THE WEATHER
Showers tonight and Tuesday. Warmer.

WASHINGTON DAILY NEWS

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JURY STILL DELIBERATING ON VERDICT

Have Been Considering the Murder Case Since Saturday Afternoon—Charge of the Court in Full.

In the Daily News of Saturday was given the evidence in the case of State vs. Carl Kelly for the murder of Samuel Taylor, which has been going on since last Wednesday afternoon.

The jury was given the case Saturday afternoon after the argument of counsel and a most careful and learned charge from the court. All Saturday afternoon and night the jury deliberated without coming to a conclusion. Saturday night Governor Kitchen was wired by Judge Ferguson asking for an extension of time for the adjournment of the special term of court. This was granted.

Yesterday the jury asked for additional instructions from the court, which was cheerfully given. At this time the counsel for the prisoner Kelly asked that the defendant be discharged on the ground that the special term of court for the trial of his cause ended at 12 o'clock Saturday night. The motion was overruled and the defendant excepted. All day Sunday the jury deliberated without a verdict. Many surmises were made as to the outcome. Quite a number gave out the information as to how they stood on the matter, all of which was hearsay. No one outside of the jurors themselves are informed.

Sunday night the jury was called into the box and inquiry made as to whether or not they had agreed. When they replied in the negative and in consequence of the order from the Governor allowing the Judge to extend the time for the court adjournment, Judge Ferguson stated that he would still hold the jury together. This morning at 10 o'clock the judge recharged the jury as to their duties, defining to them the law governing homicides, etc. They again retired and up to the hour of going to press have not reached a conclusion as to the guilt or innocence of the defendant Kelly.

Judge Ferguson was due to open court at Swan Quarter this morning but on account of the jury being tide up on this case the sheriff of that county was notified by phone to postpone the session of Hyde court from day to day.

For the benfit of the Daily News readers the charge of Judge Furgeson is given in full below. He said:

Gentlemen of the Jury:

You have been closely confined and engaged in hearing the evidence and the arguments which have been made by counsel. You have given the case close attention and I have observed that you listened closely and attentively to all the speeches, both for the State and for the prisoner; and you have doubtless been greatly aided by the arguments of counsel, for I have seldom seen a case so ably and well conducted, both in bringing out the testimony, and in the argumtns of counsel, as this case has been. The court is greatly aided by the arguments of counsel, but after we have all the assistance which we can get, the responsibility rests upon the jury to find the facts from the evidence, and upon the court to lay down the rules of law to which the jury shall apply the facts and declare the result acocrding to their conviction.

The prisoner stands charged with the murder of Sam Taylor. Homicide is the slaying of one reasonable creature in being by another, or where one being takes the life of another. It is either felonious or not felonious. Felonious homicide is divided into murder in the first degree, murder in the second degree and manslaughter. Homicides which are not felonious are either justifiable or excusable.

Murder in the first degree is a murder which shall be perpetrated by means of poison, lying in wait, imprisonment, starving, torture, or by any other kind of wilful, deliberate and premeditated killing which shall be committed in the perpetration or attempt to perpetrate any arson, rape, robbery, burglary or other felony, shall be murder in the first degree and shall be punished with death. All other kinds of murder shall be deemed murder in the second degree and shall be punished with imprisonment for not less than 2 years nor more than 30 years in the State's prison. Where it is proved or admitted that the person took the life of the deceased with a deadly weapon, nothing else appearing, it is murder in the second degree; and he who would reduce the offense from murder in the second degree must establish by the evidence to the satisfaction of the jury the facts which mitigate the offense to manslaughter or justifies or excuses the act altogether. This he may do from the evidence which the State offers or from that which he offers himself, or by both, for it is upon the whole evidence the jury find the facts. He is not required to establish the facts which reduce the verdict to manslaughter or excuses or justifies the act beyond a reasonable doubt, but to prove facts to the satisfaction of the jury. And if the jury are not satisfied as to the mitigating or excusing facts, it is their duty to return a verdict of murder in the second degree.

