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# The Morning Astorian.

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You will be equally welcome to the demonstration whether you buy or come only to see them

THE BEE HIVE

## SMITH CONVICTED AND LANE PLEADS GUILTY

Unexpected Climax to Trial of Defendant Charged With Perjury in Effort to Defraud City on False Claim For Damages

Prisoners Will Appear in Court Tomorrow Afternoon to Receive Sentence—Saving to County and City of Astoria Amounts to Thousands of Dollars.

The diligent efforts of District Attorney Harrison Allen, City Attorney A. M. Smith and Sheriff Linville have at last been rewarded by securing the conviction of Josiah S. Smith on a charge of perjury in connection with the damage suit brought against the city by Charles R. Lane, alias John L. Bock. In which a verdict against the city in the sum of \$2,500 was obtained. Also through the diligent efforts of Sheriff Linville, Lane voluntarily pleaded guilty to the charge of perjury, and will receive sentence along with Smith tomorrow. The people of Astoria, by the conviction of Smith, and the plea of Lane, save \$2,500, and the taxpayers of Clatsop county are saved the expense that would have been incurred had Lane persisted in fighting the case.

After a trial lasting three days, during which every legal strategy available was exhausted by the defense in an effort to prolong the inevitable, Josiah S. Smith was yesterday adjudged guilty of the crime of perjury by a jury in the circuit court, and will receive sentence tomorrow. The significance of this verdict is that a man who has been making a practice in partnership with another man to rob the taxpayers of cities that they deemed vulnerable, adding such robbery by a systematic line of perjury in swearing that his partner in crime was injured by falling on defective sidewalks, and by those methods secured a judgment against the City of Astoria in the sum of \$2,500, which judgment was about to be settled on a compromise, has at last been caught in the meshes of his own clumsy work, and now stands convicted of a crime the maximum penalty of which is 10 years imprisonment in the state penitentiary.

The jury brought in a verdict of guilty yesterday afternoon shortly before 3 o'clock, and the prisoner will be brought into court tomorrow afternoon at 2 o'clock to receive sentence. Immediately after the verdict of the jury had been communicated to Charles R. Lane, alias John Bock, alias John Lane, the defendant in an indictment charging him with perjury, who is in the county jail awaiting trial, he held a consultation with Sheriff Linville and Attorneys Noland and Donovan, and expressed a willingness to enter a plea of guilty. Judge McBride was notified and the prisoner brought into court. He voluntarily entered a plea of guilty and will receive sentence at the same time as Smith tomorrow.

It is understood that the prisoner Smith, through his attorneys, will file a motion for a new trial on Monday, and in the event of the motion being denied will take the matter to the supreme court on a bill of exceptions. In conversation with a reporter for The Astorian before the jury rendered its verdict yesterday, Smith stated that he was dissatisfied with the rulings of the court on the question of admissible evidence, but he admitted that the instructions to the jury were eminently fair. "I hardly expect to get a verdict prompted by impartial considerations of the facts in the case, but if it should happen that I do receive the unbiased consideration at the hands of the jury to which I am entitled, the verdict is bound to be not guilty."

When the clerk read the verdict the aged defendant bowed to the court and said "all right."

When the court convened yesterday morning Attorney George Noland addressed the jury on behalf of the defendant. He found a marked similarity in the legal fight that has been waged by Smith for honor and liberty to the battle of Horatius at the bridge described in ancient classics. District Attorney Allen followed for the state with a clear review of the testimony of the principal witnesses on both sides. He prefaced his remarks with a pleasantry in rhyme in regard to "Horatius at the Bridge" simile introduced by Mr. Noland. The district attorney's parody follows:

"They stood on the bridge at midnight,  
(Referring to Defendants Smith and Lane.)

When the clocks were striking the hour  
And the moon rose over the city  
Behind the dark church tower.  
How often:  
In the days of Auld Lang Syne  
Have they broken that same old leg  
On the bridge.

"In the Good Old Summer Time?"

The substance of Judge McBride's charge to the jury was a technical definition of perjury. He laid particular stress on the fact that to return a verdict of guilty as charged in the indictment the jurors must be convinced that the defendant knowingly falsified his testimony, and that such false testimony must have direct bearing on a material point at issue. The charge of the court was satisfactory to the attorneys on both sides of the case. The jury retired to consider its verdict at for further instructions and to have 12:30 and came into court again at 2:40 portions of the testimony reread. The jury stood 10 to 2 for conviction when the court was appealed to for further instructions, but upon returning to the room only one ballot was necessary to reach a verdict of guilty.

