TROUBLE AMONG IOWA TEACHERS

New Law Requiring State Examinations Is Greatly Disliked.

PREFER THE OLD SYSTEM

Too Small a Percentage Receive Certificates After Answering the State Superintendent's Questions—After the Legislature.

DES MOINES, Ia., July 27.—(Special.)—School teachers and county and local authorities of the state are in arms against the Department of Education, presided over by Superintendent John R. Riggs, as a result of the June examinations under the new law providing for state certificates for teachers after written examinations. As a result the supply of teachers may be reduced greatly and many schools may not be able to reopen.

Last month about 9500 teachers wrote answers to questions in accordance with the new law. Only about 5500 passed muster and were given certificates. Announcement of this fact was greeted by vigorous protests from the 4000 denied certificates and with them have joined many educators who have always opposed the idea of the State instead of the County Superintendent conducting the examination. Before the new law was enacted, the teachers were examined by the county, or local superintendents, who were elected by the people. Riggs charges that often teachers received certificates as a result of favoritism due to political pull, etc. This has been resented vigorously by the County Superintendents and the controversy has grown bitter all over the state, with Riggs assailed on every hand. It is probable that a movement to repeal the law may result. If the present feeling keeps up it is believed among educators that the law will be made non-effective, at least, in the next Legislature, by making it optional with the counties whether they adopt the state or county certificate plan.

One of two considerations that appeal to the patrons of the schools is that the new system will so deplete the teaching force that half the country schools will have to close, but it is supposed that the policy of reducing the teaching force is designed to compel greater consolidation. To this the State Superintendent is strongly committed.

The papers of five teachers of Kossuth County who took the examinations were found to have been marked almost perfect, but they were so similar in expression, etc., that suspicion was aroused among the readers, and they spoke to the State Superintendent. He sent a letter to the Superintendent of Kossuth County, in which he said that there were unmistakable evidences of fraud. This brought out the fact that all of the five were instructed in the Catholic schools and the similarity of the papers was due to the fact that they had learned the same definitions and processes. They have refused to take the examination over again and have demanded that they be given due consideration by the State Superintendent. The County Superintendent of Polk County, Mrs. Jennie Steele Huegle, was denied a certificate because she took the examination under herself. She is organizing for a fight against the department and the new state law before the Legislature next Winter.

OFFER JOB TO SPOONER

LUMBERMEN WANT HIM IN RAILROAD FIGHT.

Would Engage Joseph H. Choate if They Could—Raising Fund to Contest Rate Increase.

SEATTLE, Wash., July 27.—(Special.)—John C. Spooner, who resigned as United States Senator from Wisconsin at the close of the last session of Congress, may be employed by Washington lumbermen to fight the proposed increase in lumber and shingle rates from this Coast. Prominent millmen declared today that if necessary they would engage both Spooner and Joseph H. Choate, ex-Ambassador to England, to aid them in their fight before the Interstate Commerce Commission and the Federal Courts. Two of the most prominent practitioners before the Interstate Commerce Commission, one from Texas and the other from Washington, D. C., are pretty apt to be engaged.

The $100,000 fund pledged at the Tacoma meeting is merely a nucleus of the lumbermen's fighting fund. The Shingle Mills Bureau sent out notices of a meeting, the Washington Logging & Brokerage Company is to be called together and then in turn the Southwestern Lumbermen's Association, the Gray's Harbor and Columbia River loggers, Oregon, Idaho and California Millmen's Association are to be asked to assess themselves on the same basis as the members of the Pacific Coast Association.

The determination to fight the Hill and Harriman lines almost amounts to a frenzy of opposition and the millmen propose to open purse strings and spend a fortune combatting the new rates. There is no lawyer in the United States too high-priced, it was declared authoritatively today, for the mill interests. If they are convinced any attorney can deliver results he will be employed.

CRUISER SALEM LAUNCHED

To Be Used as Scout Boat and to Be Swiftest in the Navy.

QUINCY, Mass., July 27.—A new type of war vessel and one that is expected to add greatly to the efficiency of the Navy in time of war was launched here at about noon today from the yards of the Fore River Shipbuilding Company. The vessel is the scout cruiser Salem, whose duty it will be in time of war to look for and report the movements of an enemy.

