

IMITATION IS THE SINCEREST FORM OF FLATTERY. THE JOURNAL IS OFTEN FLATTERED BECAUSE IT IS OFTEN IMITATED. IT SETS THE PACE; IT LEADS THE PROCESSION; OTHERS FOLLOW. (Not Copyrighted; Others Can Copy Without Penalty)

Oregon Daily Journal

WITH HER SHE FLIES THE CHICKEN THE WINGS

JOURNAL CIRCULATION
YESTERDAY WAS
29,700

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PORTLAND, OREGON, TUESDAY EVENING, JANUARY 28, 1908.—FOURTEEN PAGES.

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ON TRAINS AND NEWS STANDS, FIVE CENTS

THEY MOVE FOR DISMISSAL OF E. P. MAYS

GOVERNMENT RESTS CASE AGAINST HALL DRAWING TRIAL CLOSE TO END

SENSATION FALLS FLAT

No Witnesses Appear to Directly Connect Senator Fulton With Any of Land Deals, as Was Intimated Would Be Done.

Francis J. Heney has closed the government's case against John H. Hall and Edwin M. Mays and has secured from Judge Hunt an order directing the dismissal of the charge of conspiracy against Mays on the ground that there had not been shown sufficient evidence to convict him of conspiracy. Judge Webster, attorney for Mr. Hall, who now stands alone before the court, has asked of the court an order directing a verdict of acquittal at the hands of the jury in behalf of his client. But more interesting than this to the public at large is the fact that the prosecution had rested its contention without any of its witnesses appearing. The sensation which was connected with Senator Fulton up with the conspiracy, or with other shady transactions of Oregon's past history, as it was intimated would be done.

Fulton Not Examined.
Senator Fulton has been brought into the case at numerous points but up to the close of the prosecution's direct evidence he has not been examined in any way by Mr. Heney. It has been shown that he interceded with Hall to induce the latter to bring civil action against Stewer and his company instead of criminal prosecution as Hall was threatening at the time the land case was first under investigation. It has been shown that Fulton, along with Brownell, Mitchell, Hall and many others was entangled in the political intrigues of the old machine days and it has been inferred from this evidence and from other testimony that Fulton was a man of influence and influence to protect friends from prosecution, but the greater part of the testimony stopped short of a definite statement of illegal acts or unlawful activity.

All of this forenoon and most of yesterday afternoon Mr. Heney dealt with Hall's failure to prosecute W. E. Burke and William G. Goslin for land grabbing in this case. Fulton was dragged into the light as the attorney for Burke and Goslin. Many letters were introduced written by Fulton to Hall, McBride, and to George W. McBride, then United States senator, urging that the indictment against his clients be dismissed. Letters were also introduced written in answer to these by Herrmann, Hall and McBride showing that Fulton had urged that there was not sufficient evidence to warrant a verdict against Mr. Heney and he therefore asked that the court order a verdict of acquittal against the defendant. This course was objected to by H. E. Wilson, attorney for Mr. Mays, who asked that the charge against his client be dismissed. Mr. Heney said he was perfectly willing to do an arrangement and Judge Hunt stated that in his opinion it would be the proper course to take. He therefore ordered that Mr. Mays be discharged from custody under the indictment.

Judge Webster this afternoon began the examination of the witnesses for Mr. Hall, asking that the jury be directed to return a verdict of acquittal against Mr. Hall. Judge Webster contended

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BRYAN CERTAIN OF NOMINATION



Washington, D. C., Jan. 28.—Colonel George Harvey, editor of Harper's Weekly, one of the New York delegation who came to Washington to induce Bryan to withdraw, today admitted that "they had lost out," that Bryan was certain to be nominated and that the New York project had fallen flat. Colonel Harvey's statement marks the end of a fight against Bryan's nomination in the opinion of many Democrats here.

LEAP YEAR AIDS EDITORS TO WED

Iowa Newspaper Publisher Makes Match Through Novel Proposal of Woman.

