

JURY SECURED TO TRY HALL

Only Two Defendants to Be Heard at Present Trial.

Ex-United States Attorney and Edwin Mays—Prosecution Makes No Explanation—Heny's Action Leads to Talk of Immunity in Exchange for Testimony.

Portland, Jan. 16.—Twelve jurors, satisfactory alike to the government and to the defense, were selected yesterday to determine the guilt or innocence of John H. Hall, ex-United States attorney for Oregon, and Edwin Mays, who are jointly charged with illegally fencing public lands in Eastern Oregon. The first juror, Alfred Freerksen, a farmer of Lebanon, Linn county, was accepted at 11 o'clock and the jury was completed at 5:35 o'clock yesterday afternoon with the acceptance of Henry Freerksen, a farmer of Shedd, Linn county, and a brother of the first man selected. Both sides had exhausted their three peremptory challenges before the name of Henry Freerksen was reached, but he was subjected to a thorough questioning by Special Prosecutor Heny before being accepted.

When court convened yesterday morning Mr. Heny created a sensation by announcing that of the 12 defendants named in the indictment only Hall and Edwin Mays would be tried at this time. His failure to indicate when W. W. Steiwer, Hamilton H. Hendricks and Clarence B. Zachary would be tried, if at all, is believed to give color to the report that these three defendants have been promised immunity in return for important testimony against their co-defendants. The testimony of these defendants, it has been rumored, is considered essential to the case of the government against Hall and Mays.

IDENTIFYING THE DEAD.

Many Boyertown Victims, Burned Past Recognition.

Boyertown, Pa., Jan. 16.—One hundred and seventy persons perished at the Rhoades opera house fire Monday night, according to figures compiled by Coroner Strasser last night. The list of dead includes one fireman, who lost his life fighting the fire, and one man, Jacob Johnson, who died from injuries received in the blazing playhouse.

Three charred bodies were recovered from the ruins of the building yesterday, and of the 168 bodies or remains that lie in the improvised ruins of the building 114 have been officially or partially identified by sorrowing relatives or friends.

Not more than 25 of the entire number of bodies removed from the fire have heads. There are several trunks which will never be recognized, as they were strangers in the audience that witnessed the play.

INDORSES SPARKS' ACTION.

Caucus of Nevada Legislators Supports Governor.

Carson, Nev., Jan. 16.—A joint caucus of the special committees of the senate and assembly of the Nevada legislature met yesterday and framed a joint resolution which will be introduced in the senate today asking the president of the United States to retain troops in Goldfield until such time as the state can provide either a police force or other means to maintain order in the camp. This is a decided victory for Governor Sparks, as the committee framing the resolution is composed of 20 members, both Republicans and Democrats, with the pro and anti labor elements both represented.

The resolution will undoubtedly pass the senate, while the general expression among the members of the lower house is that it will go through that body by a small majority, the senate being Republican and the assembly strongly Democratic.

Wants to Fine Standard.

Chicago, Jan. 16.—District Attorney Sims, upon arriving today from Washington, where he is thought to have discussed the matter with President Roosevelt, announced that he will make an effort to bring the Standard Oil company of Indiana to trial next week on the remaining 4,000 counts in the indictments returned against the corporation. It will be possible in the event that the company should be convicted on each count of the indictment to impose fines aggregating a total of \$80,000,000.

Range War Brewing.

Grand Junction, Colo., Jan. 16.—Appeals to the governor and to the sheriff of Mesa and Delta counties for protection, having failed and fearing a bloody battle will be participated by irate cattlemen through whose territory they must pass, the owners of many range wars and murders, the owners of 20,000 sheep are sending their stock from Montrose to the winter range in Utah under a guard of 200 men armed with Winchester.

Postpone Seattle Fair.

Seattle, Jan. 16.—While the idea is not received by approval by the majority of the people, Colonel Blithen and others have recently begun a movement to postpone the Alaska-Yukon exposition until 1910. The financial condition in all parts of the country and failure to realize on certain investments cause this plan to be considered.

POLITICS FIGURE LARGELY.

Heny Tells Sensational Story in His Opening Statement.

