

BABY CARRIED OFF BY TOY BALLOON; SAVED BY BULLETS

Well-Aimed Rifle Shots Puncture, and the Infant Settles Gently to Earth.

Rockport, Tex., July 31.—The little 2-year-old daughter of Mr. and Mrs. J. P. Moody, of Waco, Tex., who are spending their vacation at Tarpon Inn, a seaside hotel, figured in the most sensational incident ever witnessed upon the beach.

An Italian vendor of toys, carrying a large bunch of toy balloons, thinking to please the little tot, tied the entire bunch about the child's waist in the presence of a large crowd of bystanders upon the hotel veranda. The baby was immediately lifted into the air, and before the spectators could recover themselves, she was floating beyond their reach, with the wind carrying her out to sea.

In the midst of the panic which prevailed, a launch containing Mr. Munfree, of Denver, and others, arrived and they at once perceived the cause of the commotion along the beach. Launches and boats then followed the flying baby until it stood over St. Joseph's island, where it gently settled a dozen yards from the water's edge and the little one was rescued.

DID NOT KILL WIFE SAYS MAN AND BRIDE

Clinton, Ill., July 31.—That they have been crucified on the cross of love; made victims of the evil tongue of hypocrites, and that they are innocent of the murder of Mrs. Pet Magill, is the contention of F. E. Magill, and his young wife, Faye Graham, who are held to answer the charge of murdering the banker's first wife in order that they might be free to wed each other.

Facing a practical certainty of indictment for murder, shrinking timidly from the finger of shame pointed at them by those who had known them since they were boy and girl, the couple still maintain courage, composure and even cheerfulness.

The father and mother of Mrs. Magill were first to call on the prisoners. The meeting between mother and daughter was in keeping with the girl's strange character. She kissed her mother and said calmly:

"Mother, I am innocent. We did wrong to get married so soon after Pet died, that is all."

Mr. Graham kissed his daughter and told her he would help her all he could. Magill said:

"Says It Was Suicide.

"I have only one story to tell, and never have told any other. My wife killed herself, as can be shown in a hundred ways. Why, I cannot be sure, but in letters she gives the only reason I accept—that she did not care to live under the conditions of ill health and interfering relatives.

"She had been complaining of her head the Decoration day that Faye and I drove to the cemetery to put some flowers on the baby's grave. She did not go with us, but came back. Then we all went riding until 7 p. m. We sat around or talked until 10 or so. Faye went home and we went to bed.

"About 5 a. m. I got up and found my wife gone. I looked for her on the cot where she sometimes slept, but did not find her. I then went upstairs and saw her lying on the bed with a bowl filled with chloroform in the crook of her elbow. I did not know whether she was dead, so I ran to get water, and washed her face. Then I called the doctors and told Marguerite to call Faye.

"As true as I stand here, I am innocent, and this girl is more innocent than I. We are the victims of gossipers and scandal mongers. Until my wife died, Faye and I were no more than friends."

KNOCK BLOCK OFF SUGGESTS A JUDGE

Waltham, Mass., July 31.—"If a man followed my wife and I was big enough, I would knock his blocks off," remarked Judge Abbott during the trial of David Meister, of Watertown, charged with using profane language to Mrs. Louisa Crossman, of the same town.

Mrs. Crossman stated that the defendant annoyed her more or less for the last two years by following her on the street.

The court asked her if she had told her husband that Meister had been following her, and she replied that she had several times.

"How large a man is your husband?" asked the court.

"Larger than the defendant," replied Mrs. Crossman.

It was at this point that Judge Abbott made the remark referred to. Meister denied the charge, but was found guilty and fined \$10.

AUTO IS LEAD BY AN ANCIENT MULE

Hartford City, Ind., July 31.—With a dilapidated covered wagon propelled by a little gasoline engine and an old army mule as a steering "apparatus," Al Martin, a former resident of this city, pulled into town from Atlanta, having been on the road since October 9.

Martin's odd outfit was driven around the public square and attracted much attention. Martin made the noiseless cartilage himself, and says that he can travel at the rate of fifteen miles an hour with the outfit; that is, when the mule is not in the way.

The singular mechanism is complete except the steering parts. The trip has been a long one, he says, owing to many accidents he has encountered on the road, his machine having broken down several times, necessitating delays of two or three days at a time.

CUT CHARITY RATE.

Chicago, July 31.—All the roads in the Western Passenger association have announced their intention of doing away with all charity rates and reduced rates for inmates of state and national homes for sailors and soldiers to and from or through stations in states having in effect 2-cent fare laws. This decision will become effective on August 1, after which no reduced rates will be granted to any of the parties listed.