Murder is defined by the law books to be the felonious slaying of a reasonable creature in being, with malice aforethought. That is that he hated him in the times past, or from a malignity of heart one is regardless of social duty and fatally bent on mischief, and the killing with a deadly weapon raises this presumption of malice and shifts the burden to the defendant to satisfy the jury of the mitigating circumstances. This rule of law is but the rule of common sense applied to every day transactions. When a person is charged with doing that which is out of the normal or ordinary, the question is at once asked by the inquiring mind, is that so? and the burden of the one who asserts this proposition is to satisfy the mind of the inquirer by the proof of the charge or statement; and then the mind naturally inquires why did he do it? So that when one is charged with murder and it is proven or admitted; and I say when proven, I mean proven beyond a reasonable doubt; or admitted by the party charged that he slew the deceased with a deadly weapon, the law asks of him why he did it, and, unless he can satisfy the jury from the evidence such facts as will mitigate the offense to manslaughter or excuses the act, it is the duty of the jury to return a verdict of murder in the second degree.

But to constitute murder in the first degree, it devolves upon the State to satisfy the jury from the evidence, beyond a reasonable doubt, that it was deliberate and premeditated murder, that the party accused and who did the slaying meditated upon the act deliberately, formed the design to take the life of his adversary and did so in carrying out that purpose and design. There is no length of time required for the premeditation and deliberation, provided the determination to kill becomes after thinking it over a deliberate purpose and before the act of killing, and in pursuit of that purpose he takes the life of his adversary, however short that time may be between the forming of the purpose and design and the act of taking the life. But if the purpose to kill and the act of killing are simultaneous, then it is not murder in the first degree, but murder in the second degree.

Manslaughter is the felonious slaying of a reasonable creature in being, without malice; as where two persons, upon a sudden quarrel, enter into a mutual combat upon equal terms, and in the heat of the combat they draw weapons and one takes the life of the other without seeking and taking any undue advantage, the law attributes the slaying to the frailty of the human mind and the fury of the passion, and, out of its leniency, mitigates the act of manslaughter.

Justifiable homicide is where one, who is without fault at the time, is assaulted by one who manifestly intends to take his life or do him enormous bodily harm, and, in order to save himself from death or enormous bodily harm, he slays his assailant; and it is justifiable homicide in self-defense and he is not guilty of anything.

The law presumes every man to be sane until the contrary appears, but if insanity is once established by the proof, then the law presumes that that condition continues to exist until the sanity of the party is restored and made to appear.

In this case it is admitted by the prisoner that he shot and killed the deceased with a deadly weapon, to-wit, a pistol; and the burden shifts to him to satisfy the jury that it was done in a necessary self-defense or of such facts as will excuse him from the act, or under such circumstances as will mitigate the offense to manslaughter. And if he fails in either of these, or all of them I should say, in other words, if he fails to show facts which will excuse or justify the act, or fails to show facts and circumstances which will mitigate the offense to manslaughter to the satisfaction of the jury; then the jury on the admitted fact that he slew him with a pistol must return a verdict of murder in the second degree; unless the State has satisfied you beyond a reasonable doubt that the killing was deliberate and premeditated. If so it will be your duty to return a verdict of murder in the first degree.

The prisoner contends that he was insane; that is that he didn't have sufficient mental capacity to be responsible to the law for the act of killing. And I charge you that if the prisoner, at the time he committed the homicide, was in such a state to comprehend his relation with other persons, to know of the act and its criminal character, or in other word if he was conscious of doing wrong at the time he committed the homicide, he is responsible. But if, on the contrary, the person was under the visitation of God and could not distinguish between good and evil and did not know what he did, he is not guilty of any offense against the law, for guilt arises from the mind and wicked will. Persons who are acquainted with the person and knew him previous to and at the time of the homicide may give their opinion as to the condition of his mind, whether he be sane or not, and state the facts upon which they base their opinion, so that the jury may judge of the weight of their opinions. Those who are learned in the medical profession may give their opinion as medical experts. But after the jury have heard the opinion of the witnesses, those who are not experts, and who give their opinion from their observation and associations with the prisoner, state such facts as they may rely upon them for their opinion, and the opinion of the medical experts, still it is for the jury to say what is he ewight of their opinion, to say whether they are satisfied that the prisoner was insane at the time. The prisoner contends that he was insane at the time he committed the act; and the testimony of witnesses who did not know the prisoner and had never seen him prior to the commission of the act, but have seen him since the act was committed, have been permitted to testify to you as to what their opinion was at the time they saw him after the commission of the act. In order that you may be aided in forming your opinion as to the value of the testimony, some of the witnesses who have testified and who stated that he is in an insane condition since or worse than he was before. But the fact that he is sane now doesn't disprove the fact that he was insane at thet ime the act was committed. It is the only evidence for you to consider with the other testimony and in relation with the evidence of the witnesses.

