

Morning Oregonian



VOL. XLVI.—NO. 14,661.

PORTLAND, OREGON, WEDNESDAY, DECEMBER 4, 1907.

PRICE FIVE CENTS.

FORD ACQUITTED AFTER FIVE HOURS

Jury Says Not Guilty of Giving Bribe.

AGREES ON SIXTH BALLOT

First Ballot Showed Three for Conviction.

FORD EXPECTED RESULT

Trial Ends With Masterful Argument by Heney, Who Prefers Ford's Acquittal to Using Abe Ruef's Evidence.

SAN FRANCISCO, Dec. 3.—Trey L. Ford, general counsel of the United Railroads, was late tonight acquitted of the charge of having bribed ex-Superintendent Jennings Phillips to vote for an overhead trolley franchise.

The case went to the jury at 6 o'clock and the verdict was reached at 10:30. On the first ballot the jury stood nine for acquittal and three for conviction. Several more ballots changed it to eleven for acquittal and one for conviction. The sixth ballot was unanimous for acquittal.

This was Ford's second trial. In the first trial the jury was unable to agree on a verdict. The present trial was begun about seven weeks ago, but was interrupted a month by a series of special holidays called to protect the banks during the financial stringency. During all the holidays the jurors were kept together under the custody of Deputy Sheriffs.

Applause Greets Verdict.

The Ford case was the third one in the series of graft prosecutions. In the other two cases, those of ex-Mayor Schmitz and Louis Glasse, vice-president of the Pacific States Telephone & Telegraph Company, convictions resulted.

Ford Knew There Was No Case.

Mr. Ford gave the Associated Press the following statement:

"I can't say that the verdict was unexpected, for I knew no case had been made or could truthfully be made against me. I have an abiding faith in the justice and fairness of an American jury when acting under the law alone, guided by the facts and unwavering by influences which should never find a place in an American court. Under the peculiar conditions now existing in our city, it is greatly to the credit of the 12 men who have just rendered their verdict that they have the courage to do exact and even justice to a falsely-accused fellow citizen. My sincere and heartfelt thanks are joyfully given to the host of friends who knew me and, knowing me, realized that but one result could possibly follow a fair trial."

Heney's Closing Argument.

A feature of the day's proceedings was the closing argument of Assistant District Attorney Francis J. Heney this afternoon, following that of A. A. Moore, for the defense, this morning. In expectation of hearing Mr. Heney speak, the attendance was the largest of any day during the trial.

Mr. Heney made a masterful address. He took up the testimony of each witness and connected, joined bridged and dovetailed in perfect sequence and order the links that forged a strong chain of circumstantial evidence around the defendant. Mr. Heney declared that the silence of the defense and its failure to put in testimony was the most significant thing in the case.

Speaking of the failure of the prosecution to put Abraham Ruef on the stand, he said:

"We will let Mr. Ford be acquitted before we will put Ruef on the stand."

President Calhoun, of the United Railroads, whose trial on the same charge will commence Thursday morning, was an attentive listener to the argument of the prosecuting attorney as well as to the charge of Judge Lawlor.

Plea for Defense.

A. A. Moore in his argument for the defense maintained that even if Ford had paid Ruef \$200,000, there was nothing to indicate that it had been paid for corrupt purposes and intimated that it would have been possible for Ruef, with the Board of Supervisors in his power to hold up the United Railroads.

Counsel for the defense questioned the statement made by Mr. Heney during the trial that he had volunteered his services and was receiving no remuneration. "If Mr. Heney is not serving as a prosecutor for money," said Mr. Moore, "then he must be working for glory, position, place or power."

TAFT FEASTED IN ST. PETERSBURG

Received With Open Arms by Russians.

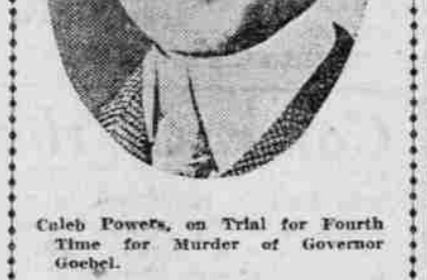
PROCLAIMS AMERICAN POLICY

No Possibility of War With Any Other Nation.

PAYS VISIT TO THE DOUMA

Hears Speeches by Men of Three Nationalities—Will See Military Review, Meet the Czar and Attend Banquets Today.

ST. PETERSBURG, Dec. 3.—A plea for world peace was the topic of a speech delivered by Secretary Taft at the American banquet here tonight, which was attended by several high Russian officials in addition to some 60 Americans.



Caleb Powers, on trial for Fourth Time for Murder of Governor Geobel.

