

Tomorrow's Journal  
BE SURE TO ORDER YOUR ADS  
EARLY FOR SUNDAY'S JOURNAL

The Weather—Rain tonight and  
Sunday; cooler Sunday.

# Oregon Journal

JOURNAL CIRCULATION  
YESTERDAY WAS  
30,758

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PORTLAND, OREGON, SATURDAY EVENING, DECEMBER 12, 1908.—TWO SECTIONS—TWENTY PAGES

PRICE TWO CENTS. ON TRAINS AND NEWS  
STANDS, FIVE CENTS.

## JOHNSON FOUND GUILTY IN SECOND DEGREE

### JURY CONVICTS FATHER; VERDICT ACCUITS SON

#### Slayer of F. J. Holock Will Be Given Life Term in Prison—Acquittal of Younger Man Renders Blow to Parent Less Severe.

Matt Johnson, guilty of murder in the second degree. Penalty, life in the penitentiary.

John Johnson, his son, found not guilty.

These are the results of the verdict of the jury that tried the Johnsons for the murder of Fred J. Holock, the clerk being returned in Judge Cleland's department of the circuit court at 9:15 this morning. Father and son stood up as the clerk read the verdict. The former wearing around his neck the heavy bandage that conceals the wounds made by his own hand in an attempt to kill himself with a razor yesterday morning.

Both men received the verdict without appearance of emotion. Matt Johnson wore the stolid, surly look that he has borne throughout the trial, and as he sank into his seat he murmured, "I want a new trial." Just behind him stood the bailiff and a deputy sheriff, ready to pounce upon him should he make any attempt to injure himself. Close watch is being kept on him, as if because, known yesterday that he attempted to hang himself in his cell the evening before he used the razor, and yesterday afternoon he attempted to tear away the bandages from his half severed windpipe.

**Glad Son Acquitted.**

After he had heard the verdict of the jury the elder Johnson seemed more at ease. Although in his farewell letter

yesterday he had promised to go to hell and prepare to receive his prosecutors there, he brightened visibly when the court ordered the discharge of his son, who had been acquitted. All along the father has declared that his chief anxiety was for his son.

The jury agreed on its verdict about 2 o'clock this morning. The case of Matt Johnson was considered first, and during most of the balloting the votes were divided between first and second degree murder, although on one ballot four voted for first degree, four for second degree and four for manslaughter. The possibility that there had been some provocation on the part of the man that was killed finally persuaded those who voted for first degree to consent to a verdict that would result in life imprisonment.

**Jurors Decide, Then Sleep.**

After the case of the father had been disposed of the son's case was considered. There was little difference of opinion, and it was agreed in short order that he should be acquitted. This done, the jurors went to bed and waited for the morning, when they might come into court to report.

Judge Cleland announced that he would sentence Matt Johnson next Tuesday morning at 9:30 o'clock. At that time John A. Jeffrey, chief counsel for the defendants, will move for a new trial as the first step toward an appeal, if an appeal is decided on. Under the law the sentence must be imprisonment for life.

Thomas R. Shipp



Thomas R. Shipp, Secretary of the National Conservation Commission.

At the conservation commission meeting in Washington this week one of the most prominent and interesting characters connected with the work of the commission is Thomas R. Shipp, secretary. It is largely due to Mr. Shipp's enterprise and energy that the members of the commission have been kept in close touch with the work during the past year and are today presenting a united front for the conservation of national resources.

### MORE EVIDENCE AGAINST WILSON

Sheet of Paper Makes Case Stronger Against Boas Murder Suspect.

(United Press Leased Wire.)  
San Francisco, Dec. 12.—A sheet of paper found in the effects of John Walter Wilson at the Netherlands hotel, Howard and Fourth streets, has been identified by Theodore Kytko, the handwriting expert, as exactly the same kind of paper on which the "doctor's" letter was written to Harry J. Boas luring him into taking the strychnine "stomach powder" which caused his death over a week ago.