The prisoner contends that the act which he did of killing was in his necessary self-defense, a necessity which he didn't bring about and for which he was not responsible. He contends that he had offered evidence, which he insists that you ought to believe, that he went to the house of Lillian Gray not with any malice or purpose to have any trouble with the deceased; that when he found the deceased there that he invited the deceased for a private conference in order that he might adjust the difference which existed between them and reconcile some hard xpression which he contends that the deceased had made against him; and that when he asked the deceased what he had done to him in order that he should call him a — — — — the deceased immediately replied that he was and that he would kill him; and he contends that the deceased then made an effort by placing his hand on his hip pocket; that he had reason to believe and did believe that the deceased then was about to shoot him and that in order to save his own life he immediately drew his pistol and fired. One who is without fault at the time and place and has reason to believe that he is in danger of death or enormous bodily harm immediately to be inflicted upon him, may slay his adversary and the act would be justinable in self defense. But you are to judge of the reasonableness of his apprehension and in order to judge so it is necessary for you to place yourself in his position; not at the bar of the court but in his position at the time, as you shall find his position to be from the evidence. And if he has satisfied you that this was the condition and circumstances at the time he fired the fatal shot, he would be justified in self defense and it would be your duty to return a verdict of not guilty.

The State contends, however, that this was not the true situation at the time. The State contends that you can't believe the testimony of the prisoner. The State contends that it has offered you evidence from which you ought to find the facts to be as the State insists; that the deceased was at the house of Lillian Gray and in the sitting room when the prisoner come there; that he was invited out of the room by the prisoner and that as soon as he got out of the room without any warning or notice the prisoner fired upon him with a pistol; that the deceased immediately turned back to the door and exclaimed in the presence and hearing of the prisoner that he was shot in cold blood and the prisoner continued to fire two other shots at the deceased while he was in the hands or arms of Harris, the witness. The State contends that you should find from the evidence that the prisoner went to the house and called the deceased out for the purpose of shooting the deceased, that there was a jealousy existing in the prisoner's breast against the deceased because of his association with the woman Lillian Gray; that he had armed himself with the expectation of meeting the deceased; went to the place where he expctd the deceased to be; then called him out for the purpose of taking his life.

Now I can't aid you about the facts pertaining to the killing. You are the sole judges of the credibility of the witnesses and the weight which is to be given their testimony. I have no right to express an opinion upon the facts and no disposition to do so.

It is my duty to tell you that when you come to consider the evidence of the prisoner and his near relations that it is your duty to scrutinize their evidence with grains of allowance, because of the interest which they have in the result of your verdict. But if, after you have done so, you believe they have told the truth, it is your duty to give their testimony the same weight as if they had no interest in the result of your verdict.

The prisoner has come upon the stand himself and he has testified in his own behalf; and when he did so it was competent for the State to offer evidence of his bad character, but that evidence can only be considered as affecting his testimony. He didn't offer any evidence himself as to his good character and when a prisoner does not put his character in issue it cannot be attacked by the State for the purpose of showing that he was liable from his character to commit the offense with which he is charged. But when he goes upon the stand he puts his character as a witness in issue and it is liable to attack by the State if the State is able to do so.

The State insits that you should not only find that the defendant was guilty of murder in the second degree by reason of the slaying with the deadly weapon which is explained as the State insists to the satisfaction of the jury by the prisoner; but the State insists that you ought to find from the evidence beyond a reasonable doubt that the defendant is guilty of murder in the first degree, because, as the State insists, it has offered various facts and circumstances which it insists you ought to believe and from which you ought to find that the prisoner had malice in his heart against the deceased, growing out of a jealousy between the prisoner and the deceased in regard to the associations with the woman Lillian Gray, and that he had got a pistol on the evening of the homicide and had sent a message and got bullets in order to load the pistol, and that he went to the place where he expected deceased to be, at the house of this woman, and that he had the firm purpose and design of taking the life of the deceased because the deceased had taken Lillian Gray from him. The State insists that you ought to be fully satisfied beyond a reasonable doubt that he premeditatedly thought over and had determined to slay the deceased and in pursuance of that purpose did take his life. If the State has so satisfied you, it will be your duty to return a verdict of murder in the first degree. If the State has not so satisfied you, you cannot return a verdict of murder in the first degree.