Responding to the speech of welcome delivered by F. M. Corse, who presided, Mr. Taft said that he hoped the traditional friendship between Russia and America would increase and become stronger. The similarity in the development of the two countries, he said, ought to produce a sympathetic feeling, and he drew a parallel between Russia and America with reference to their immense extent and the difficulties arising therefrom. Personally, the Secretary had a strong feeling of affection and regard for Russia, on account of the two years' residence of his father when he was American Minister.

Major Profits by Lowest Vice.

To summarize completely the work undertaken and the matters investigated by the present grand jury would swell this report out of all reasonable proportions. We cannot even outline the vast amount of evidence received by us showing corruption and the abuse of power, which constitute a record of moral turpitude, such as the participation of the former mayor of our city in the profits earned by the prostitution of the vice of fallen women, which constitute a record of seemingly inconceivable sin, shame and violation of law.

Police Corruption Incredible.

The unlawful and corrupt protection given by the police to vice, for the benefit, pecuniarily and politically, of the heads of the administration and many of the rank and file of the departments, is unbelievable. If it were not for the low character of the witnesses examined and the tangled mass of contradictory evidence submitted, it would undoubtedly be proved, but in a way perjury could not legally be proven, judgments would have been found for extortion and conspiracy in forming a house of ill-fame trust. Our "vib houses" have no equal in the world for villainy. They could not have continued without the protection of the Mayor and the Chief of Police.

Police Courts Scored.

The report scores the police courts for not imposing more and heavier penalties in the cases of strikers arrested for misdemeanors during the street strike. It also says that the police were criminally negligent during the early part of the strike, and that many lives were lost in consequence.

The United Railroads Company is severely scored for the negligence and criminal carelessness of its men in charge of the cars, and the many accidents in which people have been killed, crippled and maimed are cited.

The report recommends many changes in the conduct of the affairs of the city, better enforcement of the ordinances by the members of the police force, more careful collection of licenses by the Tax Collector, proper enforcement of the building ordinance. Some of the theaters are spoken of as dreitrapes and the recommendation is made that they be closed.

The City and County Hospital should be torn down, the report says, as it is a nest of deadly germs.

BONDS FROM FIGHT TRUST

Several Members Put Up Security.

Serve Warrant on Schmitz.

SAN FRANCISCO, Dec. 3.—Of those who were indicted by the grand jury, Edward Grancy of the so-called fight trust, ex-Superintendent G. F. Duffy and Luther Brown all put up bonds today. Grancy's bond was in the sum of \$45,000, Duffy's \$20,000 and Brown's \$10,000.

James Coffroth, another member of the fight trust, has his bond ready for presentation tomorrow, and Willis Beit, the third member, is in the hospital, said to be critically ill. Nothing has been done in regard to his arrest.

No bail will be required of ex-Mayor Eugene Schmitz and Abe Ruef, as they are already in custody but the warrant of arrest will be served on Schmitz tomorrow, as a matter of form.

Insurance Taxation.

LOUISVILLE, Ky., Dec. 3.—State Insurance Commissioner Henry O. Prewitt has called a meeting of the committee on taxation of the National Association of Insurance Commissioners for December 18 in Louisville. Mr. Prewitt also invites members of the associations and representatives of life and fire insurance companies to attend the meeting and aid in drafting a uniform insurance taxation law for presentation to the Legislatures of the various states.

GOES TO MAKE VERBAL REPORT

Viscount Aoki Talks of His Recall.

PROTESTS JAPAN IS FRIENDLY

Admits Immigration Connected With Return.

MAY NEVER COME BACK

Not at All Certain of Outcome of Trip Home—State Department Says He Precepts No Letters of Recall—Counselor in Charge.

WASHINGTON, Dec. 3.—Viscount Aoki, the Ambassador of Japan, talked briefly today regarding the instructions given him by his government to return home for the purpose of making a report on affairs in which Japan is interested jointly with the United States. The Ambassador this afternoon cordially received a representative of the Associated Press. He seemed in a most amiable mood.

"I am going home," the Ambassador said, "for the purpose of making a verbal report to my government. There are many things to report on—things that I have heard and seen in this country. They can be made better verbally than in writing. There is no other significance to the visit. I shall discuss immigration, in addition to other questions in which my government is interested. My return cannot be construed in any way as an indication of unfriendliness on the part of Japan for the United States. The Government knows very well that Japan is disposed to be one of her best friends and to remain on terms of the greatest amity with her. Any other suggestion is not to be entertained."

Immigration Not Serious.

