

BEGIN TEST MONY- TAKING THURSDAY

Outlook for Immediate Start
of Main Calhoun Trial Is
Much Improved.

TWELVE JURORS SWORN IN

Emergency Member of Jury Is Lik-
ely to Be Selected Today—Out-
look to Date in Famous Graft
Case Tremendous.

SAN FRANCISCO, April 13.—Already as-
sured of a place unique in the annals of
California criminal jurisprudence, the
trial of Patrick Calhoun, who is charged
with having offered a \$4000 bribe to a
former supervisor, made a great stride
toward completion today. The 12th juror
was sworn to try the case, and when the
hour of adjournment was reached the at-
torneys were engaged in an honest effort
to discover a 13th juror, free from dis-
qualifying opinions and beliefs. There is
a possibility that the alternate juror, who
will hold himself in readiness to serve if
any member of the original panel is dis-
qualified, will be selected tomorrow, in
which event the taking of testimony will
begin Thursday.

Mackroth Twelfth Juror.

Otto H. Mackroth, a retired grocer, was
sworn as the twelfth juror in the case of
Patrick Calhoun today and the jury, after
proceedings extending over a period of 91
days, was declared completed. Assistant
District Attorney F. J. Heney immedi-
ately made application to the court for the
selection of a thirteenth juror, to be in
readiness to take the place of any of the
12 who may be disqualified by illness or
some other reason. The request was ear-
nestly opposed by counsel for the defend-
ant, who declared it might consume an-
other week to secure the additional juror.

Before the matter was submitted for the
court's decision, Mr. Heney declared that
a situation might arise which the defense
would be glad to stipulate for the
court's decision, and thereby avoid
nullifying 13 weeks of preparation for the
trial. Mr. Heney followed this by declar-
ing that the taking of testimony might
be completed in three weeks, or possibly
in a fortnight.

Mr. Heney asserted that the constitution-
ality of the matter did not figure at
this stage of the trial, but he called at-
tention to the fact that a thirteenth juror
had been provided in the trial of Harry
Thaw, with the approval of the presiding
judge and District Attorney Jerome.

In rendering his decision regarding the
thirteenth juror, which was by no means
unexpected, the court expressed a deter-
mination not to enlarge the work of 13
weeks by neglecting any precaution that
might insure an uninterrupted trial. To
cover conditions which will be created by
selection of an alternate juror, Judge Lave-
lay addressed to the 12 members of the
panel an impressive warning, outlining the
duties expected of them and defining their
relations to the thirteenth juror, who be-
comes their associate in the St. Francis
Hotel.

Three Weeks for Testimony.

It was agreed by the opposing attor-
neys that the actual taking of testimony
would probably be completed within
three weeks and the prediction, which
was not altogether unexpected, was received
with gratification by all the principals
in the case. The prediction was made
by Joseph Dixon, clerk; Peter Ant-
thems, retired mining man; Michael Ma-
gare, retired grain dealer; James R.
Cashman, clerk; Charles H. Snydman,
wholesale grocer; James Granville, re-
tired machinist; Robert B. Symington,
civil engineer; Charles K. Blumberg, real
estate dealer; Theodore B. Blumberg, re-
tired machinist; George G. Gillespie, builder; Otto
T. Hildebrecht, retired designer; and
Otto H. Mackroth, retired grocer.

RAID HEARING CONCLUDED

Judge Murasky Takes Case Under
Advisement for Decision.

SAN FRANCISCO, April 13.—Citing
many cases to show that the Superior
Court had no jurisdiction to issue the
restraining order which he and three other
attorneys of Special Agent Burns' of-
fice are alleged to have disregarded when
they continued their search of the United
Railroad offices for missing papers after
the order had been issued, Assistant
District Attorney James M. Hanley in
Judge Murasky's court, today replied to
the argument made last Friday by At-
torney W. H. Metson in the contempt
proceedings against Hanley, Detective
George Mulcahey and Burns' agents, W.
H. Russell and R. C. Schindler. At the
conclusion of Hanley's argument, Judge
Murasky took the case under advisement.

