

Ratliff Saved From Hanging By Juror Under Suspicion Of Committing Like Crime



CHARLES W. OSENTON, Ratliff's Chief Counsel, Who Will Appeal Case.

DREAD OF LYNCHING POSSESSES RATLIFF

Marlington Citizens Indignant at Verdict Recommending Mercy.

MARLINGTON, W. Va., June 10.—Since court adjourned until October and Judge Bennett left town, citizens who are thoroughly dissatisfied with the verdict of the jury which recommended mercy for Warwick Ratliff, have become more noisy, and trouble may yet result. Jurors, when questioned by citizens, said they encountered great difficulty with a member of the jury from the upper end of Pocahontas county. The latter, whose name is known, is said to have made the astounding declaration, "There ain't a decent woman in Pocahontas county, and I intend to acquit this man." Investigation by citizens is alleged to have disclosed the fact that several years ago the juror credited with this statement was charged with committing a felonious assault on his own sister.

Working for Reversal.

Senator Osenton, whose eloquence and thorough knowledge of the law, saved Ratliff's life, says the stenographic record of the case is being transcribed as quickly as possible, and he will take the case to the court of appeals as soon as it is finished. Senator Osenton is a fighter and believes he can have Judge Bennett's rulings reversed. Mr. Osenton is particularly sure he can get a reversal of the ruling denying Ratliff a change of venue. Attorney Andrew Price, who worked with Mr. Osenton in Ratliff's defense, says much newly discovered evidence will be adduced at the second trial should there be one.

Ratliff Fears Lynching.

Judge Bennett went to his home in Fayette county yesterday. Before leaving he made some pointed remarks about the jury. "I could not sentence Ratliff to pay the most extreme penalty when the jury recommended mercy," said the judge. "After a recommendation had been made by the jury I was estopped from inflicting the maximum penalty. Twenty years in the penitentiary is next to the extreme sentence, so I gave him that." Ratliff is still in jail here and fears a mob will take him out and lynch him, in spite of Judge Bennett's warning. The prisoner insists on his innocence, and says he was not given a fair and impartial trial.

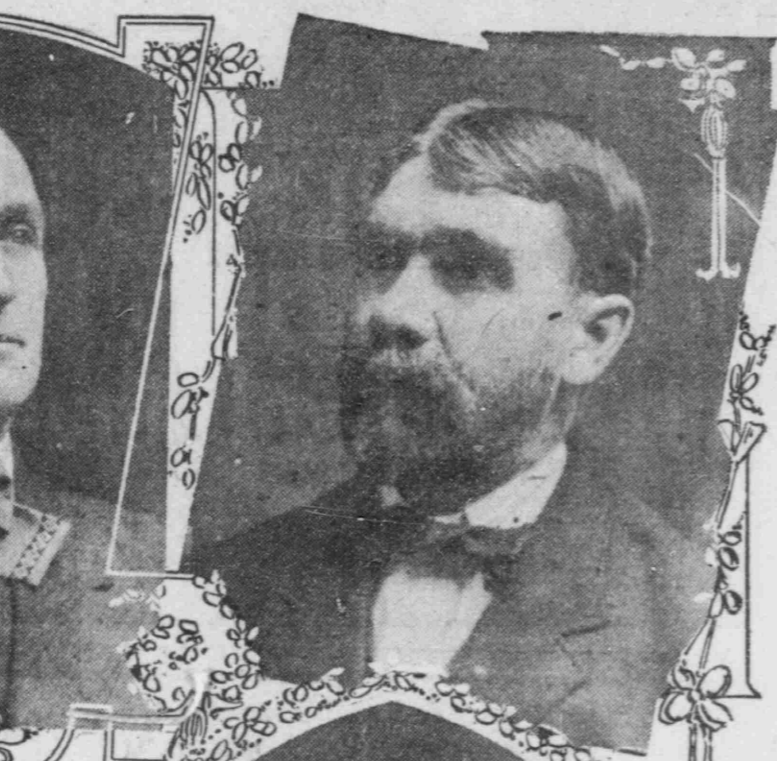
THE WEATHER REPORT.

