

RUEF SWEARS HE DIVIDED CRAFT WITH SCHMITZ

'Boss States That Mayor Got Twenty-Five Hundred Dollars of Restaurant Money

JURY HEARS THAT ACCUSED OFFICIAL LIED AS WITNESS

Attorneys For Defense Put Up Strong Fight Against Admission of Testi- mony Which Makes Perjuror of the Client—Prisoner Reproaches Ruef With His Eyes.

(Journal Special Service.)
San Francisco, June 12.—That Mayor Schmitz shared the money extorted from the French restaurants, and lied when he denied accepting the bribe yesterday on the witness stand, was the statement of Abraham Ruef when called to testify in the mayor's trial today. One of the hardest-fought legal battles of the graft probing preceded Ruef's statement that he gave Schmitz \$2,500 of the hush money. The attorneys for the defense battled tooth and nail against the admission of the evidence of the curly boss, but in vain, for their motion was overruled and Ruef was called as a witness.

In anticipation of Abe Ruef taking the stand, fully 1,000 people crowded into Bush street temple this morning when the Schmitz case was resumed, but many failed to gain admittance to the courtroom. Many articles and special writers for eastern publications were present. There were many women in the audience and a special detail of police were on hand to handle the crowd.

Schmitz in Pals.

Ruef came into the courtroom accompanied by Detective Burns and District Attorney Langdon, carefully screened and perfectly composed. Schmitz entered a few minutes later. He appeared paler than usual but was dressed with unusual care.

Campbell began his argument against the admission of Ruef's testimony as soon as the court was called to order. Each of the argument consisted of reading from the New York and California codes. He contended that Schmitz was compelled to testify yesterday upon matters not pertinent in cross-examination.

Campbell's argument lasted fully an hour. At the close he said:

"The contention of the defense is simply that your honor erred in allowing Schmitz to give the testimony he did under cross-examination."

He then moved that all this testimony be stricken out. This was denied. Ruef was then called.

"Did you give Schmitz, at his former home, any money during January or February, 1907," asked Henry.

Divided With Mayor.

"I did. I gave him \$2,500 in currency. I did not tell him this was his share of

the money I received from the French restaurants, but told him what I had received from the French restaurants and that I wanted to give him \$2,500 in currency. I told him I would be very glad if he would take it."

"Did you give him any money in January or February, 1907?" The defense objected, but was overruled. Ruef was very nervous.

"I cannot state whether it was in January or February, but about that time I gave him \$1,500. I told him the French restaurants had paid a second installment and said it was \$2,000 short this time."

Schmitz leaned far back in his chair and stared at Ruef. Ruef said he did not have positive recollection of giving Schmitz any more money about that time, but believed he gave him \$150, half of the sum paid Ruef by Camille Mailheban, one of the restaurateurs. The defense then took the witness.

Ruef admitted thoroughly talking over the evidence with Burns Monday night. In reply to the questions he said he was under indictment but did not know how many times. He admitted then that his chief guard, Foley, was in the employ of Ruef's brother-in-law. He said Burns frequently took him to Henry's office and before he entered a plea of guilty. Burns frequently woke him up at night. Burns, he said, told him if he made an open statement in court he would do his best to secure leniency for him.