The Salem is to have a speed of 24 knots. This is greater than that of any cruiser in the Navy. Several scout boats now building for the British navy are to have slightly greater speed, but the American scout is expected to maintain her gait in any sort of weather and will have twice the coal capacity of the British ship, thus giving her a much greater radius of action.

No other vessel in the Navy has as high a freeboard as the Salem. This insures good seagoing qualities, gives stability, and provides a safe and dry vessel under all weather conditions.

The Salem is 423 feet 2 inches long, has a breadth of 46 feet 8 inches and a draught of 19 feet 1½ inches. Her displacement fully loaded is 4640 tons. Her battery will consist of three five-inch rapid-fire guns, and she will have two submerged torpedo tubes. Propelling power for the new cruiser will be supplied by Curtis marine turbines, and there will be 12 watch-tube boilers.

VENEZUELA REJECTS DEMANDS

Persists in Refusing Root's Terms. Relations May Be Severed.

CARACAS, Va., Thursday, July 25.—(via Willemstad, Curacao, July 27.)—The Foreign Office yesterday handed American Minister Russell the answer of the Venezuelan government to the second note from Secretary Root regarding the arbitration of five American claims.

The government persists in its refusal to arbitrate the claims in question.

The opinion is held here in some quarters that this answer may lead to the severing of diplomatic relations between Venezuela and the United States.

William W. Finley, the New President of the Southern Railway, Succeeding the Late Samuel Spencer. (Copyright, 1907, by Clinedinst.)

WINS DERBY AT SEATTLE

JOHNNY LYONS, 8-TO-1 SHOT, FIRST IN MEADOWS EVENT.

Mike Haynes' Son Rides to Victory and Takes Lead From Start. Ten Horses in Race.

SEATTLE, Wash., July 27.—(Special.)—Johnny Lyons, owned by Mike Hayes and ridden by his son, Johnny, won the Seattle Derby and the $3000 purse that went with it today, a distance of a mile and a quarter for 3-year-olds.

The 10 starters made it the largest field ever sent off of the Classic. Johnny Lyons, who opened at 8 to 1 and closed at 5 to 1, on account of a heavy stable play and also fancied by some on account of the last fast workout, won all the way.

Lyons went out to the front from the start, although Sachet had beaten the barrier a half length in a remarkably good start, and he lost the position but once throughout the long journey. Woolma tried to take the rail at the half, but failed and dropped out at last as a result of the sprint, while Ackerly was a bit more successful and did annex the lead on the back stretch. Johnny Lyons regained it after a furlong and came on to a clever win.

Fryer was possibly the best horse in the race, and would have won but for the five pounds he had to give away to the winner. Gross put in a good ride on Fryer, the favorite coming through from sixth at the half to fourth at the last quarter pole and winning in the stretch from Kruka, who, for a cheap thoroughbred, ran a remarkably good race.

COLON WINS BRIGHTON JUNIOR

Easy Victory for Favorite at Brighton Beach.

NEW YORK, July 27.—Colon won easily the Brighton Junior stakes, six furlongs, worth $11,750, at Brighton Beach. He carried 121 pounds and was a hot favorite at 12 to 20. Summary:

Mile—Pennaris won, Lad of Lingdon second, Arimo third; time, 1:19 2-5.

Six furlongs—Magazine won, Nuberone second, Sanguine third; time, 1:13 3-5.

Seashore handicap, mile and quarter—Dandelion won, Red Leaf second, Miss Crawford third; time, 2:04 4-5.

The Brighton junior handicap stakes six furlongs—Colon won, Chapultepec second, Bar None third; time, 1:12 2-5.

The Brighton steeplechase, about 2½ miles—Commodore Fontaine won, Grandpa second, Coligny third; time, 4:48 2-5.

Mile and sixteenth—Jacobite won, Reidmore second, Royal Ban third; time, 1:45¾.

At Detroit.

DETROIT, July 27.—W. W. Cox, the New England reinsman, won two events at Grosse Point today. Thornway lowered his record from 2:12½ to 2:06¾.

