



GRAFTER SCHMITZ FOUND GUILTY

JURY RETURNS VERDICT AFTER ONE HOUR AND A HALF

The Court Will Pronounce Mayor Schmitz Sentence On Wednesday June 27.

"THE LAW HAS TAKEN ITS COURSE"-JUDGE DUNNE

Jury on Informal Ballot Stood Eleven to One for Conviction--On First Formal Ballot After Ninety Five Minutes of Discussion Was Unanimous for Conviction.

VERDICT GREATLY PLEASED SPECTATORS IN COURT ROOM

ON MOTION OF THE PROSECUTION, JUDGE DUNNE ORDERED THE SHERIFF TO TAKE SCHMITZ INTO CUSTODY PENDING THE PRONOUNCEMENT OF SENTENCE--SCHMITZ MAKES STATEMENT DECLARING THAT HE IS INNOCENT.

SAN FRANCISCO, June 13.—A jury of 12 of his peers, has declared Mayor Eugene E. Schmitz guilty of the crime of extortion as charged against him by the Oliver grand jury. The jury was out one hour and thirty-five minutes. They at once elected a foreman and proceeded to cast an informal ballot. This was cast verbally and stood eleven for conviction and one for acquittal. The jury then began a discussion which lasted for nearly an hour. At the end of that time the first formal ballot was cast. It was unanimous for conviction.

On the wings of rumor the report spread, "The jury has agreed," and even before Judge Dunne could reach the Synagogue nearly a thousand persons were clamoring for admission. They were kept out until the jury was brought in, then they surged into the building. Then came a wait of five minutes for Judge Dunne. He came presently in his big touring automobile, Metson, Fairall, Barrett and Drew accompanying him. They quickly took their accustomed seats. Judge Dunne ordered the polling of the jury, this done, the clerk said:

"Gentlemen of the jury, have you agreed on a verdict?"

The foreman said they had.

"What is your verdict? Is the defendant guilty or not guilty?"

Foreman Capp said in a low tone, "Guilty."

The silence was broken in a hundred places at once like a wave draining from the rocks. A long drawn "A" ran through the crowd. Then, "Good," cried a voice in the far corner, and "Good, good," echoed another farther in front. All over the house the people were jumping up, and some of them turned to strangers at their elbows and thrust out their hands in the enthusiasm of a long looked for moment and said "Shake."

"Gentlemen of the jury," said the clerk, "Listen to the verdict as recorded: 'We, the jury in the above entitled case, find the defendant, Eugene E. Schmitz, guilty as charged in the indictment. Is that your verdict, so say you one, so say you all!'"

"So say we all," answered back the 12, their voices jumbling and jarring on the silence.

At the request of the defense, the jury was polled, each juror in turn declaring it his verdict.

"The judgment of the court will be pronounced Wednesday, June 27," said Judge Dunne.

"The court will at this time listen to any motion that may suggest itself to the prosecution."

District Attorney Langdon arose.

"We will ask that the usual course be pursued," he said.

"You mean," questioned Judge Dunne, "That you desire that the defendant be taken into custody pending pronounce-

ment of sentence?"

"Yes, your Honor, we think that it should be done," responded the state.

"The Sheriff will take the defendant into custody pending the further order of court."

Saying this Judge Dunne arose abruptly and quit the bench. In his chambers a moment later he was asked if he desired to make any statement. This was his reply:

"Please say for me that the law has taken its course."

When asked if he wanted to make any statement, the Mayor at first said "No." He later, on the advice of his counsel, gave out a statement.

NEED NO SPONSOR.

William J. Bryan Discusses Question of Reform Candidates For Presidency.

WASHINGTON, June 13.—"A candidate for President who is willing to run as a 'reform' candidate ought to have a record so clear as not to need a sponsor," said William J. Bryan today. "An indorsement on a note is not required generally when the marker is good."

Mr. Bryan said he had not been quoted accurately in New York when he was made to say there were other questions more important than the tariff. He was not, however, he said, ready to indicate what would be the paramount issue. He added:

"The trust question, the tariff question and the railroad question all involve the same great principle, namely, whether the government should be administered for the benefit of the few or for the benefit of the whole people. Men differ as to which is of greatest importance and I do not think it necessary for the party to designate either of the questions as paramount. The Democratic party will favor the extermination of the trusts, will advocate tariff reform and insist upon strict regulation of the railroads. Other questions will be included, but the three I have mentioned are closely connected and likely to be considered as really parts of the same great issue."

ADOPT TWO-CENT RATE.

Missouri and Illinois Roads Decide Not To Oppose New Laws.

