

CONVICTION INVALID

New Trial Ordered in San Francisco Graft Case.

APPELLATE COURT FINDS ERRORS

Louis Glass, Convicted Telephone Official, Must Be Tried Again on Bribery Charge.

San Francisco, April 15.—By a decision of the District Court of Appeals, handed down today, the conviction of Louis Glass, ex-vice president and general manager of the Pacific States Telephone company, found guilty of having offered a bribe to Supervisor Thomas F. Loneragan to influence his vote on the granting of a franchise to the Home Telephone company, is reversed and a new trial ordered.

The reversal is based upon two points: First, the admission into evidence of matters pertaining to certain transactions in relation to the Home Telephone company franchise at Oakland, held by the appellate judge to be irrelevant to the case on trial; and second, that Judge William P. Lawlor refused to instruct the jury as requested by the defense, not to allow the refusal of E. J. Zimmer, an official of the Pacific States Telephone company, to testify to influence their minds, nor to view his refusal as an indication that he was withholding evidence which might incriminate the defense.

The decision of the appellate justices sustains the indictment under which Glass was tried, though after an exhaustive discussion of its text, they declare it to be "not a model," while sufficient for its purpose.

The verdict against Glass was brought on August 30, 1907, and on September 5, 1905, he was sentenced by Judge Lawlor to serve five years in the state penitentiary. The health of the prisoner was very poor, and he was liberated on bail on that account, pending the result of his appeal. The first case against Glass resulted in a mistrial, and his conviction followed the second presentation of the evidence.

KILLED IN RIOT.

Clash of Church and State Authorities in Mexico Serious.

City of Mexico, April 15.—The rioting at Velardeha, the big coal mining camp in the state of Coahuila, last Saturday, according to a dispatch received tonight, was more serious than at first reported, 30 men being killed and many injured.

The trouble was instigated by Father Ramon Valenzuela, the parish priest, it is asserted, who lies near death in a hospital.

Many Americans reside in Velardeha, the camp being controlled by American capital. The leaders of the mob, which was well organized, avoided attacking Americans or destroying American property.

The fighting occurred when the jefe politico of the town, an officer corresponding to a mayor, attempted to stop a religious procession headed by the village priest, Mexican laws forbidding such parades. A thousand parishioners followed the priest, wishing to witness the annual burning of Judas, and the mob, becoming enraged, stoned and later burned the house of the jefe.

That official and his wife escaped by climbing a rear wall and seeking protection in the American colony. The rioters then stormed a Chinese hotel, looting it of all liquors and foods and terrorizing the neighborhood by the night orgy.

The police force fired in their endeavors to restore order. The officers were forced to retreat, leaving six of their number dead in the street. Later troops, which had been telegraphed for, arrived on a special train, and a fierce fight with the rioters ensued.

Father Valenzuela was arrested. One of his followers succeeded in smuggling in a knife to his cell and the priest stabbed himself six times in a vain attempt to commit suicide. He was discovered by the guards just in time to save his life.

Objects to Adjournment.

New York, April 15.—A protest against the continuation of the present hearings in the government's suit against the coal carrying railroads was entered at today's session here by Frank H. Platt, of counsel for the Lehigh Valley Railroad company, who declared he would be compelled to attend a hearing before the Interstate Commerce commission on tidewater coal rates during the week beginning April 19. Attorney McReynolds, for the government, declared that he would not assent to adjournment.

"Coffin Nails" Barred.

St. Paul, April 15.—Governor Johnson today signed the anti-cigarette bill which makes it a misdemeanor to manufacture, sell or give away cigarettes or cigarette papers within the state.

BEAN IS APPOINTED.

Supreme Judge of Oregon is Nominated and Will Be Confirmed.

Washington, April 16.—The president sent to the senate yesterday the following nominations:

United States district judge for Oregon—Robert S. Bean.

United States district judge, first division, district of Alaska—Thomas R. Lyons.

