

SCHMITZ SIDE LOSES GROUND

Ruef Tells How He Paid Former Boss Share of \$8000 "Fees"

DEFENSE MAKES FIGHT

Exhausts Every Effort to Shut Out Testimony of Witness— Error Made.

San Francisco, June 12.—This was an ear-burning day for Mayor Schmitz. Seated at the counsel table, he heard Ruef, his former political friend, philosopher and guide, practically call him a perjurer, and with that same burning he listened to a scathing denunciation of himself by Prosecutor Johnson. If there was balm for scoured feelings in the speech that closed the day, the speech of his own attorney, Barrett, he took no open heed. Indeed, during most of the two hours and twenty-five minutes Barrett was speaking, the Mayor was either glancing over a newspaper or buried deep in the typewritten pages of testimony. But no word of the prosecutor's address escaped his sensitive ears. Ruef was, of course, the sensation of the day. His appearance on the stand and as witness in rebuttal for the prosecution is now accredited to a tactful error of the defense in letting the Mayor testify, for it was to refute the Mayor's denials under oath that he had participated in Ruef's "Fee" that the prisoner was called.

Ruef told the jury he went to Schmitz's former residence, and there handed to the Mayor at stated intervals one-half of the "Fees" of \$5,000 and the \$3,000 paid to him by the French restaurant keepers. This was after the defense had exhausted its best efforts to shut both the question and answer out on the ground that the former was not properly rebuttal because in his direct examination no such matters had been broached to the Mayor. Judge Dunne ruled that the pertinency of the question could not be doubted. The opening address for the prosecution by Hiram W. Johnson, son of Former Congressman Grover Johnson, and one of the foremost criminal lawyers in the State, occupied an hour and fifteen minutes. It was masterly both in argument and in elegance. Johnson avoided anything like an attempted resume of the evidence in all its voluminous detail.

He selected rather the main peaks and steering by them, endeavored to pilot the jury over the short course to conviction. Johnson was followed by J. J. Barrett, who spoke for nearly two hours and a half in behalf of the defense, making much of the testimony, and arguing that had the court permitted Ruef to tell the whole story he would have testified that the restaurant keepers came to Ruef and besought his services as attorney and no threat was made or held over them they would lose their licenses if they did not pay him money, and Ruef's contention would have been he did not exercise any control over the license board. Barrett told the jury under the testimony adduced the most that might be proved was that the money extorted by Ruef from the French restaurant men was by the threat to close the bedrooms on their upper floors. The "indictment," commented the Mayor's attorney, "charges this defendant with extorting this money by a threat to take away their licenses to sell liquor. You cannot, gentlemen, accuse the defendant of one crime and convict him of another, remember that." When Barrett concluded, court adjourned for the day. Following arguments will be made tomorrow, and the case will probably reach the jury before night.

PEABODY AT BOISE.

Boise, June 12.—Former Governor Peabody, who will be a witness for the State, arrived here tonight. He declines to discuss the case at the present time.

REVEALS MORE PAST CRIMES

Orchard Though Relentlessly Attacked By Defense Continues Recital of Damaging Evidence

PLOT TO KIDNAP

Abduction of Rich Miner's Children to Secure Ransom of Several Thousand Dollars.

Boise, June 12.—The defense today carried the cross-examination of Harry Orchard down to the actual crime charged against Haywood—murder of Governor Steunenberg—and as it progressed they assailed the testimony and theory of the State resting upon it. The Steunenberg crime was reached at midday, and counsel for the defense directed their efforts to an attempt to cloud the earlier purposes and movements of Orchard with uncertainty and indefiniteness. Then they emphasized the abandonment of all efforts to kill after Orchard had first tracked Steunenberg to Boise and with a skeleton key had gained access to the very room in which the Governor was living. Here they delayed for a moment to prove that Orchard twice wrote and once telephoned to Bill Easterly at Silver City to urge him to come and join in the crime, and the direct implication was that Orchard was endeavoring to inveigle another Federation man into a crime which would bring discredit and dishonor to the organization.

Then the Steunenberg crime was temporarily thrust aside and the witness carried over his long diverting journey into Northern Idaho, and his crimes there, including the dark plot to steal and hold for ransom the Paulson children were forcefully emphasized. Orchard swore that Dave Coates, former lieutenant governor of Idaho, and then a publisher at Wallace, Idaho, first suggested the kidnapping to Simpkins and himself at Denver. Paulson was once a ppor miner, and had made a fortune in the Hercules mine, in which Orchard had an interest when the property was valueless, and it was believed if his children were stolen he would come through with \$50,000 or \$60,000 in ransom.

Orchard said when he went to North Idaho he got Jack Simpkins to come in on the plot, and together they went to Coates to renew the scheme. Coates, who was in court, was asked to stand up for identification and, facing him, Orchard said he was the man. Orchard was then asked if he had not himself proposed the crime to Coates, who immediately rebuffed him, and if Jack Simpkins had not warned Paulson the minute he heard of the plot. Orchard denied the suggestions and reiterating his first story, insisted that Coates had consented to stay in the plot and handle the money they hoped to get out of Paulson.

