TAKES SENTENCE, IS STILL DEFIANT

Schmitz Makes Scene Prosecution the grounds urged were wholly insufficient. "The court does in Court.

PROTESTS AGAINST LECTURE

Judge Dunne Scores Grafter Without Mercy.

CROWDS CHEER TO ECHO

Mayor's Hypocrisy, Duplicity and Dishonor Denounced-He Says Judge Is Prejudiced and Will Seek Re-election.

SAN FRANCISCO, July 8 .- The sentence ing of Mayor Eugene Schmitz to five years in San Quentin Penitentiary for extortion was one of the most dramatic scenes ever witnessed in a Western court. The effecttveness of the fearful denunciation of the convicted Mayor, as delivered by Superior Judge Frank M. Dunne prior to the passing of judgment, was heightened by the demeanor of the prisoner, who time and again interrupted the court to demand that those "humiliating remarks" be dedisted from and that "the court do its duty" by pronouncing sentence at once. Once, while the sentence impended, the Judge threatened to send Mr. Metcalf, of the Mayor's counsel, to jail for contempt because he descried the court's comments

he aught to be "begging a day in court to defend himself against the charge of having tampered with a witness in the case." The defense filed a bill of exceptions after motion for a new trial and motion for the arrest of judgment had been denied and Judge Dunne granted a certificate of probable cause, upon which Schmitz will go to the District Court of

as "cruel and unusual punishment," and

Mr. Metcalf was told by Judge Dunne that

Appeals for a new trial. Courtroom Rings With Cheers:

As the last words of the sentence fell from the Judge's lips, the great crowd that had stood throughout the dramatic scene, sent up a thunderous cheer. "Good for you." shouted a man in the

His ejaculation was echoed and re-echoed by one after another of the spectaok over the shoulders of the crowd. The greatest confusion prevailed.

Mr. Fairall, of the defense, raising his roice above the din, called out to Judge "Your honor, this cheering is a very

unseemly occurrence." "Well," retorted Judge Dunne with spirit, "if we had a Sheriff worthy the name, it would have been stopped in-

Sheriff Thomas O'Neill was standing inside the rall. He turned to the court and

"Nobody could have stopped that, your Special Agent Burns, of the prosec

tion, led a number of bailiffs in the cry:

"Clear the courtroom; clear the court-But only a few of the hundreds of ou rious and apparently delighted men obeyed

the sharp order. Some of them were hustled unceremonlously out into the hall- | this case." ways. About 100 others kept their vantage places around the counsel table, where Schmitz sat dictating a statement to the

The dramatic atmosphere was heightened by a staff of newspaper photographers, who exploded flashlight after flash-light till the courtroom was so filled with smoke that it became stifling.

Not Ready for Other Cases.

It was 10:45 o'clock when Judge Dunne, having disposed of some matters prelim inary to the trial of other bribery-graft cases, called from the calendar:

"The People vs. Eugene Schmitz," District Attorney Langdon and Mr. Fairall answered in unison:

Judge Dunne inquired of Mr. Langdon whether it was his present intentior proceed with the trial of the other four extortion cases against Schmitz. The District Attorney replied that there were so many other graft cases on the calendars that he was unable to say at this time whether the four extortion cases would be pressed of not, "but," he concluded, "the prosecution has no objection to the passing of sentence at this time."

"Under ordinary circumstances," said Judge Dunne, f'when a defendant has been indicted on a number of accusations, and only one of them has been tried, the others remaining open for trial, I think it would not be very practical to pronounce judgment upon the first conviction. But if the District Attorney has, as he says, no objection to the imposition of judgment at this time shall, of course, pass sentence. Eugene E. Schmitz stand up."

The big, black-bearded prisoner arose at the counsel table. His face was the color of ivory. His lips were pressed tightly together.

on the judge, and never or dramatic moments that followed, did he drop them. His shoulders were thrown back, and he held his head high. "Mugeno Schmitz," said Judge D

after reciting the facts of his trial and conviction, "have you any cause to show why judgment should not be passed?" "We have," responded Mr. Fairall, and as he arose to move for a new trial, the Mayor sat down.

Mr. Fairall read briefly six grounds upon which a new trial should be granted. The motion was promptly de-nied, after Mr. Langdon had replied, after a word of inquiry not deem that there is any merit in the motion, therefore it is denied," said

Judge Dunne .. Mr. Fairall excepted to the ruling and moved for an arrest of judgment, enumerating the grounds. This motion was also denied.

