

HIS APPEAL A SHAM

Higher Court Turns Down Schmitz' Last Plea.

ATTACK ON DUNNE FAILS

Request for Mandate Based on Misrepresentation and Felon Mayor's Lawyers Are Snubbed—Why the Appeal Is Delayed.

SAN FRANCISCO, July 13.—Mayor Schmitz suffered another defeat this morning when his application to the District Court of Appeals to compel Judge Dunne to set a date for settling the bills of exceptions in the case in which he was convicted of extortion was not granted.

After hearing this, Presiding Judge Cooper said that, as a question of fact was involved, the court would not attempt to issue a peremptory writ until the issue had been settled.

The attorneys for Schmitz sought to have the hearing postponed to Tuesday, but Judge Cooper disposed of it by saying:

"When this alternate writ was issued, it was on a verified complaint charging that the Judge had refused three times to settle the bill of exceptions. The answer raises a distinct issue, and it will be necessary to take testimony before it is determined. The answer further recites that the Judge is willing to perform his duty. I don't think the time of this court should be taken up with such a hearing. We will allow the matter to stand, and if the Judge does not do his duty we will see that he does."

PROSECUTOR ACCEPTS DUTY

Langdon Says He and Assistants Will Name New Mayor.

SAN FRANCISCO, July 13.—A conference was held today by District Attorney Langdon, his assistants, F. J. Honey, and Rudolph Sprickles on the question of selecting a new Mayor. After the meeting Mr. Langdon said:

"The prosecution realizes that the responsibility of naming the Mayor has been forced upon us and we have decided to accept such responsibility. While we may not be ready to name the man at Monday's meeting of the Board of Supervisors, we will do so within the next few days."

Following the intimation of Mr. Langdon that no arrangement had been made for a successor to Schmitz and Boston, it was rumored tonight that ex-Mayor James D. Phelan is the man, but that it is uncertain whether he will accept the office in its present tangled condition.

JAPANESE READY TO FIGHT

(Continued from First Page.)

Opposite sides of the globe arouse at first a sense of the differences between them. Each matches his superiority against the other. Each indulges in contempt of the features in which he perceives the other is inferior. That is the first stage. But presently each begins to discover that they have more in common than they had supposed, and then soon one becomes willing to admit that he can learn something from the other.

"There will never be lost the peculiar genius of each race, but binding all together will be the essential character common to all men. The Ambassador is happily married to a German lady of high station. Speaking of the talk of war, the Ambassador said: "I am tired, very tired of protesting the friendliness of my country for yours—not that that friendship will ever tire or waver, but that it could be necessary to protest it eternally, when not an act, not a gesture, not a word, not a passing thought gives reason for a suspicion of it. I am tired of answering questions, for I have freely admitted and answered them all, as to what we think of the San Francisco incidents, how many countries would regard the sending of your great fleet into the Pacific, whether I am in good or bad luck, whether I am a German Ambassador, whether I am to be recalled, and all the rest.

OPERATOR IS MURDERED

Montana Man Killed Under Mysterious Circumstances at Billings.

BUTTE, Mont., July 13.—A Miner special from Billings states that an autopsy upon the remains of G. H. Crandall, telegraph operator, disclosed that the man was foully murdered.

Crandall was brought to a dining condition to a hotel conducted by Chinese by two unknown men, a room was engaged, and the unconscious form of Crandall thrust into it on the floor, the perpetrators of the crime then fleeing. Crandall had his head crushed in by some blunt instrument.

Mrs. Dunlway Becomes a Granger.

Mrs. A. S. Dunlway, of Portland, yesterday took the third and fourth degrees of the Patrons of Husbandry, at the Lentis Grange, and thus became a full fledged member of the farmers' order. She was heartily welcomed into the Grange. In the afternoon, during the hour devoted to educational work, Mrs. Dunlway followed George H. Himes, who spoke of the early school days of the Grange. Among other things Mrs. Dunlway said her title to be a Granger was undisputed from the fact that she had been a Granger in her home town, the Great Eastern and made enough butter to grease the axles of the universe.

