

URNS ON PROSECUTION

Ruef Accuses Heney of Subornation of Perjury.

Would Change Plea in Extortion Case As He Is Not Guilty—Declares His Testimony Was Obtained by Misrepresentation, Coercion and Unlawful Influence.

San Francisco, March 7.—This morning at 10 o'clock Abraham Ruef will, through his attorneys, Henry Ach, Frank J. Murphy and M. C. Chapman, present to Judge Dunne a motion to allow him to withdraw his plea of guilty entered on May 15, and substitute a plea of not guilty in the case brought on indictment No. 305, one of the French restaurant extortion cases. To support his motion Ruef will file affidavits of a sensational nature, the substance of which was given out tonight.

In filing the motion Ruef states that the plea of guilty was improperly and inadvisedly tendered and that the defendant is not guilty of the offense charged, and that he was induced to enter the plea of guilty by virtue of an agreement and understanding with the district attorney, William H. Langdon, the assistant district attorney, Francis J. Heney, the special agent of the district attorney, William J. Burns, and the financial backer of the district attorney in this prosecution, Rudolph Spreckels, and because of the agreement and understanding of the judge presiding in this department of the Superior court, Judge Frank H. Dunne, that the plea of guilty should subsequently be withdrawn and the plea of not guilty substituted, and the cause dismissed against the defendant.

The motion also will state that the district attorney has heretofore consented to the withdrawal of the plea of guilty and that this plea was obtained from the defendant by fraud, coercion, duress and false pretenses. The motion will be presented to the court on March 12.

LEAVE SCHOOL WITHOUT PANIC

Singing "America" 2,000 New York Children Reach Safety.

New York, March 7.—A special call was sent into fire headquarters from the public school on One Hundred and Ninth street, between Amsterdam avenue and Broadway.

The children were marched from the school without panic or disorder. They were assembled in the yard and sent home. Parents who rushed to the building were prevented by the police from closing in the exits and sent away. The fire was on the top floor of the building, which is five stories high.

The 2,000 pupils in the building were engaged in their morning singing exercise when the fire gong rang and they continued to sing "America" as they marched out of the building. There was no sign of panic at any time.

SECRETS OF TORPEDOES.

Biss Company Says Employe Has Stolen Brass Models.

New York, March 7.—The E. W. Biss company, manufacturers of projectiles, secured the arrest last night of William Esser, a mechanic, of Brooklyn, who, it is charged, has stolen the brass models of the principal parts of torpedoes now in process of secret manufacture for the government.

Detectives engaged on the case assert that other arrests will be made of men who will be charged with offering for sale to other governments secrets of projectile manufacture. The Federal authorities would be interested in the prosecution. It was said, though just how was not made clear.

William Esser was held in \$1,000 bail when arraigned in court today. No representative of the government appeared against Esser.

Petition Czar for Mercy

St. Petersburg, March 7.—M. Tschalkovsky, who is awaiting trial for revolutionary utterances, was visited today by physicians, who are to determine the state of his health. M. Tschalkovsky will present to Premier Stolypin an English petition in favor of her husband, signed by 300 leading clergymen and members of the nobility. This is the petition that Count Benckendorff, Russian ambassador in London, declined to forward to St. Petersburg. It will be followed by a general English petition.

Teach Girls to Gamble.

San Francisco, March 7.—Police Judge Smith, of Oakland, this morning sentenced August Salmin, who was convicted last Tuesday of selling pools on the horse races, to pay a fine of \$300 or serve 150 days in jail. Judge Smith, in passing sentence, remarked that gambling is entirely too prevalent in Oakland. He said that only a few days ago he himself stepped into a cigar store and saw there two young girls studying the "dope sheet."

Illegal Fencers Fined.

Helena, Mont., March 7.—United State Judge Hunt today imposed rather severe penalties on four well known Northern Montana stockmen and ranchers who pleaded guilty to illegal fencing. The fines and imprisonment follow: Joseph and Frank Laird, ten days and \$250 each; Nelson Bingham, 48 hours and \$200; James, Bingham, 48 hours and \$100.