(United Press Leased Wire.)
Des Moines, Iowa, Jan. 28.—Exasperated over having lost in a contest for the county printing, simply because she was a woman, Elizabeth Schern, editor of the Bloom Lake Vidette asserted her leap year prerogative and in the current issue of her paper makes the following proposal:
"A constant fight for what rightfully belongs to her in a wear and tear on the nervous system of any woman, and we have come to the belief that in order to stay in newspaper work and maintain our health we will have to marry some man printer who can do the fighting and swearing for us."
"This is leap year, and this may be considered as a proposal by anyone who would be qualified to fill the vacancy so evident in the Vidette office."
G. A. Craig, the bachelor editor of the Lytton Star, wrote an acceptance, conditional upon the ability of Miss Schern to "make pancakes, fry ham and eggs and distill good coffee." In the next issue of the Vidette the fair editor will assure Craig of her ability to deliver the goods and all newspapers are preparing to extend congratulations.

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CALIFORNIA CYCLONE CARRIES LONG BEACH BARN HUNDRED YARDS

(United Press Leased Wire.)
Long Beach, Cal., Jan. 28.—At 3 o'clock this morning a cyclone swept in from the ocean and, dipping down at First and Descanso streets, picked up Harry Benson's barn, whirled it round and round, carried it 200 feet and broke it in pieces. In its wild career it struck and damaged the residence of Dr. M. E. Luff.

HUGHES IS THORN IN THE SIDE

Taft's Friends Fear the New Yorker and Make Desperate Effort to Win Over State—Bourne Very Much Delighted.

Oregon Senator Thinks Situation Will Resolve Itself Into Stand for Roosevelt for Third Term—Alleged Patronage Gifts.

By John E. Lathrop.
(Washington Bureau of The Journal.)
Washington, Jan. 28.—Four months ago this bureau stated to The Journal that, if Governor Charles E. Hughes of New York wanted the New York national Republican delegation he could have it; that it would be impossible for the machine there to take the delegation away from him.

Since the governor has openly declared that he is a candidate, it is conceded here by all, or practically all, that the question was settled by his announcement, and that it is safe to count on New York as in the Hughes column in 1908.

Hughes' declaration has entirely altered the situation and done more to worry the Taft people than anything of recent occurrence. Senator Bourne was almost mad with glee, saying:
"It means that New York will be for Hughes; that that will defeat Taft, and that that will nominate Roosevelt."
However that may be, it is certain that Hughes will have the Gotham delegates, and that they will put up a fight for him.

It also is certain that, with New York in the Hughes column, and the resentment of the country at large against federal interference in booming Taft through appointments, the Taft boom, apparently mighty healthy a fortnight ago, is now not so strong.

The question of the federal patronage being used for Taft is not to be laughed out of court as a small issue. It really is a major element in the situation, and there are hosts of good Roosevelt men who admit that they do not like the thing at all. Historical precedents are being dug up to prove that only disaster has come to the party the leader of which has attempted to utilize the club of federal patronage to force on the country a successor the selection of the incumbent.

The Taft people realize that their candidate is being weakened every day by the overshadowing of Mr. Roosevelt, and there has been a strong element in the Taft camp which has demanded all along that the secretary "cut loose" from the White House.

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GRAFT'S FINGER POINTS TO UPPER OFFICE MEN

Whose Pockets Receive "Protection" Fund Paid by Denizens of Underworld?—Ugly Stories in Police Circles of Arrests, Arraignments, Dismissals and Hush Money

Who is providing protection for the denizens of the north end's underworld? Who collects and apportions the "protection" fund that each month passes from the soiled hands of privileged vice to the eager pockets of those who are shielding them?
These are questions that are being passed from mouth to ear in the county courthouse, the city hall, at police headquarters and wherever men gather who have a knowledge, however limited, of existing conditions in the underworld of official graft.

In the same connection some very ugly stories are being told of specific instances where officials, and others whose names are household words, have levied tribute on the habits of the half world, making the payment of a stoupy portion of their filthy gains the price of an opportunity to earn more.

Officials' Names Mixed In.
To take these ugly stories and sift the true from the false—to exonerate the innocent and place the heavy hand of the law on the guilty—would require the work of a grand jury. Just now District Attorney Manning is the only grand jury that is available. This is so because of his decree that it shall be so. It seems particularly unfortunate that it is so, for the reason that the names of several persons intimately associated with Mr. Manning in an official way are those most frequently mentioned in connection with the graft money.

In at least one instance Mr. Manning, sitting as grand jury, has taken an official part in an incident of record that involved the standing and put into circulation a very considerable amount of the tainted wealth of a half dozen or more of the most notorious men and women residing below the dead line. In his details this incident forms one of the stories—and the least damaging—that are being bandied about by those "in the know."

