

Mayor Schmitz
Arrested After Jury
Reports

Dictates Statement in Which He Maintains Innocence and Declares He Will Seek Justice in Higher Court

(Continued from Page One.)
"What is your verdict? Is the defendant guilty or not guilty?" intoned the clerk.

Foreman Capp took a deep audible breath. "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 the far corner. And "good, good" echoed another spectator farther front.

Rudolph Spreckles, whose wealth made possible the whole bribery 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 abrupt 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 cause, find the defendant, Eugene E. Schmitz, guilty as charged in the indictment.'"

"Is that your verdict? So say you or no, so say you all?"

"So say we all," answered back the twelve men, their voices jumbling and jarring on the silence.

Asks Poll of Jury

Mr. Mason of counsel for the defense spoke. "We ask the jury to be polled," he said. And so one by one the names of the twelve were called, and each was asked: "Is that your verdict?" Each replied: "It is."

"The judgment of the court will be pronounced on Wednesday, June 25," said Judge Dunne.

He turned to the jury: "Gentlemen," he said, "you are discharged from any further consideration of this case, and the court thanks you for the intelligence you have displayed and for the efficiency you have exhibited in the performance of your sworn duty. You are dismissed."

Foreman Capp rose up again. "Your honor," he said, "I take the decision of this jury to return its thanks to the court for the courtesy that has been shown, to counsel on both sides for the clear and able manner in which they have presented each their case, and to Elisor Biggy for his care of the jury during the trial."

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

District Attorney 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 Biggy's deputies all of half an 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 bearded mayor, who sat resolutely with his back to them and would neither look up nor down.

Schmitz Denies Guilt

Mayor Schmitz dictated the following statement to the Associated Press tonight: "No matter what the decision of the jury, which was gotten 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 prejudices 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."

The mayor spoke quietly and without emotion, but his face looked downcast. He sat at the table talking with his counsel, while a few loyal friends came up and shook hands with him. Many of the city employes, appointees of Schmitz, were present, and they showed the greatest surprise and consternation.

Assistant District Attorney Heney, who has borne the brunt of the battle for the prosecution, was not in the courtroom when the verdict was brought in. Even the prosecution did not expect such a quick decision by the jury and was unprepared for it.

There were no signs of jubilation when the result of the trial was known, 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 influences that had brought about his conviction of felony.

The mayor will be a prisoner tonight, but will apply for bail pending an appeal when court convenes at 10 o'clock tomorrow morning.

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 to clean up affairs in this city. Through these many months a considerable portion of the community the prosecution has been maligned, its motives impugned 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 criticisms 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 have defied the laws of 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 citizenry and that a new era of civic development 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 need fear the law; no guilty man may hope to escape it.'"

Attorney 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 errors and misconduct without a parallel in the history of criminal litigation in California."

HENEY IN A VITRIOLIC SPEECH ATTACKS THE DEFENDANT'S ATTORNEYS

By Associated Press. SAN FRANCISCO, June 13.—The last half day of the trial holds the record for attendance. When the big double doors of the synagogue were thrown open at 2 o'clock by a bluff sergeant of police, there was a rush up the steps and into the auditorium that fairly shook the building.

The first climax of the bribery-graft prosecution was the speech of Francis J. Heney to a bribery-graft jury in California—was the magnet that drew them all.

Heney commenced by saying: "Gentlemen of the jury, I congratulate you on the fact that our lawyers are nearly over. When we commenced this case I said all we wanted was a square deal, hewing right to the line. There is one attorney on the other side who tries his case like a fair lawyer. I mean Mr. Campbell. It is a pleasure to meet an attorney who shuffles the cards fairly and does not deal from the bottom; who does not slip the card from a box that has been fixed. But the defense has two kinds of attorneys. One of them said I was sitting in the lap of Mr. Spreckles. But, no one knows better than Mr. Barrett that I sit in no one's lap or no one could sit in my lap. No one knows better than Mr. Barrett that no one could intimidate me. I scorn the newspapers as much as you do. I sit back at all of them the dirty scurrilous attacks they have made. I have not sat sucking the municipal vat for four years like Mr. Barrett. I want to refute the nasty, cowardly attack made on my chief, Mr. Langdon. Nobody knows better than Mr. Barrett that Mr. Langdon was busy with important affairs connected with the grand jury. Nobody knows better than Barrett that Langdon is his superior in every line. Mr. Langdon in securing the my services wanted a man who had experience in prosecuting criminals like the man on trial."

