

PROMISE SCANDAL BAR CITY COURT

Bar Association Will Place Ruef's Attorneys on Rack Before Grand Jury.

CERF KICKS UP A MUSS

Companion of Curly Boss Refuses to Answer Questions—Invites Heney to Fight in Street—Ruef Kept Under Close Guard.

SAN FRANCISCO, March 9.—(Special.)—The grand jury may soon be called upon to investigate the circumstances leading up to the decision rendered by Judge Hebbard in which he granted Ruef a writ of error. The charge has been made before the Bar Association of the city that Samuel Shortridge, Henry Ach and C. H. Farrall, attorneys for Ruef, are as culpable as Judge Hebbard. A scandal bigger than any the state bar has yet known is threatened.

The grand jury this afternoon began an investigation into the circumstances attending the disappearance of Ruef. Foreman Oliver of the grand jury, in calling to the stand Myrtle Cerf, Ruef's companion in hiding, said it was the intention to lay the basis of possible adjustments for Ruef's attorneys. Ruef's attorneys, who took the witness stand before Judge Dunne and under oath declared they had no knowledge of the whereabouts of Ruef.

Cerf testified repeatedly with the jury. At the outset, he attempted to leave the courtroom, and when stopped by Percival Polman, the clerk, Cerf refused to answer questions. He was taken before Judge Dunne, who ordered him to answer the questions propounded. Upon returning to the grand jury room Cerf refused to answer the questions that he might incriminate himself. The matter was put over for the present and will be taken up later.

Abraham Ruef was a prisoner today in a room at the St. Francis Hotel. He was watched over by William J. Biggley, the special elisor, and four detectives. But a few feet from the spot where he is now held captive, Ruef addressed a large mass meeting six months ago and boasted of his power. The city government was his then from top to bottom.

Although Ruef is held a prisoner, he is shown every courtesy. He is allowed to receive his friends and to carry on his business, always however under the watchful eye of detectives. He has been provided with all of the current literature. He takes his meals at the St. Francis grill, and is allowed to exercise for a few minutes in the afternoon accompanied by a guard.

Biggley has instructions to take Ruef into court Monday. An effort is being made to have Heney agree to his release tomorrow on bail. Heney was in conference with Biggley for an hour at the St. Francis Hotel tonight. He did not visit Ruef and refused to discuss the purpose of his visit with Biggley.

Ruef is crushed in spirit, but assumes an air of lightness when he is asked to be sworn judge. Dunne and then jokes with his captors.

It is now believed that the purpose of Ruef's flight was to await the passage of a bill which he had introduced into the State Legislature allowing an accused person by affidavit to charge prejudice against a judge and thus disqualify him from the case. The bill, which it was thought Ruef's friends, with corporation aid, would be able to put through, was voted down yesterday.

PLANNED TRIUMPHANT ENTRY

Burns and the Rain Upset Next Little Scheme of Abe Ruef's.

SAN FRANCISCO, March 9.—Abraham Ruef, who was taken into custody last night by the court elisor, W. J. Biggley, assisted by Detective Burns, of the District Attorney's office, and who is being held under arrest at the St. Francis Hotel, will not be brought into Superior Judge Dunne's court for trial until Monday morning. Until that hour, Biggley will be responsible to the court for his safekeeping.

Abraham Ruef has issued a statement, in which he says:

"When the case was ended in Judge Hebbard's court last Monday and by the writ of error put into the Supreme Court of the United States, knowing that Judge Dunne had no further jurisdiction of the proceedings, I thought I would take a rest for three or four days.

"It never was my intention to evade any process of the court, or to escape from the jurisdiction of the court, or leave the city. I never left the city, nor will I do so. My reason for taking the case to the Supreme Court of the United States was that I had been advised by the Judge Dunne had practically contracted to pack a jury in the case which was to be heard before him.

"I am willing to be tried upon this infamous charge, of which I am not guilty, but I want a fair judge and a fair jury. I do not propose, if it is possible to avoid it, to go up against a stuck jury and a prejudiced judge.

"Mr. Biggley and Mr. Burns and the rain, altogether, forestalled me," said Ruef to an Associated Press representative this morning. "We had it framed up yesterday to charter a launch at the Cliff House, walk two miles across the sand dunes from Trovador, go aboard, hold a flag and sail up to the city in state—just to announce to the public that I was not in hiding despite the general supposition. But it rained so hard we had to give that programme up, and I am sorry."