Portland, Jan. 17.—In his opening address in the Hall-Mays conspiracy trial yesterday, Francis J. Heny charged that:

Hall wanted reappointment as United States district attorney and sought election of Senators Mitchell and Fulton to that end.

He forced State Senator W. W. Steiwer to vote for Fulton in February, 1903, by threatening Steiwer and others with criminal prosecution (Hall then being United States district attorney) for illegal fencing of public lands.

Fulton was a party to this deal with Steiwer and used his influence in Steiwer's behalf to cause Hall to institute civil proceedings against Steiwer instead of criminal.

Brownell wanted to succeed Hall and had pledges of support from Mitchell and Fulton. Hall forced Brownell to retire and so to notify Mitchell and Fulton, by threatening Brownell with prosecution for acknowledging forged land papers, for which Brownell later was indicted through Heny.

Hall threatened Hermann, Williamson and Mitchell with land-fraud indictment if they did not secure his reappointment.

Hall had agreement with Steiwer, Zachary and Hendricks by which he allowed them to maintain their illegal fences, this being the alleged conspiracy.

Hall says he and Mays will both take the stand in their own defense.

L. R. Webster, attorney for Hall, said that when his client first learned of the illegal fences in 1901, he notified Steiwer, et al., that they must not fence government land. Webster denied that Hall was actuated by ulterior motives, politics or other.

Witnesses Putnam and King testified that they informed Hall by letter of the fences as early as March, 1900. The fences were not removed until 1905, after Hall was ousted from office.

INVESTIGATE HARRIMAN.

California Will Probe Into Actions of Southern Pacific.

San Francisco, Jan. 17.—After 29 years of quiescent obedience, the state board of railroad commissioners flew full into the face of the Southern Pacific company today and ordered a searching investigation into the rebating proclivities of the Harriman lines, the Santa Fe and the Salt Lake road. At the same time the board, with the assistance of Attorney General Webb, passed the responsibility for efficacious action to the door of Governor Gillett. It lies with the chief executive to authorize the expenditure of the money that such an investigation will cost, and Mr. Gillett has no alternative but to choose squarely between the people and the railroads.

The sudden awakening of the board has developed a unique situation. The state railroad commission has always been the object of tender care on the part of William F. Herrin. Now the commission has suddenly decided to put Mr. Herrin and his associates on the carpet.

SEEKS TO RETAIN TROOPS.

Nevada Legislators Are Unanimous in Approving Policy.

Carson City, Nev., Jan. 17.—At the afternoon session of the assembly yesterday a resolution which passed the senate in the morning, petitioning the president to retain the troops temporarily, passed without a negative vote. There was no argument on either side as to the merits of the measure. Governor Sparks was at the speaker's desk, and as he came into the hall was greeted with applause.

Speaker Skaggs, who has opposed the governor in the matter of calling troops to Nevada, left the chair and Speaker Pro Tem Folsom placed the motion before the house. Skaggs failed to vote on the measure, absenting himself at roll call. The governor is receiving congratulations from both parties since the passage of the bill. There was a meeting of the joint committee this afternoon in reference to taking up a measure for policing the state. It is likely that this measure will be introduced by Monday.

Wants Hearings Changed.

Washington, Jan. 17.—Representative Humphrey, of Washington, has reintroduced a bill of last session providing for the hearing of Alaska appeals at either Seattle, Portland or San Francisco, instead of merely at the California city as at present. Mr. Humphrey does not expect the same trouble that was encountered last year, although Representative Kahn, of California, has asserted his intention of fighting the bill. Mr. Kahn claims that the majority of appeals from Alaska are matters of California interest.

Opium Shipments Light.

Port Townsend, Wash., Jan. 17.—Among the interesting features of the business of the last year, transacted by officials of the Puget sound customs districts is the showing that for the entire period importations of opium reached the insignificant total of 238 pounds. The district is presumed to cover practically all of the output of British Columbia refineries which operate on a large scale. The light shipment is regarded as suspicious.

New Express Rates.