GOV. GILLETTE VETOES BILL

Refuses to Sign Change of Venue
Measure Recently Passed.

SACRAMENTO, Cal., April 13.—Governor
Gillette announced officially today
that he would not sign the change of
venue bill. The measure was introduced
in the recent Legislature by Assembly-
man Grove L. Johnson. It gives to every
defendant in a criminal action the right
to a change of venue by simply filing
an affidavit that he believed the judge
to be biased. The Citizens' League of
Justice of San Francisco, appealed to the
Governor to veto the bill, claiming that it
would interfere with the graft prosecution.

GET BULL RUN WATER

(Continued from First Page.)

had settled on the seat and prevented the
tight closing of the gate. Later this ob-
struction washed out, permitting the wa-
ter from the 24-inch conduit, which en-
tered the 30-inch main on the West Side
of the river, to again flow out into the
Willamette.

Gates Are Seldom Tested.

The system of gates is so rarely tested
that the engineer in charge was perfectly

satisfied when the weight of six men ap-
parently closed the main.

The 24-inch main enters the 30-inch
main on the West Side by a right-angle or
loop connection, and as on the East Side
the larger conduit can be closed by a
valve gate a few feet nearer the river
than its connection with the small main.
Thus the course of the water was from
the East Side to the large conduit, from
this it was diverted by the shut valve
gate to the 24-inch conduit, which took
the water across the river, after which
it flowed again into the larger main. To
prevent the water flowing back again to
the East Side, another valve gate was
provided and it was the opening of this
gate that had caused the water, work-
ing along the line of least resistance,
to flow back under the river and be
forced out of the leak by the high pres-
sure.

After trying every other expedient to
detect the leak, this latter valve gate
was again tested and was found not to
have been closed. As six men jammed
it tight in position and the water, the
theory accepted by men in the water
service is that of some obstruction,
which the water pressure had forced
back into the pipe jamming the gate.

Great Delay in Work.

While it is said that the water au-
thorities are not to be held accountable
for the failure of the gate to close, they
having tried all reasonable methods to
close it, the delay in trying the gate
method is considered to show exceedingly
lax management.

People in a position to be acquainted
with the facts assert that the gates
were properly tested and that they might
have jammed without any obstruction
whatever, by sheer lack of usage. Al-
though the gates have been tested and
found to be in good condition, it is known
that considerable time was spent, and
after it was discovered that the gates
were not closing, the water was being
lost hourly, before the gates were tried
in any way.

The opinion was expressed by the wa-
ter authorities that both pipes were broken,
and this is said to have been done
before a careful examination had been
made.

Shortly after the breakage in the 30-
inch main was found it was discovered
that water at a limited pressure was still
coming through the city mains, thus
indicating that one of the pipes was par-
tially in a condition for use.

Would Have Enlarged Break.

That this did not give the clue to
the water experts that the pipe was not
broken at all is considered inex-
plorable, for it was said last night that
even if the smaller conduit had been
fractured enough to enable the water to
be forced out very slowly, the enormous
pressure in the main would have burst
the pipe open, or enlarged the break
so much that no water would have
passed through to the West Side.

The fact that both valves were
supposed to be closed and water still
came bubbling out under the O. W. P.
building in the main would have burst
the pipe open, or enlarged the break
so much that no water would have
passed through to the West Side.

As a last resource the West Side gate
was again tested and slipped easily home
into its seat. The water was then turned
on and the force of the water had loosened the gate
or whether the supposed obstructions had
been carried away by the water is the
question that is now before the water
authorities.

The first test made with this valve gate
was Friday at midnight, when it abso-
lutely refused to close. The gate was
then tested again, and this time it closed
with a certain point. With the weight of six
men this was thought to be sealed home.

Friday another trial of the same gate
brought a similar result. The gate, which
is situated about Mill street, was not
tried again. It is said, until yes-
terday, when it slipped easily into its
proper place.

