

JURY FINDS SCHMITZ IS GUILTY

Second Ballot Declares Mayor Extorted Money.

REJOICING IN AUDIENCE

Agreement Reached So Quickly Heney Misses His Triumph.

SCHMITZ KEEPS HIS NERVE

Still Protests Innocence, Says Judge Was Prejudiced.

SPENDS NIGHT IN PRISON

No Hesitation When One Opposing Juror Has Heard Argument of Eleven—Judge's Charge Commanded for Fairness.

HOME IN SHERIFF'S CARE.

SAN FRANCISCO, June 13.—At a late hour tonight Mayor Schmitz was taken to his home in custody of the Sheriff.

SAN FRANCISCO, June 13.—A jury of 12 of his peers has declared Mayor Eugene E. Schmitz guilty of the crime of extortion as charged against him by the Oliver grand jury.

Rush to Hear Verdict. On the wings of rumor spread the report, "The jury has reached a verdict," and even before Judge Dunne reached the synagogue, hurried thither by an automobile, nearly 1000 men had gathered in Bush street and were clamoring at the doors to be let in.

All Jury Announces Verdict. "All ready for you, Judge. They're here," Judge Dunne took the bench at once.

Rejoicing Among Audience. The silence was broken in a hundred places at once like a wave draining from the rocks. A long-drawn "Ah!" ran through the crowd.

ing from the rocks. A long-drawn "Ah!" ran through the crowd. Then "Good!" cried a voice in a far corner, and "Good, good!" echoed another farther front.

Schmitz Taken Into Custody. Mr. Metson, of counsel for the defense, spoke: "We ask that the jury be polled."



William J. Burns, Who Collected Evidence Which Convicted Mayor Schmitz.

ounced on Wednesday, June 12," said Judge Dunne. "The court will at this time listen to any motion that may suggest itself to the prosecution."

CONTENTS TODAY'S PAPER

- The Weather. YESTERDAY'S—Maximum, 68 degrees; minimum, 46 degrees. TODAY'S—Occasional showers; warmer, Pacific Coast.

GRANT NO JOINT RATE THIS YEAR

Prouty Forecasts Decision of Board.

SOUND LUMBERMEN TO WAIT

Not Allowed to Crowd Out Oregon Shippers.

O. R. & N. CARRIES CAPACITY

Interstate Commission May Grant a Joint Rate When North Bank Road Is Completed—Looks to the Future Needs.

OREGONIAN NEWS BUREAU, Washington, June 13.—While it is impossible to forecast decisions of the Interstate Commerce Commission, the Portland contingent now here to oppose the granting of a joint rate on Puget Sound lumber via Portland and the O. R. & N., feels quite confident that it has won its battle.

True, the remarks made today by Commissioner Prouty may not reflect the views of the entire Commission, and, as Mr. Prouty himself said, he may not ultimately think as he does today, yet the fact remains that Mr. Prouty shows more interest in this case than any other member of the Commission and is the only Commissioner who heard every word of testimony.

Oregon Has First Claim. It is apparent that Mr. Prouty himself is not averse to permitting shipment of Puget Sound lumber through Portland and over the O. R. & N., except for the fact that the O. R. & N. is now unable to handle anything like the business that is offered along its own line.

No Discrimination To Be Made.

The Commission's decision will probably not be handed down before late next Fall or possibly Winter. It is promised that the North Bank Road will be open as far as Pasco by January 1 next.

sooner, and it may be that their sizing up of the situation is correct. But those who followed the testimony are very well satisfied that there will be no joint rate via Portland on Puget Sound lumber until Portland has ample means of getting its own products to Eastern markets.

O. R. & N. Already Crowded. Assistant General Freight Agent Skinner, of the O. R. & N., this morning testified that his road is now handling all freight, including lumber, that it can take care of with its present equipment.



Mayor Eugene E. Schmitz, of San Francisco, Convicted of Extortion.

tional lumber from Puget Sound. It could not handle it with satisfaction to itself or its patrons. He said there is no amount of merchandise from the East to Puget Sound now passing over its road, but admitted there would be some when the new line from Portland to the Sound is completed.

Mr. Prouty asked how his road expected to handle business that would originate tributary to its line, say five years hence, if it is now running at its full capacity.

When Mr. Skinner concluded, Mr. Teal asked him to repeat important parts of his testimony, and was again sharply called down by Mr. Prouty.

Prouty Forecasts Decision.

Mr. Prouty significantly explained that no early decision would be handed down, because it was evident from the testimony that, if such a rate should be granted, the O. R. & N., now overcrowded with Portland and other Oregon business, could not handle Puget Sound lumber, unless it should discriminate against lumber originating along its

GREAT CLIMAX IN ORCHARD'S STORY

Tells Motives Prompting Confession.

NO PROMISE OF LENIENCY

Duty to God, Country and Himself Moved Him.

WORDS CARRY CONVICTION

Penitent Assassin Denies Hope of Saving Life Held Out and Admits Attempt at Suicide—Story Concerning Bradley Sustained.

BOISE, Idaho, June 13.—(Special)—The cross-examination of Harry Orchard closed today. He had been on the stand six full days and parts of two, having been called at 9:30 o'clock on June 4, and his cross-examination being finished at 2:30 o'clock this afternoon.

A canvass made this evening of persons attending the trial shows that the opinion is universal among all who are not direct sympathizers with the defense that the climax of the examination was reached this morning, when the witness gave his reasons for making his confession.