Another piece of evidence, which may prove the most damaging of all, in a coat found in Wilson's wardrobe. This garment has a white powder on the sleeve, and it is the belief that this may be of the same stuff that was used in preparing the fatal draught of "medicine" for Boas. City Chemist Frank Green is making an examination. The detectives have asked Wilson to give a full narrative of his movements on the day it is supposed he wrote the letter and sent the powder to Boas. As far as the police have investigated they have been unable to find any serious discrepancies.

### JOSEPH WALSH DID NOT LIKE BULLET DANCE

(Special Dispatch to The Journal.)  
Gresham, Dec. 12.—One of the most interesting cases of the year came before Judge Rollins here yesterday. The defendant, Henry Hampton, was bound over to the grand jury under \$250 bonds.

It is alleged by Joseph Walsh that Hampton made him dance to the tune of bullets when they met on the road. Hampton claimed he had had too many drinks, but the assistant district attorney contended that drink did not mitigate the offense.

Both the plaintiff and defendant are well known citizens of this community.

### MYSTERY IS DEEPENED BY DEATH

#### Robert Livingston, Victim of Brutal Assault at Goble, Expires Without Regain- ing Consciousness—Mo- tive of Crime Unknown.

The death at St. Vincent's hospital at 2:10 o'clock this morning of Robert Livingston, the railroad man brought yesterday from Goble, Or., with the side of his head crushed in, adds another to the long list of murder mysteries of this state.

Livingston died without having regained consciousness. He was found lying on the floor of the cabin nearly dead yesterday morning. An operation was performed by Dr. A. C. Smith, in the hope that it might result in the man's regaining consciousness at least for a few minutes so that he could tell who had so terribly beaten him, but it was unsuccessful.

Dr. Smith found that the side of the man's head was mashed in, probably by some blunt instrument. The wound was about the size of a man's hand. Several pieces of bone were removed by the surgeon.

It appears probable that Livingston was assaulted while he was preparing to go to bed, for one shoe had been removed, and also part of his clothing. The motive of the murder remains a mystery. It does not appear to have been robbery, for a check for \$45 was found in Livingston's pocket, his pay for the past month. Livingston bore a good reputation in Goble, and had many friends there. He had been section foreman for the Northern Pacific for 20 years, and was also yardman.

It is possible that some hobo whose enmity he had incurred in the discharge of his duties took revenge on the section foreman by killing him. But there is nothing to indicate who the murderer is, or what was the object of the crime.

Livingston was found yesterday morning by the man who came to relieve him. A deputy sheriff was notified, and in turn called up by telephone Sheriff White of Columbia county. The wounded man was hurried to Portland and taken to St. Vincent's, where he died.

The body is now at the morgue. Coroner Norden has been asked by Sheriff White to hold the body a few days for Livingston in case he does not desire to ship the body then to Goble for burial. Nothing is known of the family of Livingston, if he has any relatives living.

President's Aide



Captain Archibald W. Butts of the United States army, who has just been appointed aid de camp to the president of the United States. Captain Butts assists the president at all social functions given at the White House. In fact he is the president's social gazetteer.

### G. O. P. PREPARES FOR NEXT FIGHT

Card Index and Contribution Machinery to Run Right Along.

(United Press Leased Wire.)  
Chicago, Dec. 12.—Active preparations are being made for the Republican presidential campaign of 1912. Announcement was made by Fred W. Upham of the new plan under which steps will be taken, even before the inauguration of one successful candidate, to assure a victory for his successor.

Upham said that a permanent Republican national committee would be established in the First National Bank building, Chicago. "For the purpose of perfecting the most comprehensive national organization ever known in American politics."

Secretary W. D. Hayward of the Republican national committee will have charge of the headquarters. He is an expert in the card index system which Chairman Hitchcock tried to introduce in the Taft campaign, but could not for want of time.

"We are going to keep a press bureau running and keep constantly in touch with the state committees so that when the next campaign comes we shall be well prepared for it," said Upham.

"We shall keep the financial department running also. The next treasurer will find complete records of contributions to the Taft fund and of expenditures. He will know how to go about collecting money, and there will be no such period of penury as the committee had to face the first month of the last campaign."