United States marshal, first division of the district of Alaska—Daniel A. Sutherland.

Judge Bean will probably be confirmed early next week. His nomination was referred to the senate judiciary committee, and is expected to be favorably reported when next that committee meets. There is not known objection to his confirmation.

The nomination of Mr. Lyons, formerly law partner of Representative Ellis at Pendleton, was returned to the senate, the charges upon which the original nomination was withdrawn having failed of substantiality.

McBride for Bean's Place.

Salem, April 16.—Announcement was made yesterday afternoon at the office of Governor Benson that as soon as the resignation of Justice Bean from the Supreme bench shall have been received, Circuit Judge Thomas A. McBride, of the Fifth district, will be appointed to succeed him.

To succeed McBride, Representative J. U. Campbell will be named by the governor. Mr. Campbell has been practicing law at Oregon City for about 15 years and has served two terms in the legislature, in 1907 and 1909.

MENACED WITH WAR.

Serious Revolutionary Movement in Turkey is Feared.

Constantinople, April 16.—The third day of the revolutionary movement in the capital was marked by more disorders, the most serious of which was a lynching during a demonstration by marines, who objected to the new minister of marine, Vice Admiral Adjem Pasha.

The marines gathered in force and seized and conveyed to the palace Arif Bey, commander of the battleship Assar-I-Tefik, a member of the committee of Union and Progress, who ordered the guns of his ship trained on the Yildiz Kiosk when the raising was at its height. His intention was to support the committee.

Arrived at the Yildiz Kiosk, the men lynched Arif Bey, notwithstanding the efforts of the palace guard to save him. Edbem Pasha, the new minister of war, and Nazim Pasha today made the round of the barracks and exhorted the soldiers to obey their officers. They were heartily cheered.

Porte circles are disquieted by news from Salonika and Monastir, where the influence of the committee of Union and Progress is strong. Officers of the Porte have received telegrams from these sections demanding the re-establishment of the status quo, falling which the committee leaders threaten to march on Constantinople with the entire Third army corps, whose officers are now in communication with the Second army corps with a view to cooperation.

CALHOUN TRIAL BEGINS.

Henry Undertakes to Prove Charges of Bribe Giving.

San Francisco, April 16.—After three months spent in completing a jury the trial of Patrick Calhoun, president of the United Railroads, yesterday attained the stage where the taking of testimony was commenced, and when court adjourned for the day Ferdinand P. Nicholas, the ex-supervisor who is accused of accepting a bribe paid through Abraham Ruef, had been ordered to answer the first vital question in the case. The final acceptance of Michael Murphy, a retired police sergeant, as the 13th juror, prepared the way for the actual inauguration of the trial, and Assistant District Attorney Heney, after outlining to the jury the case he expects to prove, gave way to the first witness.

Sultan Again Holds Helm.

London, April 16.—The news from Constantinople today brings into clearer perspective the latest turn in Turkey's difficult path toward constitutionalism. The counter revolution involves at least the temporary overthrow of the Reform party and the partial triumph of the reaction spirit. The sultan virtually has gained control of the helm of state and all Europe looks anxiously for the next move. The situation closely resembled that of 1877, when the fall of Midhat Pasha left the constitution to a lingering death.

Measles Delays Troops.

Norfolk, Va., April 6.—An epidemic of measles in the United States training station at St. Helena, with an outbreak of the same disease aboard the United States auxiliary cruiser Prairie, will delay for 20 days at least the transportation of from 1,500 to 1,800 seamen to Panama en route to the Philippines. It is said that fully 500 men have the disease.

OREGON STATE ITEMS OF INTEREST

PIONEERS WILL CELEBRATE.

Provisional Government Day to Be Observed at Champoeg May 1.

