CALHOUN JURY IS UNABLE TO AGREE

Poll Shows 10 Jurors for Acquittal.

JUDGE CRITICISES JURY LAWS

Calhoun Says Heney Bribed and Court Hostile.

ONLY FIVE BALLOTS TAKEN

Prosecution Announces It Is Ready to Proceed at Once With Another Trial-Final Act in Drama of Case Quickly Played.

***************** BROUGHT OUT BY VERDICT.

Calhoun said, after the verdict: The record of the case demonstrates that my trial was most un-fair. . . The Judge was hostile, the Assistant District Attorney bribed and the admiristration of the criminal law of this state disgraced. I propose at the proper time to submit formal charges against Heney for having received bribes and against Spreckels and Phelan for having paid them."

Heney said: "I am ready to try this case again and I will go ahead tomorrow if ecessary." Judge Lawlor said:

"There must be something wrong in the laws of the state when it takes three months to empanel a jury to try any issue. . . The people should take some steps toward the simplification of judicial procedure."

SAN FRANCISCO, June 20.-Terminating in a disagreement of the jury, with ten men determined on acquittal and two steadfastly resolved upon conviction, the trial of Patrick Calhoun, president of the United Railroads, came to an end at 12 o'clock today. Five months and a week had elapsed since the wealthy streetcar magnate made his first appearance in court to answer to the charge of offering bribe of \$4000 to a Supervisor to obtain a privilege for his corporation, and a period of 24 hours had been consumed in fruitless deliberation.

Not until each juror had pronounced as hopeless the prospect of a verdict was order for their liberation made by Judge William P. Lawlor, Prosecution and defense gave assent to the dis-15 minutes.

Attorneys Will Not Comment.

The trial, which will stand as a record in the history of Western litigation for many a year, ended quickly and without monstration. The courtroom in Carpenter's Hall was well-filled but the sudden climax did not permit of an attend ange gathered from far and near, such as characterized the five days of argument and the vigil of last night. The defendant and his attorneys, as well as the chief officers of the prosecution, refrained from comment upon the disagrement when it was recorded and quickly departed from the courtroom.

Only Five Ballots Taken.

But five ballots were taken, as it developed, and three of these were within the first few hours after deliberation had enced. Upon the first vote the jury stood eight for acquittal and four for conviction. Two of the four joined the majority upon the second ballot. One of the remaining two who voted for conviction announced his determination to remain out a month if necessary in defense of his position. Noon was the hour fixed for the jury's appearance in court and all the principals were in their places when the session convened.

Judge Lawler announced he had ascertained, before coming to court, the jury appeared to be hopelessly divided. Asked If there was any hope of a verdict, each juror answered "no" when his name was called.

Judge Criticises Laws.

After ordering the discharge of the jury, Judge Lawlor drew his chair to the edge of the platform nearest the jury-box and addressed to the 12 men some informal remarks, criticising severely the laws and the usages that made possible the expenditure of three months in the empanel of a jury and congratulating and thanking them upon their worth as citi-

He declared the courts were utterly helpless to prevent such occurrences and recommended that the Legislature be in fluenced by the people to make alteration in the laws that governed court procedure in the empanelment of jurors. Under the orders of the court, the attorneys will be expected to fix a date for another trial upon the same indictment at tomorrow morning's session of court.

Heney Ready to Try Again.

"I am ready to try this case again and I will go ahead tomorrow if necessary," said Mr. Heney an hour after the ad-

'In a long statement issued by Mr. Calhoun tonight he said:

"Of course I am disappointed at the failure of the jury to acquit me of unbiased charges that have been brought against me. I should have liked my vindication by the jury to have been absolute. And yet

(Concluded on Page 3.)

BAPTISTS TORN UP OVER PROF. FOSTER

EFFORTS MADE TO OUST HIM FROM MINISTRY.

Rockefeller Takes No Part in Storm, but Clergy and Laity Demand Removal of "Heretic."

