UNITED RAILWAY CHIEFS INDICTED

SAN FRANCISCO, May 24.-(Special.)-"The people of San Francisco want acts, not words. I will only say that we will make good wherever we accuse," was the orief comment of William J. Burns tonight, and it was the only statement made for publication by the prosecution after it had accomplished what half of the citizenship of San Francisco declared most powerful magnates known to Wall street in the person of Patrick

Although 19 indictments were placed on file, the grand jury has 14 more on its secret file, which it will shortly make The case against the United Rallroads has been one of the most baffling in the battle against the grafters, but it has been worked up with an exactness that has startled the entire city. It was the tightening web of evidence in this case that drove Abe Ruef to a confession and with the testimony of Ruef the indictment of Calhoun came as a matter of course

Money Traced From Source.

The prosecution has traced the \$200,000 with which the United Railroads secured its franchise from Wall street to the San Francisco Mint immediately after the big fire in April, 1906, when the Mint was used for banking purposes. There the money remained for a few days, when it was drawn out plecemeal in lots of \$50,-000, converted into currency and paid over to Ruef and by him passed on to the Mayor and the Supervisors. The evidence is strengthened by bits of conversation, records of conferences at the office of Tirey L. Ford, attorney for the United Railroads. The fact that the Mayor received \$50,000 for signing the ordinance granting the overhead-trolley permit was learned through the testimony of Rucf.

Holds Shot in Reserve.

Fourteen indictments were returned charging Calhoun, Mullally, Ford, Abbott, Schmitz and Ruef jointly with the bribery of the Supervisors. Seventeen Supervisors were bribed, so it may therefore be seen that three of the indictments were held in reserve. This is the Heney method. The 14 indictments will act as a sort of advance guard to draw the fire of

If the defense succeeds in shooting any holes in them, the three in reserve will be altered to make them impregnable, taking advantage of the facts brought However, all of the indictments filed today show a most careful attention to all the details, and leading lanvays tonight pronounced them perfect.

The brunt of the fight of the defense will fall upon Calhoun, who has already enlisted the services of Moritz Rosenthal, the Standard Oil attorney of Chicago, and Earl Rogers, the best-known afterney of Los Angeles. Calhoun is prepared to spend the last cent of his vast fortune to defeat the prosecution.

California is looking ahead to one st legal battles in the histor of the Nation.

INDICTS STREETCAR KINGS

Grand Jury Accuses Calhoun and Others of Bribery.

SAN FRANCISCO, May 24,-The speculation that has been rife for weeks as to what the grand jury would do in the matter of indicting high corporation officials and municipal officers for alleged bribery in connection with the granting of the overhead trolley franchise to the United Railroads ended tonight when the inquisitorial body returned nine indictments on 89 counts, charging the crimes of giving and accepting bribes and naming as guilty the following persons:

Mayor Eugene E. Schmitz, Abraham Ruef, President Patrick Calhoun and Assistant to the President Thornwell Mullally of the United Railroads, Tirey L. Ford and William M. Abbott, attorneys of that corporation; and also President Louis Glass and ex-Agent Theodore B. Halsey of the Pacific States Telephone & Telegraph Company, the last named indictments being in connection with a deal by which the established telephone corporation sought to prevent the granting of a competitive franchise to the Home Telephone Com-

Summary of Indictments.

Fourteen indictments, containing 84 counts, were returned jointly against Schmitz, Ruef, Calhoun, Mullally, Ford and Abbott, whom the grand jury accused of bribing 14 supervisors in amounts ranging from \$4000 to \$15,000 each to vote the change in the franchise of the United Railroads by which that corporation immediately after the fire gained authority to electrify its 250 miles of street rallway system in

Two additional indictments were returned against Schmitz, the one charging that he sought and accepted from Ford and Ruef a bribe of \$50,000 for his co-operation in the trolley deal, the other charging that he sought and received from Frank G. Brum and Ruef a bribe of \$3250 to approve the vote of the Board of Supervisors fixing the public gas rate for 1906 at 85 instead of 75 cents at the beheat of the San Francisco Gas & Electric Company.

