

APPEALS TO HONOR OF VIRGINIANS

Earnest Plea Made to Jury in the Loving Murder Case.

ESTES' GUILT NOT PROVEN

Prosecution Makes Point That Verdict Should Not Be Based on Assumption of Guilt, While Defense Dwells on Traditions.

HOUSTON, Va., June 28.—The argument of the attorneys in the trial of ex-Judge William G. Loving, for the murder of Theodore Estes, was begun late this afternoon. The instructions as read by Judge Barksdale discussed murder in its various degrees, reasonable doubt, time allowance for a man's angry passions to subside, and insanity.

Instructions prepared by the prosecution touching on the "unwritten law" were stricken out by the court. They declared that the unwritten law, by which is meant the right of the citizen to become the avenger of his own wrongs in a manner not authorized by law or against the law, has no place in the criminal jurisprudence of Virginia.

Attorney Harmon, of Charlottesville, for the prosecution, and Attorney Aubrey E. Strode, for the defense, spoke an hour and a half this afternoon and the court adjourned until tomorrow morning. Messrs. Moore, Barksdale and Lee will then speak for the defense, and the Commonwealth's attorney, Wood, will, of Halifax County, will close for the prosecution.

Killed After Deliberation.

Mr. Harmon sought to show that Judge Loving killed Estes after deliberation, premeditation and upon reflection, and that the defendant was a sane and responsible man at the time of the killing, thus making the offense murder in the first degree.

"There is no evidence in this case," he said, "to show that young Estes had been guilty of any wrongdoing, and you have no right to base your verdict on any assumption that he was guilty."

"The first principle of the law is to put yourself in the place of that man who is before you for trial. The commonwealth demands the life of the defendant and for what? I do not undervalue life; but there is something sweeter to all Virginians—the honor and the parity of our women. We have written in our laws that if a man attempts to assault one of our daughters he has forfeited his life."

Story That Prompted Shooting. "You, gentlemen of the jury, have nothing to do with the truth or the falsity of the story that Miss Loving told her father. When he heard that this daughter was brought home drugged and unconscious by a young man to whose courtesy and chivalry she had been indebted, he labored with his passions and remained away from the sight of young Estes until he heard the story of her ruin from her own lips."

He discussed Judge Loving's struggles against the whisky habit, the buggy ride and the testimony of the insanity experts. He appealed to each juror to place himself in the same position as Judge Loving and not to let "old Halifax go back on that established precedent that one of our most cheerful and best duties is the protection of honor and the virtue of our women."

During Mr. Strode's address Judge Loving occasionally lifted his handkerchief to his eyes, but displayed little emotion.

MAHONEY WINS FIRST VOTE Miners' Convention Rejects Motion to Fight Industrial Workers.

DENVER, June 28.—The long-drawn-out discussion on the question whether the Western Federation of Miners shall continue to affiliate with the Industrial Workers of the World is trying the nerves of the delegates to the convention. A small-sized crowd gathered today when the previous question was called with the object of ending the debate. The previous question required a two-thirds vote and was reached this afternoon. A motion prevailed, however, to limit the debates to 10 minutes for each speaker.

Among the speakers today was Robert Randall of Colorado, Nev., who predicted a general strike of all the miners throughout the country when the present contracts expire next April. He referred especially to the coal miners. Randall later explained that he referred to the bituminous coal miners, who composed by far the greater part of the wage earners in the coal field.

A test vote was taken this afternoon on the proposition to continue to affiliate with the Industrial Workers. The vote was on the minority report on Acting President Mahoney's annual report. The minority report was against Mr. Mahoney's recommendations to keep out of the industrial workers' fight and favored taking sides. It was defeated by a vote of 23 to 23. This confirms the claims of the conservatives, who say that Mr. Mahoney will be endorsed in all his recommendations, 29 to 1.

READY TO ARRANGE TERMS San Francisco Carmen Suing for Peace With Calhoun.