CHICAGO, June 20 .- (Special.)-The University of Chicago and Baptist circles generally, are in a tremendous state of excitement over efforts to ous Professor George Burnham Foster from the University faculty and also from the Baptist ministry.

Lowering clouds on the horizon portend a great storm tomorrow at the meeting of the Baptist Ministers' Conference. Heated utterances from pulpita and rising murmurs from the laity in dicate a fierce revival of the attack on Professor Foster.

The tempest will break if Rev. Johnston Myers persists in his determination to demand the removal of the "heretic" from the University faculty. As matters stand, the church socleties are in peril of disruption and the University is rocked by vehement

John D. Rockefeller, through his secretary, has announced he will take no part in the bitter controversy. He says the employment of teachers and professors lies wholly with the University board, and he declines to take sides.

BLACK HAND GANG HUNTED

Authorities Confident Organization Exists in British Columbia.

VANCOUVER, B. C., June 20 .- (Spe cial.)—The murder last Friday night at Revelstoke, B. C., of an Italian named Fred Orsatti, by Black Hand desperadoes, is believed to show the existance of an organized gang of Black Hands in British Columbia.

This suspicion, which has existed for ome time in the minds of police in various large towns of the province, is now being actively worked upon as result of the latest murder, and local police are making strenuous efforts to uncover evidences of members of the gang in Vancouver.

It is also believed that the two men said to be responsible for Orsatti's murder, are in hiding, either in this city or mear here, and the police are looking for them. The men wanted for connection with the crime are Frank Shilds, ex-convict, of Seattle, and Vincenzo Romeo. It has been learned that the murderers laid for their man all day Friday, catching Orsatti late at night, when they cut his throat from ear to ear.

BIG LINER HITS VESSEL

Zeeland Collides With Unknown Ship During Dense Fog.

SOUTHAMPTON, June 20.-The Red Star steamship Zeeland, from Antwerp. Senators who want a short aged as a result of a collision east of Dover with an unknown vessel.

The Zeeland was proceeding slowly through a dense fog when she struck the vessel amidships. Boats were lowered at once from the steamer, but no trace could be found of the unknown vessel.

BIG FLOODS ON ISTHMUS

Heavy Rains Cause All Rivers to . Overrun Banks.

PANAMA, June 20.-Heavy rains throughout the past week have caused great floods all over the Isthums, and n many places the crops are ruined. Chagres River has overrun its banks, but without damage to the

SPECIAL SESSION

Olympia Wonders What Will Happen.

OUTLINED PROGRAMME SIMPLE

Complications Enter, Though, With Fights Promised.

SCHIVELY BITTER AT HAY

Declares in Outburst Only Personal Aggrandizement Is Dominating Impulse-Report Not Made Public as Was Ordered...

WHAT MAY HAPPEN-AT SPECIAL SESSION OF WASHINGTON LEGISLATURE.

Insurgents may start fight for new presiding officers, thus prolonging ession. Should Ruth be re-elected President

of Senate, he may change personnel of committees. Six bills vetoed by Governor Hay may be brought up again.

Method of ousting Insurance Comnissioner Schively from office may If new investigating committee is

appointed, politicians will have dan-Schively attacks Governor Hay and swears he will not resign his office.

BY J. H. BROWN. OLYMPIA Wash., June 20.-(Special.)-Official Olympia, by which is meant the state elective and appointive officers, is spanding anxious hours these days wondering just what is to happen after the special session convenes here next Wednesday afternoon.

It is anybody's guess what will occur The administration, Governor Hay and the people of the state as represented by the leading newspapers, are demanding that the Legislature simply choose again its old officers, receive and act on the report of the legislative investigating mmittee and adjourn after a mighty short session

It sounds simple enough, but there happen to be complications. To begin with, the matter of re-electing old officers is by no means, assured. Both President Ruth, of the Senate, and Speaker Meigs, of the House, have their enemies. Some would be willing to let Ruth retain the Presidency may get sore because of Ruth's bitter personal attacks publicly it out to sea and consequently was upon the Governor and therefore start a contest for that position. Similarly, House members who are opposed to Hay, men who would have ordinarily made no fight on re-election of Melgs, may start omething if they think Hay is to control Meigs in naming the House members of the proposed general investigating

Ruth Bitter Against Hay.