The roads are rapidly as possible arranging things so that 2 cents will be the minimum as well as the maximum rate charged.

BLACK-HAND FIRE TAKES TWENTY LIVES

New York, July 31.—A shocking loss of life and destruction of property, estimated at more than \$1,000,000, was caused by fires in New York and the immediate vicinity in the twenty-four hours ending at 8 o'clock this morning.

Twenty persons are dead and fifteen suffering from injuries as a result of the burning of a six story tenement on Chrystie street, and a big financial loss resulted from the destruction of the Long Beach hotel at Long Beach, L. I., today, and Steeple Chase park and other property at Coney Island yesterday. In addition, the steamship Hamilton, of the Old Dominion line, has come into port with part of her hold ablaze.

In an explosion of a bomb placed, the police believe, by agents of the Black Hand in an Italian grocery store, started a fire which swept through Chrystie street, the Italian tenement district. The noise of the explosion caused a panic and the police say some perished in the flames, fearing to escape to the streets where they believed death awaited them from the dreaded Black Hand.

A second explosion from a kerosene tank followed and the whole lower floor was covered with a mass of flames from the blazing oil. Fire shot up into stairways, cutting off escape from those above. Many rushed to the fire escapes which became clogged with frightened people. The flames killed some as they were about to be rescued from the roof, while others were overcome by smoke. There were very heroic rescues by the firemen.

USES ELEPHANT'S TUSKS TO ESCAPE

New York, July 31.—Otto Hoffman has been appointed keeper in the Bronx Park zoo and assigned to act as valet to Gunda, the frugal elephant which amuses crowds by ringing bells and picking up pebbles and putting them away in a rainy day.

He was so engaged yesterday when a penny rolled beyond his reach and Valet Hoffman went after the coin. Gunda misconstrued his intentions, grabbed him and dragged him into his cage.

Hoffman did some fancy acrobatic stunts, using the elephant's tusks for parallel bars, and managed to keep himself from under the beast's feet, while the other keepers prodded, and Hoffman was badly bruised.

GET APPENDIX CUT FOR FASHION'S SAKE

Pittsburg, July 31.—Pittsburg society women have developed a morbid fad in having their vermiform appendices removed, and the amputation has become so much in vogue as to have become requisite to enjoy social equality with the upper set.

In discussing the newest fad, a society woman writing to a local paper, declares that another prominent society woman and a leader among Pittsburg women's clubs has asked to be remembered with flowers in August, saying, "I'm going to have my vermiform appendix taken out. Every one I know has been treated so successfully. Oh, no, it doesn't trouble me, but one never knows when it will."

"That many women with much time and social prestige are becoming monomaniacs on the subject seems an assured fact after careful investigation here, and surgeons who are profiting by the fad do not hesitate to ridicule and condemn the practice."

EX-DIPLOMAT SHOTS SISTERS AND BROTHERS

Versailles, July 31.—Henry Huntington, son of Douglas St. George Huntington, ex-attaché of the American embassy, was arrested on the charge of shooting his two sisters and one of his brothers. The condition of the sisters is serious, Elizabeth having received a bullet near the heart and is thought to be dying.

The tragedy occurred at the bedside of the father, who was dying. Henry had returned to ask his father's forgiveness, having been estranged from his parents for some time past.

Mr. Huntington, sr., was suffering from pulmonary congestion, and as it was believed he was near to death a telegram was dispatched to Henry to return. The latter hurried to the bedside, around which were grouped the weeping wife, the daughters, Edith and Elizabeth, and the sons, Alonzo and Douglas. Henry pleaded forgiveness for the sorrow he had caused and had received his father's blessing when Douglas requested him to seek the pardon of his mother also. This Henry refused to do, and thereupon Alonzo asked him to leave the room. Henry immediately drew a revolver and fired at Alonzo. He then wheeled and shot both his sisters and endeavored to make his escape. He was captured, however, by a guard who ran into the house to investigate the cause of the shots. Douglas Huntington also had been hit by flying bullets.

SENDS OUT TROUSERS, GETS BACK "PANTS"

Atlantic City, July 31.—To settle the question of ownership of a pair of trousers, Magistrate De Hart compelled Spencer Finnie, a young man of sporting propensities, to try on the "pants." The change was made in full view of the court to prevent any attempt to "bag" the knees of the trousers in dispute or otherwise spoil their fit; but women spectators were carefully excluded.