Mrs. Dunlway told of her personal experience on the frontier and pointed out that she had been a pioneer school teacher in Oregon. In speaking of the work of the Grange Mrs. Dunlway said it was a noble order and one in which there was absolute equality of husband and wife, brother and sister and that it had done much and was doing more to change the conditions of the country for the better.

Medford Man Takes Bride.

Miss Nellie McIntyre, of Michigan, and Thomas H. Moore, of Medford, Or., were married last night in the parlors of the Hotel Oregon. The ceremony was performed by Rev. W. P. Sinks, of Medford, and among those present were Mrs. E. M. Whitehead and Fred Weeks, of the same place. After a trip to Puget Sound, Mr. and Mrs. Moore will go to Portland to reside, where he is proprietor of the Moore Hotel.

WAR IN ZION CITY

Voliva Threatens to Build a Rival Plant.

HE DENOUNCES OPPONENTS

Threatens to Erect Competitive Colony Within Zion City Itself. "Dowie's Usurper" Will Appeal to Law for Protection.

CHICAGO, July 13.—(Special.)—Threats to build a rival Zion City around a new, magnificent temple, and to enjoin General John J. Voliva, who has organized the Zion City in Zion City, before a meeting of his followers in his home, Voliva, "usurper of Dowie's throne," denounced his opponents as a crowd of scoundrels and declared that the war would be one of extermination.

Voliva said he would gather his followers about him and build the rival colony within Zion itself. He announced that he would at once begin the erection of a new brick temple, to be even more imposing than the present Zion tabernacle.

"I will go into court and will get an injunction restraining General Lewis or any of his aides from interfering with me," Voliva thunders excitedly, waving his arms. "If any one interferes with my rights I will put him in jail. The committee of investors which has been appointed to act with Receiver John C. Hately is a crowd of scoundrels. They want to sell the lace factories for \$25,000. If they do, it will be one of the greatest steals ever perpetrated in America. It will be doomed if the lace factory is sold."

Voliva declared that he will carry the fight now in the United States Court to the Federal Supreme Court if necessary.

PROBE LAND MONOPOLY

(Continued from First Page.)

throughout the West perhaps who are not what they should be. We have men in all branches who should be dismissed, perhaps, but it is not your duty to make recommendations, nor because you want to get rid of these men, but because of their poor qualifications.

"When I wanted a man who had the interests of the West at heart, it was fortunate in finding an old college mate of mine, Judge Ballinger. I think he will disregard the public weal in deciding in favor of his friends, you are mistaken.

"I know that the frauds perpetrated against the land laws have been spread in percentage, although it has been large in some localities. But because it has been small in percentage, we do not expect to let up in our prosecution of frauds. You are mistaken if you think we are.

"The reclamation work has passed the experimental stage. We are spending \$50,000,000 in this work, to facilitate the settlement of our public lands by the honest entryman.

"Your water diversions, if properly conceived, will run every railroad and will operate your manufacturing plants and your fuel and forests. If properly conceived, will not cause our grandchildren to suffer as our grandchildren in the Middle West have suffered.

"You have just scratched the surface of the mines and agricultural lands of this great section. You are just on the threshold of development out here. The policy of this administration is to give the quality of opportunity to the small shipper as well as to the big producer. When I speak of the administration, I do not mean the President alone, for his policy is effective because he is backed up by every officer of state and nation.

"I ask you not to think that Washington is many miles away, for the Interior Department is open here and every Oregonian whenever he wants to present his case. You have your representatives there, who are always welcome to our department.

Judge Williams then introduced Senator Charles W. Fulton, who told a number of good stories. He said he did not recall the time he has ever had during the past 30 years a visit from a Secretary of the Interior. Most of the Secretaries of the Interior have believed they could administer the affairs of the West without consulting the West. It was not a matter of what the West wanted so much as what the East thought best. As Secretary Garfield had said, there is no question but the East is making common cause with the West and has the interests of the whole country at heart, but the East has assumed that it knows what the West wants without consulting the West.

Congratulates the Secretary.

"I want to congratulate Secretary Garfield," he continued, "that he has taken pains to come out here to learn first hand the needs and wishes of the West. I was very much pleased when I learned that the present Secretary was to be advanced to this responsible position."