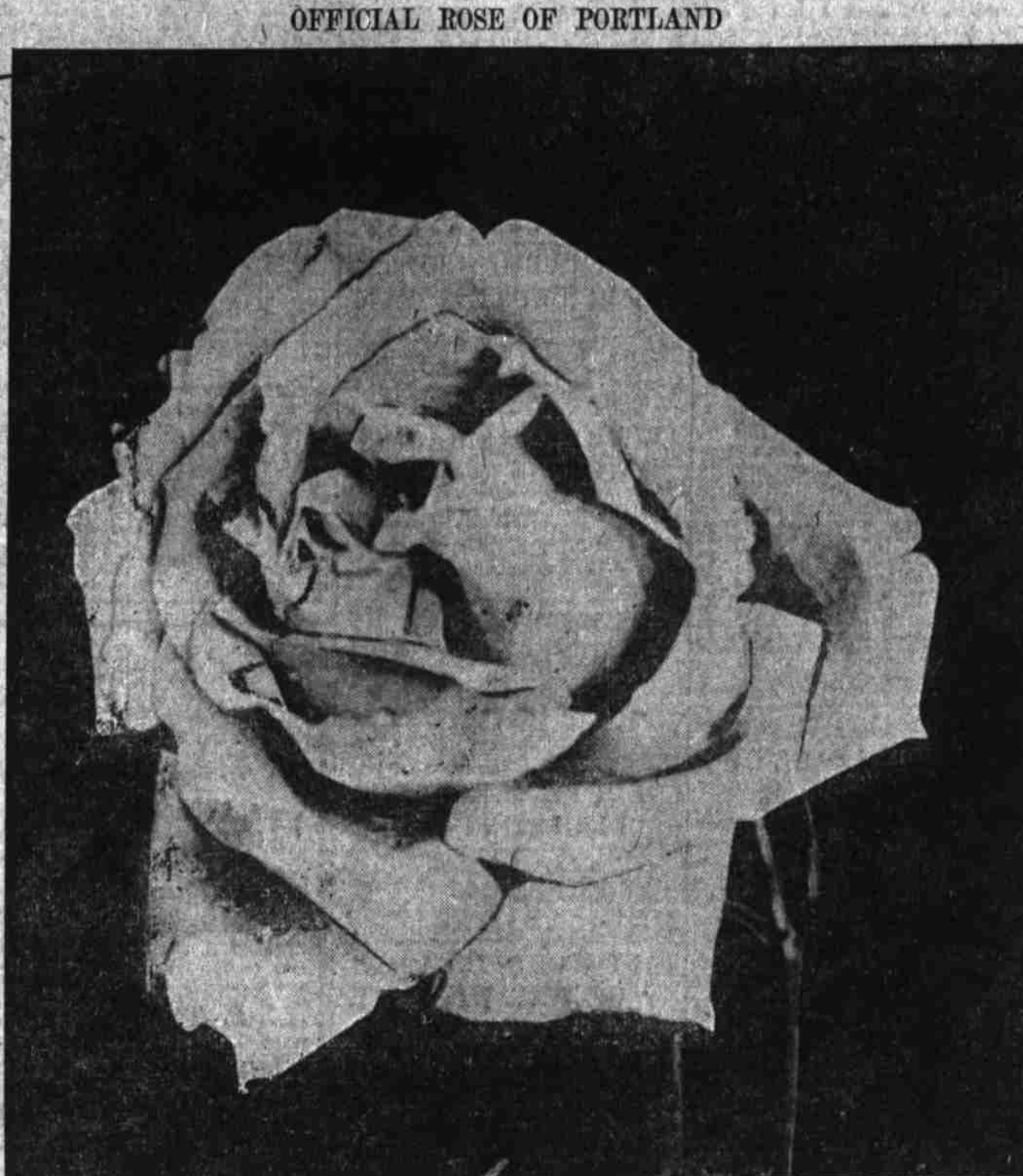
The former boss denied that he declared one time that if he gave testimony there were many facts he would refuse to give testimony in against Mayor Schmitz. He said if he did testify many facts would be in favor of Schmitz. He said he had no recollection of making a complete confession to Henry, Langdon and Burns and declared with much emphasis that all he told today was the truth.

"Kansas City is a good town," said Ruef as he took the stand to carry out his promise to secure leniency for him.

Ruef was taken from his prison house on Fillmore street by Detective Burns last night and held for the entire evening in waiting by the leaders of the prosecution.

At 7:30 o'clock Ruef was spirited away in an automobile by Burns. The disappearance of the curly boss, and his prisoner was the subject of mysterious evasion by guards in Burns' employ. No one was allowed in the house during his absence, and to queries as to the

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OFFICIAL ROSE OF PORTLAND

Caroline Testout to Be Crowned Queen of Flowers PRIZE FOR BEST DOZEN ROSES

MOUNTAIN PEAKS TO BLAZE AT NIGHT

Spectacular Feature Has Been Definitely Determined Upon.

In no other city in the United States is it possible to witness the spectacular and inspiring scenes of the simultaneous illumination of three snow-capped peaks. Such distinction is reserved to the residents of this favored city, who on the night of July 4 will have the opportunity of seeing red, white and blue flames spurt from the gray old sentinels—Hood, St. Helens and Adams.

At the meeting of the general celebration committee last night the question of illuminating the mountain peaks was discussed at length. W. M. Killingsworth, who first conceived the idea, insisted that it would prove the principal feature of the celebration and that it would accomplish much in advertising Portland abroad. The committee finally adopted Mr. Killingsworth's plan and appropriated \$200 to meet the expenses of the illumination.