CAUGHT IN TRAP

Death March in Collinwood School Led to Locked Door.

Cleveland, O., March 6.—Twenty-four hours after the disaster which caused the death of approximately one-third of the school children of Collinwood, the death roll numbers 164. Of these 137 had been identified at the Lake Shore morgue, while 27 bodies remain there in a condition of mutilation probably forever beyond recognition.

The work of digging in the ruins of the Lake View school house in further search for remnants of children still missing began with the break of day. Dawn found mothers and fathers waiting about the ruined building, after having spent the night in an effort to find their children's remains in the extemporized morgue. Little was brought forth during the day that would satisfy their longings, and it was believed last night that all the bodies that can be removed from the ruins have been taken out.

The coroner's inquest was begun yesterday, when a number of witnesses were examined without, however, developing any testimony that was beyond mere opinion. An investigation conducted by the Collinwood school board, which lasted far into the night, brought forth these facts:

That one of the inner doors at the West entrance of the school was closed and fastened, while children were piling up against it in the passage; that the partitions in the vestibule narrowed the exit by at least three feet; that the flames came first from a closet below the stairway at the East entrance; the closet contained lime and sawdust; three little girls had been found hiding in play in the closet earlier in the morning; there was but one fire escape and its use was never taught as a part of the fire drill.

SIDE OF RAILROADS.

Contend Low Lumber Rate Will Prevent New Construction.

Washington, March 6.—Argument of the Pacific Coast lumber case was resumed before the Interstate Commerce commission yesterday. J. D. Kerr, representing the Hill roads, frankly stated that the Northern Pacific and Great Northern have reached their capacity for handling traffic. He said as the development of the Northwest continued, traffic would grow. Therefore existing roads must increase their capacity or new roads must be built, but he declared no new roads would be built to haul lumber unless they had a guarantee of a rate that would be remunerative. If the old non-compensatory lumber rate is continued in effect, money cannot be procured and railroad building will stop, he said.

Mr. Kerr denied that the lumber men would be injured by an increase. They would still make a big profit, he declared. The Booth-Kelly company in Oregon, which is not operated under favorable conditions, could, on the basis of an advanced rate, still earn 31 per cent annually on its investment. Some companies could make larger profits, others not so much. Relative to the arguments that lumber cannot move into competitive territory under an advanced rate, Mr. Kerr showed that the St. Paul & Tacoma Lumber company, of Tacoma, paid 55 cents into this district for years and made good profits. This is higher than the proposed new rate.

WANT FOREST PRESERVED.

Wholesale Lumber Dealers Approve Policy of Government.

Washington, March 6.—The concluding feature of the 16th annual convention of the National Wholesale Lumber Dealers' association was a banquet at the New Willard last night. The principal topic of discussion yesterday was forest preservation. The report of the committee on forestry declared that the lumber dealers realize the inevitable shortage in the timber supply which must be felt in the very near future and are doing more probably than any other agency to promote the cause of forestry. The report declares that with all the agencies at work they are hopeful that our forests will still be preserved. Repeal of the homestead law as applied to timber lands is advocated, but the general forest reserve policy of the government is approved.

MINERS ON NON-UNION BASIS.

Seattle, Wash., March 6.—A cable dispatch to the Post-Intelligencer from Fairbanks, Alaska, says: Nineteen operators on Vault creek, formerly operating eight hours and paying \$5, resolved to go on a ten-hour \$5 basis on March 10, and have so notified their employees. Many men are arriving daily over the trail and are being sent out to work in the mines. More men are working on the non-union basis than ever, many union operators having joined the Mineowner's association and prospects are bright for a banner season.

Would Classify Banks.

San Francisco, March 6.—Representatives of the San Francisco Savings Bank association appeared before the special legislative committee on banking laws today in order to make recommendations for the amendment of the existing laws. The chief recommendation was that laws be passed separating the three different kinds of banking known as trust business, commercial business and savings deposits, so they can be better regulated.

Restore Surveyor General's Pay.