Then the defense showed the witness in the commission of a series of mean crimes and reduced to poverty in which he had to resort to pawnshop borrowing and theft to live for a long period. First he pawned some jewelry and guns. This brought \$25 or \$30. Then with a man named Cunningham, whom he said Vincent St. John had recommended to him as safe and tried, he discussed the project to give Cunningham the old Peabody bomb, which he still had in his trunk.

It was for use by Cunningham against some non-union men at Tiger and Poorman mine. Then he accepted hospitality of the Paulson home at the very time he was plotting to steal the Paulson children. After that, with Jack Simpkins he broke into the O. R. & N. depot. They were after a trunk full of jewelry samples, but instead got a trunk full of shoe samples. Next he tapped the cash register at Burke for \$30 or \$40. It was a long era of crime and poverty and hard luck, and, summing it up, the defense wanted to know why, if he was in Idaho on a mission of murder for Haywood, Moyer and Pettibone, and with unlimited credit from them, he did not send to them for money instead of borrowing and stealing. Orchard replied he did

"JAP" PAPERS FAN FLAME

Tokio, June 13.—Several papers this morning print photographs of the wreckage caused by attacks on the Japanese restaurants in San Francisco. This appeal to the eye, coupled with strong words describing the sufferings of their compatriots, has further influenced popular indignation. Nichi Nichi (newspaper) commenting on the photographs, says: "The situation is doubtless grave and calls for prompt measures on the part of both governments." Hochi (newspaper) says: "The stage for negotiation has passed and the time for action has been reached." The paper says, however, it does not mean to advocate war, but commercial retaliation.

"JAP" NAVAL SPIES

Discovery Alleged of Officers Secretly In Communication With Home Government.

Honolulu, June 12.—Commissioner of Immigration Sargeant has instructed the local immigration officials to continue their careful inspection of Japanese immigrants, but to discontinue photographing them, and handle diplomatically all questions that may arise. Local federal officers are alleged to have discovered members of the Japanese navy here who have been in communication direct with their home government and not through the Japanese consul.

CAPTURE NOT CONFIRMED.

San Salvador, June 12.—Although no confirmation had been made public here up to last night, of the reported capture of Acajutla Salvador by Nicaragua forces, it is positively known that President Zelaya embarked troops and war munitions at Corinto on the war vessel Momotombo under orders of General Rivas and destined to raise revolutions in Salvador.

CARBOLIC ACID MURDER.

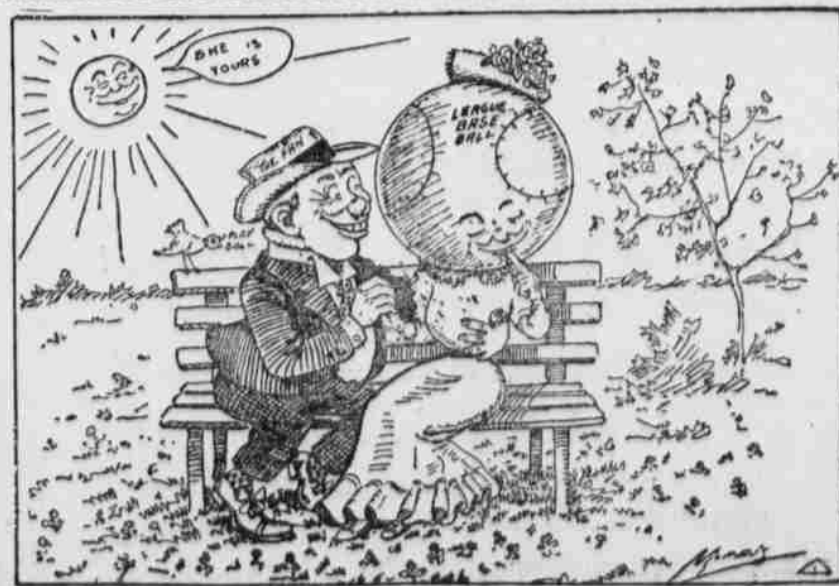
Indianapolis, June 12.—Robert Jolly killed his daughter, Gladys, aged nine years, here today by forcing carbolic acid down her throat. He had been drinking, and when arrested later talked incoherently. It is believed his mind is affected.

ORCHARD'S REVOLVERS

Denver, June 12.—It was announced here today that the two six shooters found on Harry Orchard when arrested, for the assassination of Governor Steunberg had been traced to the George Tritch Hardware Co., of Denver where they were purchased by George A. Pettibone. This information it is said was given to the Detective who asked an officer of the Tritch company to trace the weapons in question on its record of sales.

CALLS ORCHARD LIAR.