F. X. Matthieu Cabin No. 12, Native Sons of Oregon, of Butteville, has issued the program and invitations for the annual celebration at Champoeg, for Saturday, May 1, in commemoration of the first provisional government meeting, held at Champoeg, May 2, 1843. This will be the 66th anniversary of that event, and the ninth anniversary of the dedication of the monument erected to its memory. Joseph Buchtel, of Portland, will act as chairman, and Hon. P. H. D'Arcy, of Salem, will deliver the annual address. Parrott's band will furnish good music for the day. All who attend are requested to bring their lunch baskets well filled for the day.

Mr. Buchtel, who will preside, desires to form an organization to handle future celebrations, as the expense is burdensome on Matthieu cabin. He will propose at the conclusion of the program at the celebration that a society be formed, with a president and secretary and executive committee. An effort will be made to change the place for holding future celebrations from Champoeg to Wilsonville, because of the greater conveniences at the latter place. Mr. Buchtel has looked up a ten-acre tract at Wilsonville, on the river and electric car line, which he proposes should be purchased and made a permanent state park in memory of the first meeting of the provisional government, May 2, 1843, which he says is the right place. He would not remove the monument already erected at Champoeg, but erect another on the Wilsonville state park, and there hold all future celebrations. The organization which he will undertake to form at the celebration will be authorized to adopt plans to finance the movement.

NO NEED TO COMPROMISE.

Oregon Already Owns Sand Island, Says Governor Benson.

Salem—Governor M. E. Hay, of Washington, has written Governor Benson, of this state, in regard to the boundary question long pending between the two states. It is understood the Washington authorities favor an arbitration commission to consider the entire question.

Governor Benson has acknowledged the receipt of the communication from the governor of Washington and has taken the matter under advisement. While he will say nothing as to the merits of the matter, it is gathered from other sources that the Oregon authorities may not be anxious to hand the matter over to a commission, since the Supreme court of the United States has already rendered a decision in favor of Oregon's contention in the matter.

The principal ground for litigation is Sand Island at the mouth of the Columbia. The Washington people are now making an effort to have the case reopened by the United States Supreme court.

Plan Strawberry Day.

Milton.—Plans which were started for the celebration of Milton's annual strawberry day, at a meeting of the Progressive association held in Alliance hall, are progressing, and it is thought by the next meeting all of the preliminary work will have been completed. It is proposed this year to celebrate on a more extensive scale than ever before. Besides an excellent literary and musical program, a big horse show will form a part of the festivities. This was last year an important part of the program, but arrangements are being made to make it much better than on last season, horses being entered from all the towns in Umatilla county and many across the line in Washington.

Goat Business Growing.

McMinnville.—In view of the probability of there being a home market for Oregon mohair with the erection of the contemplated mohair mills in a suburb of Portland, there is an awakened interest in the angora goat business in this county. E. S. Talbot, who has raised stock and bought stock here for a number of years, makes an estimate of the number of goats already owned in the county, and places them at about 18,000, or more than one-seventh of the entire number in Oregon. Mr. Talbot reports the fleece very fine this year, and the outlook quite promising for the men engaged in the goat business.

Ready to Bore for Oil.

Astoria.—A scow load of machinery has been taken to the Hess ranch on the south shore of Youngs bay, where Harrison, Brenner & Palmberg, of this city, will bore for gas and oil. Boring will be commenced as soon as the machinery can be set up. The firm has secured leases on a large tract of land in this vicinity and arrangements have been made to sink several wells at various places in case the first one does not prove successful.

FOWLS ARE STRICKEN.

Epidemic of Tuberculosis Reported in Oregon Poultry.

Portland—According to reports received by Dr. R. C. Yenny, secretary of the state board of health, there threatens to be a serious spread of tuberculosis among poultry flocks of the state.

Dr. S. W. McClure, chief of the state bureau of animal industry, advises Dr. Yenny that a flock of 59 chickens bought at Eugene and taken to Forest Grove was found to be afflicted with the disease and that 16 died at last report. He estimates that 80 per cent of the flock was affected. Dr. McClure reported in addition that a large flock of chickens at Pendleton was found to be affected with tuberculosis, but no connection had been established between the two districts affected. At Pendleton it was found that the disease had attacked turkeys in an adjoining field and also pigs had been seized with the disease after eating dead chickens and turkeys.

