephenson is regarded as a personal triumph for Senator La Follette, who did everything in his power from the beginning to have the Marinette man nominated and elected. The ballot was the end of a deadlock existing since April 16. Since that time a daily ballot has been taken in the Legislature in joint session, and nearly 30 ballots have been taken in the Republican caucus.

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