The court then asked if the defense had any other cause to show. "No other," was the reply

Judge's Lecture to Schmitz Judge Dunne, turning to Schmitz, who had again risen, said: "In pronouncing judgment in this



Mayor Eugene E. Schmitz, of San Francisco, Sentenced to the Penitentiary, After a Terrible Scoring From Judge Dunne.

.......

case, the court has but very brief com ment to make. It can be said that the verdict of the jury in this case has a deeper significance than ordinarily attaches to a finding of guilt. It is a message to all the people in the City of San Francisco that law and order are supreme; that no man, however exalted his station or how strong and powerful the political, social and financial influences which surround him, is above the law. Eugene E. Schmitz, you have heretofore occupied the highest office which the City of San Francisco can confer on one of its citizens. You were elevated to that position because of the confidence and trust reposed in you by the mass of the -

Schmitz and Metson Protest.

"I am here," interrupted Schmitz, in a voice, which though quiet and contors. Several threw their hats into the trolled, carried to the far corners of the -and not to be humiliated by a lecture which the newspapers can repeat in

print." At this there was a buzz of excitement and a shifting of feet on the bare floo and an eager press forward by the crowd that was separated from the counsel ta ble by a row of occupied chairs. Beyond pausing Judge Dunne paid no attention to the interruption.

"You were elevated to that position, say, because of the confidence and trust reposed in you-

Mr. Metson interposed: "We are here to take sentence," he said, "not to be lectured. We-" "Mr. Metson," said Judge Dunne, warm

"if you interrupt these proceedings again I will send you to jail. You would be in far better business if you were here begging for a day in court to answer the charge that you willfully and improp erly attempted to tamper with a juror in

"I am ready," responded Mr. Metson any charge that may be lodged against I take exception to the remarks ant and to the improper and uncalled-

ENEMY'S FLEET

Repel-"Attack" by Sea and by Land.

LEARN TO MAN LARGE GUNS

Guardsmen Become Proficient in Coast-Defense Work.

MILITIA REPLACE TROOPS

Regulars Retire and Watch the "Amateurs" Handle 12-Inch Mortars During Bombardment of Hostile Ships.

FORT STEVENS, Or., July &-(Staff Correspondence,)-A theoretical squadron of hostile warships, cruisers and torpedoboats attempting to force the entrance or the Columbia River and lay waste to Astoria, Portland and the river country, was sent to the bottom by coast defense artillery manned by Oregon guardsmen at this post today,

After spending the forenoon in drill devoted to the workings of mortars and coast rifles, a detail of 75 guardsmen was placed in full charge of two guns. schooner bowling into the harbor was designated as a hostile fleet of three battieships, three cruisers and three torpedo-The Oregon men manned the boats. guns and did the practical work of sinking the fleet while it was yet at a range of 10,000 yards and barely visible to the naked eye. Another detachment of Orehad intrenched itself in the old Point Adams lighthouse, and after a brisk fight wiped the intruders off the map, accord-

ing to the opinion of expert observers. The first day of instruction in the Government's coast defense maneuvers has tended to establish the fact that volunteer troops may be used to good advan tage in support of a regular garrises should the need arise. The Oregon men were of practical use in handling the big guns after a brief three hours of drilling.

From Revelle to Taps.

Activities began with sunrise and veryone at the garrison was kept busy all day. Colonel Walker, the artillery district commander, has determined to make the most of the 10 days and he is dally problems and assigning daily drills which fill out every minute of the time prescribed for military duties. After the artillery detachment had drilled all forenoon and sunk the theoretical fleet in the afternoon, the artillery drill continued, the men being initiated into some of the more intricate details of coast warfare. The infantry supports, after exterminating the landing party, spent the rest of this afternoon in skirmish drill on the sandy beach below the garrison.

The manner of drilling the guardsme Colonel Walker has directed that to begin with the regular manning details appear at their stations. A corresponding detail of guardsmen is assigned to the various positions. As rapidly as the volunteers qualify, the regulars step aside and leave the work in their hands. All of the regulars were able to retire this afternoon from the active handling of the guns. Artillery instruction is benducted by Captains H. G. Bishop C. Willis and H. S. Stelle, of the regular coast artillery service. Infantry instruction is being directed by Captain John R. M. Taylor, of the Fourteenth United States Infantry. Companies A

and companies A, C and K, of the Third Oregon Infantry, have been designated as infantry supports. Companies B and M of the Third Oregon are being given artillery instruction at Fort Columbia

How the "Flect" Was Sunk. The attack on the imaginary fleet today afforded an excellent insight into the methods of modern coast defense equipment. The sailing vessel that was designated as the fleet was hardly to be

een without the use of strong field

glasses. Only the upper rigging showed above the horizon.