The general committee selected Judge Stephen A. Lowell of Pendleton as orator of the day. A telegram was at once sent to Judge Lowell, appraising him of his selection, and an answer

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GOLD BUTTON FOR THE PORTLAND ROSE

Insignia to Be Worn in Pink and Green Enamel—Plans for Carnival.

The most valuable prize in time to come will be given by the rose show and fiesta for the finest dozen of "Portland roses." This prize is the first "Portland Rose" insignia worked in pure gold and pink and green enamel in the shape of a button. If present plans carry through this button will in a few years become almost priceless. It will be worth its weight in diamonds as being the first "Portland Rose" button in existence, and given as the prize for the finest dozen of "Portland roses" grown in the Rose City of the world.

"The Portland Rose!" This is the expression that will soon be a household word all over America. The plan of the Rose Show and Fiesta is to adopt one rose that shall above all others for all time become known to the whole world as "The Portland Rose."

The "Caroline Testout" has been adopted as the flower to be crowned as the queen rose of the Rose City of the world. This magnificent flower is grown in Portland more than any other. It blooms from early spring till late fall, it is hardy and prolific, and keeps fresh long after being cut. "The Portland rose" is a regal beauty, with delicate

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WERLEIN WILL DEFEND LAURELS

City Treasurer Wagers He Can Win Mile Foot Race Against Heavyweight.

Having shown his ability as a runner in political races by polling a larger vote than any other candidate at the city election, City Treasurer J. E. Werlein will defend his laurels in foot races and has staked \$10 that he will win in a mile race from a man weighing 240 pounds. Mr. Werlein's corpulent opponent will be J. Frank Porter, the real estate dealer.

Yesterday evening on an out-bound Woodstock car, Mr. Werlein and ex-Sheriff Tom Word sat together and discussed the recent election. The conversation turned from political races to foot races and Mr. Werlein stated modestly that he at one time had been a first-class runner and was still able to sprint a few steps.

"Fshaw!" said Word. "There is a man out here in Woodstock who weighs 240 pounds who can beat you any distance from 100 yards to a mile."

"I'm not so sure of that," replied the city treasurer. "I can make fair time in a footrace. I doubt if your man can beat me. I never saw him run," replied

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ASSASSIN'S TALE STILL UNSHAKEN

FURNITURE TRUST MEN ARE FINED

Efforts of Defense to Involve Orchard in Contradictions Result Fruitlessly—Prisoner Admits Selling Fake Life Insurance.

Confessed Murderer Makes No Attempt to Spare Him- self and Does Not Pose as Bad Man Glorifying in His Crimes.

(By Hugh O'Neill, Special Commissioner
Boise, Ida., June 12.—Heavy rains fell in Boise City last night and today, washing the city clean. The air was fragrant with the scent of wet verdure. The sidewalks of State street, where the courthouse stands, were awash with the drippings from the elm trees that overhang them in large green arches. The big rose trees around the courthouse lawn were glistening with raindrops. The old world was sweet with the scent of the roses. It seemed a place and a morning for a wedding breakfast, or a feast to returning heroes.

The scent of the good, brown earth was a thing to breathe. Sin seemed a vain thing and a folly. The land seemed breathing peace and good will, and upstairs, inside the dull courtroom, sitting in the high chair, still dressed in the gray suit, still wearing the black tie, still inscrutable, Harry Orchard sits again telling the unbelievable story of his crimes under cross-examination by Richardson over the examination by Richardson of counsel for the defense, and the story he told originally to Hawley in his upland to Richardson with greater care and elaboration.

Does Not Spare Himself.

It is peculiar to Orchard that he attempts to spare himself in no way. He talks through his teeth, and does not wear the mantle of a penitent walking publicly in sackcloth for his sins. He does not walk through his bitter past moaning as the lepers did, through muffled mouth-bands, "Unclean, unclean." He sits upright in his high chair, looking Richardson square and fearlessly into the eyes, answering his sonorous questions calmly, and with a little apparent indifference as to the tedious irrelevancy of it all.

For the first hour this morning he told Richardson over the examination his experience in writing "fake" life insurance with farmers in April, 1905. Richardson became particularly anxious to see Orchard agree with him as to the accuracy of a mental calculation concern-

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Twenty Today Entered Pleas of Guilty to Charges Made in the Indictment Before Judge Wolverton in the United States Court.

