MONEY IS TRACED TO RUEF'S HANDS

Witnesses Saw United Rail-Roads Official Pay Gold to Boss.

Only Ten Days After Disaster Bribe Money Was Provided-Whole Sheaf of Indictments Is Due This Week.

SAN FRANCISCO, May 4 .- (Special. Sensational testimony was given be-fore the grand jury today by United States Treasury officials, which laid hare the details of the birthery of Abe Ruef, Mayor Schmitz and the members of the Board of Supervisors by the United Railroads. Through the testi-mony of Superintendent Leach of the Mint. Assistant Treasurer Julius Jacobs. of the San Francisco Sub-Trensury, and of the san rancisco Suor reason, and others, \$225,0,00 of boodle was traced from the bands of the United Railroads to the city officials. Several officials of the United Railroads were also called as witnesses, but invoked their nstitutional right and refused to

testify.
One of the most startling pieces of testimony was that of Mr. Leach, who told the grand jury that ne personally had seen Thornwell Mullally, assistant to the president of the United Railroads, pay \$5000 to Ruef. This was only the heginning. Other witnesses completed the ciraln of evidence, which it is predicted, will result in the indictment of some of the most prominent officials of the local traction trust.

Saw Ruef Receive Money.

According to the testimony of Mr. Leach and Cambler Thomas P. Burns of the Mint. \$225,000 was deposited in the Mint to the orcdit of President Patrick Calhoun, of the United Railroads, on April 28, 1908, just ten days after the big disaster. All the banks were closed and the Mint was used generally for commercial purposes. On the very day that the money arrived from the East Mr. Leach testified today he saw Mullally pay over to Ruef \$5000 in gold. Mr. Leach said there could be no mistake. He had seen the transaction and had noted it closely.

Following this came the testification of Mr. Burns that early in May, 1906, Mullally and Tirey L. Ford, chief connsel for the United Railroads, drew out \$20.00. This, it is contended, was part of the sum which was to re to the Sunseline and was part of the sum which was to re to the Sunseline and was part of the sum which was to re to the Sunseline and the sum which was to re to the Sunseline and the sum which was to re to the Sunseline and the sum which was to re to the Sunseline and the sum which was to re to the Sunseline and the sum which was to re to the Sunseline and the sum which was to re to the Sunseline and the sum which was to re to the Sunseline and the sum which was to re to the Sunseline and the sum which was to retail the sum of the sum which was to retail the sum of the sum which was to retail the sum of the s

500. This, it is contended, was part of the sum which was to go to the Super-visors. A few weeks later, according to the testimony of Mr. Burns, Ford and Mullally drew out another \$50.000.

It was at this point that the testimony of Nat Selig became of interest. Mr. Selig is at present employed in the Mint, but in the dury following the fire he was employed but the selection of the selection. but in the days following the free he was employed by the relief committee. He was stationed in the Mint and received the relief contributions. Much of this money was in currency. Mr. Selig testified that Mulially and Ford came to him and offered to exchange \$20.00 in gold for \$50.00 in currency. Mr. Selig testified that he had a great deal of currency at the time and made the exchange for them. The money passed to the Supervisors was currency.

Bought Bonds to Give Grafters. One of the most interesting features

One of the most interesting features of the case centers about the balance of \$120,000, which was then left in the Mint to the credit of Calhoun. This sum, according to the theory of the prosecution, was paid over to Ruef and Schmitz in the form of bonds of the United Rall-roads. Charles Surro, a broker, is expected to testify that he purchased bonds at this time for Calhoun, which subsequently found their way into the pockets of Ruef and Schmitz. Mr. Surrowas called to the stand resterday, but asked for more time before giving his testimony. It is the theory of the bonds was arranged at the home of Mulaily in this city.

Among the representatives of the United Rallroads called by the grand jury today were William Abbott, an attorney, Mr. Willicut, the secretary, and Miss McDermott, a stenographer. Ford is in Los Angeles and has been served with a subpena.

