

SENTENCE IS DEATH

Orchard Must Pay Penalty for Many Crimes.

STAY RECOMMENDED BY JUDGE

Does Not Believe Orchard Only Man Guilty—Other Prosecutions Will Come.

Boise, Idaho, March 19.—Stating that he believes Harry Orchard, in his testimony in the trials of William D. Haywood and George A. Pettibone for the murder of ex-Governor Frank Steunenberg, told the exact truth, attempting to conceal nothing, Judge Fremont Wood, in the District court yesterday, recommended that the state board of pardons commute Orchard's sentence of death to life imprisonment in the state penitentiary. The sentence of death was pronounced in accordance with the plea of guilty entered by Orchard Tuesday of last week when arraigned. Judge Wood presided at both the Haywood and Pettibone trials.

In sentencing Orchard and recommending the commutation of his sentence, Judge Wood reviewed the case from the time of the killing of Frank Steunenberg to the present.

In regard to the part of Orchard in the trials, Judge Wood said:

"I am more than satisfied that the defendant now at the bar of this court awaiting final sentence has not only acted in good faith in making the disclosures that he did, but that he also testified fully and fairly to the whole truth, withholding nothing that was material and declaring nothing which had not actually taken place."

Judge Wood, after reading his ruling, formally sentenced Orchard and fixed May 15 as the date for the execution. Orchard asked for permission to speak, and it was granted. He thanked the court for the review of the case given, and for the kindly remarks in regard to him. He repeated that he had told the whole truth and that no promise of immunity or of mercy had ever been made to him. Before he had concluded, tears were streaming from his eyes, and he all but broke down as he again, in a broken voice, thanked Judge Wood for his recommendation to the board of pardons.

In Judge Wood's ruling he laid special stress upon the crimes in Idaho and plainly intimated that the end of prosecutions of those believed to have perpetrated them had not come.

IS "INNOCENT PURCHASER."

Harriman is Reported to Have Sold Oregon Land Grant.

Washington, March 19.—It is believed in government circles that a secret contract has been made by the Oregon & California Railroad company, under which it has already agreed to sell the remaining 2,000,000 acres of its grant to one single purchaser, and that a large sum of money has been paid to the railroad company on account by this purchaser. The attention of a representative of the Booth-Kelly Lumber company, who has been contending for an innocent purchaser amendment to the Fulton resolution, was today called to this report, and he remarked: "Then whoever has purchased this land ought to be protected like the rest of us," merely showing that the lumber companies would be willing that the government should make any sacrifice in order to give them a sound title where they now hold a shaky one.

The lumbermen left for home today pretty well disheartened. They were confident when they came here that they would have an easy fight, but developments before the committee were somewhat surprising to them, and privately they admit they are defeated. Nevertheless it is expected that an attempt will be made when the resolution goes into the house to secure the adoption of the innocent purchaser's amendment if the committee reports the resolution as it passed the senate.

Japs Dany Having Wireless.

Honolulu, March 19.—The Japanese steamship *Kasato Maru*, which was reported from Callao February 16 as having been 24 days going from Iquique to Toapilla, and was supposed to have been listening to wireless messages passing among Admiral Evans' fleet, arrived here March 9. Her officers deny that the vessel is equipped with wireless. The 24 days were spent in loading nitrates at various landing places. Part of the 24 days the fleet was on the other side of the continent, and was never nearer than 1,600 miles.

Abandon Marine Post.

Honolulu, March 19.—The United States tug *Iroquois*, which sails tomorrow for Midway to bring back the marine guard of 20 marines located there, has orders to bring back also their stores, munitions and guns, indicating that the marine post there is to be abandoned, after being maintained about four years.

HEARS LABOR'S DEMAND.

Vice President and Speaker Promise Liability Law.