Two indictments were returned against Louis Glass, charging him with the bribery of two Supervisors who refused to vote a franchise competitive with that held by the Pacific States Telephone Company. These indictments are additional to the nine others returned against him several weks ago

in the same connection. The indictment returned today against Halsey is identical with those returned against Glass and with the eleven previously voted against Halsey

Huge Sums in Bail Required. It was after 5 o'clock when the

meeting place in Native Sons' Hall and went in automobiles to Judge Coffee's department of the Superior Court at California and Webster streets to enter the 13 true bills. A. A. Moore, of the United Railroads legal staff, and Earl Rogers, of Los Angeles, who has been especially engaged for the defense of Calhoun and his assistants, appeared for the railway corporation. Other than a few lawyers, several newspaper men and 17 of the 19 members of the grand jury, there was no audience present

grand jury adjourned from its regular

Judge Coffey announced, after running his eye over the indictments, that he would fix ball in the sum of \$10,000 on each of the 89 counts. He gave the accused until 11 tomorrow morning to furto be impossible-the indictment of one nish bonds and remarked that he would accept in lieu thereof cash ball of \$5000 on each count. Assurance was given that pending the arrangement of ball no arrests will be made by the prosecution, s the nine men accused of the giving or taking of bribes are at liberty on their own recognizance until tomorrow.

Friction in Grand Jury.

The failure of Messrs. Young and Sonntag, members of the grand jury, to



Howard Gould, Who Used New Separation Suit Against His Wife.

accompany the grand jury to Judge Coffey's court was not explained, though their absence was formally noted. fact that Mr. Sonntag and Mr. Young followed each other in that order from the grand jury chamber shortly before the body started for court and that they appeared to be laboring under excite ment and anger, gave rise to a repor that the voting of the 19 indictments was not accomplished without friction. No confirmation of this could be obtained. The statement was made unofficially that all but \$140,000 of the entire amount

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INQUIRY GOES ON

ABOUT POLICE INTERFERENCE

Nicoll's Part in Investigating Bigamy Charge.

NOTHING UNUSUAL, SAYS HE

Veteran New York Police Officer Gets Out With Pension, While Commissioner Digs to Bottom of the Conspiracy.

NEW YORK. May 24.—Captain W. M. McLaughlin, one of the best-known officers in the Police Department, who has been 30 years in service, will retire from the force at midnight tonight. The former Inspector today made application for retirement on half pay, which will be \$2500 a year, and as he has served his 25 years and no charges against him are pending. Commissioner Bingham has no alternative but to grant the application.

This retirement, too, will remove Mc Laughlin as a figure in the investigaof the alleged Gould conspiracy. The captain had been ill with bronchitis, and it was understood that he was soon to have been officially examined by a headquarters physician to determine when he would be able to apbefore Deputy Commissioner Hanson and explain his alleged connection with the affair, of which Lieutenant Frank Peabody told Mr. Hanson last night. However, as the application for retirement forestalled any possible charges. McLaughlin may be said to be out of the case.

Inquire Into Gould Scandal.

When McLaughlin was preparing his application for retirement today. Deptinning his inquiry at police headquarters, and it was learned that both Howard Gould and his wife had been served with subpenas to appear before him and tell what they know about the participation of Lieutenant Peabody and Captain McLaughlin in Mr. Gould's

earch for divorce evidence. Edward Sholes, the former circus who is credited with having started the report that Mrs. Gould, while Miss Katherine Clemmons, had been married in Baltimore to Samuel Dawson before she came to New York was before the Commissioner, and threw still more light upon the connection of the police with the Gould family troubles. He was placed on the stand by Mr. Hanson and after relating conversations he had had with Hawley" in regard to the alleged marriage and their investigation Only one more juror accepted in Haywood of it. He said;

Told It All to Nicoll.

