

THE DIRECT PRIMARY IS WORSE THAN WASTED ON THE VOTER TOO INDIFFERENT TO REGISTER

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## GRAND JURY BACKS UP PROSECUTOR PUGH

### STATE CAPITOL PICKED CLEAN

Legislators Pack Off Everything Loose and Below Grand Larceny.

(Special to The Press.)

OLYMPIA, March 12.—The legislature is a thing of the past. With song and shout last night the members like a lot of school boys turned loose finished their 60 days in gay hilarity. It was a hurrah time, in which none but a few of the more dignified and a couple of the burly members refused to take part. Some esthetic souls conceived the idea of engaging a pianola, and the insane acoustics of the house chamber rang with rag time and "classics" while such exuberant legislators as thought they could sing attempted to do so.

All day yesterday there was a feeling of unrest among the members. It was packing and moving

day. Early in the afternoon an astonishingly large number of boxes and crates were dumped into the area between the house and senate, and from then on until midnight the scene resembled a wholesale shipping room on a busy day. Everything that was loose and below grand larceny was packed off, books, inkwells, waste baskets and when it was all over the senate and house chambers were trimmed as clean as if gone over with a suction machine.

When the official "hour of 12" came around and the speaker and the speaker and the president of the senate pounded for the last time and put the motion to adjourn, the die was cast. "Aye" went up that could be heard all over Olympia. Today the members are nearly all gone. Olympia has a deserted, patient air. A few familiar faces are seen staggering under boxes, but the outgoing train and boats have taken the majority to the four corners of the state.

### FASSETT'S FRIENDS WILL HAVE TO HURRY

HIS BOOM IS TAKING SHAPE OF FLOUNDER, AND THERE'S AN EMERGENCY CALL TO MAN THE PUMPS.

The Fasset boom is going flat and its boosters are busy attempting to pump in fresh gas. After Mr. Fasset was waited on for two days and finally induced to get into the race, all kinds of promises of support were made. A big mass meeting was called in the municipal court to ratify Fasset for mayor, and right at this meeting the boom started to wobble, for out of the 200 odd at the meeting, but 80 pledged themselves as members of the Fasset club. The rest of the audience was composed of friends of Hutchinson, Pratt, Omo and Hinkle who wished to see what was in the wind.

It is two weeks since it was decided to appoint a committee to manage the Fasset campaign. This committee was to get busy, crowd the registration, and get things working on a systematic basis, as was done successfully in Mayor Moore's campaign. The committee has not yet been appointed, although Mr. Coman stated today that a subcommittee had the matter in charge and would either name the committee today or tomorrow.

In the meantime the Omo, Laumer, Pratt and Hinkle forces are working tooth and nail. Fasset has lost ground and from the present outlook it is doubtful whether fresh life can be injected into the fight and make him even a dangerous contender. The Cowles blight appears to bite deep.

Meanwhile the Omo forces are forging to the front, and two Omo men are to be found to one for Fasset. The strength of Grant Hinkle at present seems to be as strong as that of Fasset, and Hinkle is working six solid days a week.

Mr. Fasset has "moral support" to burn, but this counts for little at the polls. What he is shy is a corps of active, hustling campaigners who can get the votes. Mr. Fasset was paraded high man in the race the day he announced his decision to enter, but every day he has lost ground, and even his supporters are secretly fearing the game is up.

### CANT STAND HIS GLASSY GLARE

TACOMA, March 12.—That Joshua Klein, "mysterious spiritual adviser," now on trial accused of attempting to kill Dora Culbertson, is using hypnotic power to influence witnesses for the state, was openly charged by prosecuting attorney McMurray this morning.

Mrs. Sauvageot, mother of one of the girls who while in Europe she was under Klein's power, and complained she was unable to testify while he was looking at her "with his glassy eyes." She begged the court to remove him, but the court could not under the law.

