

JURY FINDS SCHMITZ GUILTY

San Francisco's Mayor is Convicted of the Crime of Extortion.

HE DECLARES HE'S INNOCENT.

Claims He Did Not Receive Fair Treatment at Hands of Judge Dunne—Sentenced Next Wednesday.

San Francisco, June 13.—A jury of 12 of his peers has declared Mayor Eugene E. Schmitz guilty of the crime of extortion as charged against him by the federal grand jury.

The jury was out just 1 hour and 25 minutes. They elected Charles E. Capp foreman, and at once proceeded to an informal ballot. This was cast verbally and stood 11 for conviction, 1 for acquittal. Juror Burns, a shoemaker, cast the dissenting vote. Then the 12 men began a discussion of the evidence which lasted for nearly an hour. At the end of that time the first formal ballot was cast. It was a written ballot and was unanimous for conviction.

JURYMAN'S STATEMENT.
The juryman issued this statement to the Associated Press immediately after their dismissal by the court:

"In justice to Juror Burns I should explain that he did not vote for acquittal because he was dissatisfied with the evidence or believed there was any doubt of the defendant's guilt. Two forms of verdict were given to the jury and the consecutive reading of these momentarily confused Mr. Burns. As soon as he understood the matter he voted with the other 11 and the verdict was accomplished."

Mr. Burns approved this statement as correct. He said: "This is a sad day's work. If there had been one point that I could honestly have said I was in doubt of I would have held out for him a moment. But there wasn't one, not one."

Within a few minutes after it was announced that the jury had reached a verdict Judge Dunne took the bench.

"Let the jury be polled," he said, quickly.

"Poll the jury," repeated Bailiff Moore to the clerk.

That official told off the names of the 12 and addressing them: "Gentlemen of the jury, have you agreed on a verdict?" he said.

Foreman Capp, white-haired and bearded, rose and said: "We have," he said solemnly.

"What is your verdict. Is the defendant guilty or not guilty?" intoned the clerk.

Foreman Capp took a deep audible breath.

"GUILTY," SAID FOREMAN.

"GUILTY," he said very slowly and very low. But there was no quaver in his voice.

The silence was broken in a hundred places at once, like a wave draining from the rocks. A long drawn "Ah!" ran through the crowd. Then "Good!" cried a voice in a far corner. And "Good, good," echoed another spectator farther front.

Tudolph Spreckels, whose wealth made possible the whole bribe-graft prosecution, was walking swiftly down the right aisle as the sentence fell from the foreman's lips. He sank into a near seat as though arrested by some sharp command.

All over the house people were jumping up now and some of them turned to the strangers at their elbows and thrust out their hands in the enthusiasm of a long looked-for moment, and said: "Shake."

"Sit down, sit down!" cried the bailiff, and banged a cut glass ink bottle on the counsel table to enforce the command.

Clerk McManus stepped to the jury rail and took from Foreman Capp the unsealed verdict. He returned to his desk and spread it out and glanced his eyes over it.

"Gentlemen of the jury," he droned, "listen to the verdict as recorded: 'We, the jury in the above entitled case, find the defendant, Eugene E. Schmitz, GUILTY as charged in the indictment.'"

"Is that your verdict, so say you one, so say you all?" answered back the 12, their voices jumbling and jarring on the silence.

WILL BE SENTENCED JUNE 26.
The judgment of the court will be pronounced on Wednesday, June 26.

said Judge Dunne, and then added: "The court will at this time listen to any motion that may suggest itself to the prosecution."

Dist. Atty. Langdon arose. "We will ask that the usual way be pursued," he said.

"You mean," questioned Judge Dunne, "that you desire that the defendant be taken into custody pending the pronouncement of sentence?"

"Yes, your honor. We think that should be done," responded the state.

"The sheriff will take the defendant into custody pending the further order of the court," saying this Judge Dunne arose abruptly and quit the bench.

In his chambers a moment later he was asked whether he desired to make any statement of the case. This was his reply:

"Please say for me that the law has taken its course."