SAN FRANCISCO, June 28.—President Cornelius of the Carmen's Union gave emphatic delivery today to the report that the members of the union have decided to return to a body to the service of the United Railroads. He admitted, however, that renewed efforts have been made to bring about a settlement and that to this end President P. H. McCarthy of the Building Trades Council had called upon President Calhoun of the United Railroads yesterday and again today for the purpose of presenting a request for a conference between Calhoun and the committee of 22 representing the prominent leaders of labor in the city. It is said that Calhoun gave tacit approval to the request and that a conference may soon be arranged at which terms of settlement will be decided upon.

ICEMEN ALL GO ON STRIKE Demand for Extra Pay Ties Up Trust's Business.

NEW YORK, June 28.—1500 to 2000 deliveries of delivery wagons of the American Ice Company went on a strike today to enforce a demand for extra pay for extra work. The depots of the company were stored with ice, and its arrival was

URGENTLY AWAITED BY THOUSANDS, BUT HARDLY A WAGON WAS MOVED.

President Cole of the company said that, if the strikers will not return to work by tomorrow, their places will be filled by new men. "This strike," he declared, "is for the purpose of compelling the company to force its drivers and helpers to join the Teamsters' Union or to discharge them. We will not force the men into a union, nor have we a desire to force the men out of the union."

The American Ice Company will attempt tomorrow morning to break the strike of the 300 drivers who quit work. If the company's plans fail, as the strikers declare they will, the situation from the consumers' standpoint will be serious. The gravest development is the threat of the crews of ice barges to go out on a sympathetic strike. If the boatmen quit the supply of ice will have been exhausted by Monday. Brooklyn, by reason of its great area and the fact that the peddler cut a small figure in the ice delivery, is at the mercy of the strikers.

The blow falls hardest on hospitals. Tonight the strikers voted to help out the hospitals by taking teams and offering to supply all public institutions.

BUTTE NEWSBOYS APE ELDERS When Price Is Raised They Resent by Mob Methods.

BUTTE, Mont., June 28.—Because the Butte Evening News raised the price of its papers to the newsboys, reducing the number from three to two for 5 cents, all the newsies to the number of about 100 went on a strike this evening, refusing to accept the papers, and visiting the newspaper office with yells and epithets. Boys who had bought papers had them torn in bits by the diminutive strikers and policemen were necessary to rout the crowd.

TISSUE OF FALSEHOODS TAFT ANSWERS REPORTS OF DISCONTENT ON CANAL.

Resignation of Officials Voluntary and No Leave of Absence Asked. Clerical Force Reorganizing.

WASHINGTON, June 28.—"It is a tissue of falsehoods," said Secretary Taft today when his attention was called to reports of dissatisfaction on the part of the administration with the management of affairs under the Isthmian Canal Commission, and of the intention of the officers engaged in the work to relinquish it and return to the United States.

The Secretary was very emphatic in his declaration that he had not received a single communication from Lieutenant Colonel Goethals showing in any way that he was dissatisfied or decided to end his connection with the work.

"No immediate change is contemplated in the administration of affairs on the Isthmus," continued the Secretary, "and there has not been a single kick of any sort. There is no truth in the story of the Army officers asking for leaves of absence to return to the United States."

"Jackson Smith, the commissioner who has charge of all the labor on the Isthmus, has resigned," continued the Secretary, "I don't know it. There is no truth, so far as I know, in the reports of his resignation."

"As to Mr. Bishop, the secretary of the Commission, who is now on duty at Washington, I am not prepared to say that his future assignments will be. That will be determined next week."

Mr. Taft added that neither Lieutenant Colonel Goethals, Major Gaillard nor Major Albert has recently applied for leave of absence. When he was of the opinion that the abolition of court-martials in time of peace.

Says Troops Fired First. M. Aldy, Radical Socialist, who made a personal investigation of the rioting, charged that the gendarmes and cuirassiers fired first, and without warning upon the people. He then read detailed accounts of how men, women and children were shot, and that the crowds had used firearms.

When Mr. Clemenceau defied him to prove several of his statements, M. Aldy caused a sensation by declaring he held reports from officers of the army that what he said was true and, if challenged to do so, he would produce them, adding: "We must decide whether we shall any longer submit to the fantasies of those who govern us."

