"I don't care anything about that," re-

incensed was Judge Dunne at this

olied Mr. Fairall, waving his arms con

that, though he spoke quietly, he stum-

"Mr. Fairall, your conduct is bolster-

ous, offensive, insulting and contemptuous I adjudge you guilty of contempt of this

court and as punishment it is or dered that you be confined in

the County Jail in the City and County

of San Francisco for a period of 24 hours."
"I thank your honor. I think that is a distinction," retorted Mr. Fairall.

"Mr. Fairall," said Judge Dunne, "I ad

adge you further guilty of boisterous, of

fensive, insulting and contemptuous conduct, and I adjudge you guilty of con

tempt of this court, and as a punishment therefor it is ordered, adjudged and de-

creed that you be confined in the County Jall of the City and County of San Fran

cisco for a period of 48 hours. Now, Mr Campbell, will you proceed?"

Bray's Relation to Schmitz.

Mr. Bray, one of the 11 sworn, was the

Fred M. Warner, Governor of Michigan, Who Was President Roose-

next to draw the after-fire of the pros

riage to the Mayor. Mr. Bray could not

say whether or not this was a fact. He

though he had been refused audience

earlier in the day by the court, came to

the rescue. He rose and made this state-

"If your honor please, the relation is

not want to see a relative of mine sliting

on my jury-the relation is that this gen-tieman's wife is related by fourth cousin-

ship to a gentleman who married my

wife's sister-a man by the name of Mur-

Everybody laughed and Judge Dunn

offense were repeated. Mr. Bray was ex-

cused from the jury, the court holding

that, no matter how distant the relation-

Jury Back Where It Was.

Mr. Harris was excused peremptorily by

(Concluded on Page 4.)

ship with the defendant, it disqualified

threatened to clear the courtroom if the

whom had been conveyed the

velt's Host at Lansing.

emptuously.

TRAIN WORKERS' HANDS AND BRAIN

Roosevelt Speaks to College Students.

SCORNS MAN WITH SOFT HANDS

Urges Industrial Teaching and Country Life.

ADVICE TO LEGISLATORS

Says Reformers Are Real Conservatives-Stands Against Both Predatory Rich and Predatory Poor and For Lincoln's Ideas.

LANSING, Mich., May 31.-After a strenuous six hours in the state capital, during which he made three addresses and held a reception at the capitol, President Roosevelt left at 4:20 o'clock this afternoon for Washington over the Lake Shore road. No untoward incident happened during the President's visit and nothing occurred which in any way excited the suspicions of the scores of po-

lice officers in the city today.

At the Agricultural College this after noon the President spoke to about 25,000 people from a stand erected on a little knoll at the head of the campus. Seated on benches immediately before the stand were students of the college and hundreds of alumni, who have been attending the ni-centennial celebration of the founding of the college. Standing on the turf behind were thousands of people from this and other Michigan cities.

The President delivered his The President delivered his second ad-dress in the capitol about 11:15 A. M. and was driven with his party to the college, where President J. L. Snyder, of the in-stitution, entertained them at luncheon. Before walking out to the platform to begin his address the President planted a maple tree on a knoll in President Snyder's yard. The great crowd before the speaking stand was held in check by a National Guard regiment, which did police duty, throughout the day, both in the city and at the college grounds.

Answers College Yell.

A distinguished company of public men and educators was seated on the plat form with the President. It included United States Senators J. C. Burrows and W. A. Smith, Secretary of Agriculture James Wilson and President G. G. Angell, of the University of Michigan." The graduating class of the college jumped to its feet as the President entered the stand and gave three rousing "rahs," to which the President responded with a low and laughing shout of "touchdown," which brought more applause from the student body.

The great assemblage rose and sang "America." after which Mr. Snyder in troduced the chief executive with merely the words. "Ladies and gentlemen, the

The President was given the closest attention throughout his address and was frequently interrupted by applause. interjected informal remarks and advice several places, bringing a great burst of laughter and cheering when he turned toward a dozen young women in the

graduating class and said: Good Wives for Farmers.