Maybe there will not be enough of these insurgents to prevent reorganization on the old lines. If so, that will help toward a short session, while on the contrary, a change in presiding officers will probably stir everything up. Again, judging from Ruth's present

(Concluded on Page 5.)

IMAGINED DISEASE CAUSE OF SUICIDE

FAMOUS SPECIALIST KILLS HIM-SELF AT ST. LOUIS.

Dr. Justin Steer Ends Illustrious Career, Fearing Aneurism, Which Doctors Deny He Had.

ST. LOUIS, Mo., June 20 .- (Special.) -Dr. Justin Steer, professor of clinical medicine at Washington University noted throughout the country as a lung specialist, killed himself early this morning at his home, with prussic acid. because he was unable to bear the pains of supposed aneurism, which other physicians say he did not have.

"No one is responsible for this but myself. I have been a patient sufferer with intense pains in my chest sinc 1895, and they are now unbearable. I think I have aneurism of the aorta, but physicians who examined me did not agree with me. Funeral and interment private; no flowers. Justin

Dr. Steer was born in St. Louis i 1849, and was educated here and in New York. He is survived by his widow and a brother,

At the time of his death he occupied the chair of clinical medicine at Washington University and was an active member of the St. Louis Medical So elety, Missouri State Medical Association, American Medical Association and American Association for Advancement

PEARY MAY BE AT POLE

Friends Estimate Time for Success ful Dash Has Elapsed.

WASHINGTON, June 20.-Friends in this city of Commander Robert Edwin Peary, the explorer, who left last July for the frozen North, said today they be lieved Peary, by this time, has planted the Stars and Stripes at the North Pole. No news has been received from Peary since he left Etah, North Greenland, August 17, 1908, for a dash as far into the ce-bound seas as the Roosevelt, his specially-built vessel, would carry him before being frozen in. If he has been successful in reaching the pole, the news of his discovery will not reach a point of telegraphic communication until August or September. If he has been unsuccessful, he will remain in the Far North and try again next Spring.

AERIAL HONEYMOON ENDS

Balloon Pittsfield Comes After Pleasant Trip.

HOLBROOK, Mass., June 20 .- The balloon Pittsfield, which ascended from Pittsfield early today carrying Mr. and Mrs. Roger Noble Burnham on their aerial honeymoon, was brought down about a mile from the center of this town this afternoon after a pleasant The distance covered was about 120 miles as the crow files. William van Sleet, pilot of the balloon, found the big gas bag was being taken in forced to land.

TWO DROWN FROM BOAT Man and Niece Go Down, Wife Has

Narrow Escape.

EDDY, Mont., June 20 .- While attempting to cross the Clarks Fork River here today in a frail boat, E. P. Courtney, a deputy forest guard, and his 5-year-old niece, Imogene Wilde, were drowned and Mrs. Courtney barely escaped dath. Courtney was a deputy guard in the Cabinet Forest and was formerly a well-known newspaper man

SLAIN SIGEL GIRL

Will Save Body From Pauper Burial.

CHINAMAN IS STILL MISSING

Police Regard Search Now as Hopeless Task.

BAGGAGE MAN GIVES CLEW

Tells of Two Mongolians Answering to Descriptions Who Had Tickets for Vancouver-Unopened Letter in Washington May Help.