"I have not at any time been seeking to avoid a fair trial. Even though Judge Dunne has seen it to disregard my habeas corpus, I am not going to be pending before the Supreme Court of the United States, which we claim acts as a stay to all proceedings in the lower courts. I have been and am now ready and willing to go to trial before Judge Dunne without further delay, if there were any assurance of a fair trial. But I don't propose to be judged."

"During your stay at Trovador and since you were declared by Judge Dunne a fugitive, were you in communication with your attorneys?" Ruef was asked.

"Well, not directly," he replied.

At Los Angeles.

LOS ANGELES, Cal. March 9.—The feature of today's races at Ascot was the Santa Monica stakes, valued at \$100,000.

WHAT SCHMITZ WON

Declares Settlement Japanese Issue Victory for His State.

MAKES STATEMENT PUBLIC

Paraphrase of School Law Altered in Few Places, but Essentials Remain Same—Exclusion Secured in Addition.

SAN FRANCISCO, March 9.—Mayor Schmitz today issued a statement addressed to the people of San Francisco, in which, after stating that "as a matter of course," he has no objection to fair treatment by the newspapers, he relates at length the conference on the Japanese question held at Washington between the President and the School Board of this city and himself. The Mayor asserts that, without surrendering any of the rights of the people, he and the School Board succeeded in opening the door to the immediate exclusion of Japanese laborers, as well as for a stronger treaty and an absolute exclusion law at the next session of Congress.

In his statement Mayor Schmitz says in part:

"During our various conferences with the President we set out at great length the views of the people of this state upon Japanese exclusion and submitted the many reasons why, from the standpoint of organized labor, the enactment of a law positively excluding Japanese laborers was most desirable.

"We were informed that although the President was willing to aid in obtaining the desired results, it was too late in the session to pass an exclusion law, and that he was stopped from obtaining exclusion by treaty for diplomatic reasons, chief among which was the very earnest objection by Japan to the phraseology of the resolution of the Board of Education, whereby Japanese pupils had been segregated. It was Japan's contention that the conditions presented it would be the part of wisdom to alter the language of the resolution of the Board of Education, to the end that by the removal of terms to which the objection had been made, though without in any manner surrendering any of our rights in the premises, the way would be the more easily opened for immediate action, under such conditions as might be enacted before the adjournment of Congress and for a stronger treaty and an absolute exclusion law at the next session of Congress.

"The resolution of the Board of Education, under date of October 11, 1906, to segregate the Japanese pupils should be segregated with Chinese and other children of Oriental schools. Now, the offensiveness of this resolution to Japan was not so much in the segregation itself as in the placing of the Japanese on the same level with the Chinese and the Koreans. It became apparent that the Japanese would not assent to the subject, that if the intent of the resolution was couched in different language all possibility of objection would be removed by the elimination of objectionable terms. Such change, while not altering the policy of the Board of Education of regulating by resolution the admittance of Japanese children into the public schools, would also insure the immediate passage of a law placing in the hands of President Roosevelt the power to exclude Japanese laborers, skilled and unskilled. We had received the personal assurance of the President that he would exercise the power of the Administration in the interests of the Pacific Coast, and in the particular interest of workmen. Under the conditions which have been discussed, and with the help of the Representatives and Senators of California and the other Pacific Coast states, an amendment to the bill (S. B. No. 490) was drawn, submitted to a conference committee of the House and Senate and passed by Congress.

"The amendment empowers the President to deny admittance to the United States of Japanese laborers, skilled and unskilled, seeking entrance by way of Canada, Alaska, Hawaii, or by any other route, the Canal Zone or any other part of the world.

"It should also be borne in mind in this connection that while obtaining the present law extending the right of the executive to the exclusion of the Japanese, we have also obtained the President's personal assurance that his powers will be exercised in this matter in the interests of the people of California, and moreover that he will assist in the enactment of an exclusion law at the next session of Congress.

"To achieve the great results brought about, no rights were surrendered either by the Board of Education or myself. The October resolution of segregation was based on the law of the state. That law, we upheld; the rights of the Board of Education arising from it we maintained; that the action of the Board of Education was in violation of any treaty rights of Japan we denied, and do still deny. At Washington we insisted that California had the right to regulate the admittance of children to her schools. In our statement issued at Washington which was read and approved by the President and by the entire California Legislature, we expressed our confidence in the wisdom of the October resolution, without changing its effect. The resolution will now apply to the children of all alien races. It will regulate the admittance of children to the English language and it will prevent youths and adults of Oriental races sitting in classes with our young children.