"Later on I was summoned to Inspector McLaughlin's office. He put me through a long examination and cross-examined me very closely. He asked me if I was sure that the woman who married Dawson was Mrs. Gould. I told him all I knew about it, and then he said:

Now you come with me down to Delancy Nicoll's office.' I went with McLaughlin to Delancy Nicoll's office killed and injured

and told Mr. Nicoli just what I had told the inspector and Peabody and 'Big Hawley' and others. That is all I had to do with the affair,'

Mr. Sholes was asked if Captain Mc-Laughlin ever 'suggested to him to visit the District Attorney's office. He replied in the negative.

Nicoll Explains It All. Delancy Nicoll, upon whom, as coun sel for Howard Gould, Mrs. Gould

served notice of her suit for permanent separation upon the grounds of desertion, cruelty and inhuman treatment, including a police conspiracy against her, today made a statement setting forth his connection with the

alleged conspiracy.

In brief, Mr. Nicoll explains that there came to the ears of the police crime had been committed in that Katherine Clemmons, while having a husband living, married Howard Gould, Very properly, he holds, the police looked into the matter at his suggestion. When they had satisfied themselves that the gossip concerning Mrs. Gould was baseless, they dropped their investigation, he says.

"There was nothing done," Mr. Nicoll



adds, "on behalf of Mr. Gould which was unusual, other than any other citizen has a right to have done for

It was said tonight that the retiretion of Mr. Nicoll would not stop the inquiry under way at police headquar-ters.

CUTS POLICE WITH RAZOR

Negro, Believed to Be Fugitive Murderer, Captured in San Jose.

SAN JOSE, Cal., May 24 .- A negro. believed to be Jesse Coe, wanted in Indianapolis for the murder of Policeman Charles Russell on September 30, 1906, was arrested here tonight after a of whom were severely slashed with

SCRUGHAM UNDER ARREST

Manager of Policyholders' Committee Faces Forgery Charge.

NEW YORK, May 24.—George E. Scrugham, manager of the International Policyholders' Committee, appeared in Police Court today and was formally placed under arrest on a warrant charg-ing him with forgery. He was taken be-fore a magistrate and ball was fixed at

Serious Wreck Reported.

CITY OF MEXICO, Mex., May 24. telegram to the Herald from San Luis Potosi says that a serious wreck has occurred near that city, caused by a col-lision between a freight and a passenger train. Many persons were reported

THE HEAVY HAND AND THE STATE'S RESCUERS

Haywood Lawyers Dispose of Many More.

DIG DEEP INTO THEIR MINDS

Sample Examination Is That of John Beery.

HAS OPINION, BUT NOT FIXED

Wide Latitude Allowed by Judge Produces Only One Acceptable Juror in Day's Session-Another Venire Will Be Needed.

BOISE, Idaho, May 24.-(Special.)-It was with a great deal of depression that the public saw the last panel of talesmen melt away today with only one man qualifying for the jury to try W. D. Haywood. Though the length of the sessions has been increased and 19 men were called, only one qualified, and he was on the stand when court adjourned last night, Henry Curtis. He proved satisfactory to the defense and will probably stick. It is well known that the defense expected the state to challenge him, but the prosecution seems entirely easy abou his fairness.

The latitude permitted in the examina tion of talesmen, which has been in evidence since the first, was emphasized today. The attorneys, particularly those for the defense, are permitted to go at length into all manner of subjects. They nquire about a man's politics, his religion, for whom he voted, his lodge affilt ations, what was done in the lodge, what he had read and what effect it had on his mind and a vast multitude of subjects. Not only is such great latitude permitted n examination, but the court is liberal in the extreme in allowing challenges in some instances. This was all brought out strikingly in the examination of John Beery, a farmer. Leading features of the examination are given herewith to flius-

Opinion, but No Prejudice.