The statement called forth applause from the right. When M. Aldy had finished, Mr. Clemenceau said: "Laws Made for Everybody. The statements made render an investigation imperative. Throughout have been animated by the spirit of conciliation, but, when the municipalities adopt an illegal attitude, the government has no alternative except to use force."

"The laws were made for everybody. Everybody must pay taxes. The poor peasants of the north, east and center are ready to pay more for their sugar in order to sell the population of the south, where misery is not general, as proved by the accounts of the savings banks. The truth is that we face a revolt."

Continuing, Mr. Clemenceau recalled the warnings he had issued to the soldiers not to fire except at the last extreme. He concluded to thunders of applause: "Our fathers, amid convulsions, to which the present incidents are most trifling, built upon a foundation of rock, and at the same time gave liberty to mankind, and the French nation will uphold them."

During the vote, M. Bedouce and another Deputy came to blows. They were pulled apart by ushers. The altercation may result in a duel.

HIS COURAGE UPHELD Chamber Sustains Clemenceau's Action in South.

REPELS VIOLENT ATTACK Suppression of Winegrowers' Revolt Provokes Hot Debate at Paris and May Cause Duel—Premier Makes Skillful Reply.

PARIS, June 28.—The Chamber of Deputies tonight, by a decisive majority of 130 after an exciting eight-hour debate, voted confidence in the government's policy regarding the winegrowers' movement. Premier Clemenceau's victory was more decisive than his most ardent friends had expected. During the session the extreme Socialists put forward a speaker after speaker, but notwithstanding their savage attacks, they proved no match for M. Clemenceau, who is a past grand master in parliamentary debate.

The Premier based his defense of the use of military on the fact that the action of the municipalities in striking and the population in refusing to pay taxes would not be tolerated. With consummate skill he replied to the reproaches that they had become reactionary by recalling the long years during which he had fought against oppression and injustice and by referring to the time when, as at Montmartre under the commune, he almost sacrificed his life in endeavoring to save France from a mob.

Falls to Turn the Tide. After M. Clemenceau had concluded, M. Jaures, the Socialist leader, attempted to turn the tide, but it was too late to make an impression, and by a succession of votes the Cabinet was sustained. The Senate tonight passed the wine fraud bill.

M. Bedouce, united Socialist, was the first to attack the Premier, declaring that the latter was responsible for the bloodshed in the South of France. The speaker's violence so excited M. Baudry d'Asson, Royalist, that he fainted and had to be carried out of the Chamber.

M. Bedouce denounced as a mere pretext M. Clemenceau's intimation that the winegrowers' movement was inspired by the reactionists or was in any way revolutionary. He insisted on a peaceful solution to obtain redress for wrongs and avoid starvation until the Premier mobilized four army corps to suppress it. Amid cheers from one side of the Chamber and applause from the other, M. Bedouce continued, growing more and more violent as he proceeded. Turning to M. Clemenceau, he shouted:

Republic a Charnel House. "You have turned the republican cathedral into a charnel house. In conclusion, he appealed to the Chamber to do something to console and heal the south, adding: "If you do so, the Socialists will follow you in the march of progress under your guidance."

M. Menudier, Socialist, who followed, promised to continue to support the government if M. Clemenceau satisfactorily explained the mutiny of the battalion of the Seventeenth Regiment of Infantry at Arde and his interview with Marcelin Albert, leader of the winegrowers. M. Menudier complained of the government's postponement of the bill providing for the abolition of court-martials in time of peace.

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STEEL TRUST IN GREAT BRITAIN Leading Manufacturers Combine to Combat Foreign Competition.

LONDON, June 28.—A great combination of steel and iron manufacturers, similar to those existing in the United States and Germany, is in course of formation in Great Britain with the avowed object of combating American and German competition, which is increasing. Nine big companies, headed by Vickers' Sons & Maxim, and including John Brown & Co., which recently was amalgamated with the Harlan & Wolf Company, have assembled 36 previously independent concerns, which will give them control, it is estimated, of about 90 per cent of the steel produced in Great Britain. It is probable that the combination will involve regulation of prices, adjustment of output to demand and equal distribution of orders.