ST. LOUIS, June 13.—Announcement was made today following the closed meeting here yesterday of railroad officials representing all the Missouri and Illinois roads and several eastern lines, that the passenger officials of Missouri and Illinois roads have decided not to oppose the enforcement of the new laws reducing fares from 3 to 2 cents a mile. The laws become effective in Missouri June 14, and in Illinois on July 1.

SCHMITZ MAKES STATEMENT.

SAN FRANCISCO, June 13.—Mayor Schmitz tonight made the following statement:

"No matter what the decision of the jury was, gotten under the most adverse circumstances regarding myself, I still maintain and affirm that I am absolutely innocent of the crime charged against me and will fight to the last resort. As I said before my trial, I did not expect nor did I receive fair or even decent treatment at the hands of Judge Dunne, and realizing his prejudice I made every effort to have the case transferred to another judge. I do not take this as a defeat and the decision will make me all the more determined to seek and secure justice in another court."

OYSTERS ARE "WILD ANIMALS."

Attorney-General Jackson So Holds In Deciding On Tax Case.

ALBANY, June 13.—Attorney-General Jackson gave an opinion to the state tax commissioners today in which he said that the courts have held that oysters are "wild animals" and that the lands upon which they are planted are subject to the same rules of taxation as other real property. They become personal property when they are reclaimed or artificially planted.

The opinion was called forth in answer to a letter received by the state commission from G. Frank Tutthill, supervisor of the Town of Southold, inquiring whether oyster beds should be assessed as real or personal property and to what purpose the taxes derived therefrom are to be devoted. The planted oysters, the attorney-general says, would be assessable as personal property. He says he knows of no statute applying the taxes derived from the assessment of oyster beds to any special purpose.

CHICAGO GRAB FOR CONVENTION.

Republicans and Democrats Join To Get Both National Conventions.

CHICAGO, June 13.—Plans to raise a fund of \$150,000 to secure for Chicago the two national political conventions next year will be laid out once by a joint executive committee representing both Republicans and Democrats.

NO YELLOW FEVER ARRIVE AT HAGUE

Canal Zone Free From Yellow Jack for a Year.

TROPICS IS COMING COUNTRY

Colonel Gorgas, Commissioner of Sanitation For Panama Canal District, Says Centers Wealth and Population Will Revert To The Tropical Zone.

CONFERENCE OPENS JUNE 15

United States Will Play Important Part In Coming Conference and Will Probably Have Solid Backing From South and Central American Delegates

RATES NOT REDUCED.

LIVERPOOL, June 13.—The officials of the Cunard line announced today that the company would not reduce the steerage rates from New York to Mediterranean ports.

go the two national political conventions next year will be laid out once by a joint executive committee representing both Republicans and Democrats.

At a conference yesterday in which the special committee from the Hamilton club, the Iroquois Club, the City Council, and representatives of the Chicago Commercial Association, participated, reports were made to the City Council, that Chicago stood excellent chances of landing the big meets if a suitable hall of sufficient seating capacity could be guaranteed.

ONE BODY RECOVERED.

NORFOLK, Va., June 13.—A report from the Jamestown Exposition grounds says that the body of one of the 11 men who were lost from the launch of the battleship Minnesota was today found floating in Hampton Roads.

Later reports from the warships in Hampton Roads say that the body recovered today is that of Coxswain Robert H. Dodson.

YESTERDAY'S BASEBALL SCORES.

Coast League.
At San Francisco—Oakland, 10, San Francisco 9.
Northwest League.
At Seattle—Seattle 0, Aberdeen 1.
At Butte—Butte 3, Tacoma 8.

PEACE DELEGATES GATHERING AT THE HAGUE

United States Will Play Important Part In Coming Conference and Will Probably Have Solid Backing From South and Central American Delegates

CONFERENCE OPENS JUNE 15

United States Will Play Important Part In Coming Conference and Will Probably Have Solid Backing From South and Central American Delegates

RATES NOT REDUCED.

LIVERPOOL, June 13.—The officials of the Cunard line announced today that the company would not reduce the steerage rates from New York to Mediterranean ports.

RATES NOT REDUCED.

LIVERPOOL, June 13.—The officials of the Cunard line announced today that the company would not reduce the steerage rates from New York to Mediterranean ports.

ORCHARD SHEDS TEARS ON MEETING PEABODY

"I am Glad I Did Not Kill You Governor" Said the Noted Criminal Weeping.

ORCHARD GIVES REASONS FOR CONFESSING

Explains His Motives by Saying That Had Finally Found True Conversion and in Penitence Had Resolved to Make All Possible Reparation by Confessing.