The horses departed tonight, some going to Cleveland where the grand circuit continues, while others will be shipped to Kalamazoo, stake meeting next week and the Great Western circuit to follow. Summary:

2:10 pace, purse $1500—Thornway won, three straight heats; time, 2:07¾, 2:06¾, 2:09¾.

M. and M. Consolation stakes, $3000—Chaity Laitis won in straight heats; time, 2:11¼, 2:10¾, 2:09¾.

2:06 pace, purse $1500.—The Friend won first and second heats; time, 2:05¾, 2:06¾. Cascade took third heat in 2:07¾.

2:12 trot purse $1500—Berico won in straight heats; time, 2:13¾, 2:10¾, 2:14.

Results at Butte.

BUTTE, July 27.—Today's race results:

Quarter mile—Bucksaw won, Rattler second, Forty-Four third; time, 0:22.

Half mile—Reno Rebel won, Miss Fairbanks second, San Oak third; time, 0:48¼.

Five furlongs—Jack Nunnually won, Native Son second, Annie Scott third; time, 1:01¼.

Six furlongs—Alma Boy won, Anona second, Yo San third; time, 1:14¼.

Mile and sixteenth—George P. McNash won, Dolly Dollar second, Ishmaelite third; time, 1:50¾.

Mile and eighth—Benvolio won, Needful second, Frank Woods third; time, 1:56.

Big anticipation sale on at Robinson & Co.'s. See page 10, section 1.

Metzer & Co. is headquarters for Brauer's hand-painted art china, 342 Washington street.

NINE DEAD IN STEAMER FIRE

Steamboat on Lake Cayuga Burns and Has to Be Beached.

CREW OF 12 ARE BRAVE

Passengers Are Panic Stricken and Men in Their Efforts to Save Themselves Impede the Work of the Crew.

AUBURN, N. Y., July 27.—The steamboat Frontenac was burned and beached opposite Farley's Point, on Lake Cayuga, today, and nine lives were lost. The victims were all women and children passengers, and all were drowned. Several other passengers were severely burned before the boat could be beached. She lies tonight, burned and blackened, in seven feet of water. The bodies of the drowned women and children have been recovered.

The following were drowned and the bodies recovered:

MISS H. GUMONG, Freeville.
CARL GUMONG, Freeville.
MISS C. McCREERY, Cohoes.
MISS LIDA BENNETT, Frankfort.
MISS STELLA KLINTON, Ithaca.
MISS MARIETTA SULLIVAN, Syracuse.

Six-year-old daughter of Howard Able, South Bloomingburg.

Two unidentified women.

The worst injured are: Mrs. Able, South Bloomingburg; Eliza Tuttle, Middleton; Charles Brigham, Syracuse.

The steamer, an old side-wheel, double-deck craft, which has plied between Ithaca and Cayuga, on Lake Cayuga, for 25 years, left the former place this afternoon for the upper lake, carrying 50 passengers and a crew of 12.

The crew of 12 men behaved splendidly, fighting the flames at first, but seeing that nothing could be saved, turned their attention to the passengers. Life-preservers were put on everyone that could be found in the brief time, but in spite of their efforts nine perished. Captain Brown directed the work of the crew and was the last to leave the burning boat. In strong contrast to the bravery of the crew was the panic, and in some instances cowardice of many of the men among the passengers. In their efforts to save themselves they seriously impeded the work of the crew.

When the flames were first discovered in midlake Captain Brown turned the bow of his little steamer toward the shore and set his crew to work to subdue the flames if possible and to calm the passengers and see that they got life-preservers. The flames made rapid headway, however, and there was great excitement among the passengers as they were driven to the bow of the boat, which was beached at Farley's Point. Men from the summer cottages did valiant work in rescuing passengers and caring for the injured. It is not known just how many women and children were actually drowned—they were panic-stricken and floundered in the water as the boat made for the shore.

A special to the Herald from Auburn, quotes Coroner O'Neill as stating tonight that undoubtedly more bodies will be found. A Herald reporter at the scene wires that 11 are still missing. A late dispatch from Union Springs states that another body has been recovered. The wreck was burning at midnight. It is believed that the fire started from a lighted match carelessly thrown near the bow.