But for the universal precautions
taken, the death of William Pohl, who
might have had serious results seems to
be the general feeling among physicians.
Dr. Peter Pohl, City Health Officer, said
that the city was unusually fortunate in
that the water famine had occurred at a
time when typhoid fever was exception-
ally rare.

Typhoid fever, said Dr. Pohl, was
also known as Autumnal fever, owing to
the frequency with which victims
were attacked at that period of the
year. Had the pipe breakage occurred
about Fall, he declared, an epidemic
would have been almost unavoidable.

Dr. Pohl declared that the water famine
during the next 24 hours should be
boiled. This is the opinion of Dr. A. J.
Giesey, who said that if the Willamette
water was run out of the reservoir last
night, 24 hours would be ample
time to allow for the passing of any
water with bacilli tendencies. On the
other hand, Dr. Pohl believes water
used during the next two weeks should
be boiled, owing to the danger of
water remaining in "dead-ends" of pipes.

Physicians Do Not Agree.

The precaution advised by Dr. Pohl
is not shared by all the medical profes-
sion. Dr. Victor Hampton, analytical chemist,
said yesterday afternoon that there had
been absolutely no occasion for concern
contained in the Willamette River
water which had been supplied the city
the last few days. Dr. Hampton said
that he had made a daily test of the water,
and while clay was found suspended
in the water, giving it a turbid ap-
pearance, there was no danger, even if
the water were to be used for drink-
ing purposes, without either boiling or
distilling. Dr. Hampton strongly con-
demned the policy of frightening peo-
ple by declaring that the water should
not be used, even for washing vegeta-
bles.

Many of the West Side restaurants
and hotels yesterday supplied their
patrons with Bull Run water, which
they had purchased at a cost of from
25 cents to \$1 a gallon. James M. Hanley
in purchased water that had been hauled
across the river. The Commercial Club
and many stores also were serving Bull
Run water.

Studebaker Bros. had arranged to put
in service a 700-gallon sprinkler today
equipped with a faucet. They an-
nounced that this sprinkler would make
the rounds of the business districts, and
that later in the day the leading West
Side residence districts would be
driven over. No water whatever was
to have been made for the water. It
is assumed that with the return to the
main Bull Run water this project will
be cancelled.

Two dredgers worked yesterday af-
ternoon to uncover the water mains
which had been previously laid bare.
The pipes had been allowed to become
dirted over and it was impossible for
Silver Striling to place his hand over
the break by reason of the gravel and
stones being forced out.

With reasonable use of water by West
Side residents there is no possible dan-
ger of a famine, say water officials,
and if economy is observed the one 24-
inch main can fully accommodate all
requirements.

Swindler Taken to Iowa.

LITTLE ROCK, Ark., April 12.—J. C.
Malray, the leader of the alleged swind-
lers arrested here charged with fleeing
men all over the country on fake races
and wrestling matches, left here early
today for Des Moines, Ia., in charge of
two deputy United States Marshals.

General Smith for Wyoming.

WASHINGTON, D. C., April 13.—Gen-
eral Frederick A. Smith, who was ex-
pected to take command at Vancouver
Barracks, has been detailed to command
Fort Russell, Wyoming.

FLAMES DEVOUR SECTION OF CITY

Rochester, N. Y., Is for Time at
Mercy of Several Fires That
Threaten Entire City.

MANY FAMILIES HOMELESS

Factory Building, Three Churches,
50 Residences and Other Build-
ings Destroyed—Flying Em-
bers Spread Flames.

ROCHESTER, N. Y., April 12.—Swept
along by a 25-mile gale, fire today de-
stroyed several sections of the city and
did damage estimated at \$200,000. For a
time it was feared that a great portion
of the city would be burned and aid
was summoned from Buffalo and Syra-
cuse.