To estimate the range and exact loca tion of this vessel at the moment a shell would reach it from the shore was a probem that the average mathematician might not care to undertake if he had an afternoon in which to work it out. The regulars made quick work of the trick. The position-finder was brought into use the ship was located on the finding-board the speed of the vessel was approximated, the velocity of the wind was taken, and then, after allowing for the distance the ship would travel while a shell was hurtling towards it, the adjustments of sights were made and the order was given to fire. The bombardment lasted for several minutes, adjustments of the 12-inch mortar and 10-inch all-around-fire rifle being required for every shot. Company A handled the 12-inch mortar during this bombardment and Company C manned the all-around-fire rifle

Landing Party Driven Into Sea.

The storming of the Point Adams lightuse afforded excitement for the troops assigned to service as infantry supports Company A, of the Third Oregon, took up a position in the lighthouse, and it de volved upon Companies C and K to dislodge the landing force. The attacking party, under Major John L. May, engaged in a long-distance duel, and finally de ployed and rushed the intrenched foe. capturing the position. Recall was then sounded, and after a brief rest came assembly and more skirmish drill. The broad beach affords an excellent place for skirmish drills, extending over a course of nearly two miles.

It proved an arduous day for the Guardsmen, and final recall was welomed. Aside from sore feet and fatigue, none was any the worse for the brisk exercises and drills. Not a single man is on the sick report. The programme tomorrow will be of a similar nature, the period of drill covering the greater part

Third Oregon Arrives.

Six companies of the Third Oregon and separate company arrived at Seaside gon men attacked a landing party that at 5:10 P. M. today and proceeded directly to the campground, one mile south of town. The guardsmen gave a com-mendable exhibition of their skill in camppitching, and a city of tents had aprung up before sundown. The camp is in com mand of Colonel C. E. McDonell, Drills and camp routine will be established tomorrow. Later in the week the command will participate in the coast defense manenvers, operating as a force of the enemy. An uneventful trip from Portland was reported.

COMPANY G OFF TO CAMP

Oregon City to Join Woodburn and The Dalles at Fort Stevens.

OREGON CITY, July &-(Special)-Forty members of Separate Compar Oregon National Guard, dressed in khaki uniforms, in charge of Captain Franklin A Loomis, departed this morning for Sea-side to go into camp with Co. D. of The Dalles, Co. I. of Woodburn, and Company L, of Pendleton. The last three compa-nies are a part of the Third Regiment of Infantry and the battalion will participate in an attack on Fort Stevens while at the coast. They will return July 16: Firs Lieutenant W. R. Logus and Second Lieu tenant Charles E. Burns, Jr., accom

SHIELDS HOWARD GOULD

Court Strikes Out Charges of Infidelity From Wife's Complaint.

NEW YORK, July 8.-The two most sensational allegations in the suit of Katherine Clemmons Gould for a separation from Howard Gould were today stricken out of the complaint by order of Supreme Cour: Justice McCall. The sections stricken out are those which allege infidelity on the part of Mr. Gould and that he tampered with

Mrs. Gould's mail. A third section which Mr. Gould sought removed from the complaint charges him with having had his wife watched and C of the First Separate Battalion by detectives. This allegation teh have been selected for the artillery work allowed to remain in the complaint.

OF FLEET'S MOVE

Does Not Concern Her, Says Naval Expert.

WOULD LIKE A VISIT FROM IT

Delicate Situation Causes General Reticence.

LOWER IMMIGRATION BAR

Demand for Abrogation of Treaty Clause-Fleet's Cruise Declared Consequence of McKinley's Policy of Imperialism.

TOKIO, July 8 .- (Special.)-"The move ments of the American Nayv are of no special importance," said an influential naval expert in an interview printed in the Asahi Shibmun today. "They are part of a prearranged plan, which has been adopted because of the constant growth of the American Navy during the last decade, for the sake of training and for purposes of protection to America's wide interests in the Pacific Ocean.

"Meanwhile it is proper to understand that the squadron is not composed exclusively of battleships, but includes a number of cruisers as well. From a strategic point of view it does not conern Japan whether the squadron mains in the Atlantic or proceeds to the Pacific, although for Americans there is me reason to believe that the Atlantic would be preferable."

