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HAYWOOD'S FATE WITH JURY

Portland Autoists Make Flying Visit to the Capital

TO DAY IN SALEM

OTHER IS IDEAL

Five Machines Enter the Contestants Take a Jolly Dinner Together At the Willamette-Portland Ladies Enjoy the Driving Drive

Auto day at Salem, the being the first station in the Willamette valley endurance race of 135 miles. The first to arrive was the 40 horse-power Ford, driven by F. P. Baumgardner of the Oregon & California Ship Co., who pulled up at the Journal office at 10:40, with passengers. It was a merry race commercial street between him and all exceeding the speed Keats, who went out of Portland No. 1 of the 25 machines.

went into the ditch half way to Salem with his elegant Matheson, and was not expected to arrive. At Salem the autoists were met by Otto Wilson and Joseph Albert, as control keepers and gasoline supply men, the machines all being allowed to take in fuel once on the trip to the capital. They were greeted upon their arrival by Dr. Robertson and other local machine drivers, and the number of cars that pulled into Salem breathing heavily, and with more or less flat wheels, was not small. The repair gangs got busy, and the crowds gathered around the disabled puffers that were got into commission.

First Party In.

The first car that arrived carried Mr. and Mrs. Baumgardner, Mrs. Tilden, Miss Glover and Mr. Terry, assistant to the owner. They all declared the weather perfect, a cool day, with sky overcast with clouds. An hour and a half was allowed for refreshments at Salem, and about 80 occupants of the endurance party took lunch at the hotel. The tables were decked with roses, in honor of the party from the Rose City. The test consists of the run from Portland to Salem and back via McMinnville and Newberg. Four cups are to be awarded, and a sweepstakes cup by are in two classes, class A machines are in two classes, class A machines of \$2500 or over; class B machines of \$2000 and not over \$2500.

Where Keats Was Wrecked.

Coming down a hill between New (Continued on page eight).

LONG TRIAL ENDED IN HANDS OF JURY

Jury Retired At 11:05 This Morning—Opinion Is General That Jury Will Not Agree—Judge's Charge Contains Fifteen Thousand Words

Boise, Idaho, July 27.—The oratorical efforts of attorneys for both the state and defense in the Haywood trial were set at naught today by Judge Wood, who, as presiding judge, had the last say. His clear explanation reduced to dry facts the real kernel of this famous murder case. Haywood, the court plainly stated, is on trial for the murder of Stenness. On the surface the instructions would seem to favor the defense, but in real fact they favor the law of Idaho. The instructions are probably the most voluminous in the criminal annals of this country. The summing up requiring 15,000 words. Wood insisted the jury must convict, if at all, after reasonable doubt had been removed, and he carefully analyzed what a reasonable doubt is, according to the law. "If it is possible for you to reconcile the facts in this case upon any reasonable theory consistent with the innocence of Haywood, it is your duty to do so, and to find a verdict of not guilty. The burden is on the prosecution to prove a conspiracy was formed, and that in its execution some one of the parties killed Stenness. The burden is upon the prosecution throughout, and never shifts to the defendants. Therefore if the prosecution failed on each or every one of these facts, you should acquit. You are further instructed that such a combination or conspiracy cannot be established by the uncorroborated testimony of an accomplice. Plunging in to Orchard's evidence, the judge went to great pains to show that it must be carefully weighed. He said: "The jury is instructed that Orchard claims he is an accomplice in the commission of the offense charged in the indictments. Under the statute this person cannot be convicted of a crime upon the testimony of an accomplice, unless such accomplice is corroborated by other evidence, which of itself without the aid of the testimony of the accomplice, tends to connect the defendant with the commission of the offense charged, and the corroboration is not sufficient, if it merely shows the commission of an offense and the circumstances thereof. The law views with distrust testimony of an accomplice on account of the motive he may have for laying responsibility of his crime on another, when by so doing he may secure immunity for his own participation." If you believe from the evidence Orchard was induced or influenced to testify by any such promise, his testimony should be received by the jury with caution and scrutinized with great care. Unless there is some evidence other than the evidence of Orchard, there can be no conviction. It is not necessary, however, to have corroborative evidence itself that should be sufficient to show the commission of the crime or connect the defendant with it. It is sufficient if it tends to connect the defendant with the crime charged. The judge concluded as follows: "You are instructed that under the indictment in this case, the defendant may be, as the evidence warrants, convicted of murder

in the first degree, murder in the second degree, or manslaughter, or you may find him not guilty."