"I believe that you young ladies will make first-class farmers wives and I heartily congratulate the farmers of the future on the unexampled prospects be-

for the paying of proper respect to manuat labor. "I shall be very disappointed in you boys here," he said to the graduating class, "if you cannot work with your hands and are afraid to have your working clothes look as though you do work. At the corelusion of the President's ad-

dress the graduating class filed across the platform and the President presented to them their diplomas.

Will Join Harvard Faculty.

A few minutes before 4 o'clock the Presdriven to the station. A delegation from the convention of the Associated Hardware Clubs was waiting to extend the greetings of the convention, which opened

Mr. Roosevelt in speaking to the Harvard men, is reported by one of the latter to have said:

"In one year and II months I expect to be an active member of the organiza-

L.L. D. and Gifford Pinchot that of doctor of science. Secretary of Agriculture Wilson also received the degree of doctor of laws. Enoch A. Bryan, president Washington State College, was given the degree of doctor of laws.

Learn to Shoot Straight.

The first event of the day was a recep tion in the executive rooms of the Capitol, at which the President shook hands with about 1000 people. He then stepped out on the balcony of the Capitel and spoka for five minutes to 20,000 people. praising the record of the Michigan troops in the Civil and Spanish Wars. He urged state to encourage marksmanship, concluding with the words;

shooting straight." President was given an ovation as he concluded his balcony speech and

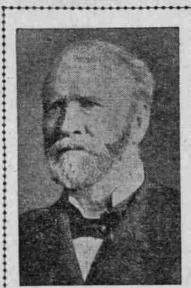
went into the hall of the House of Representatives to address the members of the Legislature. He spoke there about 10 minutes. He said that the railroad problem of this country must be dealt with unflinchingly, but with sanity and reason. There must be steady progress along the lines already laid

The President urged upon the Legislators the necessity for public men to be careful about making campaign promises and about keeping them when made. Applying this to the question of control of great corporations, he

Reformers Real Conservatives.

"We are still a long way from the millennium," and ne pointed out the danger of "committing yourselves to a programme that promises too much."
As to the "foolish conservatives," they failed, he said, to see that "we are the real conservatives, the real friends of property when we try to do away with the abuse of property." He

We must not be misled either by these We must not be missed either by these often well-meant men who let a vague general desire to reform everything supplant the place of exact thinking in their minds, and who, therefore, promise too loosely what could not possibly be performed, or clse induige in a general declaration against



son, Leading Figure in Jubilee of Michigan Agricultural College,

In the war against the abuses of great ndividuals, and especially of great corpo-ate wealth, we need to show absolute un-linching resolution, and yet to combin-hat with sanity as well as with courage. We need to show, too, the very reverse of any vindictive spirit. The minute you begin to display any spirit of revenge or to administer the laws in a spirit of re-venge, you are starting to invoke trouble, and ultimately reaction. We need to show the spirit of Abraham Lincoln, his sanity and his broad and kindly charity, and yet his resolute determination that the evil must be done away with

be done away with. Justice to Rich and Poor.

You have been very kind in alluding to sertain things that I have done or have ried to do. My power to do them depended entirely upon the support that I have resived from the Representatives in Congress from Michigan and all our other taxes. (Applause). We have taken certain teps some good long steps, in the line of couring a better administration of justice without regard to whether the man is seen without regard to whether the man is rich

securing a better administration of justice without regard to whether the man is rich or poor, and we have taken steps towards securing better laws for the supervision and control of the great fortunes, especially of great corporation fortunes used in business. We are going steadily forward along those lines, and the only party allusion I shall make today is to say that the Republican party in 59 per cent of its make-up and in all its highest thought is essentially the party of Abraham Lincoln's plain people and shall continue to be such. There will not be one backward step along the course which we have marked out to follow. (Loud and prolonged applause).

I ask you to judge of present promises by past performances and to request from your Representatives, from your public men, not promises of the impossible, but promises of certain things that can be done which will not bring about a complete solution of the difficulties that confront us, but which will be another long stride toward that complete solution, and, finally, above all things to appreach the problem in a proper spirit, in the Lincoln spirit, not to be misled by the demagogue on one side or reaction upon the other. Let us set our faces like filst against predatory wealth, but also against predatory poverty, with the emphasis on the predatory.