Washington, March 20.—Speaker Cannon and Vice President Fairbanks today announced their belief that the present congress will pass an employers' liability act which will meet and overcome the unconstitutionality of the present law pointed out by the Supreme court of the United States in a recent decision. These statements were made unreservedly by the speaker and guardedly by the vice president to a delegation led by Samuel Gompers, president of the American Federation of Labor, from 87 national and international trade and labor and farmers' organizations assembled in a national conference in this city. The delegation called on the speaker to lay before the house of representatives, through him, a memorial entitled "Labor's Protest to Congress."

The protest submitted by Mr. Gompers and his associates refers to the Supreme Court decision in the *Hatters* case as the "most recent perversion of the intent of a law by the judiciary by which the Sherman anti-trust law has been made to apply to labor, although it was an accepted fact that congress did not intend the law so to apply and might even have specifically exempted labor but for the fear that the Supreme court might construe such an affirmative provision to be unconstitutional.

PROTECT TRULY INNOCENT.

But Railroad Land Grant Must First Be Forfeited.

Washington, March 20.—The status of purchasers of granted land in good faith from the Oregon & California Railroad company, and their rights under the law, were set forth in some detail at the hearing before the house committee. The provisions of the grant prohibit sales except to actual settlers in limited quantities and at a limited price. By necessary implication it permits sales of the kind mentioned.

This provision of the grant is a condition subsequent for breach of which the government has right of forfeiture. However, a condition subsequent is not self-executing. Upon the breach of the condition title does not automatically revert to the grantor. So that until the government in some way asserts rights of forfeiture, title remains unimpaired in the railroad company, with full authority to make sales to actual settlers in the manner provided in the grant. After forfeiture is claimed, no further sales of any kind can be made by the railroad company, if the contention of the government is correct. But all sales made within the terms of the grant will be valid and will be in no way affected either by the Fulton resolution or by any suits that will be commenced.

PLAN NATIONAL APPLE FAIR.

Spokane Proposes to Offer \$100,000 in Premiums.

Spokane, Wash., March 20.—At a meeting of prominent citizens today it was decided to make the big apple show that will be held in Spokane next December a national affair, and such large prizes will be offered that fruit from all parts of the United States will be entered in competition. It is expected that the awards that will be given will attract some of the greatest fruit experts of foreign countries.

To carry out the plan, a corporation to be known as the National Apple Show will be formed with stock amounting to \$100,000, and governed by a board of trustees of seven or nine men. It is anticipated that one of the directors will be Louis W. Hill, president of the Great Northern railroad, who has been requested by wire to accept a position on the board.

It is intended to offer from \$8,000 to \$10,000 in premiums and to make the show an annual affair. Among the leaders are W. D. Vincent, cashier of the Old National bank, and David Brown, president of the Hazelwood company.

Mothers to Meet in Brussels.

Washington, March 20.—The invitation of the Belgian government, extended through Baron Moncheur, the Belgian minister, to the National Mothers' congress to participate in the International congress on the education of the family, to be held in Brussels in 1910, was accepted by the board of managers of the Mothers' society today. Among the delegates appointed to represent the United States were the following: Mrs. Frank B. Hill, Tacoma, Wash.; Mrs. Jefferson D. Gibbs, California; Mrs. F. W. Ashley, Denver.

Governor Guild Very Ill.

Boston, March 20.—Governor Guild, who has been ill for two weeks, is in a critical condition. His physician, Dr. B. F. Winslow, found the governor so seriously ill yesterday that it was decided to call two other physicians into consultation.

OREGON STATE ITEMS OF INTEREST

EXCURSION RATES.

Many Oregon People Expect to Visit Fleet at San Francisco.

Portland—Many Oregon people expect to go to San Francisco to see Admiral Evans' squadron upon its arrival in the city by the Golden Gate. So many inquiries have been made of the Harriman passenger officials that a special rate will be made to San Francisco and return from Portland to permit Oregon people to assist in welcoming the fleet to the Pacific coast. A first-class rate of \$25 for the round-trip to San Francisco will be named, with a ten-day limit, and passenger officials expect the low figure will be popular and that many will take advantage of it. The present roundtrip rate is \$40. The dates on which the reduced special tickets will be sold have not yet been decided, as this will depend upon the movements of the fleet. As soon as it is definitely settled just when the fleet will arrive at San Francisco, the Southern Pacific will announce the dates.