TROUBLES MAY BE SETTLED

STRIKING OREHANDLERS MAY REACH AGREEMENT.

Federation, However, Is Making Preparations for Long Siege. Co-operative Stores Opened.

DULUTH, Minn., July 27.—Indications late tonight point to a settlement within a day or two of the differences between the Duluth, Mesaba and International Railway and the strikers and orehandlers on the docks here and in Superior.

On the Mesaba and Vermillion ranges today both sides are resting, seemingly reserving their strength for the great struggle which is expected to begin Monday, when an attempt will be made to operate the idle mines. Among the Western Federation of Miners preparations are being made for a long struggle if indications are to be trusted. They opened a co-operative store at Hibbing today at which idle miners will be allowed to trade on credit. Other co-operative stores, it is said, will be opened.

Several of the mines partially resumed work tonight with small crews and no efforts were made to interfere with them, but it is evident, judging from the preparations being made, that trouble is expected soon. The United States Steel Corporation has imported several hundred men who will act as guards, and it is said that arrangements have been provided for them. Sheriff Bates, of St. Louis County has also sworn in 400 deputies, who are distributed throughout the locations on the Mesaba.

IRON RANGE STRIKE STILL ON

Steel Trust Refuses Concessions and Rifles Are Given to Citizens.

DULUTH, Minn, July 27.—All hope of an immediate settlement of the dock workers' strike in Duluth appears to be at an end. At a meeting of the strikers today in Lincoln Park, Mayor Cullum read the answer of the United States Steel Corporation officials to the organization of the strikers. The steel company refused to treat wit hthe men as a union. The company asks that the men go back at the old scale of wages and on the old open shop plan. No mention of a possible increase was made.

The men, on hearing the communication, voted on the question of returning to work and decided that they would remain out.

All was quiet in the ranges today. The crucial point in the strike is expected Monday, when efforts will be made to start a number of the mines. Rifles have been distributed among citizens and deputies, and the promise of protection to miners who desire to return to work will be carried out.

Perttella, the strike-breaker, is still at Eveleth. So far as could be learned today no warrant has been issued for his arrest.

OFFER TO NONUNION LINEMEN

Advanced Wages Rejected by Union on Mountain Phone Lines.

SALT LAKE CITY, July 27.—Beginning August 1, the Rocky Mountain Bell Telephone Company will pay $3.50 a day to its linemen in Utah, Idaho and Wyoming and $3.75 a day to its linemen in Montana outside Butte. Cable-splicers' wages will be raised to $4.25 in Utah, Idaho and Wyoming and to $4.50 in Montana outside of Butte. This is an increase of 50 cents a day in Montana and 25 cents a day in the three other states. Readjustment of wages of other classes of employes will be made to meet the new conditions.

This announcement follows the abandonment of the negotiations with the striking linemen, and the terms offered to non-union men are similar to those offered as a compromise to the strikers.

Clerks Discharged for Striking.

GOODLAND, Kans., July 27.—All clerks here in the office of the master mechanic of the Rock Island Railroad have been discharged for refusing to wear overalls and clean and dress cars during the short strike of the carmen early this week.

HONEYMOON UNDER ARREST

MAGILLS ON THEIR WAY BACK TO CLINTON.

Say They Would Go Back Anyhow for They Wish to Be Set Right in Eyes of Friends.

ST. LOUIS, July 27.—F. A. Magill and his bride, on the way from Los Angeles in charge of Sheriff Campbell, of Clinton, Ill., to face a charge of murdering Magill's first wife, passed through St. Louis tonight. From fellow-passengers it was learned that on their trip East they acted as any couple might on their honeymoon.

While admitting they were married in Denver on their way West, a point that has not been heretofore settled, they said nothing bearing directly on the death of Pet Magill except that they would have returned to Clinton had the Sheriff abandoned them entirely.

They say that they are anxious to set themselves right with their friends.

CLINTON, Ill., July 28.—Fred H. Magill and his wife, who were arrested in San Diego, Cal., July 14, on a charge of murdering Mrs. Pet Magill, the first wife of Magill, arrived here at 2 o'clock this morning in charge of Sheriff Campbell, of DeWitt County. The prisoners were taken to the county jail. There was no demonstration at the depot, although a good-sized crowd was present when the party arrived. The grand jury will meet Monday to take up the case.