The President then went to the college campus, where he delivered his principal address.

campus, where he delivered his

The President also interjected a plea principal address. Industrial Training Neglected.

Mr. Roosevelt said our school sys This was a serious lack, for we must develop a system under which each individual citizen shall be trained so as to be effective individually as an economic unit, and fit to be organized with his fellows so that he and they can work in efficient fashion to-gether. It was in accord with demo-cratic principles to furnish the highest average industrial training for the dent entered an automobile and was skilled workman, but we had tended driven to the station. A delegation from to devote our energies to producing the convention of the Associated Hard-high grade men at the top rather than the ranks. We had done all nothing to equip the private soldier of the industrial army—the mechanic the metal-worker, the carpenter. To often our schools train away from the shop and the forge. No industrial school can turn out a finished jour-neyman; but it can furnish the material out of which a finished journey

can be made. He continued Really Dangerous Competition.

We hear a great deal of the need of pro teeting our workingmen from competition with pauper labor. I have very little fear of competition of pauper labor. The nations with pauper labor are not the formidable industrial competitors of this country. What the American workingman has to fear is the competition of the highly skilled workingman of the countries of greatest industrial proficiency. By the tariff and by our immigration laws we can always protect ourselves against the competition of nauper labor markets of the world we can get no pro-tection, and we shall then find that cu tection, and we shall then find that our most formidable competitors are the nation in which there is the most highly developed business ability, the most highly developed industrial skill; and these are the qualities which we must ourselves develop.

Educate Both Hands and Head.

We have tended to regard education a matter of the head only, and the result

(Concluded on Page 4.)

PARTY'S DONKEY

Sullivan in Favor of His Nomination.

CLANS MEET IN NEW YORK

Johnson of Minnesota for Running Mate.

SEE END OF COL. BRYAN

Interrifled Decide to Hold Next Na tional Convention at Louisville, in 1908, and Thus End Possibility of Northern Man.

CHICAGO, May 31 .- (Special.) -- Joseph W. Folk, of Missouri, for President, and John A. Johnson, of Minne sota, for Vice-President, is the tip fresh from New York, as the probable nominees for the next Democratic National Convention,

Roger C. Sullivan is in New York attending a gathering of the clans. Before going he did not conceal his desire to see a combination made that would insure the nomination of Folk and Johnson. Quiet assurance reached some of Mr. Sullivan's friends in Chicago tonight that the New York confab had settled the course of the party

Johnson for Second Place.

Governor Johnson's friends in his own state are urging that he be the egation will be so instructed. The situation is such, however, that his lieutenants are willing that he be the running mate with Governor Folk. fore National Committeeman Sullivan went to New York it is understood he received assurances from Missouri that there would be no opposition to the Folk Presidential boom from the heads of the Democratic organization in Missouri. Matters political there have been complicated because of the factional strife in the state.

An agreement has been reached, it is claimed, whereby the element which fought Folk for Governor in Missouri three years ago has now consented to join in giving the executive a solid delegation to the National Convention on the terms that the Governor's friends will stay out of the contest which involves the seat of United States Senator William J. Stone. Sen ator Stone, however, is said not to be

a party to the agreement.

It was claimed tonight in Chicago that the decision to centralize the strength of the prevailing organizations throughout the country, where the element is in control which made former Judge Parker the Presidential candidate at St. Louis, means the end of the candidacy of William J. Bryan. so far as Illinois, Missouri, Minnesota Middle West are concerned.

it is expected, will be to practically choose Louisville as the location of the Democratic National Convention of 1908. Louisville, through the National Committeeman from Kentucky, Urey Woodson, is making a strong bid for the honor of entertaining the Demo-

Last Summer at the time of the Ken tucy "home-coming." politicians who claim Kentucky as their birthplace gathered at Louisville, the boom for the convention location was started.

