

ELEVEN TO ONE FOR CONVICTION IN HERMANN TRIAL

MISUSE OF SCHOOL FUNDS CHARGED BY CARPENTERS

School Board Architect T. J. Jones Said to Have Used Men in Public Pay to Build Private Stable.

Affidavits implicating T. J. Jones, architect for the school board, and Attorney J. V. Beach, member of the school board, in conversion of school funds to private use, were made public today. They charge that Jones had carpenters devote time and labor for which they were paid by the school board, to his private work, and that Attorney Beach was furnished with office equipment, a well house for his ranch, and a massage table, together with labor, all of which was paid out of the school fund.

Both Mr. Jones and Mr. Beach deny the charges and declare that they paid out of their own pockets for the work in question.

The affidavits are in the possession of Attorney John A. Jeffrey, counsel for Ernest Kroner and associate architects. The sworn statements are subscribed to by Dr. A. B. Estock and three carpenters, Alex McLeod, D. C. McDonald and J. Hansen.

"I am convinced," said Ernest Kroner, "that while these charges are not exceedingly great in themselves, they are indicative of a serious condition and that if an investigation be formally and sincerely instituted, it will result in some startling disclosures."

All engaged in private work. The statements of the three carpenters are nearly identical, showing that all were engaged in the same work. McLeod makes the additional statement in his affidavit that he shipped the massage table built at East Side High school to Attorney Beach's ranch near Astoria, Ore. He and Donald and Hansen swear that they aided in manufacturing material for Beach's office, the well house for the ranch, and the massage table, which was shipped to the ranch. Dr. Estock swears that Beach used the table for himself and not for the general practice by the doctor.

Attorney J. V. Beach and Architect T. J. Jones both stated this morning that they had been expecting affidavits to be filed against them.

McLeod was discharged, said Mr. Beach. "I never had any dealings with him. I asked Jones, our architect, to send me over a good man to put this shelf around the room." Mr. Beach at this point indicated an ornamental, hardwood shelf which extended around the room at a height of about eight feet.

Beach Paid Jones. "If he got his money from the school fund I don't know anything about it. It was without my knowledge and consent. I paid Jones and supposed he paid McLeod."

"I did some law business for McLeod at one time and he owed me money for Feb. 15. He would have to do more work for me before he paid out what he owes me. That massage table was built and shipped down to my ranch and shipped back again. It never was in Dr. Estock's office."

"I don't see why the architects jump on the way they do. I stood in with them against the other members of the board. Now they go after me and let the rest go scot free."

"They will have to prove all this," said Architect Jones. "They have been making threats. I know it for spite sake. What work was done for me I paid out of my own pocket; it was never paid out of the school fund. McLeod was discharged. He was not honest. He is a rascal."

Jones Says He Paid. Mr. Jones did not at first remember that any work had ever been done on a stable for him. In a later interview he remembered that the men had laid some planks in a barn of his on the east side, the work requiring, he said,

SEVEN MEN ARE SCALDED WHEN BOILER EXPLODES

Water Tube Blows Out on Torpedo Boat Destroyer Hopkins at San Diego—Six Men May Recover.

(United Press Leased Wire.)
San Diego, Cal., Feb. 14.—As the result of a boiler explosion on board the torpedo-boat destroyer Hopkins, at 3:15 this morning, seven men were seriously scalded and taken to the Agnew sanitarium today.

The injured are: J. F. Hunt, chief water tender. G. B. McNerlin, first-class fireman. W. A. Neave, first-class fireman. R. E. Taylor, first-class fireman. L. B. Carletto, second-class fireman. A. E. Clary, water tender. T. J. Brown, coal passer.

The accident occurred at wharf No. 2, on the Coronado side of the bay, where the Hopkins was anchored. The Hopkins was getting up steam preparatory to leaving the port with the remaining vessels of the fleet, for the regular practice cruises in northern waters. In the fire-room of the Hopkins were the regular crew. The steam gauge of the boiler registered 200 pounds pressure shortly before the accident and this is 50 pounds under the capacity.

When the tube burst seven of the men were caught in the room and did not escape until they were badly burned.

The injured sailors were hurried to the Agnew sanitarium in this city. All were burned severely on the head and arms, and the bandages completely covered their faces. Only one, Hunt, the chief water tender, was able to talk through the thick bandages that enclosed his head and face.