DEFENDS RACE SUICIDE

Wisconsin Professor Would Limit Families to Three Children.

CHICAGO, July 27.—A dispatch to the Tribune from Madison, Wis., says: Taking issue with President Roosevelt on the desirability of raising families, Professor Edward A. Ross, head of the sociology department of the Wisconsin State University, yesterday told his class that "restriction in the birth rate is a movement which at the bottom is sanitary. Evils in its train appear to be minor or transient or self-limiting or curable."

Professor Ross is himself the father of three children. After declaring that restriction in the birth rate was salutary, Professor Ross, anticipating widespread opposition to such an assertion, added:

"I take my stand with those who hate famine, war, sabre-toothed competition, class antagonism, degradation of the masses, wasting of children, dwarfing of women and cheapening of men. Shall we live to see a mother of more than three regarded as a public benefactor and placed on the payroll of the state?"

$1000 FINE FOR REBATES

Minneapolis Court Brings Rebaters to Time.

MINNEAPOLIS, Minn., July 27.—In the United States District Court, representatives of the Ames-Brooks Company, the McCall-Dinsmore Company and the Duluth-Superior Milling Company paid $1000 fines imposed by the court as a result of the indictments returned last October by the Federal grand jury, charging the companies with soliciting and accepting rebates from the Great Northern Railway Company on shipments of grain.

Western Life, for August.

The August number of Western Life, being the second issue of a publication devoted to the interests of the West, has appeared. Aside from an illustrated article descriptive of a trip through Yellowstone National Park by the editor, it includes an article on Portland by Edmund C. Glitner, secretary of the Portland Chamber of Commerce, and an interesting account of the first annual rose festival held in this city last month by Charles N. Black, chairman of the press and publicity committee of the Rose Fair and Fiesta Association.

Another Term Awaits Him.

SAN FRANCISCO, July 27.—Michael J. Raop and Dennis Grady, lieutenants of police of New York, arrived today and appeared with requisition papers for John Courtney, alias "Leadville Jimmy," who is wanted in New York on a charge of murder. He is accused of killing Mrs. Clara Engelhart, who kept a lodging-house at 73 Delancey street, in October, 1900. Courtney was released from San Quentin last Monday morning, after serving six years for manslaughter.

Engines Smashed, Orders Forgotten

PETERSBURG, Va., July 27.—A head-on collision occurred tonight a short distance north of Stony Creek, Va., between Atlantic Coast Line trains No. 85 (Florida special) and the second section of No. 80, northbound. Both engines were badly demolished. Engineer Bradshaw, on No. 85, assumes the blame, saying he forgot his orders. Fireman Hardy Doran was killed and six others injured.

Naval Cruisers Arrive.

WASHINGTON, July 27.—Rear-Admiral Dayton, commanding the Pacific fleet, has informed the Navy Department that the armored cruisers West Virginia and Colorado arrived at Cavite yesterday for the naval maneuvers.

Silk Mills Closed by Strike.

SCRANTON, Pa., July 27.—Seventeen silk mills are affected, most of them being closed down, by the strike of operatives for a shorter workday.

Metzger & Co., opticians, 342 Washington street.

UP GOES THE PRICE

Farmers' Trust Asks $1.25 for Crop of 1907.

SAYS ESTIMATES TOO HIGH

Society of Equity Directors Decide Minimum Price—Claims Practical Success in Maintaining Price of Crop of 1904.

INDIANAPOLIS, Ind., July 27.—(Special.)—The board of directors of the grain-growers' department of the American Society of Equity, the organization which is trying to control the price of farm products, this afternoon decided after a two days' session to place the minimum selling price on the 1907 crop of wheat at $1.25 a bushel.

The word now goes forth to the thousands of wheat-growers all over the Spring and Winter wheat sections of the country to hold on to their stores until the market price has been lifted to the coveted figure. This is the highest price ever demanded by this organization, which has been steadily growing in membership during the past two years.