NEIGHBORS NAME LA FOLLETTE

Milwaukee Coterie Starts Presidential Boom for Senator.

MILWAUKEE, May 31 .- Definite steps were taken tonight toward promoting the candidacy of Senator LaFollette for the Presidential nomination at a meeting of 150 of his supporters in the clubro of the Plankington House.

Resolutions were adopted declaring Senator LaFollette the strongest and most logical candidate for the Presidand stating that work should be started at once toward securing LaFollette dele gations from other states.

GRAFTING IN MUSKOGEE

Attorney and Councilman Testify to Alternating Offers of Bribery.

MUSKOGEE, I. T., May 31 .- At a formal investigation by the City Council, on charges of graft and accepting bribes against its members, Percival Adams, an attorney here, testified that Alderman Ed Alley had approached him, offering to pass a garbage ordinance for \$600.

Alley testified that Adams offered him \$2000 if he would secure its passage. Upon Alley's refusal, he said Adams offered to increase the price to \$5000. Adams also testified that Alley had

asked him to approach the attorney of the Pioneer Telephone Company with an offer of \$3000 if he would defeat a franchise of the Independent com-During the sessions Alley charged City Attorney Sullivan with spying upon him and attempting to blackmail him. Sullivan admited hiring spies to watch Alley.

Standard Oil Company Verdicts Up-

held in Higher Court. FINDLAY, Ohio., May 21.—The Circuit Court today rendered a decision holding that the Probate Court of Hancock County had jurisdiction in the case in which Prosecutor David filed information which Prosecutor David filed information against the Standard Oil Company some time ago, charging it with conspiracy against trade. Probate Judge Banker assessed a fine of \$5000 after a verdict of guilty had been rendered by a jury in the trial. The case was carried to the Common Pleas Court and that court held that the Probate Court had no jurisdiction.

The Circuit Court now reverses the Common Pleas Court and thus affirms the original finding. It is probable that an appeal will be taken to the Supreme Court at Columbus.

REDUCE NAVAL PERSONNEL

Admiral Evans Heads Board to "Weed Out" Officers,

WASHINGTON, May 21. — Admiral Evans will preside tomorrow at the Navy Department at a meeting of naval com-manders of high grade, appointed to weed out a sufficient number of officers to meet the needs of the naval personnel act and prevent stagnation in promotion.

Naturally there is great anxiety among a number of officers as to the outcome of the meeting of this board, though the result will not be announced before July and practically all of the states of the Middle West are concerned.

Another decision which the Eastern that 22 vacancies be created.

Fairall Twice Threatened With Jail.

AROUSES DUNNE TO ANGER

NO PROGRESS WITH JURY

Heney Charges Schmitz' Friends With Tampering With Jury and Grand Jury Is Called to Consider Dinan's Conduct.

SAN FRANCISCO, May 31 .- Charles H. jall for contempt of court by Superior

The sensational incident was the cul mination of a long day of bickerings and quarrels between opposing counsel that more than once threatened unpleasant results. Eleven jurors had been finally accepted and sworn and the twelfth had OHIO FINE HOLDS GOOD been by both sides accepted subject to peremptory challenge, when Mr. Heney announced that he desired to further question a juror who was accepted last Wednesday, John O'Mara, a blacksmith, "who," said the prosecutor, "we have just been informed, is an employe of the city.

O'Mara at first denied that the Schmitz trial had been mentioned between him and Dennison, but later admitted that the fact of his being a juror had been re-

objection, to which Mr. Heney heatedly him. Mr. Bray himself asked to be disreplied taht it was for the purpose of furor. Mr. Fairall, supporting the object Assistant District Attorney, during which the prosecution, and Mr. Arms, assistant he warned that official to address him with care.