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SENATORS DISCUSS SCHUEBEL

Senator Fulton Places Evidence Before Judiciary Committee to Prove Appointee Has Not Had Sufficient Experience.

Bourne Answers Charges by Presenting Credentials Indorsed by Judge McBride and Others in Support of His Candidate.

(Washington Bureau of The Journal.)
Washington, D. C., Jan. 28.—The sub-committee of the judiciary, consisting of Senator Fulton of Oregon, Senator Knox of Pennsylvania and Senator Clarke of Arkansas, met today to consider the appointment of Christian Schuebel as United States district attorney of Oregon. Senator Fulton placed before the committee protests and clippings from newspapers giving expression to belief that Schuebel was not the man for the position, as he was only admitted to practice last April and his experience was therefore limited.

Senator Bourne will cite expressions from those who have stood by Schuebel, among whom was Judge McBride. No question as to Schuebel's character was raised.

LEAK IN LAKE; LA GRANDE DARK

Union County May Be Without Electricity All Winter as Result of Break.

(Special Dispatch to The Journal.)
La Grande, Jan. 28.—La Grande has been without electric lights for two weeks on account of a leak in Morgan lake, from which much of the power was secured, and the power plant at The Cove, which furnished power for different parts of the valley, is frozen up.

Some of the local merchants have installed their own light plants, getting power from small gasoline engines. It now looks as though Union county would be without electric power during the entire winter, and coal oil lamps are in evidence everywhere.

CARDINAL RICHARD EXPIRES AT PARIS

(United Press Leased Wire.)
Paris, Jan. 28.—Cardinal Richard, archbishop of Paris, one of the best-known clergymen in the world, is dead, the victim of congestion of the lungs, at the age of 89. He had been a cardinal since 1889.

OHIO PLANS FAIR IN MEMORY OF BATTLE
(United Press Leased Wire.)
Toledo, Ohio, Jan. 28.—Plans for a great exposition to be held in Ohio in 1913 to mark the centennial of Commodore Perry's memorable victory in the naval battle of Putin Bay in 1813 are being seriously considered.

LAWYER ROASTS LANGDON

Attorney for Patrick Calhoun Alleges Coming Trial of Abe Ruef Is Club District Attorney Swings Over Head of Indicted Traction Magnate.