**When the same ground, has itself been responsible for the delay. When the men appeared in court May 2 their counsel filed two motions, one asking for a change in judge, the other praying for a change of venue. The latter motion especially was supported by a great number of affidavits designed to show that such prejudice existed in Canyon County that the accused could not got a fair trial there.

As the decision of the Supreme Court in the habeas corpus cases was not rendered until December, and as the claimed bar stood until after the lapse of 60 days, during which a petition for rehearing could be filed, no further proceedings could be had until the opening of the term of court at Caldwell on March 12 of this year. In the meantime an election had been held and Judge Frank J. Smith was defeated by E. I. Bryan. The latter had been appointed to defend Harry Orchard, a circumstance which, in many minds, made him inellgible to preside at these trials. Therefore, on the

roads Case Tuesday.

SAN FRANCISCO, May 4.—Following the refusal yesterday of President Cal-houn and General Manager Mullally to testify and the subpensing by telegraph of Chief Counsel Tirey L. Ford in Los Angeles, it was learned today that it is he intention of the grand jury to vote on the returning of bribery indictments against certain officers co the United Rallroads some time next week, probably not

later than Thursday.

The number of the prospective indictments to be voted upon next week with reference to United Railroads of with reference to United Rallroads of-ficials is 57, comprising the alloged complicity of three men in the bribing of 18 Supervisors, and another and higher municipal official; and that at the same time the grand jury will vote on the returning of 19 other indict-ments, charging a political boss with the same crime in the same deal. The amount of money, part cash, part bonds, alleged by the prosecution to have been expended is approximately \$750,000.

When Mr. Calhoun and Mr. Mullally were before the grand jury yesterday the prosecution scrapulously refrained from asking them any questions touch-ing the bribery charges, after they had stated that they would refuse to answer, the implied ground being danger of personal incrimination. The same course, it is stated, will be followed by the prosecution when Mr. Ford takes the stand next week, in case he

declines to be interrogated.

On Tuesday morning the grand jury will meet in Judge Coffey's department of the Superior Court, when William Abbott, of the United Railreads' law department, Mr. Francis and Miss Mc-Dermott, stengeraphers in that department, and Secretary Wilcutt, will be reported to the court as having re-fused to submit to interrogation in the grand dury chamber, and the court will be asked to order them to answer all questions excepting such as in the court's opinion might call for an in-oriminative answer. All these persons climinative answer. All these persons were before the grand jury today and declined to answer questions on the ground that by answering they might incriminate one another and some offi-

before the grand jury reveral times dur-ing the telephone inquiry. Mr. Heney had made preparations to begin an action against the company to force it to pro-

LARGE SUMS FROM MINT HISTORIC TRIAL TO BEGIN

(Continued from First Page.) became known that the men were

in custody:

This is what has been designated as the kidna ing of the men. It has been insisted by the friends of the defendants that they should have been permitted to consult counsel in Denver and resist removal by appeal to the courts. The tie, en the other hand, has insisted that it is not the duty of officers to thus in its legal proceedings after having made an arrest on regular extradition papers. Out of these conflicting contentions grew the legal proceedings which delayed of these conflicting contentions grew the legal proceedings which delayed the trius a year. In this connection it will be interesting to present the law on the subject, over which there has been so much discussion, or, rather, to state the conditions which confronted the state.

In the Supreme Court at Wushington the cases were set for hearing on October 5. At that time they were argued, and in December decisions were rendered against the petitioners. In

rendered against the petitioners conclusion, all the members of the court concurred excepting Justice Mc-Kenna, we o held that the men had been kidnsped and were entitled to their alberty. The majority opinion was to the effect that nothing improper had been done by the officers and that the state had a perfect right to remove the men secretly if it could.

Why Trial Was Delayed.