Consequence of Imperialism.

The Asahi says editorially that the transfer of the Asiatic fleet to the Paoffic "is the natural consequence of Mc-Kinley's imperialism." The new Republican platform, it says, includes the extention of the Monroe doctrine to the Pacific, where American interests are destined permanently to remain. report that the fleet will return to the Atlantic after a short stay in the Paolfic it holds to be due not only to inadequate accommodations afforded by the Pacific ports, but also to America's nviction of Japan's sincerity in respect ing America's new territorial rights.

The Asahi regrets that the fleet cannot visit Japan to enable the Japanese to asanese at Jamestown.

However, the Asahi is compelled to suggest the abrogation of article 2 of the commercial treaty between Japan and America to avoid future troubles like those in San Francisco.

Think Situation Delicate.

Says the Nichi Nichi; "War talk, the boycott bogy and naval alarms can originate no solution for the San Francisco problem. The definite stoppage of disrimination is vital."

Other leading papers are reticent, showing the difficulty they feel in expressing a definite opinion. The situation as it exists is regarded as most delicate There is a growing impression that it is

advisable to preserve Japanese suscepti-bilities, inasmuch as Japan relies upon the ses made by the Govern Washington, and is eager to maintain the traditional friendship between the two na-tions. For no concrete reason, but be-cause of a generally unfavorable impression, shares showed a slightly downward

PREDICTS WAR WITH JAPAN

Senator Taylor Says Conflict Will Come Eventually.

KANSAS CITY, July 8 .-- A special to

Standard Oil Company offers no evidence against being fined. Page 2. Civic Federation report in municipal owner

ship. Page 4. Telegraph companies accused of forming trust. Page 4.

> Page 2. Chicago professor makes great discovery in Egypt. Page 2.

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Trial of Glass begins Page 1, Fairbanks' friends may try to start boom at Eedeaver convention. Page 1. Washington commission presents opinion on cost of replacing O.

roadbed. Page 6. Wheat crop ready for harvest in few days; prospects bright. Page 6. Portland and Vicinity Cooking course may be added in High Schools. Page 10.

School Board apportions Contractor Ben-nett's fine among his creditors. Page 10. Dr. Wheeler resigns as City Health Officer.

of Mount Jefferson. Page 11.

Car runs wild down Ford street grade. Commercial and Marine Prune prices advance after crop is sold. Page 15.

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moys placed to mark the south channel entrance to the Columbia River, Page 16.

the Times from Oklahoma City, Okla. says: United States Senator Robert Taylor, of Tennessee, in an interview here today "War with Japan is bound to come eventually. I am glad that is battleships have been sent to the Pacific Coast. If war were to be declared now, Japan could FAIRBANKS BOOM?

easily gobble up all of our Far Eastern possessions. Permanent peace can come to the United States by a large Navy, and

NONE OF JAPAN'S BUSINESS

Governor Chamberlain Approves the

Transfer of Fleet to Pacific.

answer to an inquiry today from the

New York World, Governor Chamber

lain today gave the following opinion

of the plan to mobilize a battleship

fleet on the Pacific, and of the Japanese

Vice-President C. W. Fnirbanks,

tleships in the Pacific meets with my

approval. I know not what view the

Japanese nation would take of this

movement, and I care lear. Do not

think their opinion should be consulted,

but believe this Government should act

for its own protection, without consult-

GOOD MOVE, IS DEWEY'S VIEW

Poor Land Defenses.

today as saying in regard to the trans-

fer of the battleship fleet to the Pa-

"It is a pity we have not ships

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degrees; minimum, 61 degrees.
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rel with Japan. Page 1.

NEW YORK, July 8 .- Admiral Dewey,

ing the views of any other nation."

Drowning Yesterday.

Who Rescued a Woman From

"The plan to mobilize American bat

view of such action:

SALEM, Or., July 8 .- (Special.) - In

I trust some day this country may have 190 battleships. I consider the building of the Panama Canal the greatest achievement of the age. The fact that with its completion we could assemble the Pacific and Atlantic war fleets within five days is alone worth the money." Busy Days Are These for Politicians.

CLANS GATHERING AT SEATTLE

May Turn Endeavor Convention Into Political Coup.