### COSGROVE'S CONDITION SHOWS LITTLE CHANGE

(United Press Leased Wire.)  
Paso Robles Hot Springs, Cal., Dec. 12.—The condition of Governor-elect Cosgrove of Washington, who is here being treated for Bright's disease, has shown no important change for several days. Mrs. Cosgrove is still hopeful that they may be able to return to Washington in January. The condition of the governor-elect is serious, and while the doctors say they are satisfied with the case, there is no doubt they have grave fears.

### FINCH STANDS MUTE WHEN PLEA IS ASKED

#### Lawyer Who Killed Ralph B. Fisher Makes Move in Vain to Gain Further Time--The Case Is Definitely Set For Trial Next Friday.

Refusing to plead either guilty or not guilty, James A. Finch stood mute before Presiding Judge Gantenbein this morning when the time came for him to enter his plea to the charge of murdering Ralph B. Fisher.

This unexpected attitude was evidently the result of a deliberate plan, and came as the climax of an attempt by his attorney to have the date of entering a plea postponed. Judge Gantenbein would consent to no delay, and directed that a plea of not guilty be entered after he had asked Finch if he declined to plead. Finch nodded his head to this, but uttered no word.

Another outburst came from Finch's attorney when Judge Gantenbein announced that he was ready to set the case for trial. The air was filled with exceptions to the order of the court as the case was set for trial next Friday at 9:30 o'clock.

**Cases in Contrast.**

The protests of Finch's attorney were in marked contrast to the case of Harry Kenney, which had been set for trial only a moment previous. Daly had less time to prepare a defense than Finch, for the indictment was returned the same day, they were arraigned together last Thursday, and Daly's attorneys were not chosen until this morning, when John H. Stevenson and Lester W. Humphreys were appointed by Judge Gantenbein.

Yet Daly's attorneys promptly entered a plea of not guilty and made no objection to setting the date of trial for next Thursday, one day ahead of Finch.

Finch was brought into court this morning with Daly and several other prisoners. As the space reserved for prisoners in the court room was filled, Finch seated himself on the witness chair, and when he stood up he was a conspicuous figure in the room, because several feet above the level of the floor. He appeared ill at ease, and shifted his weight occasionally from one foot to the other. White and Daly were pouring forth objections the eager crowd in the rear of the room stood up, straining to catch all that was said, and Bailiff Courtney had to remind the spectators that they must be seated.

**Asks Another Week.**

Although W. W. Holcomb, who appeared for Finch this morning, has been mentioned all along as one of Finch's attorneys, has visited Finch in the jail, and has been referred to by Finch as one of his attorneys, Holcomb came into court this morning with the plea that he was only retained in the case yesterday afternoon. He said he spent most of the afternoon and much of the night with his client, and owing to the enormity of the offense he had not been able to reach a conclusion. He wanted one week longer in which to study the case.

Judge Gantenbein reminded him that while it may be technically true that he did not enter the case until yesterday, it was well understood that he was to appear in the case. The court also pointed out that C. H. Figgott, another of Finch's attorneys, had made the same request for a postponement of time to plead, and that this had been denied. Holcomb said that in "justice to his profession" he should have more time and he begged the court to allow another week, but the motion was promptly denied and Finch ordered to stand up to enter his plea.

**Lawyer Gets Rebuff.**

Again Holcomb came forward with objections, until Judge Gantenbein, somewhat curtly informed him that the motion had been disposed of, and that it would not be ruled on for several moments. Judge Gantenbein asked Finch if he declined to plead. Holcomb was on his feet attempting to talk, but Finch nodded his head and the case directed that a plea of not guilty be entered by the clerk.

A few moments later Holcomb's protests were renewed when Judge Gantenbein set the case for trial. The setting of the case for trial, Holcomb may make it possible to secure a jury by the end of the week, so that the testimony may be started one week from now.

The name of the judge who will try the case will not be announced until the time comes to assign the case for hearing. The selection will no doubt depend on the state of the docket at that time. Judge Gantenbein, Attorney Fitzgerald will have charge of the case for the state, and said this morning that he will have assistance, but cannot say who will be associated with him.