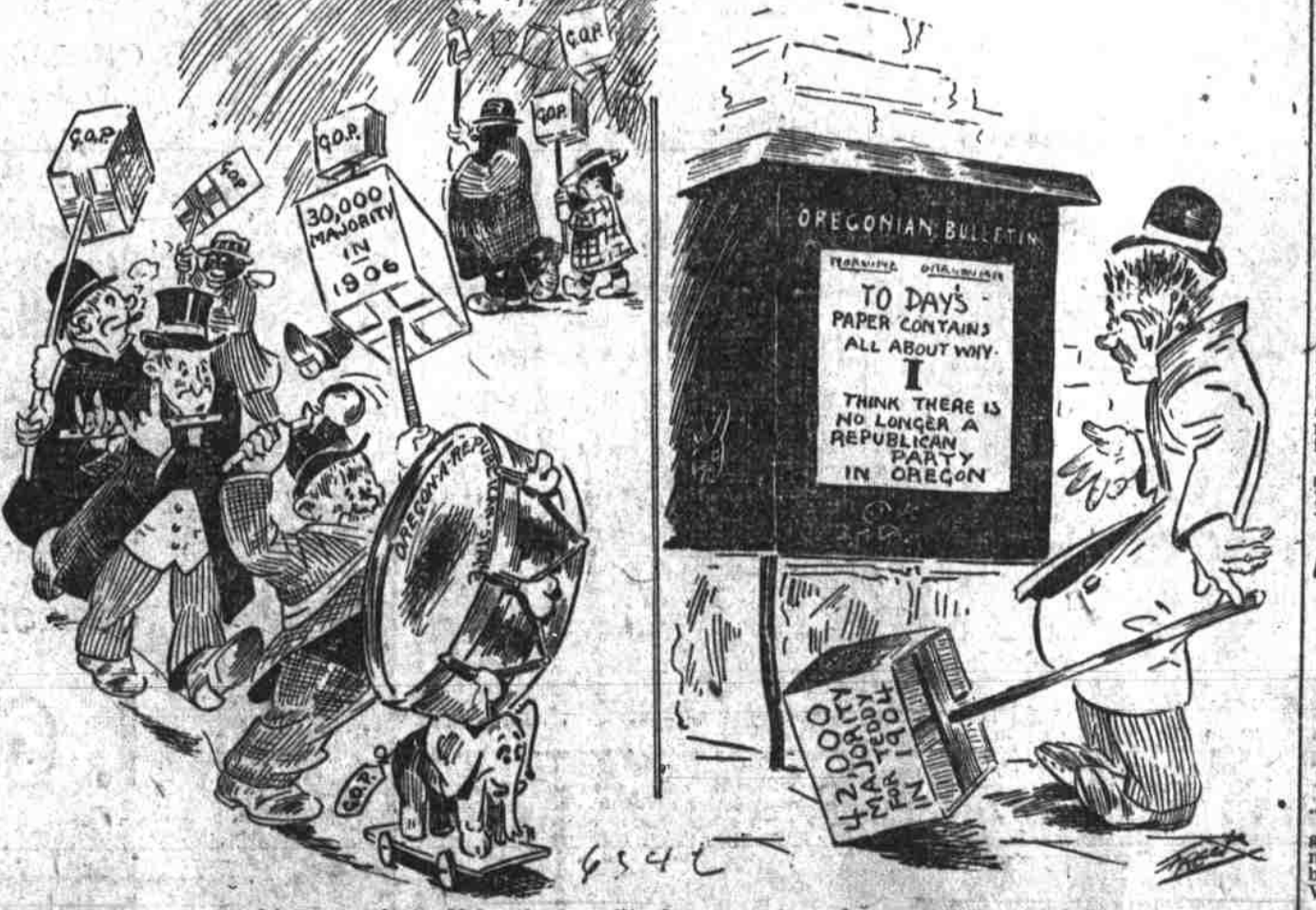
(United Press Leased Wire.)
San Francisco, Jan. 28.—In an effort to force the prosecution to place Patrick Calhoun on trial immediately Attorney A. A. Moore, representing the indicted trolley magnate, this morning indulged in a scathing denunciation of District Attorney Langdon. He referred to the indictment against Ruef as bogus and fraudulent, declared that the coming trial of Ruef was merely an attempt to use upon Calhoun and accused the district attorney with breaking faith in regard to the Calhoun trial.

When Langdon replied Moore dared him to set a date for Calhoun's trial. Moore asserted that the trial of Calhoun had already been begun and had merely been continued at the request of the prosecution because the state feared that the most important witness had left the fold. During Moore's lengthy diatribe Langdon's face became flushed with anger, but only twice did he reply, once to deny the motive assigned to the prosecution having an indictment returned against Ruef which they never intended to prosecute and, secondly, to state that the prosecution would refuse to enter into any stipulations made between the attorney for Calhoun and Prosecutor Heney in relation to the continuance of the trial but declared that it is the privilege of the district attorney's office to elect whom it shall try first.

Calhoun, as present in court. He was much incensed at the turn matters took and after leaving the court vindictively declared that when Langdon stated that he had made no agreement to try Calhoun first he lied.

Over the objection of the district attorney, Abraham Ruef again secured another continuance upon the ground that he had not been able to secure counsel to assist him until Thursday and plainly informed that at that time his case would be definitely set. The news that Calhoun would be present and the rumors that a worthy battle would take place attracted a large crowd of interested spectators to court.

"WOULDN'T IT MAKE YOU MAD?"



If you were working your feet off for the benefit of your party and trying to carry its banner to victory, and you looked to your newspaper for support and were suddenly confronted with something like this— WOULDN'T IT MAKE YOU MAD?

NEW YORK BANKERS' ROOSEVELT CHEERS ALMOST LIKE SILENCE

(United Press Leased Wire.)
New York, Jan. 28.—Hailed as the "uncrowned king of finance," J. P. Morgan received pious applause last night at the annual banquet of the bankers of the city of New York at the Waldorf-Astoria.

Morgan sat unmoved during the cheering which greeted the mention of his name by Albert Gilbert, chairman of the clearing house committee, who presided.