Senator Fulton very highly complimented Commissioner Ballinger of the General Land Office and said that while some have had heavy hands in the administration of the land laws, it must be said that the great body of the people of the West is just as strongly in favor of the land laws as the masses of the East. Senator Fulton said men have been seriously handicapped by the way the affairs of the land office have been administered in the past.

The speaker said that while Oregon has contributed more to the cause of irrigation than any other state, she has secured laws which he hoped to see soon the active beginning of work on the Malheur project.

Judge Ballinger, Commissioner of the General Land Office, was next introduced. He said he expected to remain in Oregon several days to aid in every way to encourage the honest entryman to secure his land, but to discourage the dishonest entryman from securing the public domain. The speaker said the honest entryman should feel encouraged and should go ahead and improve his property, but every entry must be in good faith. Commissioner Ballinger said he felt confident that Secretary Garfield will prove the best Secretary of the Interior that has ever held the office.

Judge Lowell's Speech.

Judge Williams then introduced Judge Stephen A. Lowell, of Pendleton, who told a number of witty anecdotes and warmly indorsed the policy of the Administration. He commended especially the public land policy of Secretary Garfield. F. H. Newell, director of the reclamation service, spoke briefly of the work of his department and of the great value of irrigation projects to the Pacific Northwest. C. E. S. Wood made a notable address, which he opened with a number of witty stories and followed with a serious talk in which he contended that all hope of reformation of the Government department is vain until all possibility of graft is removed. He said there is a law of

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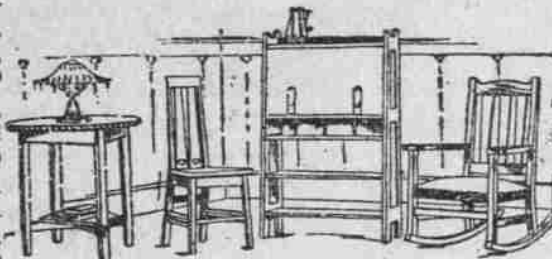
Smiles of Satisfaction written on the face of everyone that has taken advantage of the greatly reduced prices at

POWERS' SEMI-ANNUAL RED TAG SALE

This sale is a grand success and we intend to make it the greatest we have ever known, so we have made still deeper cuts in our prices and intend to close out every article that in any way conflicts with the new stock just purchased by our Mr. Powers now in the market. This does not cover any one line in particular, but includes every line we carry, and a glance at the prices and reductions below cannot but interest the thrifty shopper.

- FOR THE DINING-ROOM.**
- \$25.00 6-foot oak Extension Table, 4 1/2 inch top, pedestal base, weathered or golden finish, round top, reduced to **\$17.00**
 - \$17.50 6-foot Extension Table, 6-inch legs, 4 1/2 inch top, finished golden oak, reduced to **\$12.50**
 - \$29.00 Extension Table, in quarter-sawn golden oak, top extends to 6 feet, hand polished, reduced to **\$21.50**
 - \$26.00 pedestal Extension Table, square top, 6-foot extension, quarter-sawn oak and polished, reduced to **\$19.00**
 - \$38.50 quartered oak combination Buffet and China Cabinet, weathered or golden, reduced to **\$44.00**
 - \$35.00 weathered oak Buffet, 18x40 oval French bevel mirror, reduced to **\$23.50**
 - \$37.50 Buffet in quarter-sawn oak, finished weathered or golden, reduced to **\$25.50**
 - \$48.00 weathered oak Buffet, 12x40 French bevel mirror and glass front, reduced to **\$31.75**

- DEN FITTINGS.**
- \$17.50 combination Cellarette and Magazine Cabinet, dull brass trimming, finished in weathered oak, and reduced to **\$10.50**
 - \$6.50 Smoker's Table, with pipe rack, made in quarter-sawn oak, finished weathered, reduced to **\$4.25**
 - \$32.50 combined Card Table and Cellarette, dull brass trimmed, reduced to **\$16.50**
 - \$36.00 Den or Library Safe, made of steel with weathered oak case, combination lock, reduced to **\$16.50**
 - \$35.50 weathered oak Den Table, round top, 36-inch in diameter, genuine leather top, reduced to **\$19.75**
 - \$10.00 Desk, made of quarter-sawn oak, finished weathered, reduced to **\$6.50**
 - \$7.00 Pedestal in quarter-sawn weathered oak, reduced to **\$4.25**
 - \$7.00 Magazine Rack, two shelves and book rack top, made in quarter-sawn oak, finished weathered, reduced to **\$3.95**