What is primarily aimed at, it is asserted, is a combination strong enough not only to control the trade of Great Britain, but to "dominate the steel trade of the world."

The combined capital of the proposed combination is \$120,000,000. Milwaukee Country Club. Eastern and California clubs. Take Sellwood or Oregon City car, starting from First and Alder streets.

Your complexion, as well as your temper, is rendered miserable by a discolored liver. It is by taking Carter's Little Liver Pills.

Advertisement for Lipman, Wolfe & Co. Established 1850-FIFTY-SEVEN YEARS IN BUSINESS. Established 1850. Saturday we Continue Friday Sales of Wash Goods, Women's Outing Hats, Music, Bathing Suits. Good Merchandise Only—Quality Considered Our Prices Are Always the Lowest.

10,000 Yds. of Wash Goods Mill Ends Including 25c, 35c, 50c Wash Fabrics, 14c Yd. Today we continue with crowded counters the most Sensational Sale of Summer Dress Fabrics ever announced by any store in Portland—THE opportunity of the year. 14c 10,000 yards of 25c to 50c popular weaves—many selling in other stores as high as 75c a yard; but in order to make this the greatest sale of Wash Goods ever attempted in this city, we have grouped all these fabrics in one tremendous collection, including silk warp coliennes, mercerized fabrics, French batiste, organdies, white goods of all descriptions—in fact all the new fabrics brought out this season, 2 1/2 to 15 yards long, for all kinds of Summer wear. This morning at 8 o'clock sharp, your choice at 14c.

Children's Washable Dresses Vals. to \$3.50 at \$1.98 An assortment of Children's Washable Dresses in chambray sailor suits, union linen sailor suits, with light blue or red trimmings; checked Madras jumper suits, and plaid jumper suits, with V-neck sold regularly up to \$3.50. Vals. to \$2.00 at \$1.19 An assortment of Children's Washable Dresses in chambray jumper suits, Peter Pan suits and percale dresses, sizes 6 to 14. All new and up-to-date. Selling regularly up to \$2.00. Second floor, front. \$1.50 CHILDREN'S WASH DRESSES FOR 98c Children's Colored Wash Dresses and Bloomer Suits, made of chambray, gingham, lawn and dimity; trimmed with lace, insertions and braid; latest styles; yoke, gumpes, Russian and French effects; sizes 2 to 6 years. Exceptional values at \$1.50. Sale price today at only—Second Floor (rear)..... 98c

300 White and Fancy Men's Vests \$3.00 Values, \$1.65 300 Men's White and Fancy Vests, made of fine pique, Oxford, mercerized Oxfords and dimities. This is a manufacturer's representative line of samples. Each vest is finished and tailored in the very best possible manner and is such as we have sold regularly for \$2.75 to \$3.00. While they last today \$1.65

Young's Hats MEN'S STRAW HATS NOW Now's the time to buy that Straw Hat. Unless you care for the common, garden variety, you'll be interested in Young's Straw Hats. They are the best that set the pace in New York and have seven New York stores devoted to their exclusive sale. Every new style in every good straw that will be popular this season is here—fancy split Milans, Sennets, Mackinaws, Canton and Shinkli braids. All the new shapes. Young's Plaine shapes is the hit of the season. Fourth of July next week, hot weather and outings now. GET THAT STRAW HAT, and get a Young's, so that you'll be proud of it. Prices, \$2.50 and \$3.00. Lipman-Wolfe's, Sole Agents.

DECIDE NEXT WEEK Argument on Graft Indictments Is Finished.

JUDGE REBUKES LAWYERS Honey and Moores Told to Restrain Tongues—Schmitz Arraigned on Two More Charges—Dinan Pleads Not Guilty.

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posing counsel that all of the testimony taken before Judge Lawlor in the Glass and United Railroad cases in support of the allegation that the Oliver grand jury was an illegal body and that the indictments returned by it subsequent to February 12, 1907, the date when the new grand jury list for the present year was certified and returned, shall stand and serve in behalf of Halsey. The motions then went over to next Tuesday at 10 o'clock, when they will be argued.