NEW YORK, June 20.-Leon Ling, the Chinaman suspected of murdering Elsie Sigel, may never be found. The police according to a statement tonight, regard search for him as well-nigh hopeless. However, the mutilated body of the girl left behind iff a trunk in his room will not be buried in the Potter's Field. Paul Sigel, the father of the dead girl, claimed and positively identified the body at the morgue tonight, admitting for the first time the victim was his daughte

The girl's mother, now in a sanitarium had previously identified the jewelry; another woman had identified the underclothing and relatives had said the mur-dered girl was Elsle Sigel, granddaughte: of General Franz Sigel. Until tonight, however, the father had maintained

Stomach Is to Be Analyzed.

Elsie Sigel's stomach will be analyzed at Columbia University. While the autopsy determined that death probably was due to asphyxiation, whether she was choked, smothered under a pillow, or drugged, bound with ropes and left to die corribly in the trunk, is as much a mys tery as is the whereabouts of Leon Ling

Chu Gain, manager of the Port Arthur Restaurant, who was detained last night as a witness, was held today without ball until Tuesday. He has admitted he knew Elsie Sigel well and had incurred the enmity of Leon Ling and that both he (Chu Gain) and the girl had been threatened with death.

Mrs. E. Smith, who professes to have known the family well, suggests the victim is not Elsie Sigel, but a mysterous "Nellie," who had figured in Leo Ling's love affairs.

May Have Been Killed. Mrs. Smith holds it is possible that Elsie and the Chinaman were preparing to elope when "Nellie" appeared, created a scene and was killed. tion of the clothing and the packing of the body in the trunk complete this

feminine Sherlock Holmes theory. Captain Carey, of the bureau of homicides, will not pennit the mass of letters found jumbled with pictures of ballet girls in the room in which the body was found to be published or even their contents indicated. The mission in Chinatown where Elsie

Sigel taught has been closed. Funeral Not From House.

Mr. Sigel, at his home tonight, said the funeral would not be held from "The disgrace has been keen enough

(Concluded on Page 3.)

INSANE MAN CAUSE OF PANIC AT MASS

WOMEN SCREAM WHEN HIS YELLS FILL CATHEDRAL.

Thomas Evans, San Francisco Brick Mason, Is Hurried to Street and Locked in Jail.

A panic was started at the Cathedral. Fifteenth and Davis streets, yesterday norning, after the worshipers had assembled for 9 o'clock mass, when a demented bricklayer, Thomas Evans rushed up the middle aisle, yelling "Father McDevitt! Father McDevitt!" at the top of his voice. Women screamed and climbed on the seats. while the audience surged out of the door, delaying the mass at least 15 min utes. Evans was hustled from the church by three men, and taken to the County Jail by the police, where he is now confined.

Evans has been living at the Park Hotel, 350 Glisan street. He is said by the proprietor of the hotel to be a hard-working man, not known to drink He was employed by the Northwest Bridge Company as a bricklayer on the annex to St. Vincent's Hospital. He has a wife and two children living at 1235 Fulton street, San Francisco.

Father McDevitt, who was crossing the street to the church vestry at the time of the panic, said the man visited him Saturday night, and after making a small donation to the local church work, began to rant. He gathered from what was said that the man had been confined in a New York insane asylum. The man wished to see the priest again at 9 o'clock Sunday morning, but as Father McDevitt was very busy, he the appointment for Monday

HIGH DUTIES TO BE MET Canadian Manufacturers Planning

Measure of Retaliation.

OTTAWA, June 20 .- (Special.) -- Cana dian manufacturers declare the American tariff revision will force Canada to made radical changes in her customs tariffs also. That the adoption in present form of the Aldrich tariff bill must result probably in a widening of the British preferential tariff by Canada is the opinion freely expressed by the officers of the tariff department of the Canadian Manufacturers' Association, who are now here on business with the

government. That important tariff changes will be announced next Spring is the opinion held by many, but the extent of them is depending much on the developments at Washington. There may be no generm increase as affecting the importation into Canada of American com modities, although in many lines it will be vigorously urged, but a widening of the British preference at least is already being pressed upon the government and plans are being laid for more actively and aggressively agitating such a policy.