"Those Japanese who are barred by age or by the other limitations in the new resolution from the primary grades will be required to attend separate schools provided in such manner as may seem best to the Board of Education. The effect of the new resolution, therefore, is practically the same as the effect of the October resolution. The only difference is that, while the latter referred in terms to Japanese, the former includes Japanese among other alien races."

Ends Basketball Season.

UNIVERSITY OF OREGON, Eugene, Or., March 9.—(Special.)—Today Oregon played the last game of the season against Roseburg High School basketball team, which won the game by a score of 32 to 16. Several times in the course of the game the officials called double fouls, but the spirit on both sides was excellent.

Arrivals and Departures.

SAN FRANCISCO, March 9.—Sailed—Steamer Corcoran, for Newcastle, Australia. Arrived—Steamer Atlas, from Seattle; steamer City of Poughkeepsie, from Seattle; steamer Santa Rosa, from Astoria; steamer Siva, from Gray's Harbor; bark Charles B. Kenney, from Astoria. Sailed—Steamer Watson, for Seattle; steamer Jim Butler, for Gray's Harbor.

New York, March 9.—Sailed—Princess Irene, for Naples; Lucania, for Liverpool; Rotterdam, for London; Kaiserin Augusta Victoria, for Hamburg.

Antwerp, March 9.—Sailed—Finland, for New York.

Liverpool, March 9.—Sailed—Campania, for New York.

Southampton, March 9.—Sailed—St. Louis, for New York; Arrived—Philadelphia, from New York.

Genoa, March 9.—Sailed—Campania, for New York.

Cherbourg, March 9.—Sailed—America, for New York; Arrived—Louis, from New York.

Rotterdam, March 9.—Sailed—Statenland, for New York; Arrived—Noordam, from New York.

Pneumonia Weather.

From the New York Herald.

"The grip, the cold, the cough, the colds, grip and pneumonia mark an experience of severe and protracted winter weather the like of which we have not seen for many years. The persistent persistence of catarrhal troubles is also a marked feature of the present influenza which, for a long time of rapidly changing low and raw temperatures. The man is fortunate indeed who does not catch some time since Christmas confined to his bed with a cold of some sort that he cannot succeed in curing. This condition of affairs has existed for months, and the end is not yet. In fact, it becomes all the more serious as the winter guard against all catarrhal troubles more and more.

"Much as is a typical pneumonia month and gives a high rate of mortality for the disease. One reason for this is that all our efforts to protect ourselves against the disease are in vain. The system loses its natural resistance to cold. Only the hardy ones are likely to withstand the attack, and even these are by no means safe when grip is increasing almost to epidemic magnitude.

"The ordinary cold, the grip and pneumonia belong to the same family of winter diseases. Although they may be excited by different infectious influences, their ultimate effects are the same. The attack is usually sudden, and the rapid cooling of the surface, when not balanced by proper reaction, leads to inflammation of the nasal and bronchial membranes.

"The attack is usually communicated by direct contact, such as an ordinary cold, or by the slightest touch. The individual is usually attacked at the most severe and dangerous catarrhal stage, and the attack is usually quick cure need not be enforced.

"All these facts emphasize the necessity of the most careful attention to measures against the ordinary cold. Everyone cannot change his climate at will, but many make the mistake of having a hot bath, or taking Chamberlain's Cough Remedy as soon as the first indication of the cold appears. It not only cures a cold quickly, but counteracts any tendency of the cold to result in pneumonia. This fact has been fully proven during the epidemic of colds and grip of the past few years. No case of either of these diseases having resulted in pneumonia, which shows conclusively that it is not only the best and quickest cure for colds, but a certain preventive of pneumonia and other diseases. For sale by all druggists.

ROOM ROOM ROOM WE MUST HAVE

In this old store we are showing the largest and most complete stock of Ladies' Ready-to-Wear Garments in the West. Goods purchased for our new store, which will open about April 1, are piling in upon us daily, AND WE MUST HAVE ROOM. We must reduce this immense stock.

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None of the absentees have reported as yet, and as all railroad travel continues to be demoralized on account of the weather, it is impossible to learn when they will be back. McCredie is not at all uneasy over their nonappearance, and says they will turn up all right as soon as the weather improves. He is anxious to have the trains to arrive regularly. The citizens of Salinas are anxious to see the team all here, so that they can witness first-class ballplaying. They are enthusiastic over the practice and proposed practice games of the Beavers, as the visitors are over Salinas and its facilities.

