## TEN MEN PASSED THROUGH ORDEAL

Progress to Getting Jury for Haywood

### STILL SUBJECT TO CHALLENGE

Prosecution Hopes to Get 12 Men by Saturday.

### ODD CHARACTERS APPEAR

One Man Whom Deputy Sheriff Tried to Influence-Counsel Have a Lively Colloquy With Regard to the Citizens' Alliance.

BOISE, Idaho, May 14.-Substantial progress toward the formation of a jury to try William D. Haywood for the murder of Frank Steunenberg, twice chosen as the chief executive of this state, was made on this, the third day of the trial, Selection of talesmen halted for three solid hours over chairs 5 and 6, but once those seats had been filled progress was very rapid. At adjournment for the day counsel for the defense had completed the examination and temporarily passed the tenth talesman. They had but two more to examine in chief and a reservation to examine, if they desire to exercise the right, two of those temporarily passed oday, so that with reasonable progress the 12th talesman should be passed tomorrow in time to open the way for the first peremptory challenge, whose exercise marks entry to the final stage of the formation of the jury. Counsel for the state still adhere to the belief that the jury will be completed by Saturday,

### Seeking for Prejudice.

Clarence Darrow and Edgar Wilson, for the defense, divided the work of examining talesmen today, and their questions the same wide range outlined by their associate, E. D. Richardson, and sanctioned by Judge Fremont Wood. Mr. Wilson added to the long train of connections, readings, influences and associations, that might tend to disqualify a juror that of membership in the Idaho militia, which at various times has been called upon to quell strike disorders. The examination failed, however, to disclose any militlamen among the

Mr. Darrow devoted much attention to possible prejudice of prospective jurors, in this case?" asked Mr. Darrow. and his attitude and inquiry was earnest the point of solemnity. He gravely invited each succeeding talesman who passed through his hands to place himthe prisoner and then to honestly ask himself if he would care to be tried by 12 men of minds framed like his own.

### Waggoner Barred for Bias.

Two of the original panel-J. L. Wagfour of the special venire failed for vari- he ought to be turned loose." ous reasons to qualify. Two of the latter swore that they were so opposed to however strong it might prove to be Another of the special veniremen got off sickness, but there remain more and ready to fill vacancles, making the chances of completing the jury from the special venire seem very good.

Allen Pride, the fifth talesman, passed by both sides, testified that Deputy Sheriff Roberts, who served him with ns, had talked with him about the case and particularly about Harry Orchard, whom he had known when a penitentiary guard. An extended and searching examination by Mr. Darrow failed to show that there had been any attempt to improperly influence the prospective juror and while the defense reserved its right. to question the deputy, it is improbable that the incident will be pursued any The incident brought out the first mention of the name of Harry Orchard in open court since the trial be-

### Henry's Amusing Answers.

D. W. Henry, who held seat No. 6, after a long and at times amusing examination, which showed a desire upon the part of the defense to have him excused, denied under oath that he had told some of his neighbors in South Bolse that Haywood and his associates must be guilty cause they were brought back here for trial. This incident is to be the subject of further examination tomorrow.

It was another business-like session of the court, unmarked by important incidents not conected with the examination of talesmen. Counsel bristled occasionally in a manner that indicated the spirit of the battle that is to come, but they continued in harmony and were generally courteous and graceful to one another.

The courtroom is filled at all times, but the crowd is a changing one and it could not be held unless the baiting of jurors made it worth while. There were more women present than on any other day. but at that the number scarcely exceeded a dozen. The women of Boise seem determined to avoid the trial.

### Haywood Advises Counsel.

Mrs. Steve Adams came again today this time to a seat beside Mrs. Haywood inside the railed inclosure. She remained with the invalid woman all afternoon and assisted in taking her from the room

after adjournment. She and her husbane are down as witnesses for the state, but her action today is taken as a clear indication of her attitude

Haywood participated to a greater extent than before in the work of his cour He consulted most constantly with Messrs, Darrow, Richardson and Nugent, and it was very clear that he was offering suggestions as to the line of examination and expressing himself as to the men is the box who may be chosen to sit in judgment on his life. In seeking the removal of Orice Cole, who is not in good health. Edgar Wilson, for the defense, made the statement that the trial would occupy several weeks and possibly several

Ten Men So Far Passed.

The 10 men who have been examined and passed for cause by both sides are, in the order given: A. L. Ewing, car-penter; William Van Orsdale, grocer Samuel D. Gilman, farmer; Walter Shaw, farmer; Allen Pride, farmer; D. W. Henry, carpenter; George H. McIntyre, farmer; W. N. Rudge, farmer; Orrice



Duke of Abrossi, Commander of Squadron Fair and Famous Arctic Explorer.

mining man, and W. W. Bisby real estate and insurance agent.