The Western disturbance is now central in Iowa and Minnesota, and is apparently moving northeastward. High pressure has developed over the St. Lawrence valley and New England, and along the Pacific coast. Heavy showers have fallen in the Dakotas, Minnesota, Iowa, northeastern Kansas, Missouri, and eastern Oklahoma. Light rains have fallen in New England and the Carolinas. The temperature changes have been unimportant. The Western disturbance will probably cause rain in the Ohio valley and the lower Lake region tonight and Tuesday. Important temperature changes are not anticipated. Storm warnings are displayed on the Washington and Oregon coasts, and on the upper Lakes, except at Duluth. Steamers departing today for European ports will have fresh northeasterly winds and fair weather to the Grand Banks.

SUN TABLE.
Sun sets today..... 7:25
Sun rises tomorrow..... 4:32

TIDE TABLE.
High water today..... 8:12 p. m.
Low water today..... 2:24 p. m.
High water tomorrow..... 8:50 p. m.
Low water tomorrow..... 2:32 a. m., 3:00 p. m.

HARPERS FERRY, Va., June 10.—Potomac and Shenandoah, muddy.



ANDREW PRICE, Associate Counsel for the Defense in the Marlinton Assault Case.



JUDGE W. R. BENNETT, Compelled by Jury's Recommendation to Mercy to Refrain From Sentencing Ratliff to Death.

Working for Reversal. Senator Osenton, whose eloquence and thorough knowledge of the law, saved Ratliff's life, says the stenographic record of the case is being transcribed as quickly as possible, and he will take the case to the court of appeals as soon as it is finished. Senator Osenton is a fighter and believes he can have Judge Bennett's rulings reversed. Mr. Osenton is particularly sure he can get a reversal of the ruling denying Ratliff a change of venue. Attorney Andrew Price, who worked with Mr. Osenton in Ratliff's defense, says much newly discovered evidence will be adduced at the second trial should there be one.

MRS. EDDY SUES; QUESTIONS FAITH OF "NEXT FRIENDS"

Church "Mother" Plaintiff in Action, But Does Not Appear.

CONCORD, N. Y., June 10.—For the first time since the beginning of the Christian Science litigation, Mrs. Eddy herself was the actual plaintiff today in the proceedings before Judge Chamberlain in superior court. While the aged church "mother" made no personal appearance, the motions argued emanated directly from her, and not from counsel, "next friends," or trustees, as has been the case at former hearings. These motions, which her opponents declare are skillfully devised to cloud the main issue and delay a final decision, ask the court to investigate and determine whether Mrs. Eddy's requests are fully protected, and whether the so-called "next friends" are acting in good faith. Finally they ask that the relations of the "next friends" to the suit be suspended until these questions are determined. It is expected that the outcome of today's hearing will be the appointment of a master to inquire into Mrs. Eddy's mental condition since the determination of these questions depends upon this point.

WORD "UNDUE" LOOPHOLE FOR "J. CROW" CARS

Practice on Southern Railroads Well Within Interstate Law.

A single word in the Interstate Commerce law is going to save the "Jim Crow" car policy of the Southern railroads. That word is "undue." The Interstate Commerce law provides against "undue" discrimination between patrons of railroads. It is expected that the commission will find that the provision of "Jim Crow" accommodations for the colored people is not undue discrimination. The impossibility of providing them exactly the same accommodation as are afforded whites has been strongly argued before the commission in the case of Mrs. Edwards, the colored woman who sued a Southern road for compelling her to make an interstate trip in the apartment set aside for colored people. It was pointed out that the revenue from business of colored patrons was so small as to make it impossible to give as ample accommodations to them. The commission is going to have an uncomfortable time with the case, but is expected to decide that the word "undue" saves the practice.