"The immigration question is not at all a serious one, and in my judgment it will be settled satisfactorily. My return, I repeat, has no bearing on the relations between the United States and Japan. Our relations are friendly and I hope will remain the same. There is no reason why they should be otherwise, but on the contrary, every reason why they should continue good."

"How long will you remain in Japan?"

"That I do not know."

"Are you coming back?"

"That I do not know," repeated Count Aoki.

Count Aoki, if time permits, will look into the general question of Japanese immigration on the Pacific Coast before he sails for home. He had intended doing this early in the year and had practically made all arrangements for a trip to the Coast. For what seemed good reasons, however, the trip was for the time abandoned. The Japanese government is anxious to hear from the Ambassador personally the real situation on the Pacific Coast, as he views it, and the Ambassador today indicated that he would make it a matter of inquiry on his way home. At the State Department it was learned

Cheered on the Streets.

The carriages of the American Ambassador, with their liveried servants, in which the Secretary drove while paying his calls, were recognized everywhere. Crowds gathered in spite of the threatening weather, and "General Taft," as the Ambassador is called, was cheered on the streets.

Proclaims Policy of Peace.

His present trip, he said, had given rise to a number of suggestions, the purpose of which was far from the truth. It had been suggested that he was rounding the world on a diplomatic mission to various countries to carry out some ultimate policy of the United States, but America's policy was the peace of all nations. His only official function, he continued, was that connected with the inauguration of the Philippine Assembly, and he was returning home by way of Russia to avoid the voyage across the Pacific, which he had already made many times. He sought an audience with the Emperor in order to express his personal gratitude for the hospitality which he had enjoyed on his trans-Siberian trip and to assure him that a deep desire exists on the part of the Americans for the welfare and prosperity of Russia.

The Secretary declared that intimations that his trip was connected in any way with a prospective war in the Far East were without foundation. In his judgment there was no possibility of war between the United States and any other country. Nor was there any reason for it. The world needs peace for its real growth and the happiness of the individual.

Civilization, said the Secretary, is indebted to Emperor Nicholas for the initiation of international efforts for a permanent peace, and the mitigation of

war by the organization of The Hague Conference.

At the conclusion of his speech he toasted the Emperor. Count Koltitz, who is acting as imperial aide to Mr. Taft, responded with a toast to President Roosevelt, which was drunk amid great enthusiasm and the singing of the National hymns of both countries.

During the afternoon the Secretary visited the Douma, where he was an object of great attention from Premier Stolypin and the other Ministers. He remained there only a short time and was unable to visit the floor of the house, but hopes to meet the leading Deputies later.

His audience with the Foreign Minister, M. Iswolsky, lasted an hour, international relations being touched upon only in a general way.

Special Review Today.

A special review of the Semenovskiy

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Ex-Senator J. C. S. Blackburn, of Kentucky, Confirmed as Member of Isthmian Canal Commission.

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Edward Payson Weston, who wore out Mayor Becker, of Milwaukee on Walk to Chicago.

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HYDE IS WILLING TO PAY \$3,000,000

Offers Restitution to Equitable Life.

IF CHARGES ARE DISMISSED

Compromise Made With Committee of Trustees.

GIVE UP ALL PERQUISITES

Exiled Insurance Man Willing to Surrender Even Mother's Pension in Order to Escape Prosecution by State.

NEW YORK, Dec. 3.—(Special.)—James Hyde, now an exile in Paris, offers to make restitution to the Equitable Life Insurance Society if all charges against him are dismissed. What he offers will be worth \$3,000,000 or more. Attorney-General Jackson denies knowledge of such an offer.

These are the terms said to have been offered by Mr. Hyde:

What Hyde Offers.

First—To sell to the Equitable Life at a price to be fixed by appraisers, his stock control of the Mercantile Safe Deposit Company, which has a lease at an absurdly high rate of the ground floor of the Equitable building. This lease has 193 years to run.

Second—The stock of the Security Safe Deposit Company of Boston to be acquired by the Equitable Life on the basis of the result of a recent sale at auction of a few shares of the stock.

Third—The 1400 shares of Missouri Safe Deposit Company stock, which Hyde sold to the Equitable at \$250, are to be appraised and Mr. Hyde is to refund to the company the difference.

Fourth—The Turner loan, amounting to approximately \$700,000, to be paid by the guarantors, Henry B. Hyde, father of James H. Hyde, was one of the guarantors. The Turner loan was the original "yellow dog" fund of the Equitable.

Surrender Pension Claims.

Fifth—The surrender of all claims for pensions by the Hyde family. After the death of Henry B. Hyde his widow was given a pension of \$25,000 a year for life by the Equitable, though she was enormously wealthy. Paul Morton stopped the pension payments to Mrs. Hyde, though the legality of his action was questioned.