All Who Have So Far Paid Penalty, It Is Said, Will Be Used as Witnesses in Prosecution of the Other Members of the Combine.

Three more members of the Northwest Furniture exchange and 17 members of the smaller organizations comprising the furniture trust, entered pleas of guilty before Judge Charles E. Wolverton in the United States district court this morning and were fined \$25 in some cases, and the second-hand dealers were assessed \$10.

This makes 46 members of the trust who have pleaded guilty and Assistant United States Attorney James Cole stated this morning that many more would be in court tomorrow to enter pleas. He is wading out the smaller fry as rapidly as possible, so as to narrow down to the big people who are responsible for the trust. All of the men who have pleaded guilty and paid their fines will be used as witnesses against the larger trust and dealers.

Government Scores Again.

The action of L. Ruvenyky, Herman Metzger, both of Portland, and the Chas. H. Manufacturing company of Chehalis, Washington, all members of the Northwest Furniture exchange, in pleading guilty marks another victory for the government in its prosecution against the trust. The furniture exchange is regarded as the parent organization of the trust and among its membership in the trust prior to the least guns of the government when the men whom Mr. Cole regards as the chief factors in promoting the combination come up for trial.

The more members of the exchange who plead guilty and appear as witnesses against the trust prior to the coming legal battle the easier the conviction.

Lawyer Frank F. Freeman, assistant secretary of the Northwest Furniture exchange and secretary of the Oregon Retailers' Furniture association, was much in evidence in court this morning and presented the names of a number of his clients for appearance for July 15. Five of Mr. Freeman's clients evidently did not agree with him upon the procedure he mapped out for them, for they stepped up to the bench and en-

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SHINGLE MILLS IN TRUST

Teal's Questions in Joint Rate Hearing Disclose Existence of Combine in Washington—Beckman Says Oregon Railroad System Has Plenty of Cars.

(Washington Bureau of The Journal.)
Washington, June 12.—Intimations given in the proceedings in the interstate commerce commission case involving a through joint rate via Portland from western Washington to middle west points are that the intervenors may bring out facts bearing on the alleged trust of the shingle mills of Washington. Questions asked by J. N. Teal of Washington are under the absolute control of the shingle mills bureau which limits the production at times, then permits the mills to start again, creating uncertain conditions as to transportation.

Victor Beckman, secretary of the Pacific Coast Lumber Manufacturers' association, intimated that there had been a shortage of railroad equipment in Oregon and said he had been told by some Oregon millmen it was not true that there had been a car shortage in

the lumber trade here. It is apparent that to establish that there is a surplus of cars and engines in the Harriman lines in Oregon, which could be used in transporting Washington forest products. When pressed to a question as to whether or not there has been a car shortage on the Harriman lines, the answer by the Washington witness has been:

"I don't know that there has been." Beckman cited an offer of General Freight Agent Miller of the O. R. & N. of 341 cars and 11 engines at one time for Washington lumber as proof that the Oregon mills had not suffered from car shortage.

Beckman, for the Washington mills, explained several embargoes which the mill roads declared, refusing to receive any lumber for shipment. He saw President Elliott of the Northern Pacific, who asserted that he had permanent relief in the car shortage was in sight for two years until the north bank road was built, and that improvement made in the Montana lines.

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HIS EAR IS NEARLY CUT OFF

Longshoreman Attacked in Terminal Yards by Burly Negro, Who Slashes His Victim With Large Dirk Knife in the Dark.

With the lower part of his left ear hanging by a shred, weak from the loss of blood, his clothes slashed to ribbons and stained with gore, Sam Harvey, a brewery worker from Kansas City, Missouri, staggered into the police station about 1 o'clock this morning and related a tale of fiendish brutality.

The perpetrator of the crime was a burly negro, and a special detail of police acting on good description furnished by the victim of the outrage, is scouring the city for the thug. The assault occurred about 12:30 a. m. in the northern Pacific terminal yards near the steel bridge.

According to the story told by Harvey he arrived in this city several days ago and secured employment as a longshoreman. Last night after drinking with several acquaintances in a number of saloons near the union depot, he started for his lodgings at Second and Burnside streets, but wandered into the terminal yards.

While passing one of the darkest points in the yards he was approached by a tall, dark negro, who stopped him with a request for a match.

Harvey complied with the stranger's demand and the fellow started to walk with him.