Washington, March 6.—The senate subcommittee on appropriations today agreed to restore to the legislative bill the provision increasing the salaries of surveyors general to \$5,000.

PROCEEDINGS OF THE SIXTIETH SESSION OF NATIONAL LAWMAKERS

Saturday, March 7.

Washington, March 7.—Bills to establish savings banks, introduced by Senators Carter, Knox and Burdett, today were considered by a subcommittee of the senate committee on postoffices and post roads consisting of Senators Carter, Burrows, Bankhead and Clegg. Postmaster General Meyer was before the subcommittee and outlined his views on the subject.

Mr. Meyer stated that, while the Knox bill was drawn in his department, he was not wedded to that measure and was very ready to approve amendments or provision to be taken from both the Burdett and Carter bills. The committee and postmaster general were agreed upon the plan for placing the funds to be secured by the postal savings banks in the various national banks of the country at a rate of interest large enough to pay depositors 2 per cent and to defray all attendant expenses.

Washington, March 7.—A part of the session today of the house was devoted to the consideration of private claim bills. The remainder of the day was given over to eulogies of the late Representative Slemo, of Virginia.

Friday, March 6.

Washington, March 6.—The army pay bill was passed by the senate today. The bill provides for army officers a graded increase of pay ranging from 5 per cent for lieutenant generals to 20 per cent for junior officers. It also provides that "the average pay of enlisted men of the army, as now established, be increased 40 per cent." This amendment, suggested by Culberson, of Texas, takes away the discretion of the president in fixing the pay of soldiers.

Scott read a letter from a banker who stated that army officers pay 3 per cent interest per month to have their salaries discounted because their incomes are so small.

An amendment was offered by Bacon, and adopted, giving six months' pay to families of officers and enlisted men upon their death.

Washington, March 6.—The house today passed the bill providing for the payment to the Roman Catholic archbishop of Manila \$403,000 for damage done to church property during the Spanish war and the subsequent Philippine insurrection. The bill was debated for several hours.

The house today unanimously adopted a resolution to investigate the charges brought by Representative Lilley, of Connecticut, of corrupt influences upon members of the house naval affairs committee in connection with authorizations for submarine torpedo boats.

Thursday, March 5.

Thursday, March 5.—A marked tribute of respect was accorded the memory of the late Senator Redfield Proctor, of Vermont, by the United States senate today. The reading of the journal was only begun when Senator Dillingham, of Vermont, arose and, asking that it be dispensed with, referred in tones that indicated deep emotion to the great bereavement that had come upon the senate, the state of Vermont and the country by the passing of a man who for so many years had been in the public eye.

Mr. Dillingham moved the adoption of the customary resolution, and the vice president announced a committee consisting of Senators Dillingham, Daniel, Gallinger, Perkins, Taliaferro, Overman and Hemenway to attend the funeral.

In the house the proceedings were brief. While waiting for the official announcement of Senator Proctor's death, a couple of bills of minor importance were passed.

Mr. Haskins, of Vermont, presented resolutions of regret, which were adopted. After Speaker Cannon had announced the names of the committee to represent the house at the funeral, the house, as a further mark of respect, adjourned. The body will be accompanied by members of the family of the late senator and by the congressional committees to Proctorville, Vermont.

Wednesday, March 4.

Washington, March 4.—Currency legislation was the subject of consideration in the senate today. Heyburn opposed the Aldrich bill and declared it was useless and he would not vote for it.

Perkins spoke at length in support of the bill. Bailey stated that he would speak on the bill Monday and Dewey will speak on Friday. Aldrich announced that he hoped to have a vote on the measure next Wednesday. A canvass of the senate made to ascertain the sentiment in regard to the bill indicates that there will be more Democratic senators for it than Republican senators against it. Since the speech by Smith, of Michigan, in opposition to the railroad bond feature it has been stated persistently that there is a Republican defection that endangers the passage of the bill.

Will Fight for His Bill.

Washington, March 5.—Senator Fulton declared today he would get a report on his rate law amendment bill. He proposes not to "lay down," but is prepared to fight for his measure.

