SCHMITZ JUMPS INTO READY TRAP

Lays Foundation for Ruef's Evidence.

PLAYS INTO HENEY'S HANDS

Denies Receiving Bribe From Restaurants.

RUEF WILL TELL TRUTH

Mayor Ignores Warnings of Counsel and Only Gains Time by Their Expedients-Heney Is Confident of Conviction.

SAN FRANCISCO, June 11. - (Special.)-What looked like a field day for extortion, was transformed by a sud-den coup of Francis J. Hency into a distinct victory for the prosecution With both Schmitz and Ruef on the stand, the day was replete with sensations, but capping all was the neatly laid trap into which the defense made a precipitous fall. The trap was carefully laid, even to the point where the Mayor himself unknowingly sprung it

Schmitz Jumps Into Trap. that the prosecution had completed its case, the defense, thinking that the danger from Ruef had passed, decided to put Schmitz on the stand. The Mayor, accordingly, appeared in his own behalf today and, regarding Ruef fought hard for that adjournment, as no longer a menace, rushed ahead pleading that he wished to submit with his denials. He reached the point on cross-examination where Mr. Hency Hency wanted an immediate decision asked him if he had received any of the money paid to Ruef by the French to finish his examination of Ruef in-

answered in the negative. In so doing he played completely into the hands of the prosecution, not only by laying a basis for the introduction of the testimony of Ruef in rebuttal, but by passing the entire extortion up to Ruef in such a manne that the captive boss will eargerly refute the testimony by declaring that he paid half the money, or \$2500, to having their license troubles. Schmitz.

his own attorney, Schmitz

Both Mr. Heney and Mr. Burns were confident tonight, and well satisfied with the turn of events today.

"We look for conviction," said Mr. cause that restaurant had refused to Heney tonight. "We believe we have unionize. proved our case."

Ruef Will Tell Story Today.

Today Abe Ruef will tell how he knowledge and consent of the Mayor, the proceeds with Schmitz. M. P. Scott of the Waiters' Union will also be called again. If nothing unforseen intervenes, Hiram Johnson will at once make the opening argument for the prosecution, Mr. Campbell will follow for the defense, Mr. Heney will close for the prosecution, the judge will instruct the jury, and before tothe fate of Mayor Schmitz will have passed into the hands of the 12 men in the box.

SCHMITZ LAWYERS FIGHT HARD

Risk Contempt Charge to Shut Out Ruef's Evidence.

SAN FRANCISCO, June 11 .- At the closing of the Mayor Schmitz extertion trial for the day, Abe Ruef was on the stand in rebuttal. Before he had opened his lips to answer the question: "Did you pay half of this extertion money to Schmitz?" the defense launched an objection whose determination was still in doubt when overnight adjournment was taken -quarters of an hour later.

Ex-Judge Campbell, senior counsel for the defense, called Schmitz to testify in his own behaf, as the second witness of the day. The Mayor occupied the witness-stand for more than an hour, during a considerable portion of which time opposing counsel were wrangling over the right of the prosecution to ask the Mayor whether Ruef had divided with him any of the fees alleged to have been paid him for prokeepers. The Mayor himself exhibited eagerness to waive technicalities of law and answer squarely the issue.

Evidence for Defense,

The defense, whose day this was fo the introduction of evidence, called in all only four witnesses, and the direcexamination of each of them went to the establishment of two points only: First, to overthrow the testimony of ex-Police Commissioner Reagan that Mayor attempted to use him as a hold-up tool to force the French restaurant men to "come through" with protection money to Ruef; second, to prove that the holding up of the French restaurant licenses was the result of a labor union plot to ruin their business because they, or some of them, had refused to yield complete obedience to the mandates of unionism. A few minutes before 3 o'clock the defense announced that it rested. The Vice-President Timothy R. Sullivan, of the National Electrical Workers' Union.

By him it was sought to overthrow the Mr. Reagan had suggested the union plot referred to. Mr. Reagan was recalled to supplement Mr. Sullivan's

Ruef's Evidence Blocked.