Sixth—The payment to the Equitable by Mr. Hyde of \$2,335,615, representing his profits on syndicate transactions while he was in control of the society.

Calls It Amicable Adjustment.

All of the negotiations with the committee of three, which finally resulted in restitution being offered on the above terms, were made on behalf of Mr. Hyde by Winslow S. Pierce. Mr. Pierce said today it was unfair to characterize Mr. Hyde's offer as restitution—that it was simply an amicable adjustment of a business dispute.

FAKE INSURANCE COMPANY

Crooked Brooklyn Bankers Accused of Another Swindle.

NEW YORK, Dec. 3.—Application for the appointment of a receiver for the Excelsior Fire Insurance Company is about to be made by Attorney-General Jackson, according to a statement given out by him. The Excelsior was recently organized by Howard Maxwell, William Gow, John G. Jenkins, Frank W. Doolittle and others, and was financed through the Borough and Oriental banks.

Maxwell, who was president of the Borough Bank, killed himself after he had been indicted, following an investigation of the affairs of that institution.

Gow, who was the principal stockholder in the Borough Bank, is now under indictment as a result of the same crime.

The Attorney-General in his statement tells of interesting operations in high finance. He declares that the Excelsior company was organized to a considerable extent on fictitious credits. The Attorney-General declares the company's incorporation was issued through the filing with the Superintendent of insurance of what is charged to be a false report, and that the full stock and surplus of \$200,000 had not been paid in at that time, as required by state law. Of the \$200,000 which was claimed to have been deposited in the Borough and Oriental banks, the Attorney-General maintains that only \$25,750 represented real money, the remainder having been in the form of loans prohibited by the statute.

POWERS ARE FOUND LIMITED

Kentucky Insurance Commissioner Cannot Revoke Licenses.

FRANKFORT, Ky., Dec. 3.—The Court of Appeals today decided that the State Insurance Commissioner cannot, without statutory authority, revoke the license of an insurance company to do business in the state.

The case grew out of the action of Commissioner Prewitt in revoking the license of the Mutual Life Insurance Company, of New York, at the time that it had relieved Biscoe Hindman of the state agency, because it was claimed he was unfriendly to the men then in power in the company.

THE BEAST OF BURDEN—"NOW I WONDER IF I AM REALLY AN ASS?"



THE BEAST OF BURDEN—"NOW I WONDER IF I AM REALLY AN ASS?"

President Roosevelt's message read to Congress, Pages 12, 13 and 14.

Conference on currency legislation between Roosevelt and Senate leaders, Page 2.

Cannon hastens appointment of House currency committee, Page 2.

Aoki recalled to explain immigration situation, but fails to return, Page 1.

Roosevelt orders land-fraud cases pushed, Page 4.

Taft given great reception in St. Petersburg, Page 1.

Politics.

Dry party shows gains in Massachusetts cities, Page 7.

Domestic.

Sunday theaters in New York may be closed, Page 2.

Mrs. Bradley acquitted and will contest Brown's will, Page 5.

Evidence in Caleb Powers case, Page 2.

Rivers and Harbors Congress opens today, Page 4.

Goldfield mineowners start war on union, Page 3.

Stock woman shoots doctor and herself, Page 3.

Hyde offers restitution of \$3,000,000 to Equitable Life if charges are dropped, Page 1.

Mrs. Leifgreen wins appeal in another court, Page 4.

Sport.

Mayor Becker lost in snow storm while on walking tour with Weston, Page 2.

Cline wins St. Louis billiard match, Page 5.

Pacific Coast.

Trey L. Ford acquitted of bribery, Page 1.

Olivegrud grand jury makes final report, Page 1.

Mystery surrounding Mackley tragedy deepens, Page 6.

Steamship Alliance bound up the river, Page 6.

Democrats elect Mayor of Vancouver, Page 3.

Exciting election at Hermiton, Page 15.

Commercial and Marine.

Cause of decline in citrus fruit prices, Page 15.

Foreign wheat market weak, Page 19.

Wide fluctuations in stock prices, Page 19.

Breakwater collides with the ship Claverdon at Southern Pacific dock, Page 18.

Portland and Vicinity.

Federal Court takes Title Trust Bank receivership under advisement; makes important rulings, Page 9.

Oregon National Guard regiment at Eugene goes out of existence, Page 9.

Bar Association urges Governor to end hold-over, Page 15.

Judge A. L. Fraser, of State Circuit Court, dead, Page 15.

Judge Fraser's successor may be Republican though Governor would naturally favor a Democrat, Page 8.

Manufacturers' Association wants quarantine service improved, Page 15.