

The newest life saving station hasn't any boats and it stands a full mile from the water—in Oakland. An illustrated article about its work in

The Sunday Call

THE CALL

"The Octopus Marooned" is the second story of "The Gentle Grafter" series by O. Henry, prince of humorists. It beats the first. You'll find it in

The Sunday Call

VOLUME CIL.—NO. 11.

SAN FRANCISCO, TUESDAY, JUNE 11, 1907.

PRICE FIVE CENTS.

Prosecution Rests Its Case Against Schmitz Orchard Admits He Had No Mercy for Bradley Family

SECRETARY WILL VISIT COAST TO STUDY JAPANESE

Straus Proposes to Gather More Information at First Hand

SITUATION CRITICAL Japanese Hope to Secure Repeal of Present Exclusion Treaty

ATTACK ON MINISTRY Disgust Expressed Over Stand Taken by Tokyo Government

SPECIAL DISPATCH TO THE CALL

WASHINGTON, June 10.—The

Japanese agitation may lead Secretary Straus of the department of commerce and labor to visit San Francisco soon for the purpose of gathering information at first hand as to just what the attitude of the Pacific coast is toward the Japanese, how they are treated and what basis there may be for the complaints lodged by Japan that its citizens are not safe in California. Secretary Straus is debating the question whether he had not better extend his journey to Honolulu in order to study the effect of immigration on the questions. If he can find time to do so, he will visit Hawaii.

The relations of this country with Japan are not at all satisfactory, in spite of the repeated assurances of diplomats on both sides that everything is lovely. No progress whatever has been made toward the proposed new treaty with Japan, providing for the exclusion of Japanese laborers.

Judging from the statement of Ambassador Aoki, made public today, the Japanese not only do not intend to enter into such a treaty, but after the presidential campaign will try to secure the repeal of the present exclusion law. The Japanese ministry is greatly embarrassed by the attacks of the opposition upon its action in acquiescing in the exclusion of laborers by the United States. The opposition desires to brand this as an official admission that the Japanese are not the equal of other nations, and is still engaged in inflaming the Japanese people with this statement.

NEGOTIATIONS AT STANDSTILL

State department authorities are now convinced that the negotiation of an exclusion treaty is not to be thought of. Negotiating the Japanese protests, the United States is not at all satisfied with the exclusion amendment for the reason that it does not effectually exclude the Japanese. They are coming here in as large numbers as before, the only difference being that they are now lawbreakers and liable to deportation. If Secretary Straus goes to the coast he will seek to strengthen the barrier against the Japanese. Instead of removing it, he has learned a great deal in the brief term he has administered the department and is not now nearly as proud of his Japanese exclusion regulations as when he wrote them.

CHICAGO, June 10.—The Inter Ocean's Washington correspondent says: Indications are not lacking that the state department has resolved to pursue a firmer policy in dealing with Japan. It is regarded as highly significant that the department should have put out yesterday a statement designed to show that there is a conspiracy in Japan to provoke trouble with the United States. For several days disgust has been quietly expressed that Japan should have shown such distrust of the United States as to take up a street brawl in San Francisco and attempt to make an international incident out of it.

CRINGING IS AT AN END

The undertone of talk here is that for the last six months this country has gone beyond all reasonable bounds in attempting to satisfy or pacify Japan. From now on there is not to be so much cringing. If the Japanese continue to show a disposition to foment trouble

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THE CALL'S BRANCH OFFICES

Subscriptions and Advertisements will be received in San Francisco at following offices:

- 1651 FILLMORE STREET
Open until 10 o'clock every night.
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Christian's Branch.
3011 16TH ST. COR. MISSION
International Stationery Store.
1531 CHURCH STREET
George Prowitt's Branch.
2300 FILLMORE STREET
Woodward's Branch.

The Prosecution Rests



Case Against Schmitz Complete

"I THINK we have made a clear and complete case of extortion by showing that Police Commissioner Reagan held up the licenses at the instigation of the mayor, who was familiar with the French restaurants and their business, and kept them held up long enough to enable Ruel to collect the alleged 'fee.' The 'fee' collected, Schmitz removed Hutton to make the renewal of the licenses possible. That is the case. We have proved it. No more was necessary. We are confident of a conviction."—Prosecutor Francis J. Heney.

Outline of Schmitz' Defense

"WE WILL prove to you that the defendant has not been connected with a single matter mentioned in the indictment. We will prove to you that he was not connected with holding up the license of a single French restaurant. We will prove to you that the conspiracy against the French restaurants did not emanate from the defendant, but from entirely different sources. With reasonable cross-examination the defense will complete its case tomorrow."—Attorney Joseph C. Campbell, of counsel for Mayor Schmitz.

Examination of Witnesses for Defense in Extortion Trial Nearly Completed

Consternation in Ranks of Mayor's Counsel Over Unexpected Announcement Made by Heney

By George A. Van Smith.

The prosecution has rested its case against Mayor Eugene E. Schmitz, indicted with Abe Ruel for extortion.

J. C. Campbell, chief counsel for Schmitz, has briefly outlined the character of the defense he will present and promised court and jury to complete his case today. The prosecution rests with a completed case of conspiracy, but without attempting to show by direct evidence that any of the fruits of the conspiracy found their way into the pockets of Schmitz.

The defense hopes to convince some of the jurors that the conspiracy to hold up the French restaurants did not emanate from Schmitz, and bases its hopes for a disagreement on its ability to show the jury that there has been no direct evidence that Schmitz received any of the money.

Heney added the first touch of spectacular coloring to the trial when without the slightest warning he announced yesterday afternoon:

"That is our case. The prosecution rests."