At 3:40 o'clock Assistant District Attorney Heney said: "Call Abraham Ruef." Ruef, pale and composed wearing his overcoat and carrying his hat, entered at the back of the room and made his way around the crowded counsel table to the clerk's desk, where he took the oath.

"Don't answer any questions, please, until the defense has had an opportunity to object," cautioned Mr. Camp

cell. Ruef nodded acquiescence. "Mr. Ruef," asked Mr. Heney without hesitation, "in July of 1905, in the ouse No. 2849 Fillmore street, the home at that time of Mayor Schmitz did you give Mayor Schmitz \$25007 The prosecution alleges that Ruef di-



Will Drive Oxteam Up Broadway, New York

vided evenly with the Mayor the money paid him by the restaurateurs When Mr. Heney announced last night and that the first installment paid by

them was \$5000, To this quesiton Mr. Campbell interposed an objection, on which argument was still in pragress when adjournment was taken at 4:40. further authorities to the court. Mr. restaurants, and, despite the warnings side of 10 minutes if allowed to proceed. The defense finally won its pleafor adjournment until morning, when the court will rule.

Job Put Up by Unions.

The attorneys for Schmitz opened the defense by calling to the stand M. P. Scott, who was business agent of the local Clerks' and Waiters Union, at the time the French restaurants were

The entire examination of Scott was for the purpose of showing that Mr. Scott and Reagan put up a job to have the license of Tortoni revoked, be-

To this Mr. Scott testified directly instion by Mr. Heney, he denied that he had told Mr. Reagan (as Reagan himacted in the extortion case with the self testified) that the French restaurant-keepers had raised a "sack" and later made an equal division of \$28,000 to buy protection of their li-

"Where are you employed?" demanded Mr. Heney.

"I am employed by the Board of Public Works." "Oh, I thought you said you were a water.

"That is my regular occupation." Mr. Scott said he secured his job with the Board of public Works last August through the influence of the former president of that body, Frank

He said that when he told Schmitz about Tortoni's place and the plan to get evidence by having two disguised waiters persuade the proprietor to send out for immoral women, the Mayor told him to be very careful as to what

"You never would have dreamed of getting this spy evidence against Tortoni if Reagan had not suggested it to you, would you?" asked Mr. Heney. astically.

Schmitz Tells His Story.

"No," replied Mr. Scott. "I am not as bright as you are.'

Mr. Scott stepped down and Schmitz was called. His testimony, in brief, was as follows:

"Commissioner Reagan came to me and said that Commissioner Hutton was very much opposed to the French restaurants and wanted him (Rengan) to stand with him against them. I told Reagan that the French restaurants had been allowed to run for years before my administration, and I nothing wrong with them. I told him, however, to investigate and find out about them before taking any action by the Police Commission. I never told him that they were all bad places

or that I wanted him to close them up. "He did make an investigation and reported back to me. He said he ino'clock in the evening and found nothing wrong there; that therefore he was not going to stand with Commissioner

Hutton against it. "It is not true that I told Mr. Reagan that he had called there at the

"In November of 1904, I had a conversation with Reagan about Tortoni's, Reagan came to see me at my home and said that he and the other commissioners had voted to revoke the Tortoni license because its proprietor had sent out for immoral women at the request of patrons. I told Reagan that if any of the French restaurants were immoral places, they should be closed up. cution thereupon put on the stand He never, upon any occasion, told me (Concluded on Page 2.)

DEFENSE FIRES **RANDOM SHOTS**

Little Impression on Orchard's Story.

ONLY HELPING STATE'S CASE

Murderer Shows Emotion at Allusion to Wife.

ADAMS IN TIGHT PLACE

If He Refuses to Testify for State, He Will Be Tried for Killing Collins in Colorado-Preparing for Extradition.