PLOTS AND COUNTERPLOTS

State Leaders Hope to Make Capital for Themselves and Display Their Usefulness to the Big Chiefs From Washington,

SEATTLE, Wash., July 8.—(Special.)— The coming of Vice-President Charles Warren Fairbanks this week will give a ive interest to the political fights of 1908 that politicians have spent a part of the Summer in trying to shape up. Those men who follow politics either as a pastime or as an occupation have been groping in the dark for several months. trying to locate a real straw that will show the drift of bentiment and give something to tie to in this muddle the introduction of the direct primary system is expected to create.

Jones' Senatorial candidacy was expected to stir up an interest that would show something of the political feeling of the state, but the real announcement of the Yakima Congressman's plans has been deferred until politicians have accepted a declaration of candidacy as a fact, and the official statement will lose some of its effect. Sentor Levi Ankeny has told friends he will be a candidate again, but he has done nothing toward organization this year and politicians are skeptical about his announcement. It is an open secret that Charley Sweeny, of Spokane, would get into the fight if Ankeny would get out, but he is tied up

Politicians Kept Hungry.

Neither the announcements of Governor Mead's determination to seek a re-election nor S. G. Cosgrove's declara-Pacific Coast Needs Fleet, Having tion that he wants the Gubernatorial nomination has given hungry politicians a morsel of gossip to feed upon. The Spring municipal elections in the big who is sojourning for the Summer at Richfield Springs, N. Y., is quoted in an cities, that usually begin to stir up posure the Americans of their sincerity and interview published in the American litical interest nearly a year in advance. have been approaching slowly, without even a life-sized whisper of a line-up of any faction. It is an off-year for poll tics, anyway, and the followers of that game have groped in valu for something enough to keep powerful fleets in both on which to hang a trace of an organizaoceans, but since we have not it seems tion or at least to talk about intellithat in the interests of peace it is best gently.

> Fairbanks' arrival, right on the heels of the coming of Secretary of the Interior James R. Garfield, and with a promised visit from Secretary Oscar Straus, of the Department of Comme and Labor to follow immediately and Secretary of War William H. Taft coming in September, makes Presidential politics in this state take precedence over local quarrels.

Roosevelt Keeps Tab on State.

Judge R. A. Ballinger, Commissioner of the General Land Office, has been here a week or more. Ballinger has said he is going to retire next-Winter, but in the meantime no one doubts that he will carry back to Washington all the political gossip of the state that he can pick up. Beyond reiterating the deep concern of the President for the welfare of this state and the preservation of the forest reserve policy, Judge Ballinger has contributed nothing to the talk of politica He has made half a dozen speeches, but they all tingle with kitchen cabinet appreciation of the Roosevelt ideas. And right now is coming Vice-President Fairbanks, whom the Western public accepts as the logical anti-Roosevelt candidate for the Presidency, despite the assurance from Fairbanks' friends that he will

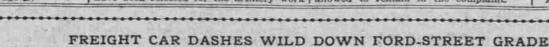
continue the Roosevelt policies. Secretary Garfield will have a chance to do politics here. He is to speak at an informal luncheon of the King County Republican Club on Thursday, L. H. Gray, president of that club, is so fearful that he will commit himself some way that the intimation has gone forth that Garfield must keep away from embarrassing topics. Gray kept John Barrett so far away from real business that the ex-Portland newspaper man talked balf an hour about new men in politics to an audience of men composed entirely of officeholders, officeseekers or men who had been following the political game since boyhood. He will try to do the same thing with Secretary Garfield, but the fact that the Secretary is to talk just before Fairbanks comes has given poltticians the hope that he may say some-

thing with life in it. Busy Days for Fairbanks.

Fairbanks has promised the King Old spirit prevails in San Francisco, despite disadvantages. Page 14. County Republican Club to make an address at a banquet to be tendered down for a Christian Endeavor speech an Endeavor excursion, an address before the State Bar Association, and a number of side entertainments. If the Vice-President will talk, President Gray has assured him of an audience of 1000.

"But there's to be no politics, no

(Concluded on Page 6.)





WRECK OF OVERTURNED CAR AT FIFTEENTH AND WASHINGTON STREETS

An electric freightcar bound for Portland Heights vesterday got beyond control of its crew just before the crest of the Ford street hill was teached, and ran wild back down Ford street. It turned into Washington, and at tremendous speed rushed eastward on the track used by westbound cars. After traveling eight blocks on Washington street, it jumped the track at Fifteenth street and fell on its side. The motors of the car, acting as dynamos under the trem wiring and set the car on fire. Motorman Crawford was slightly burned; but no one else was injured