Heney in Rage

Heney's manner was most dramatic. He hurled his vitriolic sentences at the jury in an impassioned manner at the top of his lungs. When he finished his denunciation he said: "That's the Irish part of me, gentlemen."

Heney referred to his experience at hard work as a laborer. Addressing Mr. O'Mara, Heney said Barrett had called him a "laborer" to Heney.

"I looked you in the eye, Mr. O'Mara," he said, "and saw you were an honest man, and I did not challenge you. The Irish in me makes me want to fight when I meet a man like Barrett. When I meet a man like Mr. Campbell, who deals his cards above the table, I meet him half way and play the game fairly."

"Now I'm through this part, gentlemen, and will say nothing more unpleasant. We won't ask a conviction unless you are satisfied beyond any doubt that the defendant is guilty. The court will instruct you as to the law in the case. A threat must not necessarily be a verbal one. Circumstances that connived French restaurants and keepers they could not conduct their business unless they engaged Ruef constituted a threat."

"It is not necessary for you to believe that Schmitz got any of the money. If you believe that Schmitz, aided by his action toward Ruef, is forcing these men to go to Ruef, he is guilty, whether he got any of the money or not."

Heney then described the methods of many of the French restaurants and said:

"If Ruef and Schmitz wanted to hold these men up, how would they go about it?"

"Do you think they would be so raw as to send the mayor to them and demand money? Is that what they would commit crime? Not at all."

Heney then related as an illustration how he defended a couple of stage robbers who were convicted. They did not advertise that they were going to rob the stage. "One of them, a school teacher," he said, "had a good head like the Napoleon of crime, Abner Ruef. The school teacher prepared a defense in advance, but was caught. That is what Ruef did when he prepared his defense with the French Restaurants association."

"Ruef could afford to take all the blame. They could put it on Reagan, who was so honest that he had to be shown all the time. Ruef could rob the French restaurants while the mayor told them how he loved them, how he liked to eat there."

Pays Respects to Scott

Heney then paid his respects to Witness Scott of the waiters' union in sarcastic terms that raised a laugh.

"If you lived in New York and read in the papers that a restaurant you owned had been held up you would know that the Ruef did it. Schmitz was mayor and appointed the police commission. Everybody knew that Ruef controlled the mayor."

In colloquial language, Heney described how Ruef and Schmitz conspired together to hold up the restaurants, using facts brought out in the evidence. Ruef dined at the Pup every night, where Schmitz met him. How did Loupe, the proprietor, know enough to go to Adler of the Bay State and tell him he was going to have trouble long before the trouble came? "Loupe, the Pup," knew all about it in advance.

"I believe in unions, but I do not believe in their use by dirty dogs to extort money from the public. For I can stand for the crimes of a great many labor leaders who never did an honest stroke of work in their lives."

"I'll state the evidence and I challenge. (Continued on Page Three.)"

LEASEHOLD RIGHT
SETTLED BY COURT

Important Ruling Given by Judge in San Francisco Tenant's Claim on Property Destroyed by the Fire

By Associated Press. SAN FRANCISCO, June 13.—Judge Seawell established an important legal precedent today concerning the continuance of leasehold rights interrupted by the fire. He held that the City of Paris Dry Goods company cannot force the Spring Valley company to restore its building on Geary street and Grant avenue so that the plaintiff may be housed there.