Schmitz Arraigned Again. Before Judge Dunne today Mayor Schmitz was arraigned on two indictments, one charging him with accepting a bribe of \$250 from the officials of the San Francisco Gas & Electric Company to withhold his veto from an ordinance passed by the Board of Supervisors fixing the gas rates for 1906-07 at 25 cents instead of 75 cents; the other charging him with accepting a bribe of \$5000 from the United Railroads to withhold his veto from an ordinance permitting that corporation to electrify its streetcar system. Judge Dunne set July 3 as the date on which the Mayor will answer these indictments.

District Attorney Langdon said today with regard to the Mayor's situation: "We have not even tentatively agreed as yet upon one selected a man to take the place of Mayor Schmitz, when the latter is ousted from office. We expect to make such selection within the next two weeks. We do not expect to take any steps in the interim to remove Mayor Schmitz from office. We desire to accomplish the removal of Schmitz with as little legal friction as possible and we shall not complicate matters by trying to oust him until his legal status as a convicted felon has been completed by the passing of sentence."

Dinan Pleads Not Guilty. Chief of Police Dinan this afternoon pleaded not guilty to the charges of the Grand Jury, namely, shadowing the Schmitz jurors in the interest of the defense and protecting the houses of infame.

San Francisco Refuses License to Run Intelligence Offices. SAN FRANCISCO, June 28.—The Board of Police Commissioners yesterday denied the application of five Japanese for the privilege of renewing their permits to keep intelligence offices in this city and refused two Japanese applicants who desired to obtain new permits for the same business, on the ground that the applicants were not citizens of the United States and that heretofore the policy of

of the board had been always to give the preference to citizens against those who are not and cannot become citizens. It had been urged on behalf of the petitioners that they were entitled to the privilege by virtue of the provision of the treaty, but the Police Commission contends that, if such right does exist, it is still subject to laws enacted under the general police powers of the state concerning police and sanitary regulations. A refusal to grant such permits is not, according to the construction of the board, a violation of the right to trade.

President Hagerly, in giving the decision of the board, said that it is the policy of the board to grant such permits only to citizens of the United States and not to citizens of foreign countries and he further suggested that the refusal to grant the permits would open the way for a determination in court of the extent of the rights of Japanese in this respect under the treaty between the United States and Japan, should the applicants desire to take the matter into the courts.

Japanese Embassy Delays Action on Excluded Agents. WASHINGTON, June 28.—The Japanese Embassy has for some time had information of the pendency of the application of Japanese to conduct intelligence offices in San Francisco, but the decision of the San Francisco Police Board denying these applications has not reached the Embassy, except unofficially. No action is expected to be taken here unless the matter assumes a shape for diplomatic representations.

The Embassy relies upon the persons directly interested to take such action in court as will determine their rights. It is found that any of these are invaded the question, the officials say, will then be one for the Embassy to consider.

COFFEE Schilling's Best, one-star two-star three-star four-star five-star. Your grocer returns your money if you don't like it, we pay him.

WEDDING AND VISITING CARDS W.G. SMITH & CO. WASHINGTON BUILDING Fourth and Washington Streets

CARTER'S LITTLE LIVER PILLS SICK HEADACHE Positively cured by these Little Pills. They also relieve Distress from Dyspepsia, Indigestion and Too Hearty Eating. A perfect remedy for Dizziness, Nausea, Drowsiness, Bad Taste in the Mouth, Coated Tongue, Pain in the Side, TORPID LIVER. They Regulate the Bowels. Purely Vegetable. Small Pill. Small Dose. Small Price.

Feed Your Nerves Upon rich, pure, nourishing blood by taking Hood's Sarsaparilla, and you will be free from those spells of despair, those sleepless nights and anxious days, those gloomy, deathlike feelings, those sudden starts at mere nothings, those dyspeptic symptoms and blinding headaches. Hood's Sarsaparilla has done this for many others—it will cure you. Hood's Sarsaparilla In usual liquid form or in choicest tablets known as Sarsatabs, 100 doses \$1.