His little coup was only mildly sensational, but it served its purpose. It came as a complete surprise to the defense and scattered temporary consternation in the camp of Schmitz.

Heney's little surprise was worked up to its climax with imposing circumstance.

Witness Says the Mining Manager's Wife and Baby Were to Have Been Slain

Tells of His Sojourn in San Francisco When He Came to "Get" the Man That Haywood Marked for Death

By Oscar King Davis

BOISE, Ida., June 10.—Cross examination of Harry Orchard, the principal witness in the trial of William D. Haywood for the murder of ex-Governor Steunenberg, continued all day. And when court adjourned Attorney Richardson had not completed his line of questioning about the attempt to murder Fred Bradley in San Francisco in the fall of 1904. At the rate at which he is proceeding he will not conclude his examination of Orchard for another two days. After that there will be a considerable redirect examination, so that Orchard is likely to be on the stand for the remainder of the week.

There was a noticeable change in Orchard's manner today. Heretofore he had maintained an attitude of unresisting meekness under any and all of Richardson's assaults, but today he was rather testy, and several times he replied with some spirit to the insinuations and assertions of the lawyer. He adhered unshakably, however, to the course that he had mapped out for himself, and did not hesitate to admit his guilt of any offense that Richardson might charge, no matter how trivial or how infamous, provided only that it was part of the story that he had to tell.

Thus the witness confessed having sold short weight cheeses as his first crime, and without a shiver he went through the details of the fiendish attempt to poison the Bradley family by putting strychnine in the milk. But when the lawyer questioned him about other things, crimes or peccadillos, which were not included in the history of his life, as he had told it, his denial was instant and emphatic.

ASSERTS THAT ONLY STANDARD IS THE TRUTH

Orchard makes it perfectly clear that no consideration of its infamy leads him to deny participation in any event or undertaking. There is no moral abyss that he will not admit having sounded if it is connected with his own narrative. But he will not admit a single thing outside that narrative, and every such accusation or insinuation he promptly rejects as untrue. From the very first of his story up to the last question today he has asserted that his only standard now is the truth. Any story about him that is true he will admit, everything that is false he denies.

The story of the poisoning of the Bradley milk afforded Richardson an opportunity to play upon the sentimentality of Orchard as well as on the feelings of the jury and the audience. But he did not avail himself of it. Instead, when he had developed it to the point where it needed but little more to produce a decided effect, he threw away his chance by making a cheap joke. He got a feeble laugh from the audience and lost his opportunity to bring tears. Except for the slight testiness referred to, Orchard bore himself throughout the day with his usual poise. He maintained his alertness, and was, if anything, a little quicker in his responses than he has been on other days. He had no occasion to complain of being cut off by Richardson before his replies were complete, except once or twice, and on one of those occasions the judge decided that what he wanted to say was not material then and could be covered in redirect examination if the state desired.

At the opening of the day Orchard said that he wanted to correct some of his earlier statements, and in doing so substituted the name of Billy Ackerman for that of Billy Easterly as the man present at one of the talks that he had in Cripple Creek. This correction suggested to Richardson a line of questions as to what had called Orchard's attention to his mistakes.

"Was it because of any conference with anybody?" the witness was asked.

"No, sir; it was not," replied Orchard.

Richardson kept at it and developed the fact that Orchard had seen Hawley and McParland since the Saturday adjournment. McParland was at the penitentiary with him an hour yesterday.

"Did he talk to you about the method by which you should withstand this cross examination?" asked Richardson.

"Yes, some," replied Orchard. "He talked about what gave me strength to go through the examination."

For some reason Richardson did not care just then to bring out the fact of Orchard's profession of religion. He dropped that line of questioning, but presently reverted to it to ask if Orchard had been cautioned by any one as to being too exact in fixing times and places.

"I've been cautioned about nothing except to tell the truth," replied Orchard, with the first show of warmth that he has given in all his examination.

"Who cautioned you about that?" asked Richardson.

"Mr. McParland and Mr. Hawley," was the reply, and Richardson let it go at that.

The line that the attorney took up then brought him before long to the old subject of killing nonunion men, and again Orchard gave a glimpse of the spirit that animated himself and his fellows. He was telling about a talk that he had had somewhere in the Cripple Creek district with Sherman Parker and W. F. Davis, when they discussed the blowing up of the Independence depot. It was the first time that the project was suggested. The witness could not fix date or place asked.

"No, sir; it was not," replied Orchard.

Impertinent Question No. 2

Why Aren't Husbands Happy?

For the most original or wittiest answer to this question—and the briefer the better—The Call will pay FIVE DOLLARS. For the next five answers The Call will pay ONE DOLLAR each. Prize winning answers will be printed next Wednesday and checks mailed to the winners at once. Make your answers short and address them to IMPERTINENT QUESTIONS, THE CALL.

- Prize Answers to "How Can You Tell a Man from Los Angeles?" \$5 prize to E. E. Purrington, 466 Frederick street, San Francisco. By his desire to divide his state, his country, everything but his money.
- \$1 prize to Mrs. Margaret Whitcomb, Mill Valley. I simply cannot tell a man from Los Angeles, I would rather tell the grand jury.
- \$1 prize to D. M. Duffy, 1905 Webster street, San Francisco. A one lung man with a two lung bluff.
- \$1 prize to Elmore D. Lake, 909 Linden street, Oakland. Make a noise like a telephone franchise and watch his ears.
- \$1 prize to Carlis F. Eagle, 1632 Union street, San Francisco. By those little copper pennies.
- \$1 prize to Mrs. E. G. Walter, 175 Alps street, San Francisco. He hates to spend a whole nickel in one store.