Mr. Fairall replied in kind and Judge

Dunne ordered/him to be quiet. Instead

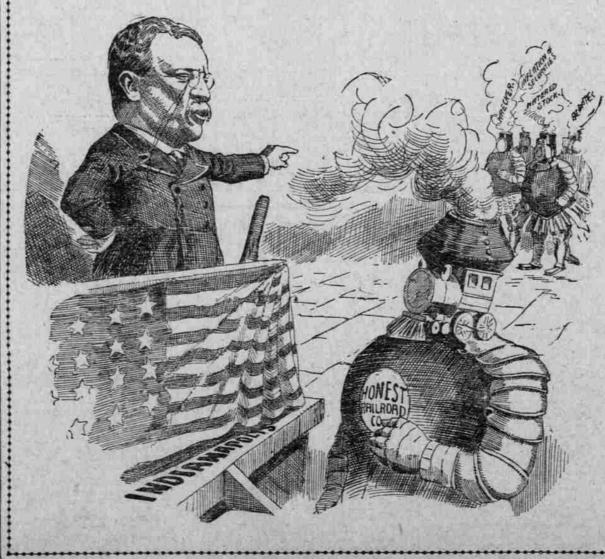
Fairall, of counsel for the defense, was wice within a few minutes sentenced to Judge Dunne shortly before the adjournment of the Schmitz trial today. The orders were subsequently revoked by the Court at the request of the Mayor's senior counsel, ex-Judge J. C. Campbell, joined in by Assistant District Attorney

propounded some rapid-fire questions showing that during the noon recess the blacksmith had been shadowed by one of Special Agent Burns' men, who had seen him stop and talk with one Ed. Dennison on Fillmore street, enter a later, after which Dennison hurried away to the office of Herbert Schmitz, brother of the Mayor, "evidently to report."
Under Mr. Heney's questioning, Mr.

marked, though not discussed.

To all of this Mr. Campbell entered

THE PRESIDENT-"I'LL PROTECT YOU, BUT I WON'T STAND FOR THOSE FELLOWS"



Day of Fierce Wrangling in San Francisco Court.

Juror Talks With Schmitz' Man.

Mr. O'Mara satisfied the court that saloon with him and emerge 15 minutes

showing an attempt to tamper with a

Fairall Sentenced to Jail. "Oh, yes," sneered Mr. Heney, "you're a fighting man-I'm scared to death of

charged.

YESTERDAY'S Maximum temperature, 71 degrees; minimum, 58. TODAY'S-Fair and warmer; northwest

Politics

Roger Sullivan booms Folk and Johnson for

Democratic National ticket. Page I. Lafellette boom started in Foreign.

Strike of French seamen paralyzes con No hope of escape for lost English zero nauta. Page 3.

President Roosevelt speaks at Lansing, Mich master to \$5000. Page 2. Domestic. Hearst lones struggle for control of Chicago

Chronicle. Page 3. Kuroki banqueted in Chicago. Page 1 Nebraska court sustains initiative and ref-erendum. Page 2. Pacific Coast. Judge Dunne threatens to send Schmitz' lawyers to Jail after

scene. Page 1. Grand jury to act on Chief Dinan's tamper-ing with jurors. Page 1. Touriellotte excused from Haywood jury, which may be completed today. Page 1 Ironworkers' strike settled at Ban Francisco

Spokane woman gives sensational testing in Idaho land-fraud trial. Page 6. District convention, Christian Endeavor, in sessin at Woodburn. Page 6. Lamber mills and logging camps closing down. Page 15.

Sport. Oakland beats Portland, 15 to 7. Page 7. Commercial and Marine. Palling off in South China flour trade.

Drouth in Europe helps wheat market. Page 15. President's speech discounted in stock mar-Bad weather restricted May trade. Page 15. Portland exports for May break record Page 16.

Portland and Vicinity. Candidate Deviln replies to attacks of Demo crats. Page 10.

John M. Gearin appeals to East Side voters to indorse Mayor Lane's record. Page 10, Police Court holds that mere idlaness is crime in Oregon. Page 14.

J. H. H. Anderson writes letter vouching for truth of statements contained in D. J. Quimby's open letter to Mayor Lane. Page 11.

bration lasting two days. Page 10.

"Sit down, Mr. Fairall," commanded Judge Dunne, "or I shall send you to **GIVES FREEDOM**

Tourtellotte Is Excused From Jury Duty.