Haywood was surrounded by his entire family, and looked decidedly perturbed and nervous. The court room was crowded during the reading of the instructions.

The jury room is a stuffy apartment 8x12, the furniture 12 hard-bottomed chairs and plain deal tables, and the sun streams down on the roof, adding to the temperature within.

On the lawn below armed deputies keep back the crowd of curious, who strive to get close to the building, as if to penetrate if possible the secrets of the jury room. When the clerk called Haywood to the bar, Haywood showed for the first time the extreme physical strain he has been under. His face was drawn and haggard, but his determined lips were set. He gazed steadfastly into the face of each juror as he filed past him in a hopeless endeavor to learn if possible how he felt. Everybody connected with the trial is exhausted, as the heat has been unbearable for the past six weeks.

Alaska Volcanoes Active.

Valdes, Alaska, July 27.—Mounts Blackburn and Logan have become active volcanoes, according to reports of natives and prospectors, who are fleeing from the vicinity. There has been a strange rumbling for several days, and smoke and steam are now issuing from the peaks.

FAMOUS SPORT IS DEAD

Seattle, July 27.—The body of T. P. (Stony) Clark, bookmaker and turf man, was found early this morning in the middle of the street in the southern portion of the city. There was apparently no cause for death. He arrived recently from Butte.

PLUNGING TRAIN IN THE DITCH.

Came Near Being a Repetition of the Pere Marquette Wreck.

Butler, Pa., July 27.—A repetition of the Pere Marquette collision, in which 35 were killed, was narrowly averted this morning, when a train bearing 500 employees of the Buffalo Rochester & Pittsburg road to a picnic, was ditched at Isle Station, on the Allegheny & Western road. Fireman O. M. Bates, Charles Neal, a passenger and Ralph Dawson trainmaster, were killed and several injured.

GLASS JURY HANGS.

Out Since Last Night With No Sign of Agreement.

San Francisco, July 27.—With every indication that it will not be able to arrive at a verdict, the jury in the case of Louis Glass appeared in court at 9:30 this morning and requested Judge Lawlor to give further instructions, and have the testimony of Homer King, Evan Pillsbury, Fred Eaton, A. J. Steiss and Henry T. Scott re-read. The jury also asked the court to inform it when E. J. Zimmer, who is in the county jail serving a five-days' sentence for refusing to testify, was elected vice-president of the Pacific Telephone Company. The court ordered the question held in abeyance until other matters were disposed of. Re-reading of the testimony then began. The jury held a stormy all-night session, and when dawn came was as far from a verdict as when it retired. It is reported that the jury stood 9 to 3 for acquittal.

STATE VERSUS NATION

MUDDLE INCREASES

State Courts Issue Warrant For Arrest of Railroad President Finley, and Federal Judge Pritchard Releases Him On Habeas Corpus.

Asheville, N. C., July 27.—President Finley, of the Southern Railroad, was arrested today upon a warrant issued by the state authorities in the rate war muddle, but was released on habeas corpus by Judge Pritchard, whose actions caused the strained relations between the federal and state authorities. A warrant was also issued for Ticket Agent Wilson, of the same road.

Washington, July 27.—Sanford arrived here this morning to confer with officials of the department of justice.

Largest Fighting Machine.

Portsmouth, Eng., July 27.—The battleship Bellerophon bigger than the Dreadnaught, and the largest and most powerful ship in the world, was launched today. Princess Henry, of Battenburg, christened the ship, which is 13,500 tons against the Dreadnaught's 17,900.

SENATOR PETTUS DYING

Hot Springs, N. C., July 27.—United States Senator Pettus, of Alabama, is dying. He fell unconscious yesterday at the breakfast table, and has not revived yet. Physicians have pronounced his case hopeless.

(Senator Edmund Pettus is 84 years old, and has represented his state in the United States senate for many years. His colleague, Senator John T. Morgan, who was 81 years of age, died but a few weeks ago. Senator Pettus served in the Mexican war. He is a man of brilliant attainments, and retained his vigorous intellect up to the time he was stricken).