In response to an inquiry Harvey informed the man that he recently came to Portland from Kansas City, and was employed here on the waterfront.

"Kansas City is a good town," said the negro; "I was there once myself. But you— you, are no good and I'll fix you and drawing a large dirk with a razor edge, the thug started to slash Harvey on the left side of the head and almost completely severed the lobe of his ear.

The murderous negro wielded his knife with maniacal frenzy, and under the savage onslaught Harvey fell to the ground. Fortunately none of the boys struck any vital spot, but the longshoreman's coat was cut in a dozen places.

For some unknown reason the thug desisted in his murderous attack and quickly disappeared in the darkness. Tightly holding his ear in order not to lose it, Harvey limped to his lodgings, his way to Third and Gilean streets and boarded a car for police headquarters.

CHILDREN'S THREATS TO COMMIT SUICIDE STOP MURDER TRIAL

(Journal Special Service.)
Chicago, June 12.—The threat of four children to commit suicide if compelled by order of court to testify against their father, on trial for the murder of his son, was the sentimental development that caused another adjournment to be taken in the case of John Gross before Judge Kavanagh in the criminal court. The blocking of a murder case be-

cause of the refusal of the state's witnesses to testify against the defendant in an attempt to save his life.

A remarkable court scene followed the declaration of little Mary Gross today that she would end her life if compelled to take the witness-stand.

"I'll draw myself in the lake if you make me turn against my father," she sobbed. Her declaration was the signal for an outburst of grief on the part of the five members of the Gross family.

IMPRESSIVE STONE LAYING

Commercial Club Exercises Attended by Vast Crowd—Ceremony Carried With It All the Splendor and Pomp of the Masonic Ritual—Parade Preceded the Ceremony.

With fitting pomp and the solemnity of Masonic ritual the cornerstone of the Commercial Club building, now under course of construction at Fifth and Oak streets, was laid this afternoon. Speeches outlining the history of the club from its inception through the early years of its work up to the present time, other addresses showing the interest of the state and the city in the organization, were made by men who labored with the club and assisted in its upbuilding.

A large crowd witnessed the impressive rites of the Masonic order as administered by Grand Master W. T. Williamson, Grand Chaplain J. R. N. Bell and other officers.

Members of the Masonic lodges, members of the Portland Commercial club and citizens of Portland generally min-

gled in the street listening to the exercises and the addresses made by the club members.

Paraded the Streets.

At 2 o'clock the members of the club, the officers and the board of governors met at the clubrooms at Sixth and Alder streets ready for the procession to the site of the new building. The representatives of the Masonic lodge, which had charge of the corner-stone laying, met at the temple on Third and Alder streets and marched up Third to Morrison, up Morrison to Sixth and down Sixth to Oak. Turning here they passed to Fifth and Oak, the site of the new building. As the Masons passed the quarters of the Commercial club at Sixth and Alder the members of the club fell in with the procession and followed it to the place where the exercises were to be held.

Arrived at the site of the new building, Grand Master Williamson and his

assistants at once took charge of the ceremonies and followed out the beautiful rites of the order. The invocation was delivered by Grand Chaplain Bell.

Club Took Charge.

Following the Masonic ritual the commercial club took charge of the remainder of the program. Theodore E. Wilson, chairman of the executive committee and a member of the building association, made a short address in behalf of the building association. He told of the inception of the home building idea in the club. He spoke of the homeless condition of the club following the fire of a year ago and the determination of the members to have a permanent place of abode. He then related how the campaign was carried out and spoke words of praise for those who assisted both with large and small stock subscriptions toward raising the money necessary for the construction of the

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GIVEN \$6,000 FEE FOR TELLING PATIENT TO STOP SMOKING

(Journal Special Service.)
Chicago, June 12.—"Stop smoking" was the terse prescription for which a Chicago physician, collected a fee of \$6,000, the largest price ever paid for such a minimum of medical advice. This case is an answer to Dr. W. A. Evans, Chicago's health commissioner, to an Illinois puzzle, "Is tobacco injurious?" When advocates of the non-injurious

theory attempt to scuttie the new anti-cigarette law, Miss Lucy Page Gaston and other enthusiasts will see to it that the man who paid \$6,000 speaks his answer in a loud voice.

Dr. Charles H. Finckler is the physician who received the unusual fee. He refused to limit to fifteen a day the number of cigarettes a patient, who is living in Chicago, may smoke, and is considered one of the most liberal men in the state.