Officials of this organization, while they do not make claim that the crop report of July 1, predicting a crop of wheat this year in the neighborhood of 634,000,000 bushels, was only published in the interest of speculators, declare that the figures are not near correct. They say that this year's wheat crop will be no larger than that of 1904, when 556,000,000 bushels were harvested.

On that crop the American Society of Equity placed a minimum selling price of $1.20 a bushel and the average selling price in Chicago on that crop was $1.16, and the society claims much of the credit for the strength of the market. Ten states were represented at the meeting.

WATCH FOR A HARD WINTER

INDIAN SCOUT SAYS ALL SIGNS POINT THAT WAY.

Hazelnuts and Berries Are Plentiful and Muskrats Are Plucking Pond Lillies.

ALBANY, Or., July 27.—(Special.)—All Indian signs extant indicate a remarkably hard Winter this year, according to John Catlin, of this city, who was raised in an Indian camp and was a Government scout for years. The remarkably large crop of hazelnuts this year and the speed with which squirrels are storing them is one omen. The unusually heavy crop of all kinds of wild berries is another. Still another sure Indian sign is the fact that muskrats have already plucked all pond lillies and have stored them away. Catlin claims that the muskrats, when a hard Winter is foreshadowed, pick the lillies and hide them away until they go to seed and then use the seeds for food. Other strange Indian legends have convinced the old scout that the present pleasant Summer will be succeeded by a very cold Winter.

MOTOR CYCLIST KILLED

Bump Into Undertaker's Wagon and Become Candidates for It.

SAN JOSE, Cal., July 27.—A special to the Mercury from Palo Alto, says two motor cyclists, Joe Paridi and a man named Sheeley, crashed into an undertakers' wagon on the San Francisco road near San Belmont. Paridi was instantly killed.

Sheeley, who is a San Mateo man, was removed to a hospital and is not expected to recover.

JURY ALMOST UNITED

(Continued from First Page.)

as to how long he will keep the jury locked up in an effort to secure a verdict. The great trial, which began May 9, has been most expensive both to the state and the Western Federation of Miners, which is conducting the defense of the accused men, and both sides are anxious for a decisive outcome.

Boise continues as quiet tonight as it has been throughout the trial. Few persons loitered about the courthouse grounds, as there seemed to be a general opinion broadcast that a verdict would not be reached tonight. Court will be in session all of Sunday to receive a verdict or any other communication from the jurors.

Haywood, who during the morning session of court listened to the reading of the judge's charge with the same utter lack of any tell-tale expression upon his face as during the days of the incriminating testimony of Harry Orchard, went back to his cell to await the jury's decision with a smile playing about his lips. During the afternoon he sat for several hours on the shaded courthouse lawn chatting and laughing with his wife and daughters. The news of his mother's illness seemed to disturb him far more than the tilt of the scales which held his fate in the balance.

Instructions Suit Both Sides.

Judge Wood's charge to the jury was in keeping with the scrupulous fairness which has characterized the trial from the first and the attorneys for the defense declared that they were more than satisfied. The state's attorneys, while realizing that the court, if he leaned at all, had given the benefit of every doubtful point of law to the defendant, also were satisfied. In the charge much stress was laid upon the testimony of Harry Orchard and the jury was instructed to scrutinize such testimony closely and take into consideration any evidence which indicated that immunity or promise of favors had induced the accomplice to take the stand against the defendants. Judge Wood laid emphasis upon every assumption by which the defendant might be found not guilty and declared that before a conviction could be secured the prosecution must not only remove every reasonable doubt, but the jury must be convinced "to a moral certainty" that the defendant is guilty.

One of the most important of Judge Wood's instructions, as viewed from the defense, was the following:

To find a person guilty of a conspiracy to commit a crime, it is necessary for you to be satisfied from the evidence, beyond a reasonable doubt, that the party accused shared in the criminal purpose; and in this case, if you find the defendant committed no overt act in carrying out the conspiracy and did not enter into any unlawful agreement, then, even though you should be satisfied from the evidence, beyond a reasonable doubt, that the defendant knew of the conspiracy and did not dissent from it, then such knowledge of the conspiracy on the part of the defendant would be insufficient to warrant you in presuming that he was guilty of the crime charged.

One Juror Almost Exhausted.