The dry goods firm sought an injunction to prevent the building from being reconstructed except for their purposes, and asked the court to quiet the ground that the defendant built. The plaintiff maintained that in April, 1896, it entered into contract with the water company to erect a six-story steel frame fire-proof building, on which it executed a 20-year lease for \$648,000, payable in monthly installments. On June 31, 1906, the Spring Valley company sold the property to the Unique Square Improvement company for \$500,000. The purchaser is now turning the property to an office building unit for the purposes of a dry goods store, and the plaintiff wishes the work stopped and the lease it holds fulfilled.

Judge Seawell sustained the demurrer interposed by the defendant on the ground that the property had been thoroughly destroyed, from the point of view of equity. He declared that no court of equity could enforce the contract.

Western Federation of Miners. They read him the oath from the ritual, but when they did that he expressed the belief that the language had been given to him by the witness.

For hours the defense hammered away on the motive of saving his own life. They sought to show it in the force of example drawn from the immunity of the informers in the Mollie House cases, but this the witness would not admit. Next they sought for a reason for Orchard's effort to bring Steve Adams over to the state and then subsequent meetings with McParland and Governor Gooding.

Again they emphasized the fact that the witness had twice written his testimony out, but Orchard repelled the suggestion that it had been changed by McParland, Attorney Hawley, or anybody else. After that it was suggested that Orchard left the state in the keeping of McParland; that the Pinkertons had sent money to his family in Canada; that he had been supplied with dates to strengthen his story and that McParland had taken him to the state manager would for his appearance on the stand, but all of these Orchard

Shown Favors in Prison

Then they tried to show him a pampered, petted, hero-like prisoner, fed from the table of the warden, addressed as "Harry" by Governor Gooding and Warden Whitney, given freedom and liberty that no other prisoner could have in the state, and all this consideration implying directly that he would never be hanged for the killing of Steunenberg. Then came a showing as to how the prisoner had been dressed and groomed for the trial and lastly for a climax they showed Orchard pleading for and saving the life of Bob Wetter, condemned to death for murder. Orchard admitted that he had appealed to Governor Gooding about Wetter and that later Gooding first reprieved Wetter and then commuted his sentence of death to one of life imprisonment.

Orchard left the stand at 2:30 o'clock after having occupied it for a total of thirty-two minutes. Just before he was accused and remanded he went back to the hands of the prosecution and identified the casing of the bomb he planted at the gate of Judge Goodard's house in Denver. Orchard is to return to the witness chair later because the defense must lay the formal lines for impeaching him and the state must still have its redirect examination.

When Orchard left the stand the state began the corroboration of the Bradley poisoning story. Miss Sadie Swan, who as Miss Sadie Bell, was a maid in the Bradley home; Oliver Crook, the milkman who sold the milk that was poisoned; and P. L. McCree, the chemist who analyzed the poisoned milk, carried the revolting tale from the discovery, because of its bitterness, that the milk was poisoned through the action of secretaries from forty to sixty grains of strychnine in a quart of it.

The Austrian delegation was first on the ground. Gen. Horace Porter, former ambassador to France and one of the American plenipotentiaries, arrived yesterday, as did the French, Japanese and other delegates.

Already a feeling is prevalent among the arriving diplomats that the United States is destined to play a great role in the coming conference. Under her auspices the countries of South and Central America will be introduced to Europe on a footing of equality. The European delegates entertain no doubt that all the representatives of America will present a practically united front at this conference, and henceforth they will be an immense factor in such world conventions.

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A Large Comfortable Arm Rocker
Comes with saddle or cobbler seat. Solid oak or imitation mahogany. Best polished finish. Our regular price is \$4.00.
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Don't put off getting a refrigerator too long. You can get a better selection now.
Jewel and Empire refrigerators \$10, \$12.50, \$15.00, \$18.50, \$17.50, \$18.50, \$20.00 and up, less 25 per cent.
Jewel Refrigerator, like cut, apartment style; made of selected hardwood; has golden oak finish, galvanized steel linings; shelves and ice rack. Our regular price is \$18.50. At 25 per cent discount, \$13.87.
We sell Dr. Perkins' Sanitary refrigerators. The "Sanitary" has perfect dry air circulation. The construction is patented and cannot be secured in any other refrigerator. No mold, no dampness, no decay. Let us show you the "Sanitary." Your money back in 30 days if not exactly as represented.