Judge McBride discharged the regular panel of jurors for the term immediately after Lane entered his plea of guilty.

District Attorney Allen announced that in view of the fact that the defendant Lane had entered a plea of guilty, he would dismiss the second indictment against him. Lane was indicted on two counts, having perjured himself at both trials of the suit against the city.

### BELIEVES CONDUCT IS STRANGE

Action of United States in Damage Case Can Not be Understood.

New York, July 18.—El Noteli, commenting upon the protest of Montevideo, of the United States minister against the sentencing of a New York insurance company for false prosecution and assessing damages of more than \$1,000,000, declares, cables Rio Janeiro correspondent of the Herald, that the conduct of the United States is very strange.

The newspaper considers the intervention of the United States in this affair as very important because it is an attack of the political independence of the countries interested. Since these countries never force industrial enterprises to establish themselves here, it is surprising and dangerous that the country which promulgated the Monroe doctrine should interfere in the administration of justice and its functions of their tribunals.

### GRAIN MEN ARE ALARMED

Kansas City, Mo., July 18.—Grain men here are viewing with alarm what they term the different attitude of the local railroads in the matter of handling the wheat crop of the southwest which soon will begin to move and assert that the railroads will try to divert the grain to other points. The local terminals of most of the roads entering Kansas City have been blocked more or less since the flood.

### ALLEGED BURGLAR RELEASED

Boston, July 18.—John Lankershim, a Harvard student, and said to be a son of a Los Angeles millionaire, has been released from a charge of having stolen an automobile. He was about to sail last week for France when the complaint was lodged. The owners of the machine acknowledged satisfaction in a financial way and the incident of the "burglary" which originally was intended as a prank was hushed closed.

## Strange Death In Chinatown

Nude Body of Aged Chinese Woman Found on Floor of Filthy Shack.

NEAR A LIGHTED OPIUM LAMP

Patrolman Thompson Makes a Discovery On Information of Neighbor.

Lying in the squalor and dirt of a filthy rear apartment of the building, at the corner of Astor and Eighth streets, in the restricted district, her body partially stripped of clothing, and what little covering remained resting with the foul orders of the vile den, the dead body of an aged Chinese woman was found last night shortly before 11 o'clock by Patrolman Thompson. The partitioned room was black with darkness, there being no windows to admit of light and air. The feeble flame from the fuming lamp of an opium layout shed a flicker of light on the dismal scene. On the floor, her head and shoulders hidden from view under a raised matted platform, and the lower part of her naked body protruding, the legs bent and stiff from the effects of rigor mortis, lay the woman.

An excited little Chinese, who gave his name as Cho Bing, and his occupation as woodchopper, notified Patrolman Thompson of the woman's death. He said that she died at 2 o'clock yesterday afternoon. Dr. Pilkington, city physician, was summoned, and with Deputy Coroner Pohl he went to the shack where the woman lay. There was nothing about the place to indicate a struggle of any kind, the only thing that looked suspicious being the position of the woman on the floor and the fact that she was partially nude. The Chinaman who told the police of the woman's death occupies the next room to her shack. He said that she had been ailing for some time, and claimed to have seen her alive about 11:30 yesterday morning. He gave her name as Bok Tong Wo, her age as 56 and said she was a widow. This latter statement was confirmed by a carefully laid shrine over the door, placed there to the memory of the departed husband.

The rooms were searched for valuables, but nothing was found. The key to the apartment was also missing, and the Chinaman said that he did not know where it was.

During the examination of the room Cho Bing shook the dead body, rubbed the gaunt cheek bones, examined the teeth and pleaded long and loud with her to speak. He prattled and wailed, coaxed and cajoled, but all in vain, and then, with tears streaming down his face, told her not to worry, that friends would take care of her. The body was raised from the floor to the platform, where it now rests. Dr. Pilkington does not think an inquest necessary. He says the woman probably died from the effects of heart failure. There was nothing in the appearance of her eyes to indicate death from the effects of morphine.

### PILES IS A CANDIDATE

Seattle Attorney Would Like to Go to Senate of the United States.