The three men were indicted on March 7, and on March 16 they were arraigned and pleaded not guilty. The next term of court opened on May 29. It was expected the cases would then be brought to trial, as both sides professed to be ready; but a snag had been discovered by the prosecution, A statute of the United States provides that, when a case is pending on appeal from a Circuit Court on habeas corpus proceedings involving a conpeal from a Circuit Court on habens corpus proceedings involving a constitutional right, any action of the State Court in the interim shall be null and void. This, it was found, had been construed in the dictum of an opinion of the Supreme Court as meaning that the state was prohibited in a case under such circumstances. It was therefore held by the prosecution that it could not proceed with the trial, as a conviction, it was corrended, would be set aside, even though the accused men conviction, it was corrended, would be set aside, even though the accused men should lose in their habeas corpus case. The state asked the defense to dismiss it appeal from the United States Circuit Court and stand on the one from the State Supreme Court, but the defense could not see its way clear to do so.

Therefore, when the court met on May 29, this condition was called to the attention of Judge Smith. It was argued at length but Judge Smith held he was prohibited from proceeding, and the cases went over until after the Supreme Court should have passed upon the habeas

should have passed upon corpus appeal.

It has always been insisted by the de-fense that it was not necessary to post-pone the trials and that the action of the state amounted to denial of the con-vitudinal right to a speedy trial. On stillutional right to a speedy trial. On the other hand, the state maintained it was prohibited from taking another step and, further, that the defense itself, by refusing to blamiss the one appeal which

WILL FIND 76 INDICTMENTS many minds, made him inellgible to preside at these trials. Therefore, on the opening of court, Judge Bryan announced that, though he was not satisfied he was disqualified, he had determined to call in

Judge Fremont Wood, of Ada County, Judge Wood took up the application for a change of venue. After presentation of the affidavits and the arguments of counsel, the Judge announced he was disposed to make a change, but he wished to know if the defense would insist upon the right to again move for a change after getting into another county. He in-dicated he would move the cases to Ada. County, and when the defense had ansounced its consent to having them come here, an order to that effect was made,

Date of Trial Fixed.

At the opening of the term here, Judge Wood, after consulting counsel on both sides, fixed the date for the first trial to begin, naming May 9. It is assumed the trial, that of William D. Haywood, will then begin.

The accused men are confined in the Ads County Jail in this city. When they were brought here from Colorado they were held at Caldwell. The jail there was entirely inadequate, there being no proper provisions for the comfort of the men, and they were finally settled in the jail here, where they had as good treatment as possible. Though they sleep in cells at night, they have much liberty during the day. they have much liberty during the day. A comfortable room is used by them, while each day they are outside for an hour or more. There they can be seen most any day pitching quotis or waiking up and down with their wives, or rather two of them, Mrs. Haywood not having been here. The latter is an invailed, but she has now arrived to be with her husband during his trial. Harry Orchard, the star witness, has remained as a guest of Warden Whitney at the penitentiary. He is in good

ney at the penitentiary. He is in good health and has been engaged in writing a book. The murder case against him has been postponed from time to time and will stand so until the other cases have been disposed of.

There have been two interesting branches of the case which should be touched upon to make the story com-

On February 18, 1968, Vincent St. John was arrested at Burke in this state and brought to Boise. Nothing cials of the company.

SHOW HOME TELEPHONE BOOKS

Adiams Promises Evidence Which

Will Expose Bribery.

SAN FRANCISCO, May 4.—(Specials—)

State and brought to Boise. Nothing was found against him, however, and on March 17 he was turned over to the Colorado authorities on a warrant charging him with murder at Telluride. He was afterward freed.

Steve Adams, a man who is said to have figured conspicuously in the Colorado troubles, was arrested at Haines, Or., on February 20, 1996. On March

Another great victory was gained by the graft prosecutors today when J. H. Adams, of the Adams-Phillips Company, of Los Angeles the concern that floated the Home Telephone Company, announced that he had the books of the company in his possession and would produce them.

The Home Telephone Company gave it out a few weeks ago that the books could not be found. F. J. Hencey has spent the last two weeks in an endeavor to locate these books, which contain the secrets of the bribery transactions. Mr. Adams for the bribery transactions. Mr. Adams for the grand jury neveral times during the product of the produce the books in court when Mr. Hency so ordered.