Porch Furniture

- \$6.00 Porch Chair, made of Adirondack silver birch, rattan seat and back, reduced to **\$4.00**
- \$4.00 Ricker, full comfort seat, rattan seat and back, finished in white maple or painted green, reduced to **\$2.85**
- \$3.00 Ricker, finished in white maple, reduced to **\$2.50**
- \$2.50 Chair or Ricker, finished in white maple or painted green, rattan seat, reduced to **\$2.50**
- \$12.50 Mammoth Porch Chair or Ricker, double cane seat and back, Adirondack silver birch frame, reduced to **\$8.50**
- \$9.50 maple Settee in natural finish or painted green, rattan seat and back, reduced to **\$6.75**



Refrigerators, Stoves and Ranges

- \$10.00 Refrigerators, zinc lined, hardwood case, with mineral wool insulation to keep ice, reduced to **\$7.95**
- \$16.50 Refrigerators, same description as above, only larger in size, reduced to **\$12.75**
- \$20.50 Wisconsin Peerless Refrigerator, lined throughout with finest grade white enamel, reduced to **\$16.75**
- \$25.00—A Refrigerator with ice capacity of 75 pounds; the Peerless, white enamel upon galvanized steel reduced to **\$19.50**
- \$30.00—No. 6 Wisconsin Peerless Refrigerator, ice capacity 90 lbs., white enamel lined, reduced to **\$24.00**
- \$12.00 No. 8 Cook Stove, large oven, reduced to **\$9.65**
- \$36.00 Ajax Range, double body, with asbestos lining, full nickel trimmed, reduced to **\$29.75**
- \$1.50 single burner Gas Plate, reduced to **.95c**
- \$2.50 two-burner Gas Plate, reduced to **\$1.75**
- \$11.00 No. 7 cast iron Cook Stove, reduced to **\$8.25**
- \$6.00 50-piece white Dinner Set, reduced to **\$4.25**

Bedroom Pieces

- \$40.00 Dresser, in genuine mahogany, 24x30 French bevel mirror, full serpentine front, reduced to **\$28.00**
- \$38.50 birdseye maple Dresser, 24x30 French bevel mirror and full swell front, reduced to **\$27.50**
- \$23.50 lady's Dressing Table, in golden oak, birdseye maple and genuine mahogany, 16x26 oval French bevel mirror, reduced to **\$14.75**
- \$30.00 birdseye maple Dressing Table, full French leg, 16x36 French bevel mirror, reduced to **\$19.00**
- \$35.00 Empire Beds, made in quartered golden oak, birdseye maple and genuine mahogany, reduced to **\$24.00**
- \$52.50 full Napoleon Bed, quarter-sawn oak and genuine mahogany, reduced to **\$46.50**
- \$4.50 Iron Bed, single iron head and foot, all colors; reduced to **\$3.00**
- \$7.50 white enamel Iron Bed, scroll pattern, angle iron head and foot, reduced to **\$4.25**

POWERS
The Home of Dignified Credit
THE STORE THAT SAVES YOU MONEY
DIGNIFIED CREDIT FOR ALL
FIRST AND TAYLOR

We Are Headquarters for Office Furniture

Work of Land Thieves.

"I say the wrong is not altogether on the part of the land thieves for the land offices in this state have been parties to it. Swedes who could not speak English have been allowed to take up public lands when the officials knew they were acting for others. "The remedy is not in seeking personal honesty. You will never get honesty in land administration while there is property left to graft. The only real title to land is in the use and occupation of land, and when this ceases, title should cease." "Gifford Pinchot, Chief Forester, spoke briefly of the benefits to accrue to the people of the country from the forest policy of the Administration. He said: "Oregon has been the battleground for years in the establishment of the conservation reserve policy. The Denver convention showed that the fight for the forestry policy is won. Every other indication of the year shows also that it is won. The general forestry policy is established and the details alone remain to be worked out. The forestry policy is a wise one, it is along the lines of the conservation of natural resources, and is the longest look ahead the United States has ever taken along this line."