Seattle, July 18.—Before leaving for east tonight S. H. Piles, attorney for Pacific Coast Company, announced he would be a candidate to succeed Senator Addison Foster, eighteen months hence, giving as his reason the fact that he had been petitioned by many men to enter the race in order to protect business interests of Seattle.

### WRITES TOO REALISTIC

Publishing House Sued By Sea Captain For Writing Him Up.

New York, July 18.—A sea captain, Axel Simonson, has begun suit for \$10,000 damages against a publishing company of this city for alleged libel growing out of a magazine story. The yarn as published, described a ship wreck in which the captain was the first to reach shore in the breeches buoy, leaving his crew and a woman passenger to care for themselves. Simonson says he is captain of a ship of the same name, that the boat ran ashore not long ago and that he was not the first one to get to land. He declares the story, although it argues as fiction, has set him down as a coward, and damaged his reputation as a reliable sea-faring man.

## GRADUAL EXHAUSTION IS KILLING THE PONTIFF

No Radical Change In Patient's Condition, But His Forces are Spent and Struggles for Breath are Becoming More Frequent.

Cardinals Working for Their Interests—Objections Trivial and Serious are Made Against Nany—Cardinal Gotti Most Likely Candidate to Pape Throne.

Rome, July 18.—Deprived of rest the pope spent the day which has just ended with serious depression. The doctors reported a feeble but rapid pulse, which was generally taken to indicate a playing out of the patient's forces. The favorable symptoms reported in the morning of the lowering of the pleuratic liquid was sufficiently maintained to relieve the pontiff of his painful struggles for breath which lately have been so frequent. The doctors fear the gradual sinking is due to a general condition rather than to the necessity for another operation which seemed so imminent on Thursday. The sleepless night was succeeded by a day during which the pope seemed to lack any desire to vary the medical routine by receiving visits from cardinals or others. Both morning and afternoon he remained isolated from all save the doctors and attendants. The nourishment which the pontiff took encouraged the attendants somewhat, but the condition of the patient pointed to the fact that it had had no beneficial effect. What is now most hoped for is that the

pope may be enabled to secure a much needed rest.

A number of the cardinals and their friends utilized the prolonged illness of the pope to test the feelings as to the conclave. Much diversity of opinion exists regarding the probable candidate for pope. To Cardinal Gotti, prefect of propaganda, objection is made that as he belongs to a religious order his election might, in view of recent events, be considered a challenge to France. Against Cardinal Rampolla, it is urged Austria will try to exercise her right to veto as France would Cardinal Zarlino Vannuttelli, who is considered to be the candidate of the triple alliance. Cardinal Ferrara is not favored for the apparently trivial reason that he uses a motor car, which is not considered dignified in a prince of the church. Cardinal Agliardi is regarded as too democratic. Therefore, unless Cardinal Gotti, who has always been the "most favored candidate, succeeds in overcoming the objection to him, it is likely that some one now unmentioned will be elected to succeed Pope Leo.

### APPOINTED VICAR GENERAL

Same Bishop Ordained Him Priest 18 Years Ago.

Kansas City, July 18.—Rev. Father Thomas Lillis, rector of St. Patrick's parish in this city, has been ordained vicar general of the Kansas City diocese by Bishop John J. Hogan.

Father John J. Glennon, now archbishop coadjutor to Archbishop Keen at St. Louis was the last vicar general of the Kansas City diocese. Father Glennon was also coadjutor bishop to Bishop Hogan. Father Lillis who is 41 years of age was ordained a priest eighteen years ago by Bishop Hogan.

### WEALTHY WOMAN DIES

New York, July 18.—Despite an operation which was expected to save her life, the widow of F. O. Mathliessen, former president of the American Sugar Refining Company is dead at her summer home in Morristown, N. J., from appendicitis. Her husband died in Paris two years ago, leaving an estate of \$15,000,000. His widow was a large donor to various charitable works. The couple had no children and the great fortune will fall to Conrad H. Mathliessen, a nephew.

### PROFESSOR IN TOLLS

Turks Take Him in Hand for Conspiring Against Sultan.

New York, July 18.—A report has been received by Rev. Dr. J. L. Barton of the American board of foreign missions, regarding the seizure and imprisonment recently by the Turks of Professor Tenekjian, of Euphrates college, Harpoot, a graduate of an American college in Turkey.

The professor is charged with conspiracy against the sultan and with fomenting revolution. The report asserts he has been subjected to cruel treatment. Representations are being made in the matter to the state department at Washington.

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