### ASKS \$13,000 FOR SLANDER

Damages in the sum of \$13,500 for slander are asked in a suit that has been brought in Judge Hinkle's court by D. D. Birks against E. R. Ward. Both principals of the suit are interested in the Spokane Lead Mines Co., and according to the complaint, Ward charged Birks with embezzling \$8500 of the company's funds, in a conversation with a third party and in the absence of the plaintiff. Attorney Henley, appearing for the plaintiff, is endeavoring to show that the company had no funds on hand at the time the charges were made and that the statements were slanderous. The remainder of the day will be consumed by the case.

### JUROR HAD A JAG

Frank Johnson showed up for jury duty in Judge Webster's court this morning in a high state of intoxication and after having been severely chided by the magistrate, was dismissed from duty and not allowed pay for time he has already put in since Monday. Johnson was about ready to topple out of his chair in the jury box when the judge's eye caught him. With the judge and attorneys for Ves Pitts-

### HERRIN TO HEAD ILLINOIS CENTRAL

LOS ANGELES, March 12.—A conference between Harriman and his chiefs will be held here tomorrow night. It is understood W. F. Herrin, Southern Pacific attorney, and Harriman's political lieutenant in California, will be made president of the Illinois Central road.

### SCANDINAVIANS HEAR CANDIDATES

The Scandinavian-American club in an executive session last evening heard three candidates for city offices. Those who appeared were Councilman Nelson of the Fifth ward, Louis Martin, republican candidate from the Fourth ward, and J. Oscar Peterson, republican candidate for city treasurer. While no action was taken, it is reasonably assured the club will endorse these three candidates.

### MEYER COMING TO COAST

WASHINGTON, March 12.—To inspect navy yards of the Pacific coast, Secretary of the Navy Meyer informally announced today that he is planning to visit the Pacific slope.

### THIS WOMAN A FINANCIER

SURRENDERS MAN SHE GAVE BOND FOR IN ORDER TO PROCURE FUNDS TO CARRY ON DIVORCE FIGHT.

Because she was in need of money with which to fight a divorce suit, now pending in the superior courts between herself and husband, Mrs. A. Johnson surrendered William Gardner, charged with embezzlement, to the sheriff last night and collected \$500, the amount of bond she had put up for him. Wesley Hannan, W. R. Edgar and Lizzie Stephen furnished a new bond of the same amount for Gardner this morning and he will be released pending trial again this afternoon.

Gardner's case has been set for next Tuesday, but he objected to remaining in the county jail even for that short period. J. B. Ballard, owner of a horse which Gardner is alleged to have sold, is behind the prosecution. Gardner states that he had authority to sell the animal but that it was not himself but another party who had disposed of it and had kept the money.

### COMING AFTER GRAFTERS

WASHINGTON, March 12.—Secretary of the Interior Ballinger today announced that he will visit Alaska next summer to study conditions attending the acquisition of coal lands and alleged fraud on the part of speculators in connection with coal land operations.

Ballinger is about to make an extensive western trip to investigate complaints of homesteaders in Idaho, who claim they will be unable to get titles to land without great trouble. He accompanies Taft on a part of the trip. Among the plans of Ballinger is one for an extension of the reclamation service throughout the country.

### LOOKS LIKE WHITEWASH

OLYMPIA, March 12.—Secretary of State Nicholas today won first blood in the organization of the investigation committee appointed by the legislature last midnight to investigate state officials.

When the members of the committee met this morning they selected Senator T. L. Allen chairman. He always opposed the investigation.

The committee consists of Allen, Fishback, Representatives Taylor, McMaster, Hubbel. It did nothing this morning except select a chairman, and agree on meeting in Olympia March 30 to begin the inquiry. It is probable the charges against Nichols and Schively will be first investigated.

### BUTTE STOCKMAN SHOT BY WIFE

BUTTE, Mont., March 12.—Thomas Metz, a prominent stockman, was shot and killed by his wife today following a quarrel on their ranch.