Finnie asserted that he had taken a pair of \$8 trousers to a tailor for pressing. He testified to his belief that in return he had received a pair of \$4 "pants," and he sought to force the return of his original garments.

Benjamin Goldstein, the accused tailor, declared that the "pants" were the ones brought to his place by Finnie, and to prove his contention that the garments belonged to the complainant, asked that he be forced to put them on.

Goldstein and his lawyer averred that the trousers were a perfect fit, but the magistrate found several wrinkles in the rear of the garments, and held the tailor under bail until the matter could be settled properly.

MINNESOTA MINERS WORK UNDER GUARD

Duluth, July 31.—A correspondent at Hibbing telephoned that everything is quiet, there and one is being mined in several mines.

All at the mines deputies armed with clubs, and at advantageous positions. The men at work are assured of protection against the strikers, but the latter have made no hostile demonstrations.

Of the prisoner's counsel those in

W. D. HAYWOOD IS FOUND NOT GUILTY

Secretary-Treasurer of Western Federation of Miners Given His Liberty.

DEFENDANT SHEDS TEARS

Two Jurors Make Stubborn Fight for Conviction—Remaining Cases to Be Vigorously Prosecuted.

Boise, Idaho, July 30.—William D. Haywood, defendant in one of the most noted trials involving conspiracy and murder that the country has ever known, walked out of jail Sunday a free man, acquitted of the murder of former Governor Frank Steunenberg.

The probability of a verdict of acquittal in the case of the secretary-treasurer and acknowledged leader of the Western Federation of Miners had

been freely predicted since Saturday, when Judge Fremont Wood read his charge, which was regarded as strongly favorable to the defense in its interpretation of the laws of conspiracy, circumstantial evidence and the corroboration of an accomplice who confesses.

Prosecution Nect to Stop.

It was also freely predicted that in the event of Haywood's acquittal the state would abandon the prosecution of his associates, Charles H. Moyer, the president of the federation, and George A. Pettibone, of Denver, State government from counsel and from Governor Gooding, issued today, disapproved this view of the situation. Governor Gooding said:

"The verdict is a great surprise to me, and I believe to all citizens of Idaho who have heard or read the evidence in the case.

"I have done my duty. I have no regret as to any action I have taken, and my conscience is clear. As long as God gives me strength I shall continue my efforts of government by law, and for organized society."

"The state will continue a vigorous prosecution of Moyer, Pettibone and Adams and of Simpkins when apprehended. There will be neither hesitation nor retreat."

Bail Probable for Pettibone.

Application will be made to Judge Wood to admit Moyer and Pettibone to bail, and it is said that in the case of Harry Orchard, the self-confessed murderer of Governor Steunenberg and the witness upon whom the state chiefly relied to prove its claim of a sinister conspiracy against the Western Federation of Miners. When told at the state penitentiary that Haywood had been acquitted Orchard said:

"Well, I have done my duty. I have told the truth. I could do no more. I am ready to take any punishment that may be meted out to me for my crime, and the sooner it comes the better."

Jury Out Twenty-One Hours.

It was after being out for twenty-one hours that the jury, which at first had been divided 8 to 4 and then seemed deadlocked at 10 to 2, finally came to an agreement, shortly after the first faint streaks of the coming day showed gray above the giant hills which wall Boise to the north and east. The weary, snowbearded old balliff, who had kept an all night vigil before the door of the jury room, was startled into action by an imperative knock from within. Events moved rapidly enough after this, and when at last the principal actors in the trial had been gathered into the court room at a few moments before 8 o'clock the white envelope handed by the foreman to the state, was torn open and the verdict read.

It came as an electric thrill to the prisoner, to his counsel, to the attorneys for the state and to the small group of heavy-eyed newspaper men and court officials who had been summoned from beds but lately sought of from offices where sleepless waiting had marked the night.

Brings Tears to Haywood's Eyes.

Tears welled to the eyes of the man who during the eighty days of his trial had sat with stolid indifference written upon his every feature; at last the icy armor he had thrown about himself with the first day of jury selection had been pierced, and whatever of pent-up feeling had been contained within before 8 o'clock the state is admitted by the foreman to the state, was torn open and the verdict read.

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James H. Hawley, leading counsel for the state, and O. N. Van Dux, the prosecuting attorney of the county in which former Governor Steunenberg was assassinated, sat gloomy and unspoken in their places. Senator Borah, who made the closing plea for conviction, was not present.