GUNS TRACED TO PETTIBONE. DENVER, June 11.-It was announced here today that two six-shooters found on Harry Orchard when arrested for the assau Frank Steumenberg have been traced to the George Tritch Hardware Company, of Denver, where they were purchased by George A. Pettibone. This information, it is said, given to a detective who asked an of-ficer of the Tritch Company to trace

the weapons in question on its record

BOISE, Idaho June 11 .- (Special.)-One thing was very noticeable in the proceedings in the Haywood case today -that the defense was driving without a compass. Very little was accom plished beyond proving that Orchard stole a sheep—a circumstance which might make him appear in a more favorable light before a jury of Idaho farmers. Mr. Richardson brought out a good many things which the state was expecting to get before the jury on redirect examination of Orchard, and some of these were of much importance, as, for instance, his forgetting his bomb paraphernalia at his room in San Francisco and leaving his experimental arrangement exposed

while he went off downtown, Richardson Changes Base,

The thing that most impressed the auditors, however, was the fact that Mr. Richardson at one time was examining Orchard with a view to proving that he was a card sharp for the evident purpose of showing that he was able to keep himself supplied with money; at another time so poor during the Winter of 1904-05 that he could not pay board. Mr. Richards made a great point of the time during which Orchard lived with the Adams family, and asked a great many questions about the alleged poverty of the crowd at that time. Orchard admitted he had stolen a sheep, but insisted that he had all the money he needed.

The manifest contradiction of the theory of his being able to keep himself in funds at the card table was very plain to everybody. It is felt that a man who could make enough at cards to keep moving about the country, well dressed and well fed, would not get into such dire trouble with penury as Mr. Richardson

Orchard was again very clear in his answers foday, and the defense came no nearer shaking him than on any other day of the cross-examination.

his evidence in chief, however, which went by unnoticed. When on a few occasions he has thus contradicted himself he has corrected, but this mattoday was not again called up. It was in reference to the time when he determined to use a bomb on F. W. Bradley. In his evidence in chief he said he did not plan the bomb attack until after he had tried poison, but

For the first time the witness showed emotion, when Mr. Richardson went at him about leaving his wife in Ontario to care for herself and daughter. Orchard hung his head when Mr. Richardson dwelt on that matter, and when he looked up again his eyes showed moistness. While his gaze was averted he answered a numer of questions and his voice was husky. When the attorney changed to the second wife, Orchard recovered himself at once and, looking his questioner once more in the eye, stated he

oday he said he bought the powder



John T. Morgan, of Alaba Who Died Lust Night.

had arranged with Pettibone to keep her supplied with money, and didn't know the promise was not kept until ong afterward. This was the first time Orchard has not met the crossquestioner with perfect firmness

Perjury Charges Await.

eems probable the cross-examination will consume at least two more days and perhaps three. The progress today was slower than on any previous day and the witness was left still in Colorado, with ore or less of a wide field there to cover. The state will examine him on redirect, and it is quite probable he will not leave the stand until the close of the week.

The state is preparing to pick up some of the witnesses for the defense on perjury charges. The general character of the testimony which some of them will give has been learned and it is known they contemplate making some statements which can be disproved conclu-

Adams Between Millstones.

Today Steve Adams spent some time in the courthouse grounds exercising. His wife visited him and had a long interview. His cell in the jail is the one used opening off the main room of the jail office. A screen has been set in front, so that persons passing through will not see the prisoner. It is known that it is the intention of

Colorado authorities to ask for Adams' extradition as soon as the State is through with him here. They want to put him on trial for the murder of Arthur Collins at Telluride and are certain they during his visit to that place last year nas enabled them to clinch the case against him beyond all possible doubt. It was thought up to within a short time that Colorado would be willing to let him case, though it has always been under (Concluded on Page 8.)

THEIR MONOPLY

Washington Lumbermen's Modest Plea.

THROUGH ROUTE VIA PORTLAND

Would Use Oregon Road to Haul Their Dumpings.

BECKMAN PUT ON THE RACK

Cotton Extorts Serious Admissions Regarding Growth of Business, Despite Car Shortage-Prouty Indicates Adverse Decision.