Denver, June 12.—Steve Adams will not testify for the prosecution in the Haywood case. This was the positive declaration of Acting Secretary James Kirwan to a convention of the Western Federation of Miners Kirwan, who returned from Boise last night and brought the following message to the convention from Haywood. "Haywood Orchard is the greatest liar of the 20th century, as every man he has implicated in the confession stands ready to testify. I am determined to take the stand and show where he lied. There will be nothing to the case but acquittal if the jury will do as I contemplate by indications. If your convention had been six weeks later, I would be with you for by that time I will be a free man."



"In the spring a young man's fancy lightly turns to thoughts of love." —Morris in Spokesman-Review.

ENTER SALOON AT COQUILLE

Advance Man In Shape of E. A. Beckett Pays Short But Active Visit

WILL OPEN AT ONCE

New Fixtures Purchased and Building Will Be Erected Immediately—Buckshot Goes.

Coquille, June 12.—(Special).—After the severe crimp put into our baseball team Sunday by the Marshall field nine, and while a feeling of remorse seemed to permeate the entire populace, a ray of sunshine dropped off the train from the Bay yesterday in the rosy figure of that pleasant-faced gentleman, E. A. Beckett, the popular bartender and mixologist of the Blanco Hotel, in the Bay city. Mr. Beckett's time was short (just between trains), but during that time he accomplished a world of business, purchasing the lot next to H. Lorenz's store and contracting for the erection of a building at once, the same to be occupied by the gentleman as a saloon. The contract for the bar fixtures has already been placed, and will no doubt prove to be the main feature of the interior decorations. The name of the cafe will be "The Buckshot Inn."

MEAT CAUSES RIOT

Cleveland, June 12.—A riot occurred in the Jewish district here today as a result of the ban placed upon the Kosher meat shops. Jews, angered over the recent raise of four cents a pound for meat, refused to buy and urged others not to buy. All Kosher shops were picketed today by women and children of the neighborhood. Delivery wagons were stopped and meat was soaked with coal oil and shops were closed.

WAR DECLARED.

Mexico City, June 12.—Nicaragua and Salvador at war. Late yesterday minister Delgado of Salvador received a telegram from President Figueroa that this morning the revolutionists had captured Acajutla. They were commanded by General Rivas and came from Corinto on the gunboat Momotombo. They were armed by the president of Nicaragua. In this manner Zelaya complies, the messengers, with the treaty of peace of Amapala.

PHILIPPINE SKIRMISH.

Manila, June 12.—Fausto Abien, head chief of Pulajanes on the island of Lyte was wounded and captured yesterday by Lieutenant Jones with a detachment of eight infantrymen and Philippine scouts. Under chiefs Uldarico, Rota, and Lucia, who were also captured. The military and civil authorities declare the capture of these chiefs ends pulajanism on the island of Lyte.

SEARCH GOES UNREWARDED

No Clue To Missing Midshipmen And Launch of Battleship--Fair Program Cancelled

METCALF STILL MISSING

Boat Carrying Him Disappears—Conflicting Reports Regarding His Whereabouts.

Norfolk, June 12.—All day long and until late tonight the search and dredging instituted by the naval authorities for any signs of the Minnesota's ill-fated launch and its eleven occupants has progressed, but the bodies of the victims have not been found. While Virginia day was participated in, in order not to break the programme arranged in advance, the navy officers have declined all new invitations to participate in the festivities.

Secretary's Party.

Newport News, June 12.—The gunboat Dolphin, which has been watching for the return of Secretary of the Navy Metcalf and party from the trip up Jamestown Island, is still anchored off Newport News tonight. The lighthouse tender Maple, on which the Secretary and his party made the trip up the James river, and which was due to return here last evening, had not been sighted up to 11 o'clock tonight. A telephone message from Old Point Comfort says the Secretary's party has not reached that point.

MAKE FIRST CAPTURE

San Francisco Man Takes Active Part In Border Revolution—Invaders Driven Back.

Mexico City, June 12.—According to a telegram received in this city late tonight, the Salvadorean army has defeated the invading army which captured the port of Acajutla yesterday, and has driven them back to the coast. One of the leaders of the invading army was John Moissant, a former resident of San Francisco and an American citizen. He is reported to have been captured by the forces of President Figueroa. It is reported on good authority that troops are ready to invade Salvador from three sides. According to this information, General Toledo and Alfara are on the Honduran border ready to strike.

MEAT CAUSES RIOT

Jewish Women In Cleveland, Ohio, Set Upon Lone Man and Trouble Ensues.

Cleveland, June 12.—A riot occurred in the Jewish district here today as a result of the ban placed upon the Kosher meat shops. Jews, angered over the recent raise of four cents a pound for meat, refused to buy and urged others not to buy. All Kosher shops were picketed today by women and children of the neighborhood. Delivery wagons were stopped and meat was soaked with coal oil and shops were closed.

When Jacob Bocekitch emerged from a shop with meat he was surrounded by women. In attempting to escape he ran over a baby. A crowd of 500 quickly gathered and Bocekitch was being roughly handled when rescued. One woman who was buying meat was severely injured and had all her clothing torn off by the crowd. Several shops were ralded.