Only One Could Talk. "A water tube blew out, that was all," he said to a reporter. "We were getting ready to leave the harbor about 3:15. It was a weak tube in the boiler, because the steam gauge showed only 200 pounds."

Hunt was the only one of the injured that appeared to be resting easily. The other men could not speak, but continually moved their arms and turned in their beds.

Taylor was the most seriously injured. He reported to be in a very serious condition, and may not live.

The other men are expected to recover. After the accident on the Hopkins the boiler was repaired and the little boat went out in the channel to wait for orders, with the rest of the fleet. At 11:30 the boats slowly steamed out of the harbor, with a new crew in the fire-room of the Hopkins. The Iris, the mother ship of the fleet, alone remained in the harbor.

The Hopkins is commanded by Lieutenant E. Friedrick. Her ensign is R. Bowen. Both officers said they had the situation well in hand after the accident, and that the men were cared for in the shortest possible time.

The accident today is the most serious of the kind since the explosion here July 21, 1905, on the gunboat Bennington.

DENTIST TO CONVERT CENTRAL AMERICANS
(United Press Leased Wire.)
Tacoma, Wash., Feb. 14.—Believing he has received a direct call from Christ to carry the gospel to the people of Central America, Dr. George T. Lord, a prominent dentist, is closing up a practice amounting to \$10,000 a year and will shortly leave with his wife for Guatemala City. Both Dr. and Mrs. Lord are of intensely religious turn, and they feel fully persuaded of the wisdom of the move. Dr. Lord does not intend to give up dentistry, but will give his skill and time gratis to the poor of Guatemala, believing that by such sacrifice and open-handed charity he can reach the hearts of the people and find willing ears for the story of the cross. In other words, preaching and free dentistry will go hand in hand in his office. He also expects to establish missions.

The Lords belong to the First Congregational church, and move in the best society.

Dr. Burke Accused of Murder.
(United Press Leased Wire.)
Santa Rosa, Cal., Feb. 14.—District Attorney Lea and Sheriff Smith were busily engaged today on secret investigation concerning the evidence which they are collecting to present in an effort to substantiate the charge of attempting to kill Luella Smith and her baby, with dynamite, lodged yesterday against Dr. Willard F. Burke, head of the Burke sanitarium.

"There are certain phases of the case which it has been impossible for us to make public up to the present time," declared assistant District Attorney Hoyle today. "We have been pursuing investigations along certain lines which demanded the utmost secrecy. For this reason Mr. Lea has been forced to conceal his movements to a certain extent."

Frank Beth Arrested.
(Special Dispatch to The Journal.)
Eugene, Ore., Feb. 14.—Frank Beth, who is accused of robbing \$18,000 from Myrtle Clark and \$25,000 from a restaurant where she was employed, was arrested at Roseburg this morning, and will be brought back to Eugene this evening.

Chamberlain's Mother Ill.
(Washington Bureau of The Journal.)
Washington, Feb. 14.—Senator Chamberlain has received a telegram that his mother, at Natchez, Miss., has suffered a paralytic stroke. He may be called to her side.

AFTER DELIBERATING 46 HOURS JURORS UNABLE TO REACH VERDICT



"Eleven for Conviction and One for Acquittal." From a Strikingly Appropos Drawing by H. M. Brett in Harper's Weekly.

ROOSEVELTISM GETS HOLD ON NEWSPAPER MEN

Chicago Tribune's Canvass Shows His Indorsement for President by Majority of States West of Alleghenies.

(United Press Leased Wire.)
Chicago, Feb. 14.—The Tribune today announces the result of a canvass which it states has been made of the Republican editors of newspapers west of the Alleghenies mountains, regarding their present choice for president, with the following total results:

Roosevelt, 1360.
Taft, 1095.
La Follette, 187.
Hughes, 122.
Cummings 65.
Pinchot, 30.
Cannon, 24.
Bryan, 40.
Scattering 114.

The following question was submitted, the Tribune states, to every Republican editor west of the Alleghenies: "If you could vote for president to-day, for whom would you cast your ballot?"