Of the prisoner's counsel those in



W. D. Haywood

the court room were Clarence Darrow, of Chicago; E. F. Richardson, of Denver, and John P. Nugent, of Boise. The absence of the defendant's table included Edgar Wilson, the former law partner of Judge Wood, who presided at the trial.

Prisoner's Friends Absent.

No member of the prisoner's family nor any of his friends among the socialist writers and the so-called labor jury who had been attending the trial were in the courtroom this early hour the verdict was returned. The spectators' benches were empty, but in the doorway stood Governor Frank Gooding, who has taken an active part in pressing the prosecution of Haywood and his associates. There was no demonstration other than that made by the attorneys for the defense, and the court proceedings were over, the prisoner had been discharged and the jury dismissed for the term in less than three minutes (Time.)

Haywood Hurries to Mother.

Haywood's first thought was of his aged mother, who Saturday had suffered a complete nervous breakdown, after the jury had retired. Leaving the court room in company with Attorney Nugent he walked down to the jail portion of the building, shaking hands as he went with guards, employees and friends who had arrived on the scene. He bade farewell to Moyer, who, when he heard the verdict, said: "That's good, and" to Pettibone, whom Darrow described to the jury as a "sort of a 'Happy Hooligan,' whom I called, 'Give my regards to Broadway.'"

Then Haywood walked to St. Luke's hospital and unannounced rushed into his mother's room. So great was the tonic upon the elderly lady that last night she was up and about and happy.

Next Haywood went to the little cottage where his wife and daughters have been stopping. He had parted with Attorney Nugent at the hospital and, left alone in Boise, got all but lost and had to inquire his way from passersby.

Once home, Haywood said: "I want to thank the people of Boise for their kindness to my wife, my mother, my family and my friends."

There has been widespread sympathy here for Mrs. Carruthers, the prisoner's mother. Senator Borah, for instance, when first apprized of the verdict said: "I feel glad for Haywood's mother."

Scene in the Court Room.

Judge Wood took his place on the bench at 7:54, and four minutes later the tired, bedraggled, worn out juror filed in. Haywood sat with his right elbow hung over the high back of his armchair, a characteristic attitude. As the clerk began to call the roll the silence in the big court room was painful. The ticks of the clock on the wall sounded like blows from a sledge. Then came the voice of Judge Wood asking: "Gentlemen of the jury, have you agreed on a verdict?"

Gives Judge Wrong Envelope.

"We have," came the response from Foreman Gess, who handed a plain white official size envelope to the court.

Judge Wood deviled into the envelope, hesitated, looked again and then with some amazement said: "There is nothing in here."

"That's the right envelope in your pocket," said Juror Russell to Mr. Gess.

The foreman was palpably nervous, and this added materially to the strain felt by all in the court room. The second envelope was handed up. Judge Wood glanced at it and tossed the paper to the clerk, who reads: "State of Idaho against William D. Haywood: We, the jurors in the above entitled case, find the defendant, William D. Haywood, not guilty."

"Thomas B. Gess, Foreman."

Then came the congratulations of Haywood. In the midst of which Judge Wood said: "The defendant will be discharged and the jury discharged for the term."

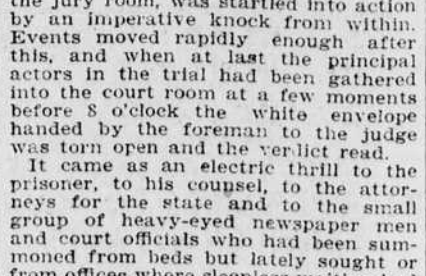
Attorney Richardson was on his feet.

"Would your honor permit," he began, but, changing his mind, sat down with the sentence unfinished. It was announced later that Haywood had desired to make a speech to the jurors, but had finally contented himself with expressing his thanks personally to each one.

"And if any of you ever come to Denver," he said to them as they were leaving the court room, "you will always find a welcome at the Haywood home."

Miners' Lawyer Dying.

John Murphy, general counsel for the Western Federation of Miners, who in spite of the fact that he is wasted to a skeleton by consumption has almost daily occupied a place at the defense table throughout the trial, was unable to be present at the closing argument of August 1. He is now dying in the hospital here. Haywood called on him early, and the scene depicted above.



Harry Orchard

Accused Haywood of Planning Crime

between the two is said to have been most effective. Haywood lifted the slight form of the dying man in his arms and Murphy is quoted as saying between stifled gasping sobs, "In this hour of your great triumph be humble and thankful."

Murphy is not expected to live many days.

Judge Favors Defendant.