He said he had neceived free copies of the Unionist and Appeal to Reason, He had not subscribed for them. He said a sort of an opinion, but one which a be had never formed any opinion as to small amount of evidence would remove. the guilt or innocence of Haywood. He Mr. Hawley again asked the juror a few affirmed that he had no feeling of bias or prejudice either for or against the defendant or the state. He said he cused; then he said he had an opinion, but far forwarded to the Public Adminiswould have no trouble at all in dismissing any impression he may have acquired by reading or discussing the case, if called upon as a juror. He was not governed solely by the evidence and the opposed to capital punishment. If cir- law in arriving at a verdict. He said cumstantial evidence was strong enough he had never sat as a juror in a crimito establish the guilt of the accused beyond a reasonable doubt, he would be willing to accept it. The juror was passed for cause by the prosecution.

Mr. Darrow took up the examination for the defense. After a few preliminary questions the juror told Mr. Darrow he was a Methodist.

"Are you a Republican?" "Yes."

"Always vote that ticket?" "Every time I get a chance," was the reply, which caused a ripple of laughter Admits Talking of Case.

Mr. Darrow asked many questions regarding what the prospective jurer had read about the case and found Mr. Beery

ing the events. "You discussed the case considerably?

"Oh, not very much," was the reply, " didn't take much interest in the case.' "Well, when folks talked with you, you

talked, too, didn't you?" "Yes, I suppose so, but not much." He said he had read lots of things that he thought were true, and he had also read a lot of things he was pretty certain were false. He said he had no feeling one way or another toward labor unions He knew very little about them.

"Did you ever form an opinion that Moyer, Haywood and Pettibone were connected with this crime?"

"No, I never knew whether they were guilty or not."

"But didn't you form an opinion?" "Everybody, I suppose, has some opin on." he replied.

"How long have you had that opinion? "Oh, a year, I guess."

Has No Set Opinion.

"Set opinion?"

"No, sir: I don't let opinions get set on my mind until I know the truth."

The juror admitted that it would take



Bribes From United Railroads & Gas Company.

Mr. Darrow challenged the juror on the ground of implied bins. The challenge was promptly denied by the prosecution In answer to questions by Mr. Hawley, the juror declared that his opinion was not a fixed, unqualified opinion. He said his opinion would not affect him in any

way in arriving at a verdict, "Do you think you would make a good

"Such a Juror as you would want if you

were on trial yourself?" "Yes." The juror later admitted that he had ns. He first said he had no of as to the guilt not one that could not be laid aside if hewas called as a juror. He said he could lay aside his opinion and, as a juror, be

nal case Challenged for Bias.

During Mr. Darrow's third attempt to disqualify the juror, Mr. Hawley made a heated objection to the method employed by the Chicago attorney in asking questions. He said he employed an argumentative style that was not lawyer-like, very objectionable. Mr. Hawley's objection was overruled and an exception noted for

the state, Judge Wood then asked the juror a few questions regarding his "opinion." and then denied the challenge of the de-

fense for implied bias. "Then we desire to challenge the juror for actual blas in that he is prejudiced against the defendant, William D. Hay-

"Have you any questions to ask the juror to support that challenge?" asked the court.

Mr. Darrow spent 10 minutes in examining the juror for the purpose of trying to get him to admit that he had a preju dice against the accused. The matter was finally put up to the court. Judge Wood said that he thought that the talesman was perfectly qualified to sit as a juror in the case, so far as his "opinion" was concerned. He believed the juror had no opinion that would disqualify him, but still such a record had been made in this examination that he was con-

Gives Defense the Benefit. Mr. Hawley then made a strong talk. He said nothing had been brought out in the examination to show that the juror was disqualified because of having an

strained not to overrule this challenge.

unqualified opinion.
"I believe the juror is qualified," said
Judge Wood, "but there are some doubts

and I will sustain the challenge. Mr. Beery, you are excused." That is given at length to show just what obstacles are met with in filling the jury box. It is fairness of the most perfect character, but it is felt that it is unnecessarily fair. The kind of examination objected to by Mr. Hawley is a form in which the juryman is confused to the project of terms and involved expression. by nicety of terms and involved expres-sions, being made to say things at least impliedly which he does not mean. There remain 25 of the panel of 80 re-

y. The state yet has three perer challenges and the defense four.