KNOW LEADERS OF GANG

New York, July 27.—"We know the men who are at the head of the local department of Hunchakist societies in this city, and who were behind the plot that resulted in the assassination of Tavshanjian, the millionaire rugmaker. There is no danger of them getting away, as we can get them at any time," was the statement made by the district attorney's office, where the Armenian plots are being investigated.

It Is Burning.

London, July 27.—The town of Techernoschin, near Marlebad, Austria Hungary, is burning, and there is a wild panic among the residents.

DROWNED AT THE DALLES.

Son of Register of the Land Office C. W. Moore.

The Dalles, Or., July 27.—A sad drowning accident happened Friday morning about 3 o'clock, Ray, 15-year-old son of C. W. Moore, register of the land office of this city, being drowned while bathing on the Regulator dock. He and another boy were diving from the dock. Ray dived, rose twice, and was not seen afterward. The body was recovered in the afternoon.

Mr. Moore's family consists of a son and daughter, and the loss of the boy is a terrible blow to the parents. The mother is ill with grief. The boy was just learning to swim, and took every opportunity to bathe in the river.

Two more bodies were found floating in the river yesterday evening. One had an engineer's cap on, an overall and blouse and \$13.95 in his pocket. He had no letters or papers which might lead to identification. The other landed on the Oregon side, but finally washed over to the Washington shore. Authorities there were telephoned to take charge of the remains.

These make seven drowned men taken from the river in six weeks.

THE HOLY GRAIL.

Englishman Thinks He Has Discovered It.

London, July 27.—The Express prints a story of the discovery near Glastonbury Abbey of a glass vessel of beautiful workmanship and apparently of great antiquity, which one of the discoverers believes is the Holy Grail of the Arthurian legend. The Holy Grail is the cup from which Christ is reputed to have drunk at the Last Supper, and, according to an ancient British tradition, it was brought to England by Joseph, of Arimathea, after the crucifixion.

The vessel is of bluish green glass of some kind cunningly inlaid with silver leaf. A number of eminent persons, including some peers with ecclesiastical interests, Ambassador Reid, Professor William Crookes and the Rev. R. J. Campbell, have examined it. It is now in the possession of Professor Crookes, who has undertaken to solve its history.

SALARY TOO SMALL.

Lewiston, Idaho, July 27.—W. H. McGrath, Northern Pacific agent at Kamiah, was arrested Friday morning charged with embezzlement. A shortage is claimed of approximately \$600. The arrest of McGrath follows investigation of a reported hold-up which he alleged took place at Kamiah depot Sunday night, when three masked men were reported to have taken \$490, after compelling him to open the company's safe at the point of a revolver. The story was discredited by officers who soon learned McGrath had been leading a wild life with women associates, one of whom he claimed was his wife. A report from Kamiah today states that the former agent confessed to the fake holdup story when confronted with evidence secured by the officers and has sent to relatives in the East for funds to make good the shortage. He has told officers, it is said, where the money was used, except \$100 found in his suitcase in his room.

His Auto Killed Him.

Seattle, July 27.—C. M. Long was killed and four women and an unknown man slightly injured in South Seattle last night in a collision between their auto and a buggy.

Affairs in Korea.

Tokio, July 27.—Seoul is quiet, but disturbances are spreading in the provinces. Two more regiments will go to Korea. Hayashi returns tomorrow.

Dr. J. F. COOK

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CHICAGO STORE

PEOPLES BARGAIN HOUSE

Our Mid-Summer Clearing Sale

be a record-breaker, judging from the crowds of people that did trading here on Monday. There will be no reserve in regard to We want the room for our fall stock, and we must have it if we to sell the goods at half their regular price. This sale is all over the store, no matter how new and up-to-date the are. Out they have to go. Trade at the Busy Store.

Thousands of yards of lawns, and challies, half-price.	The only people in Salem that show the new College shirt waist; price the same as in New York, \$1.25.
Ginghams, half-price.	Prices on hosiery and all kinds of fancy goods slaughtered.
Yards of 12 1/2 c India Lin and 7 1/2 c.	If you want the smallest prices on millinery you ever heard of come to the Chicago Store.
Show the greatest stock of in Salem, and at the prices.	Prices cut to the quick on hundreds of other articles all over the store.

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