### ONCE WEALTHY; NOW A PAUPER

#### Ed A. Thorndyke, Former Police Chief at Seattle, in Almshouse.

(United Press Leased Wire.)  
Seattle, Dec. 12.—His days of usefulness over, his friends those of another generation, Ed A. Thorndyke, the first elected chief of police of Seattle, is an inmate of the King county poor farm at Georgetown. He was committed to the almshouse November 19. Thorndyke was raised in his native Seattle 35 years ago. In the panic of 1893 he lost a great deal of money and also lost heavily in Alaska later.

### STEAMER GOES DOWN; ALL LOST

#### Turkish Vessel Founders in Black Sea With Passen- gers and Crew.

(United Press Leased Wire.)  
Odessa, Dec. 12.—All the members of the crew and 50 passengers were drowned when a big Turkish steamer from Constantinople from Sebastopol went to the bottom of the Black sea in a severe storm today.

### EXCLUDED CHINESE VIOLENTLY INSANE

San Francisco, Dec. 12.—Denied a landing on the threshold of the "promised land" that holds his family and friends in Hong Kong, a Chinese, who this past two months ago, went violently insane early today in the detention shed of the Pacific Mail company. Hom Tin came from Canton to join his kindred but upon his arrival here was not permitted to land. He appealed his case to Washington. A decision supported the ruling of the immigration inspectors here.

He pitifully begged the inspectors to permit him to join his family and friends and finally broke down under the strain and went raving mad.

The crazed Chinese was to have been deported on the Tenyo Maru, but the Japanese liner refused to receive an insane cooler, so Hom Tin is held until the next liner of the Pacific Mail Steamship company shall take him away.

### A SCURVY PLAN

From the Jamestown (N. Y.) Post.

Those Republican legislators in Oregon who are trying to sneak out of the pledge given last June to support the candidate for United States senator named by the people at a direct primary are in very small business. Candidates of both parties signed the agreement to vote in the legislature for the choice of the people. The vote was taken at the state election and Governor George E. Chamberlain, who has twice been elected as the executive of the state, was chosen as the candidate for senator by a decisive majority over his Republican opponent.

Ever since that time the present Republican senator, Charles W. Fulton, has been searching for some expedient by which the Republican members may be released from their pledge to support Chamberlain. The plan finally adopted is to circulate petitions in the various districts purporting to absolve the legislators from adhering to their own promises voluntarily made only a few months ago. The promoters of this program say they are convinced that a state which gave Taft 25,000 plurality does not want a Democratic senator. That does not necessarily follow. Indiana gave a substantial plurality for Taft, but at the same election chose a Democratic governor and a Democratic legislature, which is likely to elect John W. Kern, the nominee for vice president on the Democratic ticket, to the senatorship.

It must be presumed that the voters of Oregon know what they were doing when they declared that they wanted George E. Chamberlain for senator in spite of his Democracy, and if they at the same time elected Republican legislators on other issues, they have every reason to expect that these men will obey the popular will and choose Chamberlain for senator.

TO DO OTHERWISE WOULD BE SO SCURVY A POLITICAL TRICK THAT IT MIGHT MAKE OREGON A DEMOCRATIC STATE FOR YEARS TO COME.

### BIG ROLL FROM KRIS KRINGLE

Ogden Plasterer Gets \$2410 in an Old Newspaper—Won't Touch It.

(United Press Leased Wire.)  
Ogden, Utah, Dec. 12.—On tearing the wrapper from a Salt Lake newspaper received by him as second class mail, Charles Price, a plasterer of this city, found \$2410 in currency, concealed in the folds of the paper.

He reported the case to the postoffice authorities here today and the money was deposited in a bank pending an investigation. There were two \$500 bills, 14 \$10 bills and 10 \$1 bills.

Price said he was sorely tempted to accept it without question as a present from Santa Claus, but his conscience would not permit it.

### CASTRO'S O. K. ON ONE CLAIM

(United Press Leased Wire.)  
Paris, Dec. 12.—It is stated today that President Castro, of Venezuela, has agreed to the terms presented by the French Cable company in settling the company's claim against Venezuela for the seizure of its property. There has been no agreement yet on the amount of damages accruing to the company.