ANOTHER VENIRE YET NEEDED

Challenges for Bias Bowl Over Talesmeni n Rapid Succession.

BOISE, Idaho. May 24.-The second speurder case is proving barren of men milified to act as jurors, and, unless the rm shown by the first half is completely

(Concluded on Page 4.)

STILL QUESTION DEREYLAN'S SEX

Case Rests on Identification of Body.

BUSSIAN CONSUL INTERVENES

Widow's Claim to Estate Hangs on Question of Sex.

IS DEREYLAN STILL ALIVE?

Conflicting Evidence of Relatives ory Woman's Body Was Substituted for That of a Man's.

CHICAGO, May 24. - Baron von Schlippenbach, Russian Consul in Chicago, will leave for Phoenix, Ariz., tomorrow to identify the remains of Nicholai Konstantinovich De Raylan, as those of the clerk formerly employed in the office of the Russian Consulate in this city. The body was exhumed today for this purpose.

A deputy from the office of Garder, Stern & Anderson, representing Public Administrator Reddick, is already in Phoenix for the purpose of taking depositions to establish the sex of De Raylan. The hearing will be held in Phoenix Tuesday. The death of De Raylan and the efforts of his alleged widow to recover \$8000, the estate left by the mysterious clerk, has opened the most perplexing problem the Public Administrator's office ever has been called upon to solve. Mrs. F. P. Bruchullis, of Chicago, who was married to De Raylan for nine years. and Anna De Raylan, who claims his estate, each declare that he was a

Information to the effect that De Raylan was a woman, masquerading as a man, led the Public Administrator into an investigation to determine the sex of the deceased.

Owner of Estate Involved.

"If De Raylan was a woman," said Attorney Anderson today, "there could nave been no marriage between her and Anna De Raylan, who claims to be the widow. In this event, the alleged widow is not entitled to any part of the estate. If De Raylan was a man, share of the estate. trator by the Coroner in Phoenix tends to confirm the report that De Raylan was a woman who had masqueraded

successfully as a man for years. De Raylan first came to Chicago with a representative of the Russian Government at the time of the World's Fair, and had lived here almost all the time since. Last year De Raylan became ill with consumption and went to Arizona in search of health, dying

in Phoenix, December 18, 1906. Evidence Conflicting.

The conflict between the evidence to be given by De Raylan's wives and of that begun by officials and physicians from Phoenix promises to bring about an unparalleled issue in the local Probate court. The case is mysterious from any standpoint. Men who belonged to the same athletic club with De Raylan insist he was a man. physicians who cared for him during his lilness at Phoenis and attendants who prepared the body for burial in-sist he was a woman. The burial was secret and hasty, no one from Chicago

being present. It is hinted that the real De Raylan living and that another body was substituted. It is also intimated that De Raylan was a member of a nihilist society and escaped before being discovered. Still another story is that he or she was the daughter of a Russian nobleman, forced to flee in dis-

THEODORE TILTON DYING OF PNEUMONIA.

Lives in Paris, Hated Man Since Famous Scandal That Brought Disgrace to Two Families.

PARIS. May 24.- Theodore Tilton, the American editor and author, who has been ill in this city for several days past of pneumonia, is weaker tonight. He can no longer retain nourishment, and therefore his chances of recovery are greatly

In 1874 Mr. Tilton preferred serious charges against Henry Ward Beecher, who had been his pastor and intimate friend, and demanded civil damages in

friend, and demanded civil damages in the sum of \$100,000. After the tragedy which wrecked his career Mr. Tiltor came to Paris, where he has since lived the solitary existence of a hated man.

To his intimate friends Mr. Tilton seidom or never spoke of his wife or Mr. Beecher. One of his friends, with whom he happened to be on the day he learned of Mr. Beecher's death, said Mr. Tilton after he heard the news, did not utter a word for five minutes, and when he die speak it was of other things.

speak it was of other things.

Mr. Tilton's daughter, who lives in the United States has of recent years wanted him to return to America, but he always