### ZEPPELIN SAILS UPPER AIR AGAIN

FRIEDRICHSHAFEN, March 12.—Count Zeppelin today made a record for dirigible balloons by ascending 3000 feet. His airship maneuvered easily.

### LAND GRAB GOES THROUGH

OLYMPIA, March 12.—By trading right and left the senate yesterday bucked through the oyster land grab bill, which has been fought for years. The measure was killed in the senate Wednesday and when a motion to reconsider was made President Ruth ruled it in order over the vigorous protests from the floor. Acting Governor Hay will probably veto the bill.

### LAST OF TRIO LANDED

Deputy Sheriff Mills returned this morning from Seattle with John Hart, the third member of the trio alleged to have beaten and robbed John Keevy, a Plaza, Wash., 75-ccher here last November. John Scoles and Henry Ross, the other two highwaymen, are already serving time in the penitentiary.

### REQUESTS COURT TO PREPARE FULL REPORT

Pugh Asks Until Morning to Make Sure of Ground for Possible Appeal.

The grand jury of Spokane county just before noon came into court and requested of Judge Huneke that the prosecutor be permitted to take a verbatim report in shorthand of the evidence given before it. The reasons set forth was that taking the report in long hand would drag the investigation to such lengths that they would be unable to weigh it properly. The grand jury set forth that the only method of getting an intelligent view of the evidence is to have it taken fully in shorthand and transcribed. The grand jury is the sovereign inquisitorial body representing the people. By its action today the jurors called to investigate the Gordon charges supported in every particular the contention of prosecuting Attorney Pugh in the face of a contrary ruling of the court and the determined opposition of the array of counsel lined up in defense of Gordon.

Judge Huneke expected to reply to the request of the grand jury for a full report of its proceedings when court convened this afternoon, but at this time Prosecutor Pugh informed the court that he was fully satisfied that the giving of instructions to the grand jury as proposed this morning, for bidding a full shorthand report, was the proper basis for an appeal to the supreme court and asked an indulgence until tomorrow morning in order to make certain.

In the meanwhile he said there were several witnesses not of major importance who could testify before the grand jury this afternoon under the present arrangement and their examination could proceed.

The court granted this request, and the matter of recording the testimony went over until tomorrow morning.

Judge W. A. Huneke, who has charge of the grand jury, this morning declined to make in such manner that an appeal can be taken, and by agreement the court reduced his findings to the form of a special instruction to the grand jury.

In this instruction the grand jury is again reminded of the fact that a clerk is to be selected from among their number is the only person authorized under the law to take notes of the evidence. Should the prosecutor or any of his deputies attempt to take any notes of the proceedings in shorthand the grand jury is called upon to ask them to desist. Should they refuse to do so the request by the prosecutor or his deputy then the grand jury is to report the matter to the court.

The prosecutor being an officer of the court can be punished for contempt for a violation of the court's order.

The ruling of the court was entered after a morning spent in argument by Attorney Frank Graves, representing Judge Gordon, and Prosecutor Pugh. Various citations were given by Pugh from the higher court rulings in other states that permitted stenographic reports of the evidence taken before the grand jury or held that such verbatim reports were no bar to the legality of an indictment. Mr. Pugh said that a grand jury investigation without a verbatim report of the evidence would to a great extent be nullified. Witnesses for the prosecution in the case of indicted persons could perjure themselves at will on the trial of the case before a jury if no stenographic reports of their evidence before the grand jury existed.

Frank Graves, on behalf of Judge Gordon, argued that the Washington statute was specific, and that the present dispute was not an effort to quash an indictment but to secure correct procedure in this, this first grand jury called in Judge Huneke's court. He insisted that Gordon had a vested right in having the grand jury proceed according to law, even though the action of the prosecutor might hereafter be the ground for proceeding to quash the indictment. He denied that the various motions and objections of the counsel for Gordon were intended to be dilatory, captious or obstructive, but instead were intended to compel the proceedings in connection with the grand jury to be entirely in accordance with the law and the dignity of the courts.

Prosecutor Pugh remarked that he thought it was strange that the counsel for Gordon was so solicitous to maintain the secrecy of the grand jury and so strongly opposed to taking a verbatim report of the evidence. He did not ask the court to permit him to engage in any irregular practice. He said the rule sought to be invoked against him

### COTTON FEARS COURT TEST

W. W. Cotton, chief counsel for the O. R. & N. Co. has gone to Chicago to discuss the Spokane rate case with the general traffic officials of the Harriman lines there. It is believed that the railroads will not abide by the decision of the interstate commerce commission, but will carry the rate changes proposed by the commission into the United States courts.

Mr. Cotton said that he personally was opposed to taking the matter into court, but that he did not know what the opinion of the general officials might be.

### DENY THEIR GUILT

Charged with aiding in the delinquency of Pearl Ohman, age 15, by giving her intoxicating liquors to drink, "Kid" Scaler, prize fighter; Jack Kerns, his manager, and Bert Dimick, a saloonman, were arraigned before Justice Stocker this morning and pleaded not guilty. The cases were continued till Monday morning.

The Ohman girl is declared to have been in company with her brother when the liquor was given to her and though the authorities had trusted him to take his sister out at night, after she had been released from the juvenile jail several weeks ago, has often violated the confidence by buying liquor for her.

### COUNCIL WILL NAME MAYOR

LOS ANGELES, March 12.—Following the resignation of Mayor Harper last night, against whom a recall campaign was waged, the city council today decided to elect a new mayor next Monday.

Municipal affairs, which have been in a most chaotic condition since the recall campaign started are further complicated by Harper's action. The forces against Harper claim that as the recall was directed against Harper, the recall is ended and the campaign dead. They maintain the council, under its charter, shall have the selection of Harper's successor, and that his successor serve until January next year.

### OLD BAY STATE GOING DRY

BOSTON, March 12.—That Massachusetts will be found in the "dry" column of prohibition states was indicated today by the action of the legal affairs committee of the state legislature, which reported a recommendation to introduce a bill for that purpose.

### GUGGENHEIMS TO TAP ALASKA COAL

SEATTLE, March 12.—The Guggenheim-Morgan syndicate has decided to build another railroad for development in southern Alaska, which will supply the cities of the Pacific coast with coal, said to equal the Pennsylvania product, besides furnishing an outlet for deposits of coal of high grade. The railroad will extend from a point on Copper River railway, 30 miles from Cordova, to the mines, 60 miles south.

### HARD TIMES FOR MARIE DRESSLER

LONDON, March 12.—Although Marie Dressler, actress, was too ill last night to be interviewed, it is announced today she has mortgaged all her available property to pay her company of 60 persons, who were thrown out of employment by the recent closing of the Aldwych theater. Miss Dressler was forced to close the house because business was bad.

### NEWSPAPER MEN NOW SCARE ROOSEVELT

OYSTER BAY, March 12.—The climate of Africa is not worrying Roosevelt half as much as the announcement that several newspapers are preparing a caravan for special writers to follow him into the jungle. Roosevelt says he will welcome newspaper men as far as the starting point in Africa, but no farther.

### WILL USE OILEROID

The Liberty Park Improvement club, at a meeting last night voted to apply for the paving with oileroid. The action was taken in view of the report of a committee appointed to investigate paving materials. Petitions will be started at once to bring about the improvement.

### WAR TAXES AND WORSE

Treasury as Hard Up as When Cleveland Ordered His Famous Bond Issue.

WASHINGTON, March 12.—It was ascertained today that the treasury is in no better condition than when Cleveland issued bonds to meet current expenses of the government. The house ways and means committee practically decided to add most of the taxes imposed during the Spanish-American war, and probably new ones. The committee is reported to have provided for over \$60,000,000 to be raised by special taxation. Taft at the meeting of the cabinet today submitted the first draft of his special tariff message. The part relating to special taxation received the closest attention.

### EARTHQUAKE STATION IN SPOKANE

CLEVELAND, March 12.—The Order of Jesuits today began a world-wide movement for the study of earthquakes. Organization of the movement is in charge of Rev. Frederick Odenbach, St. Ignatius college, this city. Father Odenbach, who invented the electric seismograph, explained that a station will be established at more than 12 Jesuit colleges in the United States and Canada.

Among stations to be located are those at St. Boniface, Minn., Denver, Col., Spokane and Havana, Cuba.

### WOMAN BLINDED BY AUTO CRASH

OAKLAND, Cal., March 12.—It developed today that Mrs. J. S. McCowin is totally blind as a result of an auto accident yesterday, when her husband, herself and two friends were thrown from an auto accident which resulted in the automobile in collision with another machine. McCowin was knocked senseless.

### PUGH MAKING THE FIGHT OF HIS LIFE

"We will go into the grand jury room using our best judgment, taking testimony as we see fit, and we do not propose to report to the attorneys for Judge Gordon, or even the court, what we do or how we take testimony unless so ordered. We will not go into the grand jury room armed only with a lead pencil, unless ordered to do so by the supreme court."

"Nor will we let Frank Graves or any one else search our pockets to see if we have kept our word. There shall be no wholesale perjury in the grand jury room, in the effort to save Judge Gordon or any one else, if I can prevent it."

Alone against the array of counsel lined up against him, Prosecuting Attorney Pugh thus served notice of his determination and ability to represent the state in the Gordon-Root investigation in the superior court of Spokane county.

Prosecutor Pugh realizes that he has entered upon the fight of his life. He knows that he is combating not only the strong following of Judge Gordon, but the powerful organization of the Great Northern.

"The grand jury is not an institution to aid in the whitewashing of defendants at the request of

friends or eminent counsel," he continued. "It is an adjunct of the prosecution to aid in the enforcement of the law. The secrecy of the grand jury room is for the protection of the state when there is sufficient probability of the guilt of an accused party to lead to the return of an indictment. It also safeguards the right of an accused party when no indictment is returned."

Attorney Graves made manifest the reason for the strenuous opposition to the taking of the shorthand notes when he read from the exhibits in the case an article in The Press quoting Prosecutor Pugh to the effect that if no indictment against Judge Gordon was returned, the people should know the reason why. This article referred solely to the refusal of the Great Northern railroad to give up any of the papers connected with the alleged shortage of Judge Gordon, or the Sparrow case, for which his arrest was caused. The attorney for Gordon does not want any shorthand record of the proceedings, and at least three different times Graves asked the court to enter a specific order against the taking of any stenographic notes at all, by either the prosecutor or his assistant.

### CANDIDATES WERE SCARCE

BUT NINE OF FIFTY OUT FOR COULPIL PRESENT THEMSELVES BEFORE FEDERATED CLUBS FOR AN EXAMINATION

The Federated clubs' executive committee, which has been dubbed "Little Tammany," encountered a frost last night when councilman candidates were called upon to appear and state their positions on various civic matters. Out of the 50 candidates on the two party tickets only nine put in an appearance and the majority of these men were men who stood a good chance of the club indorsement whether they appeared or not. The majority of the candidates paid little attention to the call.

It wouldn't have been a Federated club's business without a few fireworks and there were forthcoming. Three delegates quit the meeting in high dudgeon. O. L. Shuff, E. Potter Hall and J. P. Perkins insisted that the candidates be put squarely on record as against the saloons and made to state whether or not they favored granting any more licenses in Spokane.

The balance of the members fought against this question and when it was turned down the trio

### BITTER COMPLAINT FROM ITALY

ROME, March 12.—Bitter complaints are reaching Rome from the country devastated by the recent earthquake, of the inefficiency with which relief is administered. The complaints say two months and a half have passed and it is time some sort of order should be brought out of chaos.