One hundred families are homeless to-
night and millitiamen guard what lit-
tle they have saved of their household ef-
fects. Some of the homeless are quar-
tered in precinct houses and a large num-
ber passed the night in a public school
building. A heavy rain set in and, while
it helped to extinguish the blaze, it was
a hardship on the homeless.

Buildings Which Burned.

The Palmer building, a four-story
brick structure devoted to manufactur-
ing interests at Main and Gibbs streets,
was the starting point of the blaze, which
spread over a wide area and started a
second series of fires.

The loss includes \$50,000 on the Palmer
building, \$100,000 on Bunting & Co., manu-
facturers of plumbers' supplies, \$20,000
on the Jewish temple, Brith Kodish,
which is in ruins. Fifty residences, the
First Reformed Church of America, the
World apartments and First German
Lutheran Zion Church were destroyed.
St. Peter's Presbyterian Church was
damaged.

Several Firemen Injured.

It was erroneously reported that one
fireman was killed and that one fireman
was injured. Several firemen were in-
jured by falling walls or overcome by
smoke.

By the time the fire hose had been
laid the flames had jumped across the
street to the roof of St. Peter's Presby-
terian Church. At the same time fire
appeared in the belfry of Brith Kodish
temple, on the opposite corner.

During the efforts to save the Palmer
building the fire ate down through Brith
Kodish temple, uninterrupted for some
time, and when the firemen turned their
attention there the flames were beyond
control.

Great Panic Seizes People.

The walls of the Palmer building soon
began to fall. Several firemen were
struck by the falling bricks and a house
car was buried beneath the ruins. Many
girls employed in this building left by the
fire escape.

The residents were in a great panic
during the blaze. Apparently there was
but one thought—the city was doomed.
Women threw from the windows their
possession of all sorts of furniture and
personal belongings. Considerable
property was thus needlessly destroyed.

From the Palmer building the sparks
carried a mile and set the First Re-
formed Church ablaze. Little attention
was paid to the new fire at first, but
soon alarms sounded from half a dozen
boxes in that vicinity.

Thought Messiah Had Come.

Chatham, Nassau and Kelly streets are
in the Jewish district. This was the
last day of the feast of the passover,
and many of the Polish Jews, seeing
the fall of smoke and the fire falling
on all sides, interpreted the situation as
a sign of the coming of the Messiah.
Men walked and children knelt in the
street to pray. Their shouts were ter-
rifying. Still others seized armfuls of
articles from the houses and carried them
into the streets, only to have the goods
consumed by the fire.

THIRD BLAZE INSIDE OF WEEK

Oklahoma Insane Asylum Hospital
Is Totally Destroyed.

WOODWARD, Okla., April 13.—The third
fire in a week at the Oklahoma State
Insane Asylum at Fort Supply last night
destroyed the main asylum hospital. No
lives were lost. The hospital building,
which was one story in height, was a
landmark, having been erected when
Sheridan made a daily test of the water,
and while clay was found suspended
in the water, giving it a turbid ap-
pearance, there was no danger, even if
the water were to be used for drink-
ing purposes, without either boiling or
distilling. Dr. Hampton strongly con-
demned the policy of frightening peo-
ple by declaring that the water should
not be used, even for washing vegeta-
bles.

FALLING WALL KILLS FIREMAN

One Dead, Two Dying as Result of
Fire at Pottery Works.

PITTSBURG, April 13.—One fireman
was killed, two fatally injured and sev-
eral others slightly hurt today when a
wall collapsed during a fire at the pot-
tery plant of the Spearwood Brothers at
New Brighton, Pa.

Southern Hotel Burns.

ASHEVILLE, N. C., April 14.—(Special.)
—Fire broke out early this morning in
the Kentworth Inn, one of the most
fashionable hotels in the South, and the
structure is doomed.

REFUSE TRIO OF DOUBTERS

Presbytery of New York Holds Back
Licenses From Candidates.