It is learned that some members of the Interstate Commerce commission are displeased that Chairman Knapp committed them against the Fulton bill. Considerable feeling may develop in the commission over the aspect the case has assumed.

Washington, March 4.—The agricultural appropriation bill has been agreed upon by the house committee on agriculture and probably will be reported to the house tomorrow. The bill carries a total of \$11,431,416, which is a reduction of \$1,420,005 from the departmental estimate, and an excess of \$1,948,056 over the amount appropriated for the current year.

Tuesday, March 3.

Washington, March 3.—Senators McCumber, of North Dakota, and Newlands, of Nevada, today spoke at length on the Aldrich bill.

Mr. McCumber was opposed to any expansion of the currency except to save the country from a catastrophe, he said. He favored a government guarantee of deposits in national banks. During a colloquy with Senator Carter the latter, commenting on savings banks, said: "There ought to be a clear way opened from the back door of the failed banks to the penitentiary."

Washington, March 3.—The startling charge that the railroads of the country carrying mails had robbed the people of \$70,000,000 was made in the house today by Lloyd, of Missouri. He declared that the new system of weighing mails was an admission of the postmaster general that the weighing in the past 27 years had been fraudulent. He called for an investigation of the Postoffice department, and Wagner, of Pennsylvania, chairman of the committee to control the expenses of that department, promised that an inquiry would be conducted.

Others who spoke were Moon, of Tennessee; Goebel, of Ohio; Briggs, of Georgia; Murdock, of Kansas; and Smith, of California.

A strong plea for an ocean mail subsidy to steamers plying between the United States and South American ports, the Philippines, Japan, China and Australia was made by Goebel. Since last March the foreign steamships engaged in trade with the Orient have been reduced to eight, with no new ships building, and he urged the subsidy in order to revive those sailings.

After an argument by Smith in opposition to the plan for a rural parcels post service, the bill was laid aside.

Monday, March 2.

Washington, March 2.—A bill to reorganize the consular service passed the senate today. It will close 28 consulates and create 15 new ones, but not one consul will be dropped. The law will take effect July 1, 1908.

The mail shipping bill was made the special order for next Thursday.

Senator Smith, of Michigan, spoke against the railroad bond features of the Aldrich currency bill.

Most of the day was devoted to the passage of bills on the calendar which were not of general importance.

Washington, March 2.—A variety of subjects was considered by the house today. A resolution was passed authorizing the immigration committee to investigate charges of poeage in certain states. Four hundred pension bills and a few other private bills were passed at the rate of 10 a minute, and the remainder of the time was consumed in considering the postoffice appropriation bill, which will be discussed for several days.

An important bit of legislation was offered by Hepburn, of Iowa, through a bill imposing a tax of 50 cents per hundred shares on stock or agreements to sell.

WARSHIPS BRING BUSINESS.

Magdalena Bay, With But One House, Becomes Trade Center.

Washington, March 3.—Magdalena Bay has suddenly appeared on the map as a "commercial center," according to information transmitted to the State department by American Consul General Gottschalk, at the City of Mexico.

The Mexican government, having declared Magdalena Bay a port of entry for an indefinite period from February 15 last, Senator D. Rafael Castro Montana has been appointed administrator of the Magdalena Bay customs house and captain of the port.

Many Mexican houses are sending salesmen and stocks of goods there for the purpose of trading with the 15,000 men of the American fleet during the month's stay at target practice. At present, it is reported, one house comprises the municipality.

Treaty With Switzerland.

Washington, March 3.—An arbitration treaty between the United States and Switzerland was signed today by Secretary Root and Minister Lesovogel. It is understood that the treaty follows the lines of treaties negotiated recently between the American government and several European countries.

Time Extended to Irrigators.

Washington, March 3.—The house has passed a bill extending until May 15 next the time in which homestead entrymen may establish their residence upon certain land within the Huntley irrigation project, Yellowstone county, Montana.

Subig Bay Not the Naval Base.