Root Insists on Claims

Demands Answer From Castro to Arbitration Offer. CARACAS, Venz., via Willemstad, Island of Curacao, July 13.—The American Minister, Mr. Russell, on July 2 handed President Castro Secretary Root's reply to the Venezuelan president as to the American demands of February 20 and February 28, for the arbitration of the five American claims against Venezuela. Mr. Root said the department could not accept President Castro's answer, which refused to grant the American demands on the ground that the claims were not matters for diplomatic intervention, and he again requested the President to consider immediately the advisability of giving a satisfactory reply to the claims presented.

MAKES MONEY IN PRISON

STENSLAND CLEARS \$20,000 OFF VICTIMS OF CRIME. Charges Fee for Releasing Mortgages—Movement to Pardon Chicago Bank-Wrecker. CHICAGO, July 13.—(Special.)—Paul O. Stensland, wrecker of the Milwaukee Avenue Bank, ruling thousands of depositors, who was captured in Algeria after an exciting chase, will clear \$20,000 within a year by signing mortgages which his victims are giving on the remnants of their property. Powerful influences are at work to secure his release from the Joliet penitentiary. A petition has been started among the 30,000 depositors in the failed bank in an effort to secure their signatures to a writ, which will be made within a few weeks to the State Board of Pardons to parole the imprisoned banker. Stensland's case will have plenty of financial backing other than that contributed by his family and friends. Stensland is making money, even while a prisoner. When his bank closed, there were 400 mortgages held in the institution as collateral. In straightening out the affairs of the bank, it is necessary for Stensland to sign a release for each one of these mortgages. Under the law he is entitled to a fee of from \$3 to \$5 for signing the release. Stensland has not overlooked this opportunity. He is charging one and all the fee. A depositor who lost money in the bank is charged just the same as anybody else. Stensland will secure about \$20,000 in this way. When asked why he charged this fee, he is said to have replied: "Well, I have no money. I will need this money when I am released from prison."

TIED OF BEING GOVERNOR

Judge Wickersham Creates Sensation by Speech on Alaska. SEATTLE, Wash., July 13.—(Special.)—Federal Judge James Wickersham, of Alaska, speaking before the State Bar Association tonight, created a sensation by declaring that he was tired of acting as the government of Alaska, and that the bar of this state must whip the Congressional delegation into line to grant some power to the people of Alaska. His speech overshadowed that of Vice-President Fairbanks in importance, for he insisted that the only authority of the State Association is that of the judiciary and the Governor is a mere figurehead with only authority to appoint a private secretary and notaries public. He denounced Seattle for quietly enjoying a \$30,000,000 annual trade with Alaska and refusal to aid Alaskans in getting a system of government. The Bar Association Banquet lasted until 1 A. M. Mr. Fairbanks, Governor Mead, Congressman Humphreys, Senator Piles and others speaking in response to toasts. Many Fail in Examinations. The examination of a class of applicants for appointment to positions on the Portland police force was concluded before the Civil Service Commission yesterday. Originally the class consisted of 41 members, but the physical test was too much for 30 of the would-be bluecoats and they dropped out of the contest. The written examination yesterday was taken by only 11 members of the class. The result will not be announced by the Commission for several days.

Tornado Wrecks Houses.

MITCHELL, S. D., July 13.—A cyclone swept over the Northwestern part of this city this evening at 6 o'clock. The storm came up from the west, and in the vicinity of Mount Vernon a number of houses were swept away. The storm gathered greater velocity by the time it reached this section, and it was soon coming with a large drop, sweeping the ground. The Cassem Addition, in the northwestern part of the city, was considerably damaged. Two houses were completely swept away. The families took refuge in the cellars and the houses were taken off clean, leaving the bare floors. No one was injured. One barn was blown down.