The paper prints the following as the results from the Pacific coast: Washington—Roosevelt, 51; Taft, 31; La Follette, 1; Hughes, 3; Cummings, 1; Pinchot, 1; Dooliver, 2; Cannon, 1; Bryan, 1.
Oregon—Roosevelt, 32; Taft, 14; La Follette, 2; Hughes, 5; Pinchot, 1; Cannon, 1; Bryan, 2.
California—Roosevelt, 81; Taft, 45;

(Continued on Page Two.)

JURY HELD IN DEAD LOCK BY SELKIRK'S VOTING TO ACQUIT

Hermann Not Disturbed.
Mr. Hermann, when seen after the jury had been discharged, was at the Imperial and did not seem to be greatly disturbed at the outcome of the trial.

"I was very confident throughout the case," he said. "The evidence was so conclusive that I was not connected with any conspiracy, but on the other hand that I was all the time doing all I could to prevent frauds and defeat conspiracies, that I had no fear of the outcome. Other than that I do not think there is anything for me to say. I cannot say when there will be another trial. Colonel Worthington has been called to Washington on important business, and until it is learned when he can return, nothing can be known regarding another trial."

For conviction 11. For acquittal 1. That is the way the Binger Hermann jury stood irrevocably decided when it was discharged by the court this morning a short time after 9 o'clock.

Those of the jury for conviction were C. F. Pearson, J. B. Thompson, William Myers, the foreman; Ben F. Skolfield, Friend D. Simmons, Smith Stephens, Henry B. Stone, Charles W. Risley, J. C. Smock, Wesley Houck, Albertus H. Metcalf.

George Selkirk stood out for acquittal. He held that he could convict the defendant under the law, but not under the evidence, and that his conscience

(Continued on Page Two.)

LUMBERMEN IN CONCLAVE WOULD SOLVE PROBLEMS

Western Retailers' Association Meets in Seventh Annual Convention—Membership increased to 606.

The seventh annual convention of the Western Retail Lumbermen's association began at 2 o'clock this afternoon in the hall on the top floor of the Marquam building. This is the seventh convention of the association, which was opened by Rev. W. J. Hindley of Spokane, who being a most fluent talker, was also selected to make the response to the address of welcome by Mayor Simon on behalf of the Rose City, and by L. J. Wentworth, on behalf of the Oregon and Washington Lumber Manufacturers' association, whose guests the visitors will be at a banquet at the Commercial club next Wednesday night.

Then followed the reading of the minutes of the meeting of 1909, and the annual reports of Vice President C. B. Channel of Twin Falls, Idaho, and Secretary Treasurer A. L. Porter of Spokane. Vice President Channel called attention to the fact that the association's purpose is not to do away with competition, or to assist members in maintaining profit-producing prices, which, if attempted, would speedily result in the undoing of the association itself.

"The remedy for buccaneering business methods," said the speaker, "is in educating ourselves and the other fellow to be better and broader business men."

(Continued on Page Two.)

HIGH FINANCE SHOWS ALARM AT TAFT TALK

President Apparently Unable to Please Anybody, Save Regulars in Congress—Stocks Tumble; Insurgents Grumble

(United Press Leased Wire.)
New York, Feb. 14.—Disappointment in high financial circles over the speech delivered by President Taft Saturday night caused heavy selling at the opening of the stock exchange today.

Nearly all the stocks in the general list fell off, many dropping from one to three points.

As soon as the first rush was over, however, there was a brisk recovery and signs of strength were evident all along the line.

KANSAS CITY STAR, TAFT SUPPORTER, MOURNS FALL-DOWN
Kansas City, Feb. 14.—The Kansas City Star, the first paper in the middle west to urge the nomination of William H. Taft for the presidency, and whose editor, W. K. Nelson, is a personal friend of the chief executive, says today:

"In his speech in New York President Taft admitted a loss of popularity for his administration that might cause the Republican party to lose the house of representatives."

"He might have gone even farther. So great has the defection been that if a presidential election were to be held next November, there is probably but one Republican, Roosevelt, who would stand a chance of carrying the country against a ticket headed, for example, by Gaynor or Folk."

"In all this transformation of public sentiment there has been little bitterness. Instead there has been general sorrow over a loss of confidence in a president of charming personality and right intentions, who, partly from temperament, partly from lack of sagacity, and partly from a deficiency in aggressive militant earnestness, has alienated the people who believed they had found in him a man to carry out the work of Roosevelt."