NEW YORK, April 12.—Three young
candidates for licenses to preach, all
members of the senior class of the Union
Theological Seminary, have been rejected
by the Presbytery of New York. Their
applications were considered at the an-
nual meeting of the Presbytery held here
yesterday, but they were rejected because
of their answers to some of the funda-
mental questions asked in the examina-
tion. Although the meeting was in pri-
vate, it is said that some of the older
members of the applicants, one of whom
is said to have questioned the miracles
and to have accepted the modern view of
the divinity of Christ. In other words, he
did not believe that Christ arose from the
dead in body. The other candidates saw
fit to express doubt concerning the di-
vinity of Christ as advanced by the old
school of Presbyterians.

NEGRO LEADER IS DEPOSED

Editor Who Supports Democrat Re-
lieved of Committee Place.

SPOKANE, Wash., April 13.—(Special.)—
Because he publicly declared himself in
favor of N. S. Pratt, Democrat, for May-
or, Charles Parker, publisher of the Spo-
kane Citizen, and one of the leaders of
the colored voters of the city, was today
deposed from his office as chairman of
the executive committee of the Non-
partisan Colored Improvement Club.

GOMPERS GOING TO EUROPE

Will Study Labor Conditions—Am-
ple Funds for Boycott Case.

WASHINGTON, April 13.—After laying
before the executive council of the Ameri-
can Federation of Labor at today's ses-
sion a detailed report of his proposed
trip to Europe to study and report upon
the condition of the laboring people of
foreign countries, President Gompers an-
nounced that he might sail from New
York on the Baltic on June 23. Mr. Gom-
pers will visit England, Germany, France,
Sweden and Italy.

STANDARD FINE IS UPHELD

Supreme Court Issues Mandate for
Collection of \$1,600,000 by Texas.

WASHINGTON, April 13.—The mandate
of the Supreme Court of the United
States in the Waters-Electric Oil Company
case was issued today. It is addressed to
the Attorney-General of Texas, and upon its
arrival will be authority for the collec-
tion of the \$1,600,000 fine imposed by the
State Courts upon the company.

Standard to Build in Louisiana.

BATON ROUGE, La., April 13.—The
charter of the Standard Oil Company of
Louisiana, was filed here today, with a
capital stock of \$5,000,000. The company
will begin immediately the construction
of a \$2,000,000 refinery in Baton Rouge.

FIVE MEN ARE INDICTED

Umatilla Grand Jury Begins Grind-
ing Out Charges.

PENDLETON, Or., April 12.—(Special.)—Five men indicted in the record
of the two days' work of the Umatilla
County grand jury. True bills were
found against Carl Palmer and Paul
Smith for burglarizing two Pendleton
homes, while Albert Crawford, Fred
Smith and Vern Beard were indicted for
robbing boxes.

It is expected that the matter of the
alleged liquor law violations will be
reached by tomorrow afternoon. Several
indictments are expected.

Latest style pumps at Rosenthal's.

terry plant of the Spearwood Brothers at
New Brighton, Pa.

HILL-HARRIMAN JOINT TERRITORY

Great Northern President Says
Joint Ownership Is
Conceded.

NO QUARREL AT SEATTLE

Two Systems to Become Bedfellows
at Portland, but No Arrangement
to Divide Territory, as the
Dreamers Said.

ST. PAUL, April 13.—Louis W. Hill,
president of the Great Northern Railway
Company, returned today from a visit to
the Pacific Coast. He said that the last
remaining difficulty of operation between
the Harriman and Hill interests on the
Coast had been settled by an agreement
between himself and E. H. Harriman by
which the Hill road would secure a part
ownership in the terminal at Portland and
go in there as a bedfellow with the
Harriman interests. Incidentally he de-
clared that the Harriman-Hill feud so-
called was remarkable only for its non-
existence.

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clared that the Harriman-Hill feud so-
called was remarkable only for its non-
existence.

No Feud, Only Competition.

"There never was any Harriman-Hill
feud," he said. "That was all a news-
paper dream. Certainly there has been
and will continue to be a sharp competi-
tion. That's true of every business."