GIRL CROSSES ATLANTIC TO MARRY HER LOVER

WILMINGTON, Del., June 10.—The Atlantic ocean did not separate Miss Edith Blackwell, of Reading, England, and Charles A. Bower, of this city. The young woman has arrived here with her brother from England to become the wife of the man of her choice. She was met at New York by the groom-elect upon the arrival of the liner St. Louis. The couple proceeded to Wilmington at once and began arranging for a sumptuous wedding next Wednesday night.

REBUKE TO JAPS IMPENDS

United States Will Pursue Determined Policy.

Oriental Have Imposed on Conciliatory Efforts.

No Further Sacrifice of Self-respect to Be Made.

The United States is going to pursue a new and more determined policy toward Japan from this time forth. Every effort at conciliation having seemingly failed to convince the Japanese people of the good will and friendly intentions of the United States, this country may be expected hereafter to assume a new tone, which will be calculated to convince Japan that America is prepared to make no sacrifice of its self-respect. Conspiracy Alleged. The first recent notable evidence of this change of attitude consists in the fact that there has been widely published, through the medium of an important and conservative press association, a report of something very like a conspiracy between Japanese in the United States and the Japanese progressive party, to force the hand of the United States and to extort from this country concessions which are considered beyond the bounds of possibility. Reprimand to Japan. It is pointed out that without at least semi-official assurances that it represented the wish of the government, this remarkable story would not have been given publicity in the manner it was. Such a publication, under such circumstances, indicates a sharp change of attitude on the part of this Government. It is construed as a sharp and very effective, though indirect, manner of indicating to Japan that a less truculent policy on her part will conduce to preservation of amicable relations. It is felt in diplomatic circles that the Japanese have exaggerated the recent brawls in San Francisco out of all proportion to their real significance. After the peace of Portsmouth was made, Japanese disappointment over the terms culminated in anti-American riots in Tokyo which reached to the extent of Americans being stoned in Tokyo. Worse Than Frisco Affair. It was in every way a more striking manifestation of national hostility than anything which Americans have recently done in San Francisco; yet this Government, recognizing in Japan a first-class power, amply able to enforce peace within its own cities, made no representations on the subject to Tokyo, and did not even communicate with the American ambassador at that capital. More than this, some of the Japanese diplomatic representatives in this country have been employing a tone far from conciliatory or diplomatic of late. Tsunejuro Miyaoka, counsel of the Japanese embassy, has been regarded as adopting a tone, in his conversations concerning international relations, calculated to embarrass rather than promote efforts at adjustment of differences. He has been quoted as saying that the immigration law, and persistently demanding to know why, if the United States was restricted by the Constitution should not be amended, and the Federal power employed to give Japanese assurance of their treaty rights. Feel Rebuke Is Needed. The activities of the anti-American party at Tokyo, the government's disposition to make a serious international affair of the San Francisco brawls, the policy of Japanese agrardizement in Manchuria, the disposition of the Tokyo government to dominate and dominate over that at Peking—these and other aspects of the situation have brought relations to such a point that a rebuke to Japan has become inevitable if there shall not be a change of tone. The opposition party in Japan calls itself the Progressive, and is headed by Count Okuma, who is ambitious to overturn the existing cabinet, and to succeed Marquis Saionji as premier. With this end in view, the Progressives seized upon the exclusion of Japanese children from San Francisco schools, on the limitation placed upon the entrance of Japanese coolie labor into the United States, and upon the mob attack upon the Japanese restaurant, as weapons with which to accuse the government of weakness in dealing with the United States. Through their newspapers and their members in parliament, they have magnified the incidents until now they are demanding the recall of Count Aoki, the Japanese ambassador to the United States, and an apology and perhaps an indemnity from this Government for the alleged acts of violence against Japanese subjects in San Francisco.

SECOND START OF BIG FAIR; "GEORGIA DAY" CELEBRATED; PRESIDENT SPEAKS TWICE



MISS STELLA TATE, Sponsor for the Battleship Georgia.