Dr. Yenny said that the fact of the disease being communicable to human beings from affected fowls had not been fully established, but the pigs taking the disease from having eaten the affected fowls was significant.

Water Board Gets Pointers.

Salem—That the state of Oregon will be enabled to save thousands of dollars on surveys and other reclamation work by taking advantage of the experience of others is the opinion of State Engineer John H. Lewis, who, with F. M. Saxton, of Baker City, has just returned from a tour of Idaho, Wyoming, Colorado and Utah. The Oregon men made a special study of the administration of the water laws and the methods of keeping the office records pertaining to this work. Mr. Lewis states that Wyoming has the best irrigation system in the country.

Copper Mine Near Rogue.

Roseburg—A valuable mineral find in Southern Oregon has just been reported by G. W. Morris, an old time prospector from California. It consists of a ledge of rich copper ore, carrying \$17.48 in gold to the ton. The mineral crops out of the ground for a distance of 600 feet, and the ledge is from 500 to 600 feet in length. A piece of the ore about a foot square yielded over three ounces of copper. The ledge is situated at the top of a mountain about eight miles south of Roseburg.

PORTLAND MARKETS.

Wheat—Bluestem milling, \$1.25@1.30; bluestem shipping, \$1.17½@1.18; club, \$1.14@1.16; Turkey red, \$1.15; Russian red, \$1.08@1.09; valley, \$1.10½.

Oats—No. 1 white, \$40@41 per ton. Barley—Feed, \$32.50@33.

Hay—Timothy, Willamette valley, \$14@16 per ton; Eastern Oregon, \$17@19; clover, \$11@12; alfalfa, \$14@14.50; grain hay, \$13@14; cheat, \$14@14.50; vetch, \$13.50@14.

Apples—65c@72.50 per box. Potatoes—\$1.25@1.40 per hundred; sweet potatoes, 2½@3c per pound.

Vegetables—Turnips, \$1.25 per sack; carrots, \$1.25; parsnips, \$1.50; beets, \$1.75; horseradish, 10c per pound; artichokes, 65¢@85c per dozen; asparagus, Oregon, 75¢@85c per dozen; cabbage, 2½@4¼c per pound; lettuce, head, 85c per dozen; onions, 40¢@50c per dozen; parsley, 35c per dozen; rhubarb, 3¢@4c per pound; spinach, 4c.

Butter—City creamery, extras, 27½@29c; fancy outside creamery, 25¢@29c per pound; store, 18¢@20c. Butter fat prices average 1½¢ per pound under regular butter prices.

Eggs—Oregon ranch, 21½@22c per dozen.

Poultry—Hens, 10½@17½c per pound; broilers, 25c; fryers, 18¢@22½c; roasters, old, 10¢@11c; young, 14¢@15c; ducks, 20¢@22½c; geese, 10¢@11c; turkeys, 20c; squabs, \$2.50@3 per dozen.

Onions—Oregon, \$1.75@1.85 per hundred.

Veal—Extras, 10¢@10½c per pound; ordinary, 8½@9c; heavy, 7@8c.

Pork—Fancy, 9½@10c per pound; large, 8@9c.

Hops—1909 contracts, 9c per pound; 1908 crop, 6½@7c; 1907 crop, 3¢@4c; 1906 crop, 1½@2c.

Wool—Eastern Oregon, 16¢@18c per pound; valley, medium, 18½@19c; coarse, 17¢@17½c per pound; Portland, mohair, choice, 23¢@23½c per pound.