REMARKABLE SPEECH IN COURT

Lawyers Spar and Borah Scores on Defense

JURY NEARLY COMPLETE

Two More Jurors Needed and Only One Peremptory Challenge Remains_May Complete the Panel This Afternoon.

BOISE, Idaho, May 31 .- (Special.) --A feature of the Haywood case today was the excusing of J. E. Tourtellotte from the jury because of the scruples which he had expressed against capital punishment. When he was placed in the box last week he declared he had such scruples, but would make an exception in the case of a man accused of murder committed in accordance with the programme of any society whose purpose was to rule by violence and murder. The state accepted him, and the defense did likewise, though he stated to Mr. Darrow on his examination that he could see that Haywood might belong to such a society.

The matter was taken up in a con sultation of all the attorneys just before adjournment at noon. tired for the purpose and afterward Mr. Hawley and Mr. Nugent held a whispered conversation with Judge Wood. Immediately after the opening of the afternoon session Judge Wood called attention to the matter. Mr. Tourtellotte then said:

His View of Death Penalty.

I do not want it understood that I have any desire to shirk a duty I owe any fellow-man. I recognize two things in this world. First, I recognize allegiance to God, and, second, I realize my allegiance to my coun-try. My business would suffer I I was this, as I can trace it down-and I would

First, I recognize allegiance to God, and, second, I realize my allegiance to my country. My business would suffer if I was kept on this jury, but that would make no difference with me. My duty would be here in preference to my business, if I really felt I could take the oath as a juror. I have tried to state my position clearly and I have been honest about it.

If the oath I am asked to take as juror can be so worded that I can, if I find this man guilty of being the leader in an organization that has been a serious menace to the life of society—guilty of a murder as an anarchist might be guilty—sign a verdict that would mean a death penalty, and so that, if I found him guilty of murder hut not as so stipulated—I could return a verdict that would mean imprisonment, not death, then I am perfectly willing to take that oath and sit on this jury. I could then art freely and conscientiously.

Would Refuse to Take Oath.

Judge Wood announced that Mr. Tourteliotte, if he remained on the jury, would have to take the same oath as all the jurors took. Mr. Tourtellotte replied that he was no lawyer and saw no lawyer, and CONTENTS TODAY'S PAPER did not know what penalty might be in store for him should he refuse to take the oath, but that he would have to refuse

to take it when the time came Judge Wood stated plainly that a man should not be compelled to sit on the jury holding the views held by Mr. Tourtel-He announced that either side might re-examine the juror. The defense refused to re-examine. ensented to do so, after being made aware that such procedure was desired by the court. He asked Mr. Tourtellotte a few questions, and then announced:

"Well, we'll challenge this juror for implied blas, on the-"

Lawyers' Passage at Arms. "We will deny the challenge," interrupted Mr. Darrow. Mr. Borah looked up quickly with con-

tempt upon his face. "Go ahead, then."

he replied. "If you are going to deny the

challenge, I will not challenge this juror. He is good enough for us. You know why I was about to challenge him. "You bet we do," chuckled Mr. Richardson, and started to say more, when the court interrupted to say that he was ready to sustain a challenge regardless of any exception or objection from the defense. The challenge was then stated by Mr. Borah and Mr. Tourtellotte was excused.

of all that Mr. Tourtellotte could not be

held on the jury. Though he qualified

enunciation of his attitude toward capital

punishment, the statute is explicit and it perfectly evident that Judge Wood had determined the man would have to be re-The state exercised its last peremptory challenge on Nelson Freeland, who had just been passed for cause. There had been nothing brought out in the examination to show he was especially unsatisfactory to the state, but the attorneys for

the prosecution were well satisfied with all the others, while there was some little doubt about Freeland. May Complete Jury Today.

Everybody is looking for the jury to be completed early tomorrow. Ten taleamen qualified. There remain but two more to qualify. The state has exercised its last peremptory and the defense has one. There is some talk tonight, however, of the defense making an effort to reopen the examination of some jurors on affidavits they have, and another is to the effect

respecting one man. If that should be (Concluded on Page 2)