It took the bailiff and Elisor Bigley's dog about half of a hour to drive the crowd out of the synagogue. It wanted to come and press about the counsel table and hang over the shoulders of the lawyers and get one long look into the grayed face of the big bearded mayor, who sat resolutely with his back to them, and would neither look up nor down.

Ass't. Dist. Atty. Heney, who has borne the brunt of the battle for the prosecution, was not in the courtroom when the verdict was pronounced. Even the prosecution did not expect such a quick decision by the jury and they were unprepared for it.

NO SIGNS OF JUBILATION.
There were no signs of jubilation among the forces of the prosecution. They took their victory quietly. Among the crowd were heard expressions of satisfaction that justice had been done, but they were mingled with words of regret that Mayor Schmitz, who had played such a gallant part during the fire and earthquake had succumbed to the conviction of felony.

The mayor will be a prisoner to-night but will apply for bail pending an appeal when the case comes at 10 o'clock tomorrow morning.

DIST. ATTY. LANGDON'S VIEWS.
Dist. Atty. Langdon said to the Associated Press:

"The verdict shows that justice has been done. It shows that no man, no matter how proud or arrogant or how high his position may be, is above the law."

"It vindicates the campaign instituted some eight months ago, clean up civic affairs in this city. Through many months by a considerable portion of the community the prosecution has been maintained. Its motive was pure and it has been characterized as a persecution instead of a prosecution."

Twelve men of his own choosing have declared him to be guilty. This sweeps aside all criticism heretofore made against the prosecution. This verdict means more than the conviction of Schmitz. It means that those who have made possible his treason in office will meet the same fate. It means that the mighty princes of finance who would have defied the laws of the state and city will surely be convicted. It means that confidence will again be restored in the city; that law and order are demanded by our citizenship and that a new era of civic decency has set in. We shall not stop until the whole situation has been cleared up. Again may we repeat the statement made at the inauguration of this campaign:

"No innocent man may fear the law; no guilty man may hope to escape it."

VIEW OF DEFENSE.
Atty. J. J. Barrett of the defense said:

"Nobody knows better than the prosecution that this verdict is not worth the paper it is written on. It represents in every particular a disregard for law and justice about which we have complained in unmistakable terms at every stage of the trial. We promise to exhibit a record of error and misconduct without a parallel in the history of criminal litigation in California."

SCHMITZ'S STATEMENT.
Mayor Schmitz dictated the following statement to the Associated Press to-night:

"No matter what the decision of the jury which was gotten together under most adverse circumstances regarding myself, I still maintain and affirm that I am absolutely innocent of the crime charged and will fight the case to the last resort. As I said before my trial, I did not expect, nor did I receive, fair or even decent treatment at the hands of Judge Dunne, and realizing his prejudice I made every effort to have the case transferred to any other judge in the state. I do not take this as a defeat, and the decision makes me all the more determined to seek and secure justice in another court."

All of Schmitz's counsel were present except ex-Judge Campbell.

At a late hour tonight Mayor Schmitz was taken to his home in custody of the sheriff.

"MRS. DAVIS, DENVER."
New York, June 14.—A young woman registered as "Mrs. Davis, Denver, Colo.," died suddenly at the Continental hotel during the night. Hemorrhage was given as the cause of death. The woman, who was about 35 years old, had been at the hotel about a week and the people are trying to locate her relatives.

TO GIVE RELIEF TO WINE GROWERS

Chamber of Deputies Adopts First Clause of Government's Bill for That Purpose.

CLEMENCEAU TO THE MAYORS.

Their Threat of Revolt Can Be Hurtful Only to Those They Pretend to Serve.

Paris, June 13.—The government today secured the adoption by the chamber of deputies of the first clause of its bill intended to provide relief for the wine growers. It was announced that the disaffection of the troops had been exaggerated, and it was established that the strike of the municipalities in support of the wine growers' demands at present involved only about 10 per cent of the disaffected area. These were the first hopeful signs for the authorities since the wine growers' movement began.

