GOOD EVENING



Journal Circulation

VOL V. NO. 248.

PORTLAND, OREGON, THURSDAY EVENING, DECEMBER 20, 1806.-TWENTY PAGES.

PRICE TWO CENTS.

LL SELLWOOD FRAUD INDICTMENTS TO BE O

LEADERS IN CHURCH AND STATE FIGHT

IN ALL ELECTION GASES:

District Attorney Manning Declares It Would be Useless Waste of Time and Money to

Continue the Prosecutions; "I Told You So," Says Brougher

"All the indictments against the men accused of frauds in the election in Sellwood precinct will be dismissed."— District Atterney John Manning.

Sellwood precinct will be dismissed."—District Attorney John Manning.

"I have always had a feeling that the prosecution of the men accused of frauds at the last election would end like a farce. It is no more than I expected."—Dr. J. Whitcomb Brougher.

As a result of B. F. Boynton being found not guilty of perjury yesterday afternoon by a verdict given under instructions from Judge Frazer none of the men indicted for perjury or lilegal voting in connection with the election in Sellwood precinct will be prosecuted. Judge Frazer directed the jury to find Boynton not guilty, because the proof offered by the prosecution was not such as is required by the Oregon laws to sustain a conviction of perjury.

Thistrict Attorney Manning announced this morning that the prosecution has not as strong proof against-any of the other nine men accused of perjury as it had against Boynton, and that the other indictments will be dismissed because to proceed with the trials would be a uselens waste of time and smoopy.

A ruling by Presiding Judge Sears last summer was to the effect that because certain blanks were not filled in the afridavits by which the alleged lilegal voting was done the affidavits were defective. The prosecution was thereby limited to proving that the men who swore to the affidavits were not acquainted with the men who voted on the affidavits.

Why Prosecution Failed.

Why Prosecution Pailed.

why Prosecution Failed.

In the Ecynton case, Boynton had swern that he knew Harry Young. Young, on the witness stand, swore that Boynton did not know him. The Oregon law provides that a conviction for perjury cannot be had except on the testimony of two witnesses, or on the testimony of one witnesses, corroborated by other evidence.

testimony of one witness, corroborated by other evidence.

No one besides Young could be found who would swear that Boynton was not acquainted with Young, nor could any testimony corroborating Young be found. When the prosecution had presented all its evidence, Attorneys Muir and Moody, representing Boynton, asked the court to instruct the jury that Boynton gould not be found guilty. After an argument of more than an hour, Judge Frazer directed the verdict. Because of this 21 other trials on charges growing out of the sileged eleccharges growing out of the sileged elec-tion frauds will be dismissed. The men who will escape prosecution for

(Continued on Page Thirteen.)

FEAR BARS WILL BE LOWERED FOR

Washington. Dec. 20.—California's representatives in congress are greatly exercised over the friendly feelings toward Asiatics in administration direles. They say the president is urging that the recommendation of the department of commerce and labor, made to the committee on foreign affairs at the last session, may be taken up and incorporated in the exclusion act, or in some formal agreement with China. This recommendation grew-out of the alleged ill treatment of the Chinese entering San Francisco, and was that the immigrants be examined before leaving China, instead of on this side. It is expected that the recommendation will be reported favorably by the sommittee on foreign affairs, after the holidays. Edwin N. Denthy of the committee is with the Californians, but they have powerful influences against them. If the matter should ever come up in the house, the Californians would be able to count on a considerable support from southern members, whose exampathies were aroused by the whose support from southern members, whose sympathies were aroused by the Japanese embroglio and the attack on state a rights.

On the left is Cardinal Richard, Archbishop of Paris, and head of the Catholic church in France. Above is Cardinal Rampolla, whom many regard as the real power behind the throne at the Vatican. Below is Prime Minister Clemencean, who is separating the affairs of the church and state in France. His wife is an American woman.

Freight Tariff on Wheat and Flour Reduced to Ward Off Invasion of Territory by the Japanese.