"We expect to take 700 people from Portland alone to see the fleet," said Assistant General Passenger Agent Scott yesterday. "We have had a very large number of inquiries from all over the state in regard to the possibility of fixing rates to permit Oregon people to visit the fleet on its arrival in San Francisco. In response to this widespread desire to see the fighting ships that make up the squadron, we have decided to put in the low rate."

ASK FOR INSTRUCTION.

Umatilla Farmers Want Summer Fallow Train

Pendleton—So successfully was the summer fallow train recently run by the O. R. & N. company through the wheat belt of the Palouse country that Umatilla county farmers are making an effort to secure such a train for the wheat belt of this county.

Half a dozen agricultural experts accompanied the train and lectured on dry farming, antisummer fallowing and deep plowing for the wheat districts, with the result that farmers were greatly benefitted and have expressed a desire to hear more on these advanced lines of farming. Umatilla county farmers are dissatisfied with summer fallowing half of their valuable land each year and desire to know what crops can be raised on alternate years which will conserve the soil forces and at the same time yield a profit. With this end in view they will ask the O. R. & N. company to organize a farmer's train.

Expect Big Freshman Class.

University of Oregon, Eugene.—Indications are that Oregon's freshman class of next year will be the largest in the history of the university. Registrar Tiffany has received so far over 50 applications for university entrance, while in previous years very few if any came in so early. University authorities predict an entering class of close to 250 next fall. The present enrollment, exclusive of outside branches, is 418, and with the law, medical and music department the total is brought up to 710.

Violated Game Laws.

Albany—George W. Fisher, proprietor of the Brownville glove factory, was convicted in the State Circuit Court of violation of the game laws, by having fresh deer meat in his possession December 12, long after the open season for killing deer had closed. Judge Bennett directed the jury to return a verdict of guilty without leaving the jury-box. Fisher was fined \$100 and costs. He will appeal the case to the state supreme court.

Assessable Property Increased.

Astoria—Assessor Cornelius has received notice from the Portland Land Office that during the year ending on March 1, patents were issued by the government to 7555.91 acres of land in Clatsop county. This land will be included in the 1908 assessment roll, which is now being prepared.

Smaller Apples Sell Best.

Hood River—Speaking for the apple buyers, H. F. Davidson said the idea that the big apple was the one that brought the most money, was erroneous. The smaller sizes running from 96 to 128 were the biggest money makers, and the most desired, except on one or two varieties.

Reduce Rates on Sacks.

Pendleton—Umatilla county farmers are rejoicing over the announcement made by the Northern Pacific and O. R. & N. railroads of a 40-cent rate per hundred on grain bags from Portland, Tacoma and Seattle. This is a reduction of practically 35 per cent from the present rate.

New Sheep Commissioner.

Salem—Governor Chamberlain has appointed A. L. Mackintosh, of Paulina, sheep commissioner for the second district to succeed Thomas Boylan, whose term expired March 12.

APPLE LAND \$1,000 PER ACRE

Grower Says it is Worth That With Apples \$1 a Box.

Hood River.—The annual meeting of the Hood River Horticultural Society, the largest horticultural organization to the state society in Oregon, took place last Saturday.

The meeting started in the morning with S. F. Blythe as chairman, and with an intermission at noon lasted until late in the day. A. I. Mason, whose subject was "The Apple," stated as his opinion that the time was coming when districts growing cheap and inferior grades of fruit would be forced to go out of business.

J. C. Porter, who was on the programme to speak on pruning, and who is one of the most prominent growers at Hood River, or elsewhere, stated that, even if prices for apples should go to \$1 a box, land at Hood River would still be worth \$1,000 per acre on account of the immense return on the investment.