EXHILARATING RIDE IN HILLS

Members of Hunt Club Enjoy One of Best Chases of Season.

One of the most beautiful and delightful rides held so far this season by the members of the Portland Hunt Club took place yesterday afternoon, when the riders followed the trail through the hills and across the country, and returned to the clubhouse by Mrs. T. H. Blythe and Frank Wilder. The ride was one of the regular closed paper chases, but on account of the trail, which was laid through the hills and across the country, it was a most exhilarating and difficult trail following. The ride covered a distance of ten miles and was thoroughly enjoyed.

Those who rode through were Mrs. F. O. Downing, Mrs. A. M. Condon, Mrs. F. O. Buffum, Mrs. Clarence Nichols, Mrs. S. C. Spencer, Mrs. Edmunds, Miss Spencer, Mrs. W. L. Wood, Miss Shogren, Miss Mabel Lawrence and Miss Cronin. E. M. Lazarus, William Gollmann, Dr. E. Drake, Dr. W. L. Wood, E. B. Sterling, Arthur Gay, T. Scott Brooke, James Nicol, E. T. Chase, J. W. Chapman, A. M. Condon, W. L. Wood, E. B. Sterling, F. Robertson, J. C. Muehle and F. O. Downing, M. F. H.

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It was also asserted by committee members that the fact that he is sending several four-men teams to the St. Louis meeting of the American, while bringing but a two-man team here, is an indication that he is working for the American. After a lengthy and exciting discussion it was finally decided to permit Thompson to bring his team here, but to draw teams from the territory for the purpose of membership.

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DEMAREST LEADS BILLIARDS

Has Three Victories—Mial and Poggenburg Yesterday's Winners.

NEW YORK, March 9.—Only four games remain to be played in the national amateur 14-ball championship tournament, which probably will be finished next Tuesday night. Young Calvin Demarest of the Chicago Athletic Association leads with three victories and no defeats. Both of today's games were finished in the twenty-first inning. Dr. L. L. Mial defeated Rogers of Philadelphia in the afternoon by 30 to 28 and J. F. Poggenburg of the local club winning from the present champion, Edward W. Gardner, tonight, by 20 to 22.

On Monday next Conkita will meet Poggenburg in the afternoon and then Gardner.

OUR NEW MILLINERY DEPARTMENT

Is growing by leaps and bounds. The opening in the HOTEL PORTLAND was a most flattering success, and the sales were far beyond all expectations. We demonstrated to the public the character of goods we will carry in our new store—

HIGH-GRADE, POPULAR PRICED, ABSOLUTELY CORRECT MILLINERY

Although many of the models were sold in the past week, the stock has been replenished with Hats of equal beauty. All Hats are on display—none in reserve. Hats for the Opera, for Dress or Street Wear, as low as \$2.50 and as high as \$75.00.

MONDAY AS EXTRA SPECIALS

A Net Waist, silk-lined, bought to sell for \$3.98
\$5.00 in ecrú and white—Monday. \$2.17

SUITS—Your choice of any Suit in the house marked \$39, \$32.50, \$35; Monday. \$35.75

Suits marked up to \$60, in voile, Panamas and mixtures, Monday.

THE J. M. ACESON CO.

131 Fifth Street
Between Alder and Washington

Divide Bowling Territory

Western Congress Wants to Stop In- vasion of Its Field.

DENVER, March 9.—At a meeting of the executive committee of the Western Bowling Congress, now holding its second annual tournament here, a strong feeling developed against the entries in the present tournament of Eastern men, whose sympathies are said to lie entirely with the American Bowling Congress.

It was claimed by several Western delegates, notably M. J. Sheehan, of Butte, second vice-president of the Western, that W. V. Thompson, of Chicago, who is here with a two-man team of which he is a member, is at heart unfriendly to the Western. It was pointed out by Denver members of the committee that Thompson came to Denver last Fall and did his best to force the Western Bowling Congress to change its name to the Western Bowling Association in order, so it is claimed, that the American Bowling Congress would be injured.

It was also asserted by committee members that the fact that he is sending several four-men teams to the St. Louis meeting of the American, while bringing but a two-man team here, is an indication that he is working for the American. After a lengthy and exciting discussion it was finally decided to permit Thompson to bring his team here, but to draw teams from the territory for the purpose of membership.

The Westernists claim to all the territory west of the Missouri River, although American officials, it is claimed, have been busy in Omaha, Kansas City, Chicago and St.