GIRL CADETS GO INTO CAMP

Co-Eds of University of Puget Sound to Try Soldier Life.

SEATTLE, Wash., June 20 .- (Special.) -A detachment of young women from the University of Puget Sound will pitch their tents at the Alaska-Yukon-Pacific Exposition Monday at noon, and for six days they will demonstrate their ability to conduct a model military camp near the stadium.

President L. L. Benbow, of the University of Puget Sound, and other members of the faculty, will be present, occupying the officers' tents during the encampment and the fair soldiers will be under the direct charge of Miss Gertrude M. Horner, director of the musical department of the college, in which department the young women are students.

LOST, HE DRINKS HIS BLOOD Man Wandering on California Des-

ert Becomes Desperate. SAN BERNARDINO, Cal., June 20.-Israel Swartz, of Boston, was rescued by

prospectors on the desert after he had three days without water, and brought here today. He lost his way, and, driven to despera-

tion by thirst, opened veins in his arm and drank the blood that flowed from the When found he was trying to dig down to water with his hands through the dry bed of Black Creek. He will

KING TO REVIEW FLEET

Imposing Pageant Planned for Cowes, July 31.

LONDON, June 20 .- At the close of the coming maneuvers it was an nounced today the King will review the fleet at Cowes on July 31. The review will be the most imposing naval pageant ever seen in British waters. Some Russian men-of-war are likely

CHURCH IS DYNAMITED

to be in the vicinity and undoubtedly

the Emperor will be a spectator.

Rectory Wrecked, but Priest and and Household Escape.

NEWARK, June 20.-With . dynamite in tomato cans, an attempt was made today to blow up the Catholic Church at St. Roco, with its Italian congregation and the adjoining rectory. Father James Zuccarrelli, the pastor, and his household escaped, though the front of

Say \$40,000 Year Not Needed for Gowns.

ONLY ONE SPENDS AS MUCH

Mrs. Potter Palmer Exception Pointed Out.

BRAINS AND \$3000 ENOUGH

Chatfield-Taylor Declares Good Dressing Does Not Depend Upon Many Gowns-Exorbitant Amount, Say Others.

CHICAGO, June 20 .- (Special.) --Clothes of Chicago fashion don't cost anything like \$40,-000 a year, according to those who know whereof they talk, despite the fact that such a sum is "absolutely essential," in New York, in the opinion of Mrs. Howard Gould.

Chicago women interviewed today hought the amount mentioned by Mrs. Gould was "absurd." It was declared no woman in Chicago, with the exception of Mrs. Potter Palmer, spends an amount approximating the Gould sum. Mrs. Harold McCormick is said to spend a considerable annual amount, but she does not draw checks to the amount

of \$40,000, it is asserted. Although Chicago women do not spend as much as their New York sisters, they are thought to be just as well gowned, though not possessing such multiplicity of dresses.

Amount Seems Absurd.

"The amount of \$40,000 seems to me to be absurd," said Mrs. H. C. Chatfield-Taylor. There is not a woman in Chicago who spends anything like such a sum, with the exception of Mrs. Potter-Palmer. I do not think so great a sum is in the least necessary for a woman to be well dressed. Chicago wonen are probably as well gowned as New Yorkers, although they may not buy so many dresses in the course of year. The maximum amount spent in Chicago is probably about \$10,000 and many extremely well-gowned women

do not spend half that amount. "If a woman has taste, discrimination, and uses brains regarding her wardrobe, she can be beautifully dressed for \$3000 a year. Good dressing ssarily depend upon the ownership of scores and scores of

dresses." Few Chicago Women Spend So Much Mrs. A. B. Dick was also of the belief that \$40,000 is an exorbitant amount

for one year's sartorial bill. "That amount is not spent by anyone in Chicago, with possibly one or two exceptions," she said. "It is surely not necessary and seems to be quite too large. A woman can dress on much (Concluded on Page 4.)

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FRANCIS J. HENEY.