Jefferson City, Mo., Jan. 17.—The new schedule of express rates recently agreed upon by the board of railway commissioners and the express companies doing business in Missouri, goes into effect today. In round figures the schedule provides for an average reduction of 21 per cent.

PROCEEDINGS OF THE SIXTIETH SESSION OF NATIONAL LAWMAKERS

Thursday, January 16.

Washington, Jan. 16.—A complete change of front was exhibited by the majority in the house of representatives today in the consideration of the bill to codify and revise the penal laws of the United States. The pacific spirit displayed by the committee on revision of laws toward the close of yesterday's session, when it appeared as though the several amendments strengthening certain provisions of the bill regarding corruption in the appointment of persons to public offices would be adopted, had vanished today and instead every inch of ground was fought over to keep amendments out of the bill. When adjournment was taken, only six additional pages had been disposed of and but one or two verbal amendments by the committee had been inserted.

A resolution was adopted that the house convene at 9 a. m. instead of 12, and remain in session until 6 p. m. Lunch hour to be from 1 to 2.

Washington, Jan. 16.—Senator Fulton has introduced a bill appropriating \$250,000 for a revenue center for the Portland station. The bill has the approval of the Treasury department.

A resolution was passed declaring that no communication from heads of departments would be received unless sent in compliance of law or transmitted by the president.

Carter, of Montana, opposes giving public land to the states for various purposes.

A bill has been introduced creating a bureau of mining.

The senate calendar was cleared of nearly every bill upon it today and the bill to revise the criminal laws of the United States was taken up and discussed until adjournment, which was taken at 4:30 until Monday.

Wednesday, January 15.

Washington, Jan. 15.—Bacon today introduced a currency bill and explained its chief features to the senate. Bacon said that his bill was an amendment to the Aldrich bill and embodied many of its provisions, as it did of the provisions of the bill introduced by Knox. He said it omitted railroad bonds from the classes of securities that could be used as a basis of circulation.

The senate did not receive a reply today from the secretary of the treasury to its resolution calling for information concerning the financial situation, as had been promised, and in its absence Aldrich assented to the passage of Culberson's resolution on the same subject. Without further comment, the resolution was adopted.

The resolution providing for the remission of more than half the Chinese Boxer indemnity was passed.

Washington, Jan. 15.—So persistent have been the efforts made in the house of representatives to amend the bill codifying the penal laws of the United States that the committee on the revision of the laws today consented to let down the bars, and as a result the measure was changed in some important particulars. The pacific attitude of the committee in this regard served to modify the opposition to the measure, and in consequence the proceedings today were devoid of the heated arguments which have characterized the previous debates. When the house adjourned there were pending a number of other important amendments, which seemed to meet with no particular opposition by the committee, but which were passed over until tomorrow.

The portions of the bill which attracted the most attention were those covering the giving and accepting of bribes by senators and representatives, and the sale of endorsements or support for appointive public offices. It is to the amendments touching these questions that the house will devote itself tomorrow upon resuming consideration of the bill.

Tuesday, January 14.

Washington, Jan. 14.—The recent bond issue by the Treasury department was again the subject of discussion in the senate today, being brought forward by a resolution offered by Culberson, calling upon the secretary for additional information concerning the reasons that induced him to award bonds to National banks instead of individuals who, he declared, offered a higher price than was bid by the banks. The resolution went over until the rules.

Tillman offered a resolution embodying a new series of inquiries concerning the financial situation.

The senate refused to confirm four Ohio postoffice appointments at the instance of Foraker and Dick.

The bill granting leaves of absence to homestead entrymen during December, January, February and March was passed.

Washington, Jan. 4.—The amount of the fine and the length of the term of imprisonment to be meted out to officers and directors of corporations for violating the law with respect to money contributions for political purposes furnished material for a lengthy debate in the house today, in connection with the

Journey Brings Success.

Washington, Jan. 15.—The work of Ezra Meeker, the pioneer who came all the way from Puyallup, Wash., in a prairie schooner of the pattern in which he had crossed the plains 54 years before, seems about to be rewarded with success. Representative Humphrey has introduced in the house a bill providing for the appointment of a commissioner to take charge of the work of marking this trail, and also for an appropriation of \$50,000 for the work.

consideration of the penal code bill. All amendments to increase the penalty or enlarge the scope of the law, however, were voted down. These amendments, without exception, emanated from the Democratic side, but the one that brought forth the most discussion was by Cockran, New York, who wanted the fine fixed at \$10,000 instead of not more than \$1,000, and the imprisonment at 10 years instead of not more than one year.