Professors Quiz Students.

University of Oregon, Eugene.—The custom of giving a quiz each month in the different subjects has become almost general among the different members of the faculty, and as approximately a month of the second semester has elapsed, the students are in about the same state of mind only in a lesser degree, as during examinations. Under this system a student may encounter as many tests in one day as he has hours, while with the examinations there is very little likelihood of having more than two in one day.

Umatilla River Swollen.

Pendleton—Warm rains followed by a chinook wind and then more rain is taking the snow off the mountains at a rapid rate. The Umatilla river is higher than it has been any time this year, and though the water is rising rapidly, it is still far from dangerous. The rains are being hailed with delight by the farmers, as the season has been exceptionally dry.

PORTLAND MARKETS.

Wheat—Club, 82c; bluestem, 84c; Valley, 82c; red, 80c.
Barley—Feed, \$26 per ton; rolled \$28 @ 30 per ton.
Millet—Bran, city, \$26; country, \$27 per ton; middlings, \$30; shorts, city, \$27; country, \$25 per ton; chop, \$20 @ 25 per ton.
Oats—No. 1 white, \$27 @ 28 per ton.
Corn—Whole, \$32.50; cracked, \$33.50.
Hay—Valley timothy, No. 1, \$17 ton; Eastern Oregon timothy, \$19 @ 20; clover, \$14 @ 15; chest, \$15; grain hay, \$14 @ 15; alfalfa, 12 @ 13.
Domestic fruits—Apples, \$1.25 @ 3.50 per box, according to quality; cranberries, \$8 @ 11 per barrel.
Fresh Vegetables—Artichokes, 75 @ 90c per dozen; asparagus, 25c per pound; beans, 20c per pound; cabbage, 1 1/2c per pound; cauliflower, \$1.75 @ 2; celery, \$4.25 @ 4.75 per crate; eggplant, 20c per pound; lettuce, head, 65c per dozen; hothouse, 50c @ \$1 per box; parsley, 20c per dozen; peppers, 17 1/2c per pound; radishes, 30c per dozen; rhubarb, 10c per pound; spinach 5c per pound; sprouts 10c per pound; squash, 1 @ 1 1/2c per pound; tomatoes, crates (6 baskets), \$5 @ 5.50; Mexican, crates, \$3.
Root vegetables—Turnips, 75c per sack; carrots, 65c per sack; beets, \$1 per sack; garlic 8c per pound.
Onions—Buying price, Oregon, \$2.50 @ 2.90 per hundred; Japanese jobbing prices, \$3.50.
Potatoes—Buying price, 40 @ 65c per hundred, delivered Portland; sweet potatoes, \$3.50 @ 3.75 per hundred.
Butter—City creameries: Extra creamery, 30c per pound; state creameries, fancy creameries, 25 @ 30c; store butter, choice, 16 @ 17.
Cheese—Oregon full cream twins 15c; Young America, 16 @ 16 1/2c per pound.
Poultry—Average old hens, 14 @ 15c; mixed chickens, 12 @ 13c; spring chickens, 16 @ 20c; turkeys, live, 18 @ 17c; dressed, choice, 16 @ 20c; geese, live, per pound, 8 @ 10c; ducks, 14 @ 17c; pigeons, 75c @ \$1; squabs, \$1.50 @ 2.
Eggs—Fresh ranch, 16c per dozen.
Veal—75 to 125 pounds, 9 @ 9 1/2c; 125 to 150 pounds, 7c; 150 to 200 pounds, 6 @ 6 1/2c.
Pork—Block, 75 to 150 pounds, 7 @ 7 1/2c; packers, 6 @ 6 1/2c.
Hops—1907, prime and choice, 4 @ 5 1/2c per pound; olds, 1 @ 2c per pound.
Wool—Eastern Oregon, average best, 12 @ 16c per pound, according to shrinkage; valley, 18 @ 20c, according to fineness.
Mohair—Choice, 25c per pound.