OREGONIAN NEWS BUREAU, Washington, June 11 .- Not content with a monopoly of the lumber business in large portion of the Northwest, it developed at a hearing before the Interstate Commerce Commission today that Puget Sound lumber manufacturers are endeavoring to invade Portland territory and by means of a joint rate via Portland to literally cripple the lumber industry of Oregon. The Pacific Coast Lumber Manufacturers' Association, representing Puget Sound mills, petitioned for a joint rate to Eastern points via Portland equal to the rate now charged by the Northern Pacific and Great Northern on direct shipments over their lines, it being con-tended that such a rate would furnish Puget Sound a third outlet to identical-

ly the same markets they now supply.
On cross-examination of their own witnesses, it was demonstrated that the Sound shippers desire not so much to have a third route to existing markets as to invade intermediate markets now supplied exclusively by Portland and, what is more important, to compel the O. R. & N. to divert such of its cars to Puget Sound as may be required to handle the surplus lumber product that cannot be carried by the two Northern roads. In other words, Puget Sound asks this joint rate so that it may ship its entire output, leaving Portland to ship only such of its lumber as can be carried by cars not required in Puget Sound trade.

Not Likely to Grant Petition.

Victor H. Beckman, representing the manufacturers of Western Washington, was the principal witness today, and his cross-examination had ed when the co sion adjourned. It is intended to close testimony in this case tomorrow if possible. though Portland lumber and Harriman sentatives who have intervened against the petition, are yet to be heard. It had originally been intended to close the hearing in one day.

While the Commission will go carecan convict him in short order. Adams, fully into the evidence before passing during his visit to that place last year on the petition for a joint rate, it is to with Bulkley Wells, put the officials in be inferred from the comments and possession of a mass of information that | questions of Commissioners today that the petition will be denied. The most significant remarks of all were made by Commissioner Prouty during Mr. Beckman's testimony. Mr. Beckman had insisted that Puget Sound should have the same rate via Portland that it now pays over the Northern roads,

notwithstanding the additional haul of 180 miles. "How much less would you expect

the Harriman lines to take on ship-ments from Puget Sound than on busioriginating in Portland?" asked, "and why compel the Harriman lines to make any reduction? The Union Pacific and connecting lines have all the business they want right there in Portland; why compel them to take business they do not want and say they cannot handle?"-

Mr. Beckman's only answer was that Sound shippers wanted to avoid the charge of \$30 to \$40 for reloading at Portland from cars of the Northern Pacific to those of the O. R. & N., because the latter line refused to haul cars of the former and vice versa. "And," he added, "Portland gets a

through rate via Seattle." Mr. Prouty reminded him that the Northern Pacific has a terminus in Portland. He explained that the O. R. & N., like the two northern roads, did



ames M. Ashton, Attorney for Puget Sound Lumbermen, Who Want Portland Gateway

age and emphasized the fact that Portland shippers were as badly handicapped on that account as were the shippers of Puget Sound.

Cotton Extorts Admissions.

Late this afternoon W. W. Cotton took Mr. Beckman in hand and secured many damaging admissions that will later be turned to Portland's advantage. He virtually forced Mr. Beckman to admit existence of a lumber trust comprising the manufacturers of Puget Sound, which was successfully manipulating prices to its own advantage.

Mr. Beckman had pathetically described the stagnation in lumber circles in Western Washington. Under Mr. Cotton's cross-examination he admitted that lumber shipments by rail from Washington have steadily grown 575,000 feet in 1905, and in 1906, the year when Mr. Beckman had declared the lumber business of Washington had he showed that total rail shipments increased nearly 50 per cent, totalling 1,535,180,000 feet. This great increased output, Mr. Beckman admitted, was Nicaragua route for the inter-oceanic carried by the same two roads that canal and fought the Panama route to have been handling Puget Sound lum- the last. ber for years.

Mr. Beckman had declared that Puget Sound asked a through rate in order to reach the markets of Montana, Dakota, Kansas and other Middle West Points. Under cross-examination by Mr. Cotton, he admitted that Washington had abandoned the markets of the Middle West when the price of Southern pine, their principal competitor, took a heavy drop and that the Puget Sound mills, which have a monopoly in Eastern Washington except where they compete with Portland lumber shipped by the O. R. & N., now sell 75 per cent of their rail ship (Concluded on Page 2)

SENATOR MORGAN CALLED BY DEATH

Noted Southerner Ends Life's Work.

OVER THREE SCORE AND TEN

For Years Leader of Party in United States Senate.

GAINED ARMY PROMOTION

Was Persistent Advocate of Nicaragua Route for Interoceanic Canal, but Was Always Regarded as Conscientious Opponent.