Washington, March 4.—That Olongapo, on Subig bay, in the Philippines, is not to be hereafter considered in any estimate or plans or allotments under consideration by the navy bureau is indicated by the revocation of a formal order which instructed that preference be given to that place as a naval project. Recently the joint board of the army and navy decided that the naval base for the East should be at Cavite instead of at Subig bay.

WILL NOT ARBITRATE.

No Immediate Prospect of Settling Venezuelan Question.

Washington, March 4.—Venezuela has again declined to arbitrate the questions in controversy which have been pending for some time between the Castro administration and the American government. This time the refusal is made specific with respect to each of the questions separately and differs from the last refusal to arbitrate in that the refusal then was made as to all questions en bloc.

It was explained at the State department today that the presentation by Minister Russell of each of the five points in dispute, with a request for arbitration, leaves no foundation for a future representation by Venezuela to the effect that she was not asked to arbitrate any of the questions separately. This would seem to clear up the situation by making it plain that diplomacy can accomplish nothing further toward settling those controversies.

That this deadlock will be made to appear to the United States senate when it receives the contents of the files of the State department respecting Venezuela, information for which it asked last week, there can be no doubt.

In asking arbitration of the differences the American government has left open the question of the machinery of arbitration to be employed. This government would have been glad to have the controversy go to The Hague. Failing in this, it is believed any other duly appointed tribunal would have been acceptable.

WAS BOLD STROKE.

Bank Vault Robbed Directly Under Owner's Study.

El Paso, Tex., March 4.—A dispatch from Chihuahua says:

The daring bank robber, who on Sunday removed \$295,000 from the vaults of the Chihuahua branch of the Banco Minero, took the money from a vault directly under the study of Governor Enrique C. Creel, who has a residence in the upper stories of the building.

The lock to the document vault was broken from the inside, and the currency taken consisted of notes already issued and passing constantly over the counters. The numbers are unknown and identification will be practically impossible.

A statement has been issued by the bank officials calling in all outstanding 1,000 peso notes for redemption. Most of the missing money was of this denomination. A large quantity of silver, gold and bills of small denominations were untouched by the robbers, although they were lying in the same compartment from which the currency was taken.

It is believed that the robbers had accomplices among the bank employes, and that they were concealed in the vault before closing time Saturday afternoon. The lock being broken from the inside of the vault supports this theory. The bank watchman, the porter and two or three men of unknown antecedents have been arrested and are held in jail. American detectives are here at work on the case, but if they have a clue to the robbers the authorities refuse to make it public.

CHOSEN BY LOT.

Death Sentence Passed on Chicago Chief by Anarchists.

Chicago, March 4.—That Lazarus Averbuch, in attempting to assassinate Chief of Police Shippy, carried out a commission entrusted to him by a group of Chicago anarchists was declared by Assistant Chief of Police Schuettler last night to have been proven beyond a doubt. The discovery was made just as the police were about to accept the theory that the young anarchist acted upon his own impulse and that the attempt was not the result of a conspiracy. The group of anarchists also plotted, according to information in the hands of the authorities, to assassinate Mayor Busse and Captain P. D. O'Brien, of the detective bureau.

The principals in the plot have not yet been discovered, but it is said that Averbuch was picked to execute the order of death at a meeting of anarchists which he attended last Thursday night.

Rush Work on Collier.

Vallejo, Cal., March 4.—In an endeavor to make a record for the Mare Island navy yard which will result in a battleship being constructed here, work on the collier Prometheus, being built at a cost of \$1,550,000, is being rushed and will be completed by the construction and repair departments in two months. During February over 120 tons of material were put in her every week, the progress made being 11 per cent. The ship is now over 38 per cent completed. She will be launched in eight months.

Votes to Send 4,000 Men.

Paris, March 4.—The cabinet today voted formally to send 4,000 additional soldiers to Morocco, with the object of continuing the aggressive policy of the government in that country, as well as affording rest to the troops who have become tired out in the recent fighting with the Moors. Parliament will be asked to appropriate the sum of \$500,000 for general relief, as well as improvement work now contemplated in Morocco.

Liquor Issue in Vermont.