COAST STEAMER WRECKED.

Hits Rocks Off Fort Ross, Cal.—Passengers Land, Mail Lost.

Eureka, Cal., March 18.—The steamer Pomona of the Pacific Coast Steamship Company, struck a rock at 6:30 tonight off Fort Ross, 25 miles south of Port Arena. The vessel, which at the time of the disaster was en route from San Francisco to Eureka and was expected to arrive here tomorrow noon, managed to get off the reef and attempted to run for shore. When half a mile from the beach she struck another rock and is hanging there at the present time. The rising tide will probably wash her off into deep water and she will sink and be a total loss, with her cargo, including 102 bags of mail.

The 84 passengers and 62 members of the crew were saved and are now ashore at Fort Ross suffering from lack of food and shelter. They will pass a dreary night on the beach at the small Russian settlement.

SPERRY WILL COMMAND.

Schroeder and Wainwright to Become Rear Admirals.

Washington, March 18.—Rear-Admiral Charles S. Sperry will be commander-in-chief of the Atlantic battleship fleet when it leaves San Francisco in July to encircle the globe. This important detail was decided on by President Roosevelt and his cabinet today.

Rear Admiral Evans, at his personal request will be relieved of the command at the conclusion of the big naval review at San Francisco May 8. The admiral considers this the completion of the work he was assigned to do—take the Atlantic fleet to the Pacific Coast. Admiral Evans will retire in August. To Rear-Admiral Thomas comes the honor of commanding the fleet on its visit to Puget Sound and until the homeward journey begins. He has been second in command during the voyage and will retire in October.

These retirements will make possible two promotions to the grade of Rear-Admiral and these are to be filled by the advancement of Captain Seaton Schroeder and Captain Richard Wainwright, who will command respectively the third and fourth squadrons of the fleet, and Rear-Admiral Emory the second.

STANFORD BOYS REVOLT.

Student Affairs Committee Punishes Leaders in Rowdysiam.

Palo Alto, Cal., March 18.—Stanford students are in open revolt tonight over the expulsion today of twelve students by the committee on student affairs and threaten to strike unless the men are immediately reinstated. The twelve were dropped for participating in a recent night demonstration, in which Chairman Clark of the student affairs committee was called upon and a parade of over 300 students invaded the university library, shouting their desire for a new committee, which will be less restrictive about student conduct.

The leaders of the parade were summoned before the student affairs committee today and summarily expelled. Among the number were Lanagan, the track captain, and Gay, the crew captain. The rest are all prominent in various university activities.

Tonight a giant mass meeting of students was held in Encina hall and steps were taken leading to the reinstatement of the expelled students. A petition addressed to the committee and signed by the remaining hundreds in the demonstration demands the reinstatement of the expelled members or their own expulsion.

A second petition addressed to President Jordan and signed by all the men in the university also urges the reinstatement of the expelled men. The students hold that the 12 were dismissed without sufficient reasons and are men of excellent reputation. In the event of the failure of these petitions, the student body pledges itself to withdraw from the university until its demands are acceded to.

French Beat Off Natives.

Paris, March 18.—A dispatch received here from General d'Amade, commander of the French forces in Morocco, says that upon the arrival of his column before Serrat, the notables of the Mزاب tribe came out to surrender. General d'Amade reports that 2,000 tribesmen who recently attacked the French column were beaten off with heavy loss. The French infantry captured the enemy's camp at the point of the bayonet and burned a number of tents as a measure of repression. The French loss was insignificant.

Stolen Wealth Located.

El Paso, Tex., March 17.—A telegram from Juan A. Creel, manager of the Banco Minero, of Chihuahua, Mexico, to the local branch of that bank, received here today, says that the robbers who recently secured \$295,000 from the bank have been arrested and that the stolen money has been located but not yet recovered.

Tinplate Mill's Resumé.