After a debate in the chamber lasting four days, the government carried by 310 to 261 votes the first clause of the bill against wine frauds, intended for the relief of the wine growers. The measure requires all growers to make an annual declaration of the acreage, cultivation and total quantity of wine produced and in stock and whether it is intended for sale or otherwise.

The government is of the opinion that when in possession of this information it will be able to keep track of the wine from the grower to the dealer and prevent watering or sugaring.

DISAFFECTION OF TROOPS.
It is now definitely established that the reports of the disaffection of the troops in the south of France have been exaggerated. Minor incidents arising from over indulgence in stimulants have been magnified into mutinies, but the worst case has been that of the soldiers of the One-hundredth regiment of infantry at Narbonne, department of Aude, who, resenting their confinement to barracks for five Sundays on account of the wine growers' manifestation, had a conflict with their non-commissioned officers June 9. As a result of the investigation which War Minister Picquart caused to be made into the incident, the troops left Narbonne by train this morning for Lussac camp. After a record of error and misconduct without a parallel in the history of criminal litigation in California."

Hautes-Alpes. No incident marked their departure, though the excitable spirits of the population seemed to rumble the the transfer of the troops would cause a sympathetic outbreak.

The military authorities are finding difficulty in carrying out the census of the horses available for army mobilization purposes, many of the proprietors absolutely refusing to furnish any information on the subject.

WINE GROWERS' RESOLUTION.
The resolutions adopted last night by the central committee of the wine growers to the effect that circulars be sent to all the communes where the municipal officers have resigned, giving the latter instructions to refuse to allow any persons sent to replace the mayors to enter the mayors' offices, to close all the municipal offices and to discharge all the officials, and that all government correspondence be returned unopened, cannot have much immediate effect except that of being prejudicial to the local inhabitants. The wailing up of the public offices merely means the shutting out of the local authorities as the government has no present intention of appointing substitutes. But the action involves a great deal of galling inconvenience and even of many cases of distress for those who have business to transact or who are depending for a livelihood on public works. The work of the police and the collection of the octroi or import duties collected at the entrances of the towns, are included in the general suspension, and the discharged officials and employees of all the public offices.

CASE OF THE MAYORS.
In a letter sent tonight to each individual mayor in the four departments of the Midi, where the novel strike of the municipalities is spreading, Premier Clemenceau attributes the present movement to the baneful advice of the reactionaries, who he says are bent always upon stirring up strife inimical to the republic. The premier informs the mayors that their resignations will not be accepted because the government has determined to prevent administrative disorganization.

ization inimical to the general interest of the nation.

In a lengthy argument the premier claims that the government has been persistently in search of a remedy for the misdeeds of the municipalities, which fall to carry out their duties by resigning. "Your threat of revolt," says Premier Clemenceau, "is a fearful one to those you pretend to serve, but it will spread anarchy throughout the sections concerned. When you have supplanted the municipal life and delivered your communities to disorder, what will you have accomplished other than an aggravation of the distress, the intolerable burden which you justly denounce?"

Continuing, the premier's letter details all the complications bound to arise if the mayors persist in their present attitude. Infants born and not legally registered will, he points out, be social outcasts and subsequent action by the courts is the only thing that will give them a legal status. The burial of the dead without permits, which there is no one to issue, will entail untold suffering on the part of the poor, and without certificates of death the help cannot succeed to the property of the deceased.

"In creating such a last word in the premier's process, your responsibility becomes great, and those profited by your failure to perform the duties required of you stand in demand of an accounting from you in the courts."

After dwelling at great length upon the anarchy conditions and the bankruptcy which are bound to result from the present attitude of the municipalities, Premier Clemenceau says:

"In killing the communal institutions you are doing yourselves and your children a great harm. You are almost the only ones to suffer. The state government, the general administration of the country, will hardly feel the effect of the blow you are administering to yourselves."