REGULARS PREPARE TO FRANK SPEECH; DEMOCRAT TO ANSWER
Washington, Feb. 14.—Republican congressmen, taking President Taft's Lincoln day speech at New York as their keynote, today prepared their first shot for the congressional campaign next autumn.

Encouraged by the general opinion that President Taft's speech was the most powerful yet made, many of the "regulars" decided to take advantage of Taft's aggressiveness by having the speech made available for "franking" through the mails by making it a part of the congressional record.

"The most striking feature of the speech is generally recognized, as set forth by one middle western senator, who said:

"Heretofore in his desire to please,

(Continued on Page Two.)

WIRELESS HERO TO COME HOME

Certain Portland Girl to Be Asked a Certain Question—New Assignment.

(United Press Leased Wire.)
New York, Feb. 14.—William G. Maginnis, the wireless operator whose bravery saved the crew of the steamship Kentucky from death recently off the North Carolina coast, will make another attempt to journey to Portland, Ore., where it is reported there is a certain young lady who will give a certain answer to a certain question asked her by Maginnis. So anxious was Maginnis to reach the Pacific coast that he "took a chance" when he replaced a timid wireless operator on the Kentucky. Maginnis volunteered at the Kentucky wireless apparatus after the preceding operator had quit the ship through fear of future disaster.

Maginnis will shortly be assigned to the new steamship Beaver, which will follow her sister ship, the Bear, to the Pacific coast, and will ply between Portland and San Francisco on her arrival. The Beaver is expected to reach the Pacific coast in about three months.

HAWLEY IS PREPARING KLAMATH LAND BILL
(Washington Bureau of The Journal.)
Washington, Feb. 14.—Representative Hawley is preparing a bill in private for the opening of settlement of the large tracts of the Klamath reservation left after the Indians' lands were allotted. He will get the bills through the committee this week.

MEAT COMPANIES OF BOISE INDICTED

But on Short Weight Lard Charge Only—No Evidence of Fuel or Meat Combines.

(United Press Leased Wire.)
Boise, Idaho, Feb. 14.—The grand jury that has been investigating alleged local trusts today found indictments against the Boise Butcher company, the Boise Dressed Beef company, and William Neal, local manager of the Cudahy Packing company, for selling short-weight lard.

100 KILLED IN CHINESE RIOT

Canton, China, Closes to Foreigners Until Authorities Get the Situation in Hand.

(United Press Leased Wire.)
Canton, China, Feb. 14.—Following a riot in which, it is estimated, 100 men were killed or wounded by a Chinese naval force that was landed to quell rioting, the city is closed to foreigners. It will be reopened in two days, when it is expected that the officials will be in control of the situation. Many Chinese, fearing a general outbreak, are fleeing to Hong Kong.

FIGHTS FLAMES IN CHAMBER AND SAVED BY POOL OF WATER

Cornelius G. Murphy, head meter man of the city water department, lies in bed today scarcely able to move and that he is alive and able to move at all is due to the fact that he was cool headed enough to take advantage of a providential pool of water in the big gate chamber of the submerged pipes at Mill and Water streets.

The accident that almost cost Mr. Murphy his life was one of the most peculiar in the history of the water department. A noiseless explosion of some kind of mysteriously formed gas set the meterman's clothes afire and burned his hands and face badly one week ago today.

Stranger blue flame playing around the candle in all-piercing rings. He quickly descended again and had not touched the floor when he found himself wrapped in fire. A pool of water formed by the stream from the open tap caught his eye and into this he dashed without a moment's delay. He then put out the flames and closed the tap before going aloft.

GRAFT SCANDAL IN COLORADO

\$20,000 a Year Alleged Against State Boiler Inspector—Three Sets of Books.

(United Press Leased Wire.)
Denver, Colo., Feb. 14.—Governor Shaforth announced today that he would remove State Boiler Inspector A. E. J. Whitney, pending an investigation of the charge brought by State Auditor Rody Kencham that graft had been going on in the boiler inspector's office for about 14 years. Kencham charged that the office collected nearly \$20,000 annually, but only turned \$5000 into the state treasury. His charge followed the alleged discovery in Whitney's office of three duplicate sets of books. The auditor declared that "the worst is yet to come," and intimated that graft had been prevalent in other state offices.