When adjournment was taken at 5 o'clock 86 sections of the 342 had been disposed of.

Monday, January 13.

Washington, Jan. 13.—The recent issue of bonds by the secretary of the treasury for the purpose of relieving the financial stringency was the subject of an animated debate in the senate today. The discussion was precipitated by an inquiry by Culberson and was participated in by Aldrich, Tillman and Bailey. It resulted in an agreement to postpone further controversy until a statement can be received from Secretary Cortelyou, which Aldrich promised to present on Thursday. While the subject was under discussion, Tillman's resolution directing the finance committee to inquire into the operations of the Treasury department was referred, with his consent, to that committee.

The senate passed Tillman's resolution calling on the Interstate Commerce commission for information concerning purchases by railroad companies of stocks of competing roads.

The unfinished business in the form of the bill to codify the criminal laws of the United States was placed before the senate and the reading of the bill was begun.

Washington, Jan. 13.—Vigorous defense of state's rights in dealing with violations of civil rights or with special state elections, where troops have been called into service, served to enliven the debate in the house of representatives today in connection with the consideration of the bill to codify the penal laws of the United States. A number of Democrats, mostly from the Southern states, strenuously sought, by amendment, to reserve to the states themselves discretion as to the qualifications of voters or of persons to serve on juries, and to limit the powers of Federal judges in certain cases, but every attempt failed. Republicans presented a solid front, and the votes were all on party lines.

MAY SKIP BUENOS AYRES TRIP

Probable Torpedo Flotilla Will Go Direct From Rio.

Washington, Jan. 20.—It seems probable now that the torpedo boat flotilla on its way to the Pacific will not pay a visit to Buenos Ayres, as was intended. According to the original plan, the flotilla was to proceed from Rio Janeiro to Montevideo. Now, however, as the flotilla is said to be three days behind its itinerary, it is probable that the entire cruise up the River Plate will be cut out and without stopping at either Montevideo or Buenos Ayres the little vessels will try to make the run from Rio Janeiro to Sandy Point, in the straits of Magellan. The torpedo boats will thus be given a thorough test of their ability to make a long distance run and will also be able to catch up with their schedule and accompany the battleships in the passage of the straits of Magellan, as desired by Admiral Evans.

New Liability Law Projected.

Washington, Jan. 4.—There is a strong probability that before the present congress adjourns another employers' liability law will be enacted to take the place of the one that has just been declared unconstitutional by the United States Supreme court. However, this is the prediction of the labor leaders in congress. The features in the La Follette law that was held faulty will be eliminated in the next act.

Bullinger Out of Land Office.

Washington, Jan. 14.—R. A. Bullinger, commissioner of the general land office, will resign and be succeeded March 1 by Assistant Commissioner Fred Dennett. Colonel Medorem Crawford, of Salem, Oregon, was nominated by the president today to be a brigadier general.

Indians Get Decision.

Washington, Jan. 14.—The United States Supreme court today upheld the right of the Indians of Fort Belknap reservation in Montana to the waters of the Milk river, claiming it is theirs by treaty. Henry Waters and others sought to divert the water for commercial purposes.

Revenues Show Decrease.

Washington, Jan. 14.—The monthly statement of collections of internal revenue shows that for the month of November, 1907, the receipts fell off \$5,626,000, as compared with November, 1906.

Will Have Hard Fight.

Washington, Jan. 16.—The Washington congressional delegation had a conference this evening with Chairman Tawney, of the house appropriations committee regarding the bill for government buildings and exhibits at the Seattle exposition. Mr. Tawney called attention to the fact that the bill was sure to meet with opposition, especially in the house, and therefore it was advisable to eliminate all unnecessary items and so reduce the cost.

TOTAL DEAD 170.

Nearly Every Family at Boyertown is Affected.