To make assurance doubly sure, Jame H. Hawley, for the state, at adjournment this evening asked all the occupants o the jury-box collectively if they were citof Ada County. They all are.

Beginning the examination of talesme Mr. Darrow asked Waggener about his experience with Yost. 'Did you have any opinion as to which

side the man came from-whether the state or defense?" "Yes, I had an opinion," replied Wag-

"Did he try to influence your opinion in this case?"

"But you swore he did in your affida vit against the man.

"The complaint was drawn up and swore to it."

"Now, then, hasn't your judgment been affected by all you have heard and done

"I guess it was," replied Waggoner. He was finally excused by consent, and

J. W. Smeed, a liveryman, was called. Opposes Circumstantial Evidence.

Mr. Smeed, when asked by Mr. Hawley if he had formed an opinion, said:

"I have thought about the caseabout the probable outcome-but I can't say I have any definite opinion. I believe goner, who figured in the Yost affair, and that if the defendant is guilty he ought George Walker-went out for bias, and to be punished and if he is not guilty

Mr. Smeed said he had also thought of the manner in which the defendants circumstantial evidence in a capital case were brought from Colorado to Idaho, that they would refuse to convict on it, and had made up his mind as to whether it was right or wrong. He claimed to have a strong prejudice against circumstantial evidence and than 50 of the special venire unexamined and this called forth a challenge from the state.

"We deny the challenge," quickly interposed three of the attorneys for the defense in unison,

Judge Wood interrogated the tales-

"Do you mean to say that if the instructed you that circumstantial evidence was proper evidence you would not take the ruling of the

"Not altogether," replied Smeed. If the evidence was all circum-stantial, the talesman declared he would not vote to convict a man of murder.

The prosecution renewed its chal-

lenge on the ground of blas.
"We will state in advance," said Mr. Hawley, "that our evidence will be largely circumstantial in this case. This juror has admitted he cannot act

with importfality." The defense again resisted the challenge and further questioned the tales-

He insisted he would want actual as well as circumstantial evidence, "The court will allow the challenge for actual bias," ruled Judge Wood,

#### The defense noted an exception. Not Influenced by Roosevelt.

Mr. Pride said he had read some of Roosevelt's "undesirable President citizens" letter, but it did not influence him and would not affect his opinion or verdict. He knew of nothing in his mind to prevent his serving as a juror but would rather not. He thought labor unions all right in some respects, but not in others, though he had no particular prejudice against

George Walker, a butcher, who last Thursday said he had formed an opinion, was excused by joint request

of state and defense. Raymond Jones, a farmer, said he had an opinion as to Haywood's guilt or innocence, but could disregard if in the light of the evidence. He had conscientious scruples against capital pun-

(Continued on Page 3.)

# STEPHENSON ON POINT OF VICTORY

La Follette's Man Will Be His Colleague

## DEADLOCK NEAR TO BREAKING

Friends Might Have Forced Election Last Night.

### BRIBERY TALK MUTTERED

One Candidate Accused of Offering Money to Legislator, Who Takes Friends' Advice Tremblingly, An Inquiry Will Be Held.

#### ISAAC STEPHENSON.

During his life Issue Stephensor farmer and politician. He was born Predericton, N. B., in 1820, and in 1840 removed to Bangor, Me. and a year later to Wisconsin. After working on a farm for some time he between Milwaukee and Escanaba investing his savings in timber land He was later president of several important lumber companies. was a member of the state Legislature in 1868 and a member of Congress in 1883-9,

MADISON. Wis., May 14 .- (Special.)-Isaac Stephenson, ex-Congressman, came within four votes tonight of being elected United States Senator to succeed John C. Spooner. Had his friends not miscalculated his strength, they could have forced an all-night session and his election. The opposing forces held long conferences after adjournment and freely admitted that it was extremely probable that Stephenson would be elected on the first

Stephenson would be elected on the first ballot tomorrow night.

Senator La Foliette has been burning the wires with orders to his following to support Mr. Stephenson. The last ballot

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#### tonight was the 75th and marked the first serious break in the long deadlock Mr. Stephenson, if chosen, will not be candidate for the regular term, but will merely serve out the unexpired term of Mr. Spooner. He is the only one of the candidates to make this pledge and it has helped his candidacy very much today.