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10 Per Cent Discount from Our Regular Anti-Trust Prices
We sell the Cooker Chief, Estate, Peerless and Climax Gas Ranges. These ranges are absolutely guaranteed by their manufacturers and Brent's. We would not want you to have one of these ranges if you were not perfectly satisfied. These ranges are lined with asbestos, which insures the oven from burning out. Always insist on having a gas range lined with asbestos.
No. 3-14 COOKER CHIEF, regular price \$12.50; special, \$12.15.
No. 4-14 COOKER CHIEF, regular price \$16.50; special, \$14.95.
No. 11-16 ESTATE, regular price \$18.50; special, \$16.65.
No. 10-16 ESTATE, regular price \$21.00; special, \$18.90.
No. 10-18 ESTATE, regular price \$24.00; special, \$21.60.
Other ranges up to \$50.00, less 10 per cent.

CONDITIONS OF SALE
Exchanges will not be made. Goods will not be held for future delivery. All goods must be accepted as soon as we are able to deliver them.
ELEGANT 3-PIECE SET, TURKISH STYLE—Large settee and two large easy chairs; upholstered with leather. Our regular Anti-Trust price is \$113.50. At 25 per cent discount, \$85.12.
HANDSOME PARLOR TABLE, OVAL DESIGN—Size of top 28x40; has two 5-inch pillars and six 5-inch ball feet; comes in mahogany, golden, weathered and early English oak. Our regular Anti-Trust price is \$20.62. At 25 per cent discount, \$15.46.
ELEGANT DRESSER—Has 48-inch base, divided top drawers. Mirror is 30x40. This dresser comes in quartered oak, birdseye maple, dark and toona mahogany. Our regular price is \$60.00. At 25 per cent discount, \$45.
ARTISTIC MORRIS CHAIR—Weathered oak frame. Spanish leather cushions. Our regular Anti-Trust price is \$25. At 25 per cent discount, \$18.75.
Other Morris chairs \$12.50, \$15.00 and up. Less 25 per cent discount.
ELEGANT "SIMPLICITY" DAVENPORT—Mahogany frame, very best springs, upholstered in two-tone green silk velveteen. Our regular Anti-Trust price is \$80. At 25 per cent discount, \$60.00.
Other Davenport \$40.00, \$50.00, \$60.00, \$70.00, less 25 per cent discount.
LARGE COMFORTABLE LEATHER ROCKERS and Easy Chairs \$25.00, \$30.00, \$35.00, \$40.00, \$50.00, \$60.00 and up, LESS 25 PER CENT DISCOUNT.
25 STYLES IN LEATHER COUCHES \$35, \$40, \$45.00, \$50.00, \$60.00, \$70.00 and up, LESS 25 PER CENT DISCOUNT.

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ANTI-TRUST COAL STOVES AND RANGES
25 Per Cent Discount from Our Regular Anti-Trust Prices
LIKE SMALL CUT \$11.50. Our No. 6A PEERLESS coal range; has 5 covers and 13-inch oven. Nickel trimmed. Like cut, special, \$11.50.
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Ladies' union suits, low neck, no sleeves, knee length, lace trimmed, umbrella style, or tight knee; excellent quality. 50c
107-9-11 North Spring Street
New Arrival of Sample Dress Skirts
New line of sample skirts, in black, blue, brown and light colors; most of them are panama cloth, trimmed with folds and buttons; all specially priced; one of each style.

TO HELP HALE'S SAN FRANCISCO STORE
We are selling at a big sacrifice nine carloads of the very choicest merchandise. Lowest prices and best values in the history of the store. Here are a few of them:
1500 Yards Fancy Silks 39c Yard
Regular Price 89c
1500 yards fancy silks in Louise and taffeta weaves; also plain peau de cygne; good assortment of colors; plaids, stripes and checks; regular values up to 85c a yard. Special, 39c.
Some Big Bargains in Linens
65c Check Napkins 36c a Dozen
Three cases of restaurant napkins from San Francisco to sell regardless of cost; worth 65c. Marked for Friday's selling at 36c a dozen.
30c Bleached Table Damask, 58-inch width, 22 1/2c.
15c Bleached Napkins, 19 by 19, 95c a dozen.
50c Dress Linen, 36 inches wide, 35c.