Boyertown, Pa., Jan. 15.—When nightfall put a stop to the work of recovering the dead from the ruins of the Rhoades opera house, where Monday night's holocaust occurred, the official roll of victims numbered 167. Whether any more bodies are buried beneath the ruins cannot be positively stated, but it is the belief of those who had charge of the gruesome work that all of the dead have been removed, and that the total list of victims will not go over 170. The ratio of women and girls to men and boys is about 9 to 1. Work of identification will not be begun until today, as most of the bodies are still lying in a confused state at the four improvised morgues.

The population of the place is about 2,500, and the disaster paralyzed the town, and the people are going about dazed. It is safe to say that everybody in the place either lost one or more relatives or was intimately acquainted with those who died in the fire. In several cases, whole families were wiped out.

It was almost daylight yesterday before the flames were extinguished and rescuers were able to enter the ruins to remove the dead. The morning was bitter cold, and by the time the benumbed and exhausted firemen began the task of disentangling the mass of burned beams and twisted iron the entire ruins were coated with ice and there was danger of the walls falling. The work was slow at first and it was 7 o'clock before the first body was removed.

SPECIAL SESSION CALLED.

Nevada Legislature Meets to Consider Goldfield Situation.

Carson, Nev., Jan. 15.—The special session of the Nevada legislature called by Governor Sparks met at noon yesterday. After organization Governor Sparks' message was read. In the senate the appropriation bill of the session was passed. The only important action taken was the passage of a resolution referring all bills that may be introduced relative to state rangers, constabulary or military, to a special joint committee.

There is a question as to the legality of the organization of the assembly. The members, under a ruling from the attorney general, organized without swearing in the speaker, Robert Skaggs. In the senate all of the officers were compelled to take the oath. As there is a disposition to depose Skaggs, in case of a re-opening the question, it is expected that a lively fight will be had.

Governor Sparks, it is thought, will endeavor to influence the passage of a state ranger law similar to that of Texas, as he has the Texas law at hand, and it has been read by a number of the members. It is likely to meet with strong opposition in the lower house, where the labor unions have a strong representation.

Senator Morehouse, formerly of California, now located in Goldfield, is in attendance, representing the Goldfield chamber of commerce.

PLAGUE CAMPAIGN ENDED.

Only One New Case Since Christmas in San Francisco.

San Francisco, Jan. 15.—The campaign for the eradication of the bubonic plague in San Francisco, which has been conducted by Dr. Rupert Blue and a staff of 150 medical officials of the United States marine hospital, is almost over. Only one case of plague has occurred in this city since December 26, and it was a Japanese who was taken ill after arriving from Stege, Contra Costa, where he is believed to have contracted the disease. The local health authorities announce that no further daily plague bulletins will be issued.

Since the origin of the plague in this city last May there have been 137 verified cases. Of these 17 were verified by clinical examination and 120 by bacteriological investigation. Of the total number of persons who contracted this disease, 74 died and 63 recovered. Only two cases remain under treatment, and at the isolation hospital there still remain 18 suspects under observation.

While the plague has practically been stamped out, the sanitary campaign of Dr. Blue and the local health authorities will continue for some time.

Keep Coolies at Home.

Honolulu, Jan. 15.—A local Japanese newspaper prints an interview with Viscount Aoki in which the viscount is quoted as follows: "I do not approve of manual laborers going to America. They cannot expect, after Japan's long isolation, to establish themselves in any Western country. Destiny and opportunity are in Asia, in Corea and Manchuria." Viscount Aoki expressed himself as opposed to Japanese seeking naturalization in America, for the reason that citizenship is only needed by permanent residents.

Evacuate Cuba Next Year.

Washington, Jan. 15.—In transmitting to the senate today the report of Provisional Governor Magoon on conditions in Cuba, the president said: "I am glad to be able to say that we can now definitely announce that by or before February 1, 1909, we shall have turned over the island to the president and congress to be elected next December by the people of Cuba. Our work to turn the island over to its own people will be scrupulously regarded."

Put South Dakota in Commission.