Great Climax of Drama.

It was the most remarkable climax of the long, terrible story. Mr. Richardson was probing insistently for the reason for the confession. It was to the advantage of the defense to show, if possible, that Mr. McParland had dictated the story in some features at least, and that he had promised or held out hope of immunity, but the efforts of the attorney were without result.

Jury Listens Intently.

Mr. Richardson sought to shut him off, but the court permitted him to proceed, and amid deathlike silence he made the statement. The members of the jury leaned forward to catch every word, and it was manifest that every one was impressed with the earnestness of the man, who made the statement with manifest emotion and with tears starting to his

eyes, rendering it necessary for him to use his handkerchief. Surely if Harry Orchard has not told the truth, he is the most brazen liar on earth, but there are few who do not believe he has told the truth excepting the partisans of the defense, who have always attacked the state and all connected with it in this matter. Candid citizens, who declared before he went on the stand that they would never believe him, openly admit their entire confidence that he has told the facts correctly.

Surprise for Defense.

The calling of Crook, the Bradley milkman, to the stand this afternoon was a great surprise to the defense. Their agents have been trying for several days and have entirely failed to connect him with the case.

SOLE MOTIVE IS FORGIVENESS

Orchard Withstands Violent Assault on Motive of Confession.

BOISE, Idaho, June 13.—The men who are battling to save the life of



Francis J. Heney, Who Secured Conviction of Mayor Schmitz.

William D. Haywood and the good name of the Western Federation of Miners made their greatest assault upon Harry Orchard today when, carrying the review by cross-examination of his life of crime down to his confession, they bitterly assailed his guiding motives. Six days they spent in stripping him before the jury of every shred of morality, of character and then, suddenly turning upon him in final fierce attack, they fought with every means known to the legal craft to convince the jury that Orchard was committing a crime in falsely swearing away the lives of innocent men in the hope of saving his own.

Tells of Penitence With Tears.

The series of quickly delivered attacks gave to the trial, amid the scenes centering around the big witness chair in Judge Wood's court, a depth of dramatic intensity, a compelling human interest, that gripped and held every man and woman who watched and listened. On the face of King David and Uriah that Detective McParland related to him when he came seeking a confession, he fought to save himself, but the tears filled his eyes and he rocked unevenly like a fainting woman. His voice lowered to huskiness and he hid his face in a handkerchief. Then he steadied himself and went on strongly to the end.

Sole Desire Is Forgiveness.

"You knew that if you confessed to the Steunberger murder the state would put you out of the way?" hammered Mr. Richardson.

Intimates That Russia May Get Wrong Impression From Reports. WASHINGTON, June 13.—Viscount Aoki, the Japanese Ambassador, tonight requested the Associated Press to publish the following statement:

Duty to Tell Truth. "So you thought you would make your peace with the future by having somebody else bring, did you?" asked Mr. Richardson.

ROOT GIVES AOKI CAUSE TO THINK

Weary of Japan's Fuss About Trifles.

PROTESTS GROW MONOTONOUS

Complains That Boys Smash Few Panes of Glass.

IRRITATION IS GROWING

Aoki's Visit About Petty Affair at Berkeley Makes Root Tired—Told to Make Allowances for San Francisco.

WASHINGTON, June 13.—(Special)—Viscount Aoki, the Japanese Ambassador, called at the Department of State today and made a formal complaint because some small boys broke a few panes of glass in a greenhouse belonging to a Japanese in Berkeley, Cal. Ambassador Aoki was greatly disturbed when he left the office of Secretary Root and was considerably annoyed when asked about the Japanese situation.

Weary of Japan's Protest.

For some time there has been considerable impatience on the part of the Administration on account of the action of the Japanese. The Government is irritated by the persistence with which the Japanese Ambassador has pressed unimportant matters on the attention of the Department of State, especially as the United States has taken particular pains to show that there is no hostility against Japan on the part of this Government.

Must Make Allowances.

In dealing with the Japanese situation in San Francisco, which is just now covering from an earthquake and fire which destroyed the city and where chaotic conditions exist, it has been explained that there is necessarily more disorder and hoodlumism than in cities where such disasters have not occurred. While the Federal Government is in no way defending the attacks, the Japanese have been informed that the utmost patience must be shown.

PAPERS CHANGE THEIR TONE

Japanese Begin to Regard San Francisco "Outrage" in True Light.

TOKIO, June 14.—The Jiji this morning, in its leading editorial, which is evidently inspired, says that the recent assaults on Japanese in San Francisco were merely incidents growing out of the industrial troubles in that city and that they do not constitute a cause for diplomatic action.

AOKI DENIES THE INTERVIEW

Intimates That Russia May Get Wrong Impression From Reports. WASHINGTON, June 13.—Viscount Aoki, the Japanese Ambassador, tonight requested the Associated Press to publish the following statement:

Dr. Masuji Kiyakawa, of San Francisco, the Japanese lawyer who filed the suit against the San Francisco School Board in the now famous school case, has been asked by the Japanese of the Pacific Coast to visit Tokio to discuss the exclusion clause in the immigration law passed at the last session of Congress, with a view to removing the ban against the importation of Japanese coolie labor. He, however, has declined the mission and, according to telegraphic advices, he has received A. Takamoto, prominent in the Japanese colony in San Francisco, has been selected as the envoy who will visit Tokio. Dr. Kiyakawa says he

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