The premier concludes with this warning: "Whether or not you have decided to accomplish the ruin of your fellow citizens, and rent the country in two, you must rest assured that the government of the republic will not fail of its duty in this case, and that through it, no matter what happens, the law will prevail."

MORE RESIGNATIONS.
Forty more municipal councils have sent in their resignations in accordance with the plans of the central committee of the wine growers' organizations at Argeliers, but up to the present time only 10 have been accepted. The resignations of the municipalities of the "four federated departments," as the disaffected district is described in the south, the only municipal offices open in the protest are the mayors and the town clerks, marriages and deaths are registered.

Declaration regarding such events are taken, but with the explanation that it is done unofficially. Many proposed marriages are hung up, and no one who can legally perform the ceremony.

The resigning mayors continue to work, wailing up the doors of the town halls with bricks and stones, in some places putting small cannon on top of the buildings, with printed notices giving warning of the danger of shooting them. Some of the towns have resolved to suppress all amusements and not to observe any holidays, not even the great national holiday, July 14, the anniversary of the fall of the Bastille, until satisfaction is obtained by the wine growers.

TESLA'S WONDER TOWER.
It Has Been Sold to Satisfy a Judgment of \$1,108.20.

New York, June 13.—Because Nikola Tesla, proponent of a theory of communications with Mars, has failed to satisfy a judgment of \$1,108.20, the mysterious tower at Wardenclyffe, L. I., has been advertised for sale by Sheriff Wells of Suffolk county.

Mr. Tesla has expended a fortune upon his electrical experimental works in Wardenclyffe, whose purpose he has kept to himself. Only his closest friends were permitted to get within seeing distance of his "wonder tower," as the huge structure of steel and cement was called, and no one appears to know exactly what it was intended for. That it was to be used to demonstrate his theory of communicating with the Martians is popularly believed.

The judgment is held by Dr. James W. Worden. The security is the 200 acres owned by Tesla, upon which stands the tower, which is sunk into the ground a distance of 150 feet and is 150 feet in height, according to Tesla's statements to his friends.

The tower is a great mushroom from which there issued blinding flashes of electricity at night some years ago.

Mr. Worden, who was seen at the Wardenclyffe hotel last night, said the case was an old one, the judgment growing out of an option he had taken on the tower, which he said that the matter would be settled.

YOUNG BOY IS HOISTED WITH BARNUM'S PETARD.
New York, June 11.—Young Henry Benson was playing hide-and-seek in his home in South Norwalk, Conn., yesterday

and hid in one of the old spring guns or snipers once owned by J. T. Barnum. He was found by a neighbor who suddenly stepped in on the boy and landed in an apartment. He was bruised but not seriously hurt.

The mortar responsible for Benson's flight was one which Barnum used in his old "Human Cannon Ball" act. George L. Britton obtained the mortar and has used it as an armorer so his laws. The boy was a plaything, but none of them herebefore had touched the powerful spring hidden in it.

LOST AFFECTIONS.
Mrs. Rosa Hill of Denver Gets \$25,000 For Her Husband's.

Denver, June 11.—Dist. Judge Greeley Whiteford yesterday awarded Mrs. Rosa Hill, wife of Frank W. Hill, damages in the sum of \$25,000 against Mrs. Anna Bent, wife of Edwin Bent, a banker of Olay, Colo., in satisfaction of the affections of her husband. All parties concerned are prominent socially.

CREDIT MEN.
Denounce the Practice of Department Stores Making "Short Payments."

Chicago, June 14.—The practice of many commercial houses and department stores of making "short payments" and of "stealing time" in paying bills, the terms of which are dated in the invoice, was denounced yesterday by speakers at its second session of the twelfth annual convention of the National Association of Credit Men.

The subject arose during a discussion on improvement in mercantile agency service. Following the adoption of the resolutions also were adopted by a number of delegates.