Washington, Jan. 15.—The battleship South Dakota has been ordered placed in commission at the Mare Island navy yard on January 27.

HUNDRED DIE IN THEATER

Fire and Panic at Boyertown, Pa., With Awful Results.

Flames Leap Through Hall and People Rush Out—Many Are Trampled to Pulp—Others Leap From Windows and Break Their Bones—Fire Apparatus Disabled.

Boyertown, Pa., Jan. 14.—Nearly 100 persons of this borough were killed in a theater fire and panic last night and nearly three score injured, many of them fatally. A majority of the killed were members of the leading families of the town.

While the "Scottish Reformation" was being reproduced in Rhodes opera house by Mrs. Monroe, of Washington, a tank used in a moving picture scene exploded. Immediately there was a wild rush for the exits of the building. Men of mature years endeavored to still the panic, but their voices could not be heard above the shrieks and screams of the terrified women and children who composed the greater part of the audience.

It seemed as though nearly the entire audience made a mad rush for the exits the moment the explosion occurred.

In their attempts to quiet the great crowd, those persons who were on the stage accidentally upset the coal oil lamps used at the footlights. The burning oil scattered in all directions, and the lamps which were used to light the opera house exploded, throwing the blazing oil over the terror stricken people, who were fighting frantically to gain the exits. In the mad rush a section of the floor gave way, precipitating scores of persons to the basement.

It was scarcely five minutes from the time of the explosion of the tanks until the entire heart of the structure seemed a roaring furnace. There was a mad scramble to the stairway, and scores of women and children were knocked down and trampled upon, many of them doubtless being crushed to death. At least 50 persons, realizing that exit by the stairway meant almost certain death, risked their lives by jumping from the windows. Limbs were broken and skulls were crushed by this daring method of escape.

In the meantime a relief corps was at work at the entrance to the theater, endeavoring to release those who were edged in the doorway and unable to extricate themselves. Many persons who otherwise might have made good their escape from the furnace were held in check by the awful jam at the doors. As the flames cut their way toward the front of the building, women could be seen to clasp their hands and fall back into the flames.

Once the doorways were clear, the rescuers dragged many women and children from the stairways leading to the balcony. Some of them were so badly injured that they died before reaching the temporary hospital. Skulls were crushed and the faces of some of the victims were so horribly mutilated that they were barely recognizable. In one instance, the skull of a child, apparently about 10 years of age, was crushed almost into a jelly.

To add to the terrible disaster, the fire apparatus became disabled and the structure was left entirely to the mercy of the flames. It is almost certain now a vestige of the bodies of the unfortunate who were overcome by the smoke and perished will ever be found.

Had the women and children heeded the warning of the cooler heads in the audience, the horrible loss of life might have been avoided, but there was the usual panic and stampede which invariably follows such a catastrophe. The flames spread rapidly and communicated to the other parts of the building. Men, women and children rushed for the many exits of the building, and the weaker sex and the children were trampled and maimed in the mad rush to gain the streets.

Big Fire in Kansas City.

Kansas City, Mo., Jan. 14.—The Union station annex was destroyed by fire early today. The Union station proper was saved. The burned building contained the receiving offices of the Adams, Wells-Fargo and Pacific Express companies, branch mailing room of the postoffice, the offices of the Fred Harvey Eating House company, the Pullman Palace Car company's linen room and the Railwaymen's Y. M. C. A. rooms. The loss is estimated at close to a quarter of a million dollars.

Massacred by Yaquis.

Visalia, Cal., Jan. 14.—Word of the tragic death of Mark Perkins, a prominent mine owner of Mexico, and former resident of this city, was received today by the young man's parents, Mr. and Mrs. H. P. Perkins, of Visalia. On January 2 last, Perkins and nine Mexicans were ambushed by Yaquis near the city of Sonora, Mexico, and massacred, but one Mexican escaping. Other particulars of the killing have not yet been received.

Mining Camp Burns.

Mexico City, Jan. 14.—According to a telegram just received in this city, the great gold mining camp of El Oro, one of the largest in the republic, is being destroyed by fire. When the dispatch was filed the principal hotels and the more important business buildings of the camp had been reduced to ashes.