The prisoner contends that he is not guilty of murder in the first degree because of the fact, as he alleges, that he didn't have sufficient mental capacity to deliberate over the matter of taking the life of the deceased and determining upon it with knowledge of its consequences and that the act which he was contemplating was wrong.

You will note this distinction: It devolves upon the prisoner to satisfy you of his insanity from the evidence before you can acquit him of murder in the second degree, provided you do not find that he killed him in his necessary self-defense. But if the evidence offered as to the insanity of the prisoner is such as to raise a reasonable doubt in your mind as to his capacity to know right from wrong in the act which he did under the distinction I gave you a while ago, then you could not convict the prisoner of murder in the first degree. But if the evidence connected with all the evidence in the case does not fix in your mind a reasonable doubt based upon the evidence of insanity, when you come to consider it, you are satisfied that the act which he did proceeded from a wicked will, malignant heart, and not from a diseased mind or affectation of the mind laid upon him by the hand of God, then it will be your duty to convict him of murder in the first degree. It is not for the jury or the courts to inquire what causes bring about an insane condition of the mind; whether insanity is produced by a disease, over the cause of which the afflicted party had no control, or whether the insane condition of the mind comes from faults of his own. The question is was he sane at the time he committed the offense.

The difference between a sane man and an insane man is that the sane man wouldn't reason but he could, and the insane man could not reason if he would.

It is not worth while for me to tell you, gentlemen of the jury, that in a cause of this kind you cannot be swayed by passion or moved by sympath; sympathy for the family of the deceased or sympathy for the family of the prisoner cannot control you in the verdict which you shall find. The magnitude of the crime charged is such that it requires the court and all connected with it to plainly hear and deliberately consider all the evidence which may be brought out on both sides; to calmly and deliberately discharge the duty which the law places upon us; to me as judge to lay down the rules or lay by which you are to be governed; you to find the facts from the evidence and apply the facts as you find them to the rules of law which I have laid down and declare the result acocrding to your convictions.

Under this bill of indictment you may find murder in the first degree, or murder in the second degree, or manslaughter or not guilty, as you shall find from the evidence and apply the facts so found to the rules of law which I have laid down.

It is just as I said a while ago: The duty you have to perform is one confined to this case. The law of society for the protection of human life has declared that whoever commits a wilful, premeditated and deliberate murder shall be convicted of murder in the first degree; whoever commits any other murder shall be convicted of murder in the second degree, and he who slays his fellow being leoniously, without malice aforethought, should be convicted of manslaughter, and whoever kills of necessity to save his own life and to save himself from enormous bodily harm, being without fault at he time, shall not be held responsible for any offense but shall be acquitted. The compass of your duty is to find the facts in this case and apply the law applicable to the facts. The evil doer finds the consequences of his acts upon his own head. The innocent is entitled to the protection which the law affords.

As I said at the outset, you can neither be swayed by passion, moved by influence, controlled by what may or may not occur. Your duty is to inquire what did occur in this particular case and declare the result according to your convictions under the evidence and the rules of law which I have laid down.

You may retire with your officer. As I told you before and all along through the trial, it was not proper for you ot discuss the case with each other. Now I charge you that it is your duty to enter upon this discussion, each with the other, and let it be the subject of your thoughts and your discussions until you have reached a verdict.

ELECTIONS

Interesting Services Held at the Methodist Church Sunday Morning and Evening.

A most interesting service took place at the First Methodist Church Sunday morning, being conducted by the Woman's Foreign Missionary Society. The offering was for the purpose of aiding the missionaries in the foreign field. The program, as published in the Daily News Saturday, was carried out complete. The papers of Mrs. M. T. Plyler, Mrs George Spencer and Mrs. Thomas Lewis were interesting and entertaining. The poem by Mrs. Daily and the vocal solo by Miss Olivia Jordan added much to the interest and entertainment. The entire service was one that instructed and educated those present.

At night the Laymen had charge of the service. At this service Miss Ada Rhodes charmingly rendered a vocal solo, "One Sweetly Solemn Thought." Professor N. C. Newboldd read a most interesting paper entitled "The Laymen's Missionary Movement; What it is and What it is Attempting to Do." Mr. Frank Wright also read a most instructive paper on "Missionary Heroes." This was discussed by Mr. C. G. Morris. Both the morning and evening services at this church were much enjoyed by those so fortunate as to be present.