When the jury went to dinner, nearly every man was in his coat sleeves and some of them seemed on the verge of exhaustion. Mr. Robertson, who is 73 years old, had to be assisted down stairs, Mr. Messecar taking his arm.

After they returned from dinner tonight the jurymen sat about the juryroom with their backs against the wall and seemed to be in a rather sullen mood. Occasionally one or two of them would walk to a window and stand gazing out without talking.

John H. Murphy, of Denver, the general counsel for the Western Federation of Miners, is very ill tonight in the hospital, and it is reported his life is despaired of. He is suffering from tuberculosis and has been too ill to attend the trial for a fortnight. Mr. Murphy has been the counsel for the Federation for seven or eight years. He has acted in the Haywood case only in an advisory capacity.

At 8 o'clock tonight Judge Wood decided to change the jury quarters and to give it larger rooms on the first floor of the court house. Up to this time there had been no sign from the jury room that there was a chance of an agreement.

William D. Haywood.

Judge Wood at 10 o'clock went to his home, leaving instructions to be called on the telephone in case the jury should arrive at a verdict.

Socialist Jury Says "Not Guilty."

The unofficial jurors appointed by the Socialists to attend the Haywood trial tonight issued the following statement:

We, the independent labor jurors, having attended the trial of W. D. Haywood for the murder of ex-Governor Steunenberg and having duly considered the evidence presented by the state and the defense, affirm that the persecution of the working class of America in this instance has failed, despite the strenuous attempts of capitalism, and in the name of the united workers of the land, we hereby declare our verdict to be not guilty.

JUDGE INSTRUCTS THE JURY

Defines Law of Conspiracy and Corroboration of Orchard.

BOISE, Idaho, July 27.—Judge Fremont Wood in his charge to the jury in the Haywood case gave choice of five verdicts, as follows:

Murder in the first degree, murder in the second degree, voluntary manslaughter, involuntary manslaughter and not guilty.

The charge contained 66 instructions. Judge Wood dwelt at length upon the laws of conspiracy and the value of the evidence given by an accomplice.

"The law views such evidence with distrust," he declared, "and it should be received by the jury with caution and scrutinized with great care. And, if from the evidence it appears that any favors have been extended by the authorities to Orchard and there is any promise relating to further favors on account of his testimony, they are proper matters for the jury to take into consideration."

In regard to the corroboration of Orchard, Judge Wood said that the jury should test the value of such evidence by eliminating his testimony with a view to ascertaining if there is independent testimony tending to connect the defendant with the offense.

"This corroborating evidence," the court continued, "need not be sufficient of itself to establish the guilt of the defendant, but it must tend in some degree to implicate and connect the defendant with the commission of the crime charged."

Further along in his charge, Judge Wood said:

"If it is possible for you to reconcile the facts in this case upon any reasonable theory consistent with the innocence of the defendant, W. D. Haywood, it is your duty to do so and find the defendant not guilty.

"The jury is instructed that the flight of Jack Simpkins, if you find such flight to have taken place, standing alone, would not of itself be any evidence of the guilt of the defendant. But if you find that Simpkins did, after the arrest of Orchard, flee or become a fugitive from justice, then that fact may be taken into consideration, together with all the other facts of the case in determining whether or not Simpkins was a member of the conspiracy which the state has sought to prove and of which conspiracy it is claimed by the state that the defendant was a member."

Judge Wood instructed the jury not to consider evidence as to crimes with which Steve Adams is charged in Northern Idaho, nor as to deportations or the employment of Pinkerton men by the mine-owners in Colorado. In order to convict, the jury must be convinced of the prisoner's guilt beyond a reasonable doubt. Evidence of other crimes than the Steunenberg murder was only admitted for the purpose of showing the existence of a conspiracy, but may be taken into consideration as incidents and circumstances bearing on the question of the prisoner's guilt of the murder of Steunenberg. No matter what crimes were committed in Colorado, Haywood cannot be convicted unless his guilt of the murder of Steunenberg is proved.