Pittsburg, March 18.—Ten of the 20 mills of the American Sheet & Tinplate Company at South Sharon, Pa., have been placed in operation today, affording employment to 600 men. The Sharon mill will resume tomorrow, employing 1,000 men.

WILL VISIT JAPAN

President Accepts Invitation for Battleship Fleet.

MAY CALL AT CHINESE PORT

Cordial Reception Promised at Yokohama—All Other Invitations Are to Be Declined.

Washington, March 21.—The American battleship fleet is to visit Japan. The desire of the emperor of the Island Kingdom to play host to the fleet was laid before Secretary Root Thursday by Baron Takahira, the Japanese ambassador. The invitation, which was couched in most cordial terms, was made the subject of extended consideration by President Roosevelt and his entire cabinet yesterday. Mr. Root was directed to accept the invitation and the acceptance was laid before the Japanese ambassador late yesterday. It is regarded in official circles here as more than likely that China will be next to bid for a look at the fleet, and that, should this be the case, the invitation will be accepted.

Secretary McCall and Admiral Pillsbury, chief of navigation, are arranging the details of the new itinerary. With the exception of China, it is determined that all other invitations, should any be received, will be declined, for at the best the fleet will not now be able to reach the Atlantic seaboard before the first of next March.

The itinerary, which seems to be the most direct, includes stops at the Hawaiian islands, Samoa, Melbourne, Sydney, Manila, Yokohama—should that port be selected as the stopping place in Japan—possibly a Chinese port, back to the Philippines, and then home by way of the Suez canal, with only such stops as are necessary for coaling.

The fall target practice has been planned to occupy a month at Manila, either before or after the visit to Japan. Although target practice is regarded as decidedly important, and the custom is to have the ships occupy a month in each spring and fall in gun practice, the desire to have the fleet return to its home station may lead to a curtailing of the month planned for Manila.

Japan will have the ships a week, according to the tentative plans. While the stops in foreign ports so far made have been on an average of ten days' duration, a part of that time was occupied in taking on coal. With a visit to Manila, no coaling operations will be necessary in Yokohama. This would enable the entire stay there to be given up to festivities and show features of the visit.

The acceptance of the Japanese invitation is regarded in naval circles as of considerable importance in the way of showing the cordiality existing between Japan and the United States. The added trip is nearly equal in distance to a voyage from New York to Europe.

HINTS DIRE PLOT.

Honey Imagines Effort Will Be Made to Spirit Ruel Away.

San Francisco, March 21.—Abe Ruel, indicted on 116 counts, thinks the sum of \$1,115,000 is too much bail, and says there are 37 counts against him on which the bail is \$370,000, of which he should be relieved, and that the bail on the remaining counts is excessive. Ruel was in court on a writ of habeas corpus. Assistant District Attorney Honey presented an affidavit stating that Ruel was wealthy, and that he believed that there was a conspiracy to get Ruel out of the country. He cited the attempted kidnaping of James L. Gallagher, on whose testimony he said Ruel would be convicted, and also the attempted kidnaping of ex-Superintendent Lonergan, just before the Tully L. Ford trial.

Murphy pointed out that at the present rate of progress—over a year and not one trial—it would take 116 years to try Ruel on all the charges. He said a conviction on one or two charges would practically send him to the penitentiary for life.

Coast Town Face Famine.

Eureka, Cal., March 21.—Reports from Crescent City state that owing to the tie-up of steam schooners on the coast, a considerable portion of Del Norte is facing a food famine. Today the Humboldt Commercial company, of this city, dispatched the gasoline schooner *Lady Mine*, carrying 15 tons of food and groceries, which will go to Smith River and Crescent City. Some of the food will also be sent to Chetco, in Oregon, which is also reported to be suffering a food shortage. Del Norte gets all its supplies by schooners.

New Battleship in Commission.

Philadelphia, March 21.—The new battleship *New Hampshire*, with Captain Cameron McK. Winslow in charge, was placed in commission at the League Island navy yard today. The warship will be ready for sea in about a month.