CHINESE COOLES

Will be reduced 50 cents per ton commencing January 1. Announcement to this errect has just been made by the this errect has just been made by the rate having been decided upon at a special meeting held in Seattle a few days ago by representatives of the various transportation companies engaged in carrying breadstuffs across the Pacific. The new rate will mean 14 at 15,00 on the two next cargoes.

Californians in Congress Scared by Administration's Friendlines for the protection of the lines of the Harrisan people will be out about 15,000 on the two next cargoes.

The Japanese are said to have arranged to send at least six steamers to the formal tender by the board of trustees the rates were \$5 to Shanghal, \$4.50 to Pacific northwest ports for wheat and flour during the next month. One of the machine of the Japanese are said to have arranged to send at least six steamers to the flowed on the world. A confident of Mr. Shaw said:

The Japanese are said to have arranged to send at least six steamers to the flowed of trustees. The reduction was made in order to ward off the competition of the Japanese are said to have arranged to send at least six steamers to Pacific northwest ports for wheat and flour during the next month. One of them, the Shibatu Maru, has already received her cargo here and would have arranged to send at least six steamers to the flowed of trustees. The reduction was made in order to ward off the competition of the Japanese are determined by shifted to send at least six steamers to the flowed of the secretary has not given them any definite answer in the phase of the sample of the many definite answer in the phase of the many definite answer in the phase of the sample of the secretary the not given them to prove the sea and the Sritish

Rates on wheat and flour from ports termined to continue to control the busi-in the Pacific northwest to the orient will be reduced 50 cents per ton com-is concerned the invasion of the Jap-

STATISTICS SHOW PORTLAND'S GREAT GAIN IN EXPORTS

Reports of the harbormaster of Seattle and the statistician of the Portland chamber, of commerce for the month of October, printed in the official bulletin of the department of commerce and labor, have just been issued from Washington and make a remarkable showing in favor of Portland in the matter of flour, immber and wheat shipments. The sound is fee distanced by the Columbia river on these commodities.

The Portland wheat shipments to foreign ports were \$35,747 bushels, and to domestic ports in Seattle, and the orient, and its report shows no domestic shipments. Seattle, harbor record shows no domestic shipments. Flour shipments form Portland were this merning. Between 200 had 200 passengers are aboard.

Intercollegiate Chess. (Journal Special Service.)

New York, Dec. 20.—The center of interest in the chess world, just naw is month is vastly beyond its competitor. Portland shipped 10,037,824 feet foreign and 15,516,232 feet constwine, a total constitue of 25,544.147 feet. Seattle shipments.

New York, Dec. 20.—The steamer Penn-sylvania five days overdue from Valdex, was still unreported at 10 o'clock this merning. Between 200 had 200 passengers are aboard.

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BE MADE CHIEF

Standard Oil Plans to Reward Secretary of the Treasury by Giving Him Charge Over Immense Insurance Surplus-Policyholders May Say No.

OF MUTUAL LIFE

(Journal Special Service.) New York, Dec. 20.-There is a grow ing belief in financial circles that Leglie M. Shaw, when he retires from the sec retaryship of the treasury on February will become the head of the Mutual Life Insurance company. It is said that the position has not been formally tensounded on the subject and is not averse to the idea, The position would carry

Shaw's hopes lie in the success of the administration ticket in the election just held. If the policyholders' league is successful Shaw's hopes go glimmering, but if the Btandard Oil interests are victorious Shaw will be rewarded for the many times he has rushed treasury aid to Wall street, and for the favors he has shown Rockefeller's National City bank.

UNREPORTED STEAMER **FIVE DAYS OVERDUE**

Seattle, Dec. 20.—The steamer Pennsylvania, five days overdue from Valdez, was still unreported at 10 o'clock this merning. Between 200 and 200 passengers are aboard.

Tonopah and Goldfield Mining Stocks Tumble in Price - Riot on Frisco 'Change.