Investigate Bribery Charge. As a result of the charge that two me ers of the Legislature were offered large sums of money to vote for one of the candidates, a resolution will be intro duced late this week providing for an in estigation of the report. The names the members who are alleged to have been offered the money and the name of the candidate and of the man who made the offer are freely used in private con-versation. The offers are said to have een indignantly rejected,

Friends of the candidate in question de clare that the story is without foundation and was started simply to deter members from going over to him. say they will welcome a thorough investi-gation. Friends of the other candidates also want an investigation, in order that they may be cleared of any suspicion. Basis of the Charge.

For several days this story of attempted bribery has been current. In every case men who are enlisted in the merests of one certain candidate are referred to as the persons who have offered the money Since the contest has narrowed down and there are indications that the crisis in the struggle is near at hand, the story has been repeated more boldly.

been repeated more boldly.

It is said that a member of the Legislature went to a state official, his close friend, and in great excitement and distress said that he had just been offered money to vote for a certain candidate for Senator. The member is reported to have said that he would think the matter over, but leter his convicience troubled him and but later his conscience troubled him, and he unburdened his mind to a friend, who advised him against accepting the offer.

MADISON, Wis. May 14.—In the Republican Senatorial caucus Isaac Stephenson, of Marinette, tonight received 48 votes, within four of the number required to insure his election as United States Senator. The final ballot tonight resulted: Esch, 19; Hatton, 23; Stephenso McGregor, 6; Hudnall, 1; absent, 5.

### NEW YORK TEACHERS WIN

Senate Passes Equal Salary Bill Over McClellan's Veto.

ALBANY, N. Y., May 14.—The Senate today passed over Mayor McClellan's veto the New York teachers' bill, disigned to equalize the salaries of men and women teachers in New York City.

## SUMMER ALREADY BEGUN

First Prostration by Heat This Season in New York.

HOW MUCH FARTHER CAN HE CLIMB?

# CARS ARE STONED FOR THREE MILES

San Francisco Streets Ruled by Mob

### POLICE UTTERLY INCAPABLE

Can Neither Prevent Violence Nor Arrest Guilty.

BRUTALLY BEATEN

Nonunion Men Demand Arms-Strikers Move to Arrest Their Supplanters-Gillett Maintains Watch Over Situation.

### GRAND JURY WILL TAKE HAND.

SAN FRANCISCO, May 14.—Chairman Sonning, of the police commit-tes of the grand jury, stated today that an investigation would be commenced tomorrow into the acts of violence in connection with the streetear strike and the complaints that men arrested for assaults and disturbances were dismissed by police judges with the infliction of merely nominal fines.

SAN FRANCISCO, May 14 .- Today, ne week after the Turk street battle which marked the present car strike as the bloodlest labor disturbance in the history of San Francisco, was the worst day of violence since that tragic event. The forenoon passed with little the

disturbance, but throughout the hours of the afternoon from 12 to 7 o'clock, stones flew on Mission street from Fifth to Twenty-fourth, a distance of about three miles, and the lives of He said: passengers as well as those non-union operatives of the ten cars on that line were almost constantly in danger. Though nearly were stationed along Mission street under the command of Captains Anderson and Duke, violence was not prevented and comparatively few arrests

were made. In some instances pas-

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sengers narrowly escaped great injury or death from flying cobblestones and brickbats. Several passengers were assaulted by the crowds, numerou strikebreakers were struck panes of glass were smashed and persons alighting from cars were chased and in some nstances knocked down and beaten.

### Man Almost Beaten to Death.

The most brutal act of violence durng the day occurred shortly after 7 o'clock tonight, as the last car on the Mission-street line was being run into the barn at Twenty-ninth street. A passenger on this car was Edward Ralpher, a member of the Stationary Engineers' Union employed by the Callfornia Engineering Works As he alighted from the car, he was set upon by a crowd of union sympathizers and beaten almost to death. His skull was fractured, his right arm and several ribs were broken. He was left uncon scious on the pavement. Employes of the United Railroads carried the senseless and bleeding man into the carbarn. The police say that the mob then attempted to break down the carbarn doors in an effort to get at the man The mob was broken up by the police after clubs had been used free-ly. No arrests were made, so far as

### Strikebreakers Demand Arms.

has been learned. Raipher was sent to the hospital. His condition is seri-

At the carbarns on Mission street at Twenty-fourth after the last cars had been run in, the motormen and conductors, who have not been allowed to carry arms since the Turk street riot of a week ago, presented their case to Assistant President Mullaly, In substance they said:

In substance they said:

We have shown that we are as nervy as the average man. We are not afraid to run your cars anywhere in the city that you send us. We have faced bricks and stones and personal assaults for seven days. Now we have about reached the limit. We are taking our lives in our own hands every time we go out on these cars. The police are either unable or unwilling to protect us. We will take the cars through any mob that San Francisco can gather, if you allow us to protect ourselves. But some of us have made up our minds as a result of today's experiences minds as a result of today's experi-

### Move to Arrest Nonunion Men.

The striking carmen made a new nove today in causing over 100 John Doe warrants to be issued for strikebreakers on the charge of violation of an ordinance which makes it a misdemeanor for a motorman or conductor to operate a car before having had seven days' experience. The situation. cording to president Cornelius of the Carmen's Union, is very satisfactory.