CROWDS WITNESS GREAT MILITARY AND NAVAL SHOW

Replica of Mother's Home Dedicated by President.

NORFOLK, Va., June 10.—With the formal dedication of the Georgia building, which is a fac-simile of the beautiful old colonial mansion where his mother passed her girlhood days at Roswell, President Roosevelt today gave the Jamestown Exposition its second start. He was assisted by almost as brilliant a gathering of notable personages and by a much larger military display than was present on the opening day, April 26. Show Worth While Today. Today the show is worth while, and all who took part in the exercises seemed imbued with a spirit of enthusiasm that was caught by the thousands of spectators that thronged through the gates from the boats and cars. Saturday and Sunday the exposition managers and their assistants worked like Trojans, putting things in shape for the second visit of the President. Volunteers were called for, and it is safe to say that no town in the South or North ever turned out such a distinguished pile of rubbish on the paths of this newest dream city. (Continued on Second Page.)

ORCHARD GRILLING KEEPS UP

Steve Adams Reaches Boise, Is Held "Incommunicado."

BOISE, Idaho, June 10.—Steve Adams is in the county jail. He was brought here this morning. He is held "incommunicado." Darrow and Richardson and Mrs. Adams being denied the privilege of seeing him. When the trial of W. D. Hayward was resumed today the cross-examination of Harry Orchard, who has confessed to the murder of eighteen persons, was continued. Every effort was made by the defense to show that Orchard, when he committed his crimes, was a detective in the employ of the mine owners and was not an agent of the Western Federation of Miners. It was reported that Mrs. Orchard, wife of the assassin, would come here to testify, but this is denied in a dispatch from Cripple Creek, which quotes her as saying that she would not leave her home and would not be a witness in the case. Many persons named by Orchard in his astounding confession are to be brought here by the defense to refute the statements made by Orchard. Adams probably will be the first witness called after the cross-examination of Orchard, which is expected to end tomorrow. Adams to Testify. Darrow and Richardson, Hayward's counsel, are also Adams' lawyers, and they defended him in March, when he was tried in Wallace for the murder of Tyler, which Orchard told about in his testimony a few days ago. These attorneys have had repeated assurances from Adams that he will never turn State's evidence, and Mrs. Adams, who recently saw her husband in the Wallace jail, says he will not corroborate Orchard. It is pointed out that the State, if it calls Adams to the witness stand, will be bound by his answers, and if he denies Orchard's assertions it will serve the defense a good turn and help to destroy the testimony of the prosecution's chief witness. Judge Wood is not placing any limit on the extent to which the State may go in introducing evidence. Extraordinary precautions were taken to insure (Continued on Second Page.)

MRS. AYRES' IRE TURNED TOWARD WAR SECRETARY

Order Forbidding "Trespassing" Calls Forth Scathing Remarks.

Possibility of Taft Being Included in Suit for Damages.

TAFT'S LETTER CALLED INSULT

The Secretary of War's letter of instructions to my husband, forbidding my "trespassing" upon the reservation at West Point, is so insulting and despicable that I will not repeat it or show it. It has been placed in the hands of my lawyers.—Mrs. Elizabeth Ayres. Mrs. Charles G. Ayres may include Secretary Taft, civil chief of the army and candidate for President, in her suit for damages against Colonel Scott, superintendent of the United States Military Academy at West Point; Lieutenant Colonel Hawze, commandant of cadets; Inspector General Stephen C. Mills, and Capt. L. W. Oliver. She refused yesterday to explain what was in the order which prevents her from seeing her son, Fairfax Ayres, who is a cadet at the Academy. Colonel Ayres refused to say a word. Taft Forbids "Trespassing." From sources at West Point it was learned that Secretary Taft approved the recommendations of Colonel Mills and Colonel Scott, in their reports to the department on Colonel Hawze's complaint against Mrs. Ayres, which is the basis of her suit. The Secretary, instead of ordering Colonel Ayres to re-