Old Time Properties Like Tonopah, Nevada, Mohawk and Belmont Show Heavy Losses During Bear Raid-Jumbo, Laguna and May Queen Suffee

(Special Dispatch to The Journal.) San Francisco, Dec. 20.—There almost a riot today on the mining stock exchange here when a general depres sion in values set in. There were great slumps in quotations, the most notable being in Tonopah, Nevada, which lost \$2 from the price of yesterday Tonopah, Nevada, is supposed to be one of the standard mines in the district and holders of securities in other mines rushed to sell when they saw what was happening to mines that have been or the market for years.

Even the well-known Mohawk was unable to withstand the onslaught of the bear forces—not professional ones, but those who were konest in their endeavor to get from under. During the day Mohawk lost \$1,25.

Some of the lesser known stocks could not get a bid at all during to-day's turmoil. Others which are quoted at little figures during normal trading went down in the general decline.

go of his holdings. Such a wide-spread desire to sell minng shares has never been seen n this city since Nevada stocks came into prominence. The desire to sell today was even greater than the desire to purchase a few months ago, when Mohawk and other high-grade secrities made sensational advances day after day.

Belmont is one of the old-time securi-ties and during the past week it has been standing sold by its shareholders; today showing a loss of 50 cents since Monday. Red Top, another of the old Monday. Red Top, another of the old mines, was hit a severe blow today, there being a loss of 45 cents on the price during the past 24 hours. Laguna and May Queen each dropped back 22 cents today. The extension of Jumbo lost 2614 rents, while Jumbo it-self dropped 35 rents.

CURTIS JETT CONFESSES TO MURDER OF COCKRILL

(Journal Special Service.)
Cynthians, Ky., Dec. 20.—Curtis Jett today confessed to the murder of James Cockrill at Jackson. Kentucky. Jett was on the witness-stand 15 minutes, when he confessed that he fired six shots from the courthouse. six shots from the courthouse window at Cockrill. Jett is al-ready serving a life term for the murder of J. B. Marcum.

Greek Letter Men to Meet.

Atlanta, Ga., Dec. 20.—Great prepar tend the blennial convention of the Sigma Alpha Epsilon fraternity in At-janta next week. At least 1,000 delegates are expected coming from practically every state in the Union. The sessions will be held in the Piedmont hotel, and will last three days. MAUD ADAMS' MOTHER



Mrs. Annie C. Adams, Who Was the Innocent Cause of Senator Brown's Being Shot by Mrs. Bradley.

Governor Higgins Commutes Sentence of Convicted Murderer of Millionaire Rice to Life Imprisonment as Real Slayer Purchased Immunity.

(Journal Special Service.) Albany, N. Y., Dec. 20. — Governor Higgins today commuted the sentence of Lawyer Albert T. Patrick to life imprisonment. The governor said that grave doubts had been expressed by three of the seven indees of the court three of the seven judges of the court of appeals, which satisfied him that Patrick should be relieved of the extreme penalty. He said that he had never been accused directly of murdering Rice, but only of procuring the murder, while the self-confessed murderer Valet Jones became immune by turning state's evidence. state's evidence.

Patrick has made the most remark-able fight for his life since his convic-

able fight for his life since his convic-tion nearly five years ago. The history of the case is as follows:

William Marsh Rice, an aged miser who made a fortune of about \$8,000,000 in Texas, died in an apartment at No. 500 Madison avenue on September 23, 1900. That same morning Patrick pre-sented two checks aggregating \$80,000 and bearing Rice's signature to a bank. and bearing Rice's signature to a bank-ing firm. The firm called up Mr. Rice's home on the telephone to inquire about home on the telephone to inquire about a slight error in the checks, and was informed that the old man was dead. An investigation by the coroner and police followed. This resulted in the disclosure that Patrick held an assignment of Rice's estate, checks for \$256,000 signed by Rice, and also a will by which he was made the residuary legrates of an estate worth more than \$5.000,000. Rice's funeral was stopped, an autopsy was held, and the body cremated.

Patrick was arrested on January 20.

mated.

