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NUMBER 170.

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THE BEE HIVE

TELL-TALE LETTER FOUND ON SMITH BY SHERIFF

Prosecution Introduces Evidence in Perjury Trial That Causes a Sensation in Court—Was Written to Unknown Party Telling Him to Flee Country

Seven Witnesses Identify Prisoner and Lane, and Testify As to Similar Frauds Alleged to Have Been Perpetrated By Them—State Rests Its Case

The prosecution in the trial of Josiah S. Smith sprung a mild sensation on the defense last night by submitting in evidence part of a letter written by Smith while an inmate of Clatsop county jail to some unknown person. The letter was taken from the prisoner by Sheriff Linville. The defense argued against its admission in testimony but was overruled. It was written on a letter head of the sheriff of Alameda county, Cal., but was dated Astoria, June 12, and said:

"I think you had better get out of the way as these people are apt to look for you. I do not want you here as it would be dangerous to both of us as the people are against us here. I suppose Lewis is trying to find out where you are. I understand that they have Delbert's name in the extradition papers. They would recognize you very likely, if so, it would make a hell of a job."

At the close of three long sessions and after examining seven witnesses in the trial of Josiah S. Smith for alleged perjury, District Attorney Harrison Allen rested for the state shortly before 10 o'clock last night, and at 9:30 this morning the attorneys for the defense will submit their evidence.

Mrs. Mary Hinton told of having paid the men \$300 in lieu of Lane not bringing suit to recover damages for injuries alleged to have been sustained by his falling on a defective sidewalk in front of her house in San Francisco. She did not have the money at the time the demand was made so she gave her note for the amount payable six months after date, which she subsequently negotiated and she paid. In those days Lane went by the name of Anderson.

A. M. Harmon, of Seattle, said he city was glad of the opportunity to settle with Lane for \$2,000, identified both men, pointing to John E. B. Myers, another alias by which Lane was known.

C. L. Perkins, a rancher of Contra Costa county, Cal., said he had known Lane about 11 years, and that during all the time he was lame; he had even seen the defective limb. Frank Thompson, a healthy looking deputy sheriff from the same county, had lived there about 21 years and had known the defendant about 18 years. "You were much younger and smaller than you are now," suggested Attorney Donovan. "How old are you?" "Twenty-nine," replied the ponderous deputy with a twinkle in his eye.

"I was born there." He identified both Smith and Lane, said Lane had always suffered from lameness, and explained very positively an incident connected with their first meeting. He testified that the men had been very friendly, had been neighbors and were often together.

Lane, the defendant in the next trial sat in court all day. His son, Delbert, who was brought from California by the prosecution and turned out to be an other man entirely, sat by his side during the trial. The young man is bright looking, and appears to feel the humiliation of his father's predicament.

The jury impaneled to try the case is made up of the following good men and true: C. H. Davis, A. E. Peterson, L. O. Ballard, E. C. Jeffers, Max Berendes, J. M. Ellsworth, W. I. Morrison, D. A. McInnes, T. C. Bell, A. L. Clark, F. B. Hull, T. O. Trullinger. Eight of the special venire of 12 jurors ordered to report yesterday morning were examined before the panel was completed.

The defense argued at length for the omission of certain testimony bearing on the alleged perjury, but the court overruled the objections and exceptions were allowed in each instance. The case will probably be given to the jury today.

The aged defendant in the case on trial, Josiah S. Smith, and Lane, alias Bock, the defendant in the case that will follow, were both in court, and none appeared to take greater interest in the legal fight that is being waged for their liberty than they. Smith took notes during the examination of witnesses, and conferred with Attorneys Nolan and Donovan during the cross-examination. Both are of venerable appearance, and as they sat in court yesterday suggested the antithesis to criminal instincts.

Good progress was made at the afternoon session, the principal witnesses for the prosecution being examined. Mrs. Mary E. Hinton identified both men, pointing to Lane and exclaiming, "That man is Anderson." Dr. A. E. Roache, of Portland, and Emily Nancy Caswell also of Portland, told the jury of their connections with the defendants, and in both cases the men were positively identified. A. M. Harmon, of Seattle, identified Lane under another name, and Sheriff Linville was sworn to relate the circumstances of the arrest of the defendants. He was on the stand when the court took a recess.

ASTORIA'S FINEST IN AMERICA

San Francisco, July 16.—The regatta committee of the Pacific Amateur Athletic association, after discussing the propositions submitted by the Astoria regatta and the Santa Barbara festival committee relative to crews from San Francisco participating in the aquatic sports, have decided to pass the offer

from Santa Barbara until a report has been received from Astoria, where a regatta will be held late in August. It is almost a foregone conclusion that three or four barges and one or two single sculls will journey to Astoria to contest in the races that will be held on one of the finest courses in America.

ALLEGED EMBEZZLER

Cumberland, Md., July 15.—Wm. H. Doerner has been arrested on a warrant sworn out by Clarence Christie, auditor of the Baltimore & Ohio railroad, charging Doerner with embezzling \$17,341 of the company's funds. Doerner had been cashier for 10 years and declares he is the victim of faulty book-keeping.

SMALL BOYS START BIG FIRE

One-sixth of California City Goes Up In Smoke.

San Luis Obispo, Cal., July 16.—One-sixth of the business portion of this city has been burned out with a loss of over \$100,000. For a time it threatened to destroy the business center of the town and the flames were only subdued by the firemen after a hard fight. The cause of the conflagration is not known, but it is generally believed that it was created by small boys who built a fire on the banks of a creek under Childer's bicycle store.