The pastor, Rev. M. T. Plyler, is absent from the city attending the General Conference in Asheville.

A SLEEPLESS NIGHT

Ranchmen Keep Vigil Against Indians.

EVERYONE HEAVILY ARMED

The Uprising So Far Seems to Be Confined to the Young Members of the Tribe—Troops Are Now on the Way—The Old Bucks are Quiet at the Present Time.

Taos, N. M., May 14.—Ranchmen throughout this section spent a sleepless night keeping vigil against a possible organized raid by Pueblo Indians from the reservation north of here, but at daylight no word of any further movement on the part of the braves had reached this town. Following the raids of yesterday and the day before, in which the ranch of L. S. Meyers was attacked, the buildings burned and fences destroyed, and, it is reported, the female members of the family attacked, everybody armed themselves and gathered in groups for better protection.

Troops from Santa Fe and other points ordered yesterday, were due to arrive this morning, but in the meantime a general massacre was feared, as authentic news came that 50 or more of thet ribes were wearing war paint and engaged in war dances.

None of the older bucks had donned the war bonnets, but many of the young ones were reported as having joined the uprising.

Send Out Troops.

Washington, May 14.—President Taft conferred this morning with Secretary Dickinson and Secretary Ballinger regarding the uprising of the Pueblo Indians at Taos, N. M. It was decided to send a troop of cavalry at once from Fort Wingate.

FLAYS [illegible] MACHINE

Wake's Anti-Ring Democrats Nominate Ticket.

MEETING WAS A QUIET ONE

About Three Hundred Delegates Responded to Call—Daniels Opens the Convention and Bailey Ridicules the Machine—Professor Sykes is at Head of Ticket.

Raleigh, May 14.—The anti-ring Democratic mass-meeting here this afternoon named a complete county and legislative ticket for the June primaries, thereby assuring a better fight between the anti-ring or reform faction and the regular Democratic county organization. This action also forces every one of the present county officers necessarily to line up with the regular or machine organization, multiplying the forces the reformers must combat. There are many who declare that the "reformers" will be unable to win over this combination that they have forced. On the other hand the promoters of the reform movement are confident of success.

There were probably three hundred delegates here from various parts of the county, some townships being considerably more largely represented than others, a number having from two to a half dozen occupying the seats allotted. One gallery was occupied by Raleigh sympathizers and the other by spectators generally. The hall was filled to almost standing room limit at one time.

Daniels Opens Meeting.

The meeting was called to order by Editor Josephus Daniels about 12:30. This duty had fallen to him, he said, because he was made chairman of the "sidewalk" meeting April 30 when there was such stirring happenings. "There is but one issue," he said, "Shall the people rule or be ruled? They call this an insurgent movement, but it is the spirit of the people and of liberty. A people willing to be ruled is but a craven people. A few self-constituted bosses have been over-riding the will of the people in this county with ring rule. The party machine is turned to fight the will of its party and we now rise against it. We are tired of gum-shoe and elbow-pulling politics in Wake. Our officers must be our servants and not our bosses."

Mr. Daniels called Fab Whitaker to the chair as temporary chairman. He commended the personnel of the convention and appealed for conservatism in a rather long expression of appreciation for the honor.

Bailey Ridicules Machine.

J. W. Bailey, in stating the object of the meeting, declared the meeting a magnificent body of men to be called enemies of the party. He ridiculed the machine leaders as wondrous wise, having jumped into briars and scratched out their eyes; they forthwith jumped into another to scratch them in again after the manner of the Mother Goose rhyme. He declared that he was here to put his foot on the machine, being like the boy who after eating too much apples was urged to have more. He didn't want what he already had. We want an organization to obey and not command. He insisted that he was not a candidate for any office and would accept no nomination, county or legislative. He was cleared for action and could best made his fight for the reforms advocate from the ranks. He had a speech prepared for April 30, but the machine heelers who met them in that meeting made his speech far more effective than he could have by coming forth and showing their rottenness. They led as complete a mob of howling dervishes from the academy to the courthouse to break up that meeting as ever followed heathen leaders. They showed their fear of the people and that thy would commit the grossest frauds.

The Ticket.