Cattle—Top steers, \$6.25@6.50; fair to good, \$4.75@5; common to medium, \$3.25@4.50; cows, top, \$4.25; fair to good, \$3.50@4; common to medium, \$2.50@3.50; calves, top, \$5@5.50; heavy, \$3.50@4; bulls and stags, fat, \$3@3.50; common, \$2@2.75.

Hogs—Best, \$7.25@7.50; fair to good, \$6.75@7; stockers, \$5.50@6.50; China fats, \$6.75.

Sheep—Top wethers, \$5@5.75; fair to good, \$4.50@4.75; ewes, ½c less on all grades; yearlings, top, \$6.50@7; fair to good, \$4@6.25; spring lambs, \$7.

JURORS SWORN IN.

Outlook for Start in Calhoun Trial is Much Improved.

San Francisco, April 14.—Already assured of a place unique in the annals of California criminal jurisprudence, the trial of Patrick Calhoun, who is charged with having offered a \$4,000 bribe to a former supervisor, made a great stride toward completion yesterday. The twelfth juror was sworn to try the case, and when the hour of adjournment was reached the attorneys were engaged in an honest effort to discover a thirteenth talesman, free from disqualifying opinions and beliefs. There is a possibility that the alternate juror, who will hold himself in readiness to serve if any member of the original panel is disqualified, will be selected today, in which event the taking of testimony will be begun Thursday.

Thirteen weeks have elapsed since the president of the United Railroads appeared in court to answer the first of seventeen indictments charging him with complicity in the tangled scandals charged against the municipal administration headed by Mayor Eugene Schmitz and Abraham Ruef. During that time sixty-two juries have been devoted to the trial, and 2,370 citizens have been summoned to attend the sessions as prospective jurors.

MANY FAMILIES HOMELESS.

Rochester, N. Y., at Mercy of Flames for a Time.

Rochester, N. Y., April 14.—Swept along by a 25-mile gale, fire yesterday destroyed several sections of the city and did damage estimated at \$500,000. For a time it was feared that a great portion of the city would be burned and aid was summoned from Buffalo and Syracuse.

One hundred families are homeless and militiamen guard what little they have saved of their household effects. Some of the homeless are quartered in precinct houses and a large number passed the night in a public school building. A heavy rain set in and, while it helped to extinguish the blaze, it was a hardship on the homeless.

The Palmer building, a four-story brick structure devoted to manufacturing interests at Main and Gibbs streets, was the starting point of the blaze, which spread over a wide area and started a second series of fires.

Governor Gillette Vetoes Bill.

Sacramento, Cal., April 14.—Governor Gillette announced officially yesterday that he would not sign the change of venue bill. The measure was introduced in the recent legislature by Assemblyman Grove L. Johnson. It gives to every defendant in a criminal action the right to a change of venue by simply alleging in an affidavit that he believed the judge to be biased. The Citizens League of Justice of San Francisco appealed to the governor to veto the bill, claiming that it would interfere with the graft prosecutions.

Taft Favors Statehood.

El Paso, Tex., April 14.—A special to the Times from Santa Fe, N. M., says:

Governor Curry announced yesterday that he would remain as governor of New Mexico until statehood is secured. He received a letter from President Taft assuring him of the president's confidence and co-operation. The Taft letter was not given out. Mr. Taft gives assurance of the early passage of the statehood bill.

Castro is Not Prisoner.

Paris, April 14.—The French government does not regard Cipriano Castro in any sense as a prisoner. Should Castro come to St. Nazaire the government has no intention of molesting him unless he tries to foment public disorder. It is believed, however, that Castro will leave the Versailles at Santander, Spain, April 22.

750 Appeal to Roosevelt.

Des Moines, Ia., April 14.—More than 750 Des Moines school children have signed a petition to Theodore Roosevelt asking him to change his mind and not kill defenseless animals in Africa. The letter is in the hands of Mrs. Elizabeth Baird, secretary of the Humane Society, who will send it to Mr. Roosevelt.

Jail for Smoking Pipe.