The Spanish embassy today denied the report that King Alfonso had asked the French government not to present an ultimatum to President Castro. It is asserted that King Alfonso made no representation to the French government concerning Castro.

### VENEZUELAN TYRANT AGREES TO TERMS PROPOSED BY CABLE COMPANY.

(United Press Leased Wire.)  
Sacramento, Cal., Dec. 12.—After a recount of the ballots cast at the recent election on the amendment providing for an increase in the salaries of all executive officers of the state, the politicians have learned that the amendment carried by two votes. It was defeated by 108.

The recount was made by W. H. Gavan, statistician in the office of the secretary of state, whose salary is not affected by the amendment. It was discovered that mistakes in counting ballots had been made by the election clerks in two precincts of the Thirtieth district in Sacramento. In one 13 votes were tallied above those cast and in another 100 had been dropped in making a total.

### SALARY RAISE IN CALIFORNIA

Recount Shows Majority of 2 for, Instead of 108 Against.

(United Press Leased Wire.)  
Paso Robles Hot Springs, Cal., Dec. 12.—The condition of Governor-elect Cosgrove of Washington, who is here being treated for Bright's disease, has shown no important change for several days. Mrs. Cosgrove is still hopeful that they may be able to return to Washington in January. The condition of the governor-elect is serious, and while the doctors say they are satisfied with the case, there is no doubt they have grave fears.

### HUNDREDS DIE IN FIERCE FIGHT

Battle Between Rebels and Royalists Reported Near Tabriz, Persia.

(United Press Leased Wire.)  
Odessa, Dec. 12.—Hundreds of rebels were killed today in a terrific battle between the rebels and royalists in Persia near Tabriz, according to messages received here from that city.

The rebel forces were commanded by General Bahir Khair Khan. The royalist troops were under General Afed Dowles. The reports indicate that the battle was indecisive and that further fighting is expected.

The rebels are determined to overthrow the power of the shah and indications are that a strong stand will bring them increased support.

### CANNON TO BE SHORN GENTLY

Insurgents Will for the Present Ask Speaker to O. K. Rule Changes.

(United Press Leased Wire.)  
Washington, Dec. 12.—Congressman Hepburn, after presiding over a meeting of Republican "insurgents" in the lower house last night, announced today the following committee, appointed to meet Monday and outline an action looking to a radical change of the rules: Representatives Hayes of California, Townsend of Michigan, Cooper of Wisconsin, Foster of Vermont and Hepburn himself.

Hayes declared today that he was undecided as to the changes in the rules which he would advocate. Other members of the committee said they were in a similar position.

It seems likely now that the committee will make an effort to get only those changes in the rules which are satisfactory to the speaker and the party leaders, and which can be adopted at this session. A conference will be held with Cannon to get his ideas on the question.

### MANY REPORTED KILLED ON CANAL

Colon, Panama, Dec. 12.—Many men are reported killed by an explosion of dynamite near Bah Obispo today. Details have been unobtainable.

### VALE CALLS PROFESSOR NASH.

(United Press Leased Wire.)  
New Haven, Conn., Dec. 12.—Professor Charles S. Nash, who occupies the chair of pastoral homiletics at the Pacific Theological seminary at Berkeley, Cal., was today appointed professor in the Yale divinity school to serve until the end of the year in place of Professor Ambrose Vernon, who has resigned.

### FOR THE COMMON BENEFIT

"The success that other communities have achieved by 'boosting' their home manufactured products, is a lesson that should bring home to Oregon the importance of this movement," said A. F. Smith, of Smith & Watson Iron Works.

"It is immaterial as to what the character of the goods in question may be, so long as they are made here at home and the quality and price is equal to that of outside competition.

"The local consumer can help the good work along by refusing all foreign made goods, when the same article possessing the same qualities of merit and price can be purchased from the home factories.

"If everyone would give this plan a year's trial, it would then be demonstrated to the satisfaction of the entire community that the campaign of Oregon products for the people of Oregon, is for the common benefit."