Montpelier, Vt., March 4.—Returns from the 236 towns throughout the state which held elections yesterday show that 29 towns voted for license, against 33 last year. One city, Burlington, swung from no license to license, two others, Barre and St. Albans, changed from "wet" to "dry."

ATTEMPT ON POLICE CHIEF

Anarchist Tries to Kill Shippy, of Chicago Force.

Shot by Chief After Wounding Four Persons—Shippy Saved by Quickness and Son's Brave Conduct—Dead Man Had Plotted Long for Chief's Life.

Chicago, March 3.—The would-be assassin of Chief of Police George M. Shippy was last night identified as Lazarus Averbuch, a Russian student of presumably anarchistic tendencies.

Chief Shippy, attacked in his home, No. 31 Lincoln place, at 9:30 a. m. yesterday by Averbuch, shot and killed the latter, but not until his assailant had stabbed him in the arm and shot and dangerously wounded Harry Shippy, a son of the police official, and had wounded James Foley, a member of the police department detailed as driver for his superior.

The younger Shippy was said at a late hour last night to have a good chance of recovery. Neither of the other men was dangerously hurt.

Averbuch's attempt upon the chief's life was the fourth effort he had made to accomplish his purpose. Twice on Sunday he visited the house, but was unsuccessful in finding his intended victim at home. At 7 o'clock yesterday morning he made his third appearance, but was informed by a servant that the chief could not be seen till 9 o'clock.

When he returned at 9 o'clock the chief was on the point of leaving for his office. When admitted at the front door Averbuch handed the chief an envelope bearing his name and address, but the latter, having heard of the previous visits to his home, suspected that something was wrong and seized him by the arms. The envelope which was found later to be only a ruse to gain entrance, contained only a blank sheet of paper. The quickness with which the chief acted upon his suspicion doubtless saved his life. Averbuch, though slight in build, proved in his desperation almost a match for the chief, who is much larger, and the latter found himself unable to hold his assailant and search him for weapons at the same time. He therefore called to his wife, who was in the next room, asking her to ascertain whether the man had a weapon in his pockets.

Mrs. Shippy discovered a revolver in Averbuch's pocket, but before she could remove it he struggled loose from the grasp of the chief, drawing a long knife, stabbed her chief in the arm. Thereupon the chief grappled again with his assailant, who drew a revolver.

At that moment Harry Shippy, 19 years old, came rushing down the stairway to his father's aid. Averbuch fired two shots, one of which struck young Shippy, who fell seriously wounded. Before Averbuch could fire again, James Foley, the chief's driver, attracted by the shooting, ran to the door and seized Averbuch. The assassin struggled loose from the embrace and fired a shot, which pierced Foley's hand.

Thereupon both Mr. Foley and Mr. Shippy emptied their revolvers into Averbuch's body. One bullet entered the man's breast near the heart and another passed through his head. The revolver dropped from his fingers and he died without a groan.

FATE IN DOUBT.

Seattle Fair Bill May Not Get By Its House Opponents.

Washington, March 3.—The members of the Washington congressional delegation are somewhat concerned over the manifest unfriendliness shown by the Republican leaders in the house toward the Alaska-Yukon-Pacific exposition bill. While they feel reasonably certain that they will ultimately secure an appropriation for government buildings and exhibits, they realize that the opposition of the "strong men" of the house is likely to make it difficult to get as much money as they really need, and they believe that a further reduction in their bill will be injurious.

Gets Evidence On Rebating.

San Francisco, March 3.—Raymond Benjamin, assistant attorney general of the state, returned yesterday from Los Angeles, where he had been investigating the alleged rebating practices of the Santa Fe and Salt Lake railroads. He brought with him a long report prepared during the fortnight he spent in the Southern city. On Thursday the railroad commission will begin its investigation of the rebating methods of the Southern Pacific company.

Averse to Japs as Citizens.

Vancouver, B. C., March 3.—Wholesale objections to the naturalization of Japanese, which it is expected will be a test of eligibility of the brown men to citizenship and the rights of fishing on the British Columbia salmon grounds, have been filed by E. A. Lucas and were today announced at the opening of the March sitting of the County court.