Patrick was arrested on January 20, 1902, his remarkable trial was begun. After about eight weeks of legal battle he was convicted, and went to the death cell in Sing Sing April 7, 1902. Excepting the occasion on which he went to Albany under guard last March to appear before the court of appeals, the lawyer has never been outside the walls of the deathhouse.

BARRETT ELECTED HEAD OF REPUBLICS BUREAU

(Washington Bureau of The Journal.)
Washington, D. C., Dec. 20.—Following the nomination yesterday of William C. Fox, minister to Ecuador, John Barrett, of Portland, was today unani-mously elected head of the bureau of American Republics by the governing

Trades is Organized and Ready to Act Upon Commands of the Leader as Soon as He Reaches the Scene. Striking carmen and sympathetic elecrical workers are marking time today, waiting the arrival of their internaional officers from San Francisco, Bealed the strikers now stands the execu-

Strikers and Sympa-

thizers Marking Time

Until International

Declare Federated

Officer Arrives.

Unionists

tive board of the Federated Trades Council, officially endowed with full power to employ such radical measures as it may deem will forward the cause. The body is not resting today, but is taking preliminary steps to organize its two score and ten local unions in a general fight for the recognition of the carmen's demand. Members of this body announced today that they would be feady to place themselves at the command of District Organizer Richard Cornellus, upon his arrival in this city tomorrow night.

Because of the announcement that international officers of the Carmen's and Electrical Workers' unions are on their way to Portland, the advocates of a general strike did not urge their program at the special meeting of the council last night. But a resolution was passed which amounts to a recommendation that the unions affiliated with the council prepare themselves for a council, officially endowed with full

aympathetic strike. The resolution called upon the unions to place themselves behind the carmen and to be prepared to take such action as may be deemed the most effective possible under the circumstances.

Strike Committee Abolishe The special committee appointed last Friday night was abolished at the meet-ing last night and the council execu-tive board will hereafter act for the unions at large. The officers of the union will act directly for the carmen. union will act directly for the carmen.

"We're simply organizing curselves for the coming of the international officers," said T. M. Leabo, a member of the executive board today. "When Cornelius comes he will find us ready. He'll have nothing to do but to tell us what he wants and what to do and we'll do it. We have everything in (Continued on Page Thirteen.)

TO PRESENT SITE OF METROPOLIS

Descendants of Early Settlers Begin Suit to Recover Property Deeded by First Governors to Ancestors Centuries Ago Now Worth Much.

New York, Dec. 20.—As an opening wedge to the legal warfare to contest the title to the major portion of upper Manhattan and the Bronx, involving the Astor estate and greatr thats of land in that section of New York to the value of hundreds of millions of doilars, Louis P. Kooken, through his attorney, Ira Jay Dutton, has served notice of suit on Corporation Counsel Ellison and Controller Metz, laying cleim to practically all the city property in the section mentioned.

Kooken is a young Philadelphia real estate dealer, who distinct that he represents thousands of heirs of the original patentees, and greats made by Richard Nicolia, governor under the Duke of York in 1646, and by Governor Thomas Dongan, who took office in 1655.

BURIED FOR 14 DAYS; RESCUE NOW AT HAND FOR ENTOMBED MINER

days.

If is expected that some time will be required, even after the miners can lay their bands upon Hicks, to raise him without danger. The utmost caution will be taken to block and timber the

Bakersfield, Cal., Dec. 20.—The closing hours of the long fight for life of Miner Hicks are at hand. The rescue party is at last where it can communicate with the buried man, and he is cheering them on to completion of their task with jocular remarks. The reacue party is now directly over the are can under which Hicks lies, and some time this afternoon happento have creamed and burrowed a hole out of which it can the granile quite unexpectedly, and the granile quite unexpectedly. But now nothing is in the way but a twisted mans of timbers. These will be required, even after the miners can lay their bands upon Hicks, to raise him will be taken to blook and timber lie days or only and there is no imminishing the taken to blook and timber lie days of collapse on his part.