GOES INTO BANKRUPTCY

New York, July 16.—Schedules in bankruptcy have been filed by the Bardwell Voltmeter company, a corporation formed to manufacture voltmeter machines. The liabilities were placed at \$42,300; assets unknown.

GOVERNMENT INDIFFERENT

Will Neither Consider Nor Receive Petition Relating to Massacre of the Jews

ATTITUDE ENDS THE MATTER

State Department Receive Word From Representative Who Submitted Question

Washington, July 16.—It was learned tonight that the state department has received a reply from Russia stating that it neither would receive nor consider the matter of the Jewish petition on the subject of the Kishinef incident. Information was received by cablegram from Mr. Riddle, the American charge at St. Petersburg, who was given the difficult task of inquiring of the Russian government of its attitude with respect to the petition. It is believed this will end the matter.

Wholesale Man Is Nominated

Second Day of Convention Failed to Bring to Front Any Dark Horse

Louisville, July 16.—The second day of picturesque political maneuvering in the state convention of Kentucky republicans failed to culminate in a final grand surprise of a winning dark horse.

Col. Morris B. Belknap, of Louisville, a wholesale merchant, received the nomination for governor on the first ballot. His delegates stuck to him, though how much of their tenacity was due to the announcement of former Governor W. M. Bradley that he was not a candidate can only be conjectured. Mr. Belknap was nominated after an ardent supporter of Bradley had placed the former governor in nomination. The threatened stampede of Bradley was quelled by an emphatic declaration that he would not be a candidate, but for some unknown reason the convention officers called his name during the ballot and he received a greater number of votes than Pratt, who had made an active canvass.

PACKAGE OF DIAMONDS LOST

When Last Seen They Were Taken by Officers to be Appraised.

New York, July 16.—A report is current in custom circles here that a package of diamonds, valued at \$3,000, had disappeared from the public stores, where the jewels were being appraised. The package was received last week and was taken to the division where precious stones are appraised. The examiner, it is said, did not complete his work and the package was left in the cage over night. When business was resumed in the morning, the package is said to have been found missing.

STRIKERS RESUME WORK.

Elizabeth, N. J., July 16.—The strike of ship carpenters and joiners employed in the yards here has terminated and 400 men will resume work today. The strike has been in progress six weeks. The men will receive the same wages as heretofore.

THROWN IN RUSSIAN PRISON

California Man Writes From Captivity—Will Appeal to Washington.

San Rafael, Cal., July 16.—George McCamish, whose relatives live here, has written them from a Russian prison at Vladivostok appealing for help. Although the letter was written and mailed six weeks ago it has just reached here.

McCamish and two other Americans sailed from Yokohama with permission from the government of Japan to hunt for animals in the Kurile islands. They were caught in a gale and swept toward the Russian islands, where they eventually went ashore to get water and other supplies. The Russians suspected them of sealing and threw them into jail. There they have since remained, half starved and shut off from any appeal to the representative if their government, doomed to long terms of imprisonment. An effort will be made to have the authorities at Washington act in the matter.

OPERATION IS NECESSARY BUT MAY PROVE FATAL

Physicians to Pope Sadly Perplexed as to Right Course to Pursue—Condition of Patient Not at all Satisfactory—Breathing Interrupted

No Vital Change in Progress of Disease and at One Time Pontiff Was Able to Interview Cardinals and Conduct Business—Refreshing Sleep Encourages

Rome, July 17, (2:55 a. m.)—The pope's condition this morning is less satisfactory than yesterday, and he suffered from much uneasiness and difficulty in breathing until relieved to some extent by an injection of caffeine.

A new crisis presented itself yesterday when the doctors were confronted on one hand with the apparent important necessity of an operation, and on the other with a feeling that such operation might prove fatal. They decided, however, that to delay until today would serve a useful purpose in permitting a larger extraction of serum in case the operation was undertaken. Meantime the pope continued in a state of great depression.

Thanks to a fairly good afternoon's sleep, the physicians were able to issue a bulletin at 7:25 p. m., showing there had been no vital change in the progress of the disease. Later the pope was sufficiently at ease to receive Cardinal Rompolia and his holiness conferred upon him enlarged authority for administration of papal affairs. It is understood one result of this action probably will be the appointment of a successor to Manager Volponi.

SPECIAL PRAYERS ARE OFFERED

Rome, July 16.—Today being the festi-

val of the Carmelite madonna and because of Pope Leo's particular devotion to this madonna, special prayers on behalf of his holiness were offered in all the churches after the celebration of mass. The pontiff's own prediction that his death, if it were to result from his present illness would occur today, is recalled with emotion.

FEELS END DRAWING NEAR

Rome, July 16.—The fateful day of the Carmelite madonna, on which Pope Leo had a premonition he would die, has arrived. Early this morning his holiness awoke and immediately began repeating prayers to the madonna speaking with such fervor that his valet, Centra, hurried from an adjoining room. Pope Leo, hearing Centra's voice, said:

"Ah, Pio, your task is nearly done. Today is the fete of the Carmelite madonna." Still later with the same idea in mind, the pope asked for one of his private secretaries, Mr. Marzon Lini, to have him say mass in the chapel next to his bedroom, with the door between the two apartments open. In the middle of the mass Pope Leo received communion like one who really saw visions of bliss.

an innovation in clubdom. Almost all the representative men of other cities will be asked to join.

SHOT WIFE WHILE DREAMING

Baltimore, Md., July 16.—A presentment has been found by the grand jury against Frank Manoley, the young woodworker, who says he shot his wife while dreaming he was attacked by a burglar.

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