The judge's instructions took 12,000 words, after the customary instructions as to the general duties of the jurors as to law and evidence, the judge instructed the jury in accordance with his ruling some days ago after the argument by counsel as to the admissibility of the evidence bearing on the connection of Steve Adams with the crimes committed in northern Idaho.

This evidence and also that introduced by the defense regarding the departure from Colorado and the employment of Pinkerton detectives by the mine owners, Judge Wood instructed the jury not to consider on the ground that no prior connection had been made, in either case.

Instructions as to the necessity for clear and conclusive proof beyond any reasonable doubt of every material fact followed, by quoting the indictment on which Haywood, together with Moyer and Pettibone, were arrested.

the court room were Clarence Darrow, of Chicago; E. F. Richardson, of Denver, and John P. Nugent, of Boise.

After defining the degrees of murder the judge said: "I further instruct you that while proof has been admitted of the commission of other crimes by the defendant and his associates it has only been admitted for the purpose of showing the existence of a conspiracy to accomplish certain objects, that such crimes and the crime resulting in the death of Steunenberg as well, were all incidents of such conspiracy; but you must not forget that the defendant is being tried for the murder of Steunenberg and for that crime alone. You are, however, privileged to take such other matters into consideration as part of the evidence in this case, and as incidents and circumstances bearing upon the question of his guilt upon the charge of murder of Steunenberg."

Conspiracy Defined.

"It makes no difference, however, in this case what crimes have been committed in Colorado, in the Cœur d'Alenes or elsewhere, or who is responsible for the commission of such crimes, if any there be. The defendant cannot be convicted unless the state has established beyond a reasonable doubt that he is guilty of the felonious killing of Steunenberg."

The judge then defined conspiracy, within the meaning of the criminal law, and said:

"It is not essential to the formation of a conspiracy that there should be a formal agreement among 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."

"If the prosecution has failed to prove these facts beyond a reasonable doubt, you should find the defendant not guilty. If, however, you believe in this case from the evidence beyond reasonable doubt that the defendant Haywood aided, abetted, or advised and encouraged the killing of Steunenberg, then the defendant is guilty, and it would be immaterial whether he was actually present at the time of the killing."

The Jury is Directed to disregard Harry Orchard's testimony unless it is corroborated by other evidence.

Under the laws of Idaho, a person cannot be convicted upon testimony of an accomplice unless such testimony is corroborated by evidence of a different character to the same point.

The judge said: "Under the indictment, Haywood, if the evidence warrants it, should be convicted of murder in the first degree, murder in the second degree, or manslaughter."

OFFERS DAUGHTERS' COMPANY TO GET HARVEST HANDS

Hoosier Farmer Goes to Extremes in Trying to Care for His Crops

Elwood, Ind., July 30.—Christian Wright, one of the wealthiest farmers in Tipton county, who came here today in quest of farm hands, said that he has harvested his corn; that his wife has harvested his wheat, and that he would give two good men \$9 a week each and board for four weeks for their services. A horse and buggy each for the driving being offered as an extra inducement for the right kind of hands, and that he would let his daughters accompany them on their drives.

OLDEST UNITED STATES SENATOR IS DEAD

Asheville, N. C., July 30.—United States Senator Edmund Whelan Pettus, of Alabama, died Saturday night at 10 o'clock at Hot Springs, this state, from the effects of a stroke of apoplexy, with which he was seized while at the breakfast table. His entire body was paralyzed and he never recovered consciousness since that time.

Senator Pettus is one of the best known politicians and attorneys in the south with which section he has been identified nearly all of his life. As a lawyer, soldier and legislator, he has been in the public eye the greater part of his life, and should the attack with which he now suffers prove fatal, it will remove one of the south's most familiar figures in the national upper house, in which body he has served since 1887.

Senator Pettus was born in Limestone county, Alabama, July 6, 1821, was educated in the common schools of Alabama and at Clinton college, Tennessee, and was admitted to the bar in 1842, first hanging out his shingle in Gainsville, Ala. He was married June 27, 1844, to Mary S. Chapman.

Pettus was elected in 1844 solicitor for the seventh circuit, served as lieutenant in the Mexican war, was on horseback with a party of neighbors to California in 1849, returned in 1851, was made judge of the Seventh circuit 1852 to 1858, and resigned and removed to Selma, returning to his law practice there in 1887.

He served in the confederate army with distinction, enlisting as major and retiring as brigadier general.

His home is in Selma. He is the oldest senator.