For members of the House considerable confusion characterized the effort to endorse men for the lower House. Walter Clark, jr., was nominated and seconded by a number. Editor Daniels nominated E. R. Pace. Others nominated were, R. H. Battle, J. H. Keith, Tom Harrison, Millard Mial and J. T. Judd. As the confusion cleared up Walter Clark, jr., insisted on his name being that considered. The final outcome was the endorsement of R. H. Battle, E. R. Pace and J. T. Judd.

For clerk of the court Millard Mial was nominated by acclamation.

For sheriff there was another stir. Henry Holding was nominated and refused to stand. H. D. Rand was nominated, but some one charged him with being a "ringster" and there were cries to trot out another horse. Dr. Sorrell was nominated and some one suggested Chairman Whitaker for the place. Walter Clark, jr., appealed for Rand to be given a hearing. He denied that he was a ringster and said that the ring defeated him for the sheriff nomination two years ago. The ballot developed the contest as between Rand, Sorrell and Page. Rand winning out with 94 votes and Sorrell second with 50.

May smiles on blooming flowers.

MAL-ADMINISTRATE

Is the Charge Against Bisho Morrison.

SPECIAL COMMITTEE TRIAL

It is Not Believed He Will Be Retired—The Election of New Bishops and Connectional Officers Take Places Today—Other Matters Passed by the Conference.

Asheville, N. C., May 14.—After the strenuous labors of the delegates to the general conference of the Methodist Episcopal Church, South, great satisfaction is expressed that tomorrow will be a day of rest. Nearly every Protestant pulpit will be filled by distinguished ministers, and great crowds at the churches are expected.

Bishop Morrison, against whom hcarges of mal-administration are lodged, and whose case is now before a committee of investigation to decide whether or not a trial is necessary, seems not to be much disturbed by the charges, and his friends declare that the committee will find that no trial will be necessary. The matter will come before the conference Monday, when the result of the finding of the committee will be made known. Judge E. C. O'Rear, of Kentucky, is representing Bishop Morrison.

The action of the conference in inviting the board of trustees of aVnderbilt University to Asheville, several members of the board now being here, was a most popular move and hopes are expressed that all differences will be settled.

The merging of the missionary societies of the church at today's session is a matter of general comment. The women are satisfied and declare that it is their purpose to work as faithfully for the success of the great undertaking as formerly.

The election of bishops will take place Monday and the concensus of opinion is that Revs. J. C. Kilgo and Collins Denny will be elected on the first ballot.

The report of the committee on missions concerning the unification of missionary boards and societies, recommending the union of the three missionary boards was favorably noted upon by the conference.

In the midst of the morning session, Dr. Collin Denny, chairman of the committee of episcopacy, announced that he had received a letter charging Bishop Morrison with mal-administration. The letter, he added, came from W. F. Packard, of the Texas conference.

Considerable debate ensued as to whether a complaint brought against Bishop Morrison by the Clay Street Church, Richmond, Va., should be referred to the committee of investigation to be appointed by bishops. It was finally so referred.

An additional report from the saem committee raised the salaries of bishops from $4,000 to $4,800 per annum, and retired bishops from $2,000 to $2,400.

At a late hour tonight the committee on investigation in the case of Bishop Morrison decided unanimously that no trial on any of the charges lodged was necessary, and all were thrown out. The matter of the bishop's character now goes back to the committee on episcopacy and it is generally believed that it will report against superannuation. In case of an adverse report, however, the question will be fought out on the floor of the conference.

DOG SURVIVES LONG FAST, 13 DAYS AT WELL BOTTOM.

New York, May 14.—Highland Lad—a Scottish terrier, the property of Mrs. W. Butler Duncan, of Hempstead, L. I., holds the record for fasting in that vicinity, as he has just been found after having fallen down a dry well, where he remained thirteen days without food or water.

The dog, which is quite old and has been a prize winner at bench shows, was probably chasing a rabbit on the Duncan place about two weeks ago when he fell into a well and could not attract anyone by his barking.

Mrs. Duncan, worried about the loss of her pet, who is worth $1,000, offered a reward of $50 for his return. Yesterday afternoon a little girl was passing the well when she heard a dog whine. She called an employe of the Duncans, who found that the sound came from the well. A ladder was lowered and Highland Lad was brought to the surface too weak to stand, but able to recognize those about him. He was given liquid food and within a few hours seemed as sound as ever.