Mr. Adams is a millionaire and has been before the grand jury neveral times during the product of the product o "go back" on his statement, and took steps to prevent his gaining his lib-erty. In his confession he had nar-rated that he had killed a man named Fred Tyler on the St. Joe River, in Shoshone County, in August, 1904. The death of the man had always been somewhat of a mystery, though it had been charged to cack Simpkins. Adams said the man had been made away with because he had jumped Simp-

with because he had jumped Simpkins' claim.

Adams further said he had gone up
there to consult with Simpkins about
the proposed murder of Governor
Steunenberg. On that charge a warrant was issued and brought here by
Sheriff Sutherland, of Shoshone County. He reached Boise before the application for the writ of habeas corpus
had been made, and on September 15
had served his warrant and left with
the accused man. The trip north was
made overland, as they feared they
would be interfered with by writs of
habeas corpus if they should take the
railway route through Oregon and
Washington. When the writ was issued the man wanted could not be sued the man wanted could not

HARRIMAN ANNULS CONTRACT WITH CLARK ROAD.

Gives as Reason, California Law Against Restricting Competition, but Notifies Interstate Board.

WASHINGTON, May 4 .- Official in formation reached the Interstate Commerce Commission today of the cancellation of a traffic agreement entered into June 18, 1901, between the Southern Pacific and the San Pedro, Los Angeles & Salt Lake Railroad Companies. geles & Sait Lake Railroad Companies.
In the opinion of the Commission the abrogation of the agreement is of the highest importance. The facts concerning it were developed at the recent inquiry into the relations of the Southern Pacific Company with other corporations. It was the opinion of several Interstate Commerce Commissioners that the agreement was in restraint of trade and might subject the officials who entered into it to a prosecution under the Sherman anti-trust act. under the Sherman anti-trust act.

Notification of the abrogation of the agreement was received in a letter from R. S. Lovett, of New York, general counsel of the Southern Pacific Company. Mr. Lovett assigns as the casen for the action the enactment by the California Legislature of a law which prohibits contracts restricting Company.

ompetition, The agreement binds the Sait Lake roan not to change rates within 33 years without the consent of the Southern Pacific. It came out at the inquiry that the agreement extends be yond California and binds the Sait Lak-rond to build no extensions north o Sait Lake parallel.

WEEK OF GAIETY.

Though there is much regret expressed Though there is much regret expressed at the closing of the popular Exposition Rink the management is determined to make the skaters of the final week happy patrons. Many attractions have been provided for the closing week and every night will be an occasion of some pleasing features. On Saturday night there will be double sessions, the second lasting until midnight, when the rink will. lasting until midnight when the rink will close with befitting ceremony. Get in and enjoy your final week of skating.

STYLES OF NOW

Centenarian Survivor of Alamo. SAN ANTONIO, Tex., May 6.—Felix Rodriguez, an Aztec Indian, died here yesterday at the age of 112. He was in the battle of the Alamo in 1836 as a teamster in charge of the paymaster's wagon of the Mexican army. After the Texas victory he returned to Mexico, where he lived until four years ago, when he came here. He died without family.

AT THE HOTELS,

AT THE HOTELS.

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Some of the "big stores" have skurried round their attics and basements with a fine-tooth comb, raking out their millinery memories of former decades, marshaled them all in solid phalanx, and pitted them against this sale in order to meet the prices we've made on the GRAND CONVENTION OF MILLINERY FASHION AND BEAUTY Which goes to make up the vast stock of the

ST. FRANCIS MILLINERY CO. Of Paris, New York and San Francisco, Now on Slaughter Sale at 326 Washington St.

Next to and over Goddard & Kelly's Shoe Store, Portland womenfolk are wise, however, and know the difference between the antediluvian styles of competition and the fashionable beauties-charming crestions and exquisite confections-shown here at so trifling costthan actual first cost of materials; and the crowds keep coming. Thousands of hats have been sold and tens of thousands more will be sold to fortunate buyers the coming week.

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