BURGLARS ROUTED BY AN 8-YEAR-OLD GIRL

Bloomsburg, July 28.—Alone in the house with her 5-year-old brother and baby sister at midnight, when her father and mother were away from home, Martha, the 8-year-old daughter of Mr. and Mrs. Nelson Reich, of Maudsdale, routed two burglars, who were trying to get in the front door.

Getting her father's revolver, she fired twice through the door, and while she did not hit either, she frightened them to the extent that they lost no time in getting away.

There was plenty of evidence showing that the burglars had been to the house. The lock of the front door had been tampered with.

ALONE IN HOUSE, SHE FIRES TWO SHOTS AT MEN WITH REVOLVER.

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NORTH CAROLINA WINS FIRST ROUND IN RAILWAY FIGHT

Passenger Rate Law of 2 1-4 Cents to Be Observed Pending an Appeal.

INDICTMENTS DROPPED

Southern Railroad Will Take Case to State's Highest Court, and Then to Washington.

Raleigh, N. C., July 31.—North Carolina has won in its fight to have its passenger rate law of 2 1/4 cents observed by all the roads, pending an appeal to the courts by the roads of the state, which propose to fight the law.

The promise of obedience to the law by the Southern railroad and the Atlantic Coast Line railway, which since July 1, the date set for the rate law to go into effect, have been violating the law, was given at a conference which the railroads sought with Governor Glenn, who has stated that a precedent to any agreement he might make the 2 1/4-cent rate must first be put into effect.

The agreement reached follows:

The railroad puts the 2 1/4-cent rate into effect not later than August 8, 1907.

The state to appeal from the order of Judge Pritchard discharging parties in Asheville on writs of habeas corpus.

The Southern railway to appeal to the supreme court of North Carolina in the Wake county cases; and if the cases there are decided against it to take the case by writ of error to the supreme court of the United States.

That both sides co-operate to have both cases advanced and argued together and speedily determined.

The state at its option to indict the Atlantic Coast line in one case.

All indictments and prosecutions now pending to be dismissed and no other indictments or precautions to be instituted for any alleged violation of the law up to the time the new 2 1/4-cent rate is put into effect under this arrangement as far as the governor can control the same.

The governor advises all people against bringing any penalty suits pending final determination of the question involved, and to ask the people as a whole to acquiesce in this arrangement.

The suit pending before Judge Pritchard to be diligently prosecuted without the state waving any question of jurisdiction.

MRS. EDDY'S COUNSEL SAYS SHE IS FAILING

Brester Urges Hearing of the Priestess Because of "Depletion of Physical Strength."

Concord, N. H., July 31.—Before the masters appointed by the superior court to determine the competency of Mrs. Mary Baker Eddy, the Christian Science leader, in connection with legal action brought to secure an accounting of her property, General Frank S. Brester, counsel for Mrs. Eddy, urged that a hearing be given as promptly as possible, citing as his reasons the age of his client and her "general depletion of physical strength." Mr. Brester said:

"Mrs. Eddy is now in her 87th year. At her age, and general depletion of physical strength, to defer this inquiry longer would be a denial of justice and constitutional right. Her physical strength is such that I appeal for a prompt hearing as possible."

On motion of ex-Senator Chandler, counsel for the plaintiffs, the hearing was continued until August 15. This will give the complainants opportunity to prepare their case and get depositions.

DELMAS SPLITS GLASS BRIBERY CASE JURY

It Stands Seven for Conviction Five for Acquittal, and Is Discharged.

San Francisco, July 31.—The jury in the case of Louis Glass, vice president and general manager of the Pacific States Telephone and Telegraph company, accused of having bribed Charles A. Boxton, of the board of city supervisors, through the agency of Theodore A. Halsey, to withhold a franchise from a rival corporation and defended by D. M. Delmas, was unable to agree on a verdict and was discharged, after being out forty-eight hours.

The jury stood seven for conviction and five for acquittal. This was the result of the first ballot, and subsequent ballots showed no change in sentiment.

The prosecution announced that it will proceed with other indictments against Glass on a similar charge.

EX-GOVERNOR JOHNSON TO SUCCEED PETTUS.

Birmingham, Ala., July 30.—The successor to Senator E. W. Pettus, will be ex-Governor Joseph F. Johnston, of Birmingham. At the state primaries last year candidates for the alternate senatorships were voted on, and Senator J. H. Bankhead received the highest vote. He was elected on August 15, but was defeated by Governor Johnston's death.

Governor Johnston received the highest vote in the election. He was a wayward man and had a lively interest in Confederate affairs.