The judge explained the law of conspiracy and said regarding it:

"It is not essential to the formation of a conspiracy that there should be a formal agreement between the parties to do the act charged. It is sufficient if the minds of the parties meet understandingly, so as to bring about an intelligent and deliberate agreement to do such acts, and commit the crimes charged, although such agreement be not manifested by any formal words. A conspiracy in the first instance may be established by evidence having no relation to the defendant, by acts of different persons at different times or places, or by any other circumstances which prove its existence. It is sufficient if the state prove beyond a reasonable doubt that such a conspiracy existed at the time of the commission of the unlawful act, and that the defendant on trial was a member of such conspiracy. An act done by a party to an unlawful conspiracy in furtherance thereof and naturally flowing from the common design, is the act of each and all of the conspirators. And where murder is committed as a result of such a conspiracy, each of the conspirators, even though he was not present at the place of the crime, if he aided, abetted and encouraged the commission of the unlawful acts in the crime charged, is guilty."

A verdict of guilty can only be based on circumstantial evidence when the inculpatory facts are absolutely incompatible with innocence.

If the jury believes Orchard was influenced to testify by promise or hope of immunity, that fact must be taken into consideration in weighing his evidence. Any favors extended to him must also be considered.

"The Reason Why Our Business Grows, Is in Knowing How to Make Clothes"

SUITS $20 to $40
TROUSERS $4 to $10

I Want to Make You a Present

I believe in advertising methods that turn the dull season into one of productiveness. During mid-season, when other tailors practically "lay off," my business is growing, and here's the "why":

WITH EVERY SUIT COSTING $22.50 OR MORE, I INCLUDE NOW AN EXTRA PAIR OF TROUSERS

Absolutely Free

As an inducement to you to get acquainted with the superior quality of Columbia fabrics and workmanship and the splendid values I offer. Men who try Columbia tailoring once are pretty sure to become permanent patrons—and that's why I'm willing to make you a present to get you started. And there'll never be a better time to begin than tomorrow. Don't put it off.

Grant Phegley, Manager.

Columbia Woolen Mills Co. TAILORS

ELKS' BUILDING SEVENTH AND STARK

COMES OUT OF HIS SHELL

CHARLES SWEENEY TALKS ON SENATORIAL FIGHT.

Impugns Selfish Motive to Wilson's Support of Jones—Denies He Is in Race.

SPOKANE, Wash., July 27.—(Special.)—"Everybody knows that Congressman Jones is John L. Wilson's man, and Wilson is using him for a catspaw. He is making Jones a cloak for his own ambition to return to the Senate, depending on being able to swing the forces that will gather around Jones for his own use. Wilson would have no scruples about making a tool of his grandmother to further his ends."

This severe arraignment of ex-Senator John L. Wilson was uttered today by Charles Sweeney, in speaking of the candidacy of Congressman Wesley L. Jones to succeed Senator Levi Ankeny. Continuing, Mr. Sweeney said:

"Wilson's attack on me in the Post-Intelligencer, which he owns, is for the purpose of keeping me out of the race. I have considerable strength in Seattle and on the Coast, as well as the good will of Senator Piles, and Wilson is afraid I will use my strength against him. I have not seen the stories which he has been publishing about me, but I understand his motives perfectly."

"Will you be a candidate to succeed Senator Ankeny?"

"I haven't the slightest intention of doing so. I am completely out of politics, and do not even know what is going on in the state, except what I see in local papers. I will not oppose Mr. Jones' candidacy. He is an able young man."

"What about the report that you and Senator Piles made a deal when he was elected to the Senate by which he was to throw his strength to you as successor of Ankeny?" was asked.

"There is nothing to it. Senator Piles is not under obligation to me in any way. When I withdrew in his favor the only understanding we had was that he was to take care of some of my friends."

ABERDEEN KEEPS LID RAISED

Business Men Prefer That Sunday-Closing Law Be Not Enforced.

ABERDEEN, Wash., July 27.—(Special.)—The Sunday-closing law is not likely to be enforced by the city authorities or by County Prosecuting Attorney Boner, who resides here, unless pressure is brought to bear by the state authorities. A petition signed by about 50 business men opposing the enforcement of the law has been circulated the past few days. In the face of this evidence, the city or county officers are not apt to make any personal effort in the matter.

Watches cleaned, $1, at Metzger's.