WASHINGTON, June 11 .- United States Senator John Tyler Morgan, of Alabama, died here at 11:15 tonight.

Senator Morgan had been in bad bealth for a number of years, but had more or less regularly attended the sessions of Congress. He suffered from angina pectoris, which was the cause of his death. At the deathbed were his daughters, Miss Mary Morgan and Miss Cornella Morgan, both of this city, and his secretary, J. Q. Jones.

Mr. Morgan's home in Alabama was at Selma, where the funeral will take place, the body probably being taken there Thursday.

John Tyler Morgan was born in Tenessee June 20, 1834, and was, therefore, at the time of his death in his 84th year. His family removed to Alabama in 1533. His father, George Morgan, who died at the age of 34, was of Welsh descent.

John T. Morgan received an academic education and became a good Latin scholar before he was 9 years old. In 1845 he was admitted to the bar and prachis profession until he became United States Senator. He was a presidential elector-at-large in 1860 and a member of the Alabama secession vention in 1861.

In the War of the Rebellion he served uccessively as private, major, lieutenantcolonel, colonel and brigadier-general of infantry.

He was a Tilden elector in 1875 and was lected United States Senator in 1876, 1882, m 101,000,000 feet in 1892 to 1.095,- 1888, 1894, 1800 and 1904, in the last two elections there being no opposition to his return. He had long been regarded as the leader of the Democrats of the been crippled because of car shortage, Senate, and was a member of the committee on foreign relations, and for

He was an earnest ad

He was an able advocate of recognition of Cuban independence and we popularity in all parts of the country by his eloquent speeches in behalf of Cuba.

He was appointed by President Harrison on the board of arbitration on the Bering Sea fisheries and by President McKinley on laws to organize the government of the Hawaiian Islands.

Senator Morgan by reason of his. absolute honesty of purpose was regarded by all parties as a leader in the affairs of the country.

BLAKE AT POINT OF DEATH

Victim of Auto Accident Cannot Re-

cover-Johnson to Be Cremated.

BANBURY, England, June 12 .-

ames Blake, of Philadelphia, who was

injured in an automobile accident at

Edge Hill, near here, yesterday, at the

killed, is about 40 years old. He lies

in the infirmary in a critical state

from a fractured skull. Mr. Blake re-

covered consciousness today, but is hardly expected to recover. His skull

hardly expected to recover. His skull is fractured at the base, and he has

two or three broken ribs.

Mrs. Blake, who was slightly injured, is making satisfactory progress.

Mrs. Johnson is stopping at a private house at Edge Hill, and has a room adjoining the one containing her husband's body. Her injuries are slight.

The sympathetic residents are doing

The sympathetic residents are done everything possible for the sufferers. Several doctors are in attendance on Mr. Blake. The inquest on the body of Mr. Johnson will take place tomorrow afternoon. Besides sustaining a fractured skull, he was severely injured in the chest, being pinned under the car. He never regained consciousness, and died within three hours. His body will be taken to London and cremated and the ashes sent to America. The car was completely wrecked.

The car was completely wrecked. The chauffeur was not acquainted with the hill and lost control of the car.

LONDON, June 11 .- The victim of

the automobile accident at Banbury, it

was learned today, is H. C. Johnson, an attorney of Berkeley, Cal. John-son's companion, Mr. Blake, of Phila-delphia, who with his wife was serious-

e H. C. Johnson, of California.

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hompson, Fortland bartender, extradited from London. Page 7. Commercial and Marine Wheat buyers and sellers apart. Page 15. Sharp trade in Eastern wheat markets. Page 15.

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ly injured in the accident, is still alive today, but he passed a bad night. Mrs. Blake's condition is reported as comfortable today. BERKELEY, Cal., June 11 .- The re-

port of the death of City Attorney Harry H. Johnson, of Berkeley, in an automobile accident yesterday near Banbury, England, was confirmed to-day in a cablegram received today by Johnson's father from Harry Johnson's widow who was with him at the Indicted furniture dealers plead guilty and dissolve exchange. Page 10. widow, who was with him at the time of the accident.





IT'S SEE SAW FOR THESE TWO