THOUGHT OF COMMITTING SUICIDE BUT WAS AFRAID TO DIE

DID NOT BELIEVE IN A HEREAFTER BUT AFTER READING THE BIBLE BEGAN TO THINK THE GRAVE WAS NOT THE END AFTER ALL AND CONCLUDED TO TELL THE TRUTH—MRS. SADIE SWAN, OLIVER CROOK AND P. L. MCCREARY APPEARED AT WITNESSES.

BOISE, June 13.—The men who are battling to save Haywood's life made their greatest assault upon Orchard, today, when after carrying the review of his life crime down to his confession, they bitterly assailed his guiding motives. Six days they have spent in stripping him before the jury, of every shred of morality, of character and then suddenly turning upon him in a fierce final attack, they fought with every means known to legal craft, to convince the jury that Orchard was committing the crime of swearing away the lives of innocent men, in hope of saving his own.

The series of quickly delivered attacks gave to the trial a depth of dramatic intensity, that gripped and held every man and woman who watched and listened. Orchard faltered when they recited to him the tale of King David and Uriah that Detective McPartland had told him when he came to seek confession. He fought to save himself but tears filled his eyes and he rocked unevenly like a fainting woman. His voice lowered to huskiness and he hid his face in a handkerchief. Then he steadied himself and went on strongly to the end. He defended his motives by saying he had finally found true conversion and in penitence had resolved to make all possible reparation by freely confessing all. McPartland had told him that he was doing a great service for the state and that states were kind to men who served them, there was no other promise.

"You know that if you confessed to the Steunenberg murder the state would put you out of the way?" hammered away Richardson.

"Yes, sir."

"And would do it quickly?"

"I believed they would put me out of the way."

"But somewhere along the line the thought came to you that you could get out of it by laying it onto somebody else?"

"No, sir; that was not the thought at all."

And here it was that Orchard gave the remarkable explanation of the motives that impelled him to confess. His voice fell to a low tone but there was no show of emotion. Complete silence gave every word to the entire room. The whir of an electric fan overhead was the sole accompaniment to his recital.

"I thought," he said, "of putting myself out of the way when I thought over my past life. I did not believe in a hereafter at all, but I was afraid to die and I thought at times that I had been such an unnatural monster, my crimes had been so great that I would not be forgiven."

"Who told you that?"

"No one."

"Who wrote that out for you?"

"No one, but after I had seen the bible and had read it some, I came to the conclusion I would be forgiven if I

made a confession of everything. I began to think that the grave was not the end of everything and I made up my mind to tell the truth about the whole thing."

"So you thought you would make your peace with the future by having somebody else hung, did you?" asked Richardson.

"No, sir, I think any man can make his peace with the future if he wants to. I believed it my duty to tell the truth. I did not see any other way, regardless of the results to myself or anybody else. I owed it to society. I owed it to God and myself."

The defense suggested that if Orchard did not get the reference to his duty, to God and himself directly from McPartland or any other person, it was suggested to him by the oath he took when he joined the Western Federation of Miners. They read to him the oath from the ritual but when they did that, he expressed a belief that the language had been given him by the Almighty.

For hours the defense hammered away on the motive of saving his own life. They sought to show it in the force of example drawn from the immunity extended to the informers in the Mollie Maguire cases, but this the witnesses would not admit. Next they sought for it, in Orchard's effort to bring Steve Adams over to the state and then in subsequent meetings with McPartland and Governor Gooding. Again they emphasized the fact that he had twice written his testimony out, but Orchard repelled the suggestion that it had been changed by McPartland, Attorney Hawley or anyone else. After that it was suggested that Orchard had placed his future in the keeping of McPartland; that the Pinkertons had sent money to his family in Canada; that he had been supplied with dates to strengthen his story and that McPartland had trained him, as state manager, for his appearance on the stage, but all these Orchard denied. Then they tried to show him a pampered, petted hero-like prisoner, fed from the table of the Warden, addressed as "Harry" by the Governor of Idaho and Warden Whitney, given freedom and liberties that no other prisoner had in the world and all this consideration implying directly, that he would never be hanged for the killing of Steunenberg. Then came the showing as to how the prisoner has been dressed and groomed for the trial and lastly for the climax they showed Orchard pleading for and saving the life of Bob Wetter, condemned to death for murder.

Orchard admitted he appealed to Governor Gooding about Wetter and that later the Governor first relieved Wetter and then commuted his sentence of death to one of life imprisonment. Orchard left the stand at 2:30 o'clock