Galena, Kan., April 14.—Because Aco Baines, 18 years old, son of the postmaster here, smoked a pipe yesterday, he was taken to jail. He will face trial Thursday on the charge of having violated the newly enacted law prohibiting minors from smoking.

Sixty Per Cent Tubercular.

Des Moines, Ia., April 14.—An investigation conducted by the Des Moines Tubercular Association has resulted in the discovery that six out of every ten children examined are infected with tuberculosis.

ROOKERY IS BURNED

Dozen People Perish in Filmy Lodging House.

VICTIMS ARE ALL LABORING MEN

Refugee Home Erected Immediately After San Francisco Quake is Scene of Holocaust.

San Francisco, April 17.—Fire in the St. George hotel, a flimsy structure erected shortly after the earthquake, and since used as a lodging house, snuffed out a dozen lives between 3 and 4 o'clock this morning. The building, located at Eighth and Howard streets, burned like tinder, and almost before the sleeping occupants of the structure could be aroused the fate of many of them was sealed.

The great rookery had 600 rooms, and was mostly occupied by laboring men and their families. Five bodies have already been taken from the ruins, and it is believed that 80 still remain buried in the smoking and smouldering wreckage.

The St. George hotel was of the most flimsy construction, and its proprietor, J. W. Shanon, has been in trouble with the board of public works since the building was erected. On December 13, 1906, he was arrested for violating the building law, but was dismissed on promising to make alterations which would increase the safety of the building. According to John T. Horgan, of the board of public works, many complaints have been made against Shanon on the ground that the St. George was a veritable firetrap.

Insurance agents estimated that the fire resulted in a loss of \$82,500.

SULTAN PREPARES TO FLY.

Civil War in Turkey is Cause of Panic in Government Circles.

Constantinople, April 17.—Panic reigns in government circles and the sultan is reported to be in readiness for flight. The chief officers are meticulous, the Constantinople garrison is rushing preparations to assist the troops said to be advancing upon the city from the Northwest, and the new ministers are resigning as fast as possible. It is doubtful if the soldiers here can cope with the forces which, it is rumored, are rallying to the standard of the Young Turks.

Business is again at a standstill and private citizens are taking all possible precautions to defend their property in the event that the opposing armies shall clash in Constantinople. It is realized here that alarming reports from Salonika may rouse the Young Turks, who are eager to terrorize the city.

PREPARING FOR WAR.

Japan Greatly Increasing Navy and Coubing Army.

Victoria, B. C., April 17.—That Japan fears another war with Russia and is making the same careful and systematic preparation for it as preceded the recent war is the news given by passengers from Yokohama. Two large battleships of the Dreadnaught class are being built, one at Kure to be named the Setsu, and the other at Yokohama to be named the Kawachi, both stronger and with larger guns than the big Aki and Satsuma.

In conversation regarding the fear entertained of the return of war with Russia, an arrival by the Tosa Maru said great additions had been made to the fleet of Japan. In military affairs preparations have been continuous, but the greatest secrecy has been maintained. The army is being increased to over 20 divisions, so that a force of 1,000,000 may be mobilized when necessary. Prior to the last war 500,000 men represented the total number that could be put in the field, including all branches, and that number proved inadequate.

Bread Follows Flour Up.

Los Angeles, April 17.—Another advance of 2 cents a barrel in the price of family and bakers' flour, effective immediately, was announced today by the leading millers of this state. With this increasing price, family flour is advanced to \$7 a barrel, which is the highest mark ever attained in this state. While many of the bakers had previously reduced the weight of the loaves of bread, those who had not done this said they would prepare to do so in order to prevent loss. Some will make the loaves in three sizes.

Flour is at \$7 per Barrel.

St. Paul, April 17.—As a result of the corner in wheat, flour has advanced in the last two weeks 60 cents a hundred in St. Paul, and further substantial advances in prices may be expected. Yesterday there was an advance of ten cents a hundred, so that the ruling quotation today was \$7.