"We must use when it is necessary to check one of the greatest evils in the business world," said E. S. Eves of Philadelphia, "that is the practice of making short payments. I have in mind one big firm in Philadelphia. This firm has a store in Philadelphia and one in New York."

"Besides making short payments, this firm always takes more than the time above its discount period in making payment. This is a tax upon business, and the time has come when such practices must be stopped, no matter how powerful the particular offenders."

Applauding cheering greeted the remarks of Mr. Eves, who was followed by A. H. Hurt of Buffalo in the same tone.

It was stated that the Philadelphia firm makes \$500,000 annually by making these short payments and that the manufacturers and jobbers are afraid to protest for fear of losing their business.

An extensive report was submitted by the committee on fire insurance. The committee recommended the different cooperation between business men and the fire insurance companies in an effort to solve the problem of insuring a minimum. Reports also were read on adjustment bureaus, business literature, membership and legislation.

The committee on legislation recommended more uniform laws for the regulation of different states, and urged that a bulk sales law be passed by every state legislature. Frank W. Vail, secretary of the Kansas City association, spoke of "The Dangers of Individualism."

"CHILDREN OF BETHLEHEM."
New French Oratorio May Be Heard in United States Next Winter.

Paris, June 11.—Rudolph Schermer of the well known New York publishing house, says that among the musical novelties, which probably will be heard in the United States next winter will be new oratorio, "The Children of Bethlehem," by the French composer, Pierre, and he expects in fact that French music will be the vogue this coming season, and composers such as Vincent, D'Indy, Debussy, Dukas, Poulenc and Faure will undoubtedly become better known. He says that D'Indy's oratorio, "The Children of Bethlehem," will produce some French operas at present unknown in America.

BODY FOUND.
Was Floating in Hampton Roads and Believed to Be That of Lost Coxswain.

Norfolk, Va., June 13.—A report from the Jamestown exposition grounds says that the body of one of the 11 men who were lost from the launch of the battleship, Minnesota, was today found floating in Hampton Roads. The body is believed to be that of the coxswain of the launch, but it has not been fully identified.

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AN ATTEMPTED OUTRAGE.
San Francisco, June 13.—With intent to destroy a San Bruno car, some mercenary placed a dynamite bomb on the car tracks between Fifteenth and Sixteenth during the early hours of yesterday morning. Had it not been for a timely discovery by the police before the approach of the first car passing over the line, a frightful catastrophe might have occurred.

The bomb is 17 inches in length and two and a half in diameter and was increased in tin. To it was attached a fuse four inches long. This was intended to be ignited by a percussion cap, which was inserted in the split end of the fuse and laid on the rail. The discovery was made just a few minutes before the first car started over the line.

A NOTE OF WARNING.
Sec'y. Taft Sounds Alarm Because of Smell of Gunpowder in the Army.

Minneapolis, June 13.—A note of warning to the country because of the inadequate supply of the army of the United States was sounded here tonight by William H. Taft, secretary of war. Sec'y. Taft's significant speech was made before the Minneapolis club, which had prepared a banquet for the distinguished visitor.

The secretary said that while the present army was capable from the fact that there were only 250,000 men actually under arms. Its weakness could be seen at a glance. As compared with the army in 1901, he said, it was a disaster. He explained he did not want to minimize the importance of the army, but the country's real strength naturally lay in its land force. He called attention to the fact that the formations of the army were made up of only half trained, and that one of the great needs of the army in addition to more men was in a large addition to its officers, so that volunteers could be properly handled in time of war.

GARDNER DAILY STORE NEWS
Suits Young Men Delight in Wearing

Styles that are strictly in accord with the latest ideas in Young Men's Clothes.

Slightly more extreme in cut than regular men's sizes; with the same careful attention to tailoring an finish.

Prices from \$5 to \$25, all good values—Gardner values.

Some exceptional bargains at \$10, \$12, \$15, and \$18.

A Fine Showing of Fancy Hat Bands.

ONE PRICE J. P. GARDNER
THE QUALITY STORE
130-132 MAIN ST.

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