"My meeting with Mr. Harriman on the
Harriman and Hill interests on the
Coast" he continued, "was misrepresented
by the San Francisco papers so
flagrantly that I feel called upon to
deny the stories they printed. They had
us wanting to join issue and split up
territory, which in the first place would be
criminal."

Settled Terminal Fight.

"The true situation was that we wanted
to get into Portland and made all neces-
sary purchases to put up an independent
station for our terminal. But the Port-
land people did not want another station;
they wanted an union station. We are
willing to go in, but not as Harriman
tenants. We wanted to own an interest
in the terminal. On the Coast Mr. Har-
riman and I talked it over and decided
to settle it on the spot. In 20 minutes, I
made a proposition which satisfied him
and which he took back with him to sub-
mit to the directors. So the last obstruc-
tion has been removed."

Mr. Hill said the much talked of fight of
the Harrimans to keep the Harriman
out of Seattle was all "nonsense."

NO MERCY TO RELATIVE

CHIEF SHIPPI SENDS MAN TO
SECURE JOYCE.

Will Take Bad Man Home From
Portland and Try Officer Who
Turned Him Loose.

CHICAGO, April 13.—(Special.)—
Detective James Sheehan left Chi-
cago tonight for Portland, Oregon,
to bring back Joseph Joyce, Chief
Shippy, relative of the late Lieuten-
ant Robert Schlau, "Pinocchio Bob."
He is accused of setting at liberty after
his arrest for attacking a woman. Gov-
ernor Deussen today notified State's
Attorney Wayman that he had issued
the necessary requisition papers.

The Chief decided to take the prose-
cution of Joyce from the hands of the
Lieutenant, who must face the trial
board tomorrow, and turn the case over
to Captain O'Brien, of the detective
bureau.

"Joyce is a bad man and belongs in
the penitentiary," the chief said. "We
have sufficient evidence to send him
there. Lieutenant Schlau will have
nothing further to do with the case.
The charges against him have been set
for hearing tomorrow before the police
trial board. Joyce was arrested for
robbery on complaint of Mrs. James
S. Falkenberg. For some reason Schlau
turned him loose as a good boy."

Northwestern People in New York.

NEW YORK, April 13.—(Special.)—Peo-
ple from the Pacific Northwest registered
at New York hotels today as follows:
From Spokane—F. M. Keussman, at the
Hotel Astor.
From Seattle—G. C. Graham, at the
Cadillac; Miss D. Stinson, at the Wol-
cott; W. J. Chapman, at the Imperial;
A. L. Ludarse, at the Navarre.
From Tacoma—J. W. Bean, Mrs. J. W.
Bean, at the Earlington.

Alaska-Yukon-Pacific Coins

Souvenir Coins of the Exposition made of Alaska Gold.
In three sizes, 50c, \$1.00 and \$1.50.

The Baseball Season

The Opera Season

The Beach Season

---are limited

The Talking Machine Season

Lasts the Year Around

At a moderate cost, you can hear songs by the world's greatest
Opera Stars, which have cost thousands of dollars to reproduce—
also the latest popular hits—dialogues—speeches, etc.

AT EILERS

You have the advantage of comparison—All the best makes of
Machines and Records—Victor—Edison—Columbia, and others—
shown side by side.

EASY TERMS OF PAYMENT.

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pianoreliability

353 WASHINGTON STREET

Corner Park.

FOR RENT

GOOD BUSINESS LOCATION HERE

Store room at Front and Gibbs streets, on "S"
carline; living-rooms in rear; good location for
barber shop, fancy goods or notion store. Rent
reasonable. Apply to CORNER DRUG STORE
or I. GEVURTZ, 173-175 First Street.

Artistic Picture
Framing
By Expert Workmen
Nemo Corsets
Butterick Patterns
The Best Book Shop

400 New Trimmed Hats

Special \$3.95

The showroom samples of a
New York wholesaler. These
hats are shown today for the
first time, in all shapes and
colors. Values up to \$8.50

Roses and Foli