2-Hour Special—5c Handkerchiefs 2c
1000 dozen women's and children's hemstitched handkerchiefs; nicely finished cloth; worth 5c. For two hours, from 8 to 10 a. m., 2c each. Only 10 to a customer.
75c Ready-to-Use Sheets 45c
10 cases of bleached sheets; good, heavy quality, but soft and free from dressing; seam center; worth 75c each; as a special for Friday, 45c.
Two More Cases of San Francisco Pillow Cases Worth 15c Each—Friday 10c
These are made of standard grade muslin; free from dressing; size 45x36; worth 15c; on sale Friday, 10c.
85c Factory Samples 45c
Factory samples of Axminster rugs; made from carpet ends; nicely fringed; just the thing for doorways, front of dresser and under pianos; all colors; size, 16 by 30 inches; cheap at 85c; will they last Friday, 45c each.
25c and 39c Scarfs and Shams 19c
A lot of hemstitched and embroidered dresser scarfs and shams; 18 by 54 and 32 inches; good values at 25c and 39c; to close out Friday, 19c each.
25c Belts for Children 19c
Buster Brown belts for children, in black, white and red; all sizes; regular 25c belts, Friday, 19c each.

Wash Goods from San Francisco
A Big Leader—25c 40-inch India Linon 12 1/2c
Only one case of it to go at this low price. Just the right thing for dainty waists, dresses and children's wear. Worth 25c. Today, 12 1/2c.
35c Silk Tissue 25c
1 case of fine quality silk tissue and plaid gingham from San Francisco; makes swell suits and waists; worth 35c; Friday, 25c a yard.
25c Etamines 15c
2 cases of fine quality etamines from San Francisco; pink, blue, tan, red, lavender and white; worth 25c; Friday, 15c a yard.
20c Fancy Madras 12 1/2c
2 cases of striped madras from San Francisco; slightly soiled; suitable for suits and waists; worth 20c; Friday, 12 1/2c a yard.
15c Linen Finish/Suiting 8 1/2c
5 cases of 36-inch linen finish suiting from San Francisco to be sold regardless of cost; worth 15c; Friday, 8 1/2c a yard.
25c Bath Towels 19c
5 cases of bleached and unbleached bath towels in hemmed and fringed ends from San Francisco; worth 25c; Friday, 19c each.
Handsome \$2.50 Waists \$1.50
Fancy white lawn waists, well made, clusters of tucks and pretty embroidered fronts; short sleeves and lace trimmed cuffs; regular \$2.50 values Friday \$1.50.
8 1/2c Apron Gingham 6c
10 cases of standard quality apron gingham from San Francisco to be sold at once; worth 8 1/2c; Friday, 6c a yard.

AMERICA POWER AT THE HAGUE
By Associated Press. THE HAGUE, June 13.—The delegates of various countries to the second Hague peace conference, which will be formally opened June 15, accompanied by a host of secretaries, technical experts and attaches, together with a small army of newspaper correspondents, are arriving here by every train, and the lazy old Dutch capital is beginning to buzz with an animation such as has not been witnessed since the conference of 1899.
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Already a feeling is prevalent among the arriving diplomats that the United States is destined to play a great role in the coming conference. Under her auspices the countries of South and Central America will be introduced to Europe on a footing of equality. The European delegates entertain no doubt that all the representatives of America will present a practically united front at this conference, and henceforth they will be an immense factor in such world conventions.

Two Cases of Indigo Blue Calico
From San Francisco—Worth 7 1/2c—On Sale at 4 1/2c
There are dots, figures, stripes. On sale from 8 to 10 only—4 1-2. Limit of 12 yards to a customer.