We have instructed our men to aid the police in keeping peace and order, but the police are taking an unfair advantage of our men and using unnecessary violence on our pickets. They are not even giving them the rights that every citizen is entitled to. Our pickets are not violating the law, but Mr. Calhoun is. He is now placing on his cars men that have had no experience in San Francisc. This is in direct violation of the city ordinance, which requires that every San Francisc. This is in direct violation of the city ordinance, which requires that every man must have at least seven days' training before being placed in charge of a car. Mr. Calhoun is loudly calling for more protection to help break more laws. This must cease. Mr. Calhoun must obey the law as well as the carmen. He should have no more rights than honest citisens.

### Mahon Hints at Boycott.

W. D. Mahon, president of the International Carmen's Union, in an interview this afternoon stated: I have nothing new to say about the situation. I am confident that the carmen will

win their fight. This city is considered to (Continued on Page 2)

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## **GUARD AGAINST** RECKLESS MEN

Employ Only Competent Operatives

## EMPLOYES IN GREAT DEMAND

Railroads to Establish Labor Bureau.

### KEEP RECORD OF CONDUCT

Plan Intended to Furnish Employers With Information Concerning Character and Fitness of All Workers on Every Line.

CHICAGO, May 16-(Special)-Ralls roads centering in Chicago are considermion employment bureau, with a view to ployes. Great secrecy is maintained regarding the project because the bitter opposition of labor organizations is

In the operating conferences which recently have been held by several roads here, the subject has received unalmous approval. If such a bureau is established it will have a complete list of all perating employes in the United States, with the complete record of the service of each. It is stated that the demand for operating employes is so great now that any applicant, no matter what his record, finds almost instant employment with

any road. President E. P. Ripley said in an interview recently that the demand was so great that an employe could be dis-charged for incompetency on one road and go across the street and find employment with a rival road the same day and without any question regarding his

It is stated that the labor organizations are opposed to such a bureau and declare that it would amount to a blacklist, Railroad officials, however, insist that in no other business are men em ployed without question as to their previous records, and that where accidents occur on account of incompetent employes, it is no excuse to say that they are incompetent, as the railroad, in many cases, should have known that from their previous record.

## NEW OFFICIAL FOR PORTLAND

E. L. Cardle to Come to the Coast as Soo Agent.

Minn., May 14.-(Special.)-E. L. Cardle, contracting freight agent of the Soo Line in St. Paul, has been appointed general agent of the Soo and Canadian Pacific at Portland, Or. This is a new position and has been created in connection with the new transontinental service which will soon open

via Spokane, Wash, Mr. Cardle will look after traffic matters which will come up between the Soo-Canadian Pacific and the Oregon Railroad & Navigation Company. He leaves for Portland tomorrow. Mr. Cardle has been contracting freight agent for the Soo in St. Paul for 21/2 years. He has been in railroad service several years. He entered the employment of the Soo as telegraph operator in

between the Pacific Coast and St. Paul

### Resume Work on Athol Cut-off.

the local office five years ago, from there

being promoted to chief clerk of the as-

eistant general freight agent,

CHEYENNE, Wyo., May 14.-Telegraphic instructions have been received here to resume at once the building of the Athel cut-off on the Union Pacific Railway between Chevenne and Denver. The contract, amounting to about \$500,000, was let some months ago and soon after work began it was ordered discontinued. grade over Athel hill and will reduce the time of trains between the two cities.

### SPLIT IN DOUMA WIDENS

Propose to Amend Parliamentary Rules on Closure.

ST. PETERSBURG, May 14 .- In view of the prospect of an approaching break between the Social Democrats and the Constitutional Deputies now in conference, various amendments to parliamentary rules have been drafted, designed to strengthen the hands of the President in preserving order, preventing filibustering by the minority and increasing the working capacity of the house.

The Constitutional Democrats decided to introduce an amendment providing that 190 instead of 50 votes will be required to prevent a closure. It is proposed also to limit debates on minor questions to five minutes for each side. The presentation of these amend-

ments definitely marked a split between the Social Democrats